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SENATE—*Monday, June 5, 2006*

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray:

Sovereign Lord, sustainer of the universe, remind us today that a good reputation is better than wealth. May we protect our good name with prudence, civility, diligence and love. Keep us from hasty words, an impetuous tongue, and unethical actions.

May our lives inspire others to maximize their possibilities.

Lord, bless our lawmakers as they labor. May their work be like a special picture frame in which You portray Your grace and beauty.

We pray in Your majestic Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT prc tempore led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MARRIAGE PROTECTION AMENDMENT—MOTION TO PROCEED

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S.J. Res. 1, which the clerk will report.

The assistant legislative clerk read as follows:

> Motion to proceed to the consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.

RECOGNITION OF ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting Republican leader is recognized.

SCHEDULE

Mr. MCCONNELL. Mr. President, today we are resuming debate on the motion to proceed to S.J. Res. 1, the Marriage Protection Amendment. It will be necessary to file cloture on the motion to proceed. Therefore, that cloture vote will occur Wednesday morning.

In the meantime, we have a number of Senators who wish to come to the Senate to speak to the marriage amendment. We are also working on an agreement for debate time during Tuesday's session. Under a previous agreement, at 10:15 tomorrow morning, we will vote on the nomination of Renee Bumb to be U.S. District Judge for New Jersey. That will be the first vote of the week.

I also remind all of our colleagues, on Wednesday of this week, we will have a joint meeting with the House to hear an address by the President of the Republic of Latvia. That address will occur at 11 a.m. Therefore, Senators should be prepared to depart the Chamber around 10:40 a.m. on Wednesday morning.

I also remind all of our colleagues this week the Senate will address the death tax repeal, the Native Hawaiians issue, and the supplemental appropriations conference report when it becomes available.

RECOGNITION OF MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

UNANIMOUS CONSENT REQUEST—H.R. 4437

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 4437, the House immigration bill; that the Senate proceed to its immediate consideration; that all after the enacting clause be stricken and that the text of S. 2611, as passed by the Senate, be substituted in lieu thereof, the bill be read the third time and passed, the motion to reconsider be laid upon the table, and the Senate insist on its amendment, request a conference with the House, and the chair be authorized to appoint conferees.

Mr. MCCONNELL. Mr. President, I object.

The PRESIDENT pro tempore. The objection is heard.

Mr. MCCONNELL. If I may make an observation, as the Democratic leader knows, under the procedure that the Senator requested unanimous consent on, it is our understanding that the bill might well be blue slipped. We are looking for a way to get the immigration issue to conference in a way that will guarantee the conference can go forward. It will be a contentious conference, in any event, but to make sure the conference can go forward in a way that guarantees we do not get derailed by some parliamentary technicality.

I offer a different unanimous consent. I ask unanimous consent the Senate proceed to Calendar No. 326, H.R. 4096; provided further that all after the enacting clause be stricken, and the text of the Senate-passed immigration bill be inserted in lieu thereof.

Further, that the bill be read the third time and passed, and the motion to reconsider be laid upon the table.

I further ask that the Senate insist on its amendment, request a conference with the House, and the chair be authorized to appoint conferees.

Mr. REID. Reserving the right to object, the regular order is to go to conference with the House using one or the other legislative companion as the vehicle.

The House acted first, no question about that. I am proposing to go to conference with the House using their bill. Some may argue that the House will blue slip the bill and return it to the Senate because it contains some tax-related provisions. That will be the decision of the House. But it does not have to be that case since the Constitution states:

> All bills for raising revenue shall originate in the House of Representatives but the Senate may propose or concur with amendments, as on other bills.

● This "bullet" symbol identifies statements or insertions which are not spoken by a member of the Senate on the floor.

We will be using their immigration bill, which originated in the House. We await their decision.

Anyone trying to use this blue-slip argument is doing so to avoid a conference on the immigration bill.

Further reserving the right to object, if the Republican leadership wants to take up the House-passed tax bill for purposes of moving to a conference on the immigration bill, we have amendments we would offer to that, and they are all tax matters. The recent tax reconciliation bill provided only 1 year of AMT relief; that is, for this year—presented with the tax bill on the Senate floor. Democrats would want to offer amendments to extend relief for at least one additional year and perhaps two, so that programs have certainty on the taxes they face the next couple years.

We would also want a number of important popular tax provisions which expired at the end of 2005 to be included, including, for example, the research and development tax credit, deductibility of the State and local estate tax, which is so important to Nevada, tuition tax credit, important to people trying to put their children through college, tax credits for employers who provide jobs to individuals, and welfare.

We would also be concerned about what is happening with the estate tax. Other tax provisions from the bill also expire at the end of 2010, as does the estate tax relief. We would want to make sure the present tax relating to estates be continued well past 2010. Also expiring at the end of 2010 is a 10-percent bracket that increases child credit and marriage penalty relief. That should not be placed behind estate tax.

We have unnecessary subsidies for big oil, expanding health care coverage, and, finally, energy independence. We would offer amendments, all tax related, to this proposal that the majority wants to bring to the Senate.

For those and other reasons, I respectfully object to my friend's unanimous consent request.

The PRESIDENT pro tempore. The objection is heard.

Mr. McCONNELL. I might say to my good friend, the Democratic leader, all of the amendments the Senator referred to could be offered to the death tax which we expect to be on later in the week.

The American people did not send us here to try to engage in some kind of effort to embarrass the other Chamber. They want us to legislate. We spent multiple weeks on the immigration bill. Both the Democratic and Republican leaders are aware of who the conferees are. It is time to move forward. We should not engage in some kind of parliamentary maneuver that is going to be completely lost on the American people as they wonder why in the world we did not get about the business of having the conference on a very challenging bill, the immigration bill.

By the way, I personally was unaware that the leader was going to offer this objection today. I think we ought to talk about it later in the afternoon and see if we cannot arrive at some way that is mutually agreeable to both sides to go on and get to conference. The Senate has acted. The House has acted. It is time to have a conference. I hope we can do that sooner rather than later.

The PRESIDENT pro tempore. The Democratic leader.

Mr. REID. I agree with the distinguished senior Senator from Kentucky. There shouldn't be games played on the immigration bill, but let's face facts: 90 percent of the Democrats voted for the bill and—I don't know the exact percentage—65 or 70 percent of the Republicans voted against the immigration bill; we know 75 to 80 percent of the Republicans in the House do not like the immigration bill.

If there were ever a time to take an immigration bill to conference, it would be now; it would be to take immigration bills to conference, not tax bills.

Now, I don't think the bill is blue slippable. I read the Constitution, the provision of the Constitution that says tax measures must originate in the House. We are willing to take up the House bill.

I also say that I certainly in no way meant to surprise the distinguished leader. We alerted staff we were going to offer this unanimous consent request. I am sorry about that.

Anyway, we have an immigration bill. That is what should be taken to conference. That is what we should deal with, the immigration bill. Any excuse to get out of taking an immigration bill to conference and trying to substitute in its place a tax bill simply is wrong.

THE STATE OF THE WORLD

Mr. REID. Mr. President, gas prices are over $3 a gallon. Fill-ups at the tank, of course, cause emptiness at the bank. This administration, the most friendly to oil Presidency in our history, refuses to buck big oil with the auto manufacturers. Our citizens are literally choking on the lack of alternative fuel. Few incentives for energy created by the Sun, the wind or the Earth's geothermal reserves has this administration endorsed.

Raging in Iraq is an intractable war. Our soldiers are fighting valiantly. But we have Abu Ghraib and Haditha, for example, where it is alleged that 24 more civilians were killed by our own, and no policy for winning the peace. However, Secretary Rumsfeld continues in his job with the full backing of the President—not a reprimand, not a suggestion that his Defense Secretary is at fault; a national debt that President Bush won't acknowledge, but our children, their children, and their children's children will have to acknowledge with generations of debt created by President Bush's economic policies; Federal red ink as far as one can see. America is becoming continually more dependent on loans from China, Japan, Saudi Arabia, and even England; a world changing as we speak as a result of global warming, a condition our President does not acknowledge, let alone attempt to reverse.

Today, more than 46 million Americans have absolutely no health insurance. Millions more of our countrymen have inadequate health insurance. This administration has come forward with nothing of substance to address this national emergency.

Seniors in Nevada and each of the 50 States are struggling to survive. Some physicians refuse to take Medicare patients. The President's Medicare prescription drug plan has been a gift to HMOs, insurance companies, and drug companies and a nightmare for seniors.

Education for many of our graduating high school seniors has become a goal too far. Student loans and Pell grants are not a priority for the Bush administration. The ability to obtain a college education is becoming more and more based on how much money your parents have instead of how much academic potential our youth have.

Crime remains a national worry, but money from the Federal Government to our States for crime fighting and crime prevention is being drastically cut. Successful anticrime programs such as the COPS Program are being eliminated by President Bush, much to the consternation of police officers across America.

A trade policy that is continually ruining America's favorable balance of payments seems to be the watchword of the Bush administration. This trade policy causes America to be less and less globally competitive.

The scientific community cries for help. They believe dread diseases such as Alzheimer's, Lou Gehrig's, Parkinson's, and diabetes could be moderated and prevented. But President Bush emphatically says no to allowing scientists to study and research the healing powers of stem cells. He refuses to keep hope alive for the suffering people for our great country.

In spite of the many serious problems we have discussed, what is the Senate going to debate this week? A new energy policy? No. Will we debate the raging war in Iraq? No. Will we address our staggering national debt? No. Will we address the seriousness of global warming? No. Will we address the aging of America? No. Will we address America's education dilemma? No. Will we address the rising crime statistics? No. Will we debate our country's trade imbalance? No. Will we debate stem cell research? No. But what we will spend most of the week on is a constitutional amendment that will fail by a large margin, a constitutional amendment on same-sex marriage. It failed to pick up a simple majority when we recently voted on it. Remember, an amendment to the Constitution requires 67 votes.

I believe marriage should be between a man and woman. But I also believe in our Federal system of government described to me in college as a central whole divided among self-governing parts. Those self-governing parts, the 50 States, have already, in State after State after State, decided on their own and others are deciding it as we speak. For example, in Nevada, the constitution was amended to prevent same-sex marriage.

Congress and President Clinton passed a law that gave the States the guarantee that their individual laws regarding marriage would be respected. The Defense of Marriage Act creates an exception to the full faith and credit clause of the Constitution so that no State can force its laws of marriage on another. So why are we being directed by the President and this Republican majority to debate an amendment to the Constitution, a document inspired more than two centuries ago? Why would we be asked to change this American masterpiece? Will it next be to constitutionally dictate the cause of divorce or military service or even what America's religion must be?

For me, it is clear that the reason for this debate is to divide society, to pit one against another. This is another one of the President's efforts to frighten, to distort, to distract and confuse America. It is this administration's way of avoiding the tough, real problems American citizens are confronted with each and every day: high gas prices, the war in Iraq, the national debt, health care, senior citizens, education, crime, trade policy, stem cell research—each issue begging the President's attention, each issue being ignored. The valuable time of the Senate will be spent on an issue that today is without hope of passing.

These issues about which I have spoken are not Democratic issues. They are not Republican issues. There must be a bipartisan effort to address America's ills. I will vote no on the motion to proceed as it is not a measure meant to bring America together. Rather, it is an effort to cover and conceal issues necessary to make America more competitive, caring, considerate, and stronger.

Together, America can be better and do better.

The PRESIDING OFFICER (Mr. ALEXANDER). Who seeks recognition?

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, I have sought recognition to oppose S.J. Res. 1, known as the marriage amendment. I do believe marriage is a sacred institution between a man and a woman. I believe the Congress of the United States has acted responsibly on the Defense of Marriage Act. In 1996, it passed this body with only 14 dissenting votes. I believe that does protect the institution of marriage.

I believe former Senator Barry Goldwater said it comprehensively and succinctly when he said that government ought to be kept off our backs, out of our pocketbooks, and out of our bedrooms. This is a matter which ought to be left to the States, and the States are taking care of it.

Nineteen States now have constitutional amendments protecting marriage solely between a man and a woman. Twenty-six other States have statutes designed to protect traditional marriage by defining marriage only as a union between a man and a woman. Five States have no statutory or constitutional protection for traditional marriage, only five: Massachusetts, New Jersey, New Mexico, New York, and Rhode Island. The voters in seven States—Alabama, Idaho, South Carolina, South Dakota, Tennessee, Virginia, and Wisconsin—will vote on constitutional amendments this year. Another five State legislatures—Colorado, Indiana, Iowa, Massachusetts, and Pennsylvania—are considering sending constitutional amendments to voters in 2006 or 2008, and ballot initiatives are currently underway in three States—Arizona, Florida, and Illinois. Six States—California, New Jersey, Connecticut, Hawaii, Maine, and Vermont—have adopted a domestic partnership or civil union law, each without any mandate from the courts, except for in Vermont, where the State supreme court did intervene.

There are many lawsuits pending to work on this issue within the context of States' rights. Nine States face lawsuits challenging traditional marriage—California, Connecticut, Iowa, Maryland, Nebraska, New Jersey, New York, Oklahoma, and Washington. In four of those States—California, Maryland, New York, and Washington—trial courts have found a right to same-sex marriage in State constitutional provisions relating to equal protection and due process, in each case relying in part on the Massachusetts decision. State supreme courts will decide appeals of those decisions, presumably in 2006 or 2007.

There are also a number of Federal cases involving this issue. In Nebraska, a Federal district court found unconstitutional a State constitutional amendment passed by 70 percent of Nebraska voters. The U.S. Court of Appeals for the Eighth Circuit heard arguments on the State's appeal in February of this year. Federal district court challenges to the Federal Defense of Marriage Act are pending in Washington and Oklahoma, and cases were previously filed in Florida.

The Supreme Court of the United States has emphatically and repeatedly declared that marriage is a matter for the State courts. The Supreme Court recognized "domestic relations as 'an area that has long been regarded as a virtually exclusive province of the States'" in Zablocki vs. Redhail in 1978.

In 1859, going back a century and a half, in Barber vs. Barber, the Supreme Court of the United States expressly "disclaim[ed] altogether any jurisdiction in the courts of the United States upon the subject of divorce. . . ."

Less than 20 years later, in Penoyer vs. Neff, 1878, the Court reaffirmed that the States have the exclusive right to define the requirements of marriage and said that "[t]he State . . . has [the] absolute right to prescribe the conditions upon which the marriage relation between its own citizens shall be treated, and the causes for which it may be dissolved."

The matter of marriage is solely within the province of States, as are the divorce laws. What would be next if this amendment is passed dealing with the States? Rules on child custody cases? Adoption regulations? Or probate laws to determine who is entitled to inherit property? Like these other issues, this is a quintessential matter for State control.

It is important to note that in the Defense of Marriage Act, there is a specific provision that States need not grant full faith and credit. The law specifies as follows:

> No State shall be required to give effect to any public act, record, or judicial proceeding of any other State respecting a relationship between persons of the same sex that is treated as a marriage under the laws of such other State or a right or claim arising for such relationship.

So we have the law emphatically set out that the courts have consistently held and the Supreme Court of the United States itself for more than a century and a half has said that marriage is a matter for the States. We know that when Massachusetts or any State acts to the contrary, that the action of Massachusetts will not be entitled to full faith and credit. We know that there are many lawsuits now litigating this matter, so that the relationship of marriage is being adequately handled by the States. If it should become necessary for the consideration at a later date of a constitutional amendment to be considered, there would be ample time to do so.

It is important to note the avalanche of statements by highly respected people in the tradition of what former

Senator Goldwater said, that we ought to keep the government off our backs, out of our pocketbooks, and out of our bedrooms, as a matter of privacy and as a matter of tolerance—two very highly placed values in our society.

During the 2000 election campaign, Vice President CHENEY had this to say:

> The fact of the matter is that we live in a free society, and freedom means freedom for everybody . . . It is really no one else's business in terms of trying to regulate or prohibit behavior in that regard . . . I think states are likely to come to different conclusions, and that's appropriate.

That was the Vice President.

The distinguished conservative academic professor James Q. Wilson had this to say:

> The states should . . . decide about gay marriages . . . Though I oppose gay marriage voters in some states may approve it. If they do, we will have a chance to learn what it means in practice, with the costs and benefits falling on people who have accepted it. Moreover, . . . since feelings run high on this matter, it would be a mistake to let it be decided as the right to abortion was decided. If there were the gay marriage equivalent of Roe v. Wade or a constitutional ban on it, we would infect the nation with the divisive anger that followed Roe and our earlier attempt at alcohol prohibition.

Professor Richard Epstein, University of Chicago Law School, had this to say in the Cato Institute's article, "Live and Let Live":

> The question is whether "the majority of the public [should] impose its will on a minority within its midst in the absence of any need for collective decision. The claim for same-sex marriage is no weaker than any other claim of individual rights on personal and religious matters . . . The path to social peace lies in the willingness on all sides to follow a principle of live-and-let-live on deep moral disputes. Defenders of the illiberal Marriage Amendment should look to their churches, not Congress and the states, to maintain the sanctity of the marriage.

Professor Dale Carpenter at the University of Minnesota Law School, publishing in the Cato Institute Policy Analysis, had this to say:

> An amendment banning same-sex marriage is a solution in search of a problem . . . A constitutional amendment defining marriage would be a radical intrusion on the nation's founding commitment to federalism in an area traditionally reserved for state regulation, [that is] family law.
>
> There has been no showing that federalism has been unworkable in the area of family law.

Richard Posner, the distinguished Federal judge in the Seventh Circuit said the solution for gay marriage "is to submit it to social experimentation. A great advantage of our Federal system is that it enables large-scale social experiments."

The distinguished columnist, Andrew Sullivan, writing as the Columnist for the New Republic on the National Review Online, said the marriage amendment "tramples on any notion of federalism, . . . egregiously violates States' rights, and . . . seeks to impose a uniform settlement on an entire country in perpetuity. The amendment is more typical of the excesses of modern liberalism than anything vaguely conservative."

George Will of the Washington Post put it succinctly, saying that the marriage amendment "is unwise for two reasons. Constitutionalizing social policy is generally a misuse of fundamental law. And it would be especially imprudent to end State responsibility for marriage law at a moment when we require evidence of the sort that can be generated by allowing the States to be laboratories of social policy."

Mr. President, I suggest that the evidence and judgments against this marriage amendment are powerful and overwhelming in terms of our traditional view of tolerance, our traditional view of privacy. The fundamental concept of federalism reserves all power to the States and the individuals that are not specifically granted to the Federal Government. This is especially so in a context like marriage, which is a quintessential issue for determination by the States, like adoption, like divorce, like child custody, like probate—these are all matters for the State.

I brought this matter to the floor with the calculation that the Judiciary Committee ought not to bottle up matters, because the Constitution says these issues are to be decided by the Senate and not by the Judiciary Committee. We have an unfortunate precedent of the Judiciary Committee bottling up legislation, a precedent which the Judiciary Committee today will not follow. We will report such matters out, even where the individual Members voting may not agree with them. That is a view that I have personally held as long ago as 1987 when I voted to send Judge Bork's nomination to the Supreme Court to the floor of the Senate, even though I strongly objected to his confirmation as a Supreme Court Justice. But it seemed to me then, as it seems to me now, that the Constitution requires that decision to be made by the full Senate.

In 1957, the Senate Judiciary Committee had no rules. The chairman of the committee, James Eastland, wanted to bottle up civil rights legislation, and he explained the inactivity of the Judiciary Committee as follows:

> Well, a committee that has no rules, the Senate rules govern. The Senate rules provide that to file a cloture petition must be signed by 16 Senators. So we had an unlimited debate in the Judiciary Committee. We had 15 members, so there wasn't any way anyone could file a cloture petition.

Accordingly, the civil rights bill was defeated by filibuster in committee.

After President Eisenhower introduced the bill that later became the Civil Rights Act of 1960, it eventually became was clear that Chairman Eastland again would not release the civil rights bill from the Judiciary Committee. In order to get the bill to the floor, the civil rights bill was offered on the Senate floor on February 15, 1960, as an amendment to a minor bill concerning the leasing of a surplus U.S. Army building to a school district in Missouri. It is curious that the lease of a school building in Missouri would be the jurisdictional base for the Civil Rights Act.

In 1964, in order to avoid Chairman Eastland's tactics, the Senate voted 54 to 37 to bypass the Judiciary Committee altogether and place the House bill directly on the Senate calendar. In the action when the Judiciary Committee voted S.J. Res. 1 out of committee last month, my distinguished colleague, Senator LEAHY, noted that, unless we reported the resolution out of Committee, it was going to be brought to the floor under rule XIV, which is the leader's prerogative. Senator LEAHY stated that he felt it preferable that the Judiciary Committee act in our traditional way and vote. I thanked him at the time and I thank him now.

My view is that the matters ought not to be bottled up in committee, and the precedent cited about Chairman James Eastland, going back 40 years ago, is ample precedent that matters ought to come to the Senate floor.

It is my hope that this will not be a lengthy debate. We have considered this matter before and it carried votes only in the forties, far short of the 60 necessary for cloture, and far short of the 67 necessary to pass a constitutional amendment.

In the context where we have many pressing and important matters, it is my hope that our colleagues will come to the floor, debate the issue so that the Senate can work its will and we can proceed to other important matters for the United States Senate.

The chairman of the Constitutional Law Subcommittee, Senator SAM BROWNBACK, will be in charge of managing the amendment for those who favor. Senator LEAHY and I can handle the management for those in opposition. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I see the distinguished Senator from Colorado in the Chamber. I am about to propound a unanimous consent request to help start the lineup of people. Was he looking for a chance to speak?

Mr. ALLARD. Mr. President, yes, I would like the opportunity to speak. I would like to start off the debate, as far as Members are concerned, if I might. Senator BROWNBACK will be coming in on a later flight. I will help manage the floor, if that is OK with the chairman, for those in favor until Senator BROWNBACK arrives.

Mr. SPECTER. If I may comment, I thank the Senator from Colorado. That would be fine for him to manage until Senator BROWNBACK arrives.

Mr. LEAHY. Mr. President, I ask unanimous consent that following my remarks, the distinguished Senator from Colorado be recognized for whatever remarks he wishes to make, and then that Senators JOHNSON and DORGAN be recognized for such comments as they wish to make.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I wish to speak about the amendment presently before us. There has been a lot of speculation in the paper about whether this is on the schedule because of partisan politics. Of course, it is. The Republican leader has decided that today our Nation's most pressing priority is a concern over committed relationships between same sex couples. We have very little time left in this session that we are devoting to an amendment, which will go nowhere, when so many of us are trying to focus on solutions to high gas prices, something that hurts people in your State and mine; or the rising cost of health care, certainly a matter of great interest in my State; the ongoing situation in Iraq, a place where the Bush-Cheney administration told us we would be welcomed as liberators and suggested we would be out of there quickly. We have now been there almost as long as World War II, and the ending to World War II was far more obvious than the ending in Iraq; or strengthening our national security. We are not going to talk about any of those things. I think that is a testament to the misplaced priorities of the Republican leadership. News reports have clearly revealed how this proposed constitutional amendment is being used to satisfy the most extreme right-wing supporters of Republican politicians. I do not believe that Americans are well served by this strategy, a strategy that would divide rather than unite Americans.

The Constitution is too important to be used for such a partisan political purpose. It is too important to make us dividers and not uniters. I agreed with First Lady Laura Bush when she recently told Fox News that this proposed amendment should not "be used as a campaign tool, obviously." Even so, obviously, that is exactly what Karl Rove and others in the Bush-Cheney administration are doing. That is why we only vote on such partisan measures in the run-up to an election. Apparently, high campaign season has arrived on the Republican leader's calendar. Right on the heels of this campaign season bid to amend our Constitution, they are readying yet another constitutional amendment for the floor.

Many people have aptly noted that this amendment would write discrimination into our Nation's Constitution. I agree. That is exactly what we are being asked to spend our time doing this week.

The Republican leadership's strenuous efforts to move this proposed amendment to the Senate floor for debate shows how important it is to the Republican leadership of the Senate to cater to the extreme right-wing and special interest groups agitating for a fight over this issue. They intend to stir up an election year fight and use it as a "campaign tool" and a "political strategy."

Right now, we should be addressing America's top priorities, including ways to make America safer, the war in Iraq, rising gas prices, rising health care and health insurance costs, stem cell research, or fixing FEMA, an organization that has fallen into almost incomprehensible misuse during this administration, and assisting our veterans whose privacy has been compromised by the neglect of the administration's Veterans' Administration. Maybe we can talk about the reauthorization of the Voting Rights Act, which is something that affects every State in this country.

Instead, the President's political strategists and Senate allies are doing their best to divide and distract the American people and the Senate from fixing real problems by pressing forward with this controversial proposed constitutional amendment.

As a nation, we are currently facing so many pressing issues, including the continuing sectarian violence in Iraq that is spiraling out of control, with the United States unable to stop it; the stunning investigations of this administration, indictments and convictions for government corruption; or a complicated drug program that has been dropped into the laps of our seniors. We now find it so complicated that it penalizes our seniors. It appears the only ones doing well under the program are the pharmaceutical companies. How about a burgeoning national debt, where a family of four owes well over $100,000 just for the debt run-up by the Bush-Cheney administration? Every time I stop at a gas station and fill up my car, all I hear from people is: When is the Congress going to do something about these historically high gas prices? Of course, the largest theft of private information maintained by the Government was stolen under the Bush-Cheney administration's watch, but we are not asked to debate that problem. We even tried to find some corrective legislation to protect not only our veterans, but now we find we need to protect tens of thousands of Active-Duty personnel from the negligence of this administration. We are not asked to do anything to protect those veterans. No, we have to talk about this constitutional amendment.

The Judiciary Committee has been conducting hearings, but we have yet to get to the bottom of the Bush-Cheney administration's warrantless wiretapping and other programs utilized to gather information on Americans, such as the e-mails on the Web sites we visit and even our conversations among families.

We need to make reauthorizing the expiring provisions of the Voting Rights Act a priority in the coming months of this season. We still see people that are not allowed to vote in this country because of the color of their skin. We ought to be doing something to reauthorize the Voting Rights Act. If we want to hold ourselves up as a moral mirror to the rest of the world, let's talk about things that affect a large part of the population of America.

But no, on the Senate floor, we don't talk about these things, even though we are here to protect the rights of Americans—all Americans—no matter what color they might be. But instead we are being made to turn again to a divisive measure that will do nothing to correct the weakness in our homeland security, that will do nothing to enact a budget the Republican Congress was supposed to, by law, enact months ago. We will do nothing to stem the rising gas prices. We will do nothing to respond to the most pressing issues facing hard-working Americans.

Some may remember proponents of the Federal marriage amendment in 2004—coincidentally the last election year—could not assemble a majority of Senators to even move to consider the proposed amendment, even though the Republicans controlled the Senate. Remember that in 2004, we were warned immediate action was required to protect the fragile institution of marriage, which was said to be under immediate threat. Of course, the real threats to marriage include adultery and unfaithfulness, desertion, pressures on a marriage that comes from economic stresses, unhappiness, and spousal abuse. Does anybody want to debate those on this floor? No. Would somebody like to put forward a constitutional amendment to tell States they cannot be allowed to have divorce laws? No. What about telling States what ages people can marry? No. That would be interfering with the rights of States. We will do the whole enchilada and tell them we will take over their State legislatures.

Having been told the heavens are falling, we find in the past 2 years, no States have been forced to recognize same-sex marriages. In fact, several States voted to amend their State Constitutions to define marriage. The Defense of Marriage Act, which we passed, defines marriage as the union between a man and a woman for Federal purposes and prevents any States from being forced to recognize another State's approval of same-sex marriage.

That is the law of the land. That bipartisan law has been upheld three times in Federal court. It is under no threat of being overturned. So when the last election year rolled around, we were told there was a crisis, but there never was a crisis then, nor is there now an imminent crisis that demands the diversion of Congress's attention from all of these other urgent problems or that justifies an alteration of our founding document to say that States are no longer the ones in control of marriage. We will set a Federal law to tell the States of Tennessee and Vermont and every other State, we are taking over. Your legislatures can go home.

But unlike the Republican leadership of this Congress and the Bush-Cheney administration, I trust our 50 States to define marriage and the rules of marriage as they always have. I trust our States a lot more than the Republican leadership of this Congress or of the administration.

I am sure we will continue to hear a lot of rhetoric about "judicial activism" as the reason why we need to dramatically alter the U.S. Constitution. Even the President in his weekly radio address invoked the notion of "rogue judges" that flaunt the law as a justification for this drastic measure. This politically convenient criticism is surprising. It is surprising, considering the fact that the majority of those Federal judges he is so worried about were all appointed by Republican Presidents. He doesn't even trust the judges the Republicans appointed. In fact, any judicial decision that was a dramatic departure from the status quo on this issue would certainly be appealed to the U.S. Supreme Court, where seven of the nine Justices on the Supreme Court were appointed by Republican Presidents. Does anyone believe Chief Justice Roberts is going to preside over a U.S. Supreme Court that will override the law in this regard? And any State can define marriage in their Constitution. When the Republican-controlled Supreme Court of Massachusetts ruled that you could have same sex marriage, they made it very clear that the State, of course, could amend their Constitution to change that.

In fact, the proposed Federal marriage amendment, now renamed the Marriage Protection Amendment, would itself produce a wide range of litigation that judges—the very boogeymen that proponents of the proposed amendment demonize, would be required to resolve. It would be the judges—these judges—these judges that the President and the Republican leadership, all of these Republican judges they seem to fear, they are the ones who will be forced to resolve the ambiguities and meanings of these words if they are added to our Constitution.

The proposed language we are being required to consider is exceedingly confusing and subject to interpretation. It is inevitably going to create uncertainty. For example, who would be bound by the provisions of the Marriage Protection Amendment? State actors, private citizens or religious organizations? What would constitute the legal incidents of marriage? Can a legislature pass a civil unions law that mirrors its marriage law, so long as they do not call it marriage? Can the people of a State put protections for civil unions in their State Constitution? What State actors are forbidden from construing their own Constitutions? Are we saying that a State supreme court could not construe its own Constitution or is it the State executive branch officials that couldn't do it as well? We had hearings on these precise language questions, and they were not resolved.

I am particularly concerned about the fate of the Vermont civil unions that have been formed under the color of State law. Despite an initially wrenching debate, our State law remains on the books after 5 years. There has been no ensuing crisis in the lives of Vermont families. In fact, we have one of the lowest divorce rates in the country. But it is not clear to me why this constitutional amendment would render Vermont's law invalid.

I started this afternoon by alluding to my agreement with the recent statements of the First Lady that the Constitution should not be used for political purposes. I agree with her statement, as I agreed with her sense that the President's "bring it on" language from the early days of the Iraq occupation was not helpful, and certainly was actually frightening to families who had somebody serving in the gulf. Starting this last weekend we have seen that suddenly the President is involving himself in this effort and is now prepared to endorse a specific constitutional amendment on this divisive topic. I have written President Bush on more than one occasion to ask, OK, if you are going to endorse it, what language? What language would you propose?

In fact, my most recent letter was last month, and I ask unanimous consent that a copy be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, May 22, 2006.

Hon. GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: The Senate may consider Senate Joint Resolution 1, the so-called "Marriage Protection Amendment," during the week of June 5, 2006. I have written to you on several occasions, most recently on October 27, 2005, requesting your views on specific proposals to amend the Constitution to define marriage but you have not responded.

Two years ago, you publicly acknowledged that "states ought to be able to have the right to pass laws that enable people to be able to have rights like others." The proposed constitutional amendment would prohibit "the legal incidents" of marriage from being conferred upon same sex couples. How is that language consistent with your position that states should be able to pass laws giving committed same sex couples the same legal rights as others?

Many feel that adopting this proposal would amount to "writing discrimination into the Constitution." Do you support amending the United States Constitution with the language of Senate Joint Resolution 1, a copy of which is attached to this letter?

Respectfully,

PATRICK LEAHY,
U.S. Senator.

Mr. LEAHY. Not surprisingly, those letters have gone unanswered. In fact, the administration didn't even send a representative to any of the committee hearings that the Judiciary Committee had on this amendment, nor did the administration comment on the specifics of the current proposal or respond to questions about its language. The general endorsement of the Bush-Cheney administration has been more in the nature of a political campaign, more of a signal than of substance. We could use a lot more substance up here and a few less signals.

The President's recent statements on Saturday and at the rally today, adjacent to the White House, remain general and vague. After the last campaign and his reelection, the President indicated that he had no intention of including such an amendment among his administration's top priorities. He had no intention of pressing Congress to approve it. Suddenly, we are away from that election, we are approaching another election. Golly gee whiz, what has changed? What has changed in that time? Well, his standing in the public opinion polls, for one; or the agitation of the right-wing elements of his base, which he always responds to.

I remember a time when leaving States in control of issues of family law was an easy decision for Members of both sides of the aisle to make. It is disappointing that Senators would endorse this broadly drafted amendment, which so clearly violates the traditions of Federalism and local control that many in this body have claimed to respect and cherish.

As prominent conservative and former Congressman Bob Barr put it, "Marriage is a quintessential State issue. The Defense of Marriage Act goes as far as is necessary in codifying the Federal legal status and parameters of marriage. A constitutional amendment is both unnecessary and needlessly intrusive and punitive."

This reminds me of last year when we were called into emergency session after highly competent courts had thoroughly reviewed the medical decisions in the Terry Schiavo case. They spent months, even years, doing that. But we were called into emergency session, and the President flew back from his vacation so we could pass in a couple of hours something to overturn all those courts. We even had diagnoses made from the floor of the Senate that she was not in a vegetative state. This is a family tragedy. We should have left it alone instead of grandstanding—grandstanding—on a political issue where we are not about to change anything. The American people saw through that grandstanding. They realized this is something to be left to a family going through a terrible tragedy. As we know, she was in a vegetative state; an irreversible vegetative state.

So I couldn't help but wonder: What has happened to conservatives who would oppose the Federal Government's intrusion on the prerogatives of the States? Where are those Senators on both sides of the aisle who stood up and said: Certain things are reserved to the States and we shouldn't intrude? The States have traditionally set the laws of marriage. That has been a foundational principle in laws pertaining to our families from the beginning of this country. Why this sudden need to change that? Oh, I forgot. We have elections this fall, so we have to have an electioneering issue. The States determine what age you must be in order to marry, whether you have to have your parents' permission and so on. The States have done that. They have done it quite well, and we ought to let them continue doing it.

Most States are going to say marriage is between a man and a woman, as they always have. My own State of Vermont, because of our Constitution, was given a question: Would we support gay marriage in Vermont? My State of Vermont said no. Instead, we have civil unions, which give gay couples legal rights of inheritance and hospital visitation and other prerogatives. We made a pretty sensible decision. But in Judiciary Committee hearings, there is strong disagreement that this constitutional amendment could override Vermont's very sensible decision.

But even beyond that, beyond any parochial thought, as a Senator, I am deeply concerned that this proposal is writing discrimination into the Constitution. For the first time—for the first time in our Nation's history, we would be amending the Constitution to narrow individual rights and to federalize an issue of family law. Well, the senior Senator from Vermont is a conservative when it comes to the Constitution and to conserving the Constitution.

How will this measure affect American families who currently exist in this country whose members seek the protection of civil unions and the acknowledgment of their committed relationships? How will it affect child support enforcement or even inheritance and insurance benefits? I hope those who claim to care about families will turn away from wedge politics and scapegoating and discrimination. Instead, we should join together to work on the many pressing issues already piling up on Congress's agenda—issues we don't take time for, such as health care, gas prices, pensions, Iraq, paying for college education, and raising the minimum wage. Are we so afraid to tackle these real issues which affect all Americans, that we can only attempt to bring up issues that can be used in this fall's elections?

Last month, President Bush spoke eloquently about this country and our values when he spoke about immigration, and I praised the President for his speech. He emphasized something I wish this White House and the Republican leadership in the Congress would keep in mind in connection with their efforts to demonize gay and lesbian Americans. The President said:

> We cannot build a unified country by inciting people to anger, or playing on anyone's fears or exploiting the issue of—

And here I insert "marriage" for "immigration"—

> for political gain.

President Bush continued by saying:

> We must always remember that real lives will be affected by our debates and decisions, and that every human being has dignity and value. . . .

I agree. My religion taught that, and I believe that every human being has dignity and value. Mean-spirited rhetoric does not serve this Nation or its diverse population. Our Nation would be better served if we refrained from divisiveness that is wielded like a weapon in order to score political and emotional points before an election.

As an American who has been married 44 years, I am a great fan of the institution of marriage. I believe it is important to encourage and to sanction committed relationships, and I respect the people of my State for the careful manner in which they resolved this matter by recognizing civil unions. They recognized, as my predecessor, the senior Senator from Vermont, Robert Stafford, a wonderful quintessential New England Republican, did when he spoke of well over 60 years of marriage. He spoke about how the love of his wonderful wife Helen, made him a better person, and how their committed relationship made him better.

Lower the rhetoric. Those who want to score points for this fall are denigrating people of committed relationships. Senator Stafford was right when he said that people who love make each other better people. Don't we all benefit from that? We have in Vermont. I know I would not have accomplished any of the things I have accomplished in life without the strong support and love of my wife, Marcelle. We have done this for 44 years.

Let's look inward, each of us, to ourselves. Let's make sure we are living our lives the way we should before we tell the rest of the country how to live theirs. And let's be real—the actions in Vermont do nothing to diminish or threaten marriages in Vermont or any other State.

For these reasons, I will continue to oppose measures such as this proposed constitutional amendment. I continue to urge that we solve the problems facing this Nation and stop the political pandering for this fall's elections. Let's get on and do something real. Let each of us be a person who is not going to try to control the lives of everyone else in this country. The distinguished chairman quoted Senator Goldwater in that respect. He was right. The Senate is wrong.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. I thank the Chair. I ask unanimous consent that our speaking sequence be alternated between those who speak in favor of the amendment and those who speak against the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. Reserving the right to object, and I don't want to, does the Senator have the name of who is going to go between Senator JOHNSON and Senator DORGAN?

Mr. ALLARD. No, I don't. We have already agreed to it. I don't want to amend that. I think we would plan to meet that.

Mr. LEAHY. Following that.

Mr. ALLARD. I was going to say following those, we can alternate back and forth.

Mr. LEAHY. Mr. President, this is the way we normally have done it. I think it works best. The Senator from Colorado certainly is respecting that tradition, and I would agree with it.

The PRESIDING OFFICER (Mr. SUNUNU). Without objection, it is so ordered.

Mr. ALLARD. I thank the Senator from Vermont.

Mr. President, I rise today to start what I hope will be a constructive debate on my amendment, S.J. Res. 1, known as the marriage protection amendment. I think at this point in the debate it is important that we carefully review what is said in the amendment and what the intent of the amendment is. It reads:

> Marriage in the United States shall consist only of the union of a man and a woman.

That is the first sentence. The second sentence says:

> Neither this Constitution, nor the Constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

Now, what does that mean. Let's break it down. And that is what this chart does that I have before us. It says simply that we are going to have a uniting, uniform definition of marriage throughout the United States. And then the second sentence, it guarantees that the courts cannot force States or the Federal Government to grant any of the rights, benefits, or other incidents of marriage to any union other than that of a man and woman. Legislatures and the people will continue to have the power to grant whatever rights or benefits they choose through the democratic process.

Definition of marriage: This first sentence prohibits courts and legislatures from changing the definition of marriage. The second sentence further prohibits the courts from creating civil unions or domestic partnerships or granting the right or benefits of marriage. But it doesn't interfere with private contracts between a business or a private entity of some type.

The legislatures can do the following things. They can create civil unions or domestic partnerships. They can grant the rights and benefits of marriage—the second sentence of this amendment—and again it doesn't affect employment benefits offered by private businesses. What we are trying to protect is the State legislatures from having their legislation and the people's legislation within their State overturned by an unelected branch of Government, the courts.

Before making my formal comments and going any further, I would like to express my sincere gratitude to my colleagues who have cosponsored this amendment. It has taken countless hours of study and discussion to get to this point, and each of our 31 cosponsors has shown courage and commitment to protecting marriage.

I would also like to express my appreciation to the majority leader for his commitment and leadership. Without the support of the Senate leadership, the public may never have had an opportunity to address this vitally important issue in a democratic body.

I would also like to express my appreciation to the chairman of the Judiciary Committee, Senator SPECTER, who has ably reported it out of the committee to the floor for debate.

Marriage, the union between a man and a woman, has been the foundation of every civilization in human history. The definition of marriage crosses all bounds of race, religion, culture, political party, ideology, and ethnicity. Marriage is embraced and intuitively understood to be what it is. Marriage is a union between a man and a woman.

As an expression of this cultural value, the definition of marriage is incorporated into the very fabric of civil policy. It is the root from which families and communities are grown. Marriage is one bond on which all other bonds are built.

Marriage is not some controversial ideology being forced upon an unwilling population by the Government. It is, in fact, the opposite. Marriage is the ideal held by the people, and the Government has long reflected this. The broadly embraced union of a woman and a man is understood to be the ideal union from which people live and children best blossom and thrive.

As we have heard in hours of testimony, in eight hearings, in numerous Senate committees over the last several years, marriage is a pretty good thing. A good marriage facilitates a more stable community, allows kids to grow up with fewer difficulties, increases the lifespan and quality of life of those involved, reduces the likelihood of incidences of chemical abuse and violent crime, and contributes to the overall health of the family. It is no wonder so many single adults long to be married, to raise kids, and to have families.

Today, there are numerous efforts to redefine marriage to be something that it is not. Marriage is and it always has been a union between a man and a woman.

I believe the Framers of the Constitution felt that this would never be an issue, and if they had, it would have been included in the U.S. Constitution. Like the vast majority of Americans, it would have never occurred to me that the definition of marriage or marriage itself would be the source of controversy. Not too long ago, it would have been wholly inconceivable that this definition, this institution of marriage would be challenged, redefined, or attacked. But here we are today because of it. Make no mistake about it, traditional marriage is under assault. I say assault because the move to redefine marriage has taken place not through the democratic process such as State legislatures and the Congress or ballot issues around the Nation; this assault has taken place in our courts and often in direct conflict with the will of the people, State statutes, Federal statutes, and even State constitutions.

Activists and lawyers have devised a strategy to use the courts to redefine marriage. This strategy is a clear effort to override public opinion and the longstanding composition of traditional marriage and to force same-sex marriage on society.

Over the course of the last 15 years, traditional marriage laws have been challenged in courts across the Nation. Alaska, Arizona, California, Connecticut, Florida, Hawaii, Indiana, Iowa, Maryland, Massachusetts, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Vermont, Washington, and West Virginia have all seen traditional marriage challenged in court.

As we speak, nine States face lawsuits challenging traditional marriage laws—California, Connecticut, Iowa, Maryland, Nebraska, New Jersey, New York, Oklahoma, and Washington. Marriage is under attack all across the country. If it hasn't already, an attack on marriage is coming to a State near you.

The first success in the activists' coordinated legal strategy was in Vermont in 1999. The Vermont Supreme Court ruled that all the rights and benefits of civil marriage must be extended to same sex couples. Under threat of court-imposed same sex marriage, the Vermont legislature created same-sex "civil unions."

The second, and to date the most widely covered success in the effort to destroy traditional marriage, came more recently in the state of Massachusetts where four judges ruled in the Goodridge case that marriage itself must be redefined to include same-sex couples, and that traditional marriage laws were a "stain" on the State constitution that must be "eradicated." This edict came despite the fact that the populace of Massachusetts opposed this redefinition of marriage and despite the fact that no law had ever been democratically passed to authorize such a radical shift in public policy.

Proponents of same-sex marriage have shopped carefully for the right venues, exploited the legal system, and today stand ready to overturn any and all democratically crafted Federal or State statute that would stand between them and a new definition of humanity's oldest institution.

The question of process is very important in this debate—it is in fact the very heart of this debate. While recent court decisions handed down by activist judges may not respect the traditional definition of marriage, these decisions also highlight a lack of respect for the democratic process. No State legislature has passed legislation to redefine the Institution of marriage—not one. Any redefinition of marriage has been driven entirely by the body of government that remains unaccountable and unelected—the courts.

Some of my colleagues do not feel we should be talking about marriage in the Senate. I say we must. Our Government is a three branch government. The Congress is the branch that represents the people most directly. We have a duty to, at the very least, discuss the state of marriage in America. If we do not take this up, we abdicate our responsibility. We will allow the courts sole dominion on the state and future of marriage. This Senate, the world's most deliberative body, must provide a democratic response to the courts.

Legislatures across the country have joined the Congress in recent years in affirming a 1996 law called the Defense of Marriage Act, or DOMA. DOMA is a limited law designed to address two distinct issue: No. 1, forced interstate recognition, and No. 2. the definition of marriage for the purposes Federal law. This bipartisan legislation passed with the support of more than three-quarters of the House of Representatives and with the support of 85 Senators before being signed into law by then President Bill Clinton.

To date, 45 States have also passed laws to protect traditional marriage, including 19 States that have constitutional amendments protecting traditional marriage as solely between a man and a woman. Voters in seven States—Alabama, Idaho, South Carolina, South Dakota, Tennessee, Virginia, and Wisconsin—will vote on constitutional amendments this year. Another five State legislatures—Colorado, Indiana, Iowa, Massachusetts, and Pennsylvania—are considering sending constitutional amendments to voters in 2006 or 2008, and ballot initiatives are currently underway in Arizona, Florida, and Illinois.

These state DOMAs and constitutional amendments, combined with Federal DOMA, should have settled the question as to the democratic expression of the will of the American public. However, Federal and State DOMAs, as well as State constitutional amendments—all reflecting the will of the people—are being challenged in the courts.

The Federal DOMA is itself under attack. Activists have challenged DOMA's interstate recognition provision in the Ninth Circuit. The second part of DOMA, the part defining marriage for Federal purposes, was also challenged in the Ninth Circuit, as well as in Federal cases pending in Oklahoma and Washington State. Plaintiffs in each case argue that the U.S. Constitution's equal protection and due process clauses require the recognition of same-sex marriages, and that efforts to limit marriage to the union of a man and a woman for purposes of federal law are unconstitutional.

Because DOMA only clarifies that the Constitution's Full Faith and Credit clause should not be read to require interstate recognition, DOMA will not prevent an activist judge from finding that the equal protection or due process clauses require it. In other words, DOMA does not prevent any court from recognizing out-of-State marriages; it merely removes one of several rationales that a court could use to do so. DOMA is not, nor was it designed to be, a comprehensive solution to judicial activism on same-sex marriage.

Likewise, State constitutional amendments are under attack in Federal court. For example, in Nebraska, a Federal district court in 2005 found unconstitutional a State constitutional amendment passed by 70 percent of Nebraska voters. While this cases is on appeal to the Eight Circuit—and we hope the decision will be correctly overturned—I find it chilling that the will of an entire State, expressed democratically, may be undone by a Federal judge in an unelected position and tenured for life.

State constitutional amendments are also under attack in State court. Just last month, a Georgia judge found unconstitutional a State constitutional marriage amendment that was approved by 76 percent of the voters. Immediately after it was passed by an overwhelming majority of voters in 2004, activists launched an attack in the courts. The result—the amendment being thrown out on procedural grounds—is yet another success for the handful of activists seeking to suppress the will of the people through the courts.

The national effort to redefine marriage has also been buoyed by decisions made by the U.S. Supreme Court. In June 2003, the Court inferred that a right to same-sex marriage could be found in the U.S. Constitution in Lawrence v. Texas. A variety of experts, including Justice Scalia and Harvard Professor Lawrence Tribe, forecast that this decision points to the end of traditional marriage laws—including Federal and State DOMAs. The Massachusetts court relied heavily on the Lawrence decision to strike down that State's traditional marriage law in the Goodridge case.

When Goodridge took effect in May of 2004, same-sex couples became entitled to Massachusetts marriage licenses. In anticipation of Goodridge, a handful of local officials in New York, California, and Oregon began issuing licenses to same sex couples in February and March. To date, through the combined efforts of lawless local officials and those licenses issued in Massachusetts, couples from at least 46 States have received licenses in those jurisdictions and returned to their home States. These 46-plus States are state and Federal DOMA challenges just waiting happen.

More of these cases are expected and we will be left with an unworkable patchwork marriage laws, crafted by judges and forced on to on State from another, outside the democratic process, regardless of the will of the voters.

As a result of this coordinated campaign to redefine marriage through the courts, we stand here today, compelled by respect for the democratic process, to publicly debate an amendment to the U.S. Constitution. Again, this amendment simply reads:

> Marriage in the United States shall consist only of the union of a man and a woman.
>
> Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

The first sentence is straightforward: it defines marriage as an institution solely between one man and one woman—just as it has been defined for thousands of years in hundreds of cultures around the world.

The second sentence simply ensures that the people or their elected representatives, not judges, can decide whether to confer the legal incidents of marriage on people. Citizens remain free to act through their legislatures to bestow whatever benefits to same-sex couples that they choose. It is aimed squarely at the problem of judicial activism.

Just as important as what it does do, is what it does not do. I have said it time and time again and I say here again today for the record—the amendment does not seek to prohibit, in any way, the lawful, democratic creation of civil unions or domestic partnerships. It does not prohibit private employers from offering benefits to same-sex couples. It denies no existing rights.

What our amendment does is to define and protect traditional marriage at the highest level—the U.S. Constitution. Importantly, the consideration of this amendment in the Senate represents the discussion of marriage in America in a democratic body of elected official. I am not willing to surrender this issue to the courts.

I also feel it is important to make clear that on the question of federalism and States' rights I stand where I always have. While an indisputable definition of marriage will be a part of our Constitution, all other questions will be left to the State.

Gregory Coleman, former solicitor general of the State of Texas testified before the Senate Judiciary Subcommittee on the Constitution and made the following statement on this matter:

> Some have objected to a proposed constitutional amendment on federalism grounds. These concerns are misplaced. The relationship between the States and the Federal government is defined by the Constitution and a fortiori, a constitutional amendment cannot violate principles of federalism and State's rights. A Federal constitutional amendment is perhaps the most democratic of all processes—because it requires ratification by three-fourths of the States—and simply does not raise federalism concerns. The real danger of State's rights comes from the recognition of un-enumerated constitutional rights in which the States have had no participation.

I share those sentiments and cannot express them any more clearly. We stand today at the threshold of the most democratic, most federalist process in all our Government. As designed by the Framers of the U.S. Constitution, the amendment process is neither an exclusive Federal nor an exclusively State action: It is a shared responsibility of both.

Contrary to assertions of those who believe my amendment infringes on the rights of the States my amendment actually protects States' rights. Forty-five States have spoken with laws or constitutional amendments designed to protect traditional marriage. Unfortunately, same-sex advocates have, through the courts, systematically and successfully trampled on laws democratically enacted in the States. My amendment takes the issue out of the hands of a handful of activist judges and puts it squarely back in the hands of the States.

Now is the time for Congress to fulfill its responsibility and send a constitutional amendment to the States.

Marriage, the union between a man and a woman, has been the foundation of every civilization in human history. This definition of marriage crosses all bounds of race, religion, culture, political party, ideology and ethnicity. It is not about politics or discrimination, it is about marriage and democracy.

Unfortunately, the U.S. Constitution is being amended to reflect a new definition of marriage—not by democratically elected Members of Congress but by unaccountable and unelected judges. If we fail to define marriage, the courts will not hesitate to do it for us.

I, for one, believe that the institution of marriage and the principles of democracy are too precious to surrender to the whims of a handful of unelected, activist judges.

I urge my colleagues to join me in supporting the Marriage Protection Amendment.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from South Dakota is recognized.

Mr. JOHNSON. Mr. President, I find it simply astonishing that with the very limited time we have remaining in this congressional session this Senate finds itself failing to spend its time debating education, affordable health care, veterans, gas and energy prices, job creation, or the exploding Federal budget deficit and instead, as part of what can only be viewed as an extraordinarily cynical political charade, we will devote our time to debate the marriage protection amendment, an amendment to our national Constitution that has been overwhelmingly defeated in the past and which continues to be opposed from groups ranging from liberal to the far right libertarian, as well as by religious organizations, including my own ELCA Lutheran Church.

Could it be that there are those who do not want to talk about the real issues facing American families because their inaction has resulted in collapsing poll numbers and declining public support and they now feel a desperate need to change the subject?

The lengths that some people will go to pander on this issue is, frankly, shameful. There are ads currently running in my State claiming that I must not care about children having a mother and a father. How foolish. How sad. My wife Barbara, a social worker, and I will celebrate our 37th wedding anniversary tomorrow. We have three wonderful children and three beloved young grandchildren. Barbara and I are both former Sunday school teachers, and we have each in our own way devoted our careers to public service which advances the interests of families and particularly of children—and decent wages and farm incomes, affordable health care, affordable housing, high quality and affordable education, a truly profamily Tax Code, opposition to budget deficits which will have to be paid by our children and our grandchildren, advancing the cause of adoptions, advancing the programs which serve the needs of low-income expectant mothers and their early childhood needs. Ironically, these are all efforts which have largely been opposed by those who today tout the need for a marriage protection amendment.

How cynical is that?

I oppose gay marriage—and I voted in favor of the Defense of Marriage Act enacted years ago by this Congress. But marriage law in its details have been left to the respective States since the very beginning of our Nation, and there is no need today to speculate about what future courts may or may not do. There is no need today to strip these rights away from the States and to deny States the right even to interpret their own constitutions.

My State of South Dakota has already enacted antigay marriage law and has taken up a possible State constitutional amendment to that effect. But that is where the debate ought to take place—in South Dakota and other States, not here in DC.

I must add that this debate reminds me somewhat of an old children's fable where a child noted that the emperor has no clothes when all the adults around him were reluctant to similarly point out the obvious.

Very frankly, the sanctity of my 37-year marriage is less at risk from gays than from ordinary heterosexuals who are behind high divorce rates, domestic abuse, and irresponsible refusal to provide for child support. Gay individuals seeking some legal structure in which to maintain a stable and loving relationship as opposed to promiscuity is less of a threat to my wife and I than public policy out of this Congress which works against the real needs of South Dakota families—involving decent wages, childcare, health insurance, and affordable housing.

How wonderful would it be if we were here today talking about strategies that could strengthen our families and our communities, that would focus on the real needs of children rather than using them as a pawn in a cynical election-year charade.

The American Constitution ought to be rarely amended—as all the generations of American leaders who served in this body understood. When it is amended, it ought to expand opportunity and freedom, and it ought to be consistent with being profamily in a real and serious way. There is a place for debate over gay marriage, but in South Dakota that debate ought to take place in Pierre and through public debate on the State constitution. All roads should not lead to Washington, DC.

This Senate should once again resoundingly and in a thoughtful, bipartisan manner reject the pending amendment to our Nation's most sacred civil document, our United States Constitution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. BROWNBACK. Mr. President, I understand there is a previous agreement that Senator DURBIN was to speak at this point in time.

The PRESIDING OFFICER. Under the previous order, Senator DORGAN was to be recognized.

Mr. BROWNBACK. Mr. President, I will yield the floor when he arrives at a timely point. I want to get started on this debate. Time is short and the issues are important.

I rise to speak in favor of the Marriage Protection Amendment. I chair the Constitution Subcommittee from which it came through. I am also on the Judiciary Committee from which it came through.

This is a critically important topic. It is about, fundamentally, two issues.

No. 1, it is about who is going to define marriage in America—not whether marriage is going to be defined. It is about who is going to define marriage in America. Is it going to be defined by the courts that have started this debate or is it going to be defined by legislatures and legislative bodies across the country?

That is No. 1.

No. 2, and at the very center of this, is how we will raise our next generation of children.

That is fundamental to this debate—how we raise that next generation of children. We are going to talk a lot about that.

I have a number of statistics that we are going to share. It hinges on what happens in that first debate. Who is going to define it? Defined by the legislature? Defined by the Judiciary? And No. 2, what happens to the children? It was the central question of Senator Moynihan while he was in this body before he passed away, that we should always be concerned about centrally how you raise that next generation of Americans. That is a core, that is a principle, that is something you always have to keep your eye on, and that hinges in this debate.

I see my colleague from North Dakota on the floor who has recognition under the previous agreement.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, the Senator from North Dakota is recognized.

Mr. DORGAN. Mr. President, I thank my colleague from Kansas, Senator BROWNBACK.

Mr. President, we come on a Monday to the floor of the Senate to discuss public policy and important issues. And today the majority leader has brought to us a proposed constitutional amendment. It is the first of what I believe will be two constitutional amendments that will be considered by the Senate for the next 7 or 10 days. That is not unusual. In fact, I had someone go back and check to see how many proposed amendments to the United States Constitution have been offered here on the floor of the Senate or in the U.S. House, or at least offered in bill forms. I discovered that in recent Congresses that there were I believe something like 76 proposed amendments to the Constitution. In another year, there were 67 proposed amendments to the U.S. Constitution.

The Constitution has not been amended except for the first 10 amendments which were the Bill of Rights. Outside of the Bill of Rights, the Constitution has been amended 17 times in nearly 220 years—17 times in more than two centuries.

The reason for that is most people believe that we ought to amend the Constitution only rarely, and then only when it is urgently necessary and only when it is the last resort. We have had a lot of different proposals to change the Constitution. There was a proposal to change the Constitution to provide that the Presidents of the United States for one term shall come from the North and then shall be succeeded by a President who comes from the South. That was a proposed amendment to the U.S. Constitution.

Fortunately, for our country, not many of these ideas over all of these many, many years have been adopted by the U.S. Congress and by State legislatures, which is required in order to amend the U.S. Constitution.

The Constitution for this country was written by 55 white men. It was in a room in Philadelphia. In that room in Philadelphia, if you go to visit today, you will see the chair that George Washington sat in at the front of the room. George Washington chaired the Constitutional Convention. You will see where Ben Franklin sat, where Madison sat, where Mason sat. Those 55 men wrote a Constitution in a hot Philadelphia summer period and presented it then to the country. It was really a quite remarkable Constitution. It begins: "We the People."

In the writing of the Constitution, they created a framework for this new kind of government which has become over the last two centuries the most successful democracy or representative government in the history of humankind. We have lived only a blink of that history. And, yet, during that period this is the most successful democracy on the face of the Earth.

Two-hundred years after the writing of the Constitution, there was a celebration in that same room. I was one of the fortunate ones to go to that celebration representing one of the 55. These 55 people were men and women and minorities. It wasn't 55 men as existed in that room when they wrote the Constitution. The 55 people who celebrated in that room the 200th birthday of the Constitution—it was really quite a remarkable event. I sat in that room thinking about the history, thinking about George Washington sitting at the front in that chair with the piece of wood that is decorated as the sun on the back of that chair.

I thought to myself: What a remarkable thing it was for me, coming from a town of 300 people, from ranching and wheat country in southwestern North Dakota, from a high school with a senior class of nine students, and here I am sitting in the room where George Washington presided over the writing of the Constitution for this new country of ours.

I tell that story only because it is important for us to understand the circumstances of amending the Constitution.

Today, we have on the floor of the Senate a proposal to amend the Constitution with a constitutional amendment that would prohibit gay marriage.

Next week, we will have a constitutional amendment that would prevent desecrating the American flag or give the States the ability to prevent flag desecration.

On the issue of gay marriage, I voted as a Member of the U.S. Senate for a 1996 act called the Defense of Marriage Act. I did that because it creates for Federal law a definition of what marriage is. It defines marriage as a union between a man and a woman, husband and wife. That is Federal law. I supported that. I was happy to support that. That is what I believe.

I don't believe we should be altering the U.S. Constitution. I don't believe we should be amending the basic framework of our democracy on this subject. The current law, the Defense of Marriage Act, which the Federal Government passed in 1996, still stands today.

I see no reason to amend the U.S. Constitution.

This past week in my State an organization called Focus on the Family ran a newspaper advertisement taking up the large part of a page in daily newspapers. It says: Senator DORGAN does not believe that a child needs both a father and a mother.

They also ran the same language in radio ads in my State.

Now this organization—I am not familiar with them—must think there are 9 commandments. There are actually 10 commandments. This must be an organization that has forgotten the commandment that says: Thou shall not bear false witness. My hope is they might go back and review that. There is nothing in my record that suggests I don't care whether a child has a mother and a father.

This is a legitimate discussion we are having about a constitutional amendment. The issue of gay marriage is an important and legitimate issue to discuss. But one would think it is also worthy of organizations on both sides to be truthful in that discussion. That, regrettably, at least in this case that I have cited, has not been the case.

This issue of amending the U.S. Constitution is clearly before the Senate because it is an even-numbered year. The even-numbered year is one in which the late Claude Pepper used to say the American people have the miracle of grabbing the American steering wheel and deciding which direction they want to nudge our great country. It is, after all, the American people who are in charge and the American people who will make decisions about the direction of our country.

This is an even-numbered year. We understand why this issue is before the Senate. It is about an election this fall. I am not saying it is an unimportant issue; I am saying that the notion of having to amend the basic framework of our government, amending the Constitution, that is a political debate aimed at this fall, not this week.

But let me talk just for a moment not about the issue of gay marriage. We have addressed that. I supported addressing it in the Defense of Marriage Act. I voted for the Defense of Marriage Act, voted for a definition that a marriage is between a husband and wife, a man and woman. That has already been done.

So let me talk about what we could be doing today and tomorrow and in the next week and a half or 2 weeks instead of the agenda given us by the majority leader. There are some people pretty dispirited about this Congress. Because the polling says this Congress is not very well thought of, we conclude the American people are kind of dispirited about the agenda, about what we are doing. We have a lot of trouble.

We have federal debt up to our neck, and there is more to come. The President is offering us budgets with the largest deficit proposals in history—this from a President who described himself as a conservative. But that is not what his budgets are about.

We have the highest trade debt in annual deficits in the history of this country, dangerous trade deficits, $702 billion last year. Add the increase to the national debt from a budget standpoint to the trade debt, and we are $1.4 trillion out of balance. Let me say that again: We are out of balance $1.4 trillion in a year. Does anyone seem to care about that? Is there the urgency to deal with that as we have for constitutional amendments? I don't think so.

Fiscal policy, trade policy, foreign policy—we have serious foreign policy issues and problems. Health care: add up the challenges we face and ask yourself: What are we doing about these challenges? Do we have these issues on the floor of the Senate? Not that I can see.

It won't be very long—in fact, it is happening now—that we have people who are now paying for prescription drug coverage, a monthly premium, but who no longer get prescription drug coverage because of what has been legislatively defined as a doughnut hole. In other words, they lose coverage for a significant period of time, but they should still pay the premiums. Maybe we should have that on the floor of the Senate and fix that.

We could fix that easily. There is a study that shows we could fix that by simply removing the perverse provision in that act that prohibits the Federal Government from negotiating lower drug prices with the pharmaceutical industry. We could fix that so-called doughnut hole, or fix the problem of people having no health care prescription drug coverage through Medicare at the same time they are required every month to pay premiums. Would that be an advisable thing to do? I think it would.

We are going to also be debating the death tax. I heard on the opening portion of the Senate that the death tax is going to be repealed. It may be a surprise to those who are still alive, but there is no death tax. There is no death tax. The term "death tax" is a creation of a pollster who took this nugget of a creation, took it to a political party and said: I have something really interesting, and it polls off the charts. Tell people there is a death tax and come out for its repeal.

There is no death tax. There is a tax on inherited wealth. When the husband or wife dies, the other spouse owns everything with no tax consequences at all. There is a 100-percent exemption. So for the first spouse there must be a universal exemption. In addition to that, there is now a $2 million exemption on an estate for one spouse. In addition to that, the majority party says it is urgent that we get rid of the so-called death tax, the bulk of which would help those who are the wealthiest Americans.

So if Donald Trump—just to use a name because he likes having his name used on everything—if Donald Trump were to die, God forbid, at some point when he dies, a substantial portion of his estate will have been created through the appreciation of his assets—and has not been taxed. The same would be true of most of the richest Americans.

The second richest American is Warren Buffett, quite a remarkable man from Omaha, NE. He is really special. He says: Look, if there is a class war going on, my class is winning—speaking of the wealthiest. He doesn't believe there should be a provision brought to the Senate to get rid of the estate tax. He does not believe that is fair. He does not believe it is the right thing to do.

But we are up to our necks in debt, we have massive fiscal policy budget deficits, the highest trade deficits in history, and what is the priority? The majority party, we were told this afternoon, the priority is we have to get to the Senate a provision to provide very significant tax cuts for the wealthiest Americans. Unbelievable.

Someone from the outside would look at that and ask: Is this a joke? Are you really serious as legislators? No wonder people take a look at this Congress and say: What are you thinking about? What on Earth do you have on your minds?

I talk about the dispirited feelings people have about this Congress. The polls are pretty clear. But I also think there is a great reservoir of hope in this country. So let me talk a little bit about the hope, the hope that maybe we can address things in the coming months that really matter to the people of this country in a way that really affects their future. I am not suggesting that which we will discuss here does not matter. I am just saying there are a whole series of things that confront us that are challenging, difficult issues.

A woman called me during my last campaign. During the campaign she was in a hospital. A friend of hers called me on her behalf. Her friend said: She is in her nineties. She has been a friend of yours and a supporter of yours. You have never met her, she never met you, but she always liked what you have done. Would you call her in the hospital? I said, of course I would.

I called the hospital and talked to this woman. She had elected to die. She had been on kidney dialysis. She said: I have lived a great life, but I decided I just don't want to continue with the kidney dialysis, so I will die here. I will be here a couple more weeks, maybe a week, and eventually—I have made this decision, I am at peace with it. I have had a great life. She said—this is about 3 weeks before the election—she said to me: Byron, before I came to the hospital, however, when I made this decision, I put up all the yard signs, put up yard signs on both sides of my property with your name on it, and then I voted absentee. She said: By the way, if there is some technical requirement that you be alive on election day, don't tell people that I am not alive.

This woman had a great spirit about wanting to be involved, even at the end of her life, wanting to be involved in this country's political system.

John F. Kennedy used to say that every mother kind of hopes her child might grow up to be President as long as they don't have to be active in politics. But politics is an honorable profession. It is the way we make decisions in America. All the American people ask of this Senate, all they ask of policymakers and decisionmakers is to focus on things that matter most. What is ahead of us? What do we do about it?

We need, in this political system, to justify the faith the American people have always had in this system. That faith is shaken now, but we need to take action to justify that faith. What do we stand for? What needs to be done? What is required to be done? What things are required to be done to put our country back on track?

There was a great little book written by Robert Fulghum, "All I Really Need To Know I Learned In Kindergarten." Some may have read that book, "All I Really Need To Know I Learned In Kindergarten." Play fair, follow the rules, don't hit, wash hands, flush—the book went on and on. "All I Really Need To Know I Learned In Kindergarten," I was thinking about that with respect to all we really need to know in the Senate, about the concern of the American citizens, about their future.

Let me describe our agenda more simply. Perhaps if I were to write a book like that, not so much kindergarten but all we really need to know, let me describe what I think we ought to be doing.

First of all, we ought to pay our bills. You cannot spend money you don't have on things you don't need. We are choking on debt in this country. Especially this Congress and at the White House, pay our bills. Take care of our kids. That has to do with education and health care and much more. Honor our parents, Medicare, Social Security, and other issues. Reward work. Clean up our mess. I guess that is the environment. Defend freedom.

Let me talk a little bit about a couple of these areas, all we really need to know. What about the issue of paying our bills? We have one more chapter of the same, tired book brought to the Senate. Instead of paying our bills, this chapter says we collect $20–$30 billion a year from the tax on inherited wealth. Let's not worry about the fact we are choking on debt. Let's just get rid of that tax in a way that benefits the wealthiest Americans.

We have already had a vote on the proposition of whether the transfer of a family farm or other family business ought to be taxed with an estate tax. I offered that amendment twice. Twice. And on January 1, 2003, the transfer of all family farms and all family businesses to lineal descendants or the kids who want to run them would have been permanently exempt, 3 years ago. We already had that vote, so don't raise that issue. Incidentally, the majority voted against that—twice. We had that vote and made that decision, regrettably.

The question is: Pay our bills. Are we going to do that? Are we going to keep finding ways to provide emergency appropriations for the monthly costs in Iraq and Afghanistan and other related issues and pay for none of it? The only people we ask to deal with that issue are the soldiers we send to Afghanistan and Iraq. We don't ask the American people to believe we ought to pay for it. We have been asked to provide roughly $440 billion in emergency funding, every dollar of which is borrowed from future generations.

Pay our bills. What about our kids and grandkids? Are they the ones who will pay the bills? Is that responsible? All we really need to know is the lesson, pay our bills.

How about taking care of our kids? Health care, education, poverty. We have a lot of things to work on there. We have all of these issues with respect to kids without health care, these issues about adequately funding education in this country. Is there anything more important to anyone than their children? Is there anyone here who believes they don't want to do everything they can to leave a country or leave a world that is better for their children than it was for them? Whatever is in second place to the kids is a long ways behind.

Can we manifest an agenda in the Senate that puts children first, that takes care of our children and doesn't have them pay debts we don't have the courage to pay? Can we decide their education is of the utmost importance? Can we decide there is no child that ought to show up at a hospital or a doctor's office whose medical care is a function of how much money their parents have in their pocketbook? Can we make those decisions?

Yes, pay our bills and take care of our kids. How about those for two short lessons?

How about honor our parents? Medicare and Social Security. In the last century, people are living much longer. We went, in 100 years, from an average life expectancy of 48 years to 78 years now. Think of that. We added 30 years to the average life expectancy in this country in one century. That is pretty unbelievable. Now, that has caused some strains on Social Security and Medicare. That is not surprising. That is called success. All of the strains in Medicare and Social Security are born of success. People are living longer, better, and healthier lives.

What is the solution to that? Some say the solution to that is to privatize Social Security, take it apart. The President led an effort last year—he ran a lot of gas through Air Force One—he went all over America saying we ought to privatize Social Security.

It wasn't the first time for him. He did that in 1978, when he ran for Congress in Texas. In 1978, he said Social Security would be broke in 10 years. He was wrong then. He was wrong last year. Now at least we don't have that discussion in front of us. It does require us, from time to time, to make adjustments in Social Security or Medicare but not under the guise of taking it apart because you never liked it.

How about fair prices for prescription drugs? Maybe honoring our parents would be deciding that whether you are on Social Security or Medicare or not quite at that age, that you shouldn't have to pay the highest price in the world for prescription drugs. Maybe changing the law so that we would allow people to reimport FDA-approved drugs from other countries at a fraction of the price would be honoring our parents. Standing up for Medicare and standing up for Social Security and the values they have brought to our country, maybe that is honoring our parents.

How about rewarding work? Paying our bills, taking care of our kids, honoring our parents, how about rewarding work? This Congress four times has said we want to continue providing tax cuts to companies that close their American manufacturing plants and ship the jobs overseas. That is perverse, but that is exactly what has happened in the Senate. Four times I have offered an amendment to say let's shut down the tax break that says to an American businessman or woman: Close your American factory, fire your workers, and move the jobs overseas, you get a big, fat $1.2 billion-a-year tax break. And we can't close it.

We have lost nearly 3 million jobs in the last 4 or 5 years, shipped overseas. Alan Blinder, a respected former Vice Chair of the Federal Reserve Board, a mainstream economist, says all U.S. manufacturing jobs, some 14 million, are at risk to outsourcing. But more than that, we have a total of 42 to 56 million jobs, including service jobs, that are susceptible to being outsourced to other countries—China, Indonesia, Bangladesh, and others—and even those who do not leave our country in search of 33 cents-an-hour labor by kids or others who don't have rights, even those who don't leave will see a lesser standard of living or depressed wages because they will be in competition with people in other parts of the world who will work for far less.

So the question for our workers is: Who is going to stand up for them? Does it matter that we fought for a century for the things that matter to them—the right to organize, the right to work in a safe work plant, child labor laws, a minimum wage, decent health care, decent retirement programs? Does it matter to them that we now have a circumstance where we say to American companies: Here is the green light to search for cheap labor elsewhere. You can get rid of all the things that are troublesome to you.

How about cleaning up our mess? Would that be a value that would make some sense? Dare we talk about the environment, about our mess with respect to energy? We suck 84 million barrels a day out of this Earth. We put straws in the Earth called drilling rigs. We suck 84 million barrels a day out of the Earth of oil, and we in this little country of the United States use one-fourth of it. Twenty-one million barrels a day of that oil comes from Saudi Arabia and Iraq and Kuwait, Venezuela and other areas of the world that are troubled. Does it make sense for us to be that dependent on those troubled areas of the world? Should we care about the environmental consequences of energy? Should we care about the dependence on energy, all of those issues? The answer is: Yes, clean up our mess. What about defend freedom? There are a lot of ways to defend freedom. We have troops in harm's way today that defend our freedom. They don't ask questions. They put on a uniform and go. Part of defending freedom is also keeping our promise to veterans. Those who come home, those who come home losing an leg or arm and go through the system at Bethesda or Walter Reed, they are still soldiers, but then, ultimately, when they are released, what happens is they become veterans. Is the money made available by this Chamber to provide for veterans health care sufficient? Will we continue to be a billion and a half dollars short because we have other priorities?

Defending freedom is a lot of things. It is about honoring soldiers, especially honoring soldiers. It is about keeping our promise to veterans. Defending freedom is not about wiretapping the American people. Defending freedom is a lot of things. It is important. It also has to be part of any agenda that we describe. There are a lot of freedoms that I am proud are a part of our political system—women's rights, workers rights, civil rights.

The decision of this Congress to decide what we want to work on is one that will be evaluated by the American people. What do they want us to work on? I said when I started, I don't suggest that the issue of gay marriage is an irrelevant issue or unimportant. I do suggest that we have dealt with that issue in the Defense of Marriage Act. We did it in 1996. I also believe the reason it is on the floor today, relative to all the other things that I have described, all the other things that we should be tackling—paying our bills, taking care of our kids, honoring our parents, rewarding work, cleaning up our mess, defending freedom, all of those issues—the reason this issue is on the floor is about November. That will be true for some long while now.

The American people will have a chance to evaluate that. Interestingly enough, when that Constitution says, "We the people," it means the power of one. For the American people, it comes down to the power of one, one person casting one vote on one day. All of the power, all of the political power in America exists right there. They have the chance to describe what they want for this country, what their hopes and dreams are. There is a town square still, and in that town square there needs to be a discussion, a conversation in America about the glue that keeps this country together. What is this country? What kind of glue exists that keeps Americans together as Americans, talking in the town square about how to shape the country, how to preserve and protect it?

What we have done and where we have been is extraordinary. This country was born of the blood of patriots, not people given to be worried about themselves. They gave everything of themselves. This country survived a Civil War. We beat back the forces of Nazism and imperial soldiers of Japan. We survived the depression. We learned how to fly airplanes. We left the ground and flew around the world. We built rockets. We walked on the moon. We cured smallpox and polio. We created the telephone and television and computer. What we have done is breathtaking and quite extraordinary. We did that because our country has always been interested in the challenge, in what is ahead, what is around the corner.

Thomas Wolfe, in his book "You Can't Go Home Again," talked about the American people being filled with an almost quenchless hope, an indestructible belief, a boundless optimism that somehow, some way, something good was about to happen. That still exists in the soul of this country. Something good is about to happen. My hope is that those of us who work in this body will not be so quick to believe that that something good is the need to amend the Constitution this week, next week, next month, and the month after.

Not too long ago in a congressional session, we had something like 63 different proposals filed to amend the basic framework of our democracy. We have amended it 17 times in 200 years, one of which was to prohibit alcohol. That got repealed. We have amended the Constitution rarely. Yet we have people who come routinely to the floor of the Senate to say: Change the Constitution. I see very few people here who look like George Washington or Franklin or Mason or Madison or Thomas Jefferson. Jefferson was not at the Constitutional Convention. He was abroad at the time.

By suggesting I don't see people who look like them, I don't suggest that people here aren't good-looking people. I am saying go back and read what they did, understand what they constructed. Understand what exists in the Constitution and why. Understand what the first 10 amendments intended to be for this country. Then ask yourself how prepared are you to decide we should add several more amendments to the Constitution, maybe two this week and next week? How about three or four more? There are others filed. Is the Constitution a rough draft? Is the work of Franklin and Madison and Mason and Washington a rough draft for those who believe that the mood of the moment is to continue to amend and amend?

I know there are those who think this is similar to passing a law. It is not. It is whatever the emotion of the moment is ought to persuade us to do that. That is not the case either.

A couple weeks ago, I was in Philadelphia and there is a place called the Constitutional Center. All 55 men who wrote the Constitution are memorialized in statue in a room, and they are life size, made to their exact measurements. It is pretty remarkable to walk among them and then to think about what they created. They were an extraordinary group. I doubt very much whether such a group exists today. Perhaps it was divine providence that gave us at that moment that talent to create that Constitution that has created this country. I have been fairly well criticized for a long while for not being willing or anxious to amend the U.S. States Constitution unless it was the last resort, the only resort to respond to something that urgent. I have not found that in most cases and have in most cases opposed those who wish to amend the Constitution.

I don't intend to cast aspersions on those who believe this is an important issue. I believe strongly this is the wrong issue to be on the floor of the Senate today. I believe strongly there are so many other issues that we ought to be dealing with today. But having said all that, we will, in one way or another, decide as the Senate about these two constitutional amendments and about the question of whether our country should continue to have a tax on inherited wealth. We will get through this. My hope is that at least some of the suggestions I have made about paying our bills, about taking care of our kids, honoring our parents, cleaning up our mess and doing the things that defend freedom and honor work, maybe those are the things we might get to soon. I hope so. In that case, I think the American people could take some hope and believe that Congress has sunk its teeth into that which matters a great deal to our future.

I yield the floor.

The PRESIDING OFFICER (Mr. VITTER). The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I thank my colleague from North Dakota for speaking about the constitutional amendment.

Before we left on Memorial Day, we dealt with a very important issue, and that was immigration. Immigration is now in conference committee. It is a key topic. It is my hope that by the end of this week or next we will deal with the budget and budget reforms. We need to get to a balanced budget. I believe we need to do it in 5 years. Others have said we need to cut the deficit in half in 5, if we can. We are dealing with that issue. I hope we can have support from our colleagues on the other side to move forward on those budget issues to get our budget in balance. We have had the issues of Katrina. The Presiding Officer knows so much about that; the war in Iraq. We can get there, but we will have to show some determination. I hope we get bipartisan support on that.

I also remind my colleagues that there hardly could be a more important issue than the foundational structure of how we build society and how societies have been built for thousands of years. They have been built around the institution of marriage, of a man and a woman bonded together for life. Out of that, families develop and grow and prosper. Children are raised, and that is the next generation. The next generation after that is brought forth and the generation preceding them is cared for or nurtured. That has been our fundamental structure. It hasn't been a structure of Government where we say we will have a whole bunch of Government out here to take care of people. Basically, what we say is: We will have a whole bunch of families out here to take care of people. And when that doesn't work, we will have Government support the structure and support the people who fall through the cracks. We will try to help as much as we can. We will try to help families as much as we can, and that is why we try to offer help for marriages. That is why we try to give advantages to marriages, so that that is the best structure that we know of that has been created to raise children, the next generation.

The problem we have in front of us is the institution of marriage has been weakened, and the effort to redefine it on this vast social experiment that we have going on, redefining marriage differently than it has ever been defined before, this effort of this vast social experiment, the early data that we see from other places, harms the institution of the family, the raising of the next generation. And it is harmful to the future of the Republic.

I think we can hardly have a more foundational debate regarding things of importance than the marriage amendment. I remind my colleagues that there is nothing controversial that we are debating. I will put up a chart that people have already seen. We need to remind people of the wording. The wording on this amendment is:

> Marriage in the United States shall consist only of the union of a man and a woman.

This is hardly profound science. This is a statement and people understand it. It is clear. We have held nine hearings in the Senate on it. The next sentence is:

> Neither this Constitution, nor the Constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

In other words, the courts cannot define marriage differently. Legislative bodies can look at it differently. The courts cannot. It says the legislature, the people's body, has to be involved in deciding the institution of marriage.

Some say this is something that was brought up by Congress in an election year because we are concerned about elections. But I can certainly say for this Senator, and everybody I know supporting this amendment, that is not the case. I view this as foundational to this society, to the future of the Republic. I think I am in pretty good company.

I will show you the next chart on this particular issue and the number of States that have taken up the issue of fundamentally deciding what marriage should look like. 45 out of 50 States have either adopted constitutional amendments or passed laws protecting traditional marriages. That means we are already beyond the three-fourths number of States that have defined marriage as the union of a man and a woman. To amend the Constitution, you have to have two-thirds of the House, two-thirds of the Senate, and three-fourths of the State. We are already over three-fourths of the States. It is kind of a reverse constitutional amendment because 45 States have acted and said marriage is a union of a man and a woman, and we think it is so important that we are going to act ahead of time. We are going to go at this now so that the courts cannot beat us to the punch.

But the problem is that those are State legislatures, and they can be trumped by a Federal court, which has already happened, and their State constitution can be ruled null and void and unconstitutional. So you have 45 of the 50 States already speaking on this and saying marriage is the union of a man and a woman, feeling that it is so important that they want to act before Congress, before the Constitution can be amended. They think it is that important. They have already moved forward before this body has enacted.

Nineteen States have constitutional amendments protecting the definition of marriage as a man and a woman; 26 others have statutes. Only five have not acted to protect that law statutorily or constitutionally. I will show you the next chart. You cannot say this kind of barely passed or that it is a small majority or that people don't care about this issue. I will show you a chart of how the vote total has been going across the States, across the country, in every region of America. When a constitutional amendment in a State defining marriage as the union of a man and a woman has come up in front of the people, the people have passed it. They have passed it, and it is not by 51 to 49. It is not just in the Midwest or the South; it is in the East, it is in the West, it is everywhere. Look at the chart, starting from the earliest one in 1998 to the latest, in my State of Kansas, in 2005. Look at the margins they have passed it by. You have a low of 57 percent in Oregon on the west coast. Still, that is a strong majority. My guess is that a number of people in this body on their first election were not elected with more than 57 percent of the vote. And you have the highs of 86 percent in Mississippi, 79 percent in my State, and in North Dakota 73 percent of the vote.

It is not a small group of people saying, yes, it does matter to me; it is a strong majority of the public across the entire country that is saying we need to define this institution before the courts come in and do this vast social experiment of redefining the family unit we build families around. We need to get this defined. The average ballot in support is 71.5 percent. That is the best public opinion polling you can get—how people vote when they go to the booth in region after region, defining what marriage is. They know what they believe marriage is. If we had Senators who would vote as their States have voted, we would have 90 votes for a constitutional amendment, defining marriage as the union of a man and a woman. That is how their States have voted, either by a constitutional ballot or within their legislature, in the laws that they have passed.

I urge my colleagues to reconsider the language being used here. There has been strong and vitriolic language thrown out. I don't appreciate that on any side of it, whether it is supporting the constitutional amendment or against it. People are trying to make fundamental policy for the country on a fundamental issue, and that is marriage.

It is not bigotry to define marriage as the union of a man and a woman. If that were the case, then you have 45 of 50 States that have done that. You have major religious institutions, Pope Benedict of the Catholic Church, and you have many other church leaders saying that marriage is the union of a man and a woman. You have different racial groups that are saying marriage is a union of a man and a woman. They are not bigoted individuals. They are simply seeking good public policy and the best place to raise a family, recognizing that the law is a teacher. If the law says you can redefine marriage any way you want to, the law teaches you can have marriage any way you want. If you define that marriage downward, you harm an institution that already is in great difficulty in this country. I will cover that much more later. Let's watch our language. We are trying to deal with a serious matter for the future of the Republic.

On Saturday, I was at a wedding in Topeka at which my daughter was the maid of honor. I don't think I am too partial in telling my colleagues that she was beautiful, radiant—not to compete with the bride, but she was beautiful, and I was very proud of her. It reminded me of that time-honored institution we are talking about—marriage, the union of a man and a woman. As I sat next to my wife, with our children next to us, other than my daughter who was in the wedding, I thought what a wonderful institution, what a way that we want to have this country built around, with grandparents and parents and children and siblings bonded together for life.

And do you know what. Families fight. There gets to be difficulties in families. But they stay together and support each other. It is the durability of that structure that helps build people. Families encourage each other. You push one another and say you ought to do this, and you can do that; and when somebody starts to fall, you pick them up. Even when you get mad, you don't go away—some people do. But you say, all right, it is family. We hang in here and we have to do that. That is what families do. That is why they are durable and good, and that is why we want to support them, because of what a family is. It is that durable set of relationships that are thick and that bind us together. We are reminded when we go to a wedding ceremony and we say here is a young couple getting married, and they are beautiful young people and they are radiant and excited and nervous; they probably don't have any clue of what they are getting into. As my wife and I said afterwards, we didn't know anything about marriage when we walked into it. Twenty-four years later, we know a little bit more about it. We know the promise and the beauty of it. We have children from it. We have been gifted with five children. You know the importance of it, of staying in there and supporting that family.

We know the values transmission that occurs in a marriage, what the parents say to their children and what they live in front of their children. We know the values transmission that takes place from grandparents, if they are surviving, to children, passing on those traditions and thoughts. It is a beautiful institution; it is one that we pass on the values from to the next generation.

It is an institution that is in trouble. We have had a lot of dissolutions of marriage in this country, as a result of any number of factors. Maybe it is the speed at which we live. We all say in our hearts we know the best thing is to have that marriage endure. We know the best thing is for the marriage to endure and to raise good, healthy children. We know the best thing is for that marriage to nurture and grow those children. We know that in our hearts. You don't have to have a law passed to tell you that.

We also know this institution is in trouble, and if you redefine it, you are going to create further problems for a fundamental institution. What you are going to do is you will take out a lot of the breath that is left in the institution, and you will move in another direction.

Mr. ALLARD. Will the Senator yield?

Mr. BROWNBACK. I will be happy to after my final point. Other countries that have redefined marriage have seen an enormous loss in the institution. Other countries that have defined this differently and have been there for a period of time have found a loss in the institution of marriage and the number of people willing to get married—to the point that most children are born out of wedlock, not born in these bonded relationships. That is the future of what takes place when you redefine a fundamental institution that everybody agrees is a union between a man and a woman. When the law teaches it is different, you will move the people away from that, and we will have fewer marriages in America. That is not what we need nor want.

I am happy to yield to the primary cosponsor of the constitutional amendment.

Mr. ALLARD. I thank the Senator from Kansas for his remarks. During several hearings we both participated in, we have heard about how a healthy marriage benefits children, how it benefits a community and the foundation of society. Don't you feel that if we don't preserve the definition of marriage, somehow or other we make marriage less relevant, and when you make it less relevant, then I think it is easier to have higher divorce rates and easier to have a dysfunctional family because the real importance of a family is lost.

Mr. BROWNBACK. Reclaiming my time, I thank my colleague for the question. I not only think that—and it strikes me that is natural to presume—that is the experience taking place in other countries. As I said, I will have some charts on this tomorrow that I will bring forward and showcase to people. The experience in Europe and the Scandinavian countries is not encouraging in what we have seen taking place with the institution of marriage. Those are places that have redefined marriage over a period of time now. They have said marriage can be between same-sex couples. You have counties in Norway where over 80 percent of the first-born children are born out of wedlock and two-thirds of the second children are. The institution no longer means much of anything. It is defined away.

You can say: OK, that is fine because you can raise good children in that setting. You can raise good children in a single family setting or with two people living together. But from all the social data, we know that is not the best place. We know that you are asking for a lot of problems if you define marriage away or let it be defined away by the courts. If we are going to do this, if it is going to be allowed, at least let's have the people involved in this discussion and not have it done by the courts, which is where we are headed right now. This is going to be done by the courts.

I want to put another chart up to show that particular point about how many courts are taking up this issue of marriage. Here you see in all the States and all these States' legislatures they are saying marriage is the union of a man and a woman. In 45 of 50 States, marriage is defined as the union of a man and a woman. What has happened in the legal framework? We have seen this in other areas in this country where the people speak and then the activists—a small group—take this matter and say we are not going to go through the legislative body and work with the people and try to change the hearts and minds of the people. We are going to go through the courts.

So what is happening in the courts on this? Nine States face lawsuits challenging traditional marriage laws—nine States. In four of those nine States, judges have already followed Massachusetts and found a right of same-sex marriage in the State constitutions—four of those nine, already. In April of 2005—and there were a number of my colleagues on the other side of the aisle the last time this came up 2 years ago who said, Well, when the courts start ruling against this, when the Federal courts start ruling against this, then I will look at the need for a constitutional amendment at the Federal level. All right, we got it, unfortunately. I wish we didn't. But in April of 2005, a Federal court in the district of Nebraska held that the State's amendment, which was approved by 70 percent of Nebraskans—70 percent, which is about the same number that support Nebraska football; it is higher, I suppose, than that—but 70 percent of Nebraska voters voted for that constitutional amendment defining marriage as the union of a man and a woman, and the Federal court struck it down and said it was unconstitutional. This is a Federal court saying that a State marriage law in the State's Constitution, that went to the people, supported by 70 percent of the people by a vote, is unconstitutional. All right. Now we have the Federal courts. And Federal courts challenges to the Federal DOMA, the Defense of Marriage Act, which the prior speaker, the Senator from North Dakota, was talking about, we now have Federal challenges to that, and more is coming, more is coming. So for my colleagues to say, well, it is not a particularly important topic, and we have other things we need to deal with, that is not what the States say. The States say this is an important topic, and they are staring down the barrel of Federal courts defining it away, as the first Federal court that has ruled on this has already done, in saying marriage is not the union of a man and a woman. It is not. Somebody is going to define this—which was point one I was raising at the outset—somebody is going to define this and I believe it should be legislative bodies and the people.

No. 2, this is about the institution of marriage and how you raise the next generation. That is something I think we need to cover in some depth. We had a great debate here on this floor about immigration the 2 weeks prior to going on break and it was a great debate. Immigration is an important policy issue in this country and it is facing us now. We have a huge problem. The system is not working. We had a great debate. We need to have a great debate about marriage, about this fundamental institution, because we need to think and look and see where this institution is going. It is in a great deal of difficulty.

I want to cover this, particularly from the context of a group which has just issued a paper on it. There is an important group of prestigious American academics from top universities who have just released what I think is a groundbreaking statement of principles to guide the public debate on the marriage issue, and we have needed a debate about marriage because the percentage of people getting married has fallen, the number of divorces has risen greatly, and approximately half of our children under the age of 18 will spend a significant portion of their childhood in a single parent household. We have welfare policies in this country that penalize people for getting married. It is bad policy. And now the lowest income individuals in the United States are the least likely to get married. So I guess you could say that policy has worked. It is a horrific idea. Reagan probably had this right when he said, "If you want more of something, subsidize it; if you want less of something, tax it." We have subsidized the situation of not getting married if you are in a low-income strata, and that is indeed what has happened in this country.

This group of academics has just issued from Princeton "Ten Principles on Marriage and the Public Good." It is produced by top scholars in history, economics, psychiatry, law, sociology and philosophy, and presents research on why the defense of marriage is in the public interest. Now, remember, what we are talking about is in the public interest. This is what we need as a Nation. What do we need to do? What is in the public interest? And they are clearly saying that it is in the public interest to support marriage as the union of a man and a woman and have more of it, not less, and to have stronger unions, not weaker ones, and to have an institution that is supported by law, not defined out of existence by law. They say this:

> In recent years, marriage has weakened, with serious negative consequences for society as a whole. Four developments are especially troubling: Divorce, illegitimacy, cohabitation, and same-sex marriage. Marriage protects children, men and women, and the common good. The health of marriage is particularly important in a free society, which depends upon citizens to govern their private lives and rear their children responsibly, so as to limit the scope, size, and power of the State.

It is families that buttress the State and also limit the scope, size, and power of the State.

> The Nation's retreat from marriage has been particularly consequential for our society's most vulnerable communities: Minorities and the poor pay a disproportionately heavy price when marriage declines in their communities. Marriage also offers men and women as spouses a good they can have in no other way: a mutual and complete giving of the self. Thus, marriage understood as the enduring union of husband and wife is both a good in itself and also advances the public interest.
>
> We affirm the following ten principles—

This is this Princeton group of scholars.

> That summarize the value of marriage—a choice that most people want to make, and that society should endorse and support.

They then list these 10 principles of marriage and the public good.

> Marriage is a personal union, intended for the whole of life, of husband and wife.
>
> Marriage is a profound human good, elevating and perfecting our social and sexual nature.
>
> Ordinarily, both men and women who marry are better off as a result.
>
> Marriage protects and promotes the well-being of children.
>
> Marriage sustains civil society and promotes the common good.
>
> Marriage is a wealth-creating institution, increasing human and social capital.
>
> When marriage weakens, the equality gap widens, as children suffer from the disadvantages of growing up in homes without committed mothers and fathers.
>
> A functioning marriage culture serves to protect political liberty and foster limited government.
>
> The laws that govern marriage matter significantly.
>
> And No. 10, "civil marriage" and "religious marriage" cannot be rigidly or completely divorced from one another.

They go on to say:

> Creating a marriage culture is not the job for government. Families, religious communities, and civic institutions, along with intellectual, moral, religious, and artistic leaders, point the way. But law and public policy will either reinforce and support these goals or undermine them. We call upon our nation's leaders, and our fellow citizens, to support public policies that strengthen marriage as a social institution, including:
>
> Protect the public understanding of marriage as the union of one man and one woman as husband and wife.
>
> Investigate divorce law reforms.
>
> End marriage penalties for low-income families.
>
> Protect and expand pro-child and pro-family provisions in our Tax Code.
>
> Protect the interests of children from the fertility industry.

I ask that this important statement of principles from top American scholars be considered carefully by my colleagues. I hope it will help guide our debate on this issue.

I want to talk a bit about that in the sense that we are having a profound impact on society and we have had this shift in the importance and status of marriage that has happened during one generation—basically my generation. We had a very strong marriage culture going into the 1960s, with very low divorce rates in the United States. There were undoubtedly situations that people married into that were bad, that were abusive prior to that period of time, and there certainly are today as well. But I don't think anybody could argue that today we have too many situations where too many children are in too weak of a household structure, lacking the concentration of adults in their lives, that this fundamental breakdown of the family has allowed in many cases to happen. And then you have that huge, enormous impact on that next generation of children.

That is why this group of intellectuals has come together and said, Look, for the future of society, for the future of our culture, we need a strong marriage institution. Don't weaken it and don't redefine it away from what it is and harm it further.

I want to talk briefly about the effects on Massachusetts and the effect the change of laws in Massachusetts has had on this particular marriage debate. In terms of the societal effects of regularizing same-sex unions, some have pointed out that the legalizing of same-sex unions in some States—and this has happened in Massachusetts and in Vermont—has not destroyed the society of those States. So they are taking the counterargument on this and saying, What is the problem here? Why not just define it any way you want to and if people of the same gender want to get married, that is fine, and it is not going to hurt my marriage. That is the way the debate will come up. I am not arguing that short-term changes like this will have detectable effects immediately where you can say, OK, you are going to define it one way this year and the next year you are going to see the number of heterosexual unions decline, and you are going to see major impacts on the marriage institution. It can take and does take years for the full effects of a change like this to show up because, remember, what you are doing is you are sewing into the culture, you are changing the culture.

When you redefine an institution like marriage, you are changing the culture. You are saying, OK, we have had a foundational institution in this culture: It is marriage. It is a union of a man and a woman bonded together for life. It is where we raise our families, where we raise the next generation and bring them up; that is a foundational structure. Now we are redefining that and saying, Well, it doesn't need to be a man and a woman. That is a cultural shift, and cultural shifts take years to show up, but they will show up, and they have enormous impact.

We have seen small changes taking place already in places like Massachusetts. State marriage licenses now contain places for "Partner A" and "Partner B," rather than husband and wife. Perhaps soon the terms "husband" and "wife" will be eradicated, and as for the terms "mother" and "father" one can only imagine what will happen to the definitions of those institutions.

Those cultural signals are not going to strengthen the American family. This issue has been thoroughly discussed and debated. I want to complete this point—and I will have more charts to show on this—of what takes place over a period of two to three decades when you redefine an institution like marriage. In fact, I want to show, and actually I believe we have a chart on that today, and I am going to pull that up here a little bit later on to show what has happened in other countries when they have redefined the institution, if we can find that chart. I want to come back to that.

Before I get to that, though, I want to point out how much we have discussed this issue. Some may suggest, Well, we are rushing this to the floor. I can't believe they would, but some might say, Well, it is just being rushed to the floor and we really don't understand the ramifications of this particular constitutional amendment, and argue from that perspective. I want to point out that we have had nine hearings on this subject from 2003, 2004, and 2005. We have held hearings with dozens of experts on this topic. We have held hearings about the impact of changing the definition of marriage. We have held hearings with legal experts and scholars of what does this two-sentence constitutional amendment mean. We have held hearings from lots of different angles on this.

One thing has certainly become clear in these hearings: Traditional marriage promotes stability in society and government has a vital interest in encouraging and providing the conditions to maintain as many traditional marriages as possible.

Once the process of redefining marriage begins, it is but a short step to the dissolution of marriage as an institution all together. I don't think that is the way we want to go, and it is certainly not the way we want to go for our children.

There is also a point about when you redefine marriage, what takes place in institutions that want to stay with a traditional definition of marriage. There now is a growing body of thought that institutions will not be allowed to define marriage as the union of a man and a woman.

Mr. President, I ask unanimous consent to have printed in the RECORD an article that I think is a very interesting and important one done by Maggie Gallagher that looks at the loss of religious freedom when you redefine marriage.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Weekly Standard, May 15, 2006]

BANNED IN BOSTON—THE COMING CONFLICT BETWEEN SAME-SEX MARRIAGE AND RELIGIOUS LIBERTY

(By Maggie Gallagher)

Catholic Charities of Boston made the announcement on March 10: It was getting out of the adoption business. "We have encountered a dilemma we cannot resolve. . . . The issue is adoption to same-sex couples."

It was shocking news. Catholic Charities of Boston, one of the nation's oldest adoption agencies, had long specialized in finding good homes for hard to place kids. "Catholic Charities was always at the top of the list," Paula Wisnewski, director of adoption for the Home for the Home for Little Wanderers, told the Boston Globe. "It's a shame, because it is certainly going to mean that fewer children from foster care are going to find permanent homes." Marylou Sudders, president of the Massachusetts Society for the Prevention of Cruelty to Children, said simply, "This is a tragedy for kids."

How did this tragedy happen?

It's a complicated story. Massachusetts law prohibited "orientation discrimination" over a decade ago. Then in November 2003, the Massachusetts Supreme Judicial Court ordered gay marriage. The majority ruled that only animus against gay people could explain why anyone would want to treat opposite-sex and same-sex couples differently. That same year, partly in response to growing pressure for gay marriage and adoption both here and in Europe, a Vatican statement made clear that placing children with same-sex couples violates Catholic teaching.

Then in October 2005, the Boston Globe broke the news: Boston Catholic Charities had placed a small number of children with same-sex couples. Sean Cardinal O'Malley, who has authority over Catholic Charities of Boston, responded by stating that the agency would no longer do so.

Seven members of the Boston Catholic Charities board (about one-sixth of the membership) resigned in protest. Joe Solmonese, president of the Human Rights Campaign, which lobbies for lesbian, gay, bisexual, and transgender equal rights, issued a thundering denunciation of the Catholic hierarchy: "These bishops are putting an ugly political agenda before the needs of very vulnerable children. Every one of the nation's leading children's welfare groups agrees that a parent's sexual orientation is irrelevant to his or her ability to raise a child. What these bishops are doing is shameful, wrong, and has nothing to do whatsoever with faith."

But getting square with the church didn't end Catholic Charities' woes. To operate in Massachusetts, an adoption agency must be licensed by the state. And to get a license, an agency must pledge to obey state laws barring discrimination—including the decade-old ban on orientation discrimination. With the legalization of gay marriage in the state, discrimination against same-sex couples would be outlawed, too.

Cardinal O'Malley asked Governor Mitt Romney for a religious exemption from the ban on orientation. Governor Romney reluctantly responded that he lacked legal authority to grant one unilaterally, by executive order. So the governor and archbishop turned to the state legislature, requesting a conscience exemption that would allow Catholic Charities to continue to help kids in a manner consistent with Catholic teaching.

To date, not a single other Massachusetts political leader appears willing to consider even the narrowest religious exemption. Lieutenant Governor Kerry Healey, the Republican candidate for governor in this fall's election, refused to budge: "I believe that any institution that wants to provide services that are regulated by the state has to abide by the laws of the state," Healey told the Boston Globe on March 2, "and our anti-discrimination laws are some of our most important." equality in this country." Marc Stern is the general counsel for the center-left American Jewish Congress. Robin Wilson of the University of Maryland law school is undecided on gay marriage. Jonathan Turley of George Washington law school has supported legalizing not only gay marriage but also polygamy.

Reading through these and the other scholars' papers, I noticed an odd feature. Generally speaking the scholars most opposed to gay marriage were somewhat less likely than others to foresee large conflicts—perhaps because they tended to find it "inconceivable," as Doug Kmiec of Pepperdine law school put it, that "a successful analogy will be drawn in the public mind between irrational, and morally repugnant, racial discrimination and the rational, and at least morally debatable, differentiation of traditional and same-sex marriage." That's a key consideration. For if orientation is like race, then people who oppose gay marriage will be treated under law like bigots who opposed interracial marriage. Sure, we don't arrest people for being racists, but the law does intervene in powerful ways to punish and discourage racial discrimination, not only by government but also by private entities. Doug Laycock, a religious liberty expert at the University of Texas law school, similarly told me we are a "long way" from equating orientation with race in the law.

By contrast, the scholars who favor gay marriage found it relatively easy to foresee looming legal pressures on faith-based organizations opposed to gay marriage, perhaps because many of these scholars live in social and intellectual circles where the shift Kmiec regards as inconceivable has already happened. They have less trouble imagining that people and groups who oppose gay marriage will soon be treated by society and the law the way we treat racists because that's pretty close to the world in which they live now.

THE (GAY) PUBLIC INTELLECTUAL

Of all the scholars who attended, perhaps the most surprising is Chai Feldblum. She is a Georgetown law professor who is highly sought after on civil rights issues, especially gay civil rights. She has drafted many federal bills to prohibit orientation discrimination and innumerable amicus briefs in constitutional cases seeking equality for gay people. I ask her why she decided to make time for a conference on the impact of same-sex marriage on religious liberty.

"Not because I was caught up in the panic," she laughs. She'd been thinking through the moral implications of nondiscrimination rules in the law, a lonely undertaking for a gay rights advocate. "Gay rights supporters often try to present these laws as purely neutral and having no moral implications. But not all discrimination is bad," Feldblum points out. In employment law, for instance, "we allow discrimination against people who sexually abuse children, and we don't say 'the only question is can they type' even if they can type really quickly."

To get to the point where the law prohibits discrimination, Feldblum says, "there have to be two things: one, a majority of the society believing the characteristic on which the person is being discriminated against is not morally problematic, and, two, enough of a sense of outrage to push past the normal American contract-based approach, where the government doesn't tell you what you can do. There has to be enough outrage to bypass that basic default mode in America. Unlike some of my compatriots in the gay rights movement, I think we advance the cause of gay equality if we make clear there are moral assessments that underlie anti-discrimination laws."

But there was a second reason Feldblum made time for this particular conference. She was raised an Orthodox Jew. She wanted to demonstrate respect for religious people and their concerns, to show that the gay community is not monolithic in this regard.

"It seemed to me the height of disingenuousness, absurdity, and indeed disrespect to tell someone it is okay to 'be' gay, but not necessarily okay to engage in gay sex. What do they think being gay means?" she writes in her Becket paper. "I have the same reaction to courts and legislatures that blithely assume a religious person can easily disengage her religious belief and self-identity from her religious practice and religious behavior. What do they think being religious means?"

To Feldblum the emerging conflicts between free exercise of religion and sexual liberty are real: "What we pass a law that says you may not discriminate on the basis of sexual orientation, we are burdening those who have an alternative moral assessment of gay men and lesbians." Most of the time, the need to protect the dignity of gay people will justify burdening religious belief, she argues. But that does not make it right to pretend these burdens do not exist in the first place, or that the religious people the law is burdening don't matter.

"You have to stop, think, and justify the burden each time," says Feldblum. She pauses. "Respect doesn't mean that the religious person should prevail in the right to discriminate—it just means demonstrating a respectful awareness of the religious position."

Feldblum believes this sincerely and with passion, and clearly (as she reminds me) against the vast majority of opinion of her own community. And yet when push comes to shove, when religious liberty and sexual liberty conflict, she admits, "I'm having a hard time coming up with any case in which religious liberty should win."

She pauses over cases like the one at Tufts University.

Interestingly, Stern points out, a single "derogatory or demeaning" remark not seeking sexual gratification or threatening a person's job security does not constitute harassment under ordinary federal and state sexual harassment law originally intended to protect women in the workplace. Moreover, Stern says, "our entire free speech regime depends on the principle that no adult has a right to expect the law will protect him from being exposed to disagreeable speech."

Except, apparently in New Jersey, where a state attorney general's opinion concluded, "[C]learly speech which violates a nondiscrimination policy is not protected." "This was so 'clear' to the writer," notes Stern, "that she cited not a single case or law review article in support." Ultimately, the school withdrew its reprimand from Daniel's employment file after receiving negative publicity and the threat of a lawsuit from the Foundation for Individual Rights in Education (FIRE).

Sexual harassment law as an instrument for suppressing religious speech? A few days after I interviewed Stern, an Alliance Defense Fund press release dropped into my mail box: "OSU Librarian Slapped with 'Sexual Harassment' Charge for Recommending Conservative Books for Freshmen." One of the books the Ohio State librarian (a pacifist Quaker who drives a horse and buggy to work) recommended was It Takes a Family by Senator Rick Santorum. Three professors alleged that the mere appearance of such a book on a freshman reading list made them feel "unsafe." The faculty voted to pursue the sexual harassment allegation, and the process quickly resulted in the charge being dropped.

In the end the investigation of the librarian was more of a nuisance—you might call it harassment—than anything else. But the imbalance in terms of free speech remains clear: People who favor gay rights face no penalty for speaking their views, but can inflict a risk of litigation, investigation, and formal and informal career penalties on others whose views they dislike. Meanwhile, people who think gay marriage is wrong cannot know for sure where the line is now or where it will be redrawn in the near future. "Soft" coercion produces no martyrs to disturb anyone's conscience, yet it is highly effective in chilling the speech of ordinary people.

Finally, I ask Stern the big question on everyone's mind. Religious groups that take government funding will almost certainly be required to play by the nondiscrimination rules, but what about groups that, while receiving no government grants, are tax-exempt? Can a group—a church or religious charity, say—that opposes gay marriage keep its tax exemption if gay marriage becomes the law? "That," says Stern, "is the 18 trillion dollar question."

Twenty years ago it would have been inconceivable that a Christian or Jewish organization that opposed gay marriage might be treated as racist in the public square. Today? It's just not clear.

"In Massachusetts I'd be very worried," Stern says finally. The churches themselves might have a First Amendment defense if a state government or state courts tried to withdraw their exemption, he says, but "the parachurch institutions are very much at risk and may be put out of business because of the licensing issues, or for these other reasons—it's very unclear. None of us nonprofits can function without [state] tax exemption. As a practical matter, any large charity needs that real estate tax exemption."

He blames religious conservatives for adopting the wrong political strategy on gay issues. "Live and let live," he tells me, is the only thing around the world that works. But I ask him point blank what he would say to people who dismiss the threat to free exercise of religion as evangelical hysteria. "It's not hysteria, this is very real," he tells me, "Boston Catholic Charities shows that."

Fundamentally, Stern sees this as a "religious war" between people for whom an egalitarian secular ethic is the only rational option and people who can make room for an ethic based on faith in a God who commands. There are very few signs of a willingness to compromise on either side, he notes.

"You look around the world and even the right to preach is in doubt," he tells me. "In the United States we are not foreseeably in that position. Fundamentally speech is still safe in the United States. Beyond speech, nothing is safe."

THE HEALTH CARE LAW EXPERT

Robin Wilson is an expert in both family law and health care law. So when Anthony Picarello approached her about thinking through the impact gay marriage may have on religious institutions, she had a ready model at hand: the struggles over conscience exemptions in the health care field after Roe v. Wade elevated abortion to a constitutional right.

Wilson predicts "a concerted effort to take same-sex marriage from a negative right to be free of state interference to a positive entitlement to assistance by others. Although Roe and Griswold established only the right to noninterference by the state in a woman's abortion and contraceptive decisions, family planning advocates have worked strenuously to force individual institutions to provide controversial services, and to force individual health care providers to participate in them."

"This litigation after Roe," she says, "provides a convincing prediction about the trajectory that litigation forced to marry same sex couples. What about the other potential conflicts? Are they real? "There are already tensions," he tells me. "I think there is a kind of collision course here that is inevitable."

For a man in the conciliation business, Hayes doesn't sound optimistic. "I think it's" a serious question that will grow more difficult. I think we will have more and more tension between efforts by the state to protect gay rights and the need to protect religious freedom. This will have an impact on religious individuals as well as perhaps religious organizations in areas such as housing; the workplace, hiring."

I ask him whether his concerns are shared by the wide spectrum of religious and civil rights groups he deals with. "Everyone's talking about it, thinking about it," Haynes tells, me. "There are a lot of different ideas about where we are going to end up, but everyone thinks it is the battle of our times."

THE MARRIAGE LINE

How much of the coming threat to religious liberty actually stems from same sex marriage? These experts' comments make clear that it is not only gay marriage, but also the set of ideas that leads to gay marriage—the insistence on one specific vision of gay rights—that has placed church and state on a collision course. Once sexual orientation is conceptualized as a protected status on a par with race, traditional religions that condemn homosexual conduct will face increasing legal pressures regardless of what courts and Congress do about marriage itself.

Nevertheless, marriage is a particularly potent legal "bright line." Support for marriage is firmly established in our legal tradition and in our public policy. After it became apparent, that no religious exemption would be available for Catholic Charities in Massachusetts, the church looked hard for legal avenues to continue helping kids without violating Catholic principles. If the stumbling block bad been Catholic Charities' unwillingness to place children with single people—or with gay singles—marriage might have provided a legal "safe harbor": Catholic Charities might have been able to specialize in placing children with married couples and thus avoid collision with state laws banning orientation discrimination. After Goodridge, however, "marriage" includes gay marriage, so no such haven would have been available in Massachusetts.

Precisely because support for marriage is public policy, once marriage includes gay couples, groups who oppose gay marriage are likely to be judged in violation of public policy, triggering a host of negative consequences, including the loss of tax-exempt status. Because marriage is not a private act, but a protected public status, the legalization of gay marriage sends a strong signal that orientation is now on a par with race in the nondiscrimination game. And when we get gay marriage because courts have declared it a constitutional right, the signal is stronger still.

The method and the mechanism for achieving protected status may be different for orientation and for race. Even the Massachusetts supreme court, for example, declined to rule explicitly that orientation is a protected class, subject to strict scrutiny. But in Massachusetts, the end result may be similar. If state courts declare gay marriage a constitutional right, they are likely to see support for gay marriage as state public policy.

On the cultural level, the declaration by a court that only animus explains why anyone would treat two men differently from a husband and wife represents an unfolding civil rights logic that has real consequences. As Boston Globe columnist Ellen Goodman put it, "But if you give one church permission to discriminate against gays, what's next? Permission to discriminate against blacks/or Jews who want to adopt?"

END GAME

On April 15, the Boston Globe ran a story about three other Catholic adoption agencies, in Worcester, Fall River, and Springfield, that do not do gay adoptions. The story noted that, for now, these agencies will not be punished for their refusal. Constantia Papanikolaou, general counsel for the state Department of Early Education and Care, said her agency is holding off taking any action because the governor has proposed legislation that would provide a religious exemption for adoption agencies. "We're going to wait and see how the legislation plays out:," Papanikolaou said.

The reprieve is likely to be short-lived. Observers, universally say the religious exemption has no chance of passage, and in a few months, Mitt Romney will no longer be governor. What then? The Boston Globe story provides a clue: "Gary Buseck, legal director of the Gay & Lesbian Advocates & Defenders

> in Boston, said his group realizes that Massachusetts will have a new governor next year, and it expects that he or she will aggressively enforce the state's antidiscrimination laws."
>
> Marc Stern is looking more and more like a reluctant prophet: "It's going to be a train wreck," he told me in the offices of the American Jewish Congress high above Manhattan. "A very' dangerous train wreck. I don't see anyone trying to stem the train wreck, or slow down the trains. Both sides are really looking for Armageddon, and they frankly both want to win. I prefer to avoid Armageddon, if possible."

Mr. BROWNBACK. Mr. President, the reason I want to have that printed in the RECORD is for people to be able to see there is another side to this. When you redefine marriage and say it can now be between two people of the same gender, what happens when an institution says that we do not agree with that? Let's say a particular church says we do not agree with that; we believe that marriage is a union of a man and a woman. They can then actually be at risk legally in their state for having that definition and that will be seen as discriminatory, to the point you saw Catholic Charities doing adoptions in Boston having to leave because they were forced to recognize same-sex union adoptions and to provide those services. They said they disagree with this as a matter of their religious tenets. So now they are no longer able to do adoptions in Massachusetts.

What happened to their religious freedom? That will be the same sort of path this will take. People will lose religious freedom if they hold a different view. If they say: We believe marriage is a union of a man and a woman, it is a basic tenet of our faith—which it is for many people and many faiths; this is a basic tenet, that marriage is a union of a man and a woman—now you are going to find that somehow discriminatory? Bigotry? They are going to be sued if they only recognize marriage as a union of a man and a woman.

I hope my colleagues who want to vote against this start to think about that because this is the trajectory many of these things have taken when they get on this track.

I promised my colleagues I would show what happened in other countries when they took on the issue of redefining marriage. We have other countries that have done this. The point I want to make is marriage is a fundamental institution. We need to support it and grow it. If you redefine marriage, this is not the way to support and grow marriage. This is not the way to support and grow marriage.

Some will say there will just be more marriages that will take place. That is not the experience in other countries, particularly in northern Europe. They have redefined marriage, and it has not happened that way. You get fewer marriages and you get more children born out of wedlock. If you say, OK, we get more children born out of wedlock, the problem is you put children in a less than optimal environment. This goes against the Moynihan principle: You should always look at what you do to the next generation, and you should be as supportive as you can to the next generation.

This chart shows, for the Netherlands, out-of-wedlock births and the campaign for same-sex marriage in the Netherlands. The Netherlands is a particularly interesting case because they had a very stable marital environment for a long period of time. In all of Europe, it was one of the most stable marital environments in which children were born in wedlock, up until a very recent period of time. Up until 1980 you still have less than 5 percent of children born out of wedlock. One of the lowest rates in all of Europe was in the Netherlands. Then, when they started to have this debate on same-sex marriage, a lot of things changed in the Netherlands, the same way as happens here.

It goes in the court system. A small group of activists go in the court system and say: We can't change the overall body politic, but we will go into the courts and we will use the courts to change society that way. So we will get at them through the courts, the same play as happening here.

In 1980 we have 5 percent of the total births out of wedlock. Then the first court cases start hitting in the late 1980s and you are at or around a little above 10 percent, the first court cases hitting on same-sex unions.

You can just see that pattern skyrocket, the percentage of total births of children born out of wedlock from when you start redefining. You are speaking this into the culture and saying to the culture: Marriage isn't only the marriage of a man and a woman, it can be two men, two women, whatever we want to define it to be. We need to do this. It is something that is discriminatory otherwise.

You can just see that thing take off, the number of children born out of wedlock.

Again, if you say: That is just a consequence of it, I guess that is the way it is, the problem is, that is not the way it was, nor is it the way it needs to be, nor is it the way it should be for our children in the next generation. We should be strongly concerned about how that next generation is raised and the nurturing environment they are raised in. Recognizing people are going to have trouble in marriages—they are, but we still don't want to take that optimal design away. We want to encourage that optimal design. We know that is the place where it works the best.

I want to show a chart to make a couple of points. Ever since proposals for same-sex marriage began to be debated, the out-of-wedlock birth rate in the Netherlands has soared. Same-sex marriage has increased the culture separation of marriage from parenthood in the Netherlands.

Scandinavia is the area in the world that has the longest track record of same-sex unions. They have embraced it for the longest period of time. These are the countries, then, where we have the most developed data. This is the law being used to change the culture.

I think I am paraphrasing Senator Moynihan—he was a great cultural commentator—a comment he made in one of his books. He wrote that the central conservative truth is that culture is more important than government. In other words, what your culture says it honors and dishonors is more important than government. That was central conservative truth.

The central liberal truth is, you can use laws to change culture. Here you see the effort to use a law to change culture taking place. The system of marriage like same-sex registration partners established in the late 1980s has contributed significantly to the ongoing decline of marriage in this region. The rates for both first and second and later births to cohabiting couples have risen substantially. Instead of arguing that same-sex marriage encourages marriage among heterosexual parents, it is used as evidence that marriage is outdated. Where gay marriage finds acceptance, marriage has virtually ceased to exist in some areas.

We have a chart where 80 percent of the first-born children, as I mentioned, were born out of wedlock. Is that the trajectory we want to go on? Is that where we want this society to go? Is that the sort of country we want to have in the future? Is that where we are willing to go?

I think people are going to argue a whole bunch of different ideas. There is going to be a lot of blustering about this, but the basic question is pretty simple. Do you believe and do you support that marriage is a union of a man and a woman? Do you think that is the foundation of society or not? People are going to yell and scream a lot of things about some form of bigotry, or that this is being done for political purposes, Or this or that, or they are going to try to say: It doesn't hurt my marriage. I am just saying we have basic social data on this vast social experiment of redefining marriage. We know where it heads.

I think if any of us really search in our own hearts we are pretty comfortable that if you redefine this institution you are unlikely to get more of it. You are more likely to get less of it.

I hope people will ask the next question. Is this the best place to raise the next generation? Is this the best message to send on how to raise that next generation? I ask people to ask their own hearts—look at the data. We have the data on it, but ask in their own hearts because this is a big, deep, serious one. This is an important one.

I respect my colleagues who have a different position. I respect people in the United States who have a different position on this particular issue. There are good people on all sides of this issue. But the data is what it is. People, if they just ask in their own hearts, they know the right answer to this particular topic, as tough as it might be. But this is an important one. It will be defined by us or by the courts.

I will have additional information to present at a later date, but I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I understand some of my other colleagues will be coming to the floor. I urge them to get to the floor to make statements. Tomorrow there will be more individuals coming in. It will probably get crowded. So if people want to make an opening statement, this will be an excellent time to do it.

While we are waiting for individuals to come to the floor, I want to share some of the information we put together on this institution of marriage so we can use the time profitably while we have this debate on the floor.

I want to talk about the issue of what happens to children in this institution of marriage. I believe I am saying some of the things my grandparents would say: Well, of course that is true, this kind of basic thought or idea that you get in a society. But I think there are things that need to be reiterated.

Now we have social data in the United States to say what happens when you walk away from a fundamental institution, and one like marriage, that it has as much trouble as it has.

I want to point to the number of children born out of wedlock in the United States and where we have been going with this data. In the 1930s, 4 percent; 1950s up to 5.3 percent, now up to 34.6 percent.

We have roughly a third of the children in the United States born to single moms. It is not that you cannot have a good child-rearing situation there, but, as we will show later on, it just gets much more difficult to raise that child. It is important that child be raised between a loving couple.

I want to show the next chart, if we could, on this particular point. Developmental problems are less common in two-parent families. This is something I want to share. It is the sort of thing my parents would be looking at and saying: Of course, we know that is the case. But now we have the social data on it. You have single-parent families in the green, you have two-parent families in red. You see the lower half of class academically—it is twice as likely to be in that single-parent household; developmental delays, 10 percent more likely; emotional or behavior problems, more than twice as likely to have problems in that particular category as well, in that single-parent household.

I want to show the next chart and show this: Nearly 80 percent of all children suffering long-term poverty come from broken or never-married families. I will cover this in more detail tomorrow because this is a product—partially, if not a majority product—of government policies on welfare.

That penalizes people for getting married if they are in the welfare system.

As you can see, nearly 80 percent of children suffering long-term poverty come from broken and never-married families. One of the two best ways known out of poverty in the United States is to get a job and get married. I will develop that thought more tomorrow. We are actual trying some innovative experiments here in Washington, DC, on what can be done and should be done to remove the marriage penalty from our welfare policies and programs.

I see my colleague from Texas has joined us. I yield the floor.

The PRESIDING OFFICER (Mr. CHAMBLISS). The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, I appreciate the Senator from Kansas giving me a chance to speak on the marriage amendment. I know there is no one who cares more deeply or who has fought harder on this cause than the Senator from Kansas. I am glad to join him on the Senate floor.

It has been kind of interesting to hear some of the comments that have been made by the majority leader's stated intent to go to the marriage amendment again this week and the kind of comments that some have made about that decision. One of our colleagues on the other side of the aisle was on one of the Sunday morning interview shows, "Meet the Press," where he said:

> You know, I think about this—the world is going to Hades in a hand basket. We are desperately concerned about the circumstance relating to avian flu. We don't have enough vaccines, we don't have enough police officers, and we're going to debate for the next 3 weeks, I am told, gay marriage, a flag amendment, and God knows what else. I can't believe the American people can't see through this. We already have a law, the Defense of Marriage Act. We have all voted—not where I voted and others voted. Look, marriage is between a man and a woman, and States must respect that. Nobody has violated that law. There has been no challenge to the law. Why do we need a Constitutional amendment? Marriage is between a man and a woman. What is the game going on here?

First of all, I would suggest to my colleague who made those statements this last Sunday that protection of traditional marriage is important. This is not an issue which we have raised gratuitously or out of thin air. This is a fight which really has been brought to the American people by those who would seek to use the courts to advance their agenda to call marriage between one man and one woman some form of discrimination or violation of their civil rights.

So this is not an issue which we have taken up without provocation or without cause but one which I believe is a legitimate and important response to the challenges we have seen in the courts across our country, including most famously in Massachusetts but elsewhere in addition.

Just to correct the misimpression of my colleague whose statements I just quoted, there are challenges to the Federal Defense of Marriage Act pending in a Federal district court in both Oklahoma and Washington.

It is simply wrong to suggest that we are introducing this issue without provocation or without cause, and it is simply erroneous to say there have been no developments in the courts across our land that cause good people of good faith some legitimate concern about what the future of our marriage laws might be.

Tomorrow, we will vote on an amendment to the Constitution that would define marriage as the union of one man and one woman. Constitutional amendments should obviously not be brought for light or insignificant reasons but, rather, to preserve some of the most fundamental principles of our way of life—and those principles deserving of the ultimate legal protection.

The institution of marriage, notwithstanding some of the comments of some, I believe is one of those fundamental principles deserving the ultimate legal protection. It is arguably the fundamental building block of our society. Throughout human history, traditional marriage between a woman and a man has been viewed as the ideal. It is the ideal environment in which to raise children. It is the ideal environment in which to promote families, the most important institution in our society. And, in my view, it should be protected and preserved.

I am not the only one who feels that way. The Federal Defense of Marriage Act, which defined marriage as between a man and a woman that the Senator mentioned in the Sunday morning talk show, passed the U.S. Senate by a vote of 85 to 14 in 1996, obviously indicating that this is not a partisan issue. It is not a sort of vocal minority that is saying this is something we need to do. It got overwhelming support in 1996.

Moreover, legislators in 45 of 50 States have adopted State legislation generally known as defense of marriage acts. In recent years, the American people across the Nation have gone to the polls to support State constitutional amendments designed to protect marriage and have done so with overwhelming numbers. Voters in my State adopted a constitutional amendment in 2004 with 76 percent support. In fact, in the 19 States that have considered State constitutional amendments, all have passed, and with an average support of 71.5 percent. This year, seven more States will consider constitutional amendments preserving traditional marriage.

You might legitimately ask, given all of this activity at the State level, why is there a need for a Federal constitutional amendment? Indeed, even with the Federal Government passing the Defense of Marriage Act in 1996, why do we need the added protection? The fact is, despite the overwhelming will of the American people, traditional marriage has been undermined by activist judges and continues to face challenge after challenge after challenge in State and Federal courts throughout the Nation.

It is important to look back at what first signaled that traditional marriage was in jeopardy in the courts. It goes back to the decision of the U.S. Supreme Court, Lawrence v. Texas. The most remarkable thing about that decision is not the result but how the Court came to the result it reached. There is the case that struck down the antisodomy laws in Texas law.

Indeed, it was widely anticipated that the Court would overrule the decision in Bowers v. Hardwick, which upheld the antisodomy law in Georgia. But in this case, the Court not only struck down this antisodomy law on equal protection basis—Justice Kennedy, writing for the majority, created a new constitutional right, which raised the specter of legal challenges to traditional marriage laws. That new constitutional right created in that decision was one that said you are free in one's intimate sexual and personal relationships such that the Constitution now prohibits any sort of restriction by legislation or official policy on those intimate relationships between adults.

At the time, Justice Scalia rightly noted that the opinion "leaves on pretty shaky grounds State laws limiting marriage to opposite-sex couples."

Within months of that decision, the Federal constitutional decision in Lawrence v. Texas was used by the Massachusetts Supreme Court as the basis to interpret its State constitution to require same-sex marriage, writing that "no amount of tinkering with language will eradicate the stain of traditional marriage."

This almost seems surreal to me. The last thing I thought I would end up doing coming to Washington and to the Senate is that I would be standing here on the Senate floor having to defend the institution of traditional marriage. I thought some things were a given and there would be other issues that we would be arguing about and fighting about and debating about—the great issues of the day. But we are here because of the provocation of not only overly broad decisions made by the U.S. Supreme Court but essentially State courts now finding the license in other courts to say that traditional marriage laws are somehow unlawful discrimination.

It is also important to note why this should be handled at the Federal level.

I already mentioned that State voters, when given an opportunity, had readily passed State constitutional amendments, or Texas legislators, as in my State, readily would pass a statute. But we all know that under our Federal scheme of government, State laws, including State constitutional provisions, cannot withstand a decision by a Federal court, that the U.S. Constitution will not allow those State provisions, either of statute or constitution, to stand if indeed it is found to be in violation of the United States Constitution. That is the very real threat here which has already been realized in Nebraska's Federal court and which now is pending in at least two other courts.

In the 108th Congress, as chairman of the Subcommittee on the Constitution, Civil Rights and Property Rights, I chaired three hearings on the subject of marriage. These included a hearing focusing on the statutes of the bipartisan Defense of Marriage Act, which I mentioned a moment ago; another studied whether an amendment to the Constitution was necessary at all; and a third that addressed the specific amendment language that had been introduced in the Senate and which is now the subject of the pending resolution. Through that process, we learned time and time again from legal experts across the political spectrum that the only way for Congress to permanently protect and preserve marriage against judicial activism is through an amendment to the U.S. Constitution.

I think it is also important for people to understand, even when Congress passes by the appropriate supermajorities a resolution like this to amend the Constitution, that it also then has to go to the States, and three-quarters of the States have to ratify that resolution as well before it becomes a constitutional provision.

Some have said that this issue is not sufficiently important to justify an amendment to the U.S. Constitution. But I would point out that the 27th amendment to the U.S. Constitution adopted in 1992 provides that "no compensation for Members of Congress shall take effect until an election of representatives shall have intervened." In other words, Congress can't give itself a pay raise without having to actually stand for election during an intervening period of time. I would humbly suggest that protecting the institution of marriage is at least as important as the pay provisions governing Congress.

People can decide for themselves where it matches up on the spectrum, but it is at least as important as that. To suggest that somehow the Constitution is so sacrosanct that we cannot offer amendments to the Constitution is to deny government of the people, by the people, and for the people. This is our Constitution. It is the people's prerogative to say whether we will amend the Constitution, and if so, what goes in that provision.

We already know there are some judges who are using their interpretive power under the Constitution to rewrite it or to amend it under the guise of interpretation. So the question is not whether it will be amended; the question is, Who will amend it? I believe we the people should reserve our rights to determine the laws that govern our society and that govern our families.

Through the hearing process I mentioned a moment ago, I came to believe that a constitutional amendment was entirely appropriate. We know 2 years ago the Senate failed to overcome a filibuster against proceeding to the amendment by a vote of 48 to 50. That was unfortunate. Now we have another chance, yet some question whether we should take advantage of that opportunity, even accusing supporters of some type of political expediency in even raising this issue.

The simple answer is that the institution of marriage continues to be under assault by an organized, coordinated campaign of legal activists seeking to quietly but methodically undermine this institution through lawsuits filed around the country. Since the 2004 vote, State courts in Washington State, New York, California, Maryland, and Oregon have found traditional marriage laws to be unconstitutional. As I mentioned a moment ago, a Nebraska judge has struck down a State constitutional amendment on the same basis, claiming that somehow, after more than 200 years of our Constitution's existence, during which time we all assumed traditional marriage laws were sacrosanct, that somehow all of a sudden these judges have divined that, no, the Founding Fathers really intended to find that traditional marriage laws were discriminatory and unconstitutional. It would be laughable if it were not so serious.

At the present time, nine States face challenges of their traditional marriage laws. Some challenges are in State court, and some are based on Federal constitutional claims. Even others challenge the Defense of Marriage Act.

Last week, I read in the New York Times that New York's marriage laws are now before that State's highest court, as well. Numerous other lawsuits have been filed and will continue to be filed across the Nation even as voters take to the polls in support of laws protecting marriage.

Tomorrow, the Senate faces an important and necessary question: Do we believe that traditional marriage is important enough to deserve full legal protection? In my view, the answer to that simple question is a simple yes. Marriage must be protected by the Constitution, and the American people should preserve their right to choose for themselves how to define our society and not have invalidation of traditional marriage forced on them by activist courts.

This amendment language would provide that protection and that reassurance. It would define marriage as the union of a man and a woman and would protect the American people against judicial activism and being forced to live in a country with laws that do not reflect their will. I urge my colleagues to support this measure and to move this important amendment to the Senate for full consideration.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I want to address a couple other issues on this marriage amendment and at the same time urge my colleagues who want to speak on this particular amendment to come to the Senate so we can have as fulsome debate as possible. If any Member comes to the floor, I will yield to them so they can get a chance to put their information forward.

There has been a developing body of thought, and I think this is a very important one to look at, the issue of religious freedom that develops from redefining marriage. I have entered into the RECORD already an article by Maggie Gallagher catching quite a bit of interest because it is of particular concern. I will develop this more fully.

It is becoming increasingly apparent that same-sex marriage poses a significant threat to religious liberties. Scholars on both the left and the right agree that same-sex marriage has raised the specter of the massive and protracted battle over religious freedom. Where courts impose the same-sex marriage regime as a constitutionally guaranteed right, a multitude of new religious liberty conflicts will inevitably arise at every point where the law touches marriage and is applied to individuals, businesses, nonprofits, and even churches and synagogues. Unfortunately, and especially in the era of Employment Division v. Smith, once a court has recognized the right to same-sex marriage, religious organizations are unlikely to find much relief in free exercise claims because of this decision of Employment Division v. Smith.

Same-sex marriage proponents argue that sexual orientation is like race and that opponents of same-sex marriage are, therefore, like bigots who oppose interracial marriage. Once same-sex marriage becomes law, that understanding is likely to become controlling.

Legally, same-sex marriage will be taken by courts as proof that a public policy in support of same-sex marriage exists, so in States with same-sex marriage, religiously affiliated schools, adoption agencies, psychological clinics, social workers, marital counselors, et cetera, will be forced to choose between violating their own deeply held beliefs and giving up government contracts, tax-exempt status, or being denied the right to operate at all. If a religious social service agency refuses to offer counseling designed to preserve the marriage of a same-sex marriage couple, it could lose its tax-exempt status. Religious schools would either have to tolerate conduct they believed to be sinful or face a cutoff of Federal funds. It is already happening, as we have seen in Massachusetts with Boston's Catholic Charities being forced out of the adoption business entirely rather than violating church teachings on marriage and family.

Free speech could also be under threat as sexual Harassment in the workplace principles are used by nervous corporate lawyers to draw speech prohibitions on the marriage issue. Fear of litigation will breed self-censorship. One expert predicts "a concerted effort to take same-sex marriage from a negative right to be free of state interference to a positive entitlement to assistance by others."

Some people say the answer is conscious exemption, but no legislative exemption can offer the same protection to traditional religious groups as a constitutional amendment. As one of the religious scholars has pointed out, even to attempt to create legislative protections would be a staggeringly difficult and complex project. And what the legislature gives, it can take away later. That is what has been happening all over Europe. Protecting marriage now will spare us many intense religious liberty conflicts down the road.

The lesson in this is clear. There is a lot more at stake in the battle over same-sex marriage than the marriage issue itself, important as that is. Our Nation's long tradition of religious liberty faces its greatest threat in a generation or more such that the very ability of religiously affiliated organizations to exist and operate is under threat.

I hope my colleagues will take a serious look at this issue and people can look at it and say: Wait a minute, it will not really develop that you will have this take place. But that is what took place in Massachusetts, where you had a Boston-based group, Catholic Charities, that does adoptions, but within the Catholic Church they say: We do not agree with same-sex adoptions, as far as same-sex marriage adopting children, and we are not going to provide that service to same-sex couples because of the beliefs of our organization, the tenets of our faith. Then they were run out of Boston and out of Massachusetts, rather than be forced to practice something that was against the tenets of their faith.

I don't think that is a route we want people to go or be forced to go, to give up the tenets of their faith in order to do something so basic as adoption, or in this case something so basic as performing marriages, like the one I attended on Saturday that was at a church. Are we going to say that churches which will not do same-sex couple unions cannot perform marriages at all because if they just perform them for heterosexual couples and not for homosexual couples, that is bigotry, that is against a fundamental right of people of same-sex unions, so if they are going to do any marriages, they must do all marriages?

People need to think about the profound implications of recognizing this right as it moves on through the courts and the court system. I don't think that is the intent people particularly have or want to have or that we should have.

I had printed in the RECORD an article entitled "Banned in Boston. The coming conflict between same-sex marriage and religious liberty." That was wherein a scholar by the name of Maggie Gallagher, in quite an extensive article, an article that you start to recognize when we redefine a fundamental institution such as marriage—you get into issues and problems such as this which will take place.

A couple of Members are arguing that the Defense of Marriage Act is sufficient. I don't think that at all does the job of defining and supporting the institution, the fundamental institution of marriage and protecting that.

First, it is a statute. It is not a constitutional amendment. As such, as a Federal statute, it can be overruled and overturned by a court. We need to be able to have this at the constitutional level, where it is deciding fundamental constitutions or the ones being raised not at a statutory level. Define that and develop that a little bit more somewhat later.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CORNYN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, I understand Senator MCCONNELL will be closing today's session. I wanted to finish with a point I made earlier today. I have talked about other countries and what took place when they redefined the institution of marriage. And it has a great deal of difficulty for this society. It results in fewer marriages. There was a letter released 2 years ago that was addressed to parliamentarians around the world debating same-sex marriage. It was done by a group of five Dutch scholars. This is one of the countries I have cited that has redefined marriage, saying that it can be same-sex unions. They were raising concerns about gay marriages and the negative effect on the institution of marriage in the Netherlands. It was published July 8, 2004, in a leading Dutch newspaper:

> There are good reasons to believe the decline in Dutch marriage may be connected to the successful public campaign for the opening of marriage to same-sex couples in The Netherlands.

The letter signatories came from several academic disciplines, including social sciences, philosophy, and law. The scholars cautioned against attributing all of the recent decline in marriage to same-sex unions.

> There are undoubtedly other factors which have contributed to the decline of the institution of marriage in our country. Further scientific research is needed . . .

They concluded:

> At the same time, we wish to note that enough evidence of marital decline already exists to raise serious concerns about the wisdom of the efforts to deconstruct marriage in its traditional form.

The reason I cite this is that there are going to be a number of people saying all you can find are going to be conservative scholars to say that this has had a negative impact on the Netherlands. That is not the case. They are saying things having a negative impact there. They noted in recent years there is statistical evidence of Dutch marital decline including "a spectacular rise in the number of illegitimate births." That is their words. By creating a social and legal separation between the ideas of marriage and parenting, these scholars warn that same-sex marriages may make young people in the Netherlands feel less obligated to marry before having children. Publication of the letter of warning was accompanied by a front page news interview. In the interview, a Dutch law professor said that "the reputation of marriage as an institution in Holland is in serious decline." "The Dutch need to have a national debate on how to restore traditional marriage. The decision to legalize same-sex marriage, in my view, has been an important contributing factor to the decline in the reputation of marriage."

One of the letters is from a Dutch citizen who heads a research unit on culture and communications at Nottingham Trent University. He has done a comparative study of family life and sexual attitudes in the Netherlands and Britain. He is also acquainted with research on American marriage. He believes that gay marriage has contributed to the decline in the reputation of Dutch marriage. It is "difficult to imagine" that the Dutch campaign for gay marriage did not have serious social consequences, and he cites an intensive media campaign based on the claim that marriage and parenthood are unrelated.

The Dutch scholars are not the only ones to assert that the institution of marriage has been weakened by legal and social recognition of same-sex unions. In January of this year, a French Government commission examining possible changes in French law recommended against legalizing same-sex marriage. It is not my custom to cite the French in the U.S. Senate. I often disagree if I do cite them. But listen to what they were recommending. This commission came out against legalizing same-sex marriage based on its examination of the impact of legalized same-sex marriage in Netherlands, Belgium, Canada, and Spain, the four countries where it is legal, as well as European countries. We have a French commission that looked at where these laws have taken other countries already. The French have not gone there yet. They are saying, let's study this, which I think would be a wise thing for us to do. Let's look and see what has happened in other countries, as the French have done. Their report—the parliamentarian report on the family and the rights of children—came out against a right to marriage for same-sex couples. This is certainly no conservative think tank group saying this. This is the French Government. The commission came to this conclusion when it considered the consequences for the child's development and the construction of his or her identity of creating a fictitious affiliation by law, two fathers and two mothers—this is their statement—which is biologically neither real or plausible. They were heard on this point and they failed to persuade a majority of the commission to support recognizing the rights of a child or marriage for same-sex couples.

That is a French commission examining other European countries that have legalized same-sex unions saying this is not good for France or for the raising of the next generation.

In addition to these sources, some of the most influential sociologists in Europe agree that same-sex marriage undermines the traditional institution of marriage, even if they welcome the change. So, in other words, they are saying we might welcome the change, but this is going to hurt marriage. They agree that same-sex marriage doesn't reinforce marriage, as many of its proponents argue but, rather, upends marriage and helps foster acceptance for a variety of other forms, such as single parenting, cohabitation, and multiple partner unions, which only serve to weaken traditional marriage. This is what happens when you move away from your standard of marriage being the union of a man and a woman. It weakens the institution and moves in a lot of other types of arrangements.

Britain's Anthony Giddens, one of the most influential sociologists in all of Europe, wrote that modern marriage is being emptied of any meaning beyond the emotional bonding of adults, something he quotes as the "pure relationship." This notion of the pure relationship is being widely used by European social scientists to explain why so many parents now avoid marriage. Having a child is an experiment in an adult relationship that could possibly lead to marriage, rather than a reason to get married in the first place. It is clear that the institution of marriage has been defined down. It is simply a shared affection between two adults.

This is precisely how the advocates of same-sex marriage define marriage—no intrinsic connection to marriage. European sociologists say that a whole host of changes, like single parenting, cohabitation, and multiple partner unions, point to the unraveling of marriage as an institution designed to keep mothers and fathers together and for the sake of their children.

German sociologists, Ulrich Beck and Elizabether Beck-Gernsheim, also highly contend that raising rates of parental cohabitation and out-of-wedlock births indicate that marriage, while seemingly alive, is in fact dying. The old notions of marriage and family are giving way to domestic situations in which individuals make up their own rules. Individual choice hollows out the old institutions, such as marriage and family, that used to guide our choices. These authors actually embrace and celebrate the instability of the brave new family system, holding that family disillusion teaches children a hard, but necessary, lesson about our new social world.

Is that the sort of message we want to send? It is the message that is coming through the courts if we don't define this legislatively. The work of Norwegian sociologist Keri Moxnes, frequently used by European social scientists, is to put the movement in context. Moxnes welcomes same-sex marriage not as a way of ratifying marriage itself but as an innovation that affirms and advances marriage's ongoing decline. She defines marriage as being an increasingly empty institution.

Is that the message we want to send? In the U.S, many sociologists are of the same opinion. One argues that these wrenching social changes disrupt conventional sexual and domestic relations and undermine traditional marriages, but also believes that all of these are signs of the decline of the traditional family. From same-sex unions, to births, to cohabiting parents, to mothers who are single by choice, release individuals from the constraint of traditional marriage.

I want to conclude on that point to reaffirm what is really taking place here, and that is the redefining of a fundamental institution. We can say this is somehow a politicized debate, that it is not important. But from what we are seeing in countries that have taken up this debate, it is clearly important. It goes to the heart of the fundamental institution of marriage and weakens it further. It is an institution that we want to support, and this move destroys it further, takes it down further. That has been the research results that have taken place in Europe.

This is a big debate. It is a big and important problem and issue. We should not kid ourselves about what this is about by saying we don't really need to do this now. If we don't do it and it is redefined by the courts, that is the track we are on—tearing down this institution around which we have built families. Is that what the American people want to do? We have seen them vote in 45 States saying, no, we want marriage as the union of a man and a woman.

We should not kid ourselves. This is seriously about the future of the culture of the United States.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. McCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 435, S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relating to marriage.

Bill Frist, Wayne Allard, Jim Bunning, Conrad Burns, Richard Burr, Tom Coburn, Jon Kyl, Craig Thomas, George Allen, Judd Gregg, Johnny Isakson, David Vitter, John Thune, Mike Crapo, Jeff Sessions, John Ensign, Rick Santorum.

Mr. McCONNELL. I ask unanimous consent that the live quorum required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

LANCE CORPORAL WILLIAM JAY LEUSINK

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to a brave American who has made the ultimate sacrifice in service to our country. LCpl William Leusink died on May 22 when he struck an improvised explosive device while on a dismounted patrol in the Al Anbar Province in Iraq. Lance Corporal Leusink was a marine who was assigned to the Marine Corps Base in Kaneohe Bay, HI. He was 21 years old.

I would ask that all Americans join me today, and add to the more than 1,100 Iowans who attended his funeral, in remembering and honoring Lance Corporal Leusink. The loss of this courageous and patriotic American is felt throughout Iowa and in particular the town of Maurice where he grew up and graduated from Sioux Center High School. My thoughts and prayers are with Lance Corporal Leusink's wife, Miranda, his parents, Bill and Elaine, his brother and two sisters as well as all those other family and friends who are grieving the loss of this young man.

Lance Corporal Leusink, who I understand was known as "B. Jay" among family and friends, will be remembered for his faith, athleticism, and patriotism. His faith was especially important to him. Just as he often took with him to the football field his favorite verse, Phillipians 4:13, written on tape, it was this faith that led him to enlist to serve his country.

Pastor Wayne Sneller of the First Reformed Church of Maurice said, "B. Jay always wanted to be a Marine and to serve his country. He believed in what he was doing and knew that the Lord was going to be with him."

In an e-mail to the pastor, Lance Corporal Leusink had written, "I know where I am going. I enlisted for a reason, and that was to make a difference."

We owe a huge debt of gratitude to Lance Corporal Leusink for his sacrifice. I am greatly saddened by his passing but deeply proud and grateful for what he gave for America. His loss remains tragic but he died a true patriot.

VA RESEARCH

Mr. AKAKA. Mr. President, today I rise to highlight the wonderful work being conducted by VA's Medical and Prosthetic Research Program. VA research programs continue to lead in developing innovative and effective methods of treatment that have been its trademark since World War II. From its inception, the VA research program has made landmark contributions to the welfare of veterans and the entirety of the Nation.

Past VA research projects have resulted in the first successful liver transplant performed in the United States, development of the cardiac pacemaker, and pioneered the technologies that led to the CT and MRI scans. VA research also played a vital role in treating tuberculosis, rehabilitating blind veterans, and more recently, launched the largest ever clinical trial of psychotherapy to treat PTSD.

In 2004, VA research took on leadership of a $60 million nation wide study—funded by the National Institute on Aging and other partners—to identify brain changes linked with Alzheimer's disease. VA research also established a major center of excellence, in partnership with Brown University and MIT, to develop state-of-the-art prosthetics for veteran amputees. For the last 60 years, VA research has been extremely competitive with its private sector counterparts.

I would like to recognize a few research projects that can potentially benefit veterans living in remote and rural areas across the country, including veterans living in my home State of Hawaii, where the geography creates challenges in accessing care. One study, Telemedicine and Anger Management Groups for PTSD Veterans in the Hawaiian Islands, builds on preliminary research supporting the use of technology for improving access to mental health care for veterans suffering from post-traumatic stress disorder, PTSD. The study focuses on the effectiveness of conducting anger management group therapy treatment through video-teleconferencing.

I also applaud the Pacific Islands Division of the National Center for PTSD in Honolulu. Their efforts have improved access to PTSD treatment in remote areas and contributed to the knowledge and understanding of cultural factors related to PTSD. I commend the Pacific Islands Division for its collaboration with the Department of Defense. I hope that VA and DOD continue to work together on future research projects aimed at providing better treatment for servicemembers and veterans alike.

In 2004, VA Research Currents, a publication that highlights the excellent work of the VA research community, reported on a study which found that men who walked less than a quarter of a mile each day were, on average, nearly twice as likely to develop dementia compared to those that walked more than 2 miles a day.

This research project was led by Robert D. Abbott, Ph.D, of the University of Virginia; senior author Helen Petrovitch, M.D.; and coauthor G. Webster Ross, M.D., of the Honolulu VA Medical Center. According to the researchers, the findings suggest that promotion of an active lifestyle could promote better health later on in life.

The last study I would like to discuss examines the correlation between drinking coffee and preventing Parkinson's disease. It has been said that an ounce of prevention is worth a pound of cure. In this case, VA researchers and their colleagues found that consuming at least 28 ounces of coffee can lower the risk of Parkinson's disease. Lead author G. Webster Ross, M.D., along with colleagues from the Kuakini Medical Center, used participant dietary nutritional data from the Honolulu Heart Program for their findings. The study helped scientists better understand the mechanisms of Parkinson's disease and found a strong correlation between coffee drinkers and low rates of Parkinson's disease. Dr. Ross did note, however, that it was too early to recommend drinking coffee to prevent Parkinson's disease.

To ensure that VA can continue these studies and tremendous successes, VA research must be given the funds to do the job. VA research funding must be at a level that takes into account not only inflation but new challenges as well. Most importantly, adequately funding VA research helps to ensure that VA remains an attractive option to our best and brightest in medicine. Chairman CRAIG and I, along with 60 of our colleagues, have recommended $432 million in funding for VA research next year, notwithstanding that this number is just to maintain current services and avoid any personnel or project cuts.

Just last week, the Committee on Veterans' Affairs held a hearing on the VA research program, hearing firsthand the challenges researchers face in not only finding new methods of treatment but in funding, too. I came away from the hearing with a better understanding of the VA research program's needs, as well as the challenges we in Congress can help them overcome.

That is why I, along with 61 of my colleagues, have recommended an addition to the VA research budget and not a decrease. Less funding for VA research at this point in time will have negative consequences down the road, when VA inherits the servicemen and women currently serving in Iraq and Afghanistan. Let us not fail in our responsibilities of providing adequate funding so VA's Medical and Prosthetic Research Program can continue to innovate and save lives.

ADDITIONAL STATEMENTS

ANNIVERSARY PROCLAMATION FOR SISTERS OF MERCY IN ST. LOUIS

• Mr. BOND. Mr. President, June 27, 2006 marks the 150th anniversary of the arrival of the Sisters of Mercy in St. Louis, MO. Founded in Dublin, Ireland, in 1831 by Mother Catherine McAuley, the Sisters have dedicated themselves to serving the sick, poor, and uneducated, particularly women and children.

In 1856, at the request of St. Louis Archbishop Peter J. Kenrick, six Sisters of Mercy journeyed by train and boat from New York to St. Louis, arriving on June 27, 1856, to open St. Francis Xavier Parish School. During their first year in St. Louis, in addition to opening this new school, the Sisters visited the sick, poor, and jailed; started a Sunday school program for African-American women and girls; began an industrial school for children with one parent; and opened an orphanage. Despite many challenges including lack of money, food and clothing, the Sisters persevered with determination and faith. They expanded their ministry during the Civil War, visiting war prisoners at the hospital and jail.

Growing enrollment at St. Francis Xavier School necessitated the opening of a new school in 1871. The Sisters of Mercy have continued the focus on education in St. Louis. Over the past 150 years since their arrival in St. Louis, more than 177 Sisters of Mercy have served in more than 20 parish elementary schools and 5 high schools in Missouri. These schools include Christ the King School in University City, Mercy High School in University City, St. Joan of Arc School in South St. Louis, Annunciation School in Webster Groves, and Mercy Junior College in Webster Groves.

Recognizing the ever-growing health care needs of the community, in 1871 the Sisters converted the old St. Francis Xavier School to an infirmary. The hospital struggled financially because many patients were unable to pay, but the Sisters never turned patients away due to lack of funds. Instead, Sisters even sacrificed their mattresses and bedding to accommodate patients. To meet the increased need for their health care services, the Sisters moved the hospital to two other St. Louis sites before relocating to its current location on South New Ballas Road in 1963.

While better known for their work in education and health care, the Sisters have served the people of the St. Louis metropolitan area in numerous other ministries including working with immigrants, providing spiritual direction, hosting groups at their conference and retreat center, and serving the poor.

Since their 1856 arrival, the Sisters of Mercy have continuously served the residents of St. Louis and its surrounding areas. They overcame many obstacles to carry on their services and today we recognize their dedication with our deepest gratitude and respect. It truly has been a Journey of Service.

Cities/municipalities in St. Louis where Sisters of Mercy have served/lived and currently serve/live: Creve Coeur, Frontenac University City, Chesterfield, City of St. Louis, Webster Groves, and Washington, MO.•

THE 150TH ANNIVERSARY OF STUPP BROS. INC.

• Mr. BOND. Mr. President. I rise today to speak in honor of the 150th anniversary of Stupp Bros., Inc., from the great State of Missouri. Five generations of the Stupp family in Missouri have devoted themselves to the success and innovation of this homegrown St. Louis business. On this milestone in the history of Stupp Bros., Inc., I commend the company leaders and employees for their contributions to the worldwide business community.

In 1856, the city of St. Louis was a tremendous boomtown and the bustling inland port at the seat of the Mississippi River for pioneers heading westward. Thousands of immigrants flocked to the city from Italy, Ireland, and Germany in search of a better life for their families. One German immigrant named Johann Stupp settled in St. Louis. There he founded J. Stupp and Bro., Blacksmiths, a shop focused primarily on repairing tools and machinery parts.

Like many Missourians at the time, Stupp became deeply involved in the Union effort as the Civil War unfolded. During the conflict, Stupp assisted the work of James Eads in crafting a fleet of ironclad gunboats for use in battle by the Union Army. Shortly following the war, the blacksmith shop faced hard times. Yet with the aid of his sons George, Peter, and Julius, Stupp rebuilt the business as Stupp Bros. South St. Louis Iron Works, receiving a charter of incorporation from the State of Missouri for building and repairing iron and steel structural work.

After Johann Stupp passed away in 1915, the Stupp brothers continued to manage the company with great success. Recognizing the fast changing and ever-modernizing world in which they lived, the Stupp brothers reorganized the company's services to keep up with the needs of a rapidly growing United States. Like their father during the Civil War, the Stupp brothers supported World War I by fabricating parts for Liberty ships. In World War II, the Stupp Bros. received the Army Navy E-Award for its construction of 176 LCTs, which landed allied troops on beaches throughout the world in the defense of freedom.

During much of the 20th century and still today, the Stupp Bros. family of companies has provided bridge fabrication, structural steel for commercial buildings, custom-made piping for oil and gas, steel line pipe coatings, and community banking services. Some of their accomplishments have been designing carrying structures for the Department of Defense to protect missiles from attack, building two straddle-carrier transporters to assist the National Aeronautics and Space Administration, NASA, for the "moon shot," and completing a 796 mile natural gas pipeline spanning from northwest Texas to Illinois.

Despite its impressive contributions to the country during both war and peace time, the mark of Stupp Bros. is nowhere greater than in the city of St. Louis. As the Kiel Center took shape in 1933, Stupp Bros. provided the steel for its construction. Later in 1978, the Stupp Bros. fabricated over 7,000 tons of steel for the First National Bank highrise building in the downtown area. Perhaps of most interest to me, given my particular fondness for the St. Louis Cardinals, is that Stupp Bros. fashioned the floodlighting and electronic scoreboard for Sportsman's Park, the original Busch Stadium.

Recognizing its responsibility to the community, Stupp Bridge has also been a civic contributor to the greater community. In 1951, the company launched a charitable trust to be known as Stupp Bros. Bridge and Iron Co. Foundation Trust. Over the last 50 years, the foundation has generously provided millions of dollars in contributions to local and national charities. One of its most notable actions is the establishment of a scholarship program which supports the college education for the son or daughter of a Stupp employee.

The story of Stupp Bros., Inc, is one of American determination, innovation, and service. For 150 years, the company has been a staple among the St. Louis business and industry community. Today, under the leadership of Robert P. Stupp, John P. Stupp, Jr., and R. Philip Stupp, Jr., Stupp Bros. continues to leave its mark upon the landscape of our State. On behalf of all Missourians, I extend my best wishes and warmest regards to the Stupp Bros., Inc., family of companies, and especially to their dedicated employees and company leaders for their 150 years in the great State of Missouri.●

IN HONOR OF WENDY BUEHLER

● Mr. BOND. Mr. President. I rise today to recognize Wendy Buehler, president of Life Skills, on the anniversary of her 25th year of leadership and service to individuals with developmental disabilities.

Life Skills, a nonprofit charitable group, has served Missourians with disabilities since 1964. Today they continue to connect individuals with disabilities to the greater community of St. Louis. Over 1,400 children and adults have been assisted by Life Skills, enabling them to live in their own homes, seek and hold jobs, and make lasting ties to the city of St. Louis.

For over three decades, Wendy Buehler has provided leadership and service to Life Skills. Starting out as a direct support staff person, she has steadily provided compassion and leadership, leading to her current role as president of the organization. Wendy Buehler has remained committed to providing supported employment services so people with developmental disabilities have the skills necessary to secure and retain meaningful and competitive employment.

Wendy Buehler's commitment to helping individuals with disabilities live quality and independent lives provides a lasting service for all of Missouri. Having a disability can pose many challenges for individuals to live independently as part of the greater community. Wendy Buehler has worked to ensure Missourians with disabilities have the resources they need to live their lives as healthy and as independently as possible.

Today I recognize Wendy Buehler for her dedication and commitment to the disability community of the State of Missouri.●

TRIBUTE TO HUGH PATTERSON

● Mr. PRYOR. Mr. President, I wish to acknowledge the life and the courage of Hugh Patterson, who died last week at the age of 91. Mr. Patterson was the publisher of the Arkansas Gazette in 1957 when the Arkansas National Guard was called up to prevent nine young Blacks from enrolling at Central High School in Little Rock. This hugely divisive issue not only had to be reported on in the Gazette, it had to be evaluated on the editorial page. Mr. Patterson's initial reaction was the right one; support desegregation. He later recalled that he said, "Well, of course, it's got to be recognized that the Supreme Court decision was the only decision that could have been made. We have to recognize that this is a transitional time in terms of public policy and it will, perhaps, take some time for that to be realized, but there's just no option to this. It's a fundamental matter." Mr. Patterson was the paper's first publisher, responsible for policy as well as business, but he was not the only one making major editorial decisions. He had to help convince the owner, his father-in-law, J.N. Heiskell, and he did.

The reaction to the newspaper's stand for desegregation was severe. There were boycotts against advertisers and mobs out to prevent delivery trucks from delivering papers. Circulation fell. The financial losses were significant, and harmful on a larger scale because Mr. Patterson's philosophy was that profits should be put back into the paper, which he saw as a public service to the State. The Gazette won two Pulitzer Prizes for its coverage in 1957 and they were well deserved. As today's Democrat-Gazette said last week, "Dante reserved a special place in his Inferno for those who would stay neutral in times of moral crisis. No one need bother looking for the Arkansas Gazette there. Fully aware that his paper had much to lose, Hugh Patterson never hesitated to stake it all on what he knew to be right."

Mr. Patterson grew up in Pine Bluff and learned the printing business. After serving in the Army Air Corps in World War II, he joined the Gazette in 1946. He became publisher in 1948 and stayed in that job for 38 years. There was much more to his career there than the events of 1957, and to fill in those details I ask that his obituary from the Democrat-Gazette be printed after my remarks. Arkansas is much the better for his voice in a time of crisis and his many other contributions at the helm of the Gazette for so many years.

The material follows.

[From the Arkansas Democrat-Gazette, May 30, 2006]

HUGH PATTERSON, CHIEF OF ARKANSAS GAZETTE FOR 38 YEARS, DIES AT 91

(By Noel E. Oman)

Hugh B. Patterson Jr., the longtime publisher of the former Arkansas Gazette, died Monday. He was 91.

Patterson was publisher of the Gazette from November 1948 until December 1986, when the newspaper was sold to Gannett Co. Inc. Patterson's 38 years directing the "oldest newspaper west of the Mississippi" began in the era of the mechanical typesetting machine and lasted into the age of computer-generated print.

His tenure coincided with Little Rock's public school desegregation crisis in 1957. The Gazette won two Pulitzer Prizes in 1958, one to the newspaper for public service and the other to Executive Editor Harry S. Ashmore for editorial writing.

"This first thing I think of, as you might guess, is the 1957 school crisis, and the Gazette's performance through that period," said Roy Reed, professor emeritus of journalism at the University of Arkansas at Fayetteville. Reed was a reporter at the Gazette for eight years, later joining The New York Times as a national and foreign correspondent.

"It's not fully appreciated outside of a very small group the role Hugh Patterson had. He was absolutely vital to leading the paper to the position it held: Obey the law and the court decision," Reed said.

Arkansas Democrat-Gazette Publisher Walter E. Hussman Jr. said Monday that Patterson should be remembered for his leadership of the Gazette "during its greatest years," in the late 1950s.

"It was a difficult time, and he certainly responded," Hussman said.

Al Neuharth, who founded USA Today and helped build the Gannett newspaper empire that purchased the Gazette, said he was sorry to hear of Patterson's death.

"He was considered by all of us who knew him as a real Southern gentleman, real dedicated newspaper person and I considered him a good friend," Neuharth said. "He did a lot for the state of Arkansas."

Patterson was born on Feb. 8, 1915, in Cotton Plant, Miss. He came to Arkansas with his family in 1917. He was educated in the public schools of Pine Bluff and at Henderson State Teachers College, now Henderson State University, in Arkadelphia. He also did special studies in graphic arts and advertising in Washington, D.C., and New York.

He married the former Louise Heiskell of Little Rock on March 29, 1944. His wife was the daughter of J.N. Heiskell, who was president and editor of the Gazette from 1902 until his death in 1972. The Pattersons had two sons, Carrick H. Patterson and Ralph B. Patterson, both of Little Rock.

Ralph Patterson said Monday that his father emphasized putting profits back into the newspaper. "That was very important to him: That the paper not be a cash cow, but a public service to the state."

Before World War II, Patterson worked primarily in the commercial printing business in Pine Bluff, Little Rock, New York and Washington. His first job in the field was at Adams Lithographic and Printing Co. of Pine Bluff when "I was about 14 or 15, I suppose," Patterson recalled in a 2000 interview with Roy Reed, who is also director of the Arkansas Gazette Project at the University of Arkansas. The project is an effort to collect and preserve the newspaper's history.

"The Depression was coming on and they had to cut down on staff some... so I melted type metal and washed the platen presses, and I was the shipping clerk," Patterson said.

After dropping out of Henderson State because his family didn't have enough money, Patterson purchased his first car, a 1931 Chevrolet for $75, on credit, and traveled the roads of south Arkansas and north Louisiana selling printing supplies for the Smith Co., another Pine Bluff printing firm, according to the Reed interview.

In 1936, he moved to Little Rock to work for Democrat Printing and Lithograph Co., where he earned $20 a week.

Patterson served in the Army Air Corps in World War II, for the most part, in Mobile, Ala., where he specialized in supply and maintenance management. He left the service with the rank of major.

Patterson pondered forming a management consulting company when the war ended. But during a weekend trip to Little Rock, he had dinner with his father-in-law, who appreciated his printing background.

Heiskell, whose son had died in the war, had a proposition.

"Mr. Heiskell said, 'You are the only one with related experience and as soon as you can get out, I'd like for you to come to the paper,'" Patterson recalled in the Reed interview.

Patterson joined the Gazette as national advertising manager in 1946. Two years later, Heiskell made him the newspaper's first publisher, responsible for policy as well as the business. Before that, the Gazette had a business manager to run the business and an editor who was responsible for newspaper policy.

James O. Powell, the Gazette's editorial page editor from 1959–1986, said Patterson recruited him from the Tampa Tribune. "He was an excellent publisher, a good businessman, who knew the newspaper industry well indeed," Powell said. Patterson "knew well the pursuit of the public interest using the newspaper."

On the business side, Patterson consolidated the ownership of the Gazette under the Heiskell family and successfully fought off an attempt by financier Witt Stephens, who owned Gazette stock, to obtain a controlling interest, a move that Patterson enjoyed retelling to Reed.

"He thought I was a yokel," Patterson recalled, laughing. "I suppose that was the best poker hand I ever played."

Patterson, relying on his experience in commercial printing, also developed financial controls that showed the relationship between costs and revenue, which he found few in the industry knew.

"It was absolutely new," Patterson told Reed. "And so I developed this thing, and I wrote a paper on it, and it was adopted by the Institute of Newspaper Controllers and Finance Officers."

The Gazette's controller, Jack Olsen, a former Internal Revenue Service accountant, fine-tuned Patterson's accounting system. Olsen eventually went to work for the St. Petersburg Times, The New York Times and the Chicago Tribune, using the budgeting process Patterson developed.

Patterson also organized the newspaper into more sections, added stock tables, more news services and beefed up the Sunday newspaper with the addition of color comics and Parade Magazine.

On policy, it was Patterson who set the Gazette on the course that won it the Pulitzer.

Patterson was a regional chairman of the National Council for Public Schools when he was interviewed by a reporter for The Associated Press about implementing the May 17, 1954, U.S. Supreme Court ruling in Brown v. Board of Education, which found that segregation in schools was inherently unequal and in violation of the Constitution.

"I said, 'Well, of course, it's got to be recognized that the Supreme Court decision was the only decision that could have been made," Patterson recalled. "We have to recognize that this is a transitional time in terms of public policy and it will, perhaps, take some time for that to be realized, but there's just no option to this. It's a fundamental matter.'"

A wire service story containing those quotes appeared in the Gazette. Upon returning to Arkansas, Executive Editor Ashmore wondered whether Heiskell would fire Patterson, Patterson said. About a week later, the subject came up with Heiskell, who was over at the Patterson home to visit his grandchildren. Patterson said he told him, "Well, you know, deep down we're talking about your grandchildren's generation. And we feel that we can't misrepresent these issues to them. We can't bring them up feeling that what is inevitable is not true."

"That was the last time it was ever discussed," Patterson told Reed. "And when Ashmore heard about that, for the first time, he was able to deal more realistically with the question textually in the editorials."

Jim Johnson, a former associate justice of the Arkansas Supreme Court and the Democratic Party nominee for governor in 1966—and no favorite of the Arkansas Gazette's editorial page—said his battles with the Gazette over segregation amounted to a "political vendetta." But he said he always respected and admired Patterson's civility and tenacity.

"He was a master at his craft and a worthy, worthy adversary. He was keenly effective. You had to admire it. As my daddy would say, he learned me something."

Arkansas Times columnist and former Gazette employee Ernie Dumas said Patterson never really got credit for his role in 1957 and 1958, critical years for the Gazette and the state.

"Everybody has also attributed the heroism and courage to Heiskell and Ashmore. Hugh played a very strong role in bringing Harry and Heiskell around, that despite the peril to the Gazette, they should take a stand against Orval Faubus."

By the mid-1980s, Patterson and the Gazette began feeling pressure from the Arkansas Democrat, a newspaper that the Walter E. Hussman family had acquired in 1974 and converted from an afternoon daily to a morning newspaper to compete head-to-head with the Gazette. In the early 1980s, he met with representatives of Times-Mirror Corp. and the New York Times Co. in an effort to sell the paper to a company that could allow the Gazette to continue publishing.

Unable to find a suitor, the Gazette filed a federal lawsuit accusing the Democrat of predatory practices. The Democrat contended that it resorted to innovative but legal business practices because the Gazette was the dominant paper. In March 1986, a jury found in favor of the Democrat.

Patterson sold the Gazette to the Gannett Co. a short time later, and often professed unhappiness with the changes the national chain made to the state's "gray lady."

On Oct. 18, 1991, Gannett shut down the Gazette and sold the Gazette's assets and name to Little Rock Newspapers Inc., now called Arkansas Democrat-Gazette Inc. The company is a corporate subsidiary of WEHCO Media Inc. whose chief executive officer, Walter E. Hussman Jr., is publisher of the Arkansas Democrat-Gazette, which began publishing under that name on Oct. 19, 1991.

Throughout his newspaper career, Patterson was active in civic affairs. He was a member of the Little Rock Planning Commission for 20 years. In 1957, Patterson helped initiate the city manager form of government for Little Rock. He also helped create the Metropolitan Area Planning Commission, now known as Metroplan.

Patterson was awarded the Freedom House Freedom Award in 1958 and the Arkansas Council of the National Conference of Christians and Jews Humanitarian Award in 1987. Also in 1987, Patterson was named Arkansas Journalist of the Year by the University of Arkansas at Little Rock. Patterson also served as president of the Southern Newspaper Publishers Association.●

TRIBUTE TO PASTOR BRIAN KEITH SINCLAIR

● Mr. LIEBERMAN. Mr. President. I rise today to congratulate Pastor Brian Keith Sinclair of Hartford, CT. Pastor Sinclair is the founder and visionary of Triumphant World Outreach Ministries, which will be celebrating its fourth anniversary on June 10.

Triumphant is an outreach organization that seeks to give inner-city youth, teens, and young adults a sense of hope for the future. The organization declares in its mission statement an intention to "reach the lost at any cost." Triumphant offers a number of programs and services for those youth and their parents who choose to participate, intended to keep young people off the streets, away from the destructive forces of drug use and violence that ensnare far too many young people. Since the ministry opened in 2002, countless youths have taken advantage of its homework clubs and job placement services and enjoyed its various artistic and dance programs. The ministry also arranges many recreational activities and outings for the youth, including trips to amusement parks, fishing lessons, and minor league baseball games.

In 2002, Pastor Sinclair delivered a sermon to the South Congregational Church in Hartford entitled "Now Perform the Doing of It." In the sermon Pastor Sinclair stressed to his audience that the time to reach out to young people is now, that those who are at risk can't wait to be helped. Anyone who has taken a look at what Pastor Sinclair has done over the past few years will tell you that Pastor Sinclair has applied this sense of urgency to all the work he has done.

In recent years, Pastor Sinclair has expanded his community service efforts at a breathtaking pace. He has launched various initiatives in major cities and towns throughout Connecticut. He serves as the director of the Hands for Change program in New Jersey, which also has satellite programs in Massachusetts and New York. Recently, Triumphant announced plans to expand its program in Hartford to the city's Park Street Frog Hollow neighborhood.

Pastor Sinclair and the rest of the staff at Triumphant are shining examples of how through hard work and selflessness, a small group of people can pull together to strengthen their community. When I think about how Triumphant will be celebrating its fourth anniversary, all I can really do is hope that it will be around for many more years to come. When I look back at what Pastor Brian Keith Sinclair has done for communities throughout the great State of Connecticut, I can't help but be filled with a deep sense of gratitude and hope for the future. It is truly an honor to say thank you, Pastor Sinclair, Connecticut is a better place because of you.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 5253. An act to prohibit price gouging in the sale of gasoline, diesel fuel, crude oil, and home heating oil, and for other purposes.

H.R. 5311. An act to establish the Upper Housatonic Valley National Heritage Area.

H.R. 5403. An act to improve protections for children and to hold States accountable for the safe and timely placement of children across State lines, and for other purposes.

H.R. 5429. An act to direct the Secretary of the Interior to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound program for the exploration, development, and production of the oil and gas resources of the Coastal Plain of Alaska, and for other purposes.

S. 3274. A bill to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-339. A concurrent memorial adopted by the House of Representatives of the Legislature of the State of Arizona relative to urging the United States Congress to enact an agricultural commuter worker permit program; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE CONCURRENT MEMORIAL 2018

Whereas, agriculture along the southern United States border is often seasonal and concentrated within tight time frames in which highly perishable crops must be produced and harvested in a timely manner or the entire crop could be lost; and

Whereas, farmers along the southern border face calamities of weather, pests and market conditions along with stringent requirements to provide a safe and wholesome supply of food for the citizens of the United States and the world; and

Whereas, agriculture requires a stable and reliable source of labor in order to produce enough food to meet the needs of our citizens so the United States does not become dependent on foreign nations for our food supply; and

Whereas, the total economic impact of Arizona agriculture for 2004 was approximately $9.2 billion, providing an integral economic contribution throughout our state; and

Whereas, agriculture requires access to a stable and reliable pool of foreign workers due to an aging and increasingly educated native born workforce and employees leaving agricultural work for other industries; and

Whereas, current agricultural work visa programs fail to provide timely access to necessary labor; and

Whereas, an agricultural commuter worker permit program can complement both border security and workplace enforcement while allowing a natural flow of labor: and

Whereas, an agricultural commuter worker permit program will help abate many of the social and human costs in terms of crime and deaths in the desert; and

Whereas, an agricultural commuter worker permit program will allow willing agricultural workers to commute from their country of origin to work in the United States while maintaining their country of origin residency. Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress include an agricultural commuter worker permit program as part of immigration reform legislation that allows foreign workers to commute across the border daily to work in the United States if they have passed criminal and security background checks and a medical examination and if they possess tamper-resistant biometric authorization cards.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, "the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-340. A resolution adopted by the Senate of the General Assembly of the Commonwealth of Pennsylvania relative to opposing any increase in the cost of enrollment in health care programs for members of the United States military; to the Committee on Armed Services.

SENATE RESOLUTION NO. 272

Whereas, a recent proposal by the Department of Defense, endorsed by the Joint Chiefs, called for increasing the enrollment cost in United States military health care programs for service members known as TRICARE; and

Whereas, all branches of the armed forces have valiantly sacrificed for our nation domestically and overseas, including in Iraq and Afghanistan; and

Whereas, the Federal Government has encountered difficulty in recruiting and retaining personnel for military duty on account of compensation and service commitment concerns; and

Whereas, the Department of Defense must limit the financial burden on members of the military community; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania memorialize the President and Congress of the United States and the Department of Defense to oppose any increases in the cost of enrollment in health care programs for members of the United States military; and be it further

Resolved, That copies of this resolution be transmittted to the President of the United States, the Secretary of Defense, the presiding officers of each house of Congress and to each member of Congress from Pennsylsvania.

POM-341. A resolution adopted by the Senate of the State of Michigan relative to opposing the SMART Act and other preemptive federal insurance regulatory measures; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION NO. 94

Whereas, regulation, oversight, and consumer protection have traditionally and historically been powers reserved to state governments under the McCarran-Ferguson Act of 1945; and

Whereas, state legislatures are more responsive to the needs of their constituents and the need for insurance products and regulation to meet their state's unique market demands; and

Whereas, state legislatures, NCOIL, and NAIC continue to address uniformity issues between states by the adoption of model laws that address market conduct, product approval, agent licensing, and rate deregulation; and

Whereas, initiatives are being contemplated by certain members of the United States Congress that would destroy the state system of insurance regulation and create unwieldy and inaccessible federal bureaucracies—all without consumer demand; and

Whereas, many state governments derive general revenue dollars from the regulation of the business of insurance, and these initiatives would eventually draw premium tax revenue from the states; and

Whereas, such initiatives include optional federal charter proposals that would bifurcate insurance regulation and allow companies to evade important state consumer protections and the State Modernization and Regulatory Transparency (SMART) Act, which would create mandatory federal insurance standards preempting state law; now, therefore, be it

Resolved by the Senate, That we express our strong opposition to such federal legislation that would threaten the power of state legislatures, governors, insurance commissioners, and attorneys general to oversee, regulate, and investigate the business of insurance, and to protect consumers; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, members of the United States House of Representatives Committee on Financial Services, the United States Senate Committee on Banking, Housing, and Urban Affairs, and the members of the Michigan congressional delegation.

POM–342. A resolution adopted by the Senate of the Legislature of the State of Iowa relative to requesting the Congress of the United States to give due consideration to the readiness of the Republic of China on Taiwan for membership in the United Nations; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 137

Whereas, the Republic of China on Taiwan has established a democratic, multiparty political system, its diplomacy aimed at national unification demonstrates its progressive spirit as a government and a people, and its inclusion in the United Nations would only further the universality of this essential global forum; and

Whereas, already having provided many developing nations with financial assistance, as well as overseas aid, training, and disaster relief, Taiwan has amply illustrated its concern for the welfare of the world; and

Whereas, the government of Taiwan has accepted the obligations contained in the United Nations Charter and agrees to promote international peace and security; and

Whereas, the fundamental right of the 21 million citizens of Taiwan to be partners in the community of nations should no longer be denied; now therefore, be it

Resolved by the Senate, That the Senate supports the membership of the Republic of China on Taiwan in the United Nations and urges due consideration by the Congress of the United States; and be it

Further resolved, That upon adoption, an official copy of this Resolution be prepared and presented to the President of the United States Senate, the Secretary of the United States Senate, the Speaker of the United States House of Representatives, the Clerk of the United States House of Representatives, the members of Iowa's congressional delegation, and the Secretary General of the United Nations.

POM-343. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of New Hampshire relative to condemning the genocide in the Darfur region of the Sudan and calling upon the President, the State Department and Congress to unite the international community to end the genocide in Darfur; to the Committee on Foreign Relations.

HOUSE RESOLUTION 13

Whereas, on February 1, 2005, the United Nations released the Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General which found that war crimes and crimes against humanity had been perpetrated in the Darfur region of Sudan; and

Whereas, the Report of the International Commission of Inquiry established that Sudanese government forces and the Janjaweed militia are responsible for systematic and widespread killing, torture, rape, pillaging, and forced displacement throughout Darfur and that these acts result in 10,000 deaths every month; and

Whereas, President Bush, former Secretary of State Powell, and the United States Congress have declared the attacks to be genocide, a crime against humanity; and

Whereas, 136 nations, including the United States, condemn, and seek to prevent and punish the Crime of Genocide as signatories to the Convention on the Prevention and Punishment of Crimes Against Humanity; and

Whereas, the continuing atrocities in Darfur cry out for an aggressive international response to provide protection for 2 million internally-displaced Sudanese, to expand humanitarian relief efforts without delay, and to establish political negotiations to end these atrocities; now therefore, be it

Resolved by the House of Representatives:

That the New Hampshire House of Representatives:

I. Condemns the ongoing genocide in Darfur; and

II. Calls upon the President, the State Department, and Congress to unite the international community to end the genocide in Darfur; and

That a copy of this resolution be forwarded by the house clerk to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of the New Hampshire congressional delegation.

POM-344. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of New Hampshire relative to urging Congress to promote and publicize the report to the Congress of the United States entitled "A Review of the Restrictions on Persons of Italian Ancestry During World War II"; to the Committee on the Judiciary.

HOUSE RESOLUTION 22

Whereas, more than 500,000 Italian-Americans served in World War II for the United States of America; and

Whereas, since 1999 it has been known that up to 600,000 members of the families of those who served in World War II were placed under wartime restrictions which included random arrests, searches of their person, federal raids of their homes, curfews, forced relocation, so-called "prohibited zones," and internment camps; and

Whereas, these individuals were placed under such restrictions solely based on their Italian-American heritage; and

Whereas, Italian-Americans nationwide were affected by these wartime restrictions and were considered enemy aliens even when they were born in the United States; and

Whereas, the United States government has acknowledged the wartime campaign against Japanese-Americans and enacted a reparations law in August, 1988 that awarded over 1 billion dollars in restitution to Japanese-Americans interned in camps in or evacuated from the West Coast; and, but to date has not widely publicized the plight of Italian-Americans affected by wartime decrees; and

Whereas Congress mandated in Public Law 106–451, the Wartime Violation of Italian American Civil Liberties Act, that the United States Department of Justice conduct an inquiry for the purpose of documenting and making public the mistreatment of Italian-Americans during World War II; and

Whereas, the Department of Justice submitted the report, entitled "A Review of the Restrictions on Persons of Italian Ancestry During World War II" in November, 2001; and

Whereas, the Judiciary Committee of the United States House of Representatives released the report on November 27, 2001, but did not promote and publicize the report; now, therefore, be it

Resolved by the House of Representatives:

That the New Hampshire house of representatives urges Congress to take steps to promote and publicize the report to the Congress of the United States entitled "A Review of the Restrictions on Persons of Italian Ancestry During World Ward II;" and

That copies of this resolution shall be sent by the house clerk to the Speaker of the United States House of Representatives, the President of the United States Senate, the attorney general of the United States, the chairpersons of the Judiciary Committees of the United States House of Representatives and Senate, the New Hampshire congressional delegation, and the New York headquarters of the Associated Press.

POM–345. A resolution adopted by the Senate of the State of Michigan relative to memorializing the United States Congress to adopt and transmit to the states for ratification an amendment to the U.S. Constitution that would ensure that apportionment is based on citizens and not non-citizens; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 105

Whereas, Reapportionment based on the counting of non-citizens in the federal census is adversely affecting the United States Congress and the American political process. Since 1960, Michigan and other Midwestern states have had to sacrifice congressional representation to the faster-growing states of Florida, California, and Texas. The redistributions of congressional seats in the 1970 and 1980 censuses were almost completely due to internal migration; citizens moving from the Northeastern and Midwestern states to the South and West. However, since 1990, immigration has been driving reapportionment. During that decade the number of non-citizens grew by almost 680,000 annually. By March 2005 there were nearly 22 million non-citizens in this country, comprising 7.4 percent of the total population; and

Whereas, Immigration is having a significant effect on the distribution of congressional seats for several reasons. First, seats are apportioned based on each state's total population relative to the rest of the country, including legal immigrants and illegal non-citizens. Second, Congress permits a significant number of legal immigrants to enter this country and permits hordes of illegals to brazenly flout our immigration laws by crossing our porous borders unchallenged. According to the 2000 census, there were more than 18 million non-citizens in the United States, equaling the population of almost 29 congressional districts. Further, non-citizens are not equally distributed throughout the nation. In 2000, over 9 million non-citizens lived in 3 states and nearly 70 percent resided in 6 states; and

Whereas, The impact of non-citizens on apportionment is tremendous. In 2000, the presence of non-citizens caused Michigan and 8 other states to lose congressional seats. Moreover, Michigan was one of 4 states to lose seats directly to the illegal immigrant havens of California, Texas, New York, and Florida. It is important to realize that Michigan did not lose a congressional seat because its population was in decline. Instead, legal and illegal immigration caused the population of other states to grow at an even faster pace; now, therefore, be it

Resolved by the Senate, That we memorialize the United States Congress to adopt and transmit to the states for ratification an amendment to the U.S. Constitution that would ensure that apportionment is based on citizens, and not non-citizens; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-346. A referendum adopted by the Town of Perry, Dane County, Wisconsin relative to immediate troop withdrawal from Iraq; to the Committee on Armed Services.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KENNEDY:

S. 3350. A bill to suspend temporarily the duty on Naphthol AS-CA; to the Committee on Finance.

By Mr. KENNEDY:

S. 3351. A bill to suspend temporarily the duty on 1-(P-Tolyl)-3-Methyl-5-Pyrazolone; to the Committee on Finance.

By Mr. KENNEDY:

S. 3352. A bill to suspend temporarily the duty on Naphthol AS-KB; to the Committee on Finance.

By Mr. KENNEDY:

S. 3353. A bill to suspend temporarily the duty on Basic Violet 1; to the Committee on Finance.

By Mr. KENNEDY:

S. 3354. A bill to suspend temporarily the duty on Basic Blue 7; to the Committee on Finance.

By Mr. KENNEDY:

S. 3355. A bill to suspend temporarily the duty on Fast Red B Base; to the Committee on Finance.

By Mr. KENNEDY:

S. 3356. A bill to suspend temporarily the duty on 3 Amino-4-Methylbenzamide; to the Committee on Finance.

By Mr. KENNEDY:

S. 3357. A bill to suspend temporarily the duty on Acetoacetyl-2,5-Dimethoxy-4-Chloroanilide; to the Committee on Finance.

By Mr. KENNEDY (for himself and Mr. KERRY):

S. 3358. A bill to suspend temporarily the duty on gemifloxacin, gemifloxacin mesylate, and gemifloxacin mesylate sesquihydrate; to the Committee on Finance.

By Mr. FRIST (for himself and Mr. ALEXANDER):

S. 3359. A bill to suspend temporarily the duty on diethyl ether; to the Committee on Finance.

By Mr. FRIST (for himself and Mr. ALEXANDER):

S. 3360. A bill to suspend temporarily the duty on phenyl salicylate (benzoic acid, 2-hydroxy-, phenyl ester); to the Committee on Finance.

By Mr. FRIST (for himself and Mr. ALEXANDER):

S. 3361. A bill to suspend temporarily the duty on titanium dioxide anatase; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3362. A bill to exempt woven fiberglass mesh fabric from certain quotas; to the Committee on Finance.

By Mr. DEWINE:

S. 3363. A bill to amend title 38, United States Code, to provide for accelerated payment of survivors' and dependents' educational assistance for certain programs of education, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NELSON of Nebraska:

S. 3364. A bill to authorize appropriate action against Japan for failing to resume the importation of United States beef in a timely manner, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3365. A bill to reduce temporarily the duty on Pinoxaden Technical; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3366. A bill to suspend temporarily the duty on mixtures of tralkoxydim; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3367. A bill to suspend temporarily the duty on formulations of pinoxaden/cloquintocet; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3368. A bill to suspend temporarily the duty on Permethrin; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3369. A bill to suspend temporarily the duty on Metalaxyl-M Technical; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3370. A bill to reduce temporarily the duty on Fludioxonil Technical; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3371. A bill to suspend temporarily the duty on mixtures of difenoconazole/mefenoxam; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3372. A bill to suspend temporarily the duty on Cyproconazole Technical; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3373. A bill to suspend temporarily the duty on Cloquintocet-mexyl; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3374. A bill to reduce temporarily the duty on formulations of Clodinafop-propargyl; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3375. A bill to reduce temporarily the duty on formulations of Azoxystrobin; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 3376. A bill to suspend temporarily the duty on Avermectin B, 1,4″-deoxy-4″-methylamino-, (4″r)-, benzoate; to the Committee on Finance.

By Mr. DEWINE:

S. 3377. A bill to extend temporarily the suspension of duty on 1,3-Bis(4-aminophenoxy)benzene (RODA); to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MURKOWSKI (for herself, Mr. JOHNSON, Mr. COLEMAN, Mr. DODD, Mr. DURBIN, Mrs. MURRAY, and Mr. STEVENS):

S. Res. 499. A resolution designating September 9, 2006, as "National Fetal Alcohol Spectrum Disorders Awareness Day"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 98

At the request of Mr. ALLARD, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 98, a bill to amend the Bank Holding Company Act of 1956 and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 185

At the request of Mr. NELSON of Florida, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 185, a bill to amend title 10, United States Code, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan.

S. 420

At the request of Mr. KYL, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 420, a bill to make the repeal of the estate tax permanent.

S. 548

At the request of Mr. CONRAD, the names of the Senator from Maine (Ms. COLLINS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 548, a bill to amend the Food Security Act of 1985 to encourage owners and operators of privately held farm, ranch, and forest land to voluntarily make their land available for access by the public under programs administered by States and tribal governments.

S. 635

At the request of Mr. SANTORUM, the names of the Senator from Mississippi

(Mr. LOTT) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 635, a bill to amend title XVIII of the Social Security Act to improve the benefits under the medicare program for beneficiaries with kidney disease, and for other purposes.

S. 1110

At the request of Mr. ALLEN, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1110, a bill to amend the Federal Hazardous Substances Act to require engine coolant and antifreeze to contain a bittering agent in order to render the coolant or antifreeze unpalatable.

S. 1272

At the request of Mr. NELSON of Nebraska, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 1272, a bill to amend title 46, United States Code, and title II of the Social Security Act to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 1522

At the request of Mr. CHAMBLISS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1522, a bill to recognize the heritage of hunting and provide opportunities for continued hunting on Federal public land.

S. 1537

At the request of Mr. AKAKA, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 1537, a bill to amend title 38, United States Code, to provide for the establishment of Parkinson's Disease Research Education and Clinical Centers in the Veterans Health Administration of the Department of Veterans Affairs and Multiple Sclerosis Centers of Excellence.

S. 1687

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1687, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 1722

At the request of Ms. MURKOWSKI, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1722, a bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Syndrome prevention and services program, and for other purposes.

S. 1741

At the request of Mr. VOINOVICH, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1741, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area.

S. 1862

At the request of Mr. SMITH, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1862, a bill to establish a joint energy cooperation program within the Department of Energy to fund eligible ventures between United States and Israeli businesses and academic persons in the national interest, and for other purposes.

S. 1907

At the request of Mr. JOHNSON, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1907, a bill to promote the development of Native American small business concerns, and for other purposes.

S. 1998

At the request of Mr. CONRAD, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1998, a bill to amend title 18, United States Code, to enhance protections relating to the reputation and meaning of the Medal of Honor and other military decorations and awards, and for other purposes.

S. 2178

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2178, a bill to make the stealing and selling of telephone records a criminal offense.

S. 2292

At the request of Mr. SPECTER, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2292, a bill to provide relief for the Federal judiciary from excessive rent charges.

S. 2321

At the request of Mr. SANTORUM, the names of the Senator from Colorado (Mr. ALLARD), the Senator from Colorado (Mr. SALAZAR) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille.

S. 2393

At the request of Mr. COLEMAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2393, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 2395

At the request of Mr. GRASSLEY, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 2395, a bill to amend title 39, United States Code, to require that air carriers accept as mail shipments certain live animals.

S. 2444

At the request of Mr. AKAKA, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2444, a bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams.

S. 2570

At the request of Mr. DEWINE, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2570, a bill to authorize funds for the United States Marshals Service's Fugitive Safe Surrender Program.

S. 2599

At the request of Mr. VITTER, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. 2614

At the request of Mr. THUNE, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2614, a bill to amend the Solid Waste Disposal Act to establish a program to provide reimbursement for the installation of alternative energy refueling systems.

S. 2691

At the request of Mr. CORNYN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2691, a bill to amend the Immigration and Nationality Act to increase competitiveness in the United States, and for other purposes.

S. 2810

At the request of Mr. GRASSLEY, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2810, a bill to amend title XVIII of the Social Security Act to eliminate months in 2006 from the calculation of any late enrollment penalty under the Medicare part D prescription drug program and to provide for additional funding for State health insurance counseling program and area agencies on aging, and for other purposes.

S. 2831

At the request of Mr. SPECTER, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2831, a bill to guarantee the free flow of information to the public through a free and active press while protecting the right of the public to effective law enforcement and the fair administration of justice.

S. 2916

At the request of Mrs. CLINTON, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2916, a bill to amend title XIX of the Social Security Act to expand access to contraceptive services for women and men under the Medicaid program, help low income women and couples prevent unintended pregnancies and reduce abortion, and for other purposes.

S. 2970

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2970, a bill to require the Secretary of Veterans Affairs to provide free credit monitoring and credit reports for veterans and others affected by the theft of veterans' personal data, to ensure that such persons are appropriately notified of such thefts, and for other purposes.

S. 2990

At the request of Mr. VITTER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2990, a bill to amend title XVIII of the Social Security Act to restore financial stability to Medicare anesthesiology teaching programs for resident physicians.

S. 3033

At the request of Mr. DEWINE, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 3033, a bill to suspend temporarily the duty on Methylionone.

S. 3035

At the request of Mr. SMITH, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 3035, a bill to direct the Secretary of the Interior to conduct a study to determine the feasibility of establishing the Columbia-Pacific National Heritage Area in the States of Washington and Oregon, and for other purposes.

S. 3176

At the request of Mr. ROCKEFELLER, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3176, a bill to protect the privacy of veterans and spouses of veterans affected by the security breach at the Department of Veterans Affairs on May 3, 2006, and for other purposes.

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 3176, supra.

S. 3275

At the request of Mr. ALLEN, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 3275, a bill to amend title 18, United States code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S.J. RES. 38

At the request of Mr. MCCONNELL, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S.J. Res. 38, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. RES. 470

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 470, a resolution promoting a comprehensive political agreement in Iraq.

S. RES. 492

At the request of Mr. BAUCUS, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Res. 492, a resolution to amend the Standing Rules of the Senate to prohibit Members from using charitable foundations for personal gain.

S. RES. 493

At the request of Mr. DEWINE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Res. 493, a resolution calling on the Government of the United Kingdom to establish immediately a full, independent, public judicial inquiry into the murder of Northern Ireland defense attorney Pat Finucane, as recommended by international Judge Peter Cory as part of the Western Park agreement and a way forward for the Northern Ireland Peace Process.

S. RES. 495

At the request of Mr. GRASSLEY, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. Res. 495, a resolution designating June 8, 2006, as the day of a National Vigil for Lost Promise.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 499—DESIGNATING SEPTEMBER 9, 2006, AS "NATIONAL FETAL ALCOHOL SPECTRUM DISORDERS AWARENESS DAY"

Ms. MURKOWSKI (for herself, Mr. JOHNSON, Mr. COLEMAN, Mr. DODD, Mr. DURBIN, Mrs. MURRAY, and Mr. STEVENS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 499

Whereas the term "fetal alcohol spectrum disorders" includes a broader range of conditions and therefore has replaced the term "fetal alcohol syndrome" as the umbrella term describing the range of effects that can occur in an individual whose mother drank alcohol during pregnancy;

Whereas fetal alcohol spectrum disorders are the leading cause of mental retardation in western civilization, including the United States, and are 100 percent preventable;

Whereas fetal alcohol spectrum disorders are a major cause of numerous social disorders, including learning disabilities, school failure, juvenile delinquency, homelessness, unemployment, mental illness, and crime;

Whereas the incidence rate of fetal alcohol syndrome is estimated at 1 out of 500 live births and the incidence rate of fetal alcohol spectrum disorders is estimated at 1 out of every 100 live births;

Whereas the economic cost of fetal alcohol syndrome alone to the Nation was $5,400,000,000 in 2003 and it is estimated that each individual with fetal alcohol syndrome will cost taxpayers of the United States between $1,500,000 and $3,000,000 in his or her lifetime;

Whereas, in February 1999, a small group of parents of children who suffer from fetal alcohol spectrum disorders came together with the hope that in 1 magic moment the world could be made aware of the devastating consequences of alcohol consumption during pregnancy;

Whereas the first International Fetal Alcohol Syndrome Awareness Day was observed on September 9, 1999;

Whereas Bonnie Buxton of Toronto, Canada, the co-founder of the first International Fetal Alcohol Syndrome Awareness Day, asked "What if . . . a world full of FAS/E [Fetal Alcohol Syndrome/Effect] parents all got together on the ninth hour of the ninth day of the ninth month of the year and asked the world to remember that during the 9 months of pregnancy a woman should not consume alcohol . . . would the rest of the world listen?"; and

Whereas on the ninth day of the ninth month of each year since 1999, communities around the world have observed International Fetal Alcohol Syndrome Awareness Day: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 9, 2006, as "National Fetal Alcohol Spectrum Disorders Awareness Day"; and

(2) calls upon the people of the United States—

(A) to observe National Fetal Alcohol Spectrum Disorders Awareness Day with appropriate ceremonies—

(i) to promote awareness of the effects of prenatal exposure to alcohol;

(ii) to increase compassion for individuals affected by prenatal exposure to alcohol;

(iii) to minimize further effects of prenatal exposure to alcohol; and

(iv) to ensure healthier communities across the United States; and

(B) to observe a moment of reflection on the ninth hour of September 9, 2006, to remember that during the 9 months of pregnancy a woman should not consume alcohol.

PRIVILEGES OF THE FLOOR

Mr. CORNYN. Mr. President, I ask unanimous consent that a law clerk on my staff, Andrea Bouressa, be given floor privileges for the duration of the debate on S.J. Res. 1, the marriage amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURES PLACED ON THE CALENDAR—S. 3274, H.R. 5253, H.R. 5311, H.R. 5403, AND H.R. 5429

Mr. MCCONNELL. Mr. President, I understand there are five bills at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will report the bills by title.

The bill clerk read as follows:

A bill (S. 3274) to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes.

A bill (H.R. 5253) to prohibit price gouging in the sale of gasoline, diesel fuel, crude oil, and home heating oil, and for other purposes.

A bill (H.R. 5311) to establish the Upper Housatonic Valley National Heritage Area.

A bill (H.R. 5403) to improve protections for children and to hold States accountable for the safe and timely placement of children across State lines, and for other purposes.

A bill (H.R. 5429) to direct the Secretary of the Interior to establish and implement a competitive oil and gas leasing program that will result in an environmentally sound program for the exploration, development, and production of the oil and gas resources of the Coastal Plain of Alaska, and for other purposes.

Mr. McCONNELL. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

The PRESIDING OFFICER. Without objection, the measures are objected to en bloc. They will be placed on the calendar.

ORDERS FOR TUESDAY, JUNE 6, 2006

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m., Tuesday, June 6. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to executive session for the consideration of the nomination of Renee Marie Bumb, with all the time until 10:20 a.m. equally divided between the two managers or their designees, and that the Senate then proceed to a vote as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I further ask unanimous consent that following the vote, the Senate resume consideration of the motion to proceed to S.J. Res. 1, with the time controlled as follows: 11 a.m. to 12 p.m. under the control of the majority; 12 p.m. to 12:30 p.m. under the control of the minority; 2:15 p.m. to 2:30 p.m. equally divided between the majority and the minority; 2:30 p.m. to 3 p.m., minority control; 3 p.m. to 4 p.m., majority control; 4 p.m. to 5 p.m., minority control; 5 p.m. to 5:30 p.m., majority control; 5:30 p.m. to 6 p.m., minority control. I further ask unanimous consent that the Senate stand in recess from 12:30 p.m. to 2:15 p.m. to accommodate the weekly policy luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. McCONNELL. Mr. President, today we continued debate on the motion to proceed to the marriage protection amendment. Tomorrow we will continue debate in an orderly fashion, with the time divided between the majority and minority. Moments ago on behalf of the leader, I filed a cloture motion on the motion to proceed to this issue. The vote will occur on Wednesday, and we will lock in a time certain for that vote sometime during tomorrow's session. The first vote of the week then will occur tomorrow at 10:20 a.m. on a district court nomination. As I mentioned this morning, there will be a joint meeting Wednesday morning at 11 a.m. in the House. We will hear from the President of Latvia who will address a joint meeting of Congress. Senators will leave this Chamber at 10:40 a.m. to walk to the Hall of the House of Representatives in order to hear that address.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in adjournment under the previous order.

There being no objection, the Senate, at 6:05 p.m., adjourned until Tuesday, June 6, 2006, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate June 5, 2006:

DEPARTMENT OF DEFENSE

DAVID H. LAUFMAN, OF TEXAS, TO BE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE, VICE JOSEPH E. SCHMITZ, RESIGNED.

DEPARTMENT OF TRANSPORTATION

CHARLES D. NOTTINGHAM, OF VIRGINIA, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2010, VICE ROGER P. NOBER, TERM EXPIRED.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

CHARLES DARWIN SNELLING, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR A TERM EXPIRING MAY 30, 2012. (REAPPOINTMENT)

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL ROBERT B. BAILEY, 8474
BRIGADIER GENERAL WILLIAM H. ETTER, 7521
BRIGADIER GENERAL DOUGLAS M. PIERCE, 9562
BRIGADIER GENERAL JOSE M. PORTELA, 4065
BRIGADIER GENERAL DONALD J. QUENNEVILLE, 4967
BRIGADIER GENERAL DAVID A. SPRENKLE, 8992

To be brigadier general

COLONEL STEVEN L. ADAMS, 9518
COLONEL ROBERT L. BOGGS, 8430
COLONEL PETER A. BONANNI, 6859
COLONEL TIMOTHY J. CARROLL, 4414
COLONEL TIMOTHY J. COSSALTER, 0715
COLONEL MICHAEL L. CUNNIFF, 4997
COLONEL JAMES E., DANIEL, JR. 8973
COLONEL JOHN M. DEL TORO, 5382
COLONEL GREGORY A. FICK, 0160
COLONEL STEVEN J. FILO, 2097
COLONEL ROBERT V. FITCH, 6866
COLONEL WILLIAM E. HUDSON, 4783
COLONEL CORA M. JACKSON-CHANDLER, 5301
COLONEL RICHARD W. JOHNSON, 7574
COLONEL GARY T. MAGONIGLE, 6681
COLONEL CRAIG D. MCCORD, 0761
COLONEL KELLY K. MCKEAGUE, 6016
COLONEL THOMAS R. MOORE, 5457
COLONEL JOHN D. OWEN, 4194
COLONEL DEBORAH S. ROSE, 7097
COLONEL GREGORY J. SCHWAB, 0577
COLONEL JONATHAN T. TREACY, 2942
COLONEL CHARLES E., TUCKER, JR. 0285
COLONEL ROY E. UPTEGRAFF, III 9155
COLONEL EDWIN A., VINCENT, JR. 7198
COLONEL JAMES C. WITHAM, 0100

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. THOMAS R. TURNER II, 7116

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. KEVIN T. CAMPBELL, 6308

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. WILLIAM D. SULLIVAN, 3858

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

LEONARD S. WILLIAMS, 6487

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

VICTOR CATULLO, 5876
JUAN DEROJAS, 1154
HOPE HACKER, 3302
BARBARA SCHIBLY, 6654

To be lieutenant colonel

PAUL BRISSON, 4258

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 6, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 7

9 a.m.

Agriculture, Nutrition, and Forestry

To hold oversight hearings to examine agricultural conservation programs.

SR–328A

Foreign Relations

To hold hearings to examine the economic risk of oil dependence.

SH–216

9:30 a.m.

Judiciary

To hold hearings to examine S. 3274, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure (pending on Senate calendar).

SD–226

10 a.m.

Appropriations

Commerce, Justice, Science and Related Agencies Subcommittee

To hold hearings to examine the 2006 hurricane season.

SD–192

2:30 p.m.

Commerce, Science, and Transportation

Science and Space Subcommittee

To hold hearings to examine outside perspectives relating to NASA budget and programs.

SD–562

Intelligence

Closed business meeting to consider pending intelligence matters.

SH–219

JUNE 8

9:30 a.m.

Armed Services

To hold a closed briefing on Overhead Imagery Systems.

S–407, Capitol

Foreign Relations

To hold hearings to examine the role of non-governmental organizations in the development of democracy.

SD–419

Judiciary

Business meeting to consider pending calendar business.

SD–226

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Sheila C. Bair, of Kansas, to be a Member and Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, Kathleen L. Casey, of Virginia, to be a Member of the Securities and Exchange Commission, Donald L. Kohn, of Virginia, to be Vice Chairman of the Board of Governors of the Federal Reserve System, and James B. Lockhart III, of Connecticut, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development.

SD–538

Energy and Natural Resources

To hold hearings to examine the nominations of Philip D. Moeller, of Washington, and Jon Wellinghoff, of Nevada, each to be a Member of the Federal Energy Regulatory Commission.

SD–366

Homeland Security and Governmental Affairs

To hold hearings to examine national emergency management issues.

SD–342

Commerce, Science, and Transportation

National Ocean Policy Study Subcommittee

To hold hearings to examine challenges of fish farming in Federal waters relating to offshore aquaculture.

SD–562

Veterans' Affairs

To hold hearings to examine pending benefits related legislation.

SR–418

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine pending nominations.

SD–562

Judiciary

Corrections and Rehabilitation Subcommittee

To hold hearings to examine the findings and recommendations of the Commission on Safety and Abuse in America's Prisons.

SD–226

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings to examine the status of Asian adoptions in the United States.

SD–419

Appropriations

State, Foreign Operations, and Related Programs Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2007 for USAID.

SD–192

Intelligence

To hold a closed briefing on intelligence matters.

SH–219

JUNE 12

2:30 p.m.

Energy and Natural Resources

To hold hearings to examine the implementation of Sections 641 through 645 of the Energy Policy Act of 2005, the Next Generation Nuclear Plant Project within the Department of Energy.

SD–366

JUNE 13

10 a.m.

Agriculture, Nutrition, and Forestry

To hold an oversight hearing to examine Department of Agriculture farm loan programs.

SR–328A

Commerce, Science, and Transportation

To resume hearings to examine S. 2686, to amend the Communications Act of 1934 and for other purposes.

Room to be announced

2:30 p.m.

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine business systems modernization and financial management in review of the defense authorization request for fiscal year 2007.

SR–222

JUNE 14

9:30 a.m.

Indian Affairs

To hold hearings to examine S. 374, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, and S. 1535, to amend the Cheyenne River Sioux Tribe Equitable Compensation Act to provide compensation to members of the Cheyenne River Sioux Tribe for damage resulting from the Oahe Dam and Reservoir Project.

SR–485

10 a.m.

Commerce, Science, and Transportation

Technology, Innovation, and Competitiveness Subcommittee

To hold hearings to examine alternative energy technologies.

Room to be announced

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

2:30 p.m.

Commerce, Science, and Transportation

National Ocean Policy Study Subcommittee

To hold hearings to examine state of the oceans in 2006.

SD–562

JUNE 15

10:30 a.m.

Commerce, Science, and Transportation

Fisheries and Coast Guard Subcommittee

To hold hearings to examine the Coast Guard budget.

SD–562

JUNE 20

10 a.m.

Commerce, Science, and Transportation

Business meeting to markup S. 2686, to amend the Communications Act of 1934 and for other purposes.

Room to be announced

JUNE 21

10 a.m.

Commerce, Science, and Transportation

Surface Transportation and Merchant Marine Subcommittee

To hold hearings to examine economics, service, and capacity in the freight railroad industry.

SD–562

2:30 p.m.

Commerce, Science, and Transportation

Technology, Innovation, and Competitiveness Subcommittee

To hold hearings to examine accelerating the adoption of health information technology.

SD–562

JUNE 29

10 a.m.

Commerce, Science, and Transportation

Business meeting to consider pending calendar business.

SD–562

SENATE—*Tuesday, June 6, 2006*

The Senate met at 9:45 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray:

Eternal Spirit, You see our thoughts from a distance. You look not merely on our exteriors but also at our interiors. You see our desire to please You and to honor You with our lives. You know our remorse for neglected duties, missed opportunities, and selfish pursuits.

You are aware that we need strength for today and hope for tomorrow.

Today, meet the needs of our lawmakers as they confront the challenges of our time. Give them faith to trust that Your sovereign providence will prevail in the unfolding events of our world. Remind them that they are never alone, for You will never forsake them.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. McCONNELL. Mr. President, this morning we have set aside some debate time in executive session for the consideration of Renee Bumb to be U.S. district judge for New Jersey. Following those statements, we will vote at around 10:20 a.m. on the confirmation of that nomination.

Immediately after the vote, we will resume debate on the motion to proceed to the Marriage Protection Amendment. We reserved blocks of time throughout the session for Members to come to the Senate to give their remarks on the marriage amendment.

The Senate will recess, as usual on Tuesdays, from 12:30 to 2:15 for our weekly policy luncheons.

I remind our colleagues, I filed a cloture motion on the motion to proceed to the Marriage Protection Amendment. That vote will occur on Wednesday. Later today, we will alert all Members as to the precise timing of that cloture vote on the marriage amendment which, as I indicated, will occur Wednesday.

EXECUTIVE SESSION

NOMINATION OF RENEE MARIE BUMB TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

The PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session for consideration of Executive Calendar No. 626, which the clerk will report.

The bill clerk read the nomination of Renee Marie Bumb, of New Jersey, to be U.S. District Judge for the District of New Jersey.

The PRESIDENT pro tempore. Under the previous order, the time until 10:20 a.m. shall be equally divided between the two managers or their designees.

Mr. McCONNELL. Mr. President, before I suggest the absence of a quorum, will the time run during the quorum call?

The PRESIDENT pro tempore. It will be equally divided.

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I rise to express my pleasure and support for the confirmation of Ms. Renee Bumb to the U.S. District Court of New Jersey.

Ms. Bumb is one of four accomplished individuals from New Jersey who have been nominated to vacancies on the district court.

Just before we left for the Memorial Day recess, the Senate unanimously confirmed Judge Susan Wigenton for the district court. Judge Wigenton has been a Federal magistrate judge since 1997. She also worked at a law firm, served as a public defender in Asbury Park, NJ. She has been a first-rate magistrate judge. She will be an excellent district court judge. She served the public well. We are pleased to have her join the bench in New Jersey.

Now we discuss today's nominee, Renee Bumb. She is exceptionally well qualified and will be an excellent addition to the court. She is currently attorney in charge of the Camden—our southernmost city—U.S. Attorney's Office. She is a gifted prosecutor and has handled cases ranging from drug trafficking to white-collar crime.

For 6 years, Miss Bumb has supervised all of the attorneys in the Camden U.S. Attorney's Office. At the same time, she has tried cases herself, especially those dealing with public corruption.

Ms. Bumb is from south Jersey. We are pleased she will be sitting as a Federal judge in Camden. There have been openings there for some time. The people of south Jersey deserve judges who understand that area of the State and the unique communities therein. Ms. Bumb fits that bill.

When people look at tiny New Jersey on the map, they envision a small State but they are wrong. While we are relatively small geographically, we have the 10th largest population in the country. New Jersey is the most densely populated State in the country. While physical distance between north and south Jersey is not significant, there are differences between the two areas politically, economically, and culturally. The Federal Government needs to respect these distinctions.

Thus, we have Renee Bumb, who is a judge from South Jersey. She will dispense justice with the unique character her community brings—not having the large cities, and with the population density much less than the north. They also lack some of the services immediately available in the northern part of our State. Ms. Bumb will represent the Federal Government and represent the Judiciary extremely well.

At the same time, we have two other excellent nominees for vacancies on the U.S. District Court for New Jersey. One is Noel Hillman, another is Peter Sheridan. These nominees have been approved by the Judiciary Committee. They are ready to go. We should not delay the confirmation of these nominations past this week.

I offer thanks to Chairman SPECTER and Ranking Member LEAHY for moving these nominees so efficiently through the process. I am confident these four individuals will serve the people of New Jersey extremely well on

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

the Federal bench. They will bring distinction to the court. We urge their quick confirmation in the Senate.

I yield the floor.

The PRESIDENT pro tempore. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise today in support of the nomination of Renee Bumb to be a U.S. district judge for the District of New Jersey. I appreciate the opportunity to speak about this outstanding individual that the White House has selected to serve on the Federal bench.

I take a moment to share with our colleagues a few of her accomplishments. Ms. Bumb is a graduate of Ohio State University and the University of Chicago Graduate School of International Relations. She attended my own alma mater, Rutgers University School of Law in Newark, where she served as editor in chief of the law review and has been a loyal New Jerseyan ever since.

Ms. Bumb's reputation in the southern New Jersey legal community is both well known and exceptional. As assistant U.S. attorney, Ms. Bumb has been known for many efforts and is a staunch anticorruption prosecutor. She is best known for her prosecution of the former Camden City mayor. She has twice received the Director's Award, the highest award given to an assistant U.S. attorney presented by the U.S. Attorney General. Ms. Bumb is currently the attorney in charge of the U.S. Attorney's Office in Camden, NJ.

The American Bar Association has rated Ms. Bumb as well qualified for the position to which she has been nominated. It is a view I share as well.

I would also like to talk about the package of four nominees for district judge of New Jersey that Ms. Bumb is a part of. It is a package that is balanced in every sense of the word, from geographic to gender perspectives, as well as to quality. I should note that Ms. Bumb is not the first nominee of that package to be confirmed by the Senate. The day before the Memorial Day district work period began, the Senate confirmed Susan Wigenton to be a district court judge. Judge Wigenton graduated from Norfolk State University and the Marshall-Wythe School of Law from the College of William and Mary. She has spent the last 8 years doing an exceptional job as a U.S. magistrate judge for the district of New Jersey, and she will do an exceptional job in the district court.

I look forward to working with Senator LAUTENBERG, the chair and ranking member of the Judiciary Committee, and the leadership in bringing the nominations of the other two nominees, Noel Hillman and Peter Sheridan, to the Senate floor for confirmation votes. This entire four-nominee package is one that every New Jerseyan can and should be proud of.

There truly is no higher calling than the calling of public service. That is why I am pleased to see people of this quality who are willing to serve our Nation in the administration of justice. The confirmation of a judge to a lifetime appointment is a vital responsibility given to this body by the Constitution and one I take very seriously. I join my colleague, Senator LAUTENBERG, in support of Ms. Bumb and her confirmation. I look forward to her continued service to our State and Nation. I am confident she will put our shared Rutgers education to good use.

I urge my colleagues to support the nomination of Renee M. Bumb to serve on the U.S. District Court for the District of New Jersey.

Mr. LEAHY. Mr. President, as we resume consideration of judicial nominations today, it is worth taking stock of the mileposts we have passed and those we are working toward. Chairman SPECTER has now chaired the Judiciary Committee for 17 months. I congratulate him on that. The committee has been extremely active, and we have achieved a good deal working together.

We reported a bill to provide compensation to asbestos victims and began its consideration in the Senate. Just recently, we joined together to introduce a new version of our legislation, to note the passing of our friend Judge Becker and to recommit ourselves to finishing this bipartisan task to provide fair compensation to asbestos victims and reduce the litigation burden that asbestos cases have imposed on our civil justice system.

We worked together to report a comprehensive immigration reform bill and continued to work with Senators KENNEDY, MCCAIN, HAGEL, MARTINEZ, and others in a bipartisan coalition that culminated in Senate passage of S. 2611 late last month. We look forward to help from the President to enact that measure later this year.

We worked together to revive and reauthorize the expiring provisions of the USA PATRIOT Act. I supported the Judiciary Committee and Senate bill. When our bill was hijacked, I appreciated Chairman SPECTER's efforts to restore some balance and his efforts to work with those of us seeking improvements. Sadly, the final product insisted upon by the Bush-Cheney administration and House Republicans was not one I could support.

We are working together now in a bipartisan, bicameral partnership to reauthorize the expiring provisions of the Voting Rights Act. We need to complete hearings on our bill without further delay, and I hope that we can report our bipartisan bill by mid-June so that these important provisions, including those in section 203 providing voting access for language minorities, can be reauthorized this year.

We worked together to report privacy legislation to the Senate last November. Senate action on our bill is overdue. The recent theft of millions of veterans' personal information and the growing problem of identification theft remind us how important these issues are for so many Americans.

We have also worked together on competitiveness issues including the NOPEC legislation to clarify that our antitrust laws should be applied to the OPEC cartel, our broader bill on windfall oil company profits, and our bill to end the antitrust exemption for the insurance industry.

We have made progress on several issues, but our work is far from over. There are only 13 weeks left in this legislative session of the Senate and we still have much that needs to get done. The Republican-controlled House and Senate have yet to enact a Federal budget and are in violation of the statutory deadline of April 15. We have yet to pass a single appropriations bill, and we are required by law to pass 13. We have yet to reconcile and enact the emergency supplemental appropriations bill that has been pending for months and that includes funding for Iraq and Katrina victims and other matters. We have yet to reconcile and enact lobbying reform and ethics legislation. We have yet to deal with the skyrocketing cost of gasoline. We have yet to reconcile and enact a bipartisan and comprehensive immigration reform bill. We need to enact stronger privacy protection legislation, especially in the wake of the theft of information on more than 26 million veterans. We have yet to enact stem cell research legislation. We need to reauthorize the Voting Rights Act. We have yet to enact patent reform legislation. And I hope that we will take up, pass and enact our asbestos compensation legislation and my measure to speed lifesaving medicine to those in desperate need.

I have urged that we exercise effective oversight of the executive branch, and I have supported Chairman SPECTER's efforts to get to the bottom of the NSA's unprecedented program of domestic spying on Americans without warrants. We need to make more progress on this important front and to restore accountability and check and balances in our Government.

One of the most important checks and balances to unprecedented overreaching by the Bush-Cheney executive branch is an independent judiciary. With respect to judicial nominations, we worked together in connection with the nominations of Chief Justice Roberts, whom I came to support, and Justice Alito, whom I did not. I have sought to expedite consideration of qualified, consensus nominees and urged the President to work with us to make selections that unite all Americans.

Today we will proceed to confirm another lifetime appointment to the Federal courts in New Jersey. With the support of the New Jersey Senators, we were able to confirm Judge Susan Davis Wigenton just before the last recess. Her nomination, as well as the nomination of Renee Marie Bumb that we are considering today, were reported favorably by the Judiciary Committee to the Senate more than a month ago.

Rather than proceed to those nominations promptly, the Republican leadership of the Senate delayed their consideration while proceeding over time with circuit court nominations. I was cooperative in proceeding to the confirmation of Judge Milan Smith to the Ninth Circuit. His confirmation demonstrated, again, that we can work together. I was pleased for his brother, the Senator from Oregon, and believe that he will be a fine judge.

Regrettably, the Senate Republican leadership chose not to move to any of the four district court nominations from New Jersey, or the two nominations to district courts in Michigan that their home State Democratic Senators have reached out to support. Instead, they forced debate on another controversial nomination, that of a White House insider selected for a lifetime position on the DC Circuit as a reward for his loyalty to President Bush. I did not support confirmation of Brett Kavanaugh. That was the fight that the Republican leader had promised the narrow special interest groups of the rightwing of his party.

The President and Senate Republican leadership continue to pick fights over judicial nominations rather than focus on filing vacancies. Judicial vacancies have now grown to more than 50 from the lowest vacancy rate in decades. More than half these vacancies are without a nominee. The Congressional Research Service has recently released a study showing that this President has been the slowest in decades to nominate and the Republican Senate among the slowest to act. If they would concentrate on the needs of the courts, our Federal justice system and the needs of the American people, we would be much further along.

Still, we have passed a milestone. When the Senate votes today to confirm Renee Bumb as a district court judge, the Republican-controlled Senate will have this year confirmed 17 judicial nominations. That was the total number of judges confirmed in the 1996 congressional session, when Republicans controlled the Senate and stalled the nominations of President Clinton. In the 1996 session, however, Republicans would not confirm a single appellate court judge. All 17 confirmations were district court nominees. That is the only session I can remember in which the Senate has simply refused to consider a single appellate court nomination. That was part of their pocket filibuster strategy to stall and maintain vacancies so that a Republican President could pack the courts and tilt them decidedly to the right. In the important DC Circuit, the confirmation of Brett Kavanaugh was the culmination the Republicans' decade-long attempt to pack the DC Circuit that began with the stalling of Merrick Garland's nomination in 1996 and continued with the blocking of President Clinton's other well-qualified nominees, Elena Kagan and Allen Snyder.

Of course, with the confirmation today, we will tie that record of 17 confirmations for the year. It is June, and we have a few more weeks in which to make progress. There remain four more district court nominees on the calendar whose consideration could be scheduled for debate and vote but are being delayed—not by Democratic opposition—but by Republican control. There is also another circuit court nominee on the calendar who was reported with Democratic support from the Judiciary Committee and whose confirmation could be scheduled for debate and vote. Successful consideration of those five additional nominees will bring the Senate's total judicial confirmations to 22, thereby matching the total achieved all last year.

But the road ahead is likely to be rocky. In the runup to the Kavanaugh nomination debate, we saw that the Senate Republican leadership is apparently heeding the advice of The Wall Street Journal editorial page, which wrote, "[a] filibuster fight would be exactly the sort of political battle Republicans need to energize conservative voters after their recent months of despond." Rich Lowery, editor of the conservative National Review, listed a fight over judges as one of the ways President Bush could revive his political fortunes, writing that he should, "[p]ush for the confirmation of his circuit judges that are pending. Talk about them by name. The G.O.P. wins judiciary fights."

Republican Senators are relishing picking fights over controversial judicial nominees. Senator THUNE has said, "A good fight on judges does nothing but energize our base . . . . Right now our folks are feeling a little flat." Senator CORNYN has said, "I think this is excellent timing. From a political standpoint, when we talk about judges, we win." On May 8, 2006, The New York Times reported: "Republicans are itching for a good election-year fight. Now they are about to get one: a reprise of last year's Senate showdown over judges." The Washington Post reported on May 10: "Republicans had revived debate on Kavanaugh and another Bush appellate nominee, Terrence Boyle, in hopes of changing the pre-election subject from Iraq, high gasoline prices and bribery scandals."

We should not stand idly by as Republicans choose to use lifetime federal judgeships for partisan political advantage. In a May 11, 2006, editorial The Tennessean wrote:

> "[T]he nation should look with complete dismay at the blatantly political angle on nominations being advocated by Senate Republicans now. . . . Republicans are girding for a fight on judicial nominees for no reason other than to be girding for a fight. They have admitted as much in public comments. . . . In other words, picking a public fight over judicial nominees is, in their minds, the right thing to do because it's the politically right thing to do. . . . Now, Republicans are advocating a brawl for openly political purposes. The appointment of judges deserves far more respect than to be an admitted election-year ploy. . . . It should be beneath the Senate to have such a serious matter subjected to nothing but a tool for political gain."

On May 3, 2006, The New York Times wrote in an editorial: "The Republicans have long used judicial nominations as a way of placating the far right of their party, and it appears that with President Bush sinking in the polls, they now want to offer up some new appeals court judges to their conservative base."

Consider the President's nomination of Judge Terrence Boyle to the Fourth Circuit. We have learned from recent news reports that, as a sitting U.S. district judge and while a circuit court nominee, Judge Boyle ruled on multiple cases involving corporations in which he held investments. In at least one instance, he is alleged to have bought General Electric stock while presiding over a lawsuit in which General Electric was accused of illegally denying disability benefits to a longtime employee. Two months later, he ruled in favor of GE and denied the employee's claim for long term and pension disability benefits. Whether it turns out that Judge Boyle broke Federal law or canons of judicial ethics, these types of conflicts of interest have no place on the Federal bench. Certainly, they should not be rewarded with a promotion to the Fourth Circuit. Certainly, they should be investigated.

The President should heed the call of North Carolina Police Benevolent Association, the North Carolina Troopers' Association, the Police Benevolent Associations from South Carolina and Virginia, the National Association of Police Organizations, the Professional Fire Fighters and Paramedics of North Carolina, as well as the advice of Senator John Edwards, and withdraw his ill-advised nomination of Judge Terrence Boyle. Law enforcement from North Carolina and law enforcement from across the country oppose the nomination. Civil rights groups oppose the nomination. Those knowledgeable and respectful of judicial ethics oppose this nomination. This nomination has been pending on the calendar in the Republican-controlled Senate since June of last year when it was forced out of the Committee on a party-line vote. It should be withdrawn.

Also on the calendar is the nomination of William Myers to the Ninth Circuit. This is another administration insider and lobbyist whose record has made him extremely controversial. I opposed this nomination when it was considered by the Judiciary Committee in March 2005. He was a nominee who the so-called Gang of 14 expressly listed as someone for whom they made no commitment to vote for cloture, and with good reason. His anti-environmental record is reason enough to oppose his confirmation. His lack of independence is another. If anyone sought to proceed to this nomination, there would be a need to explore his connections with the lobbying scandals associated with the Interior Department and Jack Abramoff. This nomination should also be withdrawn.

A few months ago, the President withdrew the nomination of Judge James Payne to the Court of Appeals for the 10th Circuit after information became public about that nominee's rulings in a number of cases in which he appears, like Judge Boyle, to have had conflicts of interest. Those conflicts were pointed out not by the administration's screening process or by the ABA but by journalists.

Judge Payne joins a long list of nominations by this President that have been withdrawn. Among the more well known are Bernard Kerik to head the Department of Homeland Security and Harriet Miers to the Supreme Court. It was, as I recall, reporting in a national magazine that doomed the Kerik nomination. It was opposition within the President's own party that doomed the Miers nomination.

During the last few months, President Bush also withdrew the nominations of Judge Henry Saad to the Court of Appeals for the Sixth Circuit and Judge Daniel P. Ryan to the Eastern District of Michigan after his ABA rating was downgraded.

It is not as if we have not been victimized before by the White House's poor vetting of important nominations. If the White House had its way, we would already have confirmed Claude Allen to the Fourth Circuit. He is the Bush administration insider who recently resigned his position as a top domestic policy adviser to the President. Ultimately, we learned why he resigned when he was arrested for fraudulent conduct over an extended period of time. Had we Democrats not objected to the White House attempt to shift a circuit judgeship from Maryland to Virginia, someone now the subject of a criminal prosecution for the equivalent of stealing from retail stores would be a sitting judge on the Fourth Circuit confirmed with a Republican rubberstamp.

Yet another controversial pending nomination is that of Norman Randy Smith to the Ninth Circuit. This nomination is another occasion on which this President is seeking to steal a circuit court seat from one State and reassign it to another one, one with Republican Senators. That is wrong. I support Senators FEINSTEIN and BOXER in their opposition to this tactic. I have suggested a way to resolve two difficult situations if the President were to renominate Mr. SMITH to fill the Idaho vacancy on the Ninth Circuit, instead of a vacancy for a California seat. Regrettably, the White House has not followed up on my suggestion.

A complicit Republican-controlled Senate remains all too eager to act as a rubberstamp for the Bush-Cheney administration. The nomination of Kavanaugh was one of the few to be downgraded by the ABA upon further review. Until the Republican-controlled Senate proceeded to confirm this White House insider, I cannot recall anyone being confirmed after such a development. Another first, and another problematic confirmation that ill serves the American people.

Another troubling nomination is that of William James Haynes to the Fourth Circuit, which has been pending in the Republican-controlled Senate without action for 3 years. Mr. Haynes is the general counsel at the Defense Department and was deeply involved developing the torture policies, detention and interrogation policies, military tribunals, and other controversial aspects of the manner in which this administration has proceeded unilaterally to make mistakes and exceed its legal authority. Concerns about the Haynes nomination may not be confined to Democratic Senators, according to recent press reports.

I trust that the Senate will not repeat the mistake it made before. It was only after Jay Bybee was confirmed to a lifetime appointment to the Ninth Circuit that we learned of his involvement with the infamous Bybee memo seeking to justify torture and degrading treatment. I had asked him what he had worked on while head of the Department of Justice's Office of Legal Counsel, but he had refused to respond. This former Defense Department and Justice Department insider now sits on the Ninth Circuit for life.

Finally, there is the more recent nomination of Michael Wallace to a vacancy on the Fifth Circuit. Mr. Wallace received the first ABA rating of unanimously "not qualified" that I have seen for a circuit court nominee since President Reagan. Yet that is one of the controversial nominations we can expect the Republican Senate to target for action given their track record.

Working together we could do better. I made the point when in the 17 months I chaired the Judiciary Committee we proceeded to confirm 100 judicial nominees of President Bush. I urge the White House to work with us. I hope that the Republican-controlled Senate will stop rubberstamping this President's nominees and stop using controversial judicial nominations to score partisan political points. Our courts are too important. The rights and liberties of the American people are too important. The courts are the only check and balance left to protect the American people and provide some oversight of the actions of this President.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DEMINT). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The hour of 10:20 having arrived, the vote is to occur on the nomination.

Mr. SANTORUM. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

Mr. SANTORUM. I thank the Chair.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Renee Marie Bumb, of New Jersey, to be a United States District Judge for the District of New Jersey?

On this question, the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senators were necessarily absent: the Senator from Tennessee (Mr. FRIST), the Senator from Montana (Mr. BURNS), the Senator from Idaho (Mr. CRAPO), the Senator from New Mexico (Mr. DOMENICI), the Senator from Nebraska (Mr. HAGEL), the Senator from Utah (Mr. HATCH), and the Senator from Missouri (Mr. TALENT).

Further, if present and voting, the Senator from Tennessee (Mr. FRIST) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Mexico (Mr. BINGAMAN), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Maryland (Mr. SARBANES), and the Senator from New York (Mr. SCHUMER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 89, nays 0, as follows:

[Rollcall Vote No. 162 Ex.]

YEAS—89

Akaka
Alexander
Allard
Allen
Baucus
Bayh
Bennett
Biden
Bond
Boxer
Brownback
Bunning
Burr
Byrd
Cantwell
Carper
Chafee
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Cornyn
Craig
Dayton

DeMint
DeWine
Dodd
Dole
Dorgan
Durbin
Ensign
Enzi
Feingold
Feinstein
Graham
Grassley
Gregg
Harkin
Hutchison
Inhofe
Inouye
Isakson
Jeffords
Johnson
Kennedy
Kerry
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Salazar
Santorum
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Thomas
Thune
Vitter
Voinovich
Warner
Wyden

NOT VOTING—11

Bingaman
Burns
Crapo
Domenici
Frist
Hagel
Hatch
Rockefeller
Sarbanes
Schumer
Talent

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPERIENCING MEMORIAL DAY CELEBRATIONS ON FOREIGN SOILS

Mr. ISAKSON. Mr. President, I would like to call everybody's attention to the special day that today is. Today is the 6th day of June. Sixty-two years ago today on the shores of France and Normandy, Omaha Beach, Sword Beach, American troops and allied forces invaded France, pushed back the German Army, pushed through the Battle of the Bulge, and ultimately into Germany, and today, you and I enjoy freedom and liberty in this country, as Europe enjoys its freedom, and as, in fact, the world enjoys its freedom because of what those brave men and women did.

This past week, I had a unique occasion to travel with the chairman of the Veterans' Affairs Committee, Senator CRAIG from Idaho, and with GEN Jack Nicholson, who is the chairman of the American Battle Monuments Commission. We traveled through Europe and northern Africa paying Memorial Day tributes to the men and women buried on those foreign shores.

I have to tell my colleagues, it was a life-altering experience for me. I am a patriotic American. I love this country more than anything on the face of this Earth. I have teared up more than once at the funeral of a friend who died in the service of this country. But I have never seen the outpouring of love and respect for our country or for our servicemen than I saw in the Netherlands or in Belgium or outside of Paris or at Bellewood outside of Paris or in Tunisia at the American cemetery in northern Africa.

I think it is appropriate for us to memorialize today what those of us who traveled on this trip saw to hopefully inspire other Members of the Senate, and hopefully every American at one point in time in their life, to travel to these marvelous memorials. I have been in elected office for most of the last 30 years. I have done more Memorial Day ceremonies than one would want to count. They have all been beautiful, they have all been meaningful, but, quite frankly, they usually aren't very well attended because Americans more often than not take Memorial Day as a 3-day vacation or a 3-day weekend. But I would like to tell you what the people of Margraten in the Netherlands take Memorial Day as.

When we went to the American cemetery in the Netherlands and saw the over 6,000 graves of the American men and women who died in liberating the Netherlands, we were moved. We were more moved by the fact that every one of those graves is adopted by a citizen of the Netherlands who cares for that grave, leaves flowers at that grave, and attends the ceremonies on Memorial Day, the American Memorial Day, which we conduct. On that day in the Netherlands there were over 7,000 citizens—7,000 Dutch—who came to pay tribute to the men and women of the United States of America who died on their soil so they could be free. The royal Dutch Air Force did a missing man fly-over formation, and the senior men's choir of Holland sang "God Bless America." It was a moving scene unlike anything I have personally seen. It renewed, for me, the faith and pride I have in all that is good about the United States of America.

Following that visit, we went to Normandy. We saw the monument the French had erected to the Rangers who stormed the Normandy cliffs and moved in and rooted out the Germans. We went to Omaha Beach and saw firsthand where the American troops came across, where the Canadian troops came across, where the British troops came across. We saw where in one day 2,500 men of America died on the beaches of Normandy so that all of us today can live in freedom and in hope and in peace.

I commend Chairman CRAIG for making this delegation. We found out we were the first delegation that anyone could remember to ever do what we did. Not only do I hope we are not the last, I hope it is an annual occasion where Members of the Senate go and pay their respects to the brave Americans who died in the great wars of Europe, World War I and World War II; for without them, we would not enjoy what we do today, nor would the world enjoy the peace and the freedom and the liberty that it treasures and it enjoys.

So on this day of June 6, 2006, 62 years after 2,500 Americans died and tens of thousands of Americans pursued the German Army in France, I know what I will do tonight when I say my prayers. I will say a special prayer for those folks I never knew but without whom I never could have lived the life that I have, and I will say thanks. I will repeat the pledge I made to myself on the cemetery of Normandy. I said: Before I die, I am going to see to it that my children and my grandchildren get to visit this scene and have this experience because only through the preservation of the memory of what those men fought and died for will we as Americans ever be able to continue to make the commitments we have around the world to preserve liberty, preserve democracy, and protect the people of the world's right to determine their own future and their own peace and their own liberty.

So, Mr. President, on this day, June 6, 2006, I thank God for the men and women of the U.S. military, for the leadership of the 20th century, and pray that all of us will have the courage they had to continue to preserve the liberty we all treasure and enjoy.

I yield the floor.

MARRIAGE PROTECTION AMENDMENT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S.J. Res. 1, which the clerk will report.

The assistant legislative clerk read as follows:

> Motion to proceed to the consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Colorado.

Mr. ALLARD. Mr. President, I ask unanimous consent that the time today from 6 to 6:30 be under the control of the majority and from 6:30 to 7 o'clock be under the control of the minority.

The PRESIDING OFFICER. Is there objection?

Mr. LEAHY. We have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. Mr. President, I ask that LARRY CRAIG be added as a cosponsor to S.J. Res. 1.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALLARD. Mr. President, we are now talking about S.J. Res. 1, the Protection of Marriage Amendment. We have an allocation of time that has been set out for the Republican side.

Later on there will be an allocation, I understand, of the Democrats' time.

I will allocate myself 20 minutes. Would the Presiding Officer notify me when I have used 17 minutes of that?

The PRESIDING OFFICER. The Chair will notify the Senator.

Mr. ALLARD. Mr. President, respect for the democratic process compels this Congress to protect traditional marriage in the face of a coordinated effort to redefine marriage through the courts.

Marriage, the union between a man and a woman, has been the foundation of every civilization in human history. It is incorporated into the fabric of our culture and civic life. It is the platform on which children, families, and communities are nurtured.

Unfortunately, the U.S. Constitution is being amended to reflect a new definition of marriage, not by democratically elected Members of Congress but by unaccountable and unelected judges.

As a result, I introduced S.J. Res. 1, an amendment to the Constitution that simply defines marriage as the "union of a man and a woman," while leaving State legislatures the freedom to address the question of civil unions.

Democracy and representative government are at the core of this debate. In 2004 and 2005, voters in 14 Sates overwhelmingly passed constitutional amendments protecting marriage. Today, 19 States have constitutional amendments protecting marriage and another 26 have statutes designed to protect traditional marriage. The will of the people is clear.

Unfortunately, dissatisfied with the outcome of the democratic process, activists have intensified their campaign to circumvent the democratic process and redefine marriage through the courts. Currently nine States face lawsuits challenging traditional marriage laws. Among these lawsuits are challenges to State constitutional amendments passed by an overwhelming majority of voters.

Recent decisions by activist judges not only fail to respect the traditional definition of marriage, they also highlight a lack of respect for the democratic process. The courts are driving a redefinition of marriage contrary to democratic principles.

The process to amend the U.S. Constitution is the most democratic in the world, requiring two-thirds of Congress and three-fourths of the States to ratify. It is a process the American people can trust.

If we fail to define marriage, the courts will not hesitate to do it for us.

My amendment reflects my belief that the institution of marriage is too precious to surrender to the whims of a handful of unelected, activist judges.

The will of the people should prevail.

Marriage is the foundation of every civilization in human history. As I said before, the definition of marriage crosses all bounds of race, religion, culture, political party, ideology and ethnicity. Marriage is not a partisan issue. Marriage is embraced and intuitively understood to be a union between a man and a woman by Republicans, Democrats, and Independents alike.

As an expression of this cultural value, the definition of marriage is incorporated into the very fabric of civic policy. It is the root from which families and communities are grown. Marriage is the one bond on which all other bonds are built.

Marriage is not some controversial ideology being forced upon an unwilling populace by the government, it is in fact the opposite. Marriage is the ideal held by the people and the government has long reflected this. The broadly embraced union of a woman and a man is understood to be the ideal union from which people live and children best blossom and thrive.

As we have heard in hours of testimony, in eight hearings, in numerous Senate committees over the last several years, marriage is a pretty good thing. A good marriage facilitates a more stable community, allows kids to grow up with fewer difficulties, increases the lifespan and quality of life of those involved, reduces the likelihood of incidences of chemical abuse and violent crime, and contributes to the overall health of the family. It is no wonder so many single adults long to be married, to raise kids, and to have families.

Today there are numerous efforts to redefine marriage to be something that it isn't. When it comes to same-gender couples there is a problem of definition. Two women or two men simply do not meet the criteria for marriage as it has been defined for thousands of years. Marriage is, as it always has been, a union between a man and a woman.

I believe the Framers of the Constitution felt that this would never be an issue—and if they had it would have been included in the U.S. Constitution. Like the vast majority of Americans, it would have never occurred to me that the definition of marriage, or marriage itself, would be the source of controversy. Not too long ago it would have been wholly inconceivable that this definition—this institution that is marriage—would be challenged, redefined or attacked. But we are here today because it is.

As a result of this coordinated campaign to redefine marriage through the courts, we stand here today, compelled by respect for the democratic process, to publicly debate an amendment to the U.S. Constitution. Again, this amendment simply reads:

> Marriage in the United States shall consist only of the union of a man and a woman.
>
> Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

The first sentence is straightforward: It defines marriage as an institution solely between one man and one woman—just as it has been defined for thousands of years in hundreds of cultures around the world.

The second sentence simply ensures that the people or their elected representatives, not judges, can decide whether to confer the legal incidents of marriage on people. Citizens remain free to act through their legislatures to bestow whatever benefits to same-sex couples that they choose. It is aimed squarely at the problem of judicial activism.

Just as important as what it does do, is what it does not do. I have said it time and time again and I say here again today for the record: The amendment does not seek to prohibit, in any way, the lawful, democratic creation of civil unions or domestic partnerships. It does not prohibit private employers from offering benefits to same-sex couples. It denies no existing rights.

What our amendment does is to define and protect traditional marriage at the highest level, the U.S. Constitution. Importantly, the consideration of this amendment in the Senate represents the discussion of marriage in America in a democratic body of elected officials. I am not willing to surrender this issue to the courts.

I also believe it is important to make clear that on the question of federalism and States' rights I stand where I always have. While an indisputable definition of marriage will be a part of our Constitution, all other questions will be left to the States.

Contrary to assertions of those who believe my amendment infringes on the rights of the States, my amendment actually protects States' rights. Forty-five States have spoken with laws or constitutional amendments designed to protect traditional marriage. Unfortunately, same-sex advocates have, through the courts, systematically and successfully trampled on laws democratically enacted in the States. If marriage is redefined for anybody, it is redefined for everybody. My amendment takes the issue out of the hands of a handful of activist judges and puts it squarely back in the hands of the people.

Now is the time for Congress to fulfill its responsibility and send a constitutional amendment to the States for ratification.

Marrige, the union between a man and a woman, has been the foundation of every civilization in human history. This debate is not about politics or discrimination, it is about marriage and democracy.

Unfortunately, the U.S. Constitution is being amended to reflect a new definition of marriage—not by democratically elected Members of Congress but by unaccountable and unelected judges. If we fail to define marriage, the courts will not hesitate to do it for us.

I, for one, believe that the institution of marriage and the principles of democracy are too precious to surrender to the whims of a handful of unelected, activist judges.

Mr. President, I have behind me a number of charts I would like to go over for Members of the Senate. This is what the amendment is all about:

> Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution, nor the Constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

In this very simple-to-understand chart form I have laid out for Members of the Senate exactly what happens when it is sent to the States and what it does to the courts. The State and Federal courts, what can they impose? They cannot redefine marriage. The courts cannot go ahead and redefine civil unions or domestic partnerships. The courts cannot grant rights or benefits of marriage. But it doesn't affect in any way employee benefits offered by private businesses.

Then we go down and look at the legislatures. What can they do? They can't redefine marriage. But they can deal with the creation of civil unions or domestic partnerships—that is left up to the State legislatures, granting the rights or benefits of marriage. Again, that is left up to the State legislatures. Again, through the States, we don't mandate anything that affects private businesses.

The next chart I would like to show to my colleagues in the Senate is how America is weighing in on the issue of marriage. We have a map of the United States here that clearly outlines those States where amendments have passed—in the dark green. If we look at those results from within the States, the State that passed with the least majority was Oregon with 57 percent, and the largest majority—it looks like it was in Mississippi: 86 percent. But the average margin of where States have enacted the constitutional amendment is greater than 70 percent.

Then we see that marriage amendments are expected in 2006 in a number of States throughout the country. The percentage of the voters who support the idea of the definition of marriage is a large percentage, a large margin.

Now I would like to go to our next chart to outline what the States have done to protect traditional marriage through statutory and constitutional defense of marriage acts. The blue lines show how the States have acted on the definition of marriage as it was allowed to occur through the defense of marriage acts. Obviously, we all recall that in the Senate we passed the Defense of Marriage Act by a large percentage and it passed the House by a large percentage. And it also passed in many States with a large percentage, with 45 States ending up passing the Defense of Marriage Act. The problem with the Defense of Marriage Act is it will not hold up against State challenges. Those court cases that have been brought forward could have an adverse impact on what a large majority of State legislatures have said and what a large majority of houses have said.

The red reflects what has happened in regard to a constitutional amendment. We have 19 States that have passed those constitutional amendments and a number of amendments are pending before the States.

Now let me look at the following chart, and this is the number of States in which marriage laws have been challenged in court. Between 1992 and 1994, we had 5 cases that were challenged in court, and as these cases have accumulated through the years, now, in 2006, we have 22 cases that have been challenged. So we have a significant threat from the courts. This is an important issue to the American people, it is an important issue to the Congress, and it is something that should be addressed.

I believe that the institution of marriage and the principles of democracy are simply too precious to surrender to the whims of a handful of unelected activist judges. I urge my colleagues to join me in supporting the Marriage Protection Amendment.

I now yield the floor.

The PRESIDING OFFICER. The Senator has used 15 minutes.

The Senator from Kansas.

Mr. BROWNBACK. I believe under a previous agreement I am recognized for a period up to 20 minutes; is that correct?

The PRESIDING OFFICER. There is no agreement. The majority controls the 45 minutes remaining until the hour of 12 o'clock. The Senator from Kansas is recognized.

Mr. BROWNBACK. I thank the Chair. I ask if you would let me know when I have used 15 minutes of that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. I thank my colleague from Colorado, Senator ALLARD, for his carrying of this amendment. When the issue first surfaced a couple of years ago, Senator ALLARD was the first one to put forward a constitutional amendment on the issue of marriage, a very simple one to define the union of marriage as a man and a woman.

The issue has taken many twists and turns since that time. The institution itself has been weakened over a number of years, and this is an effort to help it, help strengthen that institution and to have the definition of this institution done by legislative bodies and not by courts.

This is a very simple amendment. It is hard for me to understand why anybody would oppose it when 45 of 50 States have defined marriage as the union of a man and a woman, and this simply says that if States want to define it differently, they have to go through the legislative process and not the courts, so that the Court can't force it. It must be done by a legislative body. And if some States decide to do that, then that is provided for in this amendment. So the five States that have done something different are provided for in the amendment. Yet the basics of it say marriage is the union of a man and a woman, as it has been as an institution for thousands of years.

So I thank my friend from Colorado for carrying this. It is a difficult topic. I would never have dreamed in my life, in coming to the Senate, that this would be a difficult topic, one that would be debated. When I came into the Senate in 1996, this was not discussed at all in the campaigns. It was not discussed in the campaign in 1998. It has only been of a recent vintage that this has come forward. Yet it has come forward because of the importance of the topic.

I want to discuss two points. This issue is going to be defined by the courts or the legislative bodies, period. We seek to have it defined by legislative bodies. We think that is the appropriate thing when you are dealing with such a fundamental institution of society as marriage. It should be defined by the people and the legislative bodies and not the courts. The situation in Europe, as it evolved, went through the court process. Therefore, we seek for these changes, if they are to be made, to go through the legislative body. I believe that marriage is such a foundational institution it should be defined as the union of a man and woman, and I will cover that in my discussion.

No. 2, this is important on how we raise the next generation in the United States. That is why we have favored the institution of traditional marriage, the union of a man and a woman, because we know in all the social data in all societies at all times that the best place to raise children is in the union of a man and a woman and in that sacred institution is the best place to raise your next generation, with that bonding together for life and children raised in that setting.

That is something for which we have got social data, but also we know that in our hearts. We know, sitting here right now, that, yes, that is the best place. I know that. I know that in my own heart. Yet I want to take us through what has happened to this weakened institution of marriage, what has happened then to our next generation. Here I am using the Moynihan principle. Senator Moynihan, who was in this body, since deceased, had a basic principle that he looked at. One of the key things we should look at is how we raise the next generation. It is something that any legislative body should be most concerned about because it affects what you are going to do in the future. It affects what the country is going to be in the future. And so we should maximize and look with great intensity at how you are impacting that next generation. I have to say, with the weakening of the institution of marriage over the past 30 to 40 years, with this redefining of marriage, which would define marriage out of existence, which is what we have seen in other countries, you are going to harm your next generations and succeeding generations that you raise.

I want to back that up. I am going to go through a series of charts to paint the picture of what has happened to marriage in America today and why we would encourage the institution of marriage as the union of a man and a woman.

This doesn't need explanation. You can see where we are. With a 4-percent rate of out-of-wedlock births in 1930, we are at about a third of the children in the United States today born to unmarried women.

That is not to say you cannot raise great children in this setting because you can. A number of women struggle heroically to raise children, and good children, in this setting, as they can do. As I will show in these charts, it becomes far more difficult, and that is why institutions such as this and across the States, across the country, favor traditional marriage because you get more adults per child involved in that child's life and they are bonded together. They are thick. The blood is thick. They care for each other and they work to raise this child as my wife and I are working together to raise our children. It is tough. It is tough raising children. You need more adults per child, and you need adults who are committed for life so that that child does not have to worry about what is going to happen tomorrow or what is going to happen in the future. They know there are two parents who love that child unconditionally and are committed to that child unconditionally and they are going to work for that child and that is why we favor the institution of marriage. Yet you can see we are getting fewer and fewer children raised in that type of situation.

Now, then I mentioned, well, OK, you can raise good children in a single-parent household. Yes, you can. But the situation becomes more difficult. Developmental problems are less common in two-parent families. Lower half of class academically, as you can see in the green, is not as high in two-parent families; developmental delays, 10 percent. You are looking at, again, almost double the situation, and you are looking at double the problems with emotional behavior problems, single-parent versus two-parent families. That doesn't mean that you don't have problems in two-parent families. You do. It is just your numbers go down. So when you are looking at this in a macrosituation, as a Government, you are saying we want more children in these two-parent households.

The next chart shows that nearly 80 percent of all children suffering long-term poverty come from broken or never married families. This is something I want to develop a little further as well. We have a Brookings scholar, Ron Haskin, who testified at a hearing I hosted about welfare reform and the need to encourage marriage for those who are receiving welfare. And he says this:

> There are only two ways known to man and to God to reduce poverty. No. 1 is work and No. 2 is marriage.

Here's what I want to show is if people will get married and stay married the number of children suffering in long-term poverty goes down substantially, if you will do that. And I want to develop this a little bit further.

Children in poverty—this is in the year 2000. You can see, if a child has been a child of a first marriage, less than 12 percent in poverty. You can see, if a child is in a situation where the mom has never married, 67 percent of your children in poverty come in that situation. Again, that is not casting aspersions on anybody. It is simply saying these are the facts of what happened.

Now, it is a bit of a sidebar, but it points to the policy impact of harming marriage. In other words, if we take policies that are harmful to marriage, it hurts children and it hurts marriage. If we take this policy move of defining marriage out of existence, saying it can be any two or more people who care for each other, it will fundamentally hurt your institution of marriage by a policy move.

Now, I want to reflect a policy move we did in welfare. In welfare, basically, we said—it is a very busy chart—we said to people if you get married, we are going to cut your welfare support. If you get married, we are going to cut your welfare support. What this shows are the various welfare programs in the country and it is those when you are going from $20,000 income per year, very low, to $40,000, which is where you get if two people get married, and I will develop this further, you fall off into the abyss as far as support you get from child care development funds, women and infant children, Federal housing, food stamps, all these things, you fall off the cliff to the point that you have an effective tax rate, if you get married and your income gets to $40,000 by being married, an 88-percent maximum tax rate for you getting married in the welfare system. Therefore, it is no wonder that the people who get married are much more in the upper income and much less in the lower income.

This is a stark chart that should scare us all. This is income levels to percentage unmarried. And you can see at the lower income level, you are up as high as 70 percent not married, not getting married. Our public policies say, if you get married, we are going to throw you off welfare, and so fewer people get married. And it has an impact.

I want to show this final one quite quickly. This is the effective tax rate, maximum highest tax rate of you getting married on welfare and it is 88 percent, the impact of divorce on income of families with children. Again, I want to hit this pretty fast. When families separate, it drives income down, hurts children generally, although not in all situations, but I am painting the macropicture.

Now, what has happened to our children in this society since, say, 1960. The number of children—I showed an earlier chart—about a third are born out of wedlock. In the 1940s, it was about 4 percent. You can look at 1960, the number of children, either born out of wedlock or in previous years the parents were divorced, in 1960, we are up to 16, 17 percent, and today you are looking at over half. In America today, about half of the children under age 18 will spend a significant portion of their life in a single-parent household. Again, you can raise good children in that setting, but the numbers start moving against you.

OK. What does that have to do with same-sex marriage. The issue is we are looking at the policy choice of why we define marriage as the union between a man and a woman or any sort of grouping. The experience in other countries has been, when you redefine marriage broadly and you broaden it and say it can be any type of relationship between two or more people, you get fewer marriages and you hurt your children. That has been the situation.

I will go to several other countries that have redefined marriage, defined marriage out of existence. In the Netherlands, since proposals for same-sex marriage began to be debated, the out-of-wedlock birthrate has soared. It was a fairly stable country in out-of-wedlock births and was at low rate.

We will show in the next chart the same-sex marriage union, and the discussion, said to society: It really does not matter. The marriage institution is not a sacred institution; it is just whatever we define it to be. That tradition is tradition. We are going to go a different way.

What happened to out-of-wedlock birthrates? You can see the situation in the Netherlands, which is particularly important because it was one of the lowest out-of-wedlock birthrate countries in Europe for a number of years, shows that until 1980, below 5 percent of the population was born out of wedlock. When we get the court cases which we have in the United States today saying marriage should be redefined, we see the impact, as well as a Supreme Court case that rules against marriage being the union of a man and a woman. Then we get symbolic marriage registration, registered partnership, same-sex unions, and now we are up to 35 percent as seen in this skyrocketing chart.

One can say, that is the way it is, this number puts children in more disadvantaged situations, which is where our concerns should be, as to how you raise that next generation.

I will show another chart. We not only know this in the Netherlands but we know from Scandinavian countries, the Nordic countries that redefined marriage, experiences in Scandinavia and the Netherlands make it clear that same-sex marriage could widen the separation between marriage and parenthood here in the United States.

We know in some Nordic countries, you have counties now where 80 percent of the first-born children are born out of wedlock, and two-thirds of the second children are born out of wedlock. That has a significant impact, I argue, a devastating impact, on how that next generation is raised, given the difficulty of raising children in that one-parent union.

So if we redefine marriage, and define it downward, far less heterosexual marriages will be the broad policy impact of doing this. That has been the experience in other countries. You get more children raised in a sub-optimal atmosphere and you will have more difficulties with that next generation of children. This is important. This is critical.

I hear my colleagues complain, important issues? I remind my colleagues we spent 2 weeks before break on immigration, which is a critical topic, and we will take up the budget this next week, another a critical topic, yet I don't think one can look at an institutional question more profound, more important and active than what is taking place right now on the issue of marriage.

Marriage is a foundational institution. If we get more of it, we will have more stronger, healthier children, raised in better situations for the future of the country. If we get less of it, such as what this policy decision would do if we do not define marriage as a union of a man and a woman, we will have more problems on a trajectory we are already headed on. The institution of marriage has been weakened in the United States.

The institution of marriage has been weakened over the past 40 years. But the answer is not to kill it. The answer is to strengthen it. And it takes steps like the commonsense approach Senator ALLARD from Colorado is putting forward, defining marriage as a union between a man and a woman, saying only State legislatures, not the courts, can redefine it another way.

That should please everyone. Yet, I am afraid many of my colleagues on the other side of the aisle are going the opposite and claiming some sort of hyperbole about this being bigotry. It is not. It is people deeply concerned about the future of the country and the future of the next generation, concerned that they will say it is just politics. It is not. You have 45 of 50 States that have defined marriage as a union of a man and a woman and have spent significant resources to define and support the institution of marriage because of its importance to the society and to the Republic. This is a key, important debate.

I am delighted the leadership is calling this up. I hope my colleagues on the other side of the aisle will support it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator has used 17 minutes.

The Senator from Colorado.

Mr. ALLARD. Mr. President, I compliment the Senator from Kansas for his tremendous effort and work on this very important issue. I know he has held hours upon hours of committee hearings and meetings to investigate with social scientists the impact of marriage on American lives and how it impacts the family.

I, for one, greatly appreciate the Senator's effort and support. He truly has been a partner in this effort to protect marriage. I appreciate his hard work. I recognize that in a public way.

I ask unanimous consent to have printed in the RECORD an article published by the Heritage Foundation, written by Mr. Ed Meese, titled "Marriage Amendment Protects Federalism," and a Statement of Administration Policy on the Senate Joint Resolution on the Marriage Protection Amendment, and a letter I have received from Mitt Romney, Governor of the Commonwealth of Massachusetts, in which he made a couple of statements that I will share with my colleagues.

First, he states in this letter:

> Americans are tolerant, generous, and kind people. We all oppose bigotry and disparagement, and we all wish to avoid hurtful disregard of the feelings of others. But the debate over same-sex marriage is not a debate over tolerance. It is a debate about the purpose of the institution of marriage.

It goes further to talk of his experiences as Governor for the State of Massachusetts. He says:

> . . . We are beginning to see the effects of the new legal logic in Massachusetts just two years into our state's social experiment. For instance, our birth certificate is being challenged: Same sex couples want the terms "Mother" and "Father" replaced with "Parent A" and "Parent B."

If the Senate will allow me to put this in context, I think the significance of his message is that marriage is being minimalized. When we minimize marriage, we minimize its significance to society. As a result of that, our children will suffer.

I thank the President for his support. I also thank Governor Mitt Romney for his support.

I ask unanimous consent these be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MARRIAGE AMENDMENT PROTECTS FEDERALISM

(By Edwin Meese III)

July 12, 2004.—In our system of law, the powers of government are divided between the federal and state governments. The framers rightly left marriage policy, as so many other things, with the states.

Yet the fundamental definition of marriage is no mere policy issue. We're talking about the very integrity and meaning of one of the primary elements of civil society.

Nor is this a matter for state-by-state experimentation. Society isn't harmed when high-tax states live side by side with low-tax states. The market adjusts to the inconsistency. Not so with marriage. A highly integrated society such as ours—with questions of property ownership, tax and economic liability, inheritance, and child custody crossing state lines—requires a uniform definition of marriage.

In a free society, certain fundamental questions must be addressed and settled for the good of that society. States can't impair the obligation of contracts, or coin their own money, or experiment with forms of non-republican government. We learned the hard way that the nation could not endure half slave and half free.

If marriage is a fundamental social institution, then it's fundamental for all of society. As such, it is not only reasonable but obligatory that it be preferred and defended in the law and, if necessary, protected in the U.S. Constitution.

This doesn't mean that marriage must be completely nationalized or should become the regulatory responsibility of the federal government. Policy decisions concerning questions such as degrees of consanguinity, the age of consent, and the rules of divorce should remain with the states.

The wisdom of extending certain benefits that stop well short of marriage—that don't undermine the distinctive status of marriage—are policy questions that should be the responsibility of state legislatures.

But we must protect the integrity of the institution as such by defining the societal boundaries and determining the limits beyond which no part of society can go.

A constitutional amendment that defines marriage would protect the states' capacity to regulate marriage by sustaining it as an institution. In order to guard the states' liberty to determine marriage policy in accord with the principles of federalism, society as a whole must prevent the institution itself from being redefined out of existence or abolished altogether.

STATEMENT OF ADMINISTRATION POLICY

S.J. RES. 1—MARRIAGE PROTECTION AMENDMENT

(Senator Allard (R) Colorado and 31 cosponsors)

The Administration strongly supports Senate passage of the Marriage Protection

Amendment. Recent court decisions remind us that when activist judges insist on redefining the fundamental institution of marriage for their States or potentially for the entire country, the only alternative left to make the people's voice heard is an amendment to the Constitution. Without a constitutional amendment, judges and local officials could continue to attempt to redefine marriage. The Administration believes that the future of marriage in America should be decided through the democratic constitutional amendment process, rather than by the court orders of a few. The Administration urges both houses to pass the Marriage Protection Amendment and submit it to the States for ratification.

THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE DEPARTMENT,
STATE HOUSE,
Boston, MA, June 2, 2006.

Senator WAYNE ALLARD,
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR: Next week, you will vote on a proposed amendment to the United States Constitution protecting the institution of marriage. As Governor of the state most directly affected by this amendment, I hope my perspectives will encourage you to vote "yes."

Americans are tolerant, generous, and kind people. We all oppose bigotry and disparagement, and we all wish to avoid hurtful disregard of the feelings of others. But the debate over same sex marriage is not a debate over tolerance. It is a debate about the purpose of the institution of marriage.

Attaching the word marriage to the association of same-sex individuals mistakenly presumes that marriage is principally a matter of adult benefits and adult rights. In fact, marriage is principally about the nurturing and development of children. And the successful development of children is critical to the preservation and success of our nation.

Our society, like all known civilizations in recorded history, has favored the union of a man and a woman with the special designation and benefits of marriage. In this respect, it has elevated the relationship of a legally bound man and woman over other relationships. This recognizes that the ideal setting for nurturing and developing children is a home where there is a mother and a father.

In order to protect the institution of marriage, we must prevent it from being redefined by judges like those here in Massachusetts who think that marriage is an "evolving paradigm," and that the traditional definition is "rooted in persistent prejudices" and amounts to "invidious discrimination."

Although the full impact of same-sex marriage may not be measured for decades or generations, we are beginning to see the effects of the new legal logic in Massachusetts just two years into our state's social experiment. For instance, our birth certificate is being challenged: same-sex couples want the terms "Mother" and "Father" replaced with "Parent A" and "Parent B."

In our schools, children are being instructed that there is no difference between same-sex marriage and traditional marriage. Recently, parents of a second grader in one public school complained when they were not notified that their son's teacher would read a fairy tale about same-sex marriage to the class. In the story, a prince chooses to marry another prince, instead of a princess. The parents asked for the opportunity to opt their child out of hearing such stories. In response, the school superintendent insisted on "teaching children about the world they live in, and in Massachusetts same sex marriage is legal." Once a society establishes that it is legally indifferent between traditional marriage and same-sex marriage, how can one preserve any practice which favors the union of a man and a woman?

Some argue that our principles of federalism and local control require us to leave the issue of same sex marriage to the states—which means, as a practical matter, to state courts. Such an argument denies the realities of modern life and would create a chaotic patchwork of inconsistent laws throughout the country. Marriage is not just an activity or practice which is confined to the border of any one state. It is a status that is carried from state to state. Because of this, and because Americans conduct their financial and legal lives in a united country bound by interstate institutions, a national definition of marriage is necessary.

Your vote on this amendment should not be guided by a concern for adult rights. This matter goes to the development and well-being of children. I hope that you will make your vote heard on their behalf.

Best regards,

MITT ROMNEY,
Governor.

Mr. ALLARD. I yield to the Senator from Pennsylvania, who has been a strong leader and who has put in a large amount of effort in trying to protect the institution of marriage.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I thank and congratulate the Senator from Colorado for his terrific work on this issue, as well as the Senator from Kansas, Mr. BROWNBACK, for his great work in the committee in moving this constitutional amendment forward.

This is a very difficult debate for a lot of people. It is very hard, sort of sad in some respects, that we are here talking about the issue of marriage, that talking about marriage is somehow a difficult debate. But it is for a lot of people. I know in many meetings of our colleagues when the issue of marriage comes up, heads drop. It is an issue that people feel uncomfortable talking about, something that maybe in some respects they feel like, Why is this even an issue?

That is a good question. Why is it an issue? I will talk about that in a minute.

There is a foundational question I would like to talk about that up until a couple of days ago I was not planning to talk about, which is, Why are we doing this now? This is the big buzz in the media. Oh, this is being brought up for political purposes; and this is all about politics and has nothing to do with the substance of the matter, and the media—which loves to pawn off issues and give spin to issues—has adopted this approach.

As Senator ALLARD would affirm, we have been considering now for several months what the best timing would be to bring this legislation up. We had a very forceful voice being heard from the American public. In fact, there is a chart of all the States that approved constitutional amendments in the last election of 2004. We are now up to 19 States in the country that have spoken; the people have spoken in those States.

There was a lot of momentum coming out of the 2004 election, so when we reconvened in 2005 we thought maybe this was a good time to bring it up, now that we have just had an election. We thought, in looking at this, it would be better if we had more court activity between the election and when we bring this amendment up. That, really, the issue is, as we have heard repeatedly in the Senate, we are trying to bring about a decision on marriage in this country through a democratic process.

I can't think of anything more democratic involving more people than a constitutional amendment. It takes two-thirds of this House, two-thirds of the other House and three- quarters of the States; 38 States have to ratify this amendment. Talk about a public debate where there is huge public input across America. The constitutional amendment is the way to do it. It is the most democratic way of making a decision on anything in this country.

We thought it would be a good juxtaposition to see further court erosion, further decisions made by courts to erode the public's will on the issue of marriage. I say the "public's will" only because we have 19 States and many others that have said what there really is with respect to marriage. So we are debating, almost month to month, and we have had conversations, Is this the right time?

We had a Nebraska decision which has been talked about where a Federal court overturned the State constitutional amendment in the State of Nebraska. There was a case in Washington State. Washington State is an interesting State because, unlike Massachusetts, there is no residency requirement for marriage. Any couple from anywhere in the country can go to Washington and get married if the Supreme Court of Washington were to overturn their statute. Washington so far has not issued their opinion. They have had the case for 15 months and for some reason or another they have not decided to decide. We were waiting, trying to see if this was an appropriate time.

Last year we decided that we were not going to wait around for courts and we set this date for the first of June. That is why we are here today—not for any political reason. If it was purely politics, we would be debating this in September. We are debating it in June because we thought we would have 3 or 4 days as opposed to being compressed to 1 day in September. So we are here to give this the proper attention this vitally important issue deserves.

The other question that I did want to talk about is, How did we get here, not why are we doing it now, but how did this issue come about? There were a couple of States that were playing around with this issue for a while—Vermont and Hawaii. But the issue really got jump-started with the court decision—not surprisingly, a big court decision—the court decision that occurred in Washington with the United States Supreme Court is the Lawrence v. Texas case.

Lawrence v. Texas opened the floodgates for a variety of different litigation going across this country using, now, a constitutional right established by the United States Supreme Court in Lawrence. It was a seminal decision, there is no question about it.

We have a classic example of the U.S. Court forcing its will on establishing a right and then giving other courts the right or the ability to then project its power on to the people, to make decisions and force decisions, force legislation, as in the case of Massachusetts, onto the people.

I want to talk about that decision because I think it is important, but I want to talk about the decision before that. Just a few years ago, 15 years before Lawrence v. Texas was decided, a similar case was decided, Bowers v. Hardwick. I want to take a look at Justice White who wrote for the majority in Bowers, saying sodomy laws were constitutional, that moral laws passed by the States dealing with sexuality were, in fact, constitutional. There was no constitutional right that barred States and the public from regulating in this area. He said:

> The right pressed upon us here [this is what the litigants in the Bowers case were arguing] has no similar support in the text of the Constitution, it does not qualify for recognition under the prevailing principles for construing the 14th amendment. Its limits are also difficult to discern . . .

This limit of consensual sexual activity being a constitutional right which was made by the litigants, saying we have the right as individual adults under the Constitution to any kind of sexual behavior that we desire and the State cannot limit us.

He said:

> Its limits were difficult to discern . . . And if respondent's submission is limited to the voluntary sexual conduct between consenting adults, it would be difficult, except by fiat, to limit the claimed right to homosexual conduct while leaving exposed to prosecution adultery, incest, and other sexual crimes even though they are committed in the home. We are unwilling start down that road.

What the Court said here was that if you open up the standard, the legal standard, if you change it for a constitutionally protected activity from that activity within marriage to that activity between consenting adults—and that was the decision here, change the standard from a Constitution that protects the marital union from State intrusion to consenting adults with respect to homosexual activity—in this case, the Court said: No, we can't go there. Because only by fiat could we then limit other activity beyond that.

Let's fast forward to shortly before the Lawrence v. Texas decision.

> If . . . you have the right to consensual sex within your home, then you have the right to bigamy, you have the right to polygamy, you have the right to incest, you have the right to adultery. You have the right to do anything.

That comment has been reprinted probably 100,000 times in the last few years as an outrageous comment made by a U.S. Senator. It was the same comment that was made by Justice White in the majority opinion.

Let's fast forward a few months after that, Justice Scalia in the dissenting opinion in the Lawrence v. Texas case:

> State laws against bigamy, same-sex marriage, adult incest, prostitution, masturbation, adultery, fornication, bestiality, and obscenity are likewise sustainable only in light of Bowers' validation of laws based on moral choices. Every single one of these laws is called into question by today's decision; the Court makes no effort to cabin the scope of its decision to exclude them from its holding.

What he is saying is that now that road which Justice White and the Court back in 1986 refused to go down, this Court in Lawrence v. Texas had headed us down that road.

Justice Scalia went on to say:

> Today's opinion dismantles the structure of constitutional law that has permitted a distinction to be made between heterosexual and homosexual unions, insofar as formal recognition in marriage is concerned. If moral disapprobation of homosexual conduct is "no legitimate state interest" for purposes of proscribing that conduct; and if, as the Court coos (casting aside all pretense of neutrality), "[w]hen sexuality finds overt expression in intimate conduct with another person, the conduct can be but one element in a personal bond that is more enduring," what justification could there possibly be for denying the benefits of marriage to homosexual couples exercising "[t]he liberty protected by the Constitution." Surely not the encouragement of procreation, since the sterile and the elderly are allowed to marry. The case "does not involve" the issue of homosexual marriage only if one—

And they are quoting the majority opinion again because the majority opinion said this doesn't deal with marriage, Scalia says this case does not involve the issue of homosexual marriage—

> entertains the belief that principle and logic have nothing to do with the decisions of this Court.

The fact is, principle and logic have everything to do with judicial decisions. That is the problem with them. That is why they are different from legislative decisions. You see, when a court makes a judicial decision, they do so based on a judicial foundation that has a logical and rational basis to it and logical consequences. The logical consequence to the Lawrence v. Texas case is the next case, not a Supreme Court case before the U.S. Supreme Court but before involving Massachusetts.

What Massachusetts did was the logical thing from Lawrence v. Texas. In fact, they cite Lawrence v. Texas 5 times in the main opinion and 11 times in the combined majority opinions. It is the basis upon which they build their decision. Because unlike the majority opinion in Lawrence v. Texas which says this has nothing to do with marriage, it had everything to do with marriage.

The interesting thing about the Lawrence v. Texas decision—and this goes even more to judicial activism—they could have decided the Lawrence v. Texas decision for the plaintiffs in that decision. They could have found that statute unconstitutional. And in fact, had they done so—and in fact, they did in part of their opinion: they found it unconstitutional under equal protection grounds—had they limited their opinion to that, I would have agreed with the decision. I think the Texas statute probably was unconstitutional under equal protection grounds. And so when they started the decision out and they said: This is unconstitutional because of equal protection, I said that is right.

Here is what the court did and, unfortunately, what courts increasingly do. While we are here, we are going to establish a new constitutional right. While we are here, since we have the opportunity, since this case is before us, we are going to be activist jurists, and we are going to create a whole new body of law that will have huge ripples throughout society. So they did. They didn't have to, but they did. We are now debating this amendment because of it. They have this ripple effect which we are seeing throughout courts throughout the country, Federal as well as State.

Here in the Goodrich decision, it says:

> It is clear from the quote below that the Goodrich decision was considered the "logical next step."
>
> Our concern is with the Massachusetts Constitution as a charter of governance for every person properly within its reach. "Our obligation is to define the liberty of all, not a mandate of our own moral code."

There they were quoting Lawrence v. Texas. It went on to note that the Lawrence case "specifically affirmed that the core concept of common human dignity protected by the Fourteenth Amendment to the United States Constitution precludes government intrusion into the deeply personal realms of consensual adult expressions of intimacy and one's choice of an intimate partner. The Court also reaffirmed the central role that decisions whether to marry or have children bear in shaping one's identity."

The "logical next step," so the Goodrich decision is very much in conformity with the Lawrence v. Texas decision. That is why we are here. We are here because of judicial activism.

Our plea to the Members of the Senate is to allow the people to make the decision with respect to this foundational institution of our country—the traditional family, marriage—that courts who just happen to be deciding a case that didn't need them to decide it this way or use this logic or rationale, that courts just can't decide that they want to involve themselves into legislative affairs and send shock waves throughout our culture without the public having a right to say something, without the public having a right to put their stamp of approval on what is moral and just.

Some have said that the States can handle this. Some have said this is a federalist issue; We should not have Federal legislation on this; This is usurping States rights.

I don't know what involves the States more than having every State legislature in the country debate this issue. That is not usurping States rights; that is placing in the hands of the States the decision as to whether to move forward. Thirty-eight of the fifty States have to affirm this constitutional amendment. This is not an easy thing to do. That is why we don't have very many amendments to the Constitution. But it is a purely democratic process, just like the debate in the Senate. I think we should give the States, the people, the right to make this decision before a group of unelected judges, following the lead of the U.S. Supreme Court, do it for us.

First and foremost, this constitutional amendment is about democracy. It is about the people expressing their will on potentially the greatest moral issue of our time, and that is the integrity of the traditional family. That is issue No. 1.

Issue No. 2 is an important one, also. I heard the Senator from Kansas talk about this eloquently, so I won't spend a lot of time. He did as good a job as any on the issue. That is the impact of the deconstruction of marriage on society. I heard the Senator from Kansas say that marriage is already in trouble in America. There is certainly little to argue that that is not true. It is true, marriage is in trouble. But I agree with him by saying just because something is in trouble doesn't mean you need to get rid of it altogether. Without question, once you change marriage from an institution whose societal purpose is focused on having children, being an institution that is the best place to rear future generations of society, once you change marriage from being principally about children, although not exclusively, certainly, but principally about children, to exclusively about adults, then you change marriage forever.

We did that in part 30-plus years ago with no-fault divorce laws. When they came into place, they said children will be helped by this. There will be fewer unhappy homes. I don't think there is a whole lot of evidence out there that would suggest children have been helped by the rapid increase in divorce. I know the Senator from Kansas had some charts up of how children in two-parent families don't end up in poverty as much, do better in school. I don't know of a social indicator out there that doesn't suggest that being in a married home is not more beneficial for children. That is certainly not to say that children raised in single-parent homes can't and don't do well. Most do. But the point is, society should be advocating for what is best for children and should set a standard for what is best.

We know what is best. We know it intrinsically, but we have supporting evidence as to what is best for children—less substance abuse, less abuse or neglect, less criminal activity, less early sexual activity, fewer out-of-wedlock births, fewer behavioral problems. It goes on and on. We know marriage is inherently good for children.

We also know that when we destroy marriage, when we deconstruct marriage, bad things happen. We saw that with no-fault divorce. More people got divorced. We changed the definition of marriage, and we say marriage is no longer about children, no longer about the next generation. Marriage is simply the affirmation of affection of two adults. Or, as Justices Scalia and White suggested, why limit it there. Why not, as we see in cases now being filed all over the country, why not three adults, four adults, five adults? What is the difference from the standpoint of a rationale? If marriage is not about one man and one woman for the purpose of a relationship of which to have children and continue society, if it is about two women and two men or two women and three men, why not whatever arrangement? If gender does not matter anymore, why does number matter? What is the significance? What is the logical argument to draw the line here? As Justice White said, it would be by fiat to draw the line.

So we have a situation where without question, marriage would be undermined by this deconstruction. In fact, we see it. I have an article by Stanley Kurtz on what is going on in Europe, in countries that have, in fact, changed the definition of marriage. Those countries are now seeing dramatic declines in the number of marriages, not increases in the numbers of same-sex marriages but declines in the number of heterosexual marriages and dramatic and steady increases in the number of children being born out of wedlock.

I ask unanimous consent for 2 additional minutes.

The PRESIDING OFFICER (Mr. BURR). Without objection, it is so ordered.

Mr. SANTORUM. Mr. President, the final point I want to make—and I will try to come back to the floor when I have more time—is regarding the impact of this movement in the country by the courts on religious freedom. There was an article written, which was on the front cover of the Weekly Standard, called "Banned in Boston," where Maggie Gallagher talks about Catholic Charities in Boston having to get out of the adoption business because they will not consent, under their Catholic orthodox faith, to place children into same-sex couple homes. It is against the Catholic faith to do so. There is a very clear message from Rome that this is not proper behavior. They were refused their license, and now one of the longest standing adoption agencies in Massachusetts no longer places children for adoption. Why? Because all around faith, all around churches and parachurch organizations, and missionary organizations is, whether we like it or not, the Government.

When the Government comes down with things that are contrary to that faith group there will be friction.

In fact, Mark Stern, who is a lawyer for the American Jewish Committee, is quoted as saying:

> It is going to be a train wreck, a very dangerous train wreck.

So not only will this new right that the court has established in the follow-on—the right of same-sex marriage—going to cause problems with democracy and problems with marriage, it is going to create huge problems for our faith-based organizations. It is something that we need to address. Thank you.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I just returned from my State of Nevada. For example, I did an event that received a lot of attention dealing with gas prices. Gas prices are so significant. Nevada has the third highest gas prices in all the country. Unfortunately, we have been in second place on occasion. It is not unusual to drive by a service station in Nevada and see the three different prices and the bottom one is $3.40. The average price last week was $3.19 a gallon.

What are we doing on the Senate floor today? No matter how a person feels about the marriage amendment, everyone knows it is not going to pass. It is not going to come close to passing. We voted on this a short time ago and got 48 votes. It takes 67 votes for a constitutional amendment to begin the process. This is not what the American people want to talk about. All you have to do is listen to the conservative talk shows, the liberal talk shows, read the newspapers, the liberal columnists, the conservative columnists. With rare exception, they say we are wasting the taxpayers' time doing this.

We have a war in Iraq going on. Are we having a discussion on the war in Iraq, where yesterday 80 Iraqis were killed, 7 having their heads cut off and put in a marketplace in baskets? Are we talking about that? We have soldiers valiantly fighting every day over there, Mr. President. We have been struggling to get a supplemental appropriations bill completed. They need our help.

In Nevada, like every other State in the Union, we have hundreds of thousands of people who have no health insurance. The State of Nevada leads the country in uninsured. The prescription drug bill was passed dealing with Medicare. It has been a nightmare for seniors and a gift for HMOs, pharmaceuticals, and insurance companies. When I was in college, I studied, among other things, political science. I don't know why, but it stuck in my mind.

A professor named Harmon Judd said: Let me explain this Federal system. What it means is, you have a central whole divided among self-governing parts. That was his definition. What are those self-governing parts? The 50 States; originally Thirteen Colonies, now 50 States. They are doing a pretty good job. Almost 50 States have either passed laws or constitutional amendments dealing with marriage. Over the top of that, we have the Defense of Marriage Act, which has been attacked numerous times by people trying to knock it out. It has been upheld by Federal courts three times, which basically says—not basically—it says a State does not have to give full faith and credit to another State's marriage laws. It is up to the State to determine what the marriage law is. That is what federalism is all about, as set forth, among other places, in the Defense of Marriage Act.

We really need to focus on stem cell research. There are hundreds of thousands of people crying for our help. They believe, as does the scientific community, that dread diseases can be moderated and cured—things such as Parkinson's disease, Alzheimer's, Lou Gehrig's, and diabetes. But we are not talking about that today.

Price gouging: Senator CANTWELL had 57 or 58 votes a short time ago on a price-gouging amendment. We could not break the logjam we had. We could not get enough support from the majority.

I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 1735, the Energy Emergency Consumer Protection Act, and that the Senate proceed to its immediate consideration.

Before there is a response as to whether this would be granted, I suggest to those within the sound of my voice that this is a price-gouging amendment. I was told it was 57 votes in the Senate. I ask unanimous consent that request be granted.

The PRESIDING OFFICER. Is there objection?

Mr. BROWNBACK. Reserving the right to object, and I will object, this issue is going to come up in front of the body on the overall energy situation. The Republican leadership is working on that, as well as on a stem cell compromise, as well as on the supplemental bill, which will be considered and brought forth in due order. This is not agreed to by the Republican leadership to come up; therefore, I do object.

Mr. REID. Reclaiming my time, in due consideration, Mr. President, everything around here with the majority is due consideration. We are going to do an energy bill after we finish gay marriage, estate tax, flag burning—things that are important to people but are way down the list of priorities of the people at home in Nevada. How about an energy bill or stem cells? We have been waiting more than a year to do something on stem cells—more than a year.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Through the Chair, I ask if the Senator from Nevada is aware that the Gallup organization, which does polling across America, did a poll of 1,000 Americans in April which asked them the following question: What do you think is the most important problem facing America today?

I would like to ask the Senator from Nevada if he knows where the issue of gay marriage came in on this poll of Americans about the most important issues facing America today?

Mr. REID. I really don't know.

Mr. DURBIN. I will alert the Senator from Nevada that it tied for 33rd in the list of priorities for America today.

I ask the Senator from Nevada, since the Republican majority controls the Senate, they set the agenda for things that we debate and vote on; do they not?

Mr. REID. That is right.

Mr. DURBIN. Am I correct that Senator FRIST and the Republican majority have decided that instead of the war in Iraq where we continue to lose servicemen, instead of the energy crisis which forced the price of gasoline to record-high levels causing hardship to families and individuals resulting in laying off workers across America, instead of dealing with health care where over 46 million Americans have no health insurance whatsoever and many have health insurance that is totally inadequate, instead of dealing with the cost of higher education where working families are struggling to get their kids through school and children who are accepted at the best schools and universities face a mountain of debt, instead of dealing with those issues which rank in the top 10, is it true that the Republican majority has decided we need to focus this entire week in the Senate on No. 33, issues involving gay marriage?

Mr. REID. I respond to my friend that I am stunned. I am stunned that it has taken weeks, weeks, weeks, and weeks to even be able to deal with money for our troops, the supplemental appropriations bill. I am in a quandary. I am so grateful that I represent the people of Nevada in the Senate. But I want to do things that I can talk to the folks at home about that have relevance to their everyday lives, such as gas prices, sending their kids to school. Many academically talented children are not able to go to school because their parents are not rich.

Mr. DURBIN. If the Senator will yield for an additional question, they say debate on the floor of the Senate is about the "M" word, about marriage. It strikes me that it is not about the preservation of marriage, it is about the preservation of the "majority," the Republican majority. That is the "M" word behind this debate.

I ask the Senator from Nevada, if this issue is not creating a national problem or crisis, if it ranks so low among the American people, 33rd on the list of the important things facing America, why, I ask the Senator from Nevada, has the Republican majority ignored all the issues that people care about and count on us to do something about? Why are they ignoring all these issues and moving to this issue of gay marriage and proposing a constitutional amendment?

Mr. REID. Mr. President, the chairman of the Judiciary Committee on the floor yesterday said this issue dealing with marriage is a solution in search of a problem. It is being done, I believe, to divert, distort, and confuse Americans as to what the real problems are. Do anything possible, but don't talk about gas prices because if we talk about gas prices, we would have to bring out on the floor that the most oil-friendly Presidency in the history of this country is now at 1600 Pennsylvania Avenue. The President made his fortune in oil. Vice President CHENEY is still making his fortune in oil. He made it with Halliburton. Secretary of State Condoleezza Rice was on the board of directors of Chevron. They liked her so much they named a tanker after her.

The Secretary of Commerce made his fortune in oil. We could go on and on.

If we talk about the issues affecting the American people, then maybe what we would do is Senator MARIA CANTWELL's price-gouging bill. Exxon made $34 billion in net profit last year, which is the most money a corporation has ever made in the history of America. So, no, the majority doesn't want to talk about these issues, about the tax credit for sending kids to college.

Mr. DURBIN. If the Senator from Nevada will further yield for a question, I ask the Senator, is it not true that the resolution before us would require 67 votes in order to be approved by the Senate?

Mr. REID. That is true.

Mr. DURBIN. And the last time we considered this measure, some 48 Senators voted for it? It fell far short of what it needed.

Mr. REID. Nineteen short.

Mr. DURBIN. So I ask the Senator from Nevada, does he reasonably believe now there are 67 votes or near 67 votes for this resolution?

Mr. REID. Mr. President, the distinguished Senator from Illinois knows, as I know, that there isn't a person in the Senate who thinks this has any chance of passing—no chance of passing. It will get 48, 50, 51 votes. I don't know how many votes it will get. If it were a straight up-or-down vote on an amendment, it would get less than that because some Republicans have said: This is a procedural vote, I am going to vote to allow it to go forward, but if it were here, I probably wouldn't vote for it. So you probably have in the Senate 41 or 42 sound votes for this.

Mr. DURBIN. If I can ask the Senator from Nevada, how much time do we have? If we take a week and spend it on a gay marriage amendment, and then a week and spend it on a flag amendment, and then another week and spend it on, let's say, repealing the estate tax on the wealthiest people in America, don't we have a lot of time left before the election to consider issues such as the war in Iraq, energy costs, health insurance for all American families, the cost of education, and the appropriations bills? How much time do we have if we take 3 weeks?

Mr. REID. Approximately 45 legislative days, that is all.

Mr. DURBIN. Before the election.

Mr. REID. That is right.

Mr. DURBIN. I ask the Senator from Nevada, he says we have 45 days, and we are going to spend 3 or 4 days this week on an amendment that doesn't have any chance, that ranks 33rd in a Gallup poll when it comes to the interests of the American people—I return to the same basic question: Why? Why are we doing this? Why aren't we focusing on issues that count if we have so little time?

Mr. REID. One of the Democratic Senators spoke with the majority leader. The majority leader said these things need to come up every year or two. That is the reason.

Mr. DURBIN. I ask the Senator from Nevada, it is a shame—I ask him, does he think that perhaps if this should come up every year, even though it doesn't have a chance of passing, whether or not we should consider bringing up every year an effort to make health care more affordable for the American people, whether we ought to consider every year dealing with the war in Iraq that continues to claim American lives, whether we ought to be passing new ethics laws to reform the lobbying system in Washington? I ask the Senator from Nevada, if we are going to have an annual occurrence, if these are, in fact, perennial issues, aren't there some that should be as a matter of course called before the Senate?

Mr. REID. Maybe—I think it has been about a year; I have lost track of the time—maybe what we are going to be coming up with after these, maybe we will have the Schiavo matter come up again. What does the Senator think of that?

Mr. DURBIN. I say to the Senator from Nevada, asking this question, isn't it true the last time the Republican leadership got in trouble in the House, when the majority leader, TOM DELAY, was in his difficulty, that someone brought up the issue of intervening in the tragedy of Terry Schiavo in Florida, injecting the Federal courts into the hospital room when this poor family had spent 15 years, when this young woman was on life support, that all the courts having decided that the family could make the decision, the most intimate personal decision, the Republican leaders in the House and Senate said: No, we are going to have the Federal court step in and make the decision, take the power away from the doctor and the families?

Isn't it interesting, I ask the Senator from Nevada, that when they were facing all this grief over TOM DELAY and ethical questions, they raised the Terry Schiavo issue, and now we find them raising the gay marriage issue because the polls are so low and the election draws near?

Mr. REID. We know, I say to my friend, what can be done in this body if we get a nudge from the President, a little bipartisanship. Look what we did, I say to my friend. We spent several weeks on the Senate floor on a bipartisan basis passing a comprehensive immigration reform bill. Why were we able to do that? Because the President decided to get involved in it. He decided it was time to do comprehensive immigration reform, and I complimented him on that.

Isn't that the way we should be legislating around here, I say to my friend, the distinguished Senator from Illinois? Shouldn't we be working in conjunction with the White House on these issues, bills that we can pass, something that has some meaning, having the President lead a charge on health care reform, not little specks of things here? How about doing something here to lessen our dependence on foreign oil. We use in America 21 million barrels of oil a day—21 million barrels of oil every day, every day, 66 percent of it is from foreign sources. We have less than 3 percent, counting what is in Alaska, for the United States. We can't drill our way out of our problems. I say to my friend from Illinois, maybe that is what it is all about.

Mr. DURBIN. If I might ask through the Chair the Senator from Nevada, the Democratic leader, did we not attend the State of the Union Address just a few months ago when the President said America was addicted to oil? It was the lead in all the stories the next day: America is addicted to oil. Then we saw the gasoline prices skyrocket causing all these hardships.

I ask the Senator from Nevada: Have we received a proposal from this White House, from this administration since that famous State of the Union Address suggesting how we can change America's energy policies to make us less dependent on foreign oil, to protect American consumers and businesses, to punish profiteering, to promote the kind of energy innovation which will lead to conservation, efficiency, less pollution, and less dependence on foreign oil? Have we heard that kind of leadership from the White House to contrast with what the President called for that we spend this week on a constitutional amendment which has no chance of passing?

Mr. REID. It is a matter of priorities, I say to my friend, a matter of priorities, what is important to this administration. Obviously, it is not gas prices. Obviously, it is not college tax deduction. Obviously, it is not this debt.

I say to my friend, even in our conversation this morning, we haven't talked about the stagnant debt. And remember, in the last 3 years of the Clinton administration, the national debt was paid down by half a trillion dollars approximately. What do we have here? Red ink as far as you can see. Have we heard anything from the President to lower this debt?

Mr. DURBIN. I ask the Senator from Nevada the following question: Is it not true that 5 years ago—6 years now, almost 6 years now when President Bush came to office—that as the Clinton administration left, we had a surplus in the Federal Treasury, that we were taking the surplus revenue collected in America, paying down the long-term debt of Social Security so that it would be strong for years to come? Is it not also true that when President Clinton left office, the entire national debt accumulated over the history of the

United States was about \$5.7 trillion or \$5.8 trillion, and that today the national debt is bumping up against \$9 trillion, and in the 6 years since President Bush has been in office, there has been a dramatic increase in this national debt?

Is it not also true that this President, despite a war which saps away \$2 billion or more every week, he has called for tax cuts on the wealthiest people in America and continues to call for those tax cuts, despite this deficit? And I ask the Senator from Nevada, is that what fiscal conservatism is all about?

Mr. REID. My only correction of the distinguished Senator is it is \$2.5 billion a week the war is costing us, about \$10 billion a month. I mentioned, I say to my friend, the definition I got in college about a central hole divided into self-governing parts of the States. I always thought the Republican majority, as it is now, believed in States rights. That is what federalism is all about.

Where in this debate, that shouldn't be taking place on the floor right now, is there any inkling of States rights? None. Forty-five States have already, through statute or constitutional amendment, as in Nevada—Nevada amended its constitution on this issue. But where are my friends, my Republican friends? Where are they on this issue of States rights? This isn't the first time we have brought up issues that have been defeated, defeated, defeated.

Medical malpractice is something the State of Nevada took on on its own, set their own rules. The Governor called a special session of the legislature. We now have rules in the State of Nevada dealing with medical malpractice.

That is not good enough for this Republican majority. We have voted, I believe, three times on a national law dealing with medical malpractice—take the States out of the picture.

So I ask my friend, he being involved in Government in one way or another most of his adult life, does he remember the Republicans at one time standing for States rights?

Mr. DURBIN. In query of the Senator from Nevada, I ask him, I thought I understood the basic difference between Democrats and Republicans, that the so-called Republican conservative philosophy was for fiscal conservatism, avoiding debt. Now we have the largest debt in the history of the United States and getting worse without any effort by the Republicans to deal with it.

Traditionally, the Republicans argue the Government is best that governs least and gives power to the local units of government closest to the people. Now we have with this amendment an attempt to amend the Constitution and to preempt the power of the States to establish standards for marriage.

I ask the Senator from Nevada: Did we not honor States rights with the passage of the Defense of Marriage Act which said that no State shall be compelled to recognize gay marriage if any State should enact such a law, as Massachusetts has?

I ask the Senator from Nevada: Isn't the Defense of Marriage Act consistent with States rights, and isn't the proposed constitutional amendment an assault on the rights of States to establish the standards for marriage which they have throughout our history?

Mr. REID. And I remind my friend, the Defense of Marriage Act passed when we had a Democratic President and a Democratic majority in the House and the Senate. I am quite sure that is right, at least in the Senate; I don't know about the House. We passed it because it was the right thing to do—States rights.

The other point I suggest is that it is a wrong-placed priority doing this resolution and nothing with homeland security. Just last week, the Secretary of Homeland Security decided that New York, for example, would lose \$200 million. States all around the country will have less money to protect themselves. I would think that is worth a debate on the Senate floor. Does the Senator from Illinois agree with that—homeland security?

Mr. DURBIN. I respond to the Senator from Nevada and ask a question. I ask the Senator: If someone were to step back at this moment and say the Senate is debating a constitutional amendment, which everyone concedes will not pass, we are going to spend the whole week on it, and this issue ranks 33rd on the list of priorities of the American people, the States are already dealing with it directly, they have spoken to this through a variety of constitutional amendments and referenda in each and every State, virtually every State, I ask the Senator from Nevada, does that lead to the conclusion the cynicism the American people feel toward Congress and the leadership, the Republican leadership, in this Senate has been verified by the agenda we are dealing with this week?

Mr. REID. Our time has expired, and I say yes.

Mr. DURBIN. I yield the floor.

Mr. WARNER. Mr. President, I wonder if I might ask if we could extend the time over here for a few minutes, maybe 5 minutes, to make a brief statement on this issue.

Mr. REID. The recess would be delayed for 5 minutes? Is that the request?

Mr. WARNER. Yes.

Mr. REID. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I thank the distinguished leader.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I rise today with respect to S.J. Res. 1.

When considering proposed amendments to the United States Constitution, I first look back to history. In the summer of 1787, 55 individuals gathered in Philadelphia to write our Constitution. It was a very hot summer, and it was a long and arduous debate, many drafts back and forth, but careful consideration was given. Finally, in mid September, it was over. The Constitution they produced was a monumental achievement. But the Framers did not know at that time what a great achievement they had made, one that would enable the United States, today, these 200-plus years later, to become the oldest continuously surviving Republic form of government on Earth today.

Article V of the U.S. Constitution lays out the process for amending this magnificent document. In their wisdom, our Founding Fathers purposefully made the task immensely formidable. Of both Houses of Congress, two-thirds have to vote in favor of passing a proposed amendment. Subsequently, three-fourths of the states have to ratify that amendment over a period of time.

History documents that there have been many attempts to amend the U.S. Constitution. According to one study—since 1789, over 10,000 amendments to the Constitution have been proposed in Congress, but only 27 have ever been ratified.

With this historical framework in mind, I have reviewed S.J. Res 1—the Marriage Protection Amendment.

Mr. President, I ask unanimous consent that a document referred to as the "box chart" be printed in the RECORD following my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WARNER. The proposed constitutional amendment is simply two sentences. The first sentence reads that marriage in the United States shall only consist of the union of a man and a woman. This is a concept which I have consistently voted in support of—beginning with the Defense of Marriage Act in 1996, and basically on this same constitutional amendment 2 years ago. The time-honored, deeply rooted tradition of marriage between a man and a woman ought to be protected, and I support that.

But the second sentence of the proposed amendment gives me great concern. It states that neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman. It gives me concern because I don't think the second sentence speaks with the clarity to which the American people are entitled. Any number of calls are coming into my office, as they are to other Members, and clearly the callers are focusing on the first sentence. When you try to explain the second sentence, they don't understand it.

My colleagues who are supportive of this proposed constitutional amendment have stated that it is their intent that this second sentence will leave to the several States the decision of whether to recognize relationships other than marriage, such as civil unions or domestic partnerships. But if that is the case, why not simply state that in plain English that is understandable for the millions upon millions of Americans who are interested in this amendment? It is amazing to me that a little more than 2 weeks ago, this Senate overwhelmingly approved an amendment to make English the national language of the United States. Yet today we debate an amendment to the U.S. Constitution—one of the most grave responsibilities incumbent upon Members of Congress—America's founding document—and the second sentence of that proposed amendment fails in many ways to speak with the clarity of the English language to which our public is entitled.

Some who have spoken in support of this proposed amendment have employed a box chart on the floor of the Senate, and I have asked unanimous consent to include that in the RECORD in an effort to demonstrate that the resolution would protect marriage but permit States to recognize relationships other than marriage. If this is the case, why not simply say so? Why not simply say that the power to recognize or to prohibit relationships other than marriage shall be reserved to the several States? Or why not simply drop the second sentence altogether if it is confusing? Either option would clearly allow the 50 States to work their will on the issues of civil unions or domestic partnerships. I believe it is extremely important that we leave to the States that responsibility.

If we wrote the second sentence plainly, we wouldn't need a box chart to sit here on the floor and try to decipher it.

My own State, the Commonwealth of Virginia, is trying to work its own will on these issues right now. With the lack of clarity in this proposed federal amendment, I have to wonder whether the proposed federal amendment respects the right of the several States to act in this area.

As the second sentence of this proposed amendment is written now, the intent of the amendment simply isn't clear. What if a State legislature wanted to pass a State constitutional amendment to allow domestic partnerships? As I read this proposed amendment, it would likely preclude a State legislature from so acting. This type of unnecessary confusion will undoubtedly lead to considerable litigation if this proposed amendment is accepted in its current form.

That, it seems to me, is not the duty of the Congress of the United States, to write something that just calls upon the courts to try to determine what was the intent of the Congress. Then we have to go to the box charts. Well, to me, the box charts speak in plain English language, and that is why I am hopeful that the framers of this amendment will perhaps consider amending it.

Therein rests the concern I have with S.J. Res. 1. I unequivocally support the first sentence; I support protecting marriage as the union between a man and a woman. I am concerned, however, that the second sentence of this proposed constitutional amendment is unnecessarily vague and could well trample on the rights of the several States of our great Republic.

I yield the floor.

EXHIBIT 1

MARRIAGE PROTECTION AMENDMENT

S.J. RES. 1

Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

	Redefinition of Marriage	Creation of "Civil Unions" or "Domestic Partnerships"	Granting the Rights or Benefits of Marriage	Employee Benefits Offered by Private Businesses
State or federal courts can impose?	Sentence 1 prohibits.	Sentence 2 prohibits.	Sentence 2 prohibits.	Unaffected.
Legislature can make change?	Sentence 1 prohibits.	Decision of State Legislature.	Decision of Legislature.	Unaffected.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 p.m. having arrived, the Senate stands in recess until 2:15 p.m. today.

Whereupon, the Senate, at 12:36 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

MARRIAGE PROTECTION AMENDMENT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, the time is divided equally until 2:30.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first of all, let me say this has not really been my issue. We have been involved in some other things, but it is one about which I cannot remain silent.

I have to say I am probably the wrong person to talk about the marriage amendment for a couple of reasons. One reason is I am not a lawyer—one of the few in this body who is not a lawyer. However, I have to say sometimes that gives you a better insight into these things than if you are.

I enjoyed listening to some of the liberal Democrats on the Sunday shows saying they are for a marriage between a man and woman, yet immediately starting to back down, backpedal, and think of every reason in the world. It reminds me a little bit of my English as the national language amendment that we had a couple of weeks ago. Everyone was saying they were for it, and then they turned around and thought of reasons to vote against it. That is what is happening now. What does that tell you? It tells you the vast majority of people in America want this amendment.

When they talk about the polling being only 50 percent of the people in America supporting a constitutional amendment for marriage between a man and a woman, they normally are talking to people who are very much for that but think we can do it some other way. They think there is another way of doing it, that we can do it State by State or we can do it statutorily. But it doesn't work out that way.

I think, even not being a lawyer, I can see that a State-by-State approach to gay marriage will be a logical and legal mess that will force the Federal courts to intervene and require all States to recognize same-sex marriages.

Apparently, most people do agree that is the problem. I find all of those who are concerned about the very strong lobby, the homosexual marriage lobby, as well as the polygamous lobby, that they share the same goal of essentially breaking down all State-regulated marriage requirements to just one, and that one is consent. In doing so, they are paving the way for legal protection of such practices as homosexual marriage and unrestricted sexual conduct between adults and children, group marriage, incest, and, you know: If it feels good, do it.

When you look at the history of this country, you can see way back in the founding days that the marriage institution was one of the very basic values on which this country was based. Way back in 1878, Reynolds v. United States, which upheld the constitutionality of Congress's antipolygamy laws, also recognized that the one-man/one-woman family structure is a crucial foundational element of the American democratic society. Thus, there is a compelling governmental interest in its preservation.

That was 1878. That wasn't just the other day. Yet 3 years ago this month, the U.S. Supreme Court signaled its likely support for same-sex marriage and possibly polygamy and Federal jurisdiction over the issue when it struck down the sodomy ban in Lawrence v. Texas. That happened only 3 years ago this month. The majority opinion extended the reach of due process in the 14th amendment of the Constitution to protect that.

Then they declared—this is significant—they declared:

> [P]ersons in a homosexual relationship may seek autonomy for these purposes, just as heterosexual persons do.

In his dissenting opinion, Justice Scalia stated:

> The reasoning leaves on pretty shaky grounds state laws limiting marriage to opposite sex couples. . . .

That is really much of a concern, when a member of the U.S. Supreme Court agrees with my interpretation as to what that particular interpretation meant.

Now we face a serious problem. Looking at the various States, right now we have 45 States that have passed laws, statutes, or have passed constitutional amendments to their State constitutions that would do away with gay marriage. Look at the percentages.

For those people who say less than 50 percent of the people want a constitutional amendment to protect marriage between a man and a wife, look at the percentages. In my State of Oklahoma, it is 76 percent of the people. That is three-fourths of the people. Down in Louisiana, 86 percent of the people said marriage should be between a man and a woman. This is 45 States out of 50 States. Only 5 States have not had that type of either statutory change or a constitutional amendment.

When you look at the percentages, it is very true that a very large percentage of people believe marriage should be between a man and a woman.

Let me mention something that has not been mentioned quite enough in this debate. A lot of people are not as emotional about this issue as I am. For those who are not, if you look at just the numbers, look at what is going to happen in this country if we follow some of these countries such as the Scandinavian countries. In those societies, they have redefined marriage. In Denmark, as well as Norway, where they have now had same-sex marriages legalized for over a decade, things that are happening there in terms of the society—it has nothing to do with emotions.

According to Stanley Kurtz's 2004 article in the Weekly Standard, a majority of children in Sweden and Norway are born out of wedlock.

Kurtz says:

> Sixty percent of first-born children in Denmark have unmarried parents.

That is in Denmark.

Not coincidentally, these countries have had something close to full gay marriage for a decade or more.

Stop and think. What is going to be the result? The result is going to be very expensive. Many of these kids are going to end up on welfare, so it goes far beyond just the current emotions. I think my colleague, Senator SESSIONS, I believe it was yesterday, said:

> If there are not families to raise children, who will raise them? Who will take the responsibility? It will fall on the State. Clearly it will become a State responsibility.

I am not sure. I have listened to many of my colleagues, for whom I have a great deal of respect, talk about some of the ways the language should be legally changed in one way or another to perhaps accomplish something or avoid another problem.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. INHOFE. I ask if I could have a minute and a half more?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Maybe this isn't worded exactly right. But this is the only show in town. It is the only opportunity that we will have to do anything. Again, I said maybe I am the wrong person to talk about this. I was talking to my brother, Buddy Inhofe, down in Texas. He is a Texas citizen, I say to my friend from Texas over here. He and his wife Margaret—he is 1 year older than I am—they have been married for 53 years. Every time they have a wedding anniversary, it is just like getting married again.

As you see—maybe this is the most important prop we will have during the entire debate—my wife and I have been married 47 years. We have 20 kids and grandkids. I am really proud to say in the recorded history of our family, we have never had a divorce or any kind of a homosexual relationship. I think maybe I am the wrong one to be doing this, as I come with such a strong prejudice for strong families.

When we got married 47 years ago, there were a couple of things that were said. In Genesis 2:24 it is said:

> Therefore a man shall leave his father and mother and be joined to his wife, and they shall become one flesh.

Matthew 19 says:

> Have you not read that He who made them at the beginning made them male and female, and for this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh? So then, they are no longer two but one flesh. . . .

I can assure you that these 20 kids and grandkids are very proud and very thankful that today, 47 years later, Kay and I believed in Matthew 19:4, that a marriage should be between a man and a woman.

Thank you for the additional time.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I start off with a question. The question is, Why are we spending time on the floor of the Senate discussing this issue at this time? Is there anyone here unaware of the fact that Americans are bleeding in Iraq and Afghanistan? Why aren't we talking about that war?

Mr. INHOFE. Mr. President, the Senator asked a question. I will be glad to respond to that question.

Mr. LAUTENBERG. I will not at this point accept a question. I want to make my remarks just as the Senator from Oklahoma had a chance to make his remarks. Perhaps when we are finished I will be able to accommodate the Senator.

Why are we not focused on soaring gasoline prices and the toll it takes on family budgets? People who plan their lives in my area, New Jersey—a very crowded area—have had to buy their houses some distance from their jobs because they couldn't afford the housing. They calculated the fact they would have to drive an hour each way—not unusual—10 hours a week behind the wheel of the car. Now, with gas prices as they are, the advantage they had by buying a home at a distance is evaporating in front of them. Why aren't we talking about that?

Why aren't we talking about 46 million Americans without health insurance, every one of them worried about whether the next sickness is going to deprive them of their job, deprive them of their ability to feed and clothe their children and take care of them? Why aren't we talking about those things?

Why aren't we talking about extending stem cell research? I don't know whether other Senators have had the same experience that I have. Families come in with children who are sick with juvenile diabetes. If you ask those children what they want out of life, they say: I want to stop having to stick my finger all the time with a needle. I want to be able to do things just like other children.

I had a group of families with children with diabetes. I seated them around a table. By the way, the faces on these children are so beautiful. In their expressions they say: We would love you if you can help us. That is what they say. That is how I respond.

I am a professional grandfather. I have 10 grandchildren, the oldest of whom is 12 and the youngest of whom is 2. What do I want? My whole life is focused on what I can do for those kids as they grow and develop. When I look at those children, I ask the parents: Why are their faces so beautiful? They say: Because they are faces of want and need in a child, expressing that in that kind of face.

It tells you something about what we ought to be talking about and not spending our time on depriving somebody of an option that they are free to choose in this life. Why aren't we debating a measure to make sure the Government is ready for the next Katrina? They are worried about levees in California. They are worried about levees in other low-land States where they have some exposure. We are not talking about that. Who can forget the picture of the people on the roofs of their houses begging for someone to do something to save them? No, we are not talking about that. We do not want to talk about that.

Why aren't we preparing for a possible bird flu epidemic? We know that is a very serious topic.

Forget those topics, we are told. President Bush and the Republican leadership want Congress to drop everything to debate gay marriage. I have lots of visitors in my offices in New Jersey and here. Not one of them came to talk to me about gay marriage. They came to talk to me about health insurance. They came to talk to me about their pensions disappearing. They talk to me about their inability to afford their children's education when they want to prepare for a career. They talk about the burden of gas prices. That is what they want us to do something about. They are not discussing gay marriage. They are not in there discussing opening up the Constitution to amendment.

If we pass this amendment, history will record for the first time ever that we wrote discrimination into the United States Constitution. Think about that, the first time we have ever put discrimination against anyone in our Constitution.

In the Bill of Rights, every amendment is written to expand individual rights. That is what our Constitution is about. It is a wonder, the thinking of our forefathers. The Bill of Rights was first signed in New Jersey. If you look at all the amendments to the Constitution, only once did we restrict rights. That was Prohibition. And it did not take long to repeal that. The American people were not going to obey the law. They violated it in every way. Why create laws that cannot mean anything to people?

President Bush held an event on Monday night with supporters of this amendment. At that event, the President did something totally irresponsible. It is hard to believe a President of the United States said what he said. He rallied his right-wing audience against our Nation's court system.

Now, we talk here about separation of powers and how important it is that the three legs of Government are able to exercise their obligations. The President went so far as to say that the American courts are "imposing their arbitrary will on the people." How about when the Court imposed its arbitrary will on the election of a President? What was said then? To suddenly say that the courts have no jurisdiction of their own, free of criticism from the President of the United States, is the President saying our courts do not follow the law? Could people quote the President to justify ignoring a court decision, just to score political points with a narrow interest group?

The President chooses to undermine our Nation's system of courts and laws. It is a dangerous form of political pandering.

This constitutional amendment would not just ban same-sex marriages. It also threatens civil unions, domestic partnership laws, laws passed by States to recognize relationships and conferring legal rights between partners. Is our goal to strip all of these relationships of their dignity?

Once the Federal Government starts regulating marriage, what is next? What is going to stop Congress from acting as the morality police and prohibit people from getting married unless they pledge to have children or unless they pledge to restrict the number of children they have? What is going to stop this body from outlawing divorce?

I don't think the actual motive for this amendment is morality. The motive, as I see in this amendment, is pure raw politics. Republicans have their backs against the wall. So look what the people think of the President of the United States and the job he is doing. They think poorly of him. If they had the right, they would fire him.

When I was running a company, before I was running for the Senate, if I thought so poorly of someone, I would fire him. I would not keep him.

No, this is a salvage operation for the Republican Party. We are debating this amendment now because it is an election year. That is why. Why did we have this debate in 2004 and this year but not in 2005? Let's defer this until 2007. I am willing to do that. We can discuss it in a year, when there is not an election in the offing.

This is simply political gay-bashing. That is the mission, try to "husband" the resources you have, the support you have, and pick on a group of people. The backers of this amendment want to drum up hysteria where none currently exists. They want to change the subject away from the issues such as Iraq and gas prices. It is a shameful attempt to divide the American people for political gain.

Today, the 6th of June, is the anniversary of D-day. On June 6, 1944, Americans from every corner of our country fought to protect our values and our families. Today, we are tarnishing the memory of D-day by working to amend our Constitution to restrict individual freedoms.

I was wearing a uniform that day. I was overseas. I was not on the combat line, but I knew what I was doing was good for my country. Sixteen million of us served in the military in World War II.

I had visitors just last Thursday night at my office in New Jersey, about 10 people. One person lost their son. This woman was angry. I had spoken to her when his death was announced over a year ago. She was angry. He was a second lieutenant. His assignment that day was to diffuse bombs. She said: My son was trained to man a gun in the artillery. That is what his mission was. He was diffusing a bomb and he lost his life: The country that sent my son overseas is a country that helped my son die.

There was a woman with tears running down her face: Our son has been wounded once; they say he is ready to go back to combat. He has a Purple Heart. I don't want him to go back. Crying bitterly, in front of me.

There was a couple whose son is due for a second tour of duty. People in this unit were lost in the first tour. Why, now, they ask, is he going back to this war that does not do anything for America?

No, we do not want to discuss that in the Senate. That is too serious. That brings home the toll and the anguish that exists with our time in Iraq. We ought to be talking about what we do to get out of there safely and quickly. That is what we ought to do. But, no, we are talking about gay marriage. I can just see the people in arms across this country saying, The first thing I want you to do is make sure there is no gay marriage in this country. The devil with my kids education, the devil with my need for health care, the devil with our ability to be able to afford to live now in the country. Two people working so many jobs, just about keeping their heads above water.

Every Senator in this Senate values the institution of marriage. In my view, the way to honor marriage is to provide families with economic opportunity, good schooling for their children, a clean environment to live in, health care they can afford and funding for medical research that can help fight the diseases that plague children, such as juvenile diabetes, autism, or asthma. There are so many problems we could help prevent.

The amendment before the Senate today is not about protecting marriage. It is about directing people's lives, about making sure you behave in a particular way. Those of us who are talking against this do not necessarily support gay marriage. What we support is freedom, freedom to choose your lifestyle. That is what we are talking about. In State after State they are writing their own laws, what they think is appropriate for the people in their State—not to restrict them but to open their opportunity.

I hope my colleagues will reject this divisive amendment. Let's get on with far more pressing issues facing our Nation that can improve our national health, can improve our national will, can improve our national morale.

Those are the things I would like to do instead of looking and seeing what people really think about all of us in this place, all of us, from the White House, to the Senate, to the House. What do the American people think about the work we are doing? They do not think a heck of a lot of good is coming out of here. Frankly, we give them good cause because what we are paying attention to is what matters least to most Americans. What matters most in these Chambers, unfortunately, at this time is politics and elections. Too bad, America.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, first let me praise the Senator from New Jersey and associate myself with his excellent remarks in opposition to this amendment both on marriage and with regard to the obvious point that we should be working on issues affecting the American people.

The Constitution of the United States is a historic guarantee of individual freedom. For over two centuries, it has served as a beacon of hope, an example to people around the world who yearn to be free and to live their lives without Government interference, with their most basic personal decisions.

I, like everyone else in the Senate, took an oath when I joined this body to support and defend the Constitution. I am saddened, therefore, to be once again debating an amendment to our Constitution that is so inconsistent with our Nation's history of expanding and protecting freedom.

There are serious issues facing this Congress. The fight against terrorism, the war in Iraq, health care, high gas prices, relief and recovery after Hurricane Katrina, the economy. These are the issues upon which the American people are demanding that Congress act. But instead, we are spending much of this week debating the poorly thought out, divisive, and politically motivated constitutional amendment that everyone knows has no chance of success in the Senate.

The proposed constitutional amendment before the Senate today, Senate Joint Resolution 1, has no better chance of getting a two-thirds majority in the Senate than it did in 2004, which was another election year. There are no new court decisions that supporters of the amendment can legitimately argue make it any more imperative now than it was then that such an amendment be passed. Yet the Judiciary Committee was ordered to mark up this amendment to fit a schedule announced by the majority leader months ago.

This is pure politics, an election-year gambit. We should not play politics with the Constitution, nor should we play politics with the lives of gay and lesbian Americans who correctly see this constitutional amendment as an effort to make them permanent second-class citizens.

The amendment we are all debating will not pass, but it still risks stoking fear and divisiveness at a time when we should be trying to unite Americans. Gay and lesbian Americans are our friends, our family members, our neighbors, our colleagues. They should not be used as pawns in a cynical political exercise.

Backers of the amendment say they want to support marriage. But this debate is not really about supporting marriage. We all agree that good and strong marriages should be supported and celebrated. I happen to believe that two adults who love each other and want to make a lifelong commitment to each other, with all of the responsibilities that that entails, should be able to do so, regardless of their sex. I know others strongly disagree.

The debate we are having in the Senate, however, is not about whether States should permit same-sex marriage. The debate is about whether we should amend the Constitution of the United States to define marriage. The answer to that question has to be "no." It is unnecessary and wrong for Congress to legislate for all States, for all time, on a matter that has been traditionally handled by the States and religious institutions since the founding of our Nation. For that reason alone, this amendment should be defeated.

There is no doubt that the proposed Federal marriage amendment would alter the basic principles of federalism that have served our Nation well for over 200 years. The Framers of our Constitution granted limited, enumerated powers to the Federal Government, while reserving the remaining powers of government, including family law, to State governments. Marriage has traditionally been regulated by the States. As Professor Dale Carpenter told the Constitution Subcommittee in its first hearing on this topic nearly three years ago, "never before have we adopted a constitutional amendment to limit the States' ability to control their own family law." That is exactly what this proposed amendment would do. It would permanently restrict the ability of States to define and recognize marriage or any legally sanctioned unions as they see fit.

One of our distinguished former colleagues, Republican Senator Alan Simpson, opposes an amendment to the Constitution on marriage. In an op-ed in the Washington Post, he stated:

> In our system of government, laws affecting family life are under the jurisdiction of the states, not the federal government. This is as it should be. . . . [Our Founders] saw that contentious social issues would be best handled in the legislatures of the states, where debates could be held closest to home. That's why we should let the states decide how best to define and recognize any legally sanctioned unions—marriage or otherwise.

Columnist William Safire has also urged his conservative colleagues to refrain from amending the Constitution in this way. Commentator George Will takes the same position.

I recognize that the current debate on same-sex marriage was hastened by a decision of the highest court in Massachusetts issued in late 2003. That decision, in a case called Goodrich, said that the State must issue marriage licenses to same-sex couples. But the court did not say that other States must do so, nor could it. And it did not say that churches, synagogues, mosques, or other religious institutions must recognize same-sex unions, nor could it. Even Governor Romney of Massachusetts, who testified before the Judiciary Committee in 2004, admitted that the court's decision in no way requires religious institutions to recognize same-sex unions. No religious institution is required to recognize same-sex unions in Massachusetts or elsewhere. That was true before the Goodrich decision, and it remains true today.

Indeed, as time has passed since the Massachusetts court ruling, I think it has become clear that passing a constitutional amendment would be an extreme and unnecessary reaction. States are in the process of addressing the issue of how to define marriage. Voters in several States passed marriage initiatives in the last election. The legislature in Connecticut recently passed a civil union bill and the Governor signed it. In California, a bill passed by the legislature to permit same-sex marriages was vetoed but new protections for domestic partners were signed into law. The States are addressing the issue in different ways, which is how our Federal system generally works. I may agree with some State actions and disagree with others, but it would be a tragic mistake to cut this process off prematurely.

I was particularly struck by reports on what happened recently in the Massachusetts Legislature. The legislature narrowly passed a constitutional amendment in 2004 to prohibit same-sex marriage, but when the amendment returned in 2005, as the Massachusetts Constitution requires in order to put it on the ballot, the legislature rejected it by a vote of 157 to 39. Many supporters of the amendment apparently changed their minds.

So we should think long and hard about pre-empting State legislatures or State initiative processes through a Federal constitutional amendment that freezes in place a single, restrictive definition of marriage.

The supporters of the Federal marriage amendment would have Americans believe that the courts are poised to strike down marriage laws. They suggest that we will soon see courts in States other than Massachusetts requiring those States to recognize same-sex marriages, too. Of course, no such thing has happened in the 2 years since the Goodrich decision went into effect in May 2004. So this is a purely hypothetical issue—hardly a sound basis for amending our Nation's governing charter. And even if another State followed Massachusetts, either by legislative action or a judicial ruling, I believe it would be a grave mistake for Congress to step in.

As Professor Lea Brilmayer testified before the Constitution Subcommittee in 2004, and as remains true today, no court has required a State to recognize a same-sex marriage performed in another State. And as Professor Carpenter testified:

> the Full Faith and Credit Clause has never been understood to mean that every state must recognize every marriage performed in every other state. Each state may refuse to recognize a marriage performed in another state if that marriage would violate the public policy of that state.

In fact, Congress and many States have already taken steps to reaffirm this principle. In 1996, Congress passed the Defense of Marriage Act, a bill I did not support, but that is now the law. Section 2 of DOMA is effectively a reaffirmation of the full faith and credit clause as applied to marriage. It states that no State shall be forced to recognize a same-sex marriage authorized by another State.

In addition, 38 States have passed what have come to be called "State DOMAs," declaring as a matter of public policy that they will not recognize same-sex marriages.

There has not yet been a successful constitutional challenge to the Federal or State DOMAs. In fact, three such challenges have already failed. Of course, it is possible that the situation could change. A case could be brought challenging the Federal DOMA or a State DOMA, and the Supreme Court could strike it down. But do we really want to amend the Constitution simply to prevent the Supreme Court from reaching a particular result in the future? What kind of precedent would such a preemptive strike against the governing document of this Nation set?

Former Representative Bob Barr, the author of the Federal DOMA, strongly opposes amending the Constitution on this issue. He believes that amending the Constitution with publicly contested social policies would "cheapen the sacrosanct nature of that document."

He also warned:

> We meddle with the Constitution to our own peril. If we begin to treat the Constitution as our personal sandbox, in which to build and destroy castles as we please, we risk diluting the grandeur of having a Constitution in the first place.

My colleagues, those are the words of the author of the Federal DOMA statute. That is what he said about the wisdom of trying to amend the Constitution in this manner. I have spoken with Mr. Barr about this. He and I disagree about many things. But we agree wholeheartedly that the Constitution is a very special document and that amending it to enact the social policy of the moment would be a grave mistake.

So far I have been discussing the general arguments against a Federal constitutional amendment defining marriage. I think they are compelling. But I also want to take some time today to discuss the specific text we are now considering: S.J. Res. 1, the so-called Marriage Protection Amendment. The amendment states:

> Marriage in the United States shall consist only of the union of a man and a woman.

That is what we have come to refer to as sentence one. The amendment continues in sentence two:

> Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

Before I discuss some of the ambiguities in this language, let me first remind my colleagues that this whole effort has often been portrayed by its proponents as a reaction to so-called "liberal activist judges" reinterpreting marriage. Time after time, we are told that judges have made law, in cases like the Supreme Court's decision in Lawrence v. Texas that State sodomy laws are unconstitutional, in the Massachusetts decision in Goodrich, and in the Vermont State court decision that forced the State legislature to adopt a civil unions law. This amendment is needed, we are told, to counteract and correct those missteps and to make sure they don't happen again. Keep that underlying concern in mind as we discuss the ambiguities of this language and who will ultimately decide how they are to be resolved.

A question that is important to many Senators, and to many Americans, as they consider this constitutional amendment is how it will apply to laws passed by State or local governments granting same-sex couples the right to enter into civil unions or domestic partnerships to become eligible for government recognition of their relationships and for certain benefits. One of the witnesses at the last hearing we held in the Subcommittee on the Constitution, Professor Michael Seidman, from Georgetown University Law Center, testified quite convincingly about the ambiguity of the language of this amendment on that question. And so chairman of the subcommittee asked if he had thought about how to draft the amendment to, as he put it, "hit the mark."

Professor Seidman responded:

> Part of the problem is I think the people behind the amendment themselves are not in agreement on how to go. . . . So with respect, Senator, I think you guys have to get straight what you want before you tell me how to go about drafting it.

At the last subcommittee hearing on this topic, I asked the witnesses that subcommittee Chairman BROWNBACK had called some specific questions about this issue and then I asked them to respond to written questions about how they believe S.J. Res. 1 would apply to a challenge brought against specific State legislative actions. I have asked these questions of previous witnesses as well, and I have seen statements from many of the supporters of the amendment. I think Professor Seidman is absolutely right. It is simply not clear what the sponsors of this amendment intend.

Let's start with civil unions. Would this amendment outlaw civil unions? Specifically, would the recently passed Connecticut statute that establishes civil unions in that State be unconstitutional under this amendment? The Connecticut statute provides as follows:

> Parties to a civil union shall have all the same benefits, protections and responsibilities under law, whether derived from the general statutes, administrative regulations or court rules, policy, common law or any other source of civil law, as are granted to spouses in a marriage, which is defined as the union of one man and one woman.

Professor Richard Wilkins, from Brigham Young University, whom I understand was consulted in the drafting of the amendment, answered my written question as follows: "The language quoted from Section 14 of the Connecticut statute would not be unconstitutional under the proposed amendment." But Professor Gerard Bradley, from Notre Dame, another drafter of the amendment, testified as follows at our hearing in April:

> The amendment leaves it wide open for legislatures to extend some, many, most, perhaps all but one, I suppose, benefit of marriage to unmarried people, but I would say if it is a marriage in all but name, that is ruled out by the definition of marriage in the first sentence.

And Professor Christopher Wolfe, from Marquette University, another witness from the subcommittee's last hearing, agrees with Professor Bradley. He said the following in answer to my written question:

> I think Connecticut's civil union scheme, which was enacted by the General Assembly without any judicial involvement, would be unconstitutional under the Marriage Protection Amendment, because it effectively authorizes marriage for unions of two men or two women, since the only difference between civil unions and marriage is the name.

Groups supporting the amendment like the Alliance for Marriage and Concerned Women for America seem to think the amendment will permit legislatures to enact civil union legislation. In a radio interview during the Senate's consideration of the amendment in 2004, Bob Knight, the head of that Concerned Women for America, suggested that wasn't such a good thing. He said:

> The second sentence was so convoluted that many legal scholars disagreed about what it actually meant, and its backers assured everyone that it meant States could pass civil unions, which is not the way to protect marriage. Civil unions are gay marriage by another name.

As recently as November 2005, the Web site of the Alliance for Marriage had the following explanation of a chart in which it says that "quasi-marital schemes" such as civil unions would be permitted if adopted by a State legislature rather than imposed by court:

> The second sentence ensures that the democratic process at the state level will continue to determine the allocation of the benefits associated with marriage.

Interestingly, this chart no longer appears on the Web site. I won't speculate about why that is, but it does seem like an important question for supporters of this amendment to get their stories straight on. There are States in the country today that authorize civil unions. How would this constitutional amendment affect those laws? We know what the supporters of the amendment intended with respect to the law in Massachusetts, but what about in Vermont, and Connecticut, and California, and New Jersey? What are duly elected State legislatures, in the exercise of their responsibility to enact laws consistent with the values and preferences of their citizens, allowed to do, and what are they prohibited from doing? Don't they deserve to know?

I could go on and on here, but let me mention Professor Scott Fitzgibbon of Boston College Law School, who also testified in support of the amendment at the subcommittee's last hearing. Mr. Fitzgibbon simply declined to answer when I asked him at the hearing whether the amendment would allow a State employer to give benefits to unmarried domestic partners of its employees. And he also refused to answer a followup written question about whether Connecticut's civil union law would be constitutional. But he did say the following at the hearing:

> I am just going to say that the degree of ambiguity . . . isn't such a terrible thing. This isn't part of the tax code. It is proposedly [sic] a part of the United States Constitution and constitutional provisions rightly leave some scope for later determination.

So there you have it, Mr. President. The supporters and drafters of this amendment can't agree on how it would affect civil union laws like the one recently enacted by the democratically elected legislature of the State of Connecticut. And at least one of them says that ambiguity is not such a terrible thing. It is normal for constitutional provisions to leave "some scope for later determination" he says.

So who will decide this question, which everyone can anticipate will be raised if this amendment becomes part of the Constitution? Who is responsible in our legal system for making a "later determination," as Professor Fitzgibbon calls it, of the meaning of a constitutional amendment? You guessed it. It is the courts! Given how this whole exercise of trying to define marriage in the governing document of our country started—outrage over a State court's interpretation of a State constitution and fear of supposedly "activist judges" taking it upon themselves to redefine marriage—that is ironic indeed.

Now Professor Wolfe had an interesting suggestion when he answered my written questions concerning the California and New Jersey domestic partner statutes. Last summer, the California Legislature enacted a statute that grants all the same rights to domestic partners as it does to married spouses, except the right to file a joint tax return. All the rights and benefits but one. Under Professor Bradley's interpretation, that's probably okay. Professor Wilkins agrees that California's statute would survive a challenge. The chart that used to be on the Alliance for Marriage's Web site also agrees. I think a few of my colleagues made similar statements yesterday on the floor. But Professor Wolfe isn't so sure. He says in his written response to my question:

> It could be argued that it is unconstitutional under the Marriage Protection Amendment for the same reason that the Connecticut civil union law is unconstitutional, since—even though one provision provides one exception—the general principle of the law (in Sec. 4) defines the domestic partnership as being equivalent to marriage. The single exception could easily be viewed as merely an evasive maneuver to avoid a pure equivalence that would make the statute constitutionally vulnerable.
>
> It could also be argued, however, that there is a difference between this domestic partnership law and marriage (beyond just the name), and therefore domestic partnership is not marriage in everything but name, and therefore it is within the constitutional power of the California legislature to pass. . . . In a close case like this, I think the legislative history would be likely to play a determinative role in the final decision.

He goes on in an answer concerning the New Jersey domestic partnership statute to make his suggestion:

> Of course, it would be desirable to clarify this question, if possible. For example, offering an unambiguous statement of the meaning of the amendment in the legislative history (e.g., the committee report on the amendment, and representations—uncontradicted by other supporters of the amendment—of the amendment's sponsors in floor debate) would be likely to have a substantial impact on how the amendment would be understood by those who have to vote on it, in Congress and in State legislatures.

Well there's a novel idea. Let's have an "unambiguous statement" of the meaning of the amendment, uncontradicted by other supporters of the amendment. But Professor Wolfe, a supporter of the amendment, doesn't know what it is. He answered my questions as if they were a law school exam hypothetical. This amendment has been around for nearly 3 years and we still don't have that unambiguous statement. Will we get one in this debate on the floor? I don't know. I do know that some of the most ardent supporters of the amendment in the Senate are strongly opposed to civil unions as well. But will the amendment they wrote to supposedly protect marriage outlaw civil unions and domestic partnerships? It is not clear to me yet, and when we are talking about amending the Constitution of the United States, I think it should be.

The Senate and State legislatures—not to mention the American people—deserve clear and reliable answers to these questions before they are asked to decide whether to amend the Constitution. So I would hope that every Senator who is planning to vote "yes" on this amendment today will tell us before we conclude this debate what he or she thinks the amendment means and how it would apply to State statutes already on the books, as well as others that might be passed. Maybe we will get that unambiguous statement we have waited so long for. Then again, maybe we won't.

Even though Professor Wolfe answered my question as if it were a law school exam—saying "it could be argued on the one hand. . . . But on the other hand"—this is not just an academic exercise. It will have an impact on the lives of millions of Americans.

Mr. President, as you can tell, I am very concerned about the Senate considering this amendment on the floor without any certainty about what it means or how it will be applied. Fortunately, it seems clear that supporters of this amendment don't have the votes to pass it in the Senate. So the lack of clarity has no real world repercussions for now. But it is extremely disappointing that we may vote in the United States Senate on an amendment to the Constitution of the United States with such basic questions unresolved.

The Judiciary Committee should have fully explored these questions. Instead, because of the rigid schedule to bring this matter to the floor, the committee considered the amendment hastily and out of the public eye, without cameras, without microphones, with only a handful of press and no members of the public present. That is no way to treat any important legislative matter, let alone an amendment to the basic governing charter of our country, the Constitution. As a result, the amendment did not receive the kind of searching inquiry and debate that a constitutional amendment should receive. Our hearings in the Subcommittee on the Constitution exposed serious questions about the meaning and effect of the amendment, including the conflicting answers to written questions that I have discussed. Further work in the committee might have shed light on those questions for our colleagues in the Senate who are now faced with having to vote on the amendment. But it seems that politics often trumps reason in this body during an election year. And when the majority leader has promised interest groups supporting this amendment that there will be a floor consideration on a particular day, there is apparently nothing that can stand in the way of that promise being kept. Not even respect for the Constitution of the United States.

We should not write discrimination and prejudice into the Constitution. And we should not prematurely cut off the important debates taking place in States across the country about how to define marriage by putting in place a permanent, restrictive Federal definition of marriage.

As we sit here today, there are Americans across our country out of work, struggling to pay the month's bills, worrying about their lack of health insurance or their ability to put their kids through college. Instead of spending our limited time this session on a proposal that is destined to fail and will only divide Americans from one another, we should be addressing the issues that will make our Nation more secure, our communities stronger, and the future of our families brighter.

I urge my colleagues to oppose this unnecessary, mean-spirited, divisive and poorly thought out constitutional amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, I want to take a moment to respond. First of all, the States are trying to handle the issue of marriage. The problem is that the courts are changing those actions. Even worse than that, we have citizens who initiated issues on marriage within the States, and now we have the courts overturning that when those issues have passed by 70 percent or more.

I felt that needed to be clarified.

I think the amendment is very clear, particularly the second sentence, when you know that refers to the courts and we are limiting the powers of the courts. We have not done anything to restrict the power of the legislature, except on the definition of marriage which is between a man and a woman.

This is an important issue, and I think we need to assure that the States will have a key role as far as handling issues related to marriage. That is what this amendment is all about.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, I stand in strong support of this proposed amendment to the U.S. Constitution to uphold and affirm traditional marriage.

Several years ago, when folks who were focused on the health of marriage and the upbringing of children from around the country gathered to begin to attack this problem, they came to the Congress with the idea of proposing a constitutional amendment. They went to certain Members of both the House and Senate, Republicans and Democrats. I was in the House at the time, and I was honored that I was one of the four House Republicans—there were eight House Members in all, four Republicans and four Democrats—whom these leaders approached to be original coauthors of this constitutional amendment. I immediately agreed and have been very involved in the debate and the fight ever since then.

I am very happy to bring this work to the Senate with so many other leaders such as Senator ALLARD, who has been leading the effort for some time. This is a very important effort because—it is often said, but it is very true and it is worth repeating—marriage is truly the most fundamental institution in human history. Think about that statement and the significance of it: It is the single most fundamental social institution in human history.

Certainly, we should not rush, as we are at the present time through activist courts, to radically redefine it after thousands and thousands of years of living under the traditional definition.

Mr. President, often in the Senate we get very wrapped up in our debate and our laws and proposals and Government programs. We think so much is changed by that and so much hinges on that. Yet what is so much more important and more fundamental are those enduring—hopefully enduring—social institutions such as marriage, community, church, and faith communities. We need to realize how central those sorts of institutions are and how important they are in terms of influencing behavior in our society—good and bad behavior. When we look at so many of the social ills we try to address in Congress with Government programs and proposals, serious social problems such as drug abuse, teenage pregnancy, and the like, perhaps the single biggest predictor of good results versus bad results is whether kids come from a stable, loving, nurturing, two-parent family, a mother and a father. That doesn't mean you cannot have success raising a child in other environments, such as in a struggling one-parent household. It means that the odds are so much more stacked against you when you move to that other sort of environment.

So I think it is very appropriate and well overdue that we in the Senate focus on nurturing, upholding, preserving, and protecting such a fundamental social institution as traditional marriage. A lot of folks in Washington don't fully understand that. But I can tell you that real people in the real world, certainly including in Louisiana, get it. That is why 2 years ago, in 2004, we passed a State constitutional marriage amendment in Louisiana to uphold traditional marriage. We passed it with 78 percent of the vote. Folks in Louisiana want those values upheld. They don't want them redefined radically by activist courts, particularly people in courts in other States such as Massachusetts. And make no mistake, that is what is happening. That trend would have an impact not just in isolated States such as Massachusetts but throughout the country as marriage is redefined by liberal activist judges and others. So the people in Louisiana and a solid majority of people around the country want us to address this issue nationally through a constitutional amendment once and for all. That is why I strongly support this effort.

I thank the Senator from Colorado and others again for leading this fight in the Senate. I was proud to help lead it in the House when I was there. I am proud to join other allies on the floor of the Senate. Again, rather than focus on all these new Government programs, new little ideas that we run to the floor of the Senate with every day, let's take time to remember and focus on truly significant, enduring social institutions, which are the greatest predictors and factors in terms of encouraging good behavior and success, discouraging bad behavior and failure. This is the way we can have the most impact on those problems we debate endlessly, such as drug abuse, teenage pregnancy, and the like. I urge all of my colleagues to join us in this effort.

I predict that, while we may not reach the two-thirds vote we ultimately need with this vote this week, we will make important progress, we will pick up votes since the last time the Congress voted on this issue in 2004. I am one small example of that progress because my election in 2004 meant that this vote went from a "no" vote of my predecessor, John Breaux, to a proud "yes" vote of the junior Senator from Louisiana now. I look forward to casting that vote. I urge my colleagues to rally around enduring, positive social institutions that are so essential for the health of families, kids being brought up and, indeed, our society.

With that, I yield back my time.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from Utah is recognized.

Mr. HATCH. Mr. President, when I first ran for office to represent my folks out in Utah, I announced my candidacy because of my deep love for my country and my State. My appreciation for both has only deepened over the years. Perhaps the most remarkable characteristic of this country—one that, in my opinion, is distinctly American—is our tolerance, our willingness to accommodate the very beliefs of our fellow citizens. After all, our country's motto is E Pluribus Unum—out of many, one.

But we accept these differences because we share so much else. We sometimes forget it around here, but we agree more than we disagree, or at least that is what I hope for. We all believe in the dignity of the human person. We all believe that men and women were endowed by their Creator with certain inalienable rights, and the Government exists to secure those rights. For us, and for our constituents, this is common sense. The same is not true in many other countries, where these basic ideas are debated by all and rejected by some.

We should remember this heritage of respect when we debate the marriage protection amendment. There are strong feelings on both sides of this issue.

I support this amendment. Marriage and family life are the bedrock of American society—the schoolhouse of American citizenship—and judges should not be altering this fundamental institution.

I understand that some of my colleagues believe we should be debating something that they see as of greater consequence. But for many in this body, and for millions of people throughout the country, including in Utah, no issue is more important. During this debate, we should treat each other fairly, with respect, and with an openness to the good-faith arguments on both sides of this amendment.

There is precedent for this. A few weeks ago, the Senate passed an immigration bill. I voted against it, but I agreed with the sentiments of my colleagues who concluded, after the die was cast, that the Senate had behaved admirably. Tensions ran high, but we had a respectful and serious debate about the issues. We voted amendments up and down. I am not saying I saw any Websters, Clays, or Calhouns on the floor, but our respect for one another's opinions and well-intentioned debate certainly did them proud. This is not to say that I was happy with the final product. Even as a purported compromise, it left so much to be desired that I was compelled to vote against it. Yet, I was encouraged by the process and the respect that we showed for the deeply held opinions of fellow Senators.

Unfortunately, the debate over the marriage amendment seems to be unfolding quite differently. You would not know it from the arguments of the opponents, and you would not know it from the lack of treatment it has received in some news outlets; but this is an important issue to Americans. This might not be a major issue for those who live inside the beltway, but for my neighbors in Salt Lake City, my constituents throughout Utah, and good, decent Americans across the country, this is a critical issue.

This debate is not some sideshow for a small sliver of activist groups. Majorities of Americans across the Nation support the protection of traditional marriage laws. This support is not limited to red or blue American. States in every region of the country have worked in recent years to reaffirm the traditional definition of marriage. Forty-five States have either a State constitutional amendment or a statute that preserves traditional marriage laws. Nineteen States have codified the definition of marriage in their State constitutions. In 2004, 13 States, including Utah, overwhelmingly passed their own constitutional amendments to preserve traditional marriage. I was proud to join the majority of my fellow citizens in supporting the adoption of Utah's measure to protect traditional marriage. Seven more States will vote on their amendments this year.

Yet, for those opposed to this amendment, these constituent concerns are not worth our time. I disagree. Yesterday the distinguished Democratic leader came to the floor—a dear friend of mine—with a laundry list of issues that we could be addressing instead of this amendment. Along with the Democratic whip, he did so again today. Ultimately, I think we are capable of chewing gum and walking at the same time. In 2 days, we will be taking up floor time to debate a bill to create a race-based government for the State of Hawaii. I will not hold my breath waiting for these same folks to argue then that we should be discussing more pressing issues.

I wish those dismissing the importance of this issue would let us look at their phone logs. I know that in my office our phones have been ringing off the hook. Utah is a pretty conservative State, but I don't doubt that other members from across the country are hearing the same thing. The constituents who support this amendment, and others like it in the States, understand something that the sophisticated proponents of same-sex marriage do not—our marriage laws permeate our entire culture and we need to be wary about letting the judiciary foist some untested and, frankly, unwanted social experiment on an entire Nation.

Unless we allow an the American people to decide this issue themselves through the amendment process, it is only a matter of time before some renegade judges take it upon themselves to decide it for the American people.

Yet, some in this body apparently prefer to put their heads in the sand.

They know that this is an important issue. But they are tied in knots. A few weeks ago, Howard Dean, the Chairman of Democratic National Committee was for traditional marriage before he was against it. One day the Democratic Party was for traditional marriage. The next day, efforts to protect traditional marriage were tantamount to discrimination.

The bottom line is that some liberal interest groups are attempting a redefinition of marriage, and they are out there all alone on this issue. Vast majorities of Americans support traditional marriage. But some of my colleagues on the other side of the aisle are so dependent on these activist groups for support that they sometimes feel they cannot go against them. I think this is why we are having a cloture vote, rather than an up- or-down vote on this amendment. At the end of the day, many of the same people who deny the necessity of this amendment do not want to have a vote it on their record.

So, rather than take on the other side's arguments, they avoid the issues and challenge the motives of those who support this amendment. My friends on the other side of the aisle claim that this amendment is discriminatory. My colleague from Massachusetts, Senator KENNEDY, is a good man. But he is out of line to say as he has that a vote for this amendment is a vote for bigotry pure and simple. Over half of his colleagues will vote for cloture on this amendment. Does he really want to suggest that over half of the United States Senate is a crew of bigots?

This is Dr. Dean's subtle diagnosis. Democrats are committed to fighting this hateful, divisive amendment and to fighting similarly discriminatory ballot initiatives in states across the country. We strongly oppose any attempt to write discrimination into law—whether it be at the local or state levels or in the United States Constitution.

Never—not once in any State—have the people's popularly elected representatives decided to amend traditional marriage laws to include same-sex couples. When given the chance, they affirm traditional marriage. In Vermont, in California, and in Washington there is statutory language preserving the traditional definition. Are the legislators and citizens who supported these laws engaged in discrimination?

Let me give you another example.

When Nevada considered a State constitutional amendment to preserve traditional marriage, a vast majority of the State's citizens supported the measure. For Nevadans, preserving traditional marriage was not a wedge issue. Divisive issues do not garner 70 percent of the vote, as it did in 2000.

And so it was no surprise that the State's foremost public servant wholeheartedly supported this effort. Nevadans wanted to amend the State's constitution merely to affirm what has always been the law in Nevada and in the other States—that marriage is between one man and one woman.

That was then.

This is now.

Today, the Democratic Leader, who I count as a friend, has jumped on this bandwagon and said that this amendment would write discrimination into the Constitution.

So he supports unequivocally a State constitutional amendment to protect traditional marriage, but he claims that it is discrimination at the national level.

Let me get this straight.

Since the colonies were first settled, traditional marriage has been the norm in this country. It remains so today with the exception of Massachusetts. In recent years the American people have reasserted in State after State their strong desire to maintain traditional marriage laws. So the beliefs of most Americans are discriminatory?

Was it discrimination when members supported their State constitutional amendments to protect traditional marriage?

Was it discrimination when 85 members of this body, including 32 Democrats, voted for DOMA, the Defense of Marriage Act?

Was it discrimination when President Bill Clinton signed it?

Is it discrimination for our religious leaders to support traditional marriage?

The Catholic Church opposes same-sex marriage. Does the Pope believe in discrimination?

Seventeen Catholic Bishops and all eight American Cardinals support this amendment. Do they support discrimination? That is what some of my colleagues are suggesting.

Is every parish priest who refuses to marry a same-sex couple engaged in discrimination?

My church supports traditional marriage. So do many other religions that recognize the importance of marriage between a man and a woman.

I do not think that some of my colleagues opposing this amendment have considered the full ramifications of a Federal court decision commanding same-sex marriage on the States. What happens to the tax status of a church that our courts have determined to be engaged in discriminatory conduct that cuts against the public policy of the State? We have seen a preview with the experience of Catholic Charities in Massachusetts. For decades, this noble organization has provided adoption services for hard-to-place children. Yet the State recently presented this organization with the catch-22 of abandoning the church's traditional teaching on human sexuality or abandoning their religious commitment to works of mercy. This is not a choice our churches and religious citizens should face, but it is, I fear, a choice that they will have to make unless we act.

Our history as a nation is dotted with instances of some outlier, activist judges who ignored their institutional limitations in order to replace their own public policy judgments for those of the American people and their representatives. It is hardly a surprise that some elite judges might underestimate the political and social consequences of their efforts to alter the legal framework of marriage. After all, most of the people that they know may be in favor of such changes.

Well, they are about to find out that there are people outside of their small universe of liberal opinion. If a few renegade judges determine that traditional marriage is unconstitutional, our previous political debates over improper judicial decisions will pale by comparison.

The fact remains that some judges are eager to replace the opinions of the American people with their own. Since the cloture vote on the marriage amendment in the 108th Congress, State trial courts in Washington, New York, California, and Maryland have struck down traditional marriage laws. The marriage laws of Connecticut have been challenged. The laws in Iowa have been challenged. A lawsuit has been filed in Federal court in Oklahoma that challenges not only a State constitutional amendment to preserve traditional marriage, but also the Federal Defense of Marriage Act. The Supreme Court of New Jersey seems poised to overturn the State's traditional marriage laws. A Federal court in Nebraska already struck down the State's constitutional amendment to protect traditional marriage. Just a few weeks ago, a judge in Georgia invalidated an amendment passed by the State's voters in 2004.

Those who oppose traditional marriage are not playing by the rules. They are not convincing their fellow citizens of the merits of their cause. They are not taking their arguments to the legislatures. Rather, they are taking the easy way out. Just convince a few elite judges that they are on the side of justice, and traditional marriage laws will go the way of the dinosaurs.

According to this amendment's opponents, when well-funded liberal activist groups ask judges to subvert the will of the people in every State, they are not playing politics. When they ask a bare majority of judges to overturn traditional marriage laws and declare them discriminatory, they are merely seeking justice. Yet when the people's elected representatives attempt to preserve traditional marriage in this country, we are playing politics.

We must be respectful of homosexual citizens. They are our fellow citizens. And they, no less than we, are endowed with the rights that Thomas Jefferson elaborated in the Declaration of Independence. But we also live in a democracy. And in democracies the people get to determine social policy, not judges. We should take this opportunity to restore the authority of the people over public policy and their own constitutions. We should remind these judges that the judiciary does not have a method of reasoning superior to the people or their elected representatives. Judges are good at deciding cases. They are good at applying law. But when it comes to moral reasoning, there is nothing in their legal training or in our laws that gives a few activist judges a right to make wholesale social change at the expense of the traditions of the American people.

I support this amendment. It is merely a congressional affirmation of what the vast majority of citizens in Utah and across the country already believe—marriage should be between one man and one woman.

We have a long way to go, but as even this amendment's opponents know, the fact that legislation will not pass is no reason to avoid a debate. Only by debating can you build a consensus. The American people have already arrived at a consensus on this issue. They want to see traditional marriage remain the law of the land. I agree with that sentiment, and so I will be voting for cloture. I urge my colleagues to do the same.

I yield the floor.

Mr. ALLARD. Mr. President, I thank the Senator from Utah for his hard work on this issue. He is a dedicated Senator and an honorable one. We appreciate him taking the time to address the Senate.

Mr. President, I now ask that Senator THUNE be recognized.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I rise today to join the debate and express my strong support for the marriage protection amendment, of which I am a cosponsor. Amending the Constitution of the United States, as many have noted, is serious business and is something we should only undertake when we have a compelling rationale.

This amendment meets that high standard. Nothing is more fundamental, nothing is more important to the fabric of American society than the family. And that is what this debate is really all about.

Every Member of this body, every citizen of this Nation understands, or at least should understand, that the traditional family is the glue that binds our communities, the building block on which our Nation is constructed. It is something that I as a father of two daughters and a husband of 20 years understand and appreciate.

Yet today, this pillar of our society is under attack by some who are pursuing a narrow social agenda designed to destroy the definition of marriage that has existed since the birth of civilization. They are trying to convince us that what virtually all Americans have understood for more than two centuries as self evident, is wrong.

People ask why do we need to do this now? Why is it necessary? As has been noted, despite widespread public disapproval, activist judges are eroding the different State laws that define marriage as a sacred union between a man and a woman.

Currently nine States face lawsuits challenging their marriage laws. California, Maryland, New York, and Washington State trial courts have followed Massachusetts and found State marriage laws unconstitutional. The State supreme courts in New Jersey, Washington State, and New York could decide marriage cases this year.

The only sure way to prevent the courts from redefining marriage is to send to the States a Federal constitutional amendment that affirms marriage and prevents activist judges from hijacking that definition.

There have been those who have come to the floor and said that this really is not an issue the American people care about. Well, I beg to differ, if you look at what has happened in 19 States. Nineteen different States in this country have adopted constitutional amendments, by public vote, defining marriage as a union between a man and a woman.

That very initiative, that very vote will be on the ballot this fall in South Dakota. I predict that we will get a very comfortable margin in favor of that.

In fact, if you look at the average in all of these places around the country, all of the States that have debated this issue and voted on it, the average vote has been 70 percent. Seventy percent of the American people have a different way of deciding what they care about and what is important and that is sometimes different than politicians here in Washington.

Some have said there are more important issues we need to deal with. However, the fact of the matter is if you look at the agenda we have been talking about for the past several weeks right here in the U.S. Senate we have been dealing with those issues.

Yesterday several Democrat Senators expressed their frustration about this debate taking place, a sentiment that has been repeated throughout the course of the day by more of their Democratic colleagues. They say there are more important issues that need to be debated during this time instead of marriage. Putting aside the fact that protecting traditional marriage and families is an important topic, they seem to forget what has been occurring on the Senate floor.

They say we need to focus on health care, an issue that is very important to me and my constituents in South Dakota. However, they forget that when this issue was brought to the floor just a few short weeks ago, they filibustered not one, not two, but three solutions to the health care crisis that faces our country; namely two types of medical liability reform and the Health Insurance Marketplace Modernization and Affordability Act.

They say we need to tackle the high price of gasoline that has affected this entire country, something that again affects profoundly the people I represent in South Dakota. However, they must forget the battle that has been occurring since the early 1990s to open up the Alaska National Wildlife Refuge, or ANWR, to oil exploration. It is something that has been debated consistently and repeatedly here and blocked from consideration. Once developed, ANWR could provide about one million barrels of oil each day for the next 30 years, a good first step toward solving this complicated problem. However, what we have run into is continued filibusters on what is a very commonsense step toward reducing our energy dependence.

They are right, there are many important issues facing Americans throughout this country. However, they are pointing their fingers at the wrong people. If they are so serious about solving America's problems, they should let the Senate vote on these issues, including the Marriage Protection Amendment.

One of the other issues which has been raised throughout the course of this debate is that we should not trivialize the Constitution with this amendment, that somehow marriage does not meet the threshold or the criteria of the liberal elites to warrant discussion as an amendment to the Constitution.

Well, there again, if you look at just the last 20 years here in the U.S. Senate, there have been a whole range of constitutional amendments that have been proposed by our colleagues on the other side. In fact, there are over 100 constitutional amendments that have been proposed right here in the U.S. Senate by our colleagues on the other side.

I was listening earlier to the debate on the floor when the Senator from Illinois, the Democrat whip, and the Senator from Nevada, the Democrat leader, were talking again about how we ought to be talking about other issues. It is interesting to note if you look at some of the constitutional amendments that have been introduced here in the U.S. Senate, both of those particular Members, as well as others of our colleagues on the Democrat side, have cosponsored many of those amendments.

They have cosponsored amendments dealing with physical desecration of the flag, of which I am also a cosponsor, as well as an amendment dealing with the regulation of contributions and expenditures intended to affect elections. There was an amendment proposed by the Senator from Illinois that would abolish the electoral college and provide for the direct popular election of the President and Vice President of the United States. There was a constitutional amendment offered by the Senator from Nevada that proposes repealing the 22nd amendment which establishes Presidential term limitations.

There are always constitutional amendments offered here in the U.S. Senate, and there are always those on both sides of the aisle who have varying levels of interest in those. But the reality is, that is what our Founders gave us. This is the mechanism they gave us whereby we can deal with some of these issues when there are constitutional questions.

What has prompted this debate in the U.S. Senate is the fact that States across this country, and in the Federal Government right here in Washington with the Defense of Marriage Act in 1996, have all taken action on the issue of marriage. Yet, we have courts across the country that are challenging the will of the people in each of those respective decisions and going their own way. They are trying to redefine marriage in a way that is contrary to what I believe is the tradition of this country, not only the tradition of this country, but since the beginning of time.

This is an important issue. It is an important debate. It is a debate that I believe we need to have in this country.

The other thing that has been said by our colleagues on the other side is, Why debate something if you know it is not going to have the votes for passage? Well, we may not get to 67 votes this time around and I was not here in 2004 when the Senator from Colorado brought this amendment to the floor and it was voted on previously, but I am told it got somewhere around 48 votes. I think we will get more votes for it this time.

But the point is, why would we not debate meaningful issues here in the U.S. Senate? That is what we are here for. If we just brought legislation to the floor of the U.S. Senate that we knew we had the votes to pass, we would not be debating very much.

We had a lot of amendments to the immigration bill that we debated in the last couple of weeks that failed by large margins. Yet, I did not see anybody here saying we should not debate them because we know we do not have the votes here to pass it.

The Senator from Illinois was talking about this earlier today saying: We should not be debating this because we know it is not going to pass. The last amendment he offered to the immigration bill, that was debated in the last couple of weeks in the U.S. Senate, got just 34 votes. Well, I think he has a right to debate that in the U.S. Senate, just like I think the people across this country who care passionately about the defense of marriage have the right to do so as well.

The other thing that gets stated a lot in this debate is that we should not in any way erode States rights, that somehow this amendment steps on States rights. That is wrong. Think about it. This is what our Founders gave us. This is the mechanism whereby the people of this country can amend the Constitution.

It requires the active participation of people all across the country, through their elected Representatives here in the U.S. Senate where it takes a two-thirds vote and the House of Representatives where it takes a two-thirds vote. And then it goes to the States. Three-fourths of the States, 38 States, would have to ratify this in order for it to become a part of our Constitution. That is about as much public participation as you could possibly ask for.

Not to mention the fact, as I indicated earlier, that we have already had votes all across the country. Nineteen States have put it on the ballot. Nineteen States, by an average of 70 percent, have affirmed traditional marriage as the union between a man and a woman.

It seems to me the States ultimately are going to decide this issue. If in fact this body and the U.S. House get the two-thirds votes that are necessary to send it to the States, 50 State legislatures are going to be debating this. Thirty-eight of them are going to have to decide if it is the right thing to do before it ultimately becomes part of the Constitution of the United States.

Very simply, the reason for this debate is that people in this country want to know that we care enough about the institution of marriage to step up and defend it against attacks from liberal activist judges, against courts that have decided that they want to redefine what we have known to be true about marriage for the past several hundred years. That is where this debate ought to be heard.

It ought to be heard by the people of the United States of America. It has been in legislatures around the country. It is being heard here in the U.S. Senate today. The people's voice is what we do. We give voice to the issues that the people in this country care about, and I happen to believe that this is one of those issues.

That is fundamentally what this debate is about. It is not about whether or not there are enough votes to pass it. It is not about whether or not this warrants the threshold of what is worthy for a debate on a constitutional amendment.

As I said earlier, our colleagues on the other side who are objecting to that have offered over 100 constitutional amendments over the past 20 years in this institution. It seems to me that the definition of marriage, that fundamental foundational building block of American society, is certainly worthy and warrants discussion and the time of the U.S. Senate.

So I commend the Senator from Colorado for bringing this to the floor. I look forward to voting in favor of it. I urge my colleagues to do the same, because I believe that is what the American people would have us do.

I yield the remainder of my time.

Mr. McCAIN. Mr. President, I understand I am recognized for 15 minutes.

The PRESIDING OFFICER. The majority controls the time until 4 o'clock.

Mr. McCAIN. Mr. President, I believe that the institution of marriage can serve its public purposes only when it is understood as being a union between one man and one woman. It is this understanding that offers public reinforcement to the vital and unique roles played by mothers and fathers in the raising of their children. It is this understanding that offers a foundation for principled objections to those who would pursue the imprudent agenda of dismantling an institution that has served us well, and replacing it with newer and more flexible understandings that are of questionable public value.

I also believe in the institution of republican government as described in the U.S. Constitution. This, too, is an institution that has served us well, founded upon the precept that the American people speak through their elected representatives, and these representatives remain at all times answerable and accountable to the people whom they serve. Today, on the question of marriage, we are told by advocates on both sides of the debate that these two institutions, as they are currently understood, cannot be reconciled, and that one or the other must be changed. I do not agree, and thus I do not at this time support the proposed Marriage Protection Amendment.

The proposed amendment would establish in our Constitution a permanent resolution of a debate that is currently and properly being resolved in different ways, in 50 different States, by the people's elected representatives. Our system of federalism is not easily separable from our commitment to republican government, because it is driven by the idea that we are best governed when those who represent us live where we live, and share the values that we share. It is this understanding that has allowed us the strength, as a Nation, to time and again preserve our unity and confront our challenges in times of crisis, no matter how great our differences on issues that are the subject of heated public debate. The continued vitality of America's commitment to federalism and republican government offers a hopeful example to strife-torn areas of our world where conflicts are tragically settled with bullets rather than ballots. The constitutional value of federalism is doubly important in the area of family law, because power to legislate in this area has traditionally been reserved to the states, and because issues of family structure affect the fabric of the broader community, creating the opportunity for approaches that reflect the values of the States that form our Nation.

Most Americans believe, as do I, that the institution of marriage should be reserved for the union of a man and a woman. Wherever the question of same-sex marriage has been put to the test of public approval, it has been decisively rejected. Presently, 19 States protect in their constitutions traditional definitions of marriage. In 2004, amendments to State constitutions preserving the institution of marriage exclusively as the union of a man and woman were placed on the ballot in 13 States. All 13 passed by substantial margins. Thus far, seven States have a constitutional amendment on the ballot this year. There is little doubt they will all prevail. Proponents of an amendment to my State's constitution, which I support, are working hard to collect the required number of signatures to secure a place on the November ballot. If we succeed, I am certain Arizonans will adopt it overwhelmingly.

There can be little doubt that a sizeable majority of the American people, whatever their views on other questions involving the rights of homosexuals in our society, strongly support reserving the institution of marriage for the union of one man and one woman. That majority includes, I am confident, majorities in every State in the Union. It includes Americans of both political parties, whose voting habits and general political philosophy range from conservative to moderate to liberal.

It is obvious that there is a broad consensus in this country in support of the traditional definition of marriage. And when the American people are so decided in a public debate, their elected representatives will defend that consensus. Forty-five States have either constitutional protections or statutes on the books defining marriage in traditional terms. In 1996, Congress passed and President Clinton signed into law the Defense of Marriage Act, which allows each State to deny within its boundaries the status of marriage to the union of a same-sex couple that may have been recognized in another State. To date, the Defense of Marriage Act has not been successfully challenged in Federal court.

The broad consensus in support of traditional marriage does not yet extend to support for the measure we are debating today, an amendment to the Federal Constitution defining marriage as the union between a man and a woman. I suspect that is because most Americans are not yet convinced that their elected representatives or the judiciary are likely to expand decisively the definition of marriage to include same-sex couples.

Obviously, the Massachusetts Supreme Court's ruling in 2003 effectively extended lawful marriage to same-sex couples even though it is apparent that a majority of Massachusetts residents do not support that change in the interpretation of the State's marriage laws. But there are political remedies to what, I believe, can be fairly criticized as judicial activism that ignored the will of the people and denied a State government its long established right to regulate marriage. In Massachusetts, more than 120,000 voters signed a petition to place on the ballot an amendment to the Commonwealth's constitution restoring the traditional definition of marriage. A constitutional convention to consider amending the Massachusetts constitution is scheduled to convene on July 12.

The Nebraska decision is under review by the U.S. Court of Appeals for the Eighth Circuit, which has already heard oral arguments in the case, and might issue a ruling as early as this summer. Most analysts, on both sides of the debate, believe the lower court's decision will be reversed, and the exclusive protections for traditional marriage that the people of Nebraska adopted in 2000 by a vote of 70 percent will be restored to their constitution. Nebraska's attorney General has not even felt it necessary to ask for a stay of the district court's decision pending the outcome of the appeal, which would almost certainly have been granted. I assume this is because Nebraska still has a defense of marriage law on the books, and there are no same-sex marriage cases pending in Nebraska courts or same-sex marriage legislation pending in the Nebraska Legislature.

I understand that the precipitous Massachusetts decision as well as the unlawful granting of marriage licenses to same-sex couples in a few localities outside Massachusetts, challenges to traditional marriage laws in other States, and the decision last year by the Federal district court in Nebraska that struck down an amendment to Nebraska's constitution restricting marriage to a man and a woman have added to the support for a Federal marriage amendment. While that support does not mirror the broad national consensus in support of traditional marriage, it is substantial and passionate. I understand that and I respect it, and I agree that marriage a uniquely important institution should be protected. But I do not agree that all the above circumstances have made it necessary to usurp from the States, by means of an amendment to Federal Constitution, their traditional role in regulating marriage. I'm reluctant to abandon the federalism that is part of the essence of conservative political thought in our country. And I am very wary of the unintended consequences that might follow from making an exception to our federalist principles for the sake of addressing a threat to the institution of marriage that may still, indeed, seems likely to be, defeated by means far less precedent setting than amending our Nation's Constitution.

Of course, while I disagree that the current constitutional structure provides insufficient mechanisms for ensuring that the public meaning of marriage is not tampered with by activist judges, it would be disingenuous to argue that those who support the proposed amendment have no grounds for their concern. In recent decades there have been too many occasions on which the Federal Courts, including the Supreme Court, have forgotten their proper role, and abandoned the virtues of federalism and republican government in favor of imposing their own policy preferences in the guise constitutional interpretation. Decisions such as Roe v. Wade continue to distort the democratic process in ways large and small to this very day. It is a telling commentary on those who seek to change the longstanding public meaning of marriage that in many instances they have chosen to pursue their agenda through the courts rather than taking their case to the people. Those who wish to engage the issue in good faith should reject out-of-hand attempts to read into the Constitution a right to same-sex marriage, because the Constitution says absolutely nothing about it, and because the longstanding traditions of American society have defined legal marriage as a union between one man and one woman. Indeed, yet another reason I am reluctant to support the proposed amendment at this point in time is that I do not accept the proposition that the current Constitution could ever reasonably be read to contain a supposed "right" that it plainly does not contain.

It is just not clear to me that threats to the institution of marriage that have arisen in recent times have become a permanent breach of State authorities' traditional role in regulating and defining marriage as the people of their States and their elected representatives see fit. My confidence that the public meaning of marriage will be decided in the context of federalism and republican government rather than by judicial fiat is strengthened by the recent confirmations of Chief Justice Roberts and Justice Alito, and I hope that future appointments to that State and Federal courts give us judges who share a similar understanding of the courts' proper role in our constitutional system.

However, if I am wrong, and the Nebraska decision were to be upheld on appeal; or were other challenges to State marriage laws made and upheld; or if majority sentiment and legislative remedies in affected States fail to overcome peremptory judicial intrusions into the political process of defining marriage; or if the Supreme Court were to reject the Defense of Marriage Act, then, and only then, would the problem justify Congress making the momentous decision to amend the most enduring and successful political compact in human history as the only recourse means to restore the public's right to define, according to the values and concerns of our communities, a critically important foundation of our society.

Let me pose a hypothetical situation to illustrate why we should be reluctant to impose a constitutional remedy to a problem that will probably be resolved in an ordinary, State by State political process, consistent with the respect for federalism we Republicans have long claimed as one of our virtues. Those of us who consider ourselves pro-life would welcome the Supreme Court's reversal of the Roe v. Wade decision that found a constitutional right to an abortion. The result of that reversal would be to return the regulation of abortion to the States, where the values of local communities would be influential. Now, further suppose that abortion rights advocates held majorities in both houses of Congress, and rather than argue State by State for liberal abortion laws, they decided to usurp the States' authority by means of a constitutional amendment protecting abortion. Wouldn't we who consider ourselves federalists loudly protest such a move? Wouldn't we all line up on the floor to quote Mr. Madison from Federalist Paper 45, that:

> The powers reserved to the several states will extend to all the objects, which, in the ordinary course of affairs, concern the lives, liberties and properties of the people, and the internal order, improvement and prosperity of the State.

Yes, we would, Mr. President, yes, we would.

I believe that in the "ordinary course of affairs," the American people's clear preference to retain intact the institution of marriage, defined according to the values of our communities as the union of one man and one woman, will prevail, and that attempts to ignore the people's will, either by judicial fiat or by the occasional enterprising politician will, in due course, be overcome. I might be wrong, and I respect the concerns of Americans who believe current circumstances urgently require the constitutional protection of traditionally defined marriage. But I do not believe that recent developments yet pose a threat to marriage that cannot be overcome by means short of a constitutional amendment.

While I will vote in opposition to this amendment, I believe its advocates should be reassured that if in the future the public meaning of marriage is taken from the hands of the people and altered by judges who claim falsely to speak before all others for the people's constitutional ideals, then it will be the people, acting through their elected representatives in this Chamber, who will at that time have the final word. Until then, however, I will trust in the American people and the elected representatives closest to them to pass and enforce laws upholding the institution of marriage in accord with the values of their communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I rise today in support of S.J. Res. 1, the Marriage Protection Amendment to the U.S. Constitution. I support this amendment because traditional marriage is the bedrock institution of our society and its integrity must be maintained. The people and State legislatures around the country have approved laws and constitutional provisions to protect traditional marriage, but courts persist in reinterpreting their State constitutions to redefine the institution. I believe that, to prevent that kind of judicial activism from spreading, and to guarantee that people and the States can decide the issue, Congress should approve the marriage amendment and send it to the States for ratification.

In my brief remarks, I will address two basic questions. First, is marriage worth defending? And second, is a constitutional amendment necessary, or can this question be handled through the states?

On the first question, the answer should be clear to all. Traditional marriage—marriage between a man and a woman—is the fundamental institution of our society. That is primarily because marriage is the best environment for the protection and nurturing of children. Traditional families are where we hope that children will be born and raised and where we expect them to receive their values. If we want our Nation's children to do well, we need to do everything we can to ensure that children grow up with mothers and fathers. And the place where that happens best is where mothers and fathers properly unite, in marriage. The state sanctions and encourages marriage not only because it wants to validate a lifelong personal relationship, but, more importantly, because we need a stable institution for childrearing. That is why this issue is of such great importance.

We send a very important message to our children when we stand up for the institution of marriage. We tell them that marriage matters—that traditional family life is a thing to be honored, valued, and protected. We tell them that marriage is the best environment for the raising of children. We tell them that every child deserves a mother and a father. We point them to the ideal. We simply cannot strip marriage of its core—that it be the union of a man and a woman—and expect the institution to survive in its present form. The law of unintended consequences certainly applies here, as in all things. We cannot strip the institution of its essence and expect no adverse consequences.

That leads me to the second question: is a constitutional amendment necessary, or can the future of marriage be handled at the state level? I have heard some of my colleagues argue that this issue is best left to the States. They argue that family law is traditionally a State issue, and that the States are best equipped to manage family law matters. They say that Congress should do nothing, and just let each jurisdiction sort this out on its own.

First, just as a matter of history, some like to say that the definition of marriage is only a State issue, but history shows that the question is a bit more complicated. For example, when Congress admitted Utah as a State in 1896, it expressly required Utah to ban polygamy. In other words, the Federal Government imposed the traditional definition of marriage, because Members of Congress believed that the issue was of national importance. And in general, at least since the Civil War, we have moved increasingly towards a system in which the core questions about how to order our society are answered on a national level.

Second, we should focus on what "federalism" actually means. Many opponents of this constitutional amendment suggest that our federalist principles require us to sit on our hands and do nothing. Respectfully, I believe that the underlying principle that gives federalism its power is being misunderstood and misapplied. In fact, I think exactly the opposite is true: a genuine examination of the principles of federalism and States' rights should lead one to support this amendment.

The purpose of federalism is to empower the American people and to bolster democratic participation by ensuring that questions are decided at the local level, wherever possible.

We do not want the Federal Government deciding questions of purely local importance, so we have limits on Federal power. These limitations are designed not so much to protect State governments, but to ensure that democracy works more efficiently and that policy is set by the American people through the officials that they know better and who are physically closer to them. Thus, federalism is not a dry question of allocating power among governments and politicians. It is about finding the best way to enhance the power of the people themselves.

A vote against this amendment does nothing to enhance the power of the American people. The only thing it does is enhance the power of the courts. To hear this talk of "States' rights" and "federalism," you might think that the American people are clamoring for same-sex marriage. In fact, just the opposite is true. Opinion polls consistently show nearly 60 percent opposition to same-sex marriage. Moreover, when citizens are given the opportunity to vote on State constitutional amendments, they support those amendments by an average of 70 percent.

No, as we all know, the danger here is not State legislatures, but judicial activism from the courts. The American people are not deciding this question; the courts are. The alternative to a Federal constitutional amendment is not one in which the people are left to operate their States as laboratories, as Justice Brandeis once suggested, but one in which the people are robbed of any ability to control this issue.

So let us deal with the facts on the ground, so to speak. This is not being "handled" by the States today. It is being handled by the courts. Even in the "reddest of the red" States such as Nebraska and Oklahoma, each of which adopted State constitutional amendments to protect traditional marriage, the activists have sued Federal court and said those State amendments are unconstitutional under Federal law. The citizens of these States are not being permitted to decide this question. "States rights" implies not courts, but the people, making these decisions.

Let's look at what is happening in the courts, with special attention to what has happened since we last debated this amendment.

First, since July 2004, State trial courts in Washington, New York, California, and Maryland all have struck down traditional marriage laws. Those cases are now on appeal. So, compare today versus 2 years ago. In July 2004, we were looking only at Massachusetts. Today, State courts in four other States have followed Massachusetts' lead.

Second, even more State court lawsuits have been filed. In Connecticut and Iowa, same-sex marriage advocates argue that each State's traditional marriage law is unconstitutional, and that the courts must redefine the institution to include same-sex couples.

Third, there has been increased action in Federal courts. In particular, a Federal district court in Nebraska struck down the State's constitutional amendment protecting traditional marriage. The case is on appeal to the Eighth Circuit, and a decision is likely sometime this summer. Regardless of how the case comes out, it shows the aggressiveness of the advocates for same-sex marriage. In Nebraska, 70 percent of voters adopted a constitutional amendment stating clearly that they wanted marriage to be preserved in its present, traditional form. Yet the ACLU still sued.

There has been other Federal court action as well. For example, activists filed a lawsuit in Federal court in Oklahoma challenging the State constitutional amendment enacted by voters, as well as Federal DOMA itself.

DOMA also came under fire in California, where a Ninth Circuit panel dismissed a constitutional challenge on technical, standing grounds. Some good news came in Florida, where a Federal district court upheld DOMA's traditional definition of marriage for purposes of Federal law.

So, in summary, there are currently 9 States facing lawsuits challenging their marriage laws—California, Connecticut, Iowa, Maryland, Nebraska, New Jersey, New York, Oklahoma, and Washington. I should add that State supreme courts are expected to rule in New Jersey and Washington sometime this year.

I mention all these cases because they show the folly of relying on "federalism" or "States' rights" to resolve this national debate. The people are not deciding these lawsuits; judges are. If we do nothing—if we stand aside and let the States work it out, as some of my friends argue, then the American people will see the institution of marriage redefined against their will. It is happening now, and it is going to continue happening for as long as this body punts on this issue.

If we want to stand up for federalism—not to mention traditional marriage—then let's look at how a constitutional amendment works. The constitutional amendment process outlined in Article V of the Constitution is the most democratic, the most grass roots, and the most respectful process available for the establishment of national policy. A constitutional amendment requires the support of ⅔ of both houses of Congress. Then it requires the support of the legislatures of ¾ of the States in the Union. Then, and only then, can the amendment become effective. This is a very high hurdle, but it guarantees that the American people have a full and complete opportunity to speak to the issue, that they can express their views to their Senators, their Congressmen, and their State legislators. It takes time. But in the end, if a constitutional amendment passes, we know that the American people want it.

In other words, Mr. President, the constitutional amendment process enhances federalism and States' rights. It ensures that there is a national consensus on this question, and it pushes the decisionmaking down to the most representative political leaders in our system, rather than allowing a few judges to amend the Constitution by overturning two centuries of our common understanding.

I have much more to say, especially regarding the meaning of this amendment and the political situation in the States, but time is short, so I will ask unanimous consent at the conclusion of my remarks to have printed excerpts from a policy paper that I issued as Chairman of the Senate Republican Policy Committee, "Why a Marriage Amendment is Still Necessary," which was published back on March 28.

To cite "federalism" or "States' rights" is to avoid the issue as it is actually playing out. Instead, we must decide whether this question belongs in the courts, where it is now, or whether it belongs in the legislatures and before the people. I submit that we should not stand in the way of the American people's right to speak on this question. I have faith that this constitutional amendment process will work—that the difficult social and cultural questions posed by same-sex marriage can be resolved satisfactorily through the democratic process of passing this constitutional amendment.

But I am even more sure that, if we fail to send this amendment to the people, and if the courts continue on their current path, our Nation will face decades of division that will make current frustrations with judicial activism seem quaint in comparison. If we refuse to act, the big loser will be not only traditional marriage, but the people's respect for the judicial system and for the rule of law itself. Such a breakdown would be disastrous, but it is avoidable. It is avoidable if Congress votes "yes" and sends this amendment to the States for ratification.

Mr. President, again, it should go without saying that traditional marriage as we understand it between men and women is a fundamental institution of our society and that we should do everything we can to ensure its preservation. The reason that is so is primarily because marriage is the best environment for the protection and the nurturing of children. We send a very important message to our children when we stand up for this institution. We tell them that marriage matters, that traditional family life is a thing to be honored and valued and protected. We tell them that marriage is the best environment for raising of children, that every child deserves a mother and a father. We point them to this ideal. We simply cannot strip marriage of its core, that it be the union of a man and a woman, and expect the institution to survive in its current form. The law of unintended consequences certainly applies here as in all things. We can't strip the institution of its essence and expect no adverse consequences.

That brings us to the second core question: Is a Federal constitutional amendment necessary to preserve this institution? I have come to the conclusion that it is. The question is whether this matter can be and is properly being handled at the State level, as some of our colleagues have contended. It is being handled at the State level to be sure, but the question is whether it is being handled by the people or by their elected representatives or whether in effect the Constitution is being rewritten by the courts, whether a couple of centuries of tradition about a common understanding of what traditional marriage meant is being eroded by court decisions rather than the will of the people.

Opinion polls consistently show nearly 60 percent opposition to same-sex marriage, and when citizens are given the opportunity to vote on State constitutional amendments, they approve them by an average of about 70 percent. So the danger here is not State legislatures but judicial activism from the courts. The American people are not deciding this question; the courts are. That is why the notion that we need to preserve federalism or States rights is, in my view, misplaced.

The alternative to a Federal constitutional amendment is not one in which the people are left to operate their States as laboratories, as Justice Brandeis once suggested, but one in which the people are robbed of any ability to control the issue because it is being resolved in the courts. Even in the reddest of the red States, such as Nebraska and Oklahoma, each of which adopted State constitutional amendments to protect traditional marriage, the activists have sued in Federal court and said that those amendments are unconstitutional under Federal law. So the citizens of these States are not being permitted to decide the question. States rights implies not the courts but the people making the decisions. That will not be what happens if these constitutional provisions are thrown out by the courts.

Look at what happened in just the last couple of years here, since we last debated the amendment. In 2004, State trial courts in Washington, New York, California, and Maryland all struck down traditional marriage laws. Those cases are now on appeal. So compare today versus 2 years ago. In July 2004, we were looking only at Massachusetts. Today, State courts in four other States have followed Massachusetts' lead. So the concern about the courts intruding into this area is not a hypothetical future concern but a reality today.

Even more State court lawsuits have been filed—for example, in Connecticut and Iowa. In addition to that, there is increased action in Federal courts. In particular, the Federal district court in Nebraska struck down a State's constitutional amendment protecting traditional marriage, as I mentioned a moment ago. That case is on appeal to the Eighth Circuit.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KYL. Mr. President, would I be out of order if I asked for unanimous consent for 1 more minute to conclude my remarks?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. In summary, to summarize these cases, there are currently nine

States facing lawsuits challenging their marriage laws—California, Connecticut, Iowa, Maryland, Nebraska, New Jersey, New York, Oklahoma, and Washington—and the State supreme courts are expected to rule in New Jersey and Washington sometime this year.

So the bottom line is this: The people are not deciding the Constitution, the judges are. If we do not do anything, if we stand aside and let the States work it out, as some of my friends have suggested, then the American people are likely to see the institution of marriage redefined against their will, and it will be much more difficult to adopt a constitutional amendment after these rulings are in place than it is to do so before they are in place.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks excerpts from a policy paper that was issued by the Senate Republican Policy Committee.

There being no objection, the material was ordered to be printed in the Record, as follows:

The following are excerpts from a policy paper titled "Why a Marriage Amendment is Necessary," released by the Senate Republican Policy Committee on March 28, 2006. Footnotes and citations are omitted.

Summary of Pending Lawsuits

As predicted at the time, the Massachusetts decision in Goodridge proved the catalyst for a flood of new lawsuits. As of March 2006, nine states face active lawsuits challenging their traditional marriage laws: California, Connecticut, Iowa, Maryland, Nebraska, New Jersey, New York, Oklahoma, and Washington. Those cases are summarized below:

STATUS OF PENDING LAWSUITS CHALLENGING STATE MARRIAGE LAWS

California: Direct challenge to state marriage laws. Plaintiffs seek redefinition of marriage to allow same-sex marriage. Filed in 2004. Plaintiffs won in trial court in April 2005. Appeal is now pending in state court of appeals in San Francisco. A complete timeline is unclear, but no final decision from state supreme court is expected until 2007 at the earliest.

Connecticut: Direct challenge to state marriage laws. Plaintiffs seek redefinition of marriage to allow same-sex marriage. Filed in 2004. Case is pending in state trial court in New Haven. A complete timeline is unclear, but no final decision from state supreme court is expected until 2007 at the earliest.

Iowa: Direct challenge to state marriage laws. Plaintiffs seek redefinition of marriage to allow same-sex marriage. Filed in 2005. Case is pending in state trial court. A complete timeline is unclear, but no final decision from state supreme court is expected until 2007 at the earliest.

Maryland: Direct challenge to state marriage laws. Plaintiffs seek redefinition of marriage to allow same-sex marriage. Filed in 2004. Plaintiffs won in trial court in January 2006, and state has said it will appeal. A complete time line is unclear, but no final decision from state supreme court is expected until 2007 at the earliest.

Nebraska: Federal constitutional challenge to state constitutional amendment protecting traditional marriage. Plaintiffs won in federal district court, and the state appealed to the federal appeals court. Oral arguments were heard in February 2006, and a decision is expected in the spring or summer of 2006.

New Jersey: Direct challenge to state marriage laws. Plaintiffs seek redefinition of marriage to allow same-sex marriage. Filed in 2002. The state successfully defended traditional marriage laws in trial and appeals court, and the case is now before the state supreme court. Oral arguments were heard in February 2006, and a decision is expected in the summer or fall 2006.

New York: Multiple direct challenges to state marriage laws. Plaintiffs seek redefinition of marriage to allow same-sex marriage. Filed in 2004. After conflicting results in lower state courts, the state's highest court is now reviewing the case. A decision is expected no sooner than late 2006.

Oklahoma: Federal constitutional challenge to state constitutional amendment protecting traditional marriage. Plaintiffs also challenge federal DOMA. Filed in 2004. Case is pending in federal district court. A motion to dismiss has been pending since January 2005, and a decision is expected in 2006.

Washington: Direct challenge to state marriage laws. Plaintiffs seek redefinition of marriage to allow same-sex marriage. Filed in 2004. Plaintiffs won in state trial court, and the cases are now on appeal to the state supreme court. Oral arguments were heard in March 2005, and a decision is expected in 2006.

Note that in four of those states facing current challenges—California, Maryland, New York, and Washington—state trial courts have already struck down marriage laws and found a right to same-sex marriage in state constitutional provisions dealing with equal protection and due process. Those decisions are stayed pending appeal. State courts in Hawaii, Alaska, and Oregon had previously done the same, but state constitutional amendments subsequently reversed those decisions.

The Increase in Legal Challenges

These current lawsuits are part of a growing trend. Until recently, very few states had seen attacks on their marriage laws. As of 1992, lawsuits had been filed in Minnesota (1970), Kentucky (1973), Washington (1974), Colorado (1980), and Hawaii (1990). As the Hawaii case gained traction, activists filed new lawsuits in Alaska (1995), Vermont (1997), Massachusetts (2001), New Jersey (2002), Indiana (2002), Arizona (2003), and Nebraska (2003). Since the Massachusetts high court struck down traditional marriage laws in 2003, cases were filed in Alabama, California, Connecticut, Florida, Maryland, New York, North Carolina, Oklahoma, and West Virginia in 2004, and in Iowa in 2005. In many of these states, such as Florida, California, and New York, more than one lawsuit was filed. The number of states that have faced challenges to their marriage laws has more than quadrupled since the early 1990s.

The Common Thread in the Lawsuits Challenging Traditional Marriage Laws

These lawsuits are brought under a variety of state constitutions or, in the federal cases, they are based on the U.S. Constitution, but the cases' substance are very similar.

First, nearly all the lawsuits are brought by the same cadre of legal activists at the American Civil Liberties Union, the Gay & Lesbian Advocates & Defenders, Lambda Legal Defense & Education Fund, and the Freedom to Marry coalition. This is a coordinated and well-funded national campaign.

Second, on substance, these advocates regularly argue that civil marriage is a fundamental right; that denying civil marriage to same-sex couples violates their right to equal treatment based on sex and sexual orientation; and that the state can offer no legitimate justification for not redefining marriage to include same-sex couples.

Third, the advocates frequently rely on the U.S. Supreme Court's decisions in *Lawrence* v. *Texas*, 539 U.S. 558 (2003) (holding that sodomy bans are unconstitutional) and *Romer* v. *Evans* 517 U.S. 620 (1996) (holding unconstitutional a Colorado state constitutional amendment barring enactment of laws aimed at benefiting homosexuals), as general support for the transformation of equal protection and due process jurisprudence to require same-sex marriage. Even those challenges that purportedly rely on state law also look to federal cases for support.

Finally, the advocates often rely on the Massachusetts decision in Goodridge as persuasive authority, along with the similar trial court opinions in Washington and New York. Thus, in our integrated legal system, court cases in one state affect litigation elsewhere; one cannot argue that what happens in Massachusetts has no extraterritorial impact.

Citizens Are Fighting To Protect State Marriage Laws

When the advocates began this effort in Hawaii in the early 1990s, only a few states had expressly defined marriage as between a man and a woman (although state common law typically assumed it). Moreover, no states had amended their constitutions to protect against state court judicial activism. After the Hawaii court attempted to redefine marriage, however, citizens became politically engaged to ensure that their states' laws were clear. After Americans saw just how far judges would go—striking down the basic definition of marriage, and calling for its "eradicate[ion]"—they stepped up their activity and began to enact constitutional amendments that would shield the marriage definition from the judges.

The only states without statutory protections for traditional marriage are Massachusetts, New Jersey, New Mexico, New York, and Rhode Island. Moreover, voters in at least seven states will consider state constitutional amendments in 2006, including Alabama, Idaho, South Carolina, South Dakota, Tennessee, Virginia, and Wisconsin. Other states with more cumbersome constitutional amendment processes, such as Indiana, are following their state-specific processes to ensure that their state constitutions are amended as soon as possible.

Not only have nearly all states enacted some form of protection for traditional marriage, but they have done so with supermajority support. In the 19 states that have considered state constitutional amendments, all have passed, and with an average support of 71.5 percent. It is worth noting that the support for constitutional protections for marriage laws was strong regardless of whether the elections occurred in conjunction with higher-turnout elections such as November 2004 or state primary or special elections (in Louisiana, Missouri, and Kansas).

Federal DOMA Is Inadequate To Protect Traditional Marriage Laws

Perhaps the most common misunderstanding about the same-sex marriage debate is the notion that the federal Defense of Marriage Act, Pub. L. 104–199, 100 Stat. 2419 (September 21, 1996) ("federal DOMA" or

"DOMA") is a sufficient guarantor of traditional marriage laws. It is not, nor was it designed as a comprehensive solution to judicial activism on the same-sex marriage question.

WHAT DOMA DOES AND DOES NOT DO

DOMA was a limited law passed to address two distinct issues—forced interstate recognition and the definition of marriage for the purposes of federal laws and regulations.

Interstate recognition: DOMA's primary purpose was to bolster state courts' preexisting power to refuse recognition to out-of-state marriages that do not comply with the state's laws and public policy. DOMA did this by making clear that the Constitution's Full Faith & Credit clause should not be read to require interstate recognition of same-sex marriages. See 28 U.S.C. §1738C. However, it is crucial to understand that, as a matter of tradition and comity, states regularly recognize marriages that were solemnized in other states. It is also well established that a state court may refuse to recognize an out-of-state marriage if doing so would contravene local "public policy." At least in the 45 states with laws defining marriage as man-woman, the public policy preferences should be clear, and state courts, therefore, should be constrained to refuse recognition of out-of-state same-sex marriages.

DOMA's effect on interstate recognition is, therefore, quite limited. It just addresses the situation in which a state court refuses to abide by its state public policy and relies on the Full Faith & Credit clause in recognizing an out-of-state, same-sex marriage. However, DOMA will not have any effect on a case in which an out-of-state, same-sex marriage is recognized because the judge believes that the equal protection or due process clauses require it. DOMA does not "prevent" any court from recognizing out-of-state marriages; it merely removes one of several rationales that a court could use in doing so.

Definition of marriage for purposes of federal law: DOMA had a second purpose: to define marriage for purposes of federal law. Section 2 of DOMA states that, for the purposes of federal statutes or any ruling, regulation, or interpretation of federal administrative action, "the word 'marriage' means only a legal union between one man and one woman as husband and wife, and the word 'spouse' refers only to a person of the opposite sex who is a husband or wife." See 1 U.S.C. 7. A well-known effect of this language is to ensure that only persons in traditional marriage can file income tax returns as married couples, but the reach is much broader. The General Accounting Office has found that, "as of December 31, 2003, our research identified a total of 1,138 federal statutory provisions classified to the United States Code in which marital status is a factor in determining or receiving benefits, rights, and privileges."

THE CONSTITUTIONAL CHALLENGES TO DOMA

Both provisions of federal DOMA have been challenged in federal court. For example, activists have challenged the interstate recognition provision in a case pending before the U.S. Court of Appeals for the Ninth Circuit, although the district court held the plaintiff lacked standing to challenge that provision. The section defining marriage for federal purposes is being challenged in that same Ninth Circuit case, as well as in federal cases pending in Oklahoma and Washington state. In each case, the plaintiffs argue that the U.S. Constitution's equal protection and due process guarantees require the recognition of same-sex marriages, and that efforts to limit the interstate reach of same-sex marriage or to limit marriage to heterosexual unions for purposes of federal law are unconstitutional. To date, the federal government has been successful in defending DOMA, for example, by prevailing in federal district court in Florida. Nevertheless, same-sex marriage advocates have made clear that they believe DOMA is unconstitutional and that they will continue to press their position in federal courts.

These lawsuits involving federal DOMA do not form the "core" of the campaign in the courts. Instead, same-sex marriage advocates are focusing on direct attacks on state marriage laws, both through state court challenges to statutory DOMAs, and through federal court challenges to state constitutional amendments. The key to the expansion of same-sex marriage in the courts is not striking down federal DOMA, but convincing courts at all levels that same-sex marriage is a fundamental right that cannot be denied.

WHAT HAPPENS IF CONGRESS DOES NOTHING?

Failing to act to protect traditional marriage laws by a constitutional amendment will, in the end, likely result in the judicial imposition of same-sex marriage on a nationwide basis. First, some state supreme courts undoubtedly will strike down state marriage laws. Second, cultural and legal confusion will develop over a period of years as the nation struggles unsuccessfully to deal with a patchwork, state-by-state approach. Third, federal courts will be forced to address fundamental questions of due process and equal protection that will emerge. And, as a result of certain liberal-leaning precedents, the final step could be a U.S. Supreme Court ruling that marriage laws be rewritten to require same-sex marriage in all states.

STEP NO. 1: STATE-BY-STATE FRAGMENTATION VIA JUDICIAL ACTIVISM

At present, legal activists are not asking the courts to impose same-sex marriage on a nationwide basis. Instead, they are targeting their efforts on particular states. As noted above, nine states face challenges to their marriage laws, and as one same-sex marriage advocate wrote earlier this month, it is highly likely that one or more of these state supreme courts will overturn traditional marriage laws. Evan Wolfson, one of the premier gay marriage advocates in the nation, recently told The American Prospect that the movement's strategy over the next several years is to have 10 states legalize same-sex marriage.

Thus, the near-term tactical goal of these activists is not national cohesion, but national fragmentation of marriage definitions. Same-sex marriage will be legal in some states, but illegal in neighboring states. The results will not necessarily be regional, either. For example, Washington and California courts may impose same-sex marriage on their states, but Oregon's citizens have already protected themselves for now by state constitutional amendment. A Maryland court has already struck down the states' laws, while Virginia will soon adopt a state constitutional amendment. Moreover, lawsuits are pending in Iowa, Nebraska, and Oklahoma, and more could spring up in the American heartland. Same-sex marriage, already a reality in Massachusetts, will crop up throughout the nation.

STEP NO. 2: LEGAL AND CULTURAL CONFUSION DEVELOPS DUE TO FRAGMENTATION

The state-by-state fragmentation of the nation serves the goals of same-sex marriage advocates because the result will be confusion and chaos that cannot long endure.

First, marriage is a fundamental aspect of American culture. The nation has a variety of regional and state-by-state cultural variations, but it also has core values and standards that apply on a national level. Marriage's core components—two people, husband and wife—should be common throughout the nation. This need for cohesion on the nature of marriage was imperative 100 years ago, when Congress required Arizona, New Mexico, Oklahoma, and Utah to include in their state constitutions express provisions banning polygamy "forever" before they could be admitted to the Union. It is even more so today, when the American experience is much more national than regional. As Evan Wolfson has written, "America is one country, not fifty separate kingdoms. If you're married, you're married." Wolfson is correct, and he and his allies are counting on same-sex marriage in a few states (especially large and culturally influential states such as California, New York, and Massachusetts) to pave the way for the spread of the institution throughout the nation. Resistance to this growth will be strong, as the state-level DOMA activity shows. The inevitable result will be increased social and cultural division.

Second, the resulting cultural division will inevitably end up playing out in the courts, as same-sex marriage puts new stresses on the legal system. Homosexual couples who have marriage licenses have every right to move anywhere they want in the nation; it is a fundamental right protected under the Constitution. Many of these lawsuits will have unique fact patterns that cannot be anticipated, because same-sex couples will have many of the same day-to-day interactions with the world as heterosexual couples do. Some will get divorced when their marriage fails. They will execute and enforce wills when one dies. They will open businesses, engage in the economy as a household, and face occasional legal conflicts. Child custody battles will occur, as will cases involving run-of-the-mill torts and contract disputes. But as courts struggle to fit their legal relationships into existing state legal systems, the cases will take on a constitutional dimension.

Consider an example of a complicated case involving recognition of same-sex marriage that is already before the courts. Two Washington state women received a marriage license in Canada and later declared bankruptcy back in Washington. They filed their petition jointly, citing their Canadian marriage license. Because bankruptcy law is federal, and because DOMA directly addresses the definition of "spouse," the bankruptcy court was required to rule on the constitutionality of DOMA as applied to this bankruptcy petition. In 2004, the bankruptcy court upheld DOMA's federal definition, and an appeal was taken to the federal district court, where it is pending today. The federal district court has stayed consideration of the case until the Washington Supreme Court rules on whether same-sex marriage should be mandated in that state, which, the petitioner argues, could impact how the bankruptcy petition should be treated.

This bankruptcy case is one example of the many ways in which same-sex "married" couples living in non-same-sex-marriage states can end up in the legal system. Although 45 states have an expressed policy of opposition to same-sex marriage, and the courts in those states should uphold that policy, new fact patterns will constantly arise. Matters involving everything from divorce to child custody to health care to probate will be more complicated and require case-by-case analyses in the courts. Inevitably, courts will reach different conclusions on how to integrate same-sex couples with marriage licenses into the legal and governmental structures of non-same-sex-marriage states. The rules will vary dramatically across state lines, and reasonable questions of fundamental fairness will be raised by those couples.

STEP NO. 3: COURTS MUST STEP IN AND SET NATIONAL MARRIAGE POLICY

Such a fragmented legal system cannot survive indefinitely. Yet the solution to that confusion and chaos is not likely to be the state or federal legislatures, but the courts that are confronting these problems on a routine basis. Federal courts will become increasingly involved (as they already are), and splits in the federal courts will develop. The legal advocates will renew their challenges to DOMA's federal definition of marriage, and they will press courts to recognize out-of-state marriages—first for limited purposes, and then on a wholesale basis. (As discussed above, DOMA's interstate recognition provisions will not bar any court from forcing recognition of those marriages if that decision is based on other parts of the Constitution.)

As federal constitutional cases develop, it is likely that different circuit courts of appeals will resolve some of the core constitutional questions differently. Eventually, then, a question regarding the federal definition of marriage and/or interstate recognition will go to the Supreme Court. Which way will the Supreme Court rule? Nothing in the Constitution prohibits same-sex marriage, and, in our current constitutional system, the various applications of marriage law are typically left to the states. Consequently, it would be exceedingly unlikely for the Supreme Court actually to invalidate same-sex marriages. On the other hand, it will have a duty to assist the lower courts in the management of the plethora of thorny legal problems that same-sex marriage will have created in a patchwork system. The Court will be under enormous pressure to craft a national solution. The problem for traditional marriage supporters is that the Supreme Court has expanded (or distorted, in some views) the Constitution's equal protection and due process clause enough that a majority would have precedents to stretch and manipulate if it were so inclined. Justice Scalia, in particular, has warned that the Supreme Court's decisions in Lawrence v. Texas and Romer v. Evans now give same-sex marriage advocates non-trivial arguments in favor of judicial imposition.

In summary, a patchwork of definitions is not likely to endure; to think that it will is little more than wishful thinking. If Congress leaves this question to the state courts, then the ultimate arbiter will be the Supreme Court. And over time, given the existing precedents and the threat that some Supreme Court Justices would twist the case law for social engineering purposes, it is unrealistic to rely on the high court to be a bulwark in defense of traditional marriage laws.

The PRESIDING OFFICER (Mr. MARTINEZ). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, it's no surprise that the American people are frustrated with the Republican Senate these days. They deserve and want action on the enormous challenges we face as a Nation—the endless and costly war in Iraq, the many dangers to our national security, skyrocketing gas prices, soaring health care costs, the upcoming hurricane season. How we can have safer schools and better care for our children, and so many other urgent issues. But instead of dealing with these real priorities, the Senate Republican leadership is asking us to spend time writing bigotry into the Constitution.

Why aren't we taking up the defense authorization bill, which is so vital to our national security? It provides the authorization for the salaries for our troops in the field, including a 2.2 percent pay raise. It provides urgently needed equipment for our troops to carry out their missions in Humvees with safer body armor. It authorizes the food and supplies our troops need in Iraq and Afghanistan. It contains funds to care for those who are injured or wounded, or who may be suffering from posttraumatic stress disorder when they come home. But the Republican leadership of the Senate has told us that supporting our troops has to wait.

Let's be clear about what this debate is really about. It is a blatant effort to deny some members of our society the right to receive the same benefits and protections that married couples now have. Like this Senate's intrusion into the Terry Schiavo case, it is a cynical attempt to score political points by overriding state courts and intruding into individuals' private lives and most personal decisions. It's the politics of prejudice and division at its worst.

Make no mistake—a vote in support of this amendment has nothing to do with the "protection of marriage." A vote for it is a vote against civil unions, against domestic partnerships, and against all other efforts by States to treat gays and lesbians fairly under the law. It's a vote to impose discrimination on all 50 States, and to deny them their right to write and interpret their own State constitutions and State laws. It's a vote to deny States the right to define what marriage equality means.

Marriage is a solemn commitment to plan a future together, to share in life's celebrations, to be there as a source of comfort to ease life's burdens and pains. This impacts real families with real-life struggles. When the citizens of a State have decided to recognize those families—through their State constitution or State laws—the Senate has no business undermining their personal, private decisions.

Some even claim that our recent action in Massachusetts is a threat to the rest of the Nation. Over 8,000 couples have celebrated their commitment to each other since our Supreme Judicial Court ruled that the State constitution requires marriage equality.

In ruling to allow same-sex marriage, our State's Supreme Judicial Court was interpreting the Massachusetts constitution, not the U.S. Constitution. The court ruled that our State's constitution forbids the creation of second-class citizens. It concluded that the State could not deny the protections, benefits and obligations of civil marriage to two individuals—regardless of gender—who wish to marry.

Far from being a right created—as our opponents like to say—by activist judges, the right of all our citizens to have equal treatment under Massachusetts State laws was granted and approved by the people of Massachusetts when they voted on and adopted our State constitution. The people said that our State's constitution forbids the creation of second-class citizens, and our courts affirmed equality for all.

In Massachusetts, civil marriage brings all the benefits of a marriage license—and equal status under the marriage laws, which touch upon nearly every aspect of life and death. In addition to all the intangible benefits of marriage, a civil marriage is a contract—it grants valuable property rights—protection against creditors and the automatic entitlement to the property of their spouse's estate when he or she dies.

Under State laws in Massachusetts and many other States, marriage confers property rights. And the specific property rights vary from State to State. Some States have a community property regime. Others, like Massachusetts, do not.

But it has always been a bedrock principle of our form of government that the kind of State property rights flowing from a civil marriage contract is a matter of State law, not Federal law. And the laws governing the property rights of a married couple have always varied from State to State.

For example, a couple married in Louisiana will have all property owned in that State subject to the community property laws of that State. But if they own property in another State, that property is governed by the laws where the land is owned.

Now some of our colleagues want to federalize the rights flowing from civil marriage and overrule individual State laws. How odd that the same people who oppose Federal regulation in almost every other area now want a Federal constitutional amendment to eviscerate State contract and property laws, but only when they grant benefits to same-sex couples. That is discrimination, and it's wrong.

In Massachusetts, marriage—and the stability and security it brings to families—is alive and well. Indeed, Massachusetts has the lowest divorce rate in the Nation. We're having plenty of public debate and democratic process. The sky is not falling. Indeed, even the Boston Herald editorial page called this week's Senate debate what it really is "pandering on a hot-button issue."

I'm proud that Massachusetts continues to be a leader on marriage equality. Being part of a family is a basic right, and I look forward to the day when every State accepts this basic principle of fairness.

Obviously, those who disagree with Massachusetts law have a first amendment right to express their views. But there's no justification for undermining the separation of church and State in our society, or for writing discrimination into the U.S. Constitution.

Supporters of the amendment claim that religious freedom is somehow under attack. It is—but the attack comes from this Federal marriage amendment—not from what's happening in the States. This amendment is an Anti-Marriage Amendment. It tells churches they cannot recognize a same-sex marriage, even though many churches are now doing so.

No church in Massachusetts is required to recognize any civil marriage. Indeed, my own Catholic Church does not recognize most postdivorce second marriages between a man and a woman, and that's their legal prerogative. By the same token, they are not required to recognize same-sex marriages. The law of each church is what determines the religious aspects of a sacramental marriage. But the law of the States is what determines the civil aspects and property rights flowing from a marriage contract.

We cannot—and should not—require any religion or any church to accept any marriage as sacramental. That's up to the particular religion. But it is wrong for our civil laws to deny any American the basic right to be part of a family, to have loved ones with whom to build a secure future and share life's joys and tears, and to be free from the stain of bigotry and discrimination.

According to the 2000 Census, same-sex couples live in virtually every county in the country. That's almost 600,000 households. Nearly one-quarter of these couples are raising children. That's an estimated 8 to 10 million children being raised in gay and lesbian partnered homes. As many as 14 million children in America have a gay or lesbian parent.

Despite these growing numbers, many here in the Senate want to deprive these men and women—these children—and their families—of the legal protections and benefits associated with marriage. These families stand up to private bigotry and prejudice in their ordinary activities—why would the Federal Government make their lives harder by writing discrimination into the Constitution? It's wrong for Congress to add another burden to these families already struggling to live their lives and take care of each other.

The General Accounting Office has identified 1,138 protections and benefits provided by the Federal Government on the basis of marital status. Many of these are laws relating to family and medical leave, social security benefits, and tax benefits. Gay and lesbian couples deserve the same rights as married couples, including the right to be treated fairly by the tax laws, to share insurance coverage, to visit loved ones in the hospital, and to have health benefits, family leave benefits, and the many other benefits that automatically flow from marriage.

Supporters of the Federal marriage amendment claim the need to stop activist judges. Our colleagues should recall the words of another activist court:

> The freedom to marry has long been recognized as one of the most vital personal property rights essential to the orderly pursuit of happiness.

The activist judges stating this fundamental belief were part of the Supreme Court's 1967 decision in the landmark case Loving v. Virginia, which held that marriage is a basic civil right, and that freedom to marry a person of another race may not be restricted by racial discrimination.

Now, nearly 40 years later, I urge the Senate not to turn back the clock on this progress, or start writing discrimination into our country's most cherished document. The framers never wanted it to be used for short-term political games—that's why it is so difficult to amend. As Chief Justice John Marshall said, the Constitution is "intended to endure for ages to come."

Two years ago, we defeated a disgraceful attempt to force this right wing agenda into the Constitution and we're prepared to do so again. There is too much at stake to let the politics of bigotry prevail. I urge the Senate to reject this so-called Federal marriage amendment, and get back immediately to the real business of the Nation. Save the pandering for rightwing supporters on the campaign trail.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. Mr. President, I am honored to follow the great Senator from Massachusetts and join with him and others in opposing this proposed constitutional amendment. I do so because it is un-American, un-Christian, and unnecessary.

Let us be clear that this proposal is not about protecting marriage in America.

Marriage may need more people to practice it, but it does not need the Senate to protect it. The Founders of this great Nation exercised tremendous wisdom by designing a system in which Government would stay out of the private lives of its citizens and a system in which Government would stay out of the province of religion. This amendment would violate both.

This country was founded on the principle that all men and women are created equal, that they are endowed by their creator with certain unalienable rights. Among them are life, liberty, and the pursuit of happiness. To secure those rights, our Founders wrote a Constitution which guarantees every law-abiding American citizen the same equal rights and protections. Our country's Founders were not perfect. In fact, they were highly discriminatory. They initially denied those full and equal rights to women and to African Americans. This country's social progress has been highlighted by removing those constitutional discriminations based on gender or race or anything else.

Now, for the first time in our Nation's history, the proponents of this amendment would add discrimination to our Constitution. They would tell one group of people, a social minority, that equal rights and equal protections do not apply to them, not only by the laws which exist today, Federal and State laws which ban gay marriages, not only by the social conventions which deny their recognition, but by an unprecedented amendment to the U.S. Constitution which targets gays and lesbians alone, which says that of all the social practices in this country, theirs alone are supposedly so abhorrent, theirs alone are supposedly such a threat to our social order that they must be singled out for this unique form of discrimination.

Unfortunately, the proponents of this constitutional amendment have it mixed up. It is the Constitution that needs to be protected—from them. It is the foundation of our democracy that needs to be saved—from them. The foundational principle of a democracy is its tolerance of individual differences. Even the most repressive totalitarian government in the world allows individual behaviors that it agrees with. The true test of a democracy is the government's allowance for differences. That doesn't mean that we agree with those differences. It doesn't mean that we like them. It doesn't mean that we would choose them for ourselves or wish them for our children. In fact, the opposite. We can disagree with them, dislike them, and reject them for ourselves and our children.

But if we are a democracy—if we are a democracy—we allow other citizens to be different from ourselves, to be unlike us. We grant them the liberty to pursue their own form of personal, private happiness so long as it does not interfere with our own. Which other adults, American adults are attracted to, want to live with or commit to is their business and their right, not the business of 100 politicians in the Senate. That is why this amendment would not only alter the U.S. Constitution, it would alter our democracy in a way that is destructive to both.

In addition to being un-American, this amendment is also Un-Christian. I hesitate to bring religion into this debate. I am highly skeptical of politicians who do so. Giving a Bible to a politician is akin to giving a blowtorch to a pyromaniac. However, I reread the New Testament in preparation for this debate. I cannot find a single instance in any of the four gospels in which my saviour Jesus Christ speaks a single word against same-sex marriages or even same-sex relationships. He intones 6 times against divorce and 12 times against adultery. Yet I am not aware of any proposed constitutional amendments to ban either of them, nor would I support them.

What I also know is that he preached for love and acceptance and against hatred and discrimination. He said the great commandment was to love God and the second was like unto it, to love thy neighbor as thyself, not just your family member, not just your friend, but to love your neighbor, whoever happens to be living beside you, as you would yourself.

There is no love in this constitutional amendment. There is discrimination, and underneath discrimination lies judgment and hatred. Jesus said also to beware of false prophets and charlatans, the fake good doers. He said the way tő tell the difference is that the true believers practice love, while the false prophets preach hate. That is why this amendment is un-Christian.

It is also unnecessary. There is no rampaging threat to the institution of marriage, as the amendment's proponents pretend. There are no rabid activist judges raging unchecked across the legal landscape. They are figments of unchecked imaginations or clever contrivances by master public manipulators who have conjured up some nonexistent threat and now present themselves as the saviours of civilization.

We are spending 3 days on the floor of the Senate to indulge their political pandering. We haven't spent 3 days debating the war in Iraq during this entire session of Congress, nor Iran's development of nuclear weapons, nor this year the gasoline price crisis afflicting our citizens. No, the Senate's Republican leadership is avoiding the real threats to our country and focusing instead on the divisive, destructive nonexistent ones.

Existing Federal law, the 1996 Defense of Marriage Act, defines marriage nationwide as between a man and a woman and states that no State need recognize a same-sex marriage. My State of Minnesota is 1 of 45 States that have passed similar State restrictions. This proposed constitutional amendment is unnecessary overkill. It is predatory politics, preying upon a minority of American citizens who are of the most discriminated against in our society today. I don't understand why this Senate would want to exploit the prejudice and even hatred which still exists in our society against GLBT men and women. I am not a psychiatrist. I will leave it to them to explain why homophobia trumps racism, sexism, nationalism, and religious intolerance, but it does.

The discrimination against people because of their sexual orientations they were born with or acquired indelibly early in life is vicious, ugly, and cruel. It is the immoral and it should be illegal. And it should not be practiced in the Senate.

I sympathize with the many decent-minded, well-intentioned, nd religiously devout Americans who struggle with their personal feelings toward homosexuality. Many have grown in understanding and acceptance. They want to do what is right, even if it doesn't feel entirely right to them. They and their feelings are being unnecessarily used in this charade. But I have no sympathy and I have no respect for the charlatans who are using them for their own self-serving political purposes, who are spreading prejudice and discrimination, who claim the moral high ground while they reach into their emotional cesspools and hurl their slime at decent and innocent human beings who are trying to live their private lives as God created them and under the promises of this American democracy.

What we ought to do is leave marriage up to God. In the religious marriage services of my faith, the minister says that marriage is an institution created by God. Thus, we should leave the definition of marriage to those ordained by God, the leaders of the respective organized religions, and we should redefine the legal term for marriage to civil union or some other words and make that legal contract, with its rights, protections, and responsibilities, available equally to any two adult citizens as the equal protection clauses of our Constitution require.

That would be an American, a Christian, and a just resolution to this situation, one that elevates and enlightens us, one that continues the progress in our country toward acceptance and understanding, one that honors our common humanity.

Those are the reasons I urge my colleagues to oppose and defeat this cruel amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I have come to the floor today to add my voice to the rising chorus of people both here in the Senate and back in my home State of Iowa who are fed up with the misplaced priorities of the Republican leadership in this Congress. Our country faces mounting challenges: High energy prices, skyrocketing health care costs, tens of millions of Americans without health insurance, the cost of college tuition going through the roof, individuals with minimum wage jobs going nearly a decade without a raise. So how does the leadership here respond to these challenges? By squandering a week of the Senate's time debating a constitutional marriage amendment that has already been soundly rejected by the Senate and by debating repeal of the estate tax which would benefit only about 3 out of every 1,000 people in America at the most and would add $1 trillion to the deficit in the coming years, so that the superrich can get yet another tax break, a tax break that won't build one additional school, would not provide one new additional job, while working families get absolutely nothing.

Again, the great majority of American people are getting madder and madder about this. All you have to do is look at the polls of Congress. The only thing lower than President Bush's polls is the standing of Congress. You wonder why? Look at what we are debating while all of these issues go by the wayside. What about the real needs and concerns of working Americans and their families.

Let me give one case in point. The majority leader cannot find time to bring H.R. 810 to the floor. It is pending at the desk. It was passed by a bipartisan majority in the House of Representatives—a bill to lift restrictions on embryonic stem cell research. Evidently, we don't have time. No time? Well, the majority party found plenty of time this week for these two dubious, devisive measures. But when it comes to the No. 1 research priority of the American people—embryonic stem cell research—the majority leader refuses to bring it to the floor; we don't have the time.

This is outrageous. No wonder the American people say Congress is not doing anything. We are not doing anything to address the real needs of our people.

Two weeks ago, on May 24, we reached the 1-year anniversary of the House passage of H.R. 810, the Stem Cell Research Enhancement Act. This bill is supported by the majority of Senators on a bipartisan basis. It enjoys the support of large majorities in every public opinion poll. Yet we cannot bring it up. Removing the straitjacket on embryonic stem cell research is a matter of life and death for millions of Americans. As the Senate squanders yet another week, people we love are dying from Parkinson's and Lou Gehrig's disease and juvenile diabetes. People are unable to walk due to spinal cord injuries. These Americans are desperate for progress on embryonic stem cell research, which is being blocked by the majority leader's failure to allow H.R. 810 to come to the floor for debate and a vote. No time. Yet we have time to debate this constitutional amendment on marriage, which has been soundly rejected already by the Senate, and which everybody knows will be soundly rejected again, or we will have time to bring up for a vote the repeal of the estate tax, benefiting only the richest of the rich in our country. We have time for that, but we don't have time to bring up a bill to open the doors of medical research that hold such promise for people with incurable diseases.

There are also other urgent priorities being sidetracked. Forty-five million Americans have no health insurance. The majority leader says there is no time to debate this. There is no time to consider a measure that would make it possible for small companies to offer employees a health care plan similar to the one we have in Congress. Indeed, we Democrats were prevented from getting an up-or-down vote on this during the so-called Health Care Week last month.

In the Midwest, we have a bill that is very important not only for the Midwest but for the rest of the country, which is the Water Resources Development Act. We have 81 signatures on a letter, Republicans and Democrats, to the majority leader supporting this bill, asking that it be brought up. That is not only more than it takes to break a filibuster, if this was one—and I don't think there is one pending on it or to override a veto—that is more than two-thirds. Yet no action on it. I guess we don't have time.

The majority leader says we have time this week to consider a mammoth tax cut for the wealthiest Americans, but we don't have any time to consider a bill to raise the minimum wage for Americans at the bottom. The minimum wage has been stuck at the low level of $5.15 for more than 9 years. During those 9 years, Members of this Senate have voted seven times to raise their salaries. Yet for those at the bottom, we don't have the time to bring a minimum wage increase bill to the floor of the Senate.

If we can keep this up, the approval of Congress will go into the negatives. At least it is in the positives now. It is maybe 10 or 12 percent. If that happens, it will be the first time in history that it will be in the negatives. I don't blame the American people for having that opinion of Congress.

Last month, we learned that some 26 million Americans—most veterans—had personal information stolen, including names, birth dates, Social Security numbers. This puts every one of these veterans in jeopardy of identity theft and fraud. Why are we not this week bringing to the floor the urgently needed Veterans Identity Protection Act? This bill would require the Department of Veterans Affairs to provide 1 year of credit monitoring to each affected person and one additional free credit report each year for the following 2 years. This bill would make a real difference for millions of veterans. Why is it being ignored? It seems to have bipartisan support. Why is it not being hotlined, as they say around here, for immediate consideration on the floor? We should bring it up this week. We should be debating that today. I guess we don't have time for that.

One other matter. I don't think we have a higher priority right now in terms of our national economy and our national well-being than ending our addiction to foreign oil. Senator LUGAR, a Republican, and I have a bill that would dramatically ramp up ethanol and biodiesel production. It would make these home-grown fuels available and usable at the pump and in communities all across the United States. Our national security is at stake. Why isn't this bill being brought to the floor on an expedited basis this week?

The answer, Mr. President, is that we are not addressing the real concerns and priorities of the American people because the majority leader—and I assume his party—are putting their own narrow special interest priorities first. Apparently, it is more important to cater to a narrow vocal base of the Republican Party than to listen to the broad majority of the American people.

It boggles the mind that the Republicans have once again brought the so-called Federal marriage amendment to the floor. It will fail this week for the same reason it failed the last time. It is because deep down inside we all know it is wrong. It is just basically wrong.

Yesterday, the distinguished chairman of the Judiciary Committee, Senator SPECTER, said this amendment is "a solution in search of a problem." He is exactly right. For more than two centuries, our States have done an excellent job of making their own laws governing marriage without Federal interference. The last time the Senate debated this amendment, the cloture vote on the motion to proceed garnered only 48 votes—12 votes short of the 60 needed to invoke cloture, and far short of the 67 votes needed to pass a constitutional amendment. You have to have 67 votes. There isn't one person here who thinks they are even close to that. They cannot even get a majority. It is not surprising.

The amendment tramples on the authority of each State to regulate the civil laws of marriage within its borders—authority, by the way, I point out, that the Congress strengthened by passing the Defense of Marriage Act, which prevents any State from being forced or required to recognize a same-sex marriage in another State. Wait a minute. The Congress passed a law saying that we, the Federal Government, cannot require a State to recognize a contractual agreement in another State dealing with same-sex marriage. Well, guess what. No State has been forced to recognize a same-sex marriage or civil union joined in another State.

Yet now the Republicans would have us force upon each State a constitutional amendment that would take away the right of those States to enact their own contractual laws. It seems to me that what is happening is we are going down a road rapidly of more and more power to the President of the United States, less and less power to the Congress and the courts, more and more power to the Federal Government under a President.

The last time I looked, that could have been called something like a monarchy. Come to think of it, that is what we overthrew a couple hundred years ago. Most people tend to forget that when we declared our independence from Great Britain and fought the Revolutionary War and established our Constitution, England had a Parliament. But guess what. The King reigned supreme. It was King George at that time. So we recognized that. We recognized the inherent inability of the Parliament in England to go up against the King. So when we devised our Constitution, that is why we had the separation of powers—the courts, the Congress, and the President, all separate and equal. Then we reserved to the States certain powers not enumerated in the Constitution. One of the powers is the right to set contractual laws. Now this Republican Congress wants to take that away. It is almost like we are going full circle back to the monarchy of Great Britain—a Congress that lays prone before the President—a President that is able to tap your phones, read your e-mails under some guise of a power that, since we are at war, he can do whatever he wants, taking away our civil rights and liberties. What does Congress do? Nothing. We sit back and let it go on. Now we are going to take another step to take away power from the States.

Well, again, this is something that is inherently wrong. It is wrong to take away this power from the States, take away the authority to set up their own contractual framework. As Senator KENNEDY said, I think eloquently, a few moments ago, it should be the right of every religion, under the freedom of religion, to decide the sacramental laws of marriage as defined by that religion. But when it comes to the contractual right, the civil right, that is determined by the State. That is why when you go to get married, you do two things—find a minister, a rabbi, a priest, whatever, but then you have to go to the courthouse of your State and get a license. Why? Because you are entering a contractual relationship. That is what this amendment would take away. Again, I would defend to the death the right of a religion to determine its own sacramental laws of what it determines a marriage to be, but also defend the right of a State to set up its own contractual laws within and under the umbrella of equal rights for all and nondiscrimination under the Constitution of the United States.

Senator KENNEDY referred to it, and I will refer to it again. It wasn't too long ago where people of different races could not get married in this country. States had laws that said a Black person could not marry a White American, or an Oriental could not marry a Black or a White. You could not marry someone of another race. It is not too long ago in my own lifetime, but that was true.

Discrimination is what it was. The courts struck it down. Would these same Republicans who keep coming here saying the courts should not be interfering in this say the courts should not have interfered there, too; that we should have left those discriminatory laws intact under the Constitution of the United States?

I keep hearing all this stuff about protecting the American family. I submit to my friends on the other side, if they really want to do that, how about raising the minimum wage? That would do more to protect the American family than anything they are talking about here.

How about addressing the skyrocketing health care costs? How about the high cost of gasoline? If they want to defend the American family, how about giving access to health insurance to 45 million people a day who can't afford it? If they want to defend the American family, how about doing something about the rising cost of college tuition in this country and helping low and moderate families meet those costs of college education? In other words, if Majority Leader FRIST and his party want to protect the American family, why don't they deal with the real challenges confronting families instead of wasting the Senate's time on this cynical, trumped-up issue of same-sex marriage? Why can't we make bipartisan progress on issues such as providing access to health insurance and raising the minimum wage?

I close by making one point very clear: If the Democrats were in charge of the Senate, if we were setting the agenda, we would be charting a different course for our Nation. We would not be wasting the Senate's time on divisive, partisan constitutional amendments which seek to divide our people, pit families one against another, pit Americans one against another by dividing us. We would not be passing yet another mammoth tax cut for the wealthiest in our society called the estate tax, a tax we can't afford for people who don't need it.

If we could set the agenda, we would have the minimum wage issue out here. We would have a health care issue out here. We would have issues out here that provide for families getting a college education for their kids. We would have bills on the floor addressing the addiction to oil and moving us to more energy independence.

Every day it is becoming clearer and clearer to the American people that they face a choice: We can stay the current course—more divisiveness, more deficits, more debt, more drift—or a new direction for our country. If the majority party wants to continue to squander our time and taxpayers' money, as they are doing this week, well, that is their choice. But the American people get to choose, too. The American people are eager to cut out this divisiveness, to move on to the real agenda that confronts our country, to move in a very different direction, and I say it is time to do that.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. How much time remains on our side?

The PRESIDING OFFICER. Twelve minutes.

Mrs. MURRAY. Mr. President, last week our country celebrated a very important event—Memorial Day. Every Member of the Senate went home to services where we heard about the sacrifices of men and women who served in conflicts throughout this Nation's history, most recently in Iraq and Afghanistan where we have now lost close to 2,500 of our Nation's best and brightest.

I listened to those speeches, and I heard about the sacrifices these men and women have made. I heard the rhetoric about making sure we take care of their families, making sure we take care of those who are wounded when they come home, making sure we have the ability to care for those we ask to serve this country so honorably as we celebrated Memorial Day last week. I went throughout my State. I listened to people wanting to make sure we did not forget those people who served us. I came back to the Senate last night confident that we should be talking about those issues.

It is deeply disconcerting to me that we are not talking about the war in Iraq or Afghanistan, we are not talking about the sacrifices our soldiers have made, we are not talking about the tremendous responsibility we have as the Senate and Congress to make sure we have the funds for those men and women who have served us, both while they are overseas and when they come home. We are here instead on a completely different priority, and I have to ask the question of this Senate: Why are we spending time on political games when we have soldiers in harm's way who are serving us honorably around the world? Don't they deserve better than this? Why is the Senate bringing up divisive issues when we need right now more than ever to come together as a country and address the challenges that confront us? Maybe it is because those people who are in charge, those people who make a decision about what issues we discuss here, just have the wrong priorities. And I see the wrong priorities being debated in the Senate not just for this week but for apparently the coming weeks.

Last week, I traveled through communities in my home State of Washington. Everywhere I went, I heard a growing anger and frustration that American troops are being wounded and dying in Iraq, and my constituents want to know why. They want to know where we are going. They want to know what they are doing. They want to know why we are there. They want to know what will make us successful and how we can bring our troops home successfully. But here we are in Washington, DC, where the Bush administration doesn't have a plan they have outlined for success, and here we are in Congress not demanding answers.

My constituents are very frustrated, and they have good reason to be so. They, like all of us, are watching what is happening in Iraq on their TVs every night. They see personally what these deployments are doing to their communities at home, their friends, their neighbors, their coworkers, being called up not just once but twice, three times, to head to Iraq and come back. They see the terrible consequences for families who are left behind, and they see these veterans, when they go to get the treatment they need, being told they have to wait in line because we haven't adequately funded our Veterans' Administration.

And by the way, many of these same veterans just in the last week were told that because of lack of oversight at the VA, 26.5 million of these veterans who served our country honorably have now lost their identities, and we are not dealing with that in the Senate right now? How are we going to make sure every one of these veterans gets the care they need, and how are we going to make sure now that 26.5 million veterans get the help they need as their identities have been stolen? That is going to cost money. It is not free. We have a responsibility to help every single one of them. They should not be treated like this as veterans in the United States today.

I see what these deployments are doing in our communities, just as my constituents do, and they see the challenges these veterans are facing when they come home and their families while they are deployed. They don't see a plan about how we are going forward in Iraq today. And what they importantly don't see is us in Congress on the Senate floor standing up and talking about what is going on, demanding answers from the Bush administration and the Pentagon.

We can only make the good decisions about how we go forward if we have a discussion in the Senate about what is happening on the ground, what the impacts are, what our choices are, how we can help both the Pentagon and the Bush administration and our constituents make a good decision about whether our troops should come home or whether they should stay or what is happening. We need to demand answers in the Senate from this administration and the Pentagon about what is happening on the ground. That is the discussion I wish we were having in the Senate today. That has meaning to every single one of my constituents. They want to know what we are doing, where we are going, how we are going to pay for it, and how we can be successful so we can know when our troops are coming home.

I have watched now for 3 years as our soldiers went to war in Iraq, and at every possible juncture in this war, the Bush administration has chosen the wrong path. When they were advised to build a stronger multinational coalition, they decided to go it alone. When the Army's Chief of Staff said it would take several hundred thousand troops to stabilize Iraq after the war, they ignored his advice and they fired him. When sectarian violence started boiling over and undermining the stability of Iraq and the safety of our troops, they pronounced the insurgency was in its last throes. Well, they were wrong.

We can't continue to watch what is happening in Iraq without answering questions in the Senate. For too long, we have watched decisions being made that have sent us in the wrong direction, and for too long, I say to my colleagues in the Senate, we have given them a pass on these monumental failures, and that has to change.

Families I represent want Congress to demand accountability, and they want us to get to the bottom of this. But that is not what they are getting here. Instead, we see the Republican leadership playing politics with debates on gay marriage and flag burning. What are we not doing while we spend our time on this issue? We are not having hearings on Iraq. We are not having discussions about what is happening on the ground. We are not hearing from our generals so that we can make good decisions about when and how our troops can come home successfully. Instead, we are seeing political distractions that are simply meant to divide our country at a time when we ought to be together. Republicans and Democrats, having serious discussions about what we can do as leaders of this Nation to bring us success, if it is possible, in Iraq.

Back home, people want us to talk about Iraq. They want answers. But in the Senate, the Iraq war is the proverbial elephant in the room. It is right there, everyone can see it, but no one talks about it. No one talks about it in the Senate of America. No one is talking about the Iraq war. I will tell my colleagues, we are not going to get better results in Iraq if we ignore it in Congress.

In all the time I have served in the Senate, I believe this is the weakest oversight I have ever seen from a Congress during military conflict. We were not sent here to just rubberstamp this administration or any administration. I served under the Clinton administration during the war in Bosnia when we required generals to come up here almost on a daily basis, to obtain answers from them about what was happening on the ground, how we were proceeding forward, what we needed to do; and yes, at the time, there were calls to bring our troops home, no boots on the ground, all the different points we are hearing today, but we at least had generals in front of us so we could ask questions and go home and respond to our constituents and feel confident in whatever decision we made in how we were to move forward.

We were sent here as Senators to develop policy to help our country move forward. And in this time, this place, this war, I can't think of a more important time that as Republicans and Democrats we should sit down together and put our cards on the table and say: How should we move forward and how can we do it safely and how can we do it effectively? Yet here we are in the Senate talking about gay marriage and flag burning. We are not talking about a conflict that has consumed our Nation, that has sent our youngest, best, and brightest to a war where we have almost 2,500 military families that have suffered the loss of a loved one, where we have thousands and thousands of young men and women who have lost limbs, have had head injuries, and are now being serviced in our veterans hospitals for years to come, and yet we haven't talked about how we are going to pay for that.

There is a huge disconnect between the families at home and what is happening on the Senate floor. There is no surprise they are frustrated and angry and demanding answers. They are surprised and shocked that we are talking about gay marriage and flag burning because the discussion they have at their dinner tables when they are home at night is what is happening in our world: how can we protect our children; how can we make sure our families are safe; how can we make sure our loved ones who are serving us overseas are protected while they are there; how can we make sure we win a war in Iraq, if that is possible; how can we make sure that those people we send to serve us overseas have the services they need when they come home.

I was shocked to see an article in the "Psychiatric News" just a few weeks ago that says our veterans are not getting the help they need for mental health care and substance abuse. I wish to quote Frances Murphy, M.D., Under Secretary for Health Policy Coordination at our Department of Veterans Affairs, who said that the growing number of veterans seeking mental health care has put emphasis on areas in which improvement is needed, and she noted that some VA clinics do not provide mental health or substance abuse care, or if they do——

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. MURRAY. Mr. President, I ask for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. She says, "waiting lists render that care virtually inaccessible."

Our soldiers who are serving in a 24/7 war in Iraq deserve to have mental health care when they come home. They are not getting it today, and the Senate is not dealing with that issue. I think we can do a lot better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I wanted to spend a few minutes here to respond to the allegations made on the other side of the aisle that the protection of marriage is not important enough for the U.S. Senate to take a day or two to debate and then to vote on a constitutional amendment. I really am astonished to hear our friends on the other side of the aisle take that position because, frankly, I think the American people disagree with them and agree that marriage is important. I think they agree that when it comes to social experimentation by our courts, by a handful of activist judges who think they know better than the American people what is good for us, that they want that kind of experimentation to stop unless, of course, it is authorized by a vote of we, the people, rather than imposed upon us from on high by judges. This kind of experimentation when it comes to living arrangements and now with the institution of marriage are not without costs, and, most often, the individuals who pay the price for that kind of experimentation are America's children.

I just can't disagree more with our colleagues on the other side of the aisle who seem to think that the preservation of our society's most basic institution—the institution of marriage—isn't important enough for our time and it is not important enough to take the time to discuss this issue and talk about what the solution might be to preserve the power of we, the people, to determine the laws and policies that affect our lives, and certainly the next generation of our children. I think this time is important, this issue is important, and we will find out when we vote on this issue who it is that believes that the American people should make these sorts of decisions and not a handful of activist judges such as occurred in Massachusetts, and now with a decision out of the Federal court in Nebraska holding that State's constitutional provision that limits marriage to one man and one woman unconstitutional under the Federal Constitution.

I don't know who it was that woke up 200 years or more after the Constitution was written and decided that the Founding Fathers wrote into the Constitution discrimination when it comes to marriage between one man and one woman. Obviously this is an issue that we have not initiated, we haven't brought up, but this is a fight that has been brought to us, those of us who believe it is important to preserve traditional marriage.

Mr. President, I would ask if I might be notified after 15 minutes of our 30-minute allotment has been used.

The PRESIDING OFFICER (Mr. ALLEN). The Chair will so advise.

Mr. CORNYN. Mr. President, I would also like to spend just a few minutes examining what our colleagues on the other side of the aisle have said. For example, this morning our Democratic leader has said that Nevada has the third highest gas prices in the whole country, and he says that taking care of gas prices is more important than preserving marriage between a man and a woman. But I would like to point out that it is because of obstruction on the other side of the aisle that we have been unable to address the importance of access to domestic production of oil and gas in this country. And, because of obstruction on the other side of the aisle, we have been unable to create new refinery capacity that would make more gasoline, increase the supply and necessarily then, under the economic laws, bring down the price. It has been because of the obstruction that we have seen on the other side of the aisle that we have been unable to address that issue. Again, another example of block and blame.

Then we are told that somehow we should be talking about solving the health care needs of the American people. It was just a few weeks ago when our colleagues on the other side of the aisle denied sufficient votes to allow us to consider a small business comprehensive health plan brought up by the Senator from Wyoming, Mr. ENZI. If our friends on the other side of the aisle were serious about solving America's health care problems and providing greater access to health insurance, they wouldn't have voted against that bill just a few short weeks ago. Yet, now they want to change the subject, saying we shouldn't be talking about marriage; we should be talking about health care. The fact is they are the ones who blocked our ability to proceed on that important issue and to find a real solution to that problem. But again, it is an instance of block and blame.

Then the Democratic leader this morning said, we ought to be doing something about health care costs. We tried to bring up the issue of health care costs earlier as well, in a case where we have said there ought to be some reasonable limits on noneconomic damages in medical liability cases. That has been tried in my State, the State of Texas, and we have seen medical liability insurance go down into the double-digit range. We have seen more doctors coming into communities where they have been afraid to practice, and we have seen greater access to health care as a result of those efforts. Yet when we tried to change that here in the U.S. Senate, again, we were blocked by our colleagues on the other side of the aisle and then blamed when we are debating about the preservation of the institution of marriage and not addressing medical costs by dealing with the medical liability crisis.

Of course, then they also claim that really they ought to be the ones to control the legislative agenda, and that is really what this is all about. But they mentioned the war in Iraq, the energy crisis, the price of gasoline, health care, and said that the priorities of the Republican leadership are misplaced when it comes to addressing America's real needs, but neglecting all the while in pointing out that they themselves are the ones who are the primary reasons why we have been unsuccessful in addressing some critical improvements and reforms in those areas.

Our colleagues on the other side of the aisle need to make up their minds. They are literally schizophrenic—of two minds—when it comes to what to do about our energy crisis in America. They blocked building new refineries; they held up an energy bill for 3 years; they blocked exploration for domestic production in the Arctic National Wildlife Refuge, which we know, given modern exploration and drilling techniques, can be done in an environmentally friendly sort of way; and they blocked the President's Clear Skies initiative, which is designed to cut down on emissions and protect the environment.

Rather than demagog the issue, rather than to try and pin blame on the President or the Republican leadership, our colleagues on the other side of the aisle would be better served, and certainly the American people would be better served, by working with this side of the aisle in trying to find real solutions, particularly when it comes to our energy needs, to reduce America's dependence on foreign sources of energy and help reduce gas prices. If they are really concerned about energy costs, then they would have made it easier by working together with us to expand clean nuclear energy.

On the issue of the marriage amendment, the Democratic leader this morning said this is an issue that ought to be left to the States. Certainly many States, including my State, have passed a constitutional amendment protecting traditional marriage. The problem is some Federal courts, notably one in Nebraska most recently, held that very State solution is itself in violation of the Federal Constitution.

The Democratic leader is a distinguished lawyer in his own right. He understands that a Federal court which holds that the Federal Constitution violates the State Constitution, that the Federal decision preempts the State constitutional solution. So again, this is not an issue that we have gratuitously brought up; this is one that has been forced upon us. I think what our colleagues on the other side of the aisle would prefer is if we would just be quiet and gradually allow the Constitution of the United States to be amended, but not as it turns out by the American people by voting on a constitutional amendment, but rather by a handful of activist judges who have somehow taken it upon themselves to define what is good for us and in fact what is and is not unlawful discrimination when it comes to our traditional marriage laws.

We know what happens when the American people have a chance to vote on these issues. Overwhelmingly, they vote in favor of preserving traditional marriage because instinctively they know it is the best solution for our society and certainly in the best interests of our children. We have seen too many of our children suffer as a result of social experimentation, certainly by the courts, and we ought to make sure that we preserve the right for we, the people, to make those important decisions rather than allow them to be made by judges who would amend the Constitution themselves under the guise of interpreting the Constitution. How is it that someone can decide after 200 years or more that the U.S. Constitution or even a State constitution modeled after the U.S. Constitution would result in a decision that traditional marriage laws are somehow discrimination is really just beyond me.

As I said yesterday on this floor, it is almost surreal. It is almost as if we have been asked to voluntarily suspend our powers of disbelief. The American people know what we are talking about is important. They know what we are talking about here in terms of preserving marriage and a better future for our children is fundamental to our way of life. It is not frivolous. It is not politics. It is absolutely essential that we do so. They try to raise red herrings like: Well, we ought to be talking about health care, or we ought to be talking about the energy crisis, or we ought to be talking about the medical liability crisis, when the truth is they blocked every opportunity we have had recently to try to do something about those issues. The truth is what they want to do is to try to score political points rather than solve the very real problems that confront our Nation.

Finally, let me just add that recently I know the Democratic leadership in the other House criticized—if you can believe this—criticized the performance of the economy. Are they really complaining that 75,000 new jobs last month, not to mention 33 consecutive months of job gains and more than 5.3 million new jobs created since August of 2003, is the wrong direction for this country? The fact is the economy is doing well. But we need to continue to try to make sure that America remains competitive in a global economy by making sure that we keep taxes as low as possible, and by making sure that we keep our regulatory environment one that can protect us but, at the same time, not kill good business opportunities and job creation in this country. We need to look at our litigation system and make sure that we are not imposing a litigation tax on the American consumer and making it harder for legitimate employers to create those jobs. We need to make sure that we continue to try to work together to solve the very real problems that confront our Nation.

I don't apologize for a minute in saying that I believe we should vote on a constitutional amendment to protect traditional marriage. I don't think it is a waste of time. I think we can spend a day or two talking about this issue and its impact on our children and on the next generation. I think that is as weighty an issue as we will ever consider here, because it may well determine the long-term direction of our society and the welfare certainly of the next generation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I ask unanimous consent I be recognized for 5 minutes to speak on the issue of S.J. Res. 1.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MARTINEZ. Mr. President, I am pleased to follow the distinguished Senator from Texas in talking about this issue that is very important to the American people. I, like he, believe that it is a bit of a "dodge and weave" to suggest we should not be talking about this. It is much easier to talk about all the things that maybe we ought to be talking about, things that we have talked about in the weeks past and will be talking about in weeks to come, but let's not talk about this one because it is too hard. It is easier to have a collateral way of looking at it by saying: Oh, gosh, we should not talk about this because frankly we would just as soon not debate or discuss the merits of what is before us.

S.J. Res. 1 is rather simple. Today is one of those days when we can actually read what it is we are debating. This is all we would add to the U.S. Constitution, this is all it would say, if this amendment to the Constitution were to be approved. It says:

> Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

To suggest that is not an important issue for our Nation, to suggest that somehow that is some out-of-the-mainstream language, to suggest that is only from some sect or far extreme point of view—to so characterize what I believe is the mainstream of American thought is simply not to be dealing with this subject truthfully.

A number of States have already spoken on this matter through their elected officials, but activist judges have interpreted both the Federal Constitution and the State constitutions very broadly. They have done this in order to overturn the will of the people regarding same-sex marriage. That is the reason we have to act. The Constitution has been improperly interpreted to impose same-sex marriage on the people of the United States.

As the Senator from Texas said, the fact is, it is the action of judges that have precipitated the need for us to be discussing this issue in the Senate today. It is the activism of some judges, who have taken away the right of State constitutions to be amended to include this very simple language, that has brought us to this moment. The Constitution has been improperly interpreted to impose same-sex marriage on the people of the United States. It is proper for the people to continue to speak on this issue through their elected officials by amending the Constitution to ensure that the sanctity of marriage will be protected from these activist courts.

Marriage, as defined as this amendment would define it, as between a man and a woman, hardly needs to be suggested as the most basic institution of society throughout history. It is foundational to the structure of what we know leads to the successful family, to the raising of children. Our traditional and religious understanding of marriage is under attack by those who wish to redefine the meaning of marriage and family. That is what is at stake, whether in fact the traditional view of family and marriage will prevail or whether, through the acts of judicial activism, we will redefine it to something other than that.

They have sought to go to the courts to overturn properly enacted State laws or constitutional amendments defining marriage as between a man and a woman. Only through bypassing democratically elected legislatures and the rule of law can same-sex marriage advocates enact their vision of American society.

The only way to prevent marriage from being redefined by activist courts is to pass a constitutional amendment that clearly establishes the will of the people on this foundational issue for our society.

I also want to address the concerns expressed by some regarding federalism. It is true that in our Federal Republic, in our system, the regulation of marriage has traditionally been left to State governments. Based on this principle of federalism, the States have been free to enact family policies that have allowed experimentation and reflect the different values that Americans have in each of their respective States.

While federalism is a general principle that promotes liberty within our Republic, we also have the overriding fundamental principle of American Government that governments derive their just powers from the consent of the governed. An essential element of republican government is that those who are subject to law also determine the law by which they are governed.

The recent strain of judicial decisions and cases on the part of same-sex marriage proponents, however, not only threatens the institution of marriage but denies the people of the individual States the freedom to define their own basic legal and social institutions.

I believe this marriage amendment takes a measured and reasonable approach to the problem of courts redefining marriage. It prohibits same-sex marriage in the United States while preserving the concept of federalism by leaving to the States the authority to enact State laws regarding legal benefits to unmarried, including same-sex couples.

Our judiciary is respected throughout the world, and I believe that is because our judges for the most part have been above politics and have always been committed to the rule of law. When our courts enact their political will over the proper policy decisions of legislatures, such respect is in jeopardy. A judge's personal political views have absolutely no place in performing their judicial role in our constitutional structure. Rather, the Constitution, statutes and controlling prior decisions as applied to the facts of the case at hand are the sole basis for judicial determination.

Therefore, today I urge my colleagues to adopt this amendment and give control of the foundational institutions of marriage back to the people of our country where it rightfully belongs.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will please call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWNBACK. Mr. President, a couple of my colleagues have spoken in favor of the constitutional amendment that is up today. They have given eloquent statements. We have others who are coming.

What I wanted to do while we wait on additional Members who are coming over to the floor is cover a couple of points I believe have been touched upon, but I think they deserve emphasis. I appreciate my colleagues on the other side of the aisle raising a number of issues that they are saying we are not dealing with. I urge them to vote for cloture on these issues when they come up because we will bring these issues up—on the budget; the supplemental is in a conference; we will have an Energy bill that is going to be coming up. I hope they will vote for cloture to go to that Energy bill so we can actually get it up to vote on it on the floor.

I know a number of them are supportive of the Native Hawaiian issue and are complaining because these issues are not in the top 20 issues in the United States, of the people's concern. Yet they are not raising the Native Hawaiian issue which will come up this week as well. I urge them to vote against that if they think it is not a high-priority issue.

I do think there is some speaking out of both sides of the mouth when you raise all these issues we should be covering and then vote against cloture, preventing us from covering those issues, and then complain about a marriage amendment that they are saying doesn't rise to the level of interest in the United States.

I think it is of a high interest in the United States or you wouldn't have seen all these States that covered it.

There is another issue that has been covered some. I hope we can address that issue. It is the issue of religious freedom. If you do not define marriage as the union of a man and a woman, but define it to require that you have to recognize same-sex unions, that is the basis—one of the bases on which Catholic Charities was driven out of the adoption business in Boston. They were required by law to do something against the tenets of their faith. I hope that can be developed some a little later on.

My colleague from Missouri is here. He is one of the strong supporters of this amendment. I yield the floor to the Senator from Missouri, Senator TALENT.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. TALENT. Mr. President, I want to take a few moments today to speak in favor of the Marriage Protection Amendment. This is an important measure, and the people are entitled to see who in this body is for protecting traditional marriage and who is not, because nothing less than that is at stake.

Some courts in this country are engaged in a process by which they are going to force the people, whether they like it or not, to accept a fundamental change in the basic building block of our society. I think that is wrong; under our constitutional process the people shouldn't accept that and don't have to and that's why this amendment is here before us.

Marriage is our oldest social institution. It is older than our system of property. It is older than our system of justice. It certainly predates our political institutions and our Constitution. And marriage may be the most important of all these institutions because it represents the accumulated wisdom of literally hundreds of generations over thousands of years about how best to lay the foundation of a home in which we can raise and socialize our children.

Now it isn't always possible to raise children through marriage, and certainly single parents around this country do heroic jobs nurturing children in difficult circumstances. We should give them credit and certainly we should give them as much help as we can. One of the ways we can do that is by affirming the social standard in favor of traditional marriage, which helps create a climate within our culture of stability and order for our children.

The social scientists have figured this out too. As a result of decades of accumulated data, family scientists from the fields of sociology, psychology and economics, have concluded children and adults on average experience the highest level of overall well-being in the context of healthy marital relationships.

We know what happens when societies abandon the model of traditional marriage. The Scandinavian countries legalized same-sex marriage years ago, and the result is that fewer and fewer people in those countries get married at all, and more and more children are born out of wedlock. That is not a good thing for their children. In short, the minimum we can say is that the evidence is not even close to showing that we can feel comfortable making a fundamental change in how we define marriage so as to include same-sex marriage within the definition.

The other issue at stake is who should decide these questions. The first and most basic right which our people possess is the right to govern themselves.

The Framers thought that right was self-evident. It means that the only just government is the one that derives its powers from the consent of the governed. That means that every act of any governmental body has to be the result of a process in which the people have, at some time, consented.

Despite this right, some judges have decided to attempt to change the definition of marriage without reference to the will of the people.

Right now, nine States face lawsuits challenging traditional marriage laws—California, Connecticut, Iowa, Maryland, Nebraska, New Jersey, New York, Oklahoma, and Washington. In four of those States—California, Maryland, New York, and Washington—trial courts have found a right to same-sex marriage in State constitutional provisions—in each case relying in part on the Massachusetts decision. State supreme courts are expected to decide appeals of those decisions in 2006 or 2007.

And in Nebraska, a Federal district court in 2005 found unconstitutional a State constitutional amendment passed by 70 percent of Nebraska voters.

In short, it is clear that there is a well organized and deliberate movement in this country to redefine marriage—to change our most fundamental social institution—without regard to the right of our people to govern themselves.

Unless we pass a constitutional amendment, we will allow the courts of this country to disenfranchise tens of millions of Americans on an issue that is of greater importance to them on a day-to-day basis because it involves the way in which their children and other people's children are going to be raised than most of the legislation we debate here.

If we cannot agree in this Senate on anything else, we should be able to agree on this: Everyone should have the right to advance their point of view in the legislative process on this issue; and we can trust the good sense of the American people to produce the right result in the end.

The only way we can do that is by passing a constitutional amendment. That is what this debate is about. That is why I will be supporting the amendment before the Senate.

I yield the floor.

Mr. BROWNBACK. How much time remains on our side?

The PRESIDING OFFICER. Fifteen seconds remains on the side of the Senator from Kansas.

Mr. BROWNBACK. Mr. President, I appreciate my colleague from Missouri putting this forward. We will have further debate this evening from 6 to 6:30, and hopefully some a little later on.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I rise today to oppose the Marriage Protection Amendment to the Constitution. It is my fundamental belief that the Constitution is not a document that denies rights. As a matter of fact, it is a document that protects those rights once earned.

With all the problems in the world today, the Senate is spending valuable time debating a bill which we know does not have the votes for cloture, which is divisive and which I believe does not belong on the national agenda.

The fact is, all family law has historically been relegated to the States; that is, marriage, divorce, adoption, custody, all aspects of family law and domestic relations have been the province of the States. That is what the Supreme Court has said in case after case from In Re Burrus in 1890 to Rose v. Rose in 1982. In that 1982 case, the court affirmed the holding of In Re Burrus that:

> [t]he whole subject of the domestic relations of husband and wife, parent and child, belongs to the laws of the states, and not to the laws of the United States.

Similarly, in Sosna v. Illinois, in 1975 the Supreme Court wrote:

> Domestic relations [is] an area that has long been regarded as a virtually exclusive province of the States.

In 1982, then Associate Justice Rehnquist, dissenting in Santosky v. Kramer, wrote:

> The area of domestic relations . . . has been left to the States from time immemorial, and not without good reason.

And just this past November, in a television interview, Justice Stephen Breyer stated very simply:

> Family law is State law.

It is clear domestic relations have been the jurisdiction of States. That is where they should remain.

I deeply believe this Senate should not be involved in putting amendments in the Constitution dealing with any aspect of marriage, of divorce, of families, of adoption, of any of those areas. The States reign supreme.

Why is it when Republicans are all for reducing the Federal Government's impact on people's lives, until it comes to the stinging litmus test issues—from gay marriage or end of life—they suddenly want the Federal Government to intervene?

For the life of me, I don't understand why this keeps coming before this Senate. It is extraordinarily difficult to pass a constitutional amendment. We all know that. Both Houses have to pass it by a two-thirds vote, and then over a 7-year period it goes out to the States where it has to be ratified by three-quarters of the States. The last constitutional amendment that went on to be ratified by the States was the Equal Rights Amendment, a simple 25-word amendment that said:

> Equal rights under the law shall not be abridged based on sex.

Guess what. They were not able to get the necessary three-quarters of the States over a 7-year period.

So I don't believe this constitutional amendment would be successful even if passed out of this Senate. I have not seen one passed in 13 years. It is extraordinarily difficult to get one ratified.

Family law is, indeed, the purview of the States, so there is no need for a constitutional amendment. This proposed constitutional amendment strikes at the heart of States rights in the area of family law and, in doing so, it actually undermines our Constitution. Moreover, I believe Americans believe the States should deal with same-sex marriage as the States see fit. And so do I.

Americans are especially concerned about amending this Constitution if it means closing the door on civil unions.

Why do I say this? How do I know this? Mr. President, 53 percent of Americans polled recently would oppose a constitutional amendment that also bans civil unions and domestic partnerships such as we have established in California. Many legal experts believe this amendment would do just that. The language in the second sentence of the amendment is ambiguous. It is ambiguous, at best, stating that:

> Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

Now, some on the other side have argued that the amendment would still allow for legal unions passed by State legislatures, not just those instituted by the courts. However, when similar amendments were passed in States such as Michigan, Ohio, and Utah, domestic violence law and health care plans for couples, both gay and straight, were taken away. So we know it has an effect.

I believe to put this on the Constitution, if it were to prevail, if it were to be ratified by three-quarters of the States, it is very likely all domestic partnerships and domestic unions of any civil kind would be wiped out, as well. That does not make any sense at all.

States are well able to handle the issue of marriage on their own without the heavy hand of the Federal Government intervening in people's private lives.

What is currently happening in States indicates to me they are, in fact, actively engaged on this issue. The numbers speak for themselves. To date, 45 States have acted to restrict marriage to only one man and one woman; 18 of those have done so by amending their State constitutions. So why are we doing this?

This year, seven more states are poised to join them when they hold statewide votes on a constitutional same-sex marriage ban: Alabama in June, and Idaho, South Carolina, South Dakota, Tennessee, Virginia and Wisconsin in November. In addition, at least nine other States may take up similar amendments in the not-so-distant future: Arizona, Colorado, Delaware, Illinois, Indiana, Massachusetts, Minnesota, New Jersey, and Pennsylvania. In fact, only one State, Massachusetts, recognizes same-sex marriage. One State, that is it.

So why all the fuss? Why is the Senate devoting its time to this issue when one State has taken action? I say based on the laws of this land that is the prerogative of that State or any other State. So there is no need to be considering a Federal constitutional amendment, particularly when we have important global and national problems to address.

We have an enormous deficit in this country. We do not spend much time on it.

In Iraq, things are going from bad to worse. Just this morning we read about an unrelenting kidnapping campaign happening in the streets of Baghdad. Thousands of Iraqi citizens are being snatched from the streets, 56 just yesterday, all rounded up by gunmen dressed in Iraqi uniforms.

North Korea has announced it possesses nuclear weapons. Iran is trying to become a nuclear power. Stem cell research, passed by the House a year ago, still is not on the floor of the Senate.

Why, why, why, are we doing this now when we could be doing stem cell research, when we could possibly provide the hope for juvenile diabetes, for Alzheimer's victims, for cancer victims, for spinal cord severance victims?

As to appropriations, the Senate has not taken up and approved any of the 12 appropriations bills that it must complete by the end of the session, and it is already June.

I cannot understand why we are doing this. We have the defense authorization and intelligence authorization bills. These are critical bills at a time when our Nation continues to be fighting in Iraq, Afghanistan, and the global war of terror, and we have not passed these bills.

Gas prices. When I was in Los Angeles last week, it cost more than $3.50 a gallon to fill up a tank of gas. We have not taken steps to deal with that.

There are dozens of critical issues, including the mandatory business of this Senate in 2 major authorization bills and 12 major appropriations bills that we have not addressed, and 45 States have taken action. Yet this Senate seems pressed to defend the Nation, to amend the Constitution, to provide something which is within the purview of the States and which the States are handling.

To me, it makes no sense other than this is an election year. It makes no sense other than throwing red meat to a certain constituency. It certainly is not what the Constitution of the United States is all about.

I hope we will vote no on cloture. I hope we will return to business that is important to the American people. I do not believe this issue merits the time of this Senate at this time.

Mr. LEAHY. Mr. President, as I listen to the debate over this constitutional amendment, I am struck by the circular and contradictory arguments offered by some supporters of this measure. It is clear even to a casual listener that the arguments from some proponents of this effort to use the Constitution to restrict individual freedom for the first time ever actually make the case for why there is no necessity for it. They must acknowledge that the Federal Defense of Marriage Act remains on the books and has been upheld by every Federal court that has considered it, including the Ninth Circuit Court of Appeals. Their talking points proclaim that 45 States already passed legislation or contain provisions in their State constitutions that define marriage as a union between a man and a woman. They point out that 19 States have in the last 10 years passed referendums to amend their State constitutions and that decisive majorities approved a definition of marriage. These arguments beg the question as to why we are spending several days of a waning session on an amendment that is not only divisive but also unnecessary.

To propose a constitutional amendment, two-thirds of each House of Congress must "deem it necessary." That is the constitutional standard for proposing a constitutional amendment. How, in light of this record, could Senators who value individual liberty, respect the States, and understand the Constitution vote any way other than against proceeding to this measure?

The Constitution is not some all-purpose bulletin board on which to hang political posters or to post bumper stickers. Our Constitution is the foundation of our rights and freedoms. The Bill of Rights, the first 10 amendments to the Constitution, were adopted to ensure limits on the Government and to protect the liberties of Americans. Vermont did not and would not become a State until 1791, the year the Bill of Rights was ratified. The structure of the Constitution, with its separation of powers and checks and balances, was designed by the Founders to protect our rights.

Sadly, the Bush-Cheney administration, with the acquiescence of a Republican Congress, has done much to remove those protections to the detriment of the rights of all Americans. In this regard, I note the recent report of the CATO Institute entitled, "Power Surge: The Constitutional Record of George W. Bush." This report criticizes this administration for not upholding the text, history, and structure of the Constitution and recognizing the limits on Presidential power.

As congressional Republicans have returned time and again to use constitutional amendments as election year rallying cries to excite the passions of some voters, those in Congress who respect the Constitution and honor our oath of office to "support and defend the Constitution of the United States" are cast in the unpopular role of seeking to conserve the Constitution and constitutional principles in the face of demagogic proposals.

Several years ago a bipartisan group was formed to inject some reason into these debates. The Constitution Project has worked long and hard to develop guidelines for when constitutional amendments are appropriate. They have noted: "The Founders created a Constitution that is difficult to amend, thus insuring a stable constitutional structure. In The Federalist No. 47, James Madison highlighted this very point. He argued that the Constitution should only be altered on 'great and extraordinary occasions.'" Proponents have not shown how this proposal meets those sensible guidelines, nor could they.

Recently, the CATO Institute and the Center for American Progress jointly held a symposium lending further support to rejecting this proposed amendment for a variety of reasons from across a wide spectrum of opinion.

All this raises the obvious question why this is the Republican leadership's priority in the face of an unfinished agenda of legislative matters that deeply concern Americans, ranging from escalating gas prices and health care costs to the ongoing violence in Iraq to homeland security. While the news articles and editorials characterizing this effort as crassly political are too numerous to include in the RECORD, I do ask consent to include a few that are representative. I ask that copies of the USA Today editorial from June 1, 2006, the New York Times editorials of June 5 and June 1, 2006, and the Washington Post editorial of May 24, 2006, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From USA Today, June 1, 2006]

JUST SAY "I DON'T"

Apparently, issues such as immigration, corruption, gas prices, the budget deficit, the war in Iraq and the prospect of Iran acquiring nuclear weapons aren't substantial enough to occupy members of Congress.

When senators return from their Memorial Day recess next week, their thoughts will turn to June weddings. They plan to spend their time on a bitter, divisive and unnecessary debate over a proposed constitutional amendment to ban gay marriage.

Even supporters of the Marriage Protection Amendment readily concede that the measure to ban same-sex marriage nationwide has virtually no chance of becoming part of the Constitution. (It would need approval from two-thirds of both chambers of Congress, plus ratification by three-fourths of the states.)

So why bother?

Well, Election Day is a few months off. Supporters hope the controversy will energize their base of social and religious conservatives opposed to same-sex marriage.

Their plan could well backfire. Polls show that Americans are evenly divided about the amendment. Religious activist groups are annoyed that President Bush, who supports the amendment, isn't lobbying hard enough for it.

At the same time, the 31 Republican sponsors risk alienating moderate and independent voters who are turned off by the pandering for a futile effort that will further divide the nation.

The gay-marriage issue exploded when Massachusetts' highest court ruled in November 2003 that same-sex couples have a right to marry. Since then, more than 7,300 gay couples there have done so. The commonwealth has survived.

But the public backlash elsewhere has been strong. Nineteen states have amended their constitutions to ban gay marriage. Most other states prohibit it as well.

The state activity makes the proposed constitutional amendment all the more unnecessary. It would take away the traditional authority of states to regulate marriage and impose a one-size-fits-all edict on a nation still grappling with the issue.

Most partisan drives to write social policy into our enduring Constitution have, fortunately, failed. The prohibition of alcohol was such a disaster that it was repealed 14 years later. The Framers purposely made it difficult to amend the Constitution so that intense passions of the day wouldn't lead to laws that might last forever.

Supporters of the amendment trumpet the need to protect the "sanctity" of marriage. But preserving the authority of states to decide how to handle same-sex unions—whether through marriage or some domestic partnership or civil union law that protects the basic financial, health and legal rights that heterosexual couples take for granted—doesn't affect anyone else's marriage. And the 1996 federal Defense of Marriage Act already says states may refuse to recognize same-sex marriages performed in other states.

The proposed amendment would squelch the important debate going on at the state level and poison political dialogue. It should be jilted and left at the altar.

[From the New York Times, June 5, 2006]

DIVIDE AND CONQUER THE VOTERS

President Bush devoted his Saturday radio speech to a cynical boost for a constitutional amendment banning gay marriage. It was depressing in the extreme to hear the chief executive trying to pretend, at this moment in American history, that this was a critical priority.

Mr. Bush's central point was that the nation is under siege from "activist judges" who are striking down anti-gay-marriage laws that conflict with their own state constitutions. That's their job, just as it is the job of state legislators to either fix the laws or change their constitutions.

If there's anything the country should have learned over the past five years, it is that Mr. Bush and his supporters have no problem with judicial decisions, no matter how cutting edge, that endorse their political positions. They trot out the "activist judge" threat only when they're worried about getting out their base on Election Day.

The aim of the president's radio address—which darkly warned that Massachusetts and San Francisco (nudge, nudge) are going to destroy marriage—is the same as the Republican leadership's plans to trot out one cultural hot button after another in the coming weeks. After gay marriage comes the push for a constitutional ban on flag burning, a solution in search of a problem if there ever was one.

All this effort to divert the nation's attention to issues that divide and distract would be bad enough if the country were not facing real, disastrous problems at home and abroad. But then, if that weren't the case, Mr. Bush probably wouldn't feel moved to stoop so low.

[From the New York Times, June 1, 2006]

ON THE LOW ROAD TO NOVEMBER

Republicans are trying to rally their far-right base for the fall elections with a mean-spirited sideshow threatening to the Constitution: a ban on same-sex marriage.

The Senate Judiciary Committee has endorsed the amendment, which would write bigotry into the nation's charter, by a 10-to-8 vote along party lines, and the full Senate is expected to take it up soon. Since the measure's language covers not only marriage but the "legal incidents" of marriage, its approval could jeopardize civil unions, domestic partnerships and other legal protections that many state and local governments now provide for same-sex couples and their children.

No one, including the G.O.P. strategists urging it's fast-tracking, expects the amendment to get the two-thirds Congressional approval needed to send it to the states for consideration. Two years ago, when Republicans staged a Senate vote on the same dismal amendment just before the Democratic convention, it ran into unexpectedly broad opposition. Some conservatives correctly opposed grabbing power from the states by suddenly federalizing marriage law. Supporters of the amendment could muster only 48 votes, well shy of the 60 required to cut off debate and avoid a filibuster.

Plainly, the real purpose of this rerun is to provide red meat to social conservatives, and fodder for commercials aimed at senators who vote to block the atrocious amendment.

It is sad that Senator Arlen Specter, the Republican chairman of the Judiciary Committee, who personally opposes the measure, chose to lend his gavel and vote to speed it to the floor. He got angry when Senator Russell Feingold, the Wisconsin Democrat, objected in forceful terms to both the amendment and the politically motivated scheduling. Mr. Specter and the other members of his committee who approved the amendment have no reason to be angry—just ashamed.

[From the Washington Post. May 24, 2006]

RUNNING AGAINST GAYS; AS AN ELECTION APPROACHES, CAN A VOTE TO BAN SAME-SEX MARRIAGE BE FAR BEHIND?

The Senate Judiciary Committee last week churned out a transparent effort to energize the restive Republican electoral base by picking on gays and lesbians. It reported, on a 10 to 8 vote along party lines, a federal constitutional amendment stating that "Marriage in the United States shall consist only of the union of a man and a woman"; the amendment would prevent federal and state constitutions alike from being "construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman." Senate Republican leaders are determined to promptly bring up the resolution on the floor, though it has no chance of passage. Its purpose, at this stage anyway, is simply to make a statement—of solidarity with socially conservative voters, of hostility toward marriage equality for gays and lesbians, and of contempt for state governments that might choose to move toward a more inclusive conception of marriage.

Senators will indeed make an important statement with their votes on this amendment—just not about the "sanctity of marriage." The vote, rather, will tally each member's willingness to deform the U.S. Constitution.

On the merits, there is simply no case for an amendment that would write into the Constitution an express command to every state and federal official to discriminate against a class of people. Marriage has always been a state matter in the American system, and nothing about the advent of gay marriage in a single state should change that. Opponents of same-sex marriage outside of Massachusetts have no cause for complaint. What goes on in that state doesn't concern them, and they have shown themselves perfectly capable of organizing in many other states to nip marriage rights for same-sex couples in the bud. What's more, federal law already guarantees that no state need recognize same-sex marriages performed in any other. So the only purpose of a federal amendment would be to prevent states that wish to move toward marriage equality from doing so. Even within Massachusetts, where opposition to same-sex marriage is hardly overwhelming, the experiment with it will not succeed if a majority of citizens over time believe strongly that the decision by the state's high court creating marriage equality should be overturned.

What exactly is the problem that requires upsetting 200 years of constitutional norms? The question answers itself.

Mr. LEAHY. Mr. President, when we began this debate on Monday afternoon I referred to the important discussion that occurred in Vermont several years ago. In that statement I referred to the extraordinary example set of Senator Robert Stafford. I will ask that the Rutland Herald editorial from November 2, 2000, entitled "Stafford's Gift." be printed in the RECORD. This editorial memorializes the bipartisan call for respect and tolerance to which Vermonters responded. Senator JEFFORDS and I were honored to join Senator Stafford in rejecting vitriolic attacks during Vermont's experience with this debate. The Rutland Herald's series of civil editorials that examined these issues during Vermont's debate earned the Pulitzer Prize for the newspaper and its editorial page editor, David Moats.

The fairness and equality that resulted from passage of Vermont's civil union law has not threatened the marriages of the Green Mountain State or any other State in this country. It has not led to the parade of horribles threatened by the proponents of this divisive constitutional amendment.

Recently, I was contacted by a number of physicians in Vermont who voiced their strong opposition to the constitutional amendment that we are debating. These pediatricians are concerned that the proposed amendment will deprive children "of the benefits of both parents being able to provide health insurance, take time off from work to care for their children, authorize medical care, or stay with their children in the hospital." I will ask that their letter be printed in the RECORD.

Hundreds of thousands of American children are being raised by committed same-sex couples. I am gravely concerned that the so-called Marriage Protection Amendment would prevent States from providing benefits and protections to these dedicated parents and their families.

I ask unanimous consent to include two recent editorials opposing the proposed amendment from the Brattleboro Reformer from May 24, 2006, and the Rutland Herald from June 6, 2006, in addition to the aforementioned materials.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Rutland Herald, Nov. 2, 2000]

STAFFORD'S GIFT

Robert Stafford was never a politician who wore his heart on his sleeve. He served Vermont with distinction over five decades, beginning as Rutland County state's attorney, later becoming governor of Vermont and later U.S. senator.

He is now 87 years old, and he lives in Rutland Town. During his career he focused on getting the job done, and millions of Americans who are able to use Stafford loans to finance their higher education have Robert Stafford to thank.

So when Stafford came forward on Tuesday to speak about the climate of intolerance that has arisen during the present election campaign, it was because he was moved by a profound conviction. He was not alone. Sens. Patrick Leahy and James Jeffords and Rep. Bernard Sanders were with him to request a return to the atmosphere of respect that has traditionally characterized the state of Vermont.

Stafford described his marriage of many years to his wife, Helen, and of the love they have shared. "I believe that love is one of the great forces in our society and in the state of Vermont," he said. "And everyone in this country is better off living in a society based on love."

The civil union law has confronted many Vermonters with the reality that gay and lesbian couples also share love. That reality prompted a question from Stafford: "If a same-sex couple unites with true love," he said, "what is the harm in that? What is the harm?"

Conscientious people disagree on the moral questions surrounding homosexuality and civil unions. The point is not that everyone should agree; it is seldom the case that everyone will agree on any issue.

The important distinction is between those who disagree with civil unions and those who take their disagreement a step further, using offensive language, shouting down opponents, and employing tactics of character assassination like those being used in Chittenden County.

Disagreement must be respected. But when disagreement turns into denigration, it creates the atmosphere that Stafford, Leahy, Jeffords, and Sanders came to Rutland to deplore.

Stafford and Jeffords are the two senior Republican leaders in the state, and it is good that leading Republicans have chosen to speak up about the extremism that has tarred the debate over civil unions. If the Republicans intend to help heal the wounds caused by the bigotry of a few, they have to be willing to distance themselves from some of the attacks that are made in their name.

Jeffords had harsh words for the "tone of intolerance and hate" this year. And he spoke of the need for respect. "When individuals with narrow minds seek to vilify public servants in the name of religion, it's time to take a step back."

A flier distributed by a religious group in Chittenden County warned that because of the civil union law, Vermont would become "a San Francisco-like rural haven."

Leahy called such fears "vitrolic nonsense."

The issue inevitably comes back to Stafford's point, which asks us to look at the reality of human relationships. In homosexual relations, just as in heterosexual relations, there are respectful, loving relationships, and there are relationships that are less.

And as Stafford said, in simple, heartfelt language, when it comes to love, what is the harm?

PRO-FAMILY PEDIATRICIANS,
Burlington, Vermont, June 5, 2006.

Hon. PATRICK J. LEAHY,
U.S. Senate,
Washington, DC.
Hon. JAMES M. JEFFORDS,
U.S. Senate,
Washington, DC.

DEAR SENATORS LEAHY AND JEFFORDS: As Vermont pediatricians dedicated to the care of infants, children, adolescents, and young adults, we strongly urge you to oppose amending the Constitution to forever deny gay and lesbian couples and their children the same protections available to other families. A discriminatory constitutional amendment would have a particularly severe impact on the health and security of the hundreds of thousands of children whose parents are same-sex couples.

On a daily basis, we care for sick children in the context of their families. Children deserve all the love, care, and emotional and financial security their families can provide. Any constitutional amendment that throws obstacles in the way of two parents being able to provide the full measure of security for their children that the law allows is clearly not in the best interest of children. The best result for children is the defeat of the Federal Marriage Amendment.

As demonstrated by census and other data, there are literally hundreds of thousands of children whose parents are gay or lesbian couples. According to the 2000 census, same-sex couples are raising children in at least 96 percent of all counties in the U.S. These children go to school, play in sports, sing in choirs, go to worship services, play at the beach, get hugs from their parents and grandparents—and get sick—just like children of opposite-sex couples or single parents. And when these children are sick, their parents come to doctor visits together, take time off from work to stay home with the sick child, worry about paying the medical bills, and if serious enough, stay at the hospital together with their child, take turns holding an oxygen mask or meeting with doctors and nurses.

Whether the problem is as medically simple as a bad cold or a broken finger or as serious as leukemia or a life-threatening heart condition, a child's illness or injury strains both the child and his or her parents. No parents who are already under the emotional stress of caring for their sick or injured child should also have to worry about whether the Constitution will deprive their child of the benefits of both parents being able to provide health insurance, take time off from work to care for their child, authorize medical care, or stay with their child in the hospital. Adding to the worries of already strained parents is simply wrong.

The American Academy of Pediatrics has found that "a considerable body of professional literature provides evidence that children with parents who are homosexual can have the same advantages and the same expectations for health, adjustment, and development as can children whose parents are heterosexual. When two adults participate in parenting a child, they and the child deserve the serenity that comes with legal recognition."

We urge you to find ways to make the lives of all children happier, healthier, and safer. There are lots of good ideas, and good legislation, to meet these goals. But the Federal Marriage Amendment will do the opposite. It will make the lives of children more difficult and make the assurance of the best health care a broken promise. We strongly urge you to protect children by defeating the Federal Marriage Amendment.

Very truly yours,

Dr. Garrick Applebee, Attending Physician, Vermont Children's Hospital, Burlington, Vermont.

Dr. Wendy S. Davis, Vermont Children's Hospital at Fletcher Allen Health Care, Professor of Pediatrics, University of Vermont College of Medicine, Burlington, Vermont.

Dr. Jillian S. Geider, Vermont Children's Hospital, Clinical Instructor, Pediatrics, University of Vermont College of Medicine, Burlington, Vermont.

Dr. Joseph F. Hagan, Jr., Clinical Professor in Pediatrics, University of Vermont College of Medicine, Co-Chair Bright Futures Education Center and Steering Committee, American Academy of Pediatrics, Burlington, Vermont.

Dr. Barry W. Heath, Director Pediatric ICU, Vermont Children's Hospital, Associate Professor of Pediatrics, University of Vermont College of Medicine, Burlington, Vermont.

Dr. Jeremy Hertzig, Clinical Instructor in Pediatrics, University of Vermont College of Medicine, Burlington, Vermont.

Dr. Jenny Hoelter, Resident, Vermont Children's Hospital, Burlington, Vermont.

Dr. Elizabeth Hunt, Pediatrics Resident, Vermont Children's Hospital, Burlington, Vermont.

Dr. Karen S. Leonard, Attending Physician, University of Vermont, Burlington, Vermont.

Dr. Brett McAninch, Vermont Children's Hospital, Burlington, Vermont.

Dr. Meredith Monahan, Pediatric Resident, University of Vermont, Burlington, Vermont.

Dr. Bradford D. Stephens, Clinical Instructor, Vermont Children's Hospital, Burlington, Vermont.

Dr. Alicia J. Veit, Vermont Children's Hospital, Clinical Instructor, Department of Pediatrics, University of Vermont College of Medicine, Burlington, Vermont.

Dr. Anna Ward, Pediatric Resident, Vermont Children's Hospital, Burlington, Vermont.

Dr. Richard C. Wasserman, Professor of Pediatrics, University of Vermont College of Medicine, Burlington, Vermont.

Dr. Paul James Zimakas, Pediatric Endocrinologist, Vermont Children's Hospital, Burlington, Vermont.

[From the Brattleboro Reformer, May 20, 2006]

AGENDA OF DIVISIVENESS

It's very obvious why the Senate Judiciary Committee voted Thursday to revive an effort to enact a constitutional ban on same-sex marriage.

Republicans are getting their arms vigorously twisted by the religious right. They have begun threatening the Republicans that they will stay home in November if progress is not made on banning abortion, same-sex marriage and flag burning.

A poll conducted in March by four groups representing evangelical Christians found that 63 percent of so-called "values voters"—the evangelicals who oppose abortion and same-sex marriage—believe that, in the words of the poll, "Congress has not kept its promises to act on a pro-family agenda."

So, between now and November, you can expect to see these "values" issues trotted out by Republicans in Congress to convince the religious right they are still on their side.

It's not like the GOP has anything else to run on. They can't run on national security, not with Iraq in a bloody civil war. They can't run on ethics, not with the growing list of indictments filed against GOP members of Congress. They can't run on the economy, not with $3 a gallon gasoline, rising interest rates and stagnant wage growth.

No, all they have left is the hope that voter turnout will be low and the most extreme members of their constituency will show up to vote.

Mid-term elections are usually decided by turnout, and usually only the most motivated voters from each party show up on Election Day. While pandering to religious extremists may seem like a smart short-term strategy, in the long term, it alienates the rest of the population.

Given the bigger issues facing this nation—out-of-control energy and health care costs, the criminally slow response to the Gulf Coast's plight after Katrina, the lack of an exit strategy from Iraq, the threat of another war in Iran and a president who shows no respect for the rule of law—arguing about flag burning and gay marriage is ridiculous.

But that's the legislative agenda that the Republicans are working on. Even though the gay marriage ban has no chance of receiving the required two-thirds majority which will move the proposed amendment to the states to ratify, the goal is to get both houses to vote on it next month. Likewise for flag burning and more restrictions on abortions.

In short, the GOP would rather devote its energies to pointless and divisive legislation than address the real problems facing the nation.

We do not think this is not going to work this November.

As weapons, the powers of fear and divisiveness, the two biggest guns in the GOP arsenal, are no longer as powerful as they were in 2002 or 2004. More and more Americans, liberals and conservatives alike, are on to the Republican game. This growing awareness that the GOP has nothing going for it other than fear and divisiveness may lead to big victories for Democrats in November. And Republicans will only have themselves to blame.

[From the Rutland (VT) Herald, June 6, 2006]

THE BULLY'S PULPIT

George Bush is a bully and a coward.

How else to explain this weekend's performance by the president, who used his weekly radio address to push for a constitutional amendment banning gay marriage?

His cowardice is long established, from using his family's influence to duck military service during Vietnam to hiding behind underlings while in the Oval Office. He's never seen a fair fight he can't run from or pay someone else to fight for him.

Now he's beaten down in the polls, with both his foreign and domestic policy initiatives in tatters, already a lame duck and staring at a legacy as a war president during a losing fight. His next-best shot at being remembered by history is as the president who single-handedly bankrupted the country, going from a surplus to record deficits almost overnight.

So what did Bush do? What any schoolyard bully does when they feel threatened: He picked on someone he perceives as an easy target.

In this case, the target is gay marriage. While the country is generally more accepting of homosexuals than it was a generation ago, there is still a taboo against using the word marriage to define homosexual relationships.

The GOP used the same gay-bashing tactic to get out the vote in the last election, and their strategists are clearly banking on a repeat performance to revitalize support for the president, and for the party headed into the fall elections. Bill Frist, the Senate majority leader, claimed an amendment is needed to protect the other 49 states from Massachusetts' recognition of gay marriage in an opinion piece released over the weekend.

Oddly, the tactic may backfire on the GOP. While the states that have voted on defining marriage as the union of a man and a woman have been unanimous in supporting the measures, using the Constitution as a tool must strike many as a large, blunt instrument.

Amending the Constitution is not easy; it is not meant to be so. That choice by the framers, reinforced through the centuries, makes rational people pull back from cheap grandstanding with this nation's most-cherished document. And the latest move is nothing if not a grandstand play.

In fact, true conservatives may find themselves in conflict over whether cheapening the importance of a constitutional amendment is too steep a price to pay, seeing as the country already has the Defense of Marriage Act, which already does what the amendment promises. And they must despair at seeing a raid on states' rights, a conservative touchstone.

But surely, surely the move must backfire in Vermont. Any candidate who does not immediately and publicly renounce a constitutional amendment against gay marriage will alienate the state's open-minded middle of the road, as well as its substantial liberal population. But any candidate who opposes the amendment will alienate the right wing of the Republican Party. So Bush and Frist have put moderates into a tough spot.

Regardless, it is time for Vermont's candidates in this fall's election to stand up and be counted on the issue. No ducking or excuses, please.

Martha Rainville and Richard Tarrant are running as moderate Republicans; it is their party's leadership that has put the issue on the table; it is their time to speak. They both say they are independent thinkers in the Vermont tradition, who will not simply repeat the party line.

Now they can prove that claim or they can follow the lead of their boss, the coward. It's a clear, if not simple, choice.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SHELBY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

Mr. SHELBY. Mr. President, I rise tonight as a cosponsor and a strong supporter of the Marriage Protection Amendment before the Senate.

If you had told me 10 years ago, or even 5 years ago, that I would be standing before the Senate advocating a constitutional amendment that defines marriage as a union between a man and a woman, I would have thought you had lost your mind. Why in the world would you ever need to do that, I would have asked? Doesn't it go without saying that men and women get married? Yet tonight I do stand in the Senate advocating a constitutional amendment that defines marriage as a union between a man and a woman, nothing else. What was once thought preposterous is now reality. We are faced with this new reality because activist judges throughout the Nation have decided to redefine marriage.

The courts, not the people, not the States, are redefining a fundamental institution of our society, the very foundation of our civilization.

Ironically, this new definition of marriage runs contrary to what a majority of Americans believe. In fact, 45 of the 50 States have either a State constitutional amendment or a statute defining marriage as the union between a man and a woman, nothing else. On average, those measures have passed with more than 70 percent of the voters' support.

Today, the voters in my home State of Alabama—and we will know the outcome later tonight—will vote on a State constitutional amendment regarding marriage. I think I know what the outcome will be in my State. Regardless, no judge should be able to impose his or her will on Alabama or any other State if the voters have decided otherwise.

What appears to be a broad consensus throughout the country for protecting the institution of marriage is being undermined and redefined by activist judges. These judges have struck down numerous State laws intended to protect the traditional definition of marriage. State courts in California, Georgia, Maryland, New York, and Washington have overturned laws or amendments protecting marriage, and a Federal judge in Nebraska invalidated a State amendment prohibiting same-sex marriage.

I have long thought that it was the role of the judiciary to interpret the law, not make the law. However, these activist judges across the country have taken it upon themselves to make laws that, in many cases, redefine the definition of marriage. These judges have taken it upon themselves to make decisions reserved for State legislatures who have worked to be responsive to their constituencies and to define marriage in the traditional sense. The difference is that these activist judges do not have to be responsive to anyone and are accountable to no one.

Abraham Lincoln reminded us in the Gettysburg Address that we have a government of the people, by the people, and for the people. Activist judges, accountable to no one, should not be allowed to govern this country. The basic foundation of our Constitution does not invest total control in the judiciary. It is not government by the judiciary; rather, it is a government by the people. On this issue, the people have spoken and will speak again.

Activist judges should not be permitted to redefine the sacred bond of marriage. For generations, humanity has defined marriage as the union between a man and a woman upon which families are built. It is the institution of marriage upon which our society has flourished.

Mr. President, States, in my judgment, must be allowed to continue to exercise their will. States that pass laws on constitutional amendments should not be overridden by an overactive judiciary that believes it has the power to redefine the moral character upon which our Nation was built. I believe the President recently summed it up when he said:

> The union of a man and a woman in marriage is the most enduring and important human institution. For ages, in every culture, human beings have understood that marriage is critical to the well-being of families. And because families pass along values and shape character, marriage is also critical to the health of society. Our policies should aim to strengthen families, not undermine them. And changing the definition of marriage would undermine the family structure.

Therefore, tonight I stand before you in strong support of this constitutional amendment to define marriage as a union between a man and a woman.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, I thank my colleague from Alabama for his support for the marriage amendment. I note, as he knows, that Alabama is voting on this very day on this subject. I feel confident that it, along with the other 19 States—this will make 20—will support marriage as a union between a man and a woman.

Mr. SHELBY. I believe that is going to happen today.

Mr. BROWNBACK. If it doesn't——

Mr. SHELBY. Oh, it will.

Mr. BROWNBACK. That is another indication that 20 States have directly voted on this issue. If we would have Senators who follow what the States have done, we would have 90 votes for a constitutional amendment to define marriage as a union between a man and a woman. I thank my colleague for his strong support. I believe the people of Alabama are going to do it today as well.

I have another colleague who will be speaking shortly. In the interim, I want to develop an argument that has been put forward but I think is an important one to further raise and develop. It is one I have mentioned previously on religious freedom. We have the article that has been mentioned by several by Maggie Gallagher on why Catholic Charities was run out of Boston because they didn't support homosexual adoptions. Rather than breaking one of the tenets of their faith, they said we can no longer do adoptions. There is an argument that churches that do not perform same-sex unions will not be allowed to perform any marriages. I think this bears looking at because it is a serious issue that has a legal history and pedigree to it. It is one we should be concerned about taking place.

I was in a church last Saturday night. My oldest daughter was the maid of honor in a wedding. It was a beautiful ceremony. That church has a very clear conviction that marriage is between a man and a woman. They would not agree to doing marriages between same-sex couples. Then does that mean that they cannot perform any marriages? OK, some say it is too strong of an argument. Yet you have that history in the adoption field, and you have a legal pedigree that is there to develop on top of that. I think that bears watching.

There is another argument I want to further develop while my colleagues are coming to the floor; that is, this one on "slippery slope." People say this is one that isn't going to happen. It is not going to develop. Yet I think the legal pedigree is there for a slippery slope to develop. Some will be recognizing different groups that have stepped forward already to say that if two people of the same sex can be married, why can't there be additional people? What is the legal bias against having more than two people in a marital arrangement? This even has a term now, polyamorist. They have already had one court case trying to gain recognition for a marriage of a woman and two men. They say in some of their advocacy that they are waiting for same-sex marriage to pass to begin agitation to legalize more than two people getting married.

If you think that is not going to happen, you had the minority opinion in the Supreme Court case that recognized that, what is your legal basis of stopping that, too, if it can be two men or two women? Why is it only two? That is what this group is starting to agitate for. They are saying that granting same-sex marriage is supported on equal protection grounds. How is the court going to deny them? There are plenty of polyamorists out there.

The problem goes further. We have an advocacy group called the Alternatives to Marriage Project which supports polyamory and other innovations to parental cohabitation. The Alternatives to Marriage Project is quoted frequently in the mainstream media. Believe it or not, some of the most powerful factions of family law scholars in the law schools favor legal recognition of both polyamory and parental cohabitation. Even law review articles have been published advocating for both. Again, they argue that if two men can get married and two women can get married, if this is an equal protection argument, why is it limited to just two? What is the legal basis or foundational basis in society for this?

I raise that as a point because this area of law is starting to develop. Even the influential American Law Institute came out with proposals that would grant nearly equal recognition to cohabitation. So this is developing in the law.

I raise these items as issues knowing that some people will scoff at it. You can look at what happened in the world in the past year or so as well. Sweden passed the first same-sex partnership plan in the world and had serious proposals floated by parties on the left to abolish marriage and legalize multipartner unions. So this is out there and it is one of those things we should watch.

My colleague from Alabama has arrived. I yield the floor to him for his comments on the constitutional amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I thank Senator BROWNBACK. He is such a champion on this issue and has raised so many important matters for us to think about. I believe the debate we are having is a very important debate. I remember the hearings we had in the Judiciary Committee. The Senator had several—I believe he had one in the Commerce Committee maybe, and I had one in the Judiciary Committee on marriage.

One of the things we found was that almost every category of individual character and wellness was better if you were married. That is just the way it was. You had a longer lifespan, you ended up with more wealth, you had better health, you were happier, and there was less drug use, less criminality, and less suicide. All of those things are so taken for granted in the committed, historic marriage relationship.

I believe this issue is an important one that is before us. I want to share a few thoughts on the matter that deals with certain issues that are important to me, which I think are important. We are not here, let me say, first of all, because of some band of Christian conservatives. Indeed, virtually every religious organization in America cares about this issue. It is not that we wanted to enter into some sort of argument with the gay community or with those who favor same-sex marriage. We are not here because of a political agenda.

Traditional mainstream Americans were going about their business when courts began a pattern of rulings that subverted democratic principles on the long held meaning of marriage. As the cases and lawsuits have mounted and scholars reviewed the opinions and pondered their implications, it became clear that this activist movement was bold and far reaching in scope. Their design was to effect a complete change in the meaning of marriage, altering an institution that is thousands of years old. The lawyers who filed these cases had a simple plan: They would file a lawsuit attacking the traditional definition of marriage as a union between a man and a woman. They would urge the courts to declare, based on some subjective constitutional theory such as evolving standards of decency, that the Constitution of the United States—they sought to have the courts declare that the Constitution of the State or the United States requires that marriage be redefined to include same-sex marriage.

When the people complained about this usurpation, what did you hear back from those who promote these ideas?

They all lift their noses and respond: "All we are doing is being faithful to the Constitution. Don't you respect the Constitution? We know you have deeply held beliefs, and we understand that, but we all must yield to the requirements of the Constitution, don't you know?"

That is kind of the feedback we get on this issue. But the American people are not so easily fooled. They chose not to go quietly this time. They have chosen to fight, and it is going to be a long battle. And well they should have made that decision since the question here raises the nature of marriage and the usurpation of judicial power to effect a political or social agenda, which are matters that go to the heart of this Republic and our governing structure.

So let's make some things clear. One, those who believe in the traditional definition of marriage did not start this fight. The debate is not a distraction from important issues; it is an important issue. It is not about wedge politics.

Let me state the plain truth. We are here debating this issue because there has been a deliberate and sustained effort by leftists in America to alter the definition of marriage to include a union of two men or a union of two women. This action has been, to some degree, successful, as shown by rulings in a number of important cases. So the matter is real. It is not a theoretical matter; it is very real, right now.

I do not agree with these changes in marriage. I favor the traditional approach for many reasons. More importantly, the American people overwhelmingly oppose this idea. There has been no support in the Senate, no support in the House of Representatives or the State legislatures for such actions. This new marriage concept has been rejected by legislative branches all over the Nation and has been rejected in, I think, 19 statewide votes, averaging about 70 percent each time.

These social activists have always known they have no chance to get elected officials to adopt their concept of marriage. It will not be voted in. So they have looked through the Constitution and decided their goal could only be achieved by arguing before activist judges that denying same-sex couples the right to marry is a denial of the constitutional guarantee of due process or equal protection or ideas such as that.

The Supreme Judicial Court of Massachusetts flatly agreed with those lawyers. This court declared that the constitution of Massachusetts, adopted in 1780, requires that same-sex unions be given the same recognition as a union of a man and a woman. They found that a constitutional requirement. This is activism, pure and simple. It is the very definition of activism.

The drafters of that constitution in 1780 would never have imagined their constitution would some day be so twisted. The Massachusetts Supreme Judicial Court plainly reached, I believe, a political, social, and cultural conclusion about homosexual unions. And they took language out of their State constitution that was never, ever crafted, designed, or expected to cover such a situation as this, and they just declared that the long established concept of marriage violated the constitution of Massachusetts. They just did it. These judges don't have to stand for election—certainly Federal judges do not—and they are not accountable to the American people. If judges do not show their personal restraint, modesty, and fidelity to the Constitution—whether or not they like the Constitution—then democracy is thwarted. So this is no small matter, I say to my colleagues.

Some will argue that the problem is a problem for Massachusetts only and that each State can decide these issues. But the U.S. Constitution provides that every State must give full faith and credit to the marriages of another State. In other words, the U.S. Constitution ordinarily requires that each State must recognize the marriages of other States.

But what about DOMA? We passed DOMA, the Federal Defense of Marriage Act, in this Congress a number of years ago. It was passed to deal with what was perceived as a problem a decade or so ago. Didn't DOMA fix the problem?

The simple answer is no. To understand why, let's look at the Supreme Court's ruling in Lawrence v. Texas. I was attorney general of the State of Alabama. This deals with one of the things you do as an attorney general of a State: you defend the laws of that State when they are challenged in the Supreme Court of the United States. So I can identify with Texas in this matter.

Without regard to established law, the Supreme Court reversed their own opinion on a very similar case in Georgia just 17 years earlier and followed a new vision of social justice, masquerading, I suggest, as constitutional law. In Lawrence v. Texas, the Supreme Court reversed their opinion in Bowers v. Hardwick, a Georgia case, and said all State sodomy laws are unconstitutional.

This is most certainly not a discussion concerning sodomy laws or the wisdom of such statutes. This debate is about the Constitution, what it means, and who controls the legal and social policy in America. Some statutes and ordinances certainly are unconstitutional and should be declared so. A city ordinance that required Rosa Parks to sit at the back of a bus simply because of the color of her skin did violate—clearly violated—the command of the U.S. Constitution that everyone be provided equal protection of the laws, and Judge Frank M. Johnson and the U.S. Supreme Court were correct to strike it down as discriminatory. That decision was not activism. It was a new commitment to the plain meaning of the existing Constitution that had been the law all along.

The situation is quite different in Lawrence. It is instructive to review how five members—only five, really, because Justice O'Connor only concurred in the result, not in the reasoning—of the Supreme Court came to reverse Bowers, which had upheld Georgia's law just 17 years before.

So what changed? Certainly not the law. Certainly not the Constitution. This is why our American people need to pay close attention to these issues, or the judicial sleight of hand that is beginning to occur too often will succeed. No doubt the American people are paying closer attention today than they have in the past.

The majority opinion in Lawrence divorced morality from law. The Court flatly held that morality, even long established, objectively determined moral values, cannot be a basis for law, so they struck down the Texas law. The Court said the law was a product of morality, which they found was without value as a justification for law. I kid you not, that is what they did.

Remember, the Court is examining now a long-established provision of criminal law, a provision that had been recently upheld as constitutional. Remember also, the issue is not whether you approve or would vote for such a law but whether it stands without any basis such that it becomes the duty of the Supreme Court to strike it down as violative of the U.S. Constitution. Lawrence was troubling, with far-reaching ramifications.

What does Lawrence have to do with the marriage amendment? A great deal, unfortunately. If the Supreme Court were to hold that marriage should no longer be limited to a union of a man and a woman and a court finds as they did in Lawrence that such is required by some word or phrase in the Constitution, than any Federal law, such as DOMA, or any State constitutional provision—we are voting on one in Alabama today to protect marriage, and I assure you it is going to pass—but any State constitutional provision would be erased from the books, held for naught, and struck down if found to be in violation of the Constitution because the Constitution is the supreme law of the land and its provisions trump all other laws and State constitutional provisions.

In Lawrence, the U.S. Supreme Court used very broad language that by fair deduction would suggest that the majority's reasoning would be supportive of redefining marriage. While not denying the logic of this possibility, the Court in its opinion in dicta did note that Lawrence "does not involve whether the government must give formal recognition to any relationship that homosexual persons seek to enter."

So the facts did not involve that, but the opinion did not deny that this same reasoning could be used in the future in cases such as the Massachusetts marriage case. It was obvious, of course, that the issue of same-sex marriages was not before the Court in Lawrence, but they were aware of that.

Justice Scalia was not beguiled by this language. His brilliant dissent went right to that point, and it is the issue before us today. Justice Scalia aptly stated:

> This case "does not involve" the issue of homosexual marriage only if one entertains the belief that principle and logic have nothing to do with the decisions of this Court.

It doesn't involve the issue of homosexual marriage only if logic and principle have nothing to do with the opinions of the Court. What he is saying quite plainly is, following the logic and principle of the opinion in Lawrence, marriage, as we know it, is in jeopardy today, and he dissented. Justice Scalia is a brilliant jurist. He loves the law and believes in being faithful to the law as written, not as he may wish it to be.

This debate in the Senate about activism is important. It is a debate that was raised aggressively in recent elections in Senate races and the Presidential election. President Bush said he admired Justice Scalia and he wanted more judges on the Court such as Justice Scalia.

Justice Scalia's dissent reflects one of the critical issues that highlight the difference between an activist judge and one who is respectful of the people's branch of Government, the legislative branches of Federal and State government.

In large part, the Massachusetts marriage case and Lawrence v. Texas are the kinds of rulings that have caused so much controversy, rulings where a slim majority of an aging group of justices—four maybe in some courts, five on the U.S. Supreme Court—allow personal views on some subject to cloud their thinking to such an extent that they delve into the Constitution in order to find some phrase they can use to impose that view on the people, all the while insisting they are merely following the commands of the Constitution.

In fact, our Supreme Court Justices have created a double standard. They have plainly held that the legislative branches—the Congress, our State legislatures—elected by the people, cannot base a law on an established, objective moral code, but they—the enlightened judicial branch, the one branch of our Government unaccountable to the people—may strike down congressionally passed laws if the Justices conclude that the legislative laws do not comply with what the judges find are "evolving standards of decency."

"Evolving standards of decency" is a phrase activist judges often use, and it can mean anything. Who can say what that means? "Evolving standards of decency" is not a proper legal standard. It lacks the precision needed for a legal standard. It is, in fact, not a standard at all. In truth, it is a license to the court. It can allow as few as five Supreme Court Justices to roam the world to find European law or some other foreign law or some study or some report which they base their opinion upon.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. I thank the Chair. I ask unanimous consent for 5 more minutes.

Mr. CARPER. Mr. President, I will have to object to that. I agree to 1 more minute.

The PRESIDING OFFICER. The Senator from Alabama is recognized for 1 more minute.

Mr. SESSIONS. Mr. President, I would just say this: that we are at a point in our history where it is now the opportunity of this Senate to allow the American people an opportunity to have their views heard on the question of the definition of marriage. It has been eroded by courts improperly, in my view, but it is being eroded nevertheless. By voting for this constitutional amendment, we will not make any constitutional amendment become a reality. We will simply send the matter to the States. And if three-fourths of the State legislatures agree, only then will this amendment become law. Why would we want to deny the American people the right through their representatives to adopt this amendment? I do not know, and I do not think we should. I think we should support the amendment.

How should the people properly respond to this real or perceived abuse and, in particular, to this very real threat to traditional marriage?

The proper answer is for the people to ask their elected representatives to pass a constitutional amendment to fix the problem, or the potential problem.

It is the right way, the lawful way, for the people and the Congress to respond.

Amazingly, it has been suggested by those who oppose the right of the people to have their voice heard on this matter, that the Marriage Protection Act violates the Constitution. How silly is that? The Marriage Protection Act would become a part of the Constitution. How could it violate the Constitution?

More importantly, the court rulings that have created this crisis are themselves, in my view and the view of many, contrary to the Constitution. Regardless of whether such rulings are sound, the people have a right to have their voice heard on the matter of marriage.

Some here argue that we should not have an amendment that decides the question here in the Senate but should allow the States to do it. But, that is the problem.

The States, and the people, are having their decisions overturned by courts. On May 16, a Georgia judge struck down that State's law that prohibits same-sex marriage. At least nine States are facing similar lawsuits. And if Lawrence is any indication, the U.S. Supreme Court seems poised to make a similar ruling.

This is why the American people are rightly concerned and want us to do something to stop this trend by the undemocratic branch of government from altering marriage, a cornerstone of our civilization.

Of course, if this Congress were to pass the Marriage Protection Amendment, it does not then become law. It then would go to the States where three-fourths of the State legislatures would have to agree, for it to become part of our Constitution.

Thus, our vote today is the key step in allowing the States to express the will of their people.

Thus vote against the Marriage Protection Amendment by those who say they oppose same-sex marriage, would deny the States the authority they need to protect their laws from judicial activism.

Finally, some argue that marriage is not an issue of such importance that it should be placed in our Constitution or even have debate time allotted to it. They are wrong. This is a huge issue, one of great importance. The real question is, why deny the right of the American people through their legislatures the right to vote on this issue? What harm is there in letting the people speak? I suspect the real concern of many is that if this amendment were to get to the States, it would pass. Those who openly or surreptitiously favor same-sex marriage surely would not want the Marriage Protection Amendment to go to the States.

And, there is nothing unusual about constitutional amendments that address specific problems.

We have passed amendments that are quite specific as well as broad.

The 27th amendment, ratified May 27, 1992, provides that Congress can't raise the pay of members of the House or Senate until the next election in the House.

The 26th amendment, ratified July 1, 1971, provides that eighteen-year-olds must be allowed to vote.

The 25th amendment, ratified February 10, 1967, provides for presidential succession.

The 24th amendment, ratified January 23, 1964, abolished the poll tax.

To my mind, the Marriage Protection Act is a wonderful way to allow the American people to have their voices heard on a matter that is very important to them and our Nation.

The courts have gotten it wrong. Wrong as a matter of law and wrong as to policy. They are not higher beings. They make mistakes and they need to be held to account so that good law and good policy are restored. A narrowly drafted constitutional amendment that deals with this one, single issue, is the proper way to give legitimate voice to our citizens.

The traditional understanding and law of marriage are being overturned. The sounds of the conflict can be heard in Lexington and in Omaha. Why stand we here idle? Let's authorize the Marriage Protection Amendment to go to the States so the people's will may be accomplished. After all, our founders created a democracy, not an oligarchy.

I yield the floor.

Mr. CARPER. Mr. President.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, my friend from Alabama has just called for the Senate to vote and the House to vote, two-thirds majorities to vote to send to the States the question of whether or not our U.S. Constitution should be amended with respect to marriage being only between a man and a woman. Actually, in my State and in 45 other States around the country, we have had the opportunity to debate this issue, to consider this issue, and to pass laws with respect to marriage as between a man and a woman.

Personally, I believe that it is. As Governor of Delaware, a number of years ago I signed into law the Defense of Marriage Act in my State that says marriage is something that occurs between a man and a woman. Not only did I sign that law, but I supported the Federal law which was enacted here, signed by former President Clinton, which said States like my own and those other 45 States, to the extent that we define marriage as being between a man and a woman, our State law, respective State laws, cannot be violated by the actions of some other State.

I will give an example. If we have a same-sex couple in Delaware who decide to go to another country or another place where same-sex marriages are allowed, and then that same-sex couple comes back to Delaware and claims they are married, they are not married in my State. It is not a marriage that we recognize. In fact, for the over 200 years that we have been around as a country, States such as Delaware or California or Georgia or Alabama or Kansas have set the rules for marriage. We don't say to the Federal Government: You determine who can get married, at what age people can get married, or what kind of waiting period there has to be, or can first cousins marry or second cousins; we don't say what the rules of the road are with respect to divorce, with respect to alimony, with respect to child support. For over 200 years we have left those issues to the States.

Today we have said very clearly in my own State, marriage is between a man and a woman, a view that is reflected in almost all of the other States in this country.

If we get to the point where our ability to maintain that position in my State or in the other 45 States that have adopted similar laws, where those laws are threatened or basically rendered ineffective, then I think the idea of visiting a constitutional amendment is something we may want to do. But I don't know that it is needed. I am not convinced that it is needed for us to amend the Constitution to do something that I believe we already have done by changing our own State laws, and those State laws are protected by a Federal law.

We have not amended the Constitution a whole lot of times. We have amended the Constitution 17 times; since 1791, 17 times. I am 59 years old. We have amended the Constitution just six times in my own lifetime. We have amended the Constitution for good and valid reasons. We have amended the Constitution to protect our freedom of speech, to protect our ability to worship God as we see fit. We have amended the Constitution to ensure that we have the right to bear arms, to ensure the right of a trial by a jury of our peers. Other constitutional amendments have been to protect us from unlawful searches of our homes and have guaranteed our rights to assemble in Washington and in Dover and across this country to present our grievances to those who serve us. Constitutional amendments have abolished slavery. They have provided women the right to vote. They have provided 18-year-old young men and women with the right to vote, and they have limited our Presidents to serving only two terms. They decided through a constitutional amendment that if we don't have a Vice President for some reason, how one would be selected. All of those are important, and some would say urgent, pressing needs that have been addressed and have been put into our Constitution.

I am not convinced given the actions of my own State and 45 other States, the actions of the Congress and former President Clinton signing the Defense of Marriage Act, that we need to enshrine in the Constitution today what we have already enshrined in State laws and Federal laws with respect to the fact that marriage is between a man and a woman.

I do know what some would say: that this is election year politics. We do this every 2 years, and it happens sort of coincidentally like 5 months, 4 months before an election, and it is through the efforts of one party or the other to try to energize their base.

I don't know if that is part of this. I do know this: There are plenty of other important issues that we need to be addressing.

We have a war in Iraq where the going is tough. We are losing people, including some young men from my own State just last month, and we are suffering tragic and sad losses of life. We have a situation in Afghanistan which is not going as well as some of us would like and had hoped for. We are a nation today where almost 60 percent of our energy depends on foreign sources, a lot of it controlled by people who don't like us very much. And we aren't convinced that when we take our money to fill up our tanks with gas that they will not use our money to hurt us.

Our dependence on foreign oil continues to grow, not abate. The cost of health care is killing us in terms of our ability to compete. As a nation, we spend more money—companies such as General Motors—on health care than is spent on all capital investments around the world. We have people who are sick and dying from asbestos poisoning, and they are not getting and their families are not getting the money they deserve. Meanwhile, other folks who have been exposed to asbestos but don't have asbestosis and have never had it, will never have it, they get money. We live on a planet where the air is becoming warmer, and we are threatened by more hurricanes, tougher and stronger hurricanes and typhoons and cyclones as we have ever seen in recent years.

We have a Tax Code where literally, last year, $290 billion was owed in taxes. We know who owes it, and we know how much they owe, but it wasn't collected. Federal agencies made over $50 billion of improper payments last year, most of those overpayments. We have government-sponsored enterprises such as Fannie Mae and Freddie Mac that don't have the kind of regulation they need. We have data breaches where the Veterans' Administration is literally turning over to unscrupulous people data for 25 million, 26 million of our veterans. We have a passenger rail system in this country which is, compared to the rest of the world, just sad, and we aren't doing anything about it. We have legislation that passed 93 to 6 last year to reauthorize and improve passenger rail service and nothing has happened to it. Nothing has happened to it. We have a postal system that literally is a relic of the 1970s trying to operate in the 21st century. We have plenty to do. We have 45 legislative days ahead of us to do all of that, and we are spending 3 of those legislative days on this.

I know there is a need that some Republicans feel to bring up this issue again, and I respect the fact that you are in the majority; it is your right. I understand later this month we will deal with some other contentious issues. I have had the opportunity to meet with the Republican leadership. Some of us have had the opportunity to meet with the Republican leaders. We are self-described centrists. I call us the flaming moderates. But we have sort of reached out to the Republican leadership to say there is a whole list of things that we need to focus on: deficit reduction, budget deficit reduction, trade deficit reduction, energy independence, you name it. There is a whole long list of what we ought to be doing, and we should be focusing on that agenda, not just on this.

That is not to say marriage isn't important; it is hugely important. It is the basic building block of our society. We know families are in trouble and hurting in a lot of ways. One of the things I would like to see us do and put a lot more emphasis on is ratcheting down unwed mothers and teen pregnancies. We ought to do a heck of a lot more in childhood education to reduce the likelihood that young women will bring children into the world and that young guys are going to impregnate them. We need to do a whole lot more in that regard. That is the kind of agenda that we need to be working on and looking to across the aisle.

That having been said, I have used my time. I will close with this: In my view, marriage is between a man and a woman. In Delaware's view, marriage is something that is between a man and a woman. We passed a law that says that. We are not the only State that did that. Forty-five other States did the same thing. We have a Federal Government, this body, the House of Representatives, and the former President who signed a Federal law that said what we have done in Delaware and 45 other States is good and is not going to be overridden. It is not going to be just pushed aside. Until that happens, I am convinced that the proper thing for us to do is to uphold marriage, to honor marriage, and to continue to work as we have in our States to pass good State laws affecting marriage, affecting the raising of our children, but not necessarily to ask the Federal Government to do that because until I am convinced and until most of us are convinced that, frankly, we need Federal intervention, then I think let's stick with what has worked for us for over 200 years, and that is allowing the States to do this.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous consent to be allowed to address the Senate until 7 p.m. tonight.

The PRESIDING OFFICER. The Senator has that right.

Mrs. BOXER. Mr. President, before he leaves the floor, I wanted to say to my colleague from Delaware that he painted a very strong case of what we ought to be doing on the Senate floor. Without reading a note, he ticked off a list of six or seven things or eight things that we really need to take care of, and I just wanted to thank him very much.

I rise today to oppose the proposed constitutional amendment on marriage. I oppose it. I think it is divisive. I think it is unnecessary. I want to lay out the reasons.

First of all, the proposed amendment is nothing more than a cynical election year ploy. I truly believe that, and I think if anyone has followed this every-couple-of-year debate, they know it is true. It pops up like clockwork around election time.

Second, the definition of marriage, as has been stated by Senator CARPER from Delaware, who was the Governor of that State, has been determined by the States, and indeed the States are acting in many ways to decide whether they want to legalize gay marriage or legalize domestic partnerships or civil unions or outlaw all of these things. So States are making their decisions, and they should be respected.

On a personal note, let me say that I have been married for 44 years to the same person. I have to say as someone married for that length of time, the fact that two gay people decide they want to take care of each other for the rest of their lives and care about each other for the rest of their lives, that doesn't threaten my marriage one bit. It doesn't threaten me. It doesn't make me worry about my marriage. My marriage is too strong for that. The fact is, if someone feels their marriage is threatened because two gay people care about each other, then their problems go way deeper than they are caring to admit.

Throughout our Nation's history, we have only amended the Constitution to extend rights and equality, and that is an important point. So I think we have established in this debate that the States are taking care of this issue, and they are coming out in all different places. That is the way it ought to be.

So here we are, June 2006, with only a few precious months left on the Senate calendar, and we are facing some very serious issues at a critical time in our history. It is our duty to respond to the American people and their needs. I truly believe that this President and the Republican leadership are ignoring the needs of the American people, and that is why we see the lowest ratings ever—I think ever—for this particular Congress and very low ratings for the President.

For example, what do President Bush and the Republican leadership say to the families of our soldiers in Iraq and Afghanistan who want to know when their loved ones will be coming home? Why aren't we talking about that instead of an issue that is being handled by the States? Maybe they don't answer that question because they don't want to say that the war in Iraq has killed and wounded over 20,000 American soldiers, and there is no end in sight to the war.

That brings up an issue that I care a lot about, which is the state of our military men and women. If you want to talk about their marriages for a minute, why don't we do that? Divorces are up, way up, among families who are deployed to these war zones. Families are suffering. The divorce rate between 2000 and 2004 nearly doubled in the Army, and it did not double in the Army because two people who happen to be of the same sex care about each other and want to take care of each other for the rest of their lives. That is not why military marriages are failing. They are under stress, impossible stress, the hard-to-imagine stress of being deployed again and again and again, going out on a battlefield with antidepressants being handed out to them. That is why they are suffering. That is why we see their marriages breaking up and their children crying themselves to sleep every night. But, oh no, we are not talking about that. We are talking about an issue that is being handled by the States.

I don't understand why this administration will not talk about these issues. Why won't they talk about the fact that we have lost our focus in Afghanistan, despite the fact that a resurgent Taliban has vowed to step up attacks during coming months and we are seeing such a resurgence of the Taliban there. Why aren't we discussing that instead of a cynical and divisive and unnecessary constitutional amendment about something that is being taken care of by the States?

What do President Bush and the Republican leadership say about our security here at home? What they don't want to say is that nearly 5 years after 9/11 they still have not adopted the recommendations of the 9/11 Commission. Shouldn't we be discussing ways to secure our ports and our rails, and ways to track foreign visitors in the U.S., instead of this cynical, divisive and unnecessary constitutional amendment on a subject that is being handled by the Governors and by the States?

Why do President Bush and the Republican leadership say nothing about gas prices? Why are they doing nothing about gas prices? Maybe it is because they don't want to say that they don't have any solutions—like raising fuel economy standards in a meaningful way or strongly promoting the use of hybrid cars or flex-fuel vehicles so we use less gasoline. This President tomorrow could issue an Executive order that says all the cars that are bought by Federal taxpayers for the Federal fleet have to be the most fuel efficient cars available. They are not doing that. They would rather talk about this amendment, which is about a subject that is being handled by the States.

What does the President and what do the Republicans and the leadership say to the millions of Americans who need access to affordable health care? They don't want to talk about that. They want to talk about this divisive amendment. Maybe it is because they have no clue of what to do, even though health care costs continue to be a tremendous burden on our small businesses and our individuals and our families, and the prescription drug benefit is rife with problems.

Tomorrow we could vote to give Medicare the power and the authority to negotiate for lower drug prices, which would save that program millions, and we would be able to make the program stronger and not put a halt to the benefits, which is called a doughnut hole, just when the sickest patients need more. Oh, no, they would rather talk about an amendment on a divisive subject that is being handled by the States.

Why don't they talk about the fact that our families are struggling to pay for college tuition for their children? They don't want to talk about that because they have failed to help America's families pay for college, despite the fact that tuition is becoming hugely expensive and more expensive each and every year. As a matter of fact, President Bush just signed a tax law that makes college loans more expensive. But, oh no, we can't talk about that. We are going to talk about a divisive amendment on a subject that is being handled by the States.

Why don't they want to talk about our fiscal situation? Why don't they? They don't want to say that as a result of their policies, the policies of this administration and my Republican friends, we now have seen the surpluses that were left to them, to their stewardship, turn into deficits as far as the eye could see. They are projected to hit well over $300 billion, and the public debt stands at an eye-popping $8.4 trillion. When they got the reins of Government there were going to be surpluses as far as the eye can see. Now there are deficits as far as the eye can see.

They don't want to say that it is this administration's failed policies that will leave our children and grandchildren with a bill for the tax cuts to the wealthiest people, tax cuts that we can't afford.

How do they really respond to the concerns and the anxieties of the American people, anxieties and concerns that we see in poll after poll? This is not Democratic polls or Republican polls, these are everybody's polls. People are worried. They say we are on the wrong track.

But this is what this administration says, and this Congress, they say: Sorry, America, please hold. Please hold, America, while the Senate takes time to consider a constitutional amendment that has nothing to do with the most serious issues you face today. Why? Because they need to score political points. Please hold, America, because, although we have been elected to serve you and unite you, we would rather divide you for our own partisan interests.

If I were a conservative I would be insulted today, insulted by the fact that I am being used as a political pawn by this President and the Republican leadership. I would be insulted.

The issue of marriage has been determined by the States. For those people who worried about it, there was DOMA, the Defense of Marriage Act. I believed at the time that wasn't even necessary because I believe the States have the right to make decisions about marriage. But it passed and it has been upheld. So what is the problem? There is not a problem.

From the party that says let the States decide, suddenly the States do not know as much as these Senators here. They know everything, and they are going to amend the Constitution on something that the States are handling.

This, in many ways, is a telling moment for this Senate. With all the issues I have laid out and the issues that Senator CARPER has laid out, there is no planning for these issues. So this Senate is being used as part of a political campaign. I resent that, when we have men and women dying every single day in Iraq, newspaper reporters being blown up. But we have to talk about a subject that is being handled by the States.

As I said before, we have never amended our Constitution to take away rights. We don't do that in America. We are too strong for that. We are too good for that. We are a model of freedom because of that. But that is precisely what is being proposed here, an amendment that is unnecessary because the States are handling this and all this does is divide us instead of uniting us.

Look at some of the great examples of our constitutional amendments.

The Bill of Rights—the first ten amendments—guarantee important liberties to Americans, from freedom of speech to freedom from unwarranted search and seizure to freedom of religion. And the 10th amendment reserves for the States all powers not specifically given to the Federal Government.

The 13th, 14th and 15th amendments corrected the horrific injustices of slavery by giving African-Americans the right to vote and equal protection under the law.

The 19th amendment gave women the right to vote, and the 26th amendment gave 18-year-olds the right to vote.

This short but impressive list of amendments demonstrates that our Constitution is meant to expand, not restrict, freedom and equality.

I want to say to my colleagues that there is something about this debate that has bothered me. As I have listened to some of my colleagues comment in support of this proposed amendment—which is their total right to support—I have been troubled by the suggestion that gay Americans are responsible for a host of problems in our society, from children born out of wedlock to poverty to divorce. These comments are wrong. These comments are wrong. It is wrong to find scapegoats in our great country. Gays and lesbians, they are God's children too. They wake up every morning, they try to do the best to live their lives, the best for the people they love. And they live their lives one day at a time.

We can solve problems such as unintended pregnancies, poverty, divorce, and adoption without stooping to scapegoat and hurt so many people.

If we want to strengthen families, let's strengthen families. Let's help families with their college tuition. Let's help families with their child care. Let's help them by raising the minimum wage. Let's clean up Superfund sites that are near schools. Let's help the 44 million Americans who need health insurance. Let's help those who are reaching retirement age, who are so frightened because the promise of the golden years is not there.

Let's reach out to each other and do that instead of being forced to deal with manufactured political issues which, again, pop up every election year. That sends false hopes out to some Americans who really want this constitutional amendment. They are being used. It also sends out fear and sadness to so many other Americans.

We can do better. We must do better for all Americans.

I yield the floor.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to proceed to the marriage amendment be temporarily withdrawn and that the Senate resume that motion immediately upon convening tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

WEST UNION, WV: STILL MAKING HISTORY

Mr. BYRD. Mr. President, among the beautiful, rolling-green hills of northern West Virginia is a little town with a big history. I am speaking of the town of West Union, the county seat of Doddridge County.

Once a center for railroading and other forms of transportation, as well as oil drilling, coal mining, and and other forms of businesses and manufacturing, West Union was an important and thriving commercial center in the late nineteenth century. Unfortunately, like too many small towns in West Virginia and across the country, West Union has fallen into some hard times.

Nevertheless, West Union retains its rich and colorful history. Indeed, the entire downtown district of West Union has been placed on the National Register of Historic Places. The downtown section contains buildings that feature a wealth of architectural styles, with four of them having been listed on the

National Register. These historic buildings include the Doddridge County Court House with its Romanesque architecture, and the Silas Smith Opera House which was built at the turn of the last century and now serves as the county library.

For a small town in the hills of West Virginia, the town of West Union has been the home of a number of prominent American citizens. General Bantz Craddock, who rose to be the Commander of U.S. Southern Command and is responsible for military operations in the Caribbean, Central America, and South America, was raised in West Union.

For many years, West Union was the home to Clyde Ware, a novelist who has been actively involved in television and film production. In fact, Mr. Ware wrote and directed many episodes of what was one of my favorite television series, "Gunsmoke."

The town's most famous historic resident was the legendary Ephriam Bee. Mr. Bee was a pioneer, a blacksmith, the U.S. Postmaster for West Union, and the owner of a highly popular inn and restaurant, appropriately referred to as the "Bee-Hive." At the age of 60, Mr. Bee served as captain of the Doddridge militia which protected the area from Confederate forces, thieves, and outlaws.

In 1863, Mr. Bee was elected to the West Virginia State Legislature, defeating Joseph H. Diss Debar, the person who later designed the State seal of West Virginia, which is still in use today, without change.

Another contest that Mr. Bee won was being named the Ugliest Man in the State of West Virginia. For that victory, he was awarded a beautiful pocket knife, a proud possession which he was forced to relinquish a few years later when the State found a man whom it deemed to be even uglier.

In 1845, Mr. Bee originated the Ancient and Honorable Order of E. Clampus Vitus, ECV, of which he became Grand Lama. ECV was originally formed as a secret order for playing practical jokes, but as it spread across the country, it took on different purposes and missions. Today, ECV has become an important historic preservation society, with more than 100,000 members.

Mr. Bee also operated an important station on the underground railroad. He hid his guests in a nearby cave until it was filled, then, it appears, he used ECV to create a diversion so that the escaped slaves could be sent on their way to freedom.

What became the town of West Union was originally settled in 1807. It was incorporated on July 20, 1881, which means the town of West Union will be celebrating its 125th anniversary this summer. The town will be using this milestone anniversary in an effort to promote and celebrate the town's history and as a jump start toward the economic revitalization of the town. The festivities are planned for July 22, and they promise to be a time of fun, entertainment, and education as the town wants to share its unique and colorful history with the world.

The town of West Union has adopted as a slogan, "We love our history—that's why we're still making it!" With its history—and its energetic, creative residents, I am confident that the town of West Union will be making history for a long time into the future.

I wish them the best on their 125th anniversary.

HONORING RETIRING JOURNALIST DICK KAY

Mr. DURBIN. Mr. President, I rise today to honor Dick Kay, a man of great journalistic integrity. Many things have changed in the past 40 years, but from Martin Luther King, Jr., to Adlai Stevenson, from Iraq to the Daleys, from Watergate to the 1985 Bears, there has been one voice Chicagoans have consistently trusted for an objective and thoughtful perspective. Dick Kay has established himself as an institution in our television news. Over his 46-year career in the TV business, Dick has proven himself to be a professional newsman—a reporter with no motive other than to give his viewers an insight on the news.

Dick's distinguished career began modestly. A high school dropout at the age of 14, he worked to support himself. He once said, "the experience of those years taught me the most valuable lessons of my life: that I would never achieve any real success without an education." He enlisted in the U.S. Navy at the age of 17, earning a GED. certificate. After his discharge, Dick realized his dream of an education by graduating from Bradley University in Peoria through the GI bill, receiving a B.S. in speech education in 1962.

Dick remained in Peoria to work on TV and radio programs before getting his big break as the news director of WFRV-TV in Green Bay, WI. After 3 years in the "Dairy State," he relocated to Chicago in 1968 as a producer and writer for WMAQ-NBC 5. He was tested immediately, as one of his first assignments was the tumultuous 1968 Democratic National Convention in Chicago. Within 2 years, Dick had worked his way up to full-time reporter and eventually political editor. He became host of the weekly news show "City Desk." This Sunday morning broadcast became a Chicagoland staple—a "must-see" for everyone following the political scene. Dick's questions were often tough but always fair. Political guests knew that a visit to "City Desk" would always be memorable.

Dick's achievements include a long list of honors and awards. His 1984 9-month investigation of the Illinois General Assembly's so-called Legislative Study Commissions earned him the George Foster Peabody medallion, the most prestigious honor in television broadcasting. The report also won him a National Headliner Award and the Jacob Scher Award for investigative reporting. Dick's numerous accolades include 11 Emmys; induction into the Television Academy's Silver Circle Hall of Fame; Commentator of the Year from the Joint Civic Committee of Italian-Americans; as well as multiple awards courtesy of the Associated Press, the Chicago Headline Club, and the Society of Professional Journalists. Perhaps one of Dick's proudest moments was being honored as a Bradley University Distinguished Alumnus. He has surely come a long way since shining shoes at the age of 14 in Evansville, IN.

Mr. President, after nearly a half century of reporting the news, Dick says that he is ready to "smell the roses," and he has certainly earned it. Dick Kay has played an important role in reporting the exciting news stories of our time and has left his mark on the "Land of Lincoln." I wish a restful and happy retirement to Dick Kay, one of Illinois' and Chicago's premier newsmen.

W. RALPH BASHAM, COMMISSIONER OF CUSTOMS

Mr. GRASSLEY. Mr. President, today President George W. Bush witnessed the swearing-in of W. Ralph Basham to serve as Commissioner of Customs in the Department of Homeland Security. Mr. Basham's nomination was favorably reported out of the Finance Committee on May 18, 2006, and he was confirmed by the Senate on May 26, 2006.

The President nominated an outstanding individual to be Commissioner of Customs. Ralph Basham has served as Director of the Secret Service and is a 29-year veteran of the Secret Service. He has also served as chief of staff for the Transportation Security Administration and as director of the Law Enforcement Training Center in Glynco, GA. His demonstrated commitment to public service is admirable. And the breadth of his experiences will be an important asset as he assumes his new responsibilities.

The Commissioner of Customs serves in a critical and demanding role. The Commissioner of Customs must ensure that the dual demands of securing our borders and facilitating the smooth flow of international trade are each fully met. As part of his confirmation process Mr. Basham appeared before the Finance Committee, which I chair. During his hearing, I was impressed with Mr. Basham's appreciation of the importance of maintaining an appropriate balance in meeting those dual demands.

More broadly, the Commissioner of Customs heads a bureau of over 40,000 employees. Those Government employees are on the front line for enforcing laws related to over 40 agencies. At the same time, they process $1.7 trillion worth of imports and collect about $28 dollars in duties and fees. This trade is critical to our economy. For example, the 10-day strike at the port of Long Beach a few years ago is estimated to have cost our economy between $1 billion to $2 billion each day. That illustrates why maintaining an appropriate balance between trade security and trade facilitation is so important.

As chairman of the Committee on Finance, with jurisdiction over customs and international trade, I look forward to working with Mr. Basham to advance a robust customs and trade agenda now that he's taken over as Commissioner of Customs.

DARFUR

Mr. LEAHY. Mr. President, while the Senate, with the encouragement of a White House in full campaign mode, debates a constitutional amendment to ban gay marriage—a debate which will consume days of the Senate's time and is all about scoring political points in an election year—the disaster in Darfur rages on.

It has been nearly 4 weeks since a peace agreement was signed between the Sudanese Government and one of the rebel groups, but violence, hunger and disease continue to claim innocent lives.

Jan Egeland, United Nations Under-Secretary General for Humanitarian Affairs, recently described the humanitarian situation in Darfur as being on the verge of collapse.

In the midst of this calamity, the Senate is focused on other matters. Gay marriage. Next it will be flag burning. And then full repeal of the estate tax, to benefit the wealthiest of the wealthy. Solutions in search of a problem, while whole villages burn, their inhabitants are slaughtered, and relief organizations in Darfur struggle to cope without adequate resources.

Between a quarter of a million and half a million people have perished in Darfur—mostly civilians whose villages have been reduced to ashes. Many, who escaped being shot or hacked to death, have died from hunger and disease.

The Sudanese Government has obstructed the deployment of a U.N. peacekeeping force in Darfur. The African Union has done its best, but with only 7,000 troops, inadequate resources, and a weak mandate to patrol a vast area with few roads, it has been unable to provide civilians with the protection they need.

I am so very proud that two high school students in Vermont are setting a moral example for all Americans. Ben Rome and Brian Banks, seniors at Essex High School, outraged over the tragedy that is unfolding half a world away, felt compelled to do something about it. They have organized a public rally in Burlington, VT, for this coming Sunday to bring Vermonters together to speak out about one of the worst human disasters in recent memory. I look forward to joining Ben and Brian and other concerned Vermonters this weekend.

The supplemental appropriations bill for Iraq, Afghanistan, Hurricane Katrina recovery, and Sudan, which should be completed this week—and I hope we can find the time to pass it—contains additional funds to support the current level of peacekeepers in Darfur through the remainder of this year. This will help, but twice that amount is needed.

The supplemental also provides additional funds for food and other humanitarian aid. It should shame the White House and the Congress to reflect on the fact that we know we are not doing enough.

We also provide funds to support a Presidential special envoy for Sudan, to work in pursuit of peace in Darfur and stability throughout Sudan, northern Uganda, and Chad. We need someone of the caliber of Senator Danforth to be working continuously to help solve the Darfur crisis.

A tragedy like this is bigger than any of us as individuals, but it is not too big if we join together in constructive action—as individuals, as private relief organizations, and as nations.

America is a great and good nation with the power to help stop this. But it will take sustained attention, and it will take the efforts of committed citizens like Brian Banks and Ben Rome who, one by one, are opening the world's eyes to a tragedy that must be stopped.

NATIONAL HUNGER AWARENESS DAY

Mr. KENNEDY. Mr. President, today is National Hunger Awareness Day, and it is an opportunity for all of us to pledge a greater effort to deal more effectively with this festering problem that shames our Nation and has become even more serious in recent years. Surely we can all do more to care for neighbors and fellow citizens who fall on hard times.

The number of Americans living in hunger or on the brink of hunger now totals 38 million—5 million more than when President Bush took office. That total includes almost 14 million children, 972,000 more since 2000.

America's Second Harvest, the nation's largest network of emergency food providers, recently conducted a series of interviews with its clients, and the report is astounding. Its emergency food providers serve 4.5 million different people a week—and 24 to 27 million people a year.

Over 36 percent of its clients are children under 18 years old, and 10 percent are elderly. Another 36 percent of its clients live in households with at least one employed adult.

These statistics are shameful. Our Nation's neediest individuals should not be forced to choose between paying for food and paying the rent or paying for medicine.

In Massachusetts, the Greater Boston Food Bank serves over 320,000 people a year—34 percent of them are under 18. All of us in the Commonwealth are grateful that we have food providers like the Greater Boston Food Bank, but they should not have to wage the battle alone. Government can't stand idle in the face of this great tragedy. We have programs in place to fight hunger, but they continue to be underfunded and underused.

Day in and day out, the needs of millions of Americans living in hunger are ignored, and too often their voices have been silenced. Their battle is a constant ongoing struggle. It undermines their productivity, their earning power, and their health. It keeps their children from concentrating and learning in school. We all need to do more to combat it. Government, corporations, communities, and citizens must work together to develop better policies and faster responses.

In 1996, the Clinton administration pledged to begin an effort to cut hunger in half in the United States by 2010, and the strong economy enabled us to make significant progress toward that goal. Hunger decreased steadily through 2000. We now have 4 years left to fulfill that commitment.

The fastest, most direct way to reduce hunger in the Nation is to improve and expand current Federal nutrition programs. Sadly, the current administration proposes to change proven and effective programs such as food stamps and the Special Supplemental Nutrition Program for Women, Infants, and Children. The administration also proposes to eliminate the Commodity Supplemental Food Program, which provides modest food packages to low-income seniors and to mothers with children up to age 6.

It is time to do more for the most vulnerable in our society. National Hunger Awareness Day is our chance to pledge to eradicate hunger in America—and to mean it when we say it.

HOLD ON S. 2012

Mr. WYDEN. Mr. President, up and down the coast of Oregon, fishermen, their families and communities are suffering from the actions of the Secretary of Commerce in curtailing the Klamath salmon fishery without offering the assistance they need to cope with this disaster. Months ago the Pacific Fishery Management Council recommended to the Secretary of Commerce that this salmon fishery be drastically curtailed. The Secretary responded to the Council's recommendation by slashing the quotas and limiting the number of days and areas that could be fished. But despite numerous pleas for help from the affected communities, the Secretary has done nothing for months and months to help out the fishers whose livelihood depends on the Klamath salmon stocks.

The Secretary's continued inaction is not acceptable, and so I am objecting to any unanimous consent request for the Senate to proceed to or adopt S. 2012, the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2005 until the Senate can consider legislative steps that will help fishermen in Oregon and California survive this disastrous fishing season. I make this objection consistent with my policy of always announcing "holds" I may place on legislation or nominations.

The State of Oregon is seeking a Presidential emergency declaration for those affected by this Federal action, and I intend to work closely with the State and my colleagues here in the Senate to make sure Oregon's fishing communities are not forgotten and that they receive the aid they will require to make it through this year.

TWENTY-FIFTH ANNIVERSARY OF THE FIRST REPORTED AIDS CASE

Mr. SMITH. Mr. President, I rise to recognize a bittersweet occasion: the 25th anniversary of the first reported AIDS case. June 5 will forever be a day to reflect upon the lives that have been impacted by the HIV/AIDS virus and the significant progress we have made in its detection, control, and treatment. While much ground has been gained over the last quarter of a century, there remains a great deal of work to be done. That is why I stand today to pledge a sustained commitment to the global fight against HIV/AIDS—a fight that we cannot abandon until and effective cure is discovered.

Twenty-five years ago, Dr. Michael Gottlieb with the UCLA Hospital reported an extremely rare pneumonia in five young gay men to the Centers for Disease Control and Prevention, CDC. One of these men, named "Chuck," was from Oregon. Unbeknownst to Dr. Gottlieb, this seemingly insignificant incident ultimately evolved into one of the most significant health events of the modern era. It was 3 years later that the cause of this mysterious outbreak of pneumonia was attributed to the Human Immunodeficiency Virus, HIV. Sadly, for "Chuck" this discovery was made too late; he passed away shortly after he fell ill.

Since 1981, an estimated 25 million individuals have died from the AIDS virus worldwide. What is even more alarming is that 16,000 new cases of HIV are diagnosed every day, quickly adding to the 40 million people who have already contracted the virus. Statistics such as these are disheartening given the scientific and medical progress we have made since the first cases of the illness were reported.

In the United States, an estimated 1.039 million to 1.185 million people were living with HIV at the end of 2003, a 20-percent increase over the estimated number of cases at the end of 2002. While the number of persons with HIV in Oregon is small relative to other States, we nevertheless saw an 85-percent increase in the number of HIV-reported cases between 2002 and 2003. Not since the height of the AIDS epidemic in the 1980s has there been so many Americans living with this terrible illness.

Congress has a great opportunity to further the domestic fight against HIV/AIDS this year. Reauthorization of the Ryan White CARE Act currently is underway, and I am confident that the House and the Senate can pass a bill by the end of this Congress that improves the scope and quality of services provided to those living with HIV/AIDS. As deliberations continue, it is important that we focus upon improving the equitable distribution of resources to States, municipalities, and community-based organizations, and that we not arbitrarily restrict their ability to provide the best care possible to those who need it. Nonprofit groups such as Cascade AIDS in Portland, OR, rely upon Ryan White CARE funds to offer a wide-range of both medical and social support services, like emergency housing and nutritional assistance. We must ensure that the changes we make to the CARE Act strengthen—not harm—the ability of organizations like Cascade AIDS to serve those living with HIV/AIDS.

As we move forward with the annual appropriations process, it is important that we provide a much needed increase in funding to all Ryan White CARE Act programs, but especially the AIDS Drug Assistance Program, ADAP. A key component to the defense against HIV/AIDS is access to cutting-edge pharmaceutical treatments. These lifesaving medications are often so expensive that they remain out of reach to low-income and uninsured individuals. ADAP bridges that gap and provides antiretroviral drugs and important medical care to over 150,000 people each year. Unfortunately, ADAP's historical underfunding has accumulated to a point where almost $200 million is needed to meet outstanding need in the program. Congress must commit the necessary resources to meet the entire demand for ADAP's services. We cannot afford to lose the ground we have gained in the fight against HIV/AIDS by restricting access to critical pharmaceutical treatments.

As successful as ADAP has been at keeping individuals healthy and productive, critical gaps in our approach to HIV treatment and prevention remain. For example, HIV positive individuals have access to treatment under Medicaid only after they have developed full-blown AIDS. To remedy this oversight, I introduced the Early Treatment for HIV Act, ETHA, S. 311, along with Senator HILLARY CLINTON. By providing access to HIV therapies and important medical care before such persons develop AIDS, ETHA would reduce overall Medicaid costs and, as important, improve the quality of life of those living with the virus. I ask my colleagues to consider this legislation before the end of this session of Congress, so we can begin saving lives and dollars by increasing access to more effective and efficient HIV/AIDS medical care.

We have much to be proud of on the 25th anniversary of the first reported AIDS case. The virus responsible for the epidemic has been identified; appropriate treatments have been developed as a result of innovate medical research; and governments and other organizations across the globe have committed significant resources to the continued fight against the disease. I am confident that in the near future we will be able to commemorate this day by celebrating the eradication of the pain and suffering that has been caused by HIV/AIDS since its discovery.

ADDITIONAL STATEMENTS

125TH ANNIVERSARY OF HUNTER, NORTH DAKOTA

• Mr. CONRAD. Mr. President, I rise today to recognize a community in North Dakota that will be celebrating its 125th anniversary. On June 17, the residents of Hunter will gather to celebrate their community's history and founding.

Hunter has an interesting past that began with the founding of the city by John C. Hunter. It was also home to David H. Houston, the inventor of the roll-type film process later to be named Kodak. David subsequently sold the rights to this process to George Eastman from New York.

The Hunter community prides itself on civic involvement. There are numerous clubs to join and activities to partake in. The American Legion Auxiliary and the Albert Wallner Legion Post #44 are just two examples of the many active community clubs in Hunter.

The community has planned a wonderful weekend celebration to commemorate its 125th anniversary. The celebration includes the dedication of the Veterans Memorial, a community parade, an all school reception, a kid's carnival, a dance, local entertainment, and much more.

Mr. President, I ask the Senate to join me in congratulating Hunter, ND, and its residents on their first 125 years and in wishing them well through the next century. By honoring Hunter and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Hunter that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Hunter has a proud past and a bright future.•

100TH ANNIVERSARY OF BINFORD, NORTH DAKOTA

• Mr. CONRAD. Mr. President, I rise today to recognize a community in North Dakota that will be celebrating its 100th anniversary. On June 16–18, the residents of Binford will gather to celebrate their community's history and founding.

Binford is a vibrant community in eastern North Dakota. Settlers arrived in this area around 1877 and a few years later they named the area Blooming Prairie. Binford became the name of the town after the Northern Pacific built a railroad station in the town and named the station after Ray Binford, an Iowa attorney who had great interest in this area.

Today, the citizens of Binford have the following slogan for their town: "The Biggest little town in North Dakota." Binford is also located within the Griggs-Steele Empowerment Zone. This designation provides incentives for existing businesses to expand and other businesses to relocate to the area.

Citizens of Binford have organized numerous activities to celebrate their centennial. Some of the activities include class reunions, street dances, a carnival and parade, a mini-marathon, a memorabilia auction, all-faith services, a Bull-a-Rama, and a demolition derby.

Mr. President, I ask the Senate to join me in congratulating Binford, ND, and its residents on the first 100 years and in wishing them well through the next century. By honoring Binford and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Binford that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Binford has a proud past and a bright future.•

125TH ANNIVERSARY OF ENGLEVALE, NORTH DAKOTA

• Mr. CONRAD. Mr. President, I rise today to recognize a community in North Dakota that will be celebrating its 125th anniversary. On June 23, the residents of Englevale will gather to celebrate their community's history and founding.

The town of Englevale was founded in 1881 as Marshall, ND, but changed its name to Englevale in 1883. The town was named for Mathias Engle, an avid promoter of the township from New York. Although the town was hit by major fires in the 1930s, Englevale has remained a wonderful community.

Englevale is a small but vibrant town. Most of the farmers in the area grow corn, dry beans and wheat. The Good Shepard Lutheran Church has remained an important anchor in the town for decades.

To celebrate their 125th anniversary, the people of Englevale have planned a number of events, including a tractor pull, rodeo, parade, and an all-town potluck.

Mr. President, I ask the Senate to join me in congratulating Englevale, ND, and its residents on their first 125 years and in wishing them well through the next century. By honoring Englevale and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Englevale that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Englevale has a proud past and a bright future.•

125TH ANNIVERSARY OF CLIFFORD, NORTH DAKOTA

• Mr. CONRAD. Mr. President, I rise today to honor a community in North Dakota that is celebrating its 125th anniversary. On June 17, the residents of Clifford, ND, will celebrate their community's history and founding.

Clifford is a small town in the eastern part of North Dakota. Despite its small size, Clifford holds an important place in North Dakota's history. It began in 1881 when the North Pacific Railroad was built in Traill County. Some say it was named for Clifford F. Jacobs of Hillsboro, a promoter of the townsite. Others say it was named for a pioneer settler in the area. The post office was established February 15, 1883, and George A. Swaren was the first postmaster.

Today, Clifford remains a small but vibrant community. The town organizes a senior citizens league and a 4–H club, and has a very profitable farmers' cooperative. The Traill Rural Water Company, housed in Clifford, helps to provide water for irrigation for all of Traill County. The community has come together in recent years to fix up the town spaces, making it a destination to be proud of.

To celebrate its 125th anniversary, the town of Clifford is organizing a celebration, which will include a parade and a dance with a live band. An all-faith worship service and dinner will also be held. It promises to be a wonderful event.

Mr. President, I ask the Senate to join me in congratulating Clifford, North Dakota, and its residents on their first 125 years and in wishing them well through the next century. By honoring Clifford and all the other historic small towns of North Dakota, we keep the pioneering tradition spirit alive for future generations. It is places such as Clifford that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Clifford has a proud past and a bright future.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6969. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a quarterly report on the status of the Commission's licensing activities and regulatory duties for the period covering January–March 2006; to the Committee on Environment and Public Works.

EC–6970. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Amendments to Standards of Performance for New Stationary Sources: Monitoring Requirements" (FRL No. 8176–8) received on May 31, 2006; to the Committee on Environment and Public Works.

EC–6971. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Michigan" (FRL No. 8176–6) received on May 31, 2006; to the Committee on Environment and Public Works.

EC–6972. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled

"Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Alternative Public Participation Process" (FRL No. 8178-6) received on May 31, 2006; to the Committee on Environment and Public Works.

EC-6973. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Maintenance Plan Revisions; Ohio: Carbon Monoxide Maintenance Plan Updates; Limited Maintenance Plan" (FRL No. 8177-8) received on May 31, 2006; to the Committee on Environment and Public Works .

EC-6974. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Control of Air Pollution From Motor Vehicles and Nonroad Diesel Engines: Alternative Low-Sulfur Diesel Fuel Transition Program for Alaska" (FRL No. 8178-3) received on May 31, 2006; to the Committee on Environment and Public Works.

EC-6975. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "EPAAR Prescription and Clause—Simplified Acquisition Procedures Financing" (FRL No. 8179-6) received on May 31, 2006; to the Committee on Environment and Public Works.

EC-6976. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Partial Approval of the Clean Air Act, Section 112(I), Delegation of Authority to the Washington State Department of Health" (FRL No. 8177-2) received on May 31, 2006; to the Committee on Environment and Public Works.

EC-6977. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "PM2.5 De Minimis Emission Levels for General Conformity Applicability" (FRL No. 8176-3) received on May 31, 2006; to the Committee on Environment and Public Works.

EC-6978. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuel and Fuel Additives: Refiner and Importer Quality Assurance Requirements for Downstream Oxygenate Blending and Requirements for Pipeline Interface" (FRL No. 8178-5) received on May 31, 2006; to the Committee on Environment and Public Works.

EC-6979. A communication from the Chief, Regulations Management, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Remarriage of a Surviving Spouse" (RIN2900-AM24) received on May 31, 2006; to the Committee on Veterans' Affairs.

EC-6980. A communication from the Administrator, Small Business Administration, transmitting, pursuant to law, the Administration's Minority Small Business and Capital Ownership Development Report for Fiscal Year 2005; to the Committee on Small Business and Entrepreneurship.

EC-6981. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Zoxamide; Pesticide Tolerance" (FRL No. 8060-5) received on May 31, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6982. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Requirements for Requests to Amend Import Regulations" (APHIS Docket No. 02-132-2) received on May 31, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6983. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Emerald Ash Borer; Quarantined Areas; Indiana, Michigan, and Ohio" (Docket No. APHIS-2006-0046) received on May 31, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6984. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Baby Corn and Baby Carrots from Zambia" (Docket No. 05-059-2) received on May 31, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6985. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pine Shoot Beetle; Additions to Quarantined Areas; Wisconsin" (Docket No. APHIS-2006-0039) received on May 31, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6986. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Standards for Privately Owned Quarantine Facilities for Ruminants" (Docket No. 00-022-2) received on May 31, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6987. A communication from the Director, Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "2005 Section 32 Hurricane Disaster Programs" (RIN0560-AH45) received on May 31, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6988. A communication from the Staff Director, United States Sentencing Commission, transmitting, pursuant to law, the Commission's 2004 Annual Report and Sourcebook of Federal Sentencing Statistics; to the Committee on the Judiciary.

EC-6989. A communication from the Staff Director, United States Sentencing Commission, transmitting, pursuant to law, the Commission's report on the Impact of United States v. Booker on Federal Sentencing; to the Committee on the Judiciary.

EC-6990. A communication from the Chairman, Office of General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Coordinated Communications" (Notice 2006-10) received on June 5, 2006; to the Committee on Rules and Administration.

EC-6991. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education's 2005 Buy American Act Report; to the Committee on Health, Education, Labor, and Pensions.

EC-6992. A communication from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received on May 31, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6993. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Labeling: Health Claims; Soluble Dietary Fiber From Certain Foods and Coronary Heart Disease" (Docket No. 2004P-0512) received on June 5, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6994. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Smallpox Vaccine Injury Compensation Program: Administrative Implementation" (RIN0906-AA61) received on May 31, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6995. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Smallpox Vaccine Injury Compensation Program: Smallpox (Vaccinia) Vaccine Injury Table" (RIN0906-AA60) received on May 31, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-6996. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, (8) reports relative to vacancy announcements within the Department, received on May 31, 2006; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 2041. A bill to provide for the conveyance of a United States Fish and Wildlife Service administrative site to the city of Las Vegas, Nevada (Rept. No. 109-260).

By Mr. MCCAIN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 2078. A bill to amend the Indian Gaming Regulatory Act to clarify the authority of the National Indian Gaming Commission to regulate class III gaming, to limit the lands eligible for gaming, and for other purposes (Rept. No. 109-261).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VITTER:

S. 3378. A bill to suspend temporarily the duty on chloroacetone; to the Committee on Finance.

By Mr. VITTER:

S. 3379. A bill to suspend temporarily the duty on formulations of NOA 446510; to the Committee on Finance.

By Mr. VITTER:

S. 3380. A bill to suspend temporarily the duty on DEMBB distilled-iso tank; to the Committee on Finance.

By Mr. VITTER:

S. 3381. A bill to suspend temporarily the duty on malonic acid-dinitrile 50% NMP; to the Committee on Finance.

By Mr. VITTER:

S. 3382. A bill to provide for the liquidation or reliquidation of certain drawback claims; to the Committee on Finance.

By Mr. VITTER:

S. 3383. A bill to provide for the liquidation or reliquidation of certain drawback claims relating to petroleum products; to the Committee on Finance.

By Mr. VITTER:

S. 3384. A bill to provide for the liquidation or reliquidation of certain drawback claims relating to petroleum products; to the Committee on Finance.

By Mr. VITTER:

S. 3385. A bill to provide for the liquidation or reliquidation of certain drawback claims relating to petroleum products; to the Committee on Finance.

By Mr. VITTER:

S. 3386. A bill to provide for the liquidation or reliquidation of certain drawback claims relating to petroleum products; to the Committee on Finance.

By Mr. VITTER:

S. 3387. A bill to provide for the liquidation or reliquidation of certain drawback claims relating to petroleum products; to the Committee on Finance.

By Mr. VITTER:

S. 3388. A bill to provide for the liquidation or reliquidation of certain drawback claims; to the Committee on Finance.

By Mr. VITTER:

S. 3389. A bill to provide for the liquidation or reliquidation of certain drawback claims; to the Committee on Finance.

By Mr. VITTER:

S. 3390. A bill to provide for the liquidation or reliquidation of certain drawback claims; to the Committee on Finance.

By Mr. VITTER:

S. 3391. A bill to provide for the liquidation or reliquidation of certain drawback claims; to the Committee on Finance.

By Mr. VITTER:

S. 3392. A bill to provide for the liquidation or reliquidation of certain drawback claims; to the Committee on Finance.

By Mr. DEMINT:

S. 3393. A bill to suspend temporarily the duty on certain boys' water resistant pants; to the Committee on Finance.

By Mr. DEMINT:

S. 3394. A bill to suspend temporarily the duty on certain men's water resistant pants; to the Committee on Finance.

By Mr. DEMINT:

S. 3395. A bill to extend the temporary suspension of duty on certain high tenacity rayon filament yarn; to the Committee on Finance.

By Mr. DEMINT:

S. 3396. A bill to suspend temporarily the duty on certain girls' water resistant pants; to the Committee on Finance.

By Mr. DEMINT:

S. 3397. A bill to suspend temporarily the duty on certain women's and girls' water resistant pants; to the Committee on Finance.

By Mr. DEMINT:

S. 3398. A bill to suspend temporarily the duty on synthetic indigo powder; to the Committee on Finance.

By Mr. DEMINT:

S. 3399. A bill to suspend temporarily the duty on Argumex; to the Committee on Finance.

By Mr. DEMINT:

S. 3400. A bill to suspend temporarily the duty on certain men's and boys' water resistant pants; to the Committee on Finance .

By Mr. DEMINT:

S. 3401. A bill to suspend temporarily the duty on certain women's water resistant pants; to the Committee on Finance.

By Mr. DEMINT:

S. 3402. A bill to suspend temporarily the duty on certain girls' water resistant pants; to the Committee on Finance.

By Mr. DEMINT:

S. 3403. A bill to suspend temporarily the duty on certain women's water resistant pants; to the Committee on Finance.

By Mr. JOHNSON (for himself and Mr. THUNE):

S. 3404. A bill to reauthorize the Mni Wiconi Rural Water Supply Project; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN:

S. 3405. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in November 15 through December 31, 2003; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3406. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in October 11 through December 31, 2002; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3407. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in January 3 through July 4, 2002; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3408. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in October 21 through November 14, 2003; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3409. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in January 1 through August 29, 2003; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3410. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in August 18 through November 29, 2001; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3411. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in May 1 through July 17, 2004; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3412. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in July 17 through October 30, 2004; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3413. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in November 1 through December 11, 2004; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3414. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in January 3 through April 25, 2004; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3415. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in November 30 through December 31, 2001; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3416. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in July 5 through October 11, 2002; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3417. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in August 30 through October 20, 2003; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3418. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in January 1 through August 18, 2001; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3419. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in December 11 through December 31, 2003; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3420. A bill to provide for the liquidation or reliquidation of certain entries of educational toys entered in September 2 through September 30, 2003; to the Committee on Finance.

By Mr. CRAIG:

S. 3421. A bill to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal years 2006 and 2007, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MURKOWSKI:

S. 3422. A bill to provide for the tax treatment of income received in connection with the litigation concerning the Exxon Valdez oil spill; to the Committee on Finance.

By Mr. DURBIN:

S. 3423. A bill to liquidate or reliquidate certain entries of roller chain; to the Committee on Finance.

By Mr. DURBIN:

S. 3424. A bill to extend temporarily the suspension of duty on 3-(Ethylsulfonyl)-2-pyridinesulfonamide; to the Committee on Finance.

By Mr. DURBIN:

S. 3425. A bill to suspend temporarily the duty on 2 benzylthio-3-ethyl sulfonyl pyridine; to the Committee on Finance.

By Mr. DURBIN:

S. 3426. A bill to extend temporarily the duty on carbamic acid; to the Committee on Finance.

By Mr. DURBIN:

S. 3427. A bill to suspend temporarily the duty on certain decorative plates; to the Committee on Finance.

By Mr. DURBIN:

S. 3428. A bill to suspend temporarily the duty on certain music boxes; to the Committee on Finance.

By Mr. DURBIN:

S. 3429. A bill to reduce temporarily the duty on sulfentrazone technical; to the Committee on Finance.

By Mr. DURBIN:

S. 3430. A bill to provide for the liquidation or reliquidation of certain bowling ball carrier bag parts; to the Committee on Finance.

By Mr. DURBIN:

S. 3431. A bill to require the liquidation or reliquidation of certain entries of large newspaper printing presses and components thereof; to the Committee on Finance.

By Mr. SANTORUM:

S. 3432. A bill to protect children from exploitation by adults over the Internet, and for other purposes; to the Committee on the Judiciary.

By Ms. LANDRIEU:

S. 3433. A bill for the relief of Michael Anthony Hurley; to the Committee on the Judiciary.

By Mr. BURR:

S. 3434. A bill to suspend temporarily the duty on certain synthetic staple fibers that are carded, combed, or otherwise processed for spinning; to the Committee on Finance.

By Mr. BURR:

S. 3435. A bill to suspend temporarily the duty on acrylic or modacrylic synthetic filament tow; to the Committee on Finance.

By Mr. BURR:

S. 3436. A bill to suspend temporarily the duty on certain synthetic staple fibers that are not carded, combed, or otherwise processed for spinning; to the Committee on Finance.

By Mr. REID:

S. 3437. A bill to suspend temporarily the duty on 1H-Imidazole-4,5-dimethanol, 2-phenyl-(9Cl); to the Committee on Finance.

By Mr. REID:

S. 3438. A bill to suspend temporarily the duty on 1,3,5-Triazine-2,4-diamine, 6-[2-(2-methyl-1H-imidazol-1-yl)ethyl]- (9Cl); to the Committee on Finance.

By Mr. REID:

S. 3439. A bill to suspend temporarily the duty on 50/50 mixture of 1,3,5-Triazine-2,4,6(1H,3H,5H)-trione, 1,3,5-tris[(2R)-oxiranylmethyl]-(9Cl) and 1,3,5,-Triazine-2,4,6(1H,3H,5H)-trione, 1,3,5-tris[(2S)-oxiranylmethyl]-(9Cl); to the Committee on Finance.

By Mr. REID:

S. 3440. A bill to suspend temporarily the duty on 9H-Thioxanthene-2-carboxaldehyde, 9-oxo-, 2-(o-acetyloxime) (9Cl); to the Committee on Finance.

By Mr. REID:

S. 3441. A bill to suspend temporarily the duty on 1-Propenoic acid, polymer with (chloromethyl)oxirane, formaldehyde, 2-(hydroxymethyl)-2-[[(1-oxo-2-propenyl)oxy]methyl]-1,3-propanediyl di-2-propenoate, 5-isocyanato-1-(isocyanatomethyl)-1,3,3-trimethyleyclohexane and 2-methylphenol (9Cl); to the Committee on Finance.

By Mr. REID:

S. 3442. A bill to suspend temporarily the duty on 2-Propenoic acid, reaction products with o-cresol-epichlorohydydrin-formaldehyde polymer and 3a,4,7,7a-tetrahydro-1,3-isobenzofurandione; to the Committee on Finance.

By Mr. REID:

S. 3443. A bill to suspend temporarily the duty on 1H-Imidazole, 2-ethyl-4-methyl-(9Cl); to the Committee on Finance.

By Mr. REID:

S. 3444. A bill to suspend temporarily the duty on 1H-Imidazole-4-methanol, 5-methyl-2-phenyl-(9Cl); to the Committee on Finance.

By Mr. REID:

S. 3445. A bill to suspend temporarily the duty on epoxide resins consisting of Formaldehyde, polymer with methylphenol, 2-hydroxy-3-[(1-oxo-2-propenyl)oxy]propyl ether and formaldehyde, polymer with (chloromethyl)oxirane and methylphenol, 4-cyclohexene-1,2-dicarboxylate 2-propenoate (9Cl); to the Committee on Finance.

By Mr. REID:

S. 3446. A bill to suspend temporarily the duty on 4-Cyclohexene-1,2-dicarboxylic acid, compd. with 1,3,5-triazine-2,4,6-triamine (1:1); to the Committee on Finance.

By Mr. REID:

S. 3447. A bill to suspend temporarily the duty on 2-Propenoic acid, polymer with (chloromethyl)oxirane, formaldehyde and phenol, hydrogen 4-cyclohexene-1,2-dicarboxylate; to the Committee on Finance.

By Mr. REID:

S. 3448. A bill to suspend temporarily the duty on Formaldehyde, polymer with (chloromethyl)oxirane and 2-methylphenol, 3-hydroxy-2-(hydroxymethyl)-2-methylpropanoate 2-propenoate, 4-cyclohexene-1,2-dicarboxylate (9Cl); to the Committee on Finance.

By Mr. DODD:

S. 3449. A bill to amend the Public Health Service Act to improve the quality and availability of mental health services for children and adolescents; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID:

S. 3450. A bill to suspend temporarily the duty on Oxirane, 2,2′-[(3,3′,5,5′-tetramethyl[1,1′-biphenyl]-4,4′-diyl)bis(oxymethylene)bis-(9Cl); to the Committee on Finance.

By Mr. REID:

S. 3451. A bill to suspend temporarily the duty on 1,3,5,-Triazine-2,4-diamine, 6-[2-(2-undecyl-1H-imidazol-1-yl)ethyl]-(9Cl); to the Committee on Finance.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 3452. A bill to modify the provisions of the Harmonized Tariff Schedule of the United States relating to returned property; to the Committee on Finance.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 3453. A bill to provide for duty free treatment for certain United States Government property returned to the United States; to the Committee on Finance.

By Mr. BROWNBACK (for himself and Mr. TALENT):

S. 3454. A bill to amend the Internal Revenue Code of 1986 to improve the exchange of healthcare information through the use of technology, to encourage the creation, use and maintenance of lifetime electronic health records that may contain health plan and debit card functionality in independent health record banks, to use such records to build a nationwide health information technology infrastructure, and to promote participation in health information exchange by consumers through tax incentives and for other purposes; to the Committee on Finance.

By Mr. SANTORUM:

S. 3455. A bill to establish a program to transfer surplus computers of Federal agencies to schools, nonprofit community-based educational organizations, and families of members of the Armed Forces who are deployed, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ:

S. 3456. A bill to ensure the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States; to the Committee on Foreign Relations.

By Mrs. BOXER:

S.J. Res. 39. A joint resolution to spur a political solution in Iraq and encourage the people of Iraq to provide for their own security through the redeployment of the United States military forces; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself, Mr. BIDEN, Mr. SMITH, and Mr. NELSON of Florida):

S. Res. 500. A resolution expressing the sense of Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered or unregistered, as stipulated by the Russian Constitution and international standards; to the Committee on Foreign Relations.

By Mr. ALLEN (for himself and Mr. WARNER):

S. Res. 501. A resolution commending the University of Virginia Cavaliers men's lacrosse team for winning the 2006 National Collegiate Athletic Association Division I National Lacrosse Championship; considered and agreed to.

By Mr. LAUTENBERG (for himself and Mr. MENENDEZ):

S. Res. 502. A resolution congratulating all the contestants of the 2006 Scripps National Spelling Bee; considered and agreed to.

ADDITIONAL COSPONSORS

S. 65

At the request of Mr. INHOFE, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 65, a bill to amend the age restrictions for pilots.

S. 185

At the request of Mr. NELSON of Florida, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 185, a bill to amend title 10, United States Code, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan.

S. 424

At the request of Mr. BOND, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 424, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 713

At the request of Mr. ROBERTS, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 713, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 811

At the request of Mr. DURBIN, the names of the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Nevada (Mr. ENSIGN), the Senator from Pennsylvania (Mr. SPECTER), the Senator from Utah (Mr. HATCH), the Senator from Virginia (Mr. ALLEN), the Senator from North Carolina (Mrs. DOLE), the Senator from Maine (Ms. SNOWE), the Senator from South Dakota (Mr. THUNE), the Senator from Utah (Mr. BENNETT), the Senator from Wyoming (Mr. THOMAS), the Senator from South Carolina (Mr. DEMINT), the

Senator from Virginia (Mr. WARNER), the Senator from Kansas (Mr. ROBERTS), the Senator from Alaska (Mr. STEVENS), the Senator from Idaho (Mr. CRAIG), the Senator from Colorado (Mr. ALLARD), the Senator from Louisiana (Mr. VITTER), the Senator from Florida (Mr. MARTINEZ), the Senator from Minnesota (Mr. COLEMAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Texas (Mrs. HUTCHISON), the Senator from Missouri (Mr. BOND), the Senator from Mississippi (Mr. LOTT) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 811, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the birth of Abraham Lincoln.

S. 843

At the request of Mr. SANTORUM, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 1840

At the request of Mr. THUNE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1840, a bill to amend section 340B of the Public Health Service Act to increase the affordability of inpatient drugs for Medicaid and safety net hospitals.

S. 1862

At the request of Mr. JOHNSON, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1862, a bill to establish a joint energy cooperation program within the Department of Energy to fund eligible ventures between United States and Israeli businesses and academic persons in the national interest, and for other purposes.

At the request of Mr. SMITH, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 1862, supra.

S. 2155

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2155, a bill to provide meaningful civil remedies for victims of the sexual exploitation of children.

S. 2302

At the request of Mr. LOTT, the names of the Senator from Vermont (Mr. JEFFORDS) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 2302, a bill to establish the Federal Emergency Management Agency as an independent agency, and for other purposes.

S. 2351

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2351, a bill to provide additional funding for mental health care for veterans, and for other purposes.

S. 2419

At the request of Mr. STEVENS, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2419, a bill to ensure the proper remembrance of Vietnam veterans and the Vietnam War by providing a deadline for the designation of a visitor center for the Vietnam Veterans Memorial.

S. 2491

At the request of Mr. CORNYN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2548

At the request of Mr. STEVENS, the names of the Senator from Ohio (Mr. DEWINE), the Senator from Indiana (Mr. BAYH), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 2548, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency.

S. 2566

At the request of Mr. LUGAR, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Utah (Mr. BENNETT) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 2566, a bill to provide for coordination of proliferation interdiction activities and conventional arms disarmament, and for other purposes.

S. 2592

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2592, a bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren by updating the definition of "food of minimal nutritional value" to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs.

S. 2599

At the request of Mr. VITTER, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. 2653

At the request of Mr. STEVENS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2653, a bill to direct the Federal Communications Commission to make efforts to reduce telephone rates for Armed Forces personnel deployed overseas.

S. 2658

At the request of Mr. LEAHY, the names of the Senator from California (Mrs. BOXER) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 2658, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 2725

At the request of Mrs. CLINTON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2725, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal Minimum wage and to ensure that increases in the Federal minimum wage keep pace with any pay adjustments for Members of Congress.

S. 2810

At the request of Mr. GRASSLEY, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 2810, a bill to amend title XVIII of the Social Security Act to eliminate months in 2006 from the calculation of any late enrollment penalty under the Medicare part D prescription drug program and to provide for additional funding for State health insurance counseling program and area agencies on aging, and for other purposes.

S. 2816

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Mr. COLEMAN) was withdrawn as a cosponsor of S. 2816, a bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the manufacture of flexible fuel motor vehicles and to extend and increase the income tax credit for alternative fuel refueling property, and for other purposes.

S. 2824

At the request of Mr. DEMINT, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2824, a bill to reduce the burdens of the implementation of section 404 of the Sarbanes-Oxley Act of 2002.

S. 2999

At the request of Mr. DEWINE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2999, a bill to improve protections for children and to hold States accountable for the safe and timely placement of children across State lines, and for other purposes.

S. 3255

At the request of Mrs. CLINTON, the names of the Senator from California (Mrs. BOXER), the Senator from Massachusetts (Mr. KERRY) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 3255, a bill to provide student borrowers with basic rights, including the right to timely information about their loans and the right to make fair and reasonable loan payments, and for other purposes.

S. 3275

At the request of Mr. ALLEN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 3275, a bill to amend title 18, United States code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 3323

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3323, a bill to suspend temporarily the duty on Propylene Glycol Alginates (PGA) be eliminated.

S. 3325

At the request of Mr. BUNNING, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3325, a bill to promote coal-to-liquid fuel activities.

S.J. RES. 1

At the request of Mr. ALLARD, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relating to marriage.

S. CON. RES. 20

At the request of Mr. COCHRAN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. Con. Res. 20, a concurrent resolution expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month.

S. RES. 224

At the request of Mr. DEWINE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. Res. 224, a resolution to express the sense of the Senate supporting the establishment of September as Campus Fire Safety Month, and for other purposes.

S. RES. 462

At the request of Mr. GRASSLEY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. Res. 462, a resolution designating June 8, 2006, as the day of a National Vigil for Lost Promise.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CRAIG:

S. 3421. A bill to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal years 2006 and 2007, and for other purposes; to the Committee on Veterans' Affairs.

Mr. CRAIG. Mr. President, I seek recognition today to introduce legislation to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs, VA. Most VA hospitals, clinics, nursing homes, and research facilities have ongoing needs for maintenance, repair, and modernization to promote patient and employee safety and provide a higher standard of care for our Nation's veterans. Earlier this month, I held a hearing of the Senate Committee on Veterans' Affairs on these needs, at which VA and a service organization representative delivered testimony about what is required in the next phase of addressing the needs of health care facilities for our Nation's veterans. In addition, several committee members and noncommittee colleagues remarked about the significance of these projects to their States. It is my belief that this bill will expand VA's ability to provide health care services to this group of deserving Americans. I will take a few moments now to explain the provisions of this legislation.

First, the bill authorizes three major medical facility projects in immediate need of fiscal year 2006 authorization; the restoration of VA's health care infrastructure in the Biloxi and New Orleans areas following Hurricane Katrina, and the cost of land acquisition for replacement of the current Denver VA Medical Center with a new facility at the former Fitzsimons Army Medical Center. The Denver facility was constructed over a half-century ago and many of the core facilities have been deemed to be past or near the end of their useful life.

Second, this legislation reauthorizes 18 major medical facility construction projects that were authorized under Public Law 108–170, but for which it is unlikely that contract awards will be accomplished by September 30, 2006, as required by that law. Therefore, for each of these projects, the draft bill extends the date by which contracts must be awarded, from September 30, 2006, September 20, 2009. These projects were identified and prioritized under the capital asset realignment for enhanced services process. CARES, as it has become known, is a market-based national assessment of infrastructure needs that VA has developed into a schedule for completion. These projects represent the most pressing CARES-identified needs that VA has undertaken in order to improve access-to-care and provide services in areas of recent, current, and projected growth in veterans population, such as Las Vegas and Orlando. To allow a lapse in VA's authority to move forward on these projects would result in tremendous setbacks, and conceivably, additional taxpayer expense.

Third, the legislation authorizes major medical facility leases that did not receive. authorization in the current fiscal for outpatient clinics in Baltimore, MD, Marion, IL, and the Dallas, TX, area. In addition, five major medical facility leases fiscal year 2007 are included for outpatient clinics in Austin, TX, Lowell, MA, Grand Rapids, MI, Las Vegas, NV, and Parma, OH.

This legislation represents the administration's request of the Veterans' Affairs Committee and the Congress, with a significant exception. I have chosen not to authorize the six requested fiscal year 2007 major medical facility construction projects at this time. I want to make it clear to my colleagues that my intent is not to micromanage VA's construction budget or to delay the Department's capital plan. And no one in the Senate is more committed to seeing that we are not diverting important resources away from facilities that are extremely important to our veterans. But as chairman of this committee, my approach puts Congress on record as expecting progress with the 18 CARES projects on which we are extending authorizations, attaching a reasonable amount of money to those efforts, and then monitoring the progress closely from the Veterans' Committee. As we have seen with the need for significant and expensive Katrina-related construction, VA's capital plan requires consistent monitoring, frequent review and, at times, significant modification. But VA must finish some of what it has started before taking on new major projects.

Over the next several weeks, the Committee on Veterans' Affairs will be taking up this bill and other legislation introduced to improve the range of services and benefits available to our Nation's veterans. I look forward to working with my colleagues throughout the rest of this Congress on these and other important efforts.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3421

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF FISCAL YEAR 2006 MAJOR MEDICAL FACILITY PROJECTS.

The Secretary of Veterans Affairs may carry out the following major medical facility projects in fiscal year 2006, with each project to be carried out in the amount specified for that project:

(1) Restoration, new construction or replacement of the medical center facility for the Department of Veterans Affairs Medical Center, New Orleans, Louisiana, due to damage from Hurricane Katrina in an amount not to exceed $675,000,000.

(2) Restoration of the Department of Veterans Affairs Medical Center, Biloxi, Mississippi, and consolidation of services performed at the Department of Veterans Affairs Medical Center, Gulfport, Mississippi, in an amount not to exceed $310,000,000.

(3) Replacement of the Department of Veterans Affairs Medical Center, Denver, Colorado, in an amount not to exceed $52,000,000.

SEC. 2. EXTENSION OF AUTHORIZATION FOR MAJOR MEDICAL FACILITY CONSTRUCTION PROJECTS AUTHORIZED UNDER CAPITAL ASSET REALIGNMENT INITIATIVE.

Notwithstanding subsection (d) of section 221 of the Veterans Health Care, Capital Asset, and Business Improvement Act of 2003 (Public Law 108-170; 117 Stat. 2050), the Secretary of Veterans Affairs may enter into contracts before September 30, 2009, to carry out each major medical facility project, as originally authorized by such section 221, as follows with each project to be carried out in the amount specified for that project:

(1) Construction of an outpatient clinic and regional office at the Department of Veterans Affairs Medical Center, Anchorage, Alaska, in an amount not to exceed $75,270,000.

(2) Consolidation of clinical and administrative functions of the Department of Veterans Affairs Medical Center in Cleveland, Ohio, and the Department of Veterans Affairs Medical Center in Brecksville, Ohio, in an amount not to exceed $102,300,000.

(3) Construction of the Extended Care Building at the Department of Veterans Affairs Medical Center in Des Moines, Iowa, in an amount not to exceed $25,000,000.

(4) Renovation of patient wards at the Department of Veterans Affairs Medical Center in Durham, North Carolina, in an amount not to exceed $9,100,000.

(5) Correction of patient privacy deficiencies at the Department of Veterans Affairs Medical Center, Gainesville, Florida, in an amount not to exceed $85,200,000.

(6) 7th and 8th Floor Wards Modernization addition at the Department of Veterans Affairs Medical Center, Indianapolis, Indiana, in an amount not to exceed $27,400,000.

(7) Construction of a new Medical Center Facility at the Department of Veterans Affairs Medical Center, Las Vegas, Nevada, in an amount not to exceed $406,000,000.

(8) Construction of an Ambulatory Surgery/Outpatient Diagnostic Support Center in the Gulf South Submarket of Veterans Integrated Service Network (VISN) 8 and completion of Phase I land purchase, Lee County, Florida, in an amount not to exceed $65,100,000.

(9) Seismic Corrections-Buildings 7 & 126 at the Department of Veterans Affairs Medical Center, Long Beach, California, in an amount not to exceed $107,845,000.

(10) Seismic Corrections-Buildings 500 & 501 at the Department of Veterans Affairs Medical Center, Los Angeles, California, in an amount not to exceed $79,900,000.

(11) Construction of a New Medical Center facility in the Orlando, Florida, area in an amount not to exceed $377,700,000.

(12) Consolidation of Campuses at the University Drive and H. John Heinz III divisions, Pittsburgh, Pennsylvania, in an amount not to exceed $189,205,000.

(13) Ward Upgrades and Expansion at the Department of Veterans Affairs Medical Center, San Antonio, Texas, in an amount not to exceed $19,100,000.

(14) Seismic Corrections-Building 1, Phase 1 Design at the Department of Veterans Affairs Medical Center, San Juan, Puerto Rico, in an amount not to exceed $15,000,000.

(15) Construction of a Spinal Cord Injury Center at the Department of Veterans Affairs Medical Center, Syracuse, New York, in an amount not to exceed $53,900,000.

(16) Upgrade Essential Electrical Distribution Systems at the Department of Veterans Affairs Medical Center, Tampa, Florida, in an amount not to exceed $49,000,000.

(17) Expansion of the Spinal Cord Injury Center addition at the Department of Veterans Affairs Medical Center, Tampa, Florida, in an amount not to exceed $7,100,000.

(18) Blind Rehabilitation and Psychiatric Bed renovation and new construction project at the Department of Veterans Affairs Medical Center, Temple, Texas, in an amount not to exceed $56,000,000.

SEC. 3. AUTHORIZATION OF FISCAL YEAR 2006 MAJOR MEDICAL FACILITY LEASES.

The Secretary of Veterans Affairs may carry out the following major medical facility leases in fiscal year 2006 at the locations specified, and in an amount for each lease not to exceed the amount shown for such location:

(1) For an outpatient clinic, Baltimore, Maryland, $10,908,000.

(2) For an outpatient clinic, Evansville, Illinois, $8,989,000.

(3) For an outpatient clinic, Smith County, Texas, $5,093,000.

SEC. 4. AUTHORIZATION OF FISCAL YEAR 2007 MAJOR MEDICAL FACILITY LEASES.

The Secretary of Veterans Affairs may carry out the following major medical facility leases in fiscal year 2007 at the locations specified, and in an amount for each lease not to exceed the amount shown for such location:

(1) For an outpatient and specialty care clinic, Austin, Texas, $6,163,000.

(2) For an outpatient clinic, Lowell, Massachusetts, $2,520,000.

(3) For an outpatient clinic, Grand Rapids, Michigan, $4,409,000.

(4) For up to four outpatient clinics, Las Vegas, Nevada, $8,518,000.

(5) For an outpatient clinic, Parma, Ohio, $5,032,000.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2006 MAJOR MEDICAL FACILITY PROJECTS.—There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2006 for the Construction, Major Projects, account, $1,606,000,000 for the projects authorized in section 1.

(b) AUTHORIZATION OF APPROPRIATIONS FOR MAJOR MEDICAL FACILITY PROJECTS UNDER CAPITAL ASSET REALIGNMENT INITIATIVE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Secretary of Veterans Affairs for fiscal year 2007 for the Construction, Major Projects, account, $1,750,120,000 for the projects whose authorization is extended by section 2.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations in paragraph (1) shall remain available until September 30, 2009.

(c) AUTHORIZATION OF APPROPRIATIONS FOR MAJOR MEDICAL FACILITY LEASES.—

(1) FISCAL YEAR 2006 LEASES.—There is authorized to be appropriated for the Secretary of Veterans Affairs for fiscal year 2006 for the Medical Care account, $24,990,000 for the leases authorized in section 4.

(2) FISCAL YEAR 2007 LEASES.—There is authorized to be appropriated for the Secretary of Veterans Affairs for fiscal year 2007 for the Medical Care account, $26,642,000 for the leases authorized in section 5.

(d) LIMITATION.—The projects authorized in sections 1 and 2 may only be carried out using—

(1) funds appropriated for fiscal year 2006 or 2007 pursuant to the authorization of appropriations in subsections (a), (b), and (c) of this section;

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2006 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2006 or 2007 that are available for obligation; and

(4) funds appropriated for Construction, Major Projects, for fiscal year 2006 or 2007 for a category of activity not specific to a project.

By Ms. MURKOWSKI:

S. 3422. A bill to provide for the tax treatment of income received in connection with the litigation concerning the *Exxon Valdez* oil spill; to the Committee on Finance.

Ms. MURKOWSKI. Mr. President, I rise to introduce a bill that will help the commercial fishermen and others whose livelihoods were negatively impacted by the *Exxon Valdez* oilspill.

As all of us know, the *Exxon Valdez* ran aground on March 23, 1989, spilling 11 million gallons of oil into Prince William Sound in Alaska. A class action jury trial was held in Federal court in Anchorage, AK, in 1994. The plaintiffs included 32,000 fishermen among others whose livelihoods were gravely affected by this disaster. The jury awarded $5 billion in punitive damages to the plaintiff class. The punitive damage award has been on repeated appeal by the Exxon Corporation since 1994. Many of the original plaintiffs, possibly more than 1,000 people, have already died.

Once the punitive damage award of the *Exxon Valdez* litigation is settled, many fishermen will receive payments to reimburse them for fishing income lost due to the environmental consequences of the *Exxon Valdez* oilspill. It is estimated that the eventual settlement could be $6.75 billion or more.

My bill gives the affected fishermen, as well as other plaintiffs in this case, a fair shake when it comes to contributions to retirement plans and averaging of income for tax purposes.

With respect to retirement plan contributions, my bill increases the caps on both deductions and income for traditional IRAs to the extent of the income a plaintiff receives from the settlement or judgment. Also, it allows the plaintiffs to make contributions to Roth IRAs and other retirement plans to the extent of the income received from the settlement or judgment.

Fishermen are currently allowed to average their income over a several year period due to the often inconsistent nature of the fishing business. The litigation stemming from the *Exxon Valdez* oilspill poses an even more unique situation since fishermen and other plaintiffs have been waiting to receive lost income—in the form of a settlement or judgment—for 12 years. My bill allows plaintiffs to average their income for the period of time between December 31 of the year they receive the settlement or judgment payment and January 1, 1994—the year of the original jury award in Federal court.

It is imperative that we address this important issue soon. The Exxon Corporation has appealed this case and a decision is expected later this year.

I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection the text of the bill was ordered to be printed in the Record, as follows:

S. 3422

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TAX TREATMENT OF INCOME RECEIVED IN CONNECTION WITH THE EXXON VALDEZ LITIGATION.

(a) Income Averaging of Amounts Received From the Exxon Valdez Litigation.—

(1) In general.—At the election of a qualified taxpayer who receives qualified settlement income during a taxable year, the tax imposed by chapter 1 of the Internal Revenue Code of 1986 for such taxable year shall be equal to the sum of—

(A) the tax which would be imposed under such chapter if—

(i) no amount of elected qualified settlement income were included in gross income for such year, and

(ii) no deduction were allowed for such year for expenses (otherwise allowable as a deduction to the taxpayer for such year) attributable to such elected qualified settlement income, plus

(B) the increase in tax under such chapter which would result if taxable income for each of the years in the applicable period were increased by an amount equal to the applicable fraction of the elected qualified settlement income reduced by any expenses (otherwise allowable as a deduction to the taxpayer) attributable to such elected qualified settlement income.

Any adjustment under this section for any taxable year shall be taken into account in applying this section for any subsequent taxable year.

(2) Coordination with farm income averaging.—If a qualified taxpayer makes an election with respect to any qualified settlement income under paragraph (1) for any taxable year, such taxpayer may not elect to treat such amount as elected farm income under section 1301 of the Internal Revenue Code of 1986.

(3) Definitions.—For purposes of this subsection—

(A) Applicable period.—The term "applicable period" means the period beginning on January 1, 1994, and ending on December 31 of the year in which the elected qualified settlement income is received.

(B) Applicable fraction.—The term "applicable fraction" means the fraction the numerator of which is one and the denominator of which is the number of years in the applicable period.

(C) Elected qualified settlement income.—The term "elected qualified settlement income" means so much of the taxable income for the taxable year which is—

(i) qualified settlement income, and

(ii) specified under the election under paragraph (1).

(b) Contributions of Amounts Received to Retirement Accounts.—

(1) In general.—Any qualified taxpayer who receives qualified settlement income during the taxable year may, at any time before the end of the taxable year in which such income was received, make one or more contributions to an eligible retirement plan of which such qualified taxpayer is a beneficiary in an aggregate amount not to exceed the amount of qualified settlement income received during such year.

(2) Time when contributions deemed made.—For purposes of paragraph (1), a qualified taxpayer shall be deemed to have made a contribution to an eligible retirement plan on the last day of the taxable year in which such income is received if the contribution is made on account of such taxable year and is made not later than the time prescribed by law for filing the return for such taxable year (not including extensions thereof).

(3) Treatment of contributions to eligible retirement plans.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to paragraph (1) with respect to qualified settlement income, then—

(A) except as provided in paragraph (4)—

(i) to the extent of such contribution, the qualified settlement income shall not be included in taxable income, and

(ii) for purposes of section 72 of such Code, such contribution shall not be considered to be investment in the contract, and

(B) the qualified taxpayer shall, to the extent of the amount of the contribution, be treated—

(i) as having received the qualified settlement income—

(I) in the case of a contribution to an individual retirement plan (as defined under section 7701(a)(37) such Code), in a distribution described in section 408(d)(3) of such Code, and

(II) in the case of any other eligible retirement plan, in an eligible rollover distribution (as defined under section 402(f)(2) of such Code), and

(ii) as having transferred the amount to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(4) Special rule for Roth IRAs and Roth 401(k)s.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to paragraph (1) with respect to qualified settlement income to a Roth IRA (as defined under section 408A(b) of such Code) or as a designated Roth contribution to an applicable retirement plan (within the meaning of section 402A of such Code), then—

(A) the qualified settlement income shall be includible in taxable income, and

(B) for purposes of section 72 of such Code, such contribution shall be considered to be investment in the contract.

(5) Eligible retirement plan.—For purpose of this subsection, the term "eligible retirement plan" has the meaning given such term under section 402(c)(8)(B) of the Internal Revenue Code of 1986.

(c) Qualified Settlement Income Not Included in SECA.—For purposes of chapter 2 of the Internal Revenue Code of 1986 and section 211 of the Social Security Act, no portion of qualified settlement income shall be treated as gross income derived from a trade or business carried on by a qualified taxpayer.

(d) Qualified Taxpayer.—For purposes of this section, the term "qualified taxpayer" means any plaintiff in the civil action *In re Exxon Valdez*, No. 89-095-CV (HRH) (Consolidated) (D. Alaska).

(e) Qualified Settlement Income.—For purposes of this section, the term "qualified settlement income" means income received (whether as lump sums or periodic payments) in connection with the civil action *In re Exxon Valdez*, No. 89-095-CV (HRH) (Consolidated) (D. Alaska).

By Mr. SANTORUM:

S. 3432. A bill to protect children from exploitation by adults over the Internet, and for other purposes; to the Committee on the Judiciary.

Mr. SANTORUM. Mr. President, over the past few years, we have heard the tragic stories of how sexual predators have targeted children in our states. We have seen troubling headlines from Pennsylvania and across the country, and the frequency seems to be increasing rather than decreasing. The National Center for Missing and Exploited Children in partnership with the Federal Bureau of Investigation, Bureau of Immigration and Customs Enforcement, U.S. Secret Service, U.S. Postal Inspection Service, state and local law enforcement, and Internet Crimes Against Children Task Forces operates the CyberTipline. The number of referrals to the ICAC task forces has increased from 2,002 referrals in January-March 2005 to 3,392 referrals in January-March 2006. Additionally, the prosecutions in child pornography and child abuse cases have increased nearly every year since 1995.

Recently Congress has heard disturbing and saddening accounts of how these predators have used the Internet to exploit our children. As a father of six, I am keenly aware of the dangers to our children and the concerns of parents across Pennsylvania and the Nation. In February, the Department of Justice launched Project Safe Childhood, a initiative to "combat the proliferation of technology-facilitated sexual exploitation crimes against children."

"Project Safe Childhood" has five main purposes. First, it seeks to integrate Federal, State, and local efforts to investigate and prosecute child exploitation cases including partnerships by each U.S. Attorney with each Internet Crimes Against Children Task Force in their district, other Federal, State, and local law enforcement, and community and faith-based organizations to develop district-specific strategic plans to combat and prosecute child exploitation crimes. Second, the Project allows major case coordination by the Department of Justice or other appropriate Federal agency. Third, it increases Federal involvement in child exploitation cases by providing additional investigative tools and increased penalties available under Federal law. Fourth, the Project provides increased training of Federal, State, and local law enforcement regarding the investigation and prosecution of computer-facilitated crimes against children. Finally, it promotes community awareness and educational programs to raise national awareness about the threat of online sexual predators and to provide information to families on how to report possible violations.

According to recent Congressional testimony from Alice S. Fisher, Assistant U.S. Attorney in charge of the Criminal Division, and from William W. Mercer, Principle Associate Deputy Attorney General noted, this initiative is working.

On May 17, 2006, the Department of Justice released a document that outlines the need for this project, an overview of the program and guides for how law enforcement, parents, teachers, and communities can come together to implement this program effectively. While I am encouraged by the DOJ actions to raise the profile and enforcement through Project Safe Childhood—and appreciate all that many at the Department of Justice and the State and local levels are doing to catch and prosecute these predators—I am concerned that this program does not have the legislative authorization or dedicated funding that it needs to accomplish its goal of protecting our children.

I intend to work to help the Department of Justice fully implement and expand this initiative, therefore, I am introducing the Project Safe Childhood Authorization Act. Specifically, the bill will authorize and expand Project Safe Childhood; add new elements regarding child exploitation crimes that have been requested by the Department of Justice to strengthen the requirements to effectively report child pornography, require warning labels on commercial Websites that contain sexually explicit material, and prohibit the embedding of words or images on a Website in order to deceive individuals into viewing obscenity or material harmful to minors; increase penalties for registered sex offenders, child sex trafficking and sexual abuse, and other child exploitation crimes; create Children's Safety Online Awareness Campaigns; and authorize grants for online child safety programs.

The bill authorizes $18 million for fiscal year 2007 for the initial implementation of Project Safe Childhood, and up to $29 million for the expansion of the program for fiscal year 2007, and such sums as may be necessary for each of the 5 succeeding fiscal years.

I know all of us—particularly those of us with children—want to know how to keep our children safe, and want to know that anyone that endangers or harms our children will be punished. I am glad to be here to take this important step in protecting our children. I hope my colleagues will agree with me and we will pass the Project Safe Childhood Authorization Act this year.

By Mr. DODD:

S. 3449. A bill to amend the Public Health Service Act to improve the quality and availability of mental health services for children and adolescents; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise to introduce legislation that seeks to meet the mental health needs of children and adolescents.

I believe that the task of ensuring the emotional well-being and resiliency of our young people is one of paramount importance. We all know that mental health is a critical component contributing to a child's general health and ability to grow—both intellectually and physically. Yet, the task of ensuring the mental health of children and adolescents is not an easy one. In fact, it is arguably one of the most difficult and largely unspoken tasks facing our Nation today.

According to the Substance Abuse and Mental Health Services Administration, one in ten children and adolescents suffers from mental health disorders serious enough to cause some level of impairment. Out of these young people, only one in five receives the specialty mental health services they require.

These startling statistics prompted former Surgeon General Dr. David Satcher to convene a conference in 1999 that examined the mental health needs of children. The conference—composed of some of the Nation's leading experts in mental and public health—published a seminal report that concluded that " . . . the burden of suffering experienced by children with mental illness and their families has created a health crisis in this country." The report further concluded that ". . . there is broad evidence that the Nation lacks a unified infrastructure to help children suffering from mental illness."

I would like to submit for the RECORD personal testimony offered by three families in Connecticut. I believe their words and experiences speak most directly to the "burden of suffering" described in Surgeon General Satcher's report—a burden endured by millions of children, adolescents, and then families nationwide. I ask unanimous consent that this testimony be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TESTIMONY

DEAR SENATOR DODD, I wanted to take a moment to share with you what my experience has been navigating services for my son who has been diagnosed with severe psychosis and bipolar disorder. Due to the lack of psychiatric services when the extended day program my son attended was closed down, my son as well as seven other kids where left without the services they so needed. After a couple of weeks they started to have meltdowns. My son was one of them. The fact that he attended a therapeutic school didn't at this point make a difference. After two short hospitalizations (one was for two weeks the other four weeks) my son, who is 12 years old, has been sitting at [a mental health services facility] for the past 9 weeks awaiting availability for sub-acute care. In the meantime he is not receiving the level of care that he needs.

Services are so limited at this point in time that because of time of delivery children who may have benefitted from less intensive intervention are being put in a position where by the time they receive care they are in need of higher level care that to me doesn't seem very cost effective when you look at long term care. I often think about what would be different if my child was diabetic. Would he only receive services when available, and would they be appropriate to his medical needs?

I can't explain in one letter what my son's illness has done to our family and how difficult it is for all of us. Mental Health is a cruel monster who enters your life in sometimes undetected ways and when it finally attacks the blow can be fatal. The media has succeeded in painting a picture of individuals like my son as real dangers to society if not in proper treatment but what they have failed to shed light on is the lack of such services. My son deserves a better quality of services as well as a better quality of life.

DEAR SENATOR DODD, The following is to share some of what my family is struggling with due to my son's mental illness. My son has been diagnosed with severe depression and mood disorder; he has mutilated himself various times and is a cutter. [My son] has been hospitalized three times due to this ongoing behavior; he is in need of sub-acute treatment but has only received stabilization services and out-patient services because the level of treatment that he needs is not available for boys 14 years or older. In the meantime we have extended day programs, voluntary services as well as systems of care in place yet the services he needs are not available. For a mother with three additional children with special needs I have serious concerns for my son's safety. Who will be accountable if at some point my son succeeds in taking his own life when I have seeked services and I am told over and over again that they are not available?

I really would like Congress to take a look at the great deal of families fighting our own personal battles with these unseen enemies. We need weapons if we are to win these battles. We need more psychiatric services made available to all of our children regardless of age or gender.

SENATOR DODD, My son was always "different." "difficult," and "didn't socialize well with the other children," according to the daycare centers, camps, after school programs and even in the early part of kindergarten. His kindergarten school teacher was concerned enough to refer us to the school social worker when he held a plastic knife up to a fellow classmates throat and said he was going to slit it. She suggested parenting classes and perhaps family therapy. Since it was only my son and I as I was divorced and his father was not in the picture, of course I eagerly complied. I brought him to his pediatrician as well, who suggested behavior modification and consistency. No one was more consistent than I was a parent. I learned this early on with my son.

I sat through hours of parenting tapes, learning nothing new, while my son played with Legos and puppets. This service was on a sliding fee scale offered by our town and even so all I could afford to go was every other week. When my son was seven years old I woke up in the wee hours of the morning to find him standing in the middle of the kitchen surrounded by knives holding onto one in each hand. Although I was shocked and more scared than I had ever been in my entire life I instinctively knew I had to stay calm, that this was something beyond his control. I asked him what he was doing up, maintaining eye contact, and he said that there was a devil on one side telling him to hurt himself and an angel on the other telling him not to. I gathered up the knives as he was talking and spoke gently to my son who was so clearly in such pain. He gave me the knives without even realizing he was doing it, and I scooped him up and we waited for his psychiatrist's office to open. He had been seeing a psychiatrist for 6 months or so, and was on stimulants for ADHD (the first diagnosis of choice as usual for children).

The doctor immediately added depression with psychotic features as another diagnosis and suggested hospitalization. The first of many hospitalizations my son would experience and the doctor also added an antipsychotic and antidepressant medication to the regiment. My son was in the hospital for 10 days and was no better, so additional diagnoses were added, oppositional defiant disorder, impulse control disorder and anxiety disorder as well as more medications. He started individual therapy regularly, seeing the psychiatrist and along with the medications the co-pays were more than I could afford, I applied for HUSKY. I was accepted, thankfully I thought at the time.

My son was rapidly becoming worse, so I went to the Department of Children and Families for help through Voluntary Services. This is insulting to caring parents trying to find help for their children as the request has to be made via the Hotline and is an embarrassment. However, it is the only way to gain access to certain services in the State that are not offered through private insurance companies. By now, my son is almost ten years old and has been hospitalized many times, in several partial hospitalizations, intensive outpatient hospitalization programs and extended day treatment programs. He has also been removed from the public school systems special education program and out-placed into a therapeutic day program for school out of district.

I made a call to the head of a psychiatric unit at a hospital who I had come to know through my work to ask for a referral for my son as I thought perhaps this was something more than what the doctors were saying. He referred me to Mass. General's Pediatric Psychopharmacology Unit. I called, my son was seen within 3 weeks and a diagnosis of Early Onset Bipolar Disorder as well as Major Multiple Anxiety Disorder was given. My son had already had an appointment with a new psychiatrist within the next couple of weeks and medications were changed to reflect the new diagnosis—unfortunately, too little too late.

My son, ended up in the hospital for 3 months and then in a sub-acute unit 4½ months, despite all of the in-home services we had on board, partially because the waiting time between services were detrimental and the length of the services were not long enough. When the service finally started to work, it was time to pull out. My son never engaged in any service because he knew if he got attached to anyone they were going to be gone in a short time anyway and his attitude was why bother? I can't say I blamed him. For a child who needed consistency in his life there wasn't a lot of it with the providers. He went to a residential setting for 18 months following the sub-acute unit and finally came back home. On his last day at the residential treatment center he was assaulted by a staff member who was found guilty and fired. At the same time, HUSKY notified me, that my premium would increase to 221.00 per month as I was over the income limit by 200.00 for a family of 2. I called and tried to plead my case, as they were unaware of my living expenses, such as rent, past medical bills I was trying to catch up on, etc. but they go by gross income and don't take into account any other issues. I placed my son on my work insurance once again. Try as I might, I ended up filing for bankruptcy two years later, the ultimate embarrassment as far as I was concerned.

When my son came home, the discharge plan was to send him to a summer program called the Wilderness School for the summer. Unbeknownst to us this program was for juvenile delinquents who were in trouble with the law for the majority of their lives and in and out of the system. My son was petrified, and refused to stay, even saying he would hurt himself if they made him stay. I picked him up 1½ days after dropping him off and scrambled to find childcare for the summer once again.

Whether a family uses their own insurance or State insurance and services, it is a catch 22. With private insurance, services are extremely limited; both time limited and the type of service that is available is limited. With HUSKY, finding providers is extremely difficult. There are no specialists that will take HUSKY patients, dentists, orthodontists, neuropsychologists, psychiatrists, therapists and the list goes on. As a parent trying to do the best for her child it was very frustrating getting the door shut in my face no matter where I turned for help. All I wanted was to get my son the medical attention he so desperately needed, and I had to fight for everything. In an already traumatic time in my little family's life, this was an unnecessary added burden.

My son is now a junior, still in special education, but in a public high school. He's doing remarkably and I can say that it isn't due to the services that he received but to his own strength and courage to fight his way back and make it on his own. His is truly an incredible young man and I am so proud of him. I have a bumper sticker that reads, "I am a proud parent of an honor roll student" which I never thought I would have. He earned that on his own.

Thank you for this opportunity to share my story.

Mr. DODD. I thank these families for sharing their personal experiences with me, and for following me to share their experiences publicly. More importantly, I commend their tenacity in facing the challenges they face each and every day in caring for their children. Their stories, along with the stories I have heard from other families in Connecticut and elsewhere in the country, have fueled my belief that child and adolescent mental health needs to be a top priority.

Recognizing the fragmentation of the Nation's mental health delivery system, Surgeon General Satcher's report concluded that one fundamental way to meet the mental—health needs of children and adolescents is to ". . . move towards a community-based mental health delivery system that balances health promotion, disease prevention, early detection, and universal access to care." The report further stated eight goals to ensure the resiliency of children and adolescents. These goals were: first, to promote public awareness of children's mental health issues and reduce stigma associated with mental illness; second, to continue to develop, disseminate, and implement scientifically-proven prevention and treatment services in the field of children's mental health; third, to improve the assessment of and recognition of mental health needs in children; fourth, to eliminate racial, ethnic and socioeconomic disparities in access to mental health care services; fifth, to improve the infrastructure for children's mental health services, including support for scientifically-proven interventions across professions; sixth, to increase access to and coordination of quality mental health care services; seventh, to train frontline providers to recognize and manage mental health issues, and educate mental healthcare providers about scientifically-proven prevention and treatment services, and; finally, to monitor the access to and coordination of quality mental health care services.

In 2002, President Bush established the President's New Freedom Commission on Mental Health to study three obstacles identified by the President that prevent Americans with mental illness from getting the care they require. These obstacles were identified as the stigma that surrounds mental health care, a lack of mental health parity, and the fragmented mental health delivery system. In 2003, the President's New Freedom Commission issued a report that made a series of recommendations on how the Nation's mental health system could be transformed for the better. Like Surgeon General Satcher's report, this publication also set forth a series of goals. They were: first, to ensure Americans understand that mental health is essential to overall health; second, to ensure that mental health care is consumer- and family-driven; third, to eliminate disparities in mental health care services; fourth, to ensure that early mental health screening, assessment, and referral services are common practices; fifth, to ensure that excellent mental health care is delivered and research is accelerated, and; finally, to ensure that technology is used to access mental health care and information.

I describe these two reports because the legislation I am introducing today seeks to address the recommendations they espouse. My legislation, the Child and Adolescent Mental Health Resiliency Act of 2006, authorizes $210 million in an effort to meet five principal objectives.

The first objective is to increase access to, and improve the quality of, mental health care services delivered to children and adolescents. My legislation seeks to meet this objective in several ways.

First, it authorizes a new grant of $50 million for States to develop and implement a comprehensive mental health plan exclusively for children and adolescents that provides community-based mental health early intervention and prevention services and relevant support services, such as primary health care, education, transportation and housing. The plan would have to meet a set of core operational and evaluative requirements and would have to be developed through extensive outside consultation with children and adolescents, their families, advocates and health professionals.

Second, my legislation authorizes two matching grants of $22.5 million each for community health centers—many of which primarily serve low-income populations and primary health care facilities, such as a pediatrician's office, to provide community-based mental health services in coordination with community mental health centers and/or trained mental health professionals.

Third, my legislation authorizes a new grant of $22.5 million for States, localities and private nonprofit organizations—e.g., school districts—to provide community-based mental health services in schools appropriate mental health training activities to relevant school and health professionals.

Fourth, my legislation authorizes a new grant of $20 million for States, localities and private nonprofit organizations to provide community-based mental health services specifically for at-risk mothers and their children.

Fifth, my legislation authorizes a new grant of $10 million for States, localities and private nonprofit organizations to provide community-based mental health services for children and adolescents in juvenile justice systems.

Sixth, my legislation authorizes $10 million for the Secretary of Health and Human Services to establish, run and evaluate a demonstration project that improves the ability of local case managers to work across the mental health, public health, substance abuse, child welfare, education, juvenile justice and social services systems in a State.

Finally, my legislation requires States to meet their statutory obligations to fund fully mental health screening services under the Early and Periodic Screening, Diagnostic and Treatment Services Program. It also requires current successful initiatives, such as the Comprehensive Community Mental Health Services for Children with Serious Emotional Disturbance Program, the Community Mental Health Services Performance Partnership Block Grant, the Community Mental Health Services Block Grant, and the Jail Diversion Program, to expand their scope with respect to certain reporting, evaluative, and service activities.

The second objective my legislation seeks to meet is ensuring greater public awareness and greater family participation in mental health services decision-making. Towards this end, my legislation does the following:

First, it authorizes a new grant of $10 million for States, localities and private nonprofit organizations to develop policies that enable families of children and adolescents with mental health disorders to have increased control and choice over mental health services provided and received through a publicly-funded mental health system.

Second, it authorizes a new grant of $10 million for private nonprofit organizations to provide information on child and adolescent mental health disorders, services, support services and respite care to families of children and adolescents with or who are at risk for mental health disorders.

Third, it authorizes a new grant of $10 million for private nonprofit organizations to develop community coalitions and public education activities that promote child and adolescent resiliency.

In addition, my legislation authorizes $10 million to establish two new technical assistance centers. These centers are designed to collect and disseminate information on mental health disorders, mental health disorder risk factors, mental health services, mental health service access, relevant support services, reducing seclusion and restraints, and family participation in mental health service decision-making—exclusively for children and adolescents with or at risk of mental health disorders.

The third objective that this legislation seeks to meet is for the Federal Government to develop a policy specifically designed to meet the unique mental health needs of children and adolescents. The legislation authorizes $10 million for the establishment of an interagency coordinating committee consisting of all Federal officials whose departments or agencies oversee mental health activities for children and adolescents. Modeled after language in the Garrett Lee Smith Memorial Act, my legislation requires the coordinating committee to consult with outside parties, develop a Federal policy exclusively pertaining to child and adolescent mental health, and report annually to Congress on specific challenges and solutions associated with comprehensively addressing the mental health needs of children and adolescents.

The fourth and final objective that this legislation seeks to meet is increasing the amount of research into child and adolescent mental health. Only through intensive research can we develop evidence-based best practices that allow us to develop services that fully meet the mental health needs of our children. Towards that end, my legislation authorizes a new grant of $12.5 million for States, localities, institutions of higher education and private nonprofit organizations to identify and research current service, training and information awareness gaps in mental health delivery systems for children and adolescents. My legislation also authorizes $12.5 million to enhance comprehensive Federal research and evaluation of promising best practices, existing disparities, psychotropic medications, trauma, recovery and rehabilitation, and co-occurring disorders as they relate to child and adolescent mental health.

My colleague on the Health, Education, Labor, and Pensions Committee, Chairman ENZI, has indicated a desire to bring up the Substance Abuse and Mental Health Services Administration reauthorization measure soon. It is my hope that this legislation can contribute to that reauthorization effort.

I would like to conclude by saying that this legislation, while comprehensive, is a first step—not a complete solution—towards fully meeting the challenge of ensuring the resiliency of our children and adolescents. We need to continue working together—young people, families, doctors, counselors, nurses, teachers, advocates, and policymakers—since we all have a stake, either professional or personal—in this issue. Only by working together can we develop effective and compassionate ways through which every young person in this nation is given a solid foundation upon which to reach his or her dreams in life.

I ask unanimous consent that the text of this legislation be printed in the CONGRESSIONAL RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3449

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Child and Adolescent Mental Health Resiliency Act of 2006".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.

TITLE I—STATE AND COMMUNITY ACTIVITIES CONCERNING THE MENTAL HEALTH OF CHILDREN AND ADOLESCENTS

Sec. 101. Grants concerning comprehensive state mental health plans.
Sec. 102. Grants concerning early intervention and prevention.
Sec. 103. Activities concerning mental health services in schools.

Sec. 104. Activities concerning mental health services under the early and periodic screening, diagnostic, and treatment services program.
Sec. 105. Activities concerning mental health services for at-risk mothers and their children.
Sec. 106. Activities concerning interagency case management.
Sec. 107. Grants concerning consumer and family participation.
Sec. 108. Grants concerning information on child and adolescent mental health services.
Sec. 109. Activities concerning public education of child and adolescent mental health disorders and services.
Sec. 110. Technical assistance center concerning training and seclusion and restraints.
Sec. 111. Technical assistance centers concerning consumer and family participation.
Sec. 112. Comprehensive community mental health services for children and adolescents with serious emotional disturbances.
Sec. 113. Community mental health services performance partnership block grant.
Sec. 114. Community mental health services block grant program.
Sec. 115. Grants for jail diversion programs.
TITLE II—FEDERAL INTERAGENCY COLLABORATION •AND RELATED ACTIVITIES
Sec. 201. Interagency coordinating committee concerning the mental health of children and adolescents.
TITLE III—RESEARCH ACTIVITIES CONCERNING THE MENTAL HEALTH OF CHILDREN AND ADOLESCENTS
Sec. 301. Activities concerning evidence-based or promising best practices.
Sec. 302. Federal research concerning adolescent mental health.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the Surgeon General's Conference on Children's Mental Health: A National Action Agenda, mental health is a critical component of children's learning and general health.

(2) According to the Surgeon General's Conference on Children's Mental Health: A National Action Agenda, one in 10 children and adolescents suffer from mental illness severe enough to cause some level of impairment.

(3) According to the Surgeon General's Conference on Children's Mental Health: A National Action Agenda, only one in five children and adolescents who suffer from severe mental illness receive the specialty mental health services they require.

(4) According to the World Health Organization, childhood neuropsychiatric disorders will rise by over 50 percent by 2020, internationally, to become one of the five most common causes of morbidity, mortality, and disability among children.

(5) According to the Surgeon General's Conference on Children's Mental Health: A National Action Agenda, the burden of suffering experienced by children with mental illness and their families has created a health crisis in this country.

(6) According to the Surgeon General's Conference on Children's Mental Health: A National Action Agenda, there is broad evidence that the nation lacks a unified infrastructure to help children suffering from mental illness;

(7) According to the President's New Freedom Commission on Mental Health, President George Bush identified three obstacles preventing Americans with mental illness from getting the care they require: stigma that surrounds mental illness; unfair treatment limitations and financial requirements placed on mental health benefits in private health insurance, and; the fragmented mental health service delivery system.

(8) According to the Surgeon General's Conference on Children's Mental Health: A National Action Agenda, one way to ensure that the country's health system meets the mental health needs of children is to move towards a community-based mental health delivery system that balances health promotion, disease prevention, early detection, and universal access to care.

(9) According to the President's New Freedom Commission on Mental Health, transforming the country's mental health delivery system rests on two principles: services and treatments must be consumer and family-centered, and; care must focus on increasing a person's ability to successfully cope with life's challenges, on facilitating recovery, and building resiliency.

(10) According to the Surgeon General's Conference on Children's Mental Health: A National Action Agenda, the mental health and resiliency of children can be ensured by methods that: promote public awareness of children's mental health issues and reduce stigma associated with mental illness; continue to develop, disseminate, and implement scientifically-proven prevention and treatment services in the field of children's mental health; improve the assessment of and recognition of mental health needs in children; eliminate racial, ethnic and socioeconomic disparities in access to mental healthcare services; improve the infrastructure for children's mental health services, including support for scientifically-proven interventions across professions; increase access to and coordination of quality mental healthcare services; train frontline providers to recognize and manage mental health issues, and educate mental healthcare providers about scientifically-proven prevention and treatment services, and; monitor the access to and coordination of quality mental healthcare services.

(11) According to the President's New Freedom Commission on Mental Health, the country's mental health delivery system can be successfully transformed by methods that: ensure Americans understand that mental health is essential to overall health; ensure mental health care is consumer and family-driven; eliminate disparities in mental healthcare services; ensure early mental health screening, assessment, and referral services are common practices; ensure that excellent mental health care is delivered and research is accelerated, and; technology is used to access mental health care and information.

TITLE I—STATE AND COMMUNITY ACTIVITIES CONCERNING THE MENTAL HEALTH OF CHILDREN AND ADOLESCENTS

SEC. 101. GRANTS CONCERNING COMPREHENSIVE STATE MENTAL HEALTH PLANS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.) is amended by inserting after section 520A, the following:

"SEC. 520B. COMPREHENSIVE STATE MENTAL HEALTH PLANS.

"(a) GRANTS.—The Secretary, acting through the Center for Mental Health Services, shall award a 1-year, non-renewable grant to, or enter into a 1-year cooperative agreement with, a State for the development and implementation by the State of a comprehensive State mental health plan that exclusively meets the mental health needs of children and adolescents, including providing for early intervention, prevention, and recovery oriented services and supports for children and adolescents, such as mental and primary health care, education, transportation, and housing.

"(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under this section a State shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including—

"(1) a certification by the governor of the State that the governor will be responsible for overseeing the development and implementation of the comprehensive State mental health plan; and

"(2) the signature of the governor of the State.

"(c) REQUIREMENTS.—The Comprehensive State Plan shall include the following:

"(1) An evaluation of all the components of the current mental health system in the State, including the estimated number of children and adolescents requiring and receiving mental health services, as well as support services such as primary health care, education, and housing.

"(2) A description of the long-term objectives of the State for policies concerning children and adolescents with mental disorders. Such objectives shall include—

"(A) the provision of early intervention and prevention services to children and adolescents with, or who are at risk for, mental health disorders that are integrated with school systems, educational institutions, juvenile justice systems, substance abuse programs, mental health programs, primary care programs, foster care systems, and other child and adolescent support organizations;

"(B) a demonstrated collaboration among agencies that provide early intervention and prevention services or a certification that entities will engage in such future collaboration;

"(C) implementing or providing for the evaluation of children and adolescents mental health services that are adapted to the local community;

"(D) implementing collaborative activities concerning child and adolescent mental health early intervention and prevention services;

"(E) the provision of timely appropriate community-based mental health care and treatment of children and adolescents in child and adolescent-serving settings and agencies;

"(F) the provision of adequate support and information resources to families of children and adolescents with, or who are at risk for, mental health disorders;

"(G) the provision of adequate support and information resources to advocacy organizations that serve children and adolescents with, or who are at risk for, mental health disorders, and their families;

"(H) identifying and offering access to services and care to children and adolescents and their families with diverse linguistic and cultural backgrounds;

“(I) identifying and offering equal access to services in all geographic regions of the State;

“(J) identifying and offering appropriate access to services in geographical regions of the State with above-average occurrences of child and adolescent mental health disorders;

“(K) identifying and offering appropriate access to services in geographical regions of the State with above-average rates of children and adolescents with co-occurring mental health and substance abuse disorders;

“(L) offering continuous and up-to-date information to, and carrying out awareness campaigns that target children and adolescents, parents, legal guardians, family members, primary care professionals, mental health professionals, child care professionals, health care providers, and the general public and that highlight the risk factors associated with mental health disorders and the life-saving help and care available from early intervention and prevention services;

“(M) ensuring that information and awareness campaigns on mental health disorder risk factors, and early intervention and prevention services, use effective and culturally-appropriate communication mechanisms that are targeted to and reach adolescents, families, schools, educational institutions, juvenile justice systems, substance abuse programs, mental health programs, primary care programs, foster care systems, and other child and adolescent support organizations;

“(N) implementing a system to ensure that primary care professionals, mental health professionals, and school and child care professionals are properly trained in evidence-based best practices in child and adolescent mental health early intervention and prevention, treatment and rehabilitation services and that those professionals involved with providing early intervention and prevention services are properly trained in effectively identifying children and adolescents with or who are at risk for mental health disorders;

“(O) the provision of continuous training activities for primary care professionals, mental health professionals, and school and child care professionals on evidence-based or promising best practices;

“(P) the provision of continuous training activities for primary care professionals, mental health professionals, and school and child care professionals on family and consumer involvement and participation;

“(Q) conducting annual self-evaluations of all outcomes and activities, including consulting with interested families and advocacy organizations for children and adolescents.

“(3) A cost-assessment relating to the development and implementation of the State plan and a description of how the State will measure performance and outcomes across relevant agencies and service systems.

“(4) A timeline for achieving the objectives described in paragraph (2).

“(5) An outline for achieving the sustainability of the objectives described in paragraph (2).

“(d) APPLICATION OF OTHER REQUIREMENTS.—The authorities and duties of State mental health planning councils provided for under sections 1914 and 1915 with respect to State mental health block grant planning shall apply to the development and the implementation of the comprehensive State mental health plan.

“(e) PARTICIPATION AND IMPLEMENTATION.—

“(1) PARTICIPATION.—In developing and implementing the comprehensive State mental health plan under a grant or cooperative agreement under this section, the State shall ensure the participation of the State agency heads responsible for child and adolescent mental health, substance abuse, child welfare, medicaid, public health, developmental disabilities, social services, juvenile justice, housing, and education.

“(2) CONSULTATION.—In developing and implementing the comprehensive State mental health plan under a grant or cooperative agreement under this section, the State shall consult with—

“(A) the Federal interagency coordinating committee established under section 401 of the Child and Adolescent Mental Health Resiliency Act of 2006;

“(B) State and local agencies, including agencies responsible for child and adolescent mental health care, early intervention and prevention services under titles IV, V, and XIX of the Social Security Act, and the State's Children's Health Insurance Program under title XXI of the Social Security Act;

“(C) State mental health planning councils (described in section 1914);

“(D) local, State, and national advocacy organizations that serve children and adolescents with or who are at risk for mental health disorders and their families;

“(E) relevant national medical and other health professional and education specialty organizations;

“(F) children and adolescents with mental health disorders and children and adolescents who are currently receiving early intervention or prevention services;

“(G) families and friends of children and adolescents with mental health disorders and children and adolescents who are currently receiving early intervention or prevention services;

“(H) families and friends of children and adolescents who have attempted or completed suicide;

“(I) qualified professionals who possess the specialized knowledge, skills, experience, training, or relevant attributes needed to serve children and adolescents with or who are at risk for mental health disorders and their families; and

“(J) third-party payers, managed care organizations, and related employer and commercial industries.

“(3) SIGNATURE.—The Governor of the State shall sign the comprehensive State mental health plan application and be responsible for overseeing the development and implementation of the plan.

“(f) SATISFACTION OF OTHER FEDERAL REQUIREMENTS.—A State may utilize the comprehensive State mental health plan that meets the requirements of this section to satisfy the planning requirements of other Federal mental health programs administered by the Secretary, including as the Community Mental Health Services Block Grant and the Children's Mental Health Services Program, so long as the requirements of such programs are satisfied through the plan.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $50,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.”.

SEC. 102. GRANTS CONCERNING EARLY INTERVENTION AND PREVENTION.

Title V of the Public Health Services Act (42 U.S.C. 290aa et seq.) is amended by adding at the end the following:

“PART K—MISCELLANEOUS MENTAL HEALTH PROVISIONS

“SEC. 597. GRANTS FOR MENTAL HEALTH ASSESSMENT SERVICES.

“(a) IN GENERAL.—The Secretary shall award 5-year matching grants to, or enter into cooperative agreements with, community health centers that receive assistance under section 330 to enable such centers to provide child and adolescent mental health early intervention and prevention services to eligible children and adolescents, and to provide referral services to, or early intervention and prevention services in coordination with, community mental health centers and other appropriately trained providers of care.

“(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under subsection (a) an entity shall—

“(1) be a community health center that receives assistance under section 330;

“(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;

“(3) provide assurances that the entity will have appropriately qualified behavioral health professional staff to ensure prompt treatment or triage for referral to a speciality agency or provider; and

“(4) provide assurances that the entity will encourage formal coordination with community mental health centers and other appropriate providers to ensure continuity of care.

“(c) IDENTIFICATION.—In providing services with amounts received under a grant or cooperative agreement under this section, an entity shall ensure that appropriate screening tools are used to identify at-risk children and adolescents who are eligible to receive care from a community health centers.

“(d) MATCHING REQUIREMENT.—With respect to the costs of the activities to be carried out by an entity under a grant or cooperative agreement under this section, an entity shall provide assurances that the entity will make available (directly or through donations from public or private entities) non-Federal contributions towards such costs in an amount that is not less than $1 for each $1 of Federal funds provided under the grant or cooperative agreement.

“SEC. 597A. GRANTS FOR PRIMARY CARE AND MENTAL HEALTH EARLY INTERVENTION AND PREVENTION SERVICES.

“(a) IN GENERAL.—The Secretary shall award 5-year matching grants to, or enter into cooperative agreements with, States, political subdivisions of States, consortium of political subdivisions, tribal organizations, public organizations, or private nonprofit organizations to enable such entities to provide assistance to mental health programs for early intervention and prevention services to children and adolescents with, or who are at-risk of, mental health disorders and that are in primary care settings.

“(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under subsection (a) an entity shall—

“(1) be a State, a political subdivision of a State, a consortia of political subdivisions, a tribal organization, a public organization, or private nonprofit organization; and

“(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(c) USE OF FUNDS.—An entity shall use amounts received under a grant or cooperative agreement under this section to—

“(1) provide appropriate child and adolescent mental health early intervention and prevention assessment services;

"(2) provide appropriate child and adolescent mental health treatment services;

"(3) provide monitoring and referral for specialty treatment of medical or surgical conditions for children and adolescents ; and

"(4) facilitate networking between primary care professionals, mental health professionals, and child care professionals for—

"(A) case management development;

"(B) professional mentoring; and

"(C) enhancing the provision of mental health services in schools.

"(d) MATCHING REQUIREMENTS.—With respect to the costs of the activities to be carried out by an entity under a grant or cooperative agreement under this section, an entity shall provide assurances that the entity will make available (directly or through donations from public or private entities) non-Federal contributions towards such costs in an amount that is not less than $1 for each $1 of Federal funds provided under the grant or cooperative agreement.

"SEC. 597B. GRANTS FOR MENTAL HEALTH AND PRIMARY CARE EARLY INTERVENTION AND PREVENTION SERVICES.

"(a) IN GENERAL.—The Secretary shall award 5-year matching grants to, or enter into cooperative agreements with, States, political subdivisions of States, consortium of political subdivisions, tribal organizations, public organizations, or private nonprofit organizations to enable such entities to provide assistance to primary care programs for children and adolescents with, or who are at-risk of, mental health disorders who are in mental health settings.

"(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under subsection (a) an entity shall—

"(1) be a State, a political subdivision of a State, a consortia of political subdivisions, a tribal organization, or a private nonprofit organization; and

"(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(c) USE OF FUNDS.—An entity shall use amounts received under a grant or cooperative agreement under this section to—

"(1) provide appropriate primary health care services, including screening, routine treatment, monitoring, and referral for specialty treatment of medical or surgical conditions;

"(2) provide appropriate monitoring of medical conditions of children and adolescents receiving mental health services from the applicant and refer them, as needed, for specialty treatment of medical or surgical conditions; and

"(3) facilitate networking between primary care professionals, mental health professionals and child care professionals for—

"(A) case management development; and

"(B) professional mentoring.

"(d) MATCHING FUNDS.—With respect to the costs of the activities to be carried out by an entity under a grant or cooperative agreement under this section, an entity shall provide assurances that the entity will make available (directly or through donations from public or private entities) non-Federal contributions towards such costs in an amount that is not less than $1 for each $1 of Federal funds provided under the grant or cooperative agreement.

"SEC. 597C. AUTHORIZATION OF APPROPRIATIONS.

"There is authorized to be appropriated to carry out this part $22,500,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.".

SEC. 103. ACTIVITIES CONCERNING MENTAL HEALTH SERVICES IN SCHOOLS.

(a) EFFORTS OF SECRETARY TO IMPROVE THE MENTAL HEALTH OF STUDENTS.—The Secretary of Education, in collaboration with the Secretary of Health and Human Services, shall—

(1) encourage elementary and secondary schools and educational institutions to address mental health issues facing children and adolescents by—

(A) identifying children and adolescents with, or who are at-risk for, mental health disorders;

(B) providing or linking children and adolescents to appropriate mental health services and supports; and

(C) assisting families, including providing families with resources on mental health services for children and adolescents and a link to relevant local and national advocacy and support organizations;

(2) collaborate on expanding and fostering a mental health promotion and early intervention strategy with respect to children and adolescents that focuses on emotional well being and resiliency and fosters academic achievement;

(3) encourage elementary and secondary schools and educational institutions to use positive behavioral support procedures and functional behavioral assessments on a school-wide basis as an alternative to suspending or expelling children and adolescents with or who are at risk for mental health needs; and

(4) provide technical assistance to elementary and secondary schools and educational institutions to implement the provisions of paragraphs (1) through (3).

(b) GRANTS.—

(1) IN GENERAL.—The Secretary of Education, in collaboration with the Secretary of Health and Human Services, shall award grants to, or enter into cooperative agreements with, States, political subdivisions of States, consortium of political subdivisions, tribal organizations, public organizations, private nonprofit organizations, elementary and secondary schools, and other educational institutions to provide directly or provide access to mental health services and case management of services in elementary and secondary schools and other educational settings.

(2) APPLICATION.—To be eligible to receive a grant or cooperative agreement under paragraph (1) an entity shall—

(A) be a State, a political subdivision of a State, a consortia of political subdivisions, a tribal organization, a public organization, a private nonprofit organization, an elementary or secondary school, or an educational institution; and

(B) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including an assurance that the entity will—

(i) provide directly or provide access to early intervention and prevention services in settings with an above average rate of children and adolescents with mental health disorders;

(ii) provide directly or provide access to early intervention and prevention services in settings with an above average rate of children and adolescents with co-occurring mental health and substance abuse disorders; and

(iii) demonstrate a broad collaboration of parents, primary care professionals, school and mental health professionals, child care processionals including those in educational settings, legal guardians, and all relevant local agencies and organizations in the application for, and administration of, the grant or cooperative agreement.

(3) USE OF FUNDS.—An entity shall use amounts received under a grant or cooperative agreement under this subsection to provide—

(A) mental health identification services;

(B) early intervention and prevention services to children and adolescents with or who are at-risk of mental health disorders; and

(C) mental health-related training to primary care professionals, school and mental health professionals, and child care professionals, including those in educational settings.

(c) COUNSELING AND BEHAVIORAL SUPPORT GUIDELINES.—The Secretary of Education, in collaboration with the Secretary of Health and Human Services, shall develop and issue guidelines to elementary and secondary schools and educational institutions that encourage such schools and institutions to provide counseling and positive behavioral supports, including referrals for needed early intervention and prevention services, treatment, and rehabilitation to children and adolescents who are disruptive or who use drugs and show signs or symptoms of mental health disorders. Such schools and institutions shall be encouraged to provide such services to children and adolescents in lieu of suspension, expulsion, or transfer to a juvenile justice system without any support referral services or system of care.

(d) STUDY.—

(1) IN GENERAL.—The Government Accountability Office shall conduct a study to assess the scientific validity of the Federal definition of a child or adolescent with an "emotional disturbance" as provided for in the regulations of the Department of Education under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), and whether, as written, such definition now excludes children and adolescents inappropriately through a determination that those children and adolescents are "socially maladjusted".

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Government Accountability Office shall submit to the appropriated committees of Congress a report concerning the results of the study conducted under paragraph (1).

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to supercede the provisions of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), including the requirement of prior parental consent for the disclosure of any education records; and

(2) to modify or affect the parental notification requirements for programs authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $22,500,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.

SEC. 104. ACTIVITIES CONCERNING MENTAL HEALTH SERVICES UNDER THE EARLY AND PERIODIC SCREENING, DIAGNOSTIC, AND TREATMENT SERVICES PROGRAM.

(a) NOTIFICATION.—The Secretary of Health and Human Services, acting through the Director of the Centers for Medicare and Medicaid Services, shall notify State Medicaid agencies of—

(1) obligations under section 1905(r) of the Social Security Act with respect to the identification of children and adolescents with mental health disorders and of the availability of validated mechanisms that aid pediatricians and other primary care professionals to incorporate such activities; and

(2) information on financing mechanisms that such agencies may use to reimburse primary care professionals, mental health professionals, and child care professionals who provide mental health services as authorized under such definition of early and period screening, diagnostic, and treatment services.

(b) REQUIREMENTS.—State Medicaid agencies who receive funds for early and period screening, diagnostic, and treatment services funding shall provide an annual report to the Secretary of Health and Human Services that—

(1) analyzes the rates of eligible children and adolescents who receive mental health identification services of the type described in subsection (a)(1) under the medicaid program in the State;

(2) analyzes the ways in which such agency has used financing mechanisms to reimburse primary care professionals, mental health professionals, and child care professionals who provide such mental health services;

(3) identifies State program rules and funding policies that may impede such agency from meeting fully the Federal requirements with respect to such services under the medicaid program; and

(4) makes recommendations on how to overcome the impediments identified under paragraph (3).

SEC. 105. ACTIVITIES CONCERNING MENTAL HEALTH SERVICES FOR AT-RISK MOTHERS AND THEIR CHILDREN.

Title V of the Social Security Act (42 U.S.C. 701 et seq.) is amended by adding at the end the following:

"SEC. 511. ENHANCING MENTAL HEALTH SERVICES FOR AT-RISK MOTHERS AND THEIR CHILDREN.

"(a) GRANTS.—The Secretary shall award grants to, or enter into cooperative agreements with, States, political subdivisions of States, consortium of political subdivisions, tribal organizations, public organizations, and private nonprofit organizations to provide appropriate mental health promotion and mental health services to at-risk mothers, grandmothers who are legal guardians, and their children.

"(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under subsection (a) an entity shall—

"(1) be a State, a political subdivision of a State, a consortia of political subdivisions, a tribal organization, a public organization, or a private nonprofit organization; and

"(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(c) USE OF FUNDS.—Amounts received under a grant or cooperative agreement under this section shall be used to—

"(1) provide mental health early intervention, prevention, and case management services;

"(2) provide mental health treatment services; and

"(3) provide monitoring and referral for specialty treatment of medical or surgical conditions.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $20,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.".

SEC. 106. ACTIVITIES CONCERNING INTERAGENCY CASE MANAGEMENT.

Part L of title V of the Public Health Service Act, as added by section 102, is amended by adding at the end the following:

"SEC. 597C. INTERAGENCY CASE MANAGEMENT.

"(a) IN GENERAL.—The Secretary shall establish a program to foster the ability of local case managers to work across the mental health, substance abuse, child welfare, education, and juvenile justice systems in a State. As part of such program, the Secretary shall develop a model system that—

"(1) establishes a training curriculum for primary care professionals, mental health professionals, school and child care professionals, and social workers who work as case managers;

"(2) establishes uniform standards for working in multiple service systems; and

"(3) establishes a cross-system case manager certification process.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.".

SEC. 107. GRANTS CONCERNING CONSUMER AND FAMILY PARTICIPATION.

Part K of title V of the Public Health Service Act, as added by section 102 and amended by section 106, is further amended by adding at the end the following:

"SEC. 597D. CONSUMER AND FAMILY CONTROL IN CHILD AND ADOLESCENT MENTAL HEALTH SERVICE DECISIONS.

"(a) GRANTS.—The Secretary shall award grants to, or enter into cooperative agreements with, States, political subdivisions of States, consortium of political subdivisions, and tribal organizations for the development of policies and mechanisms that enable consumers and families to have increased control and choice over child and adolescent mental health services received through a publicly-funded mental health system.

"(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under subsection (a) an entity shall—

"(1) be a State, a political subdivision of a State, a consortia of political subdivisions, or a tribal organization; and

"(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(c) USE OF FUNDS.—An entity shall use amounts received under a grant or cooperative agreement under this section to carry out the activities described in subsection (a). Such activities may include—

"(1) the facilitation of mental health service planning meetings by consumer and family advocates, particularly peer advocates;

"(2) the development of consumer and family cooperatives; and

"(3) the facilitation of national networking between State political subdivisions and tribal organizations engaged in promoting increased consumer and family participation in decisions regarding mental health services for children and adolescents.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.".

SEC. 108. GRANTS CONCERNING INFORMATION ON CHILD AND ADOLESCENT MENTAL HEALTH SERVICES.

Part K of title V of the Public Health Service Act, as added by section 102 and amended by section 107, is further amended by adding at the end the following:

"SEC. 597E. INCREASED INFORMATION ON CHILD AND ADOLESCENT MENTAL HEALTH SERVICES.

"(a) GRANTS.—The Secretary shall award grants to, or enter into cooperative agreements with, private nonprofit organizations to enable such organizations to provide information on child and adolescent mental health and services, consumer or parent-to-parent support services, respite care, and other relevant support services to—

"(1) parents and legal guardians of children or adolescents with or who are at risk for mental health disorders; and

"(2) families of adolescents with or who are at risk for mental health disorders.

"(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under subsection (a) an entity shall—

"(1) be a private, nonprofit organization; and

"(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.".

SEC. 109. ACTIVITIES CONCERNING PUBLIC EDUCATION OF CHILD AND ADOLESCENT MENTAL HEALTH DISORDERS AND SERVICES.

Part K of title V of the Public Health Service Act, as added by section 102 and amended by section 108, is further amended by adding at the end the following:

"SEC. 597F. ACTIVITIES CONCERNING PUBLIC EDUCATION OF CHILD AND ADOLESCENT MENTAL HEALTH DISORDERS AND SERVICES.

"(a) EDUCATIONAL CAMPAIGN.—The Secretary shall develop, coordinate, and implement an educational campaign to increase public understanding of mental health promotion, child and adolescent emotional wellbeing and resiliency, and risk factors associated with mental health disorders in children and adolescents.

"(b) GRANTS.—

"(1) IN GENERAL.—The Secretary shall award grants to, or enter into cooperative agreements with, public and private nonprofit organizations with qualified experience in public education to build community coalitions and increase public awareness of mental health promotion, child and adolescent emotional well-being and resiliency, and risk factors associated with mental health disorders in children and adolescents.

"(2) APPLICATION.—To be eligible to receive a grant or cooperative agreement under paragraph (1), an entity shall—

"(A) be a public or private nonprofit organization; and

"(B) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(3) USE OF FUNDS.—Amounts received under a grant or contract under this subsection shall be used to—

"(A) develop community coalitions to support the purposes of paragraph (1); and

"(B) develop and implement public education activities that compliment the activities described in subsection (a) and support the purposes of paragraph (1).

"(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.".

SEC. 110. TECHNICAL ASSISTANCE CENTER CONCERNING TRAINING AND SECLUSION AND RESTRAINTS.

Part K of title V of the Public Health Service Act, as added by section 102 and amended by section 109, is further amended by adding at the end the following:

"SEC. 597G. TECHNICAL ASSISTANCE CENTER CONCERNING SECLUSION AND RESTRAINTS.

"(a) SECLUSION AND RESTRAINTS.—Acting through the technical assistance center established under subsection (b), the Secretary shall—

"(1) develop and disseminate educational materials that encourage ending the use of seclusion and restraints in all facilities or programs in which a child or adolescent resides or receives care or services;

"(2) gather, analyze, and disseminate information on best or promising best practices that can minimize conflicts between parents, legal guardians, primary care professionals, mental health professionals, school and child care professionals to create a safe environment for children and adolescents with mental health disorders; and

"(3) provide training for primary professionals, mental health professionals, and school and child care professionals on effective techniques or practices that serve as alternatives to coercive control interventions, including techniques to reduce challenging, aggressive, and resistant behaviors, that require seclusion and restraints.

"(b) CONSULTATION.—In carrying out this section, the Secretary shall consult with—

"(1) local and national advocacy organizations that serve children and adolescents who may require the use of seclusion and restraints, and their families;

"(2) relevant national medical and other health and education specialty organizations; and

"(3) qualified professionals who possess the specialized knowledge, skills, experience, and relevant attributes needed to serve children and adolescents who may require the use of seclusion and restraints, and their families.

"(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $5,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.".

SEC. 111. TECHNICAL ASSISTANCE CENTERS CONCERNING CONSUMER AND FAMILY PARTICIPATION.

Part K of title V of the Public Health Service Act, as added by section 102 and amended by section 110, is further amended by adding at the end the following:

"SEC. 597H. TECHNICAL ASSISTANCE CENTERS CONCERNING CONSUMER AND FAMILY PARTICIPATION.

"(a) GRANTS.—The Secretary shall award 5-year grants to, or enter into cooperative agreements with, private nonprofit organizations for the development and implementation of three technical assistance centers to support full consumer and family participation in decision-making about mental health services for children and adolescents.

"(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under subsection (a) an entity shall—

"(1) be a private, nonprofit organization that demonstrates the ability to establish and maintain a technical assistance center described in this section; and

"(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(c) USE OF FUNDS.—An entity shall use amounts received under a grant or cooperative agreement under this section to establish a technical assistance center of the type referred to in subsection (a). Through such center, the entity shall—

"(1) collect and disseminate information on mental health disorders and risk factors for mental health disorders in children and adolescents;

"(2) collect and disseminate information on available resources for specific mental health disorders, including co-occurring mental health and substance abuse disorders;

"(3) disseminate information to help consumers and families engage in illness self management activities and access services and resources on mental health disorder self-management;

"(4) support the activities of self-help organizations;

"(5) support the training of peer specialists, family specialists, primary care professionals, mental health professionals, and child care professionals;

"(6) provide assistance to consumer and family-delivered service programs and resources in meeting their operational and programmatic needs; and

"(7) provide assistance to consumers and families that participate in mental health system advisory bodies, including state mental health planning councils.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $5,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.".

SEC. 112. COMPREHENSIVE COMMUNITY MENTAL HEALTH SERVICES FOR CHILDREN AND ADOLESCENTS WITH SERIOUS EMOTIONAL DISTURBANCES.

Section 561 of the Public Health Service Act (42 U.S.C. 290ff) is amended—

(1) in subsection (b)(1)(A), by inserting before the semicolon the following: "and provides assurances that the State will use grant funds in accordance with the comprehensive State mental health plan submitted under section 520B"; and

(2) in subsection (b), by adding at the end the following:

"(4) REVIEW OF POSSIBLE IMPEDIMENTS.—A State may use amounts received under a grant under this section to conduct an interagency review of State mental health program rules and funding policies that may impede the development of the comprehensive State mental health plan submitted under section 520B.".

SEC. 113. COMMUNITY MENTAL HEALTH SERVICES PERFORMANCE PARTNERSHIP BLOCK GRANT.

Section 1912(b) of the Public Health Service Act (42 U.S.C. 300x-2(b)) is amended by adding at the end the following:

"(6) PERFORMANCE MEASURES.—The plan requires that performance measures be reported for adults and children separately.

"(7) OTHER MENTAL HEALTH SERVICES.—In addition to reporting on mental health services funded under a community mental health services performance partnership block grant, States are encouraged to report on all mental health services provided by the State mental health agency.".

SEC. 114. COMMUNITY MENTAL HEALTH SERVICES BLOCK GRANT PROGRAM.

(a) IN GENERAL.—Section 1912(b) of the Public Health Service Act (42 U.S.C. 300x–2(b)) is amended by adding at the end the following:

"(8) CO-OCCURRING TREATMENT SERVICES.—The plan provides for a system of support for the provision of co-occurring treatment services, including early intervention and prevention, and integrated mental health and substance abuse and services, for adolescents with co-occurring mental health and substance abuse disorders. Services shall be provided through the system under this paragraph in accordance with the Substance Abuse Prevention Treatment Block Grant program under subpart II.".

(b) GUIDELINES FOR INTEGRATED TREATMENT SERVICES.—Section 1915 of the Public Health Service Act (42 U.S.C. 300x-4) is amended by adding at the end the following:

"(c) GUIDELINES FOR INTEGRATED TREATMENT SERVICES.—The Secretary shall issue written policy guidelines for use by States that describe how amounts received under a grant under this subpart may be used to fund integrated treatment services for children and adolescents with mental health disorders and with co-occurring mental health and substance abuse disorders.

"(d) MODEL SERVICE SYSTEMS FORUM.—The Secretary, in consultation with the Attorney General, shall periodically convene forums to develop model service systems and promote awareness of the needs of children and adolescents with co-occurring mental health disorders and to facilitate the development of policies to meet those needs.".

(c) SUBSTANCE ABUSE GRANTS.—Section 1928 of the Public Health Service Act (42 U.S.C. 300x–28) is amended by adding at the end the following:

"(e) CO-OCCURRING TREATMENT SERVICES.—A State may use amounts received under a grant under this subpart to provide a system of support for the provision of co-occurring treatment services, including early intervention and prevention, and integrated mental health and substance abuse services, for children and adolescents with co-occurring mental health and substance abuse disorders. Services shall be provided through the system under this paragraph in accordance with the Community Mental Health Services Block Grant program under subpart I.

"(f) GUIDELINES FOR INTEGRATED TREATMENT SERVICES.—The Secretary shall issue written policy guidelines, for use by States, that describe how amounts received under a grant under this section may be used to fund integrated treatment for children and adolescents with co-occurring substance abuse and mental health disorders.".

SEC. 115. GRANTS FOR JAIL DIVERSION PROGRAMS.

Section 520G of the Public Health Service Act (42 U.S.C. 290bb–38)—

(1) in subsection (a), by striking "up to 125";

(2) in subsection (d)—

(A) in paragraph (3), by striking "and" at the end;

(B) in paragraph (4), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

"(5) provide appropriate community-based mental health and co-occurring mental illness and substance abuse services to children and adolescents determined to be at risk of contact with the law; and

"(6) provide for the inclusion of emergency mental health centers as part of jail diversion programs."; and

(3) in subsection (h), by adding at the end the following: "As part of such evaluations, the grantee shall evaluate the effectiveness of activities carried out under the grant and submit reports on such evaluations to the Secretary.".

SEC. 116. ACTIVITIES CONCERNING MENTAL HEALTH SERVICES FOR JUVENILE JUSTICE POPULATIONS.

(a) GRANTS.—The Secretary shall award grants to, or enter into cooperative agreements with, States, tribal organizations, political subdivisions of States, consortia of political subdivisions, public organizations, and private nonprofit organizations to provide mental health promotions and mental health services to children and adolescents in juvenile justice systems.

(b) APPLICATION.—To be eligible to receive a grant or cooperative agreement under subsection (a), an entity shall—

(1) be a State, a tribal organization, a political subdivision of a State, a consortia of political subdivisions, a public organization, or a private nonprofit organization; and

(2) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(c) USE OF FUNDS.—Amounts received under a grant or cooperative agreement under this section shall be used to—

(1) provide mental health early intervention, prevention, and case management services;

(2) provide mental health treatment services; and

(3) provide monitoring and referral for specialty treatment of medical or surgical conditions.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.

TITLE II—FEDERAL INTERAGENCY COLLABORATION AND RELATED ACTIVITIES

SEC. 201. INTERAGENCY COORDINATING COMMITTEE CONCERNING THE MENTAL HEALTH OF CHILDREN AND ADOLESCENTS.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the "Secretary"), in collaboration with the Federal officials described in subsection (b), shall establish an interagency coordinating committee (referred to in this section as the "Committee") to carry out the activities described in this section relating to the mental health of children and adolescents.

(b) FEDERAL OFFICIALS.—The Federal officials described in this subsection are the following:

(1) The Secretary of Education.

(2) The Attorney General.

(3) The Surgeon General.

(4) The Secretary of the Department of Defense.

(5) The Secretary of the Interior.

(6) The Commissioner of Social Security.

(7) Such other Federal officials as the Secretary determines to be appropriate.

(c) CHAIRPERSON.—The Secretary shall serve as the chairperson of the Committee.

(d) DUTIES.—The Committee shall be responsible for policy development across the Federal Government with respect to child and adolescent mental health.

(e) COLLABORATION AND CONSULTATION.—In carrying out the activities described in this Act, and the amendments made by this Act, the Secretary shall collaborate with the Committee (and the Committee shall collaborate with relevant Federal agencies and mental health working groups responsible for child and adolescent mental health).

(f) CONSULTATION.—In carrying out the activities described in this Act, and the amendments made by this Act, the Secretary and the Committee shall consult with—

(1) State and local agencies, including agencies responsible for child and adolescent mental health care, early intervention and prevention services under titles V and XIX of the Social Security Act, and the State Children's Health Insurance Program under title XXI of the Social Security Act;

(2) State mental health planning councils (as described in section 1914);

(3) local and national organizations that serve children and adolescents with or who are at risk for mental health disorders and their families;

(4) relevant national medical and other health professional and education specialty organizations;

(5) children and adolescents with mental health disorders and children and adolescents who are currently receiving early intervention or prevention services;

(6) families and friends of children and adolescents with mental health disorders and children and adolescents who are currently receiving early intervention or prevention services;

(7) families and friends of children and adolescents who have attempted or completed suicide;

(8) qualified professionals who possess the specialized knowledge, skills, experience, training, or relevant attributes needed to serve children and adolescents with or who are at risk for mental health disorders and their families; and

(9) third-party payers, managed care organizations, and related employer and commercial industries.

(g) POLICY DEVELOPMENT.—In carrying out the activities described in this Act, and the amendments made by this Act, the Secretary shall—

(1) coordinate and collaborate on policy development at the Federal level with the Committee, relevant Department of Health and Human Services, Department of Education, and Department of Justice agencies, and child and adolescent mental health working groups; and

(2) consult on policy development at the Federal level with the private sector, including consumer, medical, mental health advocacy groups, and other health and education professional-based organizations, with respect to child and adolescent mental health early intervention and prevention services.

(h) REPORTS.—

(1) INITIAL REPORT.—Not later than 2 years after the date of enactment of this Act, the Committee shall submit to the appropriate committees of Congress a report that includes—

(A) the results of an evaluation to be conducted by the Committee to analyze the effectiveness and efficacy of current activities concerning the mental health of children and adolescents;

(B) the results of an evaluation to be conducted by the Committee to analyze the effectiveness and efficacy of the activities carried out under grants, cooperative agreements, collaborations, and consultations under this Act, the amendments made by this Act, and carried out by existing Federal agencies

(C) the results of an evaluation to be conducted by the Committee to analyze identified problems and challenges, including—

(i) fragmented mental health service delivery systems for children and adolescents;

(ii) disparities between Federal agencies in mental health service eligibility requirements for children and adolescents;

(iii) disparities in regulatory policies of Federal agencies concerning child and adolescent mental health;

(iv) inflexibility of Federal finance systems to support evidence-based child and adolescent mental health;

(v) insufficient training of primary care professionals, mental health professionals, and child care professionals;

(vi) disparities and fragmentation of collection and dissemination of information concerning child and adolescent mental health services;

(vii) inability of State Medicaid agencies to meet Federal requirements concerning child and adolescent mental health under the early and period screening, diagnostics and treatment services requirements under the medicaid program under title XIX of the Social Security Act; and

(viii) fractured Federal interagency collaboration and consultation concerning child and adolescent mental health;

(D) the recommendations of the Secretary on models and methods with which to overcome the problems and challenges described in subparagraph (B) for the purposes of improving Federal interagency coordination and the development of Federal mental health policy.

(2) ANNUAL REPORT.—Not later than 1 year after the date on which the initial report is submitted under paragraph (1), an annually thereafter, the Committee shall submit to the appropriate committees of Congress a report concerning the results of updated evaluations and recommendations described in paragraph (1).

(i) PERSONNEL MATTERS.—

(1) STAFF AND COMPENSATION.—Except as provided in paragraph (2), the Secretary may employ, and fix the compensation of an executive director and other personnel of the Committee without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(2) MAXIMUM RATE OF PAY.—The maximum rate of pay for the executive director and other personnel employed under paragraph (1) shall not exceed the rate payable for level IV of the Executive Schedule under section 5316 of title 5, United States Code.

(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.

TITLE III—RESEARCH ACTIVITIES CONCERNING THE MENTAL HEALTH OF CHILDREN AND ADOLESCENTS

SEC. 301. ACTIVITIES CONCERNING EVIDENCE-BASED OR PROMISING BEST PRACTICES.

Part K of title V of the Public Health Service Act, as added by section 102 and amended by section 111, is further amended by adding at the end the following:

"SEC. 597I. ACTIVITIES CONCERNING EVIDENCE-BASED OR PROMISING BEST PRACTICES.

"(a) GRANTS.—

"(1) IN GENERAL.—The Secretary shall award grants to, and enter into cooperative agreements with, States, political subdivisions of States, consortia of political subdivisions, tribal organizations, institutions of higher education, or private nonprofit organizations for the development of child and adolescent mental health services and support systems that address widespread and critical gaps in a needed continuum of mental health service-delivery with a specific focus on encouraging the implementation of evidence-based or promising best practices.

"(2) APPLICATION.—To be eligible to receive a grant or cooperative agreement under paragraph (1) an entity shall—

"(A) be a State, a political subdivision of a State, a consortia of political subdivisions, a tribal organization, an institution of higher education, or a private nonprofit organization; and

"(B) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(3) Use of Funds.—Amounts received under a grant or cooperative agreement under this subsection shall be used to provide for the development and dissemination of mental health supports and services described in paragraph (1), including—

"(A) early intervention and prevention services, treatment and rehabilitation particularly for children and adolescents with co-occurring mental health and substance abuse disorders;

"(B) referral services;

"(C) integrated treatment services, including family therapy, particularly for children and adolescents with co-occurring mental health and substance abuse disorders;

"(D) colocating primary care and mental health services in rural and urban areas;

"(E) mentoring and other support services;

"(F) transition services;

"(G) respite care for parents, legal guardians, and families; and

"(H) home-based care.

"(b) Technical Assistance Center.—The Secretary shall establish a technical assistance center to assist entities that receive a grant or cooperative agreement under subsection (a) in—

"(1) identifying widespread and critical gaps in a needed continuum of child and adolescent mental health service-delivery;

"(2) identifying and evaluating existing evidence-based or promising best practices with respect to child and adolescent mental health services and supports;

"(3) improving the child and adolescent mental health service-delivery system by implementing evidence-based or promising best practices;

"(4) training primary care professionals, mental health professionals, and child care professionals on evidence-based or promising best practices;

"(5) informing children and adolescents, parents, legal guardians, families, advocacy organizations, and other interested consumer organizations on such evidence-based or promising best practices; and

"(6) identifying financing structures to support the implementation of evidence-based or promising best practices and providing assistance on how to build appropriate financing structures to support those services.

"(c) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section, $12,500,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.".

SEC. 302. FEDERAL RESEARCH CONCERNING ADOLESCENT MENTAL HEALTH.

Part K of title V of the Public Health Service Act, as added by section 201 and amended by section 301, is further amended by adding at the end the following:

"SEC. 597J. FEDERAL RESEARCH CONCERNING ADOLESCENT MENTAL HEALTH.

"(a) Best Practices.—The Secretary shall provide for the conduct of research leading to the identification and evaluation of evidence-based or promising best practices, including—

"(1) early intervention and prevention mental health services and systems, particularly for children and adolescents with co-occurring mental health and substance abuse disorders;

"(2) mental health referral services;

"(3) integrated mental health treatment services, particularly for children and adolescents with co-occurring mental health and substance abuse disorders;

"(4) mentoring and other support services;

"(5) transition services; and

"(6) respite care for parents, legal guardians, and families of children and adolescents.

"(b) Identification of Existing Disparities.—The Secretary shall provide for the conduct of research leading to the identification of factors contributing to the existing disparities in children and adolescents mental health care in areas including—

"(1) evidence-based early intervention and prevention, diagnosis, referral, treatment, and monitoring services;

"(2) psychiatric and psychological epidemiology in racial and ethnic minority populations;

"(3) therapeutic interventions in racial and ethnic minority populations;

"(4) psychopharmacology;

"(5) mental health promotion and child and adolescent emotional well-being and resiliency;

"(6) lack of adequate service delivery systems in urban and rural regions; and

"(7) lack of adequate reimbursement rates for evidence-based early intervention and prevention, diagnosis, referral, treatment, and monitoring services.

"(c) Psychotropic Medications.—The Secretary shall provide for the conduct of research leading to the identification of the long-term effects of psychotropic medications and SSRIs and other pyschotropic medications for children and adolescents.

"(d) Trauma.—The Secretary shall provide for the conduct of research leading to the identification of the long-term effects of trauma on the mental health of children and adolescents, including the effects of—

"(1) violent crime, particularly sexual abuse;

"(2) physical or medical trauma;

"(3) post-traumatic stress disorders; and

"(4) terrorism and natural disasters.

"(e) Acute Care.—The Secretary shall provide for the conduct of research leading to the identification of factors contributing to problems in acute care. Such research shall address—

"(1) synthesizing the acute care knowledge data base;

"(2) assessing existing capacities and shortages in acute care;

"(3) reviewing existing model programs that exist to ensure appropriate and effective acute care;

"(4) developing new models when appropriate; and

"(5) proposing workable solutions to enhance the delivery of acute care and crisis intervention services.

"(f) Recovery and Rehabilitation.—The Secretary shall provide for the conduct of research leading to the identification of methods and models to enhance the recovery and rehabilitation of children and adolescents with mental health disorders.

"(g) Co-Occurring Disorders.—The Secretary shall provide for the conduct of research leading to the identification of methods and models to enhance services and supports for children and adolescents with co-occurring mental health and substance abuse and disorders.

"(h) Research Collaboration.—The Secretary shall provide for the conduct of research that reviews existing scientific literature on the relationship between mental and physical health, particularly identifying new methods and models to enhance the balance between mental and physical health in children and adolescents.

"(i) Collaboration.—In carrying out the activities under this section, the Secretary shall collaborate with the Federal interagency coordinating committee established under section 401 of the Child and Youth Equitable Health Act of 2005, and relevant Federal agencies and mental health working groups responsible for child and adolescent mental health.

"(j) Authorization of Appropriations.—There is authorized to be appropriated to carry out this section, $12,500,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011.".

By Mr. BROWNBACK (for himself
and Mr. TALENT):

S. 3454. A bill to amend the Internal Revenue Code of 1986 to improve the exchange of healthcare information through the use of technology, to encourage the creation, use and maintenance of lifetime electronic health records that may contain health plan and debit card functionality in independent health record banks, to use such records to build a nationwide health information technology infrastructure, and to promote participation in health information exchange by consumers through tax incentives and for other purposes; to the Committee on Finance.

Mr. BROWNBACK. Mr. President, I rise today to introduce legislation that would address one of the most critical issues facing Americans today, that of rising health care costs. America's collective health care bill represents an increasing percentage of the GDP and, at the same time, mortality rates remain stubbornly high. It is apparent that the time has come for innovative health care solutions that will save money and save lives.

Today, I am introducing the Independent Health Record Bank Act of 2006, a market-driven approach that will save both money and lives by creating a self-sustaining National Health Information Network for doctors and patients. Rather than continuing to get by with a patchwork system of paper records that contributes to medical errors and high cost, this legislation creates a nationwide system of secure electronic health records. Under the Independent Health Record Bank Act, ownership of the record is truly independent and consumer-focused, as this type of bank provides the objective service of sustaining individual electronic health records, much like the way financial institutions maintain assets. This consumer-driven approach will offer Americans portable and electronic health records over their lifetime at little to no cost, with specific, established measures for privacy and security.

We saw in the aftermath of Hurricane Katrina, when medical records and lab results were literally washed away, that the current system of paper records can prove to be cumbersome at best, and fatal at worst. Americans should have the ability to access their health records as easily as they access their bank accounts—through the use of a national IT network administered by cooperative, not-for-profit institutions. I urge my colleagues to support this effort through cosponsorship of this important legislation.

By Mr. SANTORUM:

S. 3455. A bill to establish a program to transfer surplus computers of Federal agencies to schools, nonprofit community-based educational organizations, and families of members of the Armed Forces who are deployed, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. SANTORUM. Mr. President, I rise today to introduce a bill which is intended to ensure that more surplus government computers are put to good use in our schools and by families of deployed service members.

Each year, it is becoming more and more evident that, especially for our youth, computer knowledge is essential for success. While many Americans have computers at home, there are still many Americans who do not have that easy access to computer technology. In addition, not all of our schools have or can afford up-to-date computer technology to aid their students in their learning. This bill is intended to bridge this gap.

It has been estimated that each week, the Federal Government disposes of 10,000 computers. Thanks in part to Executive Order 12999, which was issued in 1996, some of these computers are placed in schools that would otherwise not have access to this technology. The Executive order directs that federal agencies shall safeguard and identify potentially educationally useful federal equipment that is no longer needed or declared surplus. This equipment shall then be transferred directly or through the Government Services Administration Computers for Learning program to public and private schools and nonprofit organizations, including community-based educational organizations. Schools and nonprofits in enterprise communities or empowerment zones are prioritized in receiving these computers.

I have been pleased to be able to work through the related program in the Senate to place excess computers in several Pennsylvania schools where they are being put to good use. Unfortunately, I have heard from those working in Pennsylvania to obtain such computers that not enough of them are getting through to schools. They are experiencing increased difficulty in maintaining the number and quality of computers they were previously able to get from the government for refurbishment and donation. In some cases, hard drives are being needlessly destroyed before they are turned over.

One of the problems that has prevented schools from getting and using these computers is that many times they are not able to be immediately put into use by the school. Schools may not have the technical ability or storage space to take computers directly from the government if they need maintenance before they can be placed into service. It has been estimated that if schools get the computers directly from the government, only 10 percent can be put into use. However, if they are first refurbished, 40 percent can be used.

The hope is that this legislation would result in federal agencies making more surplus computers available for schools by codifying the previous Executive order. The bill would also allow computers to go directly to nonprofits for refurbishing before going to the school, making is easier for more schools to participate in the program. Currently, a school has to take title to the computer and then can transfer it to a nonprofit refurbisher to be fixed up, an additional step for them. This bill would allow nonprofit organizations like Computers for Schools that can refurbish computers at low-cost to participate in the process, getting computers ready to use and sending them out to schools where they last three more years, enabling more children to learn and profit by them. To prevent the needless destruction of hard drives, the bill also references federal standards on how to completely and securely erase hard drives without destroying them.

Lastly, this bill includes language that would make it possible to distribute these computers to the families of deployed service men and women who do not have a computer in their homes so that they can stay in better touch with their family members while they are fighting for our country.

I believe this legislation is an important step to help ensure that surplus federal computers are put to good use by allowing more of our youth to have access to computers in school. I am hopeful that this legislation will be enacted into law.

By Mr. MENENDEZ:

S. 3456. A bill to ensure the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States; to the Committee on Foreign Relations.

Mr. MENENDEZ. Mr. President, first, I congratulate my colleagues in the House, Representatives SHAYS and MALONEY, for their hard work on this legislation and for introducing H.R. 5017, the companion legislation to the bill I am introducing today.

Almost 5 years ago, our country was attacked by terrorists on September 11, 2001. This attack on our cities, on our symbols, on our democracy, and on our way of life killed nearly 3,000 Americans and over 700 people from my home State of New Jersey. But this attack could not kill our determination to preserve our freedom, our values, and our democratic system.

Almost 2 years ago, the 9/11 Commission published their riveting account of what happened on that terrible day and made 41 unanimous and bipartisan recommendations to make our country safer from future terrorist attacks.

Six months ago, the 9/11 Public Discourse Project published a disturbing report card giving more F's than A's on the implementation of those 41 recommendations.

Today, I am introducing legislation to finally and fully implement the 41 bipartisan and unanimous recommendations of the 9/11 Commission. The former Chairman of the 9/11 Commission, Thomas Kean, and the former Vice Chairman, Lee Hamilton, endorsed this same legislation in the House, H.R. 5017 Shays-Maloney. In a letter, Mr. Kean and Mr. Hamilton said that the legislation "represents a comprehensive approach to carry out each of the recommendations of the Commission . . . [and] focuses on urgent unfinished business before the Nation . . ."

It is the responsibility of the Congress to carry out this urgent unfinished business. We certainly need this comprehensive legislation at a time when the disastrous Dubai Ports World deal made it clear that our ports are not safe and those who live and work near them are not secure; the Department of Homeland Security is increasing homeland security funding for small cities while cutting it to New York and Washington, DC; first responders still don't have the ability to communicate with each other during a disaster; nuclear weapons in the hands of a terrorist remain one of the greatest threats to our Nation, yet the 9/11 Public Discourse Project gave the administration a D on progress towards fixing this problem; and hundreds of Afghans have been killed in the recent violent resurgence of the Taliban.

Since immediately after September 11, many of us in Congress have been working to learn the hard lessons from those attacks so we can prepare for and prevent future terrorist acts. Shortly after the attacks, I introduced comprehensive homeland security legislation and served on the first ad-hoc Homeland Security Committee in the House.

I was a strong supporter of the creation of the 9/11 Commission and introduced a proposal on the House floor to fully implement the 9/11 Commission recommendation in 2004 during the initial debate on the recommendations. I then served as a House negotiator on and helped secure passage of the final landmark intelligence reform bill that was the first step in implementing the 9/11 Commission recommendations. Introducing this legislation today is the next important step in protecting our country against terrorism. I certainly agree with the former heads of the 9/11 Commission that passing this bill should be a top priority for this Congress.

I think all of us were shocked last week when the Department of Homeland Security actually slashed overall homeland security grant funding for New York, Washington, DC, and New Jersey, while increasing funding for much smaller areas with fewer terrorist targets.

DHS slashed these funds in spite of the 9/11 Commission recommendation which said that "Homeland Security assistance should be based strictly—strictly—on an assessment of risks and vulnerabilities."

And that is exactly what I fought for when I introduced the Menendez substitute to the intelligence reform bill in 2004. That is exactly what I fought for in the conference report on that legislation and what I sought to accomplish in the House when I introduced the Risk-Based Homeland Security Funding Act with Senators Corzine and LAUTENBERG. And that is exactly what the legislation I am introducing today would do.

As many of you know, New Jersey faces unique terrorism threats that require a greater portion of homeland security aid due to its proximity to New York City and to its vast number of potential targets of terror, such as the largest container seaport on the east coast, one of the busiest airports in the country, an area known as the "chemical coastway," our four nuclear power plants, and the six tunnels and bridges that connect New Jersey to New York City.

And if that were not enough, the Federal Bureau of Investigation has placed more than a dozen New Jersey sites on the National Critical Infrastructure List and has called the area in my former congressional district between Port Elizabeth and Newark International Airport the "most dangerous two miles in the United States when it comes to terrorism." An article in The New York Times pointed out that this 2-mile area provides "a convenient way to cripple the economy by disrupting major portions of the country's rail lines, oil storage tanks and refineries, pipelines, air traffic, communications networks and highway system."

The bottom line is that States and municipalities, like New Jersey, which are under the greatest risk should receive homeland security dollars based solely on that risk. The funding awarded to Newark and Jersey City clearly proves that New Jersey is well served when Federal homeland security dollars are awarded based on risk. Yet I cannot understand why the Department of Homeland Security would not use a risk-based formula when awarding all of their grants. So long as Homeland Security grants are awarded based on factors other than risk, those States most at risk will continue to lack the necessary resources to protect the people they serve.

I know that many Americans would also be shocked to learn that almost 5 years after 9/11 and almost 1 year after Hurricane Katrina, many first responders still cannot communicate with each other during a disaster.

In fact, when I speak to firefighters in my home State of New Jersey, they consistently tell me that this remains a serious impediment to their work. In our port in New Jersey, the largest container port in the east coast, firefighters, Coast Guard, police, and other law enforcement officials often still cannot communicate with each other. When Hurricane Katrina hit, emergency personnel were on at least five different channels and were hampered in communicating with one another. As the Washington Post reported on September 2, 2005, "Police officers and National Guard members, along with law officers imported from around the State, rarely knew more than what they could see with their own eyes."

It is astonishing that our firefighters, police, and paramedics still do not have the ability to communicate in an emergency. How is it possible that almost 5 years after September 11, our local first responders still do not have interoperable communications systems that can talk with each other as they carry out their lifesaving work?

That is why my legislation would provide adequate radio spectrum for first responders and a status report on creating a unified incident command system during disasters.

In its final report card, the 9/11 Public Discourse Project gave the administration a D for its efforts to secure WMDs. The former Commissioners then recommended that the U.S. Government make this issue the top national security priority to counter what it called "the greatest threat to America's security."

I certainly believe that a nuclear weapon in the hands of a terrorist is one of the greatest threats to our national security. Osama Bin Laden himself has said that it is al-Qaida's "religious duty" to acquire weapons of mass destruction.

According to CNN, in January 2002, documents found in a house in Kabul, Afghanistan, reportedly used by al-Qaida operatives included a 25-page document filled with information about nuclear weapons. That document included a design for a nuclear weapon that would require hard-to-obtain materials like plutonium to create a nuclear explosion.

One document appeared to be plans to create a nuclear device. Although experts contended that the design in this document labeled "superbombs" is unworkable, the author, noted CNN, was clearly knowledgeable of various ways to set off a nuclear bomb.

In combination with the discovery of AQ Khan's clandestine nuclear supermarket, the potential of al-Qaida building a nuclear weapon is not a fairytale. In fact, according to CNN, al-Qaida may have had some help in its efforts to develop a nuclear device from two Pakistani nuclear scientists.

This bill works to ensure that the fairytale does not become a cataclysmic reality.

The bill specifically implements the 9/11 Commission's recommendation to expand programs to stop shipments of weapons of mass destruction. With this legislation, the United States would also be able to extend our assistance to help countries control, protect, and dismantle their nuclear programs to countries outside of the former Soviet Union. It would also create an Office of Nonproliferation Programs in the Executive Office of the President to prevent terrorist access to WMDs. Finally, the bill includes a provision to enhance the Global Threat Reduction Initiative and would require the President to establish a Department of Energy task force on nuclear materials removal.

I believe we all want to make sure that a nuclearized al-Qaida never becomes a reality. And we should spare absolutely no effort in pursuing this goal.

Many of us have been horrified as we have watched the resurgence of the Taliban and strong anti-American sentiment in Afghanistan. Over just the past few weeks, over 250 people have been killed in the upsurge in violence, and we see techniques borrowed from Iraq, like the use of improvised explosive devices, in Afghanistan. According to the New York Times, Pentagon officials say that 32 suicide bombs were exploded in 2006, which is already 6 more than exploded in all of 2005. Roadside bombs are up 30 percent over last year, and the Taliban are fighting in groups triple the size of last year. And after a deadly traffic accident involving the U.S. military, an anti-American riot exploded in Kabul last week.

The 9/11 Commission made it clear in their recommendations that Afghanistan must be a priority stating that the "United States and the international community should make a long-term commitment to a secure and stable Afghanistan to improve life and make sure it is not a terrorist sanctuary." Unfortunately, we are clearly a long way from achieving that goal.

The administration never finished the job in Afghanistan, the birthplace of the Taliban, the home to al-Qaida, the land of Osama bin Laden, and the place where the attacks of 9/11 were planned.

That is why this legislation is an important step to help us move in the right direction in Afghanistan. My bill urges a new commitment to a long-term economic plan to ensure Afghanistan's stability as well as a report on progress towards achieving the goals in the Afghanistan Freedom Support Act.

This bipartisan, bicameral legislation is the next step to finally implementing all of the 41 recommendations of the 9/11 Commission. Their report was a call to action. Their report card was a reminder of what still needed to be done. Their work cannot be left unfinished.

We must all heed advice of the 9/11 Commission and learn from the hard lessons of 9/11. We cannot wait any longer to take action, and I urge my colleagues to join me in supporting this legislation.

By Mrs. BOXER:

S.J. Res. 39. A joint resolution to spur a political solution in Iraq and encourage the people of Iraq to provide for their own security through the redeployment of the United States military forces; to the Committee on Foreign Relations.

Mrs. BOXER. Mr. President, I rise today to introduce a resolution to spur a political solution in Iraq and encourage the people of Iraq to provide for their own security through the redeployment of U.S. military forces.

I introduce this resolution with the hope and prayer that we will redeploy U.S. troops from Iraq and end this ill-fated war that has resulted in more than 20,000 U.S. troops killed or wounded.

This resolution speaks for itself. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the text of the joint resolution was ordered to be printed in the RECORD, as follows:

S.J. RES. 39

Whereas the United States military forces have served bravely in Iraq and deserve the heartfelt support of the United States;

Whereas more than 2,450 members of the United States military forces have been killed and more than 18,000 wounded in support of military operations in Iraq;

Whereas more than 200 coalition personnel have been killed in support of military operations in Iraq;

Whereas it is estimated that at least 40,000 people of Iraq have been killed during the military intervention in Iraq;

Whereas much of the intelligence used by the Bush Administration to justify the use of force in Iraq was either exaggerated or simply wrong;

Whereas President George W. Bush stated that the mission in Iraq was to rid that country of weapons of mass destruction;

Whereas weapons of mass destruction have not been found in Iraq;

Whereas President George W. Bush then stated that the mission in Iraq was to end the regime of Saddam Hussein and free the people of Iraq;

Whereas Saddam Hussein is in custody and standing trial for crimes against humanity;

Whereas President George W. Bush then stated that the mission in Iraq was to establish a free, self governing, and democratic Iraq;

Whereas the people of Iraq elected their first permanent democratically elected government on December 15, 2005, and the cabinet of Prime Minister Nouri al-Maliki has been approved by the Parliament of Iraq, concluding the transition of Iraq to full political sovereignty;

Whereas President George W. Bush then stated that the mission in Iraq was to train the security forces of Iraq so that they can do the fighting in Iraq;

Whereas the Pentagon reports that more than 240,000 military and police personnel of Iraq are now trained and equipped;

Whereas on May 1, 2003, President George W. Bush stood under a banner proclaiming "Mission Accomplished" and declared that Iraq was an ally of al Qaeda;

Whereas the report of the 9/11 Commission found no collaborative operational relationship between Iraq and al Qaeda;

Whereas the commander of the Multinational Forces Iraq, General George Casey, testified before the Senate Committee on Armed Services on September 29, 2005, that "[i]ncreased coalition presence feeds the notion of occupation . . . contributes to the dependency of Iraqi security forces on the coalition . . . [and] extends the amount of time that it will take for Iraqi security forces to become self reliant"; and

Whereas, according to a January 2006 poll, 64 percent of Iraqis believe that crime and violent attacks will decrease when the United States redeploys from Iraq, 67 percent of Iraqis believe that their day-to-day security will increase if the United States redeploys from Iraq, and 73 percent of Iraqis believe that there will be greater cooperation among the political factions of Iraq when the United States redeploys from Iraq: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That—

(1) United States military forces in Iraq are to be redeployed from Iraq by December 31, 2006, or earlier if practicable;

(2) nothing in this resolution prohibits the use of United States military forces from training Iraqi security forces in the region outside of Iraq; and

(3) nothing in this resolution prohibits the use of United States military forces based outside of Iraq to—

(A) conduct targeted and specialized counter-terrorism missions in Iraq; and

(B) protect military and civilian personnel of the United States in Iraq.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 500—EXPRESSING THE SENSE OF CONGRESS THAT THE RUSSIAN FEDERATION SHOULD FULLY PROTECT THE FREEDOMS OF ALL RELIGIOUS COMMUNITIES WITHOUT DISTINCTION, WHETHER REGISTERED OR UNREGISTERED, AS STIPULATED BY THE RUSSIAN CONSTITUTION AND INTERNATIONAL STANDARDS

Mr. BROWNBACK (for himself, Mr. BIDEN, Mr. SMITH, and Mr. NELSON of Florida) submitted the following resolution; which was referred to the Committee on Foreign Relations:

Mr. BROWNBACK. Mr. President, I rise today to introduce a resolution whereby the Senate calls upon the Government of the Russian Federation to fully protect the right of individuals to worship and to practice their faith as they see fit. This resolution reiterates provisions on religious freedom that are contained within the Russian Constitution of 1993 and international agreements to which the Russian Federation is a party.

I am especially appreciative for the co-sponsorship of this important resolution by my colleagues and friends, the senior Senator from Delaware, Mr. BIDEN, the junior Senator from Oregon, Mr. SMITH, and the senior Senator from Florida, Mr. NELSON.

It is true that religious practice in Russia today is much freer than during the Soviet era. However, many minority religious communities throughout the Russian Federation continue to suffer harassment and discrimination on the part of some local officials who, either through personal prejudice or misplaced paranoia, see a threat to their society by religious faiths with whom they are unfamiliar.

Until fairly recently, the U.S. Helsinki Commission, which I chair, was receiving troubling reports of several instances of violence against religious minorities in Russia. Arson attacks against churches in Russia have occurred in several towns and cities with little or no police response. I would note that reports of such attacks have decreased in number of late.

I would like to quote from the International Religious Freedom Report for 2005, which is published by the State Department Office on International Religions Freedom annually:

> Some Federal agencies and many local authorities continue to restrict the rights of various religious minorities. Moreover, contradictions between Federal and local laws and varying interpretations of the law provide regional officials with opportunities to restrict the activities of religious minorities. Many observers attribute discriminatory practices at the local level to the greater susceptibility of local governments than the Federal Government to discriminatory attitudes in lobbying by local majority religious groups. The government only occasionally intervenes to prevent or reverse discrimination at the local level.

Mr. President, on April 14, 2005, the Helsinki Commission held hearings on the treatment of religious minorities in Russia. Mr. Larry Uzzell, a journalist and researcher specializing in religious liberty issues, noted that Russian bureaucrats had increased the pressure on minority religious confessions, especially by denying them places to worship.

In March 2004, a city court banned the religious activity of Jehovah's Witnesses in Moscow. Since that time, officials in St. Petersburg have been threatening to "liquidate" the Jehovah's Witnesses Administration Center in that city. If the administrative center were to cease to exist, the effect on local congregations could be devastating. Just this month, police in

Ivanovo, Russia, reportedly broke up an evangelical event where Bibles were being distributed and detained three members. Catholic parishes in the cities of Sochi and Rostov-on-Don have also had difficulty with local officials in obtaining official permission to use their new church buildings.

Concerning anti-Semitism, on January 11 of this year a "skinhead" attacked worshipers with a knife and wounded eight persons in the Moscow Headquarters and Synagogue of Agudas Chasidei Chabad of the Former Soviet Union. Thankfully, the Moscow City Court sentenced the attacker to 13 years in prison for attempted murder. However, a copycat attack that followed in Rostov-on-Don was not handled as well, with the perpetrator only being charged with "hooliganism" and given 5 days administrative detention. I urge Russian authorities to be more consistent with their response to these heinous crimes.

Another difficult situation is that of Muslim believers in Russia today, with officials often harassing communities practicing outside of government approved mosques. For instance, there are repeated and credible reports that police are arresting Russian Muslim citizens on charges of terrorism on the basis of fabricated evidence. Certainly Russia has a right to defend itself from terrorism, but I would urge authorities not to sow the seeds of further bitterness and violence through wholesale arrests and unjust trials.

Mr. President, I certainly don't want to suggest that all Russian officials are hostile to religious faith and practice. There are countries with worse far records, and there are many areas of the Russian Federation where the principles of religious freedom are genuinely observed and still others where progress is being made. Moreover, many officials at the federal level have made sincere efforts to see that their government observes its own laws as well as international standards.

This resolution reminds the leadership of the Russian Federation of the critical importance of enforcing Russian constitution and Russia's international commitments on religious freedom. Considering Russia's presidency of the G–8, a grouping of the world's major industrialized democracies, it is time to live up to the standards of religious liberty that characterize the nations of the G–8 and the community of democracies as a whole.

I urge my colleagues to support this resolution.

S. RES. 500

Whereas the Russian Federation is a participating State of the Organization for Security and Cooperation in Europe (OSCE) and has freely committed to fully respect the rights of individuals, whether alone or in community with others, to profess and practice religion or belief;

Whereas the 1989 Vienna Concluding Document calls on OSCE participating States to "take effective measures to prevent and eliminate discrimination against individuals or communities on the grounds of religion or belief" and to "grant upon their request to communities of believers, practicing or prepared to practice their faith within the constitutional framework of their States, recognition of the status provided for them in the respective countries";

Whereas Article 28 of the Constitution of the Russian Federation declares that "everyone shall be guaranteed the right to freedom of conscience, to freedom of religious worship, including the right to profess, individually or jointly with others, any religion" and Article 8 of the 1997 Law on Freedom of Conscience and Religious Associations provides for registration for religious communities as "religious organizations," if they have at least 10 members and have operated within the Russian Federation with legal status for at least 15 years;

Whereas religious freedom has advanced significantly for the vast majority of people in Russia since the collapse of the Soviet Union;

Whereas many rights and privileges afforded to religious communities in the Russian Federation remain contingent on the ability of the communities to obtain government registration;

Whereas some religious groups have not attempted to register with government authorities due to theological considerations, and other communities have been unjustly denied registration or had their registration improperly terminated by local authorities;

Whereas many of the unregistered communities in the Russian Federation today were never registered under the Soviet system because they refused to collaborate with that government's anti-religious policies and they are now experiencing renewed discrimination and repression by authorities of the Russian Federation;

Whereas over the past 2 years there have been an estimated 10 arson attacks on unregistered Protestant churches, with little or no effective response by law enforcement officials to bring the perpetrators to justice;

Whereas the Government of the Russian Federation reacted swiftly in response to the January 2006 attack on a Moscow synagogue, but there have been numerous other anti-Semitic attacks against Jews and Jewish institutions in the Russian Federation, and there is increasing tolerance of anti-Semitism in certain segments of society in that country;

Whereas there has been evidence of an increase in the frequency and severity of oppressive actions by security forces and federal and local officials against some Muslim communities and their members;

Whereas there are many cases involving restitution for religious property seized by the Soviet regime that remain unresolved;

Whereas in some areas of the Russian Federation law enforcement personnel have carried out acts of harassment and oppression against members of religious communities peacefully practicing their faith and local officials have put overly burdensome restrictions on the ability of some religious communities to engage in religious activity; and

Whereas the United States has sought to protect the fundamental and inalienable right of individuals to profess and practice their faith, alone or in community with others, according to the dictates of their conscience, and in accordance with international agreements committing nations to respect individual freedom of thought, conscience, and belief: Now, therefore, be it

Now, therefore, be it

Resolved, That it is the sense of Congress that the United States Government should—

(1) urge the Government of the Russian Federation to ensure full protection of freedoms for all religious communities without distinction, whether registered or unregistered, and end the harassment of unregistered religious groups by the security apparatus and other government agencies, thereby building upon the progress made over the past 15 years in promoting religious freedom in the Russian Federation;

(2) urge the Government of the Russian Federation to ensure that law enforcement officials vigorously investigate and prosecute acts of violence, arson, and desecration perpetrated against registered and unregistered religious communities, as well as make certain that government authorities are not complicit in such incidents;

(3) continue to raise concerns with the Government of the Russian Federation over violations of religious freedom, including those against unregistered religious communities, especially indigenous denominations not well known in the United States;

(4) ensure that United States Embassy officials engage local officials throughout the Russian Federation, especially when violations of freedom of religion occur, and undertake outreach activities to educate local officials about the rights of unregistered religious communities;

(5) urge the Government of the Russian Federation to invite the three Personal Representatives of the OSCE Chair-in-Office and the United Nations Special Rapporteur on Freedom of Religion or Belief to visit the Russian Federation and discuss with federal and local officials concerns about the religious freedom of both registered and unregistered religious communities; and

(6) urge the Council of Europe, its member countries, and the other members of the G–8 to raise issues relating to religious freedom with Russian officials in the context of the Russian Federation's responsibilities both as President of the Council in 2006 and as a member of the G–8.

SENATE RESOLUTION 501—COMMENDING THE UNIVERSITY OF VIRGINIA CAVALIERS MEN'S LACROSSE TEAM FOR WINNING THE 2006 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION I NATIONAL LACROSSE CHAMPIONSHIP.

Mr. ALLEN (for himself and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 501

Whereas the students, alumni, faculty, and supporters of the University of Virginia are to be congratulated for their commitment to, and pride in, the University of Virginia Cavaliers national champion men's lacrosse team;

Whereas the University of Virginia Cavaliers men's lacrosse team won the National Collegiate Athletic Association (NCAA) championship game 15–7 against the University of Massachusetts Amherst Minutemen, and became the first team in NCAA history to finish with a 17–0 record and the 12th team in NCAA history to win the national championship with an undefeated record;

Whereas the University of Virginia Cavaliers men's lacrosse team won the 2006 NCAA Division I National Championship, which was dominated by the Cavaliers possession, due to the impressive play of Drew Thompson who won 8 out of 12 face offs, goals scored by Matt Poskay, Ben Rubeor, Kyle Dixon, and Danny Glading, sparkling goaltending by Kip Turner, and the outstanding performance of NCAA Men's Division I Lacrosse Tournament's Most Outstanding Player Matt Ward;

Whereas the University of Virginia Cavaliers men's lacrosse team added the Division I title to 5 previous national championships;

Whereas every player on the University of Virginia lacrosse team, Will Barrow, Garrett Billings, Mike Britt, Douglas Brody, Patrick Buchanan, Kevin Coale, Chris Conlon, Michael Culver, Joe Dewey, Kyle Dixon, Adam Fassnacht, Drew Garrison, Steve Giannone, Foster Gilbert, Gavin Gill, Danny Glading, Charlie Glazer, Pike Howard, Drew Jordan, Matt Kelly, Ryan Kelly, James King, Jared Little, J.J. Morrissey, Chris Ourisman, Matt Paquet, Michael "Bud" Petit, Derek Pilipiak, Max Pomper, Matt Poskay, Jack Riley, Ben Rubeor, Tim Shaw, Ricky Smith, Drew Thompson, Mike Timms, Kip Turner, Mark Wade, and Matt Ward, contributed to the team's success in this undefeated championship season;

Whereas the University of Virginia Cavaliers outstanding, creative, and motivational lacrosse Head Coach Dom Starsia has had a successful 14-year tenure as the University of Virginia's head lacrosse coach that includes 3 NCAA Division I Men's Lacrosse National Championships; and

Whereas Assistant Coaches Marc Van Arsdale and Hannon Wright deserve high commendation for their strong leadership and superb coaching support, as well as the dedication of team staff members Lorenzo Rivers, Katie Serenelli, Matt Diehl, Jade White, and Dr. Danny Mistry to the University of Virginia Cavaliers men's lacrosse team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Virginia Cavaliers men's lacrosse team for winning the 2006 National Collegiate Athletic Association Division I, National Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to Dom Starsia of the National Champion University of Virginia Cavaliers and a copy to John T. Casteen III, the president of the University of Virginia.

SENATE RESOLUTION 502—CONGRATULATING ALL THE CONTESTANTS OF THE 2006 SCRIPPS NATIONAL SPELLING BEE

Mr. LAUTENBERG (for himself and Mr. MENDENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 502

Whereas the Scripps National Spelling Bee is the largest and longest-running educational promotion in the United States, and is administered by the E.W. Scripps Company and 268 local sponsors, most of whom publish daily and weekly newspapers;

Whereas the 2006 Scripps National Spelling Bee began with 275 competitors from across the United States, American Samoa, the Bahamas, Canada, Europe, Guam, Jamaica, New Zealand, Puerto Rico, and the Virgin Islands, each of whom had qualified for the contest by winning locally-sponsored spelling bees;

Whereas Miss Katharine "Kerry" Close is an 8th-grade student at the H.W. Mountz School in Spring Lake, New Jersey;

Whereas the 13-year-old Miss Close first competed in the Scripps National Spelling Bee as a 9-year-old, tied for 7th place in 2005, and competed for the 5th time this year, sponsored by the Asbury Park Press and the Home News Tribune;

Whereas Miss Close has spent between 1 hour and 2 hours a day looking up words and their origins during the previous 5 years, yet has still found time for sailing, playing soccer, and going to the mall and the movies with her friends;

Whereas Miss Close survived 19 rounds of fierce competition this year and won the 2006 Scripps National Spelling Bee in the 20th round by correctly spelling "ursprache", which is defined as "a parent language, especially one reconstructed from the evidence of later languages"; and

Whereas the achievement of Miss Close brings an immense sense of pride to H.W. Mountz School, her hometown of Spring Lake, and the entire State of New Jersey: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates all of the contestants of the 2006 Scripps National Spelling Bee; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to the H.W. Mountz School, located in Spring Lake, New Jersey.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4189. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2012, to authorize appropriations to the Secretary of Commerce for the Magnuson-Stevens Fishery Conservation and Management Act for fiscal years 2006 through 2012, and for other purposes; which was ordered to lie on the table.

SA 4190. Mr. McCONNELL (for Mr. STEVENS) proposed an amendment to the bill S. 2013, to amend the Marine Mammal Protection Act of 1972 to implement the Agreement on the Conservation and Management of the Alaska-Chukotka Polar Bear Population.

SA 4191. Mr. McCONNELL (for Ms. SNOWE) proposed an amendment to the bill S. 457, to require the Director of the Office of Management and Budget to issue guidance for, and provide oversight of, the management of micropurchases made with Governmentwide commercial purchase cards, and for other purposes.

TEXT OF AMENDMENTS

SA 4189. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 2012, to authorize appropriations to the Secretary of Commerce for the Magnuson-Stevens Fishery Conservation and Management Act for fiscal years 2006 through 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 64, line 10, insert "(a) IN GENERAL.—" before "Title".

On page 68, between line 2 and 3, insert the following:

(b) OREGON AND CALIFORNIA SALMON FISHERY.—Within 30 days after the date of enactment of this Act, the Secretary of Commerce shall initiate assistance under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(a)) and section 308(d) of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107(d)) for the 2006 Oregon and California fall Chinook salmon fishery to the same extent and in the same manner as if the Secretary had determined on the date of enactment of this Act that, with respect to that fishery, there is—

(A) a commercial fishery failure under section 312(a) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a(a)); and

(B) a fishery resource disaster under section 308(d) of the Interjurisdictional Fisheries Act of 1986 (16 U.S.C. 4107(d)).

SA 4190. Mr. McCONNELL (for Mr. STEVENS) proposed an amendment to the bill S. 2013, to amend the Marine Mammal Protection Act of 1972 to implement the Agreement on the Conservation and Management of the Alaska-Chukotka Polar Bear Population; as follows:

On page 20, line 16, strike "$3,000,000" and insert "$1,000,000".

On page 20, line 20, strike "$500,000" and insert "$150,000".

On page 20, line 25, strike "$500,000" and insert "$150,000".

SA 4191. Mr. McCONNELL (for Ms. SNOWE) proposed an amendment to the bill S. 457, to require the Director of the Office of Management and Budget to issue guidance for, and provide oversight of, the management of micropurchases made with Governmentwide commercial purchase cards, and for other purposes; as follows:

On page 3, between lines 3 and 4, insert the following:

(6) Analysis of purchase card expenditures to identify opportunities for achieving and accurately measuring fair participation of small business concerns in micro-purchases consistent with the national policy on small business participation in Federal procurements set forth in sections 2(a) and 15(g) of the Small Business Act (15 U.S.C. 631(a) and 644(g)), and dissemination of best practices for participation of small business concerns in micro-purchases.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on "Examining DOJ's Investigation of Journalists Who Publish Classified Information: Lessons from the Jack Anderson Case" on Tuesday, June 6, 2006 at 9:30 a.m. in Dirksen Senate Office Building room 226.

Witness list

Panel I: Matthew Friedrich, Chief of Staff for the Criminal Division, Department of Justice, Washington, DC.

Panel II: Rodney Smolla, Dean and Professor, University of Richmond School of Law, Richmond, VA; Gabriel Schoenfeld, Senior Editor, Commentary, New York, NY; Kevin N. Anderson, Fabian & Clendenin, Salt Lake City, UT; Mark Feldstein, Director of

Journalism Program and Associate Professor of Media and Public Affairs, School of Media and Public Affairs, George Washington University, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. SANTORUM. Mr. President. I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Tuesday, June 6, 2006, at 2:30 p.m. in the Dirksen Senate Office Building room 226. The agenda will be provided when it becomes available.

Matters

Discussion of the possibility of subpoenas and a closed session for a Telecom/NSA Information Sharing hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSUMER AFFAIRS, PRODUCT SAFETY, AND INSURANCE

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation Subcommittee on Consumer Affairs, Product Safety, and Insurance be authorized to meet on Tuesday, June 6, 2006, at 10 a.m. on Compliance with All-Terrain Vehicle Standards.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. FEINGOLD. Mr. President, I ask unanimous consent Kumar Garg, an intern from the Senate Judiciary Committee Subcommittee on Constitution, be granted floor privileges for the duration of the debate on Senate Joint Resolution 1, the Federal Marriage Amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I ask unanimous consent that floor privileges be granted to two legal fellows on my staff, Jon Donenberg and Norah Bringer, for the remainder of the Senate session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Scott McDonald of my staff be granted the privileges of the floor for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Kentucky.

UNANIMOUS CONSENT REQUEST—H.R. 5403

Mr. McCONNELL. I ask unanimous consent the Senate proceed to the immediate consideration of H.R. 5403, the Safe and Timely Interstate Placement of Foster Children Act, that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mrs. BOXER. Mr. President, on behalf of Democrats, I must object.

The PRESIDING OFFICER. Objection is heard.

DEATH TAX REPEAL PERMANENCY ACT OF 2005—MOTION TO PROCEED

CLOTURE MOTION

Mr. McCONNELL. I now move to proceed to Calendar No. 84, H.R. 8, related to the repeal of the death tax. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 84, H.R. 8: to make the repeal of the estate tax permanent.

Bill Frist, Jon Kyl, Jim Bunning, Conrad Burns, Richard Burr, Tom Coburn, Wayne Allard, Craig Thomas, George Allen, Judd Gregg, Johnny Isakson, David Vitter, John Thune, Mike Crapo, Jeff Sessions, John Ensign, Rick Santorum.

Mr. McCONNELL. I now withdraw my motion to proceed.

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2005—MOTION TO PROCEED

CLOTURE MOTION

Mr. McCONNELL. I move to proceed to Calendar No. 101, S. 147, a bill related to Native Hawaiians.

On behalf of the Democratic minority, I send a motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 101, S. 147, Native Hawaiians Governing Entity.

Daniel K. Akaka, Daniel K. Inouye, Charles Schumer, Jack Reed, Patrick Leahy, Joe Biden, Barbara Mikulski, Evan Bayh, Barbara Boxer, Frank Lautenberg, Harry Reid, Jay Rockefeller, Richard Durbin, Jeff Bingaman, Edward Kennedy, Herb Kohl, James M. Jeffords, Mark Dayton, Jon Kyl, Norm Coleman.

Mr. McCONNELL. Mr. President. I ask unanimous consent the live quorums required under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President and Members of the Senate, a clarification. These cloture votes will occur on Thursday. We will set aside some time for debate on both of these issues tomorrow afternoon.

COMMENDING THE UNIVERSITY OF VIRGINIA CAVALIERS MEN'S LACROSSE TEAM

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 501, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 501) commending the University of Virginia Cavaliers men's lacrosse team for winning the 2006 National Collegiate Athletic Association Division I National Lacrosse Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider by laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 501) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 501

Whereas the students, alumni, faculty, and supporters of the University of Virginia are to be congratulated for their commitment to, and pride in, the University of Virginia Cavaliers national champion men's lacrosse team;

Whereas the University of Virginia Cavaliers men's lacrosse team won the National Collegiate Athletic Association (NCAA) championship game 15–7 against the University of Massachusetts Amherst Minutemen, and became the first team in NCAA history to finish with a 17–0 record and the 12th team in NCAA history to win the national championship with an undefeated record;

Whereas the University of Virginia Cavaliers men's lacrosse team won the 2006 NCAA Division I National Championship, which was dominated by the Cavaliers possession, due to the impressive play of Drew Thompson who won 8 out of 12 face offs, goals scored by Matt Poskay, Ben Rubeor, Kyle Dixon, and Danny Glading, sparkling goaltending by Kip Turner, and the outstanding performance of NCAA Men's Division I Lacrosse Tournament's Most Outstanding Player Matt Ward;

Whereas the University of Virginia Cavaliers men's lacrosse team added the Division I title to 5 previous national championships;

Whereas every player on the University of Virginia lacrosse team, Will Barrow, Garrett

Billings, Mike Britt, Douglas Brody, Patrick Buchanan, Kevin Coale, Chris Conlon, Michael Culver, Joe Dewey, Kyle Dixon, Adam Fassnacht, Drew Garrison, Steve Giannone, Foster Gilbert, Gavin Gill, Danny Glading, Charlie Glazer, Pike Howard, Drew Jordan, Matt Kelly, Ryan Kelly, James King, Jared Little, J.J. Morrissey, Chris Ourisman, Matt Paquet, Michael "Bud" Petit, Derek Pilipiak, Max Pomper, Matt Poskay, Jack Riley, Ben Rubeor, Tim Shaw, Ricky Smith, Drew Thompson, Mike Timms, Kip Turner, Mark Wade, and Matt Ward, contributed to the team's success in this undefeated championship season;

Whereas the University of Virginia Cavaliers outstanding, creative, and motivational lacrosse Head Coach Dom Starsia has had a successful 14-year tenure as the University of Virginia's head lacrosse coach that includes 3 NCAA Division I Men's Lacrosse National Championships; and

Whereas Assistant Coaches Marc Van Arsdale and Hannon Wright deserve high commendation for their strong leadership and superb coaching support, as well as the dedication of team staff members Lorenzo Rivers, Katie Serenelli, Matt Diehl, Jade White, and Dr. Danny Mistry to the University of Virginia Cavaliers men's lacrosse team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the University of Virginia Cavaliers men's lacrosse team for winning the 2006 National Collegiate Athletic Association Division I, National Championship; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to Dom Starsia of the National Champion University of Virginia Cavaliers and a copy to John T. Casteen III, the president of the University of Virginia.

CONGRATULATING CONTESTANTS OF THE 2006 SCRIPPS SPELLING BEE

Mr. McCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 502, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 502) congratulating all of the contestants of the 2006 Scripps National Spelling Bee.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LAUTENBERG. Mr. President, I rise today to congratulate the young men and women who competed in the 79th annual Scripps National Spelling Bee last week. I would like to extend special praise to Miss Katharine "Kerry" Close for winning this demanding competition. Miss Close is an eighth grade student at the H.W. Mountz School in Spring Lake, NJ, and was sponsored by the Asbury Park Press and the Home News Tribune. Other New Jersey participants included Serenity Fung of Faith Hope Love Academy in Somerset, Joseph Reed of Deerfield Township Elementary School in Rosenhayn, Austin Tamutus of MacFarland Junior School in Bordentown, Tianqi Wang of Ramapo Ridge Middle School in Mahwah, and Nisha Sadanand Naik of St. Anne's Parish School in Jersey City. I am proud of all of them.

Miss Close—showing true grace under pressure—won in the 20th round by correctly spelling "ursprache," which is defined as "a parent language, especially one reconstructed from the evidence of later languages." Miss Close is a five-time veteran of the National Spelling Bee, first competing when she was 9. She tied for seventh place last year. Over the past 5 years, Miss Close has spent between 1 and 2 hours each day looking up words and their origins in order to prepare for the contests. Her dedication should serve as an inspiration to all of us.

The 2006 Scripps National Spelling Bee, which is administered by the E.W. Scripps Company and 268 local sponsors, is the largest and longest running educational promotion in the United States. This competition began with 275 competitors from across the United States, American Samoa, the Bahamas, Canada, Europe, Guam, Jamaica, New Zealand, Puerto Rico, and the U.S. Virgin Islands who qualified for the contest by winning locally sponsored spelling bees.

I hope that my colleagues will join me in congratulating Miss Close and the other 274 competitors in this year's Scripps National Spelling Bee.

Mr. McCONNELL. Mr. President. I ask unanimous consent the resolution be agreed to, the preamble be agreed to. the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 502) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 502

Whereas the Scripps National Spelling Bee is the largest and longest-running educational promotion in the United States, and is administered by the E.W. Scripps Company and 268 local sponsors, most of whom publish daily and weekly newspapers;

Whereas the 2006 Scripps National Spelling Bee began with 275 competitors from across the United States, American Samoa, the Bahamas, Canada, Europe, Guam, Jamaica, New Zealand, Puerto Rico, and the Virgin Islands, each of whom had qualified for the contest by winning locally-sponsored spelling bees;

Whereas Miss Katharine "Kerry" Close is an 8th-grade student at the H.W. Mountz School in Spring Lake, New Jersey;

Whereas the 13-year-old Miss Close first competed in the Scripps National Spelling Bee as a 9-year-old, tied for 7th place in 2005, and competed for the 5th time this year, sponsored by the Asbury Park Press and the Home News Tribune;

Whereas Miss Close has spent between 1 hour and 2 hours a day looking up words and their origins during the previous 5 years, yet has still found time for sailing, playing soccer, and going to the mall and the movies with her friends;

Whereas Miss Close survived 19 rounds of fierce competition this year and won the 2006 Scripps National Spelling Bee in the 20th round by correctly spelling "ursprache", which is defined as "a parent language, especially one reconstructed from the evidence of later languages"; and

Whereas the achievement of Miss Close brings an immense sense of pride to H.W. Mountz School, her hometown of Spring Lake, and the entire State of New Jersey: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates all of the contestants of the 2006 Scripps National Spelling Bee; and

(2) respectfully requests the Secretary of the Senate to transmit an enrolled copy of this resolution to the H.W. Mountz School, located in Spring Lake, New Jersey.

UNITED STATES-RUSSIA POLAR BEAR CONSERVATION AND MANAGEMENT ACT OF 2005

Mr. McCONNELL. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 365, S. 2013.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2013) to amend the Marine Mammal Protection Act of 1972 to implement the Agreement on the Conservation and Management of the Alaska-Chukotka Polar Bear Population.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent the amendment at the desk be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection. it is so ordered.

The amendment (No. 4190) was agreed to, as follows:

(Purpose: To reduce the amount authorized to be appropriated for each of the fiscal years)

On page 20, line 16, strike "$3,000,000" and insert "$1,000,000".

On page 20, line 20, strike "$500,000" and insert "$150,000".

On page 20, line 25, strike "$500,000" and insert "$150,000".

The bill (S. 2013). as amended, was ordered to be engrossed for a third reading, read the third time and passed, as follows:

S. 2013

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States-Russia Polar Bear Conservation and Management Act of 2005".

SEC. 2. AMENDMENT OF MARINE MAMMAL PROTECTION ACT OF 1972.

(a) IN GENERAL.—The Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) is amended by adding at the end thereof the following:

"TITLE V—ALASKA-CHUKOTKA POLAR BEARS

"SEC. 501. DEFINITIONS.

"In this title:

"(1) AGREEMENT.—The term 'Agreement' means the Agreement Between the Government of the United States of America and the Government of the Russian Federation on the Conservation and Management of the Alaska-Chukotka Polar Bear Population, signed at Washington, D.C., on October 16, 2000.

"(2) ALASKA NANUUQ COMMISSION.—The term 'Alaska Nanuuq Commission' means the Alaska Native entity, in existence on the date of enactment of this Act, that represents all villages in the State of Alaska that engage in the annual subsistence taking of polar bears from the Alaska-Chukotka population and any successor entity.

"(3) IMPORT.—The term 'import' means to land on, bring into, or introduce into, or attempt to land on, bring into, or introduce into, any place subject to the jurisdiction of the United States, without regard to whether the landing, bringing, or introduction constitutes an importation within the meaning of the customs laws of the United States.

"(4) NATIVE PEOPLE.—The term 'Native people' has the meaning given the term in the Agreement.

"(5) POLAR BEAR PART OR PRODUCT.—The term 'part or product of a polar bear' means any polar bear part or product, including the gall bile and gall bladder.

"(6) SECRETARY.—The term 'Secretary' means the Secretary of the Interior.

"(7) TAKING.—The term 'taking' means hunting, capturing, or killing a polar bear.

"(8) UNITED STATES-RUSSIA POLAR BEAR COMMISSION.—The term 'United States-Russia Polar Bear Commission' means the binational commission established under article 8 of the Agreement.

"(9) UNITED STATES SECTION.—The term 'United States Section' means the commissioners appointed by the President under section 505 of this title.

"SEC. 502. PROHIBITIONS.

"(a) IN GENERAL.—It is unlawful for any person—

"(1) to take any polar bear in violation of the Agreement;

"(2) to take any polar bear in violation of any annual taking limit or other restriction on the taking of polar bears that is adopted by the United States-Russia Polar Bear Commission pursuant to the Agreement;

"(3) to import, export, possess, transport, sell, receive, acquire, purchase, exchange, barter, or offer to sell, exchange, or barter any polar bear, or any part or product of a polar bear, that is taken in violation of the Agreement or any limit or restriction on taking that is adopted by the United States-Russia Polar Bear Commission;

"(4) to import, export, possess, transport, sell, receive, acquire, purchase, exchange, or barter, offer to sell, exchange, or barter, polar bear gall bile or a polar bear gall bladder;

"(5) to attempt to commit, solicit another person to commit, or cause to be committed, any offense under this subsection; or

"(6) to violate any regulation promulgated by the Secretary to implement any of the prohibitions established in this subsection.

"(b) EXCEPTIONS.—For the purpose of forensic testing or any other law enforcement purpose, a government official may import a polar bear or any part or product of a polar bear.

"SEC. 503. ADMINISTRATION AND ENFORCEMENT.

"(a) IN GENERAL.—The Secretary, acting through the United States Fish and Wildlife Service, shall do all things necessary and appropriate, including the promulgation of regulations, to implement, enforce, and administer the provisions of the Agreement on behalf of the United States. The Secretary shall consult with the Secretary of State, the Marine Mammal Commission, and the Alaska Nanuuq Commission on matters involving the implementation of the Agreement. The Secretary may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency, any State agency, or the Alaska Nanuuq Commission for purposes of carrying out this title or the Agreement. Any person authorized by the Secretary under this subsection to enforce this title or the Agreement shall have the powers and authorities that are enumerated in section 6(b) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(b)).

"(b) FORFEITURE.—

"(1) REQUIREMENT.—

"(A) IN GENERAL.—A polar bear, or any part or product of a polar bear, that is (or attempted to be) imported, exported, taken, possessed, transported, sold, received, acquired, purchased, exchanged, or bartered or offered for sale, exchange, or barter, or purchase, in violation of this title, shall be subject to seizure and forfeiture to the United States without any showing that may be required for assessment of a civil penalty or for criminal prosecution.

"(B) EQUIPMENT.—Each gun, trap, net, or other equipment used, and any vessel, vehicle, aircraft, or other means of transportation used, to aid in the violation or attempted violation of this title shall be subject to forfeiture to the United States upon conviction of a criminal violation in accordance with subsection (e).

"(2) INSPECTION.—

"(A) IN GENERAL.—Any person authorized by the Secretary, the Secretary of the Treasury, the Secretary of Homeland Security, or the Secretary of Commerce to enforce this title may—

"(i) detain and inspect any container, including the contents of the container, and all accompanying documents, upon importation or exportation of the container;

"(ii) search and, if the container is found to contain a polar bear or part or product of a polar bear, seize the package, crate, or container, and any documentation associated with it, with or without a warrant.

"(B) TREATMENT OF SEIZED MATERIALS.—

"(i) IN GENERAL.—Except as provided in clause (ii), any polar bear, or any part or product of a polar bear, seized under this section shall be held by any person authorized by the Secretary, the Secretary of the Treasury, the Secretary of Homeland Security, or the Secretary of Commerce pending disposition of civil or criminal proceedings, or the institution of an action in rem for forfeiture of the polar bear, part, or product, in accordance with this subsection.

"(ii) BOND.—Subject to clause (iii), in lieu of holding a polar bear or any part or product of a polar bear described in clause (i), the Secretary may permit the owner to post a bond or other surety satisfactory to the Secretary.

"(iii) DISPOSAL.—Upon forfeiture of any property to the United States under this subsection, or the abandonment or waiver of any claim to any such property, the property shall be disposed of by the Secretary in such a manner, consistent with the purposes of this title, as the Secretary shall by regulation prescribe.

"(3) APPLICABLE LAW.—

"(A) IN GENERAL.—Subject to subparagraph (B), the following provisions of law described in subparagraph (B) shall apply to all seizures and forfeitures carried out under this title:

"(i) All provisions of law relating to the seizure, forfeiture, and condemnation of property for violation of the customs laws.

"(ii) All provisions of law relating to the disposition of seized or forfeited property or the proceeds from the sale of that property.

"(iii) All provisions of law relating to the remission or mitigation of that forfeiture.

"(iv) Section 981 of title 18, United States Code.

"(B) EXCEPTION.—All powers, rights, and duties conferred or imposed by the customs laws upon any officer or employee of the Department of Treasury shall, for the purpose of this title, be exercised or performed by—

"(i) the Secretary or the Secretary's designee; or

"(ii) such persons as the Secretary may designate.

"(c) CIVIL PENALTIES.—

"(1) PENALTIES.—

"(A) IN GENERAL.—Any person who knowingly engages in conduct prohibited by section 502, or who in the exercise of due care should know that the person is engaging in conduct prohibited by section 502, may be assessed a civil penalty by the Secretary of not more than $50,000 for each violation.

"(B) NOTICE AND OPPORTUNITY FOR HEARING.—No penalty may be assessed against a person under this paragraph unless the person is given notice and opportunity for a hearing with respect to the violation for which the penalty is assessed.

"(C) SEPARATE OFFENSES.—Each violation shall be a separate offense.

"(D) REMISSION AND MITIGATION.—A civil penalty assessed under this paragraph may be remitted or mitigated by the Secretary.

"(E) CIVIL ACTION.—Upon any failure by a person to pay a civil penalty assessed under this paragraph—

"(i) the Secretary may request the Attorney General to bring a civil action in the United States district court for any district in which the person is found, resides, or transacts business to collect the penalty; and

"(ii) the court shall have jurisdiction to hear and decide any such action.

"(F) STANDARD.—A court shall hear and sustain a civil action by the Secretary under subparagraph (E) if the civil action is supported by substantial evidence on the record considered as a whole.

"(2) PROCEDURE.—

"(A) IN GENERAL.—A hearing held during proceedings for the assessment of a civil penalty under paragraph (1) shall be conducted in accordance with section 554 of title 5, United States Code.

"(B) SUBPOENAS.—The Secretary may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and administer oaths.

"(C) REIMBURSEMENT OF WITNESSES.—A witness summoned to appear in a proceeding under this paragraph shall be paid the same fees and mileage that are paid to witnesses in the courts of the United States.

"(D) CONTUMACY.—In case of contumacy or refusal to obey a subpoena served upon any person under this paragraph—

"(i) the United States district court for any district in which the person is found, resides, or transacts business, upon application by the United States and after notice to the person, shall have jurisdiction to issue an order requiring the person to appear and give testimony before the Secretary, to appear and produce documents before the Secretary, or both; and

"(ii) any failure to obey such an order of the court may be punished by the court as a contempt of the court.

"(d) CRIMINAL PENALTIES.—A person who knowingly violates section 502 shall be fined not more than $100,000 for each such violation, imprisoned not more than 1 year, or both.

"(e) DISTRICT COURT JURISDICTION.—

"(1) IN GENERAL.—The United States district courts, including the courts specified in section 460 of title 28, United States Code, shall have jurisdiction over any action arising under this title.

"(2) ALASKAN CASES.—Notwithstanding paragraph (1), the United States District Court for the district of Alaska shall have exclusive original jurisdiction of any action arising under this title for any violation committed, or alleged to have been committed, in Alaska.

"(f) OTHER ENFORCEMENT.—The importation or exportation of a polar bear, or any part or product of a polar bear, that is taken, possessed, transported, sold, received, acquired, purchased, exchanged, or bartered or offered for sale, exchange, or barter, or purchase, in violation of the Agreement or any limitation or restriction of the United States-Russia Polar Bear Commission shall be considered to be transportation of wildlife for the purpose of section 3(a) of the Lacey Act Amendments of 1981 (16 U.S.C. 3372(a)).

"(g) REGULATIONS.—

"(1) IN GENERAL.—The Secretary shall promulgate such regulations as are necessary to carry out this title and the Agreement.

"(2) ORDINANCES AND REGULATIONS.—If necessary to carry out this title and the Agreement, and to improve compliance with the annual taking limit or other restriction on taking adopted by the United States-Russia Polar Bear Commission and implemented by the Secretary in accordance with this title, the Secretary may promulgate regulations that adopt any ordinance or regulation that restricts the taking of polar bears for subsistence purposes if the ordinance or regulation has been promulgated by the Alaska Nanuuq Commission.

"(h) USE OF PENALTY AMOUNTS.—Amounts received as penalties, fines, or forfeiture of property under this section shall be used in accordance with section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d)).

"(i) SEVERABILITY.—If any provision of this title is, for any reason, found to be invalid by a court of competent jurisdiction, the judgment of the court—

"(1) shall not affect, impair, or invalidate the remaining provisions of this title; and

"(2) shall instead be confined in its operation to provision of the Act directly involved in the controversy in which the judgment is rendered.

"SEC. 504. DESIGNATION AND APPOINTMENT OF MEMBERS OF THE UNITED STATES SECTION OF THE COMMISSION; COMPENSATION, TRAVEL EXPENSES, AND CLAIMS.

"(a) DESIGNATION AND APPOINTMENT.—

"(1) IN GENERAL.—The United States shall be represented on the United States-Russia Polar Bear Commission by 2 United States commissioners.

"(2) APPOINTMENT.—The United States commissioners shall be appointed by the President, after taking into consideration the recommendations of—

"(A) the Secretary;

"(B) the Secretary of State;

"(C) the Speaker of the House of Representatives and the President pro tempore of the Senate; and

"(D) the Alaska Nanuuq Commission.

"(3) QUALIFICATIONS.—With respect to the United States commissioners appointed under this subsection, in accordance with paragraph 2 of article 8 of the Agreement—

"(A) 1 United States commissioner shall be an official of the Federal Government;

"(B) 1 United States commissioner shall be a representative of the Native people of Alaska, and, in particular, the Native people for whom polar bears are an integral part of their culture; and

"(C) both commissioners shall be knowledgeable of, or have expertise in, polar bears.

"(4) SERVICE AND TERM.—Each United States commissioner shall serve—

"(A) at the pleasure of the President; and

"(B) for an initial 4-year term and such additional terms as the President shall determine.

"(5) VACANCIES.—

"(A) IN GENERAL.—Any individual appointed to fill a vacancy occurring before the expiration of any term of office of a United States commissioner shall be appointed for the remainder of that term.

"(B) MANNER.—Any vacancy on the United States-Russia Polar Bear Commission shall be filled in the same manner as the original appointment.

"(b) ALTERNATE COMMISSIONERS.—

"(1) IN GENERAL.—The Secretary, in consultation with the Secretary of State, the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Alaska Nanuuq Commission, shall designate an alternate commissioner for each member of the United States Section.

"(2) DUTIES.—In the absence of a commissioner, an alternate commissioner may exercise all functions of the commissioner at any meetings of the United States-Russia Polar Bear Commission or of the United States Section.

"(3) REAPPOINTMENT.—An alternate commissioner—

"(A) shall be eligible for reappointment by the President; and

"(B) may attend all meetings of the United States Section.

"(c) DUTIES.—The members of the United States Section may carry out the functions and responsibilities described in article 8 of the Agreement in accordance with this title and the Agreement.

"(d) COMPENSATION AND EXPENSES.—

"(1) COMPENSATION.—A member of the United States Section shall serve without compensation.

"(2) TRAVEL EXPENSES.—A member of the United States Section shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the United States-Russia Polar Bear Commission.

"(e) AGENCY DESIGNATION.—The United States Section shall, for the purpose of title 28, United States Code, relating to claims against the United States and tort claims procedure, be considered to be a Federal agency.

"SEC. 505. VOTES TAKEN BY THE UNITED STATES SECTION ON MATTERS BEFORE THE COMMISSION.

In accordance with paragraph 3 of article 8 of the Agreement, the United States Section shall vote on any issue before the United States-Russia Polar Bear Commission only if there is no disagreement between the 2 United States commissioners regarding the vote.

"SEC. 506. IMPLEMENTATION OF ACTIONS TAKEN BY THE COMMISSION.

"(a) IN GENERAL.—The Secretary shall take all necessary and appropriate actions to implement the decisions and determinations of the United States-Russia Polar Bear Commission under paragraph 7 of article 8 of the Agreement.

"(b) TAKING LIMITATION.—Not later than 60 days after the date on which the Secretary receives notice of the determination of the United States-Russia Polar Bear Commission of an annual taking limit, or of the adoption by the United States-Russia Polar Bear Commission of other restriction on the taking of polar bears for subsistence purposes, the Secretary shall publish a notice in the Federal Register announcing the determination or restriction.

"SEC. 507. COOPERATIVE MANAGEMENT AGREEMENT; AUTHORITY TO DELEGATE ENFORCEMENT AUTHORITY.

"(a) IN GENERAL.—The Secretary, acting through the United States Fish and Wildlife Service, may share authority under this title for the management of the taking of polar bears for subsistence purposes with the Alaska Nanuuq Commission.

"(b) DELEGATION.—To be eligible for the cooperative management authority described in subsection (a), the Alaska Nanuuq Commission—

"(1) shall have an active cooperative agreement with the Secretary under section 119 of this title for the conservation of polar bears;

"(2) shall meaningfully monitor compliance with this title and the Agreement by Alaska Natives; and

"(3) shall administer its co-management program for polar bears in accordance with—

"(A) this title;

"(B) the Agreement; and

"(C) the Agreement on the Conservation of Polar Bears, done at Oslo, November 15, 1973 (27 UST 3918; TIAS 8409).

"SEC. 508. APPLICATION WITH OTHER TITLES OF ACT.

"(a) IN GENERAL.—The authority of the Secretary under this title is in addition to, and shall not affect the authority of the Secretary under, the other titles of this Act or the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.) or the exemption for Alaskan natives under section 101(b) of this Act.

"(b) CERTAIN PROVISIONS INAPPLICABLE.—The provisions of titles I through IV of this Act do not apply with respect to the implementation, enforcement, or administration of this title.".

"SEC. 509. AUTHORIZATION OF APPROPRIATIONS.

"(a) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out the functions and responsibilities of the Secretary under this title and the Agreement $1,000,000 for each of fiscal years 2006 through 2010.

"(b) COMMISSION.—There are authorized to be appropriated to the Secretary to carry out functions and responsibilities of the United States Section $150,000 for each of fiscal years 2006 through 2010.

"(c) ALASKAN COOPERATIVE MANAGEMENT PROGRAM.—There are authorized to be appropriated to the Secretary to carry out this title and the Agreement in Alaska $150,000 for each of fiscal years 2006 through 2010.".

(b) CLERICAL AMENDMENT.—The table of contents in the first section of the Marine Mammal Protection Act of 1972 (16 U.S.C.

1361 et seq.) is amended by adding at the end the following:

TITLE V—ALASKA-CHUKOTKA POLAR BEARS

"Sec. 501. Definitions.
"Sec. 502. Prohibitions.
"Sec. 503. Administration and enforcement.
"Sec. 504. Designation and appointment of members of the United States Section of the Commission; compensation, travel expenses, and claims.
"Sec. 505. Votes taken by the United States Section on matters before the Commission.
"Sec. 506. Implementation of actions taken by the Commission.
"Sec. 507. Cooperative management agreement; authority to delegate enforcement authority.
"Sec. 508. Application with other titles of Act.
"Sec. 509. Authorization of appropriations.".

PURCHASE CARD WASTE ELIMINATION ACT OF 2006

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 438, S. 457.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 457) to require the director of the Office of Management and Budget to issue guidance for, and provide oversight of, the management of micropurchases made with Governmentwide commercial purchase cards, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Purchase Card Waste Elimination Act of 2006".

SEC. 2. REQUIREMENT FOR GUIDANCE.

(a) OFFICE OF MANAGEMENT AND BUDGET POLICY GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall issue guidelines to assist the heads of executive agencies in improving the management of the use of the Governmentwide commercial purchase card for making micropurchases. The Director shall include guidelines on the following matters:

(1) Analysis of purchase card expenditures to identify opportunities for achieving savings through micropurchases made in economical volumes.

(2) Negotiation of discount agreements with major vendors accepting the purchase card.

(3) Establishment of communication programs to ensure that purchase card holders receive information pertaining to the availability of discounts, including programs for the training of purchase card holders on the availability of discounts.

(4) Assessment of cardholder purchasing practices, *including use of discount agreements*.

(5) Collection and dissemination of best practices and successful strategies for achieving savings in micropurchases.

(b) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall **[**direct the purchase card program manager of the General Services Administration**]**—

(1) **[**to continue**]** *continue* efforts to improve reporting by financial institutions that issue the Governmentwide commercial purchase card so that the General Services Administration has the data needed to identify opportunities for achieving savings; and

(2) **[**to ensure that the acquisition center contracting officers of the General Services Administration**]** actively pursue point-of-sale discounts with major vendors accepting the purchase card so that any Federal Government purchaser using the purchase card can benefit from such point-of-sale discounts.

(c) AGENCY REPORTING REQUIREMENT.—**[**The purchase card program manager**]** *The senior procurement executive* for each executive agency shall, as directed by the Director of the Office of Management and Budget, submit to the Director periodic reports on the actions taken in such executive agency pursuant to the guidelines issued under subsection (a).

(d) CONGRESSIONAL OVERSIGHT.—Not later than December 31 of the year following the year in which this Act is enacted, and December 31 of each of the ensuing three years, the Director of the Office of Management and Budget shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives a report summarizing the progress made during the fiscal year ending in the year in which such report is due—

(1) in improving the management of the use of the Governmentwide commercial purchase card for making micropurchases; and

(2) in achieving savings in micropurchases made with such card, expressed in terms of **[**savings achieved by each executive agency**]** *average savings achieved by each executive agency in the use of discount agreements identified in subsection (a)* and the total savings achieved Governmentwide.

(e) DEFINITIONS.—In this section:

(1) The term "executive agency" has the meaning given such term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

(2) The term "micropurchase" means a purchase in an amount not in excess of the micropurchase threshold, as defined in section 32 of such Act (41 U.S.C. 428).

SEC. 3. PAYMENTS TO FEDERAL CONTRACTORS WITH FEDERAL TAX DEBT.

The General Services Administration, in conjunction with the Internal Revenue Service and the Financial Management Service, shall develop procedures to subject purchase card payments to Federal contractors to the Federal Payment Levy program.

SEC. 4. REPORTING OF AIR TRAVEL BY FEDERAL GOVERNMENT EMPLOYEES.

(a) ANNUAL REPORTS REQUIRED.—The Administrator of the General Services shall submit annually to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives a report on all first class and business class travel by employees of each executive agency undertaken at the expense of the Federal Government.

(b) CONTENT.—The reports submitted pursuant to subsection (a) shall include, at a minimum, with respect to each travel by first class or business class—

(1) the names of each traveler;

(2) the date of travel;

(3) the points of origination and destination;

(4) the cost of the first class or business class travel; and

(5) the cost difference between such travel and travel by coach class.

(c) EXECUTIVE AGENCY DEFINED.—In this section, the term "executive agency" has the meaning given such term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

Mr. McCONNELL. I ask unanimous consent that the committee-reported amendments be agreed to, the amendment at the desk be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The amendment (No. 4191) was agreed to, as follows:

(Purpose: To require the Director of the Office of Management and Budget to issue guidelines identifying opportunities for achieving and accurately measuring fair participation of small business concerns in micro-purchases)

On page 3, between lines 3 and 4, insert the following:

(6) Analysis of purchase card expenditures to identify opportunities for achieving and accurately measuring fair participation of small business concerns in micro-purchases consistent with the national policy on small business participation in Federal procurements set forth in sections 2(a) and 15(g) of the Small Business Act (15 U.S.C. 631(a) and 644(g)), and dissemination of best practices for participation of small business concerns in micro-purchases.

The bill (S. 457), as amended, was ordered to be engrossed for a third reading, read the third time and passed, as follows:

S. 457

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Purchase Card Waste Elimination Act of 2006".

SEC. 2. REQUIREMENT FOR GUIDANCE.

(a) OFFICE OF MANAGEMENT AND BUDGET POLICY GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall issue guidelines to assist the heads of executive agencies in improving the management of the use of the Governmentwide commercial purchase card for making micropurchases. The Director shall include guidelines on the following matters:

(1) Analysis of purchase card expenditures to identify opportunities for achieving savings through micropurchases made in economical volumes.

(2) Negotiation of discount agreements with major vendors accepting the purchase card.

(3) Establishment of communication programs to ensure that purchase card holders

receive information pertaining to the availability of discounts, including programs for the training of purchase card holders on the availability of discounts.

(4) Assessment of cardholder purchasing practices, including use of discount agreements.

(5) Collection and dissemination of best practices and successful strategies for achieving savings in micropurchases.

(6) Analysis of purchase card expenditures to identify opportunities for achieving and accurately measuring fair participation of small business concerns in micro-purchases consistent with the national policy on small business participation in Federal procurements set forth in sections 2(a) and 15(g) of the Small Business Act (15 U.S.C. 631(a) and 644(g)), and dissemination of best practices for participation of small business concerns in micro-purchases.

(b) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall—

(1) continue efforts to improve reporting by financial institutions that issue the Governmentwide commercial purchase card so that the General Services Administration has the data needed to identify opportunities for achieving savings; and

(2) actively pursue point-of-sale discounts with major vendors accepting the purchase card so that any Federal Government purchaser using the purchase card can benefit from such point-of-sale discounts.

(c) AGENCY REPORTING REQUIREMENT.—The senior procurement executive for each executive agency shall, as directed by the Director of the Office of Management and Budget, submit to the Director periodic reports on the actions taken in such executive agency pursuant to the guidelines issued under subsection (a).

(d) CONGRESSIONAL OVERSIGHT.—Not later than December 31 of the year following the year in which this Act is enacted, and December 31 of each of the ensuing three years, the Director of the Office of Management and Budget shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives a report summarizing the progress made during the fiscal year ending in the year in which such report is due—

(1) in improving the management of the use of the Governmentwide commercial purchase card for making micropurchases; and

(2) in achieving savings in micropurchases made with such card, expressed in terms of average savings achieved by each executive agency in the use of discount agreements identified in subsection (a) and the total savings achieved Governmentwide.

(e) DEFINITIONS.—In this section:

(1) The term "executive agency" has the meaning given such term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

(2) The term "micropurchase" means a purchase in an amount not in excess of the micropurchase threshold, as defined in section 32 of such Act (41 U.S.C. 428).

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(b) CONTENT.—The reports submitted pursuant to subsection (a) shall include, at a minimum, with respect to each travel by first class or business class—

(1) the names of each traveler;

(2) the date of travel;

(3) the points of origination and destination;

(4) the cost of the first class or business class travel; and

(5) the cost difference between such travel and travel by coach class.

(c) EXECUTIVE AGENCY DEFINED.—In this section, the term "executive agency" has the meaning given such term in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

APPOINTMENT OF COMMITTEE TO ESCORT HER EXCELLENCY, DR. VAIRA VIKE-FREIBERGA, PRESIDENT OF THE REPUBLIC OF LATVIA

Mr. McCONNELL. Mr. President, I ask unanimous consent that the President of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort Her Excellency Dr. Vaira Vike-Freiberga, President of the Republic of Latvia, to the House Chamber for a joint meeting on Wednesday, June 7, 2006.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, JUNE 7, 2006

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9 a.m. on Wednesday, June 7; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate resume consideration of the motion to proceed to S.J. Res. 1 and the time until 9:40 be equally divided between the two leaders or their designees; provided further that the time from 9:40 to 9:50 be allocated to the Democratic leader or his designee, and the final 10 minutes be allocated to the majority leader or his designee; further, that the vote on the motion to invoke cloture on the motion to proceed occur at 10 o'clock in the morning. I further ask that following the vote, the Senate stand in recess until 12 noon to accommodate the joint meeting I was referring to earlier.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. I further ask consent that the time from noon until 3 o'clock be allocated for debate on the motion to proceed to H.R. 8, the death tax relief bill, with the time divided as follows: 12 to 12:30, majority control; 12:30 to 1, minority control; alternating between the two sides every 30 minutes until 3 o'clock. I further ask consent that the time from 3 until 6 tomorrow afternoon be allocated for debate on the motion to proceed to S. 147, the Native Hawaiians bill, with the time divided as follows: 3 to 3:30, majority control; 3:30 to 4, minority control; alternating between the two sides every 30 minutes until 6 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. McCONNELL. Mr. President, tomorrow morning at 10:00, we will have a cloture vote on the motion to proceed to the Marriage Protection Amendment. We have had a good debate during the last few days on that matter. It is my hope that cloture will be invoked in order to address this important issue.

As a reminder to Members, as I indicated, we have a joint meeting in the House at 11 o'clock to hear an address by the President of the Republic of Latvia. We will gather at 10:40 in the Chamber and proceed as a body to the House. After that is completed, we will debate the motions to proceed to the death tax relief bill and the Native Hawaiian bill.

Moments ago, I filed cloture on both those motions, the death tax and Native Hawaiians. Those votes will be occurring sometime on Thursday.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:06 p.m., adjourned until Wednesday, June 7, 2006, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate June 6, 2006:

DEPARTMENT OF STATE

CESAR BENITO CABRERA, OF PUERTO RICO, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MAURITIUS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF SEYCHELLES.

FEDERAL LABOR RELATIONS AUTHORITY

WAYNE CARTWRIGHT BEYER, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE FEDERAL LABOR RELATIONS AUTHORITY FOR A TERM OF FIVE YEARS EXPIRING JULY 1, 2010, VICE OTHONIEL ARMENDARIZ.

DEPARTMENT OF DEFENSE

COLLEEN CONWAY-WELCH, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH

SCIENCES FOR A TERM EXPIRING MAY 1, 2011, VICE L. D. BRITT, TERM EXPIRED.

C. THOMAS YARINGTON, JR., OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF REGENTS OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES FOR A TERM EXPIRING MAY 1, 2011, VICE IKRAM U. KHAN, TERM EXPIRED.

THE JUDICIARY

MARCIA MORALES HOWARD, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA, VICE HARVEY E. SCHLESINGER, RETIRED.

LESLIE SOUTHWICK, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF MISSISSIPPI, VICE WILLIAM H. BARBOUR, JR., RETIRED.

NATIONAL TRANSPORTATION SAFETY BOARD

ROBERT L. SUMWALT III, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR THE REMAINDER OF THE TERM EXPIRING DECEMBER 31, 2006, VICE RICHARD F. HEALING, RESIGNED.

ROBERT L. SUMWALT III, OF SOUTH CAROLINA, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2011. (REAPPOINTMENT)

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JAMES N. MATTIS, 7981

CONFIRMATION

Executive nomination confirmed by the Senate Tuesday, June 6, 2006:

THE JUDICIARY

RENEE MARIE BUMB, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

HOUSE OF REPRESENTATIVES—*Tuesday, June 6, 2006*

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. McHugh).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 6, 2006.

I hereby appoint the Honorable JOHN M. MCHUGH to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, You alone are holy and almighty.

As the noble creatures of Your own making, all of us try to avoid any form of humiliation. Probably because of our deep sense of unconscious mortality, the sheer force of a powerful enemy or unbridled nature can diminish us with fear. The brash awakening of public embarrassment or the subtle put-down by a peer can humble anyone in a moment's notice.

From personal experience, we also know how You, O Lord, can breathe on our conscience or artfully collapse the falsehoods which uphold us. Then overwhelmed by the truth of ourselves, we stand humbly before You.

This afternoon, we as intelligent and responsible persons come before You and prayerfully bow our heads in humble submission to Your powerful presence. To seek Your blessing or to ask for Your pardon of our sins is simply to humble ourselves sincerely before You.

Guide us individually, as a government and as a nation, both now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. GINGREY) come forward and lead the House in the Pledge of Allegiance.

Mr. GINGREY led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 26, 2006.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 26, 2006, at 4:00 p.m.:

That the Senate passed without amendment H.R. 3829.

That the Senate passed without amendment H. Con. Res. 418.

That the Senate passed S. 3322.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

IN RECOGNITION OF EUSEBIO PENALVER MAZORRA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, today I rise in memory of Eusebio Penalver Mazorra, who was one of the longest serving political prisoners and a man who President George W. Bush called a Cuban patriot. I would like to recognize his widow, Francis Martinez, who is with us today.

In Miami, Penalver led a group called "Plantados until Freedom and Democracy Comes to Cuba," whose five founding members each spent more than 20 years in Castro's prisons. Eusebio himself spent 28 years in jail.

Penalver was a Cuban political prisoner who fought long and hard against Castro's tyranny. Born in Ciego de Avila, in Camaguey, Cuba, Penalver was a Plantado, a prisoner who firmly plants his feet in his cell and does not cooperate with his captors, and he struggled for freedom and democracy throughout his life.

He came to the United States as an exile in 1988, and he dedicated his life to fighting Castro's tyranny. He was loved and admired by our Cuban-American community for his dedication and courage in the fight for Cuba's liberty, and his presence will be sorely missed.

CONCERNS ABOUT LEVEL OF FUNDING OF AIDS DRUG ASSISTANCE PROGRAM

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, I rise to express my grave concerns about the level of funding for ADAP, the AIDS Drug Assistance Program, which is inadequate to support the more than 136,000 Americans currently dependent on ADAP for their life-saving HIV/AIDS medication, plus the 10,000 more who are likely to be added next year.

The 6-year historical ADAP underfunding is evident in the growing waiting lists, unacceptable eligibility rules and insufficient medication.

Current initiatives emphasis testing, which, I agree, is critical to addressing this epidemic. However, as a doctor, I am troubled by the ethics of testing Americans for HIV when we are not guaranteeing them access to treatment.

I am also disturbed that this underfunding will primarily impact low-income, uninsured Americans who are disproportionately from communities of color. And as a Member of Congress, I am ashamed that we are not doing all that we could and should to take care of the needs of all Americans with HIV disease.

I call on my colleagues to support full funding for Ryan White, including the $986.5 million level as identified by the National ADAP Working Group. Only by fully funding ADAP will we step up to our public health responsibility to treat all HIV positive Americans.

HONORING VETERANS ON THE 62ND ANNIVERSARY OF D-DAY

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARRETT of South Carolina. Mr. Speaker, there are no greater patriots than our veterans and those who proudly wear the uniform today.

On this day, 62 years ago, 3,393 brave, young American men lost their life storming the beaches of Normandy in defense of freedom. We must never forget their sacrifice.

I rise today, June 6, to say thank you to the greatest generation.

Today, our generation is faced with a similar choice, sit on the sidelines or defend freedom. And like World War II, our Nation has once again chosen to answer the call. America will always be freedom's defender.

D-day was a turning point for Allied Forces in the European Theater, and 3 years after America joined the global war, victory seemed attainable.

I am honored to represent over 100 D-day survivors, and I plan to call some of them today and let them know how grateful I am for their service. I encourage all Americans to reach out to a veteran today and thank them for their service and sacrifice.

DEPARTMENT OF HOMELAND SECURITY CUTS TO NEW YORK AND WASHINGTON NEED RETHINKING

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Mr. Speaker, everyone knows that on September 11, 2001, nearly 3,000 New Yorkers were killed in the attack on the World Trade Center and, of course, several hundred as well here in Washington at the Pentagon. Yet the Department of Homeland Security has chosen to cut both New York and Washington by 40 percent of Homeland security funds for this year. It is absolutely mind-boggling and unbelievable and outrageous that New York and Washington would face these cuts. New York's money is scheduled to go down from $207.6 million in 2005 to $124.5 million in 2006.

Now, to add insult to injury, we hear that the Department of Homeland Security is cutting New York's bioterrorism money 15 percent as well, so that in New York, per capita New York would receive $2.99 per resident to fight bioterrorism, while the good people of Wyoming would receive $9.72 cents per person to fight bioterrorism, and the good people of North Dakota would receive $8.09 per person to fight terrorism.

We all know the threat in North Dakota and Wyoming is not nearly as great as New York. What is Secretary Chertoff thinking? What are they thinking over there? Their policies and their thoughts need to change.

CONGRATULATING UPSON-LEE MIDDLE SCHOOL IN THOMASTON, GEORGIA

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today to congratulate Upson-Lee Middle School in Thomaston, Georgia, on being recognized as a "School to Watch" by the National Forum to Accelerate Middle Grades Reform.

This award recognizes Upson-Lee's academic excellence, especially the school's commitment to challenging every student's mind. Upson-Lee was one of only 82 schools nationwide to receive this honor.

Mr. Speaker, I want to thank Upson-Thomaston Superintendent Howard Hendley, Upson-Lee Principal Patsy Dean and all the Upson-Lee teachers, administrators and parents for the dedicated work on behalf of Georgia's children.

As a former school board chairman, I know the importance of a good middle school education. Our children learn more when they are inspired by the leadership of teachers and principals, and Upson-Lee is doing a great job inspiring the youth of Thomaston.

Mr. Speaker, I ask you to join me in congratulating Upson-Lee Middle School on this exciting recognition.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. GILLMOR) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 26, 2006.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 26, 2006, at 9:45 a.m.:

That the Senate passed without amendment H.R. 1953.

That the Senate passed without amendment H.R. 5401.

That the Senate passed S. 633.

That the Senate passed S. 2784.

That the Senate passed S. 2856.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

APPOINTMENT AS MEMBER TO PUBLIC INTEREST DECLASSIFICATION BOARD

The SPEAKER pro tempore. Pursuant to section 703(c) of the Public Interest Declassification Act of 2000 (50 U.S.C. 435 note), and the order of the House of December 18, 2005, the Chair announces the Speaker's appointment of the following member on the part of the House to the Public Interest Declassification Board for a term of 3 years:

Admiral William O. Studeman, Great Falls, Virginia.

HOUSE LEADERSHIP DOING RIGHT THING ON IMMIGRATION

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, we have all just returned from being in our districts talking with our constituents about the issues that are important to them.

One thing that I have heard over and over in my district, Mr. Speaker, is border security. This is an issue that my constituents and Americans care about. This is an issue where they want to see some action. It is the problem that most of them want to see us address, and they will not accept any sort of amnesty for those who have chosen to enter this country by breaking the law.

We need to secure the border. We need to get a hold on illegal entry into this country. That is the number one priority. And I thank the House leadership for doing the right thing on this issue. Chairman SENSENBRENNER has passed a good, solid bill that addresses the problem. The Senate has not. The American people know it.

We look forward to continuing this debate and encouraging all to join in securing the border as our first step toward controlling illegal entry into this great Nation.

☐ 1415

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5441, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 836 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5441.

☐ 1415

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, with Mr.

McHugh (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Thursday, May 25, 2006, the amendment by the gentleman from Colorado (Mr. Tancredo) had been disposed of and the bill had been read through page 62, line 17.

Pursuant to the order of the House of that day, no further amendments to the bill may be offered except those specified in the previous order of the House of that day, which is at the desk.

AMENDMENT OFFERED BY MR. CULBERSON

Mr. CULBERSON. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Culberson:

At the end of the bill (before the short title), insert the following:

Sec.   . None of the funds made available in this Act may be used to process applications or petitions for immigration benefits submitted to the United States Citizenship and Immigration Services until October 1, 2007. This section shall not apply with respect to—

(1) processing applications or petitions submitted before October 1, 2006, for such benefits; and

(2) processing applications or petitions relating to visas under section 101(a)(15)(H)(i)(b) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) (commonly referred to as H–1B nonimmigrant visas).

The Acting CHAIRMAN. Pursuant to the order of the House of May 25, 2006, the gentleman from Texas (Mr. Culberson) and a Member opposed each will control 5 minutes.

Mr. SABO. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman reserves a point of order.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, I bring this amendment to the House today to focus the attention of the House, of the White House, of the country on an urgent and very serious problem with the Citizen Immigration Service.

CIS is responsible for reviewing and approving any application for citizenship, for green cards, for visas, for I–90s for people entering the United States temporarily or permanently.

Yet this agency is so incompetent and so poorly run, all of us know, those of us representing border States, that the level of illegal immigration in the country is overwhelming. We have got people entering the country literally at will over our borders.

Based on my own investigation, what I have learned from visiting the border firsthand, it is possible for terrorists to enter the United States just walking over the border, or frankly they can come right through the front door at the Citizenship and Immigration Service offices, the CIS offices, because the agency is not running criminal background checks on people applying for visas or green cards or I–90s or citizenship.

The agency, when they do run background checks, the Inspector General reports, that among people who are applying to enter the United States temporarily, there is a 90 percent error rate in security checks being run on these folks. If you are entering as a refugee, there is a 64 percent error rate.

Now, this is on running criminal background checks on foreign nationals seeking to enter the United States, at a time when we are at war with terrorists who we know are seeking to enter the United States to hurt us. The terrorists who attacked us on September 11 were using dozens and dozens and dozens of fraudulent driver's licenses, phony IDs; they were, many of them, visa overstays.

This agency is so incompetent, so poorly run that in fact they even hired an Iraqi spy and swore him in as an officer of the United States to interview foreign nationals applying to enter the United States. This was reported first in the Washington Times on April 6.

After this was confirmed that this guy was an Iraqi spy, he flew to Baghdad and walked out of the Green Zone and disappeared. This is a huge national security problem, Mr. Chairman. And the problem is really systemic throughout CIS, because their focus is not on national security, but customer service.

This agency's sole primary motivation is on the convenience of the foreign national, to make sure that Osama bin Laden's cousin out in the lobby is not hindered or slowed down in any way, that his application is stamped and approved as rapidly as possible.

Chairman Rogers has done a superb job in doing everything that he can to bring the CIS, and ICE and Homeland Security, to heel. I know he is aware of the severity of this problem.

My amendment would stop the use of any funds for CIS to process immigration applications other than H1Bs for 1 year, so they can catch up and catch their breath. We know the backlog is so bad right now that they are simply overwhelmed, they are years behind. We know they are not running criminal background checks, and the criminal background checks they do run on these foreign nationals are just riddled with errors.

My amendment is intended to shut that process down for a year to allow them to catch up. The Homeland Security reauthorization is coming up this summer. I intend to pursue this very aggressively with Chairman King. I bring this amendment to the attention of the House today and do intend to withdraw it.

I understand we need to work through the Homeland Security authorization bill on this, Mr. Chairman. But it is an extraordinarily serious and dangerous problem that the country needs to be aware of. There has even been information brought to my attention and to the chairman's attention that the foreign intelligence agencies have probably penetrated CIS at very high levels and are able to remotely print out visas, I–90s, passports, citizenships to fraudulent individuals remotely on command using laptop computers from anywhere in the world.

This agency I think poses a very serious threat to the national security of the United States. I intend to pursue it very aggressively with the reauthorization of the homeland security bill.

Mr. Chairman, I offer this amendment to the House today to focus the House's attention on it, bring it to the attention of the Nation. And I thank the chairman, Chairman Rogers, on trying to clear up this agency and homeland security.

Mr. CULBERSON. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MS. MATSUI

Ms. MATSUI. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. Matsui:

At the end of the bill (before the short title) insert the following:

Sec.   . None of the funds made available in this Act may be used to carry out the policy of the Department of Homeland Security that the risk-based formula used for purposes of the Urban Area Security Initiative does not take into account strategic defense considerations, local government assets that serve the military, proximity to international borders, presence of visitors to the urban area, the presence of drug trafficking and other organized crime activities that relate to terrorism, or the catastrophic and cascading effects of an attack on critical infrastructure including dams and levees.

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of May 25, 2006, the gentlewoman from California (Ms. Matsui) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MATSUI. Mr. Chairman, in January, the Department of Homeland Security made significant changes to our homeland security effort. They announced the areas eligible for fiscal year 2006 UASI grants.

For the first time, Sacramento and San Diego were not identified as high-risk areas. While Sacramento and San Diego did receive fiscal year 2006 funding, the new eligibility guidelines have put our funding for next year and beyond in jeopardy.

Sacramento is the capital of the sixth largest economy in the world and home to dozens of critical Federal and State governmental buildings. Much of the State's water, electricity, and telecommunications systems are managed from Sacramento. Of considerable concern is an attack on Sacramento's dams and levees, not only because of potential loss of life and impact to Sacramento's families, but an economic impact as well. According to a Sacramento Bee analysis, the economic impact of a major flood in Sacramento would cost the region $35 billion. This is damage to homes, loss of jobs, and government revenues.

The San Diego area contains the Nation's seventh largest city adjacent to a heavily trafficked international border, a busy port, and tourist attractions. Nor should it be overlooked that a number of naval and Marine bases are located in San Diego, including the largest naval base in the country.

With fewer installations after four rounds of BRAC, an attack on even one could result in even greater impact. An attack of either of these cities would have repercussions well beyond our region.

Therefore, Congressman FILNER and I have very real concerns about DHS's new eligibility guidelines accurately addressing our homeland security needs. We all agree that a risk-based grant program is an effective use of our limited resources. However, policy is only as good as the information that goes into it.

DHS has already acknowledged that it failed to take into account the catastrophic downstream impact to my district if there were an attack on Folsom Dam. This only raises the question of what other targets have they overlooked.

That is why we need to ensure that DHS properly considers the catastrophic and cascading effects of an attack on critical infrastructure such as dams and levees, as well as determine a way to factor in the presence of drug trafficking and other organized crime activities that relate to terrorism and strategic defense considerations.

This amendment would withhold funding until DHS has properly addressed these issues. It would ensure accountability. It is important that DHS address these concerns. We need increased transparency and understanding of the process before the next UASI review is conducted.

Unfortunately, it is unlikely that a DHS reauthorization bill will come to the floor before the next risk assessment begins.

As a result, we must take this opportunity to require DHS to perform a thorough threat assessment of each urban area. We have an obligation to ensure we are meeting our national security needs. But the questions surrounding the UASI grant eligibility draw into question whether we are meeting that need.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. ROGERS of Kentucky. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI, which states, in pertinent part, an amendment to a general appropriations bill shall not be in order if changing existing law.

This amendment prescribes a policy. I ask for a ruling from the Chair.

The CHAIRMAN. Are there Members desiring to be heard on the point of order?

Ms. MATSUI. Mr. Chairman, I wish the gentleman would withdraw his point of order.

The CHAIRMAN. The Chair is prepared to rule.

The amendment embodies a statement of policy, not by way of citation but instead by prescription. As such, it constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KING of Iowa:

Page 62, after line 17, insert the following:

SEC. 537. None of the the funds appropriated or otherwise made available in this Act may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

Mr. SABO. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of May 25, 2006, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, today I am offering an amendment on behalf of Representative CAMPBELL. This amendment prevents State and local governments who refuse to share information with Federal immigration authorities by adopting sanctuary policies from getting Federal funds in this appropriation.

Mr. Chairman, there are some cities and States around the country that have such laws, and they blatantly encourage illegal immigration. Such laws prohibit law enforcement officials from reporting to the Department of Homeland Security illegal aliens when they are discovered through the normal course of law enforcement practice.

Section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 makes it illegal for local and State governments to adopt such laws.

These laws, known as sanctuary policies, prevent open communication between local and Federal law enforcement and pose a great risk to all American citizens. We cannot risk letting a dangerous criminal walk out of the sanctuaried city and possibly into our community instead by being deported as the law dictates.

Across the Nation there are repeated examples of illegal aliens, who, on multiple occasions, have been apprehended by local governments only to be released to commit other crimes.

□ 1430

The Washington Times has reported that in a December rape of a woman in New York, four of the five men charged in the case were illegal immigrants, and three had prior convictions that, in keeping with Federal law, would have allowed their deportation. Unfortunately, because the New York City sanctuary policy which prevented city police from sharing information with Federal immigration authorities, these criminals were released by local law enforcement authorities rather than deported. Had New York not enacted a sanctuary policy, this rape may never have happened. Why take a chance on letting another rapist or potential terrorist walk out of a sanctuary city police station and possibly into your community instead of being deported.

Sanctuary policies allow local governments to effectively set up their own patchwork of individual immigration sanctuaries. This directly usurps the authority granted to the Federal Government under the Constitution to establish our Nation's immigration policies. Some may argue that this amendment would coerce State and local police officers to step into the role of Federal immigration agents. This is a false argument, Mr. Chairman. The Campbell amendment would not require States and local officials to assume any new duties. It would merely ensure that local and State law enforcement agencies obey existing Federal law and cooperate with Federal officials.

It is clear that we need a mechanism to ensure compliance. This amendment provides one by withholding Federal funding from those localities that prohibit law enforcement from sharing information with our Federal enforcement authorities.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from Minnesota insist upon his point of order?

Mr. SABO. Mr. Chairman, under my reservation, I would like to direct some questions to the gentleman from Iowa. I have trouble understanding the amendment.

The CHAIRMAN. The gentleman may continue to reserve the point of order and be recognized for 5 minutes.

Mr. SABO. Under my reservation, I would like to ask the gentleman from Iowa some questions.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SABO. Mr. Chairman, would the gentleman tell me, does the Department have the authority, not the authority but is the Department doing what the gentleman suggests today?

Mr. KING of Iowa. Which department do you refer to?

Mr. SABO. The Department of Homeland Security.

Mr. KING of Iowa. I don't believe that the Department of Homeland Security is enforcing this law currently, and I do believe they should. But this is the most expeditious method by which we can get enforcement of a law that has been on the books for 10 years and it is a clear law.

Mr. SABO. So the gentleman is suggesting that he wants the Department to be doing something that they are not doing today?

Mr. KING of Iowa. I am suggesting that local government is directly violating the law, and this is the most expeditious way to get compliance of the Federal law.

Mr. SABO. My question was not about local government. It was about whether DHS would be doing something under his amendment that they are not doing today.

Mr. KING of Iowa. I don't direct DHS to do anything under this amendment except to evaluate if the local governments are receiving funds under this appropriations and if they have a sanctuary policy that is on the books.

Mr. SABO. What DHS funding is used today in contravention of section 642(a) of the 1996 Immigration Act?

Mr. KING of Iowa. I think if the gentleman would, that we understand that funds are fungible, and when they go into an appropriations process to a local government, that there can be interdepartmental transfers within those local governments that would be very difficult to track and give a precise answer to. But if funds are going into a local government and local government has a sanctuary policy, one can presume that some of those dollars are being used to support the sanctuary policy. And that is what this amendment seeks to prevent.

Mr. SABO. So DHS would have to clearly be tracking significantly more money than they track today?

Mr. KING of Iowa. Did you say keep track of?

Mr. SABO. Tracking of how the money is spent that they do not do today?

Mr. KING of Iowa. I think it is very clear that these sanctuary policies are printed, they are a matter of public record. There are a limited number of jurisdictions. Although it is a significant list, it is still limited. And it is not a difficult task to identify communities. They self-identify. And if it gets to be a bit too much work for DHS, I would be happy to provide the list to them, sir.

Mr. SABO. Mr. Chairman, I would suggest that from the answers this gentleman has given, that this clearly is putting additional responsibilities on the Department of Homeland Security.

POINT OF ORDER

The CHAIRMAN. Does the Chair understand the gentleman to insist upon a point of order under clause 2 of rule XXI?

Mr. SABO. Yes, I do.

The CHAIRMAN. Does any other Member wish to be heard on the point of order?

Mr. KING of Iowa. Yes, Mr. Chairman. I point out that the language of the amendment merely requires the Federal official administering these funds to comply with Federal law. A new duty is not required in the face of the amendment, and because we are simply asking them to comply with current Federal law. I don't adjust that at all in this amendment. There is no policy change other than the requirement to comply with existing law that passed in 1996.

The CHAIRMAN. Are there other Members desiring to be heard on the point? If not, the Chair is prepared to rule.

The Chair will judge the amendment on its face. It proposes to limit funds for a specified set of activities. The amendment does not impose new duties and, therefore, constitutes a valid limitation. The Chair would note that the same amendment was ruled in order on May 17, 2005. The point of order is overruled.

The gentleman from Iowa has 2½ minutes remaining.

Mr. KING of Iowa. Mr. Chairman, having had that discussion, I think it does clarify this amendment significantly and that it is important for us to look across this Nation. Once the sanctuary cat got out of the bag some years ago and local governments began passing for their own local interests sanctuary policies that directly contravene the 1996 Federal law, city after city picked up this policy, and we have three States that also have sanctuary policies.

The result of these sanctuary policies has been that we have had people who have been into these cities who have been picked up for a number of reasons, whether they be for traffic violations, minor crime, assault, issues of that nature where they come in the course of contact with law enforcement, and because of the sanctuary policies, the officers have been prohibited from passing these individuals along to, at that time, the INS, and now the Department of Homeland Security for deportation.

The result of that has been the death of at least one police officer in every major city in America. Not as a statement on the magnitude of this problem, but as samples of a magnitude that is far greater than that, we have got to have enforcement of our immigration laws. American people are not going to accept an immigration policy that would come at them without enforcement of our laws and this is one way to demonstrate the will of this Congress.

Mr. Chairman, I reserve the balance of my time.

Mr. SABO. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN (Mr. MCHUGH). The gentleman is recognized for 5 minutes.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank the ranking member.

This amendment attempts to penalize States and localities that have confidentiality policies in place. These policies are supported by our State and our local law enforcement because they encourage immigrant communities to come forward and to report crimes without fearing that immigration status will come under scrutiny. And believe me, back in Orange County, in Anaheim, in Santa Ana and some of the other cities I represent, my police chiefs are very adamant about this issue.

If crimes are occurring and if the witnesses we have are immigrants, immigrants without documents, if they believe that they will be taken or deported, they are not going to want to come forward and tell us what is happening. This is very important. It is important in hit and drive car accidents, in execution style things that happen in some of the Asian communities. This is a very important issue for our local law enforcement.

The message of this amendment would say, it would intimidate immigrants and it would make them less likely to report the crimes to law enforcement or to assist law enforcement. It would hamper the State and local law enforcement's work by intimidating the potential witnesses and community members that would help to solve these crimes. In fact, this is opposed by the National League of Cities, the National Conference of State Legislatures, and the National Association of Counties. They all oppose this amendment.

So please protect local government's independence and choice. Keep local public safety decisions and resources local and oppose this amendment.

Mr. SABO. Mr. Chairman, I would oppose this amendment. I read the amendment. I am not sure it does what the gentleman from Iowa says it does. I am not sure it does anything, but if it does something, then it is very comprehensive. It either does nothing or else potentially has the ability to limit how DHS responds to emergency and disaster relief. It either does nothing or it may limit what border patrol can do in certain cities in this country. I am not sure which. It either does nothing or it does something significantly more than what the gentleman has suggested.

Mr. Chairman, I would urge the House, as it has the last 3 years, to reject this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Iowa has 1 minute remaining.

Mr. KING of Iowa. Mr. Chairman, in response to the gentleman and the gentlewoman's remarks, either this amendment does something or it does nothing. We thought when the 1996 Act was passed, it did something, and we found out it has done nothing because local government has defied Federal law. So I am not swayed by the argument that NSCSL or the League of Cities or the counties oppose this amendment. They are the people that are contravening Federal law today. It is the Congress that sets the Federal law, not local government. We need to support this amendment for those reasons.

With regard to the gentlewoman from California's remarks on her confidentiality policy which I had described as a sanctuary policy, undocumented immigrants would be intimidated not to take their cases to law enforcement. I understand that argument. And in fact, one is swayed by that to some degree. But the other side of this is that we have millions of American citizens that we need to attend to. And if we are going to enforce our laws, that argument will always be an argument that can come to this floor to make the case that we should not enforce them because it might intimidate people who are living beyond the law.

Mr. Chairman, I ask support for this amendment. It is prudent. It is reasonable. It supports existing Federal law.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. DEAL OF GEORGIA

Mr. DEAL of Georgia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. DEAL of Georgia:

Page 62, after line 17, insert the following:

SEC. 537. None of the funds appropriated in this Act may be used to grant birthright citizenship to the children of those individuals who are not subject to the jurisdiction of the United States, including the children of illegal aliens.

The Acting CHAIRMAN. Pursuant to the order of the House of May 25, 2006, the gentleman from Georgia (Mr. DEAL) and a Member opposed each will control 5 minutes.

Mr. SABO. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman from Minnesota reserves a point of order.

The Chair recognizes the gentleman from Georgia.

Mr. DEAL of Georgia. Mr. Chairman, this amendment relates to the issue of birthright citizenship and is a prohibitive amendment for using funds under this appropriations's bill for the purpose of implementing and granting birthright citizenship.

The issue is one that I think has now caught the attention of the American public and rightfully so. The Center for Immigration Studies estimates that some 383,000, or 42 percent of births to immigrants are to illegal alien mothers. Births to illegal immigrants now account for nearly one out of every ten births in the United States.

We are in a distinct minority in the world community in recognizing birthright citizenship. There are only 36 countries that do so, 122 do not. Of the 36 that do, the United States, Cuba, El Salvador, Guinea, and Venezuela are in that list. On the other hand, the vast majority of all westernized countries, including every single European country along with Israel and Japan, do not offer birthright citizenship.

□ 1445

In fact, Ireland in 2004 changed their law to no longer recognize birthright citizenship.

The magnitude of the problem is, in fact, astounding. The Center for Immigration Studies found that illegal immigrants cost the United States taxpayer about $10.4 billion a year. A large part of that expense stems from the babies born each year to illegal immigrants.

In my State of Georgia, a normal, noncesarean section child delivery, with no complications, costs an average of $2,720. Born United States citizens, these children are eligible for all benefits of citizenship, including, but not limited to, education, Medicaid, and welfare.

In one of their own publications, the Department of Homeland Security states: "An industry has developed around this practice of crossing the border illegally specifically to give birth, with travel agents specializing in birth tours and clinics providing postnatal care, which includes transportation services. For those seeking entry into this country, it is a small price for legal entry and social service benefits that accrue with citizenship."

Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON), my colleague.

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for yielding, and I thank him for the leadership on this amendment.

While I know there is a question about a point of order, I think it is important to point out that this legislation is also in the form of a bill which has over 80 cosponsors; and as I look at this, one thing to keep in mind is that if you are flying in an airplane right now, regardless of the origination, regardless of the destination, if you pass the south tip of Florida or the extreme islands of Alaska, if you are born while over those U.S. properties, you become an American citizen, which is an extremely liberal, broad policy in terms of granting one of the most precious things that we as Americans have and that is citizenship.

Now, recently, the U.S. Senate passed a bill which probably is not going to get a lot of support in the House on either side of the aisle, but one of the big criticisms of it is that it grants citizenship too easily to people and the reason why that criticism is there is not because, okay, you have got 11 million people who may be here illegally and those would become citizens overnight. It is that once those 11 million become citizens, they petition to have their mom, dad, cousin, brother, aunt brought in. So you actually have 11 million times three or 11 million times four. It depends on who is doing the calculation.

That is exactly what happens here when a mother comes in illegally and has a baby. The baby automatically can start petitioning to bring the illegal mom, the illegal dad, the illegal brother and sister in and break in line in front of people who have been going through the process for many years.

Recently on the Capitol steps, I had an opportunity to go to a reenlistment ceremony for a woman from Poland. She had already been in Iraq. She had already been deployed and served the United States of America for 1 year in Iraq and was a member of the U.S. Army Reserves, but she was not yet a citizen. I do not think it is right to have somebody break in line in front of her, a war veteran, who got in here illegally.

I support ending the birthright citizenship. As I understand, 122 nations no longer have that, and I think America should become one of them.

Mr. CROWLEY. Mr. Chairman, I rise today in strong opposition to Deal Amendment to H.R. 5441 The Homeland Security Appropriations Act, changing the requirement for granting birthright citizenship.

At a time when Congress is trying to find a solution to immigration, a problem that tears at the very fabric of our Nation, the Deal Amendment is a hateful amendment that does nothing to improve our security or fix this country's immigration problem.

We cannot under the guise of security, specifically target undocumented individuals, who are here working and contributing to our economy. This amendment will turn children who are born in the United States into stateless babies, who will be forced to grow up and live in the shadows of our society.

This is another far-right Republican approach that does nothing to secure our borders or our country nor contributes in any positive way to this immigration debate. The people of the United States deserve hard work and legislation that helps solve problems and not create them.

All this amendment accomplishes is to create a permanent underclass that will be forced to live on the fringes of our society. Attempting to eliminate birthright citizenship will create a whole new immigration problem. And these poor children are going to stay here because they will not have a country to go to.

When will we learn that unjust and discriminatory legislation does not work? To deny citizenship to children born within our borders is not only unconstitutional but immoral. We are turning our backs on the very principle that this country was founded on. The notion of the American Dream is being trampled on by the Deal Amendment and by those who would support such legislation in this House.

Immigration is a serious problem that requires real solutions. And Homeland Security is too important to be used as a tool of discrimination. I oppose this Amendment.

POINT OF ORDER

Mr. SABO. Mr. Chairman, I insist on my point of order against the amendment. It clearly constitutes legislation on an appropriation bill, which is in violation of clause 2, rule XXI.

The Acting CHAIRMAN (Mr. MCHUGH). Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this amendment includes language imposing new duties, and the amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not order.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBEY:

At the end of the bill (before the short title), insert the following:

TITLE VI—PREPARING FOR AND PREVENTING KNOWN THREATS AND IMPROVING BORDER SECURITY

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $880,000,000, to remain available until expended, for 1,800 additional border patrol agents, 300 additional customs agents and inspectors, improvements to the automated targeting system as recommended by the Government Accountability Office, and expansion of the Container Security Initiative.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for "Air and Marine Interdiction, Operations, Maintenance, and Procurement", $170,000,000, to remain available until expended, for additional operating hours, the purchase of additional air assets, aircraft recapitalization, and establishment of the final northern border airwing.

CONSTRUCTION

For an additional amount for "Construction", $300,000,000, to remain available until expended.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For and additional amount for "Salaries and Expenses", $730,000,000, to remain available until expended, for not less than 9,000 additional detention beds and 800 additional immigration enforcement agents.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For an additional amount for "Aviation Security", $200,000,000, to remain available until September 30, 2008, for checkpoint support technology and passenger, baggage, and cargo screening.

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating Expenses", $50,000,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for "Acquisition, Construction, and Improvements", $200,000,000, to remain available until September 30, 2008, for the automatic identification system.

PREPAREDNESS

OFFICE OF GRANTS AND TRAINING

STATE AND LOCAL PROGRAMS

For an additional amount for "State and Local Programs", $1,090,000,000, of which $536,000,000 shall be for formula-based grants; $214,000,000 shall be for discretionary grants in high-threat, high-density urban areas; $100,000,000 shall be for intercity rail passenger transportation (as defined in section 24102 of title 49, United States Code), freight rail, and transit security grants; $200,000,000 shall be for port security grants; and $40,000,000 shall be for grants to States pursuant to section 204(a) of the REAL ID Act of 2005 (division B of Public Law 109-13).

FIREFIGHTER ASSISTANCE GRANTS

For an additional amount for "Firefighter Assistance Grants", $150,000,000, of which $75,000,000 shall be available to carry out section 33 of the Federal Fire Prevention and Control Act (15 U.S.C. 2229) and $75,000,000 shall be available to carry out section 34 of such Act (15 U.S.C. 2229a).

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For an additional amount for "Emergency Management Performance Grants", $150,000,000.

FEDERAL EMERGENCY MANAGEMENT AGENCY

READINESS, MITIGATION, RESPONSE, AND RECOVERY

For an additional amount for "Readiness, Mitigation, Response, and Recovery", $50,000,000.

FLOOD MAP MODERNIZATION FUND

For an additional amount for "Flood Map Modernization Fund", $150,000,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $30,000,000, to remain available until expended.

DOMESTIC NUCLEAR DETECTION OFFICE

For an additional amount for "Domestic Nuclear Detection Office", $100,000,000, to remain available until expended, for the purchase and deployment of radiation detection equipment.

GENERAL PROVISIONS—THIS TITLE

SEC. 601. In the case of taxpayers with income in excess of $1,000,000, for calendar year 2007 the amount of tax reduction resulting from the enactment of Public Laws 107-16, 108-27, and 108-311 shall be reduced by 10.3 percent.

SEC. 602. The amounts appropriated by this title shall be available for obligation, and the authorities provided in this title shall apply, upon the enactment of this Act.

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman from Kentucky reserves a point of order.

Pursuant to the order of the House of May 25, 2006, the gentleman from Wisconsin (Mr. OBEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the President said in December of 2004 that the intelligence bill, "took an important step in strengthening our immigration laws by, among other items, increasing the number of Border Patrol agent." Yet neither the Congress nor this administration has provided the funding for those increased agents.

The committee bill falls short in meeting our border security responsibilities. The committee bill cuts 300 agents from the Bush Border Patrol agent request. It is 1,800 agents short of 4,000 additional Border Patrol agents called for in the Intelligence Reform Act. The committee bill cuts 1,846 detention beds from the Bush request. That is 9,000 detention beds short of the bed space called for in the Intelligence Reform.

My amendment would provide an additional $2.1 billion to increase border enforcement. It would fund an additional 1,800 border patrol agents above the committee bill and meet the Intelligence Reform Act requirements.

It would also fund an additional 9,000 detention beds above the committee bill and meet the Intelligence Reform Act requirements on that front. The detention bed space level funded by my amendment would meet the 34,653 detention bed level recommended by the DHS Inspector General as necessary to detain all criminal aliens and aliens from special interest countries.

My amendment would further increase our border detection capacities by providing funding for additional air patrols and operating hours, by cutting in half the number of unfunded radiation portal monitors, and by replacing old Border Patrol vehicles and expanding border facilities.

It would also provide for the port security grant program at the $400 million level passed by the House in the Safe Port Act 2 weeks ago. The committee bill provides only $200 million for those grants, and it contains a number of other increases.

Despite the lessons from Hurricane Katrina, the committee bill cuts funding for programs geared to improve the preparedness of local police, fire departments, and emergency responders by $186 million, or almost 6 percent, from 2006. My amendment would provide additional funding for State emergency managers, for firefighters and for updating flood maps in critical, high-risk areas more quickly.

It would also provide an additional $750 million for urban areas and State homeland security grants so that all States and urban areas would receive at least as much as they received in 2005 or 2006, whichever is the highest. That would mean, for instance, that New York would receive almost $115 million more than it received in the recent DHS grant announcement. It would mean that Washington, D.C., would receive $40 million more than it received in the recent grant announcement.

This amendment would also provide more funding for aviation explosive detection for air cargo and for passenger and carry-on bags.

The amendment is fiscally responsible. It would offset the $4.5 billion in additional funding by capping the tax cut that people making over $1 million this year would receive at $102,400 instead of $114,200.

I would urge the chairman to withdraw his point of order against the amendment so that the House could have an opportunity to meet these essential national obligations.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. ROGERS of Kentucky. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2 of rule XXI. I ask for a ruling.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, the purpose of this amendment is to meet critical national responsibilities that the President of the United States has already indicated we should be meeting and that this Congress has indicated on previous occasions that we should be meeting.

Unfortunately, because of the rules under which the House is operating, the gentleman is technically correct. The House could vote on this amendment if the House Republican leadership saw fit to allow us to do so, but I must say that under the rules that the House is operating under I must reluctantly concede the point of order.

The Acting CHAIRMAN. The point of order is conceded and sustained.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

I rise at this moment only because I intended to do this at the beginning of the presentation of the bill and I was unable to be on the floor, but it is very important for the Members to know that the combination of work between the chairman of this subcommittee and our ranking member, Mr. ROGERS and Mr. SABO, reflects the very best work of the House and the Appropriations Committee.

This is the fifth bill that will be coming off the floor in an effort to have all our bills completed with their work on the floor by the 4th of July break. Without their fabulous partnership, this would not have been possible today.

In the bill overall, they provide approximately $32 billion for homeland defense, but I want to for those Members who are most concerned about that pattern whereby we are reducing patterns of growth in government to have them realize that this year's homeland security bill terminates six programs, resulting in $154 million in taxpayer savings. More importantly, in the five appropriations bills considered on the House floor thus far this year, the Appropriations Committee has recommended the termination of 22 programs for a total savings of $1.082 billion.

This is a very important piece of work. It shows the kind of imagination we need if we are going to be able to effectively carry forward this war on terrorism that is first international, but most important, important relative to our homeland defense and homeland security.

I want to congratulate the gentlemen and members of the committee on both sides of the aisle.

AMENDMENT OFFERED BY MR. KINGSTON

Mr. KINGSTON. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KINGSTON:

Page 62, after line 17, insert the following:

SEC. 537. None of the funds made available by this Act may be used to provide a foreign government information relating to the activities of an organized volunteer civilian action group, as defined by DHS OIG–06– 4, operating in the State of California, Texas, New Mexico, or Arizona, unless required by international treaty.

The Acting CHAIRMAN. Pursuant to the order of the House of May 25, 2006, the gentleman from Georgia (Mr. KINGSTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. KINGSTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, what this amendment does is it clarifies Congress' position on a Border Patrol practice or a practice of the U.S. Government that tips off illegal immigrants as to where citizen patrols may be located. As we know, we had lots of testimony and lots of visits from people along the border, and we have seen lots of cameras and lots of videos about just the total lawlessness of people coming illegally over the border at night.

As a response in that area, a group has sprung up called the Minutemen Project, and the Minutemen Project is definitely not politically correct in Washington, D.C. However, they filled a void which the government was unable to fill.

There are over 7,000 volunteers in the Minutemen organization, and I am sure, like any other group of 7,000 people, you could find a bad apple or two. Yet, at the same time overall, their help has been productive and good. In fact, the Border Patrol itself in a CRS study indicates how helpful they have been, and their involvement has reduced the number of apprehensions of people coming over. That is because their folks are watching the border.

What my amendment does is simply says that the U.S. Government cannot tip off the Mexican officials as to where these folks are located. Plain and simple, nothing fancy about it. I am sure the Border Patrol will say, oh, no, we are not doing that, and yet one of the Web pages of the Secretary of Mexico had the information very explicit, and we just do not believe that is a good practice.

So what we wanted to do is confirm Congress' position in an amendment.

Mr. Chairman, I reserve the balance of my time.

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Mr. SABO. Mr. Chairman, I claim the time in opposition; but, Mr. Chairman, I don't rise in opposition.

The Acting CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. SABO. Mr. Chairman, we are told by Customs and Border Patrol that this amendment has no effect on its operation because it only shares information when it is required by international treaty, the same as what this amendment says. So to the best of my knowledge this amendment simply restates what is policy.

If people want to put it in the bill, I guess that is okay because it apparently does nothing.

Mr. Chairman, I yield back the balance of my time.

Mr. KINGSTON. Mr. Chairman, how much time do I have?

The Acting CHAIRMAN. The gentleman from Georgia has 3 minutes remaining.

Mr. KINGSTON. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. DEAL).

Mr. DEAL of Georgia. Mr. Chairman, I thank the gentleman for yielding.

You know, the real shame of it is that we are even having to talk about this today. We ought to have a better neighbor on the border than Mexico has proven to be. I know they have economic incentives and reasons why they want their citizens to come illegally into our country, but they should not be put in a position of being tipped off to where citizens of this country are who are performing a service that, here again unfortunately is one that the Federal Government itself ought to be performing in a better fashion, and that is patrolling our borders.

It is regrettable that the Mexican government sometimes knows more about what is going on on our side of the border than we appear sometimes to know ourselves. The Minute Men have provided a service. It is a service that perhaps should be unnecessary if the Federal Government were doing its job adequately and appropriately.

I commend the gentleman from Georgia for offering this amendment, and I urge this body to support it.

Mr. KINGSTON. Mr. Chairman, I yield 1 minute to my friend from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. I thank the gentleman for offering this amendment, and also I am thankful to hear from the other side of the aisle that they believe we should go forward and that this doesn't add anything to it other than what existing law is the case.

I hope that is the case, because it was last month I sent a letter to the U.S. Customs and Border Protection, and I did that in response to an article in the Inland Valley Daily Bulletin and reports on various media outlets that stated the U.S. Border Patrol had in fact been informing the Mexican government of the location of the Minute Men and other similar U.S. patrols throughout the border. I sent that letter specifically to say what is our policy, or how are they conducting themselves.

It was also reported that the U.S. Customs and Border Protection spokesman told the media outlets that the policy is meant to ensure the Mexican government that the migrant rights are being observed.

I applaud the gentleman for doing the amendment because we know at the end of the day we here in this House are most concerned about the rights of the American citizens and the safety and protection of the American citizens, and I think his amendment goes a long way to making sure that our rights, our citizens' rights and their safety will be protected so that this information is protected and kept here.

Mr. KINGSTON. Mr. Chairman, I thank the gentleman for his support and comments, and I thank my friend from Minnesota on it.

Out of an abundance of caution, I do plan to ask for a recorded vote on this. And the caution is not with anybody in this Chamber, but with our friends in the bureaucracy outside of here; that sometimes we need to have a little statement for them.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. KINGSTON).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. KINGSTON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. BISHOP OF NEW YORK

Mr. BISHOP of New York. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BISHOP of New York:

At the end of the bill (before the short title), insert the following:

SEC.   . None of the funds made available in the Act may be used to reimburse L.B.& B. Associates, Inc. or Olgoonik Logistics, LLC (or both) for attorneys fees related to pending litigation against Local 30 of the International Union of Operating Engineers.

The Acting CHAIRMAN. Pursuant to the order of the House of May 25, 2006, the gentleman from New York (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. BISHOP of New York. Mr. Chairman, my amendment would prohibit funding in this bill from being used by the Department of Homeland Security to reimburse a private corporation for attorneys' fees and any other legal expenses incurred during their appeal from a recent and impartial National Labor Relations Board decision to reinstate employees who were unfairly fired from their jobs at the Plum Island Animal Disease Center, which is a DHS facility located off the North Fork of my district on Long Island.

The Plum Island employees were hard-working members of the International Union of Operating Engineers, Local 30. They were loyal to DHS and to the research facility on Plum Island. In 2002, they were fired on grounds that the NLRB recently found were unjustified. Adding insult to injury, the employees were also denied back pay and benefits for over 3 years of missed work. And now their employer wants to appeal the administrative decision of an impartial arbiter to put them back to work and award them the back pay and benefits they are due.

I hope that my colleagues would agree that spending money in this bill to reimburse a privately-owned joint venture for attorneys' fees and to further extend this already long and protracted litigation is an entirely inappropriate use of DHS funds. More important, it would negate the intended use as appropriated by this Congress and detract from what should be the primary focus of the Department, defending our homeland and keeping Americans safe from foreign sources of terrorism.

For instance, the funds my amendment blocks would be a lot better spent protecting the two cities attacked on September 11th that are now shortchanged $114 million due to the Department's decision to slash anti-terrorism funds from major urban areas.

Mr. Chairman, it is long past time for this case to be resolved, to stop harassing the Plum Island employees, allow them to return to their jobs and restore their benefits. I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. Does any Member seek recognition in opposition to the amendment?

Mr. BISHOP of New York. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. Does the gentleman offer the amendment as the designee of Mr. KUHL?

Mr. PRICE of Georgia. I do.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PRICE of Georgia:

At the end of the bill (before the short title), insert the following:

SEC. . The amounts otherwise provided by this Act are revised by reducing the amount made available for "DEPARTMENTAL MANAGEMENT AND OPERATIONS—OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT", and increasing the amount made available for "OFFICE OF GRANTS AND TRAINING—FIREFIGHTER ASSISTANCE GRANTS" (for increasing the amount under such heading to carry out section 33 of the Federal Fire Prevention Control Act of 1974 by $2,100,000, and increasing the amount under such heading to carry out section 34 of such Act by $2,100,000), by $4,200,000.

The Acting CHAIRMAN. Pursuant to the order of the House of May 25, 2006, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I yield myself such time as I may consume.

The Department of Homeland Security awarded a contract to a private company for limousine and shuttle services for its employees for $22 million. All of our budget discussions are indeed discussions about priorities, and Mr. KUHL and I would suggest that this simply is an issue of priorities. This amendment shifts $22 million in funds previously used to pay for limousine services to increase the much-needed FIRE grants program.

Created by Congress in 2003, the SAFER Grants are meant to help communities with career, volunteer, and combination fire departments to meet industry minimum standards and attain 24-hour staffing to provide adequate protection from fire and fire-related hazards, and to fulfill traditional missions of fire departments that antedate the creation of the Department of Homeland Security. These SAFER Grants will help fire departments meet these minimum industry standards prescribed by National Fire Protection Association Standards 1710 and 1720.

It seems to both Mr. KUHL and to me that our priorities as a Nation should be for FIRE and SAFER Grants and not limousines, and I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the last word.

Mr. Chairman, first, let me say that, as written, this amendment does not accomplish what the gentleman, I think, has described, but I do understand the intent of the amendment, and I agree with the gentleman's concerns about the various allegations that have been made about this service.

However, I would like to point out that the Inspector General's office is investigating this 5-year contract to see if there is any impropriety. If there is, the contract will be terminated.

The intent of this amendment is to bar DHS employees from using "limousine services." But it does not define what that means. It could have some wide-ranging impacts if it is not defined.

For example, with no definition, it could be perhaps used to stop FEMA crews from contracting buses to get to disaster areas. It could shut down bus shuttle service between the various DHS campuses in the D.C. area. And it could prevent employees from taking taxis from airports while they are on official travel. These are very impractical limitations for a department we expect to act quickly in time of emergency.

So I would hope at some point in time, if this amendment passes, that there could be some way to define what is prohibited. But even with these concerns and these reservations, I am willing to accept the gentleman's amendment.

Mr. PRICE of Georgia. Mr. Chairman, I thank the gentleman from Kentucky for his comments and appreciate his concerns regarding the wording and the accuracy thereof, and we look forward to working with him as this process moves forward, and I appreciate his support of the amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act (1) under the heading "OFFICE OF GRANTS AND TRAINING—STATE AND LOCAL PROGRAMS" may be used for puppet or clown shows, gym or fitness expenses (including equipment, training, memberships, and fees), or nutritional counseling, and (2) under the heading "FEDERAL EMERGENCY MANAGEMENT AGENCY—ADMINISTRATIVE AND REGIONAL OPERATIONS" may be used to purchase or pay for adult entertainment, bail bond services, jewelry, weapons, or fines for prior traffic violations.

Mr. ROGERS of Kentucky. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman from Kentucky reserves a point of order.

Pursuant to the order of the House of May 25, 2006, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do recognize the point of order, and I will address that at the very end.

Mr. Chairman, I drafted an amendment here to highlight in essence the mismanagement of money in two specific agencies or programs funded by this bill, FEMA and the Homeland Security Grants program.

There is no one in this body that knows our threat to this Nation better than I. The district that I have the honor and privilege of representing borders the Hudson River and downtown New York City is basically within eyesight of our district. There were tragically far too many people from the Fifth District of New Jersey who lost their lives on September 11. So my top priority since coming to this body has been and will remain homeland security.

The threat to our Nation and the residents of northern New Jersey is still very real. Law enforcement agencies are stretching every penny to purchase equipment, vehicles, medical supplies, and radios, but they do not have enough resources. On too many occasions in this body, I have fought for more resources to be brought to New Jersey and other high-risk areas.

With that being said, it pains me that as my neighbors and friends, living in my region of such high risk, the Department of Homeland Security is still using a portion of our limited resources for things that will keep no one safer and make no taxpayer happier.

It has come to my attention that the DHS has provided grants for example to fire departments to pay for things such as fitness equipment, nutritional counseling, clown and puppet shows, no less. Now, Mr. Chairman, I think clowns are as funny as the next guy, but I don't think the ability to be funny is what it is about when we are trying to help people during the next terrorist attack.

Looking next to FEMA, similar examples illustrate the need for additional oversight of FEMA, the Federal Emergency Management Agency. Since Hurricane Katrina tragically hit the gulf coast, we have heard of numerous examples of mismanagement, neglect, wasteful spending, and even fraud that has prevented hundreds of millions of dollars from helping any of the victims of the storm.

Now, my time is limited here, so I will highlight just some of the most egregious examples. There have been five, five separate government reports by the GAO and other bodies that detail these problems. They have provoked the universal outrage in mismanagement, and here in this amendment we try to address it.

Specifically, my amendment calls attention to the utter mismanagement of the debit card program. As you may recall, FEMA gave out $2,000 debit cards with no verification process for eligibility. People took advantage of it.

☐ 1515

Among the many "necessary" items that people did for survival were adult entertainment, bail bond services, jewelry, and of course what every victim of a hurricane has to worry about, traffic tickets.

Another example of waste, FEMA spent almost $900 million to store nearly 25,000 manufactured homes around the country mainly because they prohibited themselves from putting them in flood plains, such as New Orleans. In addition, FEMA let almost 11,000 unused manufactured homes sit in open fields in Arkansas, while at the same time paying people's hotel bills of $438 per night to stay in a hotel in New York City.

Further, a GAO report said 2.5 million Hurricane Katrina evacuee registrations were done, and 60 percent were done over the telephone, meaning there was no verification process at all as to who these people were who were getting these dollars.

A study found that as many as 900,000 applicants used bogus Social Security numbers, duplicate Social Security numbers or false addresses and still received funding. There are other examples more numerous.

As we pass this bill today and provide billions of taxpayer dollars to an agency that has practiced questionable responsibility for the funds that we appropriate, I strongly urge this body to work on methods to hold FEMA even more accountable, to a higher standard of level of accountability. There has been too much waste, fraud and abuse in these very important areas of homeland security and dealing with natural disasters.

We can and must do a better job with our security dollars. I look forward to working with the chairman as we move forward to work for better oversight in these areas in this Congress and in the future.

Mr. Chairman, I ask unanimous consent to have my amendment withdrawn because I acknowledge that it is not in order.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDMENT OFFERED BY MR. ROGERS OF KENTUCKY

Mr. ROGERS of Kentucky. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ROGERS of Kentucky:

SEC.____. The amounts otherwise provided by this Act are revised by increasing the amount made available for "United States Secret Service—Protection, Administration, and Training" and the amount made available for "Federal Emergency Management Agency—Readiness, Mitigation, Response, and Recovery" by $2,000,000 respectively.

The Acting CHAIRMAN. Pursuant to the order of the House of May 25, 2006, the gentleman from Kentucky (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Now that pretty much everything is said and done on this appropriations bill, according to CBO scoring, the bill is now under its section 302(b) allocation by $4 million. My amendment simply takes that $4 million and makes modest funding adjustments to two accounts: FEMA's Readiness Mitigation Response and Recovery program and the U.S. Secret Services Protection Administration and Training program.

Mr. Chairman, the FEMA dollars will be used to continue work to upgrade the National Response Plan. For the Secret Service, funds will be used to support critical protective operations.

This amendment has been cleared by both sides of the aisle, and I ask that it be agreed to.

Mr. SABO. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Minnesota.

Mr. SABO. I thank the gentleman for his amendment. It is a good amendment, and I hope it is passed.

Mr. ROGERS of Kentucky. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky (Mr. ROGERS).

The amendment was agreed to.

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the last word and yield to the gentleman from New York for a colloquy.

Mr. SWEENEY. Mr. Chairman, I rise to engage in a colloquy regarding the fiscal year 2006 high-density high-threat urban area security initiatives, and I do so recognizing that we are in the process of debating and discussing the 2007 bill, and so the relevance is of some importance.

Last week, DHS released the funding allocations for the 2006 homeland security grants program. I was extremely disappointed to see New York's overall allocation for the UASI program decreased by almost $83 million.

It is tough to understand why, considering New York City remains the highest target to terrorism. New York has been attacked and targeted not once, but multiple times; and its security is a national concern.

In fact, a Pakistani immigrant was just convicted last week for attempting to blow up a subway station at Herald Square.

I have been fighting for a threat-based funding formula for several years because homeland security funding should be based on population, threat, vulnerability, and consequence. The program should never be used for pork spending. The formula I have been fighting for will benefit the areas that need it the most: those that face threats like New York City, Boston, Philadelphia, San Diego, Washington, D.C., Los Angeles and many others where we know real threats exist.

This debate is not a fight between rural and urban areas, and I would point out that I represent the 32nd most rural district in the country, and I know rural areas have essential infrastructure to protect as well. I learned from 9/11 that urban and rural areas are linked in terms of economics; and, frankly, as Americans, we all have the same concerns, so we must look for productive investments from DHS.

Mr. Chairman, I respectfully request your consideration to join with me in working toward a solution in addressing the process in an oversight hearing.

Mr. SERRANO. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from New York.

Mr. SERRANO. Mr. Chairman, first, I want to thank the chairman and ranking member again for their hard work on this bill. The challenges of this bill and this subcommittee include not only setting these essential priorities for our country's security, but also keeping a close watch on the Department to make sure that those priorities are carried out and that the resources provided are well spent.

Chairman ROGERS and Mr. SABO have done a great job on both accounts, and it is in recognition of their past vigilance that we now raise our concern.

As my friend from New York mentioned, last week the Office of Grants and Training, and I should note that this office has changed management and changed names twice in 3 years, announced the State allocations under the Urban Areas Security Initiative. The allocation for the State of New York through this program is 42 percent less than its allocation from last year.

Mr. Chairman, we all know that the process for distributing these funds is a complicated one, but here is also what I know. I know that New York City remains the highest density urban area in the country and by far dedicates more of its own funds to fighting terrorism than any other municipality. I also know that New York City continues to be the financial center of the country. It is the site of Yankee Stadium and Shea Stadium, the site of the Empire State Building and the Statue of Liberty, and the former site of the World Trade Center.

I know that as the Department is still working out its processes for determining risk and threat, there is much room for error.

I would ask the chairman of the subcommittee if he shares my concerns and if he would be willing to hold additional hearings into this matter to make sure that every homeland security dollar is protecting as many Americans as possible.

Mr. ROGERS of Kentucky. I thank the gentleman for his comments. I understand the concerns of both gentlemen from New York, both very valued, hardworking members of the subcommittee, I might add.

I agree that the subcommittee should hold further hearings into this matter. We will be working to set up a closed briefing because we are dealing with classified material here. We will work with the gentlemen to set up a closed hearing to further look into the matter.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SWEENEY) having assumed the chair, Mr. McHUGH, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5:15 p.m. today.

Accordingly (at 3 o'clock and 25 minutes p.m.), the House stood in recess until approximately 5:15 p.m.

☐ 1716

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SCHWARZ of Michigan) at 5 o'clock and 16 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 5254, REFINERY PERMIT PROCESS SCHEDULE ACT

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 842 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 842

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 5254) to set schedules for the consideration of permits for refineries. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker for the purpose of debate only, I yield the customary 30 minutes to my good friend, the gentlewoman from California (Ms. MATSUI), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

The rule provides 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule also provides one motion to recommit.

Mr. Speaker, over the last several years, we have seen gasoline prices increase steadily in the United States. The rising cost of gasoline can be attributed to several factors, including increased demand in the United States and in other countries such as China and elsewhere, decreases in oil production in politically unstable countries, including Venezuela and Nigeria, and a lack of refinery capacity in the United States.

In the last 24 years, our refinery capacity has dropped from 18.62 million barrels a day to less than 17 million barrels a day. This at the same time that our gross domestic product has increased in current dollars from 3.1 trillion to 12.4 trillion. Because of the sustained growth of our economy and the fact that we have not built a new refinery in almost 30 years, we are now forced to import over 4 million barrels a day in refined products, and that is when our refineries are running at full capacity.

Any changes in our refinery capacity can cause supply constraints and price spikes, especially in the gulf coast, where we have approximately half of our refinery capacity. And that is exactly what happened when the Hurricanes Katrina and Rita hit the gulf coast, causing gasoline prices to rise almost 50 cent a gallon. 2 months after the storms hit we still had lost almost about 18 percent of our refining capacity, leading to sharp price increases.

In order to prevent the steep increases in gasoline prices that we saw after Hurricanes Katrina and Rita, and to try to moderate the continuing price increase, we must make certain that we build new refineries to meet our current demand and to prevent a loss of capacity due to another hurricane, or a terrorist attack for that matter. Without an increase in our refinery capacity, we will be at the mercy of countries such as Venezuela for the importation of refined oil products. Now, these countries are not reliable sources of refined products due to their politically unstable and/or unfriendly governments.

One of the biggest challenges to the building of new refineries was pointed out by Daniel Yergin of the Cambridge Energy Research Associates during a hearing in the House Energy and Commerce Committee. Mr. Yergin stated that, and I quote, "the building of new refineries has been hampered by costs, citing and permitting."

Mr. Speaker, H.R. 5254 would help alleviate some of the problems associated with the building of new refineries. The legislation directs the President to appoint a Federal coordinator to manage the multi-agency refinery permitting process. Working with the governor of any State where a refinery is proposed, the coordinator will begin by identifying and then convening all relevant agencies to coordinate the schedules for action so that no process called for in statute or regulation is short-changed, and public input opportunities are preserved, but also to allow the project to proceed as fast as otherwise possible. The goal of this legislation is to eliminate needless delay from agencies that are either dragging their feet or simply acting in sequence when parallel action would be more efficient.

Bringing new refineries online will ease our reliance on foreign sources of refined products and will also allow us to have enough refinery capacity to meet the needs of our growing economy while providing a back up if any of our refineries are shut down for an extended period of time.

Mr. Speaker, the House has already taken steps to help lower the cost of gasoline. Last month we passed legislation to combat price gouging as well as legislation to open up ANWR to environmentally friendly energy development. However, more must be done. The underlying legislation is just another step in our continued efforts to provide relief from the high cost of gasoline.

H.R. 5254 was introduced by Representative BASS. A majority of the House has already voted in favor of this legislation. However, the bill did not pass because it was brought up under suspension of the rules and it did not obtain a two-thirds majority. Now we have another chance to pass this bill which is important to our energy needs and our growing economy.

I would like to thank Chairman BARTON and Representative BASS for their leadership on this issue. I urge my colleagues to support both the rule and the underlying legislation.

And at this time, Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

I thank my friend, the gentleman from Florida, for yielding me time.

Mr. Speaker, when I was home in Sacramento last week, one constant topic of conversation was gas prices and energy policy. I heard several different perspectives on the issues.

Many working families told me they are having to adjust their monthly budgets to offset the cost of $3 a gallon gas. Other individuals expressed concern about global warming and how our dependence on fossil fuels is driving dangerous climate change.

Still others told me they are worried that our economy and our national security are frighteningly dependent on unstable oil producing countries like Iran, Venezuela and Nigeria.

From speaking with my colleagues, it is clear that Americans are echoing these concerns across the country. So I would hope that we could all agree that our constituents, from Sacramento to Miami, want Congress to do something substantive about gas prices and energy policy.

Unfortunately, today's debate represents another missed opportunity for strategic long-term national energy policy. Today we could be addressing the pressing issues raised by my constituents and yours. But we are not.

This resolution would provide for debate for H.R. 5254. This bill purports to address the problem we saw in the wake of Hurricane Katrina and Hurricane Rita, the vulnerability of America's energy infrastructure to supply disruptions.

Because of last year's hurricanes, many refineries in the gulf are running at reduced capacity, or were knocked offline entirely. This tightened supplies and played a role in the rapid rise in gas prices. So there is an issue here for Congress to address. But there is some disagreement on exactly what the problem is.

During debate on this bill, you will hear conflicting explanations for why no new refineries have been built in the United States since 1976. The majority might cite the environmental permitting process saying it has impeded the ability of companies to build new refineries.

They will argue that if Congress just pushed the permitting process harder, if we can do some more streamlining, then new refineries will start sprouting up across the country.

However, the reality is a different matter. The central provisions of this bill are designed to streamline the environmental permitting process for new refineries. Yet, there is no evidence these changes would actually lead to the construction of one new refinery.

That is because there has not been one convincing example of a situation where the permitting process prevented, held up or stalled the construction of a refinery.

You don't have to take my word for it. You can refer to the testimony of the energy company executives. During Senate testimony last year, even they could not cite such an occasion. The fact is, new refineries have not been constructed because it has not been in the interest of industry to do so. And that is fine. It is their right to not to construct refineries. But Congress should not respond to profit motivated decisions by altering permitting processes that are functioning just fine.

Furthermore, the refinery permitting process was altered just last year in section 103 of the energy bill so why are we doing it again? Let's see if that process works before revising it again.

This flawed bill reflects the manner in which it was brought to the floor. The Energy and Commerce Committee has not held hearings on H.R. 5254. It hasn't been marked up either. If this is truly an important piece of legislation, shouldn't it come to the floor in regular order?

If the House wanted to truly address the issue of refinery capacity, we should be taking up H.R. 5365, offered by Congressmen DINGELL and BOUCHER. Their legislation would enhance America's refinery capacity by creating a Strategic Refinery Reserve to complement the Strategic Petroleum Reserve. Unfortunately the majority on the Rules Committee did not allow a vote on this legislation.

This is a commonsense proposal because in emergencies like Katrina, even when the President releases crude oil from the Strategic Petroleum Reserve, we may not have the refinery capacity to process it.

The Dingell/Boucher bill would direct the Energy Department to establish a Strategic Refinery Reserve that can produce 5 percent of daily demand for gasoline.

This reserve would ensure that additional refinery capacity is available during emergencies, strengthening our national security while helping to mitigate upward price pressures. And in non emergencies, it would provide refined products to the Federal fleet, easing demand on the rest of the market.

This is a forward-thinking and logical proposal. I was disappointed that the Rules Committee voted against making it in order as a substitute, because if we had passed a Dingell/Boucher bill, at least I could tell my constituents Congress did something substantive to deal with America's energy challenges.

When I return to my district next week and in the coming weeks and months, I would like to be able to tell my constituents that Congress understands what you are dealing with in terms of gas prices and energy.

We know we can't fix everything overnight. But we have got a real plan for the future.

I want to be able to tell them that we are going to reduce demand by promoting energy conservation and fuel efficient forms of transportation. And we are going to work to develop renewable sources of fuel and other innovative technologies.

Taken together, these will help America move towards energy independence. And we are going to stop providing subsidies to companies that are making record profits, and instead, we are going to help working Americans deal with high gas prices.

I really wish I could say all of those things. But that is not going to be possible if the House continues to consider unnecessary and misguided legislation like this bill.

I urge my colleagues to vote against this rule because this bill did not go through regular order, because it comes to the floor under a closed rule which does not allow for its improvement, and because it does not allow the commonsense Dingell/Boucher substitute.

□ 1730

I urge my colleagues to vote against the underlying bill. Such a vote will reject this misguided approach to energy policy. A "no" vote on this legislation would send a message that Congress is ready to consider truly substantive legislation that addresses the energy crisis this Nation faces. Please join me in sending that important message.

Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, it is my privilege to yield such time as he may consume to the distinguished gentleman from Texas (Mr. HALL).

Mr. HALL. Mr. Speaker, I rise in support of the rule, of course, providing for consideration of H.R. 5254, the Refinery Permit Process Schedule Act.

First, let me explain the bill. It will create a new system for coordinating the myriad permits and authorizations required under Federal law in order to get refineries built and operating.

Mr. Speaker, a Federal coordinator will call a meeting of all officials involved in issuing permits under Federal law. For those permits that require State officials to implement Federal law, the governor of the State where the refinery would be located selects the participants. Under the leadership of the coordinator, the officials will hammer out a coordinated schedule for acting up or down on permit applications. The schedule will be published in Federal Register. Once the regulatory work begins, if an agency slips behind schedule, the applicant may go to court to get the schedule restored.

The bill also calls on the President to suggest that we use closed military bases as possible candidates for siting refineries, subject to local approval.

H.R. 5254 explicitly preserves the letter and intent of all laws for environmental protection and public participation, and, for the first time, it gives priority to EPA in scheduling permit processing. But it also instills discipline and interagency teamwork into the system so that needless bureaucratic delay can be eliminated.

Why do we need this bill? Witness after witness at our Energy and Commerce Committee hearings have testified to the shortage of refinery capacity in the United States. It is shocking to most Americans that we are importing more gasoline every day and that our domestic capacity to make gasoline is at its upper limits. This causes upward pressure on prices, which we all experience at each fill-up.

One reason that refinery capacity is so tight is the regulatory costs and uncertainty of permitting. We want to take that excuse off the table. But what we really want to do is open the U.S. market to new entrants who will refine traditional fuels and alternatives such as coal-to-liquid and biofuels, both of which are set out in H.R. 5254.

The process for H.R. 5254 started last year on September 7, 2005, just days after Katrina struck the gulf coast. We held hearings that led to H.R. 3893, the Gasoline For America's Security Act. Sections 101, 102 and 103 of H.R. 3893 on refinery streamlining formed the foundation of H.R. 5254.

After a vigorous floor debate, H.R. 3893 passed the House, but it has not been taken up by the Senate. So on May 2 of this year, our colleague from New Hampshire, Mr. BASS, introduced this new version of refinery streamlining that provides for State input and, more explicitly, preserves underlying Federal environmental laws.

A bipartisan majority of the House voted for H.R. 5254 when it was brought up under suspension of the rules. During that debate, some Members suggested that the bill does not defer adequately to the role of States in permitting decisions. After the debate was over and the bill had garnered 237 votes, but shy of the two-thirds needed under suspension, we reached out to our friends on the other side of the aisle to explore common language. In fact, we offered an amendment designed to address the State role issue, even more than we had already in the underlying bill.

The chairman of the full committee asked that this bill be pulled from the schedule several weeks ago so that bipartisan discussions could be given a chance. Our colleagues in the minority really had three options. Their first option was to accept the new language as fully answering their concern, which I believe it did; option two was to suggest modifications or alternatives to achieve the same purpose; option three was to take their ball and go home. The alternative to "take their ball and go home" meant to decide that negotiations would not produce an agreement.

They chose option three, which surprised us. We thought a deal was possible, and we made suggestions to address their concerns.

We are here today with the same bill that received 237 votes last month because the bill already deferred to governors on the designation of State officials to participate in the development of the coordinated plan, and because 237 of us confirmed our support for H.R. 5254 earlier this month, without any further changes, I think that no amendments to the bill are necessary.

I urge a "yes" vote on the rule.

Ms. MATSUI. Mr. Speaker, I yield 4 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentlelady for yielding.

Mr. Speaker, I rise in opposition to this rule and urge its defeat. It is sadly typical of the way this Republican House has operated that the members of the committee of jurisdiction, including the distinguished ranking member Mr. DINGELL, are not allowed to offered amendments during floor debate. I say that is typical, but it doesn't make it right. We need reform of the way this House is being run.

Mr. Speaker, I offered a simple amendment in the Rules Committee to strike section 5 of the bill, the section of the bill that requires the President to designate three closed military bases as sites for an oil refinery. For bases that are chosen, section 5 requires local redevelopment authorities, or LRAs, to halt their re-use planning and consider an oil refinery even if the local community doesn't want one. My amendment was denied.

I would have offered the amendment in an Energy and Commerce Committee markup, but the committee never held a markup. So the bill will arrive on the floor not once, but twice, without the opportunity to debate amendments and without a committee markup.

Communities that have suffered under the impact of a closed military base do not need the President of the United States or the Congress usurping authority for local land use decision making.

Moreover, section 5 is unnecessary. There is nothing, I repeat, nothing in the current statutes or Defense Department regulations that prevents a community from developing a closed base into an oil refinery. If the local community wants an oil refinery, then it certainly can develop one on a closed military base.

Here is the main point: The underlying bill, when read together with the BRAC statutes and regulations, has the effect of forcing an LRA, if designated by the President, to spend local resources and valuable time developing a reuse plan for an oil refinery, even if the community the LRA represents has no interest in a refinery.

Moreover, because under the BRAC law the Secretary of Defense has the final and sole authority to accept a reuse plan and to determine the future use of the base, the effect of section 5 of this bill is to force a community to accept an oil refinery, even if it doesn't want one.

I have no problem with an oil refinery being built in a closed military base in a community that wants the refinery built. But that should be decided by the community, not by the President, not by the Secretary of Defense and not by the Congress. My amendment protected local control. It should have been allowed. I urge my colleagues on both sides of the aisle to reject this rule.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 6 minutes to the distinguished gentleman from New Hampshire (Mr. BASS), the author of this important legislation.

Mr. BASS. Mr. Speaker, I thank my friend from Florida for recognizing me, and I want to thank the staff, the chairman of the Commerce Committee and the chairman of the energy committee, Chairman BOEHLERT, for their participation in working out this piece of legislation.

As has been said before, this legislation passed the House a few weeks ago 237–188. Although it prevailed by a pretty good margin, it wasn't enough to make the two-thirds margin required for suspension, so we bring it up today under regular order.

I just want to point out exactly what this bill does. It directs the President to appoint a coordinator for the process of considering refinery citing permits.

It requires that coordinator to work with, not against, but with Federal, State and local entities to issue the needed permits and approvals and set an agreed upon schedule for each approval.

It also allows this coordinator to establish a memorandum of agreement with all the relevant parties which will set forth the most expeditious path toward a coordinated schedule for permitting.

It allows the local Federal district court to enforce this agreed upon schedule, giving proper opportunity for good faith delays and setbacks.

It instructs the President, as we heard a minute ago from my friend from Maine, to designate at least three closed military installations as potentially suitable areas for the construction of a refinery. And, by the way, at least one of those must be designated as usable for a biorefinery, not an oil refinery.

I would point out, as had been debated the last time the bill came up, we haven't built a new refinery in this country since 1976. Gasoline demand in the United States has doubled since then; doubled. Our current capacity for refining gasoline is about 17 million barrels a day. Our consumption is over 21 million barrels a day, which means that the deficit is being imported as a finished goods product from abroad. We are indeed importing an enormous quantity of gasoline every day, which is adding to the instability of gasoline prices as well as availability.

Secondly, too much of our refining capacity is in one part of the country. We learned last year when energy prices climbed 50 cents a gallon at gas stations that Katrina, going through Louisiana and the Gulf of Mexico, can have a devastating impact on availability when refineries are shut down for short periods of time or even longer periods of time. We need to have a more diverse geographic location for refinery capacity in our country.

Furthermore, our current refinery capacity is too reliant on crude oil as a feedstock. Less than 2 percent of our motor fuel is based only anything other than crude. Our national agriculture and forest industry resources can sustainably provide feedstock to displace more than one-third of our transportation fuels. I am hopeful. I would welcome a biorefinery in my neck of the woods. We need refined ethanol to replace MTBE as an oxygenate for gasoline.

We have heard the opponents of this legislation say that even big oil industry, the oil companies, don't think that expediting the permitting process is necessary. Well, I would rather not take the word of the big oil companies as to whether or not they think tight refinery supply is good or bad for business. I don't want to give them any excuse for saying that they can't build new refinery capacity.

Nothing in this legislation will circumvent any existing regulation that exists today. All it does is make it quicker and more expeditious and more efficient, but it doesn't eliminate nor short circuit any local protections.

Others say we are better off expanding current refinery capacity. Well, I addressed that a little bit a minute ago. The danger we face in having a few very large refineries and not other refinery capacity in this country is serious. The impact on consumers, on the economy, can be devastating if we only have a dozen or two. The increased dependence on foreign oil that we may face under these circumstances is significant.

My friend from California earlier mentioned that there is no evidence that the passage of this legislation would lead to the construction of any new refinery. That is a difficult question to answer, because if you don't make it easier, how are you going to know that making it easier doesn't work? The fact is that we know that it can take up to 10 years to get the permitting process done.

I would point out that this bill does no harm whatsoever to the current process, but it makes it work better. If the industry doesn't like it, I don't want to be on the side of an industry that wants to restrict increasing refinery capacity.

I believe that what we envision in this bill protects the environment, it protects the process, it can potentially lead to more diverse and better and modern refinery capacity in this country, which will lead to a stronger economy, lower gas prices in my part of the world, and yet at the same time protecting our fragile environment.

□ 1745

So I urge the Congress to not oppose this rule, bring this bill to the floor, and pass it on to the Senate.

Ms. MATSUI. Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. HALL).

Mr. HALL. Mr. Speaker, first I would like to point out again, as Mr. BASS did, that nothing in this bill forces communities designated by the President to submit to Secretary Rumsfeld a reuse plan that includes a refinery, even if they do not want to build one.

The opposite is true. Actually, this is going to go to districts that want them, and we have districts who do want them. I hold in my hand a letter from the Texarkana Chamber of Commerce, Texarkana, Texas, signed by the president of that chamber, the county judge, the Bowie County judge, the mayor, both mayors on the Arkansas side and Texas side.

Mr. Speaker, it is going to go to places who really want them, and the bill requires that the Secretary of Defense give substantial deference to the local redevelopment authority's recommendation, even if that recommendation rejects the refinery.

And the President has no power to direct. He has power only to suggest. And you can see that by looking at section 5, line 16. That simply says: "The President shall designate no less than three closed military installations, or portions thereof, as potentially suitable for the construction of a refinery."

So these places are going to be sought after. Maine has nothing to fear. If they do not want it, they can cancel it by simply saying they do not want it. We would be very happy to have it over in Texarkana, Texas and serve four States there that come together.

I urge, of course, the support of this bill.

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will be asking Members to vote "no" on the previous question so I can amend this rule, closed rule, and allow the House to consider the Boucher-Dingell Strategic Refinery Reserve substitute.

This substitute was offered in the Rules Committee when this rule was reported last month, but was blocked on a straight party-line vote.

Mr. Speaker, I ask unanimous consent to print the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Mr. Speaker, whatever position Members have on this legislation, they should vote against the previous question so we can consider a much better approach to our Nation's refinery shortage.

The Boucher-Dingell substitute, which is identical to the text of H.R. 5365, will establish a strategic refinery reserve. This reserve would complement the Strategic Petroleum Reserve. It would provide a much needed safety net for this Nation during times when existing refineries are temporarily or even permanently unavailable.

It would also be used to supply fuel to the Federal Government and the military during those times when oil production is not compromised.

Vote "no" on the previous question so we can consider this important and responsible substitute. I want to make it very clear that a "no" vote will not stop us from considering H.R. 5254, but a "yes" vote will block consideration of the Boucher-Dingell substitute.

Again, I urge all Members to vote "no" on the previous question.

Mr. Speaker, I yield back the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank all of our distinguished colleagues that have spoken on this rule today. It brings to the floor an important piece of legislation, a bill that this House considered and voted with the solid majority under suspension of the rules just some weeks ago, but it did not obtain the two-thirds vote necessary to pass under suspension of the rules. That is why we have brought it forth again under the regular order with a rule.

It will help. It will contribute to helping our country with the energy crisis that we face, when we recognize the fact that the economy has grown, as it has so tremendously in the last 30 years and yet not one single refinery has been constructed. Evidently, there is a problem. This seeks to do something about it.

So that is why we are bringing again this legislation for consideration of the House under this rule. Accordingly, Mr. Speaker, in order to consider that legislation, we have brought this rule forward, and I would ask all of my colleagues to support it as well as the underlying legislation.

Mr. MARKEY. Mr. Speaker, I rise in opposition to this Rule and to the underlying bill.

Let me begin by saying that I've been in Congress for 30 years now, and this is absolutely the worst energy bill I've seen since the bill the House defeated just over one month ago!

In fact, it is the same exact bill—risen from the grave like some horror movie monstrosity to haunt this House yet again.

The Rule we are considering for this bill is an absolute insult to this House and to the Members. It is a complete and total gag Rule. It makes absolutely no amendments in order. It allows only one hour of debate on the bill. It waives all points of order against the bill.

The Rules Committee Republicans voted down Democratic motions to report this bill with an open rule.

The Rules Committee Republicans voted down a Democratic Motion to make in order an amendment by the gentleman from Maine (Mr. ALLEN) to strike provisions from the bill that would require the designation of no less than 3 closed military bases for use as refineries.

The Rules Committee Republicans voted down a Democratic Motion to make in order an amendment by the gentleman from Virginia (Mr. BOUCHER) to establish a Strategic Refinery Reserve to help cushion the shock of extreme supply disruptions with a federal refinery that would have surge capacity to produce refined products when needed.

Why are the Republicans afraid of having a debate and a vote on these Democratic amendments?

Are they afraid of giving the Members an opportunity to approve a measure that might actually do something to reduce gas prices, and ensure that the rights of local communities are not trampled upon in order to advance the interests of the oil industry? We should be able to have that debate and vote on these amendments today.

We shouldn't be forced to put our amendments into a recommittal motion at the end of the bill in which we will only have 10 minutes of total debate time.

Once again, the Republican Majority that controls this Congress is abusing its power and trampling upon the rights of the Minority.

This bill has never been the subject of any legislative hearing in the Energy and Commerce Committee. It was introduced by the gentleman from New Hampshire (Mr. BASS), on May 2nd of this year and then brought immediately to the House floor on the Suspension Calendar one day later.

Now, the Suspension Calendar is normally used for non-controversial bills that have approved on a bipartisan basis. Most of the time, we use the Suspension Calendar to bring up bills to name post offices, pass commemorations, or enact Sense of Congress resolutions. It is entirely inappropriate to use the Suspension process for a bill as contentious as the Bass bill, because that process bars any amendments and sharply limits floor debate.

Thankfully, the Bass bill failed when brought up as a Suspension. It deserves to fail again here on the Floor today.

There still have never been any legislative hearings on this bill.

There still has been no Subcommittee or Committee process.

The Democratic Members of the Energy and Commerce Committee have been walled out.

This is a bad bill. It deserves to be defeated.

I urge the Members to reject this Rule, to reject this unfair process, and to reject the Bass Refinery bill.

The material previously referred to by Ms. MATSUI is as follows:

PREVIOUS QUESTION FOR H. RES. 842

H.R. 5254—REFINERY PERMIT PROCESS SCHEDULE ACT

Text:

In the resolution strike "and (2)" and insert the following:

"(2) the amendment in the nature of a substitute printed consisting of the text of H.R. 5365 if offered by Representative Boucher of Virginia or Representative Dingell of Michigan or a designee, which shall be in order without intervention of any point of order or demand for division of the question, shall be considered as read, and shall be separately debatable for 60 minutes equally divided and controlled by the proponent and an opponent; and (3)".

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. MATSUI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5521, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2007

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 109–487) on the resolution (H. Res. 849) providing for consideration of the bill (H.R. 5521) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2007, and for other purposes, which was referred to the House Calendar and ordered to be printed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 53 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

☐ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SCHWARZ of Michigan) at 6 o'clock and 30 minutes p.m.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 836 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5441.

☐ 1831

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, with Mr. BONNER (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment offered by the gentleman from Kentucky (Mr. ROGERS) had been disposed of and the bill had been read through page 62, line 17.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment by Mr. KING of Iowa.

Amendment by Mr. KINGSTON of Georgia.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. KING OF IOWA

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 218, noes 179, not voting 35, as follows:

[Roll No. 223]

AYES—218

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cantor
Capito
Carter
Case
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cubin
Culberson
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Otter
Oxley
Paul
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—179

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Cannon
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Castle
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ford
Fossella
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kolbe
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Leach
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reichert
Reynolds
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schiff
Schwartz (PA)
Scott (GA)
Serrano
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Stark
Stupak
Sweeney
Tanner
Tauscher
Thompson (CA)
Tierney
Towns
Udall (CO)
Van Hollen
Velázquez
Visclosky
Walsh
Watson
Watt
Waxman
Weiner
Wexler
Wu
Wynn

NOT VOTING—35

Baca
Bono
Campbell (CA)
Davis (AL)
Evans
Filner
Gallegly
Gibbons
Harman
Istook
Kennedy (MN)
Lantos
Lee
Manzullo
Marshall
Miller (MI)
Nussle
Oberstar
Osborne
Payne
Pearce
Pence
Platts
Pombo
Reyes
Schakowsky
Scott (VA)
Sherman
Strickland
Thompson (MS)
Udall (NM)
Wasserman Schultz
Waters
Weldon (PA)
Woolsey

☐ 1903

Messrs. CLEAVER, ACKERMAN, CASTLE and FOSSELLA and Mrs. DAVIS of California changed their vote from "aye" to "no."

Mr. FRELINGHUYSEN changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chairman, on rollcall No. 223, the King of Iowa amendment to H.R. 5441, I was in my Congressional district on official business. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. KINGSTON

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. KINGSTON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 293, noes 107, not voting 32, as follows:

[Roll No. 224]

AYES—293

Aderholt
Akin
Alexander
Allen
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capuano
Cardoza
Carnahan
Carter
Castle
Chabot
Chandler
Chocola
Clay
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Cubin
Culberson
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Etheridge
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Marchant
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Obey
Otter
Oxley
Paul
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Sabo
Sanders
Saxton
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOES—107

Abercrombie
Ackerman
Andrews
Baird
Baldwin
Becerra
Berman
Blumenauer
Brady (PA)
Butterfield
Capps
Cardin
Carson
Case
Cleaver
Clyburn
Conyers
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Doggett
Doyle
Emanuel
Engel
Eshoo
Farr
Fattah
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holt
Honda
Hoyer
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kennedy (RI)
Kilpatrick (MI)
Kucinich
Larsen (WA)
Larson (CT)
Lewis (GA)
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McDermott
McGovern
Meehan
Meek (FL)
Millender-McDonald
Miller, George
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Rangel
Reichert
Rothman
Roybal-Allard
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Schiff
Scott (VA)
Serrano
Slaughter
Solis
Stark
Tauscher
Thompson (CA)
Towns
Van Hollen
Velázquez
Watson
Watt
Waxman
Weiner
Wexler
Wynn

NOT VOTING—32

Baca
Bono
Campbell (CA)
Davis (AL)
Evans
Filner
Gallegly
Gibbons
Harman
Istook
Kennedy (MN)
Lantos
Lee
Manzullo
Marshall
Miller (MI)
Nussle
Oberstar
Osborne
Payne
Pearce
Pence
Pombo
Reyes
Schakowsky
Sherman
Strickland
Thompson (MS)
Udall (NM)
Wasserman Schultz
Waters
Woolsey

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1909

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Chairman, on rollcall No. 224, the Kingston amendment to H.R. 5441, I was in my Congressional District on official business. Had I been present, I would have voted "no."

Mr. OBEY. Mr. Chairman, I move to strike the last word and yield to the gentlewoman from New York so that the Members might understand what is going to be in the motion to recommit and what will come next.

I yield to the gentlewoman.

Mrs. LOWEY. Mr. Chairman, I will soon offer a motion to recommit. This motion seeks to increase first responder grants by $750 million. This amount will keep each State and locality funded at whichever is higher, fiscal year 2005 or fiscal year 2006. It is critically important that we increase the allocation for first responder grants.

Mr. Chairman, it is hard to believe, but it is true, that DHS has announced that New York, which remains the likeliest target of a terrorist attack, will receive a $106 million reduction in funding for fiscal year 2007. Short memories. Such a cut is unconscionable.

New York is the only city that has been attacked by terrorists twice. And the New York Police Department has prevented efforts to destroy the Brooklyn Bridge and other critical infrastructure.

Reducing funding to New York and Washington, D.C., the two targets of the September 11 attack, is a slap in the face to every first responder who rushed to the emergency scene that morning and every individual living in those regions.

In a letter sent to the New York congressional delegation last week, Secretary Chertoff stated that New York is at the top of the national risk ranking. Yet, inexplicably, New York's share of funding decreased.

Now, the allocation method that DHS uses, frankly, defies common sense. The Statue of Liberty was not considered part of New York City because, technically, the Federal Government owns the property.

DHS classified over 200,000 entities into four risk quadrants, with all items in each quadrant receiving equal value. This means that something that is clearly a target, such as the Capitol, the Empire State Building, and the Golden Gate Bridge is considered the same as whatever target was number 50,000 on the list. And Washington, D.C., as a whole, was placed in the lower risk quadrant because DHS claims it does not have significant critical infrastructure. And by the way, if you call DHS to get an explanation, they respond, it is classified; we can't tell you.

Now, remember, DHS claims that Washington, D.C. does not have significant critical infrastructure.

□ 1915

The September 11 hijackers did not care about the total amount of critical infrastructure in a specific region. They sought to destroy symbolic targets full of thousands of Americans. Our preparedness effort should reflect this fact.

Unless the motion to recommit is adopted, first responder funding will once again be slashed. In the last 5 years, terrorists have murdered thousands in New York, Washington, Madrid and London. Within the past 2 hours, the Canadian government has stated that the terrorists they arrested last week planned to storm Parliament and behead the prime minister.

Now, my colleagues, this should sound an alarm that now is not the time to reduce funding to prevent, prepare and respond to attacks in areas that face the greatest risk. We must pay now to protect our country or we will pay later.

Mr. OBEY. Mr. Chairman, let me simply explain that the Lowey motion to recommit will be with instructions to report it back forthwith to the House with an amendment adding an additional $750 million for State and local formula-based grants and high-threat, high-density urban area grants so that no State or urban area receives funding below which it received in 2005 or 2006, whichever is higher, and is offset by a 1.8 percent reduction in the tax reduction resulting from the enactment of Public Laws 107-16, et cetera, for taxpayers with incomes in excess of $1 million for calendar year 2007.

Mr. STARK. Mr. Chairman, if there was any doubt, FEMA's performance during Hurricane Katrina proved the Department of Homeland Security's incompetence. I had hoped that more than 3 years after its creation, the Department would use common sense. But as DHS continues to violate Americans' civil liberties, pursue policies that make us no more secure, and misallocate funds, I cannot vote to throw good money after bad.

H.R. 5441 will allow the TSA to spend $6.4 billion strip-searching grandmothers and small children. Yet multiple audits have found that despite this and other invasive techniques, the Department is no more likely to detect a weapon than were security personnel prior to September 11, 2001. Under this bill, DHS will continue to screen only 5 percent of port containers and virtually no air cargo. Wyoming will still get about $27.80 per capita in homeland security funding while California will receive only about $8.05. I shudder to think how FEMA will handle the next large earthquake in the Bay Area when they can't even handle a hurricane with a week's warning.

I vote "no" to DHS's misplaced priorities and urge my colleagues to stop supporting a dysfunctional agency.

Mr. UDALL of Colorado. Mr. Chairman, I rise in support of the FY 2007 Homeland Security Appropriations bill. This isn't a perfect bill, but it provides much needed funds to make our country safer.

Total funding in the bill is increased by nearly $2 billion from this year's levels, with some increases from FY06 in Customs and Border Protection, Immigration and Customs Enforcement, the Federal Emergency Management Agency, and the Transportation Security Administration.

Still, I'm concerned about shortfalls in the bill. First, although the bill increases funding for Border Patrol salaries and expenses over FY06 levels, it only funds 1,200 new Border Patrol agents, 300 less than requested by the Administration and 800 less than the 2007 level called for in the Intelligence Reform bill. Similarly, although the bill increases funding for salaries and expenses for Immigration and Customs Enforcement, it only funds about 4,800 additional detention beds, almost 2,000 less than requested by the administration and 3,200 less than the 2007 level called for in the Intelligence Reform bill.

The bill also cuts firefighter and SAFER grants by 11 percent, cuts air cargo security by $30 million, and cuts urban area security grants from FY06 levels.

I opposed the amendment offered by Mr. CAMPBELL which would block any Homeland Security funding from going to State and local governments if their law enforcement is prohibited from reporting immigration information to the federal government.

I believe that linking this provision to vital homeland security funds could have unintended consequences for our national security. Since 9/11, national security has become a national priority, and State and local governments play an essential role in assisting the Department of Homeland Security to improve the security in this country.

Under current law passed in 1996, it is already illegal for law enforcement to restrict the reporting of immigration information to the federal government. I support this law, and believe it should be fully enforced. The efforts of state and local governments to enhance our security should not be undermined because the federal government has not properly enforced immigration law.

We should be providing states with resources to improve security, not taking these resources away. By under-funding and allowing the weakening of security in some states and localities due to their lack of reporting illegal immigrants to immigration officials, the federal government would in effect be contributing to the weakening of our national security.

Mr. Chairman, much remains to be done to improve our defenses against terrorism, but this bill is an important step, and I will vote for it.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise to join my colleague from New York in expressing my extreme displeasure with the Department of Homeland Security's recent announcement regarding Urban Area Security Initiative grants.

The outcome of DHS's process defies common sense. I am hard pressed to understand how the National Capital Region, one of the regions deemed most at risk in the United States, should incur such a drastic reduction in funding. The nation's capital bears a disproportionate burden in terms of homeland security costs and ensuring public safety needs. This region was one of two targets on September 11; it was the target of anthrax attacks and sniper shootings.

To the best of my understanding, DHS's decision to reduce funding for the national capital area was based on the opinion that region's planning was inadequate. As of this date, I have not been briefed in detail on the process or criteria used to make this determination. This will be rectified when the Government Reform Committee holds a hearing on the subject on June 15th. For the time being, the entire evolution suggests unnecessary secrecy and an overemphasis on bureaucratic expertise.

The risk doesn't go away if a region is planning poorly; rather, the risk to the citizen increases. I truly hope DHS would take the necessary steps to remediate an inadequate plan for UASI funds—to offer a region the help it apparently needs. Cutting funding should not be the method to address any alleged planning deficiencies.

We have to protect the interests of the taxpayer, but we also have to protect the taxpayer. Much was made about the Department of Homeland Security's renewed emphasis on sending funds where the need was greatest. We're not getting off to a good start.

Mr. CROWLEY. Mr. Chairman, I rise to support passage of this bill.

While I am upset that the Democratic Motion offered by my colleague NITA LOWEY, which would have increased the first responder grants for urban areas by $750 million, was defeated on a party line basis, she raises important issues that must be addressed.

Where have foreign terrorists struck when they attack our country?

They attack major urban areas, as they look to create spectacular havoc while maximizing the killing of civilians—that is the calling card of Osama bin Laden. Remember him? Sometimes we forget him in the discussion of tax cuts and gay marriage and all the other issues—but he is still out there and still threatening our country, and especially New York and Washington, almost everyday.

Al-Qaeda is not human—but we need to be ready for other attacks. That means proactive preparedness, as well as improving our reactive response as well.

Proactively, we need to better protect our urban areas—the terrorist targeted areas—like New York.

New York was the target in 1993 when terrorists bombed the World Trade Center, and again on September 11, 2001, when they completed the job they started 8 years earlier. New York City is the most targeted city in the country and likely on Earth by terrorists.

This is a reality Congress and the White House need to face. And if we are serious about protecting America—all Americans—regardless of their voting patterns, then we must go about protecting these most targeted and most vulnerable areas.

And I don't just say New York City is targeted to get my hometown more money. We know we are targeted due to information our U.S. intelligence services provide to us.

Being on al-Qaeda's hit list is one of the few distinctions New York City has that I am not proud of, and not happy to talk about.

But we must talk about it—because it is, again, reality.

I salute the Appropriations Committee for working with me and agreeing to the amendment I offered with my colleague from New York, VITO FOSSELLA, to increase the current urban area security initiative by $20 million—a $12.7 million increase over last year. But more funding is needed.

But this issue of homeland security and ensuring the resources are there for our first responders—both for proactive and reactive preparedness—is more then an issue of funding in total dollar amounts. It comes down to the flawed funding formulas developed by Congress and the Bush White House to distribute homeland security dollars.

These flawed formulas were crystallized last week when President Bush announced a 40 percent cut in urban security aid to New York City, saying the funds weren't needed for us.

Instead, these urban security dollars went to places like Louisville, Kentucky, while certainly at risk, cannot claim to have the critical infrastructure of New York City under the terrorist microscope.

This is a reality too—a sad and pathetic reality that our homeland security dollars have become the latest pot of federal funding to be politicized by this White House instead of being used to protect Americans at greatest risk of terror attack.

Other realities:

Our country takes urban security funds created for places like New York and diverts them to Louisville;

Our Nation provides more homeland security dollars per capita to Wyoming than to New York;

And sadly, protecting our homeland security is more about politics than security.

We haven't caught Osama bin Laden, the Taliban is returning to Afghanistan, and Congress is not providing the funds to our first responders to protect our targeted cities—our Nation's homeland security is a sad reflection of our great country.

Mr. CULBERSON. Mr. Chairman, one of the most important features of America's homeland security will be our ability to preserve America's leadership in high technology and scientific research. It has been my singular privilege to know and learn from one of the greatest scientists in our Nation, Dr. Richard Smalley of Rice University, and to represent him in the United States Congress. Today I want to honor him and his family and his colleagues at Rice University by celebrating his birthday, and giving thanks to God for bringing Rick into our lives. America lost him last year to cancer, yet the extraordinary research he was pursuing into carbon nanotubes and "buckyballs" will undoubtedly one day help lead us to a cure for cancer. Rick Smalley helped me understand that nanotechnology will change our lives as profoundly in the 21st century as oil and electricity changed our lives in the 20th century, and he lit a fire in me to do everything in my power to harness the immense human, medical, technological and financial capital of the Texas Medical Center into identifying and curing human diseases and making America truly energy independent by creating the Alliance for NanoHealth. The Alliance is my single highest priority for funding with our limited tax dollars in my work on the Appropriations Committee, and I am immensely proud that I could launch the Alliance with Rick and his colleagues at Rice and at all of the great institutions of the Texas Medical Center. The Alliance is thriving, especially now that it has the final key ingredient it was lacking, a dynamic and brilliant scientist as president, Dr. Mauro Ferrari. All of the pieces are in place for the Alliance to lead the world in identifying and curing cancers at the very earliest stages before they even become visible tumors. All of the pieces are in place for the Alliance to help make America energy independent of the Middle East and the rest of the world by using the single wall carbon nanotubes Dr. Smalley discovered, and so many other aspects of nanotechnology research and manufacturing that he pioneered. Rick Smalley will always inspire me and fill me with energy and enthusiasm to help America achieve the great dreams he saw for our future by harnessing nanotechnology. My hero Thomas Jefferson liked to say that he liked the dreams of the future better than the memories of the past, which was the way Rick Smalley lived his life. I will always honor Dr. Smalley by doing my very best to make his dreams of the future come true—an America that is energy independent, no longer reliant on fossil fuels, and where no one need suffer or die from cancer.

It is appropriate and fitting, Mr. Chairman, that I add to the CONGRESSIONAL RECORD a few of the tributes offered by his family and friends at his memorial service.

RICHARD E. SMALLEY: A LEGACY OF HOPE

(By Deborah S. Smalley)

I have meditated often upon the gifts that Rick has left us. And though time will tell the full story, I believe our greatest inheritance from this amazing man is hope for the future. Rick may well be remembered as the father of nanotechnology; he was certainly its rock star. He had every outstanding honor and award a chemist could earn, and his knowledge of science and the world extended far beyond his field. Who knows what applications for the betterment of humanity will come from his revolutionary research and inventions? His status as a Nobel Laureate was fascinating enough to keep me involved in a forty-five minute attempt to shake his hand during a conference at Rice University. I had no idea that as we met, my life would be changed forever.

I had taught high school science for 17 years, and sadly enough, my world view offered the students little good news for the long term future of man on earth. The problems we were facing as a growing population would almost certainly become insurmountable by the time we reached 10 billion people. I had come outside the classroom looking for answers. Dr. Richard Smalley shook my hand, and began to fill my mind with a vision of a clean world with abundant energy. He had a plan, and it gave hope. He opened the door to a new world of plenty and set the rod by which we must measure our efforts. He showed that there was a way; thereby placing the burden for action squarely on our shoulders. We can ignore it, but cannot plead ignorance. The prophet had spoken.

He told me that the means for gaining that future were just out of reach, but doable. Who knows, perhaps this is the very blessing we needed most. If he had done it for us, or if we could shift the responsibility to someone else, then we would miss the opportunity to demonstrate the magnificent qualities deeply imbedded within us all; those beautiful giftings that shine forth in times of great challenge.

In order to bring forth the spirit that can pull us from complacency and self-focus into the higher realm of courage, honor, and altruism we need clear vision coupled with the opportunity for action. Rick gave us all of that. By making his solution inclusive, everyone became a player. None of us can in good consciousness sit back assuming that someone more talented, capable, or concerned will take care of it. There is an enormous need to empower Americans so that we will take charge of our circumstances and make a difference in this world. Rick recognized energy as the one issue touching every single one of us every day, and put out an alert for children to "be a scientist and save the world." I saw him give the message to over seven hundred children, from sixth to twelfth grades, at-risk to honors. They were so attentive, you could hear a pin drop.

A hopeless future instills in our youth a sense of urgency to serve themselves; an attitude devastating to their character and spirit. But when a great scientist, a trusted son with a Nobel Prize says we can supply energy for 10 billion people, thereby making possible at least a reasonable standard of living for all God's children, our faith is stirred, and the impossible is slowly supplanted by the possibilities. We need our children, all of them, to be involved in the making of a whole new era. Science and engineering does produce the technology that sets the stage for building our world, and this vision of a world where we can address shortages that lead to poverty, war, disease, and ignorance through an abundance of clean energy, gives hope.

When I finally got my turn to meet Dr. Richard Smalley, he was clearly excited by my profession as a science teacher. I still remember the intensity of his blue eyes as he told me that our biggest problems were solvable, but that he needed my students filled with a sense of mission and purpose to create a new future, and then asked me if I thought they were up for the challenge. In that moment, I fell irrevocably in love—in love with the vision, in love with the passion, and in love with the man who brought hope to our world, our children and to me.

[From Science Magazine, Dec. 23, 2005]

RICHARD E. SMALLEY (1943–2005)

(By W. Wade Adams and Ray H. Baughman)

Richard Errett Smalley, who died on 28 October 2005 after a 7-year fight with cancer, unselfishly used his stature and wisdom to inspire a worldwide nanotechnology revolution. His breakthroughs, his inexhaustible enthusiasm for exciting young people about science, and his awakening the world to possible nanotech solution to the energy crisis have left an enduring legacy. In only 40 years of applying his powerful intellect to science and technology, his work led to entirely new types of materials and fields of study, revolutionary apparatus for scientific investigations and commercialization, and a deep understanding of behavior on nano and molecular scales. Along the way he shared the 1996 Nobel Peace Prize in Chemistry for codiscovering the soccer-ball shaped C_{60} fullerene molecule.

Born in Akron, Ohio, on 6 June 1943, Smalley's interest in science began in his early teens as he and his mother collected single-cell organisms from a local pond and studied them with a microscope. He learned from his father how to build and fix mechanical and electrical equipment and from his mother mechanical drawing, so that he could be more systematic in design work. Many decades later, Rick's passion for creative design was still evident on his office walls—diagrams showing his most recent improvements on equipment for producing carbon nanotubes. Although his contributions to physics and engineering were landmarks, chemistry was his first love. The detailed periodic table of the elements that he drew on rafters in the attic where he studied as a youngster marked his early fascination with chemistry.

He pursued this love, from undergraduate studies at Hope College and the University of Michigan to the Shell Chemical Company, where he worked as a quality control chemist in a polypropylene plant. Rick said, "These were fascinating days, involving huge volumes of material, serious real-world problems, with large financial consequences." He learned about industrial-scale processes and the importance of efficient catalysts, which were useful much later when he initiated scale-up of carbon nanotube synthesis. After 4 years, he resumed academic studies and earned his Ph.D. in 1973 from Princeton University, focusing on the chemical physics of condensed phase and molecular systems with thesis advisor Elliott Bernstein.

During postdoctoral study with Donald Levy and Lennard Wharton of the University of Chicago, and later with Daniel Auerbach, Rick helped develop a powerful technique: supersonic beam laser spectroscopy. As a result, chemical physicists can now drastically simplify spectroscopy of complex molecules. Using the coldest part of expanding gas, researchers could achieve temperatures below 1 K, thereby freezing the rotations of moderate-sized molecules and complexes. After joining the faculty of Rice University in 1976, Smalley worked together with Robert Curl to produce a sequence of pioneering advances applicable for making and characterizing very cold supersonic beams of large molecules, radicals, and atomic clusters having precisely known numbers of atoms.

In August 1985, Smalley and Curl were joined by Harold Kroto from the University of Sussex for a short summer project to study interesting carbon cluster distributions found by Andrew Kaldor at Exxon using an apparatus constructed by Smalley's group. After a legendary late night of taping together cardboard cutouts of hexagons and pentagons on his kitchen table, using Kroto's insights into the importance of five-carbon rings, Smalley presented the carbon "soccer ball" as the only sensible way that 60 carbon atoms could be assembled to produce the observed spectra. A new field of scientific investigation was thus born, and then fueled by a seemingly continuous barrage of exciting new results from both Rick's laboratory and others across the world, which showed the diversity of carbon cage types, how their production could be scaled up, the diverse ways they can be modified, and their novel physical and chemical properties.

In 1993, Rick redirected much of his group's work to carbon nanotubes, which can be viewed as theh cylindrical version of carbon cage molecules, and Rick and his co-workers became leaders in the field. His experimental skills were again critical as his team developed the laser ablation and the high-pressure carbon monoxide processes for making single-walled carbon nanotubes. Rapid worldwide scientific progress was assisted by Rick's providing access to these high-quality nanotubes, first through a non-profit effort at Rice University, and then through the successful company he founded in 1999, Carbon Nanotechnologies, Inc.

Many call Rick the grandfather of nanotechnology. He was the most cited author in nanotechnology in the last decade, and his pivotal scientific and technological breakthroughs have inspired worldwide commercialization efforts. Because of Rick's key role in creating the National Nanotechnology Initiative, he was the only academic invited to the November 2003 Oval Office signing ceremony. His vision of using nanotechnology to help solve the energy crisis and to improve health through nanomedicine is motivating governments to fund effective programs. Many will dedicate themselves to a goal that Rick focused upon during his last 4 years of life: a carbon nanotube quantum wire cable much stronger than steel that would carry a current 10 times as high as that carried by copper wire and weigh one-sixth as much.

With his passing, the world lost a great intellect in chemistry, physics, and engineering, but we also lost a great advocate for science and technology and a great educator and mentor. Robert Curl said that "Rick was a visionary, and his charisma and logic made those he worked with buy into the vision. Rick convinced us that we could be better, stronger, and take more chances if we just tried. I hope that we don't forget—then his legacy . . . will make a lasting transformative difference." In his humble way, Rick simply said that science and life go on.

RICHARD SMALLEY MEMORIAL REMARKS BY MALCOLM GILLIS

My first encounter with Rick Smalley came in 1993, when he served on the President's Search Committee. Rick peppered me with some really tough questions about the Free Electron Laser, which I helped bring to Duke. From his comments, I realized then and there that he was far more than an outstanding chemist; rather his interests ranged deep and wide into physics, mathematics and engineering. In the years to come, I came to regard Rick as one of the world's paragons of interdisciplinary understanding and insight. Rick's scientific interests and questioning nature could never be confined to any kind of disciplinary boundary.

The full implications of the legacy left by Rick's work will not be known for several decades. What we do know is that in 2006, one does not open a copy of Science or Nature or Journal of Applied Physics or Surface Science or engineering journals or medical journals without finding at least one article or review on nanoscience or nanotechnology. No one can lay a better claim for responsibility for this phenomenon than Rick Smalley and his collaborators here at Rice and across the earth.

And while Rick was pleased and even proud of the snowballing applications of nanotechnology, he was always careful to turn the spotlight on the work of other pioneers in nanoscience and nanotechnology. It comes as no news to anyone that Rick had a droll sense of humor lurking just beneath his deep intellect. An example: The word "nano" has its root in the ancient Greek word for dwarf. But Rick once cracked that for many PIs all over the globe, the root for nano came from a newer verb: "to seek research grants."

Honors of all stripes came to Rick during his all-too-short lifetime. However, he cared little for honors and very greatly about nanotechnology's potential for resolving pressing human problems in food supplies, energy accessibilities, medical diagnosis and medical treatment. I observed in the final year of his life, his primary inspiration for his dogged, determined battle against disease had first to do with his family and second his desire to witness the fruition of a few more of the social benefits he expected from innovative use of buckyballs, nanotubes and other particles.

We will all remember Rick for many, many things. We will remember that in Fall 1996, when he and Bob Curl shared the Nobel Prize with Kroto, both were teaching undergraduate chemistry. I will remember him for his boundless energy, dry wit and tolerance of the quirks of others.

We admired him not only for his intellect but also for his humanity. Speaking for myself, I have yet to adjust to the absence of his presence. On several occasions since October, I have reached for the phone to call Rick to ask him to help me understand such things as the quantum hall effect or quantum dots, only to realize that neither landlines nor cell phones could reach that far.

Ehamos de menos muchisimo, el Doctor Smalley. We miss you greatly Dr. Smalley.

The Acting CHAIRMAN. The Clerk will read the last two lines.

The Clerk read as follows:

This Act may be cited as the "Department of Homeland Security Appropriations Act, 2007".

Mr. ROGERS of Kentucky. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. BIGGERT) having assumed the chair, Mr. BONNER, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 836, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MRS. LOWEY

Mrs. LOWEY. Madam Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. LOWEY. In its present form, I am, Madam Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Lowey moves to recommit the bill, H.R. 5441, to the Committee on Appropriations with instructions to report the same forthwith back to the House with an amendment providing for an additional $750 million for state and local formula based grants and high-threat, high-density urban area grants so that no state or urban area receive funding below what it received in 2005 or 2006, whichever is higher, and offset by a 1.8 percent reduction in the tax reduction resulting from the enactment of Public Laws 107-16, 108-27, and 108-311 for taxpayers with income in excess of $1,000,000 for calendar year 2007.

POINT OF ORDER

Mr. ROGERS of Kentucky. Madam Speaker, I make a point of order against the motion to recommit because it violates clause 2(c) of rule XXI.

I ask for a ruling of the Chair.

The SPEAKER pro tempore. Does any Member wish to be heard on the point of order?

Mrs. LOWEY. Madam Speaker, I wish to speak on the point of order.

Madam Speaker, I wish to speak on the point of order because, frankly, it is beyond belief to me that this committee could appropriate less to major cities like New York and Washington than they received last year. Given the current threats that are still out there loud and clear, we should not be cutting back on these important critical homeland security dollars.

The SPEAKER pro tempore. Does any other Member wish to speak on the point of order?

Mr. WEINER. Madam Speaker, I wish to be heard on the point of order.

Madam Speaker, a fundamental element of the rules of the House is that Members get an opportunity to debate and have their views heard on issues. We have lost the opportunity to have an amendment such as this because of a unanimous consent that was entered into before these events happened. We, in good faith, entered into a unanimous consent agreement on limiting the number of amendments we offered to this bill. Then in the intervening period, news happened. The Department of Homeland Security issued a formula and issued a distribution of funds that gave less money to places that were at the highest need.

What happened was we entered into a unanimous consent agreement to limit the number of amendments that were offered.

Mr. ROGERS of Kentucky. Madam Speaker, regular order. The gentleman needs to speak to the point of order.

The SPEAKER pro tempore. Is the gentleman from New York intending to address the point of order?

Mr. WEINER. I certainly am, and, if I were permitted to finish, you would see that.

The SPEAKER pro tempore. The gentleman will confine his remarks to the point of order.

Mr. WEINER. Certainly. That is what I am doing, Madam Speaker.

What happened was during the intervening period, after the unanimous consent was entered into, this formula was issued giving Members no opportunity other than this motion in order to make this point, that in order to have funds allocated where they are needed most, the Lowey motion is the only way to do it.

If you vote yes on tabling this motion, you are voting to essentially sustain this allocation.

The SPEAKER pro tempore. The gentleman will suspend. The gentleman must confine his remarks to the point of order.

Mr. WEINER. Madam Speaker, I am seeking to do that.

The SPEAKER pro tempore. The point of order is that the motion to recommit legislates. The gentleman will confine his remarks to that.

Mr. WEINER. Madam Speaker, I understand.

The motion to recommit that we are voting on today that we are seeking to have an up or down vote on, I would say, would give us an opportunity to hear this.

You don't need to raise the point of order. If you want to simply go vote to sustain this ridiculous formula, vote on the Lowey amendment in an act of good faith that we showed by entering into the unanimous consent. That is why the point of order should be withdrawn.

The SPEAKER pro tempore. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The motion to recommit proposes an amendment prescribing a new rule of law regarding the Federal income tax. As such, it constitutes legislation in violation of clause 2(c) of rule XXI.

The point of order is sustained. The motion to recommit is not in order.

Mrs. LOWEY. Madam Speaker, because this ruling defies the imagination of anybody living here in the United States of America, because of this ruling and the decision of this committee to cut back on homeland security funds and refuse to adjust them according to risk-threat vulnerability, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

MOTION TO TABLE OFFERED BY MR. ROGERS OF KENTUCKY

Mr. ROGERS of Kentucky. Madam Speaker, I move to lay the appeal on the table.

The SPEAKER pro tempore. The question is on the motion to table.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mrs. LOWEY. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 207, noes 191, answered "present" 2, not voting 33, as follows:

[Roll No. 225]

AYES—207

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Keller
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Otter
Oxley
Paul
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—191

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr

Fattah
Ford
Fossella
Frank (MA)
Gerlach
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Towns
Udall (CO)
Van Hollen
Velázquez
Visclosky
Watson
Watt
Waxman
Weiner
Wexler
Wu
Wynn

ANSWERED "PRESENT"—2

Davis, Tom
Wolf

NOT VOTING—33

Baca
Bono
Campbell (CA)
Davis (AL)
Evans
Filner
Gallegly
Gibbons
Gutierrez
Harman
Istook
Kennedy (MN)
Lantos
Lee
Manzullo
Marshall
Miller (MI)
Nussle
Oberstar
Osborne
Payne
Pearce
Pence
Pombo
Reyes
Schakowsky
Sherman
Strickland
Thompson (MS)
Udall (NM)
Wasserman Schultz
Waters
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

☐ 1942

Mr. SMITH of Washington changed his vote from "aye" to "no."

Mr. ADERHOLT and Mr. FEENEY changed their vote from "no" to "aye."

So the motion to lay on the table the appeal of the ruling of the Chair was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Madam Speaker, on rollcall No. 225, table the Motion to Recommit H.R. 5441, I was in my Congressional District on official business. Had I been present, I would have voted "no."

RECOGNIZING SPEAKER HASTERT

(Ms. PELOSI asked and was given permission to address the House for 1 minute.)

Ms. PELOSI. Madam Speaker, I rise this evening to salute Speaker HASTERT for becoming the longest serving Republican Speaker in history. Long may his record stand.

This milestone is a testament to his leadership within the Republican Conference and within the Halls of Congress. DENNIS HASTERT spent 16 years as a teacher and coach at Yorkville High School in Illinois. He has put the skills he learned there to good use in this body.

After 6 years in the Illinois State House, he came to the U.S. House of Representatives in 1986. In 1999, DENNY HASTERT's colleagues elected him Speaker of the House, the third highest Government official in the United States.

While we often disagree on issues, we agree on the importance of public service. That kind of public service has been the hallmark of Speaker HASTERT's career whether in the classroom or in the House of Representatives.

☐ 1945

Today I also salute the Speaker's wife, Jean, and his two children, Ethan and Joshua, for this milestone.

Through the trying moments and the moments like this, one of great triumph, they have stood by his side. They are watching you on television now.

In Congress we all hold the title "honorable" by virtue of our office. Dennis Hastert holds it by virtue of his character. I salute him for his service to our Nation and look forward to many future opportunities to work together.

Congratulations, Mr. Speaker.

The SPEAKER. Thank you very much.

Madam Speaker, I want to first of all say, again, my appreciation to my family who have sacrificed over the years like all our families do when we come to this place. But I am very humbled that I was able to serve this body. I really am not one to keep records because records are made to be broken, but I just want to thank you as Members of the House for the times that we have been able to work together and the times when we have disagreed but we have disagreed in an honorable way.

I think the process that this place offers all of us is something that is unique in all the world. And I look around this room and chairmen that I have worked under who have taught me sometimes the hard way. I see people who have mentored, to try to bring Members along and bring them to places of leadership. I have to reflect and thank one person who I think has been very special in my life in this place, and that is Bob Michel, who served as Republican leader for years. The honor and civility that he brought to this place, I hope that I can pass on as well.

Again, I want to thank you for serving with me because this is a place where we work together and do things together. God bless you and God bless this Congress. Thank you very much.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 389, nays 9, not voting 34, as follows:

[Roll No. 226]

YEAS—389

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2001

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MARSHALL. Mr. Speaker, due to a D-day ceremony, I was unfortunately unable to catch a train that would have gotten me to Washington in time for this evening's votes. I would have voted in favor of H.R. 5441, the Department of Homeland Security Appropriations Act, especially given the inclusion of the Marshall-Miller amendment which will fully fund the Employment Eligibility Verification Program.

Mr. FILNER. Mr. Speaker, on rollcall No. 226, final passage of H.R. 5441, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. PENCE. Mr. Speaker, I was detained earlier this evening. Had I been present, I would have voted in the following manner: Rollcall 223 (Campbell Amendment to H.R. 5441)—"aye"; rollcall 224 (Kingston Amendment to H.R. 5441)—"aye"; rollcall 225 (Motion to Recommit H.R. 5441)—"no"; rollcall 226 (On Passage of H.R. 5441)—"yea."

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 457. An act to require the Director of the Office of Management and Budget to issue guidance for, and provide oversight of, the management of micropurchases made with Governmentwide commercial purchase cards, and for other purposes.

S. 2013. An act to amend the Marine Mammal Protection Act of 1972 to implement the Agreement on the Conservation and Management of the Alaska-Chukotka Polar Bear Population.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5441, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 5441, the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore (Mr. KUHL of New York). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4341

Mr. HALL. Mr. Speaker, I ask unanimous consent to remove as a cosponsor Representative Rick Boucher of Virginia from H.R. 4341.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO FILE SUPPLEMENTAL REPORT ON H.R. 5252, COMMUNICATIONS OPPORTUNITY, PROMOTION, AND ENHANCEMENT ACT OF 2006

Mr. UPTON. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be allowed to file a supplemental report on the bill (H.R. 5252) to promote the deployment of broadband networks and services.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

TRUTH IN CALLER ID ACT OF 2006

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5126) to amend the Communications Act of 1934 to prohibit manipulation of caller identification information, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5126

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Truth in Caller ID Act of 2006".

SEC. 2. PROHIBITION REGARDING MANIPULATION OF CALLER IDENTIFICATION INFORMATION.

Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following new subsection:

"(e) PROHIBITION ON PROVISION OF DECEPTIVE CALLER IDENTIFICATION INFORMATION.—

"(1) IN GENERAL.—It shall be unlawful for any person within the United States, in connection with any telecommunications service or VOIP service, to cause any caller identification service to transmit misleading or inaccurate caller identification information, with the intent to defraud or cause harm.

"(2) PROTECTION FOR BLOCKING CALLER IDENTIFICATION INFORMATION.—Nothing in this subsection may be construed to prevent or restrict any person from blocking the capability of any caller identification service to transmit caller identification information.

"(3) REGULATIONS.—Not later than 6 months after the enactment of this subsection, the Commission shall prescribe regulations to implement this subsection.

"(4) DEFINITIONS.—For purposes of this subsection:

"(A) CALLER IDENTIFICATION INFORMATION.—The term 'caller identification information' means information provided to an end user by a caller identification service regarding the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or VOIP service.

"(B) CALLER IDENTIFICATION SERVICE.—The term 'caller identification service' means any service or device designed to provide the user of the service or device with the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or VOIP service. Such term includes automatic number identification services.

"(C) VOIP SERVICE.—The term 'VOIP service' means a service that—

"(i) provides real-time voice communications transmitted through end user equipment using TCP/IP protocol, or a successor protocol, for a fee or without a fee;

"(ii) is offered to the public, or such classes of users as to be effectively available to the public (whether part of a bundle of services or separately); and

"(iii) has the capability to originate traffic to, and terminate traffic from, the public switched telephone network.

"(5) SAVINGS PROVISION.—Nothing in this Act may be construed to affect or alter the application of the Commission's regulations regarding the requirements for transmission of caller identification information for telemarketing calls, issued pursuant to the Telephone Consumer Protection Act of 1991 (Public Law 102-243) and the amendments made by such Act.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 5126, the Truth in Caller ID Act of 2006, which was introduced by Chairman BARTON and my friend Mr. ENGEL from New York. I also am a proud cosponsor, original sponsor, of the bill which was the subject of a legislative hearing in the Telecommunications and Internet Subcommittee and favorably reported by the House Energy and Commerce Committee on May 24, 2006.

This legislation protects consumers by prohibiting the deceptive practice of manipulating, or spoofing, caller identification information. Caller ID spoofing occurs when a caller fakes his caller ID information, so that the numbers which appear on their caller ID screen is not the caller's actual phone number. In many cases, such spoofers are actually transmitting someone else's caller ID information instead of their own.

Apparently, some spoofers just do it to play a practical joke on their friends, but there have been reports of much more sinister uses of spoofing.

In some instances, spoofing is being used to trick people into thinking that the person on the other end of the phone is someone from a government agency or perhaps another trustworthy party. For example, in last month's AARP bulletin, there is a consumer alert describing a prevalent scam whereby spoofers get the local courthouse's phone number to pop up on peoples' caller ID screens and then tell the recipients of the calls that they are judicial officials in order to get unsuspecting victims to divulge personal information, whether it be Social Security numbers or driver's license numbers, who knows. Law enforcement officials are particularly concerned about senior citizens' susceptibility to such scams.

Another reported case involved a SWAT team surrounding an apartment building after police received a call from a woman who said that she was being held hostage in an apartment; and as it turned out, it was a false alarm. Caller ID was spoofed to make it look like it was coming from the apartment. Apparently, it was somebody's idea of a bad prank.

In other instances, criminals are stealing credit card numbers, getting the phone number of the actual card holders, and then using those credit cards to get unauthorized wire transfers. In such cases, the criminals spoof their caller ID information so that the number which pops up on the wire transfer company operator's screen is that of the actual card holder, and because such caller ID information matches the actual card holder's phone number on record with the credit card company, the wire transfer company uses it to authorize the wire transfer. Thus, spoofing enables the crime to be consummated.

And, of course, many of us are familiar with our own credit card companies which may ask us to call from our home phones to authenticate and activate those new cards. If our new cards are stolen out of the mail, then criminals may be able to spoof our home phone numbers and authenticate and activate our new cards from the convenience of their own homes, hotel rooms, or wherever else they might call from.

While such spoofing has been technically possible for some time, it used to require specific phone connections and expensive equipment. However, with the advent of VoIP, voice over Internet protocol, over the computer it has become easier for callers to transmit any caller ID information that the caller might choose. Moreover, there are online companies which offer spoofing services for just a couple of bucks for anyone with any phone.

Unfortunately, nefarious uses of spoofing appear to be proliferating, and there is no law, no law, that protects the American public from it. The Truth in Caller ID Act of 2006 would make spoofing illegal.

More specifically, this legislation adds a new subsection (e) to section 227 of the Communications Act of 1934. New subsection (e)(1) makes it unlawful for any person within the United States in connection with any telecommunications service or VoIP service to cause any caller identification service to transmit misleading or inaccurate caller identification information with the intent to defraud or cause harm.

The carefully crafted language in this legislation ensures that other spoofing activities which are legitimate, such as the uses for domestic violence services or to route-enhanced 911 calls, are not prohibited. Additionally, the bill provides a savings clause to clarify that nothing in the act is intended to alter the obligations of telemarketers under the existing FCC do-not-call regulations.

Mr. Speaker, this is a good strong piece of consumer protection legislation that clearly is bipartisan. I want to thank my friends on both sides of the aisle who have worked particularly hard to create this good bill, including Chairman BARTON, Ranking Member DINGELL, Ranking Member MARKEY and, of course, the sponsor of this bill, Congressman ENGEL from New York. I would urge all my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, spoofing is when a caller masks or changes the caller ID information of their call in a way that disguises the true origination number of the caller. In many instances, a call recipient may be subject to pretexting through spoofing, which can lead to fraud, personal ID theft, harassment or otherwise with the safety of the call recipient in danger. On the other hand, lest we think that spoofing always has nefarious aims, we must recognize that there may be circumstances when a person's safety may be put in danger if the true and accurate call origination information is disclosed as well.

What we seek in caller ID policy is balance, and I believe the legislation before us today, after changes were made in committee consideration, more adequately strikes the historic balance we have sought to achieve for consumer privacy and security.

For instance, Members of Congress often have direct lines in their office, but in order to ensure that such lines do not become generally public and, therefore, remain useful to us, it may be necessary to keep such direct numbers confidential and have the outgoing caller ID information indicate a different number at which our offices can be reached for return calls. That gives the recipient a legitimate phone number to call back, but keeps confidential lines private.

There are many doctors, psychiatrists, lawyers and other professionals who would similarly like to keep direct, confidential lines private in this way who have no direct intention of misleading anyone. In addition, there may be instances, for example, when a woman at a shelter seeks to reach her children, when spoofing is important to safeguard someone's safety. Moreover, informants to law enforcement tip lines or whistleblowers have additional reasons for why their calling information should remain private. We should not outlaw any of these practices, and I think the legislation now incorporates the notion that the intent of the caller is vitally important in gauging whether spoofing unfairly violates privacy and security.

With that, I commend the chairman for the changes he was willing to make in the committee deliberations of the bill, and I congratulate him and I congratulate Mr. ENGEL from New York for his splendid work on this legislation. Mr. DINGELL and I have enjoyed working on this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Mrs. SCHMIDT), an original cosponsor of the bill.

Mrs. SCHMIDT. Mr. Speaker, I thank the chairman for giving me the time to speak on this very important bill.

I rise today in strong support of H.R. 5126, the Truth in Caller ID Act, and I commend Chairman BARTON for introducing this legislation and moving it forward.

I know firsthand that there is a need for this legislation. In my own congressional district, just as in many others, prerecorded telephone call campaigns have misidentified the sponsors by forging the caller identification number to make it appear that my own congressional office was doing the calling. You can imagine how surprised I was to see my number appear on a screen from political prerecorded messages attacking me. It is called spoofing.

H.R. 5126 would prohibit the manipulation of caller identification information, or call spoofing, which occurs when a caller falsifies the caller identification number displayed in the caller ID screen. Many companies now offer sophisticated software that permits caller identification information to be manipulated and increasingly allows con artists to scam consumers, sometimes with complicated schemes that ask consumers to provide personal identification data, such as names, addresses, Social Security numbers, and bank account information.

□ 2015

With the increasing frequency of identity theft, we must do all that we can to end opportunities for falsification of this data.

I introduced similar legislation to prohibit caller identification last year. Let us make caller identification truthful and accurate. I strongly support Chairman BARTON's legislation and I urge my colleagues to support it.

Mr. MARKEY. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank the gentleman from Massachusetts for yielding to me, and I am proud to rise in strong support of this legislation and proud to be the lead Democrat on the bill. All too often we hear and experience the partisan divide in Washington, but this bill and the process that so quickly got this bill to the floor has been truly bipartisan.

I must start with thanking my friend and chairman, Mr. BARTON, for his leadership on this bill; and I must also note the invaluable assistance of our subcommittee Chairman Upton, and I thank him for his kind words. I also would like to thank our ranking Democrats, Mr. MARKEY and Mr. DINGELL as well.

When someone looks at caller ID, they have the right to expect that the person or phone number listed is truly that person. The average citizen has no idea that caller ID can be manipulated so that the person or number appearing is totally false.

I first learned of caller ID spoofing when I read news articles about our colleague from Pennsylvania (Mr. MURPHY) becoming a victim of it. His own constituents thought they were receiving calls from his district office, and these calls were far from appropriate.

I then learned that this technology is being used across the country to allow unscrupulous people to trick unsuspecting people to release personal information. It is so easy for someone to pretend to be Chase Manhattan or Citibank or even a person's doctor. These services even provide technology to change the sound of a person's voice. I could set it to sound like a 25-year-old woman or an 80-year-old man.

Mr. Speaker, I quickly became convinced we needed to address this issue quickly, because obviously what these people are doing is legal and we are playing catch-up to catch up with them. Having thought about this issue in great depth, I became convinced what happened to our colleague from Pennsylvania was just a harbinger of what is to come.

I believe that right now there are people in our country who plan to use this technology to interfere with our elections. Just imagine, the day before an election, a group of people using this technology make hundreds of calls pretending to be leaving a message from the office of a candidate. That message could be rude, insulting, crude, slanderous, sexist, or racist, and it would look like the candidate or the candidate's organization made the calls. The damage would be done, and these people who will do anything to destroy our democracy will have won. But today, the House takes a bold step toward protecting our Nation from these insidious criminals.

Finally, I would like to thank my staff and the committee's staff who worked on this legislation. Pete Leon of my staff, Kelly Cole and Will Norwind from the majority, and Johanna Shelton, Pete Filon, and Colin Crowell from the minority.

I hope we can pass this without any opposition.

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 5126, the "Truth in Caller ID Act." And I commend the Chairman of the Committee on Energy and Commerce, JOE BARTON, and Representative ELIOT ENGEL for introducing this bipartisan bill.

Many consumers subscribe to caller ID services that let them know the number of an incoming telephone call and the name of the caller. Consumers often rely on this caller ID information to decide whether to answer a call. Consumers should be able to trust that the caller ID information has not been changed for fraudulent or harmful purposes.

Until recently, manipulating caller ID information, also called "spoofing," was difficult and required expensive equipment. Unfortunately, advances in technology have allowed individuals with fraudulent intent, and others seeking to do harm, to easily spoof their caller ID information, making calls appear to originate from a different person, organization, or location. As such, the recipient of a call that has been spoofed may answer the call thinking that it is coming from someone from whom it is not.

There are legitimate reasons to spoof caller ID information. For example, a domestic violence clinic may alter its caller ID information to mask its identity. This is important for the safety of victims of domestic violence since many victims seek help while they are still living with their abuser.

Caller ID spoofing, however, can be used for nefarious purposes. In a widely reported case, SWAT teams were dispatched to an apartment building in New Brunswick, New Jersey, last year after authorities received a call from a woman saying that she was being held hostage. The caller had spoofed the caller ID information to make it appear as though the call was coming from inside the building.

Caller ID spoofing is also used to gain personal information from a consumer so a criminal can more easily steal the consumer's identity. Equally troubling is the use of such spoofing by predators to cause physical or emotional harm to their victims.

H.R. 5126 will help put an end to caller ID spoofing for fraudulent or harmful purposes. Specifically, the Act makes it unlawful for someone to change their caller ID information with the intent to defraud or cause harm to another person.

This bill is good consumer protection legislation. I am pleased to support it and I urge my colleagues to do the same.

Mr. MARKEY. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 5126, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BROADCAST DECENCY ENFORCEMENT ACT OF 2005

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 193) to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

The Clerk read as follows:

S. 193

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Broadcast Decency Enforcement Act of 2005".

SEC. 2. INCREASE IN PENALTIES FOR OBSCENE, INDECENT, AND PROFANE BROADCASTS.

Section 503(b)(2) of the Communications Act of 1934 (47 U.S.C. 503(b)(2)) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(2) by inserting after subparagraph (B) the following new subparagraph:

"(C) Notwithstanding subparagraph (A), if the violator is—

"(i)(I) a broadcast station licensee or permittee; or

"(II) an applicant for any broadcast license, permit, certificate, or other instrument or authorization issued by the Commission; and

"(ii) determined by the Commission under paragraph (1) to have broadcast obscene, indecent, or profane language, the amount of any forfeiture penalty determined under this subsection shall not exceed $325,000 for each violation or each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of $3,000,000 for any single act or failure to act."; and

(3) in subparagraph (D), as redesignated by paragraph (1), by striking "subparagraph (A) or (B)" and inserting "subparagraph (A), (B), or (C)".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I again ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of S. 193 the Broadcast Decency Enforcement Act of 2005. This legislation is virtually identical to H.R. 3717, as introduced by my good friend, Mr. MARKEY, Chairman BARTON, Mr. DINGELL, and myself in the last Congress on January 21, 2004, which I would note was about a week and a half before the infamous Janet Jackson/Justin Timberlake Superbowl halftime show. That legislation was the predecessor of H.R. 310, which the House passed in this Congress on February 16, 2005 by a vote of 389-38.

While S. 193 omits a number of important provisions contained in H.R. 310, I believe that passage of this legislation will help us achieve our ultimate goal, which is to help ensure American families that broadcast television and radio programming will be free of indecency, obscenity, and profanity at times when their children are likely to be tuning in, whether that be in the living room watching TV or in the car listening to the radio.

This is about protecting the public airwaves, and Congress has given the FCC the responsibility to help protect American families in that regard. The courts have upheld the constitutionality of our broadcast decency laws, although they have limited the FCC's enforcement to only that content which is aired between the hours of 6 in the morning and 10 at night, when children are most likely to be listening or viewing.

What compelled me to act on this, even before the infamous half-time show, was a review of the Notices of Apparent Liability issued by the FCC in but a few of its radio broadcast indecency cases. And, of course, each case had a transcript of the content that was at issue.

My friends, public decorum on this floor precludes me from reading those transcripts out loud, but what I will say is that what I read was disgusting, vile, and had no place on our public airwaves.

I was glad to see my colleagues, Mr. MARKEY, Mr. BARTON, former Congressman Tauzin, and Mr. DINGELL agreed with me as well. These cases included descriptions of people having sex in Saint Patrick's Cathedral, lewd scenes of a daughter having oral sex with her dad, and a case in which radio hosts interviewed high school girls about their sexual activities with crude reference to oral sex, with the sound effects to match, and I could go on and on and on.

More recently, on March 15, 2006, the FCC issued a Notice of Apparent Liability regarding a scene in a broadcast network program which graphically depicted teenage boys and girls in various stages of undress participating in a sexual orgy. Again, I will not describe everything that was said there, but I can say that the program aired at 9:00 P.M. in the central and mountain time zones and it drew a significant number of citizen complaints from across the country.

We have no place for that on the public airwaves. And while I am not a lawyer, I would hope it would be beyond dispute that such content is indecent under the law and does not belong on the public airwaves, particularly at times when children might be viewing or listening.

In many of those most egregious cases, the radio and TV stations are owned by huge media conglomerates, but the current statutory maximum fine which the FCC can impose upon them for indecency violations remains at $32,500. In the words of former FCC Chairman Michael Powell, he said this, "Some of these fines are peanuts. They are peanuts because they haven't been touched in decades. They are just the cost of doing business to a lot of producers. And that has to change."

Well, Mr. Speaker, this legislation in fact changes that. We have a chance to increase by tenfold the existing statutory maximum penalty for indecency violations. The bill would raise the cap per violation from $32,500 to $325,000.

I believe that broadcasters do have a special place in our society, given that they are stewards of the public airwaves. And with that stewardship comes the responsibility, including adherence to our Nation's indecency laws. Most broadcasters are responsible, and many recently have taken steps to redouble their commitment to keeping indecency off the public airwaves. But for those broadcasters who are less than responsible, the FCC needs to have the teeth to enforce the law, and this bill, S. 193, will give the FCC that teeth.

The bottom line is this: We do not change the standards that the courts have affirmed are permissible for the public airwaves, particularly when children might be listening. This bill simply raises the fine on the violators of the existing standards, and it needs to be passed tomorrow.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to commend Chairman UPTON for this legislation and commend as well Chairman BARTON, Ranking Member DINGELL for the cooperative bipartisan way this bill has been has been handled.

Mr. Speaker, this legislation, S. 193, is similar to legislation that previously passed the House. It was approved by the Senate unanimously a few weeks ago. This bill, simply put, raises the cap on possible fines that the FCC can levy for violations of its broadcast indecency rules from $32,500 per broadcast licensee to $325,000.

I would like to emphasize that this legislation does not make indecent broadcast illegal, nor does the bill define what is or is not indecent material. Indecent content aired over broadcast TV and radio is already illegal between the hours of 6 a.m. and 10 p.m. What speech constitutes indecent material will be left to the FCC and the courts to determine.

Again, this legislation simply updates the statute with respect to the amount of money that the FCC can levy as a fine for violations of its rules, and establishes procedures for considering broadcast license awards, renewal, or revocation when repeated violations are found.

I think this legislation has obvious broad support on both sides of the aisle because it merely increases the amount of fines available to the FCC to enforce its existing rules. I intend to support it, and again commend Chairman UPTON, Chairman BARTON, and Ranking Member JOHN DINGELL, and our other colleagues on this bill as well.

Mr. Speaker, I reserve the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WALDEN).

Mr. WALDEN of Oregon. Mr. Speaker, I plan to support this legislation, as I supported the House legislation, to clear up the public's airwaves and punish those broadcasters who violate the law and the standards of the community that they are licensed to serve.

I am perhaps the only Member of the House of Representatives who is a broadcast licensee. For 20 years, my wife and I have owned and operated radio stations in Oregon. I grew up in a pioneer broadcast family. I rise tonight, however, to express concern about the FCC's recent decisions regarding indecency and profanity.

Frankly, the decisions of the Commission leave me and many of my colleagues in the broadcast world a bit confused about where the boundaries are, which has been a problem for the Commission for many years. The Commission found that certain words, which we would find very offensive, could be used in the context of airing Saving Private Ryan. However, perhaps words that would be found less offensive could not be used in an episode of NYPD Blue.

Mr. Chairman, given the tenfold increase in fines that this legislation authorizes, I think it is exceedingly important for broadcast licensees to have a clear understanding of the rules from the FCC. So I would ask you to lend your good office to encourage the FCC to achieve clarification in these areas.

I think it is also important, Mr. Speaker, that Americans understand what we are doing here tonight only affects over-the-air public airwaves, radio and television broadcast licensees. If you think that the TV in your family room is suddenly going to have every program cleaned up, you are mistaken, because we are not allowed at this point to deal with issues involving cable television or satellite television or satellite radio. Indeed, when we began having hearings on this very issue of profanity in the radio broadcast spectrum, one of the individuals who probably caused the most ruckus on the public airwaves shifted over to satellite radio so that he could carry on there unfettered.

I realize these are subscription services, but I think for many Americans, when they catch cable television in their homes, they don't really differentiate any more about the four channels that may be public broadcast channels, over-the-air broadcasts, from those that are on up the dial for the next 400.

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So they may wonder why it is that we can take this action tonight against licensees of the Federal Government. Now, cable services do have the ability to regulate individually within the home and block certain programs, so perhaps parents will take it upon themselves to self-regulate the home.

Meanwhile, broadcasters are going to need clarification when the fines are going to be increased ten-fold, and not all broadcasters are parts of conglomerates. Some are mom-and-pop operators in small communities across America who rise to the challenges of serving their communities in times of natural disaster and just in terms of community events. They will need this guidance because a fine of $32,500 today on the books could bankrupt many of those small, independent broadcasters.

Mr. Speaker, I hope you will work to clarify this so the broadcasters know the rules under which they need to operate and do not violate them unintentionally.

Mr. UPTON. Mr. Speaker, will the gentleman yield?

Mr. WALDEN of Oregon. I yield to the gentleman from Michigan.

Mr. UPTON. Mr. Speaker, I look forward to working with the gentleman to clarify the rules. It is very important that broadcasters know precisely what the rules are. We can do a better job.

We are taking the Senate legislation as it was passed. I think we had some better language in the House. I look forward to working with you and other Members on both sides of the aisle to make this a bipartisan effort and lay those ground rules out so everyone, whether it is listeners or broadcasters, knows precisely the rules of the road and hopefully will not get into trouble for it. I thank the gentleman for his input all along in the process.

Mr. WALDEN of Oregon. Mr. Speaker, I thank the chairman for his leadership in this area as we clean up the public air waves and also come to standards that are clearly understood by all so that inadvertent violations do not occur. And also, a recognition of small-market broadcasters versus the big major ones where even $300,000 may seem insignificant in their revenue stream.

Mr. MARKEY. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, I rise today for the third time in 3 years to speak out against what I consider the wrong approach to media indecency, and that is increasing FCC fines.

S. 193, the Broadcast Decency Enforcement Act, represents a weak attempt at improving our media, an uncreative policy that will harm our creative community.

Mr. Speaker, we all believe in the need to reduce indecency in media. Parents should not have to worry about what they might encounter with their children when they sit down together to watch TV. But indecency fines will not solve this problem because they do not address its root cause: media concentration and a lack of competition.

When big media gets bigger, conglomerates move further away from quality programming and the principles of diversity, localism and competition, crucial for the service of public interest. Will monetary penalties encourage return to these principles? I sincerely doubt it.

Instead, we need a competitive media environment that provides viewers and listeners with real choices in their entertainment. We need programming that respects the public and performers rather than catering to the lowest common denominator and dumbing down our culture. A consolidated media market controlled by a profit-driven conglomerate is bound to offer cheaply made, shocking entertainment for the sake of increasing viewership and making a spectacle of itself.

Our artists need to be able to work in an environment where creativity is honored. This will never happen under a system of censorship. Creators cannot read the FCC's minds on their definition of indecency. We must work with our creative community to encourage quality media content, not simply offer vague guidelines with high consequences.

That is why I have supported making the fulfillment of public interest obligations an element of the broadcast licensees' renewal requirement and the restoration of the fairness doctrine. It is why I encourage the FCC to think about the impact that media consolidation has on media content and our national character as they begin rewriting their ownership rules, rules that upset millions of Americans and lawmakers on both sides of the aisle.

Mr. Speaker, the indecent media culture we witness today will not be modified by simply increasing fines. It must be transformed through less media consolidation and greater requirements to serve the public interest.

I am sorely disappointed that both Houses have chosen the easy route of increasing fines rather than making a serious attempt to curb indecency by addressing the major problems in our media.

So I would urge my colleagues to vote against this bill, and let's try over again.

Mr. MARKEY. Mr. Speaker, I have no other requests for time, and I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

I would just like to make a couple of closing comments. Again, I thank the gentleman from Massachusetts for his help on this from the start. It was in December 2003 I called him at his home in Massachusetts and asked if he would like to co-author this with me. With that support came the support of then-Chairman Tauzin and the gentleman from the great State of Michigan (Mr. DINGELL).

The four of us introduced this legislation. A week and a half before the Super Bowl, we had our first hearing, in fact, before the Super Bowl came about where it got a lot of publicity. I know all of us on the committee and subcommittee when we held hearings were absolutely disgusted with some of the trash that was said on the radio that was fined. I would like to use a different word than "trash" or "stuff," but we would probably get fined for doing that on the House floor, and maybe our words would get taken down. I'm not sure. But it was awful, particularly knowing that kids were listening to that kind of talk.

It was a bipartisan effort. As I recall, I think we had a vote of 49-1 to get that legislation through. I think the bipartisan spirit we have had from the beginning, and I think our House bill was a little better than what the Senate has here in S. 193, but we need to get it done. That is why I was glad to work with the Senators on both sides of the aisle. And I would note this, not a single Senator, not a single one from any State, opposed the legislation that we are going to pass with this bill, S. 193.

Mr. DINGELL. Mr. Speaker, I rise in support of S. 193, the "Broadcast Decency Enforcement Act of 2005".

More than a year ago, the House overwhelmingly passed a broad measure to ensure that viewers and listeners would be properly protected from indecent broadcasts over the public airwaves. The Senate has now sent back just one piece of that more comprehensive measure.

The legislation before us will raise the maximum fine for indecent broadcasts tenfold, from $32,500 to $325,000. Increasing the amount that the Federal Communications Commission (FCC) can fine a company that broadcasts obscene or indecent programming is important, particularly given the growing size of these companies due to media consolidation.

Raising the level of potential fines is a good first step, so I support this measure. But it falls short of being a comprehensive solution to hold the FCC's feet to the fire on this issue.

People who are offended by indecent broadcasts on the public airwaves deserve prompt and thorough consideration of their complaints. Previously, the FCC had let some complaints languish for years, resulting in their dismissal. Unfortunately, delays continue. The viewing and listening public still does not receive prompt evaluation of their complaints, and the Commission's treatment of many consumer indecency complaints remains haphazard.

The House last year approved a much stronger and more comprehensive bill by a vote of 389 to 38. The bill would have increased the fines to $500,000 and given the FCC additional tools to fight indecency over the public airwaves. More importantly, it would have required the FCC to act on consumer complaints within a specific timeframe. It would have also made the Commission more accountable by requiring regular reports to Congress on its enforcement activities. This reporting requirement would have ensured that Congress was aware of any FCC action or inaction regarding complaints from our constituents regarding indecent broadcasts. The Senate bill does not take these steps to make the Commission more responsive or accountable.

Consumers would have been better served if the House and Senate had negotiated a compromise bill that included several of the provisions from the House bill to keep the FCC accountable. Nonetheless, S. 193 is a step in the right direction. As such, I support this bill and urge my colleagues to do so as well.

Mr. GENE GREEN of Texas. Mr. Speaker, most of us remember Super Bowl XXXVIII, but not for the reason that most of us Houstonians would like.

The game was a great showcase for Houston and one of the best in Super Bowl history. The New England Patriots edged out the Carolina Panthers by a score of 32 to 29 in a wild fourth quarter that ended with an Adam Vinatieri field goal with four seconds left.

Unfortunately, Americans remember that game for the offensive halftime show featuring Justin Timberlake and Janet Jackson.

Performers can do whatever they like on their albums, or on subscription services like HBO, and as a Member of Congress I swore an oath to uphold the Constitution and protect all Americans' First Amendment rights of freedom of speech and expression.

But public obscenity purely designed to shock people has no place on primetime broadcast television using the public's airwaves.

Almost every American home has a television and there is nothing a parent can do to protect against indecency on broadcast radio or television.

American families should have the right to watch the Super Bowl without expecting indecent performances, and the current FCC fines were clearly not a deterrent. Therefore, this legislation increases the fines for broadcast indecency by 10 times.

However, the Commission should only use this power against blameworthy broadcasters. A $325,000 fine is a much bigger stick for the FCC to use against indecent broadcasters, so the level of responsibility of the FCC must also increase.

When an independent affiliate airs network programming that turns out to be indecent, the FCC should only punish an affiliate if there was a reasonable opportunity to review questionable taped material or reason to know that such material was likely.

In cases where only the network knows what is going on the air, it stands to reason that only the network should bear the burden for such violations.

Section 503(b)(2)(D) allows the FCC to consider the circumstances of a violation in determining the amount of a penalty. The Commission should use that power wisely and recognize that you cannot deter indecent programming by fining independent affiliates with no control over the content.

Mr. GONZALEZ. Mr. Speaker, I rise to express my support for S. 193, The Broadcast Decency Enforcement Act of 2006, our constituents should expect that when they turn on their local broadcast television and radio stations, they will not be subjected to obscene, indecent, and profane material. I believe this legislation does take the necessary steps to ensure that there is a sufficient deterrence to broadcasters who are careless as to their responsibilities to the general public.

But, Mr. Speaker I am concerned that this legislation may fail to take into sufficient account the economic conditions of a broadcaster. There are numerous small broadcasters who serve small or niche market. This is particularly true of minority owned stations or stations that target the minority viewers. I urge the Federal Communications Commission when it uses its power under Section 503(b)(2)(D) of the Communications Act of 1934 to consider the size of the market that the broadcaster serves and its ability to pay when assessing a fine for airing questionable material, as this body approved when it passed the companion House legislation to this bill—H.R. 310 several weeks ago.

I also believe that the Commission should consider the source of the obscene, indecent, or profane programming when levying a fine. When a local affiliate not owned or controlled by a network airs questionable programming supplied by the network, the FCC should penalize the party who was really at fault. If the local affiliate was not given a reasonable time to review an offensive taped or scripted program before it aired, or if it aired an offensive live or unscripted program without reason to believe it was offensive, the fault arguably lies not with the local affiliate but with the network that supplied the program. Section 503(b)(2)(D) allows the Commission to adjust a penalty based on the culpability of the violator, the circumstances of the violation, or any other matters as justice requires. I believe that a situation where a local affiliate was left "in the dark" about obscene, indecent, or profane material in a program from the network calls for just such an adjustment.

Thank you again, Mr. Speaker, for moving this important legislation forward.

Mr. ACKERMAN. Mr. Speaker, I am continually amazed that defending our Constitutionally guaranteed freedom of speech is such a lonely job in the House of Representatives. I believe in decency and protecting children as much as any Member, but what is at stake here is freedom of speech and whether it will be nibbled to death by election-minded politicians and self-righteous pietists.

If you don't believe that this so-called Broadcast Decency Act will have a chilling effect on free speech, let's take a look at a few examples of how the culture of censorship has spread to the airwaves over the past few years.

Numerous ABC affiliates refused to commemorate Veteran's Day by airing the movie "Saving Private Ryan" because they feared an FCC fine. Ironically, ABC had previously aired unedited versions of the World War II movie in 2001 and 2002 without incident.

Many PBS stations refused to air an episode of the children's show "Postcards with Buster" because Buster, an 8-year-old bunny, learned how to make maple syrup from a Vermont family with two mothers.

CBS refused to air a political advertisement during the Super Bowl because it was critical of President Bush's role in creating the Federal deficit.

CBS and NBC refused to run a 30-second ad from the United Church of Christ because it suggested that gay couples were welcome to their church, and the networks felt that it was "too controversial" to air.

This is how free speech dies: with the pruning of self-satisfied politicians and the whimpering of fearful citizens. These are just a few examples that occurred before this ill-conceived bill has even been signed into law. Broadcasters will certainly increase these practices and bite their tongues when "decency" enforcers can slap them with a $325,000 fine, multiplied by numerous stations. How much farther down the slippery slope of censorship will we slide?

Even more galling is that this free-speech assault is coming from a mere fragment of the public, one organization—the Parents Television Council—representing the religious right and their far right-wing political agenda. This organization, which is responsible for 99.9 percent of the so-called indecency complaints filed with the FCC, boasts "nearly 1 million members." True or not, while that may be a sizable number for an individual organization, when compared to the almost 300 million people currently living in the United States, it really amounts to a small handful of people—less than one percent. Why should this tiny population of scolds be allowed to censure what the remaining 99.66 percent of us listen to?

It is not for this Congress to put limits on free speech. The public decides what they want to listen to and what they want to hear. They can change the channel, they can change the station, they can turn it off. It is not just speech that we agree with and we think is right that we have to tolerate. The true test of freedom of speech is if we tolerate ugly speech, obnoxious speech, and speech that we disagree with.

We need to defend our Constitution. We need to defend freedom of speech, and that is really what is at stake here. Passing this bill is a huge mistake and this vote will mark a very dark day in American history. We are going down a slippery slope and no one can honestly say where it will stop. A vote for this bill is a frontal assault on our Constitution and the protections that it gives to the American people.

Mr. Speaker, I for one will be voting against this bill, and I urge my colleagues to do the same.

Ms. SCHAKOWSKY. Mr. Speaker, I rise to express my opposition to the passage of S. 193, the Broadcast Decency Enforcement Act. I object to the passage of this bill because of my strong belief that in any legislative attempt to express disapproval of what some consider to be objectionable speech or acts, we must be careful not to infringe upon the Constitutionally-protected right to free speech. This legislation is an overreaction to the 2004 Janet Jackson "wardrobe malfunction."

I am a grandmother of four and I am concerned about what is making it onto the airwaves. I understand that many find the content and language used in some programs intolerable, especially for children. However, because I am also a strong proponent of the First Amendment and oppose inappropriate restrictions on free speech, I must weigh concerns about questionable content against the need to protect free speech.

I think we also need to be careful about passing a bill that gives "Big Brother" a heavy hammer to punish those who violate his notion of decency. I believe that increasing fines to $325,000 per incident would have a chilling effect on creativity, lead to second-guessing of material, pulling programs, and other forms of censorship. As I have said before, we run a great risk when our legislation threatens to undermine both our Constitution and our creativity.

If we are serious about improving broadcast content, which is what I think people really want to do, then we need to address the fact that large media conglomerates are allowed to gobble up independent stations that are much more sensitive to the communities they serve. Large media conglomerates are the main sources of indecent programming. Since 1999, 80 percent of the indecency findings have been against two media giants: Clear Channel and Viacom.

Not only do they lack knowledge of local community standards, but they also drown out the diversity of voices and viewpoints. Our constituents would be better served if we were voting to limit the over-concentration of media ownership, not to increase fines.

While I do not support S. 193, I am glad that my colleagues agree that the even more problematic H.R. 310 is not the route to take. Censoring artists with outrageous fines and threatening broadcasters' licenses should something "indecent" make it on the airwaves would have caused even more damage to our First Amendment than the bill before us today. Regardless, I think S. 193 opens the door to future attacks at one of our Nation's fundamental freedoms and I urge my colleagues to vote no.

Mr. UPTON. Mr. Speaker, I urge all of my colleagues to support this when we take the vote, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the Senate bill, S. 193.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. UPTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

EXPRESSING SENSE OF THE HOUSE OF REPRESENTATIVES WITH REGARD TO THE IMPORTANCE OF NATIONAL WOMEN'S HEALTH WEEK

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 833) expressing the sense of the House of Representatives with regard to the importance of National Women's Health Week, which promotes awareness of diseases that affect women and which encourages women to take preventive measures to ensure good health, as amended.

The Clerk read as follows:

H. RES. 833

Whereas women of all backgrounds have the power to greatly reduce their risk of common diseases through preventive measures such as a healthy lifestyle and frequent medical screenings;

Whereas significant disparities exist in the prevalence of disease among women of different backgrounds, including women with disabilities, African American women, Asian/Pacific Islander women, Latinas, and American Indian/Alaska Native women;

Whereas since healthy habits should begin at a young age, and preventive care saves Federal dollars designated to health care, it is important to raise awareness among women and girls of key female health issues;

Whereas National Women's Health Week begins on Mother's Day annually and celebrates the efforts of national and community organizations working with partners and volunteers to improve awareness of key women's health issues; and

Whereas in 2006, the week of May 14 through May 20, is dedicated as the National Women's Health Week: Now therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the importance of preventing diseases that commonly affect women;

(2) calls on the people of the United States to use National Women's Health Week as an opportunity to learn about health issues that face women;

(3) calls on the women of the United States to observe National Women's Check-Up Day by receiving preventive screenings from their health care providers; and

(4) recognizes the importance of programs that provide research and collect data on common diseases in women.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. DEAL) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation, and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of House Resolution 833, authored by Mr. HINCHEY, Mrs. BONO and Mrs. CAPPS, expressing the sense of Congress on the importance of Women's Health Week.

Each year Women's Health Week promotes awareness about steps women can take to improve their health. The focus is on the importance of incorporating simple, preventative, and positive health behaviors into women's everyday lives.

When women take simple steps to improve their health, the results can be significant. Many of the leading causes of death among women, such as heart disease, cancer, stroke and diabetes are preventable and treatable if the warning signs are recognized.

Events like National Women's Health Week and National Women's Checkup Day are great opportunities to tell someone you love that their health is important. Remind a mother, sister, spouse, daughter or friend to get regular checkups, exercise regularly, eat a healthy diet, quit smoking, and follow safety rules.

I commend the hundreds of volunteers, women's groups, health organizations, businesses, and charitable organizations who have helped to make National Women's Health Week a success.

Mr. Speaker, I urge my colleagues to support the resolution in recognition of National Women's Health Week.

Mr. Speaker, I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Res. 833, which celebrates National Women's Health Week. I would like to thank my colleagues, Mr. HINCHEY, Mrs. BONO, and Mr. HAYWORTH, for their work on this issue, as well as our chairman, Mr. DEAL.

This week is celebrated annually in order to raise awareness about diseases and conditions that specifically affect women. This also includes how common diseases affect women differently than they affect men. For too long research lacked gender specificity, and because of that, we lacked vital information about how women experience disease differently from men. This is especially true with respect to heart disease, and that happens to be the number one killer of women.

Women's Health Week is also a time to raise awareness about important preventive care measures that all women should take. With the growing number of uninsured in this country, it is no surprise that women are skipping doctor visits that ought to be routine. Knowing that this is especially true for low-income women and minority women, I applaud national efforts to use National Women's Health Week as a time to offer free screenings and conduct outreach to communities that are often left behind.

National Women's Health Week is not just a concept, but it truly is a large-scale effort by individuals, government, local and national organizations in order to highlight practical steps women can take to improve their lives and their health.

During this week, women can access essential checkups, services like mammograms and bone density screenings. These screenings can catch serious conditions like breast cancer early before it is life-threatening, and osteoporosis before it results in fractures.

I support this resolution celebrating National Women's Health Week because it focuses attention on gender disparities in health care delivery. I urge my colleagues to support it as well.

Mr. Speaker, I reserve the balance of my time.

Mr. DEAL of Georgia. Mr. Speaker, I continue to reserve my time.

Mrs. CAPPS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, I thank my dear friend and colleague, the gentlewoman from California, for organizing the time for this discussion this evening.

I think this resolution before us at the moment is very, very important. It calls upon the House of Representatives to recognize the importance of National Women's Health Week. The importance of National Women's Health Week is to draw people's attention from all across our country to the issues that affect the health of women in America. And those issues affect women of all ages.

One of the things that we are attempting to do with regard to National Women's Health Week is to draw attention to the necessity to try to live better lifestyles, healthier lifestyles, and to take advantage of the opportunities for medical screening.

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One of the unfortunate situations that we confront in our country, of course, is the fact that we still do not have a system of national health insurance. And so consequently, many women will not be able to take advantage of opportunities to get medical screening because they do not have insurance.

But, in the meantime, this resolution focuses attention on the need to live healthier lifestyles, to be aware of the various diseases and other health concerns that affect women, to take the necessary precautions to deal with those issues, to live the healthiest possible lifestyle, and to get the best appropriate medical attention.

It also thanks all of the agencies, and organizations across our country that devote their time and attention to the issue of womens' health. Womens' health is important for all of us, and that is why this resolution is so important for the Members of this House and for all of our constituents all across America.

I ask my colleagues to devote their attention to this resolution, to support it favorably, and to ensure its passage, because this issue is critically important to every single family in America. I ask that we give it the appropriate attention that it deserves and that the resolution be passed unanimously.

Mr. DEAL of Georgia. Mr. Speaker, I do have an additional speaker who has arrived. I am pleased to recognize my colleague from Georgia, Dr. PHIL GINGREY, for 2 minutes.

Mr. GINGREY. Mr. Speaker, I thank my colleague, Chairman DEAL of the Health Subcommittee of Energy and Commerce. I thank Representative HINCHEY and Representative CAPPS and all Members who bring this resolution, 833, before us this evening.

Those of us involved in health care, like Representative CAPPS, as a registered nurse, and myself, as a physician, and not only a physician, but also a specialist dealing with women's health issues, as an OB–GYN, understand the importance of recognizing that this is National Women's Health Week. It promotes awareness of diseases that specifically affect women and encourage them to take preventive measures to ensure good health.

It is a time when we need to tell all the women in our lives, our mothers, our wives, our sisters, our daughters, our aunts, in my case, my children and grandchildren, and friends, how important it is to take time out for their health. It can be as simple as taking the stairs instead of an elevator, eating healthier or scheduling an appointment with a health care provider.

Mr. Speaker, as an OB-GYN physician for nearly 30 years, I cannot stress enough how important a good relationship with your doctor is in maintaining your health. Women need to have conversations with their physicians regarding family history. They clearly need to understand the importance of screening tests and how to manage chronic diseases.

I want all of America's women to take a moment to focus on promoting health and preventing disease and illness by taking very simple steps to improve their physical, mental, social and spiritual health.

And I thank the chairman for allowing me to address this issue.

Mrs. CAPPS. Mr. Speaker, I actually have no additional speakers, and so I would yield back the balance of my time, by urging our entire body to follow as we seem to be in unanimity here this evening discussing this legislation that we adopt this resolution unanimously in the House as well.

Mr. DEAL of Georgia. Mr. Speaker, I have no further requests for time and therefore, I would yield back the balance of my time and urge the adoption of the resolution.

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the resolution, H. Res. 833, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL OSTEOPOROSIS AWARENESS AND PREVENTION MONTH

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 265) supporting the goals and ideals of National Osteoporosis Awareness and Prevention Month, as amended.

The Clerk read as follows:

H. RES. 265

Whereas osteoporosis, a disease characterized by low bone mass, structural deterioration of bone, and increased susceptibility to fractures, is a public health threat for an estimated 44 million Americans;

Whereas in the United States, 10 million individuals already have the disease and almost 34 million more are estimated to have low bone mass, placing them at increased risk for osteoporosis;

Whereas one in two women and one in four men over age 50 will have an osteoporosis-related fracture in her or his remaining lifetime;

Whereas building strong bones during childhood and adolescence can be the best defense against developing osteoporosis later;

Whereas osteoporosis is often thought of as an older person's disease, but bone health is a concern for any age;

Whereas substantial risk has been reported in people of all ethnic backgrounds;

Whereas osteoporosis is responsible for more than 1.5 million fractures annually;

Whereas the Surgeon General of the Public Health Service says that caring for bone fractures from osteoporosis costs America $18 billion annually;

Whereas the Surgeon General believes that bone health is critically important to the overall health and quality of the life of Americans; that it is in jeopardy and will only get worse if left unchecked; and that great improvements in the bone health status of Americans can be made by applying what is already known about early prevention, assessment, diagnosis, and treatment;

Whereas optimum bone health and prevention of osteoporosis can be maximized by a balanced diet rich in calcium and vitamin D; weight-bearing exercise; and a healthy lifestyle with no smoking or excessive alcohol intake; and

Whereas May 2006 would be an appropriate month to observe National Osteoporosis Awareness and Prevention Month: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of National Osteoporosis Awareness and Prevention Month and urges the people of the United States to observe appropriate programs and activities with respect to osteoporosis, including talking with their health care professionals about their bone health.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. DEAL) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume. And I rise today in support of House Resolution 265, a resolution authored by Representatives BERKLEY and BURGESS, that establishes a National Osteoporosis Awareness and Prevention Month.

Osteoporosis is a disease characterized by low bone mass and structural deterioration of bone tissue which can lead to fragile bones and an increased susceptibility to fractures, especially the hip, spine and wrist.

Osteoporosis is a major health threat for an estimated 44 million Americans, or a full 55 percent of people 50 years of age and older. In the United States, 10 million individuals are estimated to already have the disease and nearly 34 million more are at an increased risk for osteoporosis.

Of the 10 million Americans estimated to have osteoporosis, 8 million are women and 2 million are men.

Osteoporosis is often called a silent disease because it can progress very slowly over time without symptoms until a fracture occurs. The consequences of osteoporosis can be devastating, painful, costly and even deadly. Approximately 20 percent of hip fracture patients will die within a year after their fracture, usually from complications related to the fracture.

People tend to assume that osteoporosis is an inevitable part of aging. But for the most part, it is preventable. Prevention of osteoporosis should begin in early childhood and continue throughout life. Building a strong skeleton during childhood, adolescence and young adulthood can help people avoid osteoporosis later in life.

The National Osteoporosis Foundation recommends five steps that can optimize bone health and help prevent osteoporosis. First, eat a balanced diet rich in calcium and vitamin D to build and maintain strong bones. Foods rich in calcium include dairy products like milk and cheese and fish like salmon. Very few foods are rich in vitamin D, but milk is often fortified with vitamin D. Sunlight exposure to the hands, face and arms for 5 to 15 minutes, two to three times a week, helps the body produce its own vitamin D.

Second, engage in weightbearing exercise.

Third, don't smoke or drink too much.

Fourth, talk to your doctor about bone health.

And fifth, have your bone density tested and take medication as directed by a physician.

The activities of National Osteoporosis Awareness and Prevention Month encourage Americans to take the proper steps to protect themselves from osteoporosis, including talking with their health care professionals about their bone health.

Mr. Speaker, I urge my colleagues to support this important resolution.

I reserve the balance of my time.

Mrs. CAPPS. Mr. Speaker, I thank my colleague, the chairman of our committee.

I particularly want to thank my colleague, Congresswoman BERKLEY, for her work on raising awareness about osteoporosis. It has been a particular mission of hers and it is making a difference around the country, that women are stepping forward on this issue.

As we may know, osteoporosis affects around 10 million Americans, most of whom are over 55, and it is the cause of an estimated 1.5 million fractures annually.

It is often called the silent disease because this bone loss occurs without any outward symptoms and, of course, 80 percent of all osteoporosis occurs in women.

The quality of life for those affected often takes a downward spiral, leaving those who suffer from osteoporosis unable to walk, to stand up or even to dress themselves.

National Osteoporosis Awareness and Prevention Month is celebrated each May, and becomes a chance for our Nation to become more familiar with the effects of this disease, and about the preventable steps that we can take to deal with it.

Unfortunately, too many people are not at all aware that osteoporosis can be prevented through diet and exercise, both of which help maintain bone density.

Research clearly shows us that the earlier women think about maintaining their bone mass and take the steps to do so, the better their health will be in the long run. And you know, these aren't difficult steps to take. Proper diet, including calcium, proper exercise, are good for very many reasons, but knowing that at the same time you are making yourself healthy, you are also preventing osteoporosis is an important message to get out to everyone. So I encourage the public to take advantage of National Osteoporosis Awareness and Prevention Month by speaking to their health care providers about their risks, and encouraging health care providers to proactively address this subject with their patients.

I proudly support this resolution, and I encourage my colleagues to do the same.

I now invite my colleague, Ms. BERKLEY, about whom I was speaking, who has now arrived, to speak for as long as she may wish to, 3 minutes or whatever.

Ms. BERKLEY. Mr. Speaker, I would like to thank the Congresswoman, Mrs. CAPPS. She is an extraordinary advocate for health care, not only for women, but for families, men, everyone in this country, to make it a healthier country to live in. And I am so grateful for her, for her friendship and for the remarkable mark she has made on this Congress and on this country.

I rise in strong support of House Resolution 265 and ask for its immediate passage.

Mr. Speaker, May was National Osteoporosis Awareness and Prevention Month. Osteoporosis and low bone density affect 44 million Americans over the age of 50. It is a disease in which the bones become more fragile and prone to breaking. Many of those affected are unaware they have osteoporosis and therefore, they are unable to take steps to prevent it.

Like many Americans, I had no idea I was at risk for developing osteoporosis. I thought I simply had bad posture. And it never occurred to me to be screened for osteoporosis. Yet, when I was running for Congress in 1998, I was diagnosed with this disease. Fortunately, within 10 months of the diagnosis, with proper treatment, I was able to stop my bone loss and my bones actually began to strengthen again.

My bill will help raise awareness about the prevention and treatment of this increasingly common disease and encourage those at risk to have a quick and painless bone density test.

While more Americans than ever before have been diagnosed with osteoporosis and are receiving treatment, much more remains to be done to raise awareness about the importance of healthy bones.

Often called the silent disease because it goes undetected in many Americans until they actually break a bone, osteoporosis affects more than 10 million individuals and an estimated 34 million men and women. And yes, Mr. Speaker, men are susceptible to osteoporosis too. They suffer from osteoporosis and have low bone mass which places them at an increased risk for developing this condition.

As of 2003, there were an estimated 3.6 million people who have been diagnosed with osteoporosis. In my home State of Nevada, over 300,000 men and women suffer from osteoporosis and low bone mass. One in two women, and one in four men age 50 and older will have an osteoporosis related fracture in their lifetime.

The consequences of osteoporosis are devastating and very painful. Hip fractures, which occur about twice as often in women as men, are more serious than people realize. Approximately 20 percent of the hip fracture patients over the age of 70 will die in a year after that fracture, usually from complications such as pneumonia or blood clots in the lungs.

Prevention, diagnosis and treatment are the keys to tackling osteoporosis and as a Nation, we must teach people of all ages how to take the necessary steps to keep their bones healthy and strong for a lifetime.

Those at risk who have not yet been tested for osteoporosis need to make an appointment with their physician to have a bone density test. The exams are quick and they are painless and they can be done in conjunction with a regular checkup.

Because of my personal experience with osteoporosis, I am committed to ensuring that my fellow Americans are aware of the importance of early detection and prevention. Men and women can reduce their chances of developing this disease. I encourage everyone to see their doctor and get screened for osteoporosis. It is very silent, but it is a deadly disease.

I urge all of my colleagues to support this resolution that will increase awareness of this disease. I thank my colleague and dear friend, Mrs. CAPPS, for working with me to ensure that this resolution becomes a reality. Thank you very much.

□ 2100

Mrs. CAPPS. Mr. Speaker, I yield back the balance of my time.

Mr. DEAL of Georgia. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the resolution, H. Res. 265.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING TITLE 49, UNITED STATES CODE

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5449) to amend title 49, United States Code, to modify bargaining requirements for proposed changes to the personnel management system of the Federal Aviation Administration.

The Clerk read as follows:

H.R. 5449

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL.

Paragraph (2) of section 40122(a) of title 49, United States Code, is repealed.

SEC. 2. EFFECTIVE DATE.

The amendment made by section 1 shall be effective as of April 1, 2006, including with respect to any proposed changes to the personnel management system of the Federal Aviation Administration that were transmitted to Congress, on or after that date and before the date of enactment of this Act, in accordance with the provisions of section 40122(a)(2) of title 49, United States Code, as last in effect.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from Illinois (Mr. COSTELLO) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. MICA. Mr. Speaker, I would like to request the time in opposition.

The SPEAKER pro tempore. Is the gentleman from Illinois in opposition to the bill?

Mr. COSTELLO. Mr. Speaker, I support the bill.

The SPEAKER pro tempore. The gentleman from Florida will control the time in opposition.

Mr. LATOURETTE. Mr. Speaker, I ask unanimous consent that half of my time, 10 minutes, be yielded to Mr. COSTELLO, and that he be permitted to yield time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first I want to thank Speaker HASTERT for allowing us to have this debate tonight and also Majority Leader BOEHNER. There are some people on our side of the aisle that are not so happy that we are doing it, but I have to tell you that when you have 80 Republican Members of Congress supporting a piece of legislation, I think it is important to have the debate and have it now.

I also want to thank Congressman LOBIONDO of New Jersey and Congresswoman SUE KELLY from New York for being my partners in this endeavor as we move this legislation forward, and I want to thank Mr. COSTELLO for standing up in support of the bill.

Mr. Speaker, this bill is pretty simple. There is a contract dispute currently going on between the air traffic controllers in this country and the Federal Aviation Administration, and this bill simply sends them back to the table and asks them to reach a fair and equitable conclusion.

Under current law, the FAA has unilaterally imposed their contract terms on the hard-working air traffic controllers in this country. Congress is not in the business of contract negotiations, nor should it be. The FAA is also at an impasse with four other bargaining units, and the Congress really shouldn't be in the business of constantly reviewing labor contracts.

When this bill passes, the sides will resume negotiating and the existing contract will remain in place, there will be no disruption in service.

If they are unable to bridge the gap, the matter then goes before the Federal Service Impasses Panel. The FSIP, as it is called, will assure that both sides are negotiating fairly, and if no agreement can be reached, FSIP then can impose contract terms on both parties.

Some people might say, oh, man, FSIP, that sounds like a tough place for the FAA or the administration to go to. The FSIP board is made up of seven members, all seven appointees of this president, President George W. Bush.

During the course of this debate tonight, we are going to hear, I think, some facts and figures, and I want to lay some of them to rest now. We may hear that the average salary for air traffic controllers is $173,000. While that may be true if you include all of their benefits, anybody that is lucky enough to have health care or a retirement package knows that about 40 percent of that is made up in those benefits.

The average salary is really about $127,000. I don't know a lot of people in Cleveland, Ohio, that thinks that is too much for people that land the millions of passengers that travel our Nation's airways. You may hear that air traffic controller salaries have increased 75 percent, and we will explore that a little bit later.

Some people are going to criticize the FSIP board saying, oh, man, there is no incentive for the air traffic controllers to go back and negotiate. I will tell you I have talked to both lead negotiators. There is a strong desire to get this done. And, again, at any time after the passage of this bill, if either side thinks that the other side isn't negotiating fairly, they can immediately call up FSIP and go to this seven-member panel, all appointed by President George W. Bush.

Mr. Speaker, this is a good bill. I hope our colleagues can support it with the two-thirds majority necessary.

Mr. Speaker, I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to H.R. 5449. Unfortunately, my very good friend, Mr. LATOURETTE, the gentleman from Ohio, and Mr. COSTELLO, the gentleman from Illinois, support this proposal, but this, unfortunately, is a very seriously flawed bill and piece of legislation, and it comes at a time when we are trying to do everything we can to stabilize and provide economic reform for the aviation industry.

Let me talk a little bit about the history of how we got to this situation. Mr. LATOURETTE has also spoken to the increases that the air traffic controllers have received from 1998 to last year. They did receive some 75 percent, and maybe there was need to adjust the salaries. That translates into about 10 percent per year. But that contract did expire last year, and the air traffic controllers were required and FAA also began negotiations for a new contract.

Unfortunately, that drug out for some time, and by the terms of the existing contracts and agreement, as long as no contract was in place, the terms of the old contract prevailed, with some pretty hefty increases in place.

What has taken place in fact is an impasse occurred. Under existing law, when that impasse was declared by FAA, the matter was sent to Congress. That has all taken place. That is all history. For some 60 days, Congress had an opportunity to overturn that. And it is true that there was legislation with many Republican cosponsors sympathetic with changing some of the procedures. However, that bill was not retroactive, like the LaTourette proposal. This is a reach-back provision, and it also takes Congress completely out of the process, as opposed to the bill that others had cosponsored.

So, this is a bill, again, H.R. 5449, that, if enacted, will change the rules of the game at the bottom of the ninth inning just because one of the teams does not like the outcome of fair negotiations, a legislative process that has already been completed, and, again, we take Congress out of the process.

The Constitution provides in Article I that all bills relating to funding and appropriations come out of the House of Representatives, emanate in the House of Representatives. This legislation, again, reaches back and changes the rules of the game. It allows a panel that is not confirmed by Congress, by the Senate, again, a panel of seven, to make appropriations and also authorization decisions that are left to the Congress.

So, I have great concern about this procedure. I think it sets a horrible precedent.

Mr. Speaker, I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5449, legislation that will send the FAA and the air traffic controllers back to the bargaining table. H.R. 5449 seeks to ensure a fair process to resolve impasses that arise during collective bargaining negotiations with the FAA instead of the current one-sided process.

The FAA and NATCA started contract negotiations in July of 2005. The FAA declared an impasse on April 5 and promptly sent the contract to Congress just days before we went out on our April district work period. The 60-day clock expired yesterday, June 5, with the FAA imposing its last offer immediately.

I believe the best way to get a fair contract between the two sides is for Members to sign Discharge Petition No. 13 to bring H.R. 4755, a bipartisan bill with 265 cosponsors, including 75 Republicans, to the House floor for a vote. Congresswoman SUE KELLY and I introduced H.R. 4755 which would insist on binding arbitration, ensuring an end to the dispute, protecting collective bargaining rights and to promote good faith, fair negotiations. One hundred ninety-five Members, all Democrats, signed the Costello discharge petition to bring H.R. 4755 to the floor.

Because I filed the discharge petition, the Republican leadership has decided to bring up H.R. 5449, introduced by my good friend, Mr. LATOURETTE, to the House floor today for consideration. While I would have preferred to see H.R. 4755 on the floor today, I support H.R. 5449, the legislation before us, as a means of reversing the current one-sided process that does not promote good faith negotiations.

I want to remind my colleagues as we hear a lot about salaries and working conditions and other issues that this bill is about process only, plain and simple. There are no mandates concerning salaries, benefits or anything concerning working conditions with the air traffic controllers. It simply gets both sides back to the bargaining table.

Today's debate really comes down to whether Members support the rights of workers and the rights of collective bargaining. Anytime one side comes to the bargaining table knowing that they will get what they want at the end of the day, which is exactly what the current law does, it gives the FAA what they want, their last proposal at the end of the day, then there is no incentive to reach an agreement.

The current law is grossly unfair and needs to be permanently changed. If you truly believe in collective bargaining, you will send both sides back to the bargaining table by supporting H.R. 5449.

I urge all Members to vote "yes."

Mr. Speaker, I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

Just for the record, Mr. Speaker and my colleagues, the average compensation for an air traffic controller today is $173,000. That is average. The highest paid controller earns $277,937. That is the highest controller. I have 1,397 controllers earning $213,500.

Just for the record, the average median household income in Illinois, the home State of the gentleman who just previously spoke, is $48,953. For Mr. LATOURETTE, the sponsor of this legislation, the average median household income is $42,240.

Further for the record, an air traffic controller for the military, and we have a whole corps of air traffic control servicemembers serving in the United States and across the world, right now a sergeant in the U.S. Air force with 10 years experience and those in the combat zone as we speak tonight serving in Iraq at Baghdad Airport, earn $35,919. Of course, they get many benefits on top of this, such as housing. I want to be fair.

But that brings some of this debate and the amount of compensation we are talking about hopefully into perspective.

Mr. Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just briefly to the gentleman's baseball analogy, that is exactly why they make extra innings and we should have extra innings here.

Secondly, again, this $173,000 figure, people in Cleveland, Ohio, that are sitting on their couch know that $173,000 is a lot of money, but again, if they are lucky enough to have health care and pension, that is 40 percent of that cost. The average is $127,000.

Now, again, people in Cleveland, Ohio, think that that is a lot of money as well, but I am going to tell you, they think that the guy that walked away from Exxon with a $400 million retirement package, that really is a lot of money.

The sum of $127,000 for someone who has dedicated his or her life to safely landing your family at an airport is not too much money.

Mr. Speaker, it is now my pleasure to yield 2 minutes to the gentlewoman from New York (Mrs. KELLY), the sponsor of the original bill.

Mrs. KELLY. Mr. Speaker, I rise in support of this bill. I have spent a lot of time working on aviation safety on this issue because we need to establish more fairness in the contract negotiation process between the Federal Aviation Agency and our air traffic controllers. When one side is able to cut off negotiations and impose its will on its employees at any time, it is difficult to argue that this is an environment for fair negotiation.

Unfortunately, this is the system we have in place right now for recruiting and maintaining America's best assets for keeping our air safe, our air traffic controllers. It is a flawed system that would weaken aviation safety. It is appropriate that Congress take action to correct this situation now, before problems grow to a point where we can no longer fix them.

□ 2115

Our air traffic controllers are absolutely essential to protecting our skies. We need to ensure that we are recruiting and maintaining the best possible personnel for our really vitally important jobs. That is why I introduced the legislation this year with my colleague, Mr. COSTELLO, to address this situation.

And as he pointed out, we had a bipartisan group of 267 Members behind our legislation that seeks to establish more fairness in the negotiation process. Well, it would be my preference that it would be our bill that would be up for debate today. I sincerely appreciate the leadership's recognition that this matter merits debate and action by this body. The bill that is offered by my colleagues, Mr. LATOURETTE and Mr. LOBIONDO, provides us with a positive step in the right direction.

Mr. Speaker, it does not favor one side over the other. It does not speak in favor of one specific contract proposal over another. It simply sends them back to the negotiating table. This is the right thing to do to keep our negotiation process fair and our skies safe.

I support this legislation. I encourage the other 265 cosponsors that have cosponsored this bill with Mr. COSTELLO and myself to similarly support this bill offered by my colleagues, Mr. LATOURETTE and Mr. LOBIONDO.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just a couple of clarifying points, if I may. We heard the gentleman from Illinois talk about sending this contract back to the bargaining table. We heard reference by the previous speaker also of the panel that will get this.

I had the honor and privilege of chairing the House Civil Service Committee for some 4 years. I know a little bit about the Federal Service Impasse Panel. The Federal Service Impasse Panel is not confirmed by the Senate. It has no congressional confirmation. It has seven appointees by the President. Ninety-eight percent of the issues it has handled, and this is what the LaTourette bill would do is send it to this panel, 98 percent of the issues that it has handled are nonwage. That is a fact.

It deals primarily with quasi-governmental and nonappropriated, that is nonappropriated by Congress, mostly agencies that generate their own income through fees.

So this is unprecedented in sending it to this panel. Now, they do not have the staff to deal with this. Maybe it will go on to the Labor Relations Board and then maybe it will be further appealed. But remember, the name of this game is keeping this stirred up and not resolved as long as possible, because we have then the provisions of the Clinton contract, which expired on Monday.

In addition, there are differences between the bill by Mrs. KELLY, and I applaud her for her bill, first her bill did not reach back as the LaTourette bill did, and secondly, her bill kept Congress in the process.

The LaTourette bill takes Congress out of the process, turns this process really over to, again, a board that has really no congressional oversight or participation in even confirming the members in an unprecedented fashion. So that again provides us with some statistics.

Just to also further clarify cash compensation versus total compensation. The highest controller, if we take cash compensation, only is $231,477 for the record. The 1,397 controllers about the statutory cap, they receive, again without benefits, $175,366.

Mr. Speaker, I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I thank Mr. COSTELLO for yielding me time.

Mr. Speaker, when two parties enter negotiations, it is generally expected that both sides play by the same rules. But there is an exception made for the FAA which enjoys a decided advantage over air traffic controllers.

For instance, there was no penalty or consequences for FAA negotiators when they walked away in the middle of negotiations expecting that congressional inaction would automatically impose a new contract with lower pay and benefits for the air traffic controllers have earned through their hard work and impeccable service record since the terrorist attacks.

Mr. Speaker, I would say that this is not an argument about average compensation or cash compensation. This is an argument that is essentially about fairness. The current process is anything but fair. Whatever one's position might be on the underlying issue, most of us can agree that Congress should let the process run its course and refrain from dictating the terms of an agreement that should be settled like any other labor dispute.

Mr. Speaker, the diligent and hardworking men and women who guide America's air traffic serve a critically important role in our homeland security. At the very least we should level the playing field so that they can negotiate a fair contract.

Mr. Speaker, I strongly urge my colleagues to support this resolution.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, again for the record, first of all, the gentleman from New York just talked about this unfair process. This is the same process that was put into effect during the Clinton administration in 1996, and in 1998 gave the air traffic controllers a 75 percent increase, the same exact process that we are working under.

The gentleman from New York (Mr. BISHOP) and my good friend, the gentlewoman from New York (Mrs. KELLY), the average median household incomes by State that I have for New York is $47,349. Now, I do not want anyone to think that we are cutting existing air traffic controllers. Under the contract that went into effect on Monday, their compensation and their benefits, they will rise from 2007 to 2011 from $173,000 to $185,000.

Mr. Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to make a brief comment before yielding to my friend from New Jersey (Mr. LOBIONDO).

Mr. MICA continues to talk this bill reaching back. I just want to focus on the 60 days that was in the current law. It is inconceivable that anybody that has been here for any period of time thinks that this Congress can act in 60 calendar days on anything.

Mr. Speaker, I have been here 12 years. For that entire 12 years we have been trying to repeal a telephone tax that was put into effect to pay for a war. Now some people say, oh, was it the Iraq war? Maybe the gulf war? Maybe Korea? No, the Spanish-American War.

The Treasury Department just announced this week that they are going to let us repeal the tax that is 100 years old, but we were supposed to act in 60 days.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Mr. Speaker, I thank my colleague for yielding me time.

Mr. Speaker, I rise in strong support of H.R. 5449. I would like to thank Congressman LATOURETTE for his dogged determination in pursuing this issue. Also I thank Congresswoman KELLY and Congressman COSTELLO for their help on this very important issue, and also Speaker HASTERT and Majority Leader BOEHNER.

H.R. 5449 is a fair way of resolving the contract dispute between the controllers and the FAA. It simply brings both parties back to the table to reach a mutually acceptable solution.

I share the concerns regarding the budget shortfall at the FAA and the need to free up funds to modernize our air traffic control system. But I do not think that forcing both parties back to the table to agree to a contract will undermine those goals in any way, shape, or form.

When the talks between the parties reached an impasse, the controllers were offering $1.4 billion in cost savings. Let me repeat that: they were offering $1.4 billion in cost savings. I believe that if the parties were to return to the table, consensus would be reached in a very short period of time.

Congress should encourage both parties to continue to negotiate and not allow the FAA to unilaterally impose their last offer. Mr. Speaker, I urge all of my colleagues to support this good piece of legislation.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, if I may, I would like to take just a minute. I have the greatest respect for Mr. LOBIONDO. He is one of the hardest workers in Congress. I went up to some of the Federal aviation facilities, testing facilities and others in his district. He is one of the strongest advocates in Congress for good, sound aviation. I am sorry we disagree a bit. I know a lot of Members are under pressure.

I thought about this. And I thought this is one reason why we should not even have these issues before Congress. Ninety-eight percent of the Federal employees, in fact, have a general wage chart and schedule. You can see why countries like Argentina, Germany and others have the tail wagging the dog. I feel bad for Members who are in that predicament.

But our responsibility is to the taxpayer. It is also to a sound aviation system, which I think both Mr. LATOURETTE, Mr. LOBIONDO, Mr. COSTELLO, everyone agrees is important.

The dilemma that we face if we pass LaTourette, and we are working under existing law that did give us 60 days, that did expire on Monday, and we have a new contract. What happens is, given the nature of this impasse panel and its lack of any experience in dealing with these kinds of issues, this could go on and on.

Now, Mr. KNOLLENBERG was on his way. He is an appropriator and oversees appropriations and was to speak against Mr. LATOURETTE's proposal. But what happens here, Members of Congress, Mr. Speaker, is, quite simply put, H.R. 5449 pulls the rug out from underneath actually our entire national aviation system and the whole funding process when we can least deal with it.

Airport projects, and Members should be aware of this, when you have to put 1.9, and I asked the attorneys from FAA, is this enough, at bay for a number of years, and they said, it will probably be double that figure that will be put at bay. I have right now $1.9 billion, Mr. COSTELLO knows this, left in our entire airport improvement funds at this time.

So we put airport projects at risk with unpredictable costs and salaries, leaving this hanging out. Then we also hurt the core of other FAA employees. This chart shows the total compensation gap between controllers and other FAA employees. It is a gigantic gap, some 42 percent.

So we leave them hanging out. We leave all of our projects for funding around the country, we leave air traffic control modernization, which is the system that gives us the very best technology for safety. So that is of a great concern to me.

Mr. Speaker, I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, with all due respect to my good friend from Florida, when a Member stands here and makes an assertion about the pay that air traffic controllers receive, and then you make comparisons with what the average pay is in any area, the unstated implication is that, well, they are just getting paid so much or too much, and the remedy is then to deny them their collective bargaining rights. That seems to be an unstated conclusion.

Mr. Speaker, I hope that is not what my friend is saying, because if you carry that logic forward, then we are going to be here arguing about how much a brain surgeon makes, or how much an engineer makes or how much an architect makes.

If we get into that argument, well, you can always get a better deal on brain surgery, you just might end up dead. Or a better deal on a bridge, it just might fall. Or a better deal from an architect, and have plans with a house with no doors.

I mean, we are talking about highly specialized work here. And for the Congress at this point to make a simple statement that all we want to do, we are not talking about the conclusion, we are not saying that we want to shift or tilt in favor of one side or another, we are just saying, we stand for collective bargaining rights. Let the parties work out their disagreements, and in doing that, we perform a public service.

Mr. MICA. Mr Speaker, I yield 1 minute to the gentleman from California (Mr. ISSA) for the purposes of entering into a colloquy.

Mr. ISSA. Mr. Speaker, I am deeply concerned about the effects that this bill or the absence of this bill might have on my own region of California where we are, I believe in many cases at our major centers, to be at about 80 percent staffing, meaning that we have overtime because of shortages.

□ 2130

What will be the effect of either having or not having this bill on the staffing levels that we need to have to get to full staffing in California?

Mr. MICA. Again, I do think that we have some serious consequences. Not only would this unprecedented reach back and change in policy put us in turmoil for financing the entire system, what will happen is—this is simple math. If you are paying these people over $200,000 per year on average, it allows you less entrants. And Congress is the appropriator. We decide on how many hires.

Mr. ISSA. I thank the gentleman.

Mr. MICA. Mr. Speaker, I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield 30 seconds to myself to make a point.

The gentleman from Florida just stated that they are paying these people over $200,000 on average, and I have to tell you that I do not believe that to be an accurate statement. I would just suggest to the gentleman that if you think about over $200,000 a year on average, and I think that is very misleading.

Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me thank the distinguished gentleman from Illinois for his leadership along with the gentlewoman from New York. I rise to have hopefully supported 4755, but I support H.R. 5449, simply to give air traffic controllers the right to return to the bargaining table. But I really want Americans to learn as we sit here, stand here and debate this question, the airways of America are safe in the hands of sacrificing air traffic controllers who sit under the most intense, stressful occupations that you can ever have.

Let us not go back to the busting of these wonderful hard-working Americans, such was done under the Reagan administration. Let us, in a bipartisan manner, send these good working folk back to the bargaining table to be able to solve their problems. Is it not interesting that most Members fly to work and they take their flying for granted because they believe that the airways are safe because our air traffic controllers are on the front lines of handling their responsibilities.

As I respect the opposition to this bill, let us, as Members of Congress, not having done this timely, let us now do the right thing and give, if you will, the sense of appreciation to hard-working Americans, not to give them any particular benefits, but to allow them to go back to the table and have a matter resolved in the fair and practical way. Let us not repeat the busting of a union and let us go back to the negotiating table. I ask for support for H.R. 5449.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

Again, for the record, and I believe these figures to be correct, that under the new contract which was put into place on Monday and which the LaTourette reachback would actually wipe out, the average salary with benefits would increase from $173,000 to $185,000 under this new proposal.

If we leave the contract that was negotiated during the Clinton administration in place, it is my understanding that compensation and benefit would reach $211,000. That is not really the question here. Although it is an increase, it is, again, a question of fairness.

We have gone through the process adopted under the Clinton administration in 1996. They did receive, in fact, a 75 percent increase in 1998. The process worked then. The same processes work now. We had the 60 days to consider it. It was not overturned in Congress. The LaTourette proposal is, in fact, different than the Kelly proposal. The Kelly proposal would have gone forward before the Monday deadline. The LaTourette proposal, it is in his legislation. It reaches back to April 6, the date of the impasse. It would overturn, again, all precedents, all laws. I am for fairness in dealing with labor, fairness in dealing with everyone.

I might point out for the record that the median household income for the State of Texas, the gentlewoman who just spoke, is $41,759.

There is great concern about this proposal because again it leaves our safety, it leaves our airport projects, it leaves the future really of bringing on new hires which is so important and an aging workforce all in limbo. It would be an unprecedented reachback.

This is so serious that this afternoon the administration, the President, I am sure, checked off on this. It says, if a bill such as H.R. 5449 that changes or negates the impasse resolution process or the revised terms and conditions of employment that were presented to the President, the President's senior advisors would recommend that he veto the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I have great respect for the President but on this issue, quite frankly, he is wrong. I think that if he talked to his FAA administrator, we might have a different conclusion.

I want to tell you what has my dander up this evening because Mr. MICA is right. This is an unusual procedure. This has happened once before since this legislation went into effect. The last time, 60 days went by, the Congress didn't do anything. Just like we didn't do anything this 60 days. The administrator of the FAA waited 19 months before she imposed the contract. This, the deadline was up Monday, the 5th of June. You get the feeling she was sitting with one of those desk calendar for left-handers that people get for Christmas and she could not flip to the 5th of June fast enough. I assume she reads the newspaper. She knew this debate was going to take place this week and that action of imposing that contract on the very first day that she could, in my mind, is a direct affront to this people's House and the 300 million people that are represented by it and shame on her.

Mr. Speaker, I reserve the balance of my time.

Mr. COSTELLO. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. I thank the gentleman.

Well, surprise, the political appointees at the Bush Federal Aviation Administration and their supporters in Congress want to undermine the safest, most productive air traffic control system in the world by any measure. Why? Because there is one basic flaw. There is an agenda no one is talking about here tonight. It is not privatized. It does not provide a profit for Halliburton or some other contractor. That is what this is all about. Let's kill off the existing FAA and the air traffic controllers and then the private sector will save us.

Well, in the three countries where the private sector has come in, it has not worked out so well, neither for the safety nor for the taxpayers. They have all had to be bailed out. They are all more expensive. They are all less productive and they are nowhere near as safe.

Now, the gentleman from Florida complains about the salaries. The salary he is talking about with benefits is less than a Member of Congress like himself or me or the gentleman there or any of the rest of us. Now, I could not handle 20 planes on approach with obsolescent equipment and keep people alive day in, day out across America and in our skies. Could he? I think not.

Now, I am not going to complain about that salary. In fact, I don't find anybody at 30,000 feet or 40,000 feet that is complaining about that salary. And if we said, well, let's talk about the productivity. Well, they are handling 20 planes at once on approach, death defying air time here. That is about $8,000 per plane. That is even less than the Republicans mandated federal minimum wage. Now, is that where they want to drive this or do they maybe want to outsource it to India so we could send the data over there and they could do it for even less?

This is about safety, security, air space, the American public and, yes, it is about fairness. There has been a little bit of talk about fairness. Let's talk about fairness. 265 Members out of 435 have co-sponsored the Costello-Kelly bill; but the chairman of the committee, the operatives at the White House, and the Republican leadership will not allow a bill supported by an overwhelming majority of the House of Representatives, Democrats and Republicans, to come up for an up or down vote. Instead, they give us this option. We will give you a vote and then we will complain about the terms of it because it is retroactive and has all these other problems. We will complain about it here and we will require, guess what America? A two-thirds vote for passage.

This is not a straight deal for the people who keep us alive every week in the skies, who have an unparalleled record of safety and security for the American traveling public. Yeah, you can quibble and complain about the salaries and you can get up and talk about the average salary in my district, but I know the air traffic controllers in my district. There is not a single one of them earning $173,000. They would be living in the mansions on the hill if they did and they do not live in the mansions on the hill. So they can come up with the mythical air traffic controller somewhere.

And then the gentleman from Los Angeles comes up and feigns concern about the number of air traffic controllers. Where is someone going to move and relocate and live in the Los Angeles area on the new $50,000 a year salary?

Vote for this bill. We need a two-thirds vote. And if it does not pass then come down to the well. I invite my Republican colleagues to come down here, sign the discharge position, and bring up the Kelly-Costello bill for a straight up vote, simple majority.

Mr. MICA. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman from Florida has 3½ minutes remaining.

Mr. MICA. Mr. Speaker, I yield myself the balance of my time.

I do not see Mr. KNOLLENBERG or Mr. SHADEGG and try to wrap up for opposition side, and if they come, I will be glad to yield.

First of all, from Oregon, the average median household income is $41,794.

I have the greatest respect for Mr. DEFAZIO. He was my ranking member on aviation. He does a great job, but I disagree with him on this issue.

First let me talk about the fairness. I have been here in the minority. I have been here in the majority. I have never seen anything fairer than this. How would you like to be me, chairman of aviation. We had a bill with 250 cosponsors, many Republicans. That bill was not brought out but people cosponsored it. Everyone was open to cosponsor. We had a discharge petition. Mr. COSTELLO, I believe he had 195, not even every Democrat signed it, no Republicans. So that procedure ended last week. And then I get the notice that of course the new contract is going into effect on Monday and there is going to be a vote, it was supposed to be today. It will be tomorrow.

I feel like the guy that is trying to carry the ball down the field. I get to the end of the line, the goal line, and now they moved the goal for me out into the parking lot. So I do not think I would complain.

Again, I think this has been a very fair and open process. And I admire the Speaker and Majority Leader and others who have participated, Mr. LATOURETTE.

We do want, again, the very best system but we want fairness for the taxpayers. I do not think this is all about fairness for the taxpayers. And I have to go back to John Carr, again, a good friend and he represents the air traffic controllers as well. These are his words, March 31, 2006: "There is absolutely no reason for NATCA to end talks. The current contract is better than our last concession-laden contract proposal at the bargaining table and stays in effect until there is a new contract. We could literally talk forever."

That is what this is about. If you reverse the contract that went into effect on Monday and we go back to talking forever, that is the plan because again these huge increases that were allowed under the Clinton administration do continue.

☐ 2145

We still have increases, but we have a limit on those increases.

Now, many groups have looked at this. The National Taxpayers Union has strong opposition. Here is a letter I would like to submit for the RECORD. The Citizens Against Government Waste, they oppose it. Americans for Tax Reform, they oppose it. The National Chambers of Commerce, your chambers of commerce have looked at it; they oppose it. The American Conservative Union. If you are on that side of the aisle, the American Association of Airport Executives will be impacted by this. Our airports oppose it.

VOTE NO ON H.R. 5449

As representatives of the aviation industry, we strongly urge you to oppose legislation, H.R. 5449, that would intervene in the negotiation process between the Federal Aviation Administration (FAA) and the air traffic controllers union.

The law governing this process was passed nine years ago and was in place when the air traffic controllers union successfully negotiated its 1998 contract and 2003 extension of that contract.

Current law requires that if Congress wants to intervene, it has 60 days from the Administration's submission to do so. The deadline for Congressional action was June 5.

H.R. 5449, unfairly changes the rules of negotiation nine months into the process. To apply a new process retroactively does not comply with the current law. All parties entered into these negotiations knowing the statutory rules and impasse processes well in advance.

The continued health of our industry depends on the Federal Aviation Administration's ability to effectively and safely manage the national airspace, control costs, achieve efficiencies and expand capacity.

H.R. 5449 changes the rules of a process that has been in place for a lengthy period. This would create uncertainty in terms of cost and efficiencies. The impact would be significant at a time that the industry is facing enormous problems.

Please vote "NO" on H.R. 5449.

Sincerely,

JAMES C. MAY,
President and CEO, Air Transport Association.
CHARLES BARCLAY,
President, American Association of Airport Executives.
JAMES K. COYNE,
President, National Air Transport Association.
RONALD N. PRIDDY,
President, National Air Carrier Association.
STEPHEN A. ALTERMAN,
President, Cargo Airline Association.
DEBORAH C. MCELROY,
President, Regional Airline Association.
EDWARD P. FABERMAN,
Executive Director, Air Carrier Association of America.

NATIONAL TAXPAYERS UNION,
Alexandria, VA, June 5, 2006.

NATIONAL TAXPAYERS UNION VOTE ALERT

NTU strongly opposes any attempt to interfere with the negotiation process between the Federal Aviation Administration and National Air Traffic Controllers Association and, as such, our annual Rating of Congress *will include any roll call votes on H.R. 5449*. Negotiations are taking place under existing law and should not be subject to legislative fiat. The controllers' proposal would cost taxpayers $3.7 billion more than the FAA plan. In lieu of needed reforms to privatize air traffic control (and follow the example of our free market friends in Canada, Germany, and the U.K.), money should be devoted to modernization and safety, not ever-higher air traffic controller salaries. For that reason, we urge you to vote "NO" on H.R. 5449.

AMERICAN ASSOCIATION OF AIRPORT
EXECUTIVES,
Alexandria, VA, June 2, 2006.
Hon. J. DENNIS HASTERT,
Speaker of the House,
Washington DC.

DEAR MR. SPEAKER: On June 6, the House is scheduled to consider under suspension of the rules, H.R. 5449, a bill to modify bargaining requirements for proposed changes to the personnel management system of the FAA. I am writing to inform you that the American Association of Airport Executives (AAAE) opposes this legislation. AAAE is comprised of the thousands of men and women who manage our nation's airports.

It is our view that the existing law governing the personnel management system of the FAA should not be modified at this time. Further, we believe it unfair and unwise to change the "rules" governing the current dispute between the FAA and the National Air Traffic Controllers Association (NATCA) at this very late point in the process.

Sincerely,

CHARLES BARCLAY,
President.

THE AMERICAN CONSERVATIVE UNION,
June 5, 2006.

AN OPEN LETTER TO ALL REPUBLICAN MEMBERS OF THE UNITED STATES HOUSE OF REPRESENTATIVES

OPPOSE H.R. 5449

On behalf of the American Conservative Union, the nation's oldest and largest grassroots conservative lobbying organization, I urge you to oppose H.R. 5449, which would interfere in air traffic control labor-management negotiations.

In September of 2005, the existing controller contract expired. Despite recent negotiation efforts by the Federal Aviation Administration (FAA) and the National Air Traffic Controllers Association (NATCA), the discussions have reached an impasse.

The FAA took steps to get the negotiations back on track by involving the Federal Mediation and Conciliation Service (FMCS). The process again was brought to a standstill, as negotiations broke down in early April 2006.

The Federal Aviation Reauthorization Act of 1996, (P.L. 104–264) allows controllers to bargain over pay. In return for this right, the law required that in the event of an impasse, the FAA could implement its final offer after a 60-day congressional review.

Next year, Congress will reauthorize the FAA. A key component of the legislation will be to modernize the nation's air traffic control system and continue to make airport investments to meet growing aviation demands. All elements of the aviation industry, including the controllers, support the modernization and improvement of the nation's aviation system. Securing the funding for the modernization will be one of the biggest obstacles during the reauthorization process.

The American Conservative Union strongly supports and appreciates the efforts air traffic controllers make every day to safeguard the skies. But the facts are that since the last labor agreement in 1998, controllers have received a 75 percent pay increase. The average controller now earns $173,000 in pay and benefits. The current FAA proposal would fully protect the salary and benefits of every current controller. It would control costs for new controllers by offering up to $127,000 in salary and benefits in the first five years.

If the FAA cannot have the ability to follow existing law in negotiating this controller contract, its ability to modernize the air traffic control system is diminished. Additionally, the efforts of FAA Administrator Marion Blakey to manage the agency like a business, with higher productivity and accountability, would be severely compromised. We believe sending this matter to the Federal Services Impasses Panel would do a disservice to both the FAA and NATCA.

The applicable law, ratified less than ten years ago, provides a process by which disputes between the FAA and NATCA are to be reconciled. No compelling reasons have been presented to justify departing from the mandated process and to do so would undermine the basis of the ongoing negotiations. The established legal process should be followed to mediate the contract impasse. Stated simply, the legal process should be followed. The precedent this legislation would create, in terms of involving Congress in collective bargaining negotiations would be extremely troublesome.

The American Conservative Union strongly urges you to vote "No" on H.R. 5449, and will consider using votes on, or in relation to, this issue for inclusion in our annual Ratings of Congress.

Sincerely,

J. WILLIAM LAUDERBACK,
Executive Vice President.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, May 31, 2006.
Hon. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER HASTERT: On behalf of the U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector, and region, I urge you to oppose a bill sponsored by Congressman Steve LaTourette (R-OH) [H.R. 5449], that would interfere in air traffic control labor-management negotiations.

Since the existing controller contract expired in September 2005, the Federal Aviation Administration (FAA) and the National Air Traffic Controllers Association (NATCA) have made efforts to negotiate a new contract. Unfortunately, those discussions reached an impasse. The FAA then invited the Federal Mediation and Conciliation Service (FMCS) to join the discussions to help reach a deal. Even with the involvement of FMCS in the negotiation process, the impasse persisted, and negotiations broke down in early April 2006.

Under the Federal Aviation Reauthorization Act of 1996, (P.L. 104-264), the controllers were allowed to bargain over pay. In return for this right, the law required that in the event of an impasse, the FAA could implement its final offer after a 60-day congressional review.

Next year, Congress will reauthorize the FAA. A key component of the legislation will be to modernize the nation's air traffic control system and continue to make airport investments to meet growing aviation demands. All stakeholders in the aviation industry, including the controllers, support the modernization and improvement of the nation's aviation system. Securing the funding for the modernization will be one of the biggest challenges during the reauthorization period.

The U.S. Chamber strongly supports and appreciates the efforts air traffic controllers make every day to ensure that our airways are safe. But the facts are that since the last labor agreement in 1998, controllers have received a 75 percent pay increase. The average controller now earns $173,000 in pay and benefits. The current FAA proposal would fully protect the salary and benefits of every current controller. It would control costs for new controllers by offering up to $127,000 in salary and benefits in the first five years.

If the FAA cannot have the ability to follow existing law in negotiating this controller contract, its ability to modernize the air traffic control system is diminished. Also, the efforts of FAA Administrator Marion Blakey to force the agency to operate like a business, with higher productivity and accountability, would be severely compromised. We believe sending this matter to the Federal Services Impasses Panel would do a disservice to both the FAA and NATCA.

The applicable law, enacted less than ten years ago, establishes a process by which disputes between the FAA and NATCA are to be settled. No compelling reasons have been presented to justify departing from the mandated process and to do so would undermine the basis of the ongoing negotiations. Stated simply, the legal process should be adhered to and the precedent this legislation would set, in terms of Congress interfering in collective bargaining negotiations on a politically driven basis outside of the legal process, would be extremely troublesome.

The U.S. Chamber of Commerce strongly urges you to vote "No" on H.R. 5449, and will consider using votes on, or in relation to this issue for inclusion in our annual How They Voted ratings.

Sincerely,

R. BRUCE JOSTEN.

AMERICANS FOR TAX REFORM,
Washington, DC, June 2, 2006.
Hon. DENNIS HASTERT,
House of Representatives,
Washington, DC.

DEAR SPEAKER HASTERT: Next week, HR 5449 is slated to be on the suspension calendar. This misguided bill would take away the ability to the Federal Aviation Administration to resolve its current labor dispute with the air traffic controllers union in a timely manner. This costly bill, which is little more than a sop to corrupt labor unions, is too controversial and has no place on the suspension calendar.

In 1996, Congress wrong-headedly allowed air traffic controllers to collectively-bargain with the FAA. In the event of a labor impasse, the FAA would be allowed to implement its final offer after a 60-day review. Removing this 60-day protection for taxpayers is tantamount to changing the rules in the middle of the game—and in favor of the National Air Traffic Controllers' Union.

This bill is expensive (costing taxpayers $1.9 billion over five years), a sop to our opponents, and divisive. At the very least, it should have to proceed via regular order. With the average air traffic controller making $173,000 in pay and benefits, Congress doesn't need to stack the deck in the union's favor by using special rules and gimmicks.

President Reagan knew back in 1981 that the controllers' union was holding air traffic hostage with labor gimmicks—does our Republican Congressional majority today?

Sincerely,

GROVER NORQUIST.

COUNCIL FOR CITIZENS AGAINST
GOVERNMENT WASTE,
June 5, 2006.
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE, Soon you will have the opportunity to vote on H.R. 5449, which would amend Title 49 of the U.S. Code and modify bargaining requirements for proposed changes to the personnel management system of the Federal Aviation Administration (FAA). This is an unwise piece of legislation that would turn over contract negotiations to a third party and take away any legislative or executive authority over a $6 billion annual payroll for air traffic controllers. On behalf of the more than 1.2 million members and supporters of the Council for Citizens Against Government Waste (CCAGW), I ask that you oppose this bill.

The FAA recently declared a deadlock in contract negotiations with the National Air Traffic Controllers Association (NATCA). The union wants a new five-year contract that includes an 18 percent pay increase, which would increase cash earnings from $128,000 to $151,000, with total compensation amounting to $200,000 by the last year of the contract. The FAA is attempting to slow the growth of controller compensation costs, comparable to patterns found in the private and government sectors, a commendable action and one appreciated by taxpayers.

According to a law passed during the Clinton Administration, NATCA was given the ability to bargain for wages and benefits, making it one of the few federal unions that are allowed to do so. However, since this law was supposed to encourage savings and increase productivity, it also included a provision that if the FAA and NATCA could not reach agreement on a contract, the two offers would be reviewed by Congress. If Congress makes no decision on the opposing offers within 60 days, the FAA is allowed to implement its final offer. But if H.R. 5449 is passed, it will force the parties into a long arbitration process that would allow NATCA to operate under its current contract with automatic pay raises and old work rules. Considering air traffic controllers have already received a 75 percent pay increase since 1998 and are among the highest paid federal employees—the average salary is $173,000 including benefits—it is no wonder NATCA would prefer a long, drawn-out negotiation.

Congress should not allow a third party to settle this matter. At a minimum, Congress should revisit the idea of wage negotiations before it arbitrarily alters the impasse process found in the 1996 law. Passing this legislation would prevent the FAA from saving $1.9 billion in salaries over the next five years that can be used to modernize the air traffic control system and improve safety. Again, I ask you to oppose H.R. 5449. All votes on H.R. 5449 will be among those considered in CCAGW's 2006 Congressional Ratings.

Sincerely,

THOMAS SCHATZ,
President.

Mr. COSTELLO. Mr. Speaker, I yield myself the balance of the time.

A couple of points very quickly. Number one, the average air traffic controller in the United States does not make over $200,000 a year. Number two, the 75 percent increase that has been referred to by the chairman of the subcommittee, 60 percent of that came through the normal process when every government employee received a raise.

Finally, let me close by asking our colleagues to support this legislation and I would ask my friend, the chairman of the Aviation Subcommittee, and the 75 Republicans who cosponsored the Kelly-Costello bill, that if this legislation fails tomorrow, if it does not get two-thirds vote and pass in this House tomorrow, then we want to see just how many Republicans who are supporting this legislation today will go up and sign discharge petition No. 13.

Mr. LATOURETTE. Mr. Speaker, I yield myself the remaining time, and I will close.

Just a couple of observations. One, Mr. MICA, as the chairman of the Aviation Subcommittee, does a great job, and a lot of the advances in this country are due to his leadership and Mr. COSTELLO's leadership. So I do not want anybody to leave the floor thinking they are having some kind of tiff, but there are some things that need to be straightened out.

What both sides do agree on is that the air traffic control population is aging. Both sides agree that in 2007 between 4,000 and 7,000 of the 15,000 air traffic controllers are going to retire, and we do not have a farm team. We do not have a pipeline that is really working. For instance, through May of this year, the FAA has only hired one controller. Last year, they hired 762, but since they hired that 762, 400 have retired. It is a program and it is a process that is serious. You just do not show up at work one day and say I am going to be an air traffic controller and I am going to guide your family into Cleveland or Chicago or Washington, D.C.

Secondly, I would say that the reason that the Kelly-Costello bill did not come to the floor is because things are scheduled on the floor. For anybody who is not familiar with our process, things have to be scheduled by the majority leader. The majority leader chose not to schedule the Kelly-Costello bill on the floor. That is why I began my remarks by thanking Speaker HASTERT and Mr. Leader BOEHNER for having the courage to put this on the floor tonight so that Republicans and Democrats could talk about it.

Lastly, there has been some discussion that somehow the Federal Services Impasse Panel is not competent to handle this complicated matter. I would say just from their Web page, the panel resolves impasses between Federal agencies and unions representing Federal employees arising from negotiations over conditions of employment under the Federal service labor management relations statute and the Federal Employees Flexible and Compressed Work Schedules Act.

I do not know what other body is capable of doing it; and I have to tell you, I would have preferred the Kelly-Costello bill. I would have preferred that it be brought up to a vote, but when the administrator of the FAA was flipping through her desk calendar so fast just so she could implement this contract, when she waited 18 months when given the same tools and the same opportunity, the only time that this has ever happened, I think, and I am a pretty calm guy, but I really think that she just took her finger and stuck it in the eye of 268 Members of this House and 75 of them happen to be Republican, 75 of them happen to be members of this President's party. I am insulted.

And I hope tomorrow when this vote occurs, everybody that cosponsored that bill, everybody that signed our letter has the courage to not only be a cosponsor of legislation but has the courage to defy the President of the United States on this vote because, quite frankly, although I admire him, he is wrong on this issue.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 5449, introduced by the Gentleman from Ohio, Mr. LATOURETTE, which would ensure fair treatment of air traffic controllers, by allowing their contract dispute with the Federal Aviation Administration (FAA) to be resolved by the procedures that govern collective bargaining for pay at other federal agencies.

While I appreciate that the Gentleman from Ohio has taken these steps to ensure that air traffic controllers are given a fair shake in this contract dispute with the FAA, I am disappointed that the Republican Leadership has forced this vote under Suspension of the Rules, which requires two-thirds of the House to vote for passage—a threshold much higher than the majority vote required under regular order. Members of this Body have co-sponsored legislation similar to Mr. LATOURETTE's and this substantial, bipartisan majority should be given a chance to work its will.

On April 6, the FAA declared an impasse in its negotiations with the National Air Traffic Controllers Association and sent the dispute up to Congress under a provision that FAA argues gives it the right to unilaterally impose its contract terms if Congress does not act within 60 days.

FAA's interpretation of the law gives it an inherent, unfair advantage to impose its contract terms on its employees. Such a one-sided process has been an impediment to good faith negotiations that could lead to a voluntary contract. Under H.R. 5449, the parties would return to the bargaining table and, if a settlement could not be reached, the Federal Service Impasses Panel (FSIP) would have jurisdiction to resolve the dispute, including the power to impose binding arbitration on the parties.

Other federal agencies that have collective bargaining for wages must use the FSIP procedures and, as recently as 2002, the NTEU, on behalf of the Security and Exchange Commission employees it represents, went before the FSIP to settle several issues regarding pay.

The FAA has gone to great lengths to try to persuade the general public that the highly-skilled air traffic controller workforce is overpaid. I can recall no other instance in which a federal agency has gone so far in disparaging its workforce. Air traffic controllers deserve better. They are responsible for the 24/7 operation of the most robust and complex air traffic control system in the world. In 2005, for example, they moved more than 700 million airline passengers. Each day, the federal controller workforce safely and efficiently manages approximately 130,000 take-offs and landings in a system whose passenger volume is expected to grow to one billion by 2015. Our lives, and those of our constituents are in their hands, and I believe that they deserve their current pay.

Under the FAA's proposal, many controllers are being asked to take a reduction in their take home pay. FAA is proposing to limit or eliminate differential pay for controllers at some of the Nation's busiest airports, such as New York's JFK and Chicago's O'Hare airport. The average federal controller at one of these facilities could see a pay reduction of more than $10,000 per year.

Moreover, the FAA has misrepresented the facts regarding the controllers' compensation package. First, the FAA states that the current average controller pay is $173,000. This is misleading because approximately 40 percent of the controllers' compensation is in the form of federal health and retirement benefits that all government employees and Members of Congress receive. In addition, the FAA argues that the controllers have received an average 75 percent increase in salaries since 1998. However, this statement blatantly ignores the fact that nearly 60 percent of these increases are attributable to government-wide pay raises. Most of the remainder comes from a reclassification to recognize the responsibility of controlling traffic in busy facilities.

I am also concerned that if the FAA is permitted to unilaterally impose this contract there will be a mass exodus of highly-skilled, senior controllers that are eligible to retire. This exodus could cause severe understaffing at our Nation's towers, negatively impacting the safety as well as the efficiency of our air traffic control system. It is therefore imperative that we send the parties back to the negotiating table to hammer out a voluntary agreement to avoid any disruptions to air traffic control operations.

Accordingly, I strongly urge my colleagues to support H.R. 5449, and restore fairness in the bargaining process between the FAA and its labor unions.

Mr. SHAYS. Mr. Speaker, I urge support of H.R. 5449, which requires the Federal Aviation Administration and the National Air Traffic Controllers Association to return to the bargaining table and negotiate a contract.

If this legislation is not passed, the FAA can impose unilaterally its contract on the union. By passing this legislation, Congress is not choosing sides, but is simply asking the two sides to come to a mutually agreeable contract solution.

I believe Congress must encourage employers and unions to come to amicable solutions. I recently introduced legislation to improve the negotiating process at the National Labor Relations Board because many union employees feel that employers have an unfair advantage because they can hold out as long as it takes to get favorable terms in the contract.

It seems to me Congress can lead by example by putting the air traffic controller contracting process on a more level playing field. Under current procedures for the FAA and the air traffic controllers, the FAA would have an advantage by holding out because they can eventually unilaterally impose their contract offer. It seems to me this legislation is fair to both sides.

Our Nation's air safety relies on the men and women who work in air traffic control towers. I am hopeful both sides will work diligently towards a solution.

Mr. KNOLLENBERG. Mr. Speaker, I rise today in strong objection to H.R. 5449, a bill to modify bargaining requirements for proposed changes to the personnel management system of the Federal Aviation Administration.

I currently serve as the Chairman of the Appropriations Sub-Committee on Transportation, Treasury, HUD and other agencies. This legislation today would put an enormous strain on my committee's resources and force all programs under my jurisdiction into greater budgetary peril.

Simply put, a "yes" vote on H.R. 5449 could cost the FAA $1.9 billion over the next 5 years. The FAA would be forced to divert funds from critical safety initiatives—such as air traffic control modernization—to cover the cost of sky-rocketing controller salaries.

I understand that air-traffic controllers provide a valuable service to the flying public and that they work hard to ensure safety and security. I also understand that due to the unique ability of their union—an ability that is not available to every other federal employee union—they have negotiated some of the highest wages in federal service.

The average air-traffic controller earns $173,000 per year, and their salaries have gone up 75 percent in the past 8 years. The top 100 NATCA union members earn an average salary of $197,000.

How does this compare with other federal employees? Well, quite well I would say. These controllers make more than Members of Congress ($165,200), Cabinet Secretaries ($180,100), and almost as much as Supreme Court Justices ($199,200) and the Vice President of the United States ($208,700).

The comparison is even more striking when we weigh their salary levels against other critical safety, security, and health professions.

In my home area of Detroit, an average NATCA member makes $118,490. Compare that to the average firefighter ($42,100), police officer ($48,770), or registered nurse ($59,380). And, this kind of pay disparity is not unique to my home area, but is consistent across the Nation.

At a time when our federal workforce is stretched at home and abroad to protect our Nation, there is no justification for air traffic controllers to enjoy unparalleled salary hikes, especially when our military personnel, homeland security officials, first responders, and other government employees do not receive the same treatment.

Some may try to indicate that a "yes" vote on H.R. 5449 would be a "free" vote to give to the unions. However, nothing could be further from the truth.

If H.R. 5449 is enacted, it will effectively render the new FAA/NATCA control null and void, and cause FAA costs and salaries to spiral out of control. The new NATCA/FAA contract would be superseded by the previous contract, reached between the Clinton Administration and NATCA in 1998, and the continuation of the 1998 contract would cost tax-payers $1.9 billion in the short-term, and $3.8 billion in the long-term.

It should be obvious that a cost of $3.8 billion tax-payer dollars is far from "free."

A vote for this bill is not about protecting workers wages and stopping the FAA from slashing controllers' salaries. To be crystal clear: the FAA has offered to protect the compensation of each and every current controller. A new contract would only apply to new hires, and not affect the salaries of existing controllers.

Mr. Speaker, I strongly oppose H.R. 5449—a bill that would ban the FAA from reigning in out-of-control controllers' salaries and cost taxpayers and my committee billions of dollars. I strongly urge a "no" vote on this financially reckless legislation that will set a dangerous precedent for years to come.

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 5449; legislation that will strengthen the negotiation process between unions and the federal governments. As many of my colleagues know, the Federal Aviation Administration recently declared a deadlock in negotiations with the National Air Traffic Controllers Association (NATCA). The issue is simple; on one hand, the air traffic controllers unions want to increase the pay package for their employees and on the other, the FAA wants to cut the pay package. On June 5, 2006, the 60 day period for Congress to take action on the FAA's contract offer to the NATCA officially expired. Under current law the FAA would now be able to unilaterally impose the contract because Congress has not acted.

The legislation being considered tonight would provide air traffic controllers with a fair negotiation process. H.R. 5449 would break the current impasse by sending negotiators to the Federal Service Impasse Panel (FSIP), a neutral third party, for a final resolution instead of keeping them bound to the FAA.

Mr. Speaker, American workers must be provided with the opportunity to participate in a fair bargaining process. Contracts should be the result of a fair deliberate process that ensures that the rights of workers are protected through a full hearing of their grievances in front of a neutral third party. Congressional inaction and the forced acceptance of one sided contracts are not the way to settle employment disputes.

There has been a lot of talk about this bill interfering with the FAA's ability to budget its compensation packages. Opponents say that this legislation will cost the FAA $1.9 billion over the next 5 years. This bill does none of these things.

H.R. 5449 does nothing to modify or manipulate the compensation scheme of air traffic controllers. It only deals directly with the bargaining process itself by reaffirming the meaning of good faith bargaining by requiring the parties to submit their impasses to the Federal Service Impasses Panel (FSIP) for final resolution—the natural course for employment disagreements and negotiations at the federal level.

I call on my colleagues to cut through the clutter that this issue has created. The ability for American workers to fairly negotiate with the federal government is at stake here and Congress has a chance to stand up for our Air Traffic Controllers. I call on my colleagues to support and pass H.R. 5449.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 5449, which would move current and future contract disputes between the FAA and the air traffic controllers to the Federal Services Impasse Panel.

Current law has an extremely unusual disadvantage for our Nation's air traffic controllers: if their union negotiators cannot reach a contract agreement with FAA, then the FAA can impose a contract unless Congress says otherwise within 60 days.

The FAA declared an impasse in the negotiations and has stated that they will be imposing their terms unilaterally within a matter of days in the face of majority opposition in Congress.

This is an extreme burden that few other American workers, if any, must meet in their contract negotiations. Current FAA contract law grants too much power to the FAA management and makes a mockery of the collective bargaining process.

H.R. 5449 is a good compromise, because we as Congress are not taking sides and picking the air traffic controllers contract offer or pick the FAA's contract offer.

The bill is good policy because Congress is not the best place to negotiate the details of employment contracts. Instead, this legislation would place the decision in a specialized board that has plenty of experience mediating federal workers' contract disputes.

The Federal Services Impasse Panel is fair—they resolve numerous disputes in favor of different sides, sometimes going with the agencies' positions and sometimes with federal employees.

The air traffic controllers in the Houston Center and the Houston TRACON and throughout Texas deserve the same fair shake in arbitration that other federal workers receive.

Much of the opposition to this legislation and to air traffic controllers in general comes from groups that voice knee-jerk opposition to any and all federal spending. They fail to offer any answers to the simple fact that air traffic controllers have a hard, complicated job with extremely high stakes.

I doubt that many of the opponents to this bill have ever been in an air traffic control tower, or a control center or a TRACON when a large bank of flights comes into a major hub airport.

We want our skies to be safe, and you don't get safety by cutting corners and nickel and dimeing the workforce.

Our air traffic control system is about to experience a wave of retirements. If we want to recruit quality employees to keep us and our children flying safely into the future, we should approve H.R. 5449.

Mr. KUCINICH. Mr. Speaker, I rise today in strong support of Congressman LaTourette's bill, H.R. 5449. I am pleased my fellow Ohioan has brought this important issue to the floor of the House.

The contract negotiations between air traffic controllers and the FAA that began in July of 2005 have been an arduous process for both sides. But the resolution of the negotiation stalemate should not be an imposition of the FAA's most recent contract offer on the union. Rather, both parties should return to the bargaining table, or make use of another collaborative process, such as the Federal Service Impasse Panel, to reach a resolution.

News reports in recent weeks have highlighted the upcoming summer travel season and the expected record numbers of air passengers. With more travelers in the air and likely delays associated with the severe weather of summer, he important role of air traffic controllers is even more vital. We need experienced controllers to ensure safe flights and timely arrivals. We need controllers who are able to focus on their jobs and not distracted by contract negotiations.

The result of this extensive negotiation should not be the unilateral imposition of the FAA's will. The negotiated contract should be a result of a collaborative process, as Congressman LaTourette's bill would ensure. I urge my colleagues to support H.R. 5449.

Mr. BACA. Mr. Speaker, I rise today in support of H.R. 5449.

This bill, sponsored by Representative LaTourette, will restore fairness and accountability to the FAA's negotiating process.

It is time that Congress steps in to ensure that no serious damage is done to the integrity and safety of our aviation system. We must support the men and women who help keep our airways safe and on time.

The Federal Aviation Administration (FAA) has been trying to circumvent real negotiations and to unilaterally impose a contract on the air traffic controllers. Increasingly, they have refused to negotiate in good faith in an effort to create a false impasse.

Congress must act! Earlier this week, the FAA moved to start implementing its unilateral changes to the terms and conditions of employment for our nation's air traffic controllers.

The system is already facing a massive staffing crisis that could leave fewer and fewer qualified and trained controllers guiding record air traffic. More than 7,000 air traffic controllers are expected to retire over the next nine years. Air traffic controller staffing is critical. We will need 1,000 new air traffic controllers per year over the next five years to avert a staffing crisis. These conditions will lead to an erosion of talent at the agency because retirement-eligible controllers, the FAA's most experienced, would see the imposition as a reason to retire. This will in turn make recruiting replacement controllers of quality and excellence much more difficult. Possible delays due to staff shortages and inexperienced staff, as well as the closing of severely understaffed facilities could impose hundreds of millions of dollars in unnecessary costs for consumers and communities.

H.R. 5449 would encourage the FAA and the National Air Traffic Controllers Association (NATCA) in the contract negotiations to reach an agreement and turn toward other important matters, including the future growth and safety of the U.S. air traffic system.

This bill would allow for the existing sections of the law to be utilized to solve the contractual differences—the same way disputes are settled for other federal workers. It would allow for this and future disputes to be settled in a manner that ensures a fair hearing for both sides.

I urge my colleagues to support H.R. 5449 and restore fairness to this negotiating process and keep America's airways flowing safely and professionally.

Mr. RYAN of Wisconsin. Mr. Speaker, today, I take to the floor to reluctantly cast my vote against H.R. 5449. Although I deeply admire the hard work performed by our Nation's air traffic controllers and support their efforts to negotiate a fair contract, I cannot support this legislation. I believe that this bill goes too far and needlessly picks a winner and a loser between the Federal Aviation Administration (FAA) and the National Association of Air Traffic Controllers, NATCA. In addition, this bill will completely remove congressional oversight from this process.

No workers, regardless of their profession, should be forced to accept a contract without having a chance to negotiate the terms. I believe the existing negotiating framework between the FAA and the air traffic controllers is broken and needs to be fixed. That is why I not only cosponsored H.R. 4755, the Federal Aviation Administration Fair Labor Management Dispute Resolution Act, but sent a letter to the Speaker asking for a floor vote on this bill.

H.R. 4755 would have prevented the FAA from instituting one-sided, unilateral contract terms on the labor union. If negotiations were to stall, Congress would have 60 days to review the FAA's last proposal and then decide whether or not more negotiations were necessary. The bill would have prevented air traffic controllers from having to accept a contract they clearly rejected, while at the same time ensuring that negotiations did not remain deadlocked. I supported H.R. 4755 then and I support it now. Unfortunately, this is not the bill that has been brought to the floor today.

H.R. 5449 goes too far and needlessly puts Congress in the position of picking a winner and a loser in this debate. While I agree that the current process is flawed, the role of Congress is to reform the system, not to circumvent it. This bill would further hinder negotiations, prevent real progress from being made, and remove Congress from the process. For these reasons, I cannot support this bill.

Mr. STARK. Mr. Speaker, I strongly support putting a stop to the Federal Aviation Administration's abusive and dishonest tactics in negotiating a new contract with the nation's air traffic controllers.

Under an unprecedented interpretation of current law, the FAA is claiming the ability to declare an impasse in negotiations and impose its terms. But such a unilateral action is patently wrong and unfair. It's long past time for Congress to return the parties to an equal footing and get them back to the negotiating table.

I hope that my vote for H.R. 5449 will send a strong message. The agency ought to cease misrepresenting controllers' salaries. If, as the FAA claims, salaries are truly exorbitant, then the agency shouldn't hesitate to enter binding arbitration. The FAA's desire to avoid arbitration speaks volumes about the weakness of its arguments.

Working under incredibly stressful and difficult conditions, air traffic controllers protect the safety of millions of Americans. I hope the

FAA will follow Congress' lead in affording them the respect they deserve.

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 5449, which would send the Federal Aviation Administration and the National Air Traffic Controllers Association back to the negotiating table to reach a fair resolution to their contract dispute.

On April 5, 2005, the FAA declared an impasse in its contract talks with NATCA. The current process for resolving an impasse in contract talks between FAA and NATCA allows the FAA to unilaterally impose its contract upon the controllers if the agency sends the contract to Congress and there is no legislative intervention within 60 days. On June 5, the 60-day window ended and the FAA announced that it intended to begin implementing its last contract offer.

Not only is this process unfair, but it creates a level of distrust between the two parties responsible for ensuring a safe and efficient air traffic control system. Congress should not be in the business of negotiating contract disputes. Instead, we should help ensure an equitable resolution to this situation by sending both parties back to the negotiating table and H.R. 5449 does just this.

Mr. Speaker, our nation's dedicated, highly-skilled air traffic controllers are on the front lines of ensuring safety for the millions of Americans who fly each year. Under the unfavorable terms of the FAA's last offer, many of them would have an incentive to quickly retire. Such a retirement exodus would have serious safety implications for the flying public. It is imperative that Congress acts now and sends the two parties back to the negotiating table.

Mr. LATOURETTE. Mr. Speaker, I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and pass the bill, H.R. 5449.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. MICA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. LATOURETTE. Mr. Speaker, I ask that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 5449, the matter just considered by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

AMENDING HOUSE RESOLUTION 517, RECOGNIZING THE LIFE OF WELLINGTON TIMOTHY MARA

Mr. ISSA. Mr. Speaker, I ask unanimous consent that House Resolution 517 be amended as follows: in the first Resolved clause, strike "61 years" and insert in lieu thereof "51 years".

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

SUPPORTING THE GOALS AND IDEALS OF THE VIGIL FOR LOST PROMISE DAY

Mr. ISSA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 422) supporting the goals and ideals of the Vigil for Lost Promise day.

The Clerk read as follows:

H. CON. RES. 422

Whereas over 26,000 citizens die from the effects of drug abuse each year;

Whereas the damage from drugs is not limited to drug abusers; the collateral damage from drugs is enormous, and drug abuse costs society over $60 billion in social costs and lost productivity;

Whereas drugs rob users, their families, and all Americans of dreams, promise, ambitions, talent, and lives;

Whereas drug abuse affects millions of families in the United States;

Whereas the stigma of drug abuse and the cloak of denial keep many individuals and families from dealing with the impact of drugs;

Whereas many friends and families are ashamed to acknowledge the death of their loved ones caused by drug abuse;

Whereas all Americans can benefit from illuminating the problem of drug abuse and its impact on families, communities, and society;

Whereas the futures of thousands of the Nation's youth have been cut short because of drug abuse; and

Whereas law enforcement, public health and research organizations, community coalitions, drug prevention outreach organizations, individual parents, siblings, friends, and concerned citizens are joining together on June 8, 2006, in a Vigil for Lost Promise, to call public attention to the tremendous promise which has been lost with the deaths of those affected by drugs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress supports the goals and ideals of the Vigil for Lost Promise day.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Con. Res. 422, offered by the distinguished gentleman from Virginia (Mr. TOM DAVIS), the committee chairman. This resolution would support the goals and ideals of the Vigil for Lost Promise Day.

Mr. Speaker, drug use and abuse is a national crisis that affects the health of many of our citizens and affects all our communities. Drugs affect people from all walks of life, and addiction does not discriminate. Millions of families and friends have experienced the loss of a loved one to drug use. Addiction has many dimensions and disrupts multiple aspects in an individual's life. Drugs rob users, their families and their friends of dreams, promises and their ambition, their talents and their vitality.

This resolution honors those family members and friends who feel the pain and tragedy each day from the loss of life to drugs. The Vigil for Lost Promise is a national event which brings together parents and friends who have lost someone to drugs and for those who are dedicated to the promise and potential of our Nation's youths.

The stigma attached to drug use causes many friends and families to feel ashamed to acknowledge the death of their loved ones. However, this event offers an opportunity for families to remember those and is dedicated to the education of others on the importance of keeping our youth drug free.

I ask that all Members join with me in supporting H. Con. Res. 422 in the hope that we can offer support to the families and friends of those who have lost loved ones to the perils of addiction.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, many people view drug abuse and addiction strictly as a social problem. Parents, teens, older adults and other members of the community tend to characterize people who take drugs as morally weak or as having criminal tendencies. They believe that drug abusers and addicts should be able to stop taking drugs if they simply are willing to change their behavior. These myths have stereotyped those with drug-related problems, their families, their communities and the health care professionals who work with them. Drug abuse and addiction comprise a public health problem that affects many people and has wide-ranging social consequences.

A Vigil for Lost Promise Day will help replace the myths and long-held mistaken beliefs about drug abuse and addiction with scientific evidence that addiction is a chronic, relapsing, and treatable disease. Addiction does begin when an individual makes a conscious choice to abuse drugs, but addiction is not just using a lot of drugs.

Recent scientific research provides overwhelming evidence that drugs do more than interfere with normal brain functioning by creating powerful feelings of pleasure. They also have long-term effects on brain metabolism and activity. Changes occur in the brain that can turn drug abuse into drug addiction, a chronic and relapsing illness. Those who are addicted to drugs suffer from compulsive drug cravings and usage that they cannot quit alone. Treatment is necessary to end the compulsive behavior.

Drugs crush the hopes, dreams and potential of drug users, and they shatter the lives of the users' families and friends. I support Vigil for Lost Promise Day because it will draw attention to the impact drugs have, not only on users, but to their loved ones and the community at large.

I look forward, Mr. Speaker, to the day when our country will treat this illness the way it should be treated and that we will have available to individuals treatment on demand, that is, individuals when they know that they are ready and are willing to seek treatment ought to have resources and places to go.

So I commend the sponsors of this legislation and urge its support.

Mr. CUMMINGS. Mr. Speaker, As an original cosponsor of H. Con. Res. 422, I rise in support of this important resolution expressing the support of Congress for the goals and ideals of the Vigil for Lost Promise Day.

More than 26,000 lives may be lost to the effects of drug abuse this year. This tragic impact is felt in communities across this great nation. Sadly many of these deaths occur among our young people.

One thing we know about drugs is that they do not discriminate and they do not engage in favoritism—not on the basis of race, color, gender, class, geographic location, or age. Drugs have the same impact on everyone who succumbs to their influence.

Moreover, the pain felt by the tragic loss of a loved one to drug overdose or to the deadly effects of chronic drug abuse is universal. The sense of loss, bewilderment, and often shame are known to parents, children, spouses, loved ones and friends of the victims of drug abuse and addiction from all walks of life. These emotions can be especially acute when the victim is a young person who will never have the opportunity to express his or her potential, to live out the promise of a full and productive life.

Envisioned by eight families who have personally suffered the loss of a loved one because of drugs, the Vigil for Lost Promise will serve as a remembrance for those who are gone, and to illuminate the pervasive and dangerous effects of drug use. The ultimate objective of these eight families is to help ensure that other families will not have to endure the same kind of loss.

The U.S. Drug Enforcement Administration, the National Institute on Drug Abuse and the Partnership for a Drug Free America have joined the families in support of this effort to raise awareness about the terrible toll that drugs take not just on families and friends but on society as a whole.

I join my colleagues in saluting these organizations, each of which plays a vital role in our national control strategy, as well as the courageous families and other participants who will attend this important event, which will occur this Thursday, June 8th, at DEA's headquarters in Arlington, Virginia.

Mr. Speaker, as we have observed over the past few years, the meth epidemic has awakened much of America to the rampant devastation that drugs can cause to entire communities. This kind of devastation has long been known to urban centers like my own city of Baltimore—cities that have suffered through successive epidemics of heroin, cocaine and crack.

As a result of the meth epidemic, I believe there is a heightened awareness around the country and in this House that drugs don't just impair and kill individual drug users; they tear apart families and neighborhoods. I am hopeful that Thursday's Vigil will bring about even broader recognition of the fact that this problem affects all Americans and that it requires a strong national commitment to drug prevention, drug treatment, combined with concerted efforts to keep drugs off of our streets and out of the hands of our nation's young people.

Sadly, over the past six years, we have seen this Administration shift funding away from prevention, treatment, and state and local law enforcement in favor of supply reduction efforts beyond our borders. This strategy has resulted in no discernible impact on the availability of drugs on the street, and the number of lives lost to drugs like cocaine, crack, heroin and meth continues to climb.

Mr. Speaker, Congress faces difficult choices and the national preoccupation with preventing potential terror attacks is justified by the lingering shock and damage of the 9-11 attacks. Still, we cannot afford to ignore a drug problem that claims more than two thousand American lives each month. If we lack the political will or resources to make a truly substantial investment in prevention and, most important of all, to make drug treatment accessible to all who seek it, at least let us take other steps to ensure that drug abuse claims as few American lives as possible.

There are steps the government can take to avoid preventable deaths from drug overdose and abuse, as well as from the spread of deadly communicable diseases, including HIV/AIDS and hepatitis, among intravenous drug users.

If we are serious about the goal of saving lives, then let us work together to:

Provide funding to states to establish overdose prevention programs;

Ensure that first responders and law enforcement (including correctional workers) are trained to respond to drug overdoses and save lives;

Increase the availability of naloxone ("nal-OX-own")—a short-acting drug that can reverse the effects of a heroin overdose—to first responders, law enforcement, needle exchange programs, drug treatment centers, and other public health facilities;

And, finally, allow federal funds to be used to support needle and syringe exchange programs, which have been proven in scientific study after scientific study to reduce HIV transmission without increasing drug use.

All of these are steps that, if implemented, would save lives, preserve human potential, and reduce the suffering of families and communities across America.

By decrying the terrible impact of drugs and yet failing to take prudent action to avoid preventable drug-related deaths, Congress and the Administration risk sending a mixed message to parents who have lost a child to drugs or who stand to lose a child to drug abuse if we don't do our part.

So, as we commemorate the lives of those whose promise has been extinguished by drugs, let us be equally mindful of those who are still with us—but whose lives are in danger and hang perilously in the balance. Let us commit to helping them to avoid the terrible fate of having their promise needlessly lost and being mourned by those who love and care for them.

Mr. Speaker, I want to close by thanking Mr. DAVIS and Mr. SOUDER for bringing this resolution before us and by again saluting everyone who has worked to make the Vigil for Lost Promise come to fruition. I urge all of my colleagues to support the resolution and, more importantly, to support policies and initiatives that will minimize the number of lives lost to drug abuse from this day forward.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I urge all Members to support the adoption of H. Con. Res. 422, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 422.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF A NATIONAL CHILDREN AND FAMILIES DAY

Mr. ISSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 763) supporting the goals and ideals of a National Children and Families Day, in order to encourage adults in the United States to support and listen to children and to help children throughout the Nation achieve their hopes and dreams, and for other purposes.

The Clerk read as follows:

H. RES. 763

Whereas research shows that spending time together as a family is critical to raising strong and resilient kids;

Whereas strong healthy families improve the quality of life and the development of children;

Whereas it is essential to celebrate and reflect upon the important role that all families play in the lives of children and their positive effect for the Nation's future; and

Whereas the country's greatest natural resource is its children: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of a National Children and Families Day to—

(1) encourage adults to support, listen to, and encourage children throughout the Nation;

(2) reflect upon the important role that all families play in the lives of children; and

(3) recognize that strong, healthy families improve the quality of life and the development of children.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Res. 763, which will support the goals and ideals of National Children and Families Day. H. Res. 763, which currently has 54 bipartisan cosponsors, passed the full Government Reform Committee with unanimous consent on May 4, 2006.

Too often we overlook the importance of a strong family in our everyday lives and most importantly its impact on our children. Our children are our country's most vital resource, and we should strive to do everything possible to prepare them to lead healthy, productive lives as they mature into adulthood.

There is nothing more important to any of us, whether we are adult or child, than to have a sense of family and tradition, but most important, to have a feeling of belonging. Too often here in this great country, we hear about the breakdown of the family. A nationally proclaimed family and children's day will be a bridge to our future and will help us restore the Nation's greatness.

Mr. Speaker, this day can serve to be a reminder to all of us to encourage children everywhere to achieve their hopes and dreams.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, families teach children the lessons they must learn to be happy and to prosper. They also care for children by giving them love and warmth and providing food, shelter and financial support.

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While families may handle problems differently, families can develop the following traits to become strong and to improve the quality of life and the development of children. Families learn how to show love and affection towards each other. And no matter what children say or do, children need to know that their parents love them. Children must know that they are loved even though they have different strengths or weaknesses. And when children make mistakes, parents can let them know they are loved as they help them to discover how to learn from mistakes.

Strong families build trusting relationships by demonstrating commitment to all the members of the family. This includes following through with promises, working as a team, and talking to one another about important decisions and daily plans.

All families experience crisis, but strong families use these experiences to learn and to grow. Family members should spend time together talking, reading, playing games, and taking walks. They should encourage each other and be involved in their neighborhoods and community.

A National Families and Children's Day will encourage families to embrace these traits and will highlight the important role all families play in the lives of children and their positive effect for the Nation's future.

It is so unfortunate that there are millions of children in our country who don't have the ability to experience on a daily basis, on a regular basis, on an ongoing basis the love and care of a stable family relationship; children who are institutionalized or children who move from one foster situation to another. Hopefully, as we continue to learn how to enhance and improve the quality of life, we will better learn how to strengthen and develop family structures and the reality that strong families help make for a strong Nation.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today in strong support of H. Res. 763.

This resolution passed out of my committee with unanimous consent on May 4th and has support from Members on both sides of the aisle.

This resolution supports the goals and ideals of a national children and families day to encourage adults to support and listen to their children to help them achieve their hopes and dreams.

Being a parent is the toughest job an individual will ever have, but it is important to recognize that strong, healthy families improve the quality of life and the development of children.

In today's fast-paced society, and with so many demands placed on adults and children alike, it is important to take the time out and recognize the basic necessity of encouraging our Nation's youth as they are the future of this great Nation.

Mr. DAVIS of Illinois. Mr. Speaker, I urge passage of this legislation, and I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I have no further requests for time, I urge passage, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and agree to the resolution, H. Res. 763.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

COMMENDING AMERICAN CRAFT BREWERS

Mr. ISSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 753) commending American craft brewers.

The Clerk read as follows:

H. RES. 753

Whereas American craft brewers are a vibrant affirmation and expression of American entrepreneurial traditions, operating as community-based small businesses and providing employment for more than 33,000 workers;

Whereas the United States has craft brewers in every State and more than 1,300 craft brewers nationwide;

Whereas American craft brewers support American agriculture by purchasing barley, malt, and hops grown, processed, and distributed in the United States;

Whereas American craft brewers promote the Nation's spirit of independence through a renaissance in hand-crafted beers like those first brought to colonial shores by European settlers and produced here by the Nation's founding fathers, including George Washington and Thomas Jefferson, for the enjoyment of the citizenry;

Whereas American craft brewers strive to educate legal drinking-age Americans about the differences in beer flavor, aroma, color, alcohol content, body, and other complex variables, as well as historic brewing traditions, beer history, and gastronomic qualities of beer;

Whereas American craft brewers champion the message of responsible enjoyment to their customers and work within their communities to prevent alcohol abuse and underage drinking;

Whereas American craft brewers produce more than 100 distinct styles of flavorful beers, the quality and diversity of which have made the United States the envy of every beer-drinking nation in the world, thereby contributing to balanced trade by reducing American dependence on imported beers, supporting American exports, and promoting United States tourism;

Whereas American craft brewers are vested in the future, health, and welfare of their communities as employers providing a diverse array of quality local jobs, as contributors to the local tax base, and as committed sponsors of a broad range of vital community institutions and philanthropic causes, including parent-teachers' associations, Junior ROTC, children's hospitals, chambers of commerce, humane societies, rescue squads, athletic teams, and disease research; and

Whereas, in 2006, American craft brewers recognize the week of May 15-21 as American Craft Beer Week and mark it as a time to educate Americans about craft beer and celebrate the contributions that American craft brewers have made to the Nation's communities, economy, and history: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the establishment of American Craft Beer Week as a celebration of the contributions that American craft brewers have made to the Nation's communities, economy, and history; and

(2) commends American craft brewers for providing jobs, improving the balance of trade, supporting American agriculture, and educating Americans about the history and culture of beer while promoting the responsible consumption of beer as a beverage of moderation.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Mr. Speaker, I thank my colleague for yielding, and I rise today to recognize and congratulate America's craft brewers, one of the most vibrant and fast growing class of small businesses in America.

Craft brewers are entrepreneurs and hobbyists who create distinctive beverages in small independent breweries across the country. They represent the best in American ideals by combining a spirit of industrious entrepreneurship with a commitment to quality and civic responsibility. The result is a unique product that continues an enduring American tradition of home brewing that can be traced back to George Washington and Thomas Jefferson.

Craft brewers have come a long way since then. Today, there are over 1,300 independent breweries throughout the country, and their numbers are continuing to grow. For the second straight year, craft beer is the fastest growing segment of the U.S. alcoholic beverage industry. In 2005, craft beer experienced a 9 percent increase in volume, nearly triple that of the growth experienced in the wine and spirits industry.

This industry occupies an important niche in our economy and its continued growth is beneficial to our communities. Not only do craft brewers provide over 33,000 of our constituents with quality jobs, they also support our agricultural economy by purchasing barley and malt and hops grown, processed, and shipped domestically. Furthermore, with over 100 diverse and flavorful beverages, craft brewers' beverages have attracted an international following that has strengthened and increased U.S. beer exports.

In my district, the F.X. Matt Brewing Company has become an integral part of our community. For 118 years, this regional brewery has continually reinvented itself and today is most famous for its line of Saranac beer. The brewery's capacity to respond to market changes and customer demands have ensured its continued ability to provide over 100 high-quality manufacturing jobs in an area that has experienced a decline in this sector.

Continuing the tradition of attention to the local community, the F.X. Matt Brewing Company fosters local pride and involvement through their association with the Boilermaker 15K Road Race, one of the finest in America, which culminates in an area-wide celebration at the brewery, and by hosting what we call "Saranac Thursdays" throughout the summer, from which all the proceeds benefit the United Way.

Craft brewers live and work in the community where their products are made, which underlies their continued commitment to local charitable and philanthropic institutions. They have supported children's hospitals, humane societies, chambers of commerce, disease research, and parent-teachers association. In short, they are just good citizens. Craft brewers are committed to promoting the safe and moderate consumption of their beverage, and work closely with their communities to prevent underage drinking and alcohol abuse.

American craft brewers are a testament to this country's entrepreneurial and community-based small businesses tradition, and I urge my colleagues to join me in recognizing the unique contributions they have made to our culture and economy by supporting this resolution.

Just let me make one last observation. Some people might say, watching the proceedings of this House, why are they spending time on resolutions like this when there are so many really pressing issues facing the Nation? And the answer is very simple. This is a small portion of our legislative week set aside for resolutions just like the ones we are discussing, important to America, not of grand importance, not everybody is concerned about them, but important to certain segments of America.

Tomorrow, we go on with the appropriations bills to discuss things like the war on terrorism. We dealt with homeland security today. We deal day in and day out with critically important issues, but I think it is just proper that we pause on occasion and dedicate a few minutes to saluting, as I am saluting the small brewers of America, and you can salute any small business you want to. They add to the very fabric of our Nation, and I am proud to identify with it.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with the gentleman from New York in commending American craft brewers. America's brewing landscape began to change during the late 1970s when the traditions and styles of brewing brought to our country by immigrants from all over the world began to disappear. Highly effective marketing campaigns were changing America's beer preference to light-adjunct lager. Low-calorie beers soon began driving and shaping the growth and nature of the American brewing industry.

The home brewing hobby began to thrive as American beer drinkers began brewing their own beer so that they could experience the beer traditions and styles of other countries. Those home brewing roots gave birth to what we now call the "craft brewing" industry. Today, American craft-brewed beer is an all-malt beer that is higher in calories and has greater flavor and aroma than the light beers of the 1970s.

Made by any one of America's 1,458 small regional microbreweries, our pub breweries, craft brewers produced 6.23 million barrels, or 3 percent, of the beer consumed in the American States in 2001. American craft brewers are small community-based businesses that employ 33,000 workers and exemplify the American entrepreneurial spirit.

Since 1978, the American craft beer industry has never lost market share. Craft brewers have succeeded in expanding the minds of beer consumers and in creating and establishing a niche in the American consumer market. Today's American beer consumers continue to provide support to the craft beer market.

Again, I join with the gentleman from New York and the gentleman from California in commending the home brewers, as many people like to call them, but the people who make their own so they can sip it, and taste it, and know what it is like before it is finished.

Mr. Speaker, I support this resolution, urge its passage, and I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I will close in two important ways. One is to, first, urge all of my colleagues here and already at home tonight to vote for this resolution. I think it sets the right balance on an important segment of our craft industry. Much more than an alcohol industry, this is about the right of the small operation to do something that is a time-honored tradition.

Secondly, I would like to reiterate in the best possible terms why this time we spend here in the evening is different. Most of our colleagues have gone home for the evening or gone to their dinners, but, in fact, Members will choose to come here and take time that otherwise these Chambers would be dark to talk about issues that don't affect all of America but affect some part of America or their district, and I believe that this is the right balance.

I continue to support the idea that we should bring resolutions on suspensions to the floor when they are not controversial but important to segments of our economy.

Mr. DEFAZIO. Mr. Speaker, today I rise in support of America's craft brewers. Our culture, our economy, and our communities have all benefited from the contributions craft brewers have made. The craft beer segment includes more than 1,300 small, traditional and independent breweries.

We have seen a boost in sales and growth for these small business entrepreneurs in recent years. This consumer appeal has created thousands of quality jobs in our country, helped stimulate a demand for American beer exports, and promoted our agricultural economy.

In recent years, breweries and brew pubs have flourished across the Nation. And, as the Representative from Oregon's fourth district, I have enjoyed seeing the diversity that craft brewery has fueled across the Nation. They bring with their craft a healthy dose of friendly competition and a loyal clientele base that appreciates their craft-made lagers and ales.

The pioneering spirit of Oregon lives on with its craft brewers. Oregon continues to enjoy more breweries per capita than any other State in the Nation. Even with Oregon having only 1 percent of the Nation's population, it is home to 7 percent of America's breweries and brew pubs. Five of those breweries are among the 50 biggest in the Nation.

In addition to their sales success, many of these small businesses support innumerable community-based charities, public institutions, local events and charities. Small craft brewers successfully balance that dedication between the quality of their beer and the quality of their community.

I urge my colleagues to support H. Res. 753 in recognition of America's Craft Brewers.

Mr. ISSA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and agree to the resolution, H. Res. 753.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING 30TH ANNIVERSARY OF THE VICTORY OF UNITED STATES WINEMAKERS AT 1976 PARIS WINE TASTING

Mr. ISSA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 399) recognizing the 30th anniversary of the victory of United States winemakers at the 1976 Paris Wine Tasting.

The Clerk read as follows:

H. CON. RES. 399

Whereas on May 24th, 1976 in Paris, France, the premier wines of California and France were judged in a blind taste test by leading French wine experts;

Whereas the winning red wine was the 1973 Stag's Leap Wine Cellars SLV Napa Valley Cabernet crafted by winemaker Warren Winiarski;

Whereas the winning white wine was the 1973 Chateau Montelena Napa Valley Chardonnay crafted by winemaker Miljenko "Mike" Grgich;

Whereas this event became known as the Tasting Heard 'Round the World, and heralded the beginning of the rise to preeminence of California wines;

Whereas the Smithsonian Institution's National Museum of American History has placed bottles of the winning wines in its permanent collection;

Whereas wines from all over the United States are now enjoyed all over the world; and

Whereas the domestic wine industry now contributes over $50 billion a year to the United States economy: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes and honors the 30th Anniversary of the California victory at the 1976 Paris Wine Tasting; and

(2) recognizes the historical significance of this event to the United States wine industry.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume, and I appreciate that this resolution is being taken out of order, but one might say it is being taken in the correct order. One might even say that it is being taken one after its correct order.

As a Member from California, with my colleague from California on the other side of the aisle, it is important to note that California wines are, in fact, the finest in the world; that they enjoy a special place and a personal honor around the world. So although we came after beer tonight, I would certainly say not far after beer this evening.

Mr. Speaker, until 1976, France was generally regarded as having an unchallenged reputation as the foremost producer of the world's best wines. In that year, a wine merchant in Paris, Steven Spurrier, organized a prestigious wine tasting, now known as the Paris Wine Tasting of 1976.

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The blind tasting contest was judged by eight of France's top wine tasting experts. In the white wine as well as red wine consumption, California wines took first place, ending the French wine domination of that industry.

Mr. Speaker, I will include the rest of my statement for the RECORD. I respect so much the co-chairman of the Wine Caucus that I do not want to take the thunder that likely belongs to him and all of the good work my colleague from California has done.

Time Magazine's Paris correspondent was on hand for the tasting and broke the news to the world. Less might have been made of the contest had the renowned French tasters been less disdainful toward the California selections as they tasted. The French tasters were stunned when the names of the wines were revealed. The impact of the tasting for California wines was immediate, showing people everywhere that exceptional wines could come from somewhere other than France. The 1976 Paris tasting has been duplicated over the years with many times the same result. Today, California wines continue to demand respect and admiration of wine experts all over the world.

I urge all members to come together to support adoption of this resolution on the 30th anniversary of that historic tasting.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to the champion of wine tasting in the House and the sponsor of this legislation, the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Speaker, I thank the gentleman from Illinois and my colleague from California, and I concur that this is an important resolution. Although the beer measure was taken up first; as someone who has lived in the wine industry my entire life, someone who grows wine grapes and someone who has worked in many different jobs in the wine industry, I can tell you firsthand that there is truth in the old saying that it takes a lot of beer to make good wine. So it is probably appropriate that both of these measures are taken up tonight.

Mr. Speaker, I have the distinct honor and pleasure of representing California's 1st Congressional District, home to over 500 wineries, I believe and I think everyone would agree, the heart and soul of the American wine industry. So you might ask why it is that I would have introduced a resolution honoring a French wine tasting.

As my colleague from California said, the fact of the matter is the Paris Wine Tasting of 1976 is the seminal event in the history of the U.S. wine industry. At that event, some of Europe's greatest wine critics, those from within the European wine community, chose U.S. wines as the winners of that tasting in a blind test. That is why that wine tasting is known even today as the tasting heard around the world.

The Paris tasting was proof that American wine makers could compete with the best in the world, that wine makers like Warren Winiarski of Stag's Leap Wine Cellars and Mike Grgich of Chateau Montelena, he now owns his own winery, but at the time he was the wine maker at Chateau Montelena, were in fact making some of the best wines in the world.

Robert Parker, the world-renowned wine critic, put it best when he said, "The Paris tasting destroyed the myth of French supremacy and marked the democratization of the wine world. It was a watershed in the history of wine."

The tasting served as a launching pad for an industry that has grown to become a major contributor to our national economy, now totaling over $50 billion a year. There are over 4,000 commercial wineries throughout all 50 States. Many of them are small family-owned businesses. The number has grown by 30 percent in the last 4 years, and the wine industry and the tourism that it generates employs over 250,000 tax-paying Americans.

It is, in fact, a great industry, and our wines are in fact the best. It is appropriate that we take this time to commend those who participated in and the industry that has grown out of the Paris Wine Tasting of 1976. I urge all of my colleagues to vote in favor of this. I thank you for the courtesy of bringing this measure up tonight, both out of order and on the floor, recognizing the 30th anniversary of this famous wine tasting.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Let me just say that Californians, whether Democrat or Republican, take their politics seriously. They do not always agree on all things, but I think they do agree and I think all of us can agree with them that California does in fact have some of the finest wines known to humankind. I am pleased to join with them in passing this resolution, and perhaps one of these days Representative THOMPSON might even make me an honorary member of that tasting club.

Mr. Speaker, until 1976, France was generally regarded as having an unchallenged reputation as the foremost producer of the world's best wines. In that year, a wine merchant in Paris, Steven Spurrier, organized the prestigious wine tasting competition now known as the Paris Wine Tasting of 1976. Spurrier sold only French wines and later said "I thought I had it rigged for the French wines to win."

The jury of nine testers in the wine competition included eight of France's top wine tasting experts. Blind tasting was performed so that none of the judges knew the identity of the wines that were tasted. First to be tasted were white wines. The comparison included Chardonnays and matched the very best French Chardonnays from Burgundy against California Chardonnays. The winner was a California Chardonnay that was from Chateau Montelena and made by winemaker Mike Grgich. Third and fourth places also went to California Chardonnays. All nine judges awarded their top scores to either Chalone Winery or Chateau Montelena, both of California. The red wines then were tasted. A Cabernet Sauvignon from California's Stag's Leap Wine Cellars and produced by winemaker Warren Winiarski was chosen as the top wine of that type.

The tasting results were surprising to the judges and wine connoisseurs worldwide. The lone reporter who attended the competition was from Time magazine, and that reporter's story promptly revealed the results to the world. Leaders in the French wine industry banned Spurrier from the nation's prestigious wine-tasting tour for a year, apparently as punishment for the damage his tasting had done to France's image of superiority. And as recently as 2005, some of the judges still refused to discuss the tasting, saying that to do so would have been "too painful."

This resolution recognizes and honors the 30th anniversary of the California victory at the 1976 Paris Wine Tasting and recognizes the historical significance of this event to the United States wine industry.

I urge my colleagues to support H. Con. Res. 399.

Mr. Speaker, I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself the balance of my time, and I might remind the gentleman from Illinois that wine tasting is a full-participation sport available to all over the age of 21.

Mr. Speaker, I would just close by noting that many, many times California's superiority as the grape wine capital of the world has been repeated in Paris. With that, I close by saying I eat French fries and drink California wine.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 399.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING NATIONAL TOURISM WEEK

Mr. ISSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 729) supporting National Tourism Week.

The Clerk read as follows:

H. RES. 729

Whereas travel and tourism has a major impact on the economy of the United States as the 3rd largest retail sales industry in the Nation;

Whereas 1 out of every 7 people employed in the United States civilian labor force is directly or indirectly employed in the travel and tourism industry;

Whereas international travel to the United States is the largest service export, having generated a trade surplus for 16 consecutive years, increasing 144 percent between 2003 to 2004 to over $4 billion;

Whereas, in 2005, travel and tourism-related expenditures reached $1 trillion, including $596 billion in direct sales and $445 billion in indirect sales, and supported 8 million jobs;

Whereas the Department of Commerce has released the 2004 international year-end arrivals data, revealing that the level of international travel to the United States increased by 12 percent from 2003 to 46 million in 2004, with overseas visitors increasing 13 percent, to 20 million in 2004;

Whereas domestic and international traveler spending in the United States generated $99.4 billion in taxes for Federal, State and local governments in 2004;

Whereas tourism contributes substantially to personal growth, education, appreciation of cross-cultural differences, and the enhancement of international understanding and good will;

Whereas the abundant natural and man-made attractions of the United States and the hospitality of the American people establish the United States as the preeminent destination for both foreign and domestic travelers;

Whereas National Tourism Week was established by Congress in 1983, and first celebrated in May 1984, when President Ronald Reagan signed a proclamation urging citizens to observe the week with appropriate ceremonies and activities;

Whereas, since 1984, National Tourism Week has been celebrated each May by the travel and tourism community, travel industry associations, as well as many States, cities, and localities throughout the Nation; and

Whereas May 13 through 21, 2006, is the 23rd annual National Tourism Week: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports National Tourism Week; and

(2) requests that the President issue a proclamation calling upon the people of the United States and interested groups to observe National Tourism Week with appropriate ceremonies and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H. Res. 729, offered by the gentleman from Florida (Mr. FOLEY). I am also a cosponsor of this resolution, and cosponsor of it for a good reason. The $1.3 trillion industry in travel and tourism is one that both Florida and California enjoy, and people from all over the world also enjoy it. The United States receives nearly 50 million international visitors, spending over $100 billion a year while touring within our country.

In fact, the United States is the number one tourist destination in the world. The Travel Industry Association says if not for the taxes generated by the travel and tourism, every household in America would pay over $900 more in taxes each year to make up for the shortfall, much of that coming from foreign visitors.

In addition, travel and tourism generate $100 billion in tax revenue for local, State and Federal governments. For this reason, it is important that we encourage and recognize the travel industry for its dedication to not only the accommodation of our vacation needs, but also in providing much-needed jobs and revenue for our country each year. I urge all Members to come together to support the vitally important travel and tourism industry by adopting H. Res. 729.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, people across the Nation and around the world have enjoyed traveling across America to visit our magnificent cities, parks, museums, and our many other national historic and cultural sites. America provides countless opportunities to learn about and to enjoy our Nation's immense variety of attractions.

The travel and tourism industry represents a vital part of the American economy. It is a $1.3 trillion industry in the United States, and $100 billion is generated each year in tax revenues for local, State and Federal governments. And with the total of 7.3 million American jobs related to travel, the travel and tourism industry is one of the country's biggest employers.

National Tourism Week was established by Congress in 1983 and first celebrated in May of 1984 when President Ronald Reagan signed a proclamation that urged citizens to observe the week with appropriate ceremonies and activities. Held each year from May 13 to May 21, National Tourism Week provides the perfect platform upon which to challenge State tourism boards, city governments and other relevant entities to take a proactive role and to engage in practices that protect and maximize their tourism assets.

As a matter of fact, when I think of tourism, I think of my own congressional district which includes downtown Chicago with many of the skyscrapers, the Sears Tower, the Water Tower Place. King Tut is now on exhibit in our city, and thousands of people are coming each and every day. And so travel and tourism contribute to the cultural and social well-being of the Nation. I support this resolution and urge its passage.

Mr. Speaker, I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, the gentleman from Illinois is quite right. On Monday I left several tourist dollars on the 95th floor of the John Hancock Building at that lovely, beautiful restaurant. Chicago is in fact a major tourist destination, and I have been to more trade shows than I care to, well, I care to remember them all. They were all quite good. Chicago hosts some wonderful McCormick-based facilities, and has some of the finest hotels. I have not stayed in all of the finest hotels, but you have some of the finest hotels.

Mr. Speaker, I urge adoption of this resolution to thank the travel and tourism industry for what they contribute to our economy.

Mr. FARR. Mr. Speaker, at the start of the summer season we recognize the contributions of the travel and tourism industry by celebrating National Tourism Week.

Over the last 22 years, our Nation has celebrated National Tourism Week, and rightfully so. This industry ranks first, second or third in nearly 60 percent of the country.

Not only is tourism a dominant industry in the U.S. economy, but it is an industry that is present in every Congressional district. From sea to shining sea, to purple mountains majesty, every corner of the U.S. contributes to the travel and tourism industry—Hawaii, Alaska, Maine, Florida, California, and everything in between.

The travel and tourism industry boasts heavy-hitting statistics on expenditures, revenues, and jobs (the 3rd largest retail sales industry in the Nation; has generated a trade surplus for 16 consecutive years; supports 8 million jobs; in 2005, expenditures reached $1 trillion.). But that's not all. The travel and tourism industry produces something that cannot be quantified. There is no better way to understand and appreciate a culture than to travel to that land and experience it. When people come to the U.S., they experience our culture and hospitality first hand, and almost without exception, their view of America changes for the better. In today's world, this element is priceless.

As co-chairs of the Congressional Travel & Tourism Caucus since 1997, Congressman FOLEY and I have worked hard to educate our colleagues about the significance of this industry and all that it offers to our country. The caucus is over 100 members strong and continues to grow as more of my colleagues truly comprehend the magnitude of tourism.

Travel is an integral part of the human experience, and I am pleased that we are honoring the travel and tourism industry by putting forth this resolution celebrating National Tourism Week.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H. Res. 729, resolution sponsored by my friend and colleague MARK FOLEY, the Co-Chair of the Travel and Tourism Caucus along with members of the Caucus including myself, in support of National Tourism Week.

It is worth repeating, Mr. Speaker, as the resolution points out, Travel and Tourism as the 3rd largest retail sales industry in the Nation, has a major impact on the economy of the United States. One out of every 7 people employed in the United States civilian labor force is directly or indirectly employed in the travel and tourism industry. International travel to the United States is the largest service export, generating a trade surplus for 16 consecutive years, increasing 144 percent between 2003 and 2004 to over $4 billion. And, in 2005 alone, travel and tourism-related expenditures reached $1 trillion, including $596 billion in direct sales and $445 billion in indirect sales, and supported 8 million jobs.

As someone who represents an area where tourism is our number one industry, I am proud to report that despite increases in the price of oil, the tourism industry in the Virgin Islands have been doing exceptionally well over the last couple of years.

According to the Virgin Islands Bureau of Economic Research, the industry was one of the strongest performers and main contributor to the economic performance during 2004 with increases in both air and cruise ship passengers. Total visitors in the Territory in fiscal year 2004 reached a record 2.6 million, up 12 percent over 2003.

The BER projects, barring any significant shocks, that visitor arrival will peak at 2.7 million by the end of fiscal year 2005 and 2.8 million in fiscal year 2006.

Mr. Speaker, the Travel and Tourism industry generates trillions of dollars in economic activity in the U.S. and as such it deserves all of our support. I urge my colleagues to support passage of H. Res. 729.

Mr. FOLEY. Mr. Speaker, I would like to offer my support for House Resolution 729, a bill that I and Mr. FARR introduced recognizing the 23rd Annual National Tourism Week.

First established by Congress in 1983, this annual event gives us an opportunity to recognize the significant importance the Travel and Tourism Industry has on our economy.

The travel and tourism industry is the lifeblood of many states around the country—including Florida, California, New York and Nevada, to name a few. Every Congressional District is impacted—that is every district with a restaurant, hotel, museum, national park, stadium, theater, campgrounds and beaches.

Domestic travel and tourism-related spending has reached $1 trillion a year. There are over 8 million people in the food service, hospitality and travel-related industries that rely on America's vibrant and thriving travel industry.

As America's third-largest retail sales industry, nearly $100 billion dollars was generated in tax revenue for our local, state and federal governments in 2004.

In addition, international travel to the United States is now the largest service export with a generated trade surplus for 16 consecutive years.

For example, in my district there are visitors from all over the world who are drawn to our beautiful beaches, recreational lakes, habitat wildlife preserves and golf courses. In 2005, Florida collected over $3 billion in tourism and recreational sales, a reflection of $62 billion that went into the state's economy during the year.

So as some of us begin our summer travel, let us remember the tremendous impact the travel and tourism industry makes on all of our lives.

Ms. BORDALLO. Mr. Speaker, I rise today in strong support of H. Res. 729, Supporting National Tourism Week. National Tourism Week, established by Congress in 1983, celebrates tourism to our country, the hospitality of the American people, and the hard work done by the many Americans who are involved directly and indirectly in the tourism and hospitality industry. This resolution highlights some of the major economic contributions that tourism from domestic and international visitors has upon the U.S. economy, at the Federal, State and local levels.

To quantify the U.S. tourism industry as one industry is challenging. In fact, the tourism industry in the U.S. is a conglomeration of many different industries, the leadership of many individuals at the national, State and local levels, and the myriad dreams and interests of all those who come to enjoy America's vacation spots, its natural wonders, and its historical areas of interest. The strength of the U.S. tourism industry is in its diversity and the diversity of the visitors it hosts.

Tourism is vitally important to Guam. The Guam Visitors Bureau, led by Chairman David B. Tydingco, Vice Chairman Bruce Kloppenburg, General Manager Gerald S.A. Perez, Deputy General Manager Mary C. Torres, and its board members and other officers, continues its excellent work toward increasing the numbers of visitors to Guam. The Guam Hotel and Restaurant Association, led by President David B. Tydingco, Chairman of the Board of Directors Bartly Jackson, and members of the board of directors, continue to ensure that the visitors to Guam receive a world-class level of hospitality, service, and entertainment during their stay on-island. The Guam Chamber of Commerce, under the able leadership of Chairman Michael T. Benito and President Eloise Baza, remains as the lead organization promoting the economic benefits of tourism to Guam and the general economic development of the island through the growth and diversification of Guam's private sector.

The vibrant, capable, and professional tourism industry in the United States provides individuals, families, and groups the ability to see, to experience, and to become a part of the many wonderful tourist attractions located across the United States. In doing so, the U.S. tourism industry facilitates greater understanding of, respect for, and identification with American history, culture and society by both Americans and guests from foreign countries. National Tourism Week is the celebration of the effort to foster better relations between communities within the U.S. and around the world while growing, diversifying, and strengthening the U.S. economy by promoting travel and tourism to the United States.

Mr. ISSA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and agree to the resolution, H. Res. 729.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

MATTHEW LYON POST OFFICE BUILDING

Mr. ISSA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5245) to designate the facility of the United States Postal Service located at 1 Marble Street in Fair Haven, Vermont, as the "Matthew Lyon Post Office Building".

The Clerk read as follows:

H.R. 5245

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MATTHEW LYON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1 Marble Street in Fair Haven, Vermont, shall be known and designated as the "Matthew Lyon Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Matthew Lyon Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, born in County Wicklow, Ireland, Matthew Lyon was a printer, farmer, soldier and politician who came to America as an indentured servant at the age of 14 in 1764. During the Revolution, Matthew Lyon fought with Ethan Allen and the Green Mountain Boys to capture Fort Ticonderoga. He later resigned from the Army in 1778, and became a member of the Vermont House of Representatives from 1779 to 1783.

During this time he built and operated various kinds of mills, including one to manufacture paper. He also established a printing office in 1793 and published the Farmers' Library. In addition, he created the Fair Haven Gazette, a weekly newspaper, and served as publisher and editor while using the paper to express his political opinions in the early years of our Republic.

Lyon was elected as a Republican to the Fifth and Sixth Congresses, but was not a candidate for renomination in 1800. He then went on to relocate to the State of Kentucky in 1801, and settled in Caldwell County, now Lyon County, and became a member of the House of Representatives of Kentucky in 1802.

He was then elected to the Eighth Congress and to three successive Congresses until he was unsuccessful in seeking reelection in 1810. He is certainly one of our Founding Fathers, and it is long overdue for him to be recognized with this post office.

Mr. Speaker, I reserve the balance of my time.

□ 2230

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

As a member of the Government Reform Committee, I am pleased to join my colleague in consideration of H.R. 5245, legislation naming the postal facility at 1 Marble Street in Fair Haven, Vermont, after Matthew Lyon. This bill, which was sponsored by Representative BERNARD SANDERS of Vermont, was unanimously reported by our committee on May 4, 2006.

Matthew Lyon was born in County Wicklow, Ireland, and in 1764, at the age of 14, emigrated to the United States as an indentured servant. It was not long before he was a free man and fighting alongside Ethan Allen and others in the famous battle of Ticonderoga. Lyon went on to settle in Vermont, founding the village of Fair Haven and later representing Vermont in Congress for two terms.

Lyon was a fierce Jeffersonian Republican and a staunch opponent of the Sedition Act. Lyon's public opposition to the Sedition Act led him to be the first person arrested under the guise of the act. A dubious honor to some, perhaps, was a badge of honor to this protector of free speech and liberty. Lyon would serve a 4-month prison sentence and become a champion of the movement opposed to the Sedition Act.

After serving two terms as the Representative for Vermont and one term in the Kentucky State legislature, Lyon was elected to Congress again, this time as a Representative for the

State of Kentucky, becoming one of only three people elected to Congress from two States.

Mr. Speaker, this is certainly a great deal of historic as well as patriotic value, and I would urge swift passage of H.R. 5245 which seeks to honor the life of a true American pioneer, Matthew Lyon.

Mr. SANDERS. Mr. Speaker, I rise in strong support of H.R. 5245, a bill I introduced to rename the Fair Haven, Vermont, post office in honor of Matthew Lyon, an American patriot and staunch defender of First Amendment rights.

I would like to thank Chairman DAVIS and Ranking Member WAXMAN for their help in moving this bill through the Government Reform Committee. I would also like to thank Jeffrey Schulz, the Fair Haven Town Manager, and the Fair Haven Select Board for supporting this legislation.

Matthew Lyon was born in Dublin, Ireland, on July 14, 1749, and immigrated to colonial America in 1765 as an indentured servant. In 1774 he purchased land in the area of the Hampshire Grants now known as Wallingford, Vermont, and soon after joined Ethan Allen's Green Mountain Boys militia where he led his own unit in defending their land from competing claimants as well from British attacks from the north. In Vermont, he was involved in encouraging the formation of citizen committees across the state to discuss national and state issues, meet with their elected officials, and ensure that their government was being operated in the best interest of all citizens.

In 1783, Matthew Lyon founded the town of Fair Haven. He served in the Vermont State Legislature for 14 years before being elected to the U.S. House of Representatives to serve as Vermont's Congressional representative from 1797–1801. Interestingly, he also represented the State of Kentucky in the U.S. House from 1803–1811.

Matthew Lyon, however, is perhaps best known for being the first person to stand trial and be convicted under the 1798 Sedition Act—sweeping legislation passed during a period when America was engaged in hostilities with France. As we're all aware, the purpose of the legislation was to curtail dissent from citizens and members of the press who opposed President John Adams' foreign policy toward France. The legislation was unquestionably a direct attack on rights explicitly protected by the First Amendment of the U.S. Constitution.

For violating provisions of the Sedition Act, Matthew Lyon was convicted and sentenced to four months in jail, required to pay the cost of his prosecution and a fine of $1,000. His only crime was writing a letter to the editor critical of President John Adams' foreign policy toward France and submitting another person's similar writings to a local newspaper that published them. Although he was jailed, he continued to exercise his Constitutional rights by expressing his views and actively opposing the Sedition Act's anti-free speech provisions. He was even re-elected to Congress from prison in December of 1798.

Eventually, the Sedition Act was allowed to sunset according to its terms and President Thomas Jefferson pardoned those still serving in prison under the Act and remitted their fines. Decades later, Congress passed a law that reimbursed Matthew Lyon's heirs and representatives for the fines he was forced to pay under the Sedition Act.

This remarkable story is not only one that makes the citizens of my state proud but also represents an event of national historical significance. Too often today, we forget the struggles that many who came before us undertook to preserve freedom of speech, the press, and the right to assemble. This post office will serve as a reminder to Vermonters, the nation, and all those who visit Fair Haven, of the heroic efforts made in the past to protect the rights of all to speak freely, no matter what political viewpoint or ideas they may have.

At a time when we find ourselves struggling to balance the security of our nation with the liberties we cherish, I can think of no better time to honor one of our nation's champions of the First Amendment's right of free speech. Naming the Fair Haven Post Office in honor of Matthew Lyon would be a fitting tribute to him and his fight for liberty, and would serve as a reminder of Fair Haven's connection to this great American patriot.

I urge my colleagues to support this bill; to honor Matthew Lyon, a patriotic American who through his actions more than 200 years ago, reminds us of the importance of freedom of speech in our country.

Mr. DAVIS of Illinois. I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I urge adoption and yield back.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 5245.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONGRATULATING ALBERT PUJOLS ON BEING NAMED THE MOST VALUABLE PLAYER FOR THE NATIONAL LEAGUE FOR THE 2005 MAJOR LEAGUE BASEBALL SEASON

Mr. ISSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 626) congratulating Albert Pujols on being named the Most Valuable Player for the National League for the 2005 Major League Baseball season.

The Clerk read as follows:

H. RES. 626

Whereas Albert Pujols of the St. Louis Cardinals was named the Most Valuable Player for the National League for the 2005 Major League Baseball season;

Whereas in 2005 Albert Pujols led the Cardinals with a batting average of .330, 41 home runs, 117 runs batted in, and 16 stolen bases;

Whereas Albert Pujols is the only player in the history of Major League Baseball to have a batting average higher than .300, hit 30 or more home runs, drive in 100 or more runs, and score 100 or more runs in each of his first five seasons in the major leagues;

Whereas Albert Pujols has already won the 2001 Rookie of the Year Award for the National League, the 2003 National League batting championship, and the Most Valuable Player Award for the 2004 National League Championship Series;

Whereas Albert Pujols exemplifies true sportsmanship and class; and

Whereas Albert Pujols is active in numerous St. Louis area charities and causes, most notably through his establishment of, and involvement in, the Pujols Family Foundation: Now, therefore, be it

Resolved, That the House of Representatives congratulates Albert Pujols on being named the Most Valuable Player for the National League for the 2005 Major League Baseball season.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the national pastime, obviously, is baseball and to honor the most valuable player of the 2005 season seems to be only appropriate. Certainly, there can be no more appropriate thing as we go into the heart of baseball season than to consider a resolution recognizing this amazingly great accomplishment and an amazing season in 2005. And so I urge my colleagues to adopt this resolution.

I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, St. Louis Cardinal first baseman Jose Alberto Pujols is widely regarded as one of major league baseball's best offensive players because he hits consistently for average and power. On August 5, 2005, Pujols became the first player in major league history to hit 30 or more home runs in each of his first five seasons. On August 31, 2005, he became the first major league player since Ted Williams to have 100 runs batted in during each of his first five seasons.

Originally from the Dominican Republic, it was in the United States that Pujols developed his love for baseball and demonstrated his ability for the game. He batted over .500 during his first season of high school baseball. At Maple Woods Community College in the Kansas City area, Pujols showed off his talent by hitting a grand slam and recording an unassisted triple play during his first game and by batting .461 during his first season.

The St. Louis Cardinals drafted Pujols in the 13th round of the 1999 draft. He initially turned down a $10,000 bonus and opted to play in the Jayhawk League in Kansas. By the end of the summer, the Cardinals had increased their bonus offer to $60,000. Pujols signed with the Cardinals and was assigned to the minor leagues. By the next year he was playing for Single A team the Peoria Chiefs where he was voted league Most Valuable Player. Pujols progressed quickly through the ranks of the St. Louis farm system and on to the major leagues.

The 2005 season saw Pujols establish career highs in walks and stolen bases while leading the St. Louis Cardinals in almost every offensive category. He finished with a .330 batting average, a .430 on-base percentage, and a .609 slugging percentage, 41 home runs, a grand slam, 117 RBIs, 97 walks and 16 stolen bases. The Cardinals were eliminated during the National League championship series, but only after Pujols hit a memorable home run in game five, a two-out, three-run blast in the top of the ninth inning off Houston Astro closer Brad Lidge. After the season, Pujols received his first National League Most Valuable Player award which underscored his critical role in keeping the injury-plagued Cardinals on track throughout the season.

Pujols should be commended for his work on the baseball field, for the foundation he and his wife, Diedre, have created and dedicated to the love, care and development of people with Downs Syndrome and their families, and for helping the poor in the Dominican Republic. For those and other reasons, I urge my colleagues to support H. Res. 626, a tremendous athlete, but an even more tremendous humanitarian.

I reserve the balance of my time.

Mr. ISSA. I have no further speakers on this side, Mr. Speaker, so I will reserve the balance of my time.

Mr. DAVIS of Illinois. It is my pleasure to yield such time as he might consume to that great St. Louis Cardinal fan and the sponsor of this legislation, Representative CARNAHAN from Missouri.

Mr. CARNAHAN. Mr. Speaker, I rise today in support of House Resolution 626, congratulating Albert Pujols of the St. Louis Cardinals on being named the Most Valuable Player in the National League for the 2005 Major League Baseball season.

As you know, Mr. Speaker, we recently passed a companion resolution, House Resolution 627, congratulating his teammate, Chris Carpenter, for winning the National League Cy Young Award. This marks the first time since 1968 that the Cardinals have won both an MVP and Cy Young Award in the same year.

Albert Pujols came to spring training in 2001 as a 13th round draft choice. Not only did he make the St. Louis Cardinals opening day roster that year, but he won a starting job and went on to win the National League Rookie of the Year Award.

The first 5 years of his career rank among the best in baseball history. He has a career .332 batting average, 201 home runs and 621 runs batted in.

He is the only player in the history of the major leagues to have a batting average higher than .300, hit 30 or more home runs, drive in 100 or more runs, and score 100 or more runs in each of his first five seasons.

During the 2005 season, Albert Pujols led the Cardinals with a batting average of .330, 41 home runs, 117 runs batted in, and 16 stolen bases. He was a major factor in the Cardinals' 100-win season and run to the National League championship series.

Albert Pujols is truly a champion on and off the field. He and his wife, Diedre, have three children, a son named Albert, Jr., a daughter named Sophia and a daughter Isabella who has Downs Syndrome.

In 2005 they started the Pujols Family Foundations which is dedicated to the love, care and development of people with Downs Syndrome and also reaches out to impoverished families in the Dominican Republic, Albert's native country.

As a lifelong Cardinals fan and St. Louis resident, it is an absolute joy to watch Albert Pujols on and off the field. He embodies the true spirit of Cardinal Nation, and I offer my most sincere congratulations on all that he has accomplished thus far, and wish him the best in the future, including recovering from his recent injuries.

Mr. Speaker, I think the spirit that he brings to baseball and that has captured this country is also reflected in the numerous Members of this Congress, not just from St. Louis, not just from the State of Missouri, but from around the country and both sides of the aisle that joined in sponsoring this resolution of congratulations.

Mr. CLAY. Mr. Speaker, I rise in support of H. Res. 626 introduced by my distinguished colleague from Missouri. This resolution will recognize the efforts and achievements of the 2005 National League Most Valuable Player, the legendary St. Louis Cardinals infielder, Albert Pujols.

The professional career and life pursuits of Albert Pujols exemplify nothing short of perseverance, skill, and integrity. His statistics for the first 5 years of his career rank amongst the best in baseball history with a .332 career batting average, 201 home runs and 621 RBI's. Pujols is distinguished as being the only player to have a batting average higher than .300—and to have hit over 30 home runs—and to have driven in over 100 runs in each of his first 5 seasons. He was recipient of the 2001 Rookie of the Year Award for the National League, 2003 National League batting champion, and the Most Valuable Player of the 2004 National League Championship Series. Pujols throughout his athletic career has demonstrated the highest level of sportsmanship and showmanship—earning him the Most Valuable Player of the 2005 National League Championship Series.

In an exceptional 2005 campaign Pujols established career highs in walks and stolen bases. With 41 home runs and 16 stolen bases, he became just the second Cardinal to finish with at least 40 home runs and 15 stolen bases in a single season, after Rogers Hornsby in 1922. Pujols finished second in the National League with a .330 batting average—hitting his 200th career homer along with a grand slam. Additionally, but not understated, Pujols finished with 117 RBI's, 97 walks, and a career low 38 doubles caused by nagging injuries.

Cardinals' fans were given even more ammunition to celebrate in 2005, because Albert Pujols' Most Valuable Player recognition marks the first time that the Cardinals have had both a Most Valuable Player and Cy Young award winner-pitcher, Chris Carpenter in the same year.

Pujols' characteristics and accomplishments are not limited to his accolades on the field. Off the field Pujols and his wife, Deidre, have three children: Isabella, A.J. Alberto Jr., and their newest addition Sophia. Both Pujols and his wife are generous and active supporters of community issues and in 2005 established the Pujols Family Foundation. The Foundation is dedicated to the "love, care and development of people with Down Syndrome and also reaches out to impoverished families in the Dominican Republic."

Recently Pujols became the third fastest player in major league history to reach 25 home runs in a season and was on pace to hit a record breaking 82 home runs—before an oblique injury—which would have surpassed the single-season home run record of 73 home runs held by Barry Bonds.

Albert Pujols has become a role model and an inspiration to his fans, and others, through his many outstanding achievements. I congratulate him on his 2005 successes both on and off the field, and we all wish him a speedy recovery and a quick return from his present injuries. He is truly a modem American hero and I urge my colleagues to support this resolution.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I urge adoption and yield back.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and agree to the resolution, H. Res. 626.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL PASSPORT MONTH

Mr. ISSA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 327) supporting the goals and ideals of National Passport Month.

The Clerk read as follows:

H. RES. 327

Whereas, through international travel, Americans can individually play a major role towards improving foreign relations by building bridges and making connections with citizens of other countries;

Whereas interacting with the global community inspires Americans to reflect on the diverse multi-cultural background that has defined the United States as a great country of cooperation and progress;

Whereas having a passport and traveling abroad creates connections with the global community, supporting goodwill throughout the world;

Whereas having a passport and traveling abroad promotes understanding and goodwill throughout the world, opening the doors to increased peace, tolerance, and acceptance;

Whereas having a passport and traveling abroad opens up a preponderance of educational opportunities and experiences for Americans of all ages;

Whereas having a passport and traveling abroad enables Americans to see first-hand the effect of the United States on the world, including the tremendous amount of humanitarian aid given by the United States through both public and private sectors;

Whereas having a passport and traveling abroad reminds Americans that they are members of a global family and gives them opportunities to mend rifts around the world;

Whereas fewer than 23 percent of Americans have passports, thereby limiting their ability to travel outside the United States;

Whereas the more Americans travel outside the United States, the more they will experience opportunities to increase their understanding of the world and the place of the United States in it;

Whereas the creation and support of a National Passport Month signals to Americans the important role they can play as ambassadors for the United States by serving as agents of understanding, tolerance, and mutual respect; and

Whereas travel publishers along with travel editors from the most prestigious media outlets in the United States, student travel organizations, and book sellers have designated September as "National Passport Month" to educate the public about the importance of having a passport and the positive impact international travel has on individuals: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Passport Month; and

(2) requests that the President issue a proclamation calling on the Federal Government, States, localities, schools, nonprofit organizations, businesses, other entities, and the people of the United States to observe the month with appropriate ceremonies, programs, and activities.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today in the United States, fewer than 23 percent of Americans have an issued passport, meaning that millions of our citizens are unable to take advantage of the culturally enriching opportunities presented by international travel. International travel can help promote understanding, tolerance and mutual respect for other cultures and traditions around the world.

National Passport Month would support the goal of encouraging and inspiring Americans to participate in the educational opportunities that having a passport can provide.

□ 2245

By opening the doors to the rewards of traveling beyond the boarders and the equally important potential that we have to build bridges connecting cultures throughout the world, makes it extremely pertinent that we encourage especially the young and old to apply for past ports.

Mr. Speaker, recently it became necessary to have a passport to go into Mexico. Most Americans are not yet aware of that. I would particularly remind people listening tonight throughout the world and those who will read the official record of our proceedings here today that having a passport takes time. I would encourage people to have them before they intend to travel so that they are prepared for the quick trip from San Diego to Tijuana or the trip from here to Abu Dhabi.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will include for the record a statement from Representative BARBARA LEE, who is the sponsor of this resolution. Congresswoman BARBARA LEE could not be with us here today, though she sincerely wanted to be. In her absence, she asked me to give a few remarks on her behalf.

Congresswoman LEE would like to thank ranking member WAXMAN and the chairman of the Government Reform Committee, TOM DAVIS, along with the leadership on both sides of the aisle, for bringing this bill to the floor today. Representative LEE expresses her appreciation to the over 55 cosponsors of this bipartisan resolution for their support and she wants in particular to thank her Republican leader on the resolution, Congressman CHRIS SMITH from New Jersey, for his support.

This resolution is extremely straightforward and noncontroversial. It details and recognizes the value of international travel and requests the President to issue a proclamation calling on the Federal Government, State localities, schools, nonprofit organizations, businesses and other entities and the people of the United States to observe National Passport Month with appropriate ceremonies, programs and activities.

As the senior Democratic woman on the House International Relations Committee and a traveler herself, Congresswoman LEE truly understands and appreciates the value and importance of international travel. As Congresswoman LEE notes in her statement for the record, there is no substitute for the experience that you get from visiting other countries. Travel changes the way we see the world. It broadens our horizons and deepens our appreciation for different countries and cultures. It also helps us to be more understanding, tolerant and to have respect for other cultures.

Not only does travel provide enriching opportunities for the individual, it can also have profound benefits to our Nation as a whole by allowing Americans to spread the message of freedom and democracy around the world. In addition, having a passport and traveling abroad enables Americans to see the American influence on the world firsthand, including the tremendous amount of humanitarian aid given by Americans throughout both the public and private sectors.

I agree with the Congresswoman, who states that Americans of all ages are our best ambassadors and we should promote policies that encourage them to travel, to forge connections with people from other countries, to foster mutual understanding and tolerance and to help open new doors to peace.

The timing of this resolution could not be more critical, because America needs a boost in foreign public opinion. When Lonely Planet, which is located in Representative LEE's district in Oakland, California, raised the idea of a National Passport Month, she immediately embraced it. In Representative LEE's statement for the record she notes how proud she was to introduce H. Res. 327 and to be part of the campaign to recognize the importance of international travel and how overwhelmed she was by the support she has received for the effort.

In April of this year, Lonely Planet presented her with over 5,000 petition signatures from people all over the country who support these efforts. This resolution has the support of a broad coalition of over 70 supporting travel organizations and associations. This includes corporations such as American Express and Yahoo and the State Department. In fact, Congresswoman LEE is submitting the letter of support from the State Department along with her statement today.

Representative LEE would like to thank all the supporters of the resolution, and notes that she looks forward to working with them to ensure that the White House issues the proclamation in ample time for the inaugural National Passport Month celebrations this September.

I, too, Mr. Speaker, would urge support for this resolution. And since we have had so many items on the agenda this evening coming out of Government Reform, I also want to simply state that it has indeed been a pleasure to work with the gentleman from California. I am not looking forward to another long session like this coming from Government Reform, but if it has to be, then I look forward to working with him.

I urge passage of this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I, too, urge passage and thank the gentleman from Illinois. It is a pleasure working on the Committee on Government Reform. It is also a privilege serving on the International Relations Committee, in which public diplomacy has been a major initiative that Chairman HYDE and Ranking Member LANTOS have been reaching out and trying to have done.

There is no better public diplomacy than for Americans to reach out to people, perhaps from their ancestry or simply from an area of interest, by visiting. So I too encourage all the Members to vote for this, to travel themselves and to be the diplomats in public diplomacy that we need so badly in this time of strife throughout the world.

Ms. LEE. Mr. Speaker, I rise in support of H. Res. 327, legislation I sponsored to support the goals, ideals and creation of National Passport month.

I want to thank my colleague Congressman DANNY DAVIS for managing the bill today and for his leadership on the Government Reform committee. I also want to thank the Ranking Member of the Committee, Congressman WAXMAN and the Chairman of the Committee, TOM DAVIS along with leadership on both sides of the aisle for bringing this bill to the floor today.

Mr. Speaker, I also want to express my appreciation to the over 55 co-sponsors of this bipartisan resolution for their support, and want to especially thank my colleague and the Republican lead on this effort, Congressman CHRIS SMITH from New Jersey for his support.

This resolution is extremely straightforward and noncontroversial. It details and recognizes the value of international travel and requests the President to issue a proclamation calling on the Federal Government, States, localities, schools, nonprofit organizations, businesses, other entities, and the people of the United States to observe National Passport month with appropriate ceremonies, programs, and activities.

The purpose of National Passport Month is to create a time to educate the public about the incredible opportunities available to those who obtain passports as well as the positive impact international travel has on individuals and the global community.

Today, less than 23 percent of Americans have a passport, thereby limiting their ability to travel outside the United States. As a result, millions of Americans are unable to take advantage of the enriching opportunities presented by international travel.

As the Senior Democratic woman on the House International Relations Committee, and a traveler myself, I understand and appreciate the value and importance of international travel.

There really is no substitute for the experience that you get from visiting other countries, from meeting the people, tasting the food and interacting with the culture. It changes the way we see the world. It broadens our horizons and deepens our appreciation for different countries and cultures and our shared humanity. It also helps us learn understanding, tolerance and mutual respect for other cultures.

Not only does travel provide enriching opportunities for the individual, it can also have profound benefits to our Nation as a whole by allowing Americans to spread the message of freedom and democracy around the world. In addition, having a passport and traveling abroad enables Americans to see the American influence on the world first-hand, including the tremendous amount of humanitarian aid given by Americans through both the public and private sectors.

Americans of all ages are our best ambassadors and we should promote policies that encourage them to travel, to forge connections with people from other countries, to foster mutual understanding and tolerance and to help open new doors to peace.

The timing of our efforts could not be more critical. I think we can all recognize that America needs a boost in foreign public opinion and I am confident that connections made with American travelers can and will make a huge difference improving our image abroad.

So, for all of these reasons, when Lonely Planet, which I am pleased to say is located in Oakland in my district, first raised the idea of a national passport month, I immediately embraced it.

I am proud to have introduced H. Res. 327 and to be part of this campaign to recognize the importance of international travel, and I am overwhelmed by the support we have received. In April of this year, Lonely Planet presented me with over 5,000 petition signatures from people all over the country who support these efforts. And this campaign has the support of a broad coalition of over 70 supporting travel organizations and associations to corporations like American Express and Yahoo.

Moreover, the U.S. Department of State is on record in supporting September as National Passport month. I want to read a quote from its letter: "Since September is a time of the year when schools are re-opening and many students are considering travel or study abroad, it is a highly appropriate month to promote public awareness of the value of the U.S. passport. The Department shares your appreciation of the U.S. passport and supports your resolution."

So, today I'm pleased the House will go on record in support of proclaiming September National Passport Month.

Again, I want to thank all the supporters of this resolution and I look forward to working with you all to ensure the White House issues this proclamation in ample time for the inaugural National Passport month celebrations this September.

U.S. DEPARTMENT OF STATE, BUREAU OF
LEGISLATIVE AFFAIRS,
Washington, DC, August 29, 2005.

DEAR MS. LEE: Thank you for your letter addressed to Secretary Rice regarding H. Res. 327, a resolution to encourage President Bush to proclaim September National Passport Month. It is a pleasure to acknowledge your comments on the positive impact international travel has on individuals and the global community. We, too, recognize the value of travel as a means of enhancing international understanding.

Even though the State Department will issue more than 10 million passports this fiscal year, still less than 23 percent of Americans have a passport. The Department strives to make the process of issuing passports to U.S. citizens as efficient and as courteous as possible. Since September is a time of the year when schools are re-opening and many students are considering travel or study abroad, it is a highly appropriate month to promote public awareness of the value of the U.S. passport. The Department shares your appreciation of the U.S. passport and supports your resolution.

Sincerely,

MATTHEW A. REYNOLDS,
Acting Assistant Secretary.

Mr. ISSA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and agree to the resolution, H. Res. 327.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

HOUSE REPUBLICANS ARE FIGHTING FOR BORDER SECURITY

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, House Republicans understand that in this post-9/11 world we cannot separate national security from border security. On that fateful day back in 2001, we learned that the "business as usual" mentality simply does not work anymore. What our Nation needs is a clear immigration enforcement strategy that reduces the threat posed by those who are breaking our laws.

It is estimated that roughly 12 million illegal aliens now reside in the United States. Each year the number grows by another 700,000. Yet we are arresting the same number of illegal aliens as we did back in 1977, despite the fact we have many more illegals coming in than we used to.

Obviously, something has to be done. That is why House Republicans voted to pass a major border security bill this past December. This bill strengthens our borders, implements employment eligibility verification systems, cracks down on those who knowingly hire illegals, empowers local law enforcement to enforce our immigration laws and expedites the swift deportation of illegal aliens.

This is something that has to be done and we cannot compromise on this. Our Nation's security is at risk, and nothing else is more important.

D-DAY AND THE YOUNG AMERICANS

(Mr. POE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE. Mr. Speaker, the silent ocean roar now covers the battlefields on the shores of France.

They fought for a people they did not know in a place they had never been and consecrated the soil of freedom by the self-sacrifice of their own blood.

There are 9,386 Americans buried on the cliffs of Normandy, France. 1,557 are still missing 62 years later. They gave their youth so Europe could have a tomorrow. They came not to conquer, but to set a people free. That D-day invasion of France was the beginning of the liberation of Europe.

Those that served that day jumped from the sky in the darkness, or went ashore in the face of massive gunfire. They were the young Americans that landed in Normandy on June 6, 1944. They defeated the evil forces of the Axis and they did not come back until it was over over there.

History refers to those that died and those that lived as the Greatest Generation. They are our fathers and our grandfathers. They defended the honor of liberty and proved there are some things worth fighting for, and there are some things worth dying for. And that's just the way it is.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

INTERNALLY DISPLACED PERSONS IN NAGORNO-KARABAKH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I rise this evening to bring attention to the problem of internally displaced persons, or IDPs in Nagorno-Karabakh in the Caucus. The situation is disheartening because aid is needed and, unfortunately, the United Nations refuses to allow its organizations like UNHCR and UNICEF to operate in the country largely due to Azerbaijan's opposition.

Because internally displaced persons remain within the borders of their home country, primary responsibility for protecting and assisting them rests with their national authorities. However, I strongly believe there is also a responsibility that lies with the United States and the international community to bring rightful attention to this issue and consider ways to ease and eventually end the plight of these displaced individuals.

Mr. Speaker, in the late 1980s and early 1990s, as the Soviet Union was collapsing the people of Nagorno-Karabakh made a peaceful request to reunite with Armenia, from which they were arbitrarily separated by Joseph Stalin in 1921.

□ 2300

Azerbaijan responded with a campaign of ethnic cleansing and full-scale military attack on Nagorno-Karabakh.

As a result of Azerbaijan's aggression, 30,000 people died, and hundreds of thousands fled the region. About 36,000 Armenian refugees from Azerbaijan and some 71,000 displaced ethnic Armenians now reside in Nagorno-Karabakh. Though the fighting has ended, ceasefire violations continue, and the victims are still suffering.

IDPs still face hardships, including lack of economic opportunity and inadequate shelter. Refugees and displaced individuals and families deserve humanitarian support independent of their location. However those in Nagorno-Karabakh have not received adequate international assistance.

The International Committee of the Red Cross and Doctors Without Borders are the only major international organizations operating in Nagorno-Karabakh. Besides Armenia, the United States is the only other government providing them assistance.

Now recognizing the ongoing need for humanitarian assistance, the U.S. Congress has provided funds to Nagorno-Karabakh since 1998. Through various organizations, USAID has implemented critical projects, including the construction of homes, improved access to water supplies and school reconstruction.

Although these programs have helped improve living conditions, much more is still needed. So, Mr. Speaker, the UN unfortunately refuses to operate in Karabakh and does not send aid or organizations like UNHCR and UNICEF there for assistance.

The reason given by the UN is that they do not work in "politically unrecognized territories". Yet it is my understanding that there are several other disputed territories where the UN currently operates. For example, the UN has been providing assistance to refugees in the West Bank and Gaza since 1950. In fact, the UN created a specific organization, the United Nations Relief and Works Agency for Palestine refugees in the Near East to help Palestinian refugees.

They have also undertaken work in other unrecognized or disputed areas, including Kosovo, Somaliland, Abkhazia, South Ossetia and Transnistria. The Karabakh authorities have made repeated requests for help to the UN for assistance but have been unsuccessful.

The UN's refusal to work in Karabakh is unfair and hard to comprehend since the UN has been providing substantial assistance to refugees and IDPs residing in Armenia and Azerbaijan, while overlooking the needs of similar groups residing in Karabakh.

It is encouraging that the United States is committed to finding a peaceful solution of the Nagorno-Karabakh crisis. But as Members of Congress, we must provide the leadership necessary for the UN and other relevant organizations to find ways to support these refugees and IDPs.

I plan to send a letter urging the UN to reconsider its misguided policies that are depriving suffering people in Karabakh of urgently needed humanitarian assistance. I hope that my colleagues will join me in this effort when I send the letter, and that we can get the UN to turn around its position.

LAWLESSNESS BREEDS MORE LAWLESSNESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, she was buried alive in a landfill underneath massive concrete chunks. Human garbage is what Milagro Cunningham thought of this 8-year-old girl who he raped, choked and left to die in a dump.

Police do not know how she was able to find the strength to wiggle her fingers while trapped underneath these slabs of concrete. She was still barely alive, and wiggling her fingers was her silent cry for help.

Milagro Cunningham was an illegal from the Bahamas. He was arrested three times by police before he tried to kill this tiny girl. Not once did the police detain him for trespassing on American soil. They let him go each time. Then he ruined the life of a child. Mr. Speaker, this ought not to be.

Failure to enforce the laws of the border brings those bad people to America to break more laws. There are others. The Railroad Killer, Angel Resendez or Resendez Resendez as he is sometimes referred to, raped, bludgeoned, hammered, and even sledge hammered nine people to death. All lived within yards of railroad tracks throughout the plains of America.

Small town shops sold out of pistols. People who never locked their doors sealed their windows afraid of this killer on the loose. The killer? An illegal from Mexico. He hopped trains never knowing where he was going, but always knowing what would happen when he got there. To him every border, Mexican, U.S. or Canadian meant bloodshed and murder.

He was arrested and released numerous times. He was even arrested and deported. He was sent home after carrying guns, defrauding Social Security, committing burglary, trespassing, even pretending to be an American citizen.

But the border of Texas and Mexico is no border at all for this killer. He was only arrested for murder after he claimed the lives of nine American citizens. His first known murder victim was beaten to death just 2 years after his last deportation. The victim's girlfriend was raped and beaten, but she survived and was found near railroad tracks.

These deadly illegal invaders knew what they were doing, but they are not the only ones to track northward leaving a trail of trouble. Their bold and brazen border crossings and thousands of others like them mean 12 legal citizens will be murdered today, tomorrow, and every day.

Lawlessness on the border breeds lawlessness in the heart of America. And 13 legal citizens will die because a drunk illegal got behind the wheel of a car.

That occurs today, and tomorrow, and every day. That is 28,000 homicides by illegals since 2003, 10 times the number of U.S. soldiers killed in Iraq and Afghanistan.

Mr. Speaker, this ought not to be. And there is more. Eight children will be sexually abused by illegal perverts who will cross the line, cross over our open borders.

That is today, that is tomorrow, and it is every day. Lawless on the border breeds lawlessness in the heart of America.

Not all illegal immigrants are criminals. But some are. And when all cross the border, they break the law with their first step on American soil. And their first crime may not be their last.

Mr. Speaker, they are not just trespassing on our soil, they are laughing at our laws. They are violating our values. They are shattering our safety.

Mr. Speaker, this ought not to be. It must be stopped with a sealed border, and a common sense immigration process that puts America first.

And to the pandering politicians who prefer a plan of patronizing to the illegals to the detriment of citizens and legal immigrants, shame on you for your un-American policy. That's just the way it is.

RECOGNIZING BILLY CASPER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. HUNTER) is recognized for 5 minutes.

Mr. HUNTER. Mr. Speaker, I wanted to rise today to talk about an American hero, a hero from San Diego, California, Billy Casper, one of the great athletes to ever stride the greens and fairways of America's golf courses and compete in national and international tournaments with a great successful record, but also one of the greatest family men and greatest husbands, greatest father, greatest grandfathers who ever had a family in San Diego or helped a community or did all of the great things that Billy Casper has done.

I have got my friend, Mr. ISSA, to talk with me a little bit about Billy Casper. But Billy Casper was a great golfer. And he is celebrating, we are celebrating here, his first victory which was the LaBatt Open in Canada. I think he was 22 years old at the time.

I think he had at that time had married Shirley, who was his high school sweetheart from Chula Vista, and he followed that victory, the LaBatt Open, with some 50 more PGA professional victories, including two U.S. Opens and a Masters.

You know, people once said, Mr. Speaker, I know you coming from Long Beach, and then ultimately the entire State of California as our former Attorney General, you knew about Billy Casper, because he was a guy who was called by Johnny Miller, as the guy who had the greatest set of hands in golf, meaning one of the greatest touches.

He had what I think is the most memorable come-from-behind victory in the history of major golf in 1966, when he demonstrated those great hands when he was 7 shots behind the great Arnold Palmer in the closing 9 holes of the U.S. Open, 1966, playing at Olympic Country Club in San Francisco, and Billy Casper closed out with a 32 on the back 9 at Olympic, which is nearly miraculous.

He tied Arnold Palmer and he beat him the next day in a playoff with a 69. Now, they had The Big Three of Golf, Mr. Speaker. It was called Player, Palmer and Nicklaus. They needed the Big Three because between 1964 and 1970, they needed all three of their tournament victories added together to have more than Billy Casper because he had 4 more victories during that period than the great Jack Nicklaus, and he had more victories than Arnie and Gary Player together.

It is neat to be here with Mr. ISSA from San Diego and talk about this American hero, this San Diego sports hero, Billy Casper.

Mr. Speaker, I yield to the gentleman from California (Mr. ISSA).

Mr. ISSA. Mr. Speaker, I know you join with Mr. HUNTER and myself in recognizing the importance of California, and particularly San Diego as the golf club production and design capital of America. But a club is just what it sounds like unless you put it in the hands of somebody like Billy Casper, somebody who can do what Duncan Hunter cannot do, and I guarantee I cannot do with a club and that is make it send a ball straight and true or hook it if you need to hook it to make that special shot. Billy Casper had that talent, used that talent and was a great ambassador for our country here and around the world. I think it is very appropriate that we honor him here on the floor of the House tonight.

Mr. HUNTER. I thank Mr. ISSA for his contribution here, because Billy Casper has not only touched the hearts or touch the minds and memories of lots of sports writers and people who read those sports pages when he was amassing those 51 professional victories, but he touched the hearts of so many young people. And he and Shirley, his wonderful wife, have hearts as big as the 18th green at San Diego Country Club, and they have touched the lives of literally thousands and thousands of young people through the scholarship funds that they put together, through all the help they put together through Billy's annual tournament.

If you walk up to Billy Casper on the golf course, here is a guy who won a couple U.S. Opens and the Masters and a guy who lives in this era where sports idols charge money for their autographs. Billy Casper will stop what he is doing, he will look you in the eye, and if you are a young person he will really pay a lot of attention to you. He and Shirley are absolutely the greatest examples of what families should be like in this country. So it is neat to be here with my great colleague Darryl Issa and talk a little bit about this American hero, Billy Casper.

□ 2310

HONORING NORTH CAROLINA'S BEEKEEPERS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, I rise today in honor of the many of the hard working beekeepers in North Carolina's fifth congressional district. Beekeepers play an extremely important role in our society and often do not get the recognition they deserve.

Back in 1905, an obscure Swiss patent clerk named Albert Einstein published three papers that would later result in his receiving the Nobel Prize. During that same year, he gave a speech on a subject that fascinated him greatly, the marvelous honey bee. He said, "If the bee disappeared off the surface of the globe, then man would only have four years left to live."

Back then, much like it is today, the survival of the honey bee was threatened by pests and climate. The honey bee survived the challenges of Dr. Einstein's time but new obstacles have also emerged. Despite these challenges I am sure that Dr. Einstein would be happy to know that the honey bee is alive and well in North Carolina.

Next year the North Carolina State Bee Keeping Association celebrates its 90th year of helping local beekeepers succeed. I am happy to report that the association has seen a 58 percent increase in membership in just the past 2 years and now has more than 1,900 dues paying members. The organization is run entirely by volunteers without a single full time paid staff member. It is the largest bee keeping association of its kind in the Nation and some folks tell me the best.

According to Dr. David Tarpy, North Carolina State Agriculturist and head of the agricultural program at North Carolina State University, there are some 10,000 hobbiest beekeepers in North Carolina. I am proud of our North Carolina beekeepers and I want to tell you why. But first perhaps we should answer a basic question. Why do so many grown men and women fawn over this tiny insect and weighs less than an ounce and is so small it can rest on your fingernail? The answer reveals the secret of why so many are so passionate about their apiary hobby.

If you call the office in the North Carolina Department of Agriculture that works with beekeepers, you will be greeted by the words, "beneficial insects." After all, the honey bee is one of God's most beneficial creatures. She makes sweet honey that mankind has enjoyed for most of his time on the planet. The 100,000 colonies of bees managed by North Carolina beekeepers produce some $10 million worth of honey, almost all of which is consumed within the State. Some say our honey, especially the wonderful sourwood honey produced in the mountains, is just too good to send away.

The honey bee also pollinates 90 or more important food crops, a third of all the food we eat. Without proper pollination, many of these crops would not produce fruit. The value of honey bee pollination to North Carolina agriculture exceeds $100 million and is growing. Cucumbers are ninety percent dependent on honey bee pollination, blueberries 80 percent. Apples, melons and many vegetables are also dependent on the honey bee.

There is much more to this little bee than the delicious honey they make and even crops they pollinate. Modern medicine is returning to the old ways and rediscovering the practical use of many products from the hive in preventing and curing disease. Honey was used to treat burns and minor wounds by the ancient Greek, Chinese, Roman and Egyptian civilizations. The jelly that worker bees use to grow their new baby queens is a highly valued and expensive cosmetic. Pure beeswax makes wonderful candles and is a reliable industrial grade lubricant. There is much anecdotal evidence that bee venom is an effective remedy for arthritis and multiple sclerosis. And most recently, sticky, resinous propolis from the hive, once considered a nuisance is now the subject of a major cancer treatment research project at Wake Forest University.

Speaker after speaker at the annual beekeeping conferences tell us that North Carolina has the best State wide organization of beekeepers in the entire Nation. Many people in many organizations deserve credit for this success.

In 1975 Dr. John Ambrose came to work for North Carolina State University as an extension bee keeping specialist. Dr. Ambrose led an important era of growth for beekeeping in North Carolina, expanding the position to a major teaching and research position that is now held by Dr. Tarpy. This position is one of the best of its kind in the entire Nation.

The U.S. Department of Agriculture bee labs also play an important role in finding and developing new ways to protect of the honey bee.

J.D. Foust has been president of the North Carolina association of Beekeepers for the past 3 years and has led the organization through its fastest growth ever. Brady Mullinax of Forsyth County, has been a stalwart in the organization for more than half a century. Steve and Sandy Forrest, proprietor of Brushy Mountain Bee Farm in Wilkesboro, have build a thriving business out of supplying beekeepers with equipment and supplies and are now the third largest beekeeping supplier in the entire Nation.

The typical beekeeper in North Carolina not unlike the solitary yeoman farmer who, with an ax and hoe, carved North Carolina's vast agri-business economy from the wilderness that once swept from the Atlantic and Mississippi River. He takes his chances and usually at the end of another season, there is sufficient honey for him to sell at his roadside stand and leave enough for the bees to survive another winter.

For many beekeepers in my district the honey they produce is their Christmas money and an important part of their annual disposable income. I am proud of our beekeepers, for they are the residual spirit of the early pioneers who built this country on little more than strong backs and a desire to be free.

If Albert Einstein was correct in his fear that the survival of mankind depends in large part on the survival of the honey bee, I am confident that the honey bee is in safe hands among so many North Carolina passionate beekeepers.

□ 2320

HONORING JUDGE WILLIAM M. STEGER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, this week, America, Texas and East Texas mourn the loss of Federal District Court Judge William Merritt Steger.

As former law clerk and good friend Andy Tindel said, "Judge Steger was one of the finest, fairest, most honest man I have ever had the privilege of practicing law before."

While Bill Steger was studying prelaw, the Japanese bombed Pearl Harbor on December 7, 1941. And within 24 hours the 21-year-old had withdrawn from Baylor University and volunteered for service. The Dallas native has always wanted the opportunity to become a pilot, and with the Nation entering World War II, he took a chance.

On November 9, 1942, he got his wings. Then after training he was sent to Casablanca and flew 56 combat missions for which he received an air medal and four oak leaf clusters.

While later training other pilots, Captain Steger also tested the first U.S. jet airplanes.

Once his Nation was secure, Bill Steger went back to school and received his law degree from Southern Methodist University, that is, their law school.

He married his wife, Ann Hollandsworth Steger, on Valentine's Day in 1948. They had one child, the late Merritt Reed Steger, who was one of my younger brother David's closest friends.

Judge Steger entered and engaged in private practice in Longview and Tyler and headed up numerous east Texas campaign clubs for Dwight D. Eisenhower for President. After the election, President Eisenhower appointed Judge Steger in 1953 to the position of U.S. attorney for East Texas at the young age of 32.

In 1960, he and a good friend debated which one should run for governor and which one should run for senator. Their goal was to bring the Republican party into popularity in the State of Texas. Because Texas was conservative, it seemed to Judge Steger that it would be a good fit, but he was blazing a trail. He ended up being the one to run for governor against a very popular John Connally, and Judge Steger's good friend John Tower ran for senator. The Republican party had never before then received enough votes to hold a primary, and though Judge Steger knew he would not win the race, he hoped he would get the requisite 200,000 votes so the Republican party could hold a primary in the next election. Judge Steger actually received more than 600,000 votes.

In 1962, Judge Steger was persuaded to run for Congress and received 49 percent of the vote, lacking only 1,300 votes to beat his Democratic opponent who was the incumbent.

Bill Steger became a Federal district judge for the Eastern District of Texas in December of 1970 after President Richard Nixon nominated him. He truly loved being a jurist, and he was a hardworking, dedicated, cerebral, no-nonsense, constitutional constructionist judge whose discerning intellect could always cut straight to the heart of any issue.

In 1987, Judge Steger assumed senior active status duty, but since then still continued to handle a full docket. December 1, 2005, marked 35 years on the Federal bench for Judge Steger, and since his appointment in 1970, he had handled more than 15,000 cases.

Judge Steger received the Justinian Award May 7, 2004, at the annual Tyler Law Day luncheon for his community service, legal ethics and professionalism.

He was a Baptist, a charter member and a deacon of Green Acres Baptist Church, helping to nurse it through its early days of going from nonexistent to its current 12,000 members. He was a confidant for me, a friend and a wise sounding board.

He and Ann endured the worst heartache a couple can face in the loss of their only child, Reed, in a tragic scuba diving accident, but the manner in which Judge Steger dealt with such devastation and allowed his faith, God's help, and Ann's companionship to help overcome the horrendous blow will help inspire me the rest of my life.

Judge Steger was a heroic patriot; a caring father; a loving husband; an even-handed, clear-thinking, constitutionally reverent judge; a personal mentor; and a cherished friend whom I came to know through my brother 25 to 30 years ago.

Always having had the courage of his convictions despite the odds against him, Judge Steger was and is a profile in courage whose memory will continue to inspire me the rest of my life.

God bless the Stegers and God bless America.

REMEMBERING NORMANDY

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Under a previous order of the House, the gentleman from California (Mr. ISSA) is recognized for 5 minutes.

Mr. ISSA. Mr. Speaker, I rise with my colleague from California (Mr. HUNTER), the chairman of the Armed Services Committee, to recognize that it is now the 61st year to remember Normandy, to remember that special time when the world waited and hoped that the allies, led by the United States, dominated by the United States, would free Europe, the European mainland, from the effects of fascism, the effects of allowing a petty dictator to build an Army and begin expanding his borders.

Mr. Speaker, I find it particularly appropriate that just a week ago at the Memorial Day commemoration at Mt. Soledad in San Diego where Congressman HUNTER and I both live, we were faced with the exact same situation that we see in Normandy: crosses. We were faced looking at a memorial that remembers all of our fallen heroes from previous wars that was put there because of our fallen heroes of the Korean War and now is in jeopardy of being taken away because somebody says that if it is in the shape of a cross, it must by definition be a religious statement.

My colleague and I, I believe, are here tonight to remember Normandy and remember those many crosses that we have seen across the land and above the cliffs of Normandy and remember that those crosses do not stand for Jesus Christ or for religion. Those crosses stand for the men and women buried below.

With that, I yield to the gentleman from California (Mr. HUNTER), my colleague, the chairman of the Armed Services Committee.

Mr. HUNTER. Mr. Speaker, I thank my colleague for yielding, and I think it is appropriate to recall the days of Normandy.

The gentleman said those days when the world waited to find out whether or not that very difficult mission would be successful, and you know, the theme I think that we should take from Normandy or the message from Normandy was that our soldiers came not to conquer but to liberate. That is consistent with the American theme throughout the last century, and it is consistent with the theme that is being carried out by about 130,000 men and women in the sands of the Iraqi desert right now.

And that is, that all the wars that we fought in the last century, wars in which we lost 619,000 Americans killed in action on the battlegrounds and the oceans and the airways of the various wars, we did not conquer, we did not covet land. When we won the Spanish American War, we gave back Cuba and the Philippines, gave them their freedom. When we went to save Europe the first time, we gave back all that ground that had been hard won by the Marines at Bellawood and by the U.S. Army and so many difficult battles. In World War II, having liberated Europe a second time in that century, we gave back all that land that had been so dearly won.

And today, in Iraq, we are not engaged in military operations so that we can somehow derive material benefits from that country or somehow enslave the inhabitants of that country and turn them toward our political benefit and our economic benefit.

We do it because we think that it is in the interests of the United States to spread freedom, to change the world, and I think lots of Americans understand that if we do not change the world, the world is going to change us.

Those heroes who have won now some 45,000 Bronze Stars for meritorious service and for valor in the battlefields of Iraq and Afghanistan I think are every bit as courageous and, in many cases, are related to and the descendants of those incredible people who climbed the cliffs at Normandy and went up those beaches.

Some of those landing craft opened up and the Americans were machine gunned before they could get out of the craft, and there were men bobbing in those waves, some of them dead before they hit the water. Others got to the beach and went down, and you can see the dramatic newsreels that show Americans falling as they are taking that beach, and then still others got to the base of the cliffs, and then some scaled those cliffs.

Of course, we had others that came in, paratroopers, some of whom landed in dug-in positions that the enemy had established and were killed before their chutes could reach the ground. Others that went in in gliders, not an avocation that is conducive to longevity, and others simply went in the old-fashioned way, but they went in for freedom. They went in for America, and they liberated, and that is the theme of Normandy.

I thank my colleague for yielding this time.

Mr. ISSA. Mr. Speaker, I thank my colleague and I thank the Speaker for the opportunity to remind the world that the only land we ever covet are the small plots around the world in which we bury our dead.

□ 2330

THE DEBT, THE DEFICIT, AND THE FUTURE OF THE COUNTRY

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Under the Speaker's announced policy of January 4, 2005, the gentleman from Arkansas (Mr. ROSS) is recognized for half the time remaining before midnight as the designee of the minority leader.

Mr. ROSS. Mr. Speaker, this evening I rise on behalf of the 37-member strong fiscally conservative democratic Blue Dog coalition. We are 37 fiscally conservative Democrats that are united in the name of fiscal discipline and common sense. We are very concerned about the debt, the deficit, and the future of this country that we are leaving for our children and grandchildren.

As you can see right here, today, the United States national debt is $8,369,917,837,082 and some change. And if we divide that number by every man, woman, and child, including those being born today, everyone in America's share, including the children, amounts to about $28,000. It is what we call the debt tax, D-E-B-T, and that is one tax that cannot go away until we get our Nation's fiscal house in order.

Because, Mr. Speaker, you see, our Nation is spending about $.5 billion a day not paying principal but simply paying interest on the national debt. One half billion dollars a day. Give me 3 days' interest on the national debt and I can build Interstate 69 through Arkansas. Give me another 3 days' interest on the national debt and I can complete Interstate 49 in Arkansas. Give me less than a day's interest on the national debt, and I can complete the Hot Springs Expressway. Give me less than a day's interest on the national debt, and I can complete I–530 through Arkansas. Give me a couple days' interest on the national debt and I can make the Red River navigable all the way up to Fulton, Arkansas, at Interstate 30.

It is these type of priorities that can create economic opportunities and jobs for our people that will continue to go unmet until our Nation, until this Republican Congress gets its fiscal house in order.

You will find these posters, Mr. Speaker, that change daily. Unfortunately, the number continues to increase daily. But you will find these posters by the door to every one of the 37 members of the fiscally conservative Democratic Blue Dog coalition. You will find this by our doors in the halls of Congress because we want America to know. We want America to know that this reckless spending, this reckless spending that has been provided to us under the leadership of this Republican Congress must stop.

You know, this is the first time in well over 50 years that the Republicans have controlled the White House, the House, and the Senate. And what have they given us? They have given us failure after failure. They failed in the aftermath of Hurricane Katrina. They failed with their energy policy. They have failed with their war policy in Iraq. They have failed with their Medicare prescription drug plan implementation. And they have failed by giving us the largest deficit ever in our Nation's history for a fifth year in a row.

The projected deficit for fiscal year 2007? You will hear a lot of people say it is $350 billion. Not so. The real deficit for fiscal year 2007 is $545 billion. Because, you see, when the Republican leadership tells you the deficit is $350 billion, and that is bad enough, it is one of the largest deficits ever in our Nation's history, but the reality is when they say it is $350 billion, they are counting the money that they are borrowing from the Social Security Trust Fund. Without the Social Security Trust Fund, the real deficit projected for fiscal year 2007 is $545 billion.

The first bill I filed when I got to Congress was a bill to tell the politicians in Washington to keep their hands off the Social Security Trust Fund. Now I am beginning to understand why the Republican leadership refused to give me a hearing or a vote on this bill, because today they are using the Social Security Trust Fund to help pay for this reckless spending, this deficit spending.

But this is not new. In fiscal year 2006, the deficit was $372 billion. In 2005, it was $318 billion. In 2004, it was $412 billion. In fact, this Republican administration, this Republican Congress has given us a deficit every year since 2002. It is hard now to believe that we had a balanced budget in this country from 1998 through 2001, but we did.

And why is this important? Why is this important? The total national debt from 1789 until 2000 was $5.67 trillion. But by 2010, the total national debt will have increased to a whopping $10.88 trillion. Mr. Speaker, this is a doubling, a doubling of the 211-year debt in just 10 years. Interest payments on this debt are one of the fastest growing parts of the Federal budget, and the debt tax, D-E-B-T, is one tax that cannot be repealed.

The current national debt: $8,369,917,837,082 and some change. Each individual's share of the national debt, including every man, woman, and child alive tonight, is somewhere around $28,000. Well, the average household income in my district is not much more than that, Mr. Speaker. Yet it would take that amount of money from every living man, woman, and child in this country to wipe out this national debt.

It is time for this Republican Congress to stop this reckless spending. It is time for this Republican Congress to address our Nation and its spending habits with a good dose of common sense.

Now, why do deficits matter? Deficits reduce economic growth. They burden our children and grandchildren with liabilities. We spend today, and it is our children and grandchildren that get stuck with the bills. They increase our reliance on foreign lenders, who now own about 40 percent of our debt. That is right, this President and this Republican Congress has borrowed more money from foreign central banks and foreign investors in the past 5½ years than the previous 42 Presidents combined.

The U.S. is becoming increasingly dependent on foreign lenders. Foreign lenders currently hold a total of about $2 trillion of our Nation's public debt. Compare this to only $23 billion in foreign holdings back in 1993.

So who do we owe all this money to? The top ten current lenders are: Japan. We have borrowed, our Nation has borrowed, this Republican Congress and this Republican administration has borrowed $640.1 billion from Japan. China, $321.4 billion.

As my friend John Tanner has pointed out, if China decides to invade Taiwan, we will have to borrow more money from China to defend Taiwan. This is a dangerous path that we are going down as a Nation, owing all this money to foreign central banks and foreign investors.

The United Kingdom. We have borrowed, our Nation has borrowed $179.5 billion from the United Kingdom. OPEC. And we wonder why gasoline is approaching three bucks a gallon. Our Nation has borrowed $98 billion from OPEC. Korea, $72.4 billion. Taiwan, $68.9 billion. The Caribbean banking centers, $61.7 billion. Hong Kong, $46.6 billion. Germany, $46.5 billion.

And Mexico. Imagine that, our Nation has borrowed $40.1 billion from Mexico. To do what? To finance the war in Iraq, to finance tax cuts for those earning over $400,000 a year. And the list goes on and on.

□ 2340

Again, our national debt is $8,369,917,837,082 and some change, and this is just a small sampling of where $2 trillion of that debt has come from. It has come from foreign central banks and foreign investors.

Mr. Speaker, if you have any questions or comments or concerns about what I am talking about tonight as it relates to the debt and the deficit and trying to restore some common sense and fiscal discipline to our Nation's government, I invite you to e-mail us at BlueDog@mail.house.gov. Again, there are 37 members of the fiscally conservative Democratic Blue Dog Coalition. Our mission is to restore some common sense and fiscal discipline to our Nation's government.

Again, Mr. Speaker, if you have any comments, questions or concerns to raise with us, I would encourage you to e-mail us at BlueDog@mail.house.gov.

I do not raise these issues to simply beat up the Republicans. They are doing a pretty good job of that on their own these days. Public opinion polls indicate that. There is an all-time low approval rating with their leadership in this House and the Senate, with the White House and the Supreme Court.

But I raise these issues to set the stage for the Blue Dog 12-point reform plan. We have a 12-point plan for curing our Nation's addiction to deficit spending.

Number one, require a balanced budget. Forty-nine States require a balanced budget. I know at the Ross home in Prescott, Arkansas, my wife requires us to have a balanced budget. I do not believe it is asking too much of our Nation to have a balanced budget.

Number two, do not let Congress buy on credit. Every time a Member of Congress comes down here and wants to introduce legislation to fund a new program, they should have to show us which program they are going to cut to fund that new program.

Put a lid on spending. This Republican Congress just from 2001 to 2003, their government spending soared by 16 percent. We want to put strict spending caps to slow the growth of runaway government programs.

Number four, require agencies to put their fiscal houses in order. According to the Government Accounting Office, 16 of 23 major Federal agencies cannot issue a simple audit of their books. Worse, the Federal Government cannot account for $24.5 billion it spent back in 2003. This is the kind of leadership this Republican Congress has given America. Government auditors should be doing a better job of tracking taxpayer dollars. We want to restore accountability to our government.

Number five, make Congress tell taxpayers how much they are spending. Many spending bills slide through Congress on a voice vote with no debate, and many Members vote on bills without knowing their true cost. The Blue Dog Coalition proposes that any bills calling for more than $50 million in new spending must be put to a roll call vote.

Set aside a rainy day fund. That is common sense. We all know we are going to be faced with unexpected happenings and disasters.

Do not hide votes to raise the debt limit. We should have a separate standalone vote when this Republican Congress proposes raising the debt limit instead of hiding it in another bill.

Justify spending for pet projects.

And ensure that Congress reads the bills it is voting on. Now we cannot do that, but think about this, over the past few years, some of the largest spending bills in American history have been voted on after only a few hours of consideration. For example, the Medicare prescription drug bill, remember that one, now estimated to cost $720 billion or more over the next 10 years, went to a vote barely a day after the final version of the 500-plus-page bill was made available to Members of Congress.

As members of the Blue Dog Coalition, we propose that Members of Congress should be given a minimum of 3 days to have the final text of legislation made available to them before there is a vote.

Require honest cost estimates for every bill that Congress votes on.

Make sure new bills fit the budget. That is why we have a budget.

Finally, make Congress do a better job of keeping tabs on government programs. Again, getting back to the word "accountability."

So, Mr. Speaker, I am not here tonight to simply lay blame on this Republican leadership for the largest deficit ever in our Nation's history. I am here to offer up a plan, the Blue Dog Coalition's 12-point reform plan, for curing our Nation's addiction to deficit spending.

OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. PRICE) is recognized for the remaining time before midnight as the designee of the majority leader.

Mr. PRICE of Georgia. Mr. Speaker, I want to take these few short moments and bring a little more positive perspective, a brighter outlook, and hopefully a little more unifying message than we have just heard and, frankly, than we often hear in the United States House Chamber, especially by some of my good friends from the other side of the aisle.

We call this the Official Truth Squad. I thank the leadership and the conference for allowing me to come and share a few words tonight.

The Official Truth Squad grew out of a frustration on the part of the freshmen class of the Republican Conference. We all were elected in 2004, 24 strong, now 26 of us here in the United States House of Representatives. After a relatively few number of months, we grew frustrated with the fact that there was a lot of misinformation and a lot of distortion and a lot of frankly deception that was going on here. And so what we wanted to do was to put together a group of folks that would come to the House floor and try as best we could to provide some truth, some facts to the situations that we address here in the United States House of Representatives.

We have just gotten back, Mr. Speaker, from a week at home, a district work period, over the Memorial Day week. I heard from constituent after constituent about two big issues. One was illegal immigration, obviously the largest issue we have to deal with as a Nation right now. But the second one in meeting after meeting after meeting with constituent after constituent all across my district on the north side of Atlanta was people asking why on earth is Congress so divided. Why is it so partisan? Why do you have the kind of sniping that goes on? And I am loathe to answer that question because it is so difficult to understand why there are many in this Chamber who are not interested in working positively or productively together. It just boggles my mind.

These are not Democrat problems or Republican problems, Mr. Speaker; these are American problems. And American problems deserve a united Congress working together.

So what you have just heard in the last 15 minutes is an individual who will tell you that, quote, "this is a Republican Congress problem." Well, Mr. Speaker, we do better if we work together. The fact is that it is extremely difficult to get anything moving forward positively in Congress without the support of many different folks. And so we work better when we work together.

What you hear so often is what I call the politics of division. The politics of division is so destructive, they do a disservice to every single one of us in this Nation.

I tried to put some words to the consequences of the politics of division, and I think I have found a quote. I have shared it with you before, Mr. Speaker, and it comes from the Reverend William Boetcker, who was a philosopher and leader around the time of the late 19th century and early 20th century. He described what he said was a social philosophy and he attributed it to Abraham Lincoln. Nobody can actually determine whether President Lincoln actually said these words, but Reverend Boetcker talked about them, and I think they crystallize and capture my concern, my suspicion about what the consequences are of this politics of division that is so destructive.

□ 2350

He said, "You cannot bring about prosperity by discouraging thrift. You cannot strengthen the weak by weakening the strong. You can't help the wage earner by pulling down the wage payer, you cannot encourage the brotherhood of man by encouraging class hatred, and you cannot help the poor by destroying the rich.

Now, Mr. Speaker, that kind of crystallizes, I think, what is a unifying American philosophy. It is a philosophy that would serve us extremely well here in the United States House of Representatives.

How often do you hear people just castigate out individuals who are more wealthy than others, destroying the rich in an effort to build up the poor. It doesn't work that way, Mr. Speaker. It doesn't work that way. Our system never has. Our system never has done that.

And so the Official Truth Squad tries to bring some credibility and truth to these discussions. We have adopted a motto which is a quote from a wonderful United States Senator, Daniel Patrick Moynihan from the State of New York. And this quote, I think, makes it so that everybody has to be held accountable. And what Senator Moynihan said is that everyone is entitled to their opinion. And they are, and opinions are here in the countless number. Everyone's entitled to their opinion, but they're not entitled to their own facts. Everyone's entitled to their opinion, but they are not entitled to their own facts, which is why it is so, frankly, troubling, Mr. Speaker, that the Blue Dog group gets up here night after night, week after week and talks about how they want to be fiscally responsible.

You know, we used to say that folks who were politicians that said one thing at home and did something different in Washington weren't being responsive to their constituents. Well, the Blue Dogs have perfected the art of saying one thing in Washington and doing another thing in Washington. And we will use some facts, Mr. Speaker. Here are some facts. You want to talk about facts? During the fiscal year 2006 budget, this was the plan of the Blue Dogs and the Democrats. Instead of being responsible about spending, they offered programs that would have spent 21.5 more billion dollars. You didn't hear that from folks on the other side of the aisle. That is the truth, Mr. Speaker. That is the truth.

How many in new taxes? $54 billion in new taxes. Talk to me now about what the truth is and what is being proposed and what is being said in Washington and what is being voted on in Washington and what is being said back home.

How many mandatory savings? The Republican conference, all on their own, in a very difficult way, because we got no cooperation from folks who will tell you one thing at home, in fact, they will tell you one thing, that same thing in Washington, but they will do exactly the opposite. We gained $40 billion this savings with the Deficit Reduction Act.

Earlier this year, how much mandatory savings on the part of the other side? Zero. Zero, Mr. Speaker. That is the truth. That is a fact. That is not opinion. That is a fact.

The bills that they brought forward, the Blue Dogs, my good colleague just before me, talked about wanting a balanced budget. We have given them an opportunity to vote on a balanced budget. In fact, we did so just 3 or 4 weeks ago here on the floor of the House of Representatives. Not a single one of those 37 Blue Dogs voted in favor of that balanced budget. Not one.

They talk about making certain that you pay as you go, that you only pay for programs that you have the money for. We have offered that on the floor of the House, Mr. Speaker. We do not get the support of the Blue Dogs.

They talk about having a rainy day fund. Doesn't it make wonderful sense to have a rainy day fund because we know year after year after year we will have emergencies like Katrina or other emergencies. There is an average of $20 billion annually where there are emergencies that need Federal money during the course of any given year on average. $20 billion.

So what does the Republican Congress propose that we are being accused of doing? In fact, what we do propose is a rainy day fund in the budget that we just adopted for fiscal year 2007. How many Members of the Blue Dog, how many of those 37 Blue Dogs voted in favor of that rainy day fund? Mr. Speaker, not one. Not one. Same number that we got when we talk about the mandatory savings. Zero. Not one of them support it.

I want to talk about a little positive information about this economy because you won't, you may not hear about it on the nightly news. You may not read about it in your newspapers. You certainly won't hear about it from some folks who want to make certain that they practice this politics of division and this politics of deception.

Did you see the new job figures, Mr. Speaker, last month, the month of May? 75,000 new jobs created. And this economy, over the past 12 months has created 1.9 million new jobs. 1.9 million new jobs. More than 5.3 million new jobs since August of 2003.

The unemployment rate has fallen to 4.6 percent, lower than the average of the 60s, 70s, 80s and 90s.

Mr. Speaker, a picture oftentimes says it so much better than any of us can, so let me see if I can show you the picture of that kind of job growth that we have seen over the past 3 years. Here it is on a graph. Here we are in January 2002 with unemployment up at about 5.7 to 8 percent. Here is the job growth at that time. And then on the bottom, we have the number of months going by. We haven't even gotten to this month. But earlier this year, what has happened to the unemployment rate? It has gone down, Mr. Speaker. What's happened to the job growth? It has gone up significantly. Again, 5.3 million new jobs since August of 2003.

So the curious individual, the individual who wanted to solve problems and work positively and productively on behalf of the American people would say well, what happened when this seemed to change, when unemployment rates began to go down, when the job growth began to go up? What happened? What occurred there?

Well, lo and behold, Mr. Speaker, you know what happened. We had tax decreases, appropriate tax decreases, responsible tax decreases. By making certain that Americans got to keep more of their own money, and when you allow Americans to keep more of their own money, what happens? They spend it and they save it in wise ways and then the economy flourishes. So because of the tax policies of this Congress, of this Congress, and this administration, we have seen increasing job growth and decreasing unemployment.

What else about the economy is going on? Revised reports show the fastest real gross domestic product growth in over 2½ years in the first quarter. Real GDP growth grew at an annual rate of 5.3 percent in the first quarter. Productivity increased at an annual rate of 3.7 percent in the first quarter. Hourly compensation, real hourly compensation rose at a 3.2 annual percentage rate in the first quarter. Personal income increased at an annual rate of 6.7 percent in April. Since January of 2001, real after tax income has risen by 12.9 percent. Why, Mr. Speaker? Because of tax policies, appropriate responsible tax policies put in place by this Congress, this administration, this leadership. And oftentimes, in spite of what you hear at home, and in spite of what you hear by my friends on the other side of the aisle, oftentimes, more often than not, frankly, without a single individual helping on that side of the aisle.

In fact, they come down and they say these tax decreases, the tax reductions will destroy the economy, will throw people out on the streets. But, Mr. Speaker, you know what happens. What happens is that unemployment goes down, job growth goes up, and in fact, sometimes they will even say that at 1 minute and then they will vote for the same thing that they just said was awful, just said was awful just a moment before that.

Mr. Speaker, truth is so doggone important in the public discourse. Remember, you can have your own opinions, but you are not welcome to your own facts. You have got to talk about facts. And that is why the Official Truth Squad takes the opportunity as often as possible to come down here and talk about facts, talk about facts with the American people because the politics of division again, does a disservice to every single American.

Mr. Speaker, we live in a glorious Nation, a wonderful Nation, a Nation that is still seen by men and women around the world as a beacon of liberty and a repository of hope. I am proud to serve in the United States House of Representatives and to have the opportunity to share a positive, productive perspective and vision with my colleagues, and I hope that we can be joined by more and more colleagues on both sides of the aisle as we work to solve the incredible challenges that we have before us as a Nation. Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BACA (at the request of Ms. PELOSI) for today.

Mr. DAVIS of Alabama (at the request of Ms. PELOSI) for today on account of primary elections.

Ms. HARMAN (at the request of Ms. PELOSI) for today on account of official business.

Mr. REYES (at the request of Ms. PELOSI) for today on account of a family illness.

Ms. SCHAKOWSKY (at the request of Ms. PELOSI) for today.

Mr. UDALL of New Mexico (at the request of Ms. PELOSI) for today on account of official business in the district.

Ms. WASSERMAN SCHULTZ (at the request of Ms. PELOSI) for today.

Ms. WATERS (at the request of Ms. PELOSI) for today.

Ms. WOOLSEY (at the request of Ms. PELOSI) for today.

Mrs. BONO (at the request of Mr. BOEHNER) for the week of June 6 on account of her son's graduation from high school.

Mr. GIBBONS (at the request of Mr. BOEHNER) for today and the balance of the week on account of attending his son's high school graduation.

Mr. KENNEDY of Minnesota (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mrs. MILLER of Michigan (at the request of Mr. BOEHNER) for today and the balance of the week on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ROSS) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, today.

Mr. ENGLISH of Pennsylvania, for 5 minutes, June 7.

Mr. HUNTER, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today and June 7, 8, and 9.

Mr. BURTON of Indiana, for 5 minutes, today and June 7, 8, and 9.

Mr. BLUNT, for 5 minutes, June 13.

Ms. FOXX, for 5 minutes, today and June 7 and 8.

Mr. GOHMERT, for 5 minutes, today.

Mr. PAUL, for 5 minutes, June 7, 8, and 9.

Mr. JONES of North Carolina, for 5 minutes, June 12 and 13.

Mr. SODREL, for 5 minutes, June 7.

Mr. ISSA, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2784. An act to award a congressional gold medal to Tenzin Gyatso, the Fourteenth Dalai Lama, in recognition of his many enduring and outstanding contributions to peace, non-violence, human rights, and religious understanding; to the Committee on Financial Services.

S. 3322. An act to build operational readiness in civilian agencies, and for other purposes; to the Committee on International Relations.

ENROLLED BILLS SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1953. An act to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the "Granite Lady", and for other purposes.

H.R. 3829. An act to designate the Department of Veterans Affairs Medical Center in Muskogee, Oklahoma, as the Jack C. Montgomery Department of Veterans Affairs Medical Center.

H.R. 5401. An act to amend section 308 of the Lewis and Clark Expedition Bicentennial Commemorative Coin Act to make certain clarifying and technical amendments.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1235. An act to amend title 38, United States Code, to improve and extend housing, insurance, outreach, and benefits programs provided under the laws administered by the Secretary of Veterans Affairs, to improve and extend employment programs for veterans under laws administered by the Secretary of Labor, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on May 25, 2006, she presented to the President of the United States, for his approval, the following bills.

H.R. 5037. To amend titles 38 and 18, United States Code, to prohibit certain demonstrations at cemeteries under the control of the National Cemetery Administration and at Arlington National Cemetery, and for other purposes.

ADJOURNMENT

Mr. PRICE of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Wednesday, June 7, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7767. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on U.S. military personnel and U.S. individual civilians retained as contractors involved in supporting Plan Colombia, pursuant to Public Law 106-246, section 3204 (f) (114 Stat. 577); to the Committee on Armed Services.

7768. A letter from the Deputy Secretary, Department of Defense, transmitting the semiannual report of the Inspector General for the period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Armed Services.

7769. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7770. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7771. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7772. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7773. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7774. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7775. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7776. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

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7779. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Financial Services.

7780. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7781. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7782. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7783. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7784. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 06-32, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on International Relations.

7785. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-386, "My Sister's Place, Inc. Grant Authority Temporary Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7786. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-387, "Disclosure of Mental Retardation and Developmental Disabilities Fatality Review Committee and Mental Retardation and Developmental Disabilities Incident Management and Investigations Unit Information and Records Temporary Amendment Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7787. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-385, "National Guard Operations Coordination Temporary Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7788. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-383, "Tobacco Settlement Trust Fund and Tobacco Settlement Financing Amendment Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7789. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-382, "Closing of a Portion of S Street, S.E., a Portion of 13th Street, S.E., and Public Alleys in Squares 5600 and 5601, S.O. 04-11912, Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7790. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-381, "Organ and Tissue Donor Registry Establishment Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

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7818. A letter from the Assistant Director, Executive & Political Personnel, Department of the Navy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7819. A letter from the Assistant Director, Executive & Political Personnel, Department of the Navy, transmitting a report pursuant to the Federal Vacancies Reform Act

Mr. UDALL of New Mexico (at the request of Ms. PELOSI) for today on account of official business in the district.

Ms. WASSERMAN SCHULTZ (at the request of Ms. PELOSI) for today.

Ms. WATERS (at the request of Ms. PELOSI) for today.

Ms. WOOLSEY (at the request of Ms. PELOSI) for today.

Mrs. BONO (at the request of Mr. BOEHNER) for the week of June 6 on account of her son's graduation from high school.

Mr. GIBBONS (at the request of Mr. BOEHNER) for today and the balance of the week on account of attending his son's high school graduation.

Mr. KENNEDY of Minnesota (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mrs. MILLER of Michigan (at the request of Mr. BOEHNER) for today and the balance of the week on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. ROSS) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

(The following Members (at the request of Ms. FOXX) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, today.

Mr. ENGLISH of Pennsylvania, for 5 minutes, June 7.

Mr. HUNTER, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today and June 7, 8, and 9.

Mr. BURTON of Indiana, for 5 minutes, today and June 7, 8, and 9.

Mr. BLUNT, for 5 minutes, June 13.

Ms. FOXX, for 5 minutes, today and June 7 and 8.

Mr. GOHMERT, for 5 minutes, today.

Mr. PAUL, for 5 minutes, June 7, 8, and 9.

Mr. JONES of North Carolina, for 5 minutes, June 12 and 13.

Mr. SODREL, for 5 minutes, June 7.

Mr. ISSA, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2784. An act to award a congressional gold medal to Tenzin Gyatso, the Fourteenth Dalai Lama, in recognition of his many enduring and outstanding contributions to peace, non-violence, human rights, and religious understanding; to the Committee on Financial Services.

S. 3322. An act to build operational readiness in civilian agencies, and for other purposes; to the Committee on International Relations.

ENROLLED BILLS SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1953. An act to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the "Granite Lady", and for other purposes.

H.R. 3829. An act to designate the Department of Veterans Affairs Medical Center in Muskogee, Oklahoma, as the Jack C. Montgomery Department of Veterans Affairs Medical Center.

H.R. 5401. An act to amend section 308 of the Lewis and Clark Expedition Bicentennial Commemorative Coin Act to make certain clarifying and technical amendments.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1235. An act to amend title 38, United States Code, to improve and extend housing, insurance, outreach, and benefits programs provided under the laws administered by the Secretary of Veterans Affairs, to improve and extend employment programs for veterans under laws administered by the Secretary of Labor, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on May 25, 2006, she presented to the President of the United States, for his approval, the following bills.

H.R. 5037. To amend titles 38 and 18, United States Code, to prohibit certain demonstrations at cemeteries under the control of the National Cemetery Administration and at Arlington National Cemetery, and for other purposes.

ADJOURNMENT

Mr. PRICE of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Wednesday, June 7, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7767. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on U.S. military personnel and U.S. individual civilians retained as contractors involved in supporting Plan Colombia, pursuant to Public Law 106-246, section 3204 (f) (114 Stat. 577); to the Committee on Armed Services.

7768. A letter from the Deputy Secretary, Department of Defense, transmitting the semiannual report of the Inspector General for the period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Armed Services.

7769. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7770. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7771. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

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7783. A letter from the General Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7784. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting Transmittal No. 06-32, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on International Relations.

7785. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-386, "My Sister's Place, Inc. Grant Authority Temporary Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7786. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-387, "Disclosure of Mental Retardation and Developmental Disabilities Fatality Review Committee and Mental Retardation and Developmental Disabilities Incident Management and Investigations Unit Information and Records Temporary Amendment Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7787. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-385, "National Guard Operations Coordination Temporary Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7788. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-383, "Tobacco Settlement Trust Fund and Tobacco Settlement Financing Amendment Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

7789. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-382, "Closing of a Portion of S Street, S.E., a Portion of 13th Street, S.E., and Public Alleys in Squares 5600 and 5601, S.O. 04-11912, Act of 2006," pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

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7825. A letter from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7826. A letter from the Executive Secretary/Chief of Staff, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7827. A letter from the Director, Regulatory Management Division, Office of Executive Secretariat, Department of Homeland Security, transmitting the Department's final rule — Eligibility of Arriving Aliens in Removal Proceedings to Apply for Adjustment of Status and Jurisdiction to Adjudicate Applications for Adjustment of Status [CIS No. 2387-06] [DHS Docket No. USCIS-2006-0010] (RIN: 1615-AB50) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

7828. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Wishkah River, WA [CGD13-05-040] (RIN: 1625-AA09) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7829. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Maryland Swim for Life, Chester River, Chestertown, MD [CGD05-06-006] (RIN: 1625-AA08) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7830. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Chesapeake Bay, between Sandy Point and Kent Island, MD [CGD05-06-003] (RIN: 1625-AA87) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7831. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Delaware River, Delaware City, DE [CGD05-06-035] (RIN: 1625-AA08) received May 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7832. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Chesapeake Bay; Correction [CGD05-05-130] (RIN: 1625-AA08) received May 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7833. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Martin Lagoon, Middle River, MD [CGD05-06-031] (RIN: 1625-AA08) received May 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7834. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Upper Mississippi River, Iowa and Illinois [CGD08-06-018] (RIN: 1625-AA09) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7835. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Upper Mississippi River, Iowa and Illinois [CGD08-06-007] (RIN: 1625-AA09) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7836. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Lake Washington Ship Canal, WA [CGD13-06-014] (RIN: 1625-AA09) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7837. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Back Bay of Biloxi, Biloxi, MS [CGD08-06-015] (RIN: 1625-AA09) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7838. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Southern Branch of the Elizabeth River, Chesapeake, VA [CGD05-06-041] (RIN: 1625-AA09) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7839. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Potomac River, between Maryland and Virginia [CGD05-06-040] (RIN: 1625-AA09) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7840. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Townsend Gut, Booth Bay and Southport, ME [CGD01-06-019] (RIN: 1625-AA09) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7841. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Single Entry for Unassembled or Disassembled Entities Imported on Multiple Conveyences [CBP Dec. 06-11] (RIN: 1505-AB34) received May 30, 3006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[The following action occurred on May 26, 2006]

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4411. A bill to prevent the use of certain payment instruments, credit cards, and fund transfers for unlawful Internet gambling; and for other purposes; with an amendment (Rept. 109–412 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4127. A bill to protect consumers by requiring reasonable security policies and procedures to protect computerized data containing personal information, and to provide for nationwide notice in the event of a security breach; with an amendment (Rept. 109–453 Pt. 2). Ordered to be printed.

[Pursuant to the order of the House on May 25, 2006 the following report was filed on June 1, 2006]

Mr. LEWIS of California: Committee on Appropriations. H.R. 5521. A bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109–485). Referred to the Committee of the Whole House on the State of the Union.

[The following reports were filed on June 2, 2006]

Mr. OXLEY: Committee on Financial Services. H.R. 4127. A bill to protect consumers by requiring reasonable security policies and procedures to protect computerized data containing personal information, and to provide for nationwide notice in the event of a security breach; with amendments (Rept. 109–453 Pt. 3). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARTON of Texas: Committee on Energy and Commerce. H.R. 3997. A bill to amend the Fair Credit Reporting Act to provide for secure financial data, and for other purposes; with amendments (Rept. 109–454, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to the order of the House on May 25, 2006 the following report was filed on June 5, 2006]

Mr. KOLBE: Committee on Appropriations. H.R. 5522. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109–486). Referred to the Committee of the Whole House on the State of the Union.

[Filed on June 6, 2006]

Mr. BARTON of Texas: Committee on Energy and Commerce. Supplemental report on H.R. 5252. A bill to promote the deployment of broadband networks and services (Rept. 109–470 Pt. 2).

Mr. BISHOP of Utah: Committee on Rules. House Resolution 849. Resolution providing for consideration of the bill (H.R. 5521) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109–487). Referred to the House Calendar.

Mr. LEWIS of California: Committee on Appropriations. Report on the Revised Suballocation of Budget Allocations for Fiscal Year 2007 (Rept. 109–488). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARTON of Texas: Committee on Energy and Commerce. H.R. 5126. A bill to amend the Communications Act of 1934 to prohibit manipulation of caller identification information, and for other purposes; with an amendment (Rept. 109–489). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

[The following action occurred on May 26, 2006]

Pursuant to clause 2 of rule XII the Committee on Energy and Commerce discharged from further consideration H.R. 1071. Referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following action occurred on May 26, 2006]

H.R. 921. Referral to the Committee on Education and the Workforce extended for a period ending not later than June 30, 2006.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LINDER (for himself and Mr. FORBES):

H.R. 5523. A bill to align the immigration laws of the United States with the Mexican General Population Act; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD (for himself, Mr. EVANS, Mr. FILNER, Mr. GUTIERREZ, Ms. CORRINE BROWN of Florida, Ms. HERSETH, Mr. STRICKLAND, Ms. HOOLEY, Mr. REYES, Mr. UDALL of New Mexico, and Mr. SALAZAR):

H.R. 5524. A bill to amend title 38, United States Code, to improve health care for veterans in rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LANTOS (for himself, Mr. TOM DAVIS of Virginia, Mr. MCGOVERN, Mr. SHAYS, and Mr. GRAVES):

H.R. 5525. A bill to amend title 5, United States Code, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard continues to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would receive as a Federal employee if no interruption in employment had occurred; to the Committee on Government Reform.

By Mr. BARTLETT of Maryland (for himself and Mr. GINGREY):

H.R. 5526. A bill to derive human pluripotent stem cell lines using techniques that do not knowingly harm embryos; to the Committee on Energy and Commerce.

By Mr. NEY (for himself, Ms. WATERS, Mr. GERLACH, and Mr. FRANK of Massachusetts):

H.R. 5527. A bill to extend the authority of the Secretary of Housing and Urban Development to restructure mortgages and rental assistance for certain assisted multifamily housing; to the Committee on Financial Services.

By Mr. CANNON:

H.R. 5528. A bill to amend title 28, United States Code, to limit Federal court jurisdiction over State laws restricting pornography, and for other purposes; to the Committee on the Judiciary.

By Mr. ENGLISH of Pennsylvania (for himself and Ms. HART):

H.R. 5529. A bill to amend United States trade laws to address more effectively import crises, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GARRETT of New Jersey:

H.R. 5530. A bill to lengthen Daylight Savings Time; to the Committee on Energy and Commerce.

By Mr. ISRAEL:

H.R. 5531. A bill to amend the Energy Policy Act of 1992 to require the Federal Government to acquire not fewer than 50,000 plug-in hybrid electric vehicles; to the Committee on Government Reform.

By Mr. DANIEL E. LUNGREN of California (for himself, Mr. FRANKS of Arizona, Mr. ISSA, and Mr. AKIN):

H.R. 5532. A bill to amend title 28, United States Code, to provide for reassignment of certain Federal cases upon request of a party; to the Committee on the Judiciary.

By Mr. ROGERS of Michigan (for himself, Ms. ESHOO, Mr. HOEKSTRA, and Mr. MCHUGH):

H.R. 5533. A bill to prepare and strengthen the biodefenses of the United States against deliberate, accidental, and natural outbreaks of illness, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROGERS of Michigan (for himself and Mr. FOSSELLA):

H.R. 5534. A bill to establish a grant program whereby moneys collected from violations of the corporate average fuel economy program are used to expand infrastructure necessary to increase the availability of alternative fuels; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER:

H.R. 5535. A bill to amend title 18, United States Code, to exclude foreign governmental entities from suing under the treble damages portion of its civil RICO provisions; to the Committee on the Judiciary.

By Ms. SLAUGHTER (for herself and Mr. MCHUGH):

H.R. 5536. A bill to implement the Western Hemisphere Travel Initiative and other registered traveler programs of the Department of Homeland Security; to the Committee on Homeland Security, and in addition to the Committees on International Relations, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MUSGRAVE (for herself, Mr. MCINTYRE, Mr. ADERHOLT, Mr. AKIN, Mr. ALEXANDER, Mr. BACHUS, Mr. BARTLETT of Maryland, Mr. BARRETT of South Carolina, Mr. BARTON of Texas, Mr. BEAUPREZ, Mr. BISHOP of Georgia, Mrs. BLACKBURN, Mr. BOOZMAN, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. CANNON, Mr. CANTOR, Mr. CARTER, Mr. CHABOT, Mr. CHOCOLA, Mr. COLE of Oklahoma, Mr. CONAWAY, Mrs. CUBIN, Mr. CULBERSON, Mr. DAVIS of Tennessee, Mrs. JO ANN DAVIS of Virginia, Mr. DAVIS of Kentucky, Mr. DEAL of Georgia, Mr. DOOLITTLE, Mrs. DRAKE, Mr. DUNCAN, Mrs. EMERSON, Mr. EVERETT, Mr. FEENEY, Mr. FORBES, Ms. FOXX, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. GOODE, Mr. GOODLATTE, Mr. GUTKNECHT, Mr. HALL, Ms. HARRIS, Mr. HAYES, Mr. HAYWORTH, Mr. HERGER, Mr. HOEKSTRA, Mr. HUNTER, Mr. ISTOOK, Mr. SAM JOHNSON of Texas, Mr. JONES of North Carolina, Mr. KING of Iowa, Mr. KUHL of New York, Mr. LEWIS of Kentucky, Mr. LUCAS, Mr. MANZULLO, Mr. MARCHANT, Mr. MCCOTTER, Mr. MCHENRY, Mr. MCKEON, Miss MCMORRIS, Mrs. MILLER of Michigan, Mr. GARY G. MILLER of California, Mr. MILLER of Florida, Mr. MURPHY, Mrs. MYRICK, Mr. NEUGEBAUER, Mr. NORWOOD, Mr. NUSSLE, Mr. OXLEY, Mr. PEARCE, Mr. PENCE, Mr. PETERSON of Pennsylvania, Mr. PICKERING, Mr. PITTS, Mr. RADANOVICH, Mr. ROGERS of Alabama, Mr. RYUN of Kansas, Mr. SESSIONS, Mr. SHADEGG, Mr. SHUSTER, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SODREL, Mr. SOUDER, Mr. STEARNS, Mr. SULLIVAN, Mr. TANCREDO, Mr. TAYLOR of Mississippi, Mr. TIAHRT, Mr. WAMP, Mr. WELDON of Florida, Mr. WESTMORELAND, Mr. WHITFIELD, Mr. WICKER, and Mr. WILSON of South Carolina):

H.J. Res. 88. A joint resolution proposing an amendment to the Constitution of the United States relating to marriage; to the Committee on the Judiciary.

By Mr. TOM DAVIS of Virginia (for himself, Mr. WAXMAN, Mr. SOUDER, Mr. CUMMINGS, Mrs. MYRICK, Mr. COBLE, Mrs. DRAKE, Mr. VAN HOLLEN, Mr. SANDERS, Mr. OWENS, Mr. LATOURETTE, Mr. DAVIS of Illinois, Mr. ISSA, Mr. MICA, Mr. RUPPERSBERGER, Ms. LINDA T. SÁNCHEZ of California, Ms. NORTON, Mr. BURTON of Indiana, Mrs. MALONEY, Mr. SHAYS, Mr. TURNER, Mr. LYNCH, Mr. MURPHY, Mr. WESTMORELAND, Mr. KUCINICH, Mr. PRICE of North Carolina, Mr. FORTUÑO, Mr. NEY, Mrs. SCHMIDT, Mr. PICKERING, Mr. CARTER, Ms. WATSON, Mr. CANNON, Mr. TOWNS, Mr. SCOTT of Virginia, Mr. CLAY, Mrs. MILLER of Michigan, Mr. MARCHANT, Mr. OSBORNE, Mr. GINGREY, Mrs. BIGGERT, Mr. SHUSTER, Mr. MILLER of Florida, Mr. WOLF, Mr. MORAN of Virginia, Mrs. BLACKBURN, Mr. GUTKNECHT, Mr. LARSEN of Washington, Mr. SHERWOOD, Mr. BOOZMAN, Ms. ROS-LEHTINEN, Mr. CAPUANO, Mr. BILIRAKIS, and Ms. CORRINE BROWN of Florida):

H. Con. Res. 422. Concurrent resolution supporting the goals and ideals of the Vigil for Lost Promise day; to the Committee on Government Reform. considered and agreed to.

By Mr. SENSENBRENNER:

H. Con. Res. 423. Concurrent resolution authorizing the printing as a House document of "A History, Committee on the Judiciary, United States House of Representatives, 1813-2006"; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. PETRI introduced a bill (H.R. 5537) to authorize and request the President to award the Medal of Honor to James Megellas, of Colleyville, Texas, for acts of valor on January 28, 1945, during the Battle of the Bulge in World War II; which was referred to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 303: Ms. CORRINE BROWN of Florida, Mr. TOM DAVIS of Virginia, and Mr. ALEXANDER.

H.R. 311: Mr. PETERSON of Minnesota.

H.R. 378: Mr. JACKSON of Illinois.

H.R. 503: Ms. JACKSON-LEE of Texas and Mr. BLUMENAUER.

H.R. 517: Mr. BOSWELL.

H.R. 521: Mr. FITZPATRICK of Pennsylvania.

H.R. 550: Mr. RUSH and Mr. ORTIZ.

H.R. 558: Mr. ALEXANDER, Mrs. DAVIS of California, and Mr. BOOZMAN.

H.R. 615: Mr. OWENS and Mr. BOUCHER.

H.R. 752: Mr. STRICKLAND.

H.R. 763: Mr. HIGGINS.

H.R. 791: Mr. POMEROY.

H.R. 857: Mr. MARIO DIAZ-BALART of Florida.

H.R. 874: Mr. DANIEL E. LUNGREN of California.

H.R. 886: Mr. KIND.

H.R. 899: Mrs. MALONEY.

H.R. 997: Mr. FORTENBERRY and Mr. EVERETT.

H.R. 998: Mr. JINDAL, Mr. MICHAUD, and Mr. BARROW.

H.R. 1227: Mr. JINDAL.

H.R. 1248: Mr. SESSIONS.

H.R. 1298: Ms. KILPATRICK of Michigan and Mr. HALL.

H.R. 1376: Mr. FITZPATRICK of Pennsylvania.

H.R. 1384: Mr. SCHWARZ of Michigan, Mr. JENKINS, Mr. CANNON, Mr. CANTOR, Mr. ALEXANDER, Mr. EVERETT, and Mr. ENGLISH of Pennsylvania.

H.R. 1424: Mr. HINCHEY.

H.R. 1425: Mr. BISHOP of Georgia and Mr. OLVER.

H.R. 1447: Mr. BOUCHER.

H.R. 1494: Mr. MCCOTTER.

H.R. 1507: Ms. DEGETTE.

H.R. 1517: Mr. THORNBERRY.

H.R. 1554: Mr. MARKEY.

H.R. 1574: Mr. BAIRD.

H.R. 1634: Mr. RENZI, Mr. BLUMENAUER, and Mr. GUTKNECHT.

H.R. 1671: Mr. HIGGINS, Mr. ADERHOLT, Mr. REYES, Mr. GRAVES, Mr. VISCLOSKY, and Mr. ROGERS of Alabama.

H.R. 1687: Mr. AL GREEN of Texas, Mr. LEVIN, and Mr. MICHAUD.

H.R. 1902: Mr. ALLEN.

H.R. 2034: Mr. DAVIS of Kentucky.

H.R. 2037: Mr. DAVIS of Kentucky.

H.R. 2048: Mr. WAMP and Mr. JACKSON of Illinois.

H.R. 2052: Mr. STARK.

H.R. 2053: Mr. STARK.

H.R. 2072: Mr. BRADY of Pennsylvania.

H.R. 2131: Mr. ALEXANDER.

H.R. 2178: Ms. WATSON and Ms. SLAUGHTER.

H.R. 2237: Mr. JACKSON of Illinois.

H.R. 2429: Mrs. NAPOLITANO.

H.R. 2617: Mr. MOORE of Kansas.

H.R. 2730: Mr. DAVIS of Kentucky, Mr. GONZALEZ, Mr. ROSS, and Mr. KIRK.

H.R. 2793: Mr. JACKSON of Illinois.

H.R. 3198: Mr. BERMAN.

H.R. 3427: Mr. FITZPATRICK of Pennsylvania, Mr. ISRAEL, Mr. RANGEL, Mr. LARSON of Connecticut, Mr. SERRANO, Mr. BLUMENAUER, Mr. WEINER, Mr. TOWNS, and Mr. PAYNE.

H.R. 3476: Mr. JACKSON of Illinois.

H.R. 3584: Mr. JACKSON of Illinois.

H.R. 3601: Mr. LYNCH.

H.R. 3762: Mr. ENGLISH of Pennsylvania.

H.R. 3861: Mr. PAYNE.

H.R. 3883: Mr. MANZULLO.

H.R. 3928: Mr. BROWN of Ohio.

H.R. 3957: Ms. PRYCE of Ohio and Ms. HART.

H.R. 3968: Mr. MCDERMOTT.

H.R. 4025: Mr. BURTON of Indiana and Mr. DINGELL.

H.R. 4033: Mr. BURTON of Indiana, Mrs. DRAKE, Ms. PRYCE of Ohio, Mr. SABO, Mr. MORAN of Kansas, Mr. KANJORSKI, Mr. NEY, Mr. DEFAZIO, Mr. SERRANO, Mr. DUNCAN, Mr. GARRETT of New Jersey, Mr. PRICE of North Carolina, Mrs. CAPITO, Mr. KENNEDY of Rhode Island, and Mr. BERMAN.

H.R. 4042: Mr. PAUL.

H.R. 4059: Mr. TIERNEY.

H.R. 4098: Mr. STUPAK.

H.R. 4188: Mr. ALLEN and Mr. ROTHMAN.

H.R. 4197: Mr. CAPUANO.

H.R. 4222: Mr. BLUMENAUER and Ms. SLAUGHTER.

H.R. 4259: Mr. EMANUEL.

H.R. 4315: Mr. MELANCON and Mrs. MILLER of Michigan.

H.R. 4341: Mr. MANZULLO and Mr. RYUN of Kansas.

H.R. 4347: Mr. LYNCH.

H.R. 4357: Ms. JACKSON-LEE of Texas.

H.R. 4384: Mr. EHLERS and Ms. JACKSON-LEE of Texas.

H.R. 4424: Mr. PETERSON of Minnesota and Ms. MCCOLLUM of Minnesota.

H.R. 4434: Ms. MCCOLLUM of Minnesota.

H.R. 4435: Ms. MCCOLLUM of Minnesota.

H.R. 4479: Mr. JACKSON of Illinois.

H.R. 4517: Mr. BISHOP of Georgia and Mr. PASCRELL.

H.R. 4547: Mr. JENKINS, Mr. DOOLITTLE, Mr. CANTOR, and Mrs. DRAKE.

H.R. 4596: Mr. MEEHAN and Ms. MCCOLLUM of Minnesota.

H.R. 4597: Mr. BLUMENAUER.

H.R. 4695: Mr. FRANK of Massachusetts.

H.R. 4747: Mr. RAHALL, Ms. MOORE of Wisconsin, Mr. ETHERIDGE, Mr. MICHAUD, Ms. NORTON, Mr. BOSWELL, Mr. PAYNE, Ms. DEGETTE, Mr. EMANUEL, Mr. MCCOTTER, and Mr. MARKEY.

H.R. 4755: Mrs. BIGGERT and Mr. JACKSON of Illinois.

H.R. 4859: Mr. ISSA and Mr. PAYNE.

H.R. 4873: Mr. KENNEDY of Rhode Island.

H.R. 4894: Mr. BRADLEY of New Hampshire, Mr. CALVERT, and Mr. ENGLISH of Pennsylvania.

H.R. 4901: Mr. CASE.

H.R. 4903: Mr. TOWNS, Ms. JACKSON-LEE of Texas, Mr. RUSH, Mr. OLVER, and Mr. STRICKLAND.

H.R. 4949: Ms. WOOLSEY, Mr. PLATTS, and Mr. ALEXANDER.

H.R. 4974: Mr. NEUGEBAUER, Mr. ORTIZ, Mr. CULBERSON, Mr. GOHMERT, Mr. MANZULLO, and Mr. MORAN of Virginia.

H.R. 4980: Mrs. EMERSON and Mr. MCHUGH.

H.R. 5005: Mr. MATHESON, Mr. SHADEGG, Mr. SCHWARZ of Michigan, Mr. BARROW, Mr. CANTOR, Mr. JENKINS, Mr. BOREN, and Mr. TANCREDO.

H.R. 5013: Mr. EDWARDS, Mr. BOREN, Mr. JENKINS, Mr. CANNON, Mr. BARRETT of South Carolina, and Ms. HARRIS.

H.R. 5022: Mr. BARROW, Mr. MEEKS of New York, and Mr. MORAN of Virginia.

H.R. 5023: Mr. PALLONE, Ms. SCHAKOWSKY, and Mr. EMANUEL.

H.R. 5050: Mr. ANDREWS and Mr. DAVIS of Kentucky.

H.R. 5056: Mrs. BLACKBURN and Mr. ENGLISH of Pennsylvania.

H.R. 5106: Mr. AL GREEN of Texas and Ms. LINDA T. SÁNCHEZ of California.

H.R. 5121: Mr. BURGESS, Mr. LUCAS, Mr. BRADY of Pennsylvania, Mr. SCOTT of Georgia, and Mr. CAPUANO.

H.R. 5126: Mr. MURPHY.

H.R. 5136: Mr. SALAZAR and Mr. BISHOP of Georgia.

H.R. 5150: Ms. ESHOO, Mr. BACA, Mr. BROWN of Ohio, Mr. NADLER, Mr. DEFAZIO, and Mr. REYES.

H.R. 5159: Mr. SPRATT, Mr. GARRETT of New Jersey, Mr. BOSWELL, Ms. BORDALLO, Mr. BOUSTANY, Mr. PALLONE, Mr. JONES of North Carolina, Mr. HIGGINS, Mr. PASCRELL, Mr. REYES, Mr. RAHALL, Mr. ROGERS of Alabama, Mr. DAVIS of Tennessee, Mr. WELDON of Pennsylvania, and Mr. SWEENEY.

H.R. 5185: Mrs. DAVIS of California, Ms. WOOLSEY, and Mr. SANDERS.

H.R. 5188: Mr. WEXLER.

H.R. 5189: Mr. HINOJOSA and Mr. BISHOP of Georgia.

H.R. 5201: Mr. REHBERG, Mr. BROWN of South Carolina, Mr. MARKEY, Ms. PRYCE of Ohio, Mr. EHLERS, Mr. KUCINICH, Mr. HAYWORTH, Mr. JACKSON of Illinois, Mr. JEFFERSON, Mr. LANTOS, Mr. TOM DAVIS of Virginia, Mrs. NAPOLITANO, Ms. HARMAN, Mr. FARR, Mr. ACKERMAN, Mr. ISRAEL, Mr. ETHERIDGE, Mr. WEXLER, Mr. ENGLISH of Pennsylvania, and Mr. BOOZMAN.

H.R. 5216: Mr. JACKSON of Illinois.

H.R. 5219: Mr. MILLER of Florida and Mr. KING of Iowa.

H.R. 5225: Mr. PAYNE, Mr. GRIJALVA, Mr. CLAY, and Mr. BRADY of Pennsylvania.

H.R. 5230: Mr. MICA, Ms. HARRIS, Mr. SULLIVAN, and Mr. FORTUÑO.

H.R. 5238: Mr. BRADY of Pennsylvania, Mr. MOORE of Kansas, and Mr. MOLLOHAN.

H.R. 5247: Ms. BERKLEY and Mr. MCINTYRE.

H.R. 5249: Mr. RAMSTAD and Mr. BLUNT.

H.R. 5254: Mr. REICHERT.

H.R. 5262: Mr. MARCHANT.

H.R. 5273: Ms. ROYBAL-ALLARD, Mr. HONDA, Mr. HINCHEY, and Ms. WOOLSEY.

H.R. 5278: Mr. FOLEY and Mr. JEFFERSON.

H.R. 5310: Mr. TURNER.

H.R. 5319: Ms. GRANGER.

H.R. 5321: Mr. MCNULTY.

H.R. 5330: Mr. BACA.

H.R. 5348: Mr. RUSH, Mr. DAVIS of Alabama, Mr. NEAL of Massachusetts, Mr. WEXLER, Mr. CARDIN, and Mr. REYES.

H.R. 5356: Mr. AL GREEN of Texas and Ms. JACKSON-LEE of Texas.

H.R. 5357: Mr. AL GREEN of Texas and Ms. JACKSON-LEE of Texas.

H.R. 5358: Ms. JACKSON-LEE of Texas.

H.R. 5365: Ms. MATSUI, Mr. FORD, Ms. JACKSON-LEE of Texas, and Mr. MARSHALL.

H.R. 5367: Ms. SCHAKOWSKY and Ms. MATSUI.

H.R. 5371: Mr. DAVIS of Illinois, Mr. MARKEY, and Mr. JACKSON of Illinois.

H.R. 5388: Mr. SANDERS.

H.R. 5396: Mr. WILSON of South Carolina.

H.R. 5400: Mr. EHLERS.

H.R. 5425: Mr. HENSARLING.

H.R. 5432: Mr. McCOTTER.

H.R. 5444: Mr. McINTYRE, Mr. KUHL of New York, Mr. JONES of North Carolina, and Mr. YOUNG of Florida.

H.R. 5449: Mr. LoBIONDO, Mrs. KELLY, Mr. ISSA, Mr. McHUGH, Mr. POMBO, Mr. CASE, Mr. ABERCROMBIE, Mr. SHUSTER, Mrs. CAPITO, Mr. WELDON of Pennsylvania, Ms. JACKSON-LEE of Texas, Mr. TIBERI, Mr. CONYERS, Ms. HARMAN, Mr. FITZPATRICK of Pennsylvania, Mr. ROTHMAN, Mrs. McCARTHY, Mr. MORAN of Virginia, Mr. BERMAN, Mr. SHERMAN, Mr. SHAYS, Ms. KILPATRICK of Michigan, Mr. GERLACH, Mr. JOHNSON of Illinois, and Mr. DOGGETT.

H.R. 5452: Mrs. CHRISTENSEN, Mr. BURTON of Indiana, and Mr. WILSON of South Carolina.

H.R. 5455: Mr. MOLLOHAN, Mr. BERMAN, Mr. McDERMOTT, Mr. McINTYRE, Mr. LARSEN of Washington, Mr. SCHIFF, and Mr. CHANDLER.

H.R. 5463: Mr. CULBERSON.

H.R. 5464: Mr. PLATTS, Mr. GREEN of Wisconsin, and Mr. FEENEY.

H.R. 5465: Mr. McNULTY, Mr. PAYNE, and Mr. JEFFERSON.

H.R. 5466: Mr. WYNN, Mr. RUPPERSBERGER, Mr. CARDIN, Mr. CUMMINGS, and Mr. VAN HOLLEN.

H.R. 5499: Mr. BASS, Mr. HINOJOSA, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, and Mr. BURTON of Indiana.

H.R. 5509: Mr. HERGER.

H.R. 5520: Mr. PEARCE and Ms. PRYCE of Ohio.

H.J. Res. 39: Mr. CANNON, Mr. HAYWORTH, and Mr. BOUSTANY.

H.J. Res. 58: Mr. DEAL of Georgia.

H.J. Res. 86: Mr. CARDIN, Mr. BLUMENAUER, Mr. DELAHUNT, and Ms. PELOSI.

H. Con. Res. 137: Mrs. KELLY.

H. Con. Res. 154: Mrs. NAPOLITANO.

H. Con. Res. 197: Mr. FATTAH.

H. Con. Res. 340: Mr. BLUMENAUER, Mr. PORTER, Mr. PAYNE, and Mr. GOODE.

H. Con. Res. 348: Ms. McKINNEY and Mr. BLUMENAUER.

H. Con. Res. 368: Mr. PAYNE.

H. Con. Res. 380: Mrs. TAUSCHER and Mrs. McCARTHY.

H. Con. Res. 409: Mr. EMANUEL and Ms. DeLAURO.

H. Con. Res. 419: Mr. KUHL of New York, Mr. SERRANO, Mr. McHUGH, and Mrs. LOWEY.

H. Res. 20: Mr. McCAUL of Texas.

H. Res. 222: Mr. MOORE of Kansas.

H. Res. 316: Mrs. DAVIS of California.

H. Res. 318: Mr. BISHOP of Georgia, Mr. DAVIS of Kentucky, and Mr. HAYES.

H. Res. 526: Mr. MURPHY.

H. Res. 566: Mr. HINOJOSA and Mr. REICHERT.

H. Res. 603: Mr. SCHIFF and Mr. MARIO DIAZ-BALART of Florida.

H. Res. 760: Ms. JACKSON-LEE of Texas, Ms. CORRINE BROWN of Florida, and Mr. SHAYS.

H. Res. 773: Mr. FOSSELLA.

H. Res. 776: Mr. DANIEL E. LUNGREN of California, Mr. OTTER, Mr. McCOTTER, and Mr. PEARCE.

H. Res. 800: Mr. BURTON of Indiana, Mr. BOUCHER, Mr. CROWLEY, and Mr. CANNON.

H. Res. 825: Mrs. CAPPS and Mr. RUPPERSBERGER.

H. Res. 828: Mr. REHBERG.

H. Res. 838: Mr. BONNER and Mr. KILDEE.

H. Res. 844: Ms. ROS-LEHTINEN, Mr. RANGEL, and Ms. WATERS.

H. Res. 846: Ms. BALDWIN, Mr. CONYERS, Mr. McGOVERN, and Mr. PAYNE.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4341. Mr. BOUCHER.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5521

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 1: Page 44, insert after line 18 the following:

SEC. 211. Each amount appropriated or otherwise made available by this Act that is not required to be appropriated or otherwise made available by a provision of law is hereby reduced by 1 percent.

EXTENSIONS OF REMARKS

HONORING JOSEPH DIMENNA ON THE OCCASION OF HIS RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to join the community of Stratford, Connecticut as they pay tribute to an outstanding member of their community, Joseph DiMenna. After 51 years of dedicated service, Joe DiMenna will retire from his distinguished career in education.

I have often spoken of our Nation's need for talented, creative educators ready to help our children learn and grow. Joe DiMenna has been just that kind of teacher and administrator. After receiving a Bachelor's Degree in education from Western Connecticut State University, Mr. DiMenna began his teaching career at the Eli Whitney School where he taught fourth grade. During his time as a teacher, he taught at a variety of levels as well as teaching Americanization and summer school in Bridgeport. Upon being awarded a National Science Fellowship in Geology and Astronomy, he spent a summer in class and field study at the Delaware Water Gap. Through his unique dedication to education, both for his students and himself, Joe DiMenna exemplified all that we look for in a teacher.

After further pursuing his studies at the University of Connecticut and Southern Connecticut State University, Mr. DiMenna received his masters and sixth year degrees from Fairfield University. He would first serve as principal of the old Honeyspot School in Stratford where he oversaw the construction of the new Honeyspot School. On moving day, he joined with his students as they carried their desks from the old building to the new. Upon leaving Honeyspot, he would go on to serve as principal at Eli Whitney School, Chapel Street School, and Second Hill Lane School. Over the course of his 51-year career, Joe DiMenna has served with both integrity and distinction, earning him the respect of faculty, administrators, and Board of Education members. His dedication, commitment, and energy has touched the lives of thousands of our young people, helping to shape not only the foundation of their education but their character as well. We, as a community, owe Joe DiMenna a great debt of gratitude for all of his good work.

I am proud to stand today to join his wife of 47 years, Frances, their two sons, three grandchildren, family, friends, colleagues and community members in extending my very best wishes to Joseph DiMenna as he celebrates his retirement. I understand that Joe and Frances plan to travel more extensively, opening new opportunities for learning and teaching. My very best wishes to them for many more years of health and happiness.

RECOGNIZING AWARD-WINNING SUSTAINABLE HOUSING AT STANFORD UNIVERSITY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. FARR. Mr. Speaker, I rise today to honor Jennifer Tobias and Stanford University's Green Dorm team for winning the Environmental Protection Agency's 2006 P3 award.

Tobias and her colleagues designed a sustainable facility for research, housing, and community space. The building forges together practical functionality while eliminating carbon emissions, closing the water cycle, and optimizing material resources.

This national competition, sponsored by EPA's Office of Research and Development, enables college students to research, develop and design scientific, technical, and policy solutions to sustainability challenges. Sustainable solutions are environmentally friendly, efficiently use natural resources and are economically competitive. The P3 award includes funding up to $75,000 that gives the students an opportunity to further develop their designs and move them to the marketplace.

I commend Jennifer and her colleagues for their innovative project design, and I hope they continue their important research and development on sustainable solutions to human endeavors. Jennifer and her colleagues are role-models who demonstrate that environmental and economical interests can be brought together in tomorrow's designs.

CELEBRATING THE 140TH ANNIVERSARY OF THE SANTA BARBARA SCHOOL DISTRICTS

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mrs. CAPPS. Mr. Speaker, today I rise to honor the Santa Barbara School Districts as we celebrate the 140th anniversary of their founding on June 6, 1866.

Santa Barbara's educational tradition is one of the oldest in the state. This tradition is rooted in the 18th century Spanish era where historical records indicate that in 1795 Santa Barbara had the second school in Alta, California (San Jose had the first, which was opened one year earlier). Santa Barbara's first school was located at the Presidio where the teacher was paid $125 per year, with each soldier of the Presidio paying a tribute of one dollar toward the teacher's salary.

When the Santa Barbara School District was formed in 1866, County Superintendent Alpheus B. Thompson reported that there were three school districts in Santa Barbara County: San Buenaventura, Montecito and Santa Barbara. By 1866, the schools had moved from county control to control by the electorate of the city.

The three school districts had two schools each and together there were a total of six teachers. By 1867, the three districts served 340 students, with 243 of them in the Santa Barbara district. The average salary in the county was $70 per month for male teachers and $62 per month for female teachers and the length of the school year varied from 3 to 5 months.

In 1870 a new school house was built on Cota Street and the first playground was established in the city. The playground was turned over to the school by the city council after the school trustees agreed to plant at least 20 shade trees and care for their growth. Voters decided, in April of 1870, to impose a tax to construct Lincoln School. In 1884, Eugene Fawcett sold a tract of land to the school district for the construction of Franklin School. The school district paid $1,000 for the property where Parma School is located.

As a former school nurse in the Santa Barbara school district, I am absolutely delighted to celebrate the 140 years of strong public education that the district has provided. I am proud of the district for its vision and dedication to quality over the years and I look forward to the continued success of the district and its many programs. Congratulations on 140 years well done!

TALL AFAR MAYOR AND TROOP BRAVERY

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise this evening to commend one of the bravest acts of personal courage that I have seen in many years.

In the face of deadly car bombings, suicide attacks and assassination attempts, there are some Iraqi leaders who are willing to tell the truth about the successes of our American troops in Iraq and to share the stories of their generosity and courage.

Earlier this month, one of my constituents named Roger Hattersley sent me a letter written by the mayor of Tall Afar, Iraq. Roger's son is an enlisted soldier serving in Iraq as part of the 3rd Armored Cavalry Regiment, and had sent his father a copy of this letter.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Having personally visited Tall Afar just this winter on a CODEL with the Government Reform Committee, I was very interested to read what the mayor had to say.

Mr. Speaker, I am going to read the letter here on the House floor so that all Americans can hear the bravery and courage of Mayor Najim Abdullah Abid Al-Jibouri and also the good works of our young men and women in uniform.

> To the courageous men and women of the 3rd Armored Cavalry Regiment, who have changed the city of Tall Afar from a ghost town, in which terrorists spread death and destruction, to a secure city flourishing with life.
>
> To the lion-hearts who liberated our city from the grasp of terrorists who were beheading men, women and children in the streets for many months, to those who spread smiles on the faces of our children, and gave us restored hope, through their personal sacrifice and brave fighting, and gave new life to the city after hopelessness darkened our days, and stole our confidence in our ability to reestablish our city.
>
> Our city was the main base of operations for Abu Mousab Al Zarqa wi. The city was completely held hostage in the hands of his henchmen. Our schools, governmental services, businesses and offices were closed. Our streets were silent, and no one dared to walk them. Our people were barricaded in their homes out of fear; death awaited them around every corner, terrorists occupied and controlled the only hospital in the city. Their savagery reached such a level that they stuffed the corpses of children with explosives and tossed them into the streets in order to kill grieving parents attempting to retrieve the bodies of their young. This was the situation of our city until God prepared and delivered unto them the courageous soldiers of the 3rd Armored Cavalry Regiment, who liberated this city, ridding it of Zarqawi's followers after harsh fighting, killing many terrorists, and forcing the remaining butchers to flee the city like rats to the surrounding areas, where the bravery of other 3rd ACR soldiers in Sinjar, Rabiaft, Zumar and Avgani finally destroyed them.
>
> I have met many soldiers of the 3rd Armored Cavalry Regiment; they are not only courageous men and women, but avenging angels sent by the God himself to fight the evil of terrorism.
>
> The leaders of this regiment; COL McMaster, COL Armstrong, LTC Hickey, LTC Gibson, and LTC Reilly embody courage, strength, vision and wisdom. Officers and soldiers alike bristle with the confidence and character of knights in a bygone era. The mission they have accomplished, by means of a unique military operation, stands among the finest military feats to date in Operation Iraqi Freedom, and truly deserves to be studied in military science. This military operation was clean, with little collateral damage, despite the ferocity of the enemy. With the skill and precision of surgeons they dealt with the terrorist cancers in the city without causing unnecessary damage!
>
> God bless this brave regiment; God bless the families who dedicated these brave men and women. From the bottom of our hearts we thank the families. They have given us something we will never forget. To the families of those who have given their holy blood for our land, we all bow to you in reverence and to the souls of your loved ones. Their sacrifice was not in vain. They are not dead, but alive, and their souls hovering around us every second of every minute. They will never be forgotten for giving their precious lives. They have sacrificed that which is most valuable. We see them in the smile of every child, and in every flower growing in this land. Let America, their families, and the world be proud of their sacrifice for humanity and life.
>
> Finally, no matter how much I write or speak about this brave regiment, I haven't the words to describe the courage of its officers and soldiers, I pray to God to grant happiness and health to these legendary heroes and their brave families.

Mr. Speaker, as you have just heard, the mayor of Tall Afar exhibited personal courage in daring to speak out in support of American troops.

I recently read in the papers of a horrific homicide bomber who attacked a police recruitment station in Tall Afar.

The terrorist killed more than 20 Iraqis, and there is no doubt in my mind that this attack was motivated in part by the outspoken support for the American 3rd Armored Cavalry regiment by the mayor.

My constituent Roger Hattersley and I spoke about his son and his service in Iraq. he told me that like so many of the young men and women serving there, his son is totally committed to the cause of freedom and liberty in this far away land.

It is heartwarming for me to read the words of mayor Al-Jibouri. It is clear that he is willing to put his life on the line to recognize the commitment and bravery of our men and women in uniform.

While you will probably never hear about the courage of mayor Al-Jibouri on the evening news or in your local newspaper, I wanted to take this opportunity tonight to make sure that the mayor received recognition for his outspokenness and honesty.

Mr. Speaker, once again I would like to say how much I support the mission and work of our troops, especially the 3rd Armored Cavalry regiment.

CONGRATULATING JAMES A. MAGEE WHO WAS CHOSEN TO BE GUEST OF HONOR AT A TESTIMONIAL DINNER

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my distinguished colleagues in the House of Representatives to pay tribute to James A. Magee, of Bloomsburg, Pennsylvania, who was honored recently by the Bloomsburg Chapter of the American Red Cross at a testimonial dinner.

Born in Bloomsburg on August 20, 1928, to Harry L. and Alice Hartman Magee, he attended Bloomsburg public schools and went on to higher education at Gettysburg College and the Philadelphia College of Textiles and Science.

Mr. Magee served our Nation on active duty in the United States Army from 1952 to 1954 and in the Army Reserves from 1954 to 1956.

He married Audrey Rehm and had three children, Drue A. Magee and James R. Magee, both of Bloomsburg and Elizabeth Hausske, of Phoenix, Arizona. Mr. Magee also has a sister, Joanne Katerman, of Bloomsburg.

Mr. Magee started working in the family carpet business in 1950. He was elected president of the Magee Carpet Company in 1969. In 1967, Magee Industrial Enterprises, Inc. was created and, in 1976, was merged with and became the parent company of Magee Carpet Company. Mr. Magee continued as president of the parent corporation until his retirement in 1993.

Mr. Magee was involved in numerous service and community organizations. He was a director of the First Columbia Bank and Trust Company; Bloomsburg Area Industrial Development Association; Bloomsburg Water Company; Pennsylvania Chamber of Business and Industry, Ben Franklin Partnership and the Carpet and Rug Institute.

He served as a member of the executive committee of the Columbia-Montour Council of the Boy Scouts of America; was a trustee of Wesley United Methodist Church and was vice president of the Bloomsburg Chamber of Commerce.

Mr. Magee also served as president of the Magee Christian Education Foundation, Bloomsburg Rotary Club and the Bloomsburg Hospital.

One of Bloomsburg's first "Men of the Year," Mr. Magee was awarded the Boy Scouts of America Silver Beaver Award in 1987 and the Bloomsburg University Medallion Award in 1989.

Mr. Speaker, please join me in congratulating James A. Magee on this auspicious occasion. His business acumen and devotion to community service has provided the greater Bloomsburg region with exceptional leadership for more than 40 years. Without a doubt, Mr. Magee has greatly improved the quality of life for thousands of people during his very fruitful career.

HONORING JUANA SEQUEIRA SOLIS ON HER 80TH BIRTHDAY

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Ms. SOLIS. Mr. Speaker, it is with great pride that I rise tonight to honor my mother, Juana Sequeira Solis, who celebrated her 80th birthday yesterday.

My mom was born in Jinotega, Nicaragua, on June 5, 1928, to Ramon Sequeira Arauz and Lucia Diaz Möeller. As a young child, she faced many obstacles due to the death of her father Ramon. At the age of 17, she immigrated to the United States and resided for a time in New Orleans, LA. After a few years, she moved to Los Angeles, CA, where she met her husband Raul Sanchez Solis. They married in 1953, and had 7 children, which led to 10 grandchildren, and 7 great-grandchildren. While raising her children in La Puente, CA, she took classes to improve her English and culinary skills. In addition, she was active in the PTA at the schools attended by her children.

When the youngest of her children turned 5, my mom began work at Mattel Inc. After 22 years of service, Juana retired from her job as an assembler. Although she had a double shift, working full-time and raising a large family along with her husband, she never regretted the sacrifices she made to maintain family cohesion, which has been a major driving force in her life.

Throughout her life, my mom made every effort to instill strong values in her children, including a strong work ethic and the ability to overcome adversity. Her life demonstrates that people can rise above unfortunate circumstances and humble beginnings. She has proven this by her charity work with the elderly residents of her neighborhood and others in need. The abundance of compassion and love that she has to offer to others has been unrestricted throughout her life and she has modeled qualities that have been inculcated in everyone she comes in contact with.

Mr. Speaker, on behalf of my six siblings and our extended family, I rise today to send happy birthday wishes to our beloved mom, Juana Sequeira Solis. Feliz cumpleanos.

IN MEMORY OF ELINOR MUSICK ANDERSON

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. BURGESS. Mr. Speaker, I rise today to give tribute to Elinor Musick Anderson, from the 26th Congressional District of Texas, for her lifelong contributions to her community and to her fellow citizens.

Mrs. Anderson was born in Galveston, TX. She graduated from Ball High School in Galveston and attended Rice University. As the wife of a career officer, she traveled extensively both within the United States and abroad. One of her proudest achievements was when she gained her pilot's license.

When she decided to pursue her longtime goal to be a writer, Elinor Musick Anderson attended Tarrant County Junior College majoring in journalism and served as the editor of the college magazine "The Reflector." After graduation she joined the staff of "New Woman" magazine and served with that publication the entire time it was published in Fort Worth. She was also the founding editor of "Fort Worth Woman" and edited "Colonial Columns" for a number of years.

Mrs. Anderson also founded and served as the writer-editor for her own company, "Monarch Media," and was the first editor of the Woodhaven Association monthly newsletter and yearly edited the directions for that association and the Woodhaven Woman's Club.

Mrs. Anderson was an active member of the Women's Club of Fort Worth and served in numerous leadership roles with the Historical Preservation Trust Committee, the Roundtable, Sydnor Bridge Study Club and the Tuesday Sun Parlor Contract Bridge Club.

Elinor Musick Anderson passed late Saturday, May 27, 2006 at a Fort Worth hospital from complications due to a pulmonary embolism. Her husband, daughter, son, granddaughters, a grandson and numerous other family members were with her when she passed.

I join in mourning the loss of Elinor and extend my deepest sympathies to her friends and family. She will be deeply missed and her service to her community will always be greatly appreciated.

MILL RUN ELEMENTARY DARE PROGRAM

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. WOLF. Mr. Speaker, it is an honor for me today to recognize the recent DARE graduates from Mill Run Elementary School in Centreville, VA. DARE—Drug Abuse Resistance Education—has a long history of providing children with the information and skills they need to live drug-and-violence-free lives and I was pleased to recently visit the fifth graders at Mill Run as they completed this program.

I would like to recognize Mill Run Principal Paul Vickers and fifth grade teachers, Ms. Garofalo, Ms. Neely, Ms. Page, Ms. Sovereign, Ms. Williams, Ms. Wolff, and Mr. Wolslayer. Special acknowledgment also goes to DARE officer, Deputy Lynette Ridgley, who is specially trained to work with students, answer their questions, and establish a positive relationship between students, law enforcement, and the community. The DARE program, supported by dedicated school faculty, has helped to address the critical need to educate our youth on the consequences of involvement in drugs, gangs, and violence, and how to avoid risky behavior.

Several students at Mill Run Elementary received special awards for poster and essay submissions. Poster winners include Krista Sanders-Mason, Manik Dayal, William Kim, Ryan Orr, Rob Kramer, Renato Mazzei, Ellie Ferguson, and Brigitte Ganzer. Essay winners include Rachael Williams, Brandon Greer, Francesca Beller, T.J. Soroka, Nick Carroll, Emily Ready, and Colin Ceresa. I have inserted for the RECORD these students' essays because I feel it is important to hear from the students themselves about how much of an impact the DARE program has made.

One student, T.J. Soroka, says it plain and simple, "The information taught in the DARE program has given me the knowledge to make good decisions in my life."

(By T.J. Soroka)

When you go to school, you take many subjects, but this year I took one program unlike any other. That was DARE which stands for Drug Abuse Resistance Education. It's not taught by any ordinary teacher, in fact, DARE is taught by a Deputy Sheriff who works in Loudoun County. When we started DARE, I thought it would only be about smoking and drugs. But we also learned about inhalants, making good decisions, friendship qualities, being confident, and much more. But I gained the most knowledge in DARE while learning about tobacco and the qualities of a good friend.

Before you smoke a cigarette, think of all the bad things you're doing, such as putting 200 poisons in your body. Also, you aren't just hurting yourself, you're hurting the environment and the people around you. If you're under 18, it's against the law to smoke. I hope you don't smoke a cigarette, now knowing the affects of it.

Do you think your friends have good traits? Do they treat you like a friend? True friends have these qualities. They are loyal to you and you can trust them. Also, they have a bright personality so they can cheer you up. Last, if your friend asks you to smoke, you should have a second thought about them being your friend, after making a bad decision.

The information taught in the DARE program has given me knowledge to make good decisions. DARE also teaches you how to say no to drugs and other substances. Next, DARE has taught me affects of drugs and everything else. DARE has gave me the knowledge to make good decisions in my life.

(By Francesca Beller)

What exactly is D.A.R.E.? D.A.R.E. means Drug Abuse Resistance Education. It teaches kids to make smart decisions and teaches them about drugs and alcohol. Our teacher was Deputy Ridgley. She taught us several interesting facts about tobacco, marijuana, peer pressure, and other things that may or may not scare you.

Tobacco, the killer of over 400,000 peoples a year. It is illegal to anyone under the age of 18, but even though it is, children still do it! Tobacco affects your body development, so it really affects kids! There are also many diseases that tobacco can cause, such as heart disease, lung cancer, and mouth cancer. So, tobacco is very dangerous to people young and old with its 200 known poisons.

Inhalants, something that can cause sudden death is not what anyone wants. Inhalants have become a big problem now. Teens are using inhalants a lot. They use super glue, paint thinner, and other things. Inhalants can suffocate you and cause diarrhea. They also starve the body of oxygen and force the heart to beat irregularly. Some chronic users may have reduced muscle tone of strength. So if inhalants are so bad, why do it?

Advertisements, they trick people into buying bad products. Some tobacco commercials or advertisements may have you knocking on the wrong door. If tobacco turns your teeth yellow, then why do people in the ads have such white teeth? Beer ads do the same thing. They do not tell you the consequences most of the time. All they care about is you buying the product! Also, a tobacco company gave a ton of money to a charity, then spent more money then what they gave to charity telling people about it! Don't be fooled by advertisements, it may cut your life short.

I think D.A.R.E. has really made an impact on my life. Now I know everything I need to know about things from drugs to alcohol to peer pressure. I really think that everyone should take D.A.R.E, because it will probably lead most people down the right path for their lives. D.A.R.E. is very fun and is just a great program!

(By Brandon Greer)

"Click, click." The teenager was just handcuffed for smoking marijuana in a bathroom. I will never make this decision because of D.A.R.E. D.A.R.E is a program that teaches you about drugs, the D.A.R.E decision. making model, advertising, friendship qualities. peer pressure. personal pressure, ways to say no, and being confident. Our D.A.R.E teacher was Deputy Ridgley. She was truly kind and comical. She told our class interesting stories in relation to her experiences about drugs.

One main drug we talked about was tobacco. Tobacco is found in cigarettes and in chewing tobacco. Tobacco is responsible for more than 400,000 deaths in America each year. Tobacco shoots your body right in the foot because it causes some major health problems. One is you could suffer shortness of breath and dizziness. It also hurts the people around you, because approximately 3,000 nonsmokers die each year from lung cancer. If you want to be beautiful, don't smoke. The 200 known poisons in the cigarette's smoke can affect your appearance. One way smoking affects your appearance is it dries your skin out and causes wrinkles. Smoking also causes yellow teeth and gives you terrible breath. Yuck!

Another major issue we spoke about was being confident. You need to be confident when a friend asks you a question, such as "Do you want to smoke?" Do not speak in a weak voice or have poor posture while you tell your friend you are not interested. Your friend will just keep nagging at you to smoke because he knows that you are unsure. To show your confidence, you must have excellent posture by standing up straight with shoulders back and chin up. Look your friend right in the eye and maintain eye contact. You then must speak clearly and respectfully. Remember to stay calm and say no thank you. If you are confident your friend will stop asking you to smoke. Hopefully, your friend will ask you if you want to do some other activity.

I really loved D.A.R.E. I think that D.A.R.E will actually help me in the future by knowing how to say no to drugs. I believe that it is extremely important to be drug free. If you take drugs you are basically throwing away your life because you might become addicted and think you must have drugs. I also think it is important that my friends and family do not do drugs. If you are drug free you can enjoy sports like, skiing, soccer, football, basketball, hockey, and other activities. You will also live a longer and have a better life if you don't do drugs. I have truthfully enjoyed learning about drugs and other D.A.R.E topics. I will always continue to be 100% drug free.

(By Rachael T. Williams)

D.A.R.E. is something everybody can listen to, Drug Abuse Resistance Education. D.A.R.E. helps kids understand the cautions of drugs and alcohol from the start, and that nothing is real on advertising. Those are only two of the millions of things that D.A.R.E. teaches you!

Alcohol isn't something that helps you grow or something to play with. Alcohol is loss of self-control or even coma and death! Yes, you can drink once you're over twenty-one, but that doesn't give you the right to go party until four in the morning! Alcohol is a very dangerous thing. It is something you should never drink if you're under age, not even if someone calls you chicken. Even if they try to act tougher than you are, they're not. They're not stronger than you are, or cooler, or smarter than you are. It may seem like they're cooler but truly they're not.

You may look into a magazine and flip a few pages and then see an advertisement, and you will see people smoking cigarettes and having a great time. Well guess what, that is not reality. Reality is yellow teeth and sickness and your lungs turning black and failing. Cigarettes or cigars aren't a pool filled with fun. It causes breathing problems or heart disease and even cancer in your lungs, mouth, throat, bladder, and kidney! Smoking is just a big black hole of emptiness! So, don't listen to advertisements.

Peer pressure happens to everybody. It can happen on the bus, at recess, or even walking home from school. Sometimes people will be pressuring you about drugs or sometimes alcohol. They will make it seem fun and make it look like the answer to your prayers. Well, it's not. There are a lot of ways to say no like using humor or standing up for yourself. Those are just two ways to say no. D.A.R.E. will teach you many other ways.

D.A.R.E. is an awesome place to learn about drugs and how they can hurt you. I love going to D.A.R.E. Before D.A.R.E., I didn't even know half of the cautions of drugs and alcohol and how risky it is to drink or smoke. I know now that one day I'm going to be offered a cigarette or some alcohol, and I know exactly what to say: "NO!" I'll walk away and never trust a person like that again. Now I'll remember that no is the way to go.

(By Colin Ceresa)

In fifth grade we take a special class called D.A.R.E. D.A.R.E. stands for Drug Abuse Resistance Education. My D.A.R.E. teacher, Deputy Ridgley, teaches us the dangers of drugs and alcohol, how to say no, and how to avoid dangerous situations.

Smoking can do horrible things to your body. Did you know smoking can turn your lungs black? Smoking makes it hard to breathe and makes you dizzy. It makes your breath smell, turns your teeth yellow, dries your skin out and causes wrinkles. There are 200 known poisons in cigarette smoke. Smoking is the most common cause of lung cancer. I feel that smoking is very wrong. My Pop-Pop started smoking during the Viet Nam War and then smoked for 40 years. Luckily he quit a few years ago and is doing fine.

If you want to avoid all these bad things you need to be able to say no!!! Saying no can help you avoid many dangerous situations. You can say no in many ways. You could ignore the person offering you drugs. You could give a reason or fact to the person who is offering you drugs and tell them why they are bad for you, or you could walk away from the person who is offering you drugs. Saying no can change your life in so many ways. Saying no could even save your life.

I feel that all of the information that I learned in D.A.R.E. will help me a lot in the future. I know how bad alcohol, drugs and tobacco are for you. I also learned that you need to be confident and not let your friends pressure you into doing something that is illegal or will hurt you. D.A.R.E. has helped show me the importance of just saying NO!

(By: Emily Ready)

"Good afternoon, guys. Today we're going to talk about..." Every single year, fifth graders in Loudon County take a class called D.A.R.E. D.A.R.E. stands for Drug Abuse Resistance Education. A deputy from Loudon County Sheriff's office comes and teaches you. Some of my favorite things that we learned about were tobacco, alcohol, and peer pressure.

Coughing, yellow teeth, cancer? These are just some of the things tobacco does to you. Cigarettes contain tobacco, and smoking is the main cause of heart disease. More than 400,000 people die every year from smoking. It can also turn your lungs from natural pink to sickening black. My thoughts on tobacco are tobacco is a horrible thing, and if you use it, you are ruining your life!

Jail, comas, and possible death are only a few of the things too much alcohol can get you. Alcohol is in beer, wine, and liquor. It slows down your brain and your body. In case you're wondering, most teenagers DON'T drink alcohol. I think if people were more responsible with alcohol, it wouldn't be a problem.

Peer pressure is when other people, friends or not, try to get you to do something you may or may not wish to do. Some people can be mean about it, or some will be nice and it can be something good for you. If it's bad, just say NO! I think if it's mean or bad peer pressure, we don't need it! It can hurt people's feelings and make them do something dangerous or awful that can hurt them or other people.

I really enjoyed the D.A.R.E. program this year. It showed me just how dangerous smoking and underage drinking really are. I believe it is important to stay drug-free because you can destroy yourself, your family, and your future. So, I, Emily Ready, promise to stay drug-free and stay a non-tobacco user and a nonunderage drinker.

(By Nick Carroll)

" Lost another one to drugs because of over use of alcohol," sighed Dr. Smith. That won't happen to me because I took D.A.R.E class. D.A.R.E. stands for Drug Abuse Resistance Education. During D.A.R.E. we learned about alcohol, inhalants, marijuana, and tobacco. We learned about more than just drugs. We learned how to say no and about the D.A.R.E. decision making model. We also learned about how dangerous inhalants can be and the tricks of advertisement.

Inhalants can be used as a type of drug. It can be made using household products concentrated in the certain place (like in a paperbag). They are very dangerous! It can kill you instantly even if you're doing it for the first time. Inhalants can damage your brain and liver. You might suffer from a loss of smell, depression, and can cause a heart attack! It can also suffocate you. It will starve your body of oxygen and force your heart to beat irregularly and more rapidly. You could get sores in the mouth and nose. Chronic users can have muscle wasting and reduced muscle tone and strength. Inhalants can cause nausea and nosebleeds. Inhalants are one of the things that kill many children each year. Inhalants can cause most of these problems without you knowing it until it's to late.

Advertising is one of the ways drug companies get people to buy their stuff. One of the ways they do it is to show famous celebrities drinking beer or smoking a cigarette. They also show happy people with beer, wine, or a cigarette. They put advertisement almost everywhere you could look. They put them on TV commercials, in magazines, billboards, and many other places. They think that by putting them in a lot of places they are getting more costumers and it works, people go for the advertisements.

I think D.A.R.E. was an exciting subject. We learned many things from our instructor, Deputy Ridgley. She made it enjoyable to learn about drugs and how to stay drug free. Deputy Ridgley told us many stories, which made it exciting. I think that it is important to stay drug free to keep from getting sick or hurt from different drugs. I will stay drug free to keep from getting sick or hurt by drugs!

TRIBUTE TO JOYCE ROMANOW

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to join the many family, friends and colleagues who have gathered to honor a very special woman, and my dear friend, Joyce Romanow, as she celebrates her retirement. After more than thirty-seven years of giving our young people the best educational opportunities possible, Joyce will leave the teaching arena to pursue her own personal goals.

I often speak of our nation's need for talented, creative, enthusiastic teachers who are ready to help our children learn and grow. My dear friend Joyce is just that kind of educator. Throughout her career, she has touched the lives of thousands of children from elementary school to high school. Joyce began her teaching career in the town of West New York, located in New Jersey, where she taught second and third grade students, many of Cuban decent, for nine years. She then moved to New Haven, Connecticut and began teaching at Kimberly Avenue School at City Point. After consulting with colleagues, and thinking about her own personal teaching experience, she decided to become an English to Speakers of Other Languages (ESOL) teacher—working with some of our community's most vulnerable children. Here she had the opportunity to travel to many schools within the New Haven public school system, enabling the children of immigrant families to find success in the learning process based upon his or her individual needs and strengths. Naturally paired with the educational program, Joyce also focused on the importance of positive development of not only our children's intellect, but their character development as well. She has placed great emphasis on the importance of team work, providing a productive environment, and has been an outstanding role model. For the last five years, she has been an ESOL teacher at Hillhouse High School, working with high school students in grades nine through twelve. Although Joyce has enjoyed working with students at all grade levels, she has a special place in her heart for high school students. I know she will be sorely missed by her students, friends and colleagues at Hillhouse High School.

Public education is the cornerstone of the American dream—leveling the playing field and providing every child with the opportunity to make the most of his or her talents. This is what Joyce has dedicated her life to doing for the past thirty-seven years. It is talented professionals like Joyce who truly shape the leaders of tomorrow.

In addition to her outstanding teaching career, Joyce has raised an exceptional son Danny, whom I adore. She is certainly more than a friend—she is family. Words cannot begin to express my appreciation and gratitude for the tireless support she has shown to me and my family over the years.

And so, it is with deep admiration and affection that I stand today to join her son Danny, her family, friends and colleagues in extending my sincere congratulations to Joyce Romanow as she celebrates her retirement. Joyce is a remarkable woman whose generosity and compassion has left an indelible mark on so many children whose lives she has transformed. Though she will be enjoying her retirement years, I am certain that Joyce will continue to keep a hand in teaching—her extraordinary dedication and kind heart making all the difference. I am happy to extend my very best wishes to her for many more years of health and happiness.

IN HONOR OF JOHN J. ROBOTTI

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. FARR. Mr. Speaker, I rise today to honor a tremendous public servant. Mr. John J. Robotti will retire this month after 65 years of service to our nation. Beginning with his enlistment as a soldier in 1941 until his retirement as a civilian in 2006, John has made public service his life's work. I must say that it is truly remarkable to find a person retiring at age 85. I am proud to note that most of those productive years were spent in my Central California District.

John was selected for Officer Candidate School in 1943. His tours of duty included Europe, Asia, and the United States. In 1950 he met his wife, Marion, in Paris, France. They were married in Palo Alto, California in 1953, and now reside in Carmel. In 1960, he was the Executive Officer for the Squaw Valley Olympic Games, which are still remembered as one of the most successful games ever held. The following year he retired with the rank of Major from 20 years of active duty while stationed at Fort Ord, California. He served as Chief of the Consolidated Supply Section of G4 at that time.

John began his civilian career immediately as the G4 Logistical Services Officer at Fort Ord. He went on to act as Administrative Officer, Chief of Maintenance, and Housing Manager at Fort Ord. He retires as Director of Logistics at the Defense Language Institute in Monterey, the premier language training institution in the world. In all, his civilian career spanned 45 years.

During his civil service years, John received exceptional evaluation ratings and numerous recognitions. He received the Meritorious Civilian Service A ward in 1991, the Achievement Medal for Civilian Service in 1994, the Exceptional Service Award in 1995, and in 1996 he was given a 55 Year Award for Federal Service.

Mr. Speaker, it is my pleasure to applaud John J. Robotti, a person who has served his country with great distinction for so many years. I join with all his friends and family in honoring this talented man and his many achievements.

HONORING DR. JARRELL JACKMAN FOR 25 YEARS OF SERVICE

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mrs. CAPPS. Mr. Speaker, today I rise to pay tribute to Dr. Jarrell Jackman upon his retirement from his position as Executive Director of the Santa Barbara Trust for Historic Preservation.

Dr. Jackman has been a leader of the Trust for Historic Preservation for twenty-five years, as Historic Projects Administrator and, since 1987, Executive Director. In a unique partnership with the State of California Department of Parks and Recreation, the Trust operates El Presidio de Santa Barbara State Historic Park that attracts 50,000 visitors annually from Santa Barbara and around the world.

Under Dr. Jackman's leadership, the Trust bought and maintains the Mission Santa Inez Mills, preserving significant remains of mission-period grist and fulling mills. In addition to acquiring and maintaining historic sites, the Trust preserves the diverse cultural heritage of Santa Barbara through its research, interpretation, educational programs, archeological work, historic restoration and preservation efforts. They work cooperatively with local jurisdictions and with dozens of State agencies, museums, private foundations, schools, and businesses to ensure that the rich cultural history of the central coast not only lives on for future generations, but is accessible today.

The Trust has completed major construction projects for El Presidio de Santa Barbara State Historic Park: the Chapel, the Comandancia, the Northeast Corner and (the soon to be completed) Northwest Corner, making El Presidio the most fully restored Presidio in the United States. The restored Casa de la Guerra and El Presidio have become significant museums, hosting many lectures, performances, visiting exhibits and celebrations, due in large part to the dedication and expertise of Dr. Jackman.

Dr. Jackman served honorably on the Santa Barbara County Historic Landmarks Advisory Commission and has consistently been a forceful voice for the preservation of county historical structures. Among Dr. Jackman's honors are the prestigious Norman Neuerburg Award from the California Mission Studies Association in February 2001 and the 2006 California League of Park Associations' Dewitt Award for outstanding partnership.

I have seen firsthand many of the great programs and preservation efforts of the Trust. We, as a community, have benefited greatly from the skill and leadership of Dr. Jackman. I am pleased to commend Dr. Jarrell Jackman for his dedicated service to the Trust for Historic Preservation and to the Central Coast.

HONORING JAMES D. DAUGHERTY OF BROOKSVILLE, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise to honor James D. Daugherty, a brave firefighter from Brooksville, Florida who is retiring after more than thirty years of service to our community.

Chief Daugherty was born in Kentucky on October 10, 1947 to Lilburn and Irene Daugherty. Serving in active duty in the U.S. Army from 1966 to 1969, James was stationed in Vietnam during the war. Later he joined the Florida National Guard and served there with distinction for seventeen years.

While stationed at Fort Stewart, Georgia, James came with a fellow soldier to Brooksville, Florida. He met his wife Juanita on a blind date and they were married on July 3, 1969. James and Juanita have one son, Jeff, and two grandchildren.

While Chief Daugherty has had a long and distinguished career, one specific incident with the Brooksville Fire Department in January 1978 had a lasting effect on him. Responding to an emergency call at a ditch cave-in while off duty, James dug in the dirt to help rescue the trapped men. Caught in the second cave-in, the one thing that stayed with him was the fact that they were communicating with the man that died when the second cave-in caught him in its wake. They were so close to saving him when the unthinkable second cave-in happened.

Promoted to Chief in 1999, James has had a long and distinguished firefighting career. In addition to his basic fire training, James has gone out of his way to advance his knowledge of life-saving techniques and procedures. He has an Associates Degree in Fire Science from St. Petersburg Junior College, is certified as an EMT, has attended Florida Smoke Divers School, is a Certified Wildland Firefighter, and has trained extensively in Emergency Management, Disaster Response, WMD, and in Hazardous Materials Response through the National Fire Academy and the Department of Homeland Security.

The dedication James has shown to the Fire Department is truly outstanding. Following open heart surgery in October 2002, Chief Daugherty went back to work as soon as his doctor would release him. He was determined that this surgery would not keep him down.

Mr. Speaker, throughout his years of responding to accidents and fighting fires, James has shown his compassion and caring for the families who lost loved ones and cherished friends. It is that caring that Chief Daugherty will be remembered for by the entire Hernando County community.

CONGRATULATING MARY ERWINE ON THE OCCASION OF HER RECEIVING THE LEADERSHIP WILKES-BARRE DISTINGUISHED ALUMNI AWARD

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my distinguished colleagues in the House of Representatives to join me in paying tribute to Mary Erwine, president of Erwine Home Health and Hospice, Inc., who is the 2006 recipient of Leadership Wilkes-Barre's Distinguished Alumni Award.

Ms. Erwine will be honored at the 25th annual Leadership Wilkes-Barre dinner to be held on Thursday, June 8. She was chosen for this award because of her commitment and dedication to the community and her ongoing support of Leadership Wilkes-Barre and its programs.

Ms. Erwine founded Erwine's Home Care in 1993 and expanded with the addition of Erwine's Private Health Care in 1995.

Under her leadership and professional training, the company has grown from three employees to more than 100. Her company serves patients in five Pennsylvania counties.

In 2005, she added a hospice division to afford patients continuity of care.

Her community involvement includes participating in organizations such as the Northeast Regional Cancer Institute, the greater Wilkes-Barre Association for the Blind, St. Vincent De Paul Kitchen, F.M. Kirby Center for the Performing Arts, Osterhout Library, Circle 200, Pennsylvania Council on Aging, St. Jude Children's Research Hospital Fundraising, Executive Women's Council, Wilkes-Barre Chamber of Commerce, National Honor Society of Nursing, Sigma Theta Tau, National Association of Millennium Circle Fund of the Luzerne Foundation, College Misericordia Advisory Council, PNC Bank Northeast Region Advisory Board, Blue Cross of Northeastern Pennsylvania Corporate Board, Leadership Wilkes-Barre and the Greater Wyoming Valley Leadership Forum.

Ms, Erwine has also been the recipient of several awards including the Athena Award from the Greater Wilkes-Barre Chamber of Commerce; Quality of Life Advocacy Award from the Eastern Pennsylvania Chapter Arthritis Foundation; Benefactor Award from the Greater Wilkes-Barre Association for the Blind; Distinguished Career in Nursing Administration Alumni Award from College Misericordia; Community Leaders of the Year Spirit of Business and Industry Award from the Arthritis Foundation and the 25th Anniversary Star Award from Leadership Wilkes-Barre.

Mr. Speaker, please join me in congratulating Mary Erwine on this auspicious occasion. Her entrepreneurial spirit and her devotion to community service have helped to improve the quality of life in the entire region.

HONORING JET CLEANERS AS THEY CELEBRATE THEIR 50TH ANNIVERSARY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to congratulate the Amore Family as they celebrate the 50th anniversary of Jet Cleaners—the family owned and operated laundry and dry cleaning business which has become a local landmark in my hometown of New Haven, Connecticut. In August of 1956 came the opening of an innovative new laundry service which offered the families of New Haven 1-hour service. Gracing the outside of the new store was a high-tech neon sign and behind the counter customers would find Nicholas, Michael and Vincent ("Jim") Amore—Jet Cleaners, aptly named for the fast service customers would come to know, was open for business.

After operating the Chapel Laundry and Dry Cleaners for twenty-seven years, Nicholas Amore and his two sons opened Jet Cleaners with the vision of bringing fast, efficient service to their customers. Built on the corner of State and Trumbull Streets in downtown New Haven, Jet Cleaners would quickly become known for their dedication and vision. The Amore family were well known for looking to the future, so it was no surprise when they ensured they would be able to expand their business by leasing the adjacent space and purchasing the property across the street from the original plant. In the leased space, the Amores established the largest coin laundry in New Haven with 40 washers and twenty dryers.

As the business continued to expand, Nicholas, Michael, and Vincent looked to build a larger plant in a new location across the street. Though founder Nicholas Amore would not see the opening of the new store, Jet Cleaners moved to its new home in 1966 where it continues to stand today. Family, friends, and customers brought a variety of plants to celebrate the opening of the new store which were placed in the counter area in front of the two large plateglass windows. Over the years, customers have left more and more plants and a large dracaena was even rescued from a local pub. Thriving in the steam-filled environment, their collection of greenery soon became the trademark of Jet Cleaners

Three generations later, Jet Cleaners is still owned and operated by the Amore family. Michael Amore's sons, Mike, Jr. and Douglas took over operation in 1998 and continue the family's legacy. Customers of Jet Cleaners can experience the small touches each generation has made to the store. Today you still find the same dedication to fast, efficient customer service, the array of beautiful plants still meet customers as they enter the store, and Mike, Jr. and Douglas have continued to expand the business branching out into wholesale markets and becoming the first area dry cleaner to offer credit and debit card service. They have even opened a satellite store in Cheshire. Perhaps the most special contribution Mike, Jr. and Douglas have made is that which gives back to the community. In 1995, Jet Cleaners joined with WTNH Channel 8 to promote a Holiday Coat Drive which became the catalyst for future coat drives and a number of community service activities.

I have always believed that our small businesses are the backbone of our economies. Jet Cleaners is a shining example of all that our small businesses can contribute—they not only provide a service to their customers, but dedicate themselves to making our community a better place to live and work. Today, as the Amore family and the New Haven community celebrate the 50th anniversary of Jet cleaners, I am proud to stand to congratulate them on this very special occasion and extend my sincere thanks and appreciation to them for all that they have brought to our community.

IN HONOR OF STEPHEN MAGYAR

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. FARR. Mr. Speaker, I rise today to honor the memory of my close friend Stephen Magyar. Steve passed away in Monterey on March 29 after a long life full of accomplishments and service to his community. He was known as an outgoing and friendly man, the first to greet you on the street and always ready to tell a good story or funny joke.

Steve grew up in Detroit and stayed there until he enlisted in the Army to fight in the Second World War. He left the snow of Detroit to serve in the heat of the Pacific at Christmas Island. After the war he was stationed at Camp Callan north of La Jolla, CA, where, after being pressured to go on a blind date, he met a girl named Peggy. This girl became the love of his life for the next 62 years. His last stop as an active duty member of the U.S. Army was in my district at Fort Ord.

He retired from the Army 20 years later and moved on to his own business, the Stephen G. Magyar Co. The company started out of his garage in 1947 and he was always proud to say that his first customer was Bing Crosby. Steve left his business to work for Mary and Robert Littlefield in building their Monterey Savings and Loan branch office at the former Jefferson Hotel in downtown Salinas. Always a quick thinker and great decision maker, Steve came up with an idea to get some customers in the door. He decided to raffle off an airplane, and the idea worked. He had traffic backed up for blocks in both directions as drivers stopped to look at the plane in the parking lot.

Involved throughout his community, Steve was able to make quite an impact. He also looked into public service through involvement in the State senate, but was defeated by someone I must admit I would have voted for, my father Fred Farr.

Today I extend my condolences to his wife Peggy, his two sons Rodger and Jeff, and cherish the memory of this great man.

ON THE PASSING OF IRVING WILLNER

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Ms. SOLIS. Mr. Speaker, I rise today to pay tribute to one of my constituents, Irv Willner, a life-long resident and community leader in the city of Monterey Park. Mr. Willner was a model of patriotism and his contributions to his community have inspired many, including myself.

As a native of New York City and a celebrated veteran of the U.S. Navy, Mr. Willner earned his bachelors degree in Aeronautical Engineering from Rensselaer Polytechnic Institute in New York City. He served in the Los Angeles Department of Water and Power as a mechanical engineer for 35 years of his life.

Mr. Willner was a longtime Democratic Party leader, a pioneer member of the Monterey Park Environmental Commission, and a member of the city personnel board. With his leadership skills and enduring devotion, Mr. Willner has been credited with the successful elections of many local officials. His commitment to his community, justice, and progressive causes is commendable. I extend my admiration, and the gratitude of the City of Monterey Park and my district, to his family and friends.

Mr. Willner truly made a difference in his community and his contributions will be recognized and appreciated for years to come. I send my condolences to his family, including wife, Mrs. Ruth Willner, children Paul Willner and Julia Parker, and granddaughter Erin. I am comforted only by knowing that his legacy will live on through his family and in the community he helped to improve for the future.

RECOGNIZING ADRIAN MUNOZ, GABRIEL MUNOZ, AND PAULA BUSTOS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. BURGESS. Mr. Speaker, I rise today to recognize the courageous actions of Adrian Munoz, Gabriel Munoz, and Paula Bustos, who, in the early morning hours of Friday, May 26th, aided in the rescue of their neighbors Mary Moore and Charles Butler from a fire in their home.

At 12:30 a.m. on Friday morning, an overheated extension cord sparked a one-alarm fire in the home of Mary Moore and her husband Charles Butler. From across the street, the Munoz brothers and their cousin Paula noticed the fire. Acting quickly, Adrian rushed to the hose and started spraying the house. He moved into the house, stretching the hose as far as possible attempting to keep the fire from moving towards Mary Moore's room. Following Adrian into the house, Paula Bustos moved to help Ms. Moore as Adrian and Gabriel pulled Mr. Butler from the fire and out of the house. The fire department arrived soon after and helped bring Ms. Moore out of the house.

The heroic actions of Adrian and Gabriel Munoz, and Paula Bustos serve as an example to and inspiration to others. I stand here today to recognize their actions and I am proud to be their representative in Washington and to call them fellow Texans.

CHANTILLY HIGH SCHOOL NATIONAL ECONOMICS CHALLENGE TEAM

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. WOLF. Mr. Speaker, I rise today to commend the Chantilly High School National Economics Challenge Team for their tremendous success in this year's competition. The Chantilly High team, comprised of students Adriana Medina, Natalie Mutchler, Alex Pepper and Sam Perkins, and their teacher/adviser, Joseph Clement, should be extremely proud of being named runner-up in the David Ricardo Division of the National Economics Challenge. The students from Chantilly High School have the distinction of being one of the top four teams in a national competition involving more than 1000 teams.

The National Council on Economic Education and the Goldman Sachs Foundation established the Challenge in 2000 to provide a competitive format to test the knowledge of the best economics students in the country. The NCEE's mission is to improve economics education in grades K–12 through teacher training and development of instructional materials.

I ask that my colleagues join me in recognizing the Chantilly High School Economics Challenge Team for their outstanding accomplishment.

HONORING HART DEVEROUX CAPARULO ON THE OCCASION OF HER RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Ms. DELAURO. Mr. Speaker, it is with deep gratitude that I rise today to join the United Way of Greater New Haven and the many communities which it serves in extending my sincere thanks and appreciation to my friend, Hart Deveroux Caparulo, as she celebrates her retirement after thirty-nine years of dedicated service. Though she will leave her position as Chief Professional Officer, I have no doubt that Hart will continue to stay actively involved and will always be available should our community be in need.

Beginning her career with the United Way in her hometown of Charlotte, North Carolina, Hart has dedicated a lifetime to making a difference in the lives of our Nation's most vulnerable citizens. Feeling that "New Haven needed her most," Hart began as a Campaign Director where she started a number of new programs including a Leadership giving program and group solicitation in employee campaigns. It was this innovative and creative vision that led the Board of Directors to offer her the position of Chief Professional Officer—a position which she has held for the last decade.

Under her leadership, the United Way of Greater New Haven has fundamentally changed the way it interacts with its communities and partners. Community engagement, strategic focus and an ever-growing passion to improve the quality of life for others is at the core of its mission. Perhaps the most impressive result of the organization's revitalized mission has been the collaborative work of Community COMPASS—a strategically focused campaign to improve the economic health of our region and reducing educational disparity. One of the many results of COMPASS has been the development and launching of the Success By 6 program which combines the efforts of a network of community partners to ensure children newborn to 6 years old are healthy, nurtured and ready to success when they enter school. It is programs like these, that thanks to Hart's leadership and vision, are now the core work of the United Way of Greater New Haven.

In addition to her professional contributions, Hart has also been actively involved throughout the community. I would be remiss if I did not extend a personal note of thanks and appreciation for all the help that she has given to both myself and my office over the years. We have always known that we could count on her expertise and compassion. I wish her the very best as she moves on to future endeavors.

We, as a community, owe Hart Caparulo a great debt of gratitude for all the good work that she has done on our behalf—every community should be so fortunate. For her invaluable contributions and the indelible mark she has left on the United Way of Greater New Haven, I am proud to stand today to recognize Hart Devereux Caparulo and to extend my deepest thanks and appreciation to her as she celebrates her retirement.

IN HONOR OF MICHAEL MEHEEN

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. FARR. Mr. Speaker, I rise today in honor the memory of my high school classmate, M. Michael Meheen. Mike passed away late in the evening of April 11th at the age of 67. Mike was born in Iran and moved to Carmel, my hometown, in 1953. He graduated from Carmel High School a couple years before me in 1957. Mike then went on to graduate from Oregon State University and completed his doctorate at Hastings Law School.

Mike came back to our district and went on to have a successful law career for over 40 years. He primarily served on the Monterey Peninsula and worked in family law. It is no wonder that he focused on helping families, as Mike loved his family above all else.

His other loves included fast expensive cars, large dogs, the 49ers, travel and his fruit tree orchard. In addition to these hobbies, Mike was actively involved in his community. He was a long time member of the Pacheco Club, spent many years coaching Carmel Youth Soccer, and taught Business Law at Monterey Peninsula College.

The Carmel and Monterey communities will most definitely miss the presence of this wonderful man, as will the family he held so dearly. Mike believed in living every moment to the fullest. His energy will be remembered and missed.

HONORING THE LIFE OF HERMAN E. WARSH

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mrs. CAPPS. Mr. Speaker, today I rise to pay tribute to Herman E. Warsh, and to honor his life of dedicated service to his community and to his country.

Born on March 28, 1924 in Calgary, Canada to Samuel Warshovsky and Rebecca Wietstinietski, originally of Poland, he emigrated with his parents, his sister and his brother to the United States in 1925. The family made a home in Los Angeles, California and Herman attended public school until the 10th grade. In 1941, he married Lorraine Rack and in 1942, enlisted in the Navy and served in the South Pacific through 1945.

Upon his return, he passed the GED and in only two years he received his BA while working full time. He went on to earn his Masters degree in history at UCLA while working as a teaching assistant and continued his education by working on three doctorates, eventually earning his PhD in Education from Wayne State University in 1969. Herman Warsh taught from 1952–1965, serving in many different capacities. He also taught at the college level at USC, the University of Hawaii at Hilo and at the University of Michigan in Ann Arbor.

Mr. Warsh also taught literacy to the U.S. troops in Germany, to First Nations' peoples in Alaska and to incarcerated men in the California penal system. Following the awarding of his doctorate, he was recruited to be the Director of Educational Programs for the Mott Program in the Flint Public School System. In 1974, he became head of the Department of Elementary Education at the University of New Mexico. In 1977, he moved to Santa Barbara to work with and, in 1980, to wed Maryann Mott. Together they devoted the bulk of their philanthropic efforts to their two family foundations, C.S. Fund and Warsh Mott Legacy.

In addition to financial resources, Herman Warsh gave selflessly of his time, serving on the Board of the Fund for Santa Barbara and of Pacifica Graduate Institute. Nationally, he served as Chair of the Environmental Policy Institute, which under his leadership, merged with Oceanic Society and Friends of the Earth USA, to become a key progressive, national environmental institution.

I am honored to recognize the life and work of Herman E. Warsh and I believe, as many do, that Santa Barbara is a better place for having him a part of this community.

PAYING TRIBUTE TO MILITARY ACADEMY APPOINTEES

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. TANCREDO. Mr. Speaker, I would like to congratulate Grant Fischer of Douglas County High School and Matthew Van Horn of Chatfield High School on their appointment to the United States Military Academy at West Point. I would also like to take this time to congratulate Christine Jaszlics of Lakewood High School and Jeffrey Hathcote of Grandview High School on their appointment to the United States Merchant Marine Academy, as well as Madison Stumpp and Richard Shreffler, both of Eaglecrest High School, on achieving appointments to the United States Naval Academy. Finally, I would also like to extend my hearty congratulations to Matthew Bezzant of Columbine High School, Kyle Black of Thunder Ridge High School, Meghan Booze of Columbine High School, Daniel Hann of Dakota Ridge High School, Brock Logan of Arapahoe High school, Millie Mays of Douglas County High School, Trenton West of Grandview High School and Kelsey Yip of Dakota Ridge High School on their appointments to the United States Air Force Academy.

These young men and women have exhibited tremendous commitment and dedication in making it through the rigorous nomination process and I wish them all the best in their future endeavors as they embark on their careers with the United States Military. They have excelled both in and out of the classroom, and I have no doubt they will represent Colorado with distinction at these prestigious academies.

HONORING KEN HAAS OF HAYS, KANSAS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. MORAN of Kansas. Mr. Speaker, I rise today to honor Ken Haas of Hays, Kansas for his years of service to this community through his diverse career in education.

Mr. Haas began teaching in 1964 at Kennedy Middle School as an industrial arts and physical education instructor. He also influenced countless students by serving as the school's guidance counselor. In 1999, after 35 years of work in the Hays school district, Ken was approached by Father Mike Scully and asked to assume the role as principal of Thomas More Prep-Marian High School, a private Christian high school in the Catholic tradition.

Ken was nearing the point of possible retirement in his current position and awaiting him was the well-deserved free time that one earns after working so long in a challenging vocation. After a weekend of prayer and consideration, Ken decided that it was the Lord's desire for him to accept the position.

That was 7 years ago. After improving the school's leadership structure, balancing the school's budget, and sustaining enrollment, Mr. Haas has chosen to retire from his current position. Even in retirement Ken plans to be involved where he's needed around the school.

Mr. Haas is a committed professional who is well-regarded among his peers and students. He is known for attending athletic events, even the ones that don't generate the largest crowds. He still surprises many former pupils with his unique ability to greet them by name after not seeing them for many years. Just another sign of how much he cares.

Mr. Haas has served Hays students and their parents well for over 40 years, and that is why Mr. Speaker, I rise to honor him today.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE CITY OF LIGHTHOUSE POINT

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. SHAW. Mr. Speaker, I rise today to celebrate the 50th anniversary of the wonderful city of Lighthouse Point, Florida. I am proud to have represented the residents of this city for the 26 years I have served in Congress.

Incorporated on June 13, 1956, Lighthouse Point derived its name from its location under the beam of the famed Hillsboro Lighthouse. Armed with a petition signed by over 100 residents favoring incorporation, community leaders traveled to Tallahassee to seek approval. Story has it that 77 names on the petition were Republicans and they were required to re-register before incorporation approval would be given by the State's Democrat leaders. All 77 agreed to re-register as Independents and the incorporation of Lighthouse Point was approved.

In 1956, approximately 150 people resided in the newly incorporated area. Most of these residents had grown up in other parts of the country during the 1920s and 1930s and many had served in WWII. What had originally been farm land was now a network of canals and residential lots providing residents with waterfront living and easy access to the Intracoastal Waterway and the ocean beyond. It was an idyllic place to make a new life for yourself and your family. In 1956, Dwight D. Eisenhower was elected President and Leroy Collins was elected Governor of Florida, both for second terms; a first class postage stamp was three cents and Elvis Presley's "Don't Be Cruel" was the number-one record.

Today, Lighthouse Point is a thriving community of approximately 10,767 residents. It has moved from services provided by volunteers to a full service city with its own police, fire, and public works departments. Although it has grown dramatically, as has all of South Florida, it has retained its feeling of a small town community. Eighteen miles of canals, parks and numerous recreational activities and special annual events such as Keeper Days and Lighthouse "A" Glow all contribute to the hometown feel of Lighthouse Point. It continues to maintain its heritage and its standard of striving to be the best place to live and raise a family.

Mr. Speaker, Lighthouse Point is a jewel in the landscape of South Florida. I am honored to represent the city and her residents in the U.S. House of Representatives. I am also pleased to take this opportunity to recognize and congratulate Lighthouse Point on the occasion of its 50th anniversary.

CONGRATULATING THE PUEBLO GOVERNMENT AGENCIES FEDERAL CREDIT UNION ON THE OCCASION OF ITS 70TH ANNIVERSARY

HON. JOHN T. SALAZAR

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. SALAZAR. Mr. Speaker, I rise today to recognize and congratulate the Pueblo Government Agencies Federal Credit Union on the occasion of its 70th anniversary. This credit union has served the residents of Pueblo well. PGAFCU's mission is to promote thrift among its members by giving them an opportunity to save money, thus accumulating and investing the savings of the members and to make loans to its members which promise to be of benefit to the borrower.

The Pueblo Government Agencies Federal Credit Union was founded on June 9, 1936 by ten Pueblo postal employees who brought together a group of federal agency employees to form a credit union for the purpose of improving the financial lives of its members. Today, the Credit Union has more than 4,200 members serving current and retired federal agency employees, their family members and other special groups in Pueblo and Southeastern Colorado.

The friendly, hometown service combined with a wide variety of personalized, high-quality financial services has truly enriched the lives of many residents in my Congressional District. I am proud to represent an organization that so aptly embodies the values of a small town financial institution while offering much-needed financial services to the Pueblo community.

Again, Mr. Speaker, I congratulate the Pueblo Government Agencies Federal Credit Union on the occasion of their 70th anniversary and I commend them for the service they provide to the many federal government employees and their families in Southeastern Colorado.

TRIBUTE TO DR. PHILIP M. GOLD, ON RECEIVING THE RABBI NORMAN F. FELDHEYM AWARD FOR LOYALTY AND SERVICE TO THE SYNAGOGUE AND COMMUNITY OF THE CONGREGATION EMANU EL.

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. BACA. Mr. Speaker, the Rabbi Norman F. Feldheym Award was established to pay tribute to those members of Congregation Emanu El, located in my home district of San Bernardino, California, who have conspicuously and exceptionally reflected Rabbi Feldheym's qualities of love for and loyalty to the synagogue, and service to the community. I stand here today to honor Doctor Philip M. Gold for receiving this distinguished award.

Dr. Gold has been an extraordinarily devoted leader of Congregation Emanu El. He began his service as a member of the Congregation's Board of Directors in 1990, and since then he has served as Secretary, 2nd Vice-president, Vice-president, and from 2000–2002, as the President of the Congregation. During this time he has helped to masterfully guide the Congregation through its period of rabbinic transition. He has been an inspirational leader of the Congregation, giving evidence of his deep love for Judaism, a strong participation in worship and education, and an exemplary commitment to Jewish values and their application in contemporary society.

Dr. Gold is a distinguished graduate of Stanford University, where he received his B.A. degree in 1958, and of the UCLA School of Medicine, where he received his M.D. degree in 1962. At UCLA, Dr. Gold also completed his internship and residency, which included being Chief Resident in Medicine. Dr. Gold is a highly respected physician and teacher, a Diplomat of the American Board of Internal Medicine and the Sub Specialty Board of Pulmonary Disease.

Since 1977, Dr. Gold has been associated with the Loma Linda University School of Medicine, where he currently serves as Professor of Medicine, Chief of the Pulmonary and Intensive Care Division, Program Director of the Pulmonary Fellowship Program and Executive Vice-Chair of the Department of Medicine.

Dr. Gold has been recognized by his colleagues as a leader in the field of medicine. His numerous accomplishments include serving as a Governor and President of the California Chapter of the American College of Physicians, President of the American Lung Association of California, President of the American Lung Association of San Bernardino, Inyo and Mono Counties, Chair of the Council Practice Committee of the American Thoracic Society, President of the California Thoracic Society, and President of the Society of Graduate Internists of UCLA.

While the awards Dr. Gold has received are too abundant to mention in total, some of the most notable include a Mastership in the American College of Physicians, the Lifetime Achievement A ward of the American Lung Association, the Laureate A ward of the American College of Physicians, the William L. Cover MD Award of the San Bernardino County Medical Society, the American Lung Association Pottenger Award and the Michael Stulbarg California Medal of the American Lung Association of California.

Dr. Gold is known to family, colleagues, patients, fellow congregants and friends as a person of the highest integrity, extraordinary sensitivity, perceptive insight, humility and love of the arts. He and his wife, Roberta, are the proud parents of Jana, Matthew and Jason, all of whom received their Jewish education at Congregation Emanu El, and the proud grandparents of Eddie, Leah, Cary and Molly.

Mr. Speaker, this year marks the 115th anniversary of the founding of the Congregation Emanu El. It is fitting, on such a momentous occasion, that we stand here today to honor Dr. Philip M. Gold, for outstanding service to his Congregation, the field of medicine, and to his family and community.

HONORING THE LIFE OF SERGEANT ALESSANDRO CARBONARO

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. VAN HOLLEN. Mr. Speaker, I have the honor today to recognize the life of Sergeant Alessandro Carbonaro, a courageous Marine who passed away on May 10, 2006 in Germany as a result of injuries he received in Iraq. I had the privilege to attend a moving memorial service for this young man on May 23rd at the National Cathedral. There, those who knew him best testified to his commitment to his friends, family, and country. Alex was a proud and dedicated soldier, a loving son and husband, and a loyal friend who loved ice hockey and played in a local rock band. I thank him for his service to the country, and offer my condolences to his parents, Fulvio and Gilda Carbonaro, his wife, Gilda, and all who had the pleasure and good fortune to know him.

I would like to submit to the RECORD a poem Alex wrote in the Spring of 2004. I hope the words of this talented young man bring comfort to all who mourn his loss.

FROM AFAR

Dear little star
How I miss having you near me.
And though your light shines on me from afar
I have to continue on and appreciate
Your warmth from across the cosmos
Dear little shining star
At the end of the day
I look at you and my emotions just flow from me
And all I feel is your warmth.
One day things will be different for you and I
My little precious star.
But until then
I must be content to take you in from afar.

IN HONOR OF GENERAL T. MICHAEL "BUZZ" MOSELEY, USAF

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. SESSIONS. Mr. Speaker, I rise today to honor my fellow Texan and good friend, Chief of Staff of the Air Force GEN T. Michael "Buzz" Moseley, who received the high honor of being knighted during a ceremony at the British Embassy in Washington, DC on May 30.

General Moseley was awarded the honorary knighthood due to his contributions to British-American relations during his tour of duty as the commander of the air war over Afghanistan and Iraq.

In addition to being the Chief of Staff of the Air Force, General Moseley can now add the honorary title of "Knight Commander of the British Empire" to an already impressive service record. General Moseley becomes the next in a long line of some of our Nation's most impressive leaders and skilled military commanders to be so highly honored by our British allies including President Ronald Reagan, President Dwight D. Eisenhower, GEN Jimmy Doolittle, GEN Carl Spaatz, GEN Tommy Franks, and Secretary of State Colin Powell.

I congratulate my friend General Moseley on his knighthood, and thank him for his outstanding service in leading the United States Air Force in its continuing operations in the global war on terrorism.

IN MEMORY OF PERRY BASS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. BURGESS. Mr. Speaker, I rise today to give tribute to Mr. Perry Bass of Fort Worth, Texas, for his lifelong contributions to his community and to his fellow citizens.

Born in Wichita Falls, TX, on November 11, 1914, Mr. Bass attended prep school in Pennsylvania and in 1937 received a science degree, specializing in geology, from Yale University. Mr. Perry died the morning of Thursday, June 1, 2006, at the age of 91.

Mr. Bass began his career in the legendary oil fields of Texas, where he worked with his uncle beginning in the 1930s. In 1942 Perry Bass joined the armed services as a naval architect designing torpedo boats before later continuing his career in oil and gas.

Perry Bass's professional exploits are only a small part of his life-long success. Throughout his career Mr. Bass and his family donated generously to a wide variety of charities, learning institutions, the arts and hospitals. As a former chairman of the Texas Parks and Wildlife Commission, he championed a law to preserve the population of redfish and spotted sea trout in the Texas coastal waters and worked to preserve the natural beauty of the State of Texas.

The Bass family's investments have changed the landscape of downtown Fort Worth, transforming aging and often-vacant buildings into trendy restaurants, hotels and clubs, all anchored by the $65 million Nancy Lee and Perry R. Bass Performance Hall.

He was a dedicated civic pioneer and outspoken philanthropist, and it was my honor to know him and to now represent part of the great city of Fort Worth that he helped develop into one of the best places to live in the United States. He leaves behind a legacy of generosity and encouraged others do to the same. His wife, Nancy, and four sons, Sid, Lee, Edward and Robert, have continued that legacy of philanthropy and public works. I extend my deepest sympathies to his family and friends. He will be deeply missed and his service to his community will always be greatly appreciated.

TRIBUTE TO SPECIALIST J. ADAN GARCIA

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. MARCHANT. Mr. Speaker, I rise to express my condolences and heartfelt sympathy to the family and friends of United States Army Specialist J. Adan Garcia, 20, of Irving, TX.

Specialist Garcia died on May 27, 2006 at the National Naval Medical Center in Bethesda, MD, in support of Operation Iraqi Freedom. He died of injuries sustained on May 22, 2006, while serving in Baghdad, Iraq. Specialist Garcia was assigned to the 1st Brigade Special Troops Battalion, 10th Mountain Division, in Fort Drum, NY.

I would like to take this opportunity to pay tribute to Specialist Garcia. This brave young man made the ultimate sacrifice for the security of his country and for the defense of democracy worldwide. He was an outstanding young man and we should all be grateful for his noble contributions to this nation and the advancement of freedom.

I am proud to call Specialist Garcia one of our own, and am, again, deeply sorry for his family and friends who have suffered this loss. His legacy will remain, as the men and women of our armed services continue to fight for liberty—both abroad and on our home soil.

INTRODUCTION OF LT. COL. JAMES MEGELLAS MEDAL OF HONOR BILL

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. PETRI. Mr. Speaker, today I am introducing legislation to honor a true American hero by awarding him the Medal of Honor. On January 28, 1945, during the Battle of the Bulge, Lt. James Megellas led his platoon of the 82nd Airborne Division on a surprise and devastating attack on a much larger advancing German force, killing and capturing a large number of the enemy and causing others to flee. In an act of fearless courage, Megellas single-handedly destroyed an attacking German Mark V tank with two hand-held grenades. He then led the charge of his men and seized Herresbach, Belgium, during this fierce action of the Battle of the Bulge. Due to his aggressive, fearless and superior leadership, Lt. James Megellas inspired his men to excel.

After serving 4 years as a rifle platoon leader during World War II, including many combat jumps into Italy and Holland, Megellas left the active Army and served for 16 years in the Army Reserve. He retired after 20 years of service as a lieutenant colonel.

His awards and decorations include the Distinguished Service Cross, two Silver Star Medals, two Bronze Star Medals, two Purple Hearts, and he is credited with being the 82nd Airborne Division's most decorated officer. During World War II, Gen. James Gavin selected one 82nd officer—Lt. James Megellas—

to receive the Military Order of Willhelm Orange Lanyard from the Dutch Minister of War on behalf of his division.

To this day, James Megellas continues to inspire. In February, 61 years since that momentous battle, James "Maggie" Megellas set foot on a battlefield with fellow 82nd Airborne Division soldiers, this time in a current theatre of war—Afghanistan. Megellas was impressed with what he saw of the paratroopers and their work. He listened to their stories of their past year of deployment and shared with them his own experiences during World War II.

I urge my colleagues to also recognize James "Maggie" Megellas by supporting this bill to authorize and request the President to award him the Medal of Honor for his acts of valor on January 28, 1945, during the Battle of the Bulge. As time goes by, true heroes should never be forgotten, so please join me in honoring this outstanding American hero.

STATEMENT ON THE MARKEY AMENDMENT ON GNEP

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. HOLT. Mr. Speaker, before Memorial Day Recess, during consideration of the Fiscal Year 2007 Energy and Water Appropriations bill, Mr. MARKEY, the gentleman from Massachusetts, offered an amendment that would have cut $40 million for the Global Nuclear Energy Partnership, a dangerous program about which we are still not fully aware of the consequences. I supported Mr. MARKEY's amendment, which unfortunately failed last night. This amendment would have funded GNEP at $80 million. The Energy and Water Subcommittee already cut funding from this program, stating "serious reservations" about the new program. Until there are no reservations about the program, we should not continue to fund it.

The Department of Energy claims that the Global Nuclear Energy Partnership will prevent misuse of civilian nuclear facilities for non-peaceful purposes by developing enhanced safeguards over these programs and technologies. According to DOE, the program will account for materials, control technology, provide transparency to validate peaceful uses, and review international agreements and obligations.

Despite the claims of the Department of Energy, there are many consequences of this program that are costly and potentially very dangerous to Americans and the international community.

Nuclear reprocessing is a dangerous endeavor. Reprocessing nuclear waste produces separated plutonium, which can be used to make nuclear weapons. If the plutonium remains bound in large, heavy, and highly radioactive spent fuel assemblies, it is nearly impossible to steal. In contrast, separated plutonium is not highly radioactive. The simple fact is it will never be as secure as it would be if left in the spent fuel rods. By producing additional materials that aid in the production of nuclear weapons, we are potentially enabling terrorists and other non-nuclear countries to create nuclear weapons. This is not the example we want to set for the world.

Reprocessing also does not decrease radioactive nuclear waste. The Nuclear Regulatory Commission has said that spent fuel could be safely stored in spent fuel pools or dry casks without significant environmental impact for at least 100 years. For the past thirty years, we have been able to dissuade countries from creating nuclear reprocessing programs on the premise that we ourselves are not involved.

Another problem with GNEP is that the Administration has not been able to demonstrate to Congress how costly this program will be. Since the program was announced in February of this year, the Department of Energy has not provided Congress with an overall cost for this program. Congress has not had the opportunity to evaluate the merits of this program or determine if it is in our best interest, in the long and short term. With such a great undertaking, we must fully understand the effects of this program.

I am disappointed that the Markey amendment failed. It is my hope that my colleagues will see the dangers of nuclear reprocessing and oppose this program when the final version of the Energy and Water Appropriations bill is considered in the next couple of months.

MEMORIAL DAY OBSERVANCE

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. YOUNG of Florida. Mr. Speaker, I rise today to share with my colleagues in the House the text of a Memorial Day speech delivered by the Mayor of Largo, Florida, Mrs. Patricia Gerard.

Like so many of my colleagues in the House, I was honored to attend numerous Memorial Day services in my Congressional District to pay tribute to those who have sacrificed greatly in defense of our great Nation. It is always humbling to join with veterans young and old and to share moments of remembrance with the families that survive them. Those that we honored on Memorial Day have secured our freedom and our safety, and this point could not have been more clearly made than by Mayor Gerard's comments and her reference to the words of Mr. Charles M. Province.

I submit to you the text of Mayor Gerard's Memorial Day remarks so that we may all reflect on the debt we owe to our men and women in uniform.

> Memorial Day is the time for Americans to reconnect with their history and core values by honoring those who gave their lives for the ideals we cherish.
>
> More than a million American service members have died in the wars and conflicts this nation fought since the first colonial soldiers took up arms in 1775 to fight for independence. Each person who died during those conflicts was a loved one cherished by family and friends. Each was a loss to the community and the nation.
>
> We in this country owe a great debt of gratitude to those who sacrificed their lives so that we could live free. We can start to pay that debt by not forgetting, by remembering what they did and what they stood for.
>
> In the words of Charles M. Province:
>
> It is the Soldier, not the reporter,
> Who has given us freedom of the press.
> It is the Soldier, not the poet,
> Who has given us freedom of speech.
> It is the Soldier, not the campus organizer,
> Who has given us the freedom to demonstrate.
> It is the Soldier, not the lawyer,
> Who has given us the right to a fair trial;
> And I would say:
> And it is the Soldier—who leaves his or her family and goes off to war,
> Who allows the protester to speak out against that war.
>
> Far too often, the nation as a whole takes for granted the freedoms all Americans enjoy. Those freedoms were paid for with the lives of others few of us actually knew. That's why they are all collectively remembered on one special day.
>
> Please join me as we all remember those men and women who have made our way of life possible.

A REMARKABLE MOVE TO EMPLOYEE OWNERSHIP

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. SANDERS. Mr. Speaker, I want to take the opportunity today to recognize the remarkable story of Bill Carris and the company he formerly owned, Carris Reels.

Carris Reels, Inc. had been a family owned company. It has been supplying wood, metal and plastic reels to the wire and cable industry for over 45 years, and it provides the most comprehensive product line of any reel manufacturer. Carris Reels has 710 employees, in 15 plants, in eight states.

I said that Carris Reels was formerly owned by Bill Carris. In 1995, at a time when the company had sales of $83 million, Bill Carris decided that in the future the company should be owned by its employees. So the company began an employee stock ownership plan (ESOP) by contributing about 10 percent of its stock to an ESOP. Since then, employee share of ownership has increased—and increased.

This past December an issue of new shares of stock to the ESOP meant that employees owned half—50 percent—of Carris Reels. Also in December, a loan to the ESOP enabled it to buy almost a third of Bill Carris' remaining shares. That meant that, by the turn of the year 2006, 65 percent of Carris Reels was owned and controlled by the company's employees. The intention is for it to be 100 percent employee-owned within 10 years.

Bill Carris strongly believes in community building and in the major role employees should play in running the business in which they work. That's why he decided on a long term plan to move his company from family to employee ownership. He hoped, and his hopes are being borne out, that in doing so he could remake the whole work situation at Carris Reels: employees would be—in fact, they are—owners responsible for charting the course of the corporation, keeping it a profitable business, and securing its long term future. Those who work at Carris Reels have moved from employees to owners, from hired workers to stewards of the company and its future. They share in the company's profits.

Today, in Vermont, the Vermont Employee Ownership Center is recognizing Bill Carris and Carris Reels for taking the enormous step to majority ownership by the corporation's employees through their employee stock ownership plan. The recognition is well-deserved. I believe Bill Carris and his employees, and Carris Reels as well, can serve as a model for our Nation.

PAYING TRIBUTE TO SHIRLEY KOBRAN

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. HINCHEY. Mr. Speaker, I rise today to honor the achievements of my friend and constituent, Shirley Kobran. For more than four decades, Shirley has been an active resident of Ulster County, New York where she has dedicated much of her time to serving her community in various manners. Most notably, Shirley committed much of her energy over the years to environmental protection programs and served as the catalyst for several important local initiatives. I'm proud to join the Ulster County Jewish Federation in honoring Shirley for her lifetime achievement and service to the communities of Ulster County.

Upon her arrival to Ulster County from the Bronx, Shirley quickly became active in various community service organizations. It was in her capacity as editor of the League of Women Voters' monthly newspaper that she featured environmental articles prominently on the front page and began to organize the League around relevant environmental matters. On Earth Day in 1970, Shirley, along with her League colleagues, founded the Environmental Task Force of Ulster County. One of the most notable public policy initiatives to emerge from the Task Force was a broad-based recycling program that laid the groundwork for the county's current recycling program. Shirley later became the first chairperson of the Ulster County Environmental Council where she brought attention to the environmental concerns surrounding the generation of nuclear power and oversaw the organization of various environmental fairs.

Shirley went on to serve on the Ulster County Resource Recovery Agency where she formalized a recycling program that continues to exist in the county. She oversaw significant expansion of the Resource Recovery Agency and its recycling program, including the construction of the agency's first sorting facility.

In addition to these notable endeavors, Shirley has been deeply involved with the Ulster County Jewish Federation and many of its programs that support the community. She volunteers regularly at her synagogue, Ahavath Israel, and participates in many community service programs including the Federation's Book Rescue Program and Project Hope.

Mr. Speaker, I have had the pleasure of knowing and working with Shirley Kobran for more than thirty years. She has been a friend and a valued adviser and we have worked closely on many issues of importance to the residents of Ulster County. Her work on behalf of environmental issues and her community is inspiring and commendable. It is with great pleasure that I join the Ulster County Jewish Federation in recognizing her outstanding contributions and achievements.

H.R. 5429—AMERICAN-MADE ENERGY AND GOOD JOBS ACT

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. HOLT. Mr. Speaker, before the Memorial Day recess, we considered the misnamed and misguided American-Made Energy and Good Jobs Act (H.R. 5429). I voted against this legislation, which unfortunately passed the House of Representatives. As I have repeatedly stated, we must make a commitment to a rational energy policy that promotes sustainable energy sources and conservation; not continue the belief that we are going to drill our way to energy independence.

Two weeks ago we considered the Fiscal Year 2007 Energy and Water Appropriations bill which funds our Nation's Department of Energy programs, water and science programs, and some defense and agriculture related programs. Unfortunately, instead of making a commitment to a rational energy policy, the Energy and Water bill continues our dependence on fossil fuels and continues our practice of poisoning our lands, oceans, and air. While the Energy and Water bill does increase funding for alternative energy research and development, we must do more. I was pleased to learn that energy supply and conservation programs will receive more funding in Fiscal Year 07 than they did last year. However, this is not even close to sufficient. Congress still fails to recognize the dire situation the world faces with regard to global warming and the urgency of the action we must take. It is apparent now to all but the willingly blind that we are altering our climate in dangerous and deadly ways, and that is threatening the ability of the air and the oceans to sustain us.

We then considered a bill that will once again allow drilling in the Arctic National Wildlife Refuge. I wonder when my colleagues will learn that drilling our way to energy independence is unrealistic and simply flawed logic. The United States consumes 25 percent of the world's oil, yet we only have less than 3 percent of the world's proven oil reserves. Even if we find oil in ANWR, we will not even come close to lessening our dependence on foreign oil.

We must focus on developing sustainable energy sources and encouraging conservation. We can do this by investing in programs that make our schools, office buildings and homes energy efficient. We must continue to invest in transportation systems that optimize technology to efficiently and effectively move passengers while consuming less energy. In 2005 the Energy Information Administration estimated that if oil was discovered in ANWR, it would only lower gas prices by about one penny per gallon twenty years from now. Responding to rising gas prices by drilling is simply not the answer.

My colleague from New York, Mr. BOEHLERT, pointed out during debate on the House floor, that we have not considered one piece of conservation legislation since the most recent spike in gas prices in May of this year. When will we realize that there are other means to fulfilling our energy needs than destroying our environment and disrupting habitat and wildlife?

It is essential for us to do something dramatic. It is not enough for us to just do a little bit better every year. This is the only way to actually work our way to energy independence. Now is the time for my colleagues to make a commitment to alternative energy sources. We must continue to fight to preserve our environment and develop energy sources that are clean, safe, and sustainable.

TRIBUTE TO EL PRIMER PASO, LTD.

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor El Primer Paso, Ltd., a preschool in Dover, New Jersey, a vibrant organization I am proud to represent. On June 10, 2006 El Primer Paso is celebrating over 35 years of educating young, non-English speaking children.

El Primer Paso is a non-profit early childhood education center. Its primary goals are to provide opportunities for growth and development of ideas, imagination, initiative and self-reliance to the pre-school children who are enrolled in its program.

El Primer Paso prepares non-English speaking children to meet the challenges of the American school system. Adult English classes and other support services are also available to encourage parents to participate in school and community activities. A two-day a week pre-school program provides an extra year of preparation for non-English speaking children before they attend area schools.

El Primer Paso was founded in Dover by a group of volunteers in the late 1960's. The program primarily serves low and moderate income Hispanic families in Morris County, New Jersey. It has grown and changed over the years to meet the needs of this community. In the 1970's, parents requested adult English classes to enable them to help their children and to obtain better jobs. Today, the program serves approximately 30 adults a year and includes training for driver's tests and citizenship tests and preparation for continuing education.

Mr. Speaker, I urge you and my colleagues to join me in congratulating the dedicated and talented trustees, staff and volunteers of El Primer Paso, Ltd. on the celebration of over 35 years of providing critical educational services to the Dover community.

HONORING MAYOR MICHAEL A. GUIDO ON BECOMING THE NEW PRESIDENT OF THE U.S. CONFERENCE OF MAYORS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. DINGELL. Mr. Speaker, I rise today to honor a great friend and wonderful public servant, Dearborn, Michigan Mayor Michael A. Guido, on becoming the President of the United States Conference of Mayors.

Mayor Guido began his career in public service when he was elected the youngest person ever to the Dearborn City Council. He promptly surpassed that achievement two terms later by becoming the youngest Mayor in the city's history. Since assuming the mayor's office in 1986, Mayor Guido has masterfully guided Dearborn with an immense degree of dedication, passion and competence.

As mayor of Henry Ford's hometown for 20 years, Mayor Guido has proven his tremendous ability to serve as a leader both locally and nationally. In Dearborn, Mayor Guido has been able to reduce crime; maintain a responsive police, fire and medical service structure; raise and sustain high property values; and, increase the quality of life through providing recreational, cultural and artistic programs and overseeing the building of nationally recognized cultural and recreational facilities. He managed all of this and much more while maintaining responsible fiscal discipline.

Mayor Guido has also contributed his expertise nationally through a number of organizations. He is a past member of the National League of Cities, NLC, Board of Directors, chaired the NLC's Working Group on Homeland Security following the tragic events of September 11th, and was a member of the Federal Communications' Local and State Government Advisory Committee. Mayor Guido also continues to serve on the National Advisory Councils of Fannie Mae and the NLC.

Knowing such a decent, kind and apt public servant such as Michael Guido has been a distinct privilege of mine for many years. I have seen Mayor Guido grow into a veteran public servant whose savvy for understanding complex national issues has always exceeded my expectations. I have no doubt that the U.S. Conference of Mayors will be well served having Mayor Guido as its President. I ask that all of my colleagues join me in congratulating Mayor Guido on his inauguration as the 64th President of the U.S. Conference of Mayors.

TRIBUTE TO THE ARLINGTON FOOD ASSISTANCE CENTER

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. MORAN of Virginia. Mr. Speaker, I rise today to commemorate National Hunger Awareness Day and to honor the Arlington Food Assistance Center, which is located in my congressional district.

National Hunger Awareness Day was established to help inform individuals, communities, corporations and policy makers that hunger is a severe domestic issue and deserves our critical attention.

The Arlington Food Assistance Center's sole mission is to feed the hungry. This important action allows their clients to make other necessary purchases, such as paying for rent and utilities, without having to sacrifice their health and nutritional needs.

Despite the fact that Arlington County is one of the wealthiest areas in the country, plenty of local residents do not have enough to eat. The Arlington Food Assistance Center, AFAC, seeks to remedy this problem by distributing bread, vegetables, meat, milk, eggs and other food items to those in Arlington who are in need. The Arlington Food Assistance Center currently distributes approximately 1100 bags of groceries each week to over 900 clients, nearly half of whom are children. Each week, families with one to three members receive one bag of food and families of four members or more receive two bags of food—amounts that are expected to supplement a week's meals.

AFAC obtains surplus food at a minimal cost from the Capital Area Community Food Bank and at no cost from local bakeries, supermarkets, farmer's markets, food drives and private donors.

I would like to commend the staff and volunteers of the Arlington Food Assistance Center who work hard to provide needy families in Arlington with groceries each week.

TRIBUTE TO THE DEMOCRATIC PACIFIC UNION

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. LANGEVIN. Mr. Speaker, I rise today to pay tribute to the Democratic Pacific Union, DPU, whose goals include promoting democratic values, peace and prosperity among its member states. The DPU is an important development in the steady expansion of democracy among Pacific states.

Led mainly by Taiwan's President Chen Shui-bian and Vice President Lu Hsiu-lien, the Democratic Pacific Union was created last summer on the 60th anniversary of the end of World War II. In less than a year, the DPU has grown to 28 member democracies and has already compiled an impressive record of accomplishment. This record includes publishing its first quarterly journal, planning regional meetings, forming a Pacific economic advisory group, establishing a training program for typhoon and flood disaster reduction, and initiating the Pacific Congressional Caucus project. The Speaker of Taiwan's legislature, Wang Jin-pyng, has also formed a Taiwan Chapter of the DPU Congressional Caucus.

Mr. Speaker, I encourage my colleagues to acknowledge the importance of this initiative in strengthening democracy in the Pacific region. I congratulate Vice President Lu, the current Chair of the DPU, the leaders of Taiwan, and all the member states for their role in creating and supporting the Democratic Pacific Union.

HONORING HAVENSCOURT COMMUNITY CHURCH

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Ms. LEE. Mr. Speaker, I rise today to honor the Havenscourt Community Church, which has contributed immeasurably to the Oakland community as a whole as well as its own parishioners since 1925.

Since its founding, Havenscourt has been known as a stalwart of service, leadership, and faith, impacting countless lives over the past eight decades. With this same spirit, that of addressing needs within the whole community in addition to the church community, Dr. Claude E. Wilson has served as the pastor at Havenscourt Community Church since the 1960s. In addition to his duties as a spiritual leader, Pastor Wilson has administered several long-standing programs focusing on the academic education of children, the public safety issues that concern the East Oakland area, and the physical wellness issues that concern the African American community.

Pastor Wilson has been commended for his involvement in public education by the Oakland Public School System, in particular, for his personal as well as the Havenscourt Community Church's involvement in providing tutorial, child care, and hot meal programs for school aged children. Through these and numerous other activities Pastor Wilson has relentlessly continued throughout his tenure with Havenscourt to develop programs, networks, and community interconnectedness. Both Pastor Wilson and the Havenscourt family have strengthened our ties with one another and brought hope to our future through spiritual development and community problem solving.

For 81 years Havenscourt Community Church has been an indispensable part of our community, and Dr. Wilson has been leading their contributions as a pastor and community member for more than half of the church's history. On behalf of the residents of California's 9th U.S. Congressional District, I join the Oakland community on this 23rd day of June, 2006 in saluting and thanking the Havenscourt Community Church and its pastor, Dr. Claude E. Wilson. Their presence has contributed to the fabric and vibrancy of our community both currently and as a salient part of our heritage.

CONGRATULATING OFFICER JOHN ANGLE OF THE MOBILE POLICE DEPARTMENT OF BEING NAMED ALABAMA'S TOP COP BY NAPO

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. BONNER. Mr. Speaker, it is with great pleasure that I rise today to honor Officer John Angle of the Mobile Police Department, on the occasion of his selection as a Top Cop by the National Association of Police Organization for 2006. The officers of 10 cases from throughout the nation are awarded this honor each year.

A resident of Mobile, Officer Angle has been an exemplary member of the Mobile Police Department since September 1999. He was nominated for this award by Captain James Barber for his heroic actions above and beyond the call of duty in an incident that occurred on July 23, 2005.

On that night, Officer Angle responded to a burglary in progress call in Mobile. He located and attempted to stop the vehicle as it was leaving the city, but the suspects sped away. A chase ensued with the suspects firing at Officer Angle. Though he was alone on the scene and backup was unavailable, he continued to pursue them.

The suspects pulled over and exchanged gunfire with the officer three times during the twelve minute chase before finally crashing into a ditch. The suspects then exited the vehicle and continued to fire on Officer Angle. He successfully wounded one of the suspects and the two subsequently surrendered.

Mr. Speaker, it is my great honor to recognize Officer John Angle and to commend him for his courage and this well deserved award. I wish him many safe and distinguished years on the police force, and convey my deepest gratitude for his service to Mobile. He is an outstanding example of the quality of individuals who have devoted their lives to law enforcement. I know John's colleagues, his fiancée Laura, his family, and many friends join me in praising his accomplishments and extending thanks for his efforts over the years on behalf of the citizens of Mobile and Alabama's First Congressional District.

HINDU MILITANTS MURDERED 38 SIKHS IN COLD BLOOD

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. TOWNS. Mr. Speaker, recently, former Secretary of State Madeleine Albright wrote a book called The Mighty and the Almighty. The introduction was written by former President Bill Clinton. In his introduction, President Clinton wrote, "During my visit to India in 2000, some Hindu militants decided to vent their outrage by murdering 38 Sikhs in cold blood. If I hadn't made the trip, the victims would probably still be alive. If I hadn't made the trip because I feared what militants might do, I couldn't have done my job as president of the United States."

President Clinton places the blame squarely on Hindu militants, not on the so-called Kashmiri Muslims that the Indian government tried to blame for the massacre. In 2002, the Washington Times reported that the government finally admitted its responsibility and admitted that the evidence that it used to pin the blame on Kashmiris was false.

Reporter Barry Bearak of the New York Times also placed the blame squarely on the Indian government, as did two independent investigations, one by the International Human Rights Organization, which is based in Ludhiana, and the other conducted jointly by the Punjab Human Rights Organization and the Movement Against State Repression. The evidence is overwhelming, yet Indian sycophants continue to deny the government's responsibility.

Unfortunately, this massacre would have been swept under the rug if not for the outstanding efforts of the organizations mentioned above and of the Council of Khalistan, which has painstakingly documented any new developments. I am indebted to them for bringing this to my attention.

The massacre was part of a pattern of repression of minorities that has brought about the murders of over 250,000 Sikhs, more than 300,000 Christians in Nagaland alone, over 90,000 Muslims in Kashmir alone, and Christians and Muslims throughout the country, as well as tens of thousands of Assamese, Bodos, Dalits, Manipuris, Tamils, and other minorities. This is one reason that it is essential to cut off our aid and trade to India and to demand a free and fair plebiscite in Punjab, Khalistan, in Kashmir, in Nagalim, and wherever people are seeking their freedom. This is the only way to bring freedom, peace, stability, and dignity to all the people of south Asia.

I would like to introduce the press release from the Council of Khalistan on Secretary Albright's book into the RECORD at this time.

"HINDU MILITANTS MURDERED 38 SIKHS IN COLD BLOOD"

WASHINGTON, DC, May 30, 2006.—In the introduction to former Secretary of State Madeleine Albright's new book, The Mighty and the Almighty, former U.S. President Bill Clinton writes that "Hindu militants" are responsible for the massacre of 38 Sikhs at Chithisinghpora in March 2000. This reflects previous findings by the Punjab Human Rights Organization, the International Human Rights Organization, the Movement Against State Repression, and New York Times reporter Barry Bearak.

President Clinton writes, "During my visit to India in 2000, some Hindu militants decided to vent their outrage by murdering 38 Sikhs in cold blood. If I hadn't made the trip, the victims would probably still be alive, If I hadn't made the trip because I feared what militants might do, I couldn't have done my job as president of the United States."

According to Amnesty International, "the attackers wore uniforms of the armed forces and were led by a tall man whom they addressed as Commanding Officer (CO). All Sikh men were rounded up, ostensibly to check their identities, and made to sit on the ground in two groups against the walls of the gurdwaras [Sikh temples] a few hundred metres from each other; they were shot at point blank range. As the attackers withdrew, they reportedly shouted Hindu slogans." On August 2, 2002, the Washington Times reported that the Indian government admitted that its forces were responsible for the massacre. India finally admitted that the evidence it used to implicate alleged Kashmiri "militants" in the murders was faked.

At the time of the Chithisinghpora massacre, Dr. Gurmit Singh Aulakh, President of the Council of Khalistan, strongly condemned the murders. "What motive would Kashmiri freedom fighters have to kill Sikhs? This would be especially stupid when President Clinton is visiting. The freedom movements in Kashmir, Khalistan, Nagaland, and throughout India need the support of the United States," he said. Khalistan is the Sikh homeland declared independent on October 7, 1987.

The massacres continued a pattern of repression and terrorism against minorities by the Indian government, which it attempts to blame on other minorities to divide and rule the minority peoples within its artificial borders. The Indian newspaper Hitavada reported that the Indian government paid the late governor of Punjab, Surendra Nath, $1.5 billion to organize and support covert terrorist activity in Punjab, Khalistan, and in neighboring Kashmir.

A report issued by the Movement Against State Repression (MASR) shows that India admitted that it held 52,268 political prisoners under the repressive "Terrorist and Disruptive Activities Act" (TADA) even though it expired in 1995. Many have been in illegal custody since 1984. There has been no list published of those who were acquitted under TADA and those who are still rotting in Indian jails. Additionally, according to Amnesty International, there are tens of thousands of other minorities being held as political prisoners. MASR report quotes the Punjab Civil Magistracy as writing "if we add up the figures of the last few years the number of innocent persons killed would run into lakhs [hundreds of thousands.]"

The Indian government has murdered over 250,000 Sikhs since 1984, more than 300,000 Christians in Nagaland, over 90,000 Muslims in Kashmir, tens of thousands of Christians and Muslims throughout the country, and tens of thousands of Tamils, Assamese, Manipuris, and others. The Indian Supreme Court called the Indian government's murders of Sikhs "worse than a genocide."

The book Soft Target by Canadian journalists Zuhair Kashmeri and Brian McAndrew shows that the Indian government blew up its own airliner in 1985 to blame Sikhs and justify further repression. It quotes an agent of the Canadian Security Investigation Service. (CSIS) as saying, "If you really want to clear up the incidents quickly, take vans down to the Indian High Commission and the consulates in Toronto and Vancouver. We know it and they know it that they are involved." On January 2, 2002, the Washington Times reported that India sponsors cross-border terrorism in the Pakistani province of Sindh.

"Only in a free Khalistan will the Sikh Nation prosper and get justice," said Dr. Aulakh. "When Khalistan is free, we will have our own Ambassadors, our own representation in the UN and other international bodies, and our own leaders to keep this sort of thing from happening. We won't be at the mercy of the brutal Indian regime and its Hindu militant allies," he said. "Democracies don't commit genocide. India should act like a democracy and allow a plebiscite on independence for Khalistan and all the nations of South Asia," Dr. Aulakh said. "We must free Khalistan now."

REPUBLICAN MISGUIDED PRIORITIES

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. CONYERS. Mr. Speaker, yesterday, the Senate Republican leadership renewed debate on whether the Constitution of the United

States should limit marriage and any civil union to one man and one woman.

It is distressing to me that we live in an age in which we still must fight to protect our civil rights as Americans, in which a hate crime perpetrated against someone based their sexual orientation can go unpunished, and in which discrimination is being written into our laws.

If this amendment were to pass, we would rewrite discrimination into the Constitution, a practice I thought we had done away with in 1868, when the Fourteenth Amendment erased the Constitution's reference to "the whole number of free persons." It appears that some would condemn us to repeating history.

The only saving grace for this measure is that it is doomed to failure, and the President knows that. This amendment is being considered merely to throw red meat at conservative voters in an election year. Just over a month before the 2004 election, when his poll numbers were slipping, the President stated his support for this discriminatory measure. He knew the amendment could not pass in Congress and that there was minimal public support for it. Republicans moved this discriminatory bill for the sole purpose of dividing voters and inciting anti-gay sentiment in a hotly-contested election year.

Two years later, the Republicans are drowning in corruption and losing public support on a mass scale. The White House wants to drive its conservative base to the polls and has asked the Senate Majority Leader to bring this issue before the full Senate. Make no mistake about it, we will win this fight again.

Then, hopefully we can turn to the issues that the American people want the government to address. We have yet to investigate the Administration's failed policy in Iraq that has led to the deaths of over 2,000 American soldiers. We need to know why there has been a steep rise in gas prices during a time of record oil industry profits. We need to craft a prescription drug bill for seniors that works instead of keeping one that confuses seniors and rewards large pharmaceutical companies. We need to stop borrowing money from foreign countries, cease deficit spending, and return our economy to the surpluses it had under President Clinton.

With so many critical issues that need the immediate attention of the Congress, Republicans need to reevaluate their priorities. It is my hope that in the coming months we can focus our energies on the many important issues facing our country rather than on divisive and unproductive distractions.

HONORING THE GREEN ALBANY PROJECT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Ms. LEE. Mr. Speaker, I rise today to honor the Green Albany Project, which, in partnership with the Albany Chamber of Commerce, the City of Albany, Alameda County Waste Management, and Stopwaste.org has successfully completed its goal of "greening" the small business district in Albany, California, making it the first project in the nation in which a chamber of commerce has taken the lead in an effort such as this.

The Green Albany Project was launched on Earth Day 2005 as a collaborative effort of the Albany Chamber of Commerce, the City of Albany, and Stopwaste.org under the leadership of James Carter. Upon receipt of a grant from Stopwaste.org, the Albany Green Team was assembled, comprised mostly of local youth from Albany High School and the surrounding community. The Albany Green team then began a yearlong outreach effort, working to contact and educate local business owners on the economic and environmental benefits of going green.

With the help of Stopwaste.org, Alameda County Waste Management, Alameda County Board of Supervisors President Keith Carson, and in collaboration with Smartlights, East Bay MUD, and other programs, the Albany Green Team has succeeded in helping 26 businesses in Albany, which is most of the local small business district, to green their operations and in turn, green our community. In so doing, the Green Albany Project has successfully diverted 150 tons of solid waste from landfills through its work to implement composting practices at local businesses, and it is projected that an additional 290 tons will be diverted in the year to come.

The Green Albany Project celebrates this success only one year after its launch, and furthermore, having achieved its objectives under budget, will be returning money to the county for use in propelling other worthwhile projects forward.

In addition, this project would not have been possible without the support of the small business owners in Albany, who are a crucial driving force behind our local and regional economies, and who have provided an immeasurable service to the community by implementing these new green systems with the help of the Albany Green Team.

The Green Albany Project is an outstanding example of steps that our communities can take to address the national and global challenge of developing sustainable practices in a time of diminishing natural resources.

The Green Albany Project has not only made history as the first project of its kind to be completed in our country, but has demonstrated to businesses throughout California's 9th Congressional District and across our country that going green is not only possible but profitable.

On behalf of the residents of California's 9th U.S. Congressional District, I join the Albany community on this 5th day of June, 2006 in saluting and thanking the Albany Green Team, the Albany Chamber of Commerce, the City of Albany, Stopwaste.org, Alameda County Waste Management, the Albany small businesses that have made the decision to go green, and all the other partners who have made the Green Albany Project a success. Their work has contributed immeasurably to California's 9th Congressional District, to the entire Bay Area and to our country, and represents an important step forward in the international effort to establish environmentally and economically sustainable ways of living here in our community and around the world.

IN HONOR OF THE 20TH ANNIVERSARY OF THE DELAWARE COMMUNITY FOUNDATION

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. CASTLE. Mr. Speaker, I rise today to pay tribute to the Delaware Community Foundation as it celebrates its 20th anniversary of unparalleled service to the State. The Foundation was created in 1986 to provide a lasting source of charitable funding by enabling donors and organizations to effectively support the causes that matter most to Delaware's citizens.

In the publication of its first newsletter in 1990, the Foundation noted that through its first grant making program it awarded roughly $60,000 in grants to six agencies for use in addressing homelessness. Other inaugural accomplishments included the creation of 8 new charitable funds, and a total fund balance of just over $6 million. Today, the Foundation manages nearly 600 charitable funds, gives from a total asset balance of more than $200 million, and has awarded more than $54 million in grants in its short 20-year history. This exceptional growth stands as a testament to the important work done by the Delaware Community Foundation and how much it is truly needed.

Through its strong community leadership, and both competitive and non-competitive grant programs, the Foundation is now able to adapt to the needs of the community as they emerge and evolve. In doing so, the Delaware Community Foundation has been able to support hundreds of charitable organizations in Delaware who deal with a wide range of causes; such as the arts, education, environmental concerns, health care, substance abuse and violence prevention, affordable housing, social services, and other philanthropic and religious organizations.

Mr. Speaker, in closing, I would like to thank the Delaware Community Foundation for its hard work on behalf of our citizens, and for providing effective and responsible philanthropy that has enhanced the quality of life of many Delawareans; the Foundation's mission is truly inspiring. Like the hundreds of other community foundations throughout the United States, the Delaware Community Foundation continues to offer an invaluable service to our great Country.

INTRODUCING H.R. 5524, RURAL VETERANS HEALTH CARE ACT OF 2006

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. MICHAUD. Mr. Speaker, today I am introducing H.R. 5524, the Rural Veterans Health Care Act of 2006, to strengthen and improve access to health care for rural veterans.

The Memorial Day weekend has recently passed us by. The holiday reminded us all of the great sacrifices made by our Nation's veterans and their families. It is important that we honor our veterans with action and not just words. We must not forget that we have soldiers in harm's way in Iraq and Afghanistan, and they too have earned the support of a grateful nation, just as generations before them.

Meeting the needs of our veterans and their families should be a top priority. While the Department of Veterans Affairs (VA) does a good job in delivering quality medical care, treatment is sometimes harder to access for veterans in rural areas.

Rural communities have always answered their Nation's call to service. Nationwide, more than 44 percent of recent U.S. military recruits come from rural areas. This tradition of service is true in my home State of Maine where approximately one in six residents is a veteran—one of the highest proportions in the country. Across the country, one in five veterans who is enrolled to receive VA health care lives in a rural area.

Veterans who live in rural settings are often older and have more physical and mental health diseases as compared to veterans who live in suburban or urban settings. According to the 2005 Institute of Medicine report, The Future of Rural Health, "the smaller, poorer, and more isolated a rural community is, the more difficult it is to ensure the availability of high-quality health services."

It is important that we address the unique challenges that rural veterans face in accessing health care. At my request last summer, the House Veterans' Affairs Subcommittee on Health held a hearing at Eastern Maine Community College in Bangor to raise awareness of this issue and to search for solutions. The field hearing focused on rural veterans' access to primary care and gave the Chairman and me the opportunity to hear directly from veterans and health care providers in Maine.

It was clear to the Chairman and me that if our rural veterans are going to get the care they deserve, the VA needs to have a focused effort to increase access to quality health care for those living in non-urban areas of our country.

My legislation is a result of the findings from the Maine field hearing, an ongoing dialogue between my office and Maine veterans and health care providers, and reports published by the Institute of Medicine that focused on improving health care in rural areas.

Specifically, my bill would help rural communities address the needs of returning veterans who are serving in Iraq and Afghanistan by requiring the VA to conduct an extensive outreach program to these veterans who reside in rural communities. The VA would be required to collaborate with employers, state agencies, community health centers, rural health clinics and the National Guard to conduct this extensive outreach program to ensure that returning troops have access to the benefits they have earned.

The legislation would also build on the strength of the Vet Centers program. Vet Centers are located in the community outside of the larger VA medical facilities, in easily accessible, consumer-oriented facilities. They are highly responsive to the needs of local veterans. In 2005, the 206 Vet Centers saw over 132,853 veterans. For nearly one out of four veterans seen at Vet Centers, these centers are their access to VA programs and benefits. This core group of veteran users primarily received counseling for military-related trauma. My bill would require the VA to expand its presence in rural areas and to establish a pilot program to have mobile Vet Centers that could help reach veterans in the most rural and remote areas.

Consistent with the promise made to veterans in the CARES process, my legislation would hold the VA accountable for improving access for rural veterans through Community Based Outpatient Clinics (CBOCs) and other access points by requiring the VA to develop and implement a plan for improving veterans' access to quality care in rural areas. The May 2004 Secretary's CARES decision identified 156 priority CBOCs and new sites of care nationwide. The VA Secretary would also be required to develop a plan for meeting the long-term care needs of rural veterans, expanding adult day-care and respite care programs for rural veterans, expanding the use of telemedicine to enhance the care of rural veterans, and expand access to mental health care for rural veterans.

The 2005 groundbreaking Institute of Medicine report on The Future of Rural Health recommended that the federal government incorporate a rural focus in planning and developing a national health information infrastructure. The VA has been a leader in developing an electronic medical record system to enhance patient safety and improve quality of care. This legislation recognizes that VA has a leading role and responsibility to help rural veterans and their providers. The bill would establish a health information technology pilot to ensure a continuum of quality of care for veterans that rely on VA provided care, VA fee-basis care and contracted care. The pilot would have the VA partner with a range of providers including community health centers, rural health clinics and critical access hospitals, where appropriate.

Rural veterans, veteran service organizations and other experts need a seat at the table to help the VA consider important program and policy decisions that affect rural veterans. The legislation would establish a Rural Veterans Advisory Committee to harness the knowledge and expertise of representatives from other federal agencies, academic affiliates, veterans and other experts to recommend opportunities to meet the challenges of veterans' rural health care.

This legislation would also put VA in the forefront of researching, developing and evaluating innovative approaches in the delivery of rural health care by establishing four Rural Health Research, Education, and Clinical Care Centers. These centers of rural health care excellence will conduct research on rural health services, allow the VA to pioneer models for furnishing services to treat rural veterans, provide education and training for health care professionals, and develop and implement innovative clinical activities and systems of care. These centers would maximize the investment of federal tax dollars by collaborating with Department of Health and Human Services Rural Research Centers.

Health workforce shortages and recruitment and retention of the health care workers are key challenges to rural veterans' access to care and quality of care. Rural Americans face a unique combination of factors that create disparities in health care not found in urban areas. Only 10 percent of physicians practice in rural areas despite the fact that one-fourth of the U.S. population lives in these areas. State offices of rural health identify access to mental health care and concerns for suicide, stress, depression, and anxiety disorders as major rural health concerns. The 2005 IOM report recommended that the federal government initiate a renewed, vigorous and comprehensive effort to enhance the supply of health professionals working in rural areas.

The VA's involvement in medical and nursing education of future rural providers is essential. Almost 28,000 medical residents and 16,000 medical students receive some of their training in the VA every year. In addition, over 32,000 associated health students, including future nurses, pharmacists, dentists, audiologists, social workers, psychologists, physical therapists, optometrists, respiratory therapists, physician assistants and nurse practitioners, receive training through the VA.

This legislation would place VA at the forefront of enhancing the rural education and training of health professionals. The legislation requires the VA Secretary to institute additional rotations for medical residents in rural areas; establish programs to enhance the education, training, recruitment and retention of nurses in rural areas; and create programs to enhance the education, training, recruitment and retention of allied health professionals in rural areas.

Helping homeless veterans in rural and remote locations recover, rehabilitate and reintegrate into society is complex and challenging. The VA has no specific programs to help community providers who focus on homeless veterans in rural and remote locations. This legislation would authorize special grants to community providers to meet the needs of homeless rural veterans.

Native American, Native Hawaiian and Native Alaskan veterans have unique needs. This legislation would expand VA's health care presence in these rural and remote communities.

Rural America has always answered the call to service. We should do everything we can to ensure that rural veterans have the same reasonable access to the high quality care available through the VA as veterans in suburban and urban areas. I urge my colleagues to support the Rural Veterans Health' Care Act of 2006.

THE AMERICAN LEGION,
Washington, DC, June 5, 2006.

Hon. MICHAEL MICHAUD,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MICHAUD: On behalf of the 2.7 million members of The American Legion, I would like to express our support for your legislation addressing rural veterans health care.

The American Legion understands the dire straits that many veterans who reside in rural and highly rural areas find themselves. As the Global War on Terror and the ongoing conflicts in Afghanistan and Iraq continue to escalate, the need for the nation's Active Duty, National Guard and Reserve service members to deploy not once, twice, but three times is becoming the rule and not the exception. The need for the Department of Veterans Affairs (VA) to reach out to these veterans, many of them in rural communities, has reached an unprecedented scale. The time is now for VA to take responsibility to bring those veterans in and provide them the services they not only need, but also earned.

Adequate and directed outreach, rural mental health services, trained medical staff, rural health research and homeless rural veterans are all key components of your legislation that address the growing dilemma that is access to rural health care.

The American Legion believes this legislation will go a long way in addressing this crucial issue and we thank you for your continued leadership and support of America's veterans and their families.

Sincerely,

STEVE ROBERTSON,
Director,
National Legislative Commission.

VIETNAM VETERANS OF AMERICA,
Silver Spring, MD, June 2, 2006.

Hon. MIKE MICHAUD,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN MICHAUD: Vietnam Veterans of America applauds your initiative in introducing a bill—a bill that is sensible, necessary, and long overdue—that promises to significantly improve health care delivery to veterans living in rural areas. These veterans have been underserved for far too many years; your bill, when passed, can correct this oversight.

We are particularly pleased that your bill calls for an expansion of the very effective Vet Center program into rural areas; the establishment of a Rural Veterans Advisory Committee; additional rotations of medical residents to rural areas; and programs to enhance the education, training, recruitment, and retention of health care professionals in rural America.

With more than four in ten enlistees coming from rural areas, passage of your legislation will serve to send a clear message: that their needs, when they become veterans, will not be overlooked.

On behalf of VVA members and their families, I thank you for your concern about rural veterans and your desire to ensure that they get better access to the quality health care they have earned by virtue of their military service.

Sincerely,

JOHN ROWAN,
National President.

MILITARY ORDER OF THE PURPLE HEART,
Springfield, VA, June 5, 2006.

Hon. Mike Michaud,
Washington, DC.

DEAR MR. MICHAUD: The Military Order of the Purple Heart (MOPH), whose membership is comprised entirely of combat-wounded personnel, is pleased with your efforts to improve health care for veterans in rural areas. Health care provided by the Department of Veterans Affairs should be available to all those enrolled in the system without regard to the area in which they live. For too long those veterans living in rural areas have been neglected.

MOPH thanks you for this effort and will assist you in any way possible to help enact this legislation.

Respectfully,

JAMES D. RANDLES,
National Commander.

HONORING THE AVIATION ACCOMPLISHMENTS OF JOE HAWKINS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. GORDON. Mr. Speaker, I rise today to recognize the outstanding accomplishments of Joseph C. Hawkins, a resident of my hometown of Murfreesboro, Tennessee. Joe recently became the first Tennessean to receive the prestigious National Aviation Maintenance Technician of the Year award, which is sponsored by the Federal Aviation Administration and the General Aviation Manufacturers Association. Recipients of this award must demonstrate exceptional generosity and a keen knowledge of professionalism.

For nearly 30 years, Joe has been an airframe and power plant technician. He currently dedicates his time as an Assistant Professor in the Aerospace Department at my alma mater, Middle Tennessee State University, where he teaches a wide variety of classes and practical labs and also serves as an advisor for students interested in careers in the field.

This is not the first time Joe has been recognized for his outstanding accomplishments in aviation. In 2006, Joe received the Professional Aviation Maintenance Association's Award of Merit for his demonstration of safety and professionalism.

Joe's achievements and service in the aviation field are exceptional. He serves as an inspiration to other Tennesseans in the department of aviation and education. Once again, I congratulate him on this prestigious award.

CELEBRATING THE BIRTH OF ZACHARY CHARLES STICKNEY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. WILSON of South Carolina. Mr. Speaker, today I am happy to congratulate LCDR and Mrs. Charles Stickney USN of Prattville, Alabama, on the birth of their new baby son. Zachary Charles Stickney was born on April 15, 2006, at 8:00 a.m., weighing 7 pounds and 11 ounces. He has been born into a loving home, where he will be raised by parents who are devoted to his well-being and bright future. His birth is a blessing.

RICHARD C. MERRYMAN

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mrs. CAPITO. Mr. Speaker, owning a home is an important part of the American dream. It is more than a roof over our heads; home ownership builds economic stability and, over the long term, creates equity to finance education, business startups and retirement. People with equity in their homes not only take greater pride in them, they also become more involved in their communities.

Richard C. Merryman recently joined the nearly seventy percent of Americans who enjoy the satisfaction of owning their own home. Richard is a handicapped individual who obtained a 502 Direct loan along with a West Virginia Housing Development Fund (WVHDF) leveraged loan to build a new handicap accessible home. It was the first leveraged loan in the Eastern Panhandle of West Virginia.

The nationally known partnership between the WVHDF and West Virginia Rural Development (WVRD) has provided critical gap financing for many homeowners who otherwise could not qualify for a homeownership loan. WVHDF specializes in providing affordable mortgage financing for residents of West Virginia, as well as financing for developers to rehabilitate or construct affordable apartments and subdivisions. The Rural Housing Programs of West Virginia work to improve the quality of life for rural Americans by ensuring that they have access to safe, well-built, affordable homes.

Richard exemplifies the spirit and determination of those who have risen above significant adversity in order to achieve the dream of homeownership. He was previously on Social Security disability but is now employed as a greeter at the Wal-Mart in Martinsburg, WV. Richard moved into his new home in April 2006.

I applaud Richard and the men and women who work to achieve the dream of homeownership and who have built better lives and greater opportunity for all Americans.

RECOGNIZING CONGRESSMAN JOHN LEWIS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. MCGOVERN. Mr. Speaker, I rise today to thank and praise Congressman JOHN LEWIS for visiting New Bedford, MA, this past week, to discuss his important involvement with the American Civil Rights Movement, and to remind all of us how we need to find the courage to continue the Movement.

I'd also like to thank Congressman BARNEY FRANK for inviting Congressman LEWIS to speak. The two Congressmen are friends of more than 40 years, and as Congressman FRANK states, Representative LEWIS continues to be "one of the great moral forces in this country."

Representative LEWIS, a great hero of the American Civil Rights Movement, spoke to 1400-plus students and teachers at New Bedford High School, sharing his experiences growing up in the segregated South, and his eventual involvement with nonviolent protests.

Congressman LEWIS told the students "that it was the young, like himself and many others who formed the Student Nonviolent Coordinating Committee," who led the way in the Civil Rights Movement.

I would like to place into the RECORD the following editorial, Timely Message from John

Lewis, which appeared in the June 1, 2006, edition of the New Bedford Standard-Times.

[From the New Bedford Times, June 1, 2006]

TIMELY MESSAGE FROM JOHN LEWIS

Whether it was the hand of the almighty or simply the good sense of our local congressman, Barney Frank, yesterday's visit to New Bedford by U.S. Rep. John Lewis, D-Ga., one of the great heroes of the American Civil Rights Movement, could not have been timed more perfectly.

The 56-year-old Rep. Lewis, who is the son of a sharecropper born in segregated Alabama, brought a message of hope and healing to a city preparing to bury Bernadette DePina, who was shot to death in her home last week, just day's after her 23-year-old son David DePina II's arrest on charges of murdering a 29-year-old man.

Rep. Lewis didn't talk about crime or punishment or politics. He talked about growing up poor in the segregated South, about being inspired as a 15-year-old listening to the radio by the actions of the late Rosa Parks and the soaring words of a young black minister, Dr. Martin Luther King Jr., to stand up for the dignity of all and "to find a way to get in the way" of those who would deny others that dignity.

And that's what he did. Arrested scores of times in nonviolent protest of discriminatory voting practices, segregated schools, lunch counters and public transportation, he was threatened, beaten, spit upon and hated by Southern whites trying to maintain the legalized segregation of the Jim Crow south. He has faced trouble, counted losses and continued his fight as what Congressman Frank—his friend for more than 40 years—calls "one of the great moral forces in this country."

"I am not bitter today, and I am not going to be bitter tomorrow," Rep. Lewis said.

And then he said something important to the community of New Bedford, which some fear has split along racial, ethnic, neighborhood and economic fault lines.

"We are one people," he said in the soaring voice of the preacher he grew up wanting to be, with the same simple conviction that powered Dr. King. "We all need each other. We all live in the same house."

He cautioned 1,400 sophomores and juniors at New Bedford High School not to grow bitter but to become involved in their own mission to make things better for all. He urged the students to register to vote and to vote when they turn 18, a privilege he marched for four decades ago.

The congressman told the students that it was the young, like himself and many others who formed the Student Nonviolent Coordinating Committee, who led the way in the Civil Rights Movement.

"And it will be the children in New Bedford who will say, 'We're going to live in peace because we are all brothers and sisters.'"

His words inspired a standing ovation in the packed high school hall. They stirred the imagination of Stephanie Houtman, 15, a sophomore. "He was talking about how they burned his back with cigarettes," Yet he did not relent. He did not stir from the segregated lunch counter.

Dominick Baptiste, 16, walked out of the auditorium with a broad smile on his face at the end of the speech. "It made me feel good to know that people can fight racism,'" he said. "The fact that he was able to find the courage to sit at the white table. The fact that he was able to go back again and again."

The congressman's visit reminded the city of what we all know.

What happens to a family on Ash Street or at Monte Park or the United Front or County Street happens to all of us. An unless we let our own bitterness go, unless we reach across the way to our neighbor, we will never be what we want to be, what we should be.

It ought not take a visit by a congressman from Georgia to remind us of that. Deep down, we all know it. Having the courage to do something about it is the real test.

THE BURNING OF AFGHAN SCHOOLS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mrs. MALONEY. Mr. Speaker, I rise to express my deep concern about reports that schools in Afghanistan continue to be destroyed. I recently met with Dr. Sima Samar, chair of the Afghan Independent Human Rights Commission, who reported to me that since 2005, dozens of schools have been burned. Dr. Samar works courageously every day, under threat of personal attack, to ensure that the rights of Afghan citizens, including women and children, are protected. I strongly agree with her that to truly be empowered, Afghan women and girls must be educated.

I urge the U.S. State Department to take immediate action to ensure that Afghan children and women can be educated without fear of violence. This is truly vital to the future of Afghanistan. Although the lives of some women are improving, for far too many, the situation has remained the same. They continue to endure hardships including targeted violence, limited mobility, illiteracy, and a high rate of maternal mortality. By giving women access to the skills and opportunities that they need to become partners in creating Afghanistan's future, we will ensure that women will no longer be second-class citizens. We cannot afford to wait.

HONORING THE LIFE OF AMY BRYANT KIRKPATRICK

HON. RUBÉN HINOJOSA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. HINOJOSA. Mr. Speaker, I rise today to pay tribute, on the anniversary of her passing, to Amy Bryant Kirkpatrick of Granbury, Texas. Mrs. Kirkpatrick passed away June 6, 2005 after a long and fierce battle with cancer at the age of 27.

Mrs. Kirkpatrick was born April 20, 1978 in Denton, Texas to parents Donald and Becky Bryant of Valley View, Texas. She was raised in Valley View and graduated from Valley View High School in 1996. Amy was the spiritual and kinetic center of her family, and was always a beam of light for her family to center around. As a devoted daughter, Amy served her parents as a shining example of caring upbringing through her awards and accolades and most importantly her character. She also served as an inspiring and loving sister to her brother Dustin Bryant. Through thick and thin, Amy always let her character and love for her family guide her through life and this outlook would lead her through struggles later on.

Amy's contagious character and spirit was a draw for many, and it is no doubt that this led to her to the destiny of meeting the love of her life. She met and later married Lance Kirkpatrick of Burleson, Texas on May 23, 1998. They shared a love that stayed true to the vows made at their wedding. Through sickness and in health, for richer and poorer, till death do them part, Lance and Amy personified these vows in the seven years of their marriage.

Answering the call of the passion in her life, Amy sought in her studies a chance to help others, particularly children. After graduating from Tarleton State University in 2000, Amy taught special education for Granbury ISD in Granbury, Texas. She chose to teach students with emotional and behavioral disorders, as it was up to her to guide these children who many had neglected. She saw in them what many others chose to look past, and that was hope. Through her sickness, Amy would only miss a day a week during her chemotherapy treatments to be away from her students. She did instill stability as well as earn the trust of these previously ignored children. During her second year of teaching, the Masonic Lodge of Granbury honored Amy as the Outstanding Teacher of Granbury ISD. In 2005, Amy was once again honored as Outstanding Teacher of the Year by Wal-Mart. The recognition of these awards truly highlights the dedication and devotion that Amy had toward disadvantaged students. She has made a long and lasting impact on many children she taught, as well as her colleagues. Beyond her awards and recognition, Amy will be remembered as a teacher who cared about her students when society was not as compassionate.

Fulfilling her life's dream, Amy gave birth to a precious daughter, Hannah Grace on December 19, 2003. As a child she was told she would never have, Hannah was truly the calm in Amy's storm. Her legacy will live on through this child she fought so hard to give birth to. We will all bear witness to the traits that Amy has passed onto Hannah, and it will be the duty of many to see the love and sacrifice that Amy gave will not be unknown to her daughter.

As a daughter, sister, wife, and mother, Amy's memory and life will be in the reflection of many who knew her, as she touched so many around her. Her motto through out her sickness was "I have cancer, cancer does not have me."

In closing, I would like to leave you with a quote by President John F. Kennedy which reads, "The courage of life is often a less dramatic spectacle than the courage of a final moment; but it is no less a magnificent mixture of triumph and tragedy." We will all miss Amy's presence but never forget her life.

ON THE 62ND ANNIVERSARY OF D-DAY

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. RAHALL. Mr. Speaker, I pause today to remember the men, our brave veterans from the Greatest Generation, many who gave their lives on June 6, 1944 to begin the liberation of Europe.

Sadly, fewer and fewer of these brave men are left with us who were actually there on June 6, 1944, when Supreme Allied Commander General Dwight D. Eisenhower gave the go-ahead for the largest amphibious military operation in history: D-Day, code-named Operation Overlord, the Allied invasion of northern France. Unfortunately, we are saying goodbye to these veterans in greater numbers with each passing year. But for those who remain with us and in memory of those who died that day and who have subsequently passed since, we pause today to honor their great deed.

At 6:30 a.m. on June 6, 1944, our brave American troops came ashore at Utah and Omaha beaches. On Omaha Beach, the U.S. First Division battled heavy German fire and rough waters and many wounded Americans ultimately drowned in the high tide. Our British and Canadian brothers landed at Gold, Sword beaches, and Juno beaches, and also were met with heavy German fire, but by day's end had established beachheads.

Total Allied casualties on D-Day are estimated at over 10,000. The breakdown of United States casualties was 1,465 killed, 3,184 wounded, 1,928 missing and 26 captured. Before the day ended however, 155,000 Allied troops would be in Normandy, bringing with them the beginning of the end of the Third Reich. The world has not forgotten what these men did on June 6, 1944, and we must remain vigilant in making sure we never forget their great sacrifice.

IN HONOR OF BRIAN L. GOTLIEB

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. WEINER. Mr. Speaker, I rise today in recognition of long time community activist, Brian L. Gotlieb, upon his completion of service as Chairman of Community Board 13 in Brooklyn. Brian L. Gotlieb has proven himself to be a tireless fighter on behalf of his neighbors and our community.

While Brian's service to Community Board 13 started long before his appointment as chairman, serving as a member of the Board's Youth Services, Education & Library, and Housing, Zoning & Land Use committees, he never limited his community activism to just one organization. Brian L. Gotlieb founded Shorefront Toys for Tots, to distribute toys to needy children during the holiday season, served as a member of the Community School Board for District 21, and as President of the Brighton-Atlantic Unit 1671 of B'nai B'rith helped that unit expand their outreach effort to other religious, ethnic and civic groups.

Brian L. Gotlieb was taught civic responsibility by example, and I am sure his mother Myrna, of blessed memory, would be proud of his accomplishments, which include being honored by many of the organizations he has served or supported as well as being a practicing attorney.

Therefore, on behalf of the United States House of Representatives, I congratulate Brian L. Gotlieb upon the completion of his service as Chairman of Community Board 13 in Brooklyn and thank him for his many years of hard work on behalf of my constituents and the City of New York.

62ND ANNIVERSARY OF D-DAY

HON. JIM MARSHALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. MARSHALL. Mr. Speaker, today is the 62nd anniversary of D-day—the allied landings in Normandy which began the liberation of Europe from the control of Nazi Germany.

Earlier today, I spoke at a commissioning ceremony for ROTC cadets. I am proud to have had the opportunity to welcome these young, enthusiastic students into the ranks of our military. In my speech, I reminded the newly commissioned officers of the sacrifices made by generations of American military officers on behalf of our Nation, the importance of living up to the legacy of our fathers and grandfathers, and the importance of honor, duty, God and country.

I believe each of these new officers will make our country proud.

HOUSE OF REPRESENTATIVES—*Wednesday, June 7, 2006*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. WESTMORELAND).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 7, 2006.

I hereby appoint the Honorable LYNN A. WESTMORELAND to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God. You have blessed us as a Nation since our earliest days. Present problems are no easier to resolve and today's decisions no less difficult to make than those closer to the birth of this Nation. So this morning, Lord, we pray that wisdom remain our constant companion.

Your sacred scripture tells us, "Wisdom is the brightness that streams from everlasting light, the flawless mirror of the active power of God and the image of goodness. She is but one, yet can do everything; herself unchanging, she makes all things new. Age after age she enters into human souls and makes them God's friends and prophets."

Lord, grant that power always have wisdom as its sister, both now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. PITTS) come forward and lead the House in the Pledge of Allegiance.

Mr. PITTS led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair desires to make an announcement.

After consultation among the Speaker and the majority and minority leaders, the Chair announces that during the joint meeting to hear an address by Her Excellency Dr. Vaira Vike-Freiberga, President of the Republic of Latvia, only the doors immediately opposite the Speaker and those on his right and left will be open.

No one will be allowed on the floor of the House who does not have the privilege of the floor of the House.

Due to the large attendance that is anticipated, the Chair feels the rule regarding the privilege of the floor must be strictly adhered to.

Children of Members will not be permitted on the floor, and the cooperation of all Members is requested.

The practice of reserving seats prior to the joint meeting by placard will not be allowed. Members may reserve their seats by physical presence only following the security sweep of the Chamber.

RECESS

The SPEAKER pro tempore. Pursuant to the order of the House of Thursday, May 25, 2006, the House stands in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 4 minutes a.m.), the House stood in recess subject to the call of the Chair.

☐ 1056

JOINT MEETING OF THE HOUSE AND SENATE TO HEAR AN ADDRESS BY HER EXCELLENCY DR. VAIRA VIKE-FREIBERGA, PRESIDENT OF THE REPUBLIC OF LATVIA

The Speaker of the House presided.

The Assistant to the Sergeant at Arms, Bill Sims, announced the Vice President and Members of the U.S. Senate who entered the Hall of the House of Representatives, the Vice President taking the chair at the right of the Speaker, and the Members of the Senate the seats reserved for them.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to escort Her Excellency Dr. Vaira Vike-Freiberga, President of the Republic of Latvia, into the Chamber:

The gentleman from Ohio (Mr. BOEHNER);

The gentleman from Missouri (Mr. BLUNT);

The gentleman from Florida (Mr. PUTNAM);

The gentleman from Georgia (Mr. KINGSTON);

The gentleman from Illinois (Mr. SHIMKUS);

The gentleman from Mississippi (Mr. WICKER);

The gentlewoman from California (Ms. PELOSI);

The gentleman from Maryland (Mr. HOYER);

The gentleman from South Carolina (Mr. CLYBURN);

The gentleman from Connecticut (Mr. LARSON);

The gentleman from Florida (Mr. WEXLER); and

The gentleman from Ohio (Mr. KUCINICH).

The VICE PRESIDENT. The President of the Senate, at the direction of that body, appoints the following Senators as members of the committee on the part of the Senate to escort Her Excellency Dr. Vaira Vike-Freiberga, President of the Republic of Latvia, into the House Chamber:

The Senator from Tennessee (Mr. FRIST);

The Senator from Kentucky (Mr. MCCONNELL);

The Senator from Alaska (Mr. STEVENS);

The Senator from Arizona (Mr. KYL);

The Senator from Mississippi (Mr. LOTT);

The Senator from Illinois (Mr. DURBIN); and

The Senator from California (Mrs. BOXER).

The Assistant to the Sergeant at Arms announced the Acting Dean of the Diplomatic Corps, His Excellency Banny De Brum, Ambassador of the Marshall Islands.

The Acting Dean of the Diplomatic Corps entered the Hall of the House of Representatives and took the seat reserved for him.

At 11 o'clock and 4 minutes a.m., the Assistant to the Sergeant at Arms announced Her Excellency Dr. Vaira Vike-Freiberga, President of the Republic of Latvia.

The President of the Republic of Latvia, escorted by the committee of Senators and Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk.

[Applause, the Members rising.]

The SPEAKER. Members of the Congress, it is my great privilege and I deem it a high honor and a personal

☐This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

pleasure to present to you Her Excellency Dr. Vaira Vike-Freiberga, President of the Republic of Latvia.

[Applause, the Members rising.]

ADDRESS BY HER EXCELLENCY DR. VAIRA VIKE-FREIBERGA, PRESIDENT OF THE REPUBLIC OF LATVIA

President VIKE-FREIBERGA. Mr. Speaker, Mr. Vice President, distinguished Members of the House of Representatives, honorable Senators, Excellencies, ladies and gentlemen, it is with deep emotion that I stand within these august walls and thank you for the honor of addressing you on behalf of the Latvian people.

I believe this honor to be bestowed upon me in recognition of Latvia's strivings, sacrifices and extraordinary success in transforming itself from a captive nation under the yoke of a foreign totalitarian regime into a reestablished democracy with a flourishing market economy.

Fifteen years ago, Latvia, along with neighboring Estonia and Lithuania, regained its independence after 50 years of Soviet occupation. The Baltic Singing Revolution achieved this by nonviolent means and the sheer courage and determination of the peoples of these countries. They were ready to face Soviet guns and tanks with nothing but their unarmed bodies and the deep conviction of their rights, knowing full well that, at any moment, these guns and tanks might crush them as they had crushed so many before.

After the collapse of the once powerful Soviet empire, Latvians at long last recovered their fundamental rights and freedoms. They regained the right to forge their own destiny; they recovered the freedom to shape their own future.

For too long the Iron Curtain had kept Europe divided and the nations of the world confronted each other in two opposing camps. We thank the Lord that these times are behind us at last. Dozens of nations have gained or regained their sovereignty. For them, right has triumphed over might, courage has overcome fear, and dignity has replaced humiliation and oppression.

The wave of freedom and democratic reform has been spreading throughout Central and Eastern Europe, extending from the Baltic Sea to the Black Sea and into the Caucasus. One country after another, with the sad exception of Belarus, has been making a commitment to democracy and has accepted the need for the rule of law and the respect of human rights.

Mr. Speaker, Mr. Vice President, distinguished Members of Congress, it is an honor and a pleasure to be addressing you as the elected Representatives of a great country, a mighty world power that has achieved its greatness by building its house on the solid rock of democracy. The United States of America has remained ever faithful to Lincoln's goal of having a government of the people, for the people and by the people.

Born 230 years ago, your great Nation has grown strong by being a warm and welcoming Mother of Exiles as well as a land of hope and opportunity for its own sons and daughters. Among the exiles received in America, there were many Latvians who had fled their native land at the end of the Second World War.

Latvia remains grateful to the United States for opening its doors to a good many of these exiles, who gained the right to live here in peace, justice and liberty, while many of their relatives back home suffered oppression and brutal persecutions. They quickly became loyal and patriotic citizens of America, productive members of your society, many achieving positions of distinction and responsibility.

Latvia remains grateful to the United States for the firm refusal to recognize the illegal occupation of the three Baltic countries. Along with the other formerly captive nations of Central and Eastern Europe, we thank America for its steadfast and courageous stand on freedom and democracy.

You were instrumental in assisting Latvia, Estonia and Lithuania in the withdrawal of former Soviet troops from their territories. The U.S.-Baltic Charter of Partnership of 1998 gave direction to our common goal and vision of the Baltic States joining Euro-Atlantic institutions. We recall the unanimous vote by the United States Senate in support of the latest enlargement of NATO. Since then, the United States has helped to ensure the collective defense of the Baltic airspace. For all this, we are grateful.

Latvia has had the honor of receiving two American Presidents since recovering its independence: President Clinton in 1994 and President Bush last year. We look forward to receiving President Bush again this fall when the 2006 NATO Summit convenes in Riga. We count ourselves fortunate to have the United States of America as a true friend and trusted ally.

Mr. Speaker, Mr. Vice President, distinguished Members of Congress, I stand before you as a former exile, who has had the rare privilege of returning to her native land, free and independent again; a former exile who has had the deep satisfaction of helping her country rise like a phoenix from the ashes of oppression. I am the representative of a resilient and stubborn nation whose people have struggled against all odds to preserve their ancient heritage, maintain their language alive, and remain true to their national identity. It has been indeed a privilege to lead this nation while it recovered its rightful place among the world community of free and democratic countries.

The road has not been easy. Renewing independence was just the first step. We still had to rebuild a country, not just starting from scratch, but only after clearing away the rubble left by the previous system. Just 15 years ago, we had to make the transition from a stagnant, state-planned, command economy to a workable, liberal, free-market economy. It was a formidable challenge. While we were fortunate in regaining our independence without significant bloodshed, our inhabitants did pay a heavy economic and social price for their freedom. They were ready to do so because they understood that this was an investment in a better future.

Overcoming years of constant change, uncertainty and adaptation, Latvia has become a success story. An unfinished story by all means, especially as concerns the standard of living of our people, but a success story nevertheless. Last year, Latvia's economy grew by more than 10 percent, and this year my country continues to maintain the highest economic growth rate on the European continent. We are on our way, ready to share our experience and pass it on to others.

Mr. Speaker, Mr. Vice President, distinguished Members of Congress, what has helped Latvia and its Baltic neighbors succeed where so many others are failing, in spite of not just years, but decades of help and encouragement of every kind?

It was above all the faith of the Baltic nations in the values of freedom and democracy. It was their firm and irreversible determination to build a new and better future for their children and grandchildren. They wanted to rejoin the free world from which they had been cut off for half a century.

What urged us on was our ardent desire to make up for lost time, and to catch up to those Western European countries that had enjoyed the freedom of growing and thriving ever since the end of the Second World War. The desire to join NATO and the European Union became a force driving us forward, as strong as the force driving us away from the past under Soviet dictatorship. This clear sense of purpose allowed us to transform our institutions and to reform our economy.

Mr. Speaker, Mr. Vice President, distinguished Members of Congress, the challenge, ever since the fall of the Soviet empire and the breakup of the former Yugoslavia, has been to rebuild a Europe whole and free, a Europe free of dividing lines, of feudal dependencies, of imperialist spheres of influence; a Europe free from bloodthirsty ideologies and from murderous fanatics. We need a Europe without walls, barriers, exclusion or prejudice, a Europe in which every nation would be afforded equal dignity and would be treated with equal respect. All Europeans, after all, are part of the same Old Continent, and all of them need to work together to make it eternally new.

Such a Europe is not and must not be a counterforce to the influence of the United States. It is and must continue to be an ally and a partner. All Europeans share the fundamentals of the same broad cultural heritage, a heritage that is also shared by Americans.

This heritage includes outstanding achievements as well as resounding failures. A common European space of peace and stability, of economic growth and prosperity is the best guarantee that the Europe of the 21st century will never again repeat the errors and the horrors of the 20th. We have seen the depths to which Europe could sink as well as the heights to which it could rise. Never again should we allow such horrors as the Holocaust to be repeated. We need to aim for the heights and to help each other achieve them.

Yet it is perfectly true that Latvia, along with other Central and Eastern European countries, feels a special bond of friendship and affinity with the United States. We might as well admit it. We, who had lost our liberty, look up to those who are ready to defend it. But if the bond of trust and friendship between the U.S. and the newer members of the EU and NATO is to be deepened, strengthened and maintained, we do need more face-to-face contacts between our peoples. We need more possibilities of visits and mutual exchanges. I trust that the U.S. Congress will find a nondiscriminatory solution for extending the Visa Waiver Program to all its allies in a united Europe. Such a step would be broadly welcomed as a signal of growing maturity in the alliance between our nations.

We are partners, even though we differ in size, in influence, in power, in resources. We are partners even while having different opinions on certain issues. That, after all, is the whole point of living in democracies. Any disagreements must not steer us off our common course of consolidating peace and security in the world.

My country sees Europe's transatlantic partnership with the United States as essential for our common security as well as for maintaining the security of the world at large. The U.S. has been a trusted partner whenever European liberties were endangered and proved it through the sacrifice of the lives of its soldiers. Throughout the decades of the Cold War, Western Europe was kept safe under the protection of NATO and through the significant role of American military capability.

This coming November, Latvia will host the 2006 NATO Summit in its capital city of Riga. This will be a summit about the rejuvenation and the transformation of NATO, which remains the most powerful and effective military alliance in the whole world. We need a strong and vibrant alliance, able to face up effectively to the challenges of our age. The nature of threats may change, but the danger they pose does not.

NATO is not only about protecting its members within their own borders. We are ready to work closely with the United States and other willing partners to aid those strife-ridden countries whose fragility is a bane for their own people and a threat to the rest of the world. Right now, Latvia is contributing to international peacekeeping operations in Iraq, in Afghanistan, in Bosnia, in Kosovo, and elsewhere. Latvia's contribution is proportionately one of the largest in the world in terms of the country's size and available financial resources.

From its very inception, NATO has been more than just a military alliance. That is why more and more nations are expressing their desire to join it. We support the strivings for freedom, democracy and the rule of law of countries struggling with the after-effects of imposed totalitarianism. Latvia supports Ukraine and Georgia in their endeavors to establish closer relations with NATO. We encourage the member states of the alliance to formulate concrete and enhanced forms of cooperation between NATO and these two countries at the Riga summit. We firmly believe that an open door policy must be maintained for the admittance of future member states.

Mr. Speaker, Mr. Vice President, distinguished Members of Congress, one nation with which Latvia shares a common border, as well as a complicated history, is Russia.

Last year marked the 60th anniversary of the end of the Second World War. This victory brought freedom to one half of Europe, but not to the other. After being Hitler's partner for 2 years, Stalin had joined the Allies in ridding Europe of this bloodthirsty tyrant. In recognition of that role and in homage to the immense losses and casualties that the Russian people endured during the Second World War, I accepted the invitation of the President of the Russian Federation and traveled to Moscow on May 9 of last year.

But I also pointed out that this victory over one despot still kept the other one in power. For the people of Latvia, one foreign occupation was only replaced by another. No one gained freedom under Stalinist tyranny and the oppression of totalitarian Communism. This is not rewriting history. These are plain facts. The simple acknowledgment and recognition of them would go a long way toward strengthening trust, understanding, and good neighborly relations between our nations.

Latvia, for its part, stands ready for developing a friendly, future-oriented, and pragmatic relationship with Russia as an important neighbor of the EU. We stand ready for an active and meaningful political dialogue based on mutual respect, noninterference, and the true respect for human rights.

Mr. Speaker, Mr. Vice President, distinguished Representatives of the American people, as a permanent member of the U.N. Security Council, the United States of America has a crucial role to play in the international arena. The United States has been a beacon of liberty ever since its foundation. The United States has become a world power by giving free rein to the creativity, the initiative and the energy of its people by fostering their entrepreneurial spirit. But the United States has become a world leader only to the extent that it has not been indifferent to the fates, the aspirations and the opinions of other nations.

For if no man is an island, neither is any country alone and self-sufficient. All of us, large and small, are interlocked, intertwined, and interdependent. If we want peace in the world, if we want international cooperation, persuasion is as important as imposition by force. Smaller and weaker nations want to be meaningfully included in decisions that will affect us all. They want to be respected. When they clamor for multilateralism, nations are really saying: Listen to me. I want to be heard.

Of course, among all this clamor, it may be hard to find a common denominator. It is not always easy to achieve a common purpose. We see this all too clearly in the difficulties that the United Nations is experiencing in bringing about all the reforms agreed to in principle during the General Assembly of their 60th anniversary year.

As a Special Envoy of the Secretary-General on the reform of the United Nations last year, I was pleased that the General Assembly managed to agree in principle on the necessity for sweeping and fundamental reforms. The new Peace-Building Commission was created, which we need for diffusing long-lasting conflicts. Too often in the past, the U.N. has been unable to prevent genocide and lasting bloodshed: in the Congo, in Rwanda, in the former Yugoslavia, and now in the Darfur region of Sudan.

One of the U.N.'s fundamental roles lies in the defense of human rights. The newly created Human Rights Council must become more credible and more effective than the commission that preceded it. Its best way to gain credibility would be by starting with a thorough and unbiased evaluation of the human rights record of its own newly elected council members.

Only through a concerted international effort based on consensus and cooperation will the world community be able to overcome a number of other pressing global challenges. The degradation of our planet's environment is truly a global problem, as is the spread of epidemic disease. Most dangerous of all is the continuing and growing gap between the developing and developed nations. The great divide between North and South, between haves and have-nots is as dangerous as the divide between Eastern and Western blocs ever was during the Cold War. We have to do our utmost to reach the U.N.'s millennium goals of reducing poverty in the developing world.

Brutal and unremitting poverty is a scourge, unsolved in spite of decades of massive international aid and countless well-meant programs. Clearly, the quality of governance in aid-receiving countries has a crucial role to play, as well as their readiness to foster reforms and progress. But the quality of aid-providing efforts also needs to be improved. We need better international coordination of results-oriented programs, which should be constantly monitored for their effectiveness.

The worldwide spread of terrorism as well as the growing signs of intolerance and xenophobia in many countries underscore the urgent worldwide need for a meaningful and sustained dialogue between civilizations. As already recognized at the Millennium General Assembly of the United Nations, our common goal is to overcome the prejudice, misperceptions and polarization that stand as barriers to better understanding and consensus among members of different races, religions and cultures.

Due to the enormous importance of nuclear nonproliferation, the world's democracies should maintain a coherent position regarding the nuclear program of Iran. We welcome the recent joint initiatives by the United States, the United Nations Security Council and the European Union to offer a constructive solution to the Iranian nuclear issue and hope that the Iranian leadership will respond in kind.

The longstanding conflict in the Middle East remains a major source of world tensions. We fully empathize with the desire of the Jewish people to live on their ancestral land in security and at peace with their neighbors. We also wish to see a free and prosperous Palestinian state coexist, peacefully, side by side with the State of Israel. For this to be achieved, the Hamas-led Palestinian administration must abide by previously signed international agreements. There is no other way.

Education could play an important role in immunizing our societies against the dangers of extremism and prejudice. Children should not be raised in hatred; societies should have more constructive goals than the endless cultivation of grievances and the stark division of the human race into "us" and "them."

Every society has experienced some dark events in its history, at times as victim, at others as perpetrator or collaborator. We must inform our children of our past mistakes, so that these may never be repeated again. An objective evaluation of the legacy of the past will free us to address the challenges of the future. We in Latvia believe in the importance of research, remembrance, and education, even on the most sensitive issues. This includes the crimes of the Holocaust while Latvia was under Nazi German occupation, as well as the crimes committed in the name of Communism under the Soviet occupation regime.

It is also the duty of each country to preserve its historic, cultural, and religious heritage. Latvia is a country with a multiethnic and multireligious mosaic. We are proud of our ethnic communities and of the contributions that their sons and daughters have made to Latvia's human, economic, and cultural development. As a pluralistic and flourishing democracy, we enjoy freedom of religion and have been gradually renewing the houses of worship of different faiths, including the many desecrated Lutheran churches, desecrated in Communist times. Soon after recovering our independence, we received a visit by Pope John Paul II. Last month, the Patriarch of the Russian Orthodox Church, Aleksey II, paid a historic visit to my country. Just recently, with the support of the U.S. Government and the family of the late Latvian-born painter Mark Rothko, I attended the reconsecration ceremony of a reconstructed Jewish synagogue in the city of Daugavpils.

Mr. Speaker, Mr. Vice President, distinguished Members of Congress, fanaticism and extremism remain a scourge of humanity, as they have been for many centuries. Violence and hatred continue to plague many nations and block their road to achieving progress. Greed, opportunism, and brute force oppress many peoples and deny them the most basic of human rights. Yet just as clearly, the world also knows charity, compassion, and the desire for kindness. Human beings everywhere are capable of change, and change for the better.

Again and again in history, we have seen the victory of freedom over tyranny, exploitation and chaos. It may take decades, as it did for Latvia, but we did gain the freedom that is ours by right. We know the value of freedom and feel compassion for those who are still deprived of it. We know the price of freedom, for we have paid for it, and we would be ready to do it again and again.

Every nation on Earth is entitled to freedom. It is a dream that must be kept alive, no matter how long it takes or how hard it is to achieve. We must share the dream that someday there won't be a tyranny left anywhere in the world. We must work for a future where every nation on Earth will have thrown off the shackles of injustice and of oppression, and where every person on Earth will enjoy the same rights and liberties that now are the privilege of the more democratic and the more developed countries. It will take time, it will take effort, but it must happen. And it will happen all the sooner the better we learn to work for it and plan for it, all of us, large and small, together.

[Applause, the Members rising.]

At 11 o'clock and 40 minutes a.m., Her Excellency Dr. Vaira Vike-Freiberga, President of the Republic of Latvia, accompanied by the committee of escort, retired from the Hall of the House of Representatives.

The Assistant to the Sergeant at Arms escorted the Acting Dean of the Diplomatic Corps from the Chamber.

JOINT MEETING DISSOLVED

The SPEAKER. The purpose of the joint meeting having been completed, the Chair declares the joint meeting of the two Houses now dissolved.

Accordingly, at 11 o'clock and 41 minutes a.m., the joint meeting of the two Houses was dissolved.

The Members of the Senate retired to their Chamber.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess subject to the call of the Chair.

□ 1225

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOOZMAN) at 12 o'clock and 25 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. PITTS. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

TAX RELIEF HELPS OUR ECONOMY

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, a few weeks ago, the U.S. Department of Commerce reported that our Nation's real gross domestic product was revised from 4.8 percent up to 5.3 percent. That is the fastest growth of our GDP in 2½ years. That is not the only good news. Our economy has created 5.3 million jobs since May 2003. 75,000 jobs were created last month alone. Unemployment has dropped from 6.3 percent to 4.7 percent, lower than the average of the 1960s, 1970s, 1980s, and 1990s. Personal income increased at an annual rate of 6.7 percent in April. The Treasury Department is reporting the highest annual tax receipts ever. The Federal budget deficit is $38 billion lower today than in May 2003. Last month Republicans approved a tax conference agreement that will continue this economic boom, and once again, the Democrats fought to stop it. In fact, if Democrats had their way, we would all face a massive tax hike.

Mr. Speaker, the Republicans will continue to hold the line on spending and extend tax relief for all Americans. We know that these for-growth policies work, and they will continue to foster economic growth.

REFINERY PERMIT PROCESS SCHEDULE ACT

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Mr. Speaker, it is beginning to sound like a broken record around here: another week of record high gas prices, another Republican bill that benefits oil companies without helping consumers. Five years of Republicans' failed energy policies have resulted in Americans paying twice as much at the pump as they did in 2001, while big oil companies make triple the profits.

To distract Americans from this fact, Republicans have put forth the pro-oil company bills like the current Refinery Permit Process Schedule Act which they claim will lower fuel costs for consumers by allowing oil companies to drill more freely. Instead, the bill simply offers yet another needless handout to large oil companies in the form of weakened local regulation where any local public health and environmental concern could be ignored.

Mr. Speaker, instead of taking initiative and moving forward with real solutions to the growing fuel crisis in our country, Republicans offer more of the same. This is just another handout to Big Oil, which is exactly what got us into this mess. Democrats have put forth a real plan for energy independence by 2020. Americans know it is time for a change.

BROADCAST DECENCY

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, the effort to bring real decency standards to our airwaves is taking a major step forward this week. A couple of weeks ago, the Senate passed the Broadcast Decency Enforcement Act ending months of inaction by that body on the issue, and the House had passed its own version earlier last year.

While there are differences between the two bills, they both send a clear message: If you violate decency standards over broadcast airwaves, you will pay a price, a big price. Under current law, fines are limited to $32,500 per violation. The bill we will vote on today gives the FCC real teeth to enforce decency standards by increasing fines to 10 times that amount. Broadcasters will think twice about airing obscene material if they know it will cost them more than a quarter million dollars to do so.

Mr. Speaker, common decency is under attack in our society. The airwaves often lead the charge. Broadcast decency legislation seeks to do something about that. I applaud my colleagues in the House and Senate for acting on the issue, urge the Members to vote for the bill, send it to the President for his signature, and once again, enforce broadcast decency laws in our country.

□ 1230

NATIONAL WOMEN'S CONFIDENCE DAY

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Mr. Speaker, I rise to honor the first National Women's Confidence Day. This is a joint effort of YWCA-USA CEO Peggy Sanchez Mills and superstar Queen Latifa, and I am absolutely thrilled that they are able to join us today in the gallery. Thank you so much for coming.

Today and every first Wednesday in June hereafter will be National Women's Confidence Day. This event is a reminder to women everywhere to have self-respect and to empower themselves with confidence every single day, an opportunity for women to get involved in helping other women to live a more confident and fulfilling life and a tribute to women who help other women gain self-confidence and self-esteem.

The goal of National Women's Confidence Day is to raise public awareness and celebrate the positive impact of confidence on women's personal and professional lives. This is one that I support and applaud. I invite everyone to join us in encouraging all women across America to have the confidence to make change.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members that it is against the rules to introduce guests in the gallery.

HONORING OUR MILITARY MEMBERS

(Mr. KELLER asked and was given permission to address the House for 1 minute.)

Mr. KELLER. Mr. Speaker, I have just returned from Iraq where I had the privilege of spending Memorial Day with our troops from Florida. I went to Iraq for two reasons: First, to say thank you to our troops for their service; and, second, to see for myself how things were going in Iraq by meeting with our generals, our soldiers, and the Iraqi leaders.

The day I was there was quite hot, 115 degrees, and it was violent. Forty people were killed while I was there, including one U.S. soldier and two CBS news employees. I was so impressed with the bravery of our soldiers. For example, one soldier had his helicopter shot out of the sky. Upon landing, he replaced the blades in the helicopter with brand-new blades and went right back into battle.

Regardless of how you feel about the war in Iraq, realize that our troops are in harm's way, they are performing very bravely, and they deserve our support 100 percent in the U.S. Congress.

TIME FOR A NEW AGENDA IN WASHINGTON

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today because I feel a great injustice is being done to our Nation. It seems that our Republican colleagues decided to place the concerns of the American people aside so they can continue to divide us. Mr. Speaker, our country needs solutions to problems. Unfortunately, the majority is so out of touch with the average citizens of this Nation, they refuse to see the true important issues. Americans are worried about how they are going to pay for their children's college tuition. That is why we have a plan on helping parents better afford college by doubling the amount they can write off for their children's tuition.

America is worried about how they are going to pay for their high energy bills. That is why we need an energy package that ends our dependence on foreign oil.

These are issues that are important to all our citizens. We need a change from the "no solution" rhetoric of our colleagues on the other side of the aisle. The American citizens are tired of the division of our Nation. We need to unite our Nation and begin to govern not just for the few but for all. That is what we have been elected to do and that is what we should demand of ourselves. It is time for a new agenda here in Washington, one that focuses on the issues of all Americans, not just the few.

HONORING JAMES P. GREENE

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, as we take time to reflect this week on D–Day and World War II, we reflect on the men who proudly fought for the ideals on which our country was founded, freedom and a democratic way of life. On December 7, 1941, our Nation was attacked, the worst attack on American soil until September 11, 2001, and that day our Nation was at war.

Mr. Speaker, a constituent of mine, Mr. James P. Greene from my home county of Oconee County, South Carolina, was aboard the USS *Detroit* in Pearl Harbor on that fateful day. Fortunately, Mr. Greene survived the attack, and I am proud to say he continued on in service to his country, spending the entire war in the Pacific Theater. In fact, Mr. Greene also served in the Korean War, and his entire naval career spanned from 1939 to 1961.

I would like to say to Mr. Greene and countless other World War II veterans just like him listening today, as a veteran who served after you and as an American citizen, thank you. Thank you for your service and thank you for your sacrifice. Our Nation is forever in your debt.

MISGUIDED REPUBLICAN PRIORITIES AND ENERGY

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, today I rise because the misguided Republican priorities are hurting the pocketbooks of America's working families. Consumer inflation has risen at a rate of 3.2 percent in just the past 3 months, well above what the Federal Reserve is comfortable with. Gas prices continue to rise over $3.50 in my district and more. Yet, Republicans have prioritized legislation to benefit wealthy oil companies. These legislative priorities tie the hands of our States and risk public health, all to protect companies which can afford the give their executives $400 billion retirement packages.

This administration and this body continue to delay real action to help working-class families. I believe that we should increase production of alternative fuels, rescind the billions of dollars in taxpayer subsidies, tax breaks, and royalty relief given to big oil and gas companies, and work toward making America energy independent by the year 2020. America's working families must be our priority, not oil and gas companies.

EXPRESSING UNWAVERING CONFIDENCE FOR UNWAVERING AMERICAN TROOPS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, every day, U.S. troops risk their lives in Iraq to perform a mission which improves the national security of our country. Their sacrifices are immeasurable and these brave men and women remain dedicated to facing terrorists on the streets of Iraq so that we do not have to face them at home.

Last week, I had the fortunate opportunity to visit Iraq for the sixth time. While visiting with military leaders, Iraqi government officials and U.S. troops, I was inspired to learn of the tremendous progress occurring throughout this new democracy. Iraqi security forces continue to gain greater control over their country. In only 7 months, these forces have expanded from two brigades and 19 battalions to 14 brigades and 57 battalions.

As American troops and Iraqi security forces demonstrate strength on the battlefields of Iraq, we must also demonstrate our unwavering confidence in their mission for victory in the global war on terrorism.

In conclusion, God bless our troops and we will never forget September 11.

ON THE REFINERY PERMIT PROCESS SCHEDULE ACT

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DAVIS of California. Mr. Speaker, American families are facing record-breaking prices at the gas pump this summer. But apparently, the priority of Republicans in Congress is to keep providing giveaways to wealthy oil companies.

This week, Republican leaders are bringing another unnecessary piece of legislation to the House floor in an effort to make it seem like they're meeting the challenge of high fuel prices. As most of us know, however, appearances can be deceiving.

Let's be clear about what this Republican refinery bill won't do. Just like the Republican push to drill for oil in Alaska, today's refinery bill won't take one penny off high gas prices. Not one penny.

Let's also be clear about what this Republican refinery bill will do. Quite simply, it gives rich oil companies free real estate to build refineries.

And what if the free land happens to be in your backyard? What if a refinery violates local environmental concerns? What if your neighborhood objects to having a refinery in your backyard? According to this bill, well, you're just on your own.

If you care anything about alternative energy development, State and local rights, the environment, or American families, vote "no" on this misguided bill.

RAPE TREES

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Ripped from the bodies of unwilling women, undergarments cling to branches of a tree just a few feet from the lawless U.S.-Mexico border. Dozens of pairs of underwear thrown there by rapists.

These are called rape trees. Each pair is a trophy from a woman that was smuggled into the United States—victims that are heard screaming in the desert. They are raped, even gang raped by illegal human smugglers, then forced into silence.

These trees are a warning. Illegal immigrants evade our borders but crime doesn't evade them. Some become criminals. Some become victims. They are raped, robbed and murdered by other illegals, human smugglers and brutal criminals who then claim other victims.

More than 70 percent of their rapes, murders and child sex crimes are against Americans. One expert who studies sex crimes says about a hundred illegal sex offenders cross the border every day, leaving thousands of victims every year.

Rape trees are a warning to illegals not to talk. They should be a warning to Americans as well: to shout out against illegal entry and human smuggling.

And that's just the way it is.

GOP DO-NOTHING CONGRESS REFUSES TO LEAD

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, the do-nothing Republican Congress continues to move along at a snail's pace, refusing to address any of the tough decisions that Americans so desperately want this Congress to tackle. Today is the 160th day of the year, but only the 40th voting day here in the House. Imagine that. It is no wonder that the American people have lost faith in Washington.

The House Republican leadership has simply run out of ideas. Rather than proposing a forward-looking energy initiative, House Republicans continue to push Big Oil's tired old ideas, ideas that will do absolutely nothing to lower gas prices for the American consumer.

Rather than explore ways to help Americans better afford ever-increasing health care premiums, House Republicans will once again follow the playbook of the insurance industry when, later this month, they will propose health care bills that only help enrich insurance companies.

Mr. Speaker, time is running out for the House Republican do-nothing Congress to actually provide some real leadership and some new ideas. The American people are waiting.

HOMELAND SECURITY FUNDING

(Mrs. KELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KELLY. Mr. Speaker, I rise today to express the shock, disgust and frustration that I have felt since the Department of Homeland Security slashed homeland security money for New York and increased funding for other smaller, rural cities across America.

For many months since 9/11, Congress has been working to convince this administration that a risk-based distribution formula is the right way to protect Americans in cities like New York that are the most vulnerable to terrorist attacks. If the mission at Homeland Security is truly to protect America, then Department of Homeland Security funding should never be a pork-barrel matter. Yet the lack of common sense displayed by cutting New York's funding by 40 percent, while increasing the funding of nearly every other city, demonstrates that the threat is clearly not foremost in the minds of the DHS.

This is a slap in the face to all of us who experienced 9/11 in New York. We need to look no further than the 9/11 Commission report to understand that we must dedicate our resources to areas like New York where the risks are the highest and where multiple terrorist attacks have already occurred.

Our constituents ask us to spend taxpayer money wisely. By cutting first responder funding for New York and instead sending it to other areas of the country that are not at as much risk, the administration has failed terribly in its responsibility to spend taxpayer dollars wisely. If truly committed to securing our homeland, the administration must work with New York and immediately correct this horrendous blunder.

ON INTRODUCTION OF THE PLUG-IN HYBRID ELECTRIC VEHICLE ACT OF 2006

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, today I introduce the Plug-In Hybrid Electric Vehicle Act of 2006, H.R. 5538. This bill will help reduce our Nation's dependence on foreign sources of oil by promoting plug-in vehicles and advancing new vehicle technologies. It also establishes a partnership between private and public entities to focus on electric drive technology.

Americans are concerned about high gas prices, our dependence on foreign oil, and global warming. These cars have the potential to alleviate all three problems. The Federal Government needs to ensure that the research and development of alternative energy vehicles continues. Congress has a responsibility to help promote this new technology, and I am pleased that this bill already has significant bipartisan support.

HUGH MORTON TRIBUTE

(Mr. McHENRY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McHENRY. Mr. Speaker, last week North Carolina lost one of its leading citizens and I lost a treasured constituent. Hugh Morton was, in all senses of the term, the "Keeper of the Mountain." As owner of Grandfather Mountain, he fought to protect and preserve its wildlife and scenic beauty for future generations.

Hugh Morton was also our State's leading and most acclaimed photographer, recording the history of the State of North Carolina for the past 70 years. Whether it was bald eagles soaring over his beloved Grandfather Mountain, or Michael Jordan soaring over the rim at Chapel Hill, Hugh Morton captured it all in breathtaking fashion.

He photographed a young aspiring actor in the 1950s named Andy Griffith and chronicled the legendary U.S. Senate race in 1984 between Senator Helms and Governor Hunt. From the mountains to the coast, Hugh Morton photographed all our State has to offer.

North Carolina lost one of its greatest promoters and advocates, Mr. Speaker, but fortunately his legacy lives on in more ways than we can imagine.

We will miss Hugh Morton.

□ 1245

PROVIDING FOR CONSIDERATION OF H.R. 5521, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2007

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 849 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 849

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5521) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. McGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

House Resolution 849 provides for a structured rule with 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. It waives all points of order against consideration of the bill, and provides for one motion to recommit.

This rule also makes in order, as a structured rule, every amendment brought forward to the Rules Committee, so by anyone's standard this resolution would be designated as being very fair.

Mr. Speaker, the underlying legislation, H.R. 5521, funds the legislative branch of our Federal Government, including Congress, the Capitol Police, the Congressional Budget Office, the Architect of the Capitol, the Capitol Visitor Center, the Library of Congress, the Government Printing Office, and the Government Accountability Office.

As one wise Member of our body said, the $3 million provided in this bill to operate the legislative branch agencies under the jurisdiction of the House seem straightforward and fiscally responsible. I think if we overlooked this appropriations bill, which was passed in a bipartisan way, the two words you would say are an increase close to the cost-of-living adjustment and always less than what was requested. We requested a fiscally responsible bill.

For example, the overall budget is $230 million less than the President's budget. The House of Representatives is funded at $19 million less than the budget request. The Capitol Police gets $12 million more than last year, but $36 million below the request. The CBO is $1 million more than last year, but $1 million less than the request. The Architect's Office is $5 million more, but $114 million below the request. The Library of Congress is $15 million more than last year, but $18 million below the request. The GPO is $9 million more, but $21 million below the request. The Government Accountability Office is $10 million more than last year, but $14 million below the request.

There are a number of other changes made within the bill that I think are also positive. One of the changes will be for the Members' allowances. If they are unspent, they will be used to reduce the budget deficit. For someone who has regularly returned back at least 10 to 20 percent of my budget allocation, it is nice to know that it is also going to a worthy cause.

In addition, this bill provides provisions for increased congressional oversight and accountability on the completion of the much-anticipated Capitol Visitor Center, as well as some very specific report language and an amendment that dealt also with the Architect's Office and the Government Accountability Office until the new Architect is provided.

The underlying bill provides for full funding of staff COLAs and transit benefits, it bans smoking in the Rayburn cafeteria, and I understand on page 35 it says that the gentleman from Massachusetts will voluntarily give me his salary for the next year, or until my personal debt has been retired, whichever comes first, which will be the year.

It also provides for 50 new investigators in the General Accounting Office to conduct increased oversight on government contracts issued in the wake of hurricane devastation in the gulf coast as well as in Iraq.

Thus, Mr. Speaker, I think this underlying bill is fiscally responsible, provides modest increases in the essential legislative branch functions, but still provides less in almost every major category than the President's budget requested. So I urge adoption of this rule and its underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I thank the gentleman from Utah, my friend, Mr. BISHOP, for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I cannot recall the last time I came to the House floor to say anything good about a rule, but the fact of the matter is this is a good rule. Every Member who brought an amendment before the Rules Committee, their amendment has been made in order. So this is a good rule.

We have no speakers, we are not requiring any votes, and I want to thank the gentleman from Utah for bringing this to the floor.

I rise today in support of the FY 2007 Legislative Branch Appropriations bill. I commend Chairman LEWIS and Ranking Member OBEY, as well as the rest of the Appropriations Committee, for all their hard work on this legislation.

Historically, the Legislative Branch Appropriations bill is not considered under an open process like the other appropriations bills. Instead, the House usually considers this bill under a closed process. However, even though the Rules Committee reported a restrictive rule again, this year every amendment offered in the Rules Committee was made in order.

Mr. Speaker, it's refreshing that this bill is a bipartisan product of the legislative process, a true rarity under this Republican leadership. The Republican leadership should look to this bill as a lesson in how this body should be run. Sunshine should be let it. Amendments should be made in order. Mr. Speaker, as much as possible, the process should be open.

The fact that Mr. OBEY and others had questions regarding the operations at the Office of the Architect of the Capitol was valid and was heard. With unanimous support in Committee, Ranking Member OBEY's amendment putting the Comptroller General in direct control over the office of the Architect of the Capitol and the establishment of an Office of the Inspector General in the Office of the Architect of the Capitol was offered and adopted. The rule protects that amendment from being struck from the bill.

Mr. Speaker, with an ever growing deficit of $9 billion, I think even my good friend and colleague, Congressman FLAKE, would agree with me in the right to question where funds have been spent on the new Capitol Visitors Center. Now, I realize the cost is often never close to the estimate; however, this project was originally budgeted at $265 million and the new projected cost estimate is $556 million. That is $25 million more than double the cost and we are not finished. Completion dates and costs seem to just be getting later and higher.

The rest of the budget for the Legislative Branch seems to get it right. Small overall increases help keep Congress functioning. With a $110 million increase from FY06, this bill provides for 50 new Government Accountability Office, GAO, investigators to provide for increased oversight in gulf coast reconstruction and the war in Iraq. Providing for a strong and properly funded GAO is important, especially when considering that oversight is nonexistent in this Republican-controlled House.

Again, I would like to thank Chairman LEWIS and Ranking Member OBEY for their hard work in drafting this legislation and for their commitment to this body.

With that, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate the comments of my colleague from Massachusetts, I will appreciate his check, and I look forward to passing this particular bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5521, and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. BISHOP of Utah). Is there objection to the request of the gentleman from California?

There was no objection.

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 849 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5521.

The Chair designates the gentleman from Georgia (Mr. LINDER) as Chairman of the Committee of the Whole, and requests the gentleman from Arkansas (Mr. BOOZMAN) to assume the chair temporarily.

□ 1256

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5521) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2007, and for other purposes, with Mr. BOOZMAN (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, I yield myself such time as I may consume.

The bill that we bring before you today is the legislative branch bill that funds the activities of the House. The bill includes approximately $3 billion, excluding the Senate items, an increase of about 3.6 percent over FY 2006.

We worked very closely with Mr. OBEY and his staff in developing this bill. I want to thank the committee members on both sides of the aisle, as well as our very fine staff for the work they have done.

While the bill is very small in size, it is the fundamental oil that allows the legislative branch to carry out its important responsibilities relative to our Nation's legislative and governmental interests here in Washington.

The bill represents a $224 million reduction, or 6.9 percent below the request. There will be no further reduction in the current workforce. All personnel cost-of-living increases and all of their pay-related costs are provided. The Capitol Visitor Center is funded at the cost-to-complete level of $25.6 million. This amount reflects the GAO's latest estimate, and the Architect has concurred with the estimate. An additional $20.5 million is included for project fit-out and operations, essentially getting the place ready to go. The bill establishes an Inspector General in the Architect of the Capitol's Office. The IG will audit and report semiannually on management and operations of the AOC.

We expect to complete this bill today and move forward from there to the foreign operations bill.

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2007 (H.R. 5521)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - LEGISLATIVE BRANCH					
HOUSE OF REPRESENTATIVES					
Salaries and Expenses					
House Leadership Offices					
Office of the Speaker	2,788	2,906	2,930	+142	+24
Office of the Majority Floor Leader	2,089	2,139	2,213	+124	+74
Office of the Minority Floor Leader	2,928	2,999	3,072	+144	+73
Office of the Majority Whip	1,797	1,843	1,921	+124	+78
Office of the Minority Whip	1,345	1,379	1,458	+113	+79
Speaker's Office for Legislative Floor Activities	482	491	491	+9	---
Republican Steering Committee	906	925	924	+18	-1
Republican Conference	1,548	1,699	1,699	+151	---
Republic Policy Committee	307	407	407	+100	---
Democratic Steering and Policy Committee	1,945	2,194	2,194	+249	---
Democratic Caucus	816	837	836	+20	-1
Nine minority employees	1,445	1,473	1,473	+28	---
Training and Program Development:					
Majority	290	290	290	---	---
Minority	290	290	290	---	---
Cloakroom Personnel:					
Majority	434	447	447	+13	---
Minority	434	447	447	+13	---
Subtotal, House Leadership Offices	19,844	20,766	21,092	+1,248	+326
Members' Representational Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail					
Expenses	534,109	559,628	557,796	+23,687	-1,832
Committee Employees					
Standing Committees, Special and Select	116,904	126,178	124,851	+7,947	-1,327
Committee on Appropriations (including studies and investigations)	25,668	26,555	26,497	+829	-58
Subtotal, Committee employees	142,572	152,733	151,348	+8,776	-1,385
Salaries, Officers and Employees					
Office of the Clerk	21,911	22,820	21,505	-406	-1,315
Office of the Sergeant at Arms	6,284	6,256	6,240	-44	-16
Office of the Chief Administrative Officer	121,471	114,192	109,301	-12,170	-4,891
Office of the Inspector General	3,991	4,212	4,204	+213	-8
Office for Emergency Planning, Preparedness and Operations	4,000	5,000	3,997	-3	-1,003
Office of General Counsel	962	962	959	-3	-3
Office of the Chaplain	161	164	164	+3	---
Office of the Parliamentarian	1,767	1,767	1,762	-5	-5
Office of the Parliamentarian	(1,546)	(1,407)	(1,403)	(-143)	(-4)
Compilation of precedents of the House of Representatives	(221)	(360)	(359)	(+138)	(-1)
Office of the Law Revision Counsel of the House	2,453	2,527	2,521	+68	-6
Office of the Legislative Counsel of the House	6,963	7,425	7,406	+443	-19
Office of Interparliamentary Affairs	720	738	737	+17	-1
Other authorized employees	161	285	285	+124	---
Office of the Historian	405	500	500	+95	---
Subtotal, Salaries, officers and employees	171,249	166,848	159,581	-11,668	-7,267

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2007 (H.R. 5521)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Allowances and Expenses					
Supplies, materials, administrative costs and Federal tort claims	4,179	4,554	4,554	+375	---
Official mail for committees, leadership offices, and administrative offices of the House	410	410	410	---	---
Government contributions	213,422	223,252	217,253	+3,831	-5,999
Capitol Visitor Center	3,410	3,410	3,410	---	---
Business Continuity and Disaster Recovery	---	24,018	21,659	+21,659	-2,359
Miscellaneous items	703	703	703	---	---
Subtotal, Allowances and expenses	222,124	256,347	247,989	+25,865	-8,358
Total, Salaries and expenses	1,089,898	1,156,322	1,137,806	+47,906	-18,516
Total, House of Representatives	1,089,898	1,156,322	1,137,806	+47,908	-18,516
JOINT ITEMS					
Joint Economic Committee	4,276	4,406	4,370	+94	-36
Joint Committee on Taxation	8,693	9,105	9,082	+389	-23
Office of the Attending Physician					
Medical supplies, equipment, expenses, and allowances	2,520	2,652	2,652	+132	---
Capitol Guide Service and Special Services Office	4,098	8,490	8,490	+4,392	---
Statements of Appropriations	30	30	30	---	---
Total, Joint items	19,617	24,683	24,624	+5,007	-59
CAPITOL POLICE					
Salaries	215,281	246,700	220,600	+5,319	-26,100
General expenses	31,680	48,383	38,500	+6,820	-9,883
Total, Capitol Police	246,961	295,083	259,100	+12,139	-35,983
OFFICE OF COMPLIANCE					
Salaries and expenses	3,081	3,418	3,149	+68	-269
CONGRESSIONAL BUDGET OFFICE					
Salaries and expenses	35,096	37,026	36,329	+1,233	-697
ARCHITECT OF THE CAPITOL					
General administration	76,044	103,474	89,413	+13,369	-14,061
Capitol building	23,118	31,207	22,396	-722	-8,811
Capitol grounds	7,436	9,400	7,806	+370	-1,594
House office buildings	59,020	78,941	61,383	+2,363	-17,558
Capitol Power Plant	64,632	89,710	87,327	+22,695	-2,383
Offsetting collections	-6,534	-8,000	-8,000	-1,466	---
Net subtotal, Capitol Power Plant	58,098	81,710	79,327	+21,229	-2,383

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2007 (H.R. 5521)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Library buildings and grounds	68,075	102,237	36,401	-31,674	-65,836
Capitol police buildings and grounds	14,753	20,218	11,621	-3,132	-8,597
Botanic garden	7,557	9,264	8,612	+1,055	-652
Capitol Visitor Center					
CVC Project (cost-to-complete)	41,481	20,600	25,600	-15,881	+5,000
CVC Project Fit Out	---	4,534	4,534	+4,534	---
CVC Operations	2,277	16,041	16,041	+13,764	---
Total, Capitol Visitor Center	43,758	41,175	46,175	+2,417	+5,000
Total, Architect of the Capitol	357,859	477,626	363,134	+5,275	-114,492
LIBRARY OF CONGRESS					
Salaries and expenses	391,796	409,294	396,022	+4,226	-13,272
Authority to spend receipts	-6,286	-6,350	-6,350	-64	---
Subtotal, Salaries and expenses	385,510	402,944	389,672	+4,162	-13,272
Copyright Office, salaries and expenses	58,015	59,189	59,044	+1,029	-145
Authority to spend receipts	-35,586	-33,984	-34,975	+611	-991
Subtotal, Copyright Office	22,429	25,205	24,069	+1,640	-1,136
Congressional Research Service, salaries and expenses	99,907	104,279	102,462	+2,555	-1,817
Books for the blind and physically handicapped, Salaries and expenses	53,905	55,703	53,974	+69	-1,729
Subtotal, Library of Congress	561,751	588,131	570,177	+8,426	-17,954
Rescission, Chapter 9, Division A, Misc. Appropriations Act, 2001	-6,858	---	---	+6,858	---
Total, Library of Congress	554,893	588,131	570,177	+15,284	-17,954
GOVERNMENT PRINTING OFFICE					
Congressional printing and binding	87,209	100,285	95,233	+8,024	-5,052
Office of Superintendent of Documents					
Salaries and expenses	33,004	43,000	35,287	+2,283	-7,713
Government Printing Office Revolving Fund	1,980	8,231	---	-1,980	-8,231
Total, Government Printing Office	122,193	151,516	130,520	+8,327	-20,996
GOVERNMENT ACCOUNTABILITY OFFICE					
Salaries and expenses	484,664	509,355	495,219	+10,555	-14,136
Offsetting collections	-7,093	-6,985	-6,985	+108	---
Total, Government Accountability Office	477,571	502,370	488,234	+10,663	-14,136
OPEN WORLD LEADERSHIP CENTER					
Payment to the Open World Leadership Center Trust Fund	13,860	14,400	13,400	-460	-1,000
STENNIS CENTER FOR PUBLIC SERVICE					
Stennis Center for Public Service	430	430	430	---	---
Grand total	2,921,459	3,251,005	3,026,903	+105,444	-224,102

LEGISLATIVE BRANCH APPROPRIATIONS BILL 2007 (H.R. 5521)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
RECAPITULATION					
House of Representatives	1,089,898	1,156,322	1,137,806	+47,908	-18,516
Joint Items	19,617	24,683	24,624	+5,007	-59
Capitol Police	246,961	295,083	259,100	+12,139	-35,983
Office of Compliance	3,081	3,418	3,149	+68	-269
Congressional Budget Office	35,096	37,026	36,329	+1,233	-697
Architect of the Capitol	357,859	477,626	363,134	+5,275	-114,492
Library of Congress	554,893	588,131	570,177	+15,284	-17,954
Government Printing Office	122,193	151,516	130,520	+8,327	-20,996
Government Accountability Office	477,571	502,370	488,234	+10,663	-14,136
Open World Leadership Center	13,860	14,400	13,400	-460	-1,000
Stennis Center for Public Service	430	430	430	---	---
Grand total	2,921,459	3,251,005	3,026,903	+105,444	-224,102

Mr. Chairman, I reserve the balance of my time.

Mr. OBEY. Mr. Chairman, my views on this bill are well known, as well as the provisions in it. I think the report speaks for itself.

Mr. LEWIS of California. Mr. Chairman, I thank the gentleman from California, Mr. Thompson, for his hard work and leadership on electronic-waste generated by the legislative branch. The Committee shares his concern and has included language in its report to ensure that Member offices are made aware that the House has regulations regarding the disposal of unwanted electronic equipment and for the Chief Administrative Officer to develop user friendly guidelines and procedures for Member offices. In addition, the Committee will request that each legislative branch agency provide information to the Committee regarding its disposal policy for electronic equipment and work to address this issue in conference.

Mr. HEFLEY. Mr. Chairman, I had intended to rise again today to offer an amendment to cut the level of funding in this appropriations bill by 1 percent but the committee rose before I could get here. This amount equals $30.3 million.

I have offered many amendments like this over the past several years. I understand the difficulty appropriators must have in narrowing down the requests from members and the administration for money, and I applaud them for bringing us a bill that reflects an amount that is less than that which the administration has requested for FY07.

However, this appropriations bill still reflects a budget increase of nearly $110 million over last year's Legislative Branch budget. I strongly believe that this appropriations bill, as well as the projected deficit for next year, is still much too large.

The Capitol Visitor's Center, which receives funding in this bill, is long past its deadline and has been grossly over budget. This is a prime example of our inability to effectively control spending, even on projects in our own backyard. It is projects such as this that have greatly contributed to our Nation's lack of trust in their government's ability to manage spending responsibly.

Fiscal responsibility should start in this chamber, and by voting for this amendment, you are stating for the record your belief that the budget deficit is much too large and that the American taxpayers should not be burdened in the future because we can not control our spending today.

Mr. OBEY. I yield back the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The text of the bill is as follows:

H.R. 5521

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I—LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

Salaries and Expenses

For salaries and expenses of the House of Representatives, $1,137,806,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $21,092,000, including: Office of the Speaker, $2,930,000, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $2,213,000, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $3,072,000, including $10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, $1,921,000, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $1,458,000, including $5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, $491,000; Republican Steering Committee, $924,000; Republican Conference, $1,699,000; Republican Policy Committee, $407,000; Democratic Steering and Policy Committee, $2,194,000; Democratic Caucus, $836,000; nine minority employees, $1,473,000; training and program development—majority, $290,000; training and program development—minority, $290,000; Cloakroom Personnel—majority, $447,000; and Cloakroom Personnel—minority, $447,000.

Members' Representational Allowances Including Members' Clerk Hire, Official Expenses of Members, and Official Mail

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $557,796,000.

Committee Employees

Standing Committees, Special and Select

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $124,851,000: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2008.

Committee on Appropriations

For salaries and expenses of the Committee on Appropriations, $26,497,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: *Provided*, That such amount shall remain available for such salaries and expenses until December 31, 2008.

Salaries, Officers and Employees

For compensation and expenses of officers and employees, as authorized by law, $159,581,000, including: for salaries and expenses of the Office of the Clerk, including not more than $13,000, of which not more than $10,000 is for the Family Room, for official representation and reception expenses, $21,505,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than $3,000 for official representation and reception expenses, $6,240,000; for salaries and expenses of the Office of the Chief Administrative Officer, $109,301,000, of which $4,996,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, $4,204,000; for salaries and expenses of the Office of Emergency Planning, Preparedness and Operations, $3,997,000, to remain available until expended; for salaries and expenses of the Office of General Counsel, $959,000; for the Office of the Chaplain, $164,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, $2,000 for preparing the Digest of Rules, and not more than $1,000 for official representation and reception expenses, $1,762,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $2,521,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $7,406,000; for salaries and expenses of the Office of Interparliamentary Affairs, $737,000; for other authorized employees, $285,000; and for salaries and expenses of the Office of the Historian, $500,000.

Allowances and Expenses

For allowances and expenses as authorized by House resolution or law, $247,989,000, including: supplies, materials, administrative costs and Federal tort claims, $4,554,000; official mail for committees, leadership offices, and administrative offices of the House, $410,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, $217,253,000; supplies, materials, and other costs relating to the House portion of expenses for the Capitol Visitor Center, $3,410,000, to remain available until expended; Business Continuity and Disaster Recovery, $21,659,000, of which $5,300,000 shall remain available until expended; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $703,000.

Child Care Center

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (2 U.S.C. 2112), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

Administrative Provisions

Sec. 101. (a) Requiring Amounts Remaining in Members' Representational Allowances To Be Used for Deficit Reduction or To Reduce the Federal Debt.—Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—Salaries and Expenses—Members' Representational Allowances" shall be available only for fiscal year 2007. Any amount remaining after all payments are made under such allowances for fiscal year 2007 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) Regulations.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) Definition.—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

Sec. 102. Lump-Sum Allowance.—(a) The aggregate amount otherwise authorized to be appropriated for a fiscal year for the lump-sum allowance for each of the following offices shall be increased as follows:

(1) The allowance for the Office of the Speaker is increased by $75,000.

(2) The allowance for the Office of the Majority Floor Leader is increased by $75,000.

(3) The allowance for the Office of the Minority Floor Leader is increased by $75,000.

(4) The allowance for the Office of the Majority Whip is increased by $75,000.

(5) The allowance for the Office of the Minority Whip is increased by $75,000.

(6) The allowance for the Democratic Steering and Policy Committee is increased by $200,000.

(7) The allowance for the Republican Conference is increased by $110,000.

(8) The allowance for the Republican Policy Committee is increased by $90,000.

(b) This section shall apply with respect to fiscal year 2007 and each succeeding fiscal year.

SEC. 103. ACTING CHIEF ADMINISTRATIVE OFFICER.—(a) In case of the death, resignation, separation from office, or disability of the Chief Administrative Officer of the House of Representatives, the duties of the Chief Administrative Officer may be carried out by a subordinate employee of the Office of the Chief Administrative Officer (as designated by the Chief Administrative Officer) until a Chief Administrative Officer is appointed or an individual is appointed to act as the Chief Administrative Officer by the Speaker of the House of Representatives under section 208(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 75a–1(a)).

(b)(1) Section 7 of the Legislative Branch Appropriations Act, 1943 (2 U.S.C. 75a), is repealed.

(2) Section 208(b) of the Legislative Reorganization Act of 1946 (2 U.S.C. 75a–1(a)) is amended by striking "involved;" and all that follows and inserting "involved.".

SEC. 104. CONTRACT FOR EXERCISE FACILITY.—(a) Section 103(a) of the Legislative Branch Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 3175), is amended by striking "private entity" and inserting "public or private entity".

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2005.

SEC. 105. DISCOUNTED MEMBERSHIP.—(a) If the Architect of the Capitol and the Chief Administrative Officer of the House of Representatives agree to permit employees of the Office of the Architect of the Capitol to receive discounted memberships in a private exercise facility which has entered into a contract with the House to provide employees of the House with discounted memberships in the facility, the Architect may use amounts made available in a fiscal year for "General Administration" to make payments under the contract.

(b) This section shall apply with respect to fiscal year 2007 and each succeeding fiscal year.

SEC. 106. MEMBERSHIP IN EXERCISE FACILITY.—In addition to individuals whose pay is disbursed by the Chief Administrative Officer of the House of Representatives, membership in the exercise facility established for employees of the House (as described in section 103(a) of the Legislative Branch Appropriations Act, 2005) shall be available to such other categories of individuals as may be approved by the Committee on House Administration.

SEC. 107. MEDIA SUPPORT SERVICES.—(a) The responsibilities of positions under the House Press Gallery, the House Periodical Press Gallery, and the House Radio and Television Correspondents' Gallery shall include providing media support services with respect to the presidential nominating conventions of the national committees of political parties.

(b) The Standing Committee of Correspondents may enter into agreements with national committees of political parties under which the committees and persons authorized by the committees may reimburse employees for necessary expenses incurred in carrying out the responsibilities described in subsection (a) and employees may accept such reimbursement.

(c) The terms and conditions under which employees exercise responsibilities under subsection (a), and the terms and conditions of any agreement entered into under subsection (b), shall be subject to the approval of the Chief Administrative Officer of the House of Representatives.

(d) In this section, the terms "national committee" and "political party" have the meaning given such terms in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431).

JOINT ITEMS

For Joint Committees, as follows:

Joint Economic Committee

For salaries and expenses of the Joint Economic Committee, $4,370,000, to be disbursed by the Secretary of the Senate.

Joint Committee on Taxation

For salaries and expenses of the Joint Committee on Taxation, $9,082,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

Office of the Attending Physician

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including: (1) an allowance of $2,175 per month to the Attending Physician; (2) an allowance of $725 per month each to four medical officers while on duty in the Office of the Attending Physician; (3) an allowance of $725 per month to two assistants and $580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants: and (4) $1,920,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $2,652,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

Capitol Guide Service and Special Services Office

For salaries and expenses of the Capitol Guide Service and Special Services Office, $8,490,000, to be disbursed by the Secretary of the Senate.

Statements of Appropriations

For the preparation, under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the second session of the 109th Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, $30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

CAPITOL POLICE

Salaries

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay differential, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, $220,600,000, to be disbursed by the Chief of the Capitol Police or his designee.

General Expenses

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than $5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, $38,500,000, to be disbursed by the Chief of the Capitol Police or his designee: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2007 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

Administrative Provisions

(INCLUDING TRANSFER OF FUNDS)

SEC. 1001. TRANSFER AUTHORITY.—Amounts appropriated for fiscal year 2007 for the Capitol Police may be transferred between the headings "SALARIES" and "GENERAL EXPENSES" upon the approval of the Committees on Appropriations of the Senate and the House of Representatives.

SEC. 1002. STUDENT LOAN REIMBURSEMENT.—Section 908(c) of the Emergency Supplemental Act, 2002 (2 U.S.C. 1926(c)) is amended by striking "$40,000" and inserting "$60,000".

SEC. 1003. ADVANCE PAYMENTS.—During fiscal year 2007 and each succeeding fiscal year, the Chief of the United States Capitol Police may make payments in advance for obligations of the Capitol Police for subscription services if the Chief determines it to be more prompt, efficient, or economical to do so.

OFFICE OF COMPLIANCE

Salaries and Expenses

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $3,149,000, of which $780,000 shall remain available until September 30, 2008: *Provided*, That the Executive Director of the Office of Compliance may, within the limits of available appropriations, dispose of surplus or obsolete personal property by interagency transfer, donation, or discarding: *Provided further*, That not more than $500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

Administrative Provision

SEC. 1101. LUMP-SUM PAYMENTS.—(a) The Executive Director of the Office of Compliance shall have the authority to make lump-sum payments to reward exceptional performance by an employee or a group of employees.

(b) Subsection (a) shall apply with respect to fiscal years beginning after September 30, 2006.

CONGRESSIONAL BUDGET OFFICE

Salaries and Expenses

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than $3,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $36,329,000.

ARCHITECT OF THE CAPITOL

General Administration

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for surveys and studies in connection with activities under the care of the Architect of the Capitol; for all necessary expenses for the general and administrative support of the operations under the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than $5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, $89,413,000, of which $5,000,000 shall remain available until September 30, 2011.

Capitol Building

For all necessary expenses for the maintenance, care and operation of the Capitol, $22,396,000, of which $5,965,000 shall remain available until September 30, 2011.

Capitol Grounds

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $7,806,000.

House Office Buildings

For all necessary expenses for the maintenance, care and operation of the House office buildings, $61,383,000, of which $19,805,000 shall remain available until September 30, 2011.

Capitol Power Plant

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, the Capitol Visitor Center, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $79,327,000, of which $1,434,000 shall remain available until September 30, 2011: *Provided*, That not more than $8,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2007.

Library Buildings and Grounds

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $36,401,000, of which $12,971,000 shall remain available until September 30, 2011.

Capitol Police Buildings and Grounds

For all necessary expenses for the maintenance, care and operation of buildings and grounds of the United States Capitol Police, $11,621,000, of which $2,000,000 shall remain available until September 30, 2011.

Botanic Garden

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $8,612,000: *Provided*, That this appropriation shall not be available for construction of the National Garden: *Provided further*, That of the amount made available under this heading, the Architect may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect or a duly authorized designee.

Capitol Visitor Center

For an additional amount for the Capitol Visitor Center project, $25,600,000 to remain available until expended, and in addition, $20,575,000 for the Capitol Visitor Center operation costs of which $1,000,000 shall remain available until September 30, 2011: *Provided*, That the Architect of the Capitol may not obligate any of the funds which are made available for the Capitol Visitor Center project without an obligation plan approved by the Committees on Appropriations of the Senate and House of Representatives.

Administrative Provisions

SEC. 1201. ROSA PARKS STATUE.—(a) Section 1(a) of Public Law 109–116 (2 U.S.C. 2131a note) is amended by adding at the end the following new sentence: "The Joint Committee may authorize the Architect of the Capitol to enter into the agreement required under this subsection on its behalf, under such terms and conditions as the Joint Committee may require.".

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of Public Law 109–116.

SEC. 1202. STATUTORY POSITIONS.—(a) Section 1203(e) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1805(e)) is amended by striking paragraph (3).

(b) Section 108(a) of the Legislative Branch Appropriations Act, 1991 (2 U.S.C. 1849(a)) is amended by striking "12 positions" and inserting "15 positions".

(c) The amendments made by this Act shall apply with respect to pay periods beginning on or after the date of the enactment of this Act, except that any individual who was appointed to a position described in section 1203(e)(3) of the Legislative Branch Appropriations Act, 2003 (as in effect prior to the enactment of subsection (a)) who holds that position on the day before the date of the enactment of this Act shall be deemed to have been appointed to a position described in section 108(a) of the Legislative Branch Appropriations Act, 1991 (as amended by subsection (b)).

SEC. 1203. TRAVEL AND TRANSPORTATION.—(a) Section 5721(1) of title 5, United States Code, is amended—

(1) by redesignating subparagraphs (G) and (H) as subparagraphs (H) and (I); and

(2) by inserting after subparagraph (F) the following new subparagraph:

"(G) the Architect of the Capitol;".

(b) Section 521(1)(B) of the National Energy Conservation Policy Act (42 U.S.C. 8241(1)(A)(B)) is amended by striking "(B) through (H)" and inserting "(B) through (I)".

SEC. 1204. LEASING AUTHORITY.—(a) Section 1102(b) of the Legislative Branch Appropriations Act, 2004 (2 U.S.C. 1822(b)) is amended—

(1) in paragraph (1), by striking "Committee on Rules and Administration" and inserting "Committees on Appropriations and Rules and Administration";

(2) in paragraph (2), by striking "the House Office Building Commission" and inserting "the Committee on Appropriations of the House of Representatives and the House Office Building Commission"; and

(3) in paragraph (3), by striking the period at the end and inserting ", for space to be leased for any other entity under subsection (a).".

(b) The amendments made by subsection (a) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2004.

SEC. 1205. ADVANCE PAYMENTS.—During fiscal year 2007 and each succeeding fiscal year, the Architect of the Capitol may make payments in advance for obligations of the Office of the Architect of the Capitol for subscription services if the Architect determines it to be more prompt, efficient, or economical to do so.

SEC. 1206. (a) ESTABLISHMENT OF OFFICE.—There is established in the Office of the Architect of the Capitol the Office of the Inspector General, headed by the Inspector General of the Office of the Architect of the Capitol (hereafter in this section referred to as the "Inspector General").

(b) INSPECTOR GENERAL.—

(1) APPOINTMENT.—The Inspector General shall be appointed by the Architect of the Capitol, in consultation with the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, and shall be appointed without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(2) TERM OF SERVICE.—The Inspector General shall serve for a term of 5 years, and an individual serving as Inspector General may be reappointed for not more than 2 additional terms.

(3) REMOVAL.—The Inspector General may be removed from office prior to the expiration of his term only by the Architect of the Capitol. Upon such removal, the Architect shall promptly communicate the reasons for the removal in writing to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate.

(4) SALARY.—The Inspector General shall be paid at an annual rate equal to $1,500 less than the annual rate of pay in effect for the Architect of the Capitol.

(c) DUTIES.—

(1) APPLICABILITY OF DUTIES OF INSPECTOR GENERAL OF EXECUTIVE BRANCH ESTABLISHMENT.—The Inspector General shall carry out the same duties and responsibilities with respect to the Architect of the Capitol as an Inspector General of an establishment carries out with respect to an establishment under section 4 of the Inspector General Act of 1978 (5 U.S.C. App. 4), under the same terms and conditions which apply under such section.

(2) SEMIANNUAL REPORTS.—The Inspector General shall prepare and submit semiannual

reports summarizing the activities of the Office of the Inspector General in the same manner, and in accordance with the same deadlines, terms, and conditions, as an Inspector General of an establishment under section 5 of the Inspector General Act of 1978 (5 U.S.C. App. 5). For purposes of applying section 5 of such Act to the Inspector General, the Architect of the Capitol shall be considered the head of the establishment.

(3) INVESTIGATIONS OF COMPLAINTS OF EMPLOYEES.—

(A) AUTHORITY.—The Inspector General may receive and investigate complaints or information from an employee of the Office of the Architect of the Capitol concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety.

(B) NONDISCLOSURE.—The Inspector General shall not, after receipt of a complaint or information from an employee, disclose the identity of the employee without the consent of the employee, unless the Inspector General determines such disclosure is unavoidable during the course of the investigation.

(C) PROHIBITING RETALIATION.—An employee of the Office of the Architect of the Capitol who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to such authority, take or threaten to take any action against any employee as a reprisal for making a complaint or disclosing information to the Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

(4) INDEPENDENCE IN CARRYING OUT DUTIES.—Neither the Architect of the Capitol nor any other employee of the Office of the Architect of the Capitol may prevent or prohibit the Inspector General from carrying out any of the duties or responsibilities assigned to the Inspector General under this section.

(d) POWERS.—

(1) IN GENERAL.—The Inspector General may exercise the same authorities with respect to the Architect of the Capitol as an Inspector General of an establishment may exercise with respect to an establishment under section 6(a) of the Inspector General Act of 1978 (5 U.S.C. App. 6(a)), other than paragraphs (7) and (8) of such section.

(2) STAFF.—

(A) IN GENERAL.—The Inspector General may appoint and fix the pay of such personnel as the Inspector General considers appropriate. Such personnel may be appointed without regard to the provisions of title 5, United States Code, regarding appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no personnel of the Office (other than the Inspector General) may be paid at an annual rate greater than $500 less than the annual rate of pay of the Inspector General under subsection (b)(4).

(B) EXPERTS AND CONSULTANTS.—The Inspector General may procure temporary and intermittent services under section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title.

(C) INDEPENDENCE IN APPOINTING STAFF.—No individual may carry out any of the duties or responsibilities of the Office unless the individual is appointed by the Inspector General, or provides services procured by the Inspector General, pursuant to this paragraph. Nothing in this subparagraph may be construed to prohibit the Inspector General from entering into a contract or other arrangement for the provision of services under this section.

(D) APPLICABILITY OF ARCHITECT OF THE CAPITOL PERSONNEL RULES.—None of the regulations governing the appointment and pay of employees of the Office of the Architect of the Capitol shall apply with respect to the appointment and compensation of the personnel of the Office, except to the extent agreed to by the Inspector General. Nothing in the previous sentence may be construed to affect subparagraphs (A) through (C).

(3) EQUIPMENT AND SUPPLIES.—The Architect of the Capitol shall provide the Office with appropriate and adequate office space, together with such equipment, supplies, and communications facilities and services as may be necessary for the operation of the Office, and shall provide necessary maintenance services for such office space and the equipment and facilities located therein.

(e) TRANSFER OF FUNCTIONS.—

(1) TRANSFER.—To the extent that any office or entity in the Office of the Architect of the Capitol prior to the appointment of the first Inspector General under this section carried out any of the duties and responsibilities assigned to the Inspector General under this section, the functions of such office or entity shall be transferred to the Office upon the appointment of the first Inspector General under this section.

(2) NO REDUCTION IN PAY OR BENEFITS.—The transfer of the functions of an office or entity to the Office under paragraph (1) may not result in a reduction in the pay or benefits of any employee of the office or entity, except to the extent required under subsection (d)(2)(A).

(f) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $396,022,000, of which not more than $6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2007, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150) and not more than $350,000 shall be derived from collections during fiscal year 2007 and shall remain available until expended for the development and maintenance of an international legal information database and activities related thereto: *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $6,350,000: *Provided further*, That of the total amount appropriated, $14,509,000 shall remain available until expended for the partial acquisition of books, periodicals, newspapers, and all other materials including subscriptions for bibliographic services for the Library, including $40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections: *Provided further*, That of the total amount appropriated, not more than $12,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Overseas Field Offices: *Provided further*, That of the total amount appropriated, $5,954,000 is available for the digital collections and educational curricula program, of which $4,010,000 shall remain available until expended: *Provided further*, That of the total amount appropriated, $600,000 shall remain available until expended, and shall be transferred to the Abraham Lincoln Bicentennial Commission for carrying out the purposes of Public Law 106–173, of which $10,000 may be used for official representation and reception expenses of the Abraham Lincoln Bicentennial Commission: *Provided further*, That of the total amount appropriated, $11,029,000 shall remain available until expended for partial support of the National Audio-Visual Conservation Center.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, $59,044,000, of which not more than $29,335,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2007 under section 708(d) of title 17, United States Code: *Provided*, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That not more than $5,640,000 shall be derived from collections during fiscal year 2007 under sections 111(d)(2), 119(b)(2), 803(e), 1005, and 1316 of such title: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than $34,975,000: *Provided further*, That not more than $100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than $4,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: *Provided further*, That notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program.

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative

Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $102,462,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate.

Books for the Blind and Physically Handicapped

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $53,974,000, of which $15,673,000 shall remain available until expended.

Administrative Provisions

Sec. 1301. Incentive Awards Program.—Of the amounts appropriated to the Library of Congress in this Act, not more than $5,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the incentive awards program.

Sec. 1302. Reimbursable and Revolving Fund Activities. (a) In General.—For fiscal year 2007, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed $111,078,000.

(b) Activities.—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(c) Transfer of Funds.—During fiscal year 2007, the Librarian of Congress may temporarily transfer funds appropriated in this Act, under the heading "LIBRARY OF CONGRESS" under the subheading "Salaries and Expenses" to the revolving fund for the FEDLINK Program and the Federal Research Program established under section 103 of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106–481; 2 U.S.C. 182c): *Provided*, That the total amount of such transfers may not exceed $1,900,000: *Provided further*, That the appropriate revolving fund account shall reimburse the Library for any amounts transferred to it before the period of availability of the Library appropriation expires.

Sec. 1303. United States Diplomatic Facilities.—Funds made available for the Library of Congress under this Act are available for transfer to the Department of State as remittance for a fee charged by the Department for fiscal year 2007 for the maintenance, upgrade, or construction of United States diplomatic facilities only to the extent that the amount of the fee so charged is equal to or less than the unreimbursed value of the services provided during fiscal year 2007 to the Library of Congress on State Department diplomatic facilities.

Sec. 1304. Audit Requirement.—Section 207(e) of the Legislative Branch Appropriations Act, 1998 (2 U.S.C. 182(e)) is amended to read as follows:

"(e) Audit.—The revolving fund shall be subject to audit by the Comptroller General at the Comptroller General's discretion.".

Sec. 1305. Transfer Authority.—Amounts appropriated for fiscal year 2007 for the Library of Congress may be transferred between any of the headings for which the amounts are appropriated upon the approval of the Committees on Appropriations of the Senate and House of Representatives.

GOVERNMENT PRINTING OFFICE

Congressional Printing and Binding

(INCLUDING TRANSFER OF FUNDS)

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (section 902 of title 44, United States Code); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $95,233,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: *Provided further*, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

Office of Superintendent of Documents

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $35,287,000: Provided, That amounts of not more than $2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2005 and 2006 to depository and other designated libraries: *Provided further*, That any unobligated or unexpended balances in this account or accounts for similar purposes for preceding fiscal years may be transferred to the Government Printing Office revolving fund for carrying out the purposes of this heading, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate.

Government Printing Office Revolving Fund

The Government Printing Office may make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: *Provided*, That not more than $5,000 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: *Provided further*, That the revolving fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That the revolving fund and the funds provided under the headings "Office of Superintendent of Documents" and "Salaries and Expenses" together may not be available for the full-time equivalent employment of more than 2,621 workyears (or such other number of workyears as the Public Printer may request, subject to the approval of the Committees on Appropriations of the House of Representatives and Senate): *Provided further*, That activities financed through the revolving fund may provide information in any format: *Provided further*, That not more than $10,000 may be expended from the revolving fund in support of the activities of the Benjamin Franklin Tercentenary Commission established by Public Law 107–202.

GOVERNMENT ACCOUNTABILITY OFFICE

Salaries and Expenses

For necessary expenses of the Government Accountability Office, including not more than $12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title 31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, $488,234,000: *Provided*, That not more than $4,980,000 of payments received under section 782 of title 31, United States Code, shall be available for use in fiscal year 2007: *Provided further*, That not more than $2,005,000 of reimbursements received under section 9105 of title 31, United States Code, shall be available for use in fiscal year 2007: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: *Provided further*, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), $13,400,000.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), $430,000.

TITLE II—GENERAL PROVISIONS

SEC. 201. MAINTENANCE AND CARE OF PRIVATE VEHICLES.—No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

SEC. 202. FISCAL YEAR LIMITATION.—No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2007 unless expressly so provided in this Act.

SEC. 203. RATES OF COMPENSATION AND DESIGNATION.—Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

SEC. 204. CONSULTING SERVICES.—The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

SEC. 205. AWARDS AND SETTLEMENTS.—Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of the Congressional Accountability Act of 1995 (2 U.S.C. 1415(a)) to pay awards and settlements as authorized under such subsection.

SEC. 206. COSTS OF LBFMC.—Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed $2,000.

SEC. 207. LANDSCAPE MAINTENANCE.—The Architect of the Capitol, in consultation with the District of Columbia, is authorized to maintain and improve the landscape features, excluding streets and sidewalks, in the irregular shaped grassy areas bounded by Washington Avenue, SW on the northeast, Second Street SW on the west, Square 582 on the south, and the beginning of the I–395 tunnel on the southeast.

SEC. 208. LIMITATION ON TRANSFERS.—None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 209. None of the funds made available in this Act may be used to establish or operate a smoking area in the cafeteria and public dining areas of the Rayburn House Office Building.

SEC. 210. For fiscal year 2007 only, all authorities previously exercised by the Architect of the Capitol, including but not limited to the execution and supervision of contracts; and the hiring, supervising, training, and compensation of employees, shall be vested in the Comptroller General of the United States or his designee: *Provided*, That this delegation of authority shall terminate with the confirmation of a new Architect of the Capitol.

This Act may be cited as the "Legislative Branch Appropriations Act, 2007".

The Acting CHAIRMAN. No amendment to the bill shall be in order except those printed in House Report 109–487. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered read, debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It is now in order to consider amendment No. 1 printed in House Report 109–487.

It is now in order to consider amendment No. 2 printed in House Report 109–487.

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It is now in order to consider amendment No. 3 printed in House Report 109–487.

It is now in order to consider amendment No. 4 printed in House Report 109–487.

AMENDMENT NO. 4 OFFERED BY MR. BAIRD

Mr. BAIRD. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. BAIRD:

Page 13, line 13, insert after the dollar amount the following: "(increased by $2,400,000)".

Page 36, line 3, insert after the dollar amount the following: "(decreased by $2,400,000)".

The Acting CHAIRMAN. Pursuant to House Resolution 849, the gentleman from Washington (Mr. BAIRD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. BAIRD. Mr. Chairman, I yield myself such time as I may consume.

It is my understanding that my respective chairman and ranking member have some concerns about the amendment, and I intend to withdraw it, therefore. However, I would like to speak to it briefly, if I may.

Many of us who have served here for a number of years still find ourselves, unfortunately, lost when we travel in the basement of this building or some of the other office buildings. That is a frustrating and sometimes humorous experience for us under normal circumstances, but in an emergency situation it could be a matter of life and death.

I am aware that there are firms that specialize in the electronic mapping of facilities precisely such as this for the purpose of helping first responders respond more quickly and ably in the event of an emergency. Indeed, schools throughout my State have been mapped in such a way, as is our capital complex in Washington State today.

What I am asking for with this amendment is the diversion of $2.4 million that is currently allocated towards the House Printing Office in order that the Architect of the Capitol could invest in an electronic mapping system to provide this function.

Let me describe briefly what can happen with these electronic mapping systems. Essentially, rather than relying on the Architect of the Capitol to have a bunch of hard copy blueprints that would be presumably folded out in a time of crisis, the entire complex would be mapped in an electronic form such that the information about the complex could be downloaded and available on laptops, PDAs or other electronic means. This could include response plans, hazardous materials locations, and paths of egress or ingress.

Imagine had Flight 93 hit this Capitol, the chaos and the smoke and the toxic fumes that would have engulfed this building, we could easily have had Members of Congress, staff, members of the public trapped in unaccessible locations that the first responders would not even know how to reach.

What we are asking for today is that we invest in a system that will make it possible for our first responders, our Capitol Police, firefighters from on grounds or off grounds to respond promptly, efficiently to save lives and to restore order as needed.

This is a relatively small investment for what could one day be a profound and important life-saving measure. I would encourage my good friends, the chairman and ranking member, to work with me in the future on this measure.

Mr. LEWIS of California. Mr. Chairman, will the gentleman yield?

Mr. BAIRD. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Chairman, Mr. OBEY and I have both understood for years that if you wander through the Rayburn Building and do not get lost, you have been here too long. With that, I think you have a very good proposal.

Mr. BAIRD. I thank the gentleman, and hope that we might be able to work on this in the future.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 109–487.

It is now in order to consider amendment No. 6 printed in House Report 109–487.

It is now in order to consider amendment No. 7 printed in House Report 109–487.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BOOZMAN) having assumed the chair, Mr. LINDER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5521) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2007, and for other purposes, pursuant to House Resolution 849, he reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1315

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

EXPRESSING SENSE OF CONGRESS AND SUPPORT FOR GREATER OPPORTUNITIES FOR SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (GO–STEM) PROGRAMS

Mr. PRICE of Georgia. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 421) expressing the sense of Congress and support for Greater Opportunities for Science, Technology, Engineering, and Mathematics (GO–STEM) programs, as amended.

The Clerk read as follows:

H. CON. RES. 421

Whereas in October 2005, the Government Accountability Office released a study on Federal science, technology, engineering, and mathematics (STEM) programs and concluded that the Federal Government funds 207 education-related STEM programs across 13 separate Federal agencies;

Whereas in the Deficit Reduction Act of 2005 (Public Law 109–171), the Congress established the Academic Competitiveness Council in order to identify all Federal education programs with a mathematics and science focus;

Whereas the Academic Competitiveness Council is chaired by the Secretary of Education and brings together officials from across the Federal Government;

Whereas the Academic Competitiveness Council is charged with determining the effectiveness of each program and identifying areas of overlap or duplication; and

Whereas the Academic Competitiveness Council has up to one year after February 2006 to release its report and will recommend ways to efficiently integrate and coordinate the programs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) mathematics and science education programs across Federal agencies should be better coordinated;

(2) there should be minimal duplication among these programs and consistent standards of evaluation;

(3) the Department of Education should be commended for its rapid response in creating the Academic Competitiveness Council; and

(4) the recommendations of the Academic Competitiveness Council should be closely examined when making decisions about Federal funding for mathematics and science education programs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. PRICE) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Con. Res. 421.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PRICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I initially want to start and thank the chairman and staff of the Education and Workforce Committee, and Members on both sides, cosponsors on both sides of the aisle here, for their support and their assistance as we bring this important resolution forward.

A couple of quotes from the Hart-Rudman Commission report in 2001: "The harsh fact is that the United States need for the highest quality human capital in science, mathematics and engineering is not being met. Another reason for the growing deficit in high-quality human capital is that the American kindergarten through 12th grade education system is not performing as well as it should."

And then just a year and a half ago, the former Speaker of the House, Newt Gingrich said, "The biggest challenge for the United States domestically is to fundamentally, profoundly overhaul math and science education. This is a real crisis."

Mr. Speaker, in order to sustain America's economic growth and national security, United States must remain at the cutting edge of innovation and ingenuity in such fields as science, technology, engineering and mathematics, often referred to as STEM. And staying at the cutting edge will only happen by putting the right workforce in place for the 21st century.

Creating the 21st century workforce begins by answering the domestic demand for occupations like scientists and engineers. In fact, the demand for scientists and engineers is expected to increase at four times the rate of all other occupations over the next decade.

Already the Federal Government makes a sizeable investment to promote STEM-related occupations through education initiatives. But if the Federal Government is going to continue to have such a role, it makes sense to take a look at the current Federal programs, the total investment of those programs and gauge the effectiveness of those programs.

In October 2005, the Government Accountability Office released a study on Federal STEM programs and concluded the Federal Government funds 207 education programs across 13 separate Federal agencies. In total, those programs cost $2.8 billion in fiscal year 2004. However, only 51 of the 207 programs received $10 million or more, meaning that most received not a substantial investment.

In the study, the GAO went on to conclude that before adopting any changes, it is important to know the extent to which existing STEM education programs are appropriately targeted and making the best use of available Federal resources.

Based upon the recommendations of the GAO, Congress went on to establish the Academic Competitiveness Council in order to identify all Federal education programs with a math and science focus. The primary duties of the council are to determine the effectiveness of each program and identify areas of overlap or duplication.

Now, the rudimentary evidence points to a system that is fragmented and in need of much better coordination. Congress is eagerly anticipating the report of the Academic Competitiveness Council to see how the larger facts bear out, and to that end the Department of Education and other Federal agencies should be commended for their rapid response in creating the council and their aggressiveness in finding the truth.

But as Congress examines the investments made on math and science education, the effort also must focus on duplication and standards of evaluation. Federal resources are precious, and it is the responsibility of Congress to ensure that money is not being thrown at repetitive or duplicative efforts and that these programs can be properly monitored for their effectiveness.

Instead of spreading money around on programs that span the Federal Government and lack an overall coherent plan, Congress must direct the money to the best possible use in a consistent manner. The recommendations of the Academic Competitiveness Council should be closely watched and bring semblance to math and science education programs. This resolution would move us in that direction.

So I urge my colleagues to adopt this resolution. Now is the time to affirm the importance of such an investment, but also to properly evaluate the recommendations produced by the council. As America looks to sustain its economic vitality and national security, investments in the field of science, technology, engineering and math are too important to leave fragmented and without proper guidance.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker and Members of the House, we rise in support of this legislation. We think that it is important that we do get a handle on those programs that the Federal Government currently supports in the fields of science, technology, engineering and mathematics.

Late last year, the Democratic Caucus introduced an innovation agenda, and that innovation agenda was designed to make sure that America would retain its competitiveness and America would be able to go forward into this century as a leader in math, science and engineering and a leader in innovation, a place that America has held for the last 50 years. We have held that position in the world because of an investment that was made by President Kennedy to go to the Moon and to return safely, and the infrastructure that was built up by that decision. President Kennedy understood it was more than just a moon shot. It was about building an infrastructure in math, science and engineering for this country for the future. And that decision led to the greatest public-private partnership in the history of the world and created an infrastructure today that we continue to live off of and that has driven this economy for that same period of time.

□ 1330

The question is whether or not we need to renew that investment. Clearly those people who are participating in this economy at the highest levels, on the cutting edge, those who are creating new start-ups, who have created some of the great companies of the world in high technology, biotech and engineering, tell us that it is absolutely imperative that America make this effort.

They have made it also clear to us that the foundation of this is the American education system; that not only must we fully fund No Child Left Behind, as the American Electronics Association called for, but we have to make a new commitment to graduate studies, we have to make a new commitment to the teachers of math, science and engineering at all levels, and we have got to make a new commitment to research and development.

So this resolution is quite timely, because it is important that we understand not only why these programs are on the books, the purposes for which they are created, but do they still work in today's environment, should they be modified, should they be merged, should they be given new purposes.

We know that the National Science Foundation outside of the Department of Education has created some of the most effective programs for young people to become excited about the physical sciences and the life sciences and to understand the world around them, and have engaged students in a way that they are unlikely to be engaged with the traditional textbook approach to those sciences.

In my own State of California, we now see the University of California initiating a new program where those students of math, science and engineering will be able to concurrently achieve a teaching credential, so not only will they be fully skilled in the core subject matters of engineering and math and science, but they will also, if they decide to go into the teaching field, be fully qualified to teach those subject matters and create that excitement that we talk about so much, so that young people will truly see the value and the excitement of studying and entering careers that deeply involve math, science and engineering.

If we fail to do this, if we fail to do more than this resolution, if the national science programs continue to come under budget pressure, then the problem will be that we can lose that leadership in fields of innovation where America has been so terribly strong.

We now see strategic investments being made in the educational facilities, in the research facilities, all along the Asian Rim, by India, by China, by Indonesia, by Korea, in the field of telecommunications and the field of technology and the field of biosciences; and it is terribly important for our economy here at home, for the jobs of the future and for our leadership in the world and a matter of our national security, certainly, in the technology fields. The only way we are going to be able to do that, according to those people who are betting their companies, betting their shareholders' money, betting borrowed money and the venture capitalists staking their future on it, is to engage in a full and comprehensive program for competitiveness and innovation.

In the Democratic proposal, the challenge that we have laid down to this Congress, that challenge is to create a new generation of innovators, and this legislation speaks to this because it speaks to the education programs that will be available and the effectiveness of those programs for math, science and engineering.

We also speak to that by making sure that there are graduate fellowships, much as we did again in the effort to reach the Moon in the Kennedy administration where 28,000 fellowships were given. Those individuals finished their graduate studies early and became part of that great foundation of American ingenuity and competitiveness.

Mr. Speaker, with that, I, too, want to support this resolution and draw attention to the needs that we have in the areas of science, engineering and math for the education establishments in this country. We dramatically need to improve the number of highly qualified teachers with core competencies in these fields; we dramatically need to increase the number of young people who are excited by this; and we dramatically need to increase the number of young people who want to choose this as a career, as a profession, as a place of excitement and innovation.

Mr. Speaker, I reserve the balance of my time.

Mr. PRICE of Georgia. Mr. Speaker, I want to thank the ranking member for his support, and yield 3 minutes to the gentleman from California (Mr. MCKEON), the chairman of the Education and the Workforce Committee.

Mr. MCKEON. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of this resolution to recognize the ever-increasing importance of science, technology, engineering and mathematics programs, to which we have given the acronym STEM. As you know, this is an issue on which the Education and the Workforce Committee has provided considerable leadership over the last several years, particularly during the No Child Left Behind era and through our recent efforts to strengthen the Higher Education Act.

Right now, our committee is immersed in a series of hearings on the current state and future prospects of our Nation's STEM programs. At these hearings, we have heard from Secretary of Labor Chao and Secretary of Education Spellings, who discussed the Bush administration's view on the STEM programs. We have also heard from a variety of other Federal officials, as well as educators and businessmen and women from across the Nation.

A common theme throughout their testimony was this: In order to determine where to go next with regard to Federal involvement in STEM programs, it is best to gain a better understanding of where we already are.

Congress has taken steps to determine just that. Last fall, the Government Accountability Office issued a report that quantified the many Federal programs established to increase the number of students pursuing science, technology, engineering and math degrees. In fiscal year 2004 alone, we spent about $2.8 billion on these programs, and the GAO has recommended that before creating new Federal math and science programs, we should know which existing programs are appropriately targeted and making the best use of Federal resources.

Following that logic, earlier this year, as part of the Deficit Reduction Act, Congress established an Academic Competitiveness Council designed to identify and review the more than 200 programs within the 13 separate Federal agencies with a math or science focus. The council will evaluate the effectiveness of the programs, determine areas of duplication and recommend ways in which to integrate and coordinate them. Its activities recently began in earnest, and a final report must be submitted to Congress by February 2007.

Mr. Speaker, Congress, the Federal Government and our Nation's academic and business communities must gain a better understanding of what programs already exist to improve STEM education, how effective these programs are and, most importantly of all, what we can do to improve them.

Simply put, for our Nation to remain competitive in a rapidly changing global marketplace, we must sharpen our focus in STEM programs. I applaud our efforts to improve them, and I support this resolution.

I thank my colleague from Georgia, Dr. PRICE, for bringing it to the floor.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman for yielding me time. I also want to commend Representative PRICE for his introduction of this legislation, and I am pleased to join with him, Chairman MCKEON and Ranking Member MILLER as we express support for H. Con. Res. 421.

Supporting mathematics and science in education is crucial to national prosperity. The United States workforce is dramatically changing, and the demand for highly skilled jobs is increasing. In the last 10 years, employment in science, technology, engineering and mathematics, STEM fields, as we call them, have increased by an estimated 23 percent, particularly in mathematics and in computer science. This growth will only continue by 2020. Fifteen million new jobs that require college-educated and highly skilled workers will be created.

However, and unfortunately, we have seen a recent drop in students' educational interest in STEM-related fields. In 2004, only 27 percent of degrees awarded were in STEM fields, compared to 32 percent of degrees in 1995. We need to ensure that our students are adequately prepared for the changing economy, and supporting quality programs in STEM-related fields is essential to reach this goal.

The goals of the Academic Competitiveness Council are to evaluate the effectiveness of each STEM-related program across the government, identify areas of overlap and recommend ways to efficiently integrate and coordinate in the future.

It is important that the Academic Competitiveness Council and this Congress continue to focus on a high-quality investment in STEM training. Further, it is important that we work to increase the participation of minority groups and women, who are seriously underrepresented in STEM fields. Inclusion of women and underrepresented minorities in STEM will help correct the historical employment inequities that have existed in our country and help supply the American economy with the STEM expertise that the country needs to innovate and remain competitive.

Just last month, we heard from the administration that the creation and operation of the Academic Competitiveness Council is under way and that they are working to make concrete recommendations. Congress has a responsibility to thoughtfully consider these recommendations, accepting those that are reasonable and rejecting recommendations that could undermine or undercut progress.

It is incumbent upon us to ensure that the needs met by current activities continue to be addressed, and even strengthened where needed. We must not eliminate critical and crucially needed activities solely in the name of consolidation.

Mr. GEORGE MILLER of California. Mr. Speaker, I have no further requests for time on this legislation. Again, I want to thank Mr. PRICE and Mr. MCKEON for bringing this bill to the floor, and I yield back the balance of my time.

Mr. PRICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to once again reiterate my thanks to the ranking member and to Mr. DAVIS for their support and for the support of all the cosponsors on both sides of the aisle who understand and appreciate the importance of this resolution. I am so pleased to stand with both Republicans and Democrats who appreciate that Federal resources are precious, but also that they are finite. It is our responsibility, Congress' responsibility, to provide the oversight and to be certain that hard-earned taxpayer money is wisely spent.

This resolution is truly a win-win. It allows Congress to be certain that the money is being spent effectively, and it reiterates our appreciation and support for increasing the interests in science, technology, engineering and mathematics education.

Mr. Speaker, I encourage all of my colleagues to support this resolution.

Mr. Speaker, I include for the RECORD the following correspondence.

COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES,
Washington, DC, June 6, 2006.

Hon. SHERWOOD BOEHLERT,
Chairman, Committee on Science, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN BOEHLERT: Thank you for your recent letter regarding the consideration of H. Con. Res. 421, expressing support for Greater Opportunities for Science, Technology, Engineering, and Mathematics programs. I appreciate your efforts to improve the text of the resolution. When the bill is considered on the floor, the changes you have suggested will be included in a manager's amendment.

I also appreciate your agreement to not request a sequential referral and your willingness to forgo consideration of H. Con. Res. 421 by your committee. I agree that waiving consideration of H. Con. Res. 421 in no way diminishes or alters the jurisdictional interest of the Committee on Science. I will include your letter and this response in the Congressional Record during the bill's consideration on the House floor.

Sincerely,
HOWARD P. "BUCK" MCKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, DC, June 6, 2006.

Hon. HOWARD P. "BUCK" MCKEON,
Chairman, Committee on Education and the Workforce, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Science Committee in matters being considered in H. Con. Res. 421, a concurrent resolution expressing the sense of Congress and support for Greater Opportunities for

Science, Technology, Engineering, and Mathematics (GO-STEM) programs. This measure deals with matters in the jurisdiction of the Science Committee, including the education programs of the National Science Foundation, the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration and the Department of Energy.

I appreciate your willingness to work with me to satisfy my concerns about the language in H. Con. Res. 421 by modifying language in the measure so that we are not prejudging any recommendations of the Academic Competitiveness Council. The Science Committee acknowledges the importance of H. Con. Res. 421 and the need for the legislation to move expeditiously. Therefore, pursuant to our agreement to modify the language of the measure, I agree not to request a sequential referral. This, of course, is conditional on our mutual understanding that nothing in this legislation or my decision to forgo a sequential referral waives, reduces or otherwise affects the jurisdiction of the Science Committee. I would appreciate it if you would include a copy of this letter and your response in the Congressional Record when the measure is considered on the House Floor.

Thank you for your attention to this matter.

Sincerely,

SHERWOOD BOEHLERT,
Chairman.

Mr. EHLERS. Mr. Speaker, I rise to comment positively on H. Con. Res. 421, but also to express some concerns about it. I commend Representative TOM PRICE for his interest in supporting Greater Opportunities for Science, Technology, Engineering, and Math—collectively, STEM—programs and I thank him for including a change in the manager's amendment. STEM education is extremely important to our Nation, because our economic and national security rely on technical and innovative expertise in these fields. However, I am concerned that this resolution, despite the change in the manager's amendment, still gives premature support to the Academic Competitiveness Council's—ACC—recommendations, which are not due until February 2007.

The impetus for the ACC sprang from a 2005 Government Accountability Office study on Federal STEM programs. It is my understanding that Federal agencies with STEM programs have a seat at the ACC table. However, I am concerned that not all agencies have an equal appreciation or understanding of the importance of STEM education in improving our national competitiveness and security.

The National Science Foundation—NSF—has a proven track record of expertise and experience in STEM programs. We all know that NSF grants have led to truly revolutionary discoveries and technical advances. NSF-funded researchers have won more than 160 Nobel Prizes, and these pioneers have included the scientists or teams that discovered many of the fundamental particles of matter and decoded the genetics of viruses. But many do not know that another essential element in NSF's mission is support for science and engineering education, from pre-K through graduate school and beyond. The research that the NSF funds is thoroughly integrated with education to help ensure that there will always be plenty of skilled people available to work in new and emerging scientific, engineering and technological fields, and plenty of capable teachers to educate the next generation. Since the NSF has been a leader in STEM education for more than 50 years and has established excellent evaluations for all of its programs, the ACC should give very strong recognition to the role NSF and its education programs play in promoting our economic competitiveness and national security, and they should build upon the strengths of the NSF. The treasure trove of knowledge the foundation represents should not be overlooked, but, in fact, should be used as a base for the ACC recommendations.

Specifically, I am concerned that the GO-STEM resolution calls for "minimal duplication among [STEM] programs" without defining what this means and also goes further than the established goals for the ACC that are set out in the Deficit Reduction Act. For years, I have been promoting the Math and Science Partnership programs at the Department of Education—ED—and the National Science Foundation. Unfortunately, because both agency's programs have the same name, some have mistakenly thought of these programs as equivalent, even though they are in name only, and duplicative, even though they most definitely are not. I am working on legislation to change the name of the NSF program to help avoid future confusion. Among other differences, the NSF program is designed to provide rigorous, scientifically based research on what works in STEM teacher professional development whereas ED's program is designed to implement these ideas on the State level. A wide array of teachers, scientists and education researchers agree that there is much research needed in the areas addressed by the NSF Math and Science Partnership program, yet the President's budget has called for eliminating new research in the NSF program.

Since there has been significant confusion about different STEM programs, I am pleased that the ACC will focus on coordination and strengthening the Federal STEM endeavor. There is a plethora of STEM education programs across many different Federal agencies. The goal of the GO-STEM resolution—to better coordinate Federal STEM education efforts—is needed and is very admirable. However, I do not want to put the cart before the horse, and prefer that Congress carefully consider whatever recommendations the ACC puts forth before adopting them.

Additionally, the GO-STEM resolution calls for "consistent standards of evaluation." While this is a laudable goal, apples cannot be compared to oranges. In particular, I am concerned that new programs could receive failing grades since they have not had time to demonstrate results. Will the new SMART grants, a tremendous tool for bolstering the STEM education pipeline, receive a "results not demonstrated" designation as other new programs do in PART reviews? Furthermore, we should expect very different outcomes from programs that focus on student learning compared to programs that focus on graduate-level research in the physical sciences. The tools used to define "effective" are extremely critical. I am uncertain what evaluative methodology the ACC will adopt to define "effective," and, therefore, am very reluctant to give premature support to the ACC's recommendations.

I urge that Members pay very close attention to the ACC's recommendations. But please, think critically about the evaluative methodology the ACC uses in developing its recommendations, and recognize and build upon the existing expertise of agencies such as the National Science Foundation. Also, think very hard about how our actions will affect our economic competitiveness and national security before considering eliminating any STEM-related programs.

Mr. PRICE of Georgia. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from Georgia (Mr. PRICE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 421, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

MINE IMPROVEMENT AND NEW EMERGENCY RESPONSE ACT OF 2006

Mr. McKEON. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2803) to amend the Federal Mine Safety and Health Act of 1977 to improve the safety of mines and mining.

The Clerk read as follows:

S. 2803

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Mine Improvement and New Emergency Response Act of 2006" or the "MINER Act".

SEC. 2. EMERGENCY RESPONSE.

Section 316 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 876) is amended—

(1) in the section heading by adding at the end the following: "AND EMERGENCY RESPONSE PLANS";

(2) by striking "Telephone" and inserting "(a) IN GENERAL.—Telephone"; and

(3) by adding at the end the following:

"(b) ACCIDENT PREPAREDNESS AND RESPONSE.—

"(1) IN GENERAL.—Each underground coal mine operator shall carry out on a continuing basis a program to improve accident preparedness and response at each mine.

"(2) RESPONSE AND PREPAREDNESS PLAN.—

"(A) IN GENERAL.—Not later than 60 days after the date of enactment of the Mine Improvement and New Emergency Response Act of 2006, each underground coal mine operator shall develop and adopt a written accident response plan that complies with this subsection with respect to each mine of the operator, and periodically update such plans to reflect changes in operations in the mine, advances in technology, or other relevant considerations. Each such operator shall make the accident response plan available to the miners and the miners' representatives.

"(B) PLAN REQUIREMENTS.—An accident response plan under subparagraph (A) shall—

"(i) provide for the evacuation of all individuals endangered by an emergency; and

"(ii) provide for the maintenance of individuals trapped underground in the event that miners are not able to evacuate the mine.

"(C) PLAN APPROVAL.—The accident response plan under subparagraph (A) shall be subject to review and approval by the Secretary. In determining whether to approve a particular plan the Secretary shall take into consideration all comments submitted by miners or their representatives. Approved plans shall—

"(i) afford miners a level of safety protection at least consistent with the existing standards, including standards mandated by law and regulation;

"(ii) reflect the most recent credible scientific research;

"(iii) be technologically feasible, make use of current commercially available technology, and account for the specific physical characteristics of the mine; and

"(iv) reflect the improvements in mine safety gained from experience under this Act and other worker safety and health laws.

"(D) PLAN REVIEW.—The accident response plan under subparagraph (A) shall be reviewed periodically, but at least every 6 months, by the Secretary. In such periodic reviews, the Secretary shall consider all comments submitted by miners or miners' representatives and intervening advancements in science and technology that could be implemented to enhance miners' ability to evacuate or otherwise survive in an emergency.

"(E) PLAN CONTENT-GENERAL REQUIREMENTS.—To be approved under subparagraph (C), an accident response plan shall include the following:

"(i) POST-ACCIDENT COMMUNICATIONS.—The plan shall provide for a redundant means of communication with the surface for persons underground, such as secondary telephone or equivalent two-way communication.

"(ii) POST-ACCIDENT TRACKING.—Consistent with commercially available technology and with the physical constraints, if any, of the mine, the plan shall provide for above ground personnel to determine the current, or immediately pre-accident, location of all underground personnel. Any system so utilized shall be functional, reliable, and calculated to remain serviceable in a post-accident setting.

"(iii) POST-ACCIDENT BREATHABLE AIR.—The plan shall provide for—

"(I) emergency supplies of breathable air for individuals trapped underground sufficient to maintain such individuals for a sustained period of time;

"(II) in addition to the 2 hours of breathable air per miner required by law under the emergency temporary standard as of the day before the date of enactment of the Mine Improvement and New Emergency Response Act of 2006, caches of self-rescuers providing in the aggregate not less than 2 hours per miner to be kept in escapeways from the deepest work area to the surface at a distance of no further than an average miner could walk in 30 minutes;

"(III) a maintenance schedule for checking the reliability of self rescuers, retiring older self-rescuers first, and introducing new self-rescuer technology, such as units with interchangeable air or oxygen cylinders not requiring doffing to replenish airflow and units with supplies of greater than 60 minutes, as they are approved by the Administration and become available on the market; and

"(IV) training for each miner in proper procedures for donning self-rescuers, switching from one unit to another, and ensuring a proper fit.

"(iv) POST-ACCIDENT LIFELINES.—The plan shall provide for the use of flame-resistant directional lifelines or equivalent systems in escapeways to enable evacuation. The flame-resistance requirement of this clause shall apply upon the replacement of existing lifelines, or, in the case of lifelines in working sections, upon the earlier of the replacement of such lifelines or 3 years after the date of enactment of the Mine Improvement and New Emergency Response Act of 2006.

"(v) TRAINING.—The plan shall provide a training program for emergency procedures described in the plan which will not diminish the requirements for mandatory health and safety training currently required under section 115.

"(vi) LOCAL COORDINATION.—The plan shall set out procedures for coordination and communication between the operator, mine rescue teams, and local emergency response personnel and make provisions for familiarizing local rescue personnel with surface functions that may be required in the course of mine rescue work.

"(F) PLAN CONTENT-SPECIFIC REQUIREMENTS.—

"(i) IN GENERAL.—In addition to the content requirements contained in subparagraph (E), and subject to the considerations contained in subparagraph (C), the Secretary may make additional plan requirements with respect to any of the content matters.

"(ii) POST ACCIDENT COMMUNICATIONS.—Not later than 3 years after the date of enactment of the Mine Improvement and New Emergency Response Act of 2006, a plan shall, to be approved, provide for post accident communication between underground and surface personnel via a wireless two-way medium, and provide for an electronic tracking system permitting surface personnel to determine the location of any persons trapped underground or set forth within the plan the reasons such provisions can not be adopted. Where such plan sets forth the reasons such provisions can not be adopted, the plan shall also set forth the operator's alternative means of compliance. Such alternative shall approximate, as closely as possible, the degree of functional utility and safety protection provided by the wireless two-way medium and tracking system referred to in this subpart.

"(G) PLAN DISPUTE RESOLUTION.—

"(i) IN GENERAL.—Any dispute between the Secretary and an operator with respect to the content of the operator's plan or any refusal by the Secretary to approve such a plan shall be resolved on an expedited basis.

"(ii) DISPUTES.—In the event of a dispute or refusal described in clause (i), the Secretary shall issue a citation which shall be immediately referred to a Commission Administrative Law Judge. The Secretary and the operator shall submit all relevant material regarding the dispute to the Administrative Law Judge within 15 days of the date of the referral. The Administrative Law Judge shall render his or her decision with respect to the plan content dispute within 15 days of the receipt of the submission.

"(iii) FURTHER APPEALS.—A party adversely affected by a decision under clause (ii) may pursue all further available appeal rights with respect to the citation involved, except that inclusion of the disputed provision in the plan will not be limited by such appeal unless such relief is requested by the operator and permitted by the Administrative Law Judge.

"(H) MAINTAINING PROTECTIONS FOR MINERS.—Notwithstanding any other provision of this Act, nothing in this section, and no response and preparedness plan developed under this section, shall be approved if it reduces the protection afforded miners by an existing mandatory health or safety standard.".

SEC. 3. INCIDENT COMMAND AND CONTROL.

Title I of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 811 et seq.) is amended by adding at the end the following:

"SEC. 116. LIMITATION ON CERTAIN LIABILITY FOR RESCUE OPERATIONS.

"(a) IN GENERAL.—No person shall bring an action against any covered individual or his or her regular employer for property damage or an injury (or death) sustained as a result of carrying out activities relating to mine accident rescue or recovery operations. This subsection shall not apply where the action that is alleged to result in the property damages or injury (or death) was the result of gross negligence, reckless conduct, or illegal conduct or, where the regular employer (as such term is used in this Act) is the operator of the mine at which the rescue activity takes place. Nothing in this section shall be construed to preempt State workers' compensation laws.

"(b) COVERED INDIVIDUAL.—For purposes of subsection (a), the term 'covered individual' means an individual—

"(1) who is a member of a mine rescue team or who is otherwise a volunteer with respect to a mine accident; and

"(2) who is carrying out activities relating to mine accident rescue or recovery operations.

"(c) REGULAR EMPLOYER.—For purposes of subsection (a), the term 'regular employer' means the entity that is the covered employee's legal or statutory employer pursuant to applicable State law.".

SEC. 4. MINE RESCUE TEAMS.

Section 115(e) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 825(e)) is amended—

(1) by inserting "(1)" after the subsection designation; and

(2) by adding at the end the following:

"(2)(A) The Secretary shall issue regulations with regard to mine rescue teams which shall be finalized and in effect not later than 18 months after the date of enactment of the Mine Improvement and New Emergency Response Act of 2006.

"(B) Such regulations shall provide for the following:

"(i) That such regulations shall not be construed to waive operator training requirements applicable to existing mine rescue teams.

"(ii) That the Mine Safety and Health Administration shall establish, and update every 5 years thereafter, criteria to certify the qualifications of mine rescue teams.

"(iii)(I) That the operator of each underground coal mine with more than 36 employees—

"(aa) have an employee knowledgeable in mine emergency response who is employed at the mine on each shift at each underground mine; and

"(bb) make available two certified mine rescue teams whose members—

"(AA) are familiar with the operations of such coal mine;

"(BB) participate at least annually in two local mine rescue contests;

"(CC) participate at least annually in mine rescue training at the underground coal mine covered by the mine rescue team; and

"(DD) are available at the mine within one hour ground travel time from the mine rescue station.

"(II)(aa) For the purpose of complying with subclause (I), an operator shall employ one team that is either an individual mine site mine rescue team or a composite team as provided for in item (bb)(BB).

"(bb) The following options may be used by an operator to comply with the requirements of item (aa):

"(AA) An individual mine-site mine rescue team.

"(BB) A multi-employer composite team that is made up of team members who are knowledgeable about the operations and ventilation of the covered mines and who train on a semi-annual basis at the covered underground coal mine—

"(aaa) which provides coverage for multiple operators that have team members which include at least two active employees from each of the covered mines;

"(bbb) which provides coverage for multiple mines owned by the same operator which members include at least two active employees from each mine; or

"(ccc) which is a State-sponsored mine rescue team comprised of at least two active employees from each of the covered mines.

"(CC) A commercial mine rescue team provided by contract through a third-party vendor or mine rescue team provided by another coal company, if such team—

"(aaa) trains on a quarterly basis at covered underground coal mines;

"(bbb) is knowledgeable about the operations and ventilation of the covered mines; and

"(ccc) is comprised of individuals with a minimum of 3 years underground coal mine experience that shall have occurred within the 10-year period preceding their employment on the contract mine rescue team.

"(DD) A State-sponsored team made up of State employees.

"(iv) That the operator of each underground coal mine with 36 or less employees shall—

"(I) have an employee on each shift who is knowledgeable in mine emergency responses; and

"(II) make available two certified mine rescue teams whose members—

"(aa) are familiar with the operations of such coal mine;

"(bb) participate at least annually in two local mine rescue contests;

"(cc) participate at least semi-annually in mine rescue training at the underground coal mine covered by the mine rescue team;

"(dd) are available at the mine within one hour ground travel time from the mine rescue station;

"(ee) are knowledgeable about the operations and ventilation of the covered mines; and

"(ff) are comprised of individuals with a minimum of 3 years underground coal mine experience that shall have occurred within the 10-year period preceding their employment on the contract mine rescue team.".

SEC. 5. PROMPT INCIDENT NOTIFICATION.

(a) IN GENERAL.—Section 103(j) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 813(j)) is amended by inserting after the first sentence the following: "For purposes of the preceding sentence, the notification required shall be provided by the operator within 15 minutes of the time at which the operator realizes that the death of an individual at the mine, or an injury or entrapment of an individual at the mine which has a reasonable potential to cause death, has occurred.".

(b) PENALTY.—Section 110(a) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 820(a)) is amended—

(1) by striking "The operator" and inserting "(1) The operator"; and

(2) by adding at the end the following:

"(2) The operator of a coal or other mine who fails to provide timely notification to the Secretary as required under section 103(j) (relating to the 15 minute requirement) shall be assessed a civil penalty by the Secretary of not less than $5,000 and not more than $60,000.".

SEC. 6. NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH.

(a) GRANTS.—Section 22 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 671) is amended by adding at the end the following:

"(h) OFFICE OF MINE SAFETY AND HEALTH.—

"(1) IN GENERAL.—There shall be permanently established within the Institute an Office of Mine Safety and Health which shall be administered by an Associate Director to be appointed by the Director.

"(2) PURPOSE.—The purpose of the Office is to enhance the development of new mine safety technology and technological applications and to expedite the commercial availability and implementation of such technology in mining environments.

"(3) FUNCTIONS.—In addition to all purposes and authorities provided for under this section, the Office of Mine Safety and Health shall be responsible for research, development, and testing of new technologies and equipment designed to enhance mine safety and health. To carry out such functions the Director of the Institute, acting through the Office, shall have the authority to—

"(A) award competitive grants to institutions and private entities to encourage the development and manufacture of mine safety equipment;

"(B) award contracts to educational institutions or private laboratories for the performance of product testing or related work with respect to new mine technology and equipment; and

"(C) establish an interagency working group as provided for in paragraph (5).

"(4) GRANT AUTHORITY.—To be eligible to receive a grant under the authority provided for under paragraph (3)(A), an entity or institution shall—

"(A) submit to the Director of the Institute an application at such time, in such manner, and containing such information as the Director may require; and

"(B) include in the application under subparagraph (A), a description of the mine safety equipment to be developed and manufactured under the grant and a description of the reasons that such equipment would otherwise not be developed or manufactured, including reasons relating to the limited potential commercial market for such equipment.

"(5) INTERAGENCY WORKING GROUP.—

"(A) ESTABLISHMENT.—The Director of the Institute, in carrying out paragraph (3)(D) shall establish an interagency working group to share technology and technological research and developments that could be utilized to enhance mine safety and accident response.

"(B) MEMBERSHIP.—The working group under subparagraph (A) shall be chaired by the Associate Director of the Office who shall appoint the members of the working group, which may include representatives of other Federal agencies or departments as determined appropriate by the Associate Director.

"(C) DUTIES.—The working group under subparagraph (A) shall conduct an evaluation of research conducted by, and the technological developments of, agencies and departments who are represented on the working group that may have applicability to mine safety and accident response and make recommendations to the Director for the further development and eventual implementation of such technology.

"(6) ANNUAL REPORT.—Not later than 1 year after the establishment of the Office under this subsection, and annually thereafter, the Director of the Institute shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that, with respect to the year involved, describes the new mine safety technologies and equipment that have been studied, tested, and certified for use, and with respect to those instances of technologies and equipment that have been considered but not yet certified for use, the reasons therefore.

"(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, such sums as may be necessary to enable the Institute and the Office of Mine Safety and Health to carry out this subsection.".

SEC. 7. REQUIREMENT CONCERNING FAMILY LIAISONS.

The Secretary of Labor shall establish a policy that—

(1) requires the temporary assignment of an individual Department of Labor official to be a liaison between the Department and the families of victims of mine tragedies involving multiple deaths;

(2) requires the Mine Safety and Health Administration to be as responsive as possible to requests from the families of mine accident victims for information relating to mine accidents; and

(3) requires that in such accidents, that the Mine Safety and Health Administration shall serve as the primary communicator with the operator, miners' families, the press and the public.

SEC. 8. PENALTIES.

(a) IN GENERAL.—Section 110 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 820) is amended—

(1) in subsection (a)—

(A) by inserting "(1)" after the subsection designation; and

(B) by adding at the end the following:

"(2) Any operator who willfully violates a mandatory health or safety standard, or knowingly violates or fails or refuses to comply with any order issued under section 104 and section 107, or any order incorporated in a final decision issued under this title, except an order incorporated in a decision under paragraph (1) or section 105(c), shall, upon conviction, be punished by a fine of not more than $250,000, or by imprisonment for not more than one year, or by both, except that if the conviction is for a violation committed after the first conviction of such operator under this Act, punishment shall be by a fine of not more than $500,000, or by imprisonment for not more than five years, or both.

"(3)(A) The minimum penalty for any citation or order issued under section 104(d)(1) shall be $2,000.

"(B) The minimum penalty for any order issued under section 104(d)(2) shall be $4,000.

"(4) Nothing in this subsection shall be construed to prevent an operator from obtaining a review, in accordance with section 106, of an order imposing a penalty described in this subsection. If a court, in making such review, sustains the order, the court shall apply at least the minimum penalties required under this subsection."; and

(2) by adding at the end of subsection (b) the following: "Violations under this section that are deemed to be flagrant may be assessed a civil penalty of not more than $220,000. For purposes of the preceding sentence, the term 'flagrant' with respect to a violation means a reckless or repeated failure to make reasonable efforts to eliminate a known violation of a mandatory health or safety standard that substantially and proximately caused, or reasonably could have been expected to cause, death or serious bodily injury.".

(b) REGULATIONS.—Not later than December 30, 2006, the Secretary of Labor shall promulgate final regulations with respect to penalties.

SEC. 9. FINE COLLECTIONS.

Section 108(a)(1)(A) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 818(a)(1)(A)) is amended by inserting before the comma, the following: ", or fails or refuses to comply with any order or decision, including a civil penalty assessment order, that is issued under this Act".

SEC. 10. SEALING OF ABANDONED AREAS.

Not later than 18 months after the issuance by the Mine Safety and Health Administration of a final report on the Sago Mine accident or the date of enactment of the Mine Improvement and New Emergency Response Act of 2006, whichever occurs earlier, the Secretary of Labor shall finalize mandatory heath and safety standards relating to the sealing of abandoned areas in underground coal mines. Such health and safety standards shall provide for an increase in the 20 psi standard currently set forth in section 75.335(a)(2) of title 30, Code of Federal Regulations.

SEC. 11. TECHNICAL STUDY PANEL.

Title V of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 951 et seq.) is amended by adding at the end the following:

"SEC. 514. TECHNICAL STUDY PANEL.

"(a) ESTABLISHMENT.—There is established a Technical Study Panel (referred to in this section as the 'Panel') which shall provide independent scientific and engineering review and recommendations with respect to the utilization of belt air and the composition and fire retardant properties of belt materials in underground coal mining.

"(b) MEMBERSHIP.—The Panel shall be composed of—

"(1) two individuals to be appointed by the Secretary of Health and Human Services, in consultation with the Director of the National Institute for Occupational Safety and Health and the Associate Director of the Office of Mine Safety;

"(2) two individuals to be appointed by the Secretary of Labor, in consultation with the Assistant Secretary for Mine Safety and Health; and

"(3) two individuals, one to be appointed jointly by the majority leaders of the Senate and House of Representatives and one to be appointed jointly by the minority leader of the Senate and House of Representatives, each to be appointed prior to the sine die adjournment of the second session of the 109th Congress.

"(c) QUALIFICATIONS.—Four of the six individuals appointed to the Panel under subsection (b) shall possess a masters or doctoral level degree in mining engineering or another scientific field demonstrably related to the subject of the report. No individual appointed to the Panel shall be an employee of any coal or other mine, or of any labor organization, or of any State or Federal agency primarily responsible for regulating the mining industry.

"(d) REPORT.—

"(1) IN GENERAL.—Not later than 1 year after the date on which all members of the Panel are appointed under subsection (b), the Panel shall prepare and submit to the Secretary of Labor, the Secretary of Health and Human Services, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives a report concerning the utilization of belt air and the composition and fire retardant properties of belt materials in underground coal mining.

"(2) RESPONSE BY SECRETARY.—Not later than 180 days after the receipt of the report under paragraph (1), the Secretary of Labor shall provide a response to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives containing a description of the actions, if any, that the Secretary intends to take based upon the report, including proposing regulatory changes, and the reasons for such actions.

"(e) COMPENSATION.—Members appointed to the panel, while carrying out the duties of the Panel shall be entitled to receive compensation, per diem in lieu of subsistence, and travel expenses in the same manner and under the same conditions as that prescribed under section 208(c) of the Public Health Service Act.".

SEC. 12. SCHOLARSHIPS.

Title V of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 951 et seq.), as amended by section 11, is further amended by adding at the end the following:

"SEC. 515. SCHOLARSHIPS.

"(a) ESTABLISHMENT.—The Secretary of Education (referred to in this section as the 'Secretary'), in consultation with the Secretary of Labor and the Secretary of Health and Human Services, shall establish a program to provide scholarships to eligible individuals to increase the skilled workforce for both private sector coal mine operators and mine safety inspectors and other regulatory personnel for the Mine Safety and Health Administration.

"(b) FUNDAMENTAL SKILLS SCHOLARSHIPS.—

"(1) IN GENERAL.—Under the program under subsection (a), the Secretary may award scholarship to fully or partially pay the tuition costs of eligible individuals enrolled in 2-year associate's degree programs at community colleges or other colleges and universities that focus on providing the fundamental skills and training that is of immediate use to a beginning coal miner.

"(2) SKILLS.—The skills described in paragraph (1) shall include basic math, basic health and safety, business principles, management and supervisory skills, skills related to electric circuitry, skills related to heavy equipment operations, and skills related to communications.

"(3) ELIGIBILITY.—To be eligible to receive a scholarship under this subsection an individual shall—

"(A) have a high school diploma or a GED;

"(B) have at least 2 years experience in full-time employment in mining or mining-related activities;

"(C) submit to the Secretary an application at such time, in such manner, and containing such information; and

"(D) demonstrate an interest in working in the field of mining and performing an internship with the Mine Safety and Health Administration or the National Institute for Occupational Safety and Health Office of Mine Safety.

"(c) MINE SAFETY INSPECTOR SCHOLARSHIPS.—

"(1) IN GENERAL.—Under the program under subsection (a), the Secretary may award scholarship to fully or partially pay the tuition costs of eligible individuals enrolled in undergraduate bachelor's degree programs at accredited colleges or universities that provide the skills needed to become mine safety inspectors.

"(2) SKILLS.—The skills described in paragraph (1) include skills developed through programs leading to a degree in mining engineering, civil engineering, mechanical engineering, electrical engineering, industrial engineering, environmental engineering, industrial hygiene, occupational health and safety, geology, chemistry, or other fields of study related to mine safety and health work.

"(3) ELIGIBILITY.—To be eligible to receive a scholarship under this subsection an individual shall—

"(A) have a high school diploma or a GED;

"(B) have at least 5 years experience in full-time employment in mining or mining-related activities;

"(C) submit to the Secretary an application at such time, in such manner, and containing such information; and

"(D) agree to be employed for a period of at least 5 years at the Mine Safety and Health Administration or, to repay, on a pro-rated basis, the funds received under this program, plus interest, at a rate established by the Secretary upon the issuance of the scholarship.

"(d) ADVANCED RESEARCH SCHOLARSHIPS.—

"(1) IN GENERAL.—Under the program under subsection (a), the Secretary may award scholarships to fully or partially pay the tuition costs of eligible individuals enrolled in undergraduate bachelor's degree, masters degree, and Ph.D. degree programs at accredited colleges or universities that provide the skills needed to augment and advance research in mine safety and to broaden, improve, and expand the universe of candidates for mine safety inspector and other regulatory positions in the Mine Safety and Health Administration.

"(2) SKILLS.—The skills described in paragraph (1) include skills developed through programs leading to a degree in mining engineering, civil engineering, mechanical engineering, electrical engineering, industrial engineering, environmental engineering, industrial hygiene, occupational health and safety, geology, chemistry, or other fields of study related to mine safety and health work.

"(3) ELIGIBILITY.—To be eligible to receive a scholarship under this subsection an individual shall—

"(A) have a bachelor's degree or equivalent from an accredited 4-year institution;

"(B) have at least 5 years experience in full-time employment in underground mining or mining-related activities; and

"(C) submit to the Secretary an application at such time, in such manner, and containing such information.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.".

SEC. 13. RESEARCH CONCERNING REFUGE ALTERNATIVES.

(a) In General.—The National Institute of Occupational Safety and Health shall provide for the conduct of research, including field tests, concerning the utility, practicality, survivability, and cost of various refuge alternatives in an underground coal mine environment, including commercially-available portable refuge chambers.

(b) Report.—

(1) In general.—Not later than 18 months after the date of enactment of this Act, the National Institute for Occupational Safety and Health shall prepare and submit to the Secretary of Labor, the Secretary of Health and Human Services, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives a report concerning the results of the research conducted under subsection (a), including any field tests.

(2) Response by secretary.—Not later than 180 days after the receipt of the report under paragraph (1), the Secretary of Labor shall provide a response to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives containing a description of the actions, if any, that the Secretary intends to take based upon the report, including proposing regulatory changes, and the reasons for such actions.

SEC. 14. BROOKWOOD-SAGO MINE SAFETY GRANTS.

(a) In General.—The Secretary of Labor shall establish a program to award competitive grants for education and training, to be known as Brookwood-Sago Mine Safety Grants, to carry out the purposes of this section.

(b) Purposes.—It is the purpose of this section, to provide for the funding of education and training programs to better identify, avoid, and prevent unsafe working conditions in and around mines.

(c) Eligibility.—To be eligible to receive a grant under this section, an entity shall—

(1) be a public or private nonprofit entity; and

(2) submit to the Secretary of Labor an application at such time, in such manner, and containing such information as the Secretary may require.

(d) Use of Funds.—Amounts received under a grant under this section shall be used to establish and implement education and training programs, or to develop training materials for employers and miners, concerning safety and health topics in mines, as determined appropriate by the Mine Safety and Health Administration.

(e) Awarding of Grants.—

(1) Annual basis.—Grants under this section shall be awarded on an annual basis.

(2) Special emphasis.—In awarding grants under this section, the Secretary of Labor shall give special emphasis to programs and materials that target workers in smaller mines, including training miners and employers about new Mine Safety and Health Administration standards, high risk activities, or hazards identified by such Administration.

(3) Priority.—In awarding grants under this section, the Secretary of Labor shall give priority to the funding of pilot and demonstration projects that the Secretary determines will provide opportunities for broad applicability for mine safety.

(f) Evaluation.—The Secretary of Labor shall use not less than 1 percent of the funds made available to carry out this section in a fiscal year to conduct evaluations of the projects funded under grants under this section.

(g) Authorization of Appropriations.—There are authorized to be appropriated for each fiscal year, such sums as may be necessary to carry out this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. McKeon) and the gentleman from California (Mr. George Miller) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. McKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 2803.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McKEON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 2803, the Mine Improvement and New Emergency Response Act, or the MINER Act. Though the number of mining fatalities and injuries reached record lows in 2005, this year's tragedies at the Sago mine in West Virginia and the others that have followed have served to bring the issue of mine health and safety into much sharper focus.

Today, after unnecessarily waiting for 2 weeks, the House is finally poised to act. My colleagues, let us not squander this unique opportunity to send comprehensive mine safety reforms to President Bush for his signature.

Throughout 2006, the Education and the Workforce Committee has held a series of oversight hearings and briefings during which we heard from Federal mine safety officials, mine workers, representatives from the mining industry and Members of the House. These oversight proceedings pointed toward a very clear need for better communications technology, modernized safety practices within U.S. mines and strengthening the enforcement of current mine safety laws.

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Each of these needs is addressed comprehensively by the MINER Act, which was passed last month by the Senate without a single voice in opposition.

In addition to universal bipartisan support in the Senate, this legislation enjoys strong support in its current form from the United Mine Workers of America, the National Mining Association, and a bipartisan group of House Members from key mining States, including Kentucky and West Virginia.

In short, this is an issue that has cut across party lines, enjoys rare support from both labor and industry, and deserves overwhelming support from the House when we vote on the measure.

Mr. Speaker, I am proud of the way our committee, and Workforce Protections Subcommittee Chairman Norwood, in particular, has deliberately and thoughtfully considered ways to enhance the safety of America's miners. Because of our panel's thorough series of hearings and briefings, we are poised to take an important step today toward modernizing mine safety law for the first time in a generation.

I would like to thank my colleagues on both sides of the aisle, in particular, Mr. Norwood, Mrs. Capito and Mr. Rogers, as well as the entire West Virginia and Kentucky delegations for assisting our committee in this effort.

Our Nation's miners and their families will be better off for it. I ask my colleagues to join me in the ever-growing chorus of supporters in backing the MINER Act.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself 8 minutes.

Mr. Speaker, as Members are aware, I have spoken out forcefully on the need for rapid Federal action to address mine safety. I have urged this Congress to legislate, to push us toward a new era in which the technology that has helped revitalize the productivity of the mining industry would also be used to save the lives and limbs of our miners.

Unfortunately, the bill sent from the Senate fails to make the reforms that go to the very heart of what happened in the Sago mine disaster. It fails in three significant ways. It does not guarantee that miners trapped underground will have enough air to survive an accident like Sago. It does not give miners prompt access to wireless communications and electronic tracking devices so they can communicate with their rescuers instead of having to bang on pipes and bang on rocks like miners did hundreds of years ago.

It does not guarantee that the emergency oxygen units like the ones that Randal McCloy, the only Sago survivor, told us in some cases were defective, and would be tested at random by the Federal Government to ensure that they work properly.

In other words, if another Sago mine disaster were to happen, this bill does not ensure that we would not have the same tragic deaths, because it does not address what killed the miners in the Sago mine disaster.

I want to remind Members that 11 of the 12 miners that died at Sago did not die from the initial explosion. They died because they did not have communication tools to lead them to safety; they died because they did not have an oxygen supply to last the 40 hours that they were trapped.

I cannot, in good conscience, support a bill if passed that would not prevent another Sago, when we understand the tragedy that took place there.

When it comes to the safety of miners, and thousands of miners and families across the Nation, the House can do better than take-it-or-leave-it legislation that fails to provide that margin of safety that these families are entitled to.

In the last 10 days, there have been two significant developments that demonstrate that we can and we must do better than the Senate bill. Last week, the Industry Labor Mine Technology Panel appointed by Governor Manchin of West Virginia composed of equal numbers of industry and miner representatives, concluded that there were significant enhancements to miner safety that could be achieved through wide application of existing technologies and techniques.

Then this industry labor report makes two recommendations that go to the heart of the matter: that emergency shelters and chambers shall provide a minimum of 48 hours of breathable air and in no later than 15 months mine operators will have to submit a communications and tracking plan for approval.

That is all that the amendments that I have offered suggest that we do, i.e., what is now accepted in the mining industry in the State of West Virginia. Now, someone explain this to me: the coal mine industry in West Virginia agrees with the West Virginia miners that there should be a guaranteed 48 hours of breathable air in a crisis, but the Congress of the United States refuses to provide that same promise to miners across the country.

The coal mining industry in West Virginia agrees that miners should have prompt access to wireless communications and electronic tracking devices, but the Congress of the United States refuses to provide that same promise to miners across this Nation.

And here is another development. A few weeks ago, the Illinois legislature sent far-reaching mine safety legislation to the Governor's desk. It passed 111–0. It passed the Senate 57–1.

The IL bill has two critical reforms, emergency mine chambers with 48 hours of air and rapid installation of wireless communications by the end of the year. The State of Illinois can promise no more Sago tragedies.

The coal mining industry in West Virginia can make that promise, but the U.S. House is being asked to ignore all of that evidence, all of those improvements, and rubber stamp a Senate bill with no opportunity to improve it.

That is wrong, and we should not stand for it. I have spent a great deal of time over the last few months listening to what those Sago families have to tell us. I have listened to their very specific and very reasonable recommendations.

I listened to Mrs. Debbie Hamner, who lost her husband, Junior, in the Sago tragedy. As many of you know, only one of the twelve miners who died in that tragedy was killed by the explosion. The rest died of carbon monoxide poisoning. Junior Hamner was one of those who died in that manner. And Mrs. Hamner asked why were they not equipped with enough oxygen. Why did we not require air supplies to be stored in the mine sections that they were working?

Why do Canadian miners have greater protections than the miners of West Virginia or miners elsewhere in the United States? That is what she wanted to know. And Debbie said, sadly the bill before us today does not even mandate a minimum air supply for miners trapped underground, let alone require a refuge stocked with air, food and water, so that miners would not have to do what they did in Sago when they were trapped, which was to construct a barrier and bang on rocks and hope for the very best.

Amber Helms, whose father, Terry, died at Sago, pointed out to us that the miners were still alive after the Sago explosion. The men tried to walk out. The mine foreman tried to walk toward them. But although they ended up only a few hundred yards apart, the foreman did not know where they were and was not able to tell them where they could find good air or a safe way that they could walk out.

It is ridiculous, Amber told us, that I can get a computer and I can make a full Web page in an hour, but they cannot find my dad, and they cannot track him. It turns out that Amber was right, that devices are available in the market right now to track the location of these miners. These devices are available, and they should be used and they should be used soon.

Last month, the sole survivor of the Sago mine accident, Mr. Randal McCloy, wrote a letter to the families of those who did not survive that mining disaster. Mr. McCloy stated that a number of the self-contained rescue units that were issued for their protection failed to operate.

The final amendment that I chose to offer to this legislation would make sure that we would have random inspections of those devices so those miners could have reliability if another tragedy should hit.

We understand that the needs are here, and that is why I am telling you that this legislation is not complete. We should not be taking it on a take-it-or-leave-it basis. The House should have the opportunity to debate. Apparently we are not too busy today for we were going to do this at 6 o'clock and now we are doing this at 2 o'clock. We could have had an hours debate. We could have offered some amendments, voted them up or down, and we then could have moved on about our way.

But we have chosen instead to close out these concerns of these miners and these families. We have chosen to close out what we have now learned about the technology. We have chosen to close out the agreements that the mining industry and the miners have reached in some States but not in all States, and we have chosen, worst of all, not to mitigate and protect and provide a margin of safety to those miners, should we have a repeat of the Sago mine disaster.

We know Sago happened. We know why the miners were killed, and we know what we can do to prevent it. It is within our grasp. It is inexpensive and it is readily available. But in the Senate bill it is not required for another 3 years.

In the Senate bill, we do not specify a minimum of 48 hours of oxygen, as West Virginia has started to specify and as the State of Illinois has specified. So this is not about being way out on the cutting edge and trying to destroy a bill or kill a bill or any of the rest of that. This is about spending time with these families and seeing that grief and having to try and answer the questions that they ask, no longer on behalf of their husbands, their brothers, their uncles, no longer on their own behalf, but on behalf of the other mining families in their communities, and the other mining families in other States that are not addressing this situation.

Mr. Speaker, I would hope that my colleagues would vote against the suspension of the rules under this act, and that we would be able to take this legislation up, offer these amendments, win, lose or draw. At least then we could have said that we made the last best effort to provide immediate security, immediate remedy to the failures that led to the loss of life in these mine disasters.

It is well documented, the problems and the impacts and the fatalities that were created by those shortcomings. The Senate bill simply does not address those.

Mr. Speaker, I reserve the balance of my time.

Mr. McKEON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I understand Mr. MILLER's comments. I agree with much of what he says. It would be nice to have some of the issues that he has talked about. Also, Chairman NORWOOD, the subcommittee chairman, had other things that he wanted to put in the bill to make it better.

But as my former chairman, now our majority leader, Mr. BOEHNER, has said many times, we have to guard against making the perfect the enemy of the good. And we have been given a unique opportunity by a bill passed by the Senate unanimously to move forward to help mine worker safety at this time.

And rather than continue to talk this matter to death, and to continue to delay bringing safety to these miners, we should take this opportunity and pass this bill today.

I would like to introduce into the RECORD the letter from the United

Mine Workers of America. "The United States Senate unanimously passed legislation that is aimed at improving miner safety and offering miners a fighting chance of survival in the event of a mine emergency. Senate bill 2803," which we are talking about, "the MINER Act, was a bipartisan bill that every Member of the Senate, Republican and Democrat alike, recognized would begin to offer better protection to miners. Indeed, this bill represents the first overhaul of the Nation's mining laws since the adoption of the 1977 Federal Mine and Safety Act," and he encourages all Members to vote for this bill today.

I would like to say that I have asked Chairman NORWOOD to continue to work to improve and bring other improvements to the floor, but I encourage all of our Members to support this bill today, to get it to the President's desk, to do what we can immediately to help protect miner safety.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 5 minutes to the gentleman from West Virginia (Mr. RAHALL).

Mr. RAHALL. Mr. Speaker, I thank the gentleman from California for yielding me time.

Mr. Speaker, let me begin by commending the gentleman from California for his over three decades of work in this body on behalf of our coal miners and our working men and women of this country. I salute his dedication and his career that he has built in helping improve those conditions.

Mr. Speaker, myself, speaking on behalf of myself, I will take a back seat, however, to no Member of this body in regard to standing up for our coal miners, standing up for their fair health and safety conditions, and standing up for pneumoconiosis benefits, over my entire career here as well.

This has been a dark, mournful year for our Nation's coal miners. Thirty-three deaths, 33 lives lost by decent hardworking men who have placed their trust in a mine safety system that failed them. Today the clouds begin to part. The mine tragedies of this year resulted from many years of growing complacency and diminishing compliance.

They happened because our Nation's mine safety system has been veering in the wrong direction for far too long. Indeed, several years ago I issued a siren's call when I offered an amendment on this floor to the labor appropriations bill to block the Mine Safety Health Administration from issuing regulations that would have allowed a four-fold increase of respirable dust in our underground coal mines.

□ 1400

We must recall that Congress armed MSHA with a sharp regulatory axe. But instead of using that weapon, in recent years MSHA has opted for the warm and fuzzy gimmick called partnership. What should have been sharp, steep and painful fines for safety violations have been reduced repeatedly to little more than love taps.

As new safety technologies have become commonplace in the mines of foreign competitors, MSHA failed to prod American mines that have plodded along with old devices. It did not punish and deter habitual violators. It did not update and maintain safety rules. It did not fulfill its statutory mandate or its responsibility to the miners it has been charged with protecting.

The pending measure will begin, begin, I stress, to change all that. This bill is not a cure-all. It is not a perfect bill. The only perfect bill around this body anymore is naming a post office after somebody. It is misleading and dangerous to suggest that any bill can be a cure-all, but it is a step in the right direction, a step that must not be delayed. To delay this legislation, no matter how noble the intentions, is to gamble recklessly with the lives of our Nation's coal miners.

Indeed, I would say to the gentleman from California, good decent GEORGE, that there are provisions missing from the pending legislation that were in our West Virginia bipartisan congressional bill. There are also provisions in the gentleman from California's and my bill that are not in this legislation. But as I said, this bill at hand is a beginning. The death toll in my congressional district, the death toll in the State of West Virginia, the death toll across our Nation's coal fields must halt, no more delay in acting.

The MINER Act pending before us, the Senate-passed bill, does include a number of improvements over the current law. That is what we are talking about, taking a step in the right direction. The pending bill is supported by the United Mine Workers of America, by the National Mining Association, by the Governor of the State of West Virginia, and might I add by the daughter of a miner quoted by the gentleman from California, Amber Helms, who said, "We support The MINER Act recently passed by the United States Senate because we believe it is better than what we have in our law right now. But if it can be improved upon without delay that is where we stand. If this bill as written right now is the best we can do today, then we urge the United States Congress to pass it immediately."

This bill is the best we can do today. It must be acted upon before further deaths occur in our coal mines.

The bill does call for immediate action to incorporate workable communication devices. The bill that we are talking about today does make immediate requirements for more oxygen, enough to evacuate miners in the event of an emergency and enough to maintain miners for a sustainable period of time if they are trapped underground. The act does not designate a 48-hour supply, as the gentleman from California would do, because how does one honestly determine that 48 hours of oxygen is sufficient as opposed to 49 hours or 72 hours?

Indeed, the act requires each coal operator, in consultation with the miners and their representatives, to look at the individual mines, and as the gentleman from California knows, mines are different, and determine, subject to approval in a biennial review by the Secretary of Labor, what is an adequate amount of oxygen.

This bill addresses the seals. It requires the Secretary of Labor to develop promulgations and rules to strengthen the seals that have been the cause of recent disasters. This bill is a workable piece of legislation. It cannot be amended; otherwise we go to a conference committee. Who knows when it will then be passed, and it must be acted upon today. I urge passage.

Mr. MCKEON. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky (Mr. ROGERS), the subcommittee chairman on the Appropriations Committee.

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today in strong support of the MINER Act.

Mr. Speaker, I am the proud representative of 21 coal producing counties and 15,000 Kentucky miners stretching along the Appalachian coal seam in eastern Kentucky. These are good paying jobs in challenging economic areas, generational jobs passed down through families and neighbors for years, requiring training, education and, most importantly, hard work. Anyone who has been in these mines a mile underground, as some of us have, knows that underground mining also comes with a great amount of risk.

My constituents have and are willing to take those risks in order to provide for their families. By also to provide the Nation the coal that we need to keep our homes warm and economic engines running. These risks and the dangers of coal mining have been brought directly into the living room televisions of many Americans over last 6 months. In my district it has been much closer to home. The Holmes Mills tragedy in Harlan County, Kentucky, underscores the need for comprehensive mine safety legislation that provides critically needed protections for miners and strengthens the Federal Government's ability to enforce safety regulations now.

We have not had comprehensive mine safety reform in the country for decades. Technology has changed, communication equipment has changed, our laws have not changed. With that said and with our thoughts and prayers still with the families touched by these accidents, Mr. Speaker, I rise today with my coal State colleagues in support of this MINER Act.

First, I want to thank Chairman NORWOOD and Chairman McKEON for working together with the majority leader to move mine safety legislation now, not later, not next year, not next month, not after some conference committee where the Senate sits on it for 6 months but now, and I thank them for that. We should not delay one more day putting into place requirements to further protect these brave miners going even as we speak into the dark of these mines.

This bill honors the brave men, 11 in Kentucky and in my district this year who have died in mine-related accidents. They are not forgotten. Mining has always been a dangerous occupation and make no mistake, this legislation will not make mining injury free, but it does go a long way toward that end. With this legislation we reaffirm our commitment to seeing miners have the proper training, rescue equipment, communications devices and plans in place should an accident occur.

I have met with industry leaders, met with the miners, and everyone agrees there is room for measured and achievable improvement. This bill strikes a reasonable compromise and seeks to put the best available technology in the hands of our mining men and women while encouraging development of new technologies.

The Senate wisely moved this legislation quickly and unopposed, and I hope we do the same here. I am particularly pleased the bill includes some of these provisions. One, it requires the use of wireless two-way communications and tracking systems within 3 years. It requires each mine's emergency response plan to continuously be reviewed, updated and recertified by MSHA every 6 months. It also gives MSHA the power to request an injunction, that is to say, shut down a mine in cases where the mine has refused to pay a final order or MSHA penalty.

It would require rescue teams to be close to mines and granted immunity. It would require each miner to have a minimum of 2 hours' supply of air and require storage of additional breathing devices along the escape routes from the mine.

These measures, Mr. Speaker, go straight to the trouble we have seen and should give comfort to our mining families. This legislation, Mr. Speaker, honors Kentucky's 17,000 hardworking coal miners, but all the others in the country as well who bravely go into the heart of the Earth to put bread on the table and to bring light into the lives of all Americans.

Our hats go off to these miners, and I urge that we pass this bill in their honor and in their memory.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. McKEON. Mr. Speaker, I yield 1 minute to the gentleman from West Virginia (Mr. MOLLOHAN).

Mr. MOLLOHAN. Mr. Speaker, I thank the gentlemen from California, each, for yielding and for their work on this important legislation and a lifetime of work for safety for workers.

Mr. Speaker, I rise in support of S. 2803, The Mine Improvement and New Emergency Response Act of 2006. The need for improvements in coal mine health and safety has been tragically reaffirmed by the mine disasters in my home State earlier this year. On January 2, 2006, an explosion in the Sago mine in Upshur County, West Virginia, followed on January 19 by a second disaster in the Aracoma Alma mine in Logan County, took the lives of our Nation's finest, our coal miners, forever changing the lives of their loved ones and shocking the State and the Nation into once again revisiting the adequacy of our coal mine health and safety laws.

The entire West Virginia delegation is in support of this bill. In the Senate it passed unanimously with the backing of West Virginia's esteemed delegation, Senator ROBERT C. BYRD and Senator JOHN D. ROCKEFELLER. Here in the House, Mr. RAHALL, Mrs. CAPITO and I recently introduced the House companion to that bill, H.R. 5432.

I urge passage of S. 2803 today so that the important work to improve mine safety can begin immediately. New approaches to safety challenges are clearly needed, particularly in light of advances in technology, and we cannot afford to waste another minute.

Among other things, the MINER Act that we consider here requires that miners have emergency air breathable for a sustained period of time and that caches providing at least 2 hours of breathable air per miner be placed at 30-minute intervals from the working area to the surface. It also requires that a redundant means of communicating with the surface be provided in each mine as well as a post-accident tracking system.

I should note that the United Mine Workers of America and the American Federation of Labor and Congress of Industrial Organizations both, Mr. Speaker, support this legislation. While not perfect, this is the first best effort to quickly bring significant enhancements to safety in our Nation's coal mines.

Mr. McKEON. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from California (Mr. McKEON) has 9½ minutes remaining. The gentleman from California (Mr. GEORGE MILLER) has 6 minutes remaining.

Mr. McKEON. Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. HOLDEN).

Mr. McKEON. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. HOLDEN).

MR. HOLDEN. I thank the chairman and the ranking member for yielding me the time.

I rise in support of this bill, but I agree with the ranking member that this bill is not perfect. One of the ways that this bill could have been improved is if we would have addressed the way MSHA deals with anthracite coal mining versus bituminous coal mining, two very different forms of coal, hard coal versus soft coal, irregular veins versus consistent veins. They are mined differently and they should be regulated differently.

The Commonwealth of Pennsylvania recognizes that. They have two separate laws. They have two separate divisions that deal with regulation and enforcement of the safety laws. In northeastern Pennsylvania and the anthracite fields that I represent, along with Mr. KANJORSKI and Mr. SHERWOOD, there is a division in western Pennsylvania in the bituminous field; there is another one with two separate laws. MSHA has consistently said that one-size-fits-all is what they will do in regulation.

Mr. Speaker, that does not work. The Inspector General from the Department of Labor issued a report on March 31 of this year that I would like to read in the RECORD: "MSHA has not fully addressed the possibility that current regulations do not adequately reflect operating methods and conditions unique to anthracite coal mining. We recommend," meaning the Inspector General, "that MSHA evaluate whether the existing petitions for the modification process efficiently address the applicability of existing regulations to varying mining techniques or whether any existing regulations require revisions for anthracite mining methods."

Mr. Speaker, I rise in support of this legislation today, but I ask the chairman and ranking member to work with me as we try to convince MSHA that there is an Inspector General's report, there is a precedent in the Commonwealth of Pennsylvania realizing the difference in anthracite mining and bituminous mining. And we can protect our miners and we can do it in a fair way.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. CHANDLER).

Mr. CHANDLER. Mr. Speaker, I thank the ranking member for all his work on this issue.

Mining coal is indeed a way of life in Kentucky. Our fellow citizens who work in our coal mines have been and are still very much at risk. To date there have been 33 miners killed in the United States this year alone, most recently at the Darby mine in eastern Kentucky which took the lives of five miners.

□ 1415

As public servants, it is our job to protect the people that we represent. While the bill before us today does not include all of the protections many of us would like, it is certainly a start. This bill will save lives.

I support this bill, but I also urge my colleagues to see this bill as only a beginning to the reforms that need to be passed to make sure that our miners have the very safest workplace possible.

Mr. McKEON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, listening to the gentleman from Pennsylvania reminded me, my grandfather and my great-grandfather came over from Ireland. They settled in Pennsylvania, and some of his brothers died from black lung disease, and my great-grandfather came out to Utah and was able to survive that.

You know, I think it is great that we are able to work today on a bipartisan basis to get this bill done. It's unfortunate that it takes tragedies such as we have seen to draw us together. I remember after 9/11 how we all gathered on the steps out here, and we really were united as Americans.

I understand there is some opposition to this bill, but mostly, I think we are working together to try to move correctly further safety to the miners.

Mr. Speaker, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, I want to thank my colleagues who spoke to this issue. All of them have worked very hard on behalf of mine safety, not just in the aftermath of these most recent tragedies but throughout their entire congressional careers. We share that in common.

This is not an adversarial relationship. This is a difference of opinion, and I think it is an important difference of opinion.

I think that when we went back and we went over these tragedies and saw what it was that killed these miners, we saw that we also had the capabilities to address the causes and to address them now, and not wait 3 years to do some of this.

We also understood that the quantities of oxygen required for trapped miners would be a minimum of 48 hours. It was after some 20 hours that Junior Hamner at Sago wrote a note (that was found from him) that said, I am in no pain now, but I don't know how long the air will last.

If we pass this legislation without these amendments, we do not know how long the air will last. There is no minimum standard in this bill and it should be made explicit on behalf of the miners. Other miners told us that the air-pack units were not working adequately. We need random spot checks to make sure that there is reliability in the air-packs.

We heard the stories of the trapped Sago miners struggling to communicate as they would have 100 years ago in the mines, by banging on pipes and banging rocks together. The fact of the matter is it is now within our grasp to address these problems and address them now.

Under this legislation, as it is currently written, if a Sago-type mine accident were to happen again, a month from now or 6 months from now, we do not provide the remedies that are necessary to save lives. Given what we learned from the Sago mine accident, I would hope that the Congress would do that.

This is not about speed. It's about getting it right. I have been here 30 years, and so very often I have been told if this amendment passes, that is the end of the process, and later that night, we pass the bill with the amendment. We all understand what the attempt here is, and I understand the desire of my colleagues who are so deeply impacted by these tragedies to get this legislation on the books. I would hope that my colleagues would pause for a moment because maybe when I first spoke of them, there was some controversy about these amendments. But the judgment that I have brought to this bill and the determination that I have brought to this bill, has now been ratified by the coal commission in West Virginia and by the State legislature in Illinois.

These are key components for the survivability of these kinds of accidents since the Sago miners were not killed by the initial explosion, rockfall or other incident that took place. And that's why I am so compelled to stand here. It's not easy.

I have gotten more interesting phone calls from the Senate from Members who are interested in the bill than I probably have in the last 5 years. These are men I have worked with my entire career: Senator ROBERT C. BYRD, Senator JOHN D. ROCKEFELLER, Senator KENNEDY. They are friends. They are heroes of mine. But we have a disagreement here. It is fundamental. I believe it is important, and I would hope that we could be able to do this.

I would urge my colleagues to vote against this suspension of the rules so we would have a chance to address this in limited open debate, with up-or-down votes. I am not here to delay the bill at all, and I would hope that that would be the outcome of this debate.

Again, I think all of us, whether people agree with me or disagree with me, all of us share the desire to increase the margins of safety for those individuals who go into the mines and for their families who remain on the surface.

We have talked a great deal about energy. This is a key component of energy. We need these people to continue to go into the mines, and all of us desire to increase those margins of safety for them.

Mr. Speaker, I yield back the balance of my time.

Mr. McKEON. Mr. Speaker, I yield myself such time as I may consume.

A bird in the hand is worth two in the bush. I propose that we take this bill and we pass it today. We continue to work to improve miner safety. We do not wait another 30 years plus to have this issue addressed.

I would like to place into the RECORD the letter from the National Mining Association supporting rapid action on this bill and others.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND THE WORKFORCE,
Washington, DC, June 6, 2006.
Hon. JAMES SENSENBRENNER, Jr.
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN SENSENBRENNER: Thank you for your recent letter regarding the consideration of S. 2803, the Mine Improvement and New Emergency Response Act of 2006, I agree that my committee shares jurisdiction over the provisions of the bill related to limited liability for rescue operation, penalties, and fine collection with the Committee on the Judiciary.

I appreciate your willingness to forgo consideration of S. 2803 by your committee. I agree that waiving consideration of S. 2803 in no way diminishes or alters the jurisdictional interest of the Committee on the Judiciary. I will include your letter and this response in the Congressional Record during the bill's consideration on the House floor.

Sincerely,
HOWARD P. "BUCK" McKEON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, June 7, 2006.
Hon. HOWARD P. "BUCK" McKEON,
Chairman, Committee on Education and the Workforce, Washington, DC.

DEAR CHAIRMAN McKEON: In recognition of the desire to expedite consideration of S. 2803, the Mine Improvement and New Emergency Response Act of 2006, the Committee on the Judiciary hereby waives consideration of the bill. There are a number of provisions contained in S. 2803 that implicate the Rule X jurisdiction of the Committee on the Judiciary. Specifically, the bill contains provisions relating to limitation on rescue operation liability, penalties, and fine collection that fall within the jurisdiction of the Committee on the Judiciary.

The Committee takes this action with the understanding that by forgoing consideration of S. 2803, the Committee on the Judiciary does not waive any jurisdiction over subject matter contained in this or similar legislation. The Committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the CONGRESSIONAL RECORD during consideration of S. 2803 on the House floor. Thank you for your attention to these matters.

Sincerely,
F. JAMES SENSENBRENNER, Jr.
Chairman.

UNITED MINE WORKERS OF AMERICA,
Fairfax VA, June 5, 2006.

DEAR REPRESENTATIVE: The tragic events that have unfolded in the coalfield communities since January 2, 2006 have captured the attention of the entire nation. As you are no doubt aware, thirty-three coal miners have lost their lives while attempting to fulfill the energy needs of the country. This is far too high a price for workers in any industry to pay for merely going to work and supporting their families. The United Mine Workers of America urges you to support the bipartisan MINER Act, to improve coal miners' safety.

What makes these recent mining deaths so disturbing is that many could have been prevented. The United Mine Workers of America is convinced that had additional safety precautions been required by the Mine Safety and Health Administration, many of those miners who perished may well have survived the initial fire or explosion. For example, had additional oxygen been available, if directional lifelines were provided, had emergency evacuation training been more comprehensive, and if state of the art communications had been in place, the chances of these miners surviving would have been greatly increased.

In assessing what went wrong in each of these events we must not stop after determining the underlying reasons for these tragedies. Rather, we must take a proactive approach and begin to implement laws that will better protect miners and prevent more families from living with the horror so many have recently confronted.

The United States Senate unanimously passed legislation that is aimed at improving miners' safety and offering miners a fighting chance of survival in the event of a mine emergency. Senate Bill 2803—the MINER Act—was a bi-partisan bill that every member of the Senate—Republican and Democrat alike—recognized would begin to offer better protection to miners. Indeed, this Bill represents the first overhaul of the Nation's mining laws since the adoption of the 1977 Federal Mine Safety and Health Act.

The coal mining deaths of 2006 have reminded the nation how dangerous this occupation can be if left unchecked. The time for legislation to address miners' safety is long overdue. The Senate has acted, and it is my heartfelt belief that SB 2803 will improve miners' protections in the coal industry. Therefore, I urge you to cast your vote in favor of the MINER Act when it comes to the floor of the House to protect the Nation's miners and their families. It constitutes an essential first step in addressing the many hazards coal miners still face today.

Sincerely,

CECIL E. ROBERTS,
International President.

NATIONAL MINING ASSOCIATION,
Washington, DC, June 6, 2006.

Hon. HOWARD P. "BUCK" MCKEON,
Chairman, House Committee on Education and the Workforce, Washington, DC.

Hon. CHARLIE NORWOOD,
Chairman, Subcommittee on Workforce Protections, House Committee on Education and the Workforce, Washington, DC.

DEAR CHAIRMEN MCKEON AND NORWOOD: The National Mining Association (NMA) commends you and the House leadership for moving S. 2308, the "Mine Improvement and New Emergency Response (MINER) Act," to the floor for swift consideration.

The MINER Act contains many of NMA's legislative principles regarding improvements needed in the area of communications and tracking, mine rescue and breathable air supplies. We appreciated the opportunity to share these principles with you and the members of the committee during the extensive hearing process conducted earlier this year.

NMA is pleased to join the United Mine Workers of America in calling for passage of the MINER Act. Our alliance in support of this legislation should be viewed as a testament to its importance for America's underground coal miners. We are also pleased this legislation has received broad bipartisan Congressional support and strongly believe it will lead to safer mines. America's underground coal miners deserve no less.

Again, thank you for making mine safety legislation a priority. We stand ready to assist you in soliciting support from your colleagues for the MINER Act.

Sincerely yours,

KRAIG R. NAASZ,
President & CEO

Mr. Speaker, I yield the remainder of our time to the gentlewoman from West Virginia (Mrs. CAPITO), who has been a strong leader on pushing to get this bill to the floor.

Mrs. CAPITO. Mr. Speaker, I would like to thank the gentleman from California for yielding and start by thanking my colleagues in the West Virginia delegation for their efforts on this legislation. Our delegation has truly stood as one on behalf of the safety of our State's miners. We stood together in the Senate hall, all five of us together, and pledged to make a difference through legislation.

I would like to thank the leadership, and I would like to thank Chairman MCKEON and Chairman NORWOOD for their quick action on bringing this matter to the floor. I would like to thank my fellow Members from other coal States who have suffered such tragedies.

I would like to make something clear. The MINER Act is not a controversial piece of legislation. It is slightly unfortunate that there has been some confusion around the issue that's important to the people of West Virginia and other mining States. As we have heard from the other Members, this is a great opportunity, a good chance, a good first step and one we must seize.

This bill has unique support across the mining community and across geographic and political lines. The UNWA, the National Mining Association, the AFL–CIO, and the West Virginia Coal Association and others support passage of this, and the Senate has unanimously passed this legislation.

As we have heard, the legislation would require every underground coal mine in the country to have its own emergency response such as tracking devices and flame resistant post-accident lifelines. The bill immediately requires a redundant means of communication with the surface, using the best system that is technologically feasible.

This legislation takes a major step in making sure miners have a reliable supply of oxygen underground. The bill makes sure that miners have a 2-hour supply of oxygen throughout the mines, spaced at distances the average miner can walk in 30 minutes.

A crucial provision also requires a maintenance and replacement schedule for the emergency breathing devices. Statements from survivors of recent mine accidents have questioned whether emergency breathing equipment was functioning properly, and this bill helps address that.

To make sure that precious time is not lost in assembling mine rescue teams, this bill makes sure that every mine has at least two mine rescue teams that can reach the site within an hour.

For those who violate safety regulations, this legislation increases the maximum civil and criminal penalties and allows MSHA to issue an injunction in order to close mines that fail to pay fines.

No one has said that the MINER Act is the final step in making miners safer. In fact, this is only the beginning of a renewed dialogue to make sure that we are doing everything we can to make sure our miners are safe.

I would like to remind my colleagues we have a choice, support the most significant revision to mine safety laws since 1977 or oppose the bill and cast a vote that will take us nowhere.

Mr. Speaker, the Sago mine is in my district. I waited with the families and the Upshur County community on that cold day in January as rescuers worked to save the Sago miners. I saw firsthand the pain suffered by the families when only one survivor was found. I looked into the eyes of the wives, of the sisters, the brothers, the mothers, the fathers as they learned that their loved ones were never coming back.

The Sago men and women are my constituents and my friends. They are the backbone of the great State of West Virginia and our Nation. For all of us, we cannot let this opportunity pass.

I ask that my colleagues join me to help these real men and women who have hopes and dreams, have a great faith in us, that we will help them to make sure that we pull together so that no one will suffer the tragedy and the heartache that they suffered that day in Sago and other days across this country.

I ask my colleagues to join me, to join me in making the right choice to improve mine safety by voting for the MINER Act.

Mr. MURPHY. Mr. Speaker, I rise in strong support of this landmark mine safety legislation, S. 2803. Mine safety has been on all our minds this year, as Americans mourned the heartbreaking disasters at the Aracoma Alma and Sago mines in West Virginia in January. Thus, throughout the process of crafting this bill, all parties have wanted the end product to strongly improve safety for miners.

In my district in southwestern Pennsylvania, the mining industry has been a central part of the way of life for a century and a half. My great-grandfather was a coal miner, who worked in Pennsylvania mines when carts were pulled by mules and mines were lit by candles. Mining was very dangerous work then. The mining industry has certainly made remarkable strides ever since.

Today is another great step forward for miners in Pennsylvania and across the Nation; therefore, I am pleased to support S. 2803. On March 16, as mine safety legislation was being crafted, I was pleased to testify on the subject of mine safety before the Education and Workforce Subcommittee on Workforce Protections. On that day, I expressed many concerns about current mine conditions. For instance, I cited my concern about whether miners are sufficiently employing technology to communicate with one another, especially when accidents occur. S. 2803 requires that all mines provide immediate notification of accidents and regularly update their emergency response plans. At the hearing, I also raised my discomfort with the use of "belt air," which can be unhealthy to breathe and even flammable. Accordingly, the bill before us prohibits the use of conveyor belts to ventilate work areas.

While recent tragedies have dominated the mining industry news of late, I hope we recount the success stories of the mining industry alongside some of the failures. For instance, CONSOL Energy, based in my district, sent their own rescue teams to the Sago mine in January. The CONSOL rescue teams arrived first at the scene, and they have worked tirelessly on many other occasions to help miners throughout Pennsylvania and West Virginia, regardless of who owns the mine. They are a success story I am pleased to highlight, of which we should all be proud.

The coal industry has helped fuel this Nation for 150 years, and coal can be used to heat our homes, power our economy, and protect our Nation for at least another 150 years if we continue to use it. We all grieved the tragic accidents in West Virginia in January. This bill will help prevent such accidents in the future.

Mr. OWENS. Mr. Speaker, 33 underground coal miners have already been killed on the job so far this year, starting with the Sago mine disaster right after New Year's day. We do these fallen mineworkers as well as their surviving family members and friends a serious disservice by limiting debate on this bill to 40 minutes and barring any strengthening amendments. These hard-working men, their families and wider communities of friends and neighbors deserve far better treatment on the floor of the U.S. House. Unless we take legislative action that would prevent future mine disasters like those that occurred at Sago, Aracoma Alma, Darby and elsewhere this year, we are hoping rhetoric will mask our failure to deliver significant protections to hard-working mineworkers Nation-wide.

At the Sago mine disaster, a methane gas explosion killed one mineworker and trapped 12 others. It took 40 hours for rescuers to reach those trapped underground and by the time they did, 11 miners had died of carbon monoxide poisoning. The sole survivor at Sago, Randal McCloy, has since reported that at least four of the air-packs designed to provide an hour's worth of breathable air to the miners malfunctioned. Moreover, the Sago miners lacked one-way text messaging and tracking devices—devices that are currently used in mines throughout Australia, Chile, China and South Africa. Those devices would have saved lives at Sago.

To make certain that the Sago tragedy is never repeated in this country, I support wholeheartedly three simple amendments to this bill as proposed by Representative MILLER. They would require:

At least 48 hours of emergency air for each mineworker;

Finalized plans within 15 months for adding lifesaving communications and tracking equipment; and

Federal MSHA regularly conducted random field tests of airpacks, self contained self rescuers, to ensure they are in working order.

In closing, Mr. Speaker, I wish to close with the question posed by the AFL–CIO about these three amendments in their letter to Congress on mine safety: "Frankly, we do not understand why anybody would oppose such common sense measures."

Mr. COSTELLO. Mr. Speaker, I rise today in support of S. 2803, the Mine Improvement and New Emergency Response (MINER) Act of 2006, to provide important Federal safety regulations for coal mines.

The number of coal miners who have died so far this year is alarming and has highlighted the pressing need to revise coal miner health safety standards to ensure miners are equipped with state of the art technologies, tracking devices, and sufficient emergency supplies of oxygen.

Our current Federal mine safety regulations are outdated. We need to act now to protect the health and safety of our coal miners from future tragedies and enact stiffer penalties for flagrant violations of the law. Further, regulations must be enforced. I have cosponsored Representative MILLER's bill, H.R. 5389, the Protecting America's Miners Act, to improve mine safety regulations to help protect miners in the event of an emergency.

The bill before the House today, S. 2803, while not perfect, includes many important provisions to help save lives. The measure is a step in the right direction and is only the beginning of more mine safety reforms to be considered in the House to ensure our mine workers have the safest measures in place.

I represent southwestern and southern Illinois, a region with a rich coal mining history. Coal mining has played a significant roll in transforming and developing the region since the mid-1800s when substantial coal mining in Illinois began. In 2006, the coal industry continues to be a vital component of our economy, and one we are working to strengthen for the future. Improving mine safety standards is an important part of this process began in Illinois, West Virginia, and other coal producing States. Mr. Speaker, I urge my colleagues to support S. 2803 to affirm our commitment to the hard working men and women who enter coal mines every day.

Mr. KUCINICH. Mr. Speaker, I rise today not in opposition to the content of the Mine Improvement and New Emergency Response Act, but to the process by which it is brought to the floor. By bringing this important legislation to the floor as a suspension bill, members of this body are denied the opportunity to offer necessary amendments to improve the safety of miners.

A clear message was apparent when the most recent edition of the comprehensive report on workplace safety, "Death on the Job," was released in April: American workers and their families need stronger enforcement of OSHA and MSHA for their health and safety. In the first increase in the number of workplace deaths since 1994, 5,703 U.S. workers were killed on the job in 2004. The vast majority of workplace deaths occur with little national recognition or public outcry. But early this year an explosion at the Sago mine in West Virginia focused the attention of the entire Nation on 13 families waiting to hear the fate of their loved ones. Our failure to protect miners from preventable tragedies was made evident 40 hours after the explosion, when the trapped miners were reached and only one survivor was found.

Despite numerous calls for action on mine safety legislation in the Committee on Education and the Workforce, this Congress chose to do nothing to improve the safety of miners until a second tragedy—this time at a mine in Kentucky—forced action in the Senate. Now this bill is brought to the floor of the House for a vote, without any chance for members to offer amendments and improve upon the Senate's initial step. The reason offered for this rush to passage is that action is needed immediately to ensure the safety of miners. Immediate action is needed. Immediate action was needed in January, following the tragedy at Sago. Action was needed over the past 5 years as the administration withdrew or delayed action on 18 different mine safety rules. We do need to act now. But in our haste to improve safety we should take the time to ensure we do things right.

It is clear this bill will in fact improve mine safety. The Senate bill will improve the tracking and communications devices used in mines, increase penalties for noncompliance and improve mine rescue team operations. It is a good step, but we can and should do more. We should use the lessons learned from Sago and take the steps to ensure other miners do not suffer the same fate.

My colleague, Congressman MILLER, has proposed three simple and necessary amendments to this bill that would do just that. These amendments would require random testing of self-rescue devices by MSHA to ensure these vital devices are functional when needed. They would require a minimum of 2 days worth of air for trapped miners. And they would shorten to 15 months the time period for mines to install technology to track and communicate with miners underground. These are simple changes, which miners and the mine industry in West Virginia have already agreed are necessary as a part of the West Virginia Mine Safety Technology Task Force. Miners at the Sago mine and other West Virginia mines will now be protected from the problems that led to the death of those 12 miners earlier this year, not because of the bill we are debating today, but by State law. Miners across the Nation deserve and require those same protections. Passage of this bill, without such amendments, gives false hope to the families of miners in other States that a Sago-like disaster will not befall their loved ones in the future.

The core mission of MSHA is to protect workers by enforcing safety standards. These workers are not the bosses who decide if and how a business will obey the law. Instead they face the consequences of those decisions. They need strong workplace safety laws and vigorous enforcement, and that is what this Congress should be focused on providing. We do a great disservice to workers by ignoring the resources that would offer them greater protections. I urge my colleagues to consider the additional improvements we can and should make for the safety of miners across the Nation. We must refocus our time and efforts toward protecting workers.

Mr. MATHESON. Mr. Speaker, today I am pleased the U.S. House of Representatives is debating much needed legislation to improve mining safety across this nation. S. 2803, the Mine Improvement and New Emergency Response (MINER) Act of 2006, is a compromise bill that received unanimous support in the U.S. Senate and is endorsed by industry and mining workers alike. While no legislation is perfect, this bill goes a long way to protect the brave workers who help secure America's energy needs.

The MINER Act includes a provision that is of particular importance to my home state of Utah. Section 11 of S. 2803 authorizes the establishment of an independent scientific and engineering review of belt air utilization and the composition and fire retardant properties of belt materials in underground coal mining.

Utah's situation with respect to belt air is unique. Utah's coal mines are under deep cover with greater than 1,500 feet of overburden; for enhanced safety, this requires the use of two-entry gate roads for longwall panels. This means only two tunnels lead to the longwall equipment compared to three or four tunnels leading to the longwall equipment found in most longwall mines in the East. Under such deep overburden, additional tunnels or entries would lead to unstable and unsafe conditions.

In any longwall mining system design, one of the entries must be used for the conveyor belt system to transport coal out of the mine. In Utah, where only two-entry mines are practical, both entries must be used to deliver enough fresh air to the longwall machine to properly control dust and methane to meet ventilation health standards.

Due to the importance of belt air use to Utah's mining industry, it is my hope the panel called for in the MINER Act is expeditiously convened and uses sound science to properly evaluate the use of belt air in underground coal mining.

In addition, Section 14 of S. 2803 establishes the "Brookwood-Sago Mine Safety Grants" program to help provide funding for education and training programs concerning safety and health topics in mines.

In my District, a consortium of local business and education interests recently announced the establishment of the Western Energy Training Center in Price, Utah with the help of a two-year Department of Labor grant. The mission of the Center is to educate and train workers to fill jobs for the mining and energy related industries, workers who are badly needed throughout the West. The Center will educate and train future workers with a focus on improving both the technical experience of the labor force and worker commitment to safety.

The "Brookwood-Sago Mine Safety Grants" program is poised to become an invaluable resource for institutions like the Western Energy Training Center in improving the safety record of America's energy industry.

The MINER Act is the first substantial overhaul of our nation's mining laws in almost three decades and is an essential step to remedying the many health and safety shortfalls facing coal miners today. I urge all of my colleagues in the U.S. House of Representatives to support the passage of this legislation.

Mr. BARTLETT of Maryland. Mr. Speaker, we must encourage the development of new mine safety technologies and not hinder advances. Remember that when an accident occurs underground all power is shut off and our miners are working in the dark, perhaps unaware of what has taken place, and under stressful conditions.

Recent discussions about advancing mine safety technology have focused on a few distinct areas including self-contained self-rescuers, emergency shelters, two-way communications equipment, tracking devices, and lifelines.

Specifically, Mr. Speaker, I would like to address the references to self-contained self-rescuers in section 2 and section 6 of S. 2803. It is important to clarify that in no way should the requirements under section 2 discourage improving the design of self-contained self-rescuers.

A self-contained self-rescuer, SCSR, is a respiratory device used by miners for the purpose of escape during mine fires and explosions; it provides the wearer a closed-circuit supply of breathable air for a period of time that varies from model to model.

While the current MSHA regulations require that miners be provided with SCSRs that protect for a least 1 hour, some SCSRs on the market provide longer protection, approaching 2 hours, and research is under way to develop longer lasting SCSRs.

Mr. Speaker, in a 2001 study, the National Institute for Occupational Safety and Health, NIOSH, reported that out of 214 miners surveyed 38 percent had been notified to evacuate a mine because of fire or explosion during their career. Data provided by the U.S. Mine Rescue Association indicates that the depletion of oxygen and the production of carbon monoxide and carbon dioxide cause more fatalities than all other causes combined.

Access to and proper operation of SCSRs is a matter of life and death to miners.

The Office of Mine Safety and Health is established by section 6 of S. 2803, the Mine Improvement and New Emergency Response Act of 2006. The purpose of this office is to enhance the development of new mine safety technology and to expedite its commercial availability and implementations.

Mr. Speaker, section 2 of S. 2803 describes the components of an emergency response plan every coal mine must follow should an accident occur. Section 2(E)(iii)(II), refers to the hour of breathable air required by MSHA's new emergency temporary standard in addition to the hour already required by the mandatory SCSR standard. Beyond that, Mr. Speaker, the provision requires additional "caches of self-rescuers providing in the aggregate not less than 2 hours per miner to be kept in escapeways from the deepest work area to the surface at a distance of no further than an average miner could walk in 30 minutes."

Mr. Speaker, my concern is that in placing the SCSRs the average distance that a miner can walk in 30 minutes may unintentionally discourage technical advances. I am also worried that the provision in this act may unintentionally result in less safety should it result in encouraging miners in emergency situations to remove SCSRs before they are depleted and struggle to don new SCSRs in smoke-filled or other toxic atmospheres. It is not our intention to lock, either, the Secretary of Labor, miners, or their employers into a misguided one-size-fits-all solution. It is my intent that the Secretary would accommodate performance-based determinations of self-contained self-rescuer locations, and not discourage development and deployment of advanced self-contained self-rescuer technologies that provide greater amounts of breathable air than currently available devices, which would protect miners for longer and would require fewer changes from a depleted unit to a fresh unit in hazardous atmospheres.

Mr. Speaker, I would also encourage the Secretary to allow the use of appropriately constructed self-rescue transfer stations to be built in common locations between two parallel and adjacent escapeways. Providing a safe place to abandon old SCSRs and don new equipment during an evacuation will also improve the survivability of the miner.

Mr. McKEON. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from California (Mr. McKEON) that the House suspend the rules and pass the Senate bill, S. 2803.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL ENTREPRENEURSHIP WEEK

Mr. OSBORNE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 699) supporting the goals and ideals of National Entrepreneurship Week and encouraging the implementation of entrepreneurship education programs in elementary and secondary schools and institutions of higher education through the United Sates.

The Clerk read as follows:

H. RES. 699

Whereas according to the Department of Labor, most of the new jobs created throughout the United States in the past decade have come from the creative efforts of entrepreneurs and small businesses, which have been expanding and advancing technology and fueling the recent growth in the economy;

Whereas entrepreneurs have been the source of economic innovation throughout the history of the Nation, and the entire society has been improved because of the new ways of doing things that have been brought about by people who market their ideas;

Whereas economically independent entrepreneurs are engaged citizens who work to improve the economic environment in their local communities, providing better opportunities for businesses to operate and a better environment for the human resources they need to advance their business dreams;

Whereas 70 percent of high school students want to become entrepreneurs, and entrepreneurial skills will assist students in the future regardless of whether they work in a business owned by others or run their own business;

Whereas the high interest of students in becoming entrepreneurs and the critical role entrepreneurs have played in advancing the national economy make it vital for the Nation's schools to provide students with training in the skills which will enable them to become the entrepreneurs of the future;

Whereas the Partnership For 21st Century Skills identified financial, economic, business literacy, and entrepreneurship skills as the types of skills students must have in order to enhance workplace productivity and career options;

Whereas exposing students to the types of market-driven problems faced by entrepreneurs is an excellent example of how educators can use problem-based learning strategies to prepare students for the situations they will encounter in the future, an approach recommended by the National Council on Competitiveness in its 2004 report entitled " Innovate America";

Whereas entrepreneurship education provides exactly the type of academic engagement of all students promoted by the National High School Alliance, based on relevant real-world contexts that build on community assets, allow participation in workplace-based learning, and include performance-based assessments;

Whereas entrepreneurship education has been shown to be especially effective in closing the achievement gap between minority students and others in public schools;

Whereas students who participate in entrepreneurship education programs have better attendance records, perform better on core subjects, and have lower dropout rates than those who do not participate in these programs;

Whereas successful programs in entrepreneurship education have been established in many States, including the public-private partnership program in North Carolina by the Center for 21st Century Skills, which helps students acquire the knowledge and skills needed for success in the global economy and which has been touted as a national model for education in the 21st century;

Whereas the Ewing Marion Kauffman Foundation has assembled a multidisciplinary panel of distinguished scholars who will evaluate relevant research and review what has been learned in the many existing programs on entrepreneurship under way throughout the United States in order to provide recommendations for a comprehensive approach to teaching entrepreneurship in colleges and universities;

Whereas the Ewing Marion Kauffman Foundation has contributed significant time and resources to create the Kauffman Campuses program to make entrepreneurship education a common and accessible campus-wide opportunity that is an integral part of the college experience;

Whereas the Consortium for Entrepreneurship Education has developed and nurtured a lifelong entrepreneurship education model to encourage students' awareness of entrepreneurship as a career option throughout their years of school and to assist entrepreneurs as they implement their entrepreneurial ideas;

Whereas the Consortium for Entrepreneurship Education has lead the initiative to broadly define the field of entrepreneurship through 403 performance indicators to guide the delivery of entrepreneurship education in support of the lifelong learning model;

Whereas, through the initiative to observe annually National Entrepreneurship Week, the Ewing Marion Kauffman Foundation, the Consortium for Entrepreneurship Education, and partner organizations promote awareness of the contributions of entrepreneurs as innovators, positive forces in the economy, and important resources for improving communities as places to live and work; and

Whereas National Entrepreneurship Week will focus on the innovative ways in which entrepreneurship education can bring together the core academic, technical, and problem solving skills essential for future entrepreneurs and successful workers in future workplaces: Now, therefore, be it

Resolved, That the House of Representatives—

(1) encourages the implementation of entrepreneurship education throughout the United States;

(2) supports the goals and ideals of National Entrepreneurship Week so that the people of the United States are reminded of the contributions of entrepreneurs and so that educators are encouraged to reflect on how entrepreneurship education can improve the performance of their students; and

(3) requests that the President issue a proclamation calling on the Federal Government, State and Local governments, schools, nonprofit organization, and others to observe National Entrepreneurship Week annually with special events in support of entrepreneurs and entrepreneurship education programs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska.

GENERAL LEAVE

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 699.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. OSBORNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Res. 699, a resolution to support the goals and ideals of National Entrepreneurship Week and encourage the implementation of entrepreneurship education programs in elementary and secondary education schools and institutions of higher education throughout the United States.

I want to congratulate the sponsor of this resolution, the gentleman from North Carolina (Mr. PRICE), as well as House Committee on Education and the Workforce Chairman MCKEON and Ranking Member MILLER, as well as the leadership in both parties in working to move this resolution to the floor in such a bipartisan fashion.

This is a very important resolution because it supports the goals and ideal of National Entrepreneurship Week and encourages creation of entrepreneurship education programs in elementary and secondary schools. The future strength of our economy depends on our youth and upon developing new businesses, which essentially is what entrepreneurship is all about. From lawn mowing businesses to baby sitting, most youths have been entrepreneurs at one time or another. Unfortunately, formal entrepreneurial education is not always available to young people.

Several studies have been done on the interests that young people have in entrepreneurship. For example, in their book, "The E Generation: Prepared for the Entrepreneurial Economy," Marilyn Kourilsky and William Walstad explain that youth are overwhelmingly interested in entrepreneurship. In fact, they found that six out of 10 young people aspire to start a business of their own.

The Gallup Organization, in conjunction with the Kauffman Foundation, conducted the first national poll on entrepreneurship. What they found was that 70 percent of students polled wanted to start their own business.

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Now, this would be primarily at the high school level. Yet only 44 percent had any basic knowledge concerning entrepreneurship. In other words, they wanted to start a business, but they had no idea as to how to do it.

Youth entrepreneurs provide added stimulus to the local economy. Student entrepreneurial endeavors help to foster youth retention by providing youth the opportunity to contribute and invest in their home communities. As young people build and grow businesses within a community, they are more likely to stay and invest in a community's future.

Where this has been tremendously important has been in rural areas. We have all seen many small towns that continue to unravel, lose young people, lose population, and in the district that I represent we have seen this graphically. So we find that probably the best way to revitalize rural America is to provide entrepreneurial training, entrepreneurial skills, so some people can stay there and survive and young people can start a business.

There are a number of academic reasons to integrate entrepreneurship training into curriculum as well. Entrepreneurship training can be successfully integrated into traditional course work by incorporating hands-on business activities in a traditional classroom and textbook instruction. For example, writing marketing materials, business plans, can improve English skills. Sales and accounting can improve math skills. Developing manufacturing processes for products can be incorporated in a science class. True entrepreneurial education integrates hands-on business developments into the school system.

So we find that it is possible to build entrepreneurial training into the curriculum in a school. And when this happens, some really good things begin to happen.

Entrepreneurship education has a positive effect on the academic performance of students according to a study conducted by Howard Rasheed, a business professor at the University of Florida. Students with entrepreneurship training scored better in a number of academic subjects, including reading, math, social studies, and language. Also, attendance improves, dropout rates decrease, and it also helps close the achievement gap between minority students and the rest of the student body. So there is a tremendous academic contribution that entrepreneurial training provides.

I have worked throughout my time in Congress to encourage Nebraska schools to adopt entrepreneurship programs, and many have. I am pleased to have had the opportunity to be involved in numerous entrepreneurship efforts across the State of Nebraska, including NETFORCE, which is working to develop a curriculum that is sponsored through Nebraska's community college system.

H.R. 699 encourages more schools to adopt entrepreneurship programs and supports the goals of National Entrepreneurship Week. I strongly support this resolution and urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to join with the gentleman from Nebraska in support of a resolution to support National Entrepreneurship Week. I rise in support of H. Res. 699 and thank Mr. PRICE of North Carolina for introducing this resolution.

H. Res. 699 calls on the President to issue a proclamation recognizing National Entrepreneurship Week and to encourage all levels of government to observe National Entrepreneurship Week annually with special events in support of entrepreneurs and entrepreneurship education programs.

Entrepreneurship education has long been an integral part of career and technical education programs in high schools across the country. While students may have difficulties defining "entrepreneur," it is clear that, when surveyed, young people understand the concepts behind entrepreneurship and actively seek out similar opportunities.

According to the Consortium for Entrepreneurship Education, entrepreneurship education programs are providing opportunities for young people to master competencies in concepts such as how to recognize opportunities, how to generate ideas and marshal resources in the face of risk, to pursue opportunities, venture creation and operation, and creativity as well as critical thinking.

Mr. Speaker, students who participate in entrepreneurship education learn not just the skills for making smart business decisions; they also learn how to become more involved in their community through civic engagement and participation. And as the resolution points out, students who participate in these programs have better attendance records, perform better on core subjects, and have lower dropout rates than those who do not participate in these programs.

Mr. Speaker, entrepreneurs represent one of the fastest growing business sectors in our global marketplace. The establishment of a week recognizing the role of entrepreneurs in our economy will continue to help inform young people about the opportunities for success in this global marketplace.

Again, I want to thank Mr. PRICE for introducing this important legislation, and I urge its support.

Mr. Speaker, I ask unanimous consent to yield the balance of my time to Mr. DAVID PRICE, who introduced this resolution, from the great State of North Carolina.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of North Carolina. I thank the gentleman for yielding, Mr. Speaker, and I rise in support of H. Res. 699, a resolution I sponsored with the gentleman from Nebraska (Mr. OSBORNE), and many other colleagues. The resolution supports the goals and ideals of National Entrepreneurship Week.

More than 70 percent of American high school students say they would like to open their own business someday. Over 10 percent of American adults are actively planning to become entrepreneurs in their local communities. These figures indicate the strong entrepreneurial inclination of many Americans. Yet while many people have an interest in starting a new business, only a fraction of these actually make the attempt.

Entrepreneurial education brings together the core academic, technical, and problem-solving skills needed for future entrepreneurs. Individuals who receive entrepreneurship training are not only more likely to start a business, but they are also more likely to enjoy success with such a new venture.

H. Res. 699 would support the goals and the ideals of National Entrepreneurship Week and the implementation of entrepreneurship education programs in elementary and secondary schools and in institutions of higher education. National Entrepreneurship Week would consist of a national series of celebrations, business plan competitions, and other community events to nurture entrepreneurship and to engage young people in the opportunities available to them as future business owners.

In short, Mr. Speaker, National Entrepreneurship Week offers the opportunity to recognize the societal contributions of America's leading entrepreneurs and to encourage those with a dream to become entrepreneurs.

I am fortunate to have several organizations in my home State of North Carolina that effectively promote entrepreneurship in varied ways. For example, the North Carolina Rural Center, the North Carolina Community College System, the North Carolina Department of Public Instruction, and the University of North Carolina at Chapel Hill are working together to develop a system of education for youth and adults that ensures anyone who seeks advice or assistance on starting a business gets the help they need.

The Small Business and Technology Development Centers and the SCORE program, run by retired executives, help new entrepreneurs translate their aspirations into reality. "Marketplace," a forum which I joined colleagues in starting years ago in the Triangle area of North Carolina, introduces entrepreneurs to opportunities in government contracting.

The University of North Carolina at Chapel Hill's Entrepreneurship Club is dedicated to encouraging entrepreneurship among students by connecting them with local entrepreneurs, professors, and support organizations. The North Carolina Center for 21st Century Skills is the first of its kind in the Nation to help elementary and secondary public school students acquire the knowledge and the skills needed for success in the global economy.

The Consortium for Entrepreneurship Education continues its work to make entrepreneurship education a formal part of the American curriculum in each school district and educational institution, and I want to commend the consortium for their leadership role in developing and promoting the resolution before us today.

I also want to thank Representatives TOM OSBORNE and DANNY DAVIS and their staffs, as well as the bipartisan staff of the Education and the Workforce Committee, for their contributions to this effort, this effort to call attention to the need for encouraging our young people to become entrepreneurs.

I urge my colleagues to support this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. OSBORNE. Mr. Speaker, I would like to commend the gentleman from North Carolina and Mr. DAVIS, and as I have no further speakers, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and agree to the resolution, H. Res. 699.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

COMMENDING THE PEOPLE OF MONGOLIA ON THE 800TH ANNIVERSARY OF MONGOLIAN STATEHOOD

Mr. LEACH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 828) commending the people of Mongolia, on the 800th anniversary of Mongolian statehood, for building strong, democratic institutions, and expressing the support of the House of Representatives for efforts by the United States to continue to strengthen its partnership with that country.

The Clerk read as follows:

H. RES. 828

Whereas Mongolia, a great nation located at the crossroads of many civilizations, in 2006 marks its 800th anniversary as a state;

Whereas Mongolia has become a functioning democracy in Asia;

Whereas since 1990 the Mongolian people have held 5 parliamentary elections and 4 presidential elections;

Whereas these elections have been determined to be largely free and fair, without violence or balloting irregularities, and featuring multiple political parties;

Whereas these elections demonstrate Mongolia's commitment to the rule of law and its determination to consolidate its democratic progress;

Whereas the Government of Mongolia has conducted economic reforms which introduced market mechanisms and have resulted in the private sector producing the great majority of the gross domestic product, demonstrating Mongolia's commitment to the establishment of a free market economy;

Whereas Mongolia ratified the United Nations Convention Against Corruption in October 2005, demonstrating its determination to take steps to better ensure political and economic stability and progress;

Whereas Mongolia has sought to develop political, economic, and security relationships with its neighboring countries in order to enhance confidence and regional security;

Whereas the people of the United States and Mongolia share common commitments to democracy and freedom, and the Government of Mongolia has expressed its strong desire to deepen and strengthen its partnership with the United States;

Whereas Mongolia entered into a Trade and Investment Framework Agreement with the United States in 2004, demonstrating its commitment to take further steps to reform and open up its economy and to deepen bilateral economic ties;

Whereas Mongolia has been a steadfast partner with the United States in the Global War on Terror, and, after the September 11th terror attacks, the Government of Mongolia expressed its strong support for the United States;

Whereas Mongolia has supported coalition operations by repeatedly contributing troops to both Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom;

Whereas Mongolia has contributed troops to support NATO peacekeeping operations in Kosovo and to protect the United Nations war crimes court in Sierra Leone; and

Whereas Mongolia's strong policy track record has made it eligible for Millennium Challenge Account (MCA) support in 2004 and 2005: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the people and Government of Mongolia on the 800th anniversary of Mongolian statehood;

(2) affirms that the United States is proud to be considered Mongolia's "third neighbor";

(3) commends the people and Government of Mongolia for their commitment to democracy, freedom, and economic reform;

(4) urges the Government of Mongolia to take further steps to fight corruption and provide greater transparency and accountability in government operations;

(5) shares with the people and Government of Mongolia the desire to enhance the relationship between the United States and Mongolia, based on a comprehensive partnership, shared values, and common interests;

(6) supports efforts to strengthen strategic, political, economic, educational, and cultural ties between the 2 countries;

(7) encourages private investment and increased business ties between investors in both countries;

(8) encourages increased people-to-people ties through expanded academic, cultural, and sports exchanges, and

(9) supports increased Mongolian participation in international organizations and initiatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. LEACH. Mr. Speaker, I ask unanimous consent that all Members may have 5 days within which to revise and extend their remarks on H. Res. 828.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LEACH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Res. 828, commending the people of Mongolia on their 800th anniversary of Mongolian statehood which they are preparing to celebrate during the next month. Mongolia's storied history stretches back to the 13th century, when, beginning under the leadership of Genghis Khan, the Mongol Empire grew to become the largest contiguous land empire in world history.

However, the most important portions of this resolution are not those that recall the past, but those that point toward the future. In the eight recent centuries of Mongolian statehood, the past 16 years have perhaps been the most dramatic. In that short time, Mongolia has cemented its transition from a Soviet-era Communist state to a successful, multiparty, Asian democracy committed to economic reform. It has conducted five free and fair parliamentary elections and four presidential elections.

I was fortunate to have had the opportunity to visit Ulan Bator last fall as an election observer and to see firsthand the remarkable democratic and social progress that the Mongolian people have achieved. Mongolia represents a transitional model that merits study by other Asian nations, such as North Korea, who have not yet internalized the lessons of the 20th century.

In contrast to its history of constant military concerns, Mongolia today is a country committed to peace and international stability, whose foreign policy is informed by an admirable humanitarian impulse. It has repeatedly deployed troops in support of Coalition efforts in Afghanistan and Iraq, and it has supported NATO peacekeeping operations in Kosovo.

As befits two nations committed to democracy and freedom, the United States and Mongolia have enjoyed a deepening friendship, both on a government-to-government and a people-to-people basis. Our growing relationship encompasses not only security matters and development assistance, but also trade, with the U.S. and Mongolia having signed a Trade and Investment Framework Agreement in 2004.

Although that great landlocked state is physically bordered only by China and Russia, the United States is proud to consider itself Mongolia's third neighbor on the basis of our shared values and common interests. This resolution is a welcome opportunity for the Congress to reaffirm our desire to strengthen the strategic, political, economic, educational, and cultural ties between our countries.

In closing, I would like to thank the gentleman from American Samoa (Mr. FALEOMAVAEGA), and also the gentleman from Pennsylvania (Mr. PITTS) for his initiative in sponsoring this timely resolution, as well as the men and women of the Department of State for their judgment and guidance in assembling the final text.

Mr. Speaker, I reserve the balance of my time.

□ 1445

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I also would like to commend the distinguished chairman of the International Relations Committee, Mr. HYDE, and the senior ranking member, Mr. LANTOS, for their support of this legislation that was introduced by the gentleman from Pennsylvania (Mr. PITTS).

Mr. Speaker, I rise in strong support of this resolution. The breakup of the Soviet empire in the early 1990s jolted the international political system and fundamentally changed the course of global history. More than a dozen new nations emerged from the ruins of the Soviet Union, stretching from the heart of Europe to deep in Central Asia.

While the dissolution of the Soviet Union greatly advanced the progress of democracy and human rights, this forward march was not without setbacks. Looking at the map today, half of the nations formerly within the Soviet orbit have truly embraced democracy, human rights and economic reform, while others continue to struggle with debilitating other totalitarian regimes.

Mr. Speaker, since their first steps towards freedom from the firm grasp of the Soviet Union in 1990, the Mongolian people have strongly embraced democracy and human rights. They took to the streets in the bitter cold to force the Mongolian Communist Party from power, and quickly replaced it with a democratically elected government.

Since 1990, Mongolia has held several rounds of free and fair elections for president and parliament. While the rapid development of democratic institutions has not been without growing pains, the government of Mongolia remains a strong and vibrant democracy which has sought to play a responsible role in the global community.

With a newly shared commitment to democracy, the bilateral relationship between the United States and Mongolia has flourished over the last decade and a half. Mongolia has contributed troops, engineers and medical personnel to Operation Iraqi Freedom, and helped to train units of the Afghan National Army.

The United States has also provided over $150 million in assistance to the Mongolia people since 1991. Mongolia is now eligible for funding from the Millennium Challenge Account, and it is our strong hope that a compact with Mongolia will be signed in the near future.

Ties between the United States and Mongolia were further solidified by visits to Mongolia in 2005 by the President of the United States and the Secretary of Defense.

The United States and Mongolia have also shared a commitment to working for freedom for the Tibetan people. As a Buddhist nation, Mongolia has twice welcomed His Holiness the Dalai Lama, despite enormous pressure from Beijing to prevent this from happening. Mongolia's willingness to resist China's strong-arm tactics demonstrates the nation's deep-seated commitment to human rights and religious freedom.

Mr. Speaker, since it emerged from the iron clutch of the Soviet Union in 1990, Mongolia has been a good friend and ally of our Nation. With passage of this resolution introduced by my good friend, Mr. PITTS, Congress will further signal its support for even stronger ties between our two nations.

Mr. Speaker, this year marks the 800th anniversary of Mongolian statehood. I am pleased that this body can play a small role in commemorating this important and significant anniversary in the lives of the people of Mongolia. I urge my colleagues to support this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. LEACH. Mr. Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. PITTS) who is the author of this resolution.

Mr. PITTS. Mr. Speaker, I thank Chairman LEACH for his leadership on this issue.

I rise today in strong support of H. Res. 828, a resolution that I authored with strong bipartisan support from the members of the International Relations Committee. And I thank the committee members for their support and I thank the House leadership for bringing it to the House floor today.

America has a long and proud tradition of standing with those who stand for freedom and democracy in the world, and that is why it is altogether appropriate that we recognize the people of Mongolia on the occasion of their 800th anniversary of statehood.

The history of Mongolia is a great testament to the power of freedom. Once a communist state closely allied with the Soviet Union, Mongolia has undergone remarkable changes in recent years. After peacefully severing communist ties in 1990, the people of Mongolia have established a stable democracy in Asia.

The reforms Mongolia has undertaken have set a shining example for its region of the world. In 1992, Mongolia adopted a Constitution. Five parliamentary elections and four presidential elections have now been held in Mongolia.

I personally became involved after the parliament heard of the Contract With America in 1994 and what happened here. In the mid-1990s, they created the Contract With the Mongolia Voter. They printed 400,000 copies, distributed it by horse and yak and camel all over the country. They had a 92 percent voter turnout and swept the existing then-communist government out of power. At that point I went over with others and gave a seminar to the young members of parliament. Over half were under the age of 35. It was an inspiring experience.

Mongolia has introduced economic reforms that reflect its commitment to establishing a free market economy. In the wake of September 11, 2001, the terrorist attacks, Mongolia has been a steadfast partner in the global war on terror. Mongolia has repeatedly sent troops to serve in the cause of freedom in Iraq and Afghanistan, six rotations in Iraq and Afghanistan. They are standing with us, and they have also made troop commitments to NATO to peacekeeping missions.

In an expression of our appreciation for their support, President Bush traveled to Mongolia last November, the first sitting American President ever to do so. During his visit, President Bush addressed the Mongolian people. He expressed the relationship and appreciation for the relationships our nations share. He said, "As you build a free society in the heart of Central Asia, the American people stand with you." We echo those sentiments today. By passing this bipartisan resolution, we send a clear message that this House stands firmly with the people of a free and democratic Mongolia.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I again want to thank the gentleman from Pennsylvania for introducing this legislation. It was my personal privilege to know personally the previous ambassador of Mongolia to the United States, and I have known him for several years as he made every effort to establish a relationship between our two nations. Again, I commend my good friend from Pennsylvania for introducing this legislation.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Ms. BORDALLO. Mr. Speaker, I rise in support of House Resolution 828, Recognizing the 800th Anniversary of Mongolian statehood. Mongolia has a strong commitment to democracy and the rule of law. I join the people of Mongolia in celebrating their 800th anniversary of statehood. Mongolia has a rich, storied ancient history. Its modern accomplishments contribute to that history and serve as an inspiration to all countries that struggle to adopt a democratic system of government.

The friendship shared by Mongolia and the United States has grown stronger as a result of Mongolia's strong commitment to democracy and the rule of law at home and internationally. As this resolution notes, since 1990, five parliamentary and four presidential elections have been held in Mongolia, all without violence or disruption. This is a strong indicator that when the will of a nation's people is joined by the will of their government, there becomes a great capacity to achieve good.

Mongolian efforts to develop a free market society and a political democracy serve as an example of responsible government and progress for other developing democracies in the world today. The settlement of an $11 billion debt to Russia in 2004 lifted a heavy burden from Mongolia and has been instrumental in allowing Mongolia to explore new outlets for economic development. There are currently over 30,000 private businesses in or around Mongolia's capital city of Ulaanbaatar. Petroleum, coal, and copper industries continue to be an economic mainstay for the people of Mongolia.

Mongolia is a valued security partner with the United States and the North Atlantic Treaty Organization (NATO). Mongolia's steadfast commitment and valued contributions to Operation Enduring Freedom, Operation Iraqi Freedom, NATO missions in Kosovo and Sierra Leone, and its broader contribution to the Global War on Terror are evidence of its leadership on international security matters.

Mongolia continues to build upon its solid foundation for a democratic, prosperous and secure future for its people. I congratulate them on the occasion of the 800th anniversary of Mongolian statehood and on their continued political and economic development. Through passage of this resolution we express our confidence in them and our appreciation for the strong partnership enjoyed between the American and Mongolian peoples.

Mr. LEACH. Mr. Speaker, I thank Mr. FALEOMAVAEGA for his wondrous comity on this and so many issues, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 828.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

COMMEMORATING 60TH ANNIVERSARY OF ASCENSION TO THE THRONE OF HIS MAJESTY KING BHUMIBOL ADULYADEJ OF THAILAND

Mr. LEACH. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 409) commemorating the 60th anniversary of the ascension to the throne of His Majesty King Bhumibol Adulyadej of Thailand, as amended.

The Clerk read as follows:

H. CON. RES. 409

Whereas on June 9, 1946, His Majesty Bhumibol Adulyadej ascended the throne and this year celebrates his 60th year as King of Thailand;

Whereas His Majesty King Bhumibol is the longest-serving monarch in the world;

Whereas on May 26, 2006, His Majesty King Bhumibol received the inaugural special Human Development Lifetime Achievement Award from the United Nations Development Agency for his dedication to social justice, growth with equity, human security, democratic governance, and sustainability;

Whereas during the reign of His Majesty King Bhumibol, Thailand has become a democratically governed constitutional democracy in which Thai citizens enjoy the right to change their government through periodic free and fair elections held on the basis of universal suffrage;

Whereas His Majesty King Bhumibol has enjoyed a special relationship with the United States, having been born in 1927 in Cambridge, Massachusetts, where his father, Prince Mahidol of Songkla, was studying medicine at the Harvard Medical School;

Whereas the United States and Thailand have enjoyed over 170 years of friendship since the signing of the Treaty of Amity and Commerce in 1833, the first such treaty signed between the United States and any Asian country;

Whereas the United States and Thailand are treaty allies, and on December 30, 2003, President George W. Bush designated the Kingdom of Thailand as a major non-NATO ally; and

Whereas the bonds of friendship and mutual respect are strong between the United States and Thailand: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

(1) commemorates the 60th anniversary of the ascension to the throne of His Majesty King Bhumibol Adulyadej of Thailand;

(2) offers its sincere congratulations to His Majesty King Bhumibol and best wishes for continued prosperity to his Majesty and the Kingdom of Thailand; and

(3) looks forward to continued, enduring ties of friendship between the Thai and American people.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from American Samoa (Mr. FALEOMAVAEGA) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa.

GENERAL LEAVE

Mr. LEACH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 409.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LEACH. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this timely resolution honoring Thailand's long-serving monarch, who commands enormous popular respect and moral authority among the Thai people.

At the outset, I would like to express my appreciation to our distinguished ranking member, Mr. LANTOS, as well as the gentleman from American Samoa (Mr. FALEOMAVAEGA) for their assistance and support in crafting this measure.

As many Members are aware, Thailand is one of America's oldest and closest allies. Formal diplomatic relations extend back to the signing of the Treaty of Amity and Commerce between our two nations in 1833, during the Presidency of Andrew Jackson. Since then, Thailand has been a steadfast friend and ally. Thai King Mongkut offered President Lincoln elephants to use in battle during the Civil War, and Thai troops fought alongside American soldiers in World War I, Korea, and Vietnam. Since 9/11, Thailand has provided overflight rights and access to facilities to facilitate U.S. and coalition efforts in Afghanistan, sent an engineering battalion to help rebuild Bagram airfield, and deployed nearly 500 troops to provide reconstruction and medical assistance in Iraq. President Bush recognized the importance of our alliance when he designated Thailand as a major nonNATO ally in 2003.

Thailand and the United States also share robust commercial ties, with two-way trade totaling a little over $21 billion and cumulative U.S. investment in Thailand of over $20 billion. Our cultural and people-to-people ties are extensive and multifaceted, including more than 10,000 Thai students in institutions of learning in the United States. Indeed, our people-to-people ties even extend to His Majesty the King, who was born nearly 80 years ago in Cambridge, Massachusetts, where his father was studying medicine at the Harvard Medical School.

Our two people also forged common bonds during times of tragedy; Americans will never forget the astounding generosity of the Thai people in assisting foreign survivors of the terrible tsunami of 2004, despite suffering devastating losses of their own.

The tie that has been developed between the Thai people and the families from abroad who lost their fathers and mothers, sons and daughters while guests in Thailand during one of nature's most extraordinary acts, has solidified in mutual respect and humanitarian appreciation.

As a congressional visitor in the wake of the tsunami, I could not have been more impressed with the thoughtfulness of the Thai government, and the stories of Thai goodwill extended to those who lost their loved ones.

America and Thailand share many common vested interests and values, including a belief in democracy and human rights. Thailand enjoys a well-deserved reputation for tolerance, religious freedom and civil liberties. During the reign of the King, Thailand has become a democratically governed constitutional monarchy. Indeed, since 1992, there have been more than half a dozen national multiparty elections, which transferred power to successive governments through peaceful, democratic processes.

In this context, while the King has circumscribed constitutional powers, he also exerts strong informal influence, which he has used from time to time to resolve political disputes that jeopardize national stability.

In closing, I would note that the resolution before us is being amended to reflect the fact that late last month, Secretary-General Kofi Annan presented the United Nations first Human Development Lifetime Achievement Award to the King, hailing the Thai monarch's efforts to help the poorest and most vulnerable people in his kingdom as an example for the world.

Mr. Speaker, I urge support for this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to commend my dear colleague and chairman of the Asia Pacific Subcommittee on International Relations, the distinguished gentleman from Iowa (Mr. LEACH), for his authorship of this important resolution.

Mr. Speaker, as the world's oldest democracy, the American Government rarely takes the time to mark important events in the lives of the world's few remaining monarchs. The key decisions affecting the livelihood of nations and the stability of the world system are made in the halls of parliaments and in the offices of presidents and prime ministers around the world.

But a handful of the world's monarchs continue to play a critically important role in the lives of their nations, and are worthy of our praise and admiration. The King of Thailand is just such a monarch.

As Thailand celebrates the 60th anniversary of the King's ascension to the throne, it is important to remember the King's many contributions to the prosperity and stability of our closest ally in Southeast Asia.

While Thailand is governed by democratically elected parliament and prime minister, the King has kept a firm hand on the tiller of the nation.

□ 1500

After a military coup in 1992 in which hundreds of Thai citizens were killed in the streets of Bangkok, the King summoned the general to a nationally televised audience. The Thai people watched as the general crawled across a carpet to the feet of the monarch where he was promptly upbraided for his actions which threatened the stability of the nation. The general promptly resigned and democracy was restored.

Just over the past few months the King again has played an important role in resolving a political crisis which had led to large street demonstrations in Bangkok. After strong words from the King, Thailand's judiciary moved to approve a new round of national elections in which all of the major political parties will participate.

The King's ability to influence the outcome of these two events is directly related to the enormous esteem in which he is held by the good people of Thailand. The Thais, from all walks of life, greatly respect and admire the King and give much credence to his words as well as his actions.

Thailand's democratic development under the King's leadership has greatly enhanced U.S.-Thai relations. Our two nations remain treaty allies, and Thailand was designated as a major non-NATO ally in 2003.

Mr. Speaker, Thailand also made significant contributions to the reconstruction of Afghanistan and Iraq and has participated in many vital United Nations peacekeeping missions. Economic ties between the United States and Thailand have also grown significantly over the past decade.

With the passage of this resolution, Congress not only commemorates the 60th anniversary of the King's ascension to the throne, it also celebrates the strength of the U.S.-Thai relationship and Thailand's many contributions to regional and international security.

It has been my personal experience also, you know who your friends are, and I remember this as a Vietnam veteran, Thailand was there and stood with us.

It might also be of interest to our colleagues, it so happens that the number one golfer in the world's mother is from Thailand, Mr. Tiger Woods.

With that, Mr. Speaker, I know that our relationship between our two nations could not be closer. And again, I commend the gentleman from Iowa for introducing this resolution.

I also want to commend the chairman of our committee, Mr. HYDE, and our senior ranking member, Mr. LANTOS, for their support and leadership in bringing this resolution to the floor.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H. Con. Res. 409, Commemorating the 60th anniversary of the ascension to the throne of His Majesty King Bhumibol Adulyadej of Thailand. This resolution honors His Majesty King Bhumibol Adulyadej, his accomplishments toward social justice, growth with equity, human security, democratic governance, and sustainability for his county and people, and the special relationship between the United States and Thailand.

King Adulyadej led Thailand as it adopted a democratic form of government. This is an important accomplishment and one that is greatly valued by the United States. Thailand's commitment to strengthening its democracy is representative of the shared values between the people of our two countries.

Also, Thailand's commitment to fighting terrorism in Asia and its cooperation in the Global War on Terror is further representative of the strong relationship between our governments. Further I commend King Adulyadej's dedication to social justice and human rights. That the United Nations is awarding him the Human Development Lifetime Achievement Award is representative of his leadership on these issues.

The people of Guam join in celebrating the 60th anniversary of the ascension to the throne of His Majesty King Bhumibol Adulyadej of Thailand. We look forward to continued prosperity for both his Majesty and the people of Thailand. And it is my sincerest hope that the special relationship shared by our countries will grow stronger in the years to come.

Mr. FALEOMAVAEGA. Mr. Speaker, I reserve the balance of my time.

Mr. LEACH. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. FALEOMAVAEGA. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 409, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 3 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1617

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CULBERSON) at 4 o'clock and 17 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put questions on which further proceedings were postponed.

Votes will be taken in the following order:

Ordering the previous question on H. Res. 842;

Adoption of H. Res. 842, if ordered;

Passage of H.R. 5521;

Suspending the rules and passing S. 193.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

PROVIDING FOR CONSIDERATION OF H.R. 5254, REFINERY PERMIT PROCESS SCHEDULE ACT

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 842, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 220, nays 192, not voting 20, as follows:

[Roll No. 227]

YEAS—220

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—192

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wu
Wynn

NOT VOTING—20

Bishop (NY)
Bono
Campbell (CA)
Cuellar
DeLay
Filner
Ford
Gibbons
Gohmert
Inglis (SC)
Jackson-Lee (TX)
Keller
Lantos
Manzullo
Nussle
Oberstar
Reyes
Sessions
Slaughter
Woolsey

□ 1645

Mr. SPRATT changed his vote from "yea" to "nay."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 227, the previous question to H.R. 5254, I was in my Congressional District on official business. Had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. MATSUI. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 221, noes 192, not voting 19, as follows:

[Roll No. 228]

AYES—221

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield

Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—192

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wu
Wynn

NOT VOTING—19

Bishop (NY)
Bono
Campbell (CA)
DeLay
Filner
Ford
Gibbons
Gohmert
Inglis (SC)
Keller
Lantos
Manzullo
Miller, George
Nussle
Oberstar
Reyes
Sessions
Slaughter
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1653

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 228, H. Res. 842, I was in my Congressional District on official business. Had I been present, I would have voted "no."

LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. The pending business is the vote on passage of H.R. 5521, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 361, nays 53, not voting 18, as follows:

[Roll No. 229]

YEAS—361

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barton (TX)
Bass
Beauprez
Becerra
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goodlatte
Gordon
Granger
Green, Al
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herger
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Poe
Pombo
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—53

Barrow
Bartlett (MD)
Bean
Berry
Brown-Waite, Ginny
Capuano
Chandler
Cooper
Costello
Delahunt
Doggett
Duncan
Etheridge
Flake
Fossella
Goode
Graves
Green (WI)
Green, Gene
Gutknecht
Hayworth
Hefley
Hensarling
Herseth
Hostettler
Hulshof
Jones (NC)
Kennedy (MN)
Kind
Marshall
Matheson
Meehan
Miller, George
Moran (KS)
Norwood
Paul
Petri
Platts
Pomeroy
Price (GA)
Ramstad
Ross
Salazar
Sensenbrenner
Shadegg
Shays
Shimkus
Stearns
Tanner
Taylor (MS)
Tierney
Udall (CO)
Wu

NOT VOTING—18

Bishop (NY)
Bono
Campbell (CA)
DeLay
Filner
Ford
Gibbons
Gohmert
Inglis (SC)
Keller
Lantos
Manzullo
Nussle
Oberstar
Reyes
Sessions
Slaughter
Woolsey

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised they have 2 minutes to vote.

□ 1701

Mr. DELAHUNT and Mr. RAMSTAD changed their vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 229, final passage of H.R. 5521, I was in my Congressional District on official business. Had I been present, I would have voted "yea".

BROADCAST DECENCY ENFORCEMENT ACT OF 2005

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the Senate bill, S. 193.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the Senate bill, S. 193, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 379, nays 35, not voting 18, as follows:

[Roll No. 230]

YEAS—379

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sanchez, Loretta
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—35

Abercrombie
Baird
Becerra
Berkley
Berman
Blumenauer
Clay
Conyers
Delahunt
Frank (MA)
Grijalva
Harman
Hinchey
Honda
Kucinich
Lee
Lofgren, Zoe
McDermott
Nadler
Olver
Paul
Payne
Sabo
Sánchez, Linda T.
Sanders
Schakowsky
Scott (VA)
Serrano
Sherman
Stark
Wasserman Schultz
Waters
Watson
Watt
Waxman

NOT VOTING—18

Bishop (NY)
Bono
Campbell (CA)
Filner
Ford
Gibbons
Gohmert
Inglis (SC)
Keller
Lantos
Manzullo
Nussle
Oberstar
Reyes
Sessions
Simmons
Slaughter
Woolsey

☐ 1709

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 230, final passage of S. 193, I was in my Congressional District on official business. Had I been present, I would have voted "nay."

PERSONAL EXPLANATION

Mr. ACKERMAN. Mr. Speaker, on rollcall vote No. 230 on S. 193, my vote was mistakenly recorded as "aye" when it should have said "nay."

REFINERY PERMIT PROCESS SCHEDULE ACT

Mr. BARTON of Texas. Mr. Speaker, pursuant to House Resolution 842, I call up the bill (H.R. 5254) to set schedules for the consideration of permits for refineries, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Refinery Permit Process Schedule Act".

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term "Administrator" means the Administrator of the Environmental Protection Agency;

(2) the term "applicant" means a person who is seeking a Federal refinery authorization;

(3) the term "biomass" has the meaning given that term in section 932(a)(1) of the Energy Policy Act of 2005;

(4) the term "Federal refinery authorization"—

(A) means any authorization required under Federal law, whether administered by a Federal or State administrative agency or official, with respect to siting, construction, expansion, or operation of a refinery; and

(B) includes any permits, licenses, special use authorizations, certifications, opinions, or other approvals required under Federal law with respect to siting, construction, expansion, or operation of a refinery;

(5) the term "refinery" means—

(A) a facility designed and operated to receive, load, unload, store, transport, process, and refine crude oil by any chemical or physical process, including distillation, fluid catalytic cracking, hydrocracking, coking, alkylation, etherification, polymerization, catalytic reforming, isomerization, hydrotreating, blending, and any combination thereof, in order to produce gasoline or distillate;

(B) a facility designed and operated to receive, load, unload, store, transport, process, and refine coal by any chemical or physical process, including liquefaction, in order to produce gasoline or diesel as its primary output; or

(C) a facility designed and operated to receive, load, unload, store, transport, process (including biochemical, photochemical, and biotechnology processes), and refine biomass in order to produce biofuel; and

(6) the term "State" means a State, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

SEC. 3. STATE ASSISTANCE.

(a) State Assistance.—At the request of a governor of a State, the Administrator is authorized to provide financial assistance to that State to facilitate the hiring of additional personnel to assist the State with expertise in fields relevant to consideration of Federal refinery authorizations.

(b) Other Assistance.—At the request of a governor of a State, a Federal agency responsible for a Federal refinery authorization shall provide technical, legal, or other nonfinancial assistance to that State to facilitate its consideration of Federal refinery authorizations.

SEC. 4. REFINERY PROCESS COORDINATION AND PROCEDURES.

(a) Appointment of Federal Coordinator.—

(1) In general.—The President shall appoint a Federal coordinator to perform the responsibilities assigned to the Federal coordinator under this Act.

(2) Other agencies.—Each Federal and State agency or official required to provide a Federal refinery authorization shall cooperate with the Federal coordinator.

(b) Federal Refinery Authorizations.—

(1) Meeting participants.—Not later than 30 days after receiving a notification from an applicant that the applicant is seeking a Federal refinery authorization pursuant to Federal law, the Federal coordinator appointed under subsection (a) shall convene a meeting of representatives from all Federal and State agencies responsible for a Federal refinery authorization with respect to the refinery. The governor of a State shall identify each agency of that State that is responsible for a Federal refinery authorization with respect to that refinery.

(2) Memorandum of agreement.—(A) Not later than 90 days after receipt of a notification described in paragraph (1), the Federal coordinator and the other participants at a meeting convened under paragraph (1) shall establish a memorandum of agreement setting forth the most expeditious coordinated schedule possible for completion of all Federal refinery authorizations with respect to the refinery, consistent with the full substantive and procedural review required by Federal law. If a Federal or State agency responsible for a Federal refinery authorization with respect to the refinery is not represented at such meeting, the Federal coordinator shall ensure that the schedule accommodates those Federal refinery authorizations, consistent with Federal law. In the event of conflict among Federal refinery authorization scheduling requirements, the requirements of the Environmental Protection Agency shall be given priority.

(B) Not later than 15 days after completing the memorandum of agreement, the Federal coordinator shall publish the memorandum of agreement in the Federal Register.

(C) The Federal coordinator shall ensure that all parties to the memorandum of agreement are working in good faith to carry out the memorandum of agreement, and shall facilitate the maintenance of the schedule established therein.

(c) Consolidated Record.—The Federal coordinator shall, with the cooperation of Federal and State administrative agencies and officials, maintain a complete consolidated record of all decisions made or actions taken by the Federal coordinator or by a Federal administrative agency or officer (or State administrative agency or officer acting under delegated Federal authority) with respect to any Federal refinery authorization. Such record shall be the record for judicial review under subsection (d) of decisions made or actions taken by Federal and State administrative agencies and officials, except that, if the Court determines that the record does not contain sufficient information, the Court may remand the proceeding to the Federal coordinator for further development of the consolidated record.

(d) Remedies.—

(1) In general.—The United States District Court for the district in which the proposed refinery is located shall have exclusive jurisdiction over any civil action for the review of the failure of an agency or official to act on a Federal refinery authorization in accordance with the schedule established pursuant to the memorandum of agreement.

(2) Standing.—If an applicant or a party to a memorandum of agreement alleges that a failure to act described in paragraph (1) has occurred and that such failure to act would jeopardize timely completion of the entire schedule as established in the memorandum of agreement, such applicant or other party may bring a cause of action under this subsection.

(3) Court action.—If an action is brought under paragraph (2), the Court shall review whether the parties to the memorandum of agreement have been acting in good faith, whether the applicant has been cooperating fully with the agencies that are responsible for issuing a Federal refinery authorization, and any other relevant materials in the consolidated record. Taking into consideration those factors, if the Court finds that a failure to act described in paragraph (1) has occurred, and that such failure to act would jeopardize timely completion of the entire schedule as established in the memorandum of agreement, the Court shall establish a new schedule that is the most expeditious coordinated schedule possible for completion of preceedings, consistent with the full substantive and procedural review required by Federal law. The court may issue orders to enforce any schedule it establishes under this paragraph.

(4) Federal coordinator's action.—When any civil action is brought under this subsection, the Federal coordinator shall immediately file with the Court the consolidated record compiled by the Federal coordinator pursuant to subsection (c).

(5) Expedited review.—The Court shall set any civil action brought under this subsection for expedited consideration.

SEC. 5. DESIGNATION OF CLOSED MILITARY BASES.

(a) Designation Requirement.—Not later than 90 days after the date of enactment of this Act, the President shall designate no less than 3 closed military installations, or portions thereof, as potentially suitable for the construction of a refinery. At least 1 such site shall be designated as potentially suitable for construction of a refinery to refine biomass in order to produce biofuel.

(b) Redevelopment Authority.—The redevelopment authority for each installation designated under subsection (a), in preparing or revising the redevelopment plan for the installation, shall consider the feasibility and practicability of siting a refinery on the installation.

(c) Management and Disposal of Real Property.—The Secretary of Defense, in managing and disposing of real property at an installation designated under subsection (a) pursuant to the base closure law applicable to the installation, shall give substantial deference to the recommendations of the redevelopment authority, as contained in the redevelopment plan for the installation, regarding the siting of a refinery on the installation. The management and disposal of real property at a closed military installation or portion thereof found to be suitable for the siting of a refinery under subsection (a) shall be carried out in the manner provided by the base closure law applicable to the installation.

(d) Definitions.—For purposes of this section—

(1) the term "base closure law" means the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and title II of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526; 10 U.S.C. 2687 note); and

(2) the term "closed military installation" means a military installation closed or approved for closure pursuant to a base closure law.

SEC. 6. SAVINGS CLAUSE.

Nothing in this Act shall be construed to affect the application of any environmental or other law, or to prevent any party from bringing a cause of action under any environmental or other law, including citizen suits.

SEC. 7. REFINERY REVITALIZATION REPEAL.

Subtitle H of title III of the Energy Policy Act of 2005 and the items relating thereto in the table of contents of such Act are repealed.

The SPEAKER pro tempore (Mr. Simpson). Pursuant to House Resolution 842, the gentleman from Texas (Mr. Barton) and the gentleman from Virginia (Mr. Boucher) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 5254.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BARTON of Texas. Mr. Speaker, I yield myself 6 minutes.

Mr. Speaker, today's bill is part of an overall set of actions by this body to deal with long-term energy security issues in our country. The message that we hear from home is, America needs American energy. One part of that need is for more domestic refining capacity. Witness after witness at a number of our hearings in the Energy and Commerce Committee have told us so.

Every emergency on energy has found us with less and less refinery capacity to refine fuel, and now there is absolutely none to spare here in the United States. Without more refinery capacity domestically, prices are squeezed ever upward. We are relying more and more on imported refined products as well as imported crude oil.

Why isn't there more domestic capacity? Why haven't there been any new refineries in this country built in the last 30 years? One reason is surely regulatory uncertainty caused by the bureaucratic delays in the current permitting process. H.R. 5254 addresses that problem head on, while preserving every single existing statute providing for environmental protection and opportunity for public participation. Every one.

Let me read that again. H.R. 5254 addresses that problem head on, while preserving every single existing statute providing for environmental protection and opportunity for public participation. Every one. Not one of those statutes is repealed or modified.

What H.R. 5254 does do is set up a Federal coordinator who convenes all officials, State, local and Federal, responsible for the permits for a proposed refinery. Working as one team, the agencies will integrate their action schedules and the process should move forward expeditiously.

What role would a State play in this process? The bill provides that the Governor of the State where the refinery would be sited designates the State officials to participate in the scheduling coordination. If the Governor of a State decides not to appoint any State officials, nothing in this act can compel the State officials to participate in the effort. The Federal coordinator will simply have to take that lack of State participation into account in scheduling the remaining actions of Federal permitting officials.

But if there is no State participation in that State, the process will not go forward. Unless the State official is designated by his Governor or her Governor, they cannot participate in the agreement. Unless the Governor signs on, the State agencies cannot be subject to a court order to stay on schedule. That is how the Governor of any State where a proposed refinery would be located reserves the option of participating or not participating in the process.

I would encourage any conference committee on this bill to further clarify that the Governor has the option in the beginning to opt into the process, instead of in the middle of it or at the end of it not to participate.

□ 1715

That is something that we reserve for a conference with the Senate. For Federal energy officials, however, the process is not optional once the request is made for the Federal coordinator to help.

Here, Mr. Speaker, I do acknowledge the work of the gentleman from Virginia (Mr. BOUCHER), the gentleman from Michigan (Mr. DINGELL) on this issue.

The gentleman from Virginia spoke on this issue when the bill was brought up under suspension last month. Following that debate, with the cooperation of the House majority leadership, Mr. DINGELL, Mr. HALL, Mr. BOUCHER and I did try to get together to explore common ground on this and other refinery issues.

Mr. Speaker, we did not reach resolution in time to incorporate some of our negotiations in the new language in this bill, but I still look forward, as we go to conference with the Senate continuing that dialogue in this context and perhaps bringing others into the dialogue as well.

Mr. Speaker, a separate provision in the bill before us today calls on the President to designate three or more closed military installations as potentially suitable for the construction of a refinery. Why is this provision in the bill? Because we know of communities with closed bases that are interested in siting a refinery.

We also know that the President of the United States is interested in this provision, he has spoken to me about it personally. They feel that the designation by the President would boost their chances of getting the attention of potential commercial developers. We also recognize that not every community with a closed base may want a refinery.

Nothing in this bill increases the likelihood that a community that does not want a refinery on a closed base will get one. Why? There are at least two reasons. The bill only encourages the local redevelopment authorities to consider the feasibility and practicality of siting the refinery. There is no requirement that they accept it.

Despite what you may hear in the debate, that decision is left up to the community. The Secretary of Defense is required to give substantial deference to the recommendation of the redevelopment authority to site or not site a refinery on a closed military base, explicitly preserving existing law.

Mr. Speaker, this debate is about our Nation's energy security. I want to commend the leadership of this body for bringing the bill in a timely fashion to the floor and expediting the bill. Mr. Speaker, there are those who believe we have already run out of resources and ideas.

They say that we are all together in this, that we will just have to learn how to make do with less. Today they urge us to do nothing. I do not accept that. We have a refinery need in this country for 21 million barrels per day. We have a refinery capacity for approximately 17 million barrels a day. Subtract 17 from 21, you get 4 million barrels.

Mr. Speaker, we can certainly find the political will to come together to make it possible to reform the permitting process so that it might be possible to add to some existing refineries, and, yes for heavens sake, maybe even build one or two new ones.

That is what this bill is all about. It has passed the House floor once under suspension of the rules, but it did not get the two-thirds vote. I am hopeful today that we will get a majority vote and send this to the other body so we can work with them when they report a similar bill.

Mr. Speaker, I reserve the balance of my time.

Mr. BOUCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the bill that is before the House and urge its rejection. The refinery bill today makes its second appearance on the House floor in recent weeks. It was essentially the same bill that was rejected by the House in May.

Since the bill's last appearance on the floor, a serious effort has been made by the bipartisan leadership of the Energy and Commerce Committee to find common ground between our position and the Republican position. I want to thank the gentleman from Texas (Mr. BARTON), who chairs the full Energy and Commerce Committee for his good faith effort to produce a bipartisan bill.

I also want to thank the chairman of the Energy and Air Quality Subcommittee, Mr. HALL, and the ranking Democrat on the full committee, Mr. DINGELL, for the time that they invested in seeking a bipartisan compromise.

Unfortunately, the differences between the Republican position and our position were simply too great, and the consensus bill could not be produced.

While I commend the effort made by Mr. BARTON and Mr. HALL to work with us in trying to produce a balanced measure that we all today could support, I must express disappointment that the Republican House leadership chose to disallow all amendments on the refinery bill that we are debating on the floor today.

The bill should have been structured in such a way as to provide an opportunity to consider our Democratic substitute, which would make a genuine difference in relieving the Nation's shortage of refinery capacity.

While I will argue the merits of our more meaningful approach during today's debate, we are now relegated to offering our alternative in what is known as a motion to recommit, a procedure at the end of the formal debate that does not offer a full opportunity for the House to consider, in normal order, our proposal.

There is broad agreement that we have a shortage of refinery capacity in the United States today. The gentleman from Texas acknowledged that in his comments as well. There are simply not enough refineries in the Nation to produce the gasoline, the diesel fuel and the other refined products that we consume in the United States on a daily basis.

In fact, of the 20 million barrels we consume each day, more than 2 million barrels of refined product are imported each day. During times of emergency, such as a hurricane that might disable some of our refining capacity, we have no margin for error since we are not even meeting our own daily demand with U.S.-based refineries, we are in a highly vulnerable position whenever part of our already limited refinery capacity is disrupted.

When that happens, we have to import even more refined product. And we have to do it on very short notice. Arranging to buy the refined product overseas, scheduling delivery of that product to the United States, and then waiting on those shipments to arrive are all time consuming and all occur at a time when because of the hurricane, refinery fire or earthquake or other emergency, we simply do not have enough refined product to meet current demand.

The inevitable result is a huge spike in gasoline prices. That is exactly what happened in the weeks after Hurricane Katrina. And until we add more refinery capacity, that is what will happen every time in the future we have a disaster that takes down some of our limited refining capacity.

On this much, Republicans and Democrats agree. To promote our energy security and to protect Americans from future gasoline price spikes, we need to build more refineries in the United States. The disagreement that we have is over the best means to ensure that they are built.

The Republican bill now before the House is simply not the answer. It weakens State environmental protection processes and procedures while doing virtually nothing to assure that new refineries are, in fact, built. The bill before us repeals the law requiring the States and the Federal Government to work together to set deadlines and streamline the process for issuing permits for new refinery construction.

That new requirement became law just last August in the Energy Policy Act of 2005. Instead of repealing it, we should be giving it a chance to work. Let us see if those provisions are satisfactory. And if they are, perhaps that could resolve the need.

The bill before us adds a new layer of Federal bureaucracy by creating a Federal coordinator to oversee State-permitting actions, and States would be mandated to meet a Federal schedule for issuing refinery construction permits.

States that have legitimate environmental concerns would find their normal review processes short circuited under a mandated Federal schedule for permit issuance.

And the bill proceeds from a deeply flawed assumption that the reason that we have a refinery shortage is burdensome State permitting processes. The real reason we do not have enough refineries is the economic interests of the refiners, not environmental constraints.

Between September of 2004 and September of 2005, the Nation's refiners enjoyed a 255 percent profit increase. When you are doing that well, why change anything? Why make added investments in new refineries when the status quo graces you with a 255 percent profit increase?

By interfering with State environmental permitting, the Republican bill is truly a solution in search of a problem, and it ignores the real problem. The oil companies themselves have told us that environmental regulations are simply not the problem.

Here is what the oil company CEOs have said about regulations governing their refining siting process. Last November, the CEO of Shell testified to the Congress, "We are not aware of any environmental regulations that have prevented us from expanding refinery capacity or siting a new refinery."

Conoco's CEO testified, "At this time, we are not aware of any projects that have been directly prevented as a result of any specific Federal or State regulation."

The record before the Congress is clear. It is devoid of any evidence that environmental permitting has delayed or prevented the construction of new refineries. In fact, the record clearly shows that environmental permitting is simply not a problem.

And yet, this bill weakens environmental permitting. It is the wrong answer for the problem that we face. Mr. Speaker, there is a right answer. Decades ago, our Nation created the Strategic Petroleum Reserve to resolve, with regard to crude oil, the very same problem that we are now having with regard to the refining of gasoline.

The Strategic Petroleum Reserve has proven to be an excellent shock absorber, guarding our Nation against price spikes occasioned by disruptions in crude oil deliveries. It works exactly as it was designed to function.

Our Democratic proposal is to extend this proven and successful model to solve the problem we now face with a shortage of refinery capacity. We propose the creation of a Strategic Refinery Reserve patterned on the Strategic Petroleum Reserve. In normal times the refineries that comprise the reserve would produce gasoline and other products for the government fleet, including the U.S. Department of Defense.

This step would enhance our national security. Refineries would not operate at full capacity during these normal times. During times of emergency, the refineries would sell gasoline into the commercial market, protecting the American public from gasoline price spikes should some of the U.S. refining capacity be shut down.

This sensible alternative, which the rule earlier adopted precludes us from offering as a substitute, would be an effective means of solving the problem which simply must be addressed.

I urge, Mr. Speaker, that the Republican bill be rejected and that the House adopt our Democratic motion which will be offered at the end of debate today, and that motion will contain the very sensible and, I think, effective Strategic Petroleum Reserve.

Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, I rise today in strong support of H.R. 5254. This bill recognizes the need for increased supplies of refined petroleum products, and takes the necessary steps to increase our refining capacity.

No new refinery has been constructed in the United States since 1976. Yet the demand for gasoline exceeds domestic production by an average of 4 million barrels per day. This was made worse in the aftermath of the most recent hurricanes.

This growing gap must be met by importing refined petroleum products from foreign sources. Refining capacity is not being increased due to, in part, a permitting process that is overly cumbersome and capital intensive.

This bill makes the necessary commitments to expand and diversify the refining industry in this country. By reforming and expediting a permitting process that is excessively slow and nearly impossible to navigate, we will enable refiners to meet the energy needs of America's citizens.

These facilities must still meet the strictest environmental standards under current law. It does not allow any agency or facility to short-circuit environmental compliance.

Mr. Speaker, for these reasons I support this bill and urge its passage.

□ 1730

Mr. BOUCHER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, for a second time this year the Republicans are attempting to move legislation that would significantly alter Federal law regarding the refinery permitting process without a committee hearing, without a markup, without even allowing the bill to be amended on the floor. This bill is a rerun of the Gasoline for America's Security Act, the GAS Act, which was only approved by the House by two votes after the Republican leadership twisted arms and held the vote open for 45 minutes.

The GAS Act was a bad bill then and this is a bad bill now. While proponents contend that the oil companies are unable to improve their refinery capacity because of excessive regulation, the truth is oil companies have intentionally reduced domestic refining capacity to drive up gas prices.

I have here three memos, from Chevron, from Mobil, from Texaco, all specifically advocating that these companies, these refineries, limit their refinery capacity to drive up the price for gasoline for America. From September 2004 to September 2005 the refineries' profits increased by 255 percent. During the first quarter of 2006 Valero Energy Company, the largest refiner in the United States, recorded profits 60 percent higher than last year. Obviously, complying with Federal regulation does not present these companies with a significant financial hardship or hardship to put forth refining.

By pushing refinery legislation through the House without any hearings, debate or amendments, we are doing the American people a great disservice. I encourage my Republican colleagues to address real legislation that can help the consumer at the pump rather than legislation that provides additional handouts and free rides for their friends in the oil industry.

I urge a "no" vote on H.R. 5254.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), a distinguished member of the full Committee on Energy and Commerce.

Mrs. BLACKBURN. Mr. Speaker, you know the bill on the floor today really should be an easy vote for every single Member of this House. And I think it is important to note that there are those that are a part of the body who keep complaining about high gas prices, but then they are going to turn around and vote against legislation like this repeatedly. As we have brought solutions and action items to the floor, they have chosen to cast a "no" vote.

The facts are pretty clear on this. We had 324 refineries in 1981. Today we have 148. We have not built a new refinery in the country since 1976. We have talked about refinery utilization already in this discussion today. It is running confidently over 90 percent and recently as high as 98 percent. That means one more hurricane in a region packed with refineries is a big problem. This is something that we need to recognize; certainly this leadership and this committee does, and we hope other Members do, too. All of these statistics end up meaning higher gas prices for our constituents when they go to the pump.

What will it take for Members across the aisle to do more than just complain? They didn't like the GAS Act last year because of environmental concerns. Now the bill we have on the floor today does not touch those existing environmental rules. All that is spelled out in section 6 of this bill. There are those protections. They are there still. We are not getting cooperation on this issue, and at some point we have to conclude that Members who vote "no" over and over repeatedly on energy legislation are simply telling their constituents to get over it and live with higher gas prices.

We have had multiple hearings on the gas prices. We have had multiple hearings on this issue. Our constituents are ready for some action. We have heard from experts in the field that this bill will help. I urge Members to vote in favor of the bill.

Mr. BOUCHER. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman from Virginia and I thank him for his leadership on this issue.

Let me begin by saying that I have been in Congress for 30 years now and served on the Energy Committee for 30 years, and this is absolutely the worst energy bill I have seen since the refinery bill the House defeated just over 1 month ago. In fact, it is the same exact bill risen from the grave like some horror movie monstrosity to haunt this House and our country once again.

This bill also comes to us, just 10 months ago, as I said, when President Bush signed the Energy Policy Act of 2005 into law. That bill contained a refinery siting provision. Those provisions were praised at the time by the Republican leadership and the President who claimed that it promotes greater refinery capacity, so more gasoline will be on the market, and it increases gasoline supply by putting an end to the proliferation of boutique fuels. That is 10 months ago, on the greatest energy bill that America had seen in a decade.

But now less than a year after the House passed and the President signed the Republican energy bill into law, as people are screaming at the pumps, as they are being tipped upside down and money is being shaken out of their pockets, as the American people realize that the Republican Party has allowed OPEC and the oil industry to take advantage of every single consumer across the country, this House is now poised to repeal the refinery siting law.

The Speaker, the Republican Speaker praised last summer and replaced it with a brand-new refinery siting scheme. The House Republicans have come up with just another new way of helping the oil and gas industry. Apparently, they do not like the bill they enacted last year; they want a new one. The problem is that the new snake oil that is being peddled in this bill is no more effective than the old snake oil it replaces or the snake oil the Republicans were peddling on the House floor 2 years ago or 3 years ago or 4 years ago.

This bill will not reduce gas prices at the pump, it will not curb spiraling gasoline or home heating oil gas prices. All it does is throw more regulatory subsidies, taxpayer subsidies, at wealthy energy producers who do not need any more government handouts.

Here is what the Bass refinery bill would do: Direct the President to designate no fewer than three closed military bases to be turned over to the oil companies for use as an oil refinery.

Mr. Speaker, this is one terrible bill. I urge the Members to vote "no."

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HERGER), a distinguished member of the Ways and Means Committee, a great catcher and left-handed pull hitter on the congressional baseball team.

Mr. HERGER. Mr. Speaker, gas prices are at a record high in my northern California congressional district. Part of the reason is that America's refining capacity is stretched to the limit. Yet effort to expand our refining capacity faces up to 10 years of bureaucratic red tape. At that pace, it is no wonder America has not built a new refinery in 30 years.

This legislation cuts through some of that red tape by simply requiring that the Federal agencies work together and stay on schedule when refinery projects are being considered. I do not think it is too much to ask that Federal bureaucracies work more efficiently. Families and businesses throughout this country have to meet deadlines. Mr. Speaker, the government should have to as well.

I urge my colleagues to support this legislation.

Mr. BOUCHER. Mr. Speaker, how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Virginia (Mr. BOUCHER) has 15½ minutes remaining. The gentleman from Texas (Mr. BARTON) has 20 minutes remaining.

Mr. BOUCHER. Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. PICKERING), the distinguished son from the Magnolia State, the distinguished vice chairman of the Committee on Energy and Commerce.

Mr. PICKERING. Mr. Speaker, I thank the chairman and I commend him for his leadership on trying to address the energy supply and demand and refining capacity of our Nation so that we can begin to see lower gas prices, better energy supply and a better market for our people here in the States.

It applies to both economic strength and national security. And I wish that we could do more. To be honest, all of the hullabaloo is much to-do about nothing. This bill does not change the clean air or clean water requirements.

EPA has given it priority status. It simply gives an ability for us to coordinate among all government agencies the permitting process which is too cumbersome and too long. This is the only way we can help expedite in a reasonable way and a responsible way to have the refining capacity necessary for our Nation.

It reminds me of my friends on the other side that when they see a house burning, they will lay down in the street to keep the fire truck from coming to make a difference and to put the fire out. That is what we are trying to do, whether it is on OCS, on offshore production, on additional refining capacity, or additional nuclear capabilities in our country, anything that will increase our own independence and energy supply.

On this side, we stand up in a responsible way, a rational way for it; and on the other side, they will do everything to obstruct and block and stop the progress that we need for greater energy production, greater energy refining and greater energy independence.

Mr. BOUCHER. Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, we certainly all know that American consumers are facing an energy crisis. The high cost of energy to heat and power our homes and to run our automobiles is sapping family budgets across the Nation, and hurting the bottom line of businesses across the Nation as well. We need to do more to make our Nation energy independent and to reduce energy costs for our consumers. We need to focus on alternatives to oil and other fossil fuels as well by turning to alternatives like ethanol or biodiesel or nuclear power, solar, wind power.

Just as it is wise to diversify your economic portfolio, we must diversify our energy options, and we need to do more to incentivize the production and distribution and use of alternative sources of energy. And I am confident that we will, we can.

But while we work toward alternatives, we must also deal with the reality of the current situation. We have too few refineries, and those we do have are in areas that are vulnerable to natural disasters such as the entire world recognized last year with Hurricane Katrina.

We have not built a new refinery in America since the 1970s. In that time, of course, demand for gasoline has absolutely skyrocketed. The lack of new refineries limits the supply of gas at a time of high demand and it drives up costs for our consumers.

Too many on the other side of this debate look solely at conservation or alternatives, and they ignore the law of supply and demand. The brutal reality is that the greatest victims of this approach are the lowest income Americans who are dependent on older, less fuel-efficient vehicles. But they need help.

As well, energy security equals national security and that fundamental caveat needs to be the impetus for this debate today. I urge my colleagues to support this legislation that will serve as a bridge to a more energy-independent America.

Mr. BOUCHER. Mr. Speaker, I yield 6 minutes to the gentleman from Michigan (Mr. DINGELL), the ranking Democrat on the full Energy and Commerce Committee.

Mr. DINGELL. Mr. Speaker, I thank my good friend and colleague, the distinguished gentleman from Virginia, for this time.

I begin by observing that this bill and the arguments made on its behalf are as phony as a $3 bill. My colleagues have seen this sorry piece of legislation before and they voted it down. Since we considered this legislation the first time, there have been no hearings. The arguments made against it at that time are as good today as they were then. And the committee has made no effort to go out and get the facts or to learn what is going on so they could make an honest and factual presentation to this body.

The harsh fact of the matter is the refinery shortage in this country is an economic one. The oil companies do not make money in refineries. The harsh fact of the matter is, as was told me in my office by the head of one of the major oil companies, they do not need any help and they do not want any help to build refineries because they have made an economic judgment that it is better not to build because they make their money elsewhere, and that is a far better way of spending oil companies' money.

□ 1745

Now, if we look at the remarks of Daniel Yergin, a respected oil analyst, he tells us the industry has added the equivalent of 10 new good-sized oil refineries over the last dozen years. In addition to these expansions, recent announcements by the industry anticipate an additional 1.1 million barrels of new refining capacity will be added in coming years. Most importantly, this has been done under current law.

A survey we conducted recently of State and local permitting agencies provides further evidence that the environmental permitting process is not preventing new refineries from being built or existing refineries from being expanded. Only one new major refinery has requested an air permit in the past 30 years. It got the permit, but it never got the investors. Explain that, proponents of the bill.

The air permit has been granted not once but twice. According to our survey, permitting agencies responsible for permitting half the refineries in the country have issued all, all, but two major expansion permits in less than a year after receipt of a complete application.

This is an ill-advised bill, brought to the House under a parody of the House rules, with no opportunity to amend and little time for an intelligent debate. The rule is effectively closed and permits no amendments by Members on this side of the aisle.

My colleagues on the Republican side have said that the Democrats have not conducted themselves in good faith. Such remarks were made by the chairman of the subcommittee. I would note, and I wish he were here so that he could hear me say this, that those statements are not true.

We consulted through staff and Members alike with the Republicans to come forward with a fair piece of legislation and a compromise bill which would, in fact, work. We offered suggestions on behalf of our side of the aisle through the distinguished gentleman from Virginia (Mr. BOUCHER), offering a meaningful substitute, including a refinery bill which would have passed and which would have worked. It was a bill which would have set up not just provisions relating to refinery permits, but also relating to Federal movement towards the construction of these refineries. If you want refineries, that is the way to get them because industry will never construct new refineries because they do not want them.

Now, one more curious thought. My Republican colleagues have said that we will have an energy bill every week, and they are coming close to it, but they are having some small difficulties because here they have to bring the same bill up twice, once under suspension and lose, and once now under a gag rule.

I would note for the benefit of my Republican colleagues that we passed last year, with bipartisan support and my assistance to my friend, the chairman of the committee, in drafting a piece of legislation which included refinery legislation in it, the energy bill of the last year, a good piece of legislation. I supported it. I worked with the chairman to get it done. I would note in a curious, indeed a most curious, action, that bill is substantially repealed by this very strange piece of legislation.

It cannot be explained to me, I think, in a few words as to why it is that that bill, touted as the solution to our Nation's energy problems, has been now repealed at least insofar as the refinery permitting provisions, and why we have to now rush ignorantly forward with a bag upon our heads to pass a new piece of legislation which is going to accomplish precisely nothing, except perhaps help my Republican colleagues in a time of terror and fear.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURPHY), another distinguished member of the full committee, from the State that built our first refinery back in the 1870s and the State that still today has substantial refinery capacity.

Mr. MURPHY. Mr. Speaker, I thank the distinguished chairman.

Many times on this floor I have heard debate talk about how America has lost some of its manufacturing capacity to other nations, particularly at times with talk about defense issues such as strategic metals. Many people lament that if we have lost that capacity at times of problems or national security, national defense issues, where will we get it from? We have to depend upon other countries to import that.

Well, we indeed are in the same situation now with our petroleum products that are refined. We import 2 million barrels a day from other countries, from Western Europe, from Saudi Arabia, from Venezuela, from some countries that are more volatile politically than others. The same thing occurs when we are importing other crude oil from other countries, and we recognize the importance of not having to depend upon other countries that one day may be a political friend, and the next day may do such things as say we are cutting off the oil unless you let us have nuclear weapons.

Here we are in that same situation when it comes to oil refineries. It takes about eight to 10 years to go through the permitting process for an oil refinery, a preposterous amount of time, but it is important that all permits and all environmental needs are met. This bill does not gut any of those.

As a matter of fact, what it does is it appoints someone to coordinate and make sure that that process continues on and there are no delays. Once a permitting takes place, it takes an additional 2 to 3 years to construct the plant. So, if we were to pass this today and the Senate were to pass it and the President were to sign this, it would be perhaps another 10 years, a decade, before products started to flow out of there.

We simply cannot delay this anymore. It increases the demand, it reduces the supply, and I believe if the law of supply and demand is telling us anything right now, America is demanding that lawmakers increase the supply.

We know that studies have been done telling us that price gouging is not the issue. It is a matter of having adequate supplies of petroleum and petroleum products. So, while we are working on conservation, while we are working on getting hybrid fuel cell vehicles, we need to pass this bill so we can get more of the supply here and reduce the cost.

Mr. BOUCHER. Mr. Speaker, I am pleased to yield 4½ minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, as the gentleman from Virginia said earlier, this bill is a solution in search of a problem. I really want to focus on section 5 of the bill, and I would urge all my colleagues to read this bill, together with the BRAC statutes and regulations in order to understand what we are doing here.

But as written, section 5 of the bill requires the President to designate at least three closed military bases as sites for oil refineries, and then it requires the local redevelopment authorities, or LRAs, to develop a reuse plan for an oil refinery. The BRAC statute and the BRAC regulations give the final decision to the Secretary of Defense, not to the local community. Under current law, the LRA is charged with developing a reuse plan for a closed base.

Successful LRAs develop their plans in consultation with a myriad of stakeholders in the local community, as well as representatives from State and Federal agencies and private industry. Over a period of time, often 18 to 24 months, the LRA painstakingly designs a plan that takes into account the specific needs of the local community and has local support.

The reuse plan is then submitted to the Secretary of Defense who has the authority to approve the plan or reject it and require the LRA to start over.

Now, I have no problem with an LRA or any local community deciding that an oil refinery represents the best use of their closed facility. If it makes sense for such a community, then they should do it. There is nothing, nothing, in current law or in the regulations put forth by the Office of Economic Adjustment at DOD that is an obstacle to building a refinery. There is no problem.

We do not need section 5, but if you look at section 5, Designation of Closed Military Bases, the presidential designate, it is mandatory, no less than three closed military installations as potentially suitable for construction of a refinery. Part B, the redevelopment authority shall consider the feasibility and practicality of siting a refinery on the installation.

The next section contemplates that they will do that in the context of the redevelopment plan for the installation, and then it provides the rest of it shall be carried out under the BRAC law.

So here we have a situation where the President of the United States is going to designate, is going to order such a plan, and in that case, the Secretary of Defense is almost certain to carry it out. The LRA has no power to stop them.

And do not think that this language applies only to the 2005 BRAC round. It applies to all bases closed pursuant to a BRAC round back to 1988 that still have an open or partially open reuse plan.

Now, supporters of this are circulating a Dear Colleague which says that the redevelopment authority for each closed base will consider the President's suggestions but is not required to accept them. Frankly, that is just wrong. The bill says that it requires the Secretary of Defense to consult, and they define and the regs define consultation as explaining and discussing an issue, considering objections, modifications and alternatives, but without a requirement to reach agreement.

The supporters also say, and consistent with the language of the bill, that it requires the Secretary of Defense to give, and I quote, significant deference to the wishes of the LRA, and I want you to hold this concept in your head for a moment. Secretary Rumsfeld, giving significant deference to anybody, any agency, especially a local redevelopment authority? That is simply not going to happen.

The fact is that there is no requirement that an LRA accept a reuse plan in this bill. Of course not. The underlying BRAC statute makes it clear that the reuse plan is not binding on DOD. LRAs do not accept reuse plans. They propose them. The Secretary of Defense accepts reuse plans or rejects them. That is his role.

Now, Mr. Speaker, communities that have suffered major base closings like Brunswick in my district are reeling from the economic impact. Jobs will be lost, the fabric of a community torn apart. These communities need to plan for their future, but they do not need interference from this Congress or from the President of the United States. Please oppose this bill.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Texas (Mr. BARTON) has 14 minutes remaining. The gentleman from Virginia (Mr. BOUCHER) has 5 minutes remaining.

Mr. BARTON of Texas. Mr. Speaker, I yield myself 1 minute to engage in a colloquy with the gentleman from Maine.

It is the clear intent of this opinion legislation to not require any local community that does not wish a refinery, whether it be in the private sector or on a closed military base, to opt out of the process. I am checking with the majority parliamentarian staff, but I am willing to take an amendment on the floor right now that changes that language so that if the military base or local authority wants nothing to do with it, that is it, if the gentleman from Maine is willing to vote for the bill.

Mr. ALLEN. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Maine.

Mr. ALLEN. Mr. Speaker, well, I would need to see the amendment.

Mr. BARTON of Texas. You write it. This is not a bogus offer. We are not trying to do the nefarious intent that you claim we are, and if we can work out the parliamentary language so that it does not violate some rule of the House, I will take an amendment right now that you offer, if you will vote for the bill.

Mr. ALLEN. Mr. Speaker, if the gentleman will yield, my amendment was to delete section 5 of the bill.

Mr. BARTON of Texas. I do not want to delete it, but I am willing to clarify it if you are willing to vote for the bill.

Mr. ALLEN. That was my amendment. It was rejected by the Rules Committee. We should at least have had a vote on that amendment on the floor and we do not.

Mr. BARTON of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HALL), the distinguished chairman of the Energy and Air Quality Subcommittee.

☐ 1800

Mr. HALL. Mr. Speaker, I, of course, rise today in support of H.R. 5254. While there is a lot of talk about refinery plants and all that, and while some plants have expanded, there haven't been any new ones built in the past 30 years. All the time Mr. MARKEY's been up here, there hasn't been one started, so far as I know, or built. Maybe enlarged or worked on, but they remain dangerously clustered in the gulf region. This bill would coordinate the permitting process for new refineries so that needless delays would be eliminated while preserving environmental protections.

One provision in the bill calls on the President to designate three or more closed military installations as potentially suitable for the construction of a refinery. Now, why is this provision in the bill? Because there are communities with closed bases, such as the former Lone Star Army Ammunition Base in my district in Texarkana, Texas, that would like to have a refinery, because it makes good economic sense.

The gentleman from Maine does not want one. He is not having one thrust upon him. Refineries bring jobs and a solid base to the local community. The designation by the President would boost a willing community's chances of getting the attention of a potential commercial developer.

Opponents of this legislation claim that the legislation will increase the likelihood that a community that does not want a refinery on a closed base would get one. That is ridiculous, and that is exactly wrong. Why? Because the bill only requires that three local redevelopment authorities consider the feasibility and practicability of siting a refinery. There is no requirement that they accept it. And also because the Secretary of Defense is required to give a substantial deference to the recommendation of the development authority to site or not to site.

Helping a willing local community to site a refinery on its closed military installation is good. It is good for the area. And, once again, a city in my area, like Texarkana, on the far eastern side of the State of Texas, close to four States, would have the support of four States, probably eight Senators, and is not subject to the vicissitudes of nature, but yet on an inside, navigable stream, with good workers there and in other areas.

This is good for the community because it brings jobs and a healthy tax base. It is good for the country because it adds needed domestic refining capacity. It also lowers dramatically the cost of gasoline, and I urge my colleagues to support H.R. 5254.

Mr. Speaker, I enclose for the RECORD a letter soliciting this from the Texarkana people.

TEXARKANA CHAMBER OF COMMERCE,
June 6, 2006.

Re H.R. 5254—Refinery Permit Process Schedule Act.

Hon. RALPH HALL,
Rayburn Building,
Washington, DC.

DEAR REPRESENTATIVE HALL: Let it be clear to all who are concerned: this community was impacted by BRAC 2005 and we would be glad to have the opportunity to attract a refinery to our closed defense facility. Lone Star Army Ammunition Plant (LSAAP) could be one of the facilities eligible for a possible refinery as a result of the BRAC 2005 action. This facility is within fifteen miles of our community and we are excited that we could have the opportunity to provide our citizens with the jobs associated with a refinery.

These energy-related jobs could also spur new technologies which could highlight our region for years to come. The resultant jobs and capital investment could help to offset the loss of LSAAP and smooth the transition to privately owned, tax paying entities on the property. Our local university is working to develop a Master's level engineering program and the technical jobs offered by a refinery would be an integral piece of that program.

It looks like our community is going to have over 15,000 acres of land available for economic development. We can think of no better place to start that development than with a refinery.

As always, we appreciate your dedication to our region.

With best regards,

LINDA CRAWFORD,
President.
JAMES BRAMLETT,
Mayor—Texarkana, TX.
ROY JOHN MCNATT,
Miller County Judge.
HORACE SHIPP,
Mayor—Texarkana, AR.
JAMES M. CARLOW,
Bowie County Judge.

Mr. BOUCHER. Mr. Speaker, I continue to reserve my time.

Mr. BARTON of Texas. Mr. Speaker, I wish to yield 4 minutes to another distinguished member of the full committee on Energy and Commerce from the great Granite State of New Hampshire (Mr. BASS).

Mr. BASS. Mr. Speaker, I thank the chairman of the Energy and Commerce Committee for recognizing me and, Mr. Speaker, I rise in support of this piece of legislation.

We have heard all the good reasons why the bill should pass. We need new refinery capacity. We need more regional diversity in refinery capacity. We are too reliant on oil as a feedstock for fuel in this country, and we need to develop alternative energy resources.

Now, I know that there is work under way right as we speak to try to figure out a way that we can accommodate the interests of my friend from Maine, Congressman ALLEN, and his concerns over the Brunswick Naval Air Station, which is a BRAC'd naval air station in his district. I assure you that this section 5 was never created with the intent of forcing any kind of refinery capacity on any community in an area that didn't want it. If they do not want it in Maine or somewhere else in the country, they are not going to have it. There is no question about that, and the language is very clear in that respect.

The fact is the Association of Defense Communities does not oppose this bill and recognizes the protection of local authority that is maintained by this piece of legislation. So if we can dispense with that argument and pick up more support than we have already got. When the bill got 237 votes, which is, at last count, a majority of votes in this Congress, the last time it came up, it didn't get two-thirds, but it got a majority. We will work to increase that margin if we can do so in such a fashion that we can protect the ability of closed bases to subsequently build refineries or biorefineries. We need biorefinery capacity in the Northeast and this represents a potential great opportunity.

Now, we heard from other Members that refinery capacity is tight for economic reasons and not because of environmental permits. Let me make a couple of points there. First of all, I have here a list of the major permits and authorizations that were required for Arizona Clean Fuels, and I would point out that there were 37 of them required, 37 of them.

This bill would not short-circuit one single one of those requirements. Not one. But what it would do is it would allow them to occur at the same time, instead of in succession, and it would make the permitting process more seamless and occur, hopefully, more quickly.

It interests me that my friends are really supporting Big Oil, when they say that Big Oil doesn't want it so we shouldn't make it more possible. Well, Big Oil are not the only entities that necessarily build refineries, and I would suggest that the industry that wants to keep oil prices high might not want to make it easy to build more refinery capacity. But I suggest don't give them the excuse.

This bill does not circumvent any environmental, Corps of Engineers, local authority, or anything, but what it does do is, it takes away the excuse that it takes too long to build a refinery. And we need more refinery capacity in this country.

Another argument was made by my distinguished colleague from Michigan that all we needed to do was to increase the size of the refinery capacity that we have today. Apparently, my friend has forgotten that last fall one of the major reasons why energy prices climbed by 50 cents a gallon in my part of the world was because a hurricane went through the Gulf of Mexico and Louisiana. We need diversity of refinery capacity in this country, and I mean by that geographic diversity.

What this bill will do is not promote bigger, fewer refineries, but more refineries in more places around the country, and the potential to have a biorefinery built in the Northeast, which is critical to my district.

My friends, this is about energy. There is no question about that. But it is also about energy diversity. We need more oil supplies, but we also need more alternatives, and we are willing to do what we can without bending good environmental policy to increase that capacity. I urge support of this legislation.

Mr. BOUCHER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, this legislation continues the Republican leadership's approach of treating the big oil companies with special attention while ignoring the needs of the American people. For years, the Republican leadership has worked to give Big Oil everything they could ever want: subsidies, environmental exemptions, loopholes, and paybacks. The results have been spectacular for the oil companies, but not for the American people.

ExxonMobil recently announced first quarter profits of over $8 billion and rewarded their CEO with a retirement package totaling nearly $400 million. Chevron reported its profits are up 49 percent from last year. But energy is costing the American family twice as much as it did just 5 years ago.

The Republican leadership wants desperately to blame State and local governments, to blame environmental requirements for the cost of gasoline. That is the myth they want to create. But the facts are completely different. Permits have been readily granted whenever refiners have applied for them.

According to the Environmental Council of the States, there is simply no factual record that supports the need for this legislation. The State and Territorial Air Pollution Program administrators wrote to all Members of the House to point out that this legislation will have the opposite effect of what is intended. They say it would almost surely delay the permitting process.

The Republican leadership wants to claim that this legislation solves the Nation's gasoline problems. If anything, it will make it worse. Mr. Speaker, we need to reject this legislation. It is based on a faulty premise. It is only for the purpose of saying that we have done something without actually doing anything that would provide real relief to millions of American families.

I urge a "no" vote on the bill.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to a distinguished member from the Grand Canyon State (Mr. SHADEGG), who has the distinction of representing the last State in the Union to at least permit a new refinery. It hasn't yet been built, but they at least issued the permits for it.

Mr. SHADEGG. Mr. Speaker, I rise in strong support of the Refinery Permit Process Scheduling Act. If anything, I wish this bill went much further.

One year ago, I went to New York and visited the New York Mercantile Exchange. The traders on the floor that I spoke to said the exact opposite of what we just heard on the floor of this House. What they said was that this Nation is in desperate need of additional refining capacity. They grabbed me by the lapel on the floor of the trading mercantile and said, Do what you can to get additional refining capacity built. That is not a windfall for the oil companies, that is a windfall for consumers.

As the chairman of the committee mentioned, opponents of this bill cite the experience of Arizona Clean Fuels in Yuma as an example for why they say we don't need to improve the refining process or the regulatory process governing the construction of a refinery. Yet that example proves them wrong. It took Arizona Clean Fuels 5 years and 4 months, from December 1999 to April 2005, to obtain their permit.

It simply is not logical nor is it reasonable to say to investors in a market, if you want to build a new refinery, you have to spend almost 6 years seeking the permit to build that refinery.

Our opponents on this bill say, Well, we don't need any additional improvements to the process and we don't need to lower the environmental standards. Yet it has been made clear over and over here on the floor in the debate that we are not lowering environmental standards. Indeed, the legislation calls for the EPA to be the primary scheduling agency.

There has been no new refinery built in the United States for 30 years, since 1976. Opponents of the bill say, Well, that is all right, we have made up that by increased capacity at existing facilities. Well, let's see what we have done. We have dropped from 324 refineries in 1981 to only 148 refineries today. Relying on ever larger existing facilities, without constructing new ones, does not benefit the consuming public, as Hurricanes Katrina and Rita have taught us.

This is good legislation. It needs to be enacted. And the experience in my State proves this kind of regulatory improvement is absolutely essential.

I urge the passage of the legislation.

Mr. BOUCHER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the Republican bill is not an effective way to address the shortage in refining capacity. It tramples on State environmental laws without effectively solving the problem.

The CEOs of the refinery companies have testified that the permitting process for refinery siting is not burdensome and has not prevented the construction of needed new refineries. The Republican bill, therefore, weakens State environmental laws needlessly because it would do virtually nothing to ensure that new refineries are, in fact, built.

By contrast, our Democratic alternative will be effective, it will address our national refinery shortage, and it will do so by relying on the proven and successful means by which we addressed several decades ago disruptions in crude oil supplies. We simply would extend the proven concept of the Strategic Petroleum Reserve by constructing a strategic refinery reserve in order to address the problem of refining capacity, very similar today to the problem we addressed decades ago with regard to crude oil supply disruptions.

So, Mr. Speaker, I strongly urge rejection of the Republican bill, and I urge that when we submit our motion to recommit that that be approved by the House.

Mr. Speaker, I yield back the balance of my time.

□ 1815

Mr. BARTON of Texas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I want to admit up front that the procedure for bringing this bill to the floor has not been what I would have preferred it to be, and I am going to side with my friends on the minority side about their complaints about the procedure. It has not gone through the regular order, and in the perfect world, it should have. Unfortunately, we do not live in a perfect world.

We had to take some action on the majority side to show the American people that we were serious about doing anything possible to help alleviate some of these high energy prices, and it is certainly my opinion and I think it is a fact that one part of that process has got to be to make it possible to expand existing refineries and build new refineries in this country.

It is a fact, plain and simple, that we are using over 20 million barrels a day of petroleum products and we only have the refining capacity for 16 to 17 million barrels. That is a fact.

It is also a fact that in the hearings we have had on our energy price problem in this country in the Committee on Energy and Commerce that I chair, it has been shown that one of the leading causes of the higher prices has been the refining capacity shortage.

Now, historically the refining industry in this country has been a loss leader. If you go back 10 or 15 years ago when we had the integrated oil companies going from the production of the crude through the distribution of the crude, when it came to refineries, they lost money. So for a lot of reasons they shut down the refining capacity, and we developed a shortage in refining capacity.

Today the margin, it is the called the crack margin, and it has nothing to do with crack cocaine or cracks in concrete, it has to do with the ability to go in and crack the molecules in the crude oil and get the different levels of petroleum products out of that crude. That crack margin is higher than it ever has been by an order of magnitude. In some cases, the margin is probably approaching $30 to $35 a barrel of the $70 or $72 price. So there is more than adequate profit, but because of the regulatory impediments, it is almost impossible to go through the permitting process in a timely fashion under existing regulations and get a decision.

Now it is a true statement when my friends on the minority side say there has been no refinery not built in this country in the last 30 years, because they did not get a permit. That is a true statement, but it is only half true. The rest of the story is nobody in their right mind would try to get a permit to build a new refinery because it takes so long. So they are kind of beaten before they even start.

In the case in Arizona where an industrial group did go through the process, to this day in spite of them saying they have the permits, they have all but one. They still do not have the permit from the United States Bureau of Reclamation giving them title to the land. In this case, the land is actually owned by the Federal Government, and they still have not cleared the title to that land. Now they are going to, but they have not.

So the bill before us today is not a perfect bill. But at least it says, let us appoint a Federal coordinator, let us work with the State and local government. Let us set up a procedure where we coordinate all of these permits. We do not override any State or Federal or local air quality or water quality regulation, we just say let's coordinate it. And oh, yes, let's let the President pick three sites out in the country on closed military bases, of which we have dozens, and maybe we can get the local redevelopment authority to work with State and Federal officials to put a refinery there.

There is really no reason to oppose this bill. It is not going to do any harm, and it might just do some good. I urge a "yes" vote on this bill.

Mr. SHAYS. Mr. Speaker, I rise in opposition to H.R. 5254, the Refinery Permit Process Schedule Act. Protecting our environment and promoting energy independence are two of the most important jobs I have as a Member of Congress, but before we can begin to consider building more refineries, we must first change our consumption habits. American consumption of oil has been increasing at an unsustainable rate. In 1995, we consumed 17.7 million barrels of oil per day, but today we consume 20.5 million barrels per day.

The bottom line is we are not resolving our energy needs because we are not conserving. We'll just continue to consume more and waste more, consume more and waste more, and act like it doesn't matter. We are on a demand course that is simply unsustainable.

We need to address rising energy prices by encouraging conservation and this bill fails to do anything to impact that. This bill will not affect gasoline prices or reduce our dependence on foreign oil. To feel relief from the price at the pump, we must focus on decreasing our consumption of oil and looking to alternative energy sources.

Mr. STARK. Mr. Speaker, I rise in strong opposition to H.R. 5254, the Refinery Permit Process Schedule Act of 2006.

Though the Majority disingenuously argues that environmental regulations are responsible for high gas prices, the facts don't support their claim. Refining costs have increased because oil companies have deliberately decreased capacity to boost profits. In the late 1980s and early '90s, oil companies shut down 30 refineries in an attempt to raise profit margins. The scheme worked: refinery revenues increased by 255 percent last year.

In response to market pressure, refining capacity has increased in recent years. Between 1996 and 2003, capacity increased by 1.4 million barrels per day. As a result, the American Petroleum Institute believes that H.R. 5254 is completely unnecessary. The free market that the Republicans claim to love is working, but this legislation is about politics, not about solving the priorities of America's working families.

This legislation would: Allow the President to place new refineries on closed military bases. The military base in my district would probably be an appealing target for this President: it's the site of a planned National Wildlife Refuge. Like many communities around the country, the City of Alameda has undergone an extensive planning process to convert the base to civilian use, but if the President said the word, the City's work could be suspended while the federal government decided whether or not it wanted to build a refinery on the premises. Undermine environmental review processes and make state and local environmental officials answer to a new refinery czar appointed by President Bush.

The one good thing you can say about this bill is that it's not another gift to oil companies—they readily admit that environmental regulations have not prevented them from building new refineries. This legislation is just another ill-conceived talking point for Republicans desperate to appear responsive to rising energy prices. I won't play that game and I urge my colleagues to join me in voting "no".

Mr. HOLT. Mr. Speaker, I rise today in opposition to the Refinery Permit Process Schedule Act (H.R. 5254).

About a month ago the House debated this legislation under Suspension of the Rules, which makes it impossible for Members to offer amendments. H.R. 5254 did not receive the needed two-thirds majority necessary to pass under the Suspension calendar since many Members had serious objections to the proposed legislation. But we are here again today, considering this legislation without an open debate. Two Democratic amendments were ruled out of order by the Rules Committee. Representative DINGELL and Representative BOUCHER offered a substitute, which would have created a new Strategic Refinery Reserve to give our country the ability to produce refined oil products during extreme energy situations. Representative ALLEN offered an amendment that would have struck the section of the bill requiring three closed military bases be considered as locations for refineries. So again today, we are considering this bill without the opportunity for real debate.

H.R. 5254 is based on a false premise—that requirements for environmental permits are to blame for the lack of refinery capacity. Oil companies have openly stated that environmental standards are not stopping them from building new refineries. In fact, the truth is that oil companies simply do not want to build more refineries. The solution that H.R. 5254 prescribes does not match the problem that our nation faces with energy.

Instead of investing in sustainable energy sources to meet our growing energy needs, we remain stuck in our old ways. Since the most recent spike in gas prices in early May, Congress has not considered one energy conservation piece of legislation. Instead we have considered a bill to open the pristine Arctic National Wildlife Refuge to drilling, and we will try again today to build more refineries. I hear many of my colleagues express their commitments to sustainable energy sources, yet we continue to focus our legislative efforts on oil. We simply can not rely on oil to meet our future energy needs.

I would like to take the opportunity to discuss one point of this bill that I find particularly disturbing. Section 5 directs the President to designate three closed military bases for new oil refining facilities. This section will ultimately force communities that have already suffered from the closure of a military base to welcome unwillingly an oil refinery in their backyards if the President and the Secretary of the Army deem it worthy of a refinery. I am disappointed that Representative ALLEN's amendment was ruled out of order by the Rules Committee that would have struck this provision from the bill.

In late April, I joined with New Jersey Governor Jon S. Corzine, Representative FRANK PALLONE and other New Jersey State legislators for the Signing of the Fort Monmouth Economic Revitalization Act, which creates a ten-member authority charged with overseeing the transition and revitalization of Fort Monmouth once it closes in or before 2011. Creating such an authority is an important step for communities to protect their interests as communities are revitalized following a base closure. What frightens me even more about this provision is that the Secretary of Defense can override any decision made by a local authority. The federal government can supersede a local decision. This is not just about Fort Monmouth in my district in central New Jersey. This is about communities who are already dealing with the closure of a military base. This is about allowing the Federal Government to overrule what state and local authorities believe is best for their communities.

I urge my colleagues to vote no on this legislation because it does not address our growing energy needs and is unfair to local communities.

Ms. SOLIS. Mr. Speaker, I rise today in opposition to H.R. 5242. This bill is another example of the Republican's misguided priorities.

This legislation targets our states, communities, and environmental laws as the culprits for high gas prices. But we know the truth. The dirty little secret is that oil companies which made more than $110 billion in profits in 2005 and $16 billion in profits in the first three months of 2006 do not want to build new refineries. They do not want to spend the money! We learned from leaked corporate memos that the major companies—Chevron, Texaco and Mobil would go so far as to buy and shut down the competition in order to keep capacity tight.

The Yuma refinery is just one example. Twice since the 1990s this proposed refinery received the necessary permits to be constructed and operated. But the Yuma refinery has not been constructed because it cannot find the financing. Bob Slaughter from the National Petrochemical and Refiners Association testified before the House Energy and Commerce Committee on May 11, 2006 that the proponents of this project have an "air permit, but they're having trouble getting financing and actually getting that built."

Just last week the Yuma Sun reported that the Arizona Department of Environmental Quality issued a draft renewal of the current air quality permit already held by ACF—a full 6 months before the existing permit is scheduled to expire. Proponents of this bill argue that states have been delaying permits. Arizona Clean Fuels disagreed and stated "ADEQ has been very cooperative in working with us to make sure the project does proceed." And the Environmental Council of States has written that they are not aware of any credible report that our states are denying or lagging behind on permitting of new refineries and the expansion of existing refineries.

Mr. Speaker, it is time that this body considers legislation based on facts and truths. The fact is that states are not delaying permitting and environmental laws are not to blame. I urge my colleagues to protect the authority of their states and the rights of all communities—vote against this flawed legislation.

Mr. SKELTON. Mr. Speaker, show-me State motorists, like all consumers, closely follow gasoline prices, and with good reason. They have experienced dramatic increases and wide fluctuations in gas prices over the past several years, spending millions of dollars more on gasoline than they had anticipated.

Rural Americans, who rely heavily on transportation in going about their daily lives, are being hit particularly hard by the high cost of gasoline. This is especially true for farmers, many of whom are already operating at a loss this year.

It is imperative that Congress work to address our nation's energy needs through a comprehensive and proactive strategy that makes it easier to promote alternative energy sources, to stop price gouging, to increase production by expanding refining capacity, and to rollback billions of dollars in taxpayer subsidies to oil companies that are making record profits.

The refinery permitting bill before the House today contains scant assistance for the rural Missourians I am privileged to represent. It would not lower their energy costs nor assure our nation's energy security. Rather, it would change the permitting process for refineries and would require the President to designate closed military bases for consideration as locations for new refineries.

Designating closed military bases for refineries seems to make little if any sense at all. I can't believe that we have used up all the possible locations available for placing refineries and must now resort to giving federal land grants to the oil companies to encourage them to build new capacity. Closed bases are not abandoned land. In nearly every case, the communities that surround these former installations have reuse plans for these bases to benefit the local community. If they want to place a refinery on a closed base, let them make that determination.

Unfortunately, changing permitting rules and offering federal land to oil companies will not entice them to build new oil refineries. While more refineries would certainly help produce more gasoline, oil companies have had the opportunity and financial capability for years to increase their refining capacity. Permitting rules are not stopping them, nor is there a lack of available locations for new refineries. Rather, the inability to build profitable refineries has led oil company executives away from constructing or resurrecting them.

The energy problems we are facing today must be addressed with meaningful, comprehensive legislation. House Democrats have been active in this regard, pressing for increases in the use of alternative fuel produced from the corn and soybeans grown in Missouri's fields.

Democrats have also been pushing for passage of anti-price gouging legislation since the energy markets were impacted by Hurricane Katrina.

I have supported alternate legislation that would strengthen the hands of the Federal Trade Commission and the Justice Department, targeting price gouging across the energy spectrum. It would also help Americans who are struggling to deal with high gas prices and bracing for record home heating and air conditioning bills, while creating a Strategic Refinery Reserve to provide additional gas supplies during energy spikes like the one we are currently facing. Unfortunately, this more wisely drafted alternative has not even been allowed as an amendment to this bill.

Mr. CANTOR. Mr. Speaker, I rise today in support of increasing government efficiency in considering new refinery applications in the Refinery Permit Process Schedule Act.

Gas prices have risen as supplies have been stretched thin and U.S. refineries have struggled to refine all of the oil we need. This bill streamlines the cumbersome government processes that delay and discourage new development and production, paving the way for construction of new oil or biofuel refineries.

Domestic energy security depends on reliable supply through exploration of oil and gas reserves on the outer continental shelf, bolstering our refining capacity, and investigating alternative sources of energy.

This bill is an important piece of ensuring American energy security and I am proud to support it.

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise today in opposition to the Refinery Permit Process Schedule Act—H.R. 5254. This bill wrongly attempts to streamline environmental regulations in an effort to spur construction of new refining facilities, while doing nothing to move the country toward energy independence.

The Refinery Permit Process Schedule Act—H.R. 5254—mandates additional Federal oversight and requires State and local governments to comply with a new Federal schedule for approving permits to site, construct or expand a refinery. This bill fails to address legitimate concerns over the slow pace of expansion and increasing geographic concentration of America's oil refining facilities.

Supporters of H.R. 5254 blame state and local environmental regulations for obstructing the construction of new refining facilities. But private oil refining companies are choosing not to construct new facilities based on their own economic projections rather than local environmental hurdles. The Wall Street Journal recently reported that Exxon is not building new refineries because it expects growth in U.S. demand for gasoline will be too insufficient to justify the capital investment. The chief executive officer for Shell Oil testified before Congress in 2005 that he knows of no environmental regulations that have prevented his company from expanding refinery capacity or siting a new refinery. Clearly, undermining State and local laws will do nothing to change the market-forces that are the true basis of companies' decisions regarding refinery construction.

In addition, H.R. 5254 does nothing to promote home-grown biofuels, a critical element of America's energy independence strategy. In the last 30 years, 97 new bio-refineries have been built in the U.S. and more are needed. But this bill will not expand America's biofuel industry for the same reason it fails to expand oil refining capacity—State and local regulations are not the barrier to growth. Biofuel industry experts have testified that State and local regulations have not prevented the siting or permitting of new bio-refineries.

It is time for leadership, vision and commitment from Washington to make the smart investments that will protect our Nation's economic security and our planet's future. In Congress, we should start by rescinding the billion of dollars in subsidies for oil and gas companies to expand drilling. We must invest in research and extend incentives for alternative energy sources such as wind, biomass and biofuels that keep energy costs down, create jobs and make us more competitive in the global economy. A clean energy future that addresses oil dependence and environmental concerns such as climate change is achievable.

But we should not expect our energy situation to change until the Bush administration and the Republican leaders in Congress get serious about tackling our oil dependence.

H.R. 5254 is a thinly veiled second attempt by the Republican majority to pass the controversial Gasoline for America's Security Act—H.R. 3893—which the House narrowly passed in 2005 and the Senate ignored. As with that bill, H.R. 5254 has had no hearings, no markups, no opportunity for Congress to make necessary inquiries. Real solutions to America's energy challenges will result from a transparent legislative process, bipartisan cooperation and visionary ideas. The Republican majority has once again offered energy legislation that falls far short of a real solution.

Ms. SCHAKOWSKY. Mr. Speaker, I rise in opposition to H.R. 5254, the Refinery Permit Process Schedule Act. This bill would endanger the environment and the health of communities across America in order to provide another giveaway to the oil and gas industry which is reaping record profits.

The oil industry is responsible for limiting refinery capacity. During the 1990s, the American Petroleum Institute encouraged the oil industry to limit refining capacity in order to boost profits. The industry followed instructions, closing 176 refineries since 1980 and failing to fully utilize available capacity. According to the Washington Post, between September 2004 and 2005, refineries marked up their prices 255 percent while gasoline retailers only marked up their prices by 5 percent. The five largest oil companies, many of which own refineries, reported record profits of $110 billion in 2005. ExxonMobil reported the largest annual profit of an American company in history.

Environmental regulations are not standing in the way of new refineries being opened. The CEOs of Shell and ConocoPhillips have testified that no Federal or State regulations had prevented them from siting new refineries. Only one energy company, Arizona Clean Fuels, has filed a permit to open a new refinery in over 20 years. When Arizona Clear Fuels was granted that permit, the company never actually opened the refinery. Its inability to find investors, not environmental regulations, prevented the company from opening a refinery.

After Hurricanes Katrina and Rita, refinery outages caused a supply shock that was in part responsible for a rise in gasoline prices. The Democrats, under the leadership of Representatives DINGELL, STUPAK and BOUCHER, proposed the creation of a strategic refinery reserve which would ensure that the U.S. had an adequate supply of refined product in case of national emergency. Republicans have repeatedly rejected Democrats' efforts to create that reserve, which would put the interests of consumers before the profits of the oil industry. Republicans have also rejected an attempt by Ranking Member DINGELL and Energy and Commerce Democrats to make this legislation bipartisan.

This bill is another giveaway to the oil and gas industry that could impose refineries on communities throughout the country. It requires President Bush to designate three closed military bases as sites for new refineries, waiving local and State regulations and giving communities little input in the process. It allows Secretary Rumsfeld to sell or transfer the land to an oil company at no cost. Congress should know by now that billions of dollars in giveaway to the oil and gas industry has only led to record profits and record energy prices.

This bill again demonstrates the misplaced priorities of this Republican Congress. While my constituents are paying $2.96 for a gallon of regular gas in Chicago, we are considering legislation that would do nothing to bring down gasoline prices. Nothing in this legislation forces oil companies to utilize all of their available refining capacity, nor does it protect our supply in the case of a national emergency. This bill will lead to higher profits in the boardroom and more pain at the pump.

Ms. BORDALLO. Mr. Speaker, I rise today to address H.R. 5254. While I join my colleagues in recognizing the need for resolving our Nation's problematic energy situation, I fear this bill may seek a solution by way of shortcuts that will only exacerbate the problem or develop new ones.

I believe most importantly that this bill problematically interferes with past base closure and realignment (BRAC) rounds. If nothing else, the bill will take away the legal right of communities to determine how local bases will be redeveloped. This is inconsistent with the principles this Congress has stood for when it comes to the base closure process and it is inconsistent with enabling local entities to seek what is best for their local communities instead of having those in Washington choose it for them.

Some communities face the possibility of having the power to determine how best to utilize lands on closed bases stripped away from them and given to the Secretary of Defense. This would jeopardize plans these communities have already developed, including projects for which they have already invested time and money. Expectations of entire local governments and public constituencies could be jeopardized. This is not good government.

The BRAC process has followed a simple and important principle associated with base closure: that the transformation of military installations to civilian use, once properly closed and environmentally cleaned up by the Federal Government, is best left in the hands of the community, not the Federal Government. H.R. 5254 would deprive some communities of this critical option and undercut this principle.

A closed military base on Guam has been converted into the Antonio B. Won Pat International Airport (GIAA). It is a crucial trade and transportation hub in the Western Pacific Region today. Interfering with the process that enables successes like the conversion to a commercial airport on Guam, a process that is often a difficult one for communities faced with job losses and lost economic expenditures from base personnel, is bad policy.

This bill nonetheless would give the Department of Defense the ability to flaunt BRAC law and the BRAC process by allowing the Secretary of Defense to designate three previously closed bases for the construction of oil refineries, themselves assets our Nation does need to grow, that could then be transferred to oil companies, potentially at no cost, irrespective of local redevelopment plans, irrespective of environmental cleanup needed at the base and irrespective of community desires and previous planning. I do not support the construction of refineries at the expense of local communities. I am confident that current law sufficiently incentivizes refinery construction and that the oil industry, with record profits, can appropriately seek land and locations to construct these resources without having to rely upon land on closed military installations.

I might add that on Guam, H.R. 5254 is redundant. Shell Guam, with a large presence on Guam, has repeatedly offered the Department of Defense the ability to lease both significant storage facilities and refining capacity available on the island. The Department of Defense has never acted on this opportunity nor responded to the invitation.

Mr. Speaker, in closing, I note that there is currently nothing that prevents the building of refineries on closed bases if a community chooses to do so. It is my understanding some communities with a closed base may even desire to host a refinery. But it should be their choice, not the sole decision of the federal government imposed on the local community. Those American communities already stricken by the economic pains of base closure should not and cannot now find that their reliance on BRAC law that enables community choices on how to redevelop land on closed bases will have been faulty. I do not believe that our country's energy situation can be solved at the expense of these communities and therefore am deeply concerned about H.R. 5254.

I join my colleagues in their concern with our country's over-reliance on oil, about our lack of refining capacity and about the need to develop policy to overcome these challenges. Unfortunately, H.R. 5254 goes too far and in the wrong direction in an attempt to address these challenges.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Pursuant to House Resolution 842, the bill is considered read and the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. BOUCHER

Mr. BOUCHER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BOUCHER. Mr. Speaker, I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Boucher moves to recommit the bill H.R. 5254 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with the following amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. STRATEGIC REFINERY RESERVE.

(a) ESTABLISHMENT.—The Secretary shall establish and operate a Strategic Refinery Reserve in the United States. The Secretary may design and construct new refineries, or acquire closed refineries and reopen them, to carry out this section.

(b) OPERATION.—The Secretary shall operate refineries in the Strategic Refinery Reserve for the following purposes:

(1) During any period described in subsection (c), to provide petroleum products to the general public.

(2) To provide petroleum products to the Federal Government, including the Department of Defense, as well as State governments and political subdivisions thereof who choose to purchase refined petroleum products from the Strategic Refinery Reserve.

(c) EMERGENCY PERIODS.—The Secretary shall make petroleum products from the Strategic Refinery Reserve available under subsection (b)(1) only—

(1) during a severe energy supply interruption, within the meaning of such term under part B of title I of the Energy Policy and Conservation Act (42 U.S.C. 6231 et seq.); or

(2) if the President determines that there is a regional petroleum product supply shortage of significant scope and duration and that action taken under subsection (b)(1) would assist directly and significantly in reducing the adverse impact of such shortage.

(d) LOCATIONS.—In determining the location of a refinery for the Strategic Refinery Reserve, the Secretary shall take into account the following factors:

(1) Impact on the local community (determined after requesting and receiving comments from State, county or parish, and municipal governments, and the public).

(2) Regional vulnerability to a natural disaster.

(3) Regional vulnerability to terrorist attacks.

(4) Proximity to the Strategic Petroleum Reserve.

(5) Accessibility to energy infrastructure.

(6) The need to minimize adverse public health and environmental impacts.

(7) The energy needs of the Federal Government, including the Department of Defense.

(e) INCREASED CAPACITY.—The Secretary shall ensure that refineries in the Strategic Refinery Reserve are designed to enable a rapid increase in production capacity during periods described in subsection (c).

(f) IMPLEMENTATION PLAN.—Not later than 6 months after the date of enactment of this section, the Secretary shall transmit to the Congress a plan for the establishment and operation of the Strategic Refinery Reserve under this section. Such plan shall provide for establishing, within 2 years after the date of enactment of this section, and maintaining a capacity for the Reserve equal to 5 percent of the total United States daily demand for gasoline, home heating oil, and other refined petroleum products. If the Secretary finds that achieving such capacity within 2 years is not feasible, the Secretary shall explain in the plan the reasons therefor, and shall include provisions for achieving such capacity as soon as practicable. Such plan shall also provide for adequate delivery systems capable of providing Strategic Refinery Reserve product to the entities described in subsection (b)(2).

(g) COMPLIANCE WITH FEDERAL ENVIRONMENTAL REQUIREMENTS.—Nothing in this section shall affect any requirement to comply with Federal or State environmental or other law.

(h) DEFINITIONS.—The definitions contained in section 3 of the Energy Policy and Conservation Act (42 U.S.C. 6202) shall apply to this section.

SEC. 2. REFINERY CLOSING REPORTS.

(a) CLOSING REPORTS.—The owner or operator of a refinery in the United States shall notify the Secretary of Energy at least 6 months in advance of permanently closing the refinery, and shall include in such notice an explanation of the reasons for the proposed closing.

(b) REPORTS TO CONGRESS.—The Secretary of Energy, in consultation with the Federal Trade Commission, shall promptly report to the Congress any report received under subsection (a), along with an analysis of the effects the proposed closing would have on petroleum product prices, competition in the refining industry, the national economy, regional economies and regional supplies of refined petroleum products, and United States energy security.

Mr. BOUCHER (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia is recognized for 5 minutes in support of his motion.

Mr. BOUCHER. Mr. Speaker, the motion to recommit is the only means by which the Democratic alternative to the Republican bill could be brought to the House floor, and that is under the very restrictive procedure that the Republicans have adopted which eliminates any possibility for amendments, including a Democratic substitute.

I regret that that restrictive process does not enable the House to consider our Democratic alternative in regular order.

The motion that I am offering would create a strategic refinery reserve. That would be an effective means of resolving our national problem with regard to limited refinery capacity. We would model the refinery reserve upon the very successful strategic petroleum reserve which has been an excellent shock absorber protecting Americans from gasoline price spikes when there are disruptions in the delivery of crude oil.

Under our amendment, the Secretary of Energy will be directed to establish refineries with capacity equal to 5 percent of the total United States demand for gasoline, home heating oil and other refined petroleum products. The location of the refineries will be at the discretion of the Secretary with a preference that they be sited well away from the hurricane zone where we are concentrated today in our existing refinery capacity.

During normal times, the reserve will not operate at full capacity. The refineries during these normal times would sell refined product to the Federal fleet, including the Department of Defense, a step which would also enhance our national security.

Keeping the refinery reserve operational will ensure no lag time in placing it online if it is needed in times of emergency, and in those times when some portion of the Nation's refinery capacity is shut down, the refinery reserve would protect Americans from gasoline price spikes by selling their product into the commercial market.

This approach is sensible. It is based on a working and highly successful model, the Strategic Petroleum Reserve. It would be effective. It stands in stark contrast to the Republican proposal which would weaken environmental laws while failing to address our critical refinery shortage.

This motion also strikes section 5 which would direct the President to select three closed military bases upon which refineries would be situated, a provision which I find objectionable, which I think the vast majority of Members of this House also find objectionable. We would strike it in this motion.

Mr. Speaker, I yield to the gentleman from Maine (Mr. ALLEN) to address those concerns.

Mr. ALLEN. Mr. Speaker, I rise in strong support of the Boucher-Dingell motion to recommit. Passage of this motion would do a great deal to improve refinery capacity and enhance the Nation's capability to respond to natural disasters.

The motion would also strike section 5, that section of the underlying bill that requires the President to designate at least three closed military bases as sites for oil refineries.

Passage of this motion would guarantee that communities which have had a base closed through the BRAC process will not be forced by Presidential fiat to accept an oil refinery. If you have a closed military base in your community or you believe in local control concerning decisions of siting oil refineries, support the Boucher-Dingell motion. If this motion fails and you care about the fate of a closed military base in your community, I urge Members to vote "no" on the underlying bill.

Mr. BOUCHER. Mr. Speaker, I urge adoption of this motion to recommit, and I yield back the balance of my time.

Mr. BARTON of Texas. Mr. Chairman, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON of Texas. Mr. Speaker, I certainly have sympathy for the underlying concept of the motion to recommit. The concept is that the United States Government should build, and perhaps even operate a certain number of refineries for a strategic refinery reserve. Conceptually, the idea is worth considering and we did consider it in the discussions and negotiations that we had with Mr. BOUCHER and Mr. DINGELL. We never reached resolution, and there are a number of reasons why we couldn't reach resolution, and those are the reasons for which I oppose this motion to recommit.

First of all, we never really defined and the motion to recommit does not define what a strategic reserve is. That is one of the problems.

Another problem with the motion to recommit is it actually has the government operating the refinery. I do not believe that we really want the Federal Government or the U.S. military, which is part of the Federal Government, to be in the business of operating a refinery. If they do not operate it, except in certain times, times of war, times of national emergency, what do you with it the rest of the time? The bill is silent about that.

And of course, conceptually, we have a problem on the majority side of the aisle with government intervention of any kind. I will grant you as chairman of the committee, I could see a set of rules which we were never able to get to in our negotiations where you could set up certain parameters and certain backstops and things where maybe we could overcome that, but we simply were not able to pursue that, and the underlying motion to recommit does not pursue that.

This is an idea that has some merit. It is quite possible that if the Senate, the other body does something on refinery reform, that we might yet make a bipartisan agreement with some of our friends on the minority side. But for purposes of the motion to recommit at this point in time I strongly oppose this and would urge all Members who are prepared to vote for the refinery bill, the base bill, to vote "no" on the motion to recommit.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BOUCHER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minutes votes on passage of H.R. 5254, if ordered; suspending the rules and passing H.R. 5449; and suspending the rules and passing S. 2803.

The vote was taken by electronic device, and there were—ayes 195, noes 223, not voting 14, as follows:

[Roll No. 231]

AYES—195

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—223

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Bishop (NY)
Bono
DeLay
Filner
Ford
Gibbons
Gohmert
Lantos
Manzullo
Nussle
Oberstar
Olver
Reyes
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1852

Mr. GILCHREST changed his vote from "aye" to "no."

Mr. SHERMAN and Mr. HOLT changed their vote from "no" to "aye."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 231, motion to recommit on H.R. 5254, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BOUCHER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 179, not voting 15, as follows:

[Roll No. 232]

AYES—238

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—179

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Blumenauer
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Fitzpatrick (PA)
Frank (MA)
Gonzalez
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—15

Bishop (NY)
Bono
DeLay
Filner
Ford
Gibbons
Gohmert
Harris
Lantos
Manzullo
Nussle
Oberstar
Reyes
Rush
Slaughter

□ 1859

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HARRIS. Mr. Speaker, on rollcall No. 232, on final passage of H.R. 5254, I am not recorded. Had I been present, I would have voted "yea."

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 232, final passage of H.R. 5254, I was in my Congressional District on official business. Had I been present, I would have vote "no."

AMENDING TITLE 49, UNITED STATES CODE

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and passing the bill, H.R. 5449.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. LaTourette) that the House suspend the rules and pass the bill, H.R. 5449, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 271, nays 148, not voting 13, as follows:

[Roll No. 233]

YEAS—271

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blumenauer
Boehlert
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Buyer
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Fitzpatrick (PA)
Foley
Fossella
Frank (MA)
Gerlach
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hart
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Kucinich
Kuhl (NY)
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Obey
Olver

Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Rehberg
Reichert
Renzi
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Skelton
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—148

Aderholt
Akin
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Chocola
Coble
Conaway
Crenshaw
Cubin
Culberson
Deal (GA)
DeLay
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Everett
Feeney
Flake
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Harris
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Istook
Jindal
Johnson (CT)
Johnson, Sam
Keller
Kennedy (MN)
King (IA)
Kingston
Knollenberg
Kolbe
LaHood
Latham
Leach
Lewis (CA)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Price (GA)
Putnam
Radanovich
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shaw
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Turner
Upton
Walden (OR)
Wamp
Weldon (FL)
Wicker
Wilson (SC)

NOT VOTING—13

Bishop (NY)
Bono
Filner
Ford
Gibbons
Gohmert
Lantos
Manzullo
Nussle
Oberstar
Regula
Reyes
Slaughter

□ 1907

Mr. HUNTER changed his vote from "yea" to "nay."

So (two-thirds not having voted in favor thereof) the motion was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 233, final passage of H.R. 5449, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

MINE IMPROVEMENT AND NEW EMERGENCY RESPONSE ACT OF 2006

The SPEAKER pro tempore (Mr. SIMPSON). The pending business is the question of suspending the rules and passing the Senate bill, S. 2803.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCKEON) that the House suspend the rules and pass the Senate bill, S. 2803, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 381, nays 37, not voting 14, as follows:

[Roll No. 234]

YEAS—381

Abercrombie
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
Engel
English (PA)
Etheridge
Evans
Everett
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanders
Saxton
Schakowsky
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—37

Ackerman
Andrews
Berman
Blumenauer
Butterfield
Capps
Conyers
Davis (CA)
Doggett
Emanuel
Eshoo
Farr
Flake
Honda
Inglis (SC)
Kucinich
Lee
Lewis (GA)
Lofgren, Zoe
Matsui
McCollum (MN)
McDermott
Miller, George
Moore (WI)
Paul
Pelosi
Poe
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schiff
Solis
Stark
Tauscher
Thompson (CA)
Velázquez
Woolsey

NOT VOTING—14

Bishop (NY)
Bono
Chocola
Filner
Ford
Gibbons
Gohmert
Lantos
Mack
Manzullo
Nussle
Oberstar
Reyes
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

☐ 1914

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 234, final passage of S. 2803, I was in my Congressional District on official business. Had I been present, I would have voted "yea."

☐ 1915

MAKING THE RIGHT CHOICE

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, tomorrow the United States Senate is going to likely pass, or at least try to pass, tax legislation to give tax cuts to 800 families in Ohio. Recently, this Congress voted or the Senate voted to cut a college tax credit that would affect 100,000 families in Ohio.

This place is about choices. Give a tax cut to the wealthiest 800 families in Ohio and, in order to pay for that, you eliminate a tax credit for 100,000 working, middle-class families to send their kids to college.

That tells you a whole lot about family values. It tells you that this Congress has betrayed our values by helping the wealthiest taxpayers at the expense of middle-class, working families who simply want the opportunity to send their children to college to reach the American dream.

MOVING THE ECONOMY

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, in 2003, our country was in a very tough recession. George Bush took a bold step to reduce taxes. Now, the Democrats did not like to have tax cuts, because they like to spend your money, because they actually believe that the wisdom in Washington is better than the wisdom on Main Street, America. But as a result of tax reduction, we now have five million new jobs since 2003 that have been created.

The unemployment rate is at 4.6 percent, 4.6 percent. That is lower than the unemployment rate was on average in the 1990s, the 1980s, the 1970s, and the 1960s. Sixty-nine percent of Americans own their own house now. It is a historic high not just for the United States of America, but for any country. Fifty-two percent of Americans are invested in the stock market, creating wealth for their themselves. The interest rates are down and the mortgage rates have remained competitive.

The economy is moving because of Bush economic policies. The last thing we need to do right now is increase taxes and throw these great economic policies out the door.

RECOGNIZING MORGAN D. SWEERE

(Mr. SNYDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SNYDER. Mr. Speaker, the winner in my district of "What Rosa Parks Means To Me" essay contest at the elementary school level was Morgan Sweere in the fourth grade, age 9, at Ida Burns Elementary School in Conway, Arkansas. This is her essay:

"Rosa Parks means incredible courage to me. She had the courage to stay in her seat even though society demanded that she give it up to a white person. She was tired and worn out from working. She also knew the consequences of her actions, but she refused to give up her seat on the bus. I can't even imagine the taunts, rude comments, and hostile behavior that she had to go through. She had the courage to stand up to society and the discrimination that was against her. She knew and felt that her having to give up her seat was wrong, and she made a decision that changed her life and the world. Her one decision made the fight for equal rights more powerful. She had the courage to make that decision and then face the consequences for making that decision even though it made her life very hard.

"Courage is a hard thing to teach. You may think that you have courage only to realize you don't when faced with a tough situation or a situation that goes against your family and friends. Courage means taking a stand and treating people fairly no matter how they are different from you. Courage means standing up for your beliefs."

Mr. Speaker, that is the winner of the "What Rosa Parks Means To Me" essay contest at the elementary school level, Morgan Sweere from Ida Burns Elementary School in Conway, Arkansas.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 5230

Mr. TOWNS. Mr. Speaker, I ask to have my name removed from H.R. 5230.

The SPEAKER pro tempore (Mr. FORTENBERRY). Is there objection to the request of the gentleman from New York?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

SAVINGS GROW WITH SIMPLIFIED USA TAX

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. ENGLISH) is recognized for 5 minutes.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I recently introduced a new version of legislation that I have introduced in the past, the Simplified USA Tax, or SUSAT, which reforms individual and business taxation while promoting economic growth, investment and personal savings, all tenets of a strong and stainable economy.

Tonight I would like to focus my remarks on a critical component of SUSAT, which in my view provides a powerful antidote to the national savings crisis that we are combating today.

Mr. Speaker, clearly our Tax Code is too complicated, and it is riddled with obvious inequities. Its current structure punishes savings and investment, which reduces economic and job growth and burdens domestic industry struggling to remain competitive. If Congress is going to succeed in reforming the American tax system, and I believe we must, we need to create a stable Tax Code that gives Americans a fair opportunity to save part of their earnings.

Thrift has helped provide Americans the security and independence that are the foundation of freedom. Savings buys tools to make Americans more productive. Productivity raises our living standards to the highest in the world. But in recent years America has gone into debt, and it seems like we have stopped saving altogether.

In 2005, stunningly, our national savings rate was in the negative for the first time since the Great Depression. America is facing a quiet crisis, the fact that our economy is now more dependent on foreign capital than on foreign oil.

As you can see in this chart, whether Americans save or not simply does not affect them personally; it impacts on our national economy. As the savings rate has declined, our trade deficit has gone further into the red. Apart from the short-term market gains in the late 1990s, the trade deficit has closely tracked the savings rate. Taking the punitive taxes off of savings and encouraging the practice must be an essential element of reforming the Tax

Code because it not only translates into personal savings for working families, but it also has a job creating progrowth macroeconomic impact.

In my tax reform proposal everyone is allowed an unlimited Roth-like savings account in which they can put a portion of each year's income they save after paying taxes and living expenses; and after 5 years all money in the account can be withdrawn for any purpose and all withdrawals, including accumulated interest and other earnings or principal are tax free. Nothing can be simpler and nothing can give the people a better opportunity to save.

While Congress has taken some powerful measures in the past few years to improve the Tax Code, particularly for individual taxpayers, clearly we need to do more. We need fundamental tax reform. For too long the Tax Code has been a needless drag on the economy. That is bad public policy and certainly not fair to Americans whose living standards are lower because of it. It is time that we made some fundamental changes.

I firmly believe that faster economic growth must be the key goal of tax reform, and encouraging Americans to save is one way of achieving that goal. Roth IRAs have a proven track record of increasing savings, and removing red tape, and expanding their impact will go the distance in altering the course of our national savings rate. SUSAT has the potential to serve as part of the groundwork for this kind of reform and ensure that Americans can keep more of their hardworking tax dollars, establish financial security, and invest in their future.

TURNING HIS BACK ON OHIO

Ms. KAPTUR. Mr. Speaker, I rise to claim the gentlewoman's time and address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentlewoman from Ohio is recognized for 5 minutes.

There was no objection.

Ms. KAPTUR. Mr. Speaker, the people of Ohio are wondering why the Bush administration has turned its back on them. After all, Ohio was the linchpin State in the Bush victory in 2004.

Now, what else can Ohioans think? The Bush administration has just cut the funding for homeland security in Ohio and its major cities by one-third. Over $8.5 million was cut. Last year, Cleveland, Columbus, Cincinnati, Toledo, the four largest Ohio cities received $26.1 million in antiterrorism funding; this year $17.6 million, an $8.5 million reduction. Why?

Surely President Bush does not think the terrorist threat has diminished. If he does, perhaps he should read the newspapers. Dateline Toronto, the Canadian Government just broke up an alleged terrorist ring in Ontario Province. That is on the north side of Lake Erie, and Ohio shares a border across that lake with Canada. And that ring apparently possessed enough material, 3 tons of it, to cause an explosion three times larger than that which destroyed the Murrah Federal Building in Oklahoma City in 1995.

If that is not enough to think about, Mogadishu, Somalia, has just fallen into the hands of Muslim militia groups in what the New York Times calls "a setback for U.S. policy." Now that failed state might become another stronghold for al Qaeda. That is not good news.

How about Baghdad? The violence in Iraq continues to escalate. And in Kabul the situation in Afghanistan continues to deteriorate. And here in Washington the Bush administration responds by making deeper cuts to homeland security funding to the four largest cities in Ohio.

What did Ohio do that would cause President Bush to turn his back on her? Funding in Columbus, the largest city in the State, will fall from $7.6 million last year to $4.3 million this year. Mayor Coleman said that Columbus is the 15th largest city in the country, "and time and again we are being told to do it yourself. Best of luck."

My own hometown of Toledo is being cut from $5.3 million to $3.85 million this year. I think the President spent almost that much just on ads during the last campaign in our region. Yet recently in our city, the U.S. Justice Department made national news with the arrests of three men whom it suspects of being potential terrorists. Indeed, Ontario's terrorists drove from Columbus through Toledo, up to Detroit, across the bridge to Windsor to their Ontario hideouts.

□ 1930

Toledo is a major port on the Great Lakes, literally the crossroads of America.

Our position as a premier international transportation center, with such great proximity to our Nation's population center, is key to our economic vitality. We have to make sure that our air, water, rail, port and surface transportation infrastructure is safe and secure, and we need the Federal Government's help to do exactly that.

At this very moment, this crucial moment in our Nation's history, this President is turning his back on Ohio, the State that delivered for him, turning his back on Toledo and Columbus and Cincinnati and Cleveland. He is turning his back on virtually every city across our country, cutting homeland security funds by over one-third when our communications systems cannot even work interoperably.

No, Mr. President, mission not accomplished. There's still a lot to do. National security is the responsibility of the Federal Government. National security is the job of the Federal Government. Let the record show, Mr. Speaker, that the Bush administration has turned its back on the safety of Ohioans and across this country on the safety of Americans, including especially on our Nation's fourth seacoast.

I hope the Bush administration listens to this message this evening. We need help with homeland security in Ohio, in our major cities and across this Nation.

HELPING OUR VETERANS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to go out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Ohio is recognized for 5 minutes.

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, Ohio is home to one million veterans and servicemembers. On May 22, a couple, 3 weeks ago, the Pentagon announced that the names, the Social Security numbers and other personal information of 26.5 million veterans and their spouses, including most of the 1 million in Ohio, across the country, including every living veteran discharged since 1975, had been stolen from the home of a Department of Veterans Affairs data analyst.

Now, this is a department, the VA, which has a leader, a political appointee, who was rewarded for his service as a national party chair for one of the two political parties, not someone who was put in place because of his lifetime dedication to veterans.

This breach of confidence at the VA is unacceptable. To fix this, our government owes to veterans, we should offer veterans free credit reports and work with America's credit bureaus to waive fees associated with placing security alerts on their credit accounts. We should be willing to reimburse veterans for costs caused by identity theft resulting from this scandal, and we should amend the bankruptcy law passed by this body last year. When the bill was then considered, I opposed it, as did many in this body, in part because it did not extend bankruptcy protections to victims of identity theft, which is what could happen to many of these veterans.

Veterans trusted that their government would protect this personal information. They did not think this Department of Veterans Affairs would be run by a political operative. We must regain that trust by taking the important steps I just mentioned.

Ten days ago, we all honored our veterans and honored those who died in the line of duty on Memorial Day. Once the parades were completed, once the graveside ceremonies were finished, too many politicians came back to Washington, simply not concerned about what happens to veterans in this country.

Negligent policy and irresponsible budgets have endangered the care available to veterans. We have failed to adequately fund the VA health care system to improve the quality of health care, to reduce the wait times for all veterans. As good as the service is at VA hospitals like Brexfield, like Wade Park in greater Cleveland, all over Ohio, and all the VA clinics all over our State, veterans too often have to wait too long for care. We need to provide enhanced mental health care service for soldiers returning from Iraq and Afghanistan.

Returning veterans should have access to first-rate education benefits through an enhanced 21st century GI bill and job training programs. Current benefits for vets with 4 years of active duty military service cover less than two-thirds of the average cost of tuition and fees at a 4-year public college. We should be covering more of that cost.

We must not forget, it is not just the veterans; it is the families and children of servicemembers and veterans who also are sacrificing for their country. We should recognize and reward their sacrifices by helping to ease the burden they carry while their loved ones are deployed.

We should protect family budgets by giving tax breaks to maintain reservists' family income. We should support tax incentives to help ensure that reservists called up for active duty do not suffer a pay cut. We should offer financial incentives to small businesses that want to do the right thing and be patriotic, that allow activated reservists to return to their good jobs.

No other group of Americans has stood stronger, has stood braver for our democracy, for our way of life than our servicemembers and veterans. They deserve a government for a change, not one that has shortchanged them, not one that celebrates Memorial Day and Veterans Day and then turns its back on veterans, like far too many people in this body that would rather give tax breaks to the rich and then cut veterans' benefits. That is not what we need.

Veterans deserve, all of us deserve, a government that is committed to the same values that those soldiers, those Marines, those veterans fought to preserve.

HONORING AMERICA'S FALLEN IN IRAQ AND AFGHANISTAN

Mr. EMANUEL. Mr. Speaker, I ask unanimous consent to address the House out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. EMANUEL. Mr. Speaker, yesterday marked the 62nd anniversary of D Day. On that day, thousands of young Americans made the ultimate sacrifice in service to our Nation.

In the words of President Franklin Delano Roosevelt, each of these heroes stand in the unbroken line of patriots who have dared to die that freedom might live and grow and increase in its blessings.

This unbroken line continues today as 2,778 brave American men and women have fallen in their service to our Nation in both Iraq and Afghanistan.

Last year, I led a bipartisan group of 21 Members of Congress in reading the names of our most recent fallen into the CONGRESSIONAL RECORD. We made a commitment to continue this reading as long as the fighting continues.

God bless and keep each of the brave Americans whose memory we honor today in our hearts:

1. Sergeant 1st Class Eric P. Pearrow.
2. Private 1st Class Marc A. Delgado.
3. Staff Sergeant Steven C. Reynolds.
4. Specialist Javier A. Vallnueva.
5. Specialist Gregory L. Tull.
6. Master Sergeant Brett E. Angus.
7. Sergeant Donald J. Hasse.
8. Sergeant Jerry W. Mills, Jr.
9. Corporal William G. Taylor.
10. Staff Sergeant William D. Richardson.
11. Corporal Joshua D. Snyder.
12. Sergeant Gregorz Jakoniuk.
13. Sergeant 1st Class Brent A. Adams.
14. Lance Corporal Craig N. Watson.
15. Sergeant Andy A. Stevens.
16. Lance Corporal Andrew G. Patten.
17. Lance Corporal Scott T. Modeen.
18. Corporal Anthony T. McElveen.
19. Lance Corporal Robert Alexander Martinez.
20. Lance Corporal Adam Wade Kaiser.
21. Lance Corporal David A. Huhn.
22. Lance Corporal John M. Holmason.
23. Staff Sergeant Daniel J. Clay.
24. Specialist Marcus S. Futrell.
25. Staff Sergeant Phillip L. Travis.
26. Sergeant Philip Allan Dodson, Jr.
27. Corporal Jimmy Lee Shelton.
28. Staff Sergeant Daniel M. Cuka.
29. Sergeant 1st Class Richard L. Schild.
30. Private 1st Class Thomas C. Siekert.
31. Specialist Brian A. Wright.
32. Sergeant Michael C. Taylor.
33. Corporal Joseph P. Bier.
34. Staff Sergeant Milton Rivera-Vargas.
35. 1st Lieutenant Kevin J. Smith.
36. Sergeant Spencer C. Akers.
37. Sergeant Adrian N. Orosco.
38. Sergeant Kenith Casica.
39. Staff Sergeant Travis L. Nelson.
40. Sergeant Clarence L. Floyd, Jr.
41. Sergeant Julia v. Atkins.
42. Staff Sergeant Keith A. Bennett.
43. Sergeant 1st Class James S. Moudy.
44. Staff Sergeant Curtis A. Mitchell.
45. Specialist Lex S. Nelson.
46. Specialist Jared William Kubasak.
47. Specialist Peter J. Navarro.
48. Specialist James C. Kesinger.
49. Sergeant Brian C. Karim.
50. Staff Sergeant Michael S. Zyla.
51. Corporal Michael B. Presley.
52. Staff Sergeant Kenneth B. Pospisil.
53. Sergeant Timothy R. Boyce.
54. Specialist Joseph Alan Lucas.
55. Corporal Adam R. Fales.
56. Lance Corporal Samuel Tapia.
57. Staff Sergeant Johnnie V. Mason.
58. Specialist Richard Jr. DeGarcia Naputi.
59. 1st Lieutenant Michael J. Cleary.
60. Specialist William Lopez-Feliciano.

Mr. Speaker, I would also like to recognize and thank the brave men and women who continue to serve our Nation with distinction in Iraq and Afghanistan and throughout the world and thank their families also for their sacrifice.

Our thoughts, our prayers are with you and your families both during your service and after you come home.

Mr. Speaker, if I mispronounced any of our members' names who I know the family take pride in honoring, I apologize. I want to thank again each of these men and women who have served our country and their family for their ultimate sacrifice.

BUDGET DEFICITS

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent to assume the time of the gentlewoman from North Carolina (Ms. FOXX).

The SPEAKER pro tempore. Without objection, the gentleman from Tennessee is recognized for 5 minutes.

There was no objection.

Mr. DUNCAN. Mr. Speaker, a few months ago, a columnist for the Scripps-Howard newspaper chain wrote a column saying that we were headed for a "financial tsunami" not long after the baby boomers start retiring in large numbers over the next few years. The reasons are really pretty simple.

First, we are trying to do way too much for other countries. We have spent $300 billion in the last 3 years in Iraq and Afghanistan, probably over half of it is just pure foreign aid. We have every department and agency in the Federal Government doing operations overseas, spending several hundred billion a year over there.

The liberals found out years ago that foreign aid was not popular so they will very falsely tell you that foreign aid is only 1 or 1½ percent of the budget. When we add up what all the departments and agencies are doing, it is just phenomenal how much we are spending in other countries.

I heard a news report recently that said the FBI has more offices in other countries than we have in the U.S.

Secondly, we have promised too much here at home in retirement and medical benefits.

Thirdly, we will not reduce defense or homeland security spending even though there is waste in those departments, just like all the other departments, and there just simply is not enough money to pay for all of it.

On January 26 of this year, the Congressional Budget Office said the Federal deficit for this fiscal year, which ends September 30, will be around $360 billion. Some people say it will be much higher than that, and similar amounts, $350 billion to $400 billion for each of the next 10 or 11 years.

□ 1945

All of this comes on top of the national debt that is already $8.3 trillion and headed up very quickly. Our government, in just a few years, will not be able to pay all of the military pensions, the civil service pensions, the Social Security, the Medicare, the Medicaid, and the new prescription drug benefit. We have guaranteed 44 million private pensions through the Pension Benefit Guaranty Corporation. We will just not be able to pay all those things with money that means anything.

But what we will do, we will do what governments all over the world have done in similar situations, and we will simply begin printing more money. This will cause Social Security and all those government and private pension plans to buy less each year.

It doesn't work. It is like a ball headed downhill. Its starts out slow and gathers speed. When this money supply gimmick does not do enough, pensions will have to be cut. Anyone who is relying just on Social Security for his or her retirement will face tremendous financial hardship.

All of this could be avoided if the Congress would become much more fiscally conservative and do it now. However, because there are too many liberal big spenders in the Congress, and because it is unpopular to say "no" to anyone, the Congress could not even, late last year, pass a $50 billion slowdown in spending spread over the next 5 years. The overall reduction was reduced to $39.5 billion, with the bulk of the reductions put off until the fourth and fifth years. The plan that was passed did not cut spending, it simply slowed the rate of growth, barely. But, of course, even that very meager effort at fiscal restraint could be changed by the next Congress.

Now, let me go to a totally different topic, Mr. Speaker, another concern.

At the end of 1994, the conservative business magazine, Forbes, carried a lengthy article about the Justice Department. It said we had quadrupled the Justice Department since 1980, and that Federal prosecutors were falling all over themselves trying to find cases to prosecute. The article said people were being prosecuted for laws they didn't even know were in existence. And then the Congress, trying to prove it was tough on crime, has expanded the Department of Justice greatly since then.

In addition to all this expansion, we then passed a so-called PATRIOT Act to try to show strong opposition to terrorism. This was such a great expansion of government power and such an overreach that now approximately 400 cities and counties and seven State legislatures have passed resolutions against this act. Those who love big government love the PATRIOT Act.

The Federal Government, through the super-secret National Security Agency, in addition to the CIA, FBI, and about 12 other intelligence agencies, has more than enough power and ways and means to discover and prosecute terrorists. The Foreign Intelligence Surveillance Act Court, created in 1978, approved 18,742 warrants for wiretapping and physical surveillance by the end of 2004. In the 5 years from 2000 to 2004, the court received 6,650 requests from the government and approved 6,642.

We will probably have another terrorist incident of some sort with or without the PATRIOT Act. We need to take reasonable precautions, but we also need to recognize that you are still hundreds of times more likely to be struck by lightning or to win a lottery than you are to be killed by a terrorist. Those in charge of all the many government programs which have sprung up to fight terrorism do not like to admit this because they want continual increases in funding. But, Mr. Speaker, we should not create some kind of a Federal police state in a huge overreaction to this threat.

It is sad that conservatives, who have always been the main opponents of big government, have gone along with this huge expansion of government power just because the word "terrorism" is used by every government agency to get more money and power.

A TURNING POINT IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, a few days ago, President Bush said that we had reached a turning point in Iraq. Given that he declared "Mission Accomplished" and the end of major combat operations more than 3 years ago, I would say it is about time we reached a turning point.

But as the Washington Post pointed out, this kind of turning point language is pretty commonplace for the President. There have been many milestones. There have been many turning points from this White House, even a turning point in the history of freedom over the last several years. The President should ask the people who risk their lives, their bodies, and their minds every day, just walking down the streets of Baghdad, if they see a turning point. We should ask the Iraqi citizens how they see it.

The day after the President's last attempt at spin, more than 30 Iraqis were murdered in violent attacks. They joined tens of thousands of other innocent civilians, many of them children, who have died for the cause of their so-called "liberation." There are some rumblings now about drawing down our troop levels, but we have heard that before, and I will believe it when I see it, and I will believe it to be real when the President puts forward a plan on how he is going to end this war.

Mr. Speaker, I have yet to hear the President disavow his statement that the decision to bring our troops home will be for future Presidents to decide. I have yet to hear a clear denial from the administration that we have plans to build permanent military bases in Iraq. If there is some kind of reduction in U.S. forces, my fear is that it will be a cosmetic change only, driven more by the political calendar than any kind of strategic consideration, ultimately making the troops left in Iraq even more vulnerable than they are now.

The answer is not to get down to 100,000 troops by the end of the year, because incremental steps are not enough. There must be a plan to immediately end this occupation and bring every last one of our soldiers home. The longer they stay, the longer suicide bombings will persist, because our very presence is one of the principal causes of the violence.

That is not our soldiers' fault. Of course, it isn't. They have performed their services faithfully and courageously. It is their civilian supervisors who have miscalculated at every turn. It is the President, the Vice President, and the Secretary of Defense who refuse to see that our military presence is fueling the rage of the insurgency, intensifying hatred for America, and stoking the fires of civil war.

Mr. Speaker, it is time for an entirely new approach to Iraq. It is time for the United States to show real global leadership by helping assemble a multinational security force to help keep Iraq stable in the short term. It is time to help establish an international peace commission under the auspices of the U.N. to begin the Iraq postwar reconciliation process. It is time to turn Iraq over to the Iraqi people. It is time to stop being Iraq's military occupier and start being Iraq's reconstruction partner. It is time to rebuild the country we have torn apart and to do it with an emphasis on transparency and accountability and not on padding Halliburton's profit margins.

But before we take these steps, before we do anything, we must end the war and bring our troops home to their families, where they belong. That is the turning point that will make a real difference in the Iraq situation.

TRIBUTE TO PAT T. DEON, SR.

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise today to recognize the achievements of Pat T. Deon, Sr., a constituent of mine who will be honored tomorrow at the 2006 annual scholarship luncheon at the Justinian Society of Philadelphia for his contributions to the business community in the Philadelphia region and the community of Bucks County, Pennsylvania, where he lives with his family.

Since 1935, the Justinian Society has searched, as the premier legal organization in the Philadelphia area, for Americans of Italian ancestry. Comprised of attorneys, judges, and law students, the society has directed itself to maintaining the honor of our legal system and the high ethical standards that distinguish its practice in our society. The Justinian Society accomplishes its mission by promoting continuing legal education programs, offering scholarships to Italian American law students and by promoting civic engagement by the legal community.

Mr. Speaker, Pat Deon is a respected member of the Bucks County community. A successful businessman and entrepreneur, Pat has become a leader in his region, serving on numerous local and statewide boards and commissions. Since 1995, Pat Deon has been a volunteer member of the Board of Directors of the Southeastern Pennsylvania Transportation Authority and has been its chairman since 1999. Since being named chairman of SEPTA, Pat Deon has transformed this $3 billion public transportation asset from an organization wracked by inefficiency to a model of progress and competence.

With SEPTA well in hand, Pat turned his attention to our highways in 2002 when he was appointed to a 4-year term as a member of the Pennsylvania Turnpike Commission.

Besides his public works, Pat Deon is also actively involved in community service. He is vice chairman of the Board of Directors of Temple Lower Bucks Hospital, a board member of the Bucks County Community College Foundation, and the Bucks County Enterprise Zone.

In addition to these endeavors, both Pat and his wife, Carlene, are strong supporters of the Special Olympics, the American Red Cross, and Race for a Cure. His work with the Special Olympics alone has allowed a delegation of 116 athletes and coaches to attend the first-ever USA National Games in Iowa.

For many this would be enough, but Pat has also excelled in business. Pat Deon has completed residential and commercial real estate projects in Bucks and Montgomery Counties and construction services in the northeast region. He is the owner of WBCB-AM Radio in Bucks County and a successful restaurateur through his ownership of the Temperance House Restaurant and Inn located in Newtown Township, Bucks County, Pennsylvania.

Mr. Speaker, I can think of no better person deserving the honor of the Justinian Society than Pat Deon. His success is a clear example of the American dream and that it is indeed alive and well.

In addition to serving as a model of success, Pat Deon is also an example of modesty. He never searches for the spotlight and never creates fanfare or publicity for his good works. I am proud to represent him in the Congress and am proud to acknowledge him here today.

SALUTE TO COLLEAGUE AND THE WAR IN IRAQ

Mr. OWENS. Mr. Speaker, I ask unanimous consent that I assume the time of Mr. PALLONE of New Jersey.

The SPEAKER pro tempore. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. OWENS. Mr. Speaker, I thank the Speaker for recognizing me at the time shortly after my colleague LYNN WOOLSEY has spoken, because I rise to salute LYNN WOOLSEY as a great point of inspiration to her colleagues and for all Americans who are fighting to end the deadly, wasteful war in Iraq.

I rise at this particular time because yesterday was Primary Day in California, and Congresswoman WOOLSEY had a challenge. I do not think that challenge was unrelated to her position on the war in Iraq. I think the challenge was a frontal attack on the majority of Americans who now disapprove of this administration's actions in Iraq. I think that the candidacy of the opposition was a not-very-subtle attempt to intimidate the leading spokesperson of the peace movement. I think it was a blatant effort to send a message.

Congresswoman WOOLSEY is supported, fortunately, by the constituents in her district. Everybody knows that. Congresswoman WOOLSEY has been here for 14 years. She has a great record in areas ranging from child care to policies related to the war in Iraq.

I want to congratulate her on a stunning, decisive victory. There was never any doubt of her winning, but she swept the field, I think with almost a two-to-one vote.

The voters sent a message to all those who would challenge her and try to silence her that they care about what is happening in the world, they care about what is happening in Iraq. They are the majority, just as right now the majority of the people in America are against the war in Iraq. Her wide margin reaffirms support for her positions.

No one has spoken more passionately and consistently against the war on this floor than LYNN WOOLSEY. I think she has a record of floor speeches, 5-minute speeches. About 149 5-minute speeches have been made against the war in Iraq.

The bold move of the war supporters to go after her, to get newspapers to call her a radical and clamor for a more moderate voice, all of these things did not happen by accident. I think it was a plot. In her 14 years, LYNN WOOLSEY has earned the right not to be challenged. She has a unique point of view based on her unique set of experiences. I serve with her on the Education Committee. There is much to be discussed about Iraq and the war in Iraq, and not enough time is ever allowed to do it. I think she has chosen the only avenue possible.

We have not discussed very important matters, like the oil contracts. What is happening with the plan to dispense the oil in Iraq after the U.S. leaves? Nobody ever talks about that. How much of the oil revenue will flow to American corporations for technical assistance and rebuilding versus to the Iraqi people?

☐ 2000

Underlying the problem of getting the settlement, the question is never discussed. Power sharing is discussed. Getting the government set up is discussed.

Senator BIDEN was ridiculed for saying you ought to take Iraq and split it up into three parts, one for Sunnis, one for the Shiites and one for the Kurds. I do not think that general proposal is all he meant, but power sharing is a major issue. Why can't we discuss power sharing. We have the Voting Rights Act here in America, one of the best examples of power sharing in the world.

Other nations are looking at us and trying to find out how do you have a minority represented when the majority is a very different group. How can you get the minority to the table? There are ways to do that, and power-sharing ought to be discussed openly. Maybe they need a Voting Rights Act in Iraq. That could be put on the table as part of the solution to guarantee to the Sunnis and that Kurds that despite the Shiites being in the majority, they will always have a place at the table.

As far as orderly withdrawal of the troops, I think Congressman MURTHA, an expert if there ever was one, a man who knows the military very well, has proposed a very conservative but effective way to draw down the troops. Nobody knows better than Congressman MURTHA what is happening in that war. He goes frequently to visit the wounded at Walter Reed Hospital and at the Naval Hospital. He knows the dilemma of the men on the ground, the troops there. He knows and that is why he spoke out so forcefully about the situation in Haditha. He knows that under pressure, people will break. The best Marines and the best Army people and the best Navy people will break under pressure in a war that they think is useless.

We might have had the favor of the Iraqi people when we went in there, we might have had some flag waving and had some people that appreciated us, but we took away their electricity, we took away their water, and we took away their safety so there is a lot to be discussed and we should all value LYNN WOOLSEY for the fact that she comes frequently to discuss Iraq on this floor and does a great service for the Iraq people, as well as for the Members of this House.

HONORING HENRY HYDE

Mr. CHABOT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Indiana (Mr. SODREL).

The SPEAKER pro tempore. Without objection, the gentleman from Ohio is recognized for 5 minutes.

There was no objection.

Mr. CHABOT. Mr. Speaker, I want to thank the distinguished chair of the Middle East Subcommittee, Ms. ROS-LEHTINEN, for putting together a Special Order this evening for one of the finest persons ever to serve in the United States Congress, our hero, HENRY HYDE.

I have been blessed during my service in Congress every day for the last 12 years because I have been able to call HENRY HYDE "Mr. Chairman" first on the Judiciary Committee, and then for the last 6 years on the International Relations Committee, because he has been the chairman of both those committees.

He is a leader who has won the undying respect of colleagues on both sides of the aisle. He is known to be fair and respectful. He is a man of the utmost integrity, and he wields the gavel with grace and humor. The Almanac of American Politics has called him "one of the most respected and intellectually honest members of the House." Politics in America notes that "few can match him in the sheer power of his oratory or the agility of his intellect."

You know, if central casting in Hollywood were looking for someone to play the role of the wise and honorable committee chairman, it would need to look no further than HENRY HYDE.

It would be impossible to talk about HENRY HYDE and not talk about the one issue that I think he has cared more about than all of the other issues that he has dealt with here as a Member of this House, and that is the pro-life issue. He has been Congress' conscious. He has been the Nation's conscious on this important issue. HENRY HYDE has been a leader who has never wavered on behalf of unborn babies. We have had many distinguished Members of Congress who have engaged in this discussion, this issue, this battle, but nobody has been more committed or more effective or more eloquent than HENRY HYDE.

When he leaves this Congress, he will be greatly missed, but he will leave behind a committed band of followers who have learned under his tutelage and will keep the pro-life flame burning. We owe it to those unborn babies, and we owe it to our leader, HENRY HYDE.

For the last 6 years, Chairman HYDE has headed up the International Relations Committee. And as members of the committee, we know that HENRY commands the respect of leaders throughout the world. When presidents and prime ministers and kings and sultans and emirs and chancellors and other leaders come here to Washington, they make it a point to pay a visit to Chairman HENRY HYDE because they respect him greatly and they seek his guidance and his counsel.

HENRY has also been a great friend to me personally. I cannot thank HENRY enough for all of the things that he has done for me since I first came to this institution. It has been wonderful to be his friend. But more importantly, I want to thank him on behalf of those defenseless little babies that he so tirelessly has defended during his years in Congress.

His eloquence and good sense has changed the way that Americans feel about abortion. He tells it like it is, and he has paved the way for another generation of leaders to fight this noble battle. It is a battle that I have no doubt that one day we will win.

Mr. Speaker, when the 110th Congress convenes next January, the Capitol of the United States will be a different place. For the first time in 32 years, HENRY HYDE won't be taking the oath of office to represent the 6th District of Illinois in the United States House of Representatives. For those of us that have had the honor to serve in this Chamber, there will be a sense of loss. But I know that our friend, HENRY HYDE, will have plenty to contribute to his beloved country. A couple of years ago, HENRY told a Chicago newspaper "maybe I lost a step or two, but I don't think God is through with me yet." Let's hope not. God bless you, HENRY HYDE, and God bless the country that you have loved so much.

EXECUTIVE ORDER ON SYRIA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

Ms. MCKINNEY. Mr. Speaker, I would like to join my colleague, Mr. OWENS, in commending Congresswoman LYNN WOOLSEY for her consistent and strong voice in opposition to the war in Iraq. It is a voice that is needed in this Congress. She utters words and takes positions that are needed, that we need to hear in this Congress, and those positions reflect the positions of the American people and the people in her district. I have had the opportunity to actually visit her district, and I know that LYNN speaks well with respect to the issues and their position on this war.

I would like to talk about another aspect of President Bush's Middle East policy that I think could be problematic for us if the interpretation is one along the lines of the interpretation of information that was received that led us into the war in Iraq.

What I am talking about is the April 26 national emergency that was declared by President Bush. On that day, he issued an executive order to freeze the assets of those suspected to have been involved in the October 1, 2004, assassination of former Lebanese Prime Minister Rafiq Hariri and 22 others. On the face of it, this might look like a straightforward attempt to bring justice to the perpetrators of a heinous act of terrorism. But I decided I would not just rest with the Speaker's announcement, the Clerk's announcement, and that I would actually read the document. I read the document, and then I reread the document, and then I read it for a third time.

When we examine the language of the document, we have to ask ourselves are there some other motives involved in the issuance of this executive order.

The reason I say that is because of the language that is used in the executive order. It says that this executive order applies to persons involved in "any other bombing that implicates the government of Syria or its officers or agents."

Now the keyword is "implicate" because that means that you are talking about bringing into intimate or incriminating connection. Well, I remember, and I was not in this body in 2003, but the President chose to invade Iraq in 2003 because we were told that Iraq was implicated in possessing weapons of mass destruction. That Iraq was implicated in the tragic events of September 11.

We now know that both of those implications were false, but that is after nearly 2,500 young men and women from these shores have been killed, countless thousands others have either mangled bodies or addled minds as a result of the shock and the shell shock and the presence in the theater of war.

How many tens of thousands of Iraqis are now dead as a result of the implications that the American people were told and then action taken on those implications?

Now once again, the President is implicating an Arab regime and taking action that preempts a conclusive investigation into the facts.

This administration has already made ominous utterances about the need for regime change in both Syria and Iran, and I would just ask this Congress before it relinquishes any more power, please examine the facts before we plunge ourselves into another military disaster in the Middle East.

HONORING HENRY HYDE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. HARRIS) is recognized for 5 minutes.

Ms. HARRIS. Mr. Speaker, I rise to recognize and celebrate the extraordinary service to the Nation of Representative HENRY HYDE of Illinois. Many of us consider our election to Congress as a blessing and an opportunity to improve the lives of our constituents and our fellow Americans, and no one has merited that honor more than this esteemed and distinguished gentleman of irrefutable conviction and compassion.

In his more than 30 years as a Member of the House of Representatives and as chairman of the Committee on International Relations, Congressman HYDE has given the most vulnerable citizens a voice and focused our minds on the modern day horrors of child slavery, famine and genocide.

It was in his freshman term that colleagues would first become aware of his passionate devotion to the defense of innocent life, all human life, and at that time, tax dollars of all Americans were devoted to funding nearly 300,000 abortions annually.

Through the appropriations process, Mr. HYDE introduced an amendment to prohibit this practice and the adoption of the Hyde amendment forever changed the course of our national discussion about life and its protections.

I have considered my service on the House International Relations Committee under Chairman HYDE's stewardship as one of the most rewarding and enlightening experiences of my time in Congress. Not content to simply fund projects or engage in academic debates about geopolitics and Real Politic, our committee has played a critical role in shepherding the foreign affairs of the Nation.

The chairman's leadership has been indispensable as our Nation entered a new age of warfare and a time of bolder, more vibrant diplomacy.

A veteran of the committee, Chairman HYDE has been heard in the halls of Congress and countless administrations in the crucial interest about international arms control, the expansion of NATO, the investigation of the Iran-Contra affair and the long-overdue need for reform of the United Nations.

Earlier this year, Chairman HYDE eloquently addressed the challenges facing our Nation and the world, "We are well advanced into an unformed era in which new and unfamiliar enemies are gathering forces, where a phalanx of aspiring competitors must inevitably constrain and focus our options. In a world where the ratios of strength narrow, the consequences of miscalculation will become progressively more debilitating."

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The chairman's cogent argument in favor of a robust foreign policy has fueled the committee during the 109th Congress. The committee has led the way in U.N. reform, holding to account the privileged few of the United Nations who turned a blind eye as Saddam Hussein violated international law and basic human rights.

He has called attention to the tragic human drama that began long ago and today is simply known as Darfur. And most importantly, Chairman HYDE has worked to ensure the voice of this body is heard on matters of nuclear proliferation, the untenable policies of terrorist regimes, and forged ahead where Americans will stand as the world struggles through this uninformed era.

Throughout his career, HENRY HYDE has never failed to heed his own counsel nor to lose his way. And the principles of basic rights and wrongs have guided his path forward.

His most important contribution, however, has been as a husband, father and grandfather. I am certain it is this job that he has enjoyed most.

In closing, I wish to thank Congressman HENRY HYDE for his extraordinary leadership, his friendship and his scholarship. We are truly a better people as a consequence of his service and for knowing him personally.

THE ALLEN SMALL BUSINESS PLAN

The SPEAKER pro tempore (Mr. FORTENBERRY). Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

Mr. ALLEN. Mr. Speaker, I rise tonight to discuss the circumstances of the small business community in Maine and across the country. Regardless of size or industry, small businesses throughout the country share a common set of challenges: skyrocketing health care and fuel costs, an unstable and outdated Federal tax structure, an insufficient labor supply and lack of qualified workers, a lack of access to Federal contracts and inadequate funding for entrepreneurial assistance programs for start-up businesses and businesses that want to grow.

And it is my experience here that many of the organizations in Washington that hold themselves out as small business organizations are really advocating, in reality, a big business agenda.

Back in my home State of Maine, small business is big business. Maine is home to over 140,000 small businesses, and we have nearly 100,000 Mainers who are self-employed. Our prosperity depends on the growth and the success of small business.

I have two bills, H.R. 5288, the Small Business Health Plans Act, and H.R. 5058, the Small Business Investment and Promotion Act, that would both aid small businesses by addressing many of the challenges that they face today.

Small businesses across America are struggling to maintain health care coverage for their workers. Really, most of the people I talk to every year find their premiums going up and find it very difficult to predict how much their health insurance will cost for the next year, assuming they have coverage.

My plan, under the bill H.R. 5288, makes quality health insurance more affordable and makes it easier for small businesses to obtain coverage for their employees. I believe that employees are entitled to the same coverage that Members of Congress and other Federal employees have. That is what my Small Business Health Plans bill provides.

The legislation would establish a small employer health benefits program for employers with 50 or fewer employees by creating new purchasing tools that would guarantee quality coverage at affordable rates to small businesses and their employees without preempting State requirements, much the way the coverage for Federal employees works.

One aspect of the bill would be to attract insurance companies by subsidizing the cost of catastrophic health care cases, and that would bring private insurers into this market and make the plan attractive.

Second, we would provide some premium assistance for smaller businesses and lower-wage workers.

Now, the second bill, H.R. 5058, has six different sections that cover the other difficulties that I mentioned at the beginning. First, the high cost of fuel for transportation and heat in winter is breaking the backs of small business owners, and no relief is in sight. H.R. 5058 creates a 2-year tax credit to cover the increased cost of fuel for businesses that are especially dependent on transportation fuel or the fuel to heat businesses and buildings.

Second, the Research and Development Tax Credit has never been made permanent, and that creates a great deal of uncertainty among businesses, large and small. This tax credit, if made permanent, would help companies stay afloat until they become profitable and would benefit all manufacturers for products that they develop by expending money on R&D. And my bill would make the credit permanent, and allow biotech and high-tech companies to make innovation a part of their long-term business plan.

Third, the Federal Government must do a better job of providing opportunity for small business to compete and win Federal contracts. My bill expands opportunities for small business by including overseas contracts which are currently excluded from Federal small business contracting targets. This is a real gap. Big business can compete for overseas contracts, but small businesses are shut out simply by the fact of the size of their business.

Fourth, the President's budget request this year called for cuts or elimination of 75-percent of the programs that benefit small business. It is hard to believe that an administration that says it favors business is, in fact, trying to kill the section 7(a) loan program for the Small Business Administration and trying to eliminate the Maine Manufacturing Extension Partnership.

The final two provisions: We would create a 39-year tax depreciation rule for restaurants and small retailers and make it easier for businesses to obtain H-1B and H-2B visas.

HONORING HENRY HYDE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROHRABACHER) is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, tonight, I am honored to take this floor to sing the praises and accolades for a man who inspired me as a young person and has continued to inspire me as I have served here in these past 18 years.

I have spent 18 years here in the House of Representatives, and 7 years before that I served in the White House under Ronald Reagan. And I am pleased to say tonight that during that entire time, I have never met a man of whom I was more proud than that of the chairman of the International Relations Committee, Chairman HENRY HYDE. Perhaps Ronald Reagan. Perhaps. But HENRY HYDE, of the people that I have worked with as a fellow colleague, there is no match.

HENRY HYDE, of course, has been here since 1974, and has had a distinguished career as a Member of Congress, but more importantly, as a leader, as an American leader. HENRY HYDE, as I say, inspired many of us by the fact that he is not just a political leader, not just a man of integrity, courage, and a person who works, to this day is working harder than most Members of this Congress.

But he is not just a political leader, but a moral leader of this country as well.

HENRY HYDE is very well known. He has been known for many years for his views on what we call the prolife movement, the idea of protecting unborn children from the threat of abortion. And HENRY HYDE has done more to inspire and inform people on this issue and, thus, if you agree with me and agree with HENRY, done more to save the unborn babies of this country than any other individual that I can think of. That, alone, is a reason to applaud HENRY HYDE and to be grateful that he has served in this body, saving so many unborn babies, and feeling so strongly about this issue that he was able to take the heat on an issue that, in the beginning, was far more unpopular than it is today. And I believe that he has created the national trend towards life that we see today.

Consistent with that, HENRY HYDE has been a champion of human rights during his entire term in the United States Congress. He has been an enemy to tyrants, to gangsters, whether they be in Cuba, the Soviet Union or China. This has been part of HENRY HYDE's patriotic makeup, a man from Illinois, a man from the State that gave us Lincoln, who freed the slaves and freed America from the sin of slavery.

I have seen HENRY HYDE criticize Chinese leaders to their face and stand up for the human rights of believers in God in China. I have seen his courage, and his eloquence is famous throughout the world.

I have seen HENRY HYDE take on the issue of proliferation of nuclear materials by the Communist Chinese Government when other people would have had him soft-pedal the issue in order to maintain a certain friendly relationship with those gangsters who control the mainland of China. But HENRY HYDE is a man of principle.

HENRY HYDE is a patriot. HENRY HYDE was protecting our country through his patriotism when he was a young man and served in the military in World War II in the Philippines, and then in the State legislature in Illinois, and then here, on to the U.S. Congress.

Many people will remember HENRY HYDE for the fact that he was the chairman of the Judiciary Committee when President Clinton was impeached. Here, too, was an issue that HENRY HYDE could have sidestepped. Why should he take all the abuse of such a controversial issue?

HENRY HYDE has taken on controversy because he believes in principle and morality. HENRY HYDE took on the issue of the impeachment of President Clinton because he believed that President Clinton had committed perjury, that that was an impeachable offense, and that to compromise that standard would cause great damage to the future of the United States of America.

HENRY HYDE is a man who stands for standards, stands for principles. He is a man who has worked hard, who has used his skill as an orator to make sure that we cement those American values that have made this country a great country, realizing that we don't have a perfect country, but that we always need leaders like HENRY HYDE to help us perfect those imperfections.

So I gladly join with my colleagues tonight in a salute to the chairman of the International Relations Committee, a great American, a man who has served this country well, in the House of Representatives and throughout his life, Chairman HENRY HYDE.

WHAT THE LIFE OF ROSA PARKS MEANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

Mr. SNYDER. Earlier this evening, Mr. Speaker, I read the essay, the winning essay from Morgan Sweere, age 9, in the fourth grade in Conway, Arkansas. And the title of the essay contest, "What Rosa Parks Means to Me." I would like to read two other winners.

The next one is "What Rosa Parks Will Mean to My Children." This is the junior high level essay contest that we held. And the winner of this one in the Second District of Arkansas was Brenna Gilstrap, of the eighth grade at Horace Mann Arts and Science Magnet Middle School in Little Rock, Arkansas. And this is what Brenna Gilstrap has to say, in part, about What Rosa Parks Will Mean for My Children:

"Rosa Parks has always been an amazing icon to people everywhere, symbolizing strength and pride during a period in America where racism thrived. I believe everyone is familiar with her story, how she refused to give up her seat on the bus to another person and she had to simply because they were Caucasian, and how she was arrested for doing so. This story of a brave woman standing up for what she believed in will, in my opinion, greatly influence the attitudes of my children, teaching them important morals. Speak your mind even if your voice shakes. Ban ignorance and pay attention to the mistakes made in the past in order to prevent them in the future. Always stand up for what you believe in because even one little person could make a difference in thousands of lives. These are the things that my children will learn from her story. This is why it will mean something.

"Examine the first moral. Speak your mind even if your voice shakes. What this means is that even if you are nervous, even if you know the consequences to what you are saying can be brutal, as long as you feel deeply in your heart that a change needs to be made, express what you feel. Say exactly what you're thinking and say why. Rosa Parks knew that the fuss she was making wasn't just about a good seat. It was about rights, equal rights for one and all. The right to sit in the good seats, use the good bathrooms, go to the good parties, live the good life, a life without oppression."

And her essay goes on. This is by Brenna Gilstrap, the winner of the What Rosa Park Will Mean for My Children essay contest in the Second District of Arkansas, and Brenna is in the eighth grade at Horace Mann Arts and Science Magnet Middle School in Little Rock, Arkansas.

The winner of the high school version of the contest, "What Rosa Parks Will Mean for My Grandchildren," was won by Alyx Vanness, Conway High School East.

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This is her essay in part. "What I would like my grandchildren to remember about Rosa Parks is the true account of her stand for equality for blacks, and the many features she overcame along the way. Even though she is usually remembered for only one of her protests, I would like my grandchildren to know all the rallies she took part in during her life and how it affected the black community.

Rosa Parks became one of the most recognizable civil rights activists on December 1, 1955, when she refused to give up her seat on a bus for a white man. Although a simple act with one woman protesting, it is one of her most remembered fights for justice among the races. The incident is later recalled by Parks in her book Quiet Strength. 'I kept thinking about my mother and my grandparents and how strong they were. I knew there was a possibility of being mistreated, but an opportunity was being given to me to do what I had asked of others.'

"Rosa Parks did just that when not going back to the colored section of the bus when a white man had told her to. Most historians account the refusal because she was tired from a long day's work, but to Parks it was more than that. I would like my grandchildren to be told that she did it specifically to stand up for her people, that she was no more tired than the rest of her days. Because of her refusal to get up, a 381 day Montgomery bus boycott was started and her arrest and trial caused the Supreme Court to rule segregation on buses unconstitutional. This opened the gates for many blacks to come one step closer to equality."

Her essay goes on it. That is part of the winning essay by Alyx Vanness from Conway High School East in the 10th grade in Conway, Arkansas, The high school winner of the what Rosa Parks means for my grandchildren.

Mr. Speaker, I include the essays of Brenna Gilstrap and Alyx Vanness for the RECORD.

WHAT ROSA PARKS WILL MEAN FOR MY CHILDREN

(By Brenna Gilstrap)

"Rosa Parks has always been an amazing icon to people everywhere, symbolizing strength and pride during a period in America where racism thrived. I believe everyone is familiar with her story, how she refused to give up her seat on the bus to another person (and she had to, simply because they were Caucasian) and how she was arrested for doing so. This story of a brave woman standing up for what she believed in, will, in my opinion, greatly influence the attitudes of my children, teaching them important morals. Speak your mind, even if your voice shakes. Ban ignorance, and pay attention to the mistakes made in the past in order to prevent them in the future. Always stand up for what you believe in, because even one little person can make a difference in thousands of lives. These are the things that my children will learn from her story, this is why it will mean something.

Examine the first moral: speak your mind, even if your voice shakes. What this means is that even if you're nervous, even if you know the consequences to what you are saying can be brutal, as long as you feel deeply in your heart that a change needs to be made, express what you feel. Say exactly what you're thinking, and say why. Rosa Parks knew that the fuss she was making wasn't just about a good seat; it was about rights, equal rights, for one and all. The right to sit in the good seats, use the good bathrooms, go to the good parties, live the good life, a life without oppression. She spoke her mind, became an icon, an example, a legend; and I am sure that being a little nervous and a little afraid never stopped her. She knew the consequences, but she spoke out. This is what I want my children to do: say what they feel without being afraid of what might happen or what others would think.

Examine the next moral: ban ignorance. In other words, pay attention to what happened in the past to prevent mistakes from occurring again. Our country, just like all the others, has made a lot of mistakes: the Japanese camps set up in Arkansas after the bombing of Pearl Harbor, for example. Just because they looked somewhat Japanese, people were sent into crowded camps to live out their lives, forced to sell all that they had, forced to suffer for something they didn't even do. If we didn't learn from that, we might be keeping all people from the Middle East imprisoned now for something they weren't responsible for. And the segregation issues our nation went through concerning African Americans and their rights. If we didn't learn from that, I wouldn't have a lot of the friends that I do now. We would be separated from each other. Rosa Parks helped show America what a big mistake they were making, and I want my children to learn from that, and to stand up like that if they ever get caught in the mistakes of the world.

Lastly, examine my final moral: Stand up for what you believe in. This is a moral that no one can forget. When something unjust happens, like someone at your school becomes subject to a daily abusive torrent of insult and injury, or when a presidential candidate comes along that you strongly oppose, or when you are treated unfairly by someone around you, you have to stand up and fight. Don't ever forget that even one voice counts, even when amongst thousands, matters. Justice cannot be reached until you stand up and be counted; even just one more step is closer than no steps at all. Rosa took that step, she was counted. This is what I want my children to do: stand up for what they believe in, no matter what.

Rosa Parks was an amazing role model for all ages to look up to. Her timeless story and amazing perseverence in the eyes of oppression has touched, enlightened, and inspired for many generations. The astounding morals her story teaches are guidelines that should be followed in one's everyday life. Hopefully they will inspire my children to become the amazing and inspirational people of tomorrow as Rosa Parks was for yesterday. This is what Rosa Parks will mean for my children."

ROSA PARKS' STORY FOR MY GRANDCHILDREN

(By Alyx Vanness)

What I would like my grandchildren to remember about Rosa Parks is the true account of her stand for equality for blacks, and the many feats she overcame along the way. Even though she is usually remembered for only one of her protests, I would like my grandchildren to know all the rallies she took part in during her life, and how it affected the black community.

Rosa Parks became one of the most recognizable Civil Rights activist on December 1, 1955, when she refused to give up her seat on a bus for a white man. Although a simple act with one women protesting, it is one of her most remembered fights for justice among the races. The incident is later recalled by Parks in her book, Quiet Strength. "I kept thinking about my mother and my grandparents, and how strong they were. I knew there was a possibility of being mistreated, but an opportunity was being given to me to do what I had asked of others." Rosa Parks did just that when not going back to the colored section of the bus when a white man had told her to. Most historians account the refusal because she was tired from a long days work, but to Parks, it was more than that. I would like my grandparents be told that she did it to specifically stand up for her people, that she was no more tired than the rest of her days. Because of her refusal to get up, a 381-day Montgomery bus boycott was started, and her arrest and trial caused the Supreme Court to rule segregation on buses unconstitutional. This opened the gates for many blacks to come one step closer to equality.

Even though the bus incident is one of her most remembered forms of protest, Parks was actively involved in the Civil Rights Movement long before 1955. She was actively involved in the National Association for the Advancement for Colored People (NAACP), serving as secretary and later as Advisor to the Youth Council at the NAACP. She also tried to register to vote several times when it was still nearly impossible for blacks to do so. December of 1955 wasn't the first time she had run-ins with bus drivers, though. She was evicted from buses several times, recalling the humiliation. "I didn't want to pay my fare and then go around the back door, because many times, even if you did that, you might not get on the bus at all. They'd probably shut the door, drive off, and leave you standing there."

Parks understood the importance of standing up, and tried in every way to bring justice to her race. She knew that even though it was just her speaking up sometimes, someone had to do it, and once voice would cause others to be raised. Rosa Parks believed in non-violent protest, working along Martin Luther King with equality and black's rights. This is one of the most important lessons taught by Parks; violent does not solve anything. She fully stood behind the concept of peacefully making a difference, setting her apart from the blacks that use hate and fury to gain equality. This caused her to be more recognized and respected, consequently winning over a nation's heart for this quiet but strong spirit.

1995 marked the 40 year anniversary of Rosa Park's refusal at the bus station, and she was still making a difference. Before her death earlier this year, she was active in Rosa and Raymond Parks Institute for Self-Development. It included a program that was Pathways to Freedom, where young people ages 11–18 traveled across the country tracing the Underground Railroad, visiting the scenes of critical events in the civil rights movement, and learning aspects of America's history. Many times she would involve herself in the cross country trip, and students loved talking to her about her experiences. Park's home was located in Detroit, where she still received dozens of letters daily from students, politicians, and just regular people.

The greatest characteristics of Rosa Parks was her humbleness and her faith in God. When named "The Mother of the Civil Rights Movement", she explained that although "[she] accept[ed] the honor and appreciat[ed] it," Parks makes sure that everyone knows that "[she] was not the only person involved. [She] was just one of the many who fought for freedom." Modesty and her willingness to follow God's will has made her one of the most successful women in the Civil Rights Movement. She had strong religious convictions and in her book she states, "I'd like for [readers] to know that I had a very spiritual background and that I believe in church and my faith and that has helped to give me the strength and courage to live as I did."

Rosa Parks did a lot for the black community, and she needs to be remembered for her courageous actions. If I had my choice on what my grandchildren were taught about her, I would want them to know that she was a God fearing, modest, yet democratic woman. I want them to be told her whole story, not just about how she didn't give up her bus seat one day because she was too tired. Rosa Parks needs to be remembered for what she was; honorable.

TRIBUTE TO THE HONORABLE HENRY J. HYDE

The SPEAKER pro tempore (Mr. FORTENBERRY). Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 60 minutes as the designee of the majority leader.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so proud to have this opportunity to praise an intellectual giant, a true public servant, to honor my friend, my colleague, my chairman, HENRY HYDE. He has had unparalleled leadership skills and that is the way that he steers the House International Relations Committee, of which I am a proud member.

The committee has truly flourished under the chairman's direction in ways that it had not previously known. We have turned out significant pieces of legislation on a range of issues. HENRY HYDE's vision perhaps is best summarized by the words of Sir Winston Churchill, who said, "All great things are simple, and many can be expressed in single words: Freedom, justice, honor, duty, mercy, hope." This sentiment captures the essence of HENRY HYDE and of his style.

Serving as a subcommittee chair under Chairman HYDE, I have been privileged to witness firsthand the insight that has led him to be the skilled politician and public servant that he is. Pundits have referred to the chairman as a statesman; as a Washington icon; as a doer; as a wit; as one of the sharpest legal minds of Capitol Hill; an outspoken and articulate debater; a standard bearer for conservative principles, causes and beliefs; a Gibraltar of conviction; and an avatar of grace.

I would like to add a few of my own, Mr. Speaker. From what I have seen, HENRY's character and in turn his leadership is shaped by his multiple roles. He is a man of faith, a Patriot, a humanitarian, a friend and a mentor.

I remember in my freshman term meeting HENRY HYDE for the first time. Having followed HENRY's efforts on behalf of freedom fighters who have valiantly fought communism in our hemisphere, to me, HENRY HYDE was larger than life. As Congressman STEVE CHABOT said earlier, if Hollywood were to cast a statesman, they couldn't find anyone better than the impressive and dashing HENRY HYDE.

I quickly learned that that imposing stature that he was nothing of a bullying nature in HENRY HYDE. On the contrary, the chairman, even in his most heated debates in our committee, when he must keep order at our hearings, he is a consummate gentleman, able to restore order with a fleeting, withering glance that belies the twinkle in his eye.

How appropriate that HENRY represents Illinois, as so many speakers have said, the land of Lincoln, for both the chairman and the American President are notable for their character, their eloquence, their determination.

Chairman HYDE's political career began 40 years ago as a representative in the Illinois legislature, where he served at as that body's majority leader from 1971 to 1972.

In 1974, he was elected to this House, the People's House. Among other issues, HENRY became identified with the worthy cause of defending the unborn, championing his Appropriations Committee's amendments that would prohibit the use of Federal funds to pay for abortions. These were adopted into law in 1978, and the Hyde Amendment has been a great step forward in legislation that favors the sanctity of human life.

In this vein, HENRY has also been a supporter of adopting children and of assisting poor women to care for their children. He has lent his name to legislative initiatives taking tougher steps to hold deadbeat dads accountable for unpaid child support.

HENRY HYDE has come to be known as one of the House's great orators. His stirring speeches against term limits and against flag burning are particularly memorable.

In 1994, HENRY HYDE accepted the gavel of the powerful House Judiciary Committee, where he shepherded through the House many important pieces of legislation. Among these were the landmarks anti-terrorism legislation of 1995; enforcing in the U.S. the international treaty against war crimes; the church arson law of 1996; a victim restitution act; an act limiting death penalty appeals; Megan's Law, requiring released sex offenders to report their addresses; and a law allowing senior citizen housing to be allocated by age. Also, a law banning state taxes on pensions of non-residents; the Lobbying Disclosure Act of 1995, the authorization of $10 billion for prison expansion; protection of intellectual property rights in digital recording and biotech patents; the ban on partial-birth abortion; product liability; tort reform and so many others.

Turning to the chairman's leadership style, one of the most salient characteristics is his reputation for fairness. Indeed, the Washington Post noted in a 1998 article that HENRY HYDE "has managed to maintain a reputation for even-handedness, for patience and restraint, a remarkable feat for someone known both for his savagely held beliefs and for his keen sense of which way the wind blows."

Indeed, the ranking member of the International Relations Committee, my good friend TOM LANTOS of California, cogently addressed our chairman's embodiment of frankness and fairness when TOM said, "although our opinions on issues have differed from time to time, HENRY has always been very straightforward with me when he knows we might disagree. And once we have made our opinions known and once the voting is done, it has never had an adverse effect on our relationship."

Indeed, one thing we can all agree upon is that Chairman HYDE's leadership reflects the values that he places on fairness and his focus on getting the job done rather than on mere politicking.

Mr. Speaker, I yield to my good friend the gentleman from California, Mr. LUNGREN, who would like to add some statements about our great chairman HENRY HYDE.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I thank the gentlelady for yielding.

It has been my privilege during my lifetime to have three heroes living at the time that I was able to benefit from their example. They are my father, President Ronald Reagan and HENRY HYDE.

As the gentlelady knows, I served in the Congress for 10 years from 1979 to 1989, where I had the privilege of serving on the Judiciary Committee with HENRY HYDE all those 10 years. I served on the subcommittee dealing with civil rights with him, and if it had not been for HENRY HYDE we would not have had the extension of the Voting Rights Act of the early 1980s.

We had hearings all around the country. It may sound strange today, but at that time there was a question of whether or not that would be extended. It was HENRY HYDE who going around the country on field hearings who finally made a statement that he had seen the parade of horribles. He had seen that there was still a need to have this extraordinary law extended. Had it not been for HENRY HYDE, the Voting Rights Act would not have been extended. He has never gotten the credit for that.

HENRY HYDE is a gentle man; a large man, but a gentle man; someone who can argue on the floor of the House vociferously, but when it is over, he goes over and punches you in the arm and tells you a joke; a man who has all the dignity you would look for in a statesman; a man who has the intellect which we can all admire; a man who, when former Governor Cuomo made a well covered speech at the University of Notre Dame talking about the responsibility of a Catholic man or a Catholic woman in politics, HENRY HYDE had a slightly different take. So he then, a month later, spoke on the campus of the University of Notre Dame and gave his version.

It was one of the most compelling speeches I have ever heard, telling that someone can be a man of faith and a man of the House, a man or woman of faith or a man or woman of the House.

He was so eloquent in the way he argued. There was in this House a stillness that came upon this floor when HENRY HYDE would get up to speak. Democrat and Republican and independent alike would stand at attention or sit at attention when HENRY HYDE came and spoke. It was a capstone of the argument to see HENRY HYDE present himself.

I am pleased that at one time I was able to have HENRY HYDE in my home community to speak to people on the very, very important issue of life. He always did it with a forthrightness, with a concern for the sensitivity of the subject, but always, always so grounded in the principles.

One time I asked HENRY about whether he ever got tired of dealing with the life issue. He said, "You know, sometimes I do. You get all this criticism, you get all of this attention that you don't want." And he said then, "But as you get older, you think of that day in the future where, if hopefully you get to heaven, all those unborn children are there to greet you to say thank you for what you have done."

That is HENRY HYDE. It is from the heart. It is from the head, because he has got a great intellect, but it is from the heart, because he truly believes it.

If there is one person that I admire most in this House, if there is one person who is the embodiment of all that is good in this House, if there is one person that compelled me to return to the Congress, it is HENRY HYDE; a friend, a statesman, a leader, a man of courage, someone who has fought his whole life for what is good and right about America, and someone I am happy to call a friend; but, more than that, someone I am happy to call a leader in this House, who has stood for everything great about this country.

This is a man who has dedicated himself to this country; a man who dedicated himself to his family; a man who dedicated himself to the principles that we all espouse. But he lived those principles as much as anybody I have ever met. I thank the gentlelady for yielding.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the gentleman. Those are principles that he lives and stands on every day of his life.

One has to admire the chairman's measured judgment on foreign policy terrain as well, as when he noted with respect to the fall of Soviet communism, he said, "There has been a palpable feeling that the Cold War is over, and there are no serious threats with the Russian bear comatose. But as I like to say, the forest is full of dangerous snakes. There is a very important need for the United States to recognize that no one will rescue us. We have to be self-sufficient to really survive."

Truly, HENRY's vision of the importance of this self-sufficiency is emblematic of his approach to foreign policy.

The chairman's wisdom encourages us to be vigilant, as when he expressed that with regard to China, "The United States should be mindful that China was one of the world's most powerful nations for several thousands of years, and its relative weakness over the last two centuries is an historic anomaly that is coming to an end."

The chairman too has no illusions about U.S. Latin America policy. HENRY backs a strong American initiative to extend free trade between the United States and democratic nations in the hemisphere as a way of generating economic growth and creating jobs.

□ 2045

He said, "A lot of the problems in our hemisphere could be addressed if not solved by free trade. There is so much we have in common. I think a common wealth of the Americas would help everyone. But it will take real leadership and a bit of luck".

Regarding policy for the region over which my subcommittee, the Middle East and Central Asia Subcommittee has had jurisdiction, Chairman HYDE's no-nonsense convictions, blended with his foreign policy expertise and his political leadership led him to the conclusion that on September 11, he said, "Our enemies have no aim except destruction. Nothing to offer but a forced march to a bleak and dismal path. Theirs is a world without light".

And he said, "We are now in a war, a war that is directed at America and the civilized world. It is that simple," he said. "We have to lead the world to oppose terrorism as a weapon against civilization, so this is a war for civilization. No country should harbor terrorists and we have tolerated countries that have tolerated terrorists. This must change".

He continued by saying, "The massive, obscene destruction of human life we saw in New York and Washington should show us all that terrorism cannot be tolerated. It has to be wiped off the map".

And it is not just our committee, or not just even our Nation that benefits from the leadership of HENRY HYDE, but the world is the greater for the existence and the leadership of someone of the caliber, of the passion, of the conviction of HENRY HYDE.

The chairman's dedication to diverting the United Nations from its course of scandal, of corruption, of secrecy, and instead toward accountability, toward transparency and effectiveness, culminated in the passage by this House last summer of the Henry Hyde United Nations Reform Act of 2005.

This reform measure with teeth urged that the U.S. should impose its leverage to motivate the U.N. which has to this point been reluctant to consider substantive reform on its own through withholding of U.S. assess dues.

HENRY HYDE's AIDS funding legislation has also been a landmark piece of legislation. This measure authorizes $1.3 billion annually to fight this horrible disease, which HENRY HYDE has said, "It is not just the deepest, darkest Africa we are dealing with, it is Brazil, it is the Caribbean, it is Russia, it is here in the United States, it is everyone in the world. As this pandemic spreads, we must do what we can do".

This body is truly fortunate to have had in its midst an individual who leads through knowledge gained. He has gained it in institutions of higher learning such as Loyola, Duke and Georgetown. He has gained it on the playing field, as when Chairman HYDE played basketball for the Hoyas, or in combat theatres with the U.S. Navy stationed in the Philippines, in the

South Pacific, in New Guinea; or through the wise use of his gavel as majority leader, as chair of the Judiciary Committee, and now as chair of our International Relations Committee.

On his website, HENRY HYDE puts his 32 years of service as a U.S. Congressman in context by noting that during his time in office, we have persevered through many conflicts, including the Cold War, the Communist takeover in Nicaragua and in Grenada, the invasion of Kuwait, the removal of Noriega from Panama, genocide in Bosnia, bombing of the World Trade Center and the Pentagon, invasion of Afghanistan, invasion of Iraq, and the present defense of our Nation against Islamic insurgents and terrorists.

That is a lot of conflicts, and for that matter, 32 years means almost infinite constituent letters, town hall meetings, legislative victories, press interviews, but most of all, in the course of these 32 years, HENRY HYDE has shared his passion, and his blood, sweat and tears with the American people.

I want to express any sincere gratitude to HENRY HYDE not just for being a great legislator, a leader in wit, but also for being an inspiration to us all. You have touched our lives in ways that we could never truly express. And we are all the better for having had the privilege of serving alongside you.

Mr. Speaker, with that I would like to yield to my good friend on the International Relations Committee, Mr. FORTENBERRY.

Mr. FORTENBERRY. Mr. Speaker, I would like to thank the distinguished gentlewoman from Florida (Ms. ROS-LEHTINEN) who chairs the International Relations Subcommittee for Middle East and Central Asia Affairs on which I serve, for organizing this time to honor an extraordinary legislator, an extraordinary statesman, Mr. HENRY HYDE.

It is a rare privilege in the course of a lifetime to know someone who possesses equal portions of wisdom, intellectual brilliance, robust humor, and great humility. I consider it a tremendous honor to serve on the House International Relations Committee under the Chairmanship of such a man, Representative HENRY HYDE.

Since 1975, the people of Illinois' Sixth District have enriched the United States by their wise choice for a Member of Congress.

During his long and distinguished tenure in the House, Chairman HYDE has provided decisive leadership at pivotal moments in the recent history of U.S. foreign policy and on many issues of principle which determined the character of our great Nation.

In particular, I would like to honor his commitment to protect the lives of vulnerable persons, particularly the unborn in the United States and throughout the world.

Also I would like to thank Mr. HYDE for his sage counsel nurtured through years of experience and tempered by some of the most grueling episodes of the 20th century. As a member of the Greatest Generation, he served his country in the United States Navy during World War II, and knows firsthand the sacrifice that it took to prevail in that struggle against the enemies of freedom and human dignity.

While we face different challenges today, they require no less vision, commitment, and perseverance. As a careful student of history, Chairman HYDE cautioned us in a recent speech that he entitled, the Perils of the Golden Theory. He reminds us of the need to tread carefully as we seek to promote our ideas in a world where the values we cherish may often be considered alien and are subject to frequent unrelenting assaults.

As we look to the remainder of this session and consider the opportunities and challenges before us, I am grateful that we will continue to benefit from the leadership of Chairman HYDE.

Just this week, Mr. Speaker, I asked the chairman if he would do me a favor and meet with a group of college students interested in international diplomacy. Despite the rigors of his calendar, he enthusiastically agreed, and this small act of generosity alone speaks volumes about the nature and character of our chairman.

His ability to command the respect of both Democrats and Republicans remains an invaluable asset to this Congress. I am confident that his legacy will continue to inform and inspire many generations of Members to come.

I thank the gentlewoman for yielding to me.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank my good friend for giving his insight.

Mr. Speaker, it has been a pleasure for Republican and Democrat Members alike to have served and to continue to serve under the tutelage of HENRY HYDE. He has tackled all of the big issues. Tomorrow, as a matter of fact, in our International Relations Committee, we will be debating Iraq.

Mr. Speaker, he is not afraid to tackle those big, controversial issues. And that has been part of his character. He has taken on the issues. He has done it in a very fair, impartial way. And that is why in the coming months, because we still have HENRY HYDE around for a long, long time, you will be seeing my good friend, Mr. LANTOS, on the other side leading a series of special orders honoring a great statesman, the great leader, our chairman, HENRY HYDE.

HONORING HENRY HYDE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, tonight, we are coming down here to honor one of the greatest orators that has ever been a Member of the House of Representatives, HENRY HYDE. I have known for about 24 years, and I do not think there is a finer Member of Congress that has ever served in this body.

He, along with another great orator named Claude Pepper on the Democrat side, made great speeches, speeches that are in the history books and in the record here in Congress, but speeches that I wish everybody in America could have heard.

HENRY has been a great defender of human rights, of the right to life. He is one of the leaders on the right-to-life issue in the Congress, and he has been fighting for human rights and human life for a long, long time, and he has no peer in that area.

He has also been the chairman of the International Relations Committee and he serves in that position today. He is retiring at the end of this term, and I can tell you right now, everybody that knows HENRY is going to miss him, miss him not only because he was a great chairman or is a great chairman, but because he has been a great inspiration to us and a great leader in this body.

I have a lot of things I want to put in the RECORD tonight. I will not go into all those things because I am sure my colleagues will mention a lot of them, but HENRY has honorary degrees from a whole slew of institutions, universities and colleges around this country. He has been honored in so many ways because of his leadership, and he is a man that everybody in America could look up to if they knew him as well as we do.

So, tonight, I would just like to say, HENRY, if you are home watching this, and there is probably better things on TV than watching me talk, let me just say that we love you, buddy. We are going to miss you, and we think you are one of the greatest Americans that ever served in this body.

Mr. Speaker, I have known HENRY HYDE for many years and I admire him immensely. HENRY's voice has been a voice of reason over years often marked by turbulence and discord. He has always offered a hopeful view of international affairs. His reassuring calm wit, and his profound analytical skills and intellect have contributed to all of our understanding of the many dimensions of foreign affairs—and America's role in the global community.

Today, I want to talk about the legacy that he has created and that we will carry forward as colleagues in the realm of foreign affairs, and in many ways, as students of his stewardship of congressional oversight of the conduct of U.S. foreign policy. HENRY was sworn into the House of Representatives in 1975, and when he took over the chairmanship of this committee he wasted no time to make his mark:

Chairman HYDE was instrumental in leading the charge to establish the Millennium Challenge Account to provide increased support for developing countries that are tackling corruption and instituting democratic reform and the rule of law. HENRY always paid attention to the fine details in any discussion about the impact and effectiveness of United States foreign assistance; about public diplomacy, about dispute resolution and conflict situations.

Chairman HYDE's oversight of the Oil-for-Food Investigation has been steady and determined. The United Nations Reform Act of 2005 establishes a timetable for 46 specific reforms using U.S. dues payments as leverage for change.

HENRY has made massive contributions to the fight against HIV/AIDS, helping push forward commitments to invest $15 billion over next 5 years to reduce infections from HIV/AIDS worldwide and provide lifesaving care and drugs to millions already infected.

Microenterprise owners in some of the poorest countries around the world are benefiting from important legislation that HENRY has advocated to make more efficient the U.S. foreign assistance programs that target loans and grant assistance for small enterprises.

HENRY's views on the Global War on Terrorism have been instructive and reassuring. He has steadfastly advocated key post-September 11th measures to improve how intelligence is gathered and managed, to tighten identification infrastructure, root out terrorists from so-called safe sanctuaries; and HENRY has advocated much more proactive public diplomacy programs in the Muslim world. These are just a few of his contributions.

HENRY has also been a human rights defender, strong voice for freedom to every corner of the planet, from Burma and North Korea, to Haiti, Cuba, Iraq, Iran and Darfur. We have worked together on many key issues, and a recurring theme is the nexus between terrorism and drug trafficking in places like the Andean Region in South America, and the social degradation and violence that captures communities in vicious cycles. Together we have looked for innovative ways to break these cycles. I have enjoyed working with HENRY immensely.

Most recently I have listened carefully to HENRY's public statements about rising powers like China and India, their management of the challenges of globalization, and how we can engage these rising powers in the areas of non-proliferation, economic security, and democratic institution building.

HENRY has been a tireless warrior and an inspiration to us all. As we pay tribute to our friend today, I want to add my voice and say Thank you HENRY.

OTHER BIOGRAPHICAL INFORMATION

EDUCATION

Graduated 1942, St. George High School, Evanston, Illinois

B.S., 1947, Georgetown University, Washington, D.C. (Also attended Duke University, Durham, N.C.)

J.D., 1949, Loyola University School of Law, Chicago, Illinois

Doctor of Laws (Hon.), St. Joseph's College, Standish, Maine

Doctor of Laws (Hon.), Allentown College, Center Valley, Pennsylvania

Doctor of Laws (Hon.), Campbell University, Buies Creek, North Carolina

Doctor of Laws (Hon.), University of Dallas, Dallas, Texas

Doctor of Humane Letters (Hon.), Illinois Benedictine College, Lisle, Illinois

Doctor of Humanities (Hon.), Lewis University, Romeoville, Illinois

Director of Public Administration (Hon.), Midwest College of Engineering, Lombard, Illinois

Associate in Arts (Hon.), Triton College, River Grove, Illinois

MILITARY SERVICE

Enlisted U.S. Navy, November 11, 1942

Attended Navy V–12 Program at Duke University and Notre Dame University, 1943-44, Midshipman's School, 1944

Commissioned Ensign, USNR, October, 1944, and served in South Pacific, New Guinea and in combat in the Philippines until August 1946

Served in the U.S. Naval Reserve, 1946–68; retired at the rank of Commander, after serving as officer in charge, U.S. Naval Intelligence Reserve Unit, Chicago

PROFESSIONAL

Admitted to Illinois Bar, January 9, 1950, and entered private practice specializing in litigation

Past President of Trial Lawyers Club of Chicago

Past Chairman, Illinois Crime Investigating Commission

AWARDS AND HONORS

National D-Day Museum's American Spirit Medallion, 2004

Great Defender of Life Award, the Human Life Foundation, 2003

Chairman's Award, the DuPage County Workforce Board, 2003

True Blue Award, the Family Research Council, 2003

Friend of the Year, Marklund Children's Home, 2000

Life: the Choice for a New Millennium Award, Georgetown University Council of the Knights of Columbus, 2000

Michael Kuhn Award, National Hemophilia Foundation, 1999

Statesmanship Award, Claremont Institute, 1999

Sword of Loyola for Service to Country, Respect for Life, and Leadership in Government, Stritch School of Medicine of Loyola University, 1995

Catholic American of the Year, Catholic Campaign for America, 1994

Watchdog of the Treasury Award, annually from 1975 to present. Given to legislators for their votes to curb federal spending.

Guardian of Small Business, given annually by the National Federation of Independent Business for voting record on issues important to America's small and family-owned businesses

Grace Caucus Award, Citizens Against Government Waste

Sound Dollar Award, Free Congress Foundation

National Security Leadership Award, Disabled American Veterans

Distinguished Service Award, Disabled American Veterans

Alumni Medal of Excellence, Loyola University School of Law

Distinguished Citizens Citation, Creighton University, Omaha, Nebraska

RECESS

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 8 o'clock and 56 minutes p.m.), the House stood in recess subject to the call of the Chair.

☐ 2210

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SESSIONS) at 10 o'clock and 10 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5252, COMMUNICATIONS OPPORTUNITY, PROMOTION, AND ENHANCEMENT ACT OF 2006

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 109–491) on the resolution (H. Res. 850) providing for consideration of the bill (H.R. 5252) to promote the deployment of broadband networks and services, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5522, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2007

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 109–492) on the resolution (H. Res. 851) providing for consideration of the bill (H.R. 5522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BACA (at the request of Ms. PELOSI) for today before 4:00 p.m. on account of business in the district.

Mr. BISHOP of New York (at the request of Ms. PELOSI) for today and June 8.

Ms. SLAUGHTER (at the request of Ms. PELOSI) for today.

Mr. REYES (at the request of Ms. PELOSI) for today on account of a family illness.

Mr. MANZULLO (at the request of Mr. BOEHNER) for the week of June 6 on account of a family illness.

Mr. OSBORNE (at the request of Mr. BOEHNER) for June 6 and until 2:00 p.m. today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. PELOSI, for 5 minutes, today.

Mrs. McCARTHY, for 5 minutes, today.

Mr. DeFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

Ms. McKINNEY, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

(The following Members (at the request of Mr. ENGLISH of Pennsylvania) to revise and extend their remarks and include extraneous material:)

Mr. BURGESS, for 5 minutes, June 8 and 13.

Mr. JONES of North Carolina, for 5 minutes, June 14.

Mr. DUNCAN, for 5 minutes, today.

Mr. FITZPATRICK of Pennsylvania, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. CHABOT, for 5 minutes, today.

Ms. HARRIS, for 5 minutes, today.

Mr. ROHRABACHER, for 5 minutes, today.

ADJOURNMENT

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 11 minutes p.m.), the House adjourned until tomorrow, Thursday, June 8, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7842. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting notification of the Department's intention to close the Defense commissary stores at Giebelstadt and Kitzingen Air Base, Germany on August 1, 2006; to the Committee on Armed Services.

7843. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting a report to Congress on the use of Aviation Career Incentive Pay (ACIP) and Aviation Continuation Pay (ACP) Program for Fiscal Year 2005, pursuant to 37 U.S.C. 301a(a); to the Committee on Armed Services.

7844. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting the Department's report presenting the specific amounts of staff-years of technical effort to be allocated for each Federally Funded Research and Development Center (FFRDC) during Fiscal Year 2007, pursuant to Public Law 109-148, section 8026(e); to the Committee on Armed Services.

7845. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the annual report to Congress on material violations or suspected material violations of regualtions relating to Treasury auctions and other offerings of securities by Treasury, pursuant to 31 U.S.C. 3121 nt.; to the Committee on Financial Services.

7846. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Average Fuel Standards for Light Trucks Model Years 2008-2011 [Docket No. 2006-24306] (RIN: 2127-AJ61) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7847. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a supplement to the Department's "Country Reports on Terrorism: 2005," pursuant to 22 U.S.C. 2656f(b); to the Committee on International Relations.

7848. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

7849. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report mandated in the Participation of Taiwan in the World Health Organization Act, 2004 (Pub. L. 108-235), Section 1(c); to the Committee on International Relations.

7850. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report concerning methods employed by the Government of Cuba to comply with the United States-Cuba September 1994 "Joint Communique" and the treatment by the Government of Cuba of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement," together known as the Migration Accords, pursuant to Public Law 105-277, section 2245; to the Committee on International Relations.

7851. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment from the Government of the Netherlands (Transmittal No. RSAT-01-06); to the Committee on International Relations.

7852. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2006-14 on Certification on Rescission of Libya's Designation as a State Sponsor of Terrorism; to the Committee on International Relations.

7853. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report providing information on steps taken by the U.S. Government to bring about an end to the Arab League boycott of Israel and to expand the process of normalization between Israel and the Arab League countries, as requested in Section 535 Division D of the Foreign Operations, Export Financing, and Related Programs Appropriations Act for Fiscal Year 2005 (Pub. L. 108-447); to the Committee on International Relations.

7854. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report regarding the amount of acquisitions made by the Department from entities that manufacture articles, materials, or supplies outside of the United States, pursuant to Public Law 108-447, Division H; to the Committee on Government Reform.

7855. A letter from the Secretary, Department of Energy, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2005 to March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7856. A letter from the Acting Inspector General, Department of Defense, transmitting in compliance with the "Federal Activities Inventory Reform Act of 1998," (Pub. L. 105-270, the FAIR Act), the inventory of commercial and inherently government activities for FY 2005; to the Committee on Government Reform.

7857. A letter from the Under Secretary for Management, Department of Homeland Security, transmitting in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Department's report on competitive sourcing efforts for FY 2005; to the Committee on Government Reform.

7858. A letter from the Director, Office of Personnel Management, transmitting the Office's report entitled, "Federal Student Loan Repayment Program FY 2005," pursuant to 5 U.S.C. 5379(a)(1)(B) Public Law 106-398, section 1122; to the Committee on Government Reform.

7859. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, "Letter Report: Review of Relocation and Related OCTO Employees' Expenses Paid For by the Office of the Chief Technology Officer for Fiscal Years 2001 Through 2003"; to the Committee on Government Reform.

7860. A letter from the Chairman, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Government Reform.

7861. A letter from the Chairman, U.S. Merit Systems Protection Board, transmitting a copy of draft legislation to reauthorize the U.S. Merit Systems Protection Board for an additional five years, pursuant to 31 U.S.C. 1110; to the Committee on Government Reform.

7862. A letter from the Chairman, U.S. Postal Service, transmitting the semiannual report on activities of the Inspector General for the period ending March 31, 2006 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

7863. A letter from the Executive Director, United States Access Board, transmitting the Board's FY 2005 report, pursuant the requirements of section 203(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No Fear Act); to the Committee on Government Reform.

7864. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Captain of the Port Zone Jacksonville, FL [COTP Jacksonville, FL (RIN: 1625-AA87) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7865. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security and Safety Zone; Protection of Large Passenger Vessels, Portland, OR [CGD13-06-019] (RIN: 1625-AA00) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7866. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Portland Rose Festival on Willamette River [CGD13-06-020] (RIN: 1625-AA87) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7867. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercise, Southeast of Ocean City, MD, Atlantic Ocean [COTP Hampton Roads 06-046] (RIN: 1625-AA00) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7868. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Carlos Bay, FL [COTP St. Petersburg 06-066] (RIN: 1625-AA00) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7869. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: M/V ZHEN HUA 1 Crane Delivery Operation, Columbia River, Portland Oregon [CGD13-06-016] (RIN: 1625-AA00) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7870. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Trojan Power Plant Cooling Tower Implosion, Rainier, Oregon [CGD13-06-012] (RIN: 1625-AA00) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7871. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Chicago Sanitary and Ship Canal, Romeoville, IL [CGD09-06-018] (RIN: 1625-AA00) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7872. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 1.5NM North of Glass Breakwater, Philippine Sea, GU [COTP Guam 06-004] (RIN: 1625-AA00) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7873. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Vehicles Built in Two or More Stages [Docket No. NHTSA-2006-24664] (RIN: 2127-AJ91) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7874. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Controls, Telltales and Indicators [Docket No. NHTSA-2006-23651] (RIN: 2127-AJ81) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7875. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Civil Penalties [Docket No. NHTSA-05-24109; Notice 2] (RIN: 2127-AJ83) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7876. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Reservation System for Unscheduled Arrivals at Chicago's O'Hare International Airport [Docket No. FAA-2005-19411; SFAR No. 105] (RIN: 2120-AI47) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7877. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Holy Cross, AK [Docket No. FAA-2005-22854; Airspace Docket No. 05-AAL-34] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7878. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E5 Airspace; Hill City, KS [Docket No. FAA-2005-22745; Airspace Docket No. 05-ACE-31] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7879. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30491; Amdt. No. 3164] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7880. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30492; Amdt. No. 3165] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7881. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Valdez Pioneer Field, AK [Docket No. FAA-2005-22686; Airspace Docket No. 05-AAL-42] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7882. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Cold Bay, AK [Docket No. FAA-2005-23275; Airspace Docket No. 05-AAL-40] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7883. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; St. Paul Island, AK [Docket No. FAA-2005-22687; Airspace Docket No. 05-AAL-23] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7884. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Minchumina, AK [Docket No. FAA-2005-23276; Airspace Docket No. 05-AAK-41] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7885. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Enroute Domestic Airspace Area; Vandenberg AFB, CA [Docket No. FAA-2005-23271; Airspace Docket No. 05-AWP-15] (RIN: 2120-AA66) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7886. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Kuparuk, AK [Docket No. FAA-2006-23712; Airspace Docket No. 06-AAL-05] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7887. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Minchumina, AK [Docket No. FAA-2005-23276; Airspace Docket No. 05-AAL-41] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7888. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Middleton Island, Ak [Docket No. FAA-2006-23711; Airspace Docket No. 06-AAL-04] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7889. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Galbraith Lake, AK [Docket No. FAA-2005-22857; Airspace Docket No. 05-AAL-37] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7890. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Herlong, CA [Docket FAA 2004-19684; Airspace Docket 04-ANM-24] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7891. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Restricted Areas R-3002A, B, C, D, E and F; and Establishment of Restricted Area R-3002G; Fort Benning, GA [Docket No. FAA-2006-23531; Airspace Docket No. 04-AS-14] (RIN: 2120-AA66) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7892. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Mason City Municipal Airport, IA [Docket No. FAA-2006-24370; Airspace Docket No. 06-ACE-3] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7893. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Removal of Class E Airspace; Paducah

Farrington Airpark, KY [Docket No. FAA-2006-24285; Airspace Docket No. 06-ASO-4] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7894. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class D Airspace; Bay St. Louis, MS [Docket No. FAA-2006-23590; Airspace Docket No. 06-ASO-2] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7895. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revision of Class E Airspace; Togiak Village, AK [Docket No. FAA-2006-23713; Airspace Docket No. 06-AAl-06] received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7896. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule — Security Zone; Waters Surrounding U.S. Forces Vessel SBX-1, HI [COTP Honolulu 06-005] (RIN: 1625-AA87) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7897. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule — Safety Zone; Tampa, FL [COTP St. Petersburg 06-063] (RIN: 1625-AA00) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7898. A letter from the Secretary, Department of Energy, transmitting an annual report concerning operations at the Naval Petroleum Reserves for fiscal year 2006, pursuant to 42 U.S.C. 6501 note; jointly to the Committees on Armed Services and Energy and Commerce.

7899. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to Section 634A of the Foreign Assistance Act of 1961, as amended,and Division D, Title V, Section 515 of the Consolidated Appropriations Act, 2005, as enacted in Pub. L. 108-447, notification that implementation of the FY 2006 International Military Education and Training (IMET) program, as approved by the Department of State, requires revisions to the levels justified in the FY 2006 Congressional Budget Justification for Foreign Operations for the enclosed list of countries; jointly to the Committees on International Relations and Appropriations.

7900. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2006-12, waiving and certifying the statutory provisions regarding the Palestine Liberation Organization (PLO) Office, pursuant to Public Law 108-447, section 534(d); jointly to the Committees on International Relations and Appropriations.

7901. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report on the Millenium Challenge Corporation (MCC)'s fiscal year 2005 obligations and expenditures for assistance provided to each eligible country, as required under the Millenium Challenge Act (Pub. L. 108-199, Section 613); jointly to the Committees on International Relations, the Judiciary, Ways and Means, Resources, and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POMBO: Committee on Resources. H.R. 4084. A bill to amend the Forest Service use and occupancy permit program to restore the authority of the Secretary of Agriculture to utilize the special use permit fees collected by the Secretary in connection with the establishment and operation of marinas in units of the National Forest System derived from the public domain, and for other purposes (Rept. 109-490 Pt. 1). Ordered to be printed.

Mr. LINCOLN DIAZ-BALART of Florida: Committee on Rules. House Resolution 850. Resolution providing for consideration of the bill (H.R. 5252) to promote the deployment of broadband networks and services (Rept. 109–491). Referred to the House Calendar.

Mr. LINCOLN DIAZ-BALART of Florida: Committee on Rules. House Resolution 851. Resolution providing for consideration of the bill (H.R. 5522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109-492). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself, Mr. Honda, Mrs. Biggert, Mr. Gordon, Mr. Kingston, Mr. Doggett, Mr. Boehlert, Mr. Bartlett of Maryland, Mr. Engel, and Mr. McCaul of Texas):

H.R. 5538. A bill to reduce the Nation's dependence on foreign sources of oil by promoting plug-in hybrid electric vehicles and related advanced vehicle technologies; to the Committee on Science.

By Mr. POMBO (for himself, Mr. Rahall, Mr. Gilchrest, Mrs. Drake, Mr. Kennedy of Minnesota, Mr. Dingell, and Mr. Weldon of Pennsylvania):

H.R. 5539. A bill to reauthorize the North American Wetlands Conservation Reauthorization Act; to the Committee on Resources.

By Mr. NEUGEBAUER (for himself, Mr. Sessions, Mr. Poe, Mr. McCaul of Texas, Mr. Edwards, Mr. Marchant, Mr. Thornberry, Mr. Bonilla, Mr. Conaway, Mr. Gene Green of Texas, Mr. Sam Johnson of Texas, Mr. Brady of Texas, Mr. Burgess, Mr. Hinojosa, Mr. Gonzalez, Mr. Doggett, Mr. Ortiz, Mr. Paul, Mr. Hensarling, Ms. Granger, Mr. Hall, Mr. Culberson, Mr. Carter, Mr. DeLay, Ms. Jackson-Lee of Texas, Ms. Eddie Bernice Johnson of Texas, Mr. Cuellar, Mr. Smith of Texas, Mr. Gohmert, Mr. Reyes, Mr. Al Green of Texas, and Mr. Barton of Texas):

H.R. 5540. A bill to designate the facility of the United States Postal Service located at 217 Southeast 2nd Street in Dimmitt, Texas, as the "Sergeant Jacob Dan Dones Post Office"; to the Committee on Government Reform.

By Mr. BONILLA (for himself, Mr. Smith of Texas, Mr. Burgess, Mr. Carter, Mr. Conaway, Mr. Gohmert, Ms. Granger, Mr. Hensarling, Mr. Sam Johnson of Texas, Mr. Marchant, Mr. McCaul of Texas, Mr. Sessions, Mr. Thornberry, Mr. Neugebauer, Mr. Culberson, Mr. Poe, Mr. Barton of Texas, Mr. Hall, Mr. Brady of Texas, Mr. Paul, and Mr. Doolittle):

H.R. 5541. A bill to reform immigration litigation procedures; to the Committee on the Judiciary.

By Mr. CARDOZA:

H.R. 5542. A bill to amend title 18, United States Code, to provide an additional penalty for public officials who abuse their office in furtherance of a felony; to the Committee on the Judiciary.

By Mr. TOM DAVIS of Virginia:

H.R. 5543. A bill to ensure that the average fuel economy achieved by automobiles manufactured after 2016 is no less than 33 miles per gallon, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H.R. 5544. A bill to provide for the security of critical energy infrastructure; to the Committee on Energy and Commerce.

By Mr. GENE GREEN of Texas:

H.R. 5545. A bill to amend the Public Health Service Act to ensure that projects funded through the National Institutes of Health comply with wage rate requirements commonly referred to as the "Davis-Bacon Act", and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. INGLIS of South Carolina (for himself, Mr. Barrett of South Carolina, Mr. Brown of South Carolina, Mr. Clyburn, Mr. Spratt, and Mr. Wilson of South Carolina):

H.R. 5546. A bill to designate the Federal courthouse to be constructed in Greenville, South Carolina, as the "Carroll A. Campbell, Jr. Federal Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. JINDAL:

H.R. 5547. A bill to direct the Secretary of Homeland Security to establish a Gulf Coast Long-Term Recovery Office to administer amounts available to the Department for providing assistance to the residents of the Gulf Coast region for recovering from Hurricanes Katrina and Rita, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself, Ms. Zoe Lofgren of California, Mrs. Davis of California, and Mrs. McCarthy):

H.R. 5548. A bill to authorize assistance for women and girls in Iraq, and for other purposes; to the Committee on International Relations.

By Mr. MILLER of Florida:

H.R. 5549. A bill to amend title 38, United States Code, to remove certain limitations on attorney representation of claimants for veterans benefits in administrative proceedings before the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GEORGE MILLER of California (for himself, Mr. Spratt, Ms. Solis, Ms. PELOSI, Mr. MCGOVERN, Mr. UDALL of Colorado, Mr. CONYERS, Mrs. MCCARTHY, Mr. GRIJALVA, Mr. LANTOS, and Ms. DELAURO):

H.R. 5550. A bill to provide certain requirements for labeling textile fiber products and for duty-free and quota-free treatment of products of, and to implement minimum wage and immigration requirements in, the Northern Mariana Islands, and for other purposes; to the Committee on Resources, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RENZI (for himself, Mr. CONAWAY, Mr. SHADEGG, Mr. MILLER of Florida, Mr. POE, Mr. PETERSON of Minnesota, Mr. BRADLEY of New Hampshire, Mr. GOODE, Mrs. MUSGRAVE, Mr. KING of Iowa, Mr. ALEXANDER, and Mr. DAVIS of Kentucky):

H.R. 5551. A bill to amend chapter 44 of title 18, United States Code, to amend the requirement that interstate firearms sales by Federal firearms licensees be made in accordance with the State law of the purchaser; to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 5552. A bill to establish a commission to develop legislation designed to reform tax policy and entitlement benefit programs and ensure a sound fiscal future for the United States, and for other purposes; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE (for himself, Mrs. MUSGRAVE, Mr. PETERSON of Minnesota, Mr. UDALL of Colorado, Mr. MORAN of Kansas, Mr. GUTKNECHT, Ms. HERSETH, Mr. POMEROY, Mr. LATHAM, Mr. LAHOOD, Mr. SHIMKUS, Mr. LUCAS, Mr. VISCLOSKY, Mr. INSLEE, Mr. TERRY, and Ms. DELAURO):

H. Con. Res. 424. Concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. LEACH, Mrs. MYRICK, Mr. BASS, Mr. PORTER, Mr. SIMMONS, Mrs. MUSGRAVE, Mr. FITZPATRICK of Pennsylvania, Mr. WILSON of South Carolina, Mr. DENT, Ms. HARRIS, Mrs. KELLY, Mrs. MILLER of Michigan, Mr. SHAYS, Mr. KELLER, Mr. HEFLEY, Mr. MICA, and Mr. HAYWORTH):

H. Res. 852. A resolution expressing the sense of the House that Members of Congress are not immune from having their offices searched; to the Committee on the Judiciary.

By Mr. LEWIS of Kentucky:

H. Res. 853. A resolution congratulating the Small Business Development Centers of the Small Business Administration on their commitment to service America's small business owners and entrepreneurs; to the Committee on Small Business.

By Mr. GARY G. MILLER of California (for himself, Ms. WATERS, Mr. HINOJOSA, Mr. SCOTT of Georgia, Ms. HARRIS, Ms. MILLENDER-MCDONALD, Mr. KANJORSKI, Mr. NEUGEBAUER, Mr. FRANK of Massachusetts, Mr. NEY, and Mr. OXLEY):

H. Res. 854. A resolution recognizing National Homeownership Month and the importance of homeownership in the United States; to the Committee on Financial Services.

By Mr. ROHRABACHER:

H. Res. 855. A resolution commending the cooperation of important allies in counterterrorist operations, condemning the criticism of such cooperation by the European Parliament, and commending the counterterrorism efforts of the Central Intelligence Agency; to the Committee on International Relations, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 208: Mr. GRIJALVA.

H.R. 389: Mr. ENGEL.

H.R. 415: Mr. NEUGEBAUER and Mr. TANCREDO.

H.R. 503: Mr. HAYWORTH.

H.R. 559: Ms. KILPATRICK of Michigan and Ms. BERKLEY.

H.R. 583: Ms. PELOSI, Mr. GOODE, and Mr. WALSH.

H.R. 601: Mr. FALEOMAVAEGA.

H.R. 699: Mr. MURPHY and Mr. DAVIS of Illinois.

H.R. 717: Mr. FORD.

H.R. 783: Mr. RUPPERSBERGER and Mr. RAHALL.

H.R. 792: Mr. ENGEL.

H.R. 874: Mr. THORNBERRY and Mr. EVERETT.

H.R. 881: Mr. AKIN.

H.R. 968: Mr. GRIJALVA.

H.R. 995: Mr. LAHOOD.

H.R. 1175: Mr. GOODE.

H.R. 1264: Mr. BLUMENAUER, Mr. MOORE of Kansas, and Mr. MCHUGH.

H.R. 1366: Mr. BERRY.

H.R. 1384: Mr. RAHALL, Mr. DAVIS of Kentucky, Mr. POE, Mr. BERRY, and Mrs. EMERSON.

H.R. 1424: Mr. ENGEL.

H.R. 1447: Mr. PRICE of North Carolina.

H.R. 1549: Mr. WELDON of Pennsylvania and Mr. SANDERS.

H.R. 1697: Mr. AL GREEN of Texas.

H.R. 1816: Mr. PICKERING.

H.R. 1898: Mr. BOSWELL and Ms. GRANGER.

H.R. 2061: Mr. CRAMER.

H.R. 2231: Mr. SHUSTER, Mr. BLUMENAUER, Mr. MARSHALL, and Ms. KILPATRICK of Michigan.

H.R. 2646: Mr. BACHUS, Mr. BARTLETT of Maryland, Ms. SOLIS, Mr. HIGGINS, Mr. SIMMONS, and Mr. JINDAL.

H.R. 2694: Ms. JACKSON-LEE of Texas.

H.R. 2730: Mr. SHAYS and Mr. SAXTON.

H.R. 2861: Mrs. WILSON of New Mexico.

H.R. 2962: Mrs. DAVIS of California.

H.R. 3312: Mr. MOORE of Kansas.

H.R. 3380: Mr. FILNER.

H.R. 3427: Mr. BRADY of Pennsylvania, Ms. DELAURO, and Mr. MEEKS of New York.

H.R. 3476: Mr. CALVERT, Mr. SWEENEY, and Ms. ROS-LEHTINEN.

H.R. 3478: Mr. KINGSTON and Mr. BACA.

H.R. 3628: Mr. MURTHA.

H.R. 3760: Mr. MORAN of Virginia, Mr. LARSON of Connecticut, Mr. HASTINGS of Florida, Mr. ANDREWS, Mr. AL GREEN of Texas, Ms. MILLENDER-MCDONALD, and Mr. CLYBURN.

H.R. 3852: Mr. JACKSON of Illinois and Mr. ABERCROMBIE.

H.R. 3928: Mr. MCHUGH.

H.R. 4033: Mr. EMANUEL.

H.R. 4045: Mrs. LOWEY.

H.R. 4063: Ms. MOORE of Wisconsin.

H.R. 4092: Mr. JACKSON of Illinois.

H.R. 4188: Mr. OLVER and Mr. PRICE of North Carolina.

H.R. 4325: Mrs. KELLY.

H.R. 4381: Mr. FITZPATRICK of Pennsylvania, Mr. MANZULLO, Mr. PLATTS, and Mr. WEXLER.

H.R. 4403: Mr. LEVIN, Mr. ALLEN, Mr. MICHAUD, Mr. CAMP of Michigan, and Mr. MCDERMOTT.

H.R. 4408: Mr. DAVIS of Kentucky.

H.R. 4446: Ms. GRANGER.

H.R. 4573: Ms. MCKINNEY.

H.R. 4621: Mr. NORWOOD, Ms. HARRIS, and Mr. CARTER.

H.R. 4712: Mr. WU.

H.R. 4767: Ms. JACKSON-LEE of Texas.

H.R. 4824: Mr. FRANK of Massachusetts.

H.R. 4843: Mr. FALEOMAVAEGA.

H.R. 4857: Mrs. MUSGRAVE, Mr. HAYWORTH, Mr. BROWN of South Carolina, and Mr. GIBBONS.

H.R. 4894: Mrs. WILSON of New Mexico, Mr. BASS, Mr. PUTNAM, Mr. POE, Mr. FERGUSON, Mr. SHIMKUS, and Mr. ISSA.

H.R. 4901: Mr. ABERCROMBIE.

H.R. 4903: Mr. SANDERS.

H.R. 4914: Mr. STRICKLAND, Mr. ISRAEL, and Mr. CONYERS.

H.R. 4932: Mr. BOSWELL.

H.R. 4982: Mrs. MALONEY and Mr. EMANUEL.

H.R. 5005: Mr. ALEXANDER, Mr. EVERETT, Mr. KELLER, and Mr. ENGLISH of Pennsylvania.

H.R. 5013: Mr. BISHOP of Georgia, Mr. GENE GREEN of Texas, Mr. KELLER, Mr. TANCREDO, Mr. DAVIS of Kentucky, Mr. BARTON of Texas, Ms. GRANGER, Mr. HULSHOF, Mr. RYUN of Kansas, Mrs. DRAKE, Mrs. EMERSON, Mr. BOYD, and Mr. GALLEGLY.

H.R. 5024: Mr. SHAYS and Mr. GILLMOR.

H.R. 5052: Mr. TIERNEY, Mr. PASTOR, and Ms. MATSUI.

H.R. 5057: Mr. FORTUÑO.

H.R. 5100: Mrs. KELLY.

H.R. 5134: Ms. DEGETTE, Mr. ETHERIDGE, Mr. ROTHMAN, and Mr. LARSEN of Washington.

H.R. 5139: Ms. JACKSON-LEE of Texas and Mr. ALLEN.

H.R. 5140: Mr. PAYNE and Ms. JACKSON-LEE of Texas.

H.R. 5182: Ms. JACKSON-LEE of Texas, Mr. DAVIS of Florida, Mr. REYES, Mr. BAKER, Mr. GRAVES, Mr. TAYLOR of North Carolina, Mr. FRANK of Massachusetts, and Mr. JENKINS.

H.R. 5200: Mr. EMANUEL, Mr. LARSEN of Washington, Mrs. KELLY, Ms. JACKSON-LEE of Texas, Mr. MURTHA, and Mr. DEFAZIO.

H.R. 5201: Mr. MORAN of Virginia, Ms. WASSERMAN SCHULTZ, Ms. MATSUI, Mr. HASTINGS of Florida, Mr. MEEK of Florida, Mr. LIPINSKI, Ms. HERSETH, Mr. SHAW, and Mr. THORNBERRY.

H.R. 5206: Mr. WILSON of South Carolina, Mr. GORDON, Mr. FILNER, and Mr. FORD.

H.R. 5208: Mr. McCOTTER.

H.R. 5230: Mr. MARIO DIAZ-BALART of Florida.

H.R. 5238: Mr. LARSEN of Washington and Mr. DUNCAN.

H.R. 5249: Mrs. BLACKBURN, Mr. FLAKE, Mr. GARRETT of New Jersey, and Mr. JENKINS.

H.R. 5255: Mr. DUNCAN.

H.R. 5262: Mr. BARRETT of South Carolina, Mr. McHENRY, Mr. GUTKNECHT, Mr. AKIN, Mr. KINGSTON, and Mr. RYUN of Kansas.

H.R. 5289: Mr. MANZULLO.

H.R. 5312: Mrs. WILSON of New Mexico.

H.R. 5315: Ms. JACKSON-LEE of Texas.

H.R. 5321: Mr. MICHAUD and Mr. PAYNE.

H.R. 5332: Mr. CONYERS and Mr. McGOVERN.

H.R. 5337: Ms. BEAN, Mr. COBLE, Mr. FEENEY, Mr. LEACH, and Mr. MATHESON.

H.R. 5346: Mr. McCOTTER, Mr. FORD, and Mr. JEFFERSON.

H.R. 5363: Mr. ABERCROMBIE and Mr. GOHMERT.

H.R. 5364: Mr. STARK.

H.R. 5405: Mr. GOODLATTE and Mr. KING of Iowa.

H.R. 5431: Mr. PETERSON of Minnesota and Ms. HERSETH.

H.R. 5453: Mr. REHBERG, Mr. MANZULLO, and Mr. WAMP.

H.R. 5457: Mr. FORBES, Mr. JONES of North Carolina, Mr. BONILLA, Mr. CARTER, Mr. NORWOOD, Mr. ISTOOK, Mr. SAM JOHNSON of Texas, Mr. CULBERSON, Mr. NEUGEBAUER, Mr. FLAKE, Mr. TIAHRT, Mr. MARCHANT, Mr. WELDON of Florida, Mr. GARY G. MILLER of California, Mrs. CUBIN, Mr. KLINE, Mr. LUCAS, and Mr. CONAWAY.

H.R. 5458: Mr. HINOJOSA.

H.R. 5464: Mr. KLINE and Mrs. CUBIN.

H.R. 5474: Mr. SESSIONS.

H.R. 5499: Mr. RAHALL, Mr. BUTTERFIELD, Mr. CASE, Mr. WAMP, and Mr. BRADY of Pennsylvania.

H.R. 5533: Mr. BURGESS.

H.R. 5536: Mr. BASS, Ms. JACKSON-LEE of Texas, and Mr. BROWN of South Carolina.

H.J. Res. 86: Mr. PITTS.

H.J. Res. 88: Mr. FLAKE, Mr. FORTENBERRY, Mr. GRAVES, Mr. JINDAL, Mr. KENNEDY of Minnesota, Mr. KLINE, Mr. DANIEL E. LUNGREN of California, and Mr. MARSHALL.

H. Con. Res. 404: Mr. FILNER and Mr. SHAYS.

H. Con. Res. 407: Mr. MURPHY.

H. Con. Res. 409: Mrs. TAUSCHER.

H. Con. Res. 416: Mr. OWENS, Mr. WYNN, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. BURGESS, Mr. AL GREEN of Texas, Mr. BISHOP of Georgia, Mr. LARSEN of Washington, and Mr. CLEAVER.

H. Res. 490: Ms. LINDA T. SÁNCHEZ of California.

H. Res. 688: Ms. JACKSON-LEE of Texas.

H. Res. 723: Mr. PRICE of North Carolina, Mr. SHAYS, and Mr. DOGGETT.

H. Res. 776: Mr. UDALL of Colorado.

H. Res. 777: Mr. JACKSON of Illinois and Mr. MEEKS of New York.

H. Res. 786: Mr. BURTON of Indiana, Mr. FOSSELLA, and Mr. BISHOP of Georgia.

H. Res. 793: Mr. NORWOOD.

H. Res. 794: Ms. BORDALLO, Mr. SHERMAN, and Ms. BERKLEY.

H. Res. 800: Mr. SMITH of Washington.

H. Res. 826: Mr. SCOTT of Virginia, Mr. DENT, Mr. CANTOR, Ms. HARMAN, Mr. TAYLOR of Mississippi, Mr. MATHESON, Mr. SOUDER, Mr. HAYES, Mr. COBLE, Mrs. BIGGERT, Mr. HAYWORTH, Mr. MARSHALL, Mr. LYNCH, Mr. FRANKS of Arizona, Mr. BROWN of Ohio, Ms. WOOLSEY, Mr. CUMMINGS, Mr. PENCE, Mr. ADERHOLT, Mr. WYNN, Mr. DAVIS of Tennessee, Mr. RAHALL, Mr. NADLER, Mr. JEFFERSON, Mr. AL GREEN of Texas, Mr. CLEAVER, Mr. WEINER, Ms. WATSON, Mr. DUNCAN, Mr. FITZPATRICK of Pennsylvania, and Mr. ALLEN.

H. Res. 838: Mrs. SCHMIDT.

H. Res. 844: Mr. UDALL of Colorado.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 5230: Mr. TOWNS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5522

OFFERED BY: MR. BLUMENAUER

AMENDMENT NO. 1: In the item relating to "DEVELOPMENT ASSISTANCE", after the aggregate dollar amount, insert the following: "(increased by $250,000,000)".

In the item relating to "FOREIGN MILITARY FINANCING PROGRAM", after the aggregate dollar amount, insert the following: "(reduced by $250,000,000)".

H.R. 5522

OFFERED BY: MS. GINNY BROWN-WAITE OF FLORIDA

AMENDMENT NO. 2: Page 23, line 11, after the dollar amount, insert the following: "(reduced to $0)".

H.R. 5522

OFFERED BY: MS. GINNY BROWN-WAITE OF FLORIDA

AMENDMENT NO. 3: At the end of the bill (before the short title), insert the following:

LIMITATION ON INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT ASSISTANCE FOR MEXICO

SEC. 5xx. Of the funds appropriated in this Act under the heading "INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT", not more than $39,000,000 may be available for assistance for Mexico.

H.R. 5522

OFFERED BY: MR. CULBERSON

AMENDMENT NO. 4: At the end of the bill (before the short title), insert the following:

LIMITATION ON ASSISTANCE FOR MEXICO

SEC.   . None of the funds made available in this Act may be used for assistance for Mexico.

H.R. 5522

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE FOR MEXICO

SEC. 5xx. None of the funds made available in this Act under the heading "ECONOMIC SUPPORT FUND" may be used to provide assistance for Mexico.

H.R. 5522

OFFERED BY: MR. LYNCH

AMENDMENT NO. 6: Page 4, line 10, after the dollar amount, insert the following: "(reduced by $10,000,000)".

Page 38, line 20, after the dollar amount, insert the following: "(increased by $10,000,000)".

H.R. 5522

OFFERED BY: MR. McGOVERN

AMENDMENT NO. 7: In the item relating to "ANDEAN COUNTERDRUG INITIATIVE" (page ____, line ____), after the aggregate dollar amount, insert the following: "(reduced by $30,000,000)".

In the item relating to "UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND" (page ____, line ____), after the dollar amount, insert the following: "(increased by $30,000,000)".

H.R. 5522

OFFERED BY: MR. McGOVERN

AMENDMENT NO. 8: At the end of the bill (before the short title), insert the following:

LIMITATION ON ASSISTANCE FOR THE WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION

SEC. 5xx. None of the funds made available in this Act may be used for programs at the Western Hemisphere Institute for Security Cooperation located at Fort Benning, Georgia.

H.R. 5522

OFFERED BY: MRS. MUSGRAVE

AMENDMENT NO. 9: At the end of the bill (before the short title), insert the following:

LIMITATION ON ASSISTANCE TO COUNTRIES THAT PROHIBIT THE IMPORTATION OF UNITED STATES BEEF

SEC. 5xx. None of the funds made available in this Act may be used to provide assistance to any country identified by the Department of Agriculture as a country that prohibits the importation of United States beef from animals less than 30 months of age.

H.R. 5522

OFFERED BY: MR. POE

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

REDUCTION IN APPROPRIATIONS

SEC. 5xx. Appropriations made in this Act are hereby reduced in the amount of $597,000,000.

H.R. 5522

OFFERED BY: MR. POE

AMENDMENT NO. 11: At the end of the bill (before the short title), insert the following:

LIMITATION ON ASSISTANCE TO CERTAIN COUNTRIES

SEC. 5xx. None of the funds made available in this Act may be used to provide assistance to any country the government of which does not accept the transfer from the United States of citizens or nationals of such country who have been issued a final removal order by U.S. Immigration and Customs Enforcement.

H.R. 5522

OFFERED BY: MR. TERRY

AMENDMENT NO. 12: At the end of the bill (before the short title), insert the following:

LIMITATION ON FUNDS

SEC. 5xx. None of the funds made available in this Act may be used in contravention of section 2320(a) of title 18, United States Code.

SENATE—*Wednesday, June 7, 2006*

The Senate met at 9 a.m. and was called to order by the Honorable SAM BROWNBACK, a Senator from the State of Kansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Great Shepherd of us all, remind us that You will not permit us to be tested beyond our strength. Inspire us in the face of great challenges by the fact that You have weighed the difficulties and will give us the power to meet them. Make us grateful for the opportunities to express our love for You by cheerfully bearing our crosses.

Strengthen our Senators. Do not remove their mountains, but give them the energy to climb them. Lead them around life's stumbling blocks to a destination that brings glory to You.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SAM BROWNBACK led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 7, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SAM BROWNBACK, a Senator from the State of Kansas, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. BROWNBACK thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MARRIAGE PROTECTION AMENDMENT—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S.J. Res. 1, which the clerk will report.

The bill clerk read as follows:

> Motion to proceed to the consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 9:40 shall be equally divided between the two leaders or their designees.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will have a brief period for closing remarks prior to the 10 a.m. vote on the Marriage Protection Amendment. That vote will be on a vote for cloture on the motion to proceed to S.J. Res. 1.

Following the 10 o'clock vote, the Senate will recess in order to attend a joint meeting with the House for the President of the Republic of Latvia, who will be addressing both Houses at 11 o'clock this morning. Senators should remain in the Chamber following the vote so we may leave at approximately 10:40 for that joint meeting.

When we return at noon, we have set aside debate times on two issues. First, from 12 o'clock to 3 o'clock, we will be debating the motion to proceed to the repeal of the death tax. A cloture motion was filed on proceeding to the death tax repeal. That vote will occur tomorrow morning. We have also set aside debate from 3 o'clock to 6 o'clock on the motion to proceed to the Native Hawaiians measure. The cloture vote will occur on that motion to proceed during tomorrow's session, as well.

I add that this week we have other matters to consider, including some nominations. We hope to reach agreements to consider Sue Schwab to be U.S. Trade Representative, the Assistant Secretary of Labor for Mine Safety and Health, and several available district judges who are on the Executive Calendar. We will be scheduling those for consideration through the remaining days this week.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

VOTING

Mr. REID. Mr. President, my only response would be on this side of the aisle, we will be voting on the estate tax.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, we will shortly be voting on what will presumably be the 28th amendment to the U.S. Constitution. We all know the outcome of that vote. The amendment will fall well short of the 60 votes required for cloture, let alone the 67 votes required to pass a constitutional amendment, so it will fail, as it did 2 years ago. I am pleased that the Senate will reject this amendment.

I am heartened so many Senators have come to the Senate to speak out strongly against this misguided proposal, but I am saddened that once again the Senate has spent several days on such a divisive and unneeded proposal, a proposal that pits Americans against one another. I think it appeals to people's worst instincts and prejudices.

The arguments made by supporters of the amendment simply do not hold up under scrutiny. Supporters argue that Federal courts are basically on the brink of recognizing same-sex marriage and that States may be forced to recognize same-sex marriage performed in other States. Of course, neither of these things have happened, and no one has explained why we should do a preemptive strike on the basic governing document of the country to address a hypothetical future court decision.

Supporters talk about traditional marriage but in some ways have very little respect for the traditional role of the States in regulating marriage. If they did, they would not be trying to impose a restrictive Federal definition of marriage on all States for all time. The supporters argue that this amendment will not effect the ability of State legislatures to extend benefits to same-sex couples or enact civil unions, but as I tried to point out in some depth yesterday, even the legal experts who would support this constitutional amendment cannot even agree about its potential effect and scope. We are not talking about putting together a statute; we will put this into the Constitution.

Supporters rail against activist judges. But if this vaguely worded amendment ever passes, it will result in substantial litigation. What are the legal incidents of marriage? Is a civil union a marriage in all but name and therefore subject to the amendment? Judges would have to answer these and other questions that the supporters of the amendment have so far failed to resolve. There is certainly a rich irony in that.

We have heard moving speeches, and I do not doubt the sincerity of the speakers, about the central role and

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

volume of marriage in our society. What I still do not understand, and what the supporters of the amendment have failed to demonstrate, is why we should prevent States from deciding to open this institution to men and women who happen to be gay and lesbian all over the country.

Married heterosexual couples are shaking their heads and wondering, how, exactly, the prospect of gay marriages threatens the health of their marriages.

This amendment would make a minority of Americans permanent second-class citizens of this country. It would prevent States, many of which are grappling with the definition of marriage, from deciding that gays and lesbians should be allowed to marry. It may even prevent States from offering certain benefits of marriage to same-sex couples through civil union or domestic partnership legislation. And it would write discrimination into a document that has served as a historic guarantee of individual freedom.

Gay Americans are our neighbors, our friends, our family members, and our colleagues. Millions are loving parents in strong and healthy families. Let's not demonize them. Let's not play upon fears. Let's not use them as scapegoats for perceived social problems. Let's allow—in fact, let's encourage—States to extend rights and responsibilities to these decent, loving, law-abiding families. We can start today by rejecting this unnecessary, mean-spirited and poorly drafted constitutional amendment.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FEINGOLD. Mr. President, I ask the time during the quorum call be equally divided on both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FEINGOLD. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALLARD). Without objection, it is so ordered.

Mr. BROWNBACK. How much time is remaining on our side of the aisle?

The PRESIDING OFFICER. There is 14½ minutes.

Mr. BROWNBACK. I ask when 7½ minutes have been used, I be informed.

The PRESIDING OFFICER. The Chair will inform the Senator.

Mr. BROWNBACK. Mr. President, if Members of the Senate vote as their States have voted on this amendment, the vote today will be 90 to 10 in favor of a constitutional amendment. Forty-five States have defined marriage as the union of a man and a woman.

I want to show my colleagues an outdated map. It shows the number of States that have weighed in on the topic of marriage. Yesterday, Alabama voted by 81 percent to define marriage as the union of a man and a woman. The dark green States are those that have already passed; light green are those where it is pending, and only five States have not defined marriage as a union between a man and a woman. So if Senators would represent their States, this amendment would pass 90 to 10. It would pass with the definition of marriage as the union of a man and a woman. And if anybody wants to define it otherwise, it will have to go through the State legislature, not the courts.

So there is nothing to oppose in this amendment. If your State wanted to go at it by a different route, it says it has to go through the legislature. It can't be forced by the court. What is wrong with that?

I find it a sad prospect that we might not be able to pass this 90 to 10. Marriage is a foundational institution. It is under attack by the courts. It needs to be defended in this way by defining it as the union of a man and a woman as 45 of our 50 States have done. If it is going to be defined otherwise, it must be done by the legislatures and not by the courts.

This morning we are going to vote on a constitutional amendment to define marriage as the union of a man and a woman. This is about who is going to determine the definition, whether it is the courts or the legislative bodies. The amendment is about how we are going to raise the next generation. How are they going to be raised? It is a fundamental issue for our families and for our future. It is an issue for the people. It is not an issue that the courts should resolve. Those of us who support this amendment are doing so in an effort to let the people decide.

There has been a lot of eloquent debate about this constitutional amendment. I have been on the Senate floor most of the time. I have heard very little debate against the amendment. I have heard a lot of people complaining that we ought to take up something else, that this is not so important. I look at it and say, we have this many States that have deemed it important enough that they would put it on their ballots. This is important. We have had basically one, two, maybe three speakers say they really question the amendment, but most of them say we shouldn't spend our time on this amendment. We shouldn't spend our time on the estate tax. They don't mention the native Hawaiian bill that is coming up, or suggest that we should not spend our time on that.

We are going to have this vote. People are going to be responsible for this vote. We are making progress in America on defining marriage as the union of a man and a woman, and we will not stop until it is defined and protected as the union of a man and a woman. We have far more States now that have voted on this issue than the last time we voted on it. We now have far more court challenges taking place to this fundamental definition of how we look at the union of marriage.

Marriage is about our future. I continue to be struck by the opponents of this amendment who say it is an effort to promote discrimination. The amendment is about promoting our future, our families, how we raise that next generation, and about allowing a definition of a fundamental institution to be made by the people rather than by the courts.

I have shown a number of charts demonstrating that the best situation for our children to be raised is in a home with a mother and father. Children need these two parents. It is not that you can't raise good children in a single-parent household; you can. Many struggle heroically to do so. Yet we know from all the data that the best place is with a mother and father. Children do best academically and socially, and they are more likely to be raised in financially stable homes when a mother and father are both present.

More importantly, they have the security of knowing there are two people in their lives who provide security and stability, two people who provide something, each differently, but that is very important.

These two people become one. They are united. They become one bonded together. This past weekend, my mother-in-law and father-in-law celebrated 56 years of marriage. While often they may disagree with one another—sometimes pretty heatedly, sometimes one could call it almost barking at each other—they are inseparable. They are one. It is a beautiful thing to see. It is the way that we should uphold these institutions. Their children and their grandchildren and great-grandchildren get to see these two people, two old trees leaning against each other, holding each other up, physical bodies not anything near what they used to be, but supporting and helping and setting a foundation for all future generations to look at and say: That is the way it ought to be done.

Life hasn't always been easy for them. There have been difficulties through time. They have had some hardships, working together. My father-in-law has done very well, served in Korea, during which time they were separated by many miles.

My parents have been married over 50 years. You look at them and say: That is the way it should be, where two become one. Out of that union comes more people, more children, raised with a solid set of foundational values that you hope can be good citizens. We are all going to have difficulties and problems, but isn't that something that we can do and we should do for the next generation?

We have an important issue in front of us, the definition of marriage. We have a country that is watching and that knows what they believe marriage should be defined as, the union of a man and a woman, as 45 States have defined it. The courts are moving otherwise. We say let the legislatures decide, and that it is an important issue, meritorious of our vote.

To those who oppose this amendment, I think they will have to explain to a lot of people why they oppose marriage as the union of a man and a woman and why they don't think the State legislatures should be the ones responsible for defining this but, rather, that this should be defined by the courts. I don't think their position is across America.

This is important. I hope my colleagues support this constitutional amendment.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALLARD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALLARD. Mr. President, I begin by thanking the majority leader and the 32 cosponsors of S.J. Res. 1, the Marriage Protection Amendment. I thank the Senator from Kansas for his leadership, courage, and for standing in support with me of marriage.

We as Senators are called to duty to debate this issue today out of respect for the democratic process. The voice of the people has been heard loud and clear. Marriage is the union of a man and a woman.

It has been heard in the 20 States with constitutional amendments passed by an average of over 70 percent of voters. It has been heard in the 26 States with statutes protecting traditional marriage. It has been heard in 45 States and in this Congress.

Unfortunately, dissatisfied with the outcome of the democratic process, a handful of activists have launched a carefully coordinated campaign to circumvent the democratic process and redefine marriage through the courts.

As a result, I introduced S.J. Res. 1, an amendment to the Constitution, that simply defines marriage as a union of a man and a woman, while leaving all other issues of civil unions or domestic partnerships to the States. I am pleased the issue has this week been debated in a democratically elected and deliberative body—where it belongs.

Throughout the course of the past 2 days, I have heard countless arguments in favor of marriage from both sides of the aisle. Surprisingly, many of the same people making those arguments will not vote for our amendment to protect marriage.

Equally as surprising, notwithstanding their opposition, I heard few arguments opposing my amendment on the merits. Instead, most of those opposed to the amendment shifted the debate to issues other than the pending business. I suspect these shifts were meant to divert attention away from their intent to vote differently than an average of 70 percent of their constituents do when they vote on the issue of same-sex marriage at home.

While other issues are without a doubt very important, the Senate has and continues to devote considerable time and will likely devote even more time to debate on these important issues this year. With the overwhelming support that was voiced on this floor for the institution of marriage, one would think that addressing the nationwide attack on marriage that is underway would warrant at least 1 full day of debate on the issue.

The one tack taken by those opposed to the amendment most closely resembling an argument on the merits came in the form of States rights. While well meaning, the argument is unfounded.

First, my amendment actually protects States rights. Same-sex advocates have, through the courts, systematically and successfully trampled on laws democratically enacted in the States. My amendment takes the issue out of the hands of a handful of activist judges and puts it squarely back in the hands of the States.

Secondly, the process to amend the Constitution is the most democratic, federalist process in all our government. It is neither an exclusively Federal nor an exclusively State action. It is the shared responsibility of both. Once passed by the Congress, legislatures in all 50 States will have the opportunity to debate and decide this issue for themselves.

Finally, under my amendment, States remain free to address the issue of civil unions and domestic partnerships. Citizens acting through their State legislatures can bestow whatever benefits to same-sex couples they choose. The real danger to States rights would be to do nothing and to acquiesce to the recognition of unenumerated constitutional rights in which the States have had no participation.

The truth is, the Constitution will be amended whether we pass this bill or not. The only question is whether it will be amended through the amendment process or by unaccountable activist judges. If we fail to redefine marriage, the courts will not hesitate to do it for us.

I, for one, believe the institution of marriage and the principles of democracy are too precious to surrender to the whims of a handful of unelected activist judges. I urge my colleagues to join me in my stand for democracy and marriage by voting yes on S.J. Res. 1, the Marriage Protection Amendment.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, one of the first things a Member of the Senate should learn is humility, humility when it comes to some of the documents that guide our Nation. We certainly understand the Constitution we are sworn to uphold and defend is a treasured document which has guided us for over two centuries. I, for one, come to the subject of amending this Constitution with real humility. I think it is bold of some of my colleagues to believe that their handiwork, their words, could stand the test of time, could be measured against the work product of Thomas Jefferson and the greats in American history.

This matter before us today is an attempt by some of my colleagues to amend the Constitution, to change the document which has guided America for so long. I have seen a lot of these amendments come and go as a member of the Judiciary Committee. Some of them, frankly, couldn't even make it through the committee, let alone on the Senate floor or be sent to legislatures for approval.

But still Members come forward with a variety of ideas. Today, we consider the so-called Marriage Protection Amendment. My friend, my colleague from Colorado, Senator ALLARD, the lead sponsor of it, says this amendment will not infringe on the rights of States to determine the status of different relationships. Yet let me read the language of his amendment:

> Neither this Constitution, nor the Constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.

So if my State of Illinois decides to establish a domestic partnership law and say that two people of the same gender can live together and share health insurance and can be in a relationship where there would be a guarantee that they would have access to visit one another in times of hospitalization and sickness, where property rights could be established, is that a legal incident of married life? Most people would say yes. Clearly, this language says it would be prohibited. So what we have here goes far beyond the concept of marriage. We have to take care not to put language in this Constitution that will come back to haunt us.

I step back, too, and look at this debate and wonder, why are we here on the floor of the Senate doing this? Why are we debating this issue above all others? Why are we taking virtually a week of Senate business time to debate the issue of gay marriage? I think it goes back to a statement made by President Bush a couple weeks ago on the issue of immigration. This is what he said:

> We cannot build a unified country by inciting people to anger, or playing on anyone's fears, or exploiting [an] issue . . . for political gain.

He was referring to the issue of immigration, but the standard is a good one. We have a responsibility to unite America and not divide it.

Mr. President, I wish you could hear the telephone calls to my office. The people calling in support of this amendment—many of them—are very courteous and ask me to vote for the amendment. But, sadly, so many of them call spewing their hatred and bigotry of people of different sexual orientation. You think to yourself, is this good for America? Is it good for us to have this sort of angry display brought out by our actions on the floor of the Senate at a time when we know this constitutional amendment will not be enacted by the Senate? Nobody believes it will receive the 67 votes that are necessary for final passage, and few believe it will even come close to the 60 votes necessary on a cloture motion. Yet we come today, as we have times before, to bring up this issue.

This debate is not about the preservation of marriage. This debate is about the preservation of a majority. The Republican majority believes that if they can bring these issues which fire up their political base to the floor, they will have better luck in the November election. So at the risk of dividing America, at the risk of putting language in the Constitution that could not stand the test of time, they will take the time of the Senate and engage us in this debate. That is unfortunate when you think of so many other things we should be dealing with.

Would this not have been a great week to deal with energy policy and reducing our dependence on foreign oil, to make America less dependent upon the Middle East and the foreign powers that push us around because we need their oil to propel our economy? Would this not have been a perfect week to debate affordable and accessible health care for every single American? Would this not have been a perfect week for us to decide what in the 21st century we need to do to make sure our schools prepare our citizens to continue to lead in this world? Would this not have been an important week for us to come together and have a meaningful debate on the war in Iraq which has claimed 2,476 of our best and bravest young men and women?

No. The Republican majority said no. They said this is a perfect week for us to come together and discuss a flawed amendment to the Constitution, for us to come together on an issue that, sadly, divides us rather than unites us as Americans, and to take that time off the Senate calendar. I think it is very clear that this is not a voter priority. It is not an American priority. When the American people were asked in a Gallup Poll in April, "What do you think is the most important problem facing this country today," this issue came in at No. 33. But for Senator FRIST and the Republican majority, it is No. 1 this week. I think most people realize there is political motivation here and that is what it is all about.

We should also consider the reality that this is clearly a State issue. States have always established the standards for marriage. That has been the tradition in American law, a tradition which would be upset and voided by this amendment. Each State may have slightly different standards.

A few years ago, under a Democratic President, Congress passed the Defense of Marriage Act. The Defense of Marriage Act said that no State would be compelled to recognize the standards of another State when it came to same-sex marriage. Now, that means in the State of Massachusetts, where gay marriage is allowed, they can make that decision. The people in that State can validate that decision and courts can approve that decision, but they cannot impose that decision on Kansas, Colorado, Illinois, or Alabama.

The Defense of Marriage Act has never been successfully challenged, never been overturned, and it is the law of the land. But it is not good enough for those who propose this amendment. They want more. I believe that is unfortunate. It is unfortunate when we consider that we are taking the precious time of the Senate on an issue which we should not be considering at this moment. The Republican leadership ought to listen to First Lady Laura Bush. She was asked about this amendment last month on "FOX News Sunday"—the fair and balanced FOX, remember that? This is what she said:

> I don't think it should be used as a campaign tool, obviously.

That sentiment was echoed last month by the daughter of Vice President CHENEY. This is what she said:

> I certainly don't know what conversations have gone on between Karl [Rove] and anybody up on the Hill, but . . . this amendment . . . is writing discrimination into the Constitution and . . . it is fundamentally wrong.

Now consider the wise words of another former Senator, a loyal Republican, John Danforth of Missouri—a conservative man, but he opposes this amendment. He said this in a recent speech:

> Some historian should really look at all of the proposals that have been put forth throughout the history of our country for possible constitutional amendments. Maybe at some point in time there was one that was sillier than this one, but I don't know of one.

In fact, over 11,000 constitutional amendments have been proposed by Members of Congress throughout our history. Only 17 of them actually passed into the Bill of Rights. Why? Because amending our Constitution should take place under only the most extraordinary circumstances. We should amend it only when it is essential to protect the rights and liberties of the American people.

I am joined in this belief not only by Democrats but by Senator Danforth, the Vice President's daughter, the First Lady, and by many true conservatives.

Listen to what Steve Chapman, a libertarian writer from the Chicago Tribune, wrote:

> If there is anything American conservatives should revere, it's the U.S. Constitution, a timeless work of political genius. Having provided the foundation for one of the freest societies and most durable democracies on Earth, it shouldn't be altered lightly or often.

As United States Senators, we take an oath. We solemnly swear to support and defend this Constitution. I believe part of that oath requires us to take care when it comes to changing the Constitution.

I have listened to some of the debate on the floor. The Presiding Officer from Kansas spoke yesterday about marriage in America. I think it is a legitimate concern. America's strength is its families. The family of Americans has been the model—the goal, really—and the leadership of our Nation. But to argue for this amendment, suggesting that the increase in births to unmarried women is somehow linked to gay marriage—I don't understand that connection in any way whatsoever. To suggest that lower income level people are less likely to marry and that has something to do with gay marriage—I don't understand that connection, either.

If we are truly going to strengthen the American family, would we not want to increase the minimum wage in America, which hasn't been increased by this Republican Congress in 9 years? Would we not want to provide basic health insurance to families so they can have peace of mind when their children get sick? Would that not strengthen families? Would we not want to make sure we have good-paying jobs in America that create opportunities so people can look ahead with optimism? Would that not strengthen families and our country? Instead, we have the gay marriage amendment.

In the State of Kansas, the former Republican State chairman has decided to become a Democrat. He said he was tired of the culture wars the Republican Party tended to always want to fight. We saw it here in the Congress last year when the House Republicans were in trouble and they brought up the tragic case of Terri Schiavo—an invasion of the Federal Government into the most personal, private decision a family could face. Now, again, facing political difficulty, they bring up this Federal marriage amendment. It will not pass today. We must set it behind us and move forward on the important agenda the American people sent us to Washington to work on. Let us do it in the spirit that President Bush reminded us of a few weeks ago—building a unified country, not inciting people to anger or playing on anyone's fears or exploiting an issue for political gain.

I hope my colleagues will join me in opposing amending the Constitution, despite the best efforts of those who bring this issue before us today in S.J. Res. 1. This does not merit inclusion in the most treasured and important document that guides America and its democracy.

Mr. LEVIN. Mr. President, the Senate is once again debating an amendment which proposes to establish a Federal definition of marriage in the U.S. Constitution. Only 2 years ago, the Senate rejected a similar effort.

One stated reason for considering this amendment is to protect States from having to honor the decisions of other States regarding marriage laws. This is unnecessary because 10 years ago this body overwhelmingly passed, and President Clinton signed into law, the Defense of Marriage Act, DOMA, which I supported, which states that "No State . . . shall be required to give effect to any public act, record, or judicial proceeding of any other State . . . respecting a relationship between persons of the same sex that is treated as a marriage under the laws of such other State . . . or a right or claim arising from such relationship." The Defense of Marriage Act has clearly already defined "marriage" as "only a legal union between one man and one woman as husband and wife."

Proponents of this amendment argue that it is only a matter of time before the Federal courts become involved with marriage law, and they raise the fear that the Defense of Marriage Act could be struck down by so-called "activist" judges and courts. However, this simply has not been the case. This same argument was made in the Senate in 2004, but the Defense of Marriage Act still stands and remains law.

Since 2004, DOMA has been upheld three times in Federal courts. In 2004, a Washington Federal judge upheld DOMA in a case where a couple had obtained a Canadian marriage license. In 2005, a Florida Federal district court upheld DOMA as constitutional in a case where a couple married in Massachusetts sought recognition of their marriage in Florida. And only last month, the Ninth Circuit Court of Appeals upheld a lower court decision dismissing a challenge to DOMA in California. There is no particular reason to believe that another pending challenge currently in district court or future challenges to DOMA will be successful.

I believe that the laws regarding marriage are matters to be dealt with by the States. My State of Michigan, for example, enacted a constitutional amendment in 2004 which provides that marriages and other similar unions shall only be recognized as being between one man and one woman. DOMA continues to protect each State's right to define marriage.

The language of the proposed constitutional amendment contains a number of other problems. The amendment reads "Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman."

The principal sponsor of this amendment, Senator ALLARD, states that this amendment will give "State legislatures the freedom to address civil unions however they see fit," even though this is a power the States already possess. In fact, the very language of this constitutional amendment would make it unconstitutional for the States to create civil unions or domestic partnerships in their constitutions with any of the same legal benefits currently afforded to marriage.

Our Constitution should not be altered lightly. It has been amended only 17 times since the enactment of the Bill of Rights over 200 years ago. As former Republican Congressman Bob Barr, the author of the Defense of Marriage Act, stated in testimony before the House Judiciary Committee 2 years ago, "We meddle with the Constitution to our own peril. If we begin to treat the Constitution as our personal sandbox, in which to build and destroy castles as we please, we risk diluting the grandeur of having a Constitution in the first place."

The Constitution has been amended in the past to broaden and affirm the rights of Americans and never to narrow the rights of a group of Americans. Amendments to our Constitution have freed enslaved Americans and given women the right to vote. And it is the first 10 amendments, our Bill of Rights, which protect our most cherished freedoms like the freedom of speech.

For all these reasons, I will oppose the adoption of this constitutional amendment.

Mr. KERRY. Mr. President, for the past 3 days, the Senate has been bogged down debating a constitutional amendment on gay marriage.

You might ask yourself, why now? What's the constitutional crisis that needed to be addressed this week? Did the Republican leader bring this legislation to the floor in response to a marriage crisis in the United States?

States, which have had the responsibility of setting marriage laws for two centuries, have taken action on gay marriage as they've seen fit. No crisis there.

No, this amendment is front and center in the Senate in response to a political crisis: a crisis in the Republican Party.

What is most outrageous to Americans is the cost of this debate in opportunities lost to address very clear and present crises in our country. Debating the constitutional amendment to ban gay marriage displaces Americans' real priorities—dealing with gas prices and our dangerous dependence on foreign oil, providing health care to the 45 million uninsured, lowering health care costs, advancing stem cell research, securing our ports, bringing our troops home from Iraq, and ensuring our returning veterans have the support they need.

Why the sudden call from so-called conservatives to take the power to regulate marriage away from the States? The Federal Government does not even have the jurisdiction to regulate marriage. Since this country was founded, States have had the authority to regulate marriage and other family-related matters. Currently 49 States limit marriage licenses to heterosexual couples, and 18 States have adopted State constitutional amendments banning same-sex marriages. For over 200 years, this balance of power has worked.

The Federal Government is not in the business of issuing marriage licenses or dissolving marriages. Congress does not dictate the age at which people can get married or the grounds for seeking an annulment or divorce. I do not believe the Federal Government even has the power to legislate such things.

Should this amendment pass, it would be the first time that the Constitution is amended to deny rights to a particular group of Americans, singling them out for discrimination. The discrimination would not be limited to actual marriages either. The wording of the amendment could limit rights afforded under civil unions. When similar State amendments were adopted in Ohio, Michigan, and Utah, domestic violence laws and health care plans for couples—gay and straight—were taken away.

In the past, we have amended our Constitution to protect groups of citizens suffering from discrimination, to ensure that everyone enjoys the same basic civil rights. I strongly oppose any effort by the Senate to change the course of history in such a dramatic way, and I particularly resent that this is being done for raw political purposes.

In 2004 when this amendment was brought up, only 48 Senators supported it. The outcome of today's vote is no surprise. Instead of spending 3 days debating a doomed constitutional amendment, we should have spent these 3 days guaranteeing all American children health care, addressing record-breaking gas prices, stimulating the economy after a month of sluggish job growth, or working out a real plan for dealing with the mess in Iraq. We should have been doing the work of the American people, but instead we debated a constitutional amendment that never had any hope of passing.

Mr. President, I hope that in the future the Senate can get its priorities straight, and I am confident that if it doesn't Americans will find their own way of holding the system accountable.

Mr. JEFFORDS. Mr. President, I am very troubled by the Senate leadership's decision, with limited days remaining in the session, to spend valuable time trying to amend the Constitution to define marriage. This issue should not be at the top of our priority list.

Unfortunately, it is a recurring theme here in the Senate during election years, to concentrate on issues that fuel partisan politics, rather than addressing our country's important needs. For the reasons I will lay out, I will once again oppose a Federal marriage amendment.

The Federal marriage amendment comes up at a time when many other critical issues face our Nation. We have soldiers in Iraq and Afghanistan fighting wars with no end in sight. Veterans are still not granted adequate medical support, and now have also been exposed to the threat of identity theft. Millions of Americans still have no health insurance, and gas prices are too high.

There are many pieces of pending legislation the Senate should be taking up other than the Federal marriage amendment, such as those addressing increased support for education, Head Start reauthorization, global warming, and a rapidly increasing deficit.

Some of my colleagues insist that the institution of marriage is under attack by the courts, and, therefore, passage of this constitutional amendment is critical. This argument is questionable at best.

In 1996, the Defense of Marriage Act was passed by the Congress and signed into law. This law gives each State the power to determine its own marriage laws and not be forced to accept another State's definition of marriage. I voted in favor of the Defense of Marriage Act because I believe in the importance of allowing States, including Vermont, the right to define marriage in a manner they deem appropriate.

As of this date, no court has overruled the Defense of Marriage Act. In fact, the court that many of my colleagues consider to be the most liberal, the Ninth Circuit, has upheld the Defense of Marriage Act. The proponents of a Federal marriage amendment also point to a case in Nebraska, Equal Protection Inc. v. Brunning, to prove their point. But that case only addressed the right of people to petition the government, it did not rule on the definition of marriage. Because the Defense of Marriage Act remains the law of the land, each State retains the right to define marriage as it sees fit, rather than have a definition forced upon it.

I am proud that in my State of Vermont, the legislature, in a bipartisan manner, was able to pass a law that affords same-sex couples the same legal rights as other married couples. Vermont's civil union legislation proved to the Nation that the rights of marriage do not have to be an exclusive privilege.

The Congress should be focusing on unity, not on exclusion and discrimination. I am proud that during my 32 years in Congress I have been a supporter of inclusive, unifying pieces of legislation. I have been a leading advocate of the Employment Non-Discrimination Act, the Permanent Partners Act, and of expanding the definition of hate crimes to include crimes motivated by gender and sexuality.

Here in the Senate, the leadership continues to insist on prioritizing a Federal marriage amendment. They insist on spending floor time on this amendment when other, more pressing issues remain in the shadows.

What message is the Senate sending to the American people? That real and pertinent issues can be swept aside so we can discuss a way to further exclude our fellow Americans? That we would rather spend time on a partisan fight than expanding our health care programs or increasing funding for education?

This is not a message I can support. We must change our focus from symbolic theoretical debates to concrete policy improvements that yield positive results for all Americans. I will vote against a Federal marriage amendment, and hope this issue will be laid to rest so the Senate can begin addressing the needs of the American people.

Mr. BURNS. Mr. President, I am generally hesitant to amend the Constitution; there are few things as permanent as a constitutional amendment, and it is something that clearly should not be done lightly. However, when activist judges repeatedly take steps to overrule the clear voice of a majority of the people, we are left with very few options. As we have seen over the past several years, Federal and State judges have time and time again struck down traditional marriage protections laws—laws overwhelmingly approved by voter ballot initiatives. This is simply unacceptable, and therefore I will vote in favor of the Marriage Protection Amendment in order to ensure that traditional marriage laws approved by the voters in a majority of the States are protected.

In my State of Montana, the people have overwhelmingly spoken on this issue on more than one occasion. In 1997, the Montana Legislature passed a State law defining marriage as between a man and a woman. Then in 2004, the people of Montana approved a ballot initiative by 67 percent which amended the Montana Constitution to state: "Only a marriage between one man and one woman shall be valid or recognized as a marriage in this State." Nationally, 19 States have adopted similar State constitutional amendments, and 26 more have statutes designed to protect traditional marriage.

Unfortunately, the overwhelming consensus of the people is not good enough for some. As we have seen over the past several years, a handful of activist judges have taken it upon themselves to decide what should constitute marriage. By now, we are all well aware of the actions taken by the judges of the Supreme Judicial Court of Massachusetts. In that State, the court essentially mandated same-sex marriage. More recently, a Federal district court invalidated a Nebraska constitutional amendment protecting traditional marriage that had earlier been adopted with over 70 percent approval by Nebraska voters. As we debate this amendment, legal challenges are currently being brought against democratically approved traditional marriage laws in nine States. I fear it is only a matter of time before similar challenges are brought against the marriage protections approved by the voters of Montana.

Personally, I have always believed that marriage is between one man and one woman. However, the ultimate decision in an issue as important as what constitutes marriage must fully reflect the desire of the people, not just those of us in Washington and certainly not that of a handful of judges. Therefore, the solution is clear: we must send the States a constitutional amendment that protects traditional marriage laws, protects the will of the people, and prevents judicial activism. No other process is guaranteed to prevent the redefinition of marriage.

Mr. OBAMA. Mr. President, today, we take up the valuable time of the Senate with a proposed amendment to our Constitution that has absolutely no chance of passing.

We do this, allegedly, in an attempt to uphold the institution of marriage in this country. We do this despite the fact that for over 200 years, Americans have been defining and defending marriage on the State and local level without any help from the U.S. Constitution at all.

And yet, we are here anyway because it is an election year—because the party in power has decided that the best way to get voters to the polls is not by talking about Iraq or health care or energy or education but about a constitutional ban on same-sex marriage that they have no chance of passing.

Now, I realize that for some Americans, this is an important issue. And I should say that, personally, I do believe that marriage is between a man and a woman.

But let's be honest. That is not what this debate is about. Not at this time.

This debate is an attempt to break a consensus that is quietly being forged in this country. It is a consensus between Democrats and Republicans, liberals and conservatives, red States and blue States, that it is time for new leadership in this country—leadership that will stop dividing us, stop disappointing us, and start addressing the problems facing most Americans.

It is a consensus between a majority of Americans who say: You know what, maybe some of us are comfortable with gay marriage right now and some of us are not. But most of us do believe that gay couples should be able to visit each other in the hospital and share health care benefits; most of us do believe that they should be treated with dignity and have their privacy respected by the federal government.

We all know that if this amendment were to pass, it would close the door on much of this—because we know that when similar amendments passed in places such as Ohio and Michigan and Utah, domestic partnership benefits were taken away from gay couples.

This is not what the majority of the American people want. And this is not about trying to build consensus in this country; it is not about trying to bring people together.

This is about winning an election. That is why the issue was last raised in July of 2004, and that is why we haven't heard about it again until now. And while this is supposedly a measure that the other party raised to appeal to some of its core supporters, I don't know how happy I would be if my party only talked about an issue I cared about right around election time—especially if they knew it had no chance of passing.

I agree with most Americans, with Democrats and Republicans, with Vice President CHENEY, with over 2,000 religious leaders of all different beliefs, that decisions about marriage, as they always have, should be left to the States.

Today, we should take this amendment only for what it is—a political ploy designed to rally a few supporters and draw the country's attention away from this leadership's past failures and America's future challenges.

There is plenty of work to be done in this country. There are millions without health care and skyrocketing gas prices and children in crumbling schools and thousands of young Americans risking their lives in Iraq.

So don't tell me that this is the best use of our time. Don't tell me that this is what people want to see talked about on TV and in the newspapers all day. We wonder why the American people have such a low opinion of Washington these days. This is why.

We are better than this, and we certainly owe the American people more than this. I know that this amendment will fail, and when it does, I hope we can start discussing issues and offering proposals that will actually improve the lives of most Americans.

Ms. COLLINS. Mr. President, I rise to speak on S.J. Res. 1, the Marriage Protection Amendment to the Constitution. Let me begin my remarks by stating my position on the issues raised by this amendment.

First, it is my strong personal belief that marriage is between a man and a woman. Second, principles of federalism dictate that the responsibility to define marriage belongs to the States. Third, the proper role of the Federal Government is to ensure that each State can exercise that right and responsibility by preventing, as the Defense of Marriage Act does, one State from imposing its view on others.

The constitutional amendment under consideration would potentially affect two types of relationships that are fundamental to our society. The first is the union between a man and a woman. The second is the compact between the States and the Federal Government. In our zeal to protect the former, we must not do unnecessary harm to the latter, as it is the bedrock principle of our country's highly successful Federal system.

When the Senate considered this amendment in July 2004, the Massachusetts Supreme Court had only recently issued its 4-to-3 decision in the Goodridge case. I urged that we should not overreact to the single decision of a State court and rush to amend the Constitution in such a way as to strip away from our States a power they have exercised, wisely for the most part, for more than 200 years. I also opposed efforts to amend the Constitution without evidence suggesting that States could not be trusted to make decisions in this area for themselves.

During the period since our last debate, many States have taken steps to define marriage within their borders. Currently, 45 States have enacted laws or constitutional amendments protecting marriage. Nineteen States have State constitutional amendments limiting marriage to a man and a woman, with 15 States passing State constitutional amendments since our last debate. Twenty-six other States, including Maine, have statutes limiting marriage in some manner. Maine law explicitly states that "[p]ersons of the same sex may not contract marriage," and further provides that Maine will not recognize marriages performed in other jurisdictions that would violate the legal requirements in Maine. Thus, even if lawfully performed in another State, a same-sex marriage will not be valid in Maine.

Voters in at least seven States will consider State constitutional amendments in 2006 and another four State legislatures are considering sending constitutional amendments to voters in 2006 or 2008. And it is still the case, as it was 2 years ago, that no State law has been enacted to allow same-sex couples to marry. Nor has a popular referendum to that effect passed in any State.

I respect the right of the people of Maine and the citizens of other States to define marriage within their boundaries. Were I a member of the Maine Legislature, I would vote in favor of a law limiting marriage to the union of a man and a woman.

This does not mean that Congress can play no role in this area. To the contrary, Congress has two very important roles. The first is to protect the right of each State to define marriage within its own borders, and the second is to define marriage for Federal purposes.

To its credit, Congress did both of these when it enacted the Defense of Marriage Act, or DOMA, in 1996. Signed into law by President Clinton, DOMA enjoyed broad, bipartisan support in both Chambers of Congress, passing by a margin of 85 to 14 in the Senate and 342 to 67 in the House. The statute grants individual States autonomy in deciding how to recognize marriages and other unions within their borders, and ensures that no State can compel another to recognize marriages of same-sex couples. Of equal importance, DOMA defines marriage for Federal purposes as "the legal union between one man and one woman as husband and wife." I strongly endorse both of the principles codified by DOMA.

Even though DOMA has not been successfully challenged during the nearly 10 years since its enactment, many supporters of the marriage amendment point to the Supreme Court's decision in Lawrence v. Texas as presaging DOMA's ultimate demise on constitutional grounds. They argue that DOMA's vulnerability necessitates approving the amendment under consideration.

I reject that argument. The conclusion that DOMA is inevitably destined to die a constitutional death is inconsistent with language in the Lawrence decision. In striking down a Texas statute criminalizing certain private sexual acts between consenting adult homosexuals, the majority opinion written by Justice Kennedy was careful to note that the case before the Court "does not involve whether the government must give formal recognition to any relationship that homosexual persons seek to enter."

In her concurring opinion, Justice O'Connor was even more explicit when she observed that the invalidation of the Texas statute "does not mean that other laws distinguishing between heterosexuals and homosexuals would similarly fail. . . . Unlike the moral disapproval of same-sex relations—the asserted State interest in this case—other reasons exist to promote the institution of marriage beyond mere moral disapproval of an excluded group." These statements persuade me that the Supreme Court is, in fact, unlikely to strike down DOMA. In fact, in August 2004, a Federal bankruptcy court in Washington State ruled to uphold the constitutionality of DOMA, finding that there was no fundamental constitutional right to marry someone of the same sex.

Let me end where I began. This amendment is not just about relationships between men and women but also about the relationship between the States and the Federal Government. I would not let a one-vote majority opinion of a single State court lead us to ascribe to Washington a power that rightfully belongs to the States. To the contrary, our role should be to safeguard the ability of each State to exercise that power within its own borders.

Ms. MIKULSKI. Mr. President, today I will vote against cloture on the motion to proceed to the Marriage Protection Amendment. This amendment is unneeded and unnecessary. It is divisive and it is a distraction from what the Senate should be doing, which is making families stronger and safer. First, I will vote against this amendment because it is unnecessary. Congress has already spoken on the issue. There is a Federal law and a State law in Maryland that defines marriage as between a man and a woman. I supported the Federal law because it allows each State to determine for itself what is considered marriage under its own State law. And no law—not a Federal law, not a State law—can force a church, temple, mosque, or any religious institution to marry a same-sex couple.

I am also opposing this amendment because I take amending the Constitution very seriously. In the entire history of the United States we have only amended the Constitution 17 times. Seventeen times in over 200 years—that's it. We have amended the Constitution to extend rights, not to restrict them. We have amended the Constitution to end slavery, to give women the right to vote, and to guarantee equal protection of the laws to all citizens. We have never used the Constitution as a weapon against a minority of the population, to condone discrimination, and we should not embark on that path today. It is wrong and it undermines the integrity of our Constitution.

This amendment is about politics; it is not about strengthening families. It is about helping Republicans get reelected. If Republicans were serious about helping families they would focus on jobs, health care, the raising cost of energy, and the cost of college tuition. This proposed amendment does not create one new job, pay for one bottle of prescription drugs, lower prices at the gas pump, or send one child to college. This amendment does not help a family pay for the health care of a sick child. It does not make sure that the parent of that child has a job with health care coverage. What it does is divide. Americans don't want to see this divisive debate as part of this year's elections. It is a dangerous distraction; it is an election year ploy.

What do the American people want? They want to see how the Congress is fighting to make families stronger and safer. They want to see how we are standing up for all families. Families are stronger when we create jobs, control the costs of health care, and when we make sure that kids and schools have the resources they need to learn and educate. Families are stronger when we make sure our children have the best education we can offer and when we put these values in the Federal lawbooks and the Federal checkbook. And families are safer and stronger when they have help raising healthy children, when we build communities where they can thrive and when we create a family friendly Tax Code. Those are the actions that help to strengthen families and family values, not this amendment.

Finally, I believe that we need to recognize the rights of gays and lesbians and their families. We should be focusing on helping to strengthen their families and all families. That is where we need to be putting our energy and devoting our attention, instead of on this divisive constitutional amendment.

Mr. BYRD. Mr President, today I voted to invoke cloture on the motion to proceed to debate the constitutional amendment to ban same-sex marriage. Let me be clear: I have always strongly opposed same-sex marriage. I believe that there is much confusion about the role of the Federal Government and the institution of marriage, and that the public should have the benefit of a debate on the matter. It is my belief that the State of "marriage" can exist only between a man and a woman. The Bible tells us that marriage must be defined this way, and that the marriage vow between a husband and wife, meaning between a man and a woman, is sacred. I believe it. I have lived it. My darling wife Erma and I were married for nearly 69 years.

I also believe that any substantive debate on this issue must examine not only the marriage relationship between a man and a woman but also the constitutional relationship between States and the Federal Government. It is the role of the Federal Government to preserve each State's prerogative to make laws concerning marriage and the family, since this is an area of the law traditionally left to the States. This is the essence of federalism. The job of the Congress is to preserve and protect the legislative authority of each State, so that, for example, unions legal in another State cannot be foisted onto the God-fearing people of West Virginia.

Largely because I believe so strongly in protecting West Virginia's ability to legislate in this area, I have been, and continue to be, an ardent advocate of the Defense of Marriage Act, DOMA. This law, which was passed by a bipartisan majority of the U.S. Congress and became law in September 1996, makes it clear that no State, including West Virginia, is required to give legal effect to any same-sex marriage approved by another State. DOMA also defines marriage for Federal purposes as being "a legal union between one man and one woman as husband and wife," and a spouse as being only "a person of the opposite sex who is a husband or a wife."

I strongly endorse the principles codified by DOMA. Not surprisingly, in 2000, West Virginia enacted its own law against same-sex marriage, similar to DOMA. Thus, title 48 of the West Virginia Code now precludes the State of West Virginia from giving legal effect to unions of same-sex couples from other jurisdictions.

As a consequence, both State and Federal law now prevent same-sex marriage in West Virginia. With these laws on the books, I do not believe it is necessary to amend the U.S. Constitution to address this issue. States such as West Virginia already have the power to ban gay marriages. State marriage laws should not be undermined by the Federal Government. Thus, our goal should not be to lessen the power of the several States to define marriage, but to preserve that right by expressly validating the role that they have played in this arena for more than 200 years.

Mr. President, throughout the annals of human experience, the relationship of a man and woman joined in holy matrimony has been a keystone to the stability, strength, and health of human society. I believe in that sacred union to the core of my being.

Mr. ENZI. Mr. President, I rise in support of S.J. Res. 1, the Marriage Protection Amendment. This important legislation, which was introduced by my distinguished colleague from Colorado, is simple and straightforward. It amends the U.S. Constitution to clearly define marriage as the union between one man and one woman.

It is important to have this debate because the institution of marriage is under attack by some rogue local officials and activist judges who wish to push their agenda onto the majority of Americans. We need to have this debate to give the American people the opportunity to define marriage as they see fit. We need to remove the definition of marriage from the courts and return the decision making power to the American people.

Marriage has traditionally been considered the union between a man and a woman. State common law practices have always assumed this to be the case. In addition to that, 45 States have some form of protection for the traditional marriage of a man and a woman. These States have done so with strong support from their citizens. Nineteen States have gone so far as to enact State constitutional amendments to define marriage as the union between one man and one woman. Those amendments have passed with support averaging more than 71 percent.

What do these statistics make clear? The vast majority of Americans want the institution of marriage to be protected. They want to keep it as it has been: a union between one man and one woman.

How can we be certain that the American people support defining marriage as the union between one man and one woman? By using the ultimate democratic tool: the constitutional amendment.

Amending the Constitution is a rigorous task, and when our Founding Fathers drafted the Constitution, they worked to ensure that any decision to alter it was a decision that would be made by the American people. In order to amend the Constitution, we must get a two-thirds vote in each body of Congress, which as my colleagues know, is no simple task. After that vote has taken place, the proposed amendment is sent to the States, where three-fourth's of State legislatures must vote to ratify the proposal. That means that 38 of the 50 States must support this amendment.

This is how the Framers of the Constitution intended our government to operate. A constitutional amendment places the final decision with the people, where it should be. Courts will no longer have the power to legislate the definition of marriage. Local officials will no longer have the ability to arbitrarily change the rules. The people will make the final call. Considering this amendment and sending it to the States for ratification is, in my opinion, the closest we can get to a truly democratic self-government.

Why is such an amendment necessary? Opponents of S.J. Res. 1 argue that this is a State issue and that our Nation is governed by the Defense of Marriage Act. According to the Defense of Marriage Act, no State can be forced to recognize the marriage laws of another State. Although this is true, the Defense of Marriage Act is not exempt from the Constitution, and therefore, is not exempt from the political rulings of activist judges.

The Defense of Marriage Act will not prevent an activist judge in State court from ignoring the will of that State's citizens if that judge forces them to redefine marriage. It does not prevent an activist judge in Federal court from ignoring the will of the people and forcing them to recognize a definition of marriage that is not their own.

The only way to ensure that the American people define marriage is to pass a constitutional amendment. If the definition of marriage is clearly laid out in the Constitution, neither an activist judge nor a rogue local official can ignore that definition and impose his or her will on the American people.

It is important to note that the Marriage Protection Amendment deals only with the institution of marriage. It does not alter a State's right to recognize civil unions or domestic partnerships. It does not deal with a State's ability to confer benefits upon same-sex couples, and so State governments can continue to grant those benefits if they so choose.

Congress must enact the Marriage Protection Amendment to stave off the fragmentation that is sure to happen if different definitions of marriage exist. Passage of the Marriage Protection Amendment is necessary to the end judicial activism that has surrounded the marriage debate. It is necessary so that the American people can define marriage for themselves. And so, in closing, I strongly urge my colleagues to vote in favor of the Marriage Protection Amendment.

Mr. McCONNELL. Mr. President, I rise to support S.J. Res. 1, the Marriage Protection Act, because any change to an institution as fundamental to our society as marriage should be made by the people, not unelected judges. The constitutional amendment process, being the closest process we have to a national referendum, is the best way for the people to speak on this important issue.

By supporting this amendment, I in no way intend to question or slight the value and dignity of any American. Nor, in my judgment, do my colleagues who join me in supporting this amendment. Anyone who claims otherwise is wrong. The question that faces this Senate is a question of means—when something as profound as changing the institution of marriage arises, how should it be addressed?

I submit that a handful of judges in a few States are not empowered and should not be permitted to make this decision for the entire country. But if we do not pass the Marriage Protection Act, that is precisely what may happen.

Today, nine States face lawsuits challenging their traditional marriage laws. State supreme courts in New Jersey, Washington, and New York could decide same-sex marriage cases as early as this year. In California, Maryland, New York and Washington, State trial courts have already struck down marriage laws and found a right to same-sex marriage in their States' constitutions. Those decisions are awaiting appeal.

Same-sex marriage advocates also have made Federal constitutional claims. In Nebraska, a Federal district court struck down that State's popularly enacted State constitutional amendment protecting traditional marriage, and the case is on appeal to the U.S. Court of Appeals for the Eighth Circuit. Challenges to the Defense of Marriage Act—DOMA—are also pending in federal district courts in Oklahoma and Washington, and before the U.S. Court of Appeals for the Ninth Circuit.

These attempts to redefine marriage through the courts have not gone away since this body last voted on a constitutional amendment to protect marriage in 2004. Since then, state courts in Washington, New York, California, Maryland, and Oregon have found traditional marriage laws unconstitutional.

Every time they have been given the opportunity, the American people have strongly supported a traditional definition of marriage—the union of a man and a woman. Forty-five States currently have statutory protection for that very definition of marriage—all but Massachusetts, New Jersey, New Mexico, New York, and Rhode Island. Only four States had such statutory protection 12 years ago. The American people have made their wishes known to their State legislators: they are clearly and overwhelmingly for protecting marriage as we have always known it.

I believe that traditional marriage, the union between a man and a woman, is the cornerstone of our society and the best possible foundation for a family. I believe that traditional marriage, the union between a man and a woman, should be the only form of marriage recognized by law. And I believe most Americans agree with me. But if nothing else, they deserve a chance to be heard.

Mr. AKAKA. Mr. President, I rise today to oppose S.J. Res. 1, the Marriage Protection Amendment, which would bar same-sex marriages and prohibit the Federal Government and all

States from conferring "the legal incidents" of marriage on unmarried couples. I oppose this amendment on several grounds. First, if passed, this amendment would restrict the rights of an entire class of people. Second, the amendment would turn back the clock on the Supreme Court's decisions guaranteeing the right to privacy. Third, this amendment would abridge the traditional jurisdiction of State governments. Finally, the amendment would compromise the welfare of children currently being raised by same-sex parents.

The proposed Marriage Protection Amendment directly contradicts one of the Constitution's fundamental principles—the guarantee of equal protection for all. Since the adoption of the Bill of Rights in 1791, the Constitution has been amended only 17 times and, with the exception of prohibition, each time it has been to expand the rights of the American people. Adoption of the Marriage Protection Amendment would tarnish that rich tradition by targeting a specific group for social, economic and civic discrimination. I believe that, as government leaders, it is our responsibility to protect individual liberties, not to take them away or restrict them.

The Marriage Protection Act also undermines the numerous Supreme Court decisions which ensure individuals' right to freedom from government interference with regard to their personal lives. The Supreme Court has repeatedly reaffirmed that the Constitution protects an individuals fundamental freedom to make decisions regarding private matters such as marriage and family. The Marriage Protection Act would go a long way toward eroding these constitutional guarantees to the right to privacy.

Customarily, marriage law has been left to the jurisdiction of the States. Passage of the Marriage Protection Amendment would define marriage at the Federal level and would prohibit States from exercising their authority over family law issues. As such, it would clearly violate the traditions of federalism and local control that have been a proud part of our national heritage. Allowing the Federal Government to co-opt what historically has been a prerogative of the States sets a dangerous precedent with regard to the erosion of States rights. My vote against the Marriage Protection Amendment is a vote for the preservation of State sovereignty.

Given the Marriage Protection Amendment's broad and ambiguous language, it would have a potentially devastating effect on existing same-sex families. In particular, I am concerned how this amendment would impact the children currently being raised by same-sex parents. Not only would it curtail States from granting equal marriage rights to same-sex couples, it could also, through their parents, deprive children of access to health insurance, life insurance benefits and inheritance rights. According to the 2000 Census, more than one-half of the same-sex households in the United States have children under the age of 18. Passage of the Marriage Protection Amendment could place the current well-being and future security of these children at risk. This is a chance I am unwilling to take.

I urge my colleagues in the Senate to reject this divisive bill. With so many problems currently facing our Nation such as the ongoing threat of terrorism, soaring gas prices and the high cost of medical care, now, more than ever, we need to work together as an ohana—a family. This amendment will only serve to segregate a portion of our population and prevent them from participating as full citizens. Instead I urge us all to work together to ensure that the freedoms enumerated by the Constitution can be equally enjoyed by all.

Mr. SANTORUM. Mr. President, the Catholic Charities case in Boston, just 2 years after the introduction of same-sex marriage in America, highlights the growing concerns and indicates that the impact of this development on religious freedom has ceased to be a hypothetical discussion.

As Maggie Gallagher wrote in her Weekly Standard piece "Banned in Boston," "[w]hen religious-right leaders prophesy negative consequences from gay marriage, they are often seen as overwrought . . . [and that the] First Amendment . . . will protect religious groups from persecution for their views about marriage."

So who is right? Is the fate of Catholic Charities of Boston an aberration or a sign of things to come? Some say we are overreacting, but the truth is that while the ramifications in the battle for social policy, procreation, and even protecting children may be clear, the real—but hidden—battlelines are for the religious liberty of all faiths. Recently the Becket Fund convened a group of scholars to discuss the implications of same-sex marriage on religious liberty. This group was from all parts of the political spectrum and had varying viewpoints, but all agreed on one thing—the legalization of same-sex marriage posed a real threat to the free exercise of religion.

As I mentioned before, one of the participants, Maggie Gallagher, went on to write a prescient account of the participants' views on this issue, and I admit it was disturbing to read.

In times past, it would have been unthinkable for a Christian or Jewish organization that was opposed to same-sex marriage to be treated as racists or bigots. But today the unthinkable may have become the inevitable. As Anthony Picarello summarizes, "All the scholars we got together see a problem; they all see a conflict coming. They differ on how it should be resolved and who should win, but they all see a conflict coming." Why? Because of cases like that of Catholic Charities in Boston.

As I discussed a little bit on the floor yesterday before I ran out of time, Catholic Charities in Boston has been the adoption provider in Massachusetts for many of the hardest to place children, including children with special needs. Following the legalization of same-sex marriage in Massachusetts, the Boston Globe reported that Catholic Charities of Boston had placed a small number of children with same-sex couples. Cardinal O'Malley of Boston responded that Catholic Charities would adhere to the Vatican statement prohibiting such placements in the future. That produced a hubbub with the Catholic Charities Board that was later quelled, but if Catholic Charities thought that was the end of the issue it was wrong.

Like many States, Massachusetts requires that an entity be "licensed" by the State in order to do adoptions. And to get the State license, the entity must agree to obey State laws barring discrimination—including in Massachusetts the prohibition on discrimination based on sexual orientation. When the Massachusetts Supreme Court legalized same-sex marriage, discrimination against same-sex couples was also prohibited. These requirements juxtaposed with Catholic doctrine put the Catholic Church-affiliated Catholic Charities into a bind—one that legislatures, including this one, have often solved by allowing faith-based and religious organizations to maintain their integrity.

Knowing that, Cardinal O'Malley and Governor Romney tried to get a religious exemption for Catholic Charities from the Massachusetts legislature. The silence from the politicians in that State was deafening. Without that protection, the bottom line is that the legislators in Massachusetts chose to put Catholic Charities out of the adoption business.

Some say that the rightwing is pushing to pass this amendment, but I take you back to the scholars from the Becket Fund conference. Marc Stern, the general counsel for the center-left American Jewish Congress can hardly be called a rightwinger, but when asked what he would say to people who dismiss the threat to free exercise of religion as evangelical hysteria his quote was—"It's not hysteria, this is very real . . . Boston Catholic Charities shows that." He went on to say that "in Massachusetts I'd be very worried." Stern noted that while the churches themselves might have a first amendment defense if a State government or State courts tried to withdraw their exemption, "the parachurch institutions [affiliated organizations such as Catholic Charities and United Jewish Communities] are very much at risk and may be put out of business because of the licensing issues, or for these other reasons—it's very unclear. None of us nonprofits can function without [state] tax exemption. As a practical matter, any large charity needs that real estate tax exemption."

Anthony Picarello of the Becket Fund sounded a more ominous note, that this change could fundamentally alter our view of religious liberty. "The impact will be severe and pervasive," Picarello says flatly. "This is going to affect every aspect of church-state relations." Recent years, he predicts, will be looked back on as a time of relative peace between church and state, one where people had the luxury of litigating cases about things like the Ten Commandments in courthouses."

Picarello points out something I discussed yesterday—that the church is surrounded on all sides by the government, and often the boundaries are hidden because of the ease with which they are navigated. However, as he notes, "because marriage affects just about every area of the law, gay marriage is going to create a point of conflict at every point around the perimeter."

But not all of these scholars agree on the intensity or imminence of these consequences. Doug Kmiec of Pepperdine law school argued that the public could tell the difference between racial discrimination and the differentiation of traditional and same-sex marriage, saying that racial discrimination is "irrational, and morally repugnant" and the issue of same-sex marriage is "at least morally debatable." Doug Laycock, a religious liberty expert at the University of Texas law school, noted that the legal situation is a long way away from equating sexual orientation with race in the law. However, Stern and Feldblurn were much more clear on the coming legal issues that religious organizations will face in the wake of same-sex marriage.

And it is that distinction that is important—if sexual orientation is like race, then anyone, religious or otherwise, who opposes same-sex marriage will be viewed as and likely treated in the same way as the bigots who opposed interracial marriage. It is the political pressure—and in some cases the legal pressure—that will "punish" those of differing opinions.

For Chai Feldblum, a Georgetown law professor who refers to herself as a leader in the movement to advance LGBT—lesbian, gay, bisexual, transsexual—rights, the emerging conflicts between free exercise of religion and sexual liberty are real. "'"When we pass a law that says you may not discriminate on the basis of sexual orientation, we are burdening those who have an alternative moral assessment of gay men and lesbians." Raised an Orthodox Jew, Feldblum argues that "the need to protect the dignity of gay people will justify burdening religious belief, [b]ut that does not make it right to pretend these burdens do not exist in the first place, or that the religious people the law is burdening don't matter."

What effects could this "sea change" have on religious liberty? Let's consider a few examples.

A religious educational institution could have its admissions policies, employment practices, housing rules, and regulation of clubs challenged. For example, Marc Stern is concerned about a California case where a private Christian high school expelled two girls who according to the school announced they were in a lesbian relationship. Will the schools be forced to tolerate both conduct and proclamations by students they believe to be acting in a sinful manner?

Public accommodation laws can be used to force commercial enterprises to serve all comers, which begs the question of whether religious camps, retreats, or homeless shelters are considered places of public accommodation. Could a religious summer camp operated in strict conformity with religious principles refuse to accept children coming from same-sex marriages? What of a church-affiliated community center, with a gym and a Little League, that offers family programs? Must a religious-affiliated family services provider offer marriage counseling to same-sex couples designed to facilitate or preserve their relationships?

Licensing issues will continue to be a bone of contention in not only adoption but psychological clinics, social workers, and marital counselors. We had to face this issue already in the Access to Recovery Program where program administrators were interpreting language in a way that sought to penalize faith-based providers such as Teen Challenge.

And there are probably a plethora of other areas of friction that will emerge.

Will speech against same-sex marriage be allowed to continue unfettered?

Will anyone be able to again say that marriage should be between a man and a woman without being branded a bigot?

Will a minister be able to preach from I Corinthians 6:9 that the unjust and immoral such as adulterers, prostitutes and sodomites will not inherit the earth?

Will our local Catholic Charities lose their tax-exempt status if they do not bend their religious faith to the new norm?

Will a rabbi or priest be forced to preside over same-sex marriages in order to continue to be able to consecrate traditional marriages?

The scope of the ramifications of this debate are unclear, but there is no doubt that very serious issues arise. As Maggie Gallagher noted in her article, "Marc Stern is looking more and more like a reluctant prophet: 'It's going to be a train wreck,' he said 'A very dangerous train wreck.'"

I urge my colleagues to think carefully about the implications of doing nothing to protect the sanctity of marriage. If we do not act, then not only are we leaving this important issue in the hands of unelected judges, we are leaving the fate of all of these faith-based organizations in their hands as well. I urge my colleagues to support this amendment. Let's move forward in the democratic process and let the people decide.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, how much time do I have?

The ACTING PRESIDENT pro tempore. One minute 43 seconds.

Mr. ALLARD. Mr. President, I yield 1 minute 15 seconds to the Senator from Alabama.

The ACTING PRESIDENT pro tempore. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, the people of the United States do care about marriage. Marriage is important. Our culture and the quality of life of our people in this Nation are important.

Just yesterday, the people of my State, by an 81-percent majority, approved a constitutional amendment to the Alabama Constitution which said that no marriage license shall be issued in Alabama to parties of the same sex and the State shall not recognize a marriage of parties of the same sex that occurred as a result of the law of any other jurisdiction. But that amendment is in jeopardy by the court rulings in the United States, and a ruling that the U.S. Constitution requires that same-sex marriage be recognized just like other marriages will trump Alabama's constitution and that of the 19 other States which passed such resolutions by a vote of 71 percent.

The only reason to oppose this amendment would be to deny the States the right to make this decision without having it overruled by the Supreme Court.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. ALLARD. Mr. President, you just heard the latest report from Alabama, a state constitutional amendment protecting marriage just passed with 81 percent of the vote. That is what my amendment is all about—to protect that vote conducted in Alabama from being subverted by a minority of activists going to court to try to overturn a vote like we just saw in Alabama.

I ask my colleagues to join me in voting for S.J. Res. 1.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. ALLARD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, the ranking member of the Judiciary Committee, Senator LEAHY, is on his way to the Chamber. I know the time is running. I will speak until he arrives. I wanted to make a point or two based on arguments used in this debate.

Mr. President, 45 of 50 States passed either a constitutional amendment or a law defining marriage as between a man and a woman—45 of 50 States. There is only one State in America where same-sex marriage is legal, and that is Massachusetts. No other State, county, city, or anyplace in America permits same-sex marriage.

Incidentally, it is ironic that the State with the lowest divorce rate in America happens to also be Massachusetts. There is simply no crisis or controversy before us today that requires amending the Constitution.

Another reason I oppose this amendment, as I indicated earlier, is that the language is vague and overbroad. The reference to "legal incidents" of marriage is troubling. The Senate Judiciary Committee held hearings on the meaning of the term "legal incidents" of marriage. I attended those hearings and questioned witnesses. There was simply no consensus on how the courts might interpret that.

Some of the witnesses predicted courts would read it to ban civil unions. Some even think this amendment would be read by the courts to prohibit other efforts to equalize benefits, such as domestic partner benefits, adoption rights, and even hospital visitation rights.

Is that what we want to do in the Senate, ban those who have a loving relationship from visiting their partners who are sick in a hospital? Passage of the Federal marriage amendment may well have that effect. We don't know.

It is also a bad idea because it exemplifies the excessive overreaching by Congress into the personal lives and privacy of American citizens. How many times will the Republican majority march us into this question as to whether we can protect and defend the privacy of our rights as individuals and families?

As I mentioned earlier, it is a sad reminder of the debate over the tragedy of Terri Schiavo, a woman who was sustained with medical care for some 15 years, and when the decision was made not to provide additional care for her through the courts, there was an effort made by the Republican leadership in Congress to bring the Federal courts into the picture to overturn the family's personal decision and the decision of the Florida courts. Congress tried to impose its own morality and its own will over the most personal, private, and painful decision any family can face. This amendment would impose the morality of some on the lives of all.

A few months ago, this Nation lost one of its most famous and foremost civil rights leaders, Coretta Scott King. Upon Mrs. King's death, Majority Leader FRIST submitted a Senate resolution to honor her life and commitment to social justice, and it was adopted unanimously.

I wonder if the majority leader is aware of what Mrs. King had to say about the constitutional amendment that Senator FRIST has brought to the floor this week. Here is what she said in 2004:

> A constitutional amendment banning same-sex marriages is a form of gay-bashing and it will do nothing at all to protect traditional marriages.

I hope the Republican leadership, I hope every Senator, takes to heart the words of the civil rights hero they were so quick to honor a few months ago.

It has been my experience in life that some members of my family, many of my acquaintances and friends are people of different sexual orientation. Most of them want to be left alone. They want the privacy of their own lives. They want to make their own decisions. And here we have an effort to impose in our Constitution a standard which reaches into the legal incidents of marriage, a standard which could deny to them some of the most basic things which we treasure, such as access to health insurance, access to visitation in hospitals, and the common decency of the social relationship which is all they are asking.

Under those circumstances, I think it is important for us to reflect on the fact that when it comes to amending this Constitution, we should be ever so careful because a change in a few words in the Constitution can have a dramatic long-term negative impact on this great Nation.

I see that my colleague, Senator LEAHY, has arrived. I yield the floor to him.

The ACTING PRESIDENT pro tempore. The Senator has 1 minute 15 seconds remaining.

Mr. LEAHY. Mr. President, I thank my distinguished colleague from Illinois.

This morning we will be voting on whether to proceed to a proposed amendment to the Constitution. I strongly oppose this divisive exercise.

At a time when the Senate should be addressing Americans' top priorities, including ways to make America safer, the war in Iraq, rising gas prices, health care and health insurance costs, stem cell research, the erosion of Americans' privacy and the reauthorization of the Voting Rights Act, the President's political strategists and the Republican Senate leadership, instead, try to divide and distract from fixing real problems by pressing forward with this controversial proposed constitutional amendment.

Rather than seek to divide and diminish, the Senate could be working against discrimination. I was honored to sponsor the Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002 to ensure that the survivors of 9/11 were treated fairly regardless of sexual orientation. If we really want to do something that the Senate can do, we should join together in a bipartisan way to pass the hate crimes bill that would help stamp out and punish violent crimes against those attacked because of the color of their skin or their nationality or sexual orientation. If we really want to do something worthy of the Senate we should debate and pass legislation to end discrimination in employment based on sexual orientation. If we want to recognize the dignity and worth of others we should consider S. 1278, the Uniting American Families Act, a bill I introduced to bring fairness to our immigration laws.

The Constitution is too important to be used for partisan political purposes. It is not a billboard on which to hang political posters or slogans seeking to stir public passions for political ends.

I want all Americans to appreciate that if this proposed amendment became part of our Constitution, it would represent a dramatic departure from this Nation's history of expanding freedom and individual rights. We have only amended the Constitution seventeen times since the Bill of Rights was ratified in 1791. None of these amendments has served to limit the rights of an entire class of Americans. Furthermore, none of these amendments has dictated to the States how they should interpret their own constitutions. This proposal not only enshrines discrimination in the Constitution, it usurps what has always been the function of the States with regard to defining marriage. When each of us became Senators we swore an oath "to support and defend the Constitution of the United States." I will honor that oath by opposing this effort to inject discrimination into the Constitution.

This attempt will once again fail to garner the necessary votes to proceed. But that should not excuse the Republican leadership's turning away from the legislative agenda of the Senate for this election year adventure. I hope that the American people will object to this misuse of the Senate's time and authority the way they did when the Senate injected itself into the Schiavo matter not so long ago. The American people want their leaders to unite this country and to solve real problems that they face every day. This constitutional amendment is a divisive political effort to shore up sagging poll numbers. I believe the American people will not be fooled and will see through this exercise.

I look forward to moving on to the Nation's real priorities. The Senate should return to a place where we consider solutions to the problems that plague hardworking Americans, from soaring gas prices and high health care costs to corporate and Government corruption, from national security to effective fiscal and trade policies. We might consider taking action to preserve and improve rather than pollute the environment. Someday this Chamber might even debate the ongoing pandemic of AIDS or protect against the impending pandemic from bird flu. We might join in effective action seeking to halt the genocide in Darfur or oversight of the allegations of Government violations of the rights of Americans. I look forward to that time.

Mr. President, I mentioned Monday at the start of this debate that over the last several years I have repeatedly written to the President about this issue and have yet to receive a response. I have already included in the RECORD a copy of my most recent letter to him on this constitutional amendment in which I asked what precise language it is that he supports and what it means.

I noted that President Bush said in 2004 that "States ought to be able to have the right to pass laws that enable people to be able to have rights like others," but no such thing is guaranteed by the proposed amendment that we are considering.

The appearance of the President this week, where he reread what appeared to be a longer draft of his Saturday radio address to a handpicked audience of those seeking to amend the Constitution to write discrimination into it and create a constitutional intrusion into family law issues that have always been left to the States, was troubling in so many ways. At least that event was moved out of the White House Rose Garden, for which I am grateful. Sadly, the audience, which the White House described as a diverse cross section of community leaders, scholars, family organizations and religious leaders, was selected apparently to exclude gays and lesbians. That is hardly the way to engender fair and open debate or to show tolerance or to honor the dignity of all Americans.

As this debate opened, I quoted the President's thoughtful words from the immigration debate. He said: "We cannot build a unified country by inciting people to anger, or playing on anyone's fears, or exploiting the issue of immigration for political gain. We must always remember that real lives will be affected by our debates and decisions, and that every human being has dignity and value. . . ." I wish that yesterday the President had honored that thought and merely substituted the issue of "marriage" for "immigration". The President is seeking to show leadership in the immigration debate and I have commended him for it. I cannot commend him for what he did yesterday.

Just before the last election, President Bush said that "States ought to be able to have the right to pass laws that enable people to be able to have rights like others." He cannot square that position with his and his administration's recently announced support for a proposed constitutional amendment that prohibits States from conferring the "legal incidents" of marriage on same-sex couples. In January 2005, after he was reelected, President Bush himself recognized that this proposed constitutional amendment was not going to be adopted and that no good purpose was served by forcing more Senate debate on it. Yesterday, the President did not well serve this Nation or its diverse population. Our Nation would be better served if we refrained from divisiveness to score political and emotional points before an election.

Moreover, yesterday the President's activities demonstrated how the Republican leadership's misplaced priorities and politics have diverted the Senate from matters that concern and affect the American people. By way of contrast, the Democratic leader went to the Senate floor to urge that we proceed to conference on the recently passed immigration bill. Senate Republicans objected to a usual practice of taking of a House-passed bill and inserting the language passed by the Senate so that we can proceed to a House-Senate conference. Instead of spending time pandering to a segment of Republican's political base, the President could have worked with us to make progress on our bipartisan immigration initiative. Republicans and Democrats have said that we will need the President's help to make comprehensive immigration reform a reality. Yesterday the President was AWOL on the issue. He was not expending his efforts urging comprehensive immigration reform on the recalcitrant Republican House leadership or helping us in the Senate overcome threats of procedural objections to proceeding to conference.

Another consequence of the Republican leadership's misplaced priorities is that the Judiciary Committee has yet to complete hearings on reauthorization of the Voting Rights Act. This is bipartisan, bicameral legislation on which I had hoped hearings would be complete. The final hearing on the reauthorization of important minority language provisions was scheduled for tomorrow. It has been postponed, and the excuse is that the Senate debate on this proposed constitutional amendment takes precedence. So our efforts to enact meaningful, comprehensive immigration reform with strong border security and a path to earned citizenship and our efforts to reauthorize the protections of the Voting Rights Act have both been adversely affected as a consequence of the Republican leadership insisting on proceeding to this extended debate.

The demagoguery in the President's rally this week and the Statement of Administration Policy are sad to see. It is not the institution of marriage that is under attack but the Constitution and our system of federalism. They seek to justify their attack by demonizing judges. The comment the President added to his radio address was to ratchet up the rhetoric against judges by proclaiming that judges "insist on imposing their arbitrary will on the people." This President just appointed Chief Justice Roberts to lead the U.S. Supreme Court and the judicial branch of the Federal Government. He has appointed approximately 250 Federal judges, including 2 Supreme Court Justices and 45 judges on the courts of appeals. The majority of Federal judges have been appointed by Republican Presidents. Any judicial decision that was a dramatic departure from the status quo on this issue would certainly be appealed to the U.S. Supreme Court where seven out of nine justices have been appointed by Republican Presidents. Does anyone really believe that Chief Justice Roberts is going to preside over a U.S. Supreme Court that imposes same-sex marriage as an act of "arbitrary will"?

I agree with the Senior Senator from Virginia who recently voiced his "grave concerns" about the proposed amendment because it fails to "speak with the clarity to which the American People are entitled." I too have significant concerns about the vague prohibition of "the legal incidents" of marriage for same-sex couples. That ambiguity raises serious questions whether State laws allowing civil unions and civil partnerships would be overridden and rendered "unconstitutional." Numerous witnesses at our committee hearings testified that the proposed language would or could invalidate civil unions or prevent States from enacting laws that closely mirrored the rights of marriage couples.

Although the President and some Senate supporters contend that this proposed amendment binds only judges and not State legislatures and that it prohibits only marriage but not civil unions or partnerships, that is not clear in the language of the proposed constitutional amendment. Ironically, it will be judges who have the last word in determining the meaning of words used in a constitutional amendment.

So the very "boogeymen" that the proponents of this proposed constitutional amendment seek to create by demonizing judges will be those who will be forced to decide the effect of its intentionally ambiguous wording.

I trust the American people will see through these escapades. I trust they will abhor the attack on the Constitution as I do. I believe they have bigger hearts and compassion of the families of committed same-sex couples. I hope they will hold accountable those who are expending the Senate's time on this futile exercise by denying them partisan gain.

I have previously noted that the news accounts and editorials characterizing this effort as crassly political are too numerous to include in the CONGRESSIONAL RECORD. On this occasion, I ask unanimous consent to have printed in the RECORD a sampling from a variety of newspapers and outlets from around the country including editorials from the Arkansas Democrat-Gazette from May 24, 2006, the Atlanta Journal-Constitution from May 28, 2006, the Berkshire Eagle from May 23, 2006, the Chicago Sun-Times from June 6, 2006, the Pittsburgh Post-Gazette from May 22, 2006, the Salt Lake Tribune from April 29, 2006, and a commentary by CNN's Jack Cafferty from June 2, 2006.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the (Little Rock) Arkansas Democrat-Gazette, May 24, 2006]

DEMOCRATS MUST CONFRONT GOP STRATEGY

(By Gene Lyons)

So here's the big Republican agenda for the 2006 elections: Other people's sex lives (a.k.a. gay marriage), flag-burning, illegal Mexican immigrants, tax cuts and Chicken Little.

There's no surprise about the first few. A GOP campaign resembles a traveling tent show. White House sideshow barker Karl Rove expects that the rubes who line up every two years to see the two-headed calf and the bearded lady will fall for flag-burning again. Never mind that Republicans have done nothing about it since President Bush's father visited a flag factory during his 1988 campaign. Flag burning as a protest all but disappeared after 9/11. Sen. Hillary Clinton, D–N.Y., also has joined this crusade, the surest sign that she's contemplating running for president in 2008.

Amending the Constitution to forbid gay marriage is another election-year shell game. Finessing it shouldn't be too hard for Democrats. If your church refuses to solemnize same-sex marriages, that's its undeniable First Amendment right. Forbidding people to enter into domestic partnership contracts due to sexual orientation, however, would be un-American.

No, that won't persuade obsessive homophobes, but they're fewer all the time. Illegal immigration's something else Republicans have ignored for six years. Ironically, Bush's stance reflects the "compassionate conservatism" he campaigned on in 2000 but abandoned, maybe because Mexican immigration is a very old story in Texas that he actually knows something about.

Ironically, that's got the GOP's Knothead faction all riled up, helping GOP congressmen in safe districts distance themselves from an increasingly unpopular White House, but also hurting Republicans among Hispanic voters in swing districts.

Ditto tax cuts. Even the most credulous are getting uneasy with the GOP's ongoing war on arithmetic and worried about spiraling debt caused by Bush's profligate spending.

Influential conservative author-activist Richard A. Viguerie recently wrote a Washington Post op-ed predicting that "without a drastic change in direction, millions of conservatives will . . . stay home this November. And maybe they should. Conservatives are beginning to realize that nothing will change until there's a change in the GOP leadership. If congressional Republicans win this fall, they will see themselves as vindicated, and nothing will get better." Which brings us to the Chicken Little theme on which Republican hopes appear to hinge. Sen. Elizabeth Dole, R–N.C., first raised it in a recent fund-raising letter on behalf of the party's Senatorial Campaign Committee. If Democrats regain Congress, see, they'll act the way Republicans acted toward Bill Clinton, calling for "endless investigations, congressional censure and maybe even impeachment of President Bush." And then the terrorists would win!

Many pundits who helped publicize the 1,000-odd subpoenas that congressional Republicans dispatched to the Clinton White House find the prospect of Democrats issuing subpoenas terribly alarming. Slate's John Dickerson worries that a Democratic-led House might "get bogged down with investigations and embrace the worst Bush-hating tendencies of its members." Time columnist Joe Klein, a.k.a. "Anonymous," author of the novel" Primary Colors," who's grown adept at advancing Gap themes while affecting to deplore them, laments that the likely succession of Rep. John Conyers, D-Mich., to chair the House Judiciary Committee if Democrats win in November gives Republicans a chance to play the race card.

Because Conyers is African American and has sometimes used the words "Bush" and "impeachable offense" in the same sentence, Klein fears that Rove will have a field day depicting the veteran Detroit congressman as Kenneth Starr in blackface.

The idea that irrational hatred of Bush motivates most Democrats is a favorite topic on the talkradio right. Psychologists call it "projection," attributing to others motives that mirror your own.

The best way for Democrats to deal with this Chicken Little theme is straight on, as Conyers has attempted to do. In a recent Washington Post column, he correctly identified the "straw-man" logical fallacy that underlies it: attacking arguments your adversary has never actually made.

Years of one-party government, Conyers said, have left Americans with many unanswered questions, such as "whether intelligence was mistaken or manipulated in the run-up to the Iraq war . . . the extent to which high-ranking officials approved of the use of torture . . . whether the leaking of the name of a covert CIA operative was deliberate or accidental" and who did it.

Any alert citizen can add particulars: the legality of National Security Agency's warrantless wiretaps and the constitutionality of Bush's 740 "signing statements," as reported by The Boston Globe, in which the president claims the power to ignore laws with which he disagrees.

Conyers wisely stresses that the GOP-led House impeachment of Clinton proved "that partisan vendettas ultimately provoke a public backlash and are never viewed as legitimate." Nobody wants a government that does nothing but investigate itself. But the Republican Congress has completely abdicated its constitutional responsibilities. Our democracy cannot long survive a president who claims the prerogatives of a king.

That's an argument the Democrats must win.

[From the Atlanta Journal-Constitution, May 28, 2006]

ON GAY UNIONS, PANDERING RISES ABOVE PRINCIPLES

(By Cynthia Tucker)

In 1964, just one congressman from the Deep South, Atlanta's Charles Weltner, voted for the Civil Rights Act. For all practical purposes, his righteous leadership on civil rights—he also supported the Voting Rights Act—cost him his congressional career.

In 1966, he resigned his seat rather than sign an act of loyalty to the segregationist Lester Maddox, as Georgia Democrats insisted. But some analysts believe he would have lost the race for re-election.

Doing the right thing is difficult because it often means losing. And the typical politician is willing to lose anything—honor, integrity, dignity—but an election.

That helps explain why, during this election season, so few politicians have stepped forward to denounce initiatives against gay marriage as the cynical and opportunistic tactics that they are. They know that playing on prejudice and fear can rally a certain constituency and provide the winning margin in tight races.

It certainly worked two years ago. Republican tacticians maneuvered to add amendments against gay marriage to the ballots in 11 States, including Georgia. The result was to lure religious conservatives to the polls in large numbers, probably giving President Bush the boost he needed in the battleground state of Ohio.

This year, conservative Republicans—struggling against voter discontent over Iraq, health care and high gas prices, among other things—are desperate to bring those religious conservatives back to the polls. So they've resurrected the same tired tactic. Next month, the Senate is expected to vote on an amendment to the U.S. Constitution banning same-sex unions.

Senate leaders haven't made much of an effort to disguise the initiative as anything other than the base political ploy that it is. After a frenzy of gay-bashing during the 2004 campaign season—they thundered against gay marriage as a threat to just about every family tradition, from man-woman marriages to peanut-butter-and-jelly sandwiches—Republican leaders hadn't even mentioned the issue again. The threat disappeared for two years. Until now, when they're facing the prospect of losing control of Congress.

Given the stakes, prominent Republicans won't get in the way of a good wedge issue. Oh, first lady Laura Bush has pointed out the unfairness of a constitutional amendment. So has Mary Cheney, the vice president's gay daughter, who lives openly with her partner of 14 years, Heather Poe, and has recently published her memoirs. This month, Cheney told CNN that "writing discrimination into the Constitution of the United States is fundamentally wrong."

But it's unlikely you'll hear the vice president arguing against the amendment so pointedly on the campaign trial. While he has said in the past that he opposes it, he'd rather remind his right-wing supporters of his staunch support for the invasion of Iraq. President Bush, for his part, has spent his last pennies of political capital trying to pass a humane policy on immigration. He may not fight for an amendment banning gay marriage, but he's unlikely to get in the way of it, either.

In Georgia, meanwhile, even progressive politicians have been cowed by the state's overwhelming consensus against gay marriage. Though 76 percent of Georgia voters approved the ban two years ago, a Superior Court judge recently struck down the amendment on technical grounds. After the ruling, Gov. Sonny Perdue, a Republican, quickly announced plans for a special session of the legislature to rewrite the ban and place it before voters again in November. His two Democratic opponents, Lt. Gov. Mark Taylor and Secretary of State Cathy Cox, rushed to support the move.

Cox's awkward leap onto the bandwagon was especially disappointing. While Taylor had supported the ban, Cox had pointed out two years ago that the amendment is "unnecessary." Georgia law, like federal law, already bans same-sex unions. But many analysts have noted that Cox is desperate to draw black voters away from Taylor in the Democratic primary for governor; black Georgians, like their white neighbors, gave their unabashed support to enshrining bigotry in the stare Constitution.

Cox, like most other politicians, would rather pander to the prejudices of voters than stand by her principles. It's a perfectly human inclination—doing the safe thing, rather than the right thing.

There are never more than a handful like Wettner, who preferred losing a campaign to sacrificing his conscience. In his resignation speech, he declared, "I love the Congress, but I will give up my office before I give up my principles . . . I cannot compromise with hate."

His courage is as rare now as it was then.

[From the Berkshire Eagle, (Pittsfield, MA) May 23, 2006]

More Amendment Politics

Senate Republicans want to make gay marriage an issue this election year, but the issue should be less gay marriage itself than a congressional leadership so hypocritical and devoid of real ideas that it must again resort to the politics of distraction out of desperation. Gays are not a threat to America, but congressmen who would tinker with the Constitution to protect their seats assuredly are.

By a 10–8 vote that fell strictly along party lines, the Senate Judiciary Committee last week approved a constitutional amendment that would ban gay marriage. The constitution has been amended 27 times, but always to protect civil liberties or to provide them to groups that didn't have them. This would be the first time that the Constitution was amended specifically to deprive a group of civil liberties, adding to the general assault by Washington on the rights of Americans.

The full Senate is expected to vote on the amendment when it returns from its Memorial Day recess, and while it will be difficult for the measure to win the necessary two-thirds majority required to begin the amendment process, passage is not the primary goal of the GOP. By simply proposing the amendment, it hopes to gain support of a religious right that puts social issues above all else. A party with nothing but domestic and foreign policy failures on its résumé can't afford to lose its rabid rightwingers if it hopes to maintain power in Congress this November. It's a strategy that for all its cynicism worked two years ago when gay marriage was on several state ballots.

First Lady Laura Bush, often the voice of reason in the White House, went on Fox News earlier this month to urge Congress to abandon these efforts on the grounds that the gay marriage issue is too complex to be handled legislatively and civil rights should not be deprived by a governmental body. Ms. Bush's stance is a traditional conservative one, but the "conservatives" who hold sway in the modern Republican Party are in fact radicals whose affection for big government and disregard for the civil rights of Americans should be abhorrent to true conservatives. A question to be answered Election Day is whether true Republicans will reclaim their party and principles.

[From the Chicago Sun Times, June 6, 2006]

Senate Should Focus on Real Issues

Even by Congress' smoke-blowing standards, the insistence of Republicans on debating a constitutional amendment to ban gay marriage reeks of politics—election-year politics, whatever White House press secretary Tony Snow's doubts about this not being "a big driver among voters." You would think more pressing issues would command attention in the Senate. Such a ban has failed before there, with all but one Democrat opposing it. You would think its scant chance of passing—it would require a two-thirds majority in both chambers and then approval by three-quarters of the states—would take the hot wind out of the anti-gay-marriage faction's sails.

But with public approval of the president low, Republicans are convinced restirring the emotions of this issue will rally support for him and those GOP hopefuls looking to November. President Bush is right about not wanting judges, "activist" or not, to decide this issue. It should, as he said, be left "where it belongs: in the hands of the American people." But the last time we looked, most Americans were more concerned about national security, immigration and the avian flu than they were the supposed threat of wedded gays. The federal government should honor states' rights and let them make this call.

[From the Pittsburgh Post-Gazette, May 22, 2006]

Family Feud; Sparks Fly in the Senate Over Gay Marriage

Something petty—a shouting match in the U.S. Senate Judiciary Committee last week—nevertheless echoes strongly with a warning for any thoughtful American concerned about the temper of the times. The spat occurred as the committee considered a constitutional amendment to ban same-sex marriage.

In part, the clash between Pennsylvania Republican Sen. Arlen Specter, the committee chairman, and Sen. Russ Feingold, a Democrat from Wisconsin, was about a change in venue for the committee meeting. But the overarching context was the Democratic belief—well-founded, as it happens—that this amendment is all about currying political favor with the Republicans' right-wing base and in the process painting Democrats as the defenders of gay marriage.

This worked a treat for those supporting President Bush in the 2004 presidential election, when 11 states had initiatives on gay marriage or civil unions to inflame the voters' prejudices at the polls.

The scene in the Judiciary Committee was childish and undignified, perhaps as befitting the nonsense before it. After Sen. Feingold declared his opposition to the amendment and his intention to walk out, Sen. Specter said: "I don't need to be lectured by you. You are no more a protector of the Constitution than am I." He bid the Democrat "good riddance."

Actually, Sen. Feingold has a better claim to be a protector of the Constitution; he doesn't want to see it larded up with a piece of bigotry in which a majority motivated by religious belief seeks to deprive a small minority of the benefits of matrimony. Ironically, Sen. Specter is "totally opposed" to the bill but thinks it should go to a vote. And it will—probably in the week of June 5—as the result of the committee's 10–8 party-line vote.

As a practical matter, the amendment is not needed. A majority of conservative justices on the U.S. Supreme Court can be expected to support the existing federal Defense of Marriage Act of 1996—so states such as Pennsylvania do not have to recognize any same-sex marriages granted elsewhere. Indeed, if protecting the sanctity of marriage was the real goal, the amendment would ban divorce, or at least ban divorced people from marrying again. Of course, we don't propose that ourselves, but the backers of the gay marriage amendment would do so if they were consistent.

But consistency and logic are not the point. The political power of the amendment, like the proposed effort to do something similar in Pennsylvania, resides in its bullying and hypocrisy. This is about selecting convenient scapegoats and feeling righteous as the administration pursues a sort of anti-Gospel in which social programs are cut and policies are pushed to favor the rich over the poor.

Sadly, any shouting matches—as in the Senate Judiciary Committee—are to be expected because promoting rancor and division are the real point. We can only hope that wiser heads will prevail in Congress as this amendment proceeds.

[From the Salt Lake Tribune, April 29, 2006]

Bill of Wrongs: No Need for Federal Marriage Amendment

It's hard to claim you are campaigning for states' rights when the measure you are promoting would rewrite all 50 state constitutions in one stroke.

And it's hard to claim you are campaigning for individual rights, or for religious rights, when the proposal you back would impose a federalized definition for the very personal and, usually, religious institution of marriage.

The proposed "Marriage Protection Amendment" has drawn support from The Church of Jesus Christ of Latter-day Saints and a spectrum of other faiths, known collectively as the Religious Coalition for Marriage. That group argues, as unconvincingly as everyone else who makes the point, that the growing acceptance of same-sex unions threatens the institution of marriage.

This unwise move to amend the basic law of the United States follows successful campaigns to change a few state charters, including Utah's, to ban same-sex marriage. But, beyond being merely redundant to those state efforts, the proposed federal amendment also picks up a serious flaw that was part of 2004's Utah Amendment 3.

Utah's constitution does not merely bar same-sex couples from the legal institution of marriage. It prevents them from crafting any "other domestic union, however denominated," That, despite the misleading reassurances of the measure's supporters before the vote, has since been shown to be a useful tool for knocking the pins out from under simple and reasonable domestic partnership agreements that should be the right of any adult to enter, and within the purview of any religious order to sanctify, or not, as it chooses.

Likewise, the federal proposal would reasonably preserve the term "marriage" for the traditional arrangement of "a man and a woman." But, again, it would unreasonably go on to dictate that every state read its own constitution to deny any constitutional protection to the notion that marriage "or the legal incidents thereof' should be extended to same-sex relationships.

Such an overbroad, if not downright nasty, attack on domestic partnerships is not necessary to reserve the title of "marriage" to its traditional understanding. It doesn't belong in any state's constitution. And we certainly don't want it cluttering up the Constitution of the United States.

[From the Situation Room, June 2, 2006]

Jack Cafferty, CNN anchor: Hi, Wolf.

Guess what Monday is? Monday is the day President Bush will speak about an issue near and dear to his heart and the hearts of many conservatives. It's also the day before the Senate votes on the very same thing. Is it the war? Deficits? Health insurance? Immigration? Iran? North Korea?

Not even close. No, the president is going to talk about amending the Constitution in order to ban gay marriage. This is something that absolutely, positively has no chance of happening, nada, zippo, none. But that doesn't matter. Mr. Bush will take time to make a speech. The Senate will take time to talk and vote on it, because it's something that matters to the Republican base.

This is pure politics. If has nothing to do with whether or not you believe in gay marriage. It's blatant posturing by Republicans, who are increasingly desperate as the midterm elections approach. There's not a lot else to get people interested in voting on them, based on their record of the last five years.

But if you can appeal to the hatred, bigotry, or discrimination in some people, you might move them to the polls to vote against that big, bad gay married couple that one day might move in down the street.

Here's the question: Is now the time for President Bush to be backing a constitutional amendment to ban gay marriage?

In conclusion, Mr. President, we should be addressing America's top priorities, including ways to make America safer, the disastrous war in Iraq, rising gas prices, health care and health insurance costs, stem cell research, erosion of America's privacy, the reauthorization of the Voting Rights Act, but now we are going to talk about something that is here simply for politics. Rather than seeking to divide and diminish, the Senate could be working against discrimination.

Why are we amending the Constitution to do something the States can do? Every State can pass and has passed laws about what will be the marriage laws in their State. No State is able to pass a law that is going to force another State to accept something they do not want. We passed the Defense of Marriage Act in the Congress for that.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. LEAHY. Mr. President, I think we are doing what we did in the Schiavo matter: We are playing politics with the basic rights of people, and it is wrong.

The ACTING PRESIDENT pro tempore. Who yields time?

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The ACTING PRESIDENT pro tempore. The time until 10 o'clock is reserved for the majority leader or his designee.

Mr. LEAHY. Mr. President, obviously, I am not going to take the majority leader's time. Certainly, if anybody on the Republican side seeks recognition, I will immediately yield the floor to them. I was hoping they would be here.

I note the chairman of the Judiciary Committee and I are in an asbestos hearing. I was asked by somebody the other day if I felt that marriage would be threatened if we didn't pass this. I have been blessed to be married to the same woman for 44 years. I don't feel threatened by it.

Mr. President, I suggest the absence of a quorum.

Mr. REID. Mr. President, I rise once again to express my strong opposition to the motion to proceed to this constitutional amendment. There are so many other issues we should be debating instead of this divisive and deeply flawed proposal.

We should be debating the raging war in Iraq. We should be debating our staggering national debt. We should be debating global warming. We should be debating stem cell research.

But we should not be debating a vague and unnecessary proposal to amend the U.S. Constitution. This week's debate is a textbook illustration of misplaced priorities.

As Chairman SPECTER has said, the Federal Marriage Amendment is a solution in search of a problem. The 1996 Defense of Marriage Act, which I supported, remains the law of the land. It defines marriage for purposes of Federal benefits as the union of a man woman, and provides that no State shall be required to recognize same-sex marriages performed in any other.

DOMA has been challenged three times, including in the Ninth circuit, and each time it has been upheld.

DOMA is consistent with principles of federalism and the longstanding tradition in our system that matters of family law should be left to the States and not dictated by the Federal Government.

In my home State of Nevada, we passed a State constitutional amendment in 2002 making clear that only a marriage been a man and a woman can be recognized and given effect in Nevada. I supported that measure.

Supporters of the Federal Marriage Amendment say that State laws like Nevada's are under "assault" by "activist judges." The Nevada law is not under "assault" by anyone. There are no court cases regarding marriage for same-sex couples in Nevada.

The decision about how to define marriage was made by the people of Nevada for themselves, and it wasn't dictated to them by politicians in Washington. That's how it should be.

In contrast, this Federal amendment would dictate to each State how to interpret its own State laws. This is an unwarranted intrusion into the autonomy of State legal systems.

In any event, this is not an appropriate subject for a constitutional amendment. For over 200 years, the Constitution has had no provision on marriage, and we have left this and other family law issues to the states and to this Nation's religious institutions.

Our Constitution has only been amended 17 times after the Bill of Rights was adopted in 1791. Only 17 times in 215 years.

Several years ago the nonpartisan Constitution Project convened a committee of constitutional scholars, civic leaders, and other prominent Americans to develop criteria for when a constitutional amendment is justified. They wrote that our Constitution should be "amended only with the utmost care, and in a manner consistent with the spirit and meaning of the entire document."

This amendment fails that test. It does not make our system more politically responsive. It does not protect individual rights. As James Madison wrote in Federalist No. 49, the Constitution should only be amended on "Great and Extraordinary Occasions." This is not such an occasion.

Earlier this year, former Republican senator John Danforth of Missouri spoke about this amendment and this is what he had to say:

> Maybe at some point in time there was one that was sillier than this one, but I don't know of one. . . . Once before the Constitution was amended to try to deal with matters of human behavior, that was prohibition, that was such a flop that that was repealed 13 years later.

I agree with my distinguished former colleague that this is not an appropriate subject for a constitutional amendment.

I hope the American people will see this amendment for what it is. This amendment is not about whether any of the Members in this body support or oppose same-sex marriage.

This amendment is about raw election year politics. It has zero chance of passing, and everybody knows that.

Those who would use the Constitution as a political bulletin board should be ashamed of themselves. Our Constitution deserves better. And the American people deserve better.

Mr. FRIST. Mr. President, over the past couple of days, we have had a good, rigorous debate on the future of marriage in America. I thank Senator ALLARD and Senator BROWNBACK for managing the debate and my colleagues who have come to the floor to very thoughtfully and thoroughly lay out the legal and cultural issues that are at stake.

Throughout human history and culture, the union between a man and a woman has been recognized as the cornerstone of society. Marriage serves a public act, a civil institution that binds men and women in the task of producing and nurturing children—husband and wife, father and mother—building a family in a community over a lifetime.

At its root, marriage is and always has been a public institution that formalizes that family bond. Some on the other side have said that the strength and stability of marriage is a distraction of little concern to the broader public. And I couldn't disagree more.

As it so happens, they used the very same argument 2 years ago. They said the States had little interest in preserving traditional marriage; voters didn't care; other issues were more important. That argument wasn't true then, and it is even less true now.

Marriage, as we know it, is under assault. Activist courts are attempting to redefine marriage against the expressed wishes of the American people. And if marriage is redefined for some, it will be redefined for all.

Last year, voters in 13 States passed by enormous margins State constitutional amendments to protect marriage. Mr. President, 19 States now have State constitutional amendments. Another 26 have statutes doing the same. Alabama voters, yesterday, endorsed an amendment to protect marriage. In total, 45 States have either State constitutional amendments or State laws to protect marriage.

Tennessee, which will give voters the opportunity to voice their opinion this November, is one of six States with similar amendments to its constitution that are pending. No State—no State—has ever rejected an effort to protect traditional marriage when it has been on the ballot.

Voters across the country, from red States to blue, have voted overwhelmingly to protect traditional marriage. But that has not stopped the same-sex marriage activists from taking their campaigns not to the American people but to the courts. Indeed, their losses at the ballot box have only fueled their judicial activism.

Currently, nine States have lawsuits pending. In five States, courts could redefine marriage by the end of the year. In California, Maryland, New York, and Washington, State trial courts have already followed Massachusetts and declared their State constitution's definition of marriage unconstitutional. All of these cases are on appeal.

A Federal judge in Nebraska overturned a democratically enacted State constitutional amendment protecting marriage. That ruling is now under appeal in the Eighth Circuit.

Another Federal court case in Washington challenges the constitutionality of the Federal Defense of Marriage Act. That case is stayed pending resolution of litigation in the Washington State Supreme Court. Court watchers are expecting a ruling soon.

With all of this litigation pending, there is little doubt that the Constitution will be amended. The only question is whether it will be amended by Congress working the will of the people or by judicial fiat. Will activist judges override the clear intention of the American people or will the people amend the Constitution to preserve marriage as it has always been understood?

In Massachusetts, the people have never had a say. The State's supreme judicial court demanded the State sanction same-sex marriage. A majority of the court substituted their personal policy preferences for that of the people, and the consequences of that activism spread far beyond same-sex marriage itself.

I wish to read from a letter from Governor Romney sent to me as we opened the debate on this issue. In it he warns us that Massachusetts is only just beginning to experience the full implication of their court's decision. He writes:

> Although the full impact of same-sex marriage may not be measured for decades or generations, we are beginning to see the effects of the new legal logic in Massachusetts just 2 years before our State's social experiment.

In the letter, Governor Romney relates the following account:

> In our schools, children are being taught that there is no difference between the same-sex marriage and traditional marriage.
>
> Recently, parents of a second grader in one public school complained when they were not notified that their son's teacher would read a fairy tale about same-sex marriage to the class.
>
> The parents asked for the opportunity to opt their child out of hearing such stories. In response, the school superintendent insisted on "teaching children about the world they live in, and in Massachusetts same-sex marriage is legal."

Now second graders are being indoctrinated to accept a radical redefinition of marriage against their parents' wishes. That is the reality today in Massachusetts.

It doesn't stop there. Already religious organizations in Massachusetts are feeling the pressure to conform their views as well. In March, the Catholic Charities of Boston discontinued their work placing foster children in adoptive homes. Why? Because they concluded the new same-sex marriage law would require them to place children—require them—to place children in same-sex homes. Clearly, this is an irreconcilable conflict.

So while we have advocates denying that same-sex marriage poses any conflict with religious expression or with traditional views, we are already seeing in Massachusetts that simply is not the case. We don't know yet the range and the extent of the religious liberty conflicts that would arise from the imposition of same-sex marriage laws, but we do know the implications are serious, that religious expression will be challenged, and that it is a matter of deep public concern. That is why we seek action in the Senate on this important issue.

As I have said before, it is only a matter of time before the Constitution will be amended. The only question is by whom. Is it going to be a small group of activist judges or by the people through a democratic process? I believe the people should make that decision.

We talked about the specific wording of the marriage protection amendment. Nothing in the amendment intrudes on individual privacy. Nothing stops States from passing civil union laws or curtails benefits that legislatures establish for same-sex couples.

It simply protects the States from having civil unions imposed on them from activist courts. It protects the legislative process by letting people speak and vote. It ensures that their voices are heard and their votes are respected.

My own views on marriage are clear. I believe that marriage is the union between a man and a woman for the purpose of creating and nurturing a family. We know that children do best in a home with a mom and a dad. Common sense and overwhelming research tell us so. Marriage between one man and one woman does a better job protecting our children—better than any other arrangement humankind has devised. I believe it is our duty to support this fundamental institution.

Now we will vote on proceeding on the marriage protection amendment. We will vote on whether we believe traditional marriage is worthy of protection, and we will vote on whether the courts or the people will decide its fate.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 435, S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relating to marriage.

Bill Frist, Wayne Allard, Jim Bunning, Conrad Burns, Richard Burr, Tom Coburn, Jon Kyl, Craig Thomas, George Allen, Judd Gregg, Johnny Isakson, David Vitter, John Thune, Mike Crapo, Jeff Sessions, John Ensign, Rick Santorum.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that the debate on the motion to proceed to S.J. Res. 1, an amendment to the Constitution of the United States related to marriage, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senator was necessarily absent: the Senator from Nebraska (Mr. HAGEL).

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. DODD) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

The yeas and nays resulted—yeas 49, nays 48, as follows:

[Rollcall Vote No. 163 Leg.]

YEAS—49

Alexander
Allard
Allen
Bennett
Bond
Brownback
Bunning
Burns
Burr
Byrd
Chambliss
Coburn
Cochran
Coleman
Cornyn
Craig
Crapo
DeMint
DeWine
Dole
Domenici
Ensign
Enzi
Frist
Graham
Grassley
Hatch
Hutchison
Inhofe
Isakson
Kyl
Lott
Lugar
Martinez
McConnell
Murkowski
Nelson (NE)
Roberts
Santorum
Sessions
Shelby
Smith
Stevens
Talent
Thomas
Thune
Vitter
Voinovich
Warner

NAYS—48

Akaka
Baucus
Bayh
Biden
Bingaman
Boxer
Cantwell
Carper
Chafee
Clinton
Collins
Conrad
Dayton
Dorgan
Durbin
Feingold
Feinstein
Gregg
Harkin
Inouye
Jeffords
Johnson
Kennedy
Kerry
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
McCain
Menendez
Mikulski
Murray
Nelson (FL)
Obama
Pryor
Reed
Reid
Salazar
Sarbanes
Schumer
Snowe
Specter
Stabenow
Sununu
Wyden

NOT VOTING—3

Dodd
Hagel
Rockefeller

The PRESIDING OFFICER (Mr. VITTER). On this vote, the yeas are 49, the nays are 48. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 12 noon.

Thereupon, the Senate, at 10:33 a.m., took a recess, and the Senate, preceded by the Secretary of the Senate, Emily Reynolds, and the Sergeant at Arms, William H. Pickle, proceeded to the Hall of the House of Representatives to hear the address by Her Excellency Dr. Vaira Vike-Freitberga, President of the Republic of Latvia.

(The address delivered to the joint session of the two Houses of Congress is printed in the Proceedings of the House of Representatives in today's RECORD.)

Whereupon, at 12 noon, the Senate reassembled when called to order by the Presiding Officer (Ms. MURKOWSKI).

DEATH TAX REPEAL PERMANENCY ACT OF 2005—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the hour of 12 p.m. having arrived, the Senate will proceed to consideration of the motion to proceed to H.R. 8, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to the consideration of H.R. 8, to make the repeal of the estate tax permanent.

The PRESIDING OFFICER. Under the previous order, the time from 12 p.m. to 3 p.m. shall be divided for debate as follows: From 12 to 12:30, the majority will have control; from 12:30 to 1 o'clock, the minority has control, alternating between the two sides every 30 minutes until 3 p.m.

The Senator from Arizona.

Mr. KYL. Madam President, today and tomorrow could be historic days in the Senate—indeed, in the history of our country—because we have an opportunity to eliminate what some have called the most unfair tax of all. I speak of what has been called the estate tax, or the inheritance tax, or more recently has become known as the death tax.

Just a word of the history of this tax would be interesting to my colleagues before I discuss the process by which this consideration will occur and some of the reasons why we need to proceed with it.

It is very interesting that the history of the estate tax actually can be traced back to ancient times and the Roman Empire, but the more relevant history for purposes of the United States, because we borrowed this concept from England, came from the Middle Ages when the sovereign or the state, of course, owned all of the assets—the land and even the personal property—within the country.

What would happen is, when the king owned all of the feudal property in England, he would grant the use of that property to the people within the kingdom. Certain individuals during their lifetimes—let's say a farmer—would have the land to till and the farm animals to take care of. When that farmer died, in effect, his family would have to buy back that property from the king in order to continue to farm that land, to raise those farm animals and so forth. When the king died, the king would let the estate retain the property on which the payment of an estate tax, called a relief, existed. That would then enable the family to continue to run the family farm or the family business, to put it in modern-day terms.

It seems very strange indeed in the 21st century we would retain this odd and clearly out-of-place custom of having to buy back our property from the king. We do not have a king anymore. There has never been a king in the United States of America. Our right to property is guaranteed in the Constitution. So it seems strange, indeed, that we should be following a custom which required us to buy back from the king our property when our father or our mother dies, for our children to have to buy it back when we die. Yet that is the etiology of the estate tax, that you pay the state to continue to enjoy the right to the property that you always thought was yours.

It is a very expensive price, indeed. In recent years, it has been 55 percent for the largest estates. Clearly, a lot of people could not afford this, people who put their life savings into their farm or their business.

I had a friend from Phoenix who owned a printing company. He started it himself, and after 40 years built it up to a prosperous printing company. He took a modest sum out for he and his family but basically plowed everything back into the company because to stay ahead in the printing business you had to buy the most modern printing equipment and technology.

On paper, his family had a lot of wealth. He had a lot of wealth when he died. But it was literally tied up in the company. His family looked at the estate tax. They had spent a lot of money buying insurance and so on. They found they were going to basically have to pay over half of the value of this company to the Government. They did not have that money. They did not have that liquid cash. So they had to sell this printing company in order to collect the money to pay the Government about half of it in the form of an estate tax.

What happened? This particular man was one of the most generous people in the city of Phoenix. He contributed millions of dollars. In fact, there is a Boys and Girls Club named after him. Every year his wife and his daughter would be involved in charitable activities. I know because my wife is one of the best friends of his daughter. They headed up charity events and raised millions of dollars for our community.

When his family had to sell the business to pay the estate tax to the Government, they were no longer in a position to do the things for the community they had always done. They have remained very active and very giving but not to the same extent when they had a business to rely upon.

So this community lost in many ways. It lost a great, locally owned, family-owned business. It lost the patriarch of that business, a very generous person, who supported the community, and the family, of course, has not been able to employ those people. Over 200 people were employed in the business.

One of the modern-day rationales for the estate tax is that it prevents the concentration of wealth in just a few families. If there is any Nation that you don't have to worry about that, it is the United States of America. We are a Nation in which anyone can make wealth—and you can lose it quickly. Everyone aspires to get higher on the economic ladder. The notion that somehow there are just a few rich families in this country controlling everything is, of course, a wild myth. So it is not necessary to break it up.

But what happened when people like my friend Jerry, when he passed away and his family had to sell his printing company, what happened to the concentration of wealth? It sure took it away from his family, all right, though no one would contend they were really among the elite of this country. He was a poor Jewish kid from New York who came out west, made good, employed a lot of people and did a lot for his community. No, they sold to a big corporation, a public company. So the concentration of wealth, of course, was enhanced, not lessened, as a result of the application of the estate tax.

It is very hard for small businesses these days, or even small farms, to compete with publicly-owned businesses. When the CEO of a publicly-owned business passes on, nothing happens. The corporation simply goes chugging right along. But when the patriarch of a family-owned business passes away and half of the money in the business has to be paid to Uncle Sam, it can crush that small business. It is one of the reasons we need to eliminate this tax. The small family-owned business or family-owned farm cannot compete with the giant corporation which does not suffer the same kind of tax.

We should not have to buy back the estate from the king any longer. We need to end this most unfair tax of all, the death tax.

It is interesting that even though most Americans will not have to pay the death tax because their estates would fall within the amount that is exempted, by very large numbers, they recognize it is a very unfair tax. So when public opinion surveys ask people their opinion of the tax, the majority of people in this country say they would like to end the tax, that it is unfair and it should be eliminated. As a matter of fact, this applies to liberal and conservative voters.

According to a Gallup poll from April of this year, 58 percent of the respondents said that the inheritance tax is unfair. It is interesting, this poll was taken when Americans were filing their taxes. The death tax was called unfair by more people than the despised alternative minimum tax. Only 42 percent of the AMT said it was fair. Yet, of course, we know that also to be a very unfair tax. It was never intended to apply to average Americans. It was put in there to make sure that even the wealthiest Americans with all of their deductions, exemptions, credits and places to park their money that even they would have to pay some tax—even if they did not owe any income tax, they would owe an alternative minimum tax.

Now, that alternative minimum tax, much like the death tax, is reaching down to take money from more and more and more Americans. So we are recognizing that whatever its good intentions originally, it is an unfair tax.

It is interesting that even though more Americans will be hit with the AMT, a greater number of Americans believe the death tax is more unfair than even the alternative minimum tax. Of course, they are both unfair. They both need to be eliminated. It shows the sense of fairness that Americans have.

There was a poll taken not long after the Presidential election last year. It was interesting to me that while 89 percent of people who identified themselves as Bush voters believed the death tax is somewhat or very unfair, 71 percent of the Kerry voters also found the death tax at least somewhat or very unfair: 25 percent, somewhat; 46 percent, very unfair. So this reaches across the economic spectrum; it reaches across the political spectrum. Americans know an unfair tax when they see it, and they think it ought to be eliminated.

Of course, the economic theory backs them up. They say it is unfair because, among other things, it is a tax on hard work. It is a tax on thrift over consumption. It is a tax on assets that have already been taxed at least once when they were earned and sometimes multiple times as that money has been invested and then returned a profit.

Americans understand we should have a tax policy that encourages savings and encourages working more. When people know that the next dollar they earn is going to be taken by the Federal Government or that half of everything that is left in this estate could be taken by the Federal Government, what is the incentive for them to continue to work?

Dr. Edward Prescott, a Nobel Prize winner in economics from Arizona State University, got that prize by proving the phenomenon that there is a direct relationship in how much more people will work and how much they have to pay in taxes. When they know most of what they earn, they can put back into their business, save, invest or give to their kids, they will continue to work. When they know it will go to Uncle Sam, guess what. They don't work anymore. That is lost productivity. It is lost productivity that damages our entire country, our economy. It obviously hurts in job creation. It hurts in our ability to continue to enjoy the kind of growth we have.

The studies verify this. The studies verify, according to the Joint Economic Committee, for example, which has done one of these recent reports, that the estate tax has reduced the stock of capital in the economy by about $847 billion over the last several decades, the last 60 years. That is almost $1 trillion in lost capital that could have been put to work creating jobs and creating products.

In comparison, the estate tax raised $761 billion in inflation-adjusted dollars over this same period of time. The bottom line is, this is a destructive tax. It is not a tax that helps taxpayers very much. It is about 1 percent of the revenues we collect, and, according to estimates, Americans actually pay about the same amount in money every year to avoid paying the death tax as it brings into the Federal Treasury.

Alicia Munnell, an economist, has made that point. She was a member of President Clinton's Council of Economic Advisers. She estimated that the costs of complying with the estate tax laws are about the same as the revenue raised. It is expected to raise about $28 billion in this fiscal year.

The bottom line is, therefore, it is a very inefficient tax. It costs, actually, twice as much as we think it does. It does not bring in that much revenue. And certainly it is very detrimental to economic growth and to capital formation.

There is a way we treat this phenomenon in the Tax Code. It really tells us how we should treat the estate tax. Think about the unintended events that occur in your life. Obviously, death is the chief among them. You cannot choose when you die. Everyone knows they are going to die, but it is not an event that is a voluntary event or that we decide when we are going to do it, certainly not for tax-planning purposes.

It is much like a couple of other things that are recognized in the Tax Code as involuntary events. One of them is what happens when there is a theft. Someone breaks into your home and steals a lot of your property. You might get the insurance company to give you that money back. Should that money be taxed as income when you get it back from the insurance company? Of course not. It is merely a replacement for what was stolen from you. The Tax Code recognizes this in what is called an "involuntary conversion," and they do not force you to pay the ordinary income tax on the money you get back when you suffer that loss.

It is the same thing for death. Death is not a planned event. Death is not something like a sale of property for which you would expect to pay a capital gains tax but, rather, something that occurs to you involuntarily; certainly you should not suffer a price when the estate is passed to you from your loved one, let's say. It comes, of course, at the worst possible time in people's lives to begin with, when they are grieving the loss of a loved one and now are going to have to pay the king to get that loved one's estate. This is not something which Americans believe is fair or right or just.

There is a way we treat this in the Tax Code—involuntary conversion. You don't get taxed on it. The same philosophy ought to apply to the estate tax. There are a lot of reasons. There are the purely economic reasons. There is American public opinion. There is the philosophy of the Tax Code. All of these things mitigate against having this unfair death tax today.

What we have done is to, therefore, set up a process by which we can take up the House bill which voted overwhelmingly to eliminate the death tax. That is H.R. 8. What we are debating now is the taking up of H.R. 8 so that we, too, can vote to repeal this fundamentally unfair tax. We will have a cloture vote. It will occur presumably sometime tomorrow. I urge colleagues to vote yes on cloture so that we can take up the House bill.

Some of my colleagues do not want to support the House bill for full repeal. I understand that. They are well aware of the fact that since there may not be support for that to get 60 votes, a lot of work has been done to develop an alternative which would end the most pernicious impact of the tax but still allow some revenue to be collected from the most wealthy estates each year. I will discuss that in a moment.

The bottom line is that in order for us to vote on full repeal or to vote on an alternative to full repeal, we will have to support the first cloture motion to proceed so that we can take up the House bill. Presumably, then, the majority leader would have a cloture vote on that underlying bill and people can vote yes or no on that as they please. I will vote to repeal the estate tax. Should that fail, we will then have the opportunity to vote on an alternative. That alternative has been relatively widely discussed, and we will have an opportunity to discuss it more later.

In general terms, what it would do is provide that most people won't have to spend the $30 billion a year that is spent on insurance policies, lawyers, accountants, estate planners, and the like to try to avoid paying most of the estate tax. For most people, under this alternative compromise, the exempted amount will be large enough that they won't have to worry about it, or if even after the exempted amount, their estate will be covered—and with the increase in real estate prices today and with the value of businesses and farms going up, frequently, simply because of the value of the land or the personal property, a lot of estates could get caught even with a generous exempted amount. We have a plan that only the capital gains tax rate would apply. If that is the case, then, whether you choose to sell the property before death or you are willing to pay whatever you have to after the exempted amount after death, it is the same. It would be 15 percent today; after 2010, it would be 20 percent, if that is not changed. Everybody knows, therefore, that the penalty, in effect, to the Government is the same. You pay on the gain if you sell the property before death. If your heirs inherit the property, they would pay that same 15 or 20 percent. There may be an addition to ensure that the very wealthiest estates pay at a higher rate. That is something we are discussing with colleagues.

The bottom line is, what we will do is make clear that for most people, they won't have to worry about the death tax anymore. For the very few who do, it would be only the very largest estates which would clearly have the financial means of doing something about it.

We are not going to be able to get to either a vote on full repeal or the alternative unless we vote for cloture to take up the House bill. That is the critical vote which will occur tomorrow.

We have a series of speakers. I believe the Senator from Texas, Mr. CORNYN, is next. Then we have Senators TALENT, SHELBY, BUNNING, ALLEN, THUNE, and GRASSLEY on the Republican side. I urge them to be here to ensure their place in line so that they have an opportunity to speak for the allotted time on this important issue, laying the foundation for what is going to be a historic vote tomorrow to finally get on the process for getting rid of this most unfair tax.

I urge colleagues' support and yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I congratulate Senator KYL, who has been a true champion of this effort and a leader on a bipartisan basis, for his good work. I know we were delayed a little bit because we thought we were going to come to the floor with this important legislation about the time that Mother Nature sent us Hurricanes Katrina and Rita. But we are back here through no small effort on the part of Senator KYL. I thank him for his leadership.

This is an issue which affects my constituents in Texas a lot and concerns Americans, as we know, across a broad political spectrum, as a result of public opinion polls. It goes back to 2001, when Congress passed the Economic Growth and Tax Relief Reconciliation Act which included a phaseout of the death tax. Eliminating the death tax was an important part of that overall tax relief package which has played no small part in the incredible economic expansion we have seen in America since that time: 2 million new payroll jobs in the past year; more than 5 million new payroll jobs since May of 2003; unemployment is at 4.6 percent, the lowest in almost 5 years; home ownership has reached alltime highs, including among those categories of minority owners who traditionally have lagged behind in terms of their pursuit of the American dream. The economic growth and expansion we are seeing today would not have been possible but for the important tax relief this Congress passed with President Bush's leadership in 2001 and 2003.

Unfortunately, because of our budget rules, because of our inability to get 60 votes for permanent repeal, Congress has been unable to completely eliminate the death tax. The death tax will amazingly disappear in 2010 but then rear its ugly head in 2011 and revert to its pre-2001 level. In other words, unless we act, the American taxpayer will see a huge tax increase.

This debate is about whether Members of the Senate truly believe that death should remain a taxable event for American taxpayers, especially those who are hit in a disproportionately disadvantageous way—ranchers, farmers, and small business owners. I favor eliminating the death tax because, fundamentally, it is an unfair tax. Once you earn income and pay taxes on your income, then Uncle Sam comes along, when your loved one is lying on their deathbed, and says: We want another bite out of your savings and assets that have accumulated due to your hard work and industry.

There are those who say this is just to benefit the rich and wealthy. That ignores the reality on the ground. The death tax brings the hammer down on Texas farmers and ranchers whose most valuable asset is their land. To pay this double tax, farmers and ranchers are threatened with the prospect of selling just to pay their tax. This is true of small business owners who have chosen perhaps not to incorporate or form a business organization such that they can take advantage of other tax exclusions and exemptions but, rather, this affects small business owners in a disproportionately negative way as well.

The death tax discourages savings. By taxing bequests, the death tax discourages small business owners and family farms from saving and reinvesting in their business. Many economists bemoan the fact that Americans don't save enough compared to other countries. Eliminating the death tax would lower the barrier to savings that so many Americans face.

Not only does the death tax discourage small businesses and farmers and ranchers from saving, it also hinders their ability to operate from generation to generation. The current death tax burden especially makes it progressively more difficult for each succeeding generation to keep an agricultural operation going. The death tax reduces the inheritance available to heirs, again discouraging people from working, saving, and investing. We are all familiar with the stories of sons and daughters having to sell the family farm their parents gave them so they could merely pay the tax bill upon the demise of their loved one.

The death tax also discourages entrepreneurial activity, which is the key to keeping America competitive in the global economy. As ironic as it may seem, the former Soviet Union, our opponent in the Cold War, understands the positive economic benefits of eliminating the death tax. Last year, Russia eliminated its own death tax. In fact, 414 Members of the Duma, the Russian Parliament's lower house, voted in favor of the proposal, a record at the time.

Dying should not be a further burdensome, expensive, and complicated event because of the death tax. Right now, it is. IRS data indicates that more than half of the estates of those who die in America are required to file a death tax return even though they never owe any death tax to begin with. In addition, complying with one or more of the complicated parts of the Internal Revenue Code can be crushing when you consider that taxpayers need to hire attorneys and accountants, appraisers, and other experts to make sure that all their t's are crossed and their i's are dotted. Many taxpayers are not lucky enough to afford the armies of accountants and tax lawyers needed to avoid the death tax through the use of legal and reasonable trusts or foundations. The IRS interacts with American taxpayers every day in one way or another. It should not be there on the day those taxpayers leave this Earth.

I know there are concerns expressed by some colleagues with regard to the budget deficit. There is no doubt that Congress needs to do all it can to responsibly control the rate at which we spend on mandatory programs which are the primary cause of our deficit, growing as they are at the rate of 8 percent or more a year—Medicare, Social Security, and Medicaid. Earlier this year, I offered an amendment to the budget resolution that would have built on the successes of the Deficit Reduction Act and further reduced the growth in mandatory spending. Unfortunately, it was not accepted.

Some advocate keeping the death tax in the IRS Code as the key to opening the door of fiscal discipline. I disagree. Following this path will lead to nowhere and lead there fast. What it will do, instead, is slam the door on ranchers and farmers and family-owned businesses. That is not something I am prepared to do. To ensure the economy's continued momentum, we need to make sure the permanent elimination of the death tax is included in this legislation. We have to end the death tax once and for all as a matter of fundamental fairness.

The fact is, by cutting taxes, we spur economic activity, which, in part, accounts for why the budget deficit is actually lower than had been projected earlier, because the revenue to the American Treasury has increased with the burst and expansion of economic activity. With more people working, more people paying taxes, there is more revenue into the Treasury. We have been through a recession, national emergencies, corporate scandals, and a war. Yet because of the President's leadership and the leadership of this Congress in passing important tax relief, we were able to put money back in the pockets of ordinary Americans so that they could then invest and help grow the economy that has benefited us all. Let us not get in the way of that important progress by failing to take the necessary action to end the death tax once and for all.

The PRESIDING OFFICER. The Senator from Montana is recognized.

Mr. BAUCUS. Madam President, the Book of Proverbs says:

> A good man leaves an inheritance to his children's children.

Tomorrow, the Senate will vote on whether the Government should have a part in that transaction. Tomorrow, the Senate will vote on whether to move to the consideration of a repeal of the estate tax.

During a particularly tumultuous time in American history, President Ford said:

> Truth is the glue that holds government together. Compromise is the oil that makes government go.

We are not confronted with the same level of rancor today as when President Ford said that. But both of these institutional virtues—truth and compromise—are as essential today as they were then. To achieve true estate tax relief for our constituents, we will need a heavy dose of each.

The estate tax is a difficult issue. Members on both sides of the debate have strong feelings. Back home, many of us meet with ranchers, farmers, family businesses, and others who feel passionately about the estate tax. Some believe that it is an unfair tax. Others believe that it is an important source of revenue for government programs.

Personally, I believe that the estate tax has caused significant hardship for families in my home state of Montana. I often hear from ranchers and farmers who own land that has become very valuable. Often, they have little cash in their pockets to pay the estate tax when passing their land on to their children. In Montana, like many other places in the West, people are committed to their land. They are committed to their way of life.

Many of my constituents want to pass their ranch or farm on to their children. They do not want it divided up. They do not want it spoiled by developers. Their children want to stay on the land. They want to keep the lifestyle that is so important to them. They love the land. They are stewards of the proud western heritage of ranching and farming. They take their attachment to the land very seriously. And they do not take kindly to the government interfering with their link to the land. This is why I support repeal of the estate tax. From my view, from Montana's view, a tax that forces ranchers to break up their land is a bad tax.

This is my strongly held belief. But I realize that some of my colleagues believe just as strongly that inheritances over a certain value should be subject to tax. I understand that anything is possible. But it appears unlikely that we are going to change many Senators' minds on this issue. Each side is pretty well dug in.

As a consequence, we are short of the votes required to repeal the estate tax outright.

That is why I have been working together with Republicans and Democrats to achieve a compromise on the estate tax. Senator KYL, in particular has made an important effort to reach a compromise. I commend him.

My goal is to pass a repeal of the estate tax. But if we are not able to reach that goal, at the very least we should reach a resolution that will protect as many Montanans as possible from the estate tax.

I think that we can accomplish that. But we will need time. It will take real effort. It will take concessions. I am committed to that work.

I have met with many Senators from both parties on this issue. Our staffs have been meeting for months. We have been working to address the details, if we reach an agreement. After meeting with Republicans and Democrats on the estate tax, we have considered several proposals that will both increase the exemption for estates subject to the tax, and lower the rates of taxation.

These proposals will not eliminate the estate tax altogether. But they will—at the very least—eliminate the tax for 99.7 percent of Montanans and Americans alike. Only 3 tenths of 1 percent of Americans would have to worry about the tax again. That is a very small number. Only 31 out of nearly 9,000 estates in Montana would be subject to an estate tax in 2006 under the proposals we are discussing.

We are discussing proposals that amount to roughly half of the cost of full repeal. That is the ultimate consensus position. That is the middle.

I think that Senator KYL and I have made good progress. But I am willing to listen to other ideas that Members have. We should keep this process going. We should continue the work of negotiation. We have not finished our work on a compromise. But even so, the majority leader has decided to hold a vote on the estate tax.

Let's be honest. Tomorrow's vote is thus not a constructive step to actual reform. It is a political exercise. It is a reward to the noisy Washington interest groups that pray on resentment and discord. Both Democrats and Republicans are guilty, on occasion, of forcing votes just to score political points. But that is not a productive way to run the Senate. So what will we be left with tomorrow at the end of this vote? Perhaps more distrust of one side from the other. But we will not have accomplished the goal that many of us in this body seek: true estate tax relief for our constituents.

As our former Majority leader George Mitchell used to say said: "Do you want to make a statement, or do you want to make law?" I am committed to making law. I will work together with Republicans and Democrats alike. I will work with anyone in this body to reach a consensus on the estate tax that gives real estate tax relief to Montana families, and importantly, has the votes to pass.

But such a compromise will take time. My hope is that we can return to negotiations after this vote. I hope that then we can bring to those negotiations a renewed sense of purpose and drive to accomplish a true compromise—consistent with the best traditions of this body. We owe this spirit of cooperation to the Senate as an institution. More importantly, we owe it to the ranchers and farmers and families in Montana and across America who expect us to work together for a compromise on the estate tax that will provide real relief—not political statements.

Madam President, let us not just make statements. Let us negotiate. And let us make the law that will end this tax once and for all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. DAYTON. Madam President, today, we are witnessing another display of Republican anguish for America's oppressed minority, the rich and the super-rich. They suffer from a terrible injustice: They have to pay taxes on their millions and multimillions and even billions of dollars in accumulated wealth.

Thanks to my Republican colleagues, the rich and super-rich pay far less in taxes than they did 5 years ago. But their sympathy knows no bounds. So today we are debating eliminating taxes—not just lowering them but eliminating them—on only the wealthiest one-half of 1 percent of all Americans, taxes they don't even pay themselves but their estates pay after they die.

This debate is not about saving family farms or small businesses, although I personally favor exempting them from all estate taxes.

This proposal is about eliminating a tax that falls only on the rich and the super-rich. When it comes to tax cuts for them, the Republicans just cannot do enough. They have done so much already. They lowered the top personal income tax rates by more than any other categories. They reduced the tax rate for capital gains to 15 percent. President Bush wanted to eliminate taxes on dividends, but Congress settled on a 15 percent rate for that income as well.

Republicans and a few Democrats—but mainly Republicans—have created a Federal Tax Code where a working person with taxable income above $28,400, or a head of household with taxable income above $38,400, pays much higher tax rates than rich people pay on millions of dollars of income from dividends and capital gains.

Let me say that again. A working American pays a tax rate of 25 percent or higher on every dollar of earned taxable income above $28,400, or $38,400 for a head of a household. A multi-millionaire or a billionaire pays a tax rate of only 15 percent on any amount of unearned taxable income. Now, there is a tax injustice to the middle class working Americans that we should be doing something about.

But, no, what do my Republican colleagues propose today? More tax cuts for only the wealthiest people in America. They don't seem to care that they are sacrificing the financial strength and stability of our Federal Government to continue these tax giveaways. They are addicted to what the nonpartisan Concord Coalition has called the "most reckless fiscal policy in our Nation's history."

When George Bush became President, the Federal Government's operating budget had just been balanced for the first time in nearly 40 years. Now, it is running deficits of $500 billion a year. The entire Social Security trust fund surpluses are being spent to cover part of those operating deficits. The rest of it is being borrowed. President Bush's own budget projects that in fiscal year 2011, the year this proposed repeal would become permanent, the on-budget deficit will be $415 billion.

Total Federal debt will have grown to $11.5 trillion. Over $3 trillion of that debt will be owed to the Social Security trust fund. That is the amount of the trust fund surpluses the Republican tax giveaways will squander to pay for them.

The Federal financial situation only gets worse during the following years. According to the Social Security trust fund's trustees, that fund will start to run annual deficits in 2016—that is 10 years from now—as more and more baby boomers retire. Those annual Social Security trust fund surpluses will be gone. Those previous surpluses that President Bush and most Members of Congress once promised would be saved in a lockbox until needed to pay Social Security benefits will be gone, too—gone to pay for part of the tax cuts for the rich and super-rich. So then the Federal Government's operating budget will be running huge deficits.

The Social Security trust funds will start running big deficits. The operating fund will owe the trust fund over $3 trillion, and yet this Senate is talking about eliminating a tax on the richest one-half of 1 percent of Americans.

This is beyond fiscal irresponsibility. This is fiscal insanity. These projections are right from the President's own budget office and the Social Security trust fund trustees. The revenue shortfalls are catastrophic. We are standing on the look-out tower of the Titanic and all we have to do is open our eyes and look at the financial iceberg that is dead ahead. My Republican colleagues want to keep going full speed ahead. They also want to pour more coal on the fire. The people in the first-class cabin will get to enjoy their extra champagne and caviar for a short while longer.

Nobody likes to pay taxes. This country was founded by anti-tax rebels. But once it became our country and our Government of we, the people, most Americans willingly paid their fair share of the taxes necessary for the public services that we collectively want, like national defense, education, highways, and the rest.

There used to be an ethic in this country that if you made more money as an individual or a corporation, you paid more taxes. That was your fair share. That was a reasonable price to pay for living in the greatest country in the world and for being successful in it. Now that ethic has been lost. Now too many people and companies want to make more and more money and pay less taxes or pay no taxes or get rebates.

Politicians pander to those desires by offering more and more tax cuts because they are popular and they help them get re-elected—while still increasing Government spending, because that is popular, too. But the result of that lost ethic and the insatiable desire for more and more tax cuts in the last year—setting aside Social Security—total Federal tax revenues amounted to only three-fourths of expenditures. Under existing tax policies, it won't get much better. Under this estate tax proposal, it will get worse.

So the question before us is: Who cares about the future of this country? Who will say no to the demands for more money by its most privileged people who apparently don't understand or don't care what they are doing to the financial future of everyone else? But we do know, we, the 100 elected representatives of all the people of this great and still strong Nation, we, the stewards of its financial treasures and the trustees of the public trust, we do know. It is our responsibility to know what eliminating the estate tax would do to our Nation's future financial solvency, and there is no possible way to responsibly adopt this proposal. There is no way to justify placing the financial interests of a few Americans ahead of the financial interests of all the rest of America.

If we eliminate this tax, we might as well eliminate all Federal taxes starting in the year 2011 and start over again because the Federal tax system will have been irretrievably broken, and it will be just a matter of time before everyone finds out and discovers that this country's financial future has been squandered by a few in here to benefit a few out there. Then there will be hell to pay.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, we are debating the question of whether the estate tax ought to be eliminated. It has been fashionable to call this tax the death tax. That is a name conjured up by some PR people for a handful of wealthy families whom the New York Times revealed this morning have spent $200 million over the last several years trying to convince people there is a death tax.

There is no death tax. None. We do have a tax on the wealthiest estates in the country. Currently, the exemption levels of $2 million per person or $4 million a couple mean that only one-half of 1 percent of estates are taxed.

To eliminate the estate tax would cost the Treasury $776 billion from 2012 to 2021. That is the time it would be first fully in effect. That doesn't count the interest lost. The interest lost would be another $213 billion. So the total cost to the Treasury would be nearly $1 trillion in the time 2012 to 2021.

Let's look at our current budget condition because that should inform what we do here. Do we have this money? And the answer is clearly no, we don't have the money. We already can't pay our bills. This is what has happened in the last 5 years. These are the deficits that have been run up. They are the biggest deficits in the history of our country. This year they are anticipating a deficit of $325 billion. That doesn't accurately describe our fiscal condition because what is going to get added to the debt this year is not $325 billion. What is going to get added to the debt this year is over $600 billion.

In the midst of this sea of red ink, what our colleagues are talking about doing is eliminating another trillion dollars. Let's just stack it on the debt. They are not proposing cutting spending to offset this amount. They are not proposing other taxes to offset this amount. They are proposing borrowing the money. This is our pattern of borrowing since this President took over.

In the last part of his first year, the debt of the country stood at $5.8 trillion. We don't hold him responsible for the first year because that was a budget determined in the previous administration. But here is what is happening to the debt under this President in 10 years—the first 5 years we have already seen and the 5-year budget that is before us now.

If the 5-year budget that has been passed in the House and the Senate goes forward pursuant to the President's proposal, this will be the debt at the end of that period—almost $12 trillion. This President will be responsible for doubling the debt of the country.

Already he has more than doubled the amount of American debt held by foreign entities. It took all these Presidents—42 Presidents—224 years to run up $1 trillion of external debt. This President has more than doubled that amount in just 5 years. This is an utterly unsustainable course, debt on top of debt.

The result is, we now owe Japan over $600 billion. We owe China over $300 billion. We owe the United Kingdom almost $200 billion. We owe the oil exporters almost $100 billion. And now Mexico has gotten on to our list of top 10. We owe Mexico $40 billion.

Most of the added borrowing we have done to float this boat, most of the money has not come from our own country. We have borrowed more from abroad in the last 5 years than we borrowed from America to finance these deficits.

Our colleagues are saying: Let's go out and borrow another trillion dollars, primarily from Japan and China, in order to give a tax reduction to one-half of 1 percent of the estates. This makes no earthly sense.

Under current law—here we are in 2006—a couple can shield $4 million. In fact, with any kind of estate planning, they can shield far more than that. In 2009, that will go up to $7 million. That is under current law.

Under current law, in 2009, 99.8 percent of estates will pay zero. There is no death tax. There is no death tax. There is a tax on wealthy estates, and if we don't get some help from the very wealthiest among us, guess what. We are either going to have to ask middle-class people to pay more, or we are just going to keep running up the debt.

The proposal of our friends on the other side is just stack it on the debt, stack it on top of the debt that has already doubled under this administration's watch.

Already under current law, the number of taxable estates has dramatically fallen. In 2000, we had 50,000 estates that were taxable. That was down to 13,000 this year. By 2009, it will be further cut to just 7,000.

What is this really about? This is really about a handful of wealthy families who, according to the New York Times in this morning's paper, have spent more than $200 million over the last several years to convince people there is a death tax. I just had a colleague tell me a baggage handler stopped him and urged him to end this death tax because he was deathly afraid he was going to get taxed. That baggage handler doesn't have to worry. One has to have $4 million in their family before they pay a penny of tax. With any kind of estate planning, you can shield far more than that.

I recently spoke with a North Dakota estate lawyer. He does more estates than any lawyer in my state. I said: Is this estate tax with a $4 million exemption per family a problem?

He said: Kent, it is a nonissue. Not only do you have $4 million, but in addition, you have a whole series of things you can do to further reduce your tax liability, and on top of that, if you do have any liability, you have 14 years to pay if you have a closely held business or a farm.

You have 14 years to pay. People say there is a liquidity problem. There is no liquidity problem. The only people who have an issue are very wealthy people.

I would love to be able to say to them that we can dramatically reduce your tax burden, but the problem is we can't pay our bills now. People say it is the people's money. Absolutely it is. It is also the people's debt, and this debt that is going to be added to is in all of our names. This is in all of our names. Are we really going to take on $1 trillion of additional debt in order to help a handful of very wealthy people who really don't need the help?

We have already heard many of them say: Please, don't do this. Warren Buffett, the second wealthiest man in the world, said this makes no sense at all. Mr. Gates, the father of the richest man in the world, has come before us and said: We don't need this kind of help. We have been blessed by being in America. We have had the opportunities of being here. We expect to make an additional contribution.

There is something else that should be mentioned, and that is, we have other tax relief we need to consider, and this should be the priority over estate tax repeal. Repeal costs $369 billion from 2007 to 2016. During that same period it would cost $286 billion to extend the 10-percent bracket. That really does affect people, middle-class people. It would cost $183 billion to extend the child tax credit. That really does affect middle-class people. And it would cost $46 billion to extend the marriage penalty relief.

I submit these are priorities. These are the issues—extending the 10-percent bracket, extending child tax credit, extending marriage penalty relief—to which we ought to pay attention.

Finally, this is a quote from the chairman of the Finance Committee last year:

> It's a little unseemly to be talking about eliminating the estate tax at a time when people are suffering.

The chairman of the Finance Committee had it right last year. It is unseemly. It is unseemly to be eliminating the estate tax when our country is in deep debt, when our country is at war, when our country is running up record deficits, and when there are so many other needs that are the real priority for the people of this country.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. TALENT. Madam President, is it in order for our side to speak now?

The PRESIDING OFFICER. Without objection, the Senator from Missouri may proceed.

Mr. TALENT. Madam President, I wish to speak a few minutes today about the repeal of the death tax and why we ought to do it and, the very least, why we ought to vote on it. I do this with a background of somebody who chaired the Small Business Committee in the House for two terms and had occasion to have hearings on this proposal and on the death tax. And more than that, I have spoken over the years with scores and scores of small business people and farmers who are penalized by this tax in a particularly demoralizing way. I think it is time to get rid of it or at least to vote on getting rid of it. We owe that to them.

These are the people who drive America's economy. These are the people who create the jobs, who create the technical innovations on which we depend. They are particularly hard hit by our death tax, which is the most onerous estate tax or death tax in the world.

Keep in mind that death taxes work on estates that have already been taxed. There isn't anything in an estate that hasn't already been taxed as a lot of it has already been taxed several times, and our death tax allows the Government to come in on the demise of a person and collect up to 55 percent of what they have worked for, what they have earned, and what they saved in the hope they could benefit their children.

The death tax is punitive. It costs the economy. It is directed precisely at the kind of activity that we need for economic growth and at precisely the kind of people who drive economic growth. Repeal of the death tax would increase nonresidential investment capital by $25 billion, an average of 100,000 to 200,000 jobs a year, greater disposable income for American workers, and stronger economic growth. That is what the economists say when they study it.

I believe the impact of the death tax is far greater than just what the economists have been able to estimate and monetize because it is a particularly demoralizing tax. It says to the small businesspeople and the farmers, indeed, to everybody who saves and invests, that you can do everything you can to build up your business, you can do everything you can to build up your farm, you can do all that with a view toward benefiting your community, your employees, and making the kind of success we want you to make out of your life, you can be successful at the American dream, and then the Government comes in and takes more than half of it and often takes more than half of it under circumstances which have the impact of destroying the whole enterprise. This is not speculation; this is what small businesspeople are saying and what they have said year after year after year. I know because I have had them before my committee.

Many in Missouri are affected by this tax. Renee Kerchoff is the second-generation owner of Rudroff Heating and Air-Conditioning, started in Belton, MO. Because her family worked hard, because they were willing to take risks, because they reinvested what the business earned instead of keeping it for themselves, the business has done well. Her father is no longer living. Renee's mother is living. She is going through the dilemma thousands and thousands of family businesspeople go through in this country every day: she is trying to figure out how to save the business when her mother passes away because she will owe a huge financial liability to the Federal Government.

When I was chairing a committee in the House, I had one woman—not Ms. Kerchoff but a different woman—break down in front of the committee trying to explain how she and her brother were unable to save the family business. "Mr. Chairman," she said, "if we have to sell the business, what is going to happen to the employees?" What happens to employees when you have to liquidate a business? What happens to employees when you have to sell out to a big company? They get laid off.

Farmers, in the view of this tax, are often considered to be wealthy because they have farmland maybe near a suburban area that has gone up in value. There are farms in Missouri where the land is valued at $1 million or more. Those farmers would be surprised to hear that the Federal Government believes they are wealthy. A lot of that land is near St. Louis or Kansas City. It has gone up in value, but they don't have the cash to pay the tax. They are going to have to sell the farm to pay the tax instead of passing it on to their heirs.

This is a common story all over the United States. What are these family businesspeople and farmers trying to do? They are reacting to this. They don't want to sell the business. They don't want to sell the farm. They are spending enormous amounts of time and effort and money on lawyers and accountants trying to figure out how to preserve what they have built up for their whole lives. Do we want them meeting with their brothers and sisters and other family members and spending hours and hours on an estate plan, or do we want these innovative and hard-working people spending hours and hours figuring out how to grow their business and create jobs and grow the economy so that the rest of us will benefit?

To me, the answer is clear. We can unleash this layer of people around this country by telling them: Look, when you earn money, yes, you are going to pay a substantial amount to the Federal and State government—and many of them pay 50 percent or more of their income in Federal and State taxes—but once you have paid that, what is left is yours. It is yours and your family's. You can reinvest it in the business, you can build up the farm, and you don't have to have this hanging over your head year after year. We are not going to penalize you for succeeding at the American dream.

Heaven knows, enough small businesspeople and farmers fail. They try their best, but they don't succeed. And here we have a tax which dates back decades and decades, an out-of-date tax which punishes people for doing what we want them to do. That is what is wrong with this tax. It is economically wrong. It has bad impacts. The think tanks can study it and monetize all that and figure out all the bad, negative impacts of this tax, but it is just wrong. It is wrong, when a person has spent their whole life trying to build something up so they can leave something to their kids and their grandkids, for the Government to come in and take it all, and that is what it amounts to, especially when they have paid taxes on it already.

We have a weird tax system. We have a tax system that says to people: If you spend everything you earn, if you are a small businessperson and you take the money out of the business and you consume, if you go out and you draw the biggest salary you can draw, you don't expand the business, you don't build it up, you don't try to help your employees by creating more opportunity for them, you don't try to do anything for your community by expanding the economic base of the community, if you spend it all, the Tax Code favors that, we think that is OK. But if you try to do what my parents and the people of my parents' generation routinely did, which is live up to your responsibilities of the next generation, you try to save it and invest it and grow it because you believe in America, you believe in the future of the country, and you want to help your kids or your grandkids or somebody else's kids or grandkids, the Government doesn't like that. The Government is going to come in and take all of that. Why? Because we are afraid we are going to lose revenue.

I am a believer that if you trust in the American people, in the hard work, the decency, the foresight of the American people, we are going to do OK with revenue. If we grow this economy, the Government will have plenty of revenue.

At the very least, we ought to vote on this. I believe it is time for us to ask, as a body, are we going to filibuster everything? I mean, is there no bill we can just allow to come to a vote? If you don't like this, vote against it. Now we are filibustering the motion to go to the bill. I hope everybody in the country understands that this is a filibuster of an attempt just to debate the bill. We are not even going to allow that. Despite the expressed wishes of small business organizations and farm organizations, despite the trend in the rest of the world, we are not even going to debate it. We don't trust the American people with their money. We don't trust the small businesses and the farmers to expand the economy and to create jobs, and we don't even trust ourselves to vote on something. No wonder people are frustrated.

There is still time to do the right thing here. Let's vote on the motion to proceed, pass the motion to proceed, debate the bill, and then I hope pass the bill—if not a permanent repeal, at least a substantial permanent reform that lowers this tax substantially, creates simplification, and says to our entrepreneurs, our small businesspeople, our investors, our farmers: We trust you, and we believe in you. Go out and do what you want to do because we think that is good for America.

We still have the chance to do that. I hope we will.

I yield the floor.

Mr. SHELBY. Mr. President.

The PRESIDING OFFICER (Mr. THUNE). The Senator from Alabama.

Mr. SHELBY. Mr. President, I rise today to voice my strong and unwavering support for a full repeal of the estate tax, or the death tax, as we often refer to it.

Until World War I, the Government only imposed an estate tax or inheritance tax to raise revenue to fund expenses directly related to the necessities of war. Even then, the rate was measured. However, that practice changed after World War I, and unlike four previous occasions, the tax was not repealed once a peace agreement was reached. In fact, the tax continued to increase until it reached 70 percent during Franklin Roosevelt's administration.

What was once a means to finance war eventually became a significant revenue stream that funded all aspects of a growing Federal bureaucracy. Today, the estate tax continues to provide a significant revenue stream to the Federal coffers and functions as a redistribution of personal wealth and punishment, basically, to those successful business owners seeking a better way of life.

The death tax places an undue burden on our Nation's family-owned farms and small businesses. These individuals work tirelessly day in and day out to make their own way, to contribute to society and the economy, only to be told their loved ones will be punished when they die. Too often I hear sons and daughters forced to sell a piece—if not all—of the legacy their parents worked to create and sustain simply to pay the estate tax. That scenario is wrong. We should not punish hard work and entrepreneurship; we should reward it. We should reward those who choose to continue their family businesses rather than shut them down. These people work hard to promote prosperity and growth in their local communities, only to be told by the Federal Government that in addition to the taxes they have paid each and every year, they must now pay an additional tax, the death tax, because someone died.

Taxing death has a negative impact on the desire of Americans to invest and to save. A basic economics class will teach you that savings and investment are positive for individuals, families, and our economy. Punitive taxes such as the estate tax, capital gains tax, dividend tax, and the gift tax all have a negative impact on our overall economic growth.

In 2001, as my colleagues well know, Congress acted to eliminate the estate tax by January 1, 2010. Unfortunately, this provision sunsets in 2011, just 1 year after it is fully repealed. As it currently stands, in 2011 the Tax Code is set to completely reverse all progress we have made to reduce the tax burden on our Nation's entrepreneurs. So those who are not fortunate enough to die, can you imagine, in 2010 will be faced with the prospect of their loved ones being responsible for as much as 55 percent of the estate's assets.

Whether it is a construction company, a cattle farm, a medical practice, or any of 100 other businesses, they all require significant capital investment in land, equipment, and materials that quickly overcome the threshold we will return to in 2011. These investments are not part of the business; in most cases, they are the business.

I am also concerned that, like other taxes I mentioned earlier, the estate tax serves as a second bite at the apple. Our current tax system too often taxes income and then asks for more. The estate tax or death tax is one of the more egregious examples of this situation.

I believe the Federal Government should work to minimize the burden on the American taxpayer and to simplify our tax system. The estate tax is contrary to both of these purposes. It not only taxes assets a second time, it also is one of the more complicated taxes to comply with in our bloated Tax Code.

I believe repeal of the estate tax is one of the many steps we as elected representatives of our respective States and people should take to spur economic growth, remove the burden on small business, and simplify our tax system, and I urge my colleagues to support immediate and full repeal of this tax.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BUNNING. Mr. President, I rise today in strong favor of abolishing one of the most unjustified taxes we have in America today: the death tax. Americans should not have to talk to their undertaker and their tax man on the same day. Small businesses and family farms should not be forced to close down in order to pay the Government money because a loved one has passed away. Unfortunately, I see this happening when I travel back to Kentucky every week. We are not looking out for our economy or our very own people when we charge them for inheriting the American dream.

The mom and pop diner on the corner of our town squares and third-generation farms in our rural areas are being unduly burdened by a repressive Tax Code. In fact, many are forced to close their doors or sell out, just so they can afford what the Government says they owe.

America's prosperity was created by our entrepreneurial spirit, but today it is estimated that 70 percent of all businesses never make it past the first generation, while 87 percent do not make it to the third generation, and only 1 percent make it to the fourth generation. Why? One of the big reasons is the burden of the death tax.

We call this tax the death tax not only because of the time that it strikes often unsuspecting families but also because it kills American businesses and jobs. The ridiculous complexities of the death tax actually favor individuals whose tax lawyers and accountants plan for years to shield money from estate taxation. The real people who are affected by the estate tax are often small businesses and farms, when death catches them unprepared.

The estate tax is equal to an unfair double tax on savings and investment. In short, it is a tax on the American dream, the dream that if you work hard and save money you can leave your children with the opportunity to live a happier and more prosperous life than you yourself did.

Estate taxes give taxpayers an incentive to save less and spend more. We all know that is not what we need in today's economy. The Commerce Department reported recently that Americans' personal savings fell into negative territory at minus ½ percent last year. We ought to be doing all we can to encourage savings, not to penalize people for it. We should give grandparents and parents an incentive to leave their children with the fruits of their lifelong labors. It is time for the Senate to wake up and realize the death tax, which raises only a very small portion of our revenue, is ready for its own death.

Poll after poll has shown us that this is what the American people want us to do. Please, let us join the House of Representatives in repealing this unneeded, burdensome tax.

Distinguished colleagues, I urge you to join me in supporting the repeal of the death tax today. The time for talk is over. Today is the time to take an action that can really make a difference. This is the only way we can ensure that our fellow citizens experience the American dream, not the American nightmare. I urge my colleagues to vote in favor of cloture.

I yield the floor.

I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. THOMAS. Mr. President, I want to make a couple of comments with respect to the bill before us now. I just came from meeting with Wyoming youngsters who were here with the National Guard, helping young people finishing up with their GEDs, and so on. It was very impressive, very impressive to have young people moving forward and being able, hopefully, to be successful. That has a little to do with what we are talking about here today.

The fact is, the question of how we treat people who have been successful, in terms of their business, in terms of their operations, is something we are talking about here. We have had, of course, a number of discussions on the matter of estate taxes. It seems like we have been back and forth on it for a very long time. The problem is still there. I think this is a great opportunity for us to do something significant about that.

I have to tell you, in a State such as Wyoming where a lot of people are in small businesses and ranches and farms, this is a particularly important one. A family works all their lives—several families. They put together an operation—not wealthy families, but the value of the property is such that when the time comes that the older members of the family pass away, they have to sell the property in order to pay the tax. It takes it away from the continuation in that family and the business.

I know that is not a brand new idea. I think it is the important aspect here, that people have paid taxes all through their processes—whenever there is a profit, there is a tax; whenever there is a sale, there would be a tax. But to force the family to have to sell to accommodate the tax as an estate tax seems to me effectively a death tax, and that is not the way it ought to be.

Here is an opportunity for us to do something. I hope we can eliminate the tax. If we can't, we need to at least make a reasonable agreement as to how it might be done in a way that allows people to continue to pass their businesses and their farms and their ranches on to their families, and to be able to do it without being forced to dispose of the property before their family can continue to do it.

Mr. President, I yield the floor.

Mr. ALLARD. Mr. President, I rise to offer my strong support for permanent repeal of the death tax.

It is said that "a penny saved is a penny earned." Unfortunately, that is not the case for many Americans—especially those who have family businesses and farms. Instead of being rewarded for their initiative and determination, entrepreneurs are penalized for taking advantage of all this country has to offer.

For much of the 21st century, the death tax has burdened this country's hardest working citizens. It is finally time for Congress to permanently repeal this unfair tax. That is why I am pleased to support the Death Tax Repeal Permanency Act. Death should not be a taxable event.

Fortunately, the Economic Growth and Tax Relief Reconciliation Act of 2001 increased the amount that taxpayers can exempt from estate and gift taxes and slowly reduced the rate over the period 2002 through 2009. This act will fully repeal the death tax for 1 year in 2010.

However, if Congress does not act to make this repeal permanent, then the death tax will return to its pre-2001 levels. Failure to permanently repeal this tax results in estate-planning uncertainty for family-owned businesses and farms that are not sure whether or not to anticipate the return of the tax in 2011. Furthermore, failure to permanently repeal this tax would reinstate an unfair regime that taxes people twice—once on their income and again at their death.

One of the tenets of a fair tax system is that income is taxed only once. Income should be taxed when it is first earned or realized, it should not be repeatedly re-taxed by Government. The death tax violates this tenet. At the time of a person's death, much of their savings, business assets, or farm assets have already been subjected to Federal, State, and local tax. These same assets are then unfairly taxed again under the death tax.

One of the most disturbing aspects of the tax is that it can destroy a family business, or force the sale of a family ranch or farm. Despite what the opponents may claim, this can and does happen. To prove this point, I would like to share the story of some of my constituents. The Laurence family was forced to sell their 1,810 acres of ranch land just north of Carbondale, CO. The daughter of the late Rufus Merrill Laurence explained that the death tax forced the sale of the family's ranch, land Mr. Merrill had hoped to keep in the family for generations to come.

No American family should lose its business or ranch because of the death tax. The problem is that the death tax fails to distinguish between cash and non-liquid assets, and since family businesses are often asset-rich and cash poor, they can be forced to sell assets in order to pay the tax. This practice can destroy the business outright, or leave it so strapped for capital that long-term survival is jeopardized.

Similarly, more and more large ranches and farms are facing the prospect of break-up and sale to developers in order to pay the estate tax.

The death tax also discourages savings and investment. Former Federal Reserve Board Chairman Alan Greenspan repeatedly warned about the dangers of a low national savings rate, and current Fed Chairman Ben Bernanke has continued to raise the same concerns. Yet the death tax sends the message that it is better to consume today than invest and make more money in the future.

The death tax also undermines job creation. The Heritage Foundation estimates that the death tax alone is responsible for the loss of between 170,000 and 250,000 potential jobs each year. These jobs are never added to the U.S. economy because the investments that would have resulted in higher employment are simply not made.

The death tax also holds back overall economic growth. The Joint Economic Committee found that the tax reduces the stock of capital in the economy by $497 billion, or 3.2 percent. Permanent repeal of the death tax would allow individuals to save more money, spur job creation, and allow business resources to be put toward productive economic activities.

America is a nation of tremendous economic opportunity—opportunity for ownership that is available to all who go in search of it. Success is determined principally through hard work and individual initiative. Our tax policy should focus on encouraging greater initiative rather than on attempts to limit inherited wealth. The death tax is a relic, and should be treated as such. It constitutes double taxation, damages family businesses, and harms the overall economy. It is time for the death tax to go—and this time, for good.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise today to express my deep concern about efforts by the President and some in Congress to repeal or all but eliminate the estate tax.

The estate tax is an important component of our progressive Federal tax system, it is the Federal Government's only tax on wealth, and by 2009 less than one-half of 1 percent of all estates will be subject to the tax. Far from being a "death tax," the tax falls on heirs who seldom had any real role in earning the wealth built up by the estate holder.

The estate tax is simple: when a very wealthy person dies, the decedent's estate pays a portion of the total assets to the Federal Government and the remainder is then passed on to heirs. Capital gains that have built up in the estate tax free are passed on to the heirs on a "stepped up" basis, and the heirs are not liable for any income tax on these gains. No tax is levied if the estate passes to a spouse or is donated to charity. The overwhelming majority of estates pay no Federal estate tax.

This tax raises significant revenue, it is highly progressive, and it provides an important backstop to the income tax.

Today, only estates worth more than $2 million are subject to the estate tax and an individual will be able to pass along up to $3.5 million tax-free by 2009. A couple can pass along twice that amount. And let's not forget that estate planning often shields even greater sums of wealth from taxation.

The House Committee on Government Reform estimates that the heirs of Lee Raymond, former ExxonMobile CEO, and the current CEOs of the five largest U.S. oil companies would receive a windfall of up to $211 million if the estate tax were permanently repealed. The committee has also calculated that estate tax repeal could save the heirs of President Bush, Vice President CHENEY and 11 Cabinet members as much as $344 million.

It would be hard to call this a middle class tax cut without pretending a great deal.

Indeed, the Congressional Research Service reports that in 2004 when the exemption was $1.5 million, 99 percent of estates paid no estate taxes whatsoever. It bears repeating that less than one-half of 1 percent of estates will pay any tax at all as the estate tax exemption climbs to $3.5 million by 2009.

Despite the concerns expressed by some farm and small business groups, the vast majority of taxable estates are those of multimillionaires and billionaires who made their fortunes through their business and investments in securities and real estate or were born into extremely wealthy families.

After the President's tax cuts passed in 2001, he took a victory lap through Iowa where the New York Times quoted the President as saying:

> I heard somebody say, "Well, you know, the death tax doesn't cause people to sell their farms."

He added:

> I don't know who they're talking to in Iowa.

Perhaps it was Neil Harl, an Iowa State, University economist whose tax advice has made him a household name among farmers throughout the Midwest. He has searched far and wide but has never found a case in which a farm was sold to pay estate taxes. "It's a myth," says Professor Harl, who has only found heirs who wanted to sell the family farm.

Even the American Farm Bureau Federation, one of the leading advocates of estate tax repeal, can not provide a single example of a farm lost due to estate taxes.

The reality is that only a small fraction of taxable estates consists primarily of family-owned farm or small business assets. The Tax Policy Center estimates that in 2004, only 440 taxable estates—2 percent of all taxable estate—were primarily made up of farm or business assets. And the Congressional Budget Office found that the vast majority of family farms and small business estates would have sufficient liquid assets—such as bank accounts, stocks, bonds, and insurance—to pay the tax without having to sell any farm or business assets. CBO also found that with a $3.5 million exemption—$7 million per couple—only 13 or fewer farms would encounter any liquidity constraints.

Moreover, there are already special provisions in place to ease tax burdens for family-owned small businesses and farms, such as allowing additional sums to be bequeathed tax free and permitting estate taxes to be paid in installments over 14 years at favorable interest rates.

So if saving family farms and small businesses is not the real root of the repeal effort, you would think that there would be some sound economic rationale. However, claims by proponents that eliminating the estate tax would encourage saving and investment, reward entrepreneurship, and contribute to economic growth turn out to be myths as well.

Repeal advocates argue that capital assets have already been taxed during the taxpayer's lifetime, so a tax at death is gratuitous. But the reality is that a large share of capital assets has never been taxed. Under current law, we have a provision called the "step-up" in basis that allows capital gains from the appreciation of assets—such as a house or stocks—during the decedent's lifetime to escape taxation through 2009. In 2010, the lone year in which full repeal is currently slated to be in effect, we switch to a "carry-over basis" in which heirs of large estates would inherit the potential capital gains liability that is realized only when the asset is sold.

In effect, today under the pretax law, the heirs receive the estate but on a stepped-up basis—the current value of the home. So for the home the father purchased for $30,000 and is now worth $1 million, they receive the estate based on the value of a million dollars. No taxes were ever paid on that appreciation other than the estate tax.

The Small Business Council of America opposes the full repeal of the estate tax because they estimate that a great number of small business owners will be worse off due to the loss of step-up in basis and only an extraordinary few will be better off. Four years from now, the Halls of Congress will be filled with heirs who won't want to pay taxes that they have inherited with repeal of the estate tax.

But any economic rationale for repeal falls apart when you learn that it will reduce national saving and hurt economic growth. According to the Joint Committee on Taxation, making estate tax repeal permanent would cost an additional $369 billion over 10 years. This estimate, however, dramatically understates the true cost of repeal. The full cost of repeal would not be felt until the second decade, beyond the time period of the budget estimates. In that decade, the cost of repeal could reach nearly $800 billion, plus debt service costs that would bring the total to nearly $1 trillion.

A compromise plan currently circulating in the Senate would permanently raise the exemption to $5 million and cut the top estate tax rate to 15 percent, which would cost nearly as much as full repeal, and it is not much of a bargain.

Rising federal budget deficits make the cost of repeal or "repeal-lite" even more unpalatable. The drain on the budget would occur at the very time that the baby boom generation enters retirement and rising Social Security and Medicare costs would strain our budget.

The President's tax cuts were passed at a time of huge projected surpluses in the Federal budget. The surpluses have been squandered by this administration and with deficits as far as the eye can see, it is simply irresponsible for the President and Republicans in Congress to press for full repeal of this tax.

By financing repeal with debt, we would be replacing the so-called "death tax" for a few very wealthy heirs with a "birth tax" for all, an action that seems neither wise nor fair. The cost of estate tax repeal will be paid for with borrowed money. Future generations of taxpayers—who will make significantly less than the deceased multimillionaires and billionaires whose estates would no longer owe taxes—will have to repay those funds. Estate tax repeal would raise the per-person debt burden by about $3,000 in just the first 10 years after the tax disappears.

In 2005, the CEO of ExxonMobile earned $9.1 million. Contrast that with the fact that the typical firefighter, police officer, or soldier today makes less than $50,000 a year and the inequity of this repeal is inescapable.

Clearly, estate tax repeal will predominately benefit the heirs of a handful of very wealthy estates. According to the Forbes 2005 "World's Richest" list, three members of the Mars family have $10.4 billion each and four members of the Walton family have nearly $20 billion each. These heirs still rank among the world's wealthiest people even after taxes.

Jamie Johnson, heir to the Johnson and Johnson fortune, put it this way, "I was always told that the American Dream is about getting a bigger and better life than your parents have. But that dream was accomplished by my great-grandfather. "

In their book about the history and politics of the estate tax, Death by a Thousand Cuts, Yale professors Michael J. Graetz and Ian Shapiro provide an eye-opening account of how a few very wealthy individuals and families have been working long and hard behind the scenes on repeal efforts. In the meantime, some of the wealthiest Americans—including Warren Buffett, William Gates, Sr., George Soros, and Ted Turner—have warned about the corrosive effect of eliminating the estate tax.

When Teddy Roosevelt endorsed the idea of an inheritance tax, he said that its "primary objectives should be to put a constantly increasing burden on the inheritance of those swollen fortunes, which it is certainly of no benefit to this country to perpetuate." Indeed, our Founding Fathers abandoned an economic aristocracy—where large fortunes were handed down generation after generation, concentrating wealth and power—to create a meritocracy based on the ideal of equal opportunity for all. Underlying the estate tax is the notion that because our government provides a stable environment for wealth to be created and flourish—our financial markets, legal system, regulatory system, and strong national defense—society is owed a modest return on those investments.

Television ads last year depicted a World War II veteran supporting the repeal of the estate tax, the underlying message being that the tax is somehow unpatriotic. Ironically, the estate tax was first adopted in the nineteenth century to pay for government shortfalls due to wartime spending.

Today, we are at war and yet there is no sense of the shared sacrifice that has united this country in past conflicts. Our military families are making tremendous sacrifices, and too many of them have made the ultimate sacrifice in service to our country. With $320 billion appropriated or pending for Iraq operations to date and nearly 2,500 service men and women killed, the human and financial tolls are both more staggering than imagined.

With mounting war costs, the impending retirement of the baby boom generation and deficits as far as the eye can see, it is unconscionable to think that we are going to vote on repealing one of the most progressive taxes on the books.

There has been a lot of discussion about the death tax. It is not the death tax. It is the estate tax. But there is a death tax that is paid by Americans to sustain and support this country—and it is terribly unfair because it falls on a few. In Iraq, it has fallen upon 2,480 of our soldiers. In Afghanistan, it has fallen upon 299. It also falls upon the police and fire officers who each day risk their lives and some who give their lives. They truly pay the death tax. They will never be touched by this estate tax.

The average base pay of a specialist in the U.S. Army is $24,000. He won't be worried nor will his family be worried about the estate tax. Firefighters make about $40,000; police officers, $47,000 on average in this country. Yet, sadly, too many of them each year for their country pay the ultimate death tax. It is more debilitating than any check one sends to the IRS.

What do they need? What do their families need? They certainly need a strong, robust economy that will support their families in the future.

For those young Americans who are wounded in action—and right now in Iraq, 17,869—they need a strong Veterans Administration to support them years from now just when this repeal of the estate tax burden would take its toll and take more and more money away from the Federal revenue.

They are the ones who really pay the cost. If we pass this measure, we won't be able to help them when they need the help. We won't be able to support the Veterans' Administration system. We won't be able to provide the kind of support for education, for opportunities for higher education that will be so necessary for their children.

This repeal vote misses the point. The death tax was a slogan thought up by Republican operatives to sell an idea that does not have a compelling economic rationale. But there is a real death tax, and sadly, Americans in uniform must pay it for this country every day. They will receive no benefit from this repeal. Indeed, our ability to help them and their families will be limited in the years ahead.

I don't think this is just bad policy, it is unconscionable.

I yield the floor.

Mrs. LINCOLN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. LINCOLN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. LINCOLN. Mr. President, I come to the Senate today to discuss the issue of estate tax with a little bit of a different perspective from some of my Democratic colleagues who have spoken so very passionately on this issue already today.

I respect many of their approaches and concerns, but I come to this issue from a little bit of a different perspective. That perspective is because I believe the estate tax in its current form is unfair.

Outright repeal of the estate tax for family-owned businesses and farms has been a goal of mine since I entered Congress 14 years ago. I have grown up on a seventh generation Arkansas farm. I have watched as small communities and family-owned businesses have dwindled from their inability to maintain their competitiveness in the ever-growing global community, but also with the unbelievable challenges they face of the cost of health care, the cost of doing business, real estate costs, and others.

I have seen too many small business owners and farmers in my home State restrict the growth of their enterprises in order to avoid facing the impossible choice of leaving their families with an up to 55 percent Federal tax burden or the other option of selling off portions of their assets when they die in order to pay that tax.

However, because of our current budgetary constraints, I do recognize outright repeal is not feasible. Not at this time. With that said, it is more important than ever that we do what we can now to provide some certainty and relief for those who are so drastically impacted by this tax.

Last week, I received a phone call from a constituent who owns a family trucking and farming equipment business. The business was started by the family in 1927. Over the years and through much hard work they have grown from a small dealership into a thriving family business that now employs more than 450 Arkansans.

I hope many of us will continue to focus on the issue that small businesses are the No. 1 employer in this country and are the least likely to send their jobs overseas. They are the foundation, in many instances, of our communities. Whether it is the sponsor of our Little League teams or the group that is sponsoring the Cub Scout campout, we know they are the heart of our communities in rural America.

Seeing this business grow, we all are thrilled to hear these stories. I am particularly thrilled to hear stories of families, families who have invested their capital, their hard work, ideas, and their lives in their trade, and are ultimately successful in realizing that American dream we all talk about.

This same story is repeated all over our great State of Arkansas, whether it be the jewelry store owner in Fayetteville, the meatpacker in Morrilton, the car dealer in Springdale, or the timber farmer in Monroe County.

Indeed, these stories can be heard across our entire Nation. Family businesses are the engines of our small communities. It is the family-owned businesses that provide the jobs, the wages, and the health care, in most instances, for our constituents. It is the family-owned business that sponsors our Little League teams or pays our local State and Federal taxes. They are an intricate part of the community. They live in our rural communities. They care about what happens to them.

Yet because of the estate tax, we are forcing them to spend valuable assets on estate planning and life insurance rather than creating more jobs by investing and expanding their businesses. We are putting them at a disadvantage with their publicly traded competitors.

What kind of risk do major publicly traded corporations have to mitigate against with the death of a CEO? None. But a family-owned business has to spend tremendous amounts of resources in mitigating against that risk.

I, for one, intend to fight for these family businesses, fight for these communities, and fight for these jobs in rural America. Unfortunately, as this businessman from my State was quick to point out to me, we in Washington have left far too many of these family businesses in a quagmire as a result of the erratic estate tax policy we set in 2001. Under the Economic Growth and Tax Relief Reconciliation Act of 2001, the estate tax will be phased out in 2010 only to come back in full force in 2011 at a 55-percent rate.

For the family-owned business and farms which comprise more than 80 percent of all business enterprises in America, and which spend tens of thousands of dollars each year in planning for this tax, the status quo is unacceptable. It is not acceptable because many of our mom-and-pop shops are having to lock a significant portion of their capital resources into estate planning that may or may not be needed down the road. For small businesses with very limited liquidity, the uncertainty is paralyzing at a time when we should be giving them every opportunity to expand.

At the expense of our family businesses, this issue has been used by some as a political football for far too long. It should end now. It can end now. Since current policy was set in 2001, we have revisited this issue in the Senate on multiple occasions. However, each time we have had the opportunity to act, we have failed to reach a reasonable solution, a compromise, which is what most people in this country want Congress to do, to come together to bring results for the problems they experience, not an end-all-be-all solution but a compromise that gets them some results.

In this Congress, interested parties on both sides of the aisle have been at the negotiating table since early last summer. We have the information we need to form a compromise solution. We have that opportunity now. It is my understanding from leaders on the other side of the aisle that should a true compromise be forged on this issue prior to tomorrow's vote, a vote on that compromise would be allowed.

Let me emphasize again, the time for a solution is now. Our economy is yearning for the investment of these small businesses, these family-owned businesses, that can help regenerate what we need in our economy, the jobs in our community that we need them to expand on. The time for the solution is now, not later.

We have told these family businesses now is not the time far too many times already. I am so very hopeful this time we will do better. We know we do not have the perfect solution. But we also know if we do not seize the opportunity to provide them the certainty they need to continue their businesses, to take the money they are now spending on estate planning and reinvest those dollars into the job creation and the expansion of their businesses, we will have missed a great opportunity.

We have the opportunity to come together, to provide some certainty for these family businesses through the estate tax reform by raising the estate tax exemption, reducing that tax rate to a reasonable level. Let's not let that opportunity slip away.

I encourage my colleagues, come to the table. Look at what we have to work with. We have enthusiastic American family jobs and businesses that want desperately to be a part of making this country strong. We have an opportunity to offer them some solutions, some certainty, in order to be able to do just that, to give back to this great country that has given them the opportunity to create and build a family and a family business they are enormously proud of.

Let us not let this opportunity slip away. I encourage my colleagues to please take seriously this issue—not politically, but seriously, the issue of the relief that we can provide by coming together on a compromise.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, today we have another clear chance to see the priorities of the other side of the aisle. While my Republican colleagues claim to have a plan to address gas prices, college tuition, and middle-class tax breaks, today the American people can see what the true agenda is: another gift to the wealthiest Americans who need it the least.

Tomorrow, we will vote on whether we should consider permanently repealing a tax that only affects those who inherit estates larger than $4 million. We will be voting on whether repealing this tax should be a top priority for the United States Senate. And we will be voting on whether repealing a tax for those with multi-million dollar estates is a good way to spend the American people's tax dollars—$1 trillion of those tax dollars, to be exact.

In my State of more than 8 million, only 1,100 New Jerseyans paid any estate tax in 2004. Of those New Jerseyans who inherited an estate, a small 1.5 percent paid any estate tax when the exemption was $2 million. Today, that exemption has doubled, and in three years, it will have more than tripled, so even fewer New Jerseyans will be affected. I strongly support giving estate tax relief to family farmers, small business owners and others who need it, but that's not what this bill does. This bill showers a trillion dollars in benefits on the top half percent of Americans at a time of record debt and deficits.

By contrast, however, more than 120,000 New Jerseyans have benefited from a tax deduction for college tuition that Republicans have let expire. We had the chance to extend this deduction in the most recent tax bill, but somehow, the tuition deduction just didn't make the list of priorities in a $70 billion bill of tax cuts.

We cannot honestly pretend that repealing this tax is a priority for the American people; 99.5 percent of Americans aren't affected by this tax. And 3 years from now, under current law, even fewer will be subject to it. Congress has already acted on the estate tax, increasing the exemption level from $1.3 million to $4 million, so that only a quarter of the estates taxed in 2000 pay a tax today. Under current law, those who inherit a $7 million estate in 2009 will pay no tax.

And yet, the American people are being told that this is about saving them from more taxation. Small businesses are being told that the estate tax could be the death of their business. The average American is now in fear that they, too, might have to pay a burdensome tax when a parent dies. But the American people should see these for what they are: scare tactics.

Instead, the American people should be up in arms that this is the issue their Senators think is a high priority. They should be furious that instead of dealing with any of the issues they are concerned about, instead of addressing energy prices, instead of providing a tuition deduction to help families with the cost of college, we are talking about repealing taxes for the super wealthy.

So let's not be swayed by a few stories or scare tactics.

Instead, let's look at the facts. The fact is that under the current exemption, only 135 small businesses Nationwide have to pay any estate tax. The fact is that while full repeal would help those with multimillion dollar estates—such as Vice President CHENEY, who would save up to $60 million from repeal or former Exxon Mobil Chairman Lee Raymond, who would save $164 million—full repeal would actually hurt most small businesses, according to the Small Business Council of America.

And the fact is, while this may save a few millions for a handful of multimillionaires, the American people will be paying off the cost of repealing this tax for years to come.

Let's see this for what it is. This is a tax that does not affect 99.5 percent of Americans. This is not a tax crisis, and it is not a family business crisis. Repealing it is irresponsible. Greater debt upon the next generation of Americans for the benefit of a wealthy few is morally wrong.

I yield the floor.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from Virginia.

Mr. ALLEN. Mr. President, I rise to strongly endorse H.R. 8, the Death Tax Repeal Permanency Act of 2005 and urge my colleagues to vote for it. This has been brought up year after year for decades. I hope my colleagues will vote in favor of giving the death penalty to the death tax. It is an unfair tax.

I like listening to all the different commentaries. The preceding speaker from New Jersey was acting as if it is the Government's money, that this is the taxpayers' money somehow going to those who have estates. It is individuals, human beings. Americans are the ones who are the owners of their property, not the Government. My view, as a matter of principle, is that death should not be a taxable event. The sale of an asset ought to be the taxable event.

This is an important tax policy that affects family businesses, small farms, people all over this country who would like to pass on their American Dream, what they worked on and worked for and accrued through their lives, to their children.

I was listening to the Senator from Arkansas who said she wanted a solution, fairness, and certainty. There is going to be a chance to have that fairness, that certainty and solution. Tomorrow we will vote on this measure, and we can repeal the death tax. That will bring a solution. It will bring fairness, and it will bring certainty.

In 2001, I proudly supported efforts to reduce taxes on families, individuals, and small businesses, and also to phase out over a period of time the death tax. We reduced the death tax in the strange way that they do things in Washington. The death tax was at 55 percent. It gets reduced over a period of years, until the year 2010, to zero. In 2006, it is one amount; in 2008, it is another. By 2010, it is down to zero. But then in the year 2011, it goes back up to 55 percent and a $600,000-something exemption. One would think in looking at this tax policy that the folks in Washington are incentivizing the American people to die in the year 2010. If they die that year, there is no death tax. If they survive, then they will be subjected to a 55-percent tax. This is a strange and odd policy. It hurts hardworking taxpayers who wish to leave their life's work to their loved ones.

It has harmed entrepreneurs and innovators who want to rely on a predictable, consistent tax system so that they can invest and create jobs and expand opportunity and spur economic growth. This absurd, complicated tax policy does not allow people to plan with a simple, stable, and certain tax law.

We have an opportunity to give the death penalty to the death tax once and for all. This is the right thing to do for a number of reasons. First and foremost is the issue of fairness. Talking about whose money is this, if an American man or woman earns money, they get hit with an income tax. If they invest it, they get hit with taxes on any interest. If they sell an asset that they have invested in, that ends up getting hit with a capital gains tax. Dividends are taxed. Interest is taxed. If they buy something with that earned money that has already been taxed once or twice before, they pay a sales tax. And as a practical matter, the Government taxes people to death. Then, after they do die, what happens? You have, in effect, the IRS, like a bunch of buzzards, hovering around at the funeral trying to get another chunk out of what is left from that person who is deceased.

I like to paraphrase Virginia's first Governor, Patrick Henry: There should be no taxation without respiration in the United States of America. We do need to get rid of this death tax.

Part of the American dream is to be able to pass on what you have worked for or the business you have started. You may have inherited it from someone else or bought it, but you built it up and would like to pass it on. A majority of Americans agree. About 70 percent of Americans, according to surveys, support it, even if they would not be subjected to this tax, because they recognize how unfair it is to be taxing death. This is a matter of fairness that the American people understand.

The second reason to eliminate the death tax is that it has a harmful effect on our economy. In many cases, the assets that are subjected to the death tax have already been taxed once or twice or three or four times before. That means the death tax is the fourth or fifth tax. It drains our economy. It provides little incentive to keep a farm and provides little incentive for a business to expand or to improve because its value would go up.

We have done a lot of things in the last few years that are beneficial for small business: For example, the $100.000 expensing for capital equipment as opposed to $25,000. That new equipment will make that company or that enterprise more productive, more efficient, and undoubtedly more profitable. But if you keep doing that year after year and improving it, you will improve the value of your business, making it subject to the death tax which is obviously counterproductive.

Another way this unfair tax hits people in the Commonwealth of Virginia is to look at the outer suburbs, Prince William County, Loudon County, the Piedmont of Virginia, the Shenandoah Valley. Someone may have farmland or forestry property in the hills and mountains. That property, when someone dies, is not taxed at what the value would be for running cattle on it or growing trees. It is taxed by the Federal Government at its highest and best use. The highest and best use of most of this property is not running cattle or growing soybeans or timber. It is going to be taxed at what the value would be if it were subdivided into a development or if it were along a highway commercially. So what happens so often is urban sprawl or suburban sprawl in the Piedmont, the Shenandoah Valley, the Richmond area, and elsewhere in Virginia and in the country because that forestry property will give you just the return when you harvest the timber. But to pay those taxes, you will have to get a loan. You are not going to get enough income off of that property to be able to pay those taxes. So what happens is that that forestry property or that family farm gets subdivided to pay the Federal Government death taxes. And whatever remains of that farm, if any, after it is subdivided, is a less efficient farming or agricultural or forestry operation.

This does harm people in a variety of ways, not just fairness, not just impeding and countering incentives for improving a business. It also means for

Virginia ending up with more suburban sprawl. Talk to developers when they develop a subdivision. It is usually and so often from an estate sale where that family cannot keep the family farm going, and it changes the nature of many communities.

I have listened to all the arguments: Gosh, why can't we do this, and why can't we do that. We can do a lot tomorrow. We can act. It is something that has been promised year after year. Some people may not think it is entirely how they would like it, but why not do something positive, constructive and useful and follow the will of the majority of the Senators. Those of us advocating this are not in the minority. We are in the majority. There is a supermajority needed to keep proceeding, but stop the obstruction. Let's follow the will of the majority of the American people, the will of a majority of the Senate, and for tax fairness, for tax simplification, for certainty and stability of tax policy, let's kill the death tax once and for all and provide new life to the American economy and the American Dream.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I echo what my colleague from Virginia has said and rise in support of repealing the unfair death tax.

It is fair to say that death should not be a taxable event. There is decisive majority support in the Senate for repealing the death tax. And if you look at what happened in the House of Representatives, 272 votes in favor of repealing the death tax, a bipartisan vote in the House, and a big, bipartisan support vote in the Senate. What is happening is it gets filibustered. It takes 60 votes to end the filibuster. I hope my colleagues will join with the rest of us, those who have chosen to try to block this from consideration, and vote with us to at least allow us to proceed to consideration, to proceed to a vote, to allow the will of the Senate and what I believe is the will of the majority of the people in the country to be worked.

It is an unfair tax because the Donald Trumps and Paris Hiltons of the world, which are the examples most often used by our colleagues on the other side, are not going to pay it. They have a team of lawyers and accountants who are going to make sure that they pay little or no death tax. It is family-owned farms and small businesses that will end up paying the tax.

There are a lot of numbers being put up by both sides in this debate. After spending a little time in Washington, it becomes clear that just about everyone can find a statistic to support their particular point of view. I brought with me some real South Dakota stories that can help us understand who the death tax can hit and how it can hurt or even shut down a family farm or business.

Perhaps the most well-known example of a family-owned and operated business in my State of South Dakota is Wall Drug. I had hoped to have a poster to show it because people across this country, anybody who has traveled down interstate 90 in South Dakota has seen signs for Wall Drug. Although it currently draws thousands of people every day, Ted and Dorothy Hustead never imagined the success of their family-owned and operated business. Wall Drug wasn't always the tourist attraction it is today.

In fact in 1931, Ted and Dorothy Hustead and their son Bill moved to the prairie town of Wall, SD. Ted was a pharmacist and started his own drugstore with $3,000 left behind for him by his father. After a 5-year trial, the Husteads were ready to give up their family-owned business until Dorothy's extraordinary advertising idea.

The Husteads began advertising free ice water on the billboards to draw people in who were traveling across the hot, vast prairie of South Dakota.

The story is told that before they could get back to the store, after putting the signs up on what used to be highway 16 in South Dakota, there were already customers streaming into the store to get some of this free ice water. The first sign sprung up on highway 16 and it turned out to be the key to their success. Today, Wall Drug's advertisements are still along the highways of South Dakota, still advertising free ice water, along with other more modern draws. Their signs can also be seen all over the world, often with the mileage dutifully added. My office is 1,565 miles from Wall Drug.

This didn't happen overnight. In 1951, Ted and Dorothy's son, Bill Hustead, joined the business, working to create the family attraction that Wall Drug is today. The second-generation Husteads expanded the business and increased advertising spending.

In 1981, Bill's oldest son Rick became the first member of the third generation to join the business. Later joined by brother Ted, the third-generation owners continue to run the family business based upon the same western hospitality once embodied by their grandparents. Holding its reputation high, Wall Drug represents America's strong entrepreneurial spirit, built on innovation and perseverance and passed down through three generations of the Hustead family.

Why do I use this illustration to tell the Wall Drug story? Because it would be a shame to see family operations such as Wall Drug be sold off because of an untimely death in the family. That is what might happen to this business and these two other South Dakota stories that I will share with you. The effect of the death tax is very real on these family-owned operations, family-owned businesses.

In central South Dakota sits a 3,000-acre family farm. I will describe it as a medium-sized farming operation in South Dakota—not too big, not too small. Unfortunately, a death occurred in the family. As a result, $750,000 will likely be paid in taxes. This is a huge amount of money for a farm operation in my State, where land values can make an operation look a lot more valuable on paper than they are in reality. In other words, farmers like this can often be described as "land rich" and "cash poor." All their value is in their land. When a massive death tax bill comes due, the only option is often to sell the land to pay this unjust tax. Thus, a family legacy comes to an end.

There is another operation in my State of South Dakota, with 10,000 acres in the north central part of the State. Like so many farms and ranches in South Dakota, the parents who have run the place for decades are now advancing in years. In this particular family, the mother passed away and the father is getting on in age. Their kids would like to continue in the business, but the tax on the farm would likely be $1.5 million. That might make it impossible for the kids to stay on and keep that family farm alive. I find it very disturbing that our Federal Tax Code could influence a family's ability to keep their farm from being broken up and sold off.

These are examples of real family farms that are facing the effects of the death tax. This is just not an exercise in the theoretical. Real farms, ranches, and real small businesses are watching how the Senate is going to act on this important issue. Our action, or inaction, this week will affect real businesses in each of our States.

Mr. President, in my State and other rural States, we are seeing the next generation leave for school and, too often, not coming back. We need to put in place incentives for our young people to keep rural America alive and strong. The death tax is an incentive for exactly the opposite effect. It can help push young people away from carrying on the family business in rural places. I hope the Senate will do the right thing and bring a permanent end to the unfair death tax.

I will offer one final thought on an argument we are hearing from the other side of the aisle. I have heard it said that repealing the death tax will add up to $1 trillion to the deficit. We heard a similar argument made when it came to reducing the tax rate on capital gains. The other side was wrong then, and they will be wrong again this time.

The analysts who have churned out figures in the trillion-dollar range are not taking into consideration the nature of the death tax and its larger impact on the economy. With the death tax permanently killed, family business owners would then reroute tens of thousands of dollars from lawyers and accountants hired to avoid being hit by the death tax back into their business. There this capital would be used to hire another employee or add value to their operation.

In fact, repealing the death tax would remove the asterisk on the American promise of passing your hard-earned business or nest egg to your children or grandchildren. The death tax in its current form has a chilling effect on the creation of new family businesses that would be created if assets could be passed down to the next generation. How many next generation beneficiaries would have invested in a new business if only they had sufficient capital to do so? How often has the death tax prevented this? How many potential jobs were not created as a result?

The changes in economic behavior if the death tax was no longer a factor to consider is hard to determine. But the dividend and capital gains rate reductions serve as a good indicator. Those rate reductions have paid for themselves many times over in increased Government revenue.

Last month's budget report from the Treasury Department has tax receipts up by $137 billion, up 11.2 percent for the first 7 months of fiscal year 2006. The year before, if you look at 2004 to 2005, there was a $274 billion increase in Federal revenues, or 14.6 percent more Federal revenues for fiscal year 2005. Reducing those taxes spurred economic growth and increased Government revenue. That is exactly what I expect would happen if we were to eliminate once and for all the death tax.

So I ask my colleagues to take a look at the death tax and getting rid of it simply as a matter of bringing fairness to our Tax Code. That is how the American people view it; that is how South Dakotans view it. Even though many Americans might not have a substantial nest egg to pass on to their children, they understand the death tax to be unfair. For that reason, they oppose it. They also know that it is those very same small businesses, small farms, and ranch operations that are creating jobs and making it possible for young people to continue to stay in the rural areas of this country.

One recent poll suggests that 68 percent of Americans support repealing the death tax. It is simply unfair for death to be a taxable event. I urge my colleagues to allow us to vote, allow us to proceed to the debate, and to get an up-or-down vote on the floor of the Senate, and to join the House of Representatives, which passed it by a very big bipartisan vote—legislation that would repeal and end the death tax once and for all.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, I speak in favor of doing away with the death tax. To follow a principle of taxation and not just for the sole purpose of doing away with the tax, but following on what the Senator from South Dakota said, an obvious one is that death should not be an incident of taxation—not because it is death, but because when you collect taxes in an instance like that, it is like a fire sale. When you force a sale at a particular time to pay taxes, the value is going to be less than if the marketplace works. So by letting the asset pass from one generation to the other and letting the succeeding generation sell it according to the willing buyer/willing seller, more money is going to come in. That is a principle that has been laid out by the Senator from South Dakota.

Another principle that hasn't been spoken about yet is when to tax for Government services—tax income the earliest it is made, and tax it once. Beyond that, you ought to let the marketplace decide the value of something and tax it accordingly. Under both circumstances, more money is going to come into the Federal Treasury.

So I believe that death should not be a taxable event. Since I have been in the U.S. Senate, I have been working on reform of the estate tax. Taxing people's assets upon their death is just plain wrong—not wrong to the heirs as much as it is wrong to think that you are going to get more money into the Federal Treasury that way than if you let the marketplace work and determine the true value of something with a willing buyer and a willing seller.

Heirs should not be forced to sell a single asset in order to meet an arbitrary tax due date—the due date caused by death. Assets should not have to be sold to pay taxes. The market should determine when things are bought and sold. That is the best measurement—when a willing buyer meets a willing seller and they agree on a price and a time when that asset should be sold.

Unfortunately, under existing law, we have it all wrong. Under current law, in 2011 when we will once again have an estate tax due and owing within 9 months of death of 55 percent, and even in some cases up to 60 percent, that is just not right. It is not right for the family involved and it is not the best thing for the Federal Treasury, because that is not going to bring in the massive amount of revenue that would come in if the marketplace were working. It is not right because we have forced many unwilling sellers to have to deal with a very willing shark of a buyer who is waiting in the murky waters of tax uncertainty.

Some people wonder why I care so much about this issue. I have reporters from big city newspapers calling me, because I am a U.S. Senator, to remind me that Iowa is somewhat economically poor compared to very so-called wealthy places, like New York City, and that land and companies in the Midwest are not worth much. They take great joy in calling up my constituents—probably very randomly—and maybe stopping by once or twice for a so-called investigation about the haves and the have-nots of our State. They do it trying to find out the grassroots feeling about this great tax debate.

I may not get to write on the front page of a fancy urban newspaper, but I do get to talk to a lot of my constituents because I visit every county every year to find out what is important to my constituents through my town meetings. I will give you, from those meetings, a couple of examples, as my colleague from South Dakota did for his State, of why I think this debate is so important and this bill is so important and this cloture vote should pass.

Unfortunately, we have it all wrong. Under current law, in 2011 we will once again have an estate tax due and owing within 9 months of death of 55 percent and even in some cases up to 60 percent. That just is not right. We have forced many unwilling sellers to have to deal with a very willing "shark" of a buyer waiting in the murky waters of tax uncertainty. These are real people who live in Iowa. They have devoted their entire lives, for multiple generations, to building businesses and creating good jobs for people of rural Iowa.

Over 40 years ago, Eugene and Mary Sukup started a grain handling and storage manufacturing company in Sheffield, IA. On my family farm, my son and I used Sukup equipment to store our corn and soybeans and to use drying equipment for drying corn for storage. So I know that the Sukups, as a family manufacturing business, have a quality product and they serve their customers well, and they serve all Iowa well in the sense of jobs. Today, the Sukup family and the next generation of two sons and their families are involved; they are still headquartered in this little community of Sheffield, IA, with a population of 968 people. But they employ over 300 people from 5 different counties, in good-paying jobs, with good retirement plans. In fact, the original employee team that started with them 40 years ago is still there today, and, in many cases, the next generation of that family has also joined the team.

In addition, the Sukups' facilities in other States, also contributing to the economy of those other States, like Defiance, OH; Jonesboro, AR; Arcola, IL; Aurora, NE; and Watertown, SD—places where good jobs and hard work that isn't flashy and doesn't make the scandal page of big city papers are valued as important ingredients of down-home, good living. These are the places where people invest in the local economy and contribute to the community as good taxpaying citizens.

Let me tell you about another little Iowa town, Shenandoah. That is where

Lloyd Inc. is located. It, too, is not a flashy company. They started making animal dietary mixes in 1958 and now is a significant provider of veterinary drugs. Eugene Lloyd is a doctor of veterinary medicine and the CEO of the company. He tells me that the company has never laid off employees due to poor business cycles and employs over 80 well-educated people in Shenandoah, a town of less than 6,000 people.

The company has also provided generous health care and retirement plans to their employees and, like I said, in rural America, those benefits are very important.

Unfortunately, even after vigilant estate planning, these two family-owned companies will be facing a combined estate tax bill of well over $40 million. That is $40 million that will leave the State of Iowa. The companies will probably face a fire sale and so often, it is sold to someone with no interest or desire to maintain the current location or contributions to the community. So there are two companies, two towns, 6 counties, 4 families and hundreds of employees, all of which will be hurt if we don't do something about the death tax. Businesses will be sold, locations will be shut down, and real people will lose good jobs and the State of Iowa will lose $40 million of hard capital invested for almost 90 years between the two companies. Not to even mention how much salary, retirement plans and charitable contributions they have made to those little Iowa communities.

So when the multinational or foreign companies come calling, we have no one else to blame but ourselves for letting these family owned companies committed to the community go away.

All of us from rural America are trying to battle what is called out-migration. If we leave the death tax in place in its punitive form in 2011, it will suck jobs, businesses, and people out of rural America.

That is why I care about this death tax debate—real people, in real Iowa counties that have entire communities that would care. It is strange, in New York City, how many multimillionaires live on any one block in Manhattan?

Those so-called multimillionaires seem a little different when you check out the Iowa corn crop, or you sit together at church or the grandson's baseball game. They are, as the popular book says "the millionaire next door," they are the pillars that help hold up all those 99 counties that I visit every year. I know these are not the kind of stories that make the front page of the big city papers, but when family businesses get sold and shut down or moved out of State or even out of the United States, it certainly makes the front page of the newspapers about which I really care.

So when you hear about the number of estates affected, keep in mind, to some extent, that statistic is only a snapshot. The estate tax return is filed by the representative of the dead person. Those statistics, so often dwelled on by many of the proponents of the death tax, don't capture the full picture. The statistic is only a look at the dead person who owned the business or farm. It doesn't take into account the dead person's family, employees, or neighbors. All of those folks are affected if the death tax burdens that family business or farm.

I plan to vote for cloture, and I hope 60 other Senators also vote for cloture on Thursday. It is time we had a real debate on a reasonable solution to this problem. Kicking the can of tax uncertainty is draining dollars out of these family owned businesses, just as well as the estate tax, only the expense of planning for these uncertainties takes money every month and not just all of it within 9 months of death. Vote yes on cloture. We owe these folks an answer.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Delaware.

Mr. CARPER. Mr. President, I have asked my staff to see if they can find some charts—maybe the kind of charts prepared by our friend, Senator CONRAD.

Let's look at this first chart. One of the charts I asked to see if they can find is a chart that deals with what has happened in this decade under current law with respect to the amount of an estate that is excluded from the estate tax so we can see what it looks like over time and what the rates look like over time.

As I recall, the amount that could be excluded from the estate tax in 2001 was about $1.35 million. It went up to $2 million, $3 million, and this year it is about $4 million combined, two people in a family, husband and wife, and then I believe in 2009 there is $3.5 million excluded for each spouse, for a total of $7 million for a family in which there are two people. The amount of the tax, going back to 2001, I believe was about 55 percent. Over time it has been decreasing, so that in 2009 the amount of the estate that will be excluded from the tax is $7 million, and I believe the rate is 45 percent. The next year, in 2010, there is no estate tax, and then in 2011 we go back to where it was in 2001, which is again about a little less than $1.5 million, and the rate would be 55 percent.

People like to have some certainty in their lives so they can do planning for a whole lot of activities. Certainly businesses like to have certainty so they can do planning. That is especially true when folks are trying to develop business plans or estate plans. When we look at a tax that goes from an exclusion of $7 million at a rate of 45 percent to the next year having no tax, and the year after that we will be back where we were in 2001, that certainly doesn't provide the kind of certainty under which businesses or families like to operate.

My hope is that during the course of this debate or this year, we can come up with some certainty. There are folks who would like to see the estate tax go away altogether. When I was Governor of Delaware, we actually eliminated the inheritance tax. We cut taxes 7 out of 8 years. Can you believe that, Mr. President? We reduced taxes 7 out of 8 years. We also balanced the budget 8 years in a row.

The concern in getting rid of the estate tax altogether is we didn't balance the budget last year or the year before that, and we are not going to balance the budget this year or for as far as the eye can see. In fact, the way to come closest to reducing the deficit, as the administration would have us believe, to cut it in half, is to assume we are not going to spend any more money in Iraq the next year and the year after and we are not going to spend any more money in Afghanistan or do anything to fix the alternative minimum tax, which is likely to cost us some money—in fact, a whole lot of money. If we ignore all those items, we can pretend the deficit will be cut in half, but I don't think we can in good faith ignore them.

Let me see what else we have in charts that might be worth looking at. This chart gives us some idea of the percentage of the estates that are going to be taxed in 2009. Again, this is if we consider a $7 million exclusion with a rate of about 45 percent. It says that in 2009, only 0.2 percent of estates will be subject to that tax. If we exclude everything up to $7 million, that doesn't leave very many estates. That is 2 estates out of 1,000 which would have to pay anything at all. And even in 2009, the rate would be down from 55 to 45 percent. This chart shows a pie. That is a pretty small sliver out of that pie. Actually, it would probably be a lot slimmer than that if we really wanted to show it in proportion.

Let's take a look at one more. This chart shows how many estates were being taxed in 2000—roughly 50,000. When we go up to the $7 million exclusion for a husband and wife, the number of taxable estates is down to about 7,000.

I wish we had another chart that actually showed what the value of the estate tax is in revenues to the Treasury. I don't know if we have a chart showing that information. If we can take a look, that would be good.

Some folks like to call the estate tax the death tax. That is actually pretty clever. But I always think of it as the estate tax.

I think of something I call the birth tax. It is a tax that every child born in the country this year inherits upon their birth because it is the amount of our debt that accrues to them and, frankly, to the rest of us. The amount of money we owe as individuals as a personal obligation—again, take the total amount of our debt divided by the total number of people, and we are talking about tens of thousands of dollars. In fact, if we look not just at the money that is accumulated debt but if we look at that more on an accrual basis, we are looking at a birth tax that is not $20,000 or $30,000 per person but maybe 10 times that amount of money.

This is the cost of the estate tax repeal. We generally only look ahead 5 years. We have been raising the amount of estates that are excluded and lowering the tax rate for the last couple of years—actually, the last 5 years—and the amount of money lost to the Treasury is actually pretty small.

Starting right about 2010, it jumps rather considerably, and it looks like it is $60 billion a year starting in 2012, and it just climbs to 2021 and almost $100 billion a year. This wouldn't concern me if we had a balanced budget. This wouldn't concern me if we had a reasonable prospect for a balanced budget. This concerns me because we don't have a balanced budget and we don't have any prospect for a balanced budget going forward. For us to go willy-nilly into eliminating the estate tax altogether is just imprudent—woefully imprudent.

Should we do nothing? Should we just let the clock continue to tick, so we get to 2009 with a rate of 45 percent and $7 million excluded from the estate tax, and then in 2010 it all goes away, no estate tax, and then in 2011 it comes back to where it was 10 years earlier? Does that make sense? I don't think that makes much sense, either. Rather than simply criticize those who make the estate go away, we ought to find a middle ground, a third way, and the third way says: What can we do that is fair and reasonable to farm businesses, families, and so forth, and at the same time will not make the budget deficit look like this or this much worse going forward?

The approach I like is we go back to where we will be in 2009 if we don't change the law. There are several of us who are going to introduce legislation to do this. I am not sure who will be in the lead. I will be one of the cosponsors. It says: Let's think about providing continuity and certainty. Let's acknowledge the fact that moneys should be excluded from the estate tax. And what is a reasonable level? Right now, we are at $4 million for a family, and in 2009 it will be at $7 million. We are going to suggest we exclude not just in 2009 but in 2010 and 2011 at least $7 million.

I believe we should index that amount going forward, just stay at $7 million for the next 10, 20, 30 years, but it will go up every year in conjunction with some deflator, the CPI or something such as that, and say the rate that is going to be effective in 2009 on the money in excess of the $7 million that can be excluded is 45 percent and lock it in at 45 percent for a while. So not only in 2009 will the amount excluded be $7 million, but in 2010 we will exclude $7 million, maybe with a CPI adjustment, and in 2011, $7 million, again adjusting according to inflation, but the rate would stay the same at 45 percent.

I wish I had a chart that actually shows how that would affect this accumulation of debt, our deficit. It would reduce by about 70 percent the amount of red ink. It wouldn't eliminate it entirely, but we wouldn't be looking at numbers of close to $100 billion a year in 2021. We might be looking at $30 billion. We wouldn't be looking at $50 billion a year in lost revenues to the Treasury; we would be looking at something more like $15 billion.

If people don't think we should have the estate tax where it was in 2001, that is not going to make them too happy because it is still a fair amount of loss to the Treasury, but it is not this huge loss to the Treasury. As long as we are running these huge deficits with little prospects of things getting better anytime soon, we need to find a middle ground, something more fiscally responsible and something responsive to what has been expressed to me by our farm families and small businesspeople.

We are going to have a chance to vote on a cloture motion on the motion to proceed tomorrow. I understand those who want to eliminate the estate tax entirely would like to prevail tomorrow and they would like to go forward. I don't know if the cloture motion on the motion to proceed tomorrow is going to pass. If it doesn't pass, rather than throwing up our arms and saying that is it for another year or two, I hope we will actually take a closer look at what some of us are going to be introducing either today or tomorrow which says that $7 million is a reasonable amount of money to exclude from the estate tax, which is lower than the current rate on estates, 45 percent for everything above $7 million is not an unreasonable level, and see if we can't work toward that goal.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I am sure it is not going to be a surprise to anyone here that I am opposed to the repeal of the inheritance tax. Now, I don't believe people ought to be taxed beyond what is normal by increasing taxes here or there, but I do have a problem with figuring out ways to reduce taxes, inheritance taxes, on the wealthiest among us. We are talking about wealth that staggers the imagination, that is so vast that the average American can't even comprehend it. We are talking now about making it easier for the wealthiest among us to pass along the fortunes that some of them worked hard for, a lot of them inherited, and for the next generation who is waiting for dad or mom to pass away so they can make sure they can keep up with the yachts and the airplanes and the things of that nature. I don't say that everybody who is wealthy is spoiled or has bad values, but I think we have to look very carefully at what we are doing in the circumstances in which this country is living.

To give an example, this is like saying, if you are in debt, deeply in debt, the best way to solve your problems is to go out and borrow more money to pay off the old debt. It sounds foolish, doesn't it? But that is what we are about to do if we chip away at the taxes that are now—the revenue that is now collected through inheritance taxes.

At first glance, it sounds like a good idea to get rid of the inheritance tax. When you look below the surface, you learn that repealing it is a bad deal for the vast majority of Americans.

There is a lot of misinformation being passed around about who pays this tax. We have even given it a name that makes it so repulsive that as soon as you hear it, you say: Wow, what is this, a death tax? Do you mean you have to pay a tax for dying?

No. You have to pay a tax for making so much money that life can forever be comfortable. Not a bad thought, but at what cost? That is the thing that we are concerned about.

Here is the truth: One-half of 1 percent of the estates this year will be subject to tax. I don't know how many people who make $45,000 a year can understand what happens with one-half of 1 percent of the estates in this country of ours. What it says is that 99.5 percent of the estates left are not subject to any tax. To be even considered for this tax, an estate must be worth at least $2 million.

For any of you who hear my voice or look at the figures you see in the paper, remember, when someone says to you: You don't want that death tax out there, do you? It doesn't affect you unless you are worth at least $2 million. Then, on top of that, there are all kinds of tax shelters and exemptions. So very few people pay the tax. As a matter of fact, the average rate that estates pay is somewhere in the high teens, and rarely ever approaches the 55 percent marginal rate, which is the highest of them all. So I think some of my colleagues have to understand the history of the inheritance tax.

I was very lucky in my lifetime. My father died very young and left my mother a widow when she was 37 years old, and I was already in the Army. I had enlisted in the Army just over—well, over 62 years ago. My mother was this young, struggling widow, deep in debt because my father, who was a very healthy man, got sick on the job, and it took a year to rob him of his strength and his energy, so that there was nothing left except grief and debts my mother had to pay.

I was the beneficiary, as a result of my military service, to get something called the GI Bill. The GI Bill said to those who serve: We are going to help you make up for some of the years that we took for you to protect our country and protect our ideals, and we are going to provide funds for you to improve your lot, to get an education, to make up for the time lost, for building a career. The GI Bill sent me to college. I never would have been able to go. It would never have been available to me.

When I graduated high school, I had a job loading trucks. That is what my life was like. But good fortune struck me, and the opportunities that America gives were mine in abundance.

I went to Columbia University. I went to the business school there. I sit on that school's board now. I look back in amazement at what good fortune that I had. I created a company with two other fellows named ADP, Automatic Data Processing. Automatic Data Processing is a company that today employs 44,000 people in 26 countries in which we serve. Three guys from factory-working fathers, two of them are brothers, and my father, all worked in the same kinds of factories in Patterson, NJ. So life was good.

We presented a new idea in America, those years when we started. It was called outsourcing. It was the opportunity for companies to render specialized services so that the companies who hired us could devote themselves to making their product better and selling it cheaper and being more efficient totally. So as a consequence of that—why is this story relevant? It is because as a consequence of creating a company—my old company before I came to the Senate over 20 years ago—that company had the longest growth record of any company in America at over 10 percent, each and every year, growth and income. Every year for 42 years in a row we had the longest growth record in America, and I take modest pride in knowing I was part of that development.

As a consequence, of course, I made some money, a lot of money by most standards, and I brought my four kids up to understand that they were also lucky, and not just because their father was successful, and each one of them has worked very hard to make their own lives.

I tell that story because what I want to be understood is that I would be a beneficiary, or my kids would be beneficiaries, of a no-tax estate if it was left to them. But what would that do for my children as a result? It wouldn't do anything for them, in my view, in the long run. Give them more money? No. I would rather give them a safe country. I would rather give them a chance to fight against childhood diseases. My oldest grandchild has asthma, and my daughter, when she takes them out to play sports anyplace, the first place she looks for is an emergency clinic to make sure if he has an attack, they can get there in a hurry.

That is the most important thing in my life, to make sure that my children are safe and that we know that if, heaven forbid, they are the one-third of the children in America who are going to get diabetes in their juvenile years, that we will be able to fight against it. I meet with those families. I talk to them. I talk to the children, and I ask them about the terrible inconvenience that it is to deal with sticking their fingers day and night and making sure they feel good throughout their schoolday.

So when I think of what legacy I might give my children, it is not more money in the bank. It is a safer country, it is air that they can breathe, it is water that they can drink, it is assistance, if they need it, to get through school, the same thing that every grandparent wants for their grandchildren.

Now, to say, OK, FRANK, you have been lucky. You did well. You provided a lot of people with very good jobs. But now what we are going to do is reward you on top of the rewards you have already gotten by giving you more money, by making sure that your kids can live comfortably.

I have a list of people who are lobbying against the estate tax. When you see the size of some of these estates, it blows your mind, to use a common expression. I want to take a look at the chart that shows what happens if we cut estate taxes for the wealthiest.

This is interesting. There is a company called Halliburton, a company that used to be run by the Vice President of the United States, and who still gets an income from them, almost as large as his income from the U.S. Government. This is the Vice President of the United States who gets an income from a private company that does all kinds of defense business that has been charged with overcharging us for work they did in Iraq, that got a no-bid contract that ran over $2 billion. The CHENEY family—and listen, we respect success, but Vice President CHENEY still has options, tens of thousands of options that are not yet exercised in Halliburton, whose value depends on their ability to do better.

That is the price of the stock. So if we want to reward Vice President CHENEY and Halliburton for their questionable work and their questionable morality when they still do business with Iraq through sham corporations, Iran who gives money to terrorists, who go to Iraq to kill our kids—Halliburton, that is the company. Vice President CHENEY was the CEO of the company. I am not suggesting there is a connection anymore, but I will tell you this: If you want to go to ADP and sell them something, you tell them you know FRANK LAUTENBERG—I was the chairman and CEO of the company—it does make it a notch easier to get some business. We are going to give them a $12 million tax cut—$12.6 million. That is what happens if we repeal the estate tax, as is suggested.

A famous name here, it is not the Hilton Hotel, but it is Paris Hilton, and she will get $14 million in tax cuts if we go ahead and eliminate the estate tax as suggested. The chairman of Exxon made a lot of money. He made $145,000 a day—$145,000 each and every day—and the average wage in this country is $45,000 a year, the average wage. The number of people who make $145,000 a year is very small. Senators in the United States Senate make a little more than $145,000. In fact, they make $165,000. But here, Mr. Raymond made $145,000 a day. So we are going to be nice to him because he made so little: $145,000 a day. We want to give him a $164 million tax cut, give his heirs $164 million. It is obscene, Mr. President. That is what it is.

It is really funny. When you ask for the origins—when did the inheritance tax come into play—people forget that it was originally pushed by President Roosevelt. President Roosevelt, people say? Yes, but not Franklin Roosevelt. It was developed by a Republican, Teddy Roosevelt. He believed that an inheritance tax should not be aimed at the average citizen or even citizens of above average wealth. President Theodore Roosevelt said the inheritance tax should "be aimed merely at the inheritance or transmission in their entirety of those fortunes swollen beyond all healthy limits." This is what the current estate tax does. It affects only the hereditary elite, those who inherit estates of more than $2 million. I repeat: 99.5 percent of American families will not be affected by the estate tax. They won't have to pay a penny out of their legacy.

So when I look at where we stand now, deep in debt because in America we increased the debt limit so we could splurge some more and spend and borrow up to $9 trillion—not earn, borrow to get us up to $9 trillion, and it is rumored that soon we will be looking at the possibility of raising the debt limit again.

And repealing the inheritance tax will only further balloon our Nation's debt. So in order to increase the inheritance of the richest people in the country, we are going to pass more debt to everyone else's children and grandchildren.

I would like someone to explain why that is a good idea.

In 2009, the estate tax exemption will be $3.5 million—but that is not good enough for most Senate Republicans.

Here's what that means in real life:

You could have a $1.9 million mansion, a 44-foot motor yacht, a beautiful summer beach house, his and hers Porsches, and a $600,000 investment portfolio—and still—still—you would not pay a penny of estate tax.

The people who need a break are not the wealthiest one-half of 1 percent. It's everyday people who deserve a break. They deserve a break from high gas prices, rising college tuition and health care costs.

But instead of trying to help everyday people, the Republicans in the Senate are clamoring to help the richest families in America.

Forget gas prices—Congress needs to make sure Paris Hilton gets a few more million dollars in inheritance. We have to make sure that the heirs to the former CEO of ExxonMobil don't miss out.

Some of the wealthiest Americans in the country have actually spoken out against this madness.

Billionaire investor Warren Buffett said that the estate tax has played a "critical role" in promoting American economic growth by creating a society in which success is based on merit rather than inheritance.

Buffett said that repealing the estate tax "would be a terrible mistake" and would be the equivalent of "choosing the 2020 Olympic team by picking the eldest sons of the gold-medal winners in the 2000 Olympics."

Mr. President, if we repeal this inheritance tax, what would be the effect on everyday people and the Federal budget?

For starters, it would cost our Nation $73 billion every year by the middle of the next decade.

What could we do with that much money?

We could provide health insurance for every uninsured child in America, and have enough left over to give them full college scholarships.

We could give every family in America a $500 tax cut.

We could eliminate 75 percent of the Social Security shortfall.

We could provide clean food and water to the 800 million people in the world who lack it.

We could provide the funds necessary to pay for the war in Iraq for the next 10 years.

So that is our choice. We can help everyday people, or we can give a big gift to the richest people in America.

I have heard my colleagues on the other side say they hear stories every week about farmers or small business people having to sell their businesses to pay the estate tax. But they have not been able to cite a single example of this actually happening.

In fact, in 2001, the American Farm Bureau could not find even one family farm that had to be sold to pay the estate tax.

The estate tax mostly does not hit small business people and family farms. The vast majority of assets affected by the estate tax, more than 70 percent, were in liquid assets like stocks, bonds, and cash.

In an attempt to do away with this "small business" and "family farm" fiction once and for all, in 2002, Democrats proposed to completely and permanently exempt all family farms and all family-owned businesses from the estate tax. But those on the other side of the aisle voted against it. It was an illustration that they are interested in protecting the wealthy, pure and simple.

Mr. President, this week has really showcased how backwards the priorities of this Senate are. Instead of tackling gas prices or dealing with the war in Iraq, we tried to pass a constitutional amendment on gay marriage.

Now, instead of helping families afford college or get better access to health care, we are looking to help the richest families in the country get richer.

This is indeed the twilight zone Senate. In my view, it is time to cancel this show.

I yield the floor.

Mr. KENNEDY. Mr. President, the audacity of the Bush administration and their congressional allies truly knows no limit. In spite of all of the urgent problems facing our Nation—from the ongoing war in Iraq, to the devastating hurricane damage along the gulf coast that has not yet been repaired, to the outrageously high gasoline prices that are squeezing American families—the top Republican priority is eliminating the estate tax for the richest families in the country. President Bush's policies have already added nearly $3 trillion to the national debt in the last 5 years. Now, they are proposing more of the same, more tax breaks benefiting only the wealthiest among us.

The first 10 years of estate tax repeal would cost $800 billion in lost revenue, nearly a trillion dollars when the cost of interest on the higher national debt that would result is included. It is unaffordable. It is the ultimate example of misplaced priorities. Repealing the estate tax would cost as much each year as the Federal Government spends on homeland security, and it would cost more than we spend on education. And, it would be grossly unfair.

Today, under current law, only 5 estates in 1,000 are subject to the estate tax. By 2009, only 3 estates in 1,000 will be subject to the estate tax. Only estates over $3.5 million will be taxed. Thus, repealing the estate tax would only benefit a few thousand heirs of the richest men and women in the country. One columnist recently called it the "Paris Hilton Tax Break" and that description accurately identifies who would benefit from such an enormous tax giveaway.

The notion of an estate tax is nothing new or radical. We have had an estate tax for over 100 years. During much of that period, it covered a far greater percentage of estates than we are taxing today. One of the strongest advocates of the estate tax was Teddy Roosevelt, who believed it was essential to a fair and democratic society. Those who have benefited most from the opportunities America offers have a special obligation to contribute something back to their country.

Advocates of repeal always claim that the estate tax forces the sale of large numbers of farms and small businesses each year. That claim is greatly exaggerated. CBO analyzed this issue. It concluded that if the 2009 exemption level of $3.5 billion had been in place in 2000, only 94 small businesses and 65 farms in the entire country would have owed any estate tax. Of those, most had sufficient liquid assets to cover the estate tax owed without touching the business or farm. The few that did not, have the option of paying the tax in installments over 14 years.

These small businesses and farms are being used as a sympathetic Trojan horse to conceal those who would really benefit from estate tax repeal. The real beneficiaries of repeal would be the heirs of the richest men and women in America.

If we eliminate the estate tax on the largest concentrations of wealth in our society, we will be permitting the very few who inherit huge amounts of money to receive their millions tax free while working Americans have to pay substantial taxes on their wages. It would be terribly unfair to tax work while giving inherited wealth a free ride.

The estate tax is the most progressive of all Federal taxes. At a time when the income gap between the wealthy few and the middle class has grown disturbingly wide—wider than it has been in decades, why would we want to transfer more of the tax burden from the rich onto the shoulders of middle class families. Make no mistake, the trillion dollars that would be lost should the estate tax be repealed will have to be made up by increasing other federal taxes, taxes paid mostly by the middle class. That is the injustice of repealing the estate tax.

What we should do is make permanent the estate tax that will be in place in 2009—covering estates over $3.5 million—$7 million per couple—with a top tax rate of 45 percent. Only three-tenths of 1 percent of estates would owe any tax under that proposal. While the maximum rate of 45 percent may sound high, that figure is very misleading. Analyses show that the effective tax rate on these estates—the rate after the $3.5 million exemption and other available deductions are taken into consideration—would be, on average, only 17 percent.

I believe all the revenue from preserving the estate tax at the 2009—level should be statutorily dedicated to the Social Security trust fund. Saving Social Security for the many who depend on it is far more important than repealing the estate tax for the wealthiest few.

No Government program reflects the values of the American people better than Social Security. We are a community that takes care of our most vulnerable members: the elderly, the disabled, and children whose parents have died prematurely. Two out of every three retirees receive over one-half of their income from Social Security. Without it, many of them would be living in poverty. Social Security does much more than provide retirement income for seniors. It also provides lifetime disability insurance protecting those who become seriously injured or ill. When a worker becomes disabled before reaching retirement age, Social Security is there to help him and his family. And when a worker dies leaving minor children, Social Security provides financial support for those children until they reach adulthood.

The revenue from the estate tax would reduce the Social Security shortfall by more than 25 percent, according to the Social Security Administration's chief actuary. It would add years of solvency to the program. That would set the right priority for America.

The priorities of this Republican Congress have been wrong for our country. If we are serious about reducing the deficit and strengthening the economy, we must stop lavishing tax breaks on the rich, and start investing in the health and well-being of all families. These families are being squeezed unmercifully between stagnant wages and ever-increasing costs for the basic necessities of life. The cost of health insurance is up 56 percent in the last 5 years. Gasoline is up 75 percent. College tuition is up 46 percent. Housing is up 57 percent. The list goes on and on, up and up—and paychecks are buying less each year.

The dollars that Republicans now want to spend on the ultimate tax break for the rich—allowing the heirs of multimillionaires to inherit their enormous wealth tax free—are dollars that should be used to help all Americans. The American people deserve better; and in November they will insist on a new Congress that truly shares their values and cares about their needs.

Mr. BIDEN. Mr. President, I rise today to speak in support of the Native Hawaiian Government Reorganization Act of 2006. Unfortunately, this bill has been mischaracterized and therefore misunderstood by many.

Sponsored by Senator DANIEL K. AKAKA and Senator DANIEL K. INOUYE, the bill brings into focus the unique political and legal relationship that the indigenous peoples of Hawaii, Native Hawaiians, have with the United States. The United States has treated Native Hawaiians in a manner similar to that of American Indians and Alaska Natives since Hawaii became a territory in 1898. All that this legislation does—with the substitute amendment that addresses some concerns raised by the Departments of Justice and Interior—is extend the Federal policy of self-governance and self-determination to Native Hawaiians, thereby providing parity in Federal policies toward American Indians, Alaska Natives, and Native Hawaiians.

More than 160 statutes have been passed by Congress recognizing the political and legal relationship that Native Hawaiians have with the United States. These statutes demonstrate how Congress has repeatedly acknowledged the legal and political relationship between Native Hawaiians and the United States. Just as it has done with the other indigenous people of this country, the Native Americans and Alaskan Natives, Congress has established Federal programs to address the health, education, and housing needs of Native Hawaiians. As an indigenous people that exercised sovereignty over lands now comprising the State of Hawaii. Native Hawaiians are seeking parity with other federally recognized indigenous peoples. S. 147 is the vehicle for which this can be achieved.

Beginning with the debates of the Continental Congress and continuing in the records of discussion and correspondence amongst the framers of the Constitution, it was recognized that the aboriginal, indigenous people who occupied the lands now comprising the United States had a status as sovereigns that existed prior to the formation of the United States. Based upon the recognition of that preexisting sovereignty, the U.S. Constitution—article I, section 8, clause 3—vests the Congress with authority to regulate commerce with the three classes of sovereign governments identified there—foreign nations, the several States, and Indian tribes.

In numerous rulings over the ensuing 215 years, the U.S. Supreme Court has repeatedly held that legislation enacted to address the conditions of the native people of the United States is constitutional and does not constitute discrimination on the basis of race or ethnicity because the sovereign status of the Indian tribes is the basis for the government-to-government relationship the tribes have with the United States.

The Court has thus consistently drawn a distinction between legislation that addresses the conditions of the native people of the United States on the grounds that the United States has a political and legal relationship with the Indian tribes—a relationship that is not predicated on race or ethnicity but rather on sovereignty—and legislation that addresses the conditions of specific groups whose members are defined only by reference to their race or ethnicity—African Americans, Hispanic Americans, etc.

The status that the Constitution recognizes in Indian tribes was later extended to Alaska Natives in their capacity as aboriginal, indigenous people of the United States, and it is on the same basis that the Congress has enacted legislation for the aboriginal, indigenous people of Hawaii.

Many opponents of the bill are attacking and classifying reconciliation efforts between the United States and the Native Hawaiians as race-based. However, anyone who has a clear understanding of Hawaii's history cannot deny that Native Hawaiians are Hawaii's indigenous peoples, nor can they deny that Native Hawaiians have a legal and political relationship with the United States based on their status as Hawaii's indigenous peoples. It is offensive that laws intended to seek justice and equality for African Americans are now being used to oppress native peoples.

We must be fair and thorough while deliberating the merits of this legislation. It is unfair to pick and choose what aspects of the Constitution and related statutes do and do not apply. This is an opportunity that each Member of this Chamber has to demonstrate their commitment to recognizing and respecting the aboriginal, indigenous people that had a status as sovereigns that existed prior to the formation of the United States. The time to recognize Native Hawaiians and their contributions to our country is now. I urge my colleagues to support efforts of the Senators from Hawaii to secure Federal recognition for Native Hawaiians.

Mr. BINGAMAN. Mr. President, I rise today to speak in opposition to the legislation before us today, H.R. 8, which would make the repeal of the estate tax permanent starting in 2010. Without so much as a hearing, debate, or markup in the Finance Committee, the majority is bringing the largest tax bill that will be before us this Congress with the clear intent of not allowing the minority any reasonable opportunity to amend it. The Joint Committee on Taxation has estimated that repeal of the estate tax will require roughly $370 billion in debt financing through 2016, although a more accurate cost of 10 years of enactment is closer to $1 trillion when interest on the debt is calculated into the equation. At a time when interest rates are being raised steadily to address inflationary fears, it is hardly the time for our Government to be adding to our national debt in this magnitude for tax relief that only benefits the wealthiest in our country.

In 2001, in my State of New Mexico, there were only 200 people dying with any estate tax liability. This left roughly 98 percent of New Mexican estates entirely untaxed. If the exemption had been $2.5 million, as will occur in 2009 under current law, 99.7 percent of people dying in New Mexico would have owed no estate taxes. At a time when gas is over $3 a gallon and many businesses are telling me that they can no longer afford to offer health insurance to their workers, I cannot in good conscience support repealing the estate tax—an act that provides a benefit to only about .3 percent of New Mexicans.

The effort to permanently repeal the estate tax is a continuation by the majority of giving tax breaks to a small minority of Americans—those who need it least. Just a couple of weeks ago, the President signed the reconciliation tax bill into law which added 2 additional years of tax relief for those receiving dividends and capital gains. Slowly but surely, the majority is creating a society where those who work for a living will be paying taxes while those who are fortunate enough to have investments or inherited wealth will either avoid taxation or be paying at a significantly lower rate. The result will be a United States that has slid back to economic disparity not seen since the Gilded Age where extreme wealth accumulated in the pockets of our Nation's wealthiest while the average working family was left behind. At a time when gas prices are climbing, the cost of electricity is growing, and health care costs are exploding, it is simply unacceptable that this Congress is devoting time and our children's resources to providing another tax break to the wealthiest among us. Instead this Congress should be looking at ways to reduce the tax burden on folks who only have earned income—and generally not enough of it.

I would remind my colleagues on the other side of the aisle that the impact of deficit spending is immense and one that will be borne not only by us in the coming years but by future generations who have no say in our current financial irresponsibility. Since this administration took over and Congress has been controlled solely by one party, we have seen our Nation's economic security drop precipitously. In order to pay for unaffordable tax cuts, we have become a beggar nation, forced to go to foreign countries with our hat in hand asking them to buy our debt. Many of these countries, such as China and Japan, are the very same countries that are becoming more and more competitive with our Nation for high-tech and higher salaried jobs—a fact that is not unrelated. As interest rates continue to rise to combat inflationary pressures, it is costing this Government more and more to sell our debt to our foreign competitors. At the same time, we are facing demand pressures to offer a higher rate of return to attract these wary investors, as they gradually accumulate more of our debt than most economic models would indicate is prudent. The only prudent course of action would be to tighten our belts and balance our budget thereby returning control of our economic prosperity to us instead of leaving it in the hands of our foreign competitors. But instead of coming up with rational tax policy that rewards the majority of Americans who work for a living, we are foisting on these families the delusion that estate tax relief benefits them and handing out further tax cuts to those who have seen their wealth grow at historic rates in the past several years.

Mr. President, we owe it to our children and grandchildren to provide them with the opportunities we inherited from our parents. The real "death tax" is the one we are leaving for our children to pay when we are gone. With the passage of the Deficit Reduction Act in 1993, we were able to correct years of irresponsible tax policy and head our Nation back in the right direction. By maintaining fiscal discipline, we were able to have our first surplus in decades. It is shameful that we are considering legislation today that, in many senses, is the final nail in the coffin of fiscal responsibility by providing additional tax cuts to the richest in our Nation to the detriment of hard-working American families. This is not the act of a Government that is supposed to represent all of the people in our Nation—a nation that was founded on the belief that the opportunity for prosperity is to be shared by everyone. This legislation is another step toward creating an America that I was not elected to represent by my fellow New Mexicans—the vast majority of whom earn their living by going to work every day. I hope my colleagues will join me in opposing this legislation.

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2005—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the hour of 3 p.m. having arrived, the Senate will proceed to consideration of the motion to proceed to S. 147, which the clerk will report.

The assistant legislative clerk read as follows:

> Motion to proceed to S. 147, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

The PRESIDING OFFICER. Under the previous order, the time from 3 p.m. until 6 p.m. shall be divided for debate as follows: 3 to 3:30, majority control; 3:30 to 4, minority control, alternating between the two sides every 30 minutes until 6 p.m.

The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, one of the parliamentary mysteries of the Senate is that we are now about to move, as was reported, to the Native Hawaiian Government Reorganization Act. Some might wonder why. I was presiding, as the Senator from Minnesota is now, earlier in the week. I heard an eloquent speech by a Senator from the other side of the aisle, the Senator from Vermont, who said we ought to "focus on solutions to the high [gasoline] prices, something that hurts people in your state and mine, the rising cost of health care . . . the ongoing situation in Iraq. . . . We're not going to talk about any of those things," said the Senator from Vermont, from the other side of the aisle.

Yet as a result of efforts there, on that side of the aisle, we are now moving ahead to the Native Hawaiian Government Reorganization Act, S. 147.

The legislation may seem insignificant, but I am here today to say that, in this seemingly insignificant piece of legislation, is an assault on one of the most important values in our country. It is a value so important that it is carved in stone above the Chair of the Presiding Officer. It is our original national motto: E Pluribus Unum, one from many. This bill is an assault on that principle because it would, for the first time in our country's history, so far as my research shows, create a new, separate, sovereign government within our country, based on race, putting us on the path of becoming more of a United Nations than a United States of America. It will set a precedent for the breakup of our country along racial lines, and it ought to be soundly defeated.

No one has to take my word for this. The U.S. Commission on Civil Rights, a body established to protect the rights of minorities and the underprivileged, has publicly opposed this legislation. Here is what the Commission on Civil Rights said:

> The Commission recommends against passage of the Native Hawaiian Government Reorganization Act of 2005 as reported out of committee on May 16, 2005, or any other legislation that would discriminate on the basis of race or national origin and further subdivide the American people into discrete subgroups, accorded varying degrees of privilege.

So this bill undermines our unity. It would undermine our history of being a Nation based not upon race but upon common values of liberty, equal opportunity, and democracy.

We have had many great accomplishments in our country. Our diversity is a magnificent accomplishment. But the greater accomplishment, greater even than our diversity, is our ability to unite all of that diversity into one Nation. We should be going in that direction and not in the opposite direction.

Our Constitution guarantees equal opportunity without regard to race. This legislation does the opposite.

Those who favor this bill like to describe a bill that is not the bill I have read. Those who favor the bill say it is not about sovereignty, it is not about land and money, it is not about race, it is what we did once in Alaska and that the Native Hawaiians would be just another Indian tribe. It is a nice bill, they say. It is sponsored by the two Senators from the State of Hawaii, whom we all greatly respect and admire, so, they say, let's just pass it.

Let me address each of those claims one by one—sovereignty, to begin with. Those who favor the bill say this is not about sovereignty. After all, they argue, the new government that would be set up would be subject to the approval of those who are "Native Hawaiians," and it would have to be approved by the U.S. Secretary of the Interior. But the bill expressly states in section 4(b) that its purpose is to establish a "political and legal relationship between the United States and the Native Hawaiian governing entity for the purposes of continuing a government-to-government relationship."

A government-to-government relationship—such as a government relationship between the United States and France or England or Germany or any other country. That sounds like a sovereign government to me.

That's not the end of it. In an interview on National Public Radio on August 16 last year, the Senator from Hawaii, who is the sponsor of this bill, was asked if this could lead to secession of the State of Hawaii from the United States. The NPR reporter stated, "But [Senator AKAKA] says this sovereignty could even go further, perhaps even leading to independence." And the Senator from Hawaii responded, "That could be. As far as what is going to happen at the other end, I'm leaving it up to my grandchildren and my great-grandchildren."

The office of Hawaiian Affairs, an office of the Government of the State of Hawaii at one time said on its Web site that under this bill:

> The Native Hawaiian people may exercise their right to self-determination by selecting another form of government, including free association or total independence.

Total independence, Mr. President. This bill clearly allows for the establishment of a new, sovereign government within the United States of America. I have not found another example of that in our history.

No. 2, those who favor the bill say this is not about race. But the bill itself says something else. It says that anyone "who is a direct lineal descendant of the aboriginal, indigenous native people" of Hawaii is eligible to participate in creating this new sovereign government. By this definition, anyone who may have had a seventh-generation Native ancestor, making him 1/256 Native Hawaiian, can qualify. They do not need to have been part of a Native Hawaiian community at any point during their lifetime. They don't even need to have lived in Hawaii. In fact, of the 400,000 Americans of Native Hawaiian descent in the United States, approximately 160,000 don't even live in Hawaii. They live all over the United States of America. But they all would be eligible to be part of this new sovereign government under the bill.

So eligibility to participate in this new government is not based on where you live. It is not based on being part of a specific community. It is based on your ancestry. That is why the U.S. Commission on Civil Rights has specifically said the bill "would discriminate on the basis of race or national origin."

No. 3, land and money. Those who favor the bill say it is not about land and money, but the bill says something else. My staff counted 35 references to "land" or "lands" in the text of the bill, and in section 8 of the bill it specifically delegates to this new race-based government the authority to negotiate for:

> (A) the transfer of lands, natural resources, and other assets, and the protection of existing rights related to such lands or resources;
>
> (B) the exercise of governmental authority over any transferred lands, natural resources, and any other assets, including land use.

So the bill says this is about land and "other assets." It is not surprising. According to an Associated Press article from April 14 of last year on this bill, "there is a general belief the Department of Hawaiian Home Lands would be folded into this new native government. According to that department's Web site, "Approximately 200,000 acres of homestead lands are provided for the Hawaiian Home Lands program." That is from the Associated Press.

According to the Wall Street Journal, the state's Office of Hawaiian Affairs controls a trust fund worth $3 billion for the benefit of Native Hawaiians. One has to ask whether some or all of that $3 billion would be given to this so-called tribe. The bill expressly allows the transfer of land and assets, so this is a serious question.

Then the last two arguments the proponents make. They say that this is similar to what we did for the Alaska Natives. But there are some profound differences between Alaska and Hawaii. First, the history is different. When the United States acquired Alaska from Russia, the treaty stipulated we needed to deal with the Alaska Natives. And when Alaska became a State, we included in the law that Alaska Natives would have a special status. That is not true for Native Hawaiians. They have always been part of the State and lived under its jurisdiction.

Second, the provisions in S. 147 for the recognition of a native government are different from those for Alaska Natives. Alaska Natives were recognized to form corporations and other local forms of government, based largely on the village communities in which they lived. Most Native Hawaiians don't live in separate villages or communities in Hawaii and elsewhere in the United States. They are everyone's next-door neighbor. Of the 240,000 Native Hawaiians living in Hawaii, the U.S. Census reports that less than 20,000 live on "Hawaiian homelands." The rest are mixed with the States' population.

Finally, there is another argument that those who support this bill make. They say: We are just recognizing another Indian tribe. This puts Native Hawaiians on an equal footing with other Native American groups.

That is their argument. But U.S. law has specific requirements for recognition of an Indian tribe. A tribe must have operated as a sovereign for the last 100 years, must be a separate and distinct community, and must have had a preexisting political organization. That is what the law says. Native Hawaiians do not meet those requirements.

In fact, in 1998 the State of Hawaii acknowledged this in a Supreme Court brief in the case of Rice v. Cayetano, saying, "the tribal concept simply has no place in the context of Hawaiian history." It would be difficult to argue that Hawaii was not well represented in that debate because the current Chief Justice of the U.S. Supreme Court, Justice Roberts, was the lawyer for the State of Hawaii in this argument before the Supreme Court and they said, "the tribal concept simply has no place in the context of Hawaiian history."

If the bill establishing a Native Hawaiian government would pass, it would have the dubious honor to be the first to create a separate nation within the United States. While Congress has recognized preexisting American Indian tribes before, it has never created one. That is the difference. Of course, we have recognized preexisting American Indian tribes who meet a very specific definition of what an Indian tribe is in our law. But so far as I can tell, we have never created an Indian tribe, and the State of Hawaii itself recognized before the Supreme Court that its native peoples are not a tribe.

To pass this legislation would be a dangerous precedent. It wouldn't be much different than if American citizens who were descended from Hispanics who lived in Texas before it became a Republic in 1836 created their own tribes based on claims these lands were improperly seized from Mexico or it could open the door to religious groups such as the Amish or Hasidic Jews who might seek tribal status to avoid the constraints of the establishment clause of the Constitution. If we start down this path, the end may be the disintegration of the United States into ethnic enclaves.

Hawaiians are Americans. They became U.S. citizens in 1900. They have saluted the American flag, paid American taxes, fought in American wars. The distinguished Senator from Hawaii has won the Congressional Medal of Honor fighting in American wars.

In 1959, 94 percent of Hawaiians reaffirmed that commitment to become Americans by voting to become a State. Similar to citizens of every other State, they vote in national elections.

Becoming an American has always meant giving up allegiance to your previous country and pledging allegiance to your new country, the United States of America.

This goes all the way back to Valley Forge when George Washington himself signed such an oath, and his officers did as well.

Today, in this year, more than 500,000 new citizens will take that oath where they renounce their allegiance to where they came from, not because they are not proud of it but because they are prouder to be an American. And they know if we are going to be one Nation in this land of immigrants, they must become Americans.

All around the world, countries are struggling with how to integrate and assimilate into their societies people from other countries: Muslims in Europe, specifically in those countries, Turks in Germany, Great Britain, France, and Italy—all are struggling with this. They are envious of our two centuries of history of helping people from all countries come here, learn a common language, understand a few principles, and become Americans. They are proud of where we came from, prouder of who we are.

This goes in exactly the opposite direction. This may seem like an insignificant piece of legislation, but within it is embedded an assault on one of the most important fundamental values in our country: the value that is expressed and carved right there, "E Pluribus Unum," one from many.

This legislation would undermine our national unity by treating Americans differently based on race. It would begin to destroy what is most unique about our country. It would begin to make us more of a "united nations" instead of the United States of America.

I hope the Senate heeds the advice of the U.S. Commission on Civil Rights and defeats this legislation, legislation which the commission said "would discriminate on the basis of race or national origin and further subdivide the American people into discrete subgroups accorded varying degrees of privilege" and create a new, separate, race-based government for those of Native Hawaiian descent.

I have tried in my remarks to show that this bill is about sovereignty, that it is about land and money, that it is about race, that it is not like what we did for Alaskans, that the Native Hawaiians would not just be another Indian tribe. We don't create new tribes in our country. We recognize preexisting ones, and we have very specific provisions in the law about how we do that.

The question before us is about what it means to become an American. And this bill is the reverse of what it means to be an American. Instead of making us one Nation, indivisible, it divides us. Instead of guaranteeing rights without regard to race, it makes them depend solely upon race. Instead of becoming one from many, we would become many from one.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KYL. Mr. President, I rise today in strong opposition to the Akaka bill. If cloture is invoked on that bill, there is a process by which we will debate and amend the bill.

I would like to discuss with my colleagues today some of the infirmities with the bill that we would hope to address through the amendment process. There is no way to sugarcoat this bill.

This bill proposes that the Federal Government establish a racial test for Americans who want to participate in the creation of a new government—a government that will gain, according to section 8 of this legislation, lands and natural resources, civil and criminal jurisdiction, and governmental authority and powers. It is unconstitutional, it offends basic notions of American values, and it should be rejected.

I would like to spend a few minutes talking about an amendment that we would be voting on should this bill be brought forward.

First, keep in mind that we are going to have to decide once and for all if we believe in racial tests and race-based government. Government anticipated by this bill is created through a racial test. Read section 3, subparagraph 10: Native Hawaiians, those eligible to participate in the creation of this government, are defined "as an individual who is one of the indigenous, native peoples of Hawaii and who is a direct lineal descendent of the aboriginal, indigenous, native people in the Hawaiian islands on or before January 1, 1893, and exercised sovereignty there, or a person who descends from one who was one-half Native Hawaiian in 1921."

What is that test? It is a racial test. As the Supreme Court emphasized, ancestry is a proxy for race.

Some advocates insist that it is not a race-based government, no matter what the actual language of the bill says.

So we will offer an amendment to put this question to the Senate.

The amendment will say that this new government will not have any governmental powers if membership in the entity is in any way determined by race or ancestry. The Senate will have a straightforward up-or-down vote on whether it supports or rejects the principle of race-based government. If I am wrong and the bill's text is wrong, and this isn't about race, then that amendment will surely pass overwhelmingly.

When I discussed this amendment with the bill's sponsors in the past, they have said they would strongly oppose it. So we will let the Senate vote directly and resolve the issue. All Senators should look forward to a vote on whether they support race-based government.

Second, we will have to decide whether the Constitution and basic civil rights are to be left to a negotiation process after the bill's passage.

As I have explained previously, this bill would allow the creation of a government not subject to the Constitution and Bill of Rights. It could also be immune from the Civil Rights Act, the Americans with Disabilities Act, the Age Discrimination in Employment Act, and all other State and Federal civil rights laws. It would authorize creation of an enclave where Native Hawaiians would be subject to a different set of legal codes, taxes, and regulations.

Proponents deny this. They say it is preposterous to say that civil rights won't be protected. They say the bill won't result in unequal tax and legal systems in Hawaii. They say basic fairness would be preserved. But then they say just how this happens is entirely up to subsequent negotiations between the Native Hawaiian entity and State and Federal bureaucrats.

Obviously, basic civil rights should not be up for negotiation. So we will offer an amendment to clear this up. My civil rights amendment will apply the entire Bill of Rights to the new government. It will apply all Federal antidiscrimination laws. It will ensure that the new government doesn't have any special immunities from lawsuits under those laws.

It will prevent the creation of any racially defined liabilities, so that no person is subject to any law, regulation, tax, or other liability if any person is exempted on the basis of race or ancestry. And it will guarantee fairness and equal treatment. It will not leave these matters up to future "negotiations."

This civil rights amendment deserves a vote, and it will get one.

The New York Times editorialized today that the bill does not "supersede the Constitution." I disagree, but we can resolve this.

So let's vote and not leave it up to chance. Let's adopt my amendment and guarantee civil rights and equal treatment.

Again, I have shared the drafts of this amendment with the sponsors of the bill who said they oppose it. Perhaps they will reconsider, but the Senate will have an opportunity to vote on this amendment.

Third, there is a dispute over whether the people of Hawaii, who are most personally affected by this legislation, actually want this bill. The sponsors say yes, and point to opinion polls that speak vaguely of "recognizing" Native Hawaiians. I can point to alternative polls which show strong majorities opposed when the citizens understand that with recognition comes the potential for unequal treatment. Do the Hawaiian people want this? We know much of the political establishment does. But what about the citizens? I am concerned that this bill will divide Hawaii and encourage racial division there and elsewhere.

Indeed, as the U.S. Commission on Civil Rights noted in its report, if you listen to the citizens of Hawaii rather than just their political leaders, it is clear that this legislation has already divided that State. Why would the Senate want to impose a divisive result upon the State of Hawaii without giving Senators a voice?

So one of my colleagues will offer an amendment that will give us the answer to the question. It will simply require that all citizens of Hawaii have a voice by requiring a statewide referendum once the negotiations are complete.

The Senate should not be passing on the question of what is good for Hawaii when we have evidence of such division.

Again, I have floated this idea by the bill's sponsors, and they have opposed a referendum requirement. But why would they not want to ensure that the people of Hawaii have a direct voice in approving or rejecting the final product of the negotiations called for in the bill?

So we will have an amendment. The Senate can decide if the people of Hawaii should be denied their opportunity to speak.

As I have said in the past, I will support a cloture vote and will support the Senate having an opportunity to debate and vote on amendments to this bill. But should cloture be accepted and the Senate get on this bill, I have also noted I strongly oppose it and will offer amendments to try to ensure the result of the bill is most fair to the people of Hawaii. That I will most surely do.

I look forward to that debate. I look forward to the debate and amendments that will be offered as a result.

I yield the floor.

The PRESIDING OFFICER. At this time, the hour of 3:30 having arrived, the next 30 minutes is under the control of the minority.

The Senator from North Dakota.

Mr. DORGAN. Mr. President, I expected my colleague from Arizona would speak on the estate tax. He, in fact, spoke about the subject which we will now spend the next 30 minutes on, on this side, the Native Hawaiian Government Reorganization Act. He raises some questions, and my expectation is that debate and discussion about this proposal will promote some rather aggressive discussion in the Senate. That is fine. It is nice at this point that after all these many years we are debating this issue.

I will give a little bit of the history as vice chairman of the Committee on Indian Affairs. That committee is the committee that brought this legislation to the Senate. The action was bipartisan. We have decided this is a worthy piece of legislation. I support it. The committee supports it. That is the basis on which it is in the Senate now.

I don't know the history nearly as well as my colleagues, Senator AKAKA and Senator INOUYE, but let me describe a little of the history, if I might. I know a bit of this because I represent a State in which we have numerous Indian tribes. Those are the first Americans. Those are the folks who were there before my ancestors showed up. They owned the land. They farmed along the Missouri River. I understand something about Indian tribes, tribal governments and self-determination. I understand that because I work in that area a lot with the Indian tribes from my State.

Let me describe the issue of aboriginal and indigenous peoples in the United States, and especially in Hawaii, from the small amount of history that I know. Again, the rich history here will be better recited by my colleagues, Senator INOUYE and Senator AKAKA.

January 16, 1893—that is a long, long time ago—the United States Minister John Stevens, who served, then, as Ambassador to the court of Queen Liliuokalani, directed a marine company onboard the USS *Boston* to arrest and detain the queen. This is the queen that served the indigenous people in Hawaii. She was arrested. She was placed under arrest for 9 months at the palace.

That event was engineered and orchestrated by the Committee of Public Safety which I understand consisted of Hawaii's non-native Hawaii businessmen, with the approval of Minister Stevens.

So we have a people in Hawaii who were the first Hawaiians, the indigenous people to Hawaii, who had a government, who had a structure. The head of that government was summarily arrested and a new government was created in Hawaii. That new government apparently was a government that would meet at the pleasure of those who engineered the arrest of the queen.

Today, after many decades raising questions, should there not be an opportunity for Native Hawaiians, very much as there has been an opportunity in our country in what is called the lower 48 for Indian tribes to seek reorganization, to seek reorganization—there should be some opportunity along the way for there to be a Native Hawaiian Government Reorganization Act. The reason this is a "reorganization" is because that government existed. This is not the creation of a new government. This is a government that previously existed, but many decades ago was essentially dissolved or destroyed as a governing unit by the actions I previously described.

My colleagues have come to the Congress from the State of Hawaii and have asked that a bill authorizing the reorganization of a Native Hawaiian governing entity that could negotiate agreements with the United States and the State of Hawaii to address a good number of issues relating to self-determination and self-governance of the Native Hawaiians be brought to the Senate and be considered and debated. That is the basis on which it is here today.

Upon introduction last year by my colleagues from Hawaii, this bill was referred to the Committee on Indian Affairs. We held a hearing on the bill, received testimony that demonstrated broad bipartisan support, strong support for this bill in Hawaii and also in Indian country around America.

We heard from Governor Lingle from the State of Hawaii about the importance of this bill to the people and to the economy of Hawaii. We heard from Native Hawaiians about the significance of this bill on all aspects of Native Hawaiian life. We heard from the National Congress of American Indians about its long-standing support for Native Hawaiians to be formally afforded the right to self-determination. This bill does not by itself do that. It establishes the process for a reorganization in order to create that structure.

There has been back and forth between interested parties on this bill. There are some who have concerns and questions about it. Significant efforts, I know, have been spent by my two colleagues, Senator AKAKA and Senator INOUYE, to address concerns relating to jurisdiction, claims and gaming issues. I believe these concerns in almost all cases have been adequately resolved.

Even more importantly, I believe the Members of the Senate, finally, deserve the opportunity, and my two colleagues from Hawaii deserve the opportunity, to have this legislation before the Senate open for discussion and open for debate.

Senator AKAKA requested floor time for this bill 1 year ago. His request was not granted because we were compelled to address other imminent concerns relating to hurricane relief and other matters at that time that were urgent.

Bills on this issue have been introduced since the 106th Congress. None have received time for floor debate. Fairness, I believe, now requires this Congress to offer this bill in the Senate for full debate.

Let me finally say this. I know of no two Members of the Senate who have worked harder, with greater determination to advance the cause in their State that has broad bipartisan support in their State on behalf of Native Hawaiians, a right that is already afforded to many other aboriginal and indigenous peoples around the United States that has not been afforded to those Native Hawaiians. I know of no one in this Senate who has worked harder for an important issue of passion in their hearts than Senator AKAKA and Senator INOUYE. I am very pleased that the Senate Committee on Indian Affairs was able to pass this legislation and bring it to the Senate today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, today I discuss legislation that is critically important to the people of Hawaii, all the people of Hawaii, the Native Hawaiian Government Reorganization Act of 2005. While I am pleased to see this bill finally come to the Senate floor after 6 long years, I remain perplexed by the constant barrage of misinformation that has been provided by opponents to this legislation.

Tomorrow we will be voting on a motion to invoke cloture on the motion to proceed to S. 147, the Native Hawaiian Government Reorganization Act of 2005. I ask all of my colleagues, to let this bill come to the floor for a debate—whether you are for or against it. At the minimum, we should be allowed to discuss what this bill is really about.

I also want to alert my colleagues to the fact that a new substitute amendment has been drafted which incorporates legislative language negotiated between Senator INOUYE and myself and officials from the Executive Branch to address policy concerns regarding the liability of the United States in land claims, the impact of the bill on military readiness, gaming, and civil and criminal jurisdiction in Hawaii. While I realize that we will not consider the substitute amendment until we get to the actual consideration of the bill, I share this with my colleagues so that they know that our negotiations with the administration have been successful in addressing their concerns and adhering to the intent and purpose of this bill.

This bill is about process and fairness. Hawaii's indigenous peoples, Native Hawaiians, have been recognized as indigenous peoples by Congress through the one hundred sixty-plus statutes we have enacted for Native Hawaiians. Congress has historically treated Native Hawaiians, for more than a hundred years, in a manner similar to American Indians and Alaska Natives. What our bill does is to authorize a process so that the federal policy of self-governance and self-determination, a policy formally extended to American Indians and Alaska Natives, can be extended to Native Hawaiians, thereby creating parity in the way the United States treats its indigenous peoples.

We have bipartisan support for the enactment of this bill. I extend my deep appreciation to the cosponsors of this legislation, Senators CANTWELL, COLEMAN, DODD, DORGAN, GRAHAM, INOUYE, MURKOWSKI, SMITH, and STEVENS, for their unwavering support of our efforts.

I especially want to recognize Hawaii's Governor, Linda Lingle, who serves as the first Republican governor in Hawaii in 40 years. Despite our political differences, Governor Lingle and her cabinet, primarily Attorney General Mark Bennett and Hawaiian Homes Commission Chairman Micah Kane, have worked tirelessly with us for the past 4 years in an effort to enact this bill for the people of Hawaii.

In Hawaii, support for the preservation and culture of Hawaii's indigenous peoples is a nonpartisan issue. In Hawaii, diversity is precious. The more we understand our culture, traditions, and heritage, the more we can contribute to the fabric of society that has become the local culture in Hawaii. While my opponents see diversity as a threat, the people of Hawaii embrace diversity and celebrate it as a means of understanding the foundations upon which our local culture, the culture that brings us all together, is based.

Let me be the first to say that the people of Hawaii, including Hawaii's indigenous peoples, are proud to be Americans. The many Native Hawaiians in the National Guard who were away from their families for eighteen months, serving in Operation Iraqi Freedom, are proud to be American. In fact, it is a well-documented fact that native peoples have the highest per capita rate of serving in our military to defend our country. It is absolutely offensive to read opponents' mischaracterization of this bill as an effort to secede from the United States or to question the right of Hawaii's indigenous peoples to have a mechanism of self-governance and self-determination within the framework of Federal law.

This bill is of significant importance to the people of Hawaii. It is significant because it provides a process, a structured process, for the people of Hawaii to finally address longstanding issues resulting from a dark period in Hawaii's history, the overthrow of the Kingdom of Hawaii. The people of Hawaii are multicultural and we celebrate our diversity. At the same time, we all share a common respect and desire to preserve the culture and tradition of Hawaii's indigenous peoples, Native Hawaiians.

Despite this perceived harmony, there are issues stemming from the overthrow that we have not addressed due to apprehension over the emotions that arise when these matters are discussed. I have mentioned this to my colleagues previously, but it bears repeating that there has been no structured process. Instead, there has been fear as to what the discussion would entail, causing people to avoid the issues. Such behavior has led to high levels of anger and frustration as well as misunderstandings between Native Hawaiians and non-Native Hawaiians.

As a young child, I was discouraged from speaking Hawaiian because I was told that it would not allow me to succeed in the Western world. My parents lived through the overthrow and endured the aftermath as a time when all things Hawaiian, including language, which they both spoke fluently, hula, custom, and tradition, were viewed as negative. I, therefore, was discouraged from speaking the language and practicing Hawaiian customs and traditions. I was the youngest of eight children. I remember as a young child sneaking to listen to my parents so that I could maintain my ability to understand the Hawaiian language. My experience mirrors that of my generation of Hawaiians.

While my generation learned to accept what was ingrained into us by our parents, my children have had the advantage of growing up during the Hawaiian renaissance, a period of revival for Hawaiian language, custom, and tradition. Benefiting from this revival is the generation of my grandchildren who can speak Hawaiian and know so much more about our history.

It is this generation, however, that is growing impatient with the lack of progress in efforts to resolve longstanding issues. It is this generation that does not understand why we have not resolved these matters. It is for this generation that I have written this bill to ensure that we have a way to address these emotional issues.

There are those who have tried to say that my bill will divide the people of Hawaii. My bill goes a long way to unite the people of Hawaii by providing a structured process to deal with issues that have plagued us since 1893.

This bill is also important to the people of Hawaii because it affirms the dealings of Congress with Native Hawaiians since Hawaii's annexation in 1898. Congress has always treated Native Hawaiians as Hawaii's indigenous peoples, and therefore, as indigenous peoples of the United States. Federal policies towards Native Hawaiians have largely mirrored those pertaining to American Indian and Alaska Natives.

Again, let me reiterate, Congress has enacted over 160 statutes to address the conditions of Native Hawaiians including the Native Hawaiian Health Care Improvement Act, the Native Hawaiian Education Act, and the Native Hawaiian Home Ownership Act. The programs that have been established are administered by federal agencies such as the Departments of Health and Human Services, Education, Housing and Urban Development, and Labor. As you can imagine, these programs go a long way to benefit Native Hawaiians, but they also serve as an important source of employment and income for many, many people in Hawaii, including many non-Native Hawaiians. There are many Hawaii residents whose livelihoods depend on the continuation of these programs and services.

While I took the time a few weeks ago to talk about Hawaii's history, I want to spend the next few moments discussing that history once again. This is very important to understand the context of what we are trying to accomplish with this bill.

The year 1778 marks the year of first contact between the Western world and the people of Hawaii. That year, Captain James Cook landed in Hawaii. Prior to Western contact, Native Hawaiians lived in an advanced society that was steeped in science. Native Hawaiians honored their land (aina) and environment, and therefore developed methods of irrigation, agriculture, aquaculture, navigation, medicine, fishing and other forms of subsistence whereby the land and sea were efficiently used without waste or damage. Respect for the environment and for others formed the basis of their culture and tradition.

Society was structured. Chief, alii, ruled each of the islands. Land was divided into ahupuaa, triangular-shaped land divisions which stretched from the mountain to the ocean. Each ahupuaa controlled by a lower-chief. The lands were worked on by the commoners, referred to as makaainana. There was an incentive for the chiefs to treat the makaainana well as they could always move to another ahupuaa and work for another chief.

The immediate and brutal decline of the Native Hawaiian population was the most obvious result of contact with the West. Between Cook's arrival and 1820, disease, famine, and war killed more than half of the Native Hawaiian population. By 1866, only 57,000 Native Hawaiians remained from the basically stable pre-1778 population of at least 300,000. The result was a rending of the social fabric.

This devastating population loss was accompanied by cultural, economic, and psychological destruction. Western sailors, merchants, and traders did not respect Hawaiian kapu, taboos, or religion and were beyond the reach of the priests. The chiefs began to imitate the foreigners whose ships and arms were so superior to their own.

By the middle of the 19th Century, the islands' small non-native population had come to wield an influence far in excess of its size. These influential Westerners sought to limit the absolute power of the Hawaiian king over their legal rights and to implement property law so that they could accumulate and control land. As a result of foreign pressure, these goals were achieved.

The mutual interests of Americans living in Hawaii and the United States became increasingly clear as the 19th Century progressed. American merchants and planters in Hawaii wanted access to mainland markets and protection from European and Asian domination. The United States developed a military and economic interest in placing Hawaii within its sphere of influence. In 1826, the United States and Hawaii entered into the first of the four treaties the two nations signed during the 19th Century.

King Kamehameha I began the Kingdom of Hawaii in 1810 upon unifying the islands. The Kingdom continued until 1893 when it was overthrown with the help of agents of the United States. The overthrow of the Kingdom is easily the most poignant part of Hawaii's history. Opponents of the bill have characterized the overthrow as the fault of Hawaii's last reigning monarch, Queen Liliuokalani. Nothing could be further from the truth.

America's already ascendant political influence in Hawaii was heightened by the prolonged sugar boom. Sugar planters were eager to eliminate the United States' tariff on their exports to California and Oregon. The 1875 Convention on Commercial Reciprocity eliminated the American tariff on sugar from Hawaii and virtually all tariffs that Hawaii had placed on American products. It prohibited Hawaii from giving political, economic, or territorial preferences to any other foreign power. It also provided the United States with the right to establish a military base at Pearl Harbor.

While non-Hawaiians were determined to ensure that the Hawaiian government did nothing to damage Hawaii's growing political and economic relationship with America, Hawaii's King and people were bitter about the loss of their lands to foreigners. Matters came to a head in 1887, when King Kalakaua appointed a prime minister who had the strong support of the Hawaiian people and who opposed granting a base at Pearl Harbor as a condition for extension of the Reciprocity Treaty.

The business community, backed by the non-native military group, the Honolulu Rifles, forced the prime minister's resignation and the enactment of a new constitution. The new constitution—often referred to as the Bayonet Constitution—reduced the King to a figure of minor importance. It extended the right to vote to Western males whether or not they were citizens of the Hawaiian Kingdom, and disenfranchised almost all native voters by giving only residents with a specified income level or amount of property the right to vote for members of the House of Nobles. The representatives of propertied Westerners took control of the legislature. This is the constitution that the opponents to the bill have characterized as bringing democracy to Hawaii.

A suspected native revolt in favor of the King's younger sister, Princess Liliuokalani, and a new constitution were quelled when the American minister summoned United States Marines from an American warship off Honolulu. Westerners remained firmly in control of the government until the death of the King in 1891, when Queen Liliuokalani came to power.

On January 14, 1893, the Queen was prepared to promulgate a new constitution, restoring the sovereign's control over the House of Nobles and limiting the franchise to Hawaiian subjects. She was, however, forced to withdraw her proposed constitution. Despite the Queen's apparent acquiescence, the majority of Westerners recognized that the Hawaiian monarchy posed a continuing threat to the unimpeded pursuit of their interests. They formed a Committee of Public Safety to overthrow the Kingdom.

On January 16, 1893, at the order of U.S. Minister John Stevens, American Marines marched through Honolulu, to a building known as Arion Hall, located near both the government building and the Hawaiian palace. The next day, local revolutionaries seized the government building and demanded that Queen Liliuokalani abdicate. Stevens immediately recognized the rebels' provisional government and placed it under the United States' protection.

I was deeply saddened by allegations made by opponents of this legislation that the overthrow was done to maintain democratic principles over a despotic monarch. As you can tell by the history I just shared, our Queen was trying to restore the Kingdom to its native peoples after Western influence had so greatly diminished their rights. Colleagues, I want you to understand Hawaii's history and the bravery and courage of our Queen, who abdicated her throne in an effort to save her people after seeing United States Marines marching through the streets of Honolulu.

The Republic of Hawaii was formed in 1893, and in 1898, Hawaii was annexed as a territory of the United States. At the time of the overthrow, the Republic of Hawaii took control of approximately 1.8 million acres of land which were held in a trust for the people of the Kingdom of Hawaii. The driving force of the overthrow, the formation of the Republic, and the drive towards annexation was land ownership and control over land.

Native Hawaiians, like other indigenous cultures, could not grasp the concept of fee simple ownership of land. The concept of owning land was as foreign to them as the concept of owning air would be to us today. For ancient Hawaiians, and for many Hawaiians today, it is understood that all fortune comes from the aina, or land. Therefore, it was important to cultivate and protect the aina and its resources, but the concept of owning it was inconceivable. Ancient Hawaiian society was based on sharing—everyone cultivated, everyone protected, everyone reaped the benefits.

From the time of annexation until present day, as I noted previously in my statement, Congress has treated Native Hawaiians in a manner similar to that of American Indians and Alaska Natives. Federal policies towards Native Hawaiians have always paralleled policies towards American Indians and Alaska Natives. As early as 1910, Congress included Native Hawaiians in appropriating funds to study the cultures of American Indians and Alaska Natives.

In 1921, Congress enacted the Hawaiian Homes Commission Act of 1920, which set aside approximately 203,500 acres of land for homesteading and agricultural use by Native Hawaiians. The act was intended to "rehabilitate" the Native Hawaiian race which was estimated to have dropped from between 400,000 and 1 million, to 38,000. At the time, prevailing Federal Indian policy was premised upon the objective of breaking up Indian reservations and allotting lands to individual Indians. Indians were not to be declared citizens of the United States until 1924, and it was typical that a 20-year restraint on the alienation of allotted lands was imposed. This restraint prevented the lands from being subject to taxation by the states, but the restraint on alienation could be lifted if an individual Indian was deemed to have become "civilized." The primary objective of the allotment lands to individual Indians was to "civilize" the native people. The fact that the United States thought to impose a similar scheme on the native people of Hawaii in an effort to "rehabilitate a dying race" illustrates the similarity in federal policies toward Native Hawaiians and American Indians.

Opponents of my bill have unfortunately conjured a theory that there was no intent to recognize Native Hawaiians as indigenous peoples at the time of Statehood. I've gone back and reviewed the constitutional convention of 1950 which resulted in the constitution that was adopted in 1959 when Hawaii was admitted to the Union. The delegates to this convention reflected the multi-ethnic diversity in the islands. Only 19 percent of the delegates were Native Hawaiians. The 1950 convention deliberately incorporated provisions of the Hawaiian Homes Commission Act of 1920.

It was not without controversy. At least one delegate opposed its inclusion. Yet, the majority of convention delegates voted to include the provisions and the Hawaiian Homes Commission Act remains a part of the Hawaii State Constitution today.

In addition, the Hawaii Admission Act also required the State to take title over the majority of the public lands which had been ceded to the United States at the time of annexation. The Act required that the lands be held by the state as a public trust, with income and proceeds being used for five public purposes, one of which was to address the conditions of Native Hawaiians. It is clear to me after reviewing these documents that while this issue has not been unanimous, there has always been overwhelming support for efforts to recognize Native Hawaiians as Hawaii's indigenous peoples, and to accord them such treatment.

From 1959 to 1978, little was done at the state level to benefit Native Hawaiians. In 1978, the state held a constitutional convention. One of the results of the constitutional convention was the establishment of the Office of Hawaiian Affairs, a quasi-State agency which was set up to address Native Hawaiian issues. The agency would be directed by a Board of Trustees, all Native Hawaiians, who were to be elected by Native Hawaiians. The State of Hawaii ratified the constitutional convention's proposal and from 1978 to 1999, the Board of Trustees for the Office of Hawaiian Affairs was elected by Native Hawaiians.

In 1999, the United States Supreme Court ruled in the case of Rice v. Cayetano that because OHA receives state funds, the vote for the Board of Trustees could not be restricted to Native Hawaiians. The vote for the Board of Trustees has since been open to the entire State of Hawaii and all state citizens are eligible to run for a position on the Board of Trustees. The people of Hawaii have elected Native Hawaiians to each of the nine positions.

Some of my opponents have claimed that this bill would circumvent the Rice case. There is no intent to circumvent the Rice case. Nothing in this bill would address the election of the Board of Trustees for the Office of Hawaiian Affairs.

In 1993, P.L. 103–150, the Apology Resolution, was signed into law. The bill apologized to Native Hawaiians for participation of U.S. agents in the overthrow of the Kingdom of Hawaii and committed the United States to a process of reconciliation with Native Hawaiians. In 1999, officials from the Departments of the Interior and Justice traveled to Hawaii for public consultations with Native Hawaiians. In 2000, the Departments issued a report, From Mauka to Makai: The River of Justice Must Flow Freely. One of the primary recommendations in the report is that legislation should be enacted which would provide Native Hawaiians with greater self-determination within the federal framework over their assets and resources. S. 147 would make this recommendation a reality.

The reconciliation process I referred to is still an ongoing process. I see this measure as an important step in the reconciliation process—a necessary step that provides the structure for us to continue to progress in reconciliation between Native Hawaiians and United States.

I also want to share a unique fact about Hawaii's history. We have had six forms of government. Pre-1810 the islands were ruled by chiefdoms. The Kingdom of Hawaii was established, following the unification of the Islands by King Kamehameha I in 1810, and continued until the overthrow of the Hawaiian Monarchy in 1893. From 1893-1898, the Republic of Hawaii ruled. The territorial government followed from 1898-1941. During World War II, martial law was declared, resulting in the civilian government being dissolved and a Military Government ruling the territory of Hawaii from 1941–1944. We returned to our territorial government in 1944 and in 1959 we were granted admission into the Union.

I can assure my colleagues that the political status of Native Hawaiians has been a hot topic in Hawaii since 1959. In 1999, Hawaii's Congressional delegation formed the Task Force on Native Hawaiian issues. I was selected to head our delegation's efforts. I immediately established five working groups to assist us in addressing the clarification of the political and legal relationship between Native Hawaiians and the United States. The groups included the Native Hawaiian community, state officials, including agency heads and state legislators, Federal officials, Native American and constitutional scholars, and Congressional members and caucuses. We held several public meetings in Hawaii with the members of the Native Hawaiian community working group and the state working group. Individuals who were not members of the working group, and many who opposed our efforts, were allowed to attend and participate in the meetings. Overall, we had more than one hundred individuals provide initial input to the drafting of the legislation.

The bill was first considered by the 106th Congress. Five days of hearings were held in Hawaii in August 2000. While the bill passed the House, the Senate failed to take action. The bill was subsequently considered by the 107th and 108th Congresses. For each Congress, the bill has been favorably reported by the Senate Committee on Indian Affairs and the House Committee on Resources. Unfortunately, until now, we have not had an opportunity for the Senate to consider this legislation.

S. 147 the Native Hawaiian Government Reorganization Act of 2005, does three things: (1) it establishes a process for Native Hawaiians to reorganize their governing entity for the purposes of a federally recognized government-to-government relationship with the United States; (2) creates an office in the Department of the Interior to focus on Native Hawaiian issues and (3) establishes an interagency coordinating group comprised of federal officials from agencies who implement federal programs impacting Native Hawaiians.

The process for the reorganization of the Native Hawaiian governing entity has received the most publicity and most attention. I am very proud of the careful balance between structure and flexibility provided in the reorganization process. Native Hawaiians will truly be able to make critical decisions in shaping their reorganized governing entity.

Some have asked, why do you need to reorganize the entity? My answer is simple—our history requires it. Unlike some of our native brethren, when the Kingdom of Hawaii was overthrown, our native peoples were not allowed to retain their governing entity. Article 101 of the Constitution of the Republic of Hawaii required prospective voters to swear an oath in support of the Republic and declaring that they would not, either directly or indirectly, encourage or assist in the restoration or establishment of a monarchical form of government in the Hawaiian Islands. The overwhelming majority of the Native Hawaiian population, loyal to their Queen, refused to swear to such an oath and were thus effectively disenfranchised.

Similarly at the time of annexation, an overwhelming number of Hawaiians signed a document in protest of annexation, referred to as the Ku'e Petition. It is this document that I have here. A substantial number of Native Hawaiians signed this document in further protest of what had happened to their government.

My bill provides for the reorganization of the governing entity, because upon the overthrow of the Kingdom of Hawaii, Native Hawaiians lost their governing entity. Despite the lack of a government, Native Hawaiians have maintained distinct communities and perpetuated their culture, traditions, customs, and language. While the United States has always treated us in a manner similar to that of American Indians and Alaska Natives, the Federal policy of self-governance and self-determination has not been extended to us because we lack a governmental structure.

Opponents of my bill say that I am creating a government. I believe it is clear that, rather than creating a government, I seek to provide an opportunity for the restoration of a government which requires the reorganization of an entity.

Similarly, because of our history, the governmental authority in Hawaii is held by the State, local, and Federal governments. For that reason, the bill requires that following the reorganization of the entity and the recognition of the entity by the United States, the Native Hawaiian governing entity will negotiate with the State and Federal governments regarding matters such as the transfer of lands, assets, and natural resources, and the exercise of governmental authority. Everything remains status quo until addressed and resolved in the negotiations process.

It is anticipated that Hawaii's State Constitution is likely to require an amendment which will require the vote of all residents in Hawaii. It is also anticipated that implementing legislation at the state and federal levels will be required to implement negotiated matters. This is what I referred to as the structured process that would allow the people of Hawaii to address the longstanding issues resulting from the overthrow of the Kingdom of Hawaii. This process is inclusive and allows for all interested parties to participate.

Opponents of my bill have sought to either mischaracterize potential outcomes or to predetermine the process. I have opposed both efforts. As you can see, enactment of this bill alone does not, for example, allow for the native government to exert criminal and civil jurisdiction over people in Hawaii. Rather, for the Native Hawaiian governing entity to exert any jurisdiction, the state and federal government would need to agree to allow the Native Hawaiian governing entity to exercise such authority. Implementing legislation at the state level would also need to be enacted to make this a reality.

Others have sought to predetermine this matter. Given the inclusive process that the bill provides, and the fact that the people of Hawaii need to address these matters, I do not believe it is appropriate for Congress to predetermine the outcome of this process. Given everything that I have shared with you, I would hope that you agree with me.

Finally, before I conclude, I'd like to speak briefly about what this bill does not do. The enactment of S. 147 will not lead to gaming in Hawaii. There is only one federal statute that authorizes gaming in Indian Country, the Indian Gaming Regulatory Act, and it does not authorize Native Hawaiians to game. In addition, the State of Hawaii is one of two states in the union that criminally prohibits all forms of gaming. Therefore, gaming by the entity would only be allowed with changes to both federal and state law.

The enactment of this bill also does not impact funding for Indian programs and services. As I described earlier, Congress has established programs and services for Native Hawaiians. These programs are appropriated from accounts completely separate from those that fund Indian programs and services. The bill clearly states that it does not create eligibility for Native Hawaiians to participate in Indian programs and services.

I will conclude where I began. Colleagues, for the people of Hawaii, native issues are not partisan. Many of my constituents merely ask that we do right by Hawaii's indigenous peoples and enact this measure that provides Native Hawaiians with the opportunity to reorganize their governing entity for the purposes of a Federally recognized government-to-government relationship with the United States. Many of my constituents ask that you enact this bill because it provides a structured process for us to finally address longstanding issues resulting from a painful history so that we can all move forward as a State.

Mr. AKAKA. After 6 long years, we will be voting tomorrow on a motion to invoke cloture to proceed to S. 147. Whether you are for or against it, I ask all Members to let this bill come to the Senate so we can discuss its merits. It is only through this dialog, through the airing of facts and the dismissal of misunderstandings and myths, that we can provide a fair and honest consideration of what this measure really means to Native Hawaiians as well as to this great Nation of ours. That is what this honorable body has always done. This is why we gather in this Senate to discuss matters of law and governing and of fairness and of human and civil rights.

At the heart of it, this bill is about fairness and about creating a process to achieve it. Native Hawaiians have been recognized as indigenous peoples by Congress. After more than 160 statutes, for more than 100 years, Congress has treated Native Hawaiians in a manner similar to American Indians and Native Alaskans. But when it comes to having a process and Federal policy on self-governance and self-determination, Native Hawaiians have not been treated equally.

What this bill does is authorize a process to examine whether a policy of self-governance and self-determination can be extended to Native Hawaiians, thereby creating parity in the way the United States treats its indigenous peoples.

We have bipartisan support for this bill. I extend my deep appreciation to its cosponsors, Senators CANTWELL, COLEMAN, DODD, DORGAN, GRAHAM, INOUYE, MURKOWSKI, SMITH, and STEVENS for their unwavering support. Again, I especially want to honor Hawaii's first Republican Governor, Governor Lingle, in 40 years. Despite our different political affiliations, Governor Lingle, Hawaii's Attorney General Mark Bennett, Hawaiian Homes Commission Chairman Micah Kane, and the rest of the Lingle administration have worked tirelessly with us to support this bill.

While that may surprise some in Washington, DC, you have to understand back home, support for Hawaii's indigenous peoples is a nonpartisan issue. We see our diversity as our strength and not as a threat. It is a point of pride and a thing that unites, not divides us. We embrace our diversity and celebrate it as part of our social fabric. It is who we are as a people and as a State. That is why we are not threatened by efforts to preserve and strengthen the culture and traditions of Hawaii's indigenous peoples.

Let me also say that the people of Hawaii, including Native Hawaiians, are proud to be Americans and to share that system of government that always has and allows us to be many and also to be one. They include the many Native Hawaiians who are members of the Hawaii National Guard and who are called away from their families to serve in operation Iraqi Freedom. Moreover, it is a well-documented fact that native peoples have the highest per capita rate of those serving in our military.

That is why it is absolutely offensive to read mischaracterizations of this bill as an effort to secede from the United States.

What this bill really does is provide a structured process to finally address long-standing issues resulting from a dark period in Hawaii history, the overthrow of the kingdom of Hawaii.

A few weeks ago I took time to talk about Hawaii's history. I have given a review of that history and its ramifications on this measure. I believe it is absolutely essential for anyone voting on this bill to understand historical context. I strongly encourage all Members to again review this history because there remain issues stemming from the overthrow that have not been addressed because of apprehension based on emotions rather than facts.

Instead, there has been fear of where these discussions might lead, causing people to avoid the issue altogether. Such behavior has led to frustration and misunderstanding between some Native and non-Native Hawaiians. But let me bring this complex history and how it has affected us down to a more human scale and to a more personal level.

As young child, I was discouraged from speaking Hawaiian because I was told it would not allow me to succeed in the Western World. My parents, God bless them, lived through the overthrow and endured the aftermath, when all things Hawaiian, including language, hula, custom, and tradition, were viewed negatively. I was discouraged from speaking the language and practicing Hawaiian customs and traditions. I was the youngest of eight children. I remember as a young child sneaking to listen to my parents so that I could maintain my ability to understand the Hawaiian language. My experience mirrors that of many other Hawaiians of my generation.

While we dealt with the stigma of being Hawaiian, my children have had the advantage of growing up during a period of revival for Hawaiian language, custom, and tradition. My grandchildren, who can speak Hawaiian and know so much more about our history, also benefited from this revival. It is this generation, knowing the history, that grows impatient with the lack of progress and efforts to resolve longstanding issues. It is this generation, steeped in American values of justice, equality, and self-determination, who cannot understand why we have not yet resolved these matters. It is for this and future generations that we have written this bill to address these important issues.

There are those who have tried to say that my bill will divide the people of Hawaii. I believe my bill goes a long way to unite the people of Hawaii by providing a structured process to deal with unresolved issues and unhealed wounds that have plagued us since 1893.

Essentially, the Native Hawaiian Government Reorganization Act does three things: One, it establishes a process for Native Hawaiians to form a government-to-government relationship with the United States. Two, it creates an office in the Department of the Interior to focus on Native Hawaiian issues. And three, it establishes a coordinating group comprised of officials from Federal agencies who implement programs impacting Native Hawaiians. But it is the process for reorganizing a governing entity that has received the most attention. That is why I am very proud of the careful balance between structure and flexibility provided in this process. Native Hawaiians will truly be able to make critical decisions in shaping their government.

Some have asked: Why do you need to reorganize a governing entity? My answer is simple: Our country's history requires it. Our sense of justice and fairness requires it. When the kingdom of Hawaii was overthrown, our native peoples were not allowed to retain their governing entity. Article 101 of the Constitution of the Republic of Hawaii required prospective voters to swear an oath in support of the Republic and declare that they would not, either directly or indirectly, encourage or assist in the restoration or establishment of a monarchy in the Hawaiian Islands. The overwhelming majority of the Native Hawaiian population, loyal to the Queen at that time, refused to swear to such an oath and was thus effectively disenfranchised.

Similarly, at the time of annexation, an overwhelming number of Hawaiians signed a document of protest referred to as the Ku'e petition—it is this document that I have—as a substantial number of Native Hawaiians signed this document in further protest of what had happened to their government. Despite the lack of a government, Native Hawaiians have maintained distinct communities and perpetuated their culture, tradition, customs, and language.

Opponents of the bill say I am creating a new government. I believe I am providing an opportunity for the restoration and reorganization of a government that once existed and was unjustly removed.

Before I conclude, I wish to speak briefly about what this bill does not do. This bill will not result in the taking of private lands in Hawaii. No one will lose their home or business because of my bill. The enactment of S. 147 will not lead to gaming in Hawaii. There is only one Federal statute that authorizes gaming in Indian Country—the Indian Gaming Regulatory Act. And it does not authorize Native Hawaiians to game. In addition, the State of Hawaii is one of only two States that criminally prohibits all forms of gaming. Therefore, gaming would only be allowed with changes to both Federal and State law.

Enactment of this bill does not impact funding for Indian programs and services. Congress has established separate programs and services for Native Hawaiians. These programs are appropriated from accounts separate from those that fund Indian programs. Moreover, the bill clearly states that it does not allow Native Hawaiians to participate in Indian programs and services.

Finally, gaining an understanding of a history of a culture and people we are not familiar with is not an easy task. I commend Members of the body for doing their homework. It can be so easy to simply dismiss this bill as racially based, as a threat to the sovereignty of the United States or as a ploy for one group to gain an undeserved advantage. The harder task is a studied one. But it is the right one.

If I might take you back in history one more time for just a moment: In the 1840s, recognizing the strategic importance of the Hawaiian Islands, the great maritime powers of the day—principally England, France, and the United States—jockeyed for positions of advantage, even as they acknowledged the islands as an independent nation. It was a time of much international intrigue. Urged on by local British residents, the commander of the British squadron in the Pacific sent an armed frigate to Honolulu to "protect British interests."

King Kamehameha III was forced to yield to British guns, and for 5 months the islands were placed under British rule. International pressure, as well as personal intervention from Queen Victoria herself, eventually forced the British Government to declare the action as unauthorized. On July 31, 1843, the Hawaiian flag was raised once again.

During a service of thanksgiving held at historic Kawaiahao Church in Honolulu, Kamehameha III recited a phrase that has since become Hawaii's State motto: Ua mau . . . ke ea . . . o ka aina . . . I ka pono—the life of the land . . . is perpetuated . . . in righteousness. That has always been the case, not only in Hawaii but throughout our Nation's history.

The people of Hawaii are asking that we do right by Hawaii's indigenous peoples and enact this measure that provides Native Hawaiians with an opportunity for self-determination and self-governance. They ask that we enact this bill because it provides a structured process to finally address longstanding issues resulting from a painful moment in our history, so that we can move forward as a State. They ask that we enact this bill because it is just, because it is fair, because it is the right thing to do.

We are a nation of immigrants, and we celebrate our diversity every day at dining room tables around the country. In this grand experiment of democracy, we have found we can be many and yet be indivisible. The United States of America has pledged itself to liberty and justice for all people. This bill does that for the Native Hawaiians.

I yield the floor.

The PRESIDING OFFICER. There are 2 minutes 7 seconds remaining on the minority's time.

Mr. AKAKA. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I said earlier that I think we will hear on the Senate floor many times during this debate about the enormous respect we have for our two colleagues from Hawaii and how much we would prefer not to disagree with them. I think it is fair to say that this bill would not have a chance of being seriously considered on the floor if it weren't for our respect for them.

Despite that respect, I have to say, after hearing the Senator from Hawaii, this bill is worse than I thought. Many of my colleagues in the Republican caucus have come to me and said this is not about sovereignty or about race. The Senator from Hawaii made very clear that this is about sovereignty. He said in his own words that this is a bill to create—he says "restore"—let's just say establish—a new government within the United States of America, and admission to that government is based upon race. So you cannot pass this bill off and say it is not about sovereignty. It is about sovereignty. There is no difference of opinion about that between the Senator from Hawaii and me.

He said specifically that the first objective of this legislation is to establish a process to establish a government which would have a government-to-government relationship with the United States. That is a sovereign government composed of American citizens who would now become part of a new government because they might be a small percentage Native Hawaiian, and certain benefits would come to them. So it is about sovereignty and race.

Why is that a problem? Let me add that the Senator from Hawaii referred to this new sovereignty as their government. But we have one government. That's why there are Americans, just like my family, which is Scotch-Irish American, like those of African descent who are Americans, and like those of every descent who are Americans, who share in our government.

That is what is special about this country. Of course we admire our diversity. What a great strength diversity is. No country is more diverse. We are a land of immigrants. Out of that great mix comes our strength. But there is one greater strength, and that is taking all of that diversity and making one country of it.

How do we do that? We do it in an extraordinary way that goes all the way back to Valley Forge, when George Washington administered an oath to his officers that said:

> I renounce, refuse, and abjure any allegiance or obedience to the king, and I swear that I will, to the utmost of my power, support, maintain, and defend the United States of America.

Now, new citizens of this country have "become Americans" ever since then by taking that same oath. In the immigration bill we passed a couple weeks ago, we codified that oath. So every year, a half million people come here from countries such as Bangladesh, China, France, and every part of the world. They don't come to salute India or speak the language of China or to adopt the principles of France. They respect where they came from, and they are proud of it, but they become Americans. We don't do it based on race. We don't do it based on ancestry. We do it based upon a few principles in our founding documents. One of those is that we don't discriminate based upon race or ancestry, and another great principle is E pluribus unum, which this bill would turn upside down.

So this is not a bill which should be passed just because we greatly respect our colleagues, which we do. But Hawaiians are Americans. Tennesseans are Americans. Oklahomans are Americans. Hawaiians have been American citizens since 1900. In 1959, they voted 94 percent to become a State, to be Americans. When you become American, you renounce your allegiance to some other government and pledge allegiance to the United States of America. If we don't do that, we take step toward being a sort of United Nations instead of a United States.

I hope my friends, who have looked at this bill and said: We love our colleagues and this doesn't seem like a very important bill, so let's do it for them, will look at the assault upon a tremendously important principle embedded in this bill. It is about sovereignty. It is about land and money. It is about race. It is not the same as what we did in Alaska. Native Hawaiians are not just another Indian tribe. We don't create Indian tribes; we recognize Indian tribes. This is not an Indian tribe under the language of our laws.

I am afraid that what has happened here is that in 1998, the Supreme Court of the United States made a decision and they said Native Hawaiians could not have an organization if the voting membership was based upon being Native Hawaiian because the 15th amendment to the U.S. Constitution says you cannot vote based on race. So this is an attempt—it is a breathtaking attempt—to establish a new nation within the United States of America.

I suppose there might be a lot of aggrieved people in the United States who might like to establish a nation. This Nation isn't without pain. We have stories from our beginning, whether it is Native Americans, whether it is African Americans, whether it is Mormons who may have felt mistreated, murdered in State after State, whether it is one religion today—maybe it is Hasidic Jews or an Amish group. There are a great many people who, in our history, may not have been properly treated. But an understanding of American history is that it is a great saga of setting high goals for ourselves and then always moving toward those goals. We never reach them. We say "all men are created equal," but we have never been. The men who wrote that owned slaves. But what have we done? We have systematically, over our history, chipped away, moving ahead, falling back, fighting a great Civil War, saving the Nation, waiting another hundred years before African Americans could sit at a lunch counter in Nashville, always moving toward that goal. Most of the debates in this Senate are about establishing high goals—pay any price for freedom, equal opportunity, E pluribus unum. Those are our goals, and we never reach them, but we always try for them.

What is our goal here? Our goal is that we should hope that every single citizen in this wonderful State of Hawaii be equal—if there ever were a multiethnic, diverse State, it is Hawaii. It is a wonderful example of our diversity. According to the 2000 census, 40 percent of Hawaiians are of Asian descent, 24 percent are White, 9 percent say they are Native Hawaiian or Pacific Islanders, 7 percent claim to be Hispanic, 2 percent Black. Twenty-one percent report two or more racial identities. There is much diversity of which Hawaiians are proud and of which we are proud. What unites them? What unites us all is that we have become Americans. We are proud of where we came from, proud of our ancestry, but prouder to be American.

There may be some issues that need to be addressed. We can find ways to address them. There may be some wrongs that need to be righted. Certainly, Native Hawaiians would want to renew their culture and their customs and their language. All of us do that. I go to my family reunion of Scotch-Irish Presbyterians every summer. I have been to the Italian-American dinner here in Washington, DC. I never went to an event where there was more emotion or Italianness. But the greatest emotion came when the Italian Americans stood up and pledged allegiance to the United States. They didn't have a problem saying: We are proud to be Italian, but we are prouder to be American. So how could we be seriously discussing on the floor of the Senate establishing for 400,000 Americans who live there, I think from almost every State of this country, a new government based on race to which they would be privileged and the rest of us could not be a part of? That is not American. That might be the United Nations, but it is not the United States. It is not consistent in the most basic ways with the history of this country.

So I hope that my colleagues, who have considered this legislation as maybe not too important, as something that should be done primarily out of respect for our two distinguished friends from Hawaii, will look at this carefully and not be lulled in by comments that this isn't about sovereignty. I think Senator AKAKA was very candid and very direct when he said the first objective of this bill was to establish a process to create an entity which would have a government-to-government relationship with the United States.

Mr. President, this is a dangerous precedent. It is the reverse of what it means to be an American. We have other issues that should come to the floor before this. I hope colleagues will think carefully before moving ahead on this piece of legislation.

I see the Senator from Alabama has arrived.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I thank the Senator from Tennessee, Mr. ALEXANDER, for his thoughtful comments on this subject and other related subjects. He taught me a phrase that he uses, which is that we need to make sure everyone who grows up in this country knows what it means to be an American. To be an American is not a racial thing. An American is a person who adopts the American ideal of equal justice under law, without regard to race, religion, national origin, or any other matter of that kind.

Our Founders of this Nation were very wise in a number of important ways. One of the most important ways was they had a clear vision of the Nation they birthed and they saw it far into the future. They always considered the importance of principle because principle was important to the growth and progress of the Nation they loved for the long term. They never failed to think of the impact their actions may have on the future, even the distant future of the country they birthed, the country they loved.

I do not believe we are as thoughtful today in that matter as we used to be. Too often, we make decisions based on perceived immediate needs or on political forces at the time or friendship or some deal we thought we were forced to make or needed to make at a given time; and too seldom in this busy, hectic place do we take the time to consider the long-term implications of our actions on the great Republic which we have been given.

We simply must think in the long term in a principled way as we consider the Native Hawaiian legislation. It is not too much to say the legislation could create a crack in the American ideal of equal rights and colorblind justice. This would be a huge step. It is a step we must not take. This Nation in its maturity and wisdom must not succumb to any balkanization of America. A great nation must set crystal clear policies on these matters, crystal clear policies on this question. The Republic must firmly reject, must nip in the bud now and whenever it may appear in the future, any notion of creating sovereign governments within our borders unless they meet every criteria of the Indian Tribe Program.

National Review said in a recent article:

> You might have thought after watching the immigration debate that the Senate could not be more cavalier about the unity and sovereignty of the Nation. Think again. The Senate is about to vote to pave the way with a bill to create a race-based government which is on the verge of passing.

This bill has been around a number of years, but we have never had a full debate about it. Unfortunately, many in Congress don't seem to fully understand yet the enormous implication of establishing what can really fairly be said to be a race-based government. And further, the American people have not been informed of the breadth and significance of the legislation. That is why it is good we are having the debate at this time.

We must talk about it. We ought to let the American people know that this bill would create a nation out of United States citizens. The territory known as Hawaii is the epitome really of our country's great melting-pot concept and has always been made up of a diverse group of citizens with different racial backgrounds. They are famous for that.

If we pass this bill, we will divide them. The bill would result in the State of Hawaii giving up substantial lands to the new nation which would begin a downward spiral from an America that is based on a shared ideal to one where race, ancestry, our nationality constitute a legally approved basis for segregation and really discrimination.

What is discrimination? Discrimination is saying you have an advantage or a disadvantage based on race.

This legislation seeks to create an extra constitutional race-based government of Native Hawaiians by arbitrarily labeling that race of people as an Indian tribe.

Essentially, it seeks to create a sovereign entity out of thin air, something that the Supreme Court said as far back as 1913 cannot be done. Indian tribes existed before our Constitution, before our Nation, in many cases, with continuity of leadership, centralized locality, and cultural cohesiveness. Therefore, the United States recognizes qualified Indian tribes as sovereign entities. Indeed, we signed treaties with many of them and made promises in those treaties to provide them certain degrees of sovereignty.

Equating Native Hawaiians with a legitimate Indian tribe is not possible because Native Hawaiians share none of the unique characteristics possessed by recognized tribes. Native Hawaiians never lived as a separate, distinct, racially exclusive community, much less exercise sovereignty over Hawaiian lands. They never established organizational or political power. They never lived under a racially exclusive government. All Hawaiians, regardless of race, were subjects to the same monarch in 1893. In other words, Native Hawaiians have never exercised inherent sovereignty as a native indigenous people, as the bill asserts and must assert if it were to have any chance of withstanding constitutional muster.

Nonetheless, the bill would carve out a special exemption in the Constitution for these people based on race solely. A special exception being sought for Native Hawaiians is extraordinary.

Under the bill, there is no guarantee that members of a new government would be subject to constitutional rights and protections, such as the first, fourth, and 15th amendments. The U.S. Constitution guarantees to every citizen a republican form of government, and this has been defined to mean all the protections of our Constitution.

At a minimum, the Founding Fathers intended that a republican form of government ensure popular rule and no monarchy, but under this bill, nothing guarantees these basic principles will be honored. This new government, this new sovereignty will be free to reinstate a monarchy or establish any other method of government they may choose.

Essentially, persons who are now citizens of the United States and who are now guaranteed these protections, a republican form of government, would now be turned over to a government that is not bound to honor that.

One should not be deprived of the right to vote or be denied free speech or have property taken without due process. These are deeply rooted principles in the United States, but they will not be guaranteed as part of a Native Hawaiian government. Under the bill, Congress would strip United States citizens of these and other great protections they now enjoy.

Perhaps this is why there is a lot of unease in Hawaii about this legislation. Indeed, so many residents oppose it. In May of 2006, in a telephone pole, 58 percent of Hawaiian residents said they opposed the bill. Of the respondents identifying themselves as Native Hawaiian, only 56 percent said they supported it. Of the Native Hawaiians, only a little more than half said they supported it. Given this split among even Hawaiians, is it not surprising that 50 percent of all respondents said they want a vote on the bill before it becomes law, which is not provided for in this legislation?

I will share a few thoughts by the U.S. Commission on Civil Rights. They oppose the bill. The U.S. Commission on Civil Rights voted recently to oppose the legislation because of its concern with the bill's discriminatory impact.

The Commission is an independent Government agency tasked with the duty to examine and resolve issues related to race, color, religion, sex, age, disability, or national origin. It is composed of eight members, though currently only seven. Four are appointed by the President and four are appointed by Congress. At no time may more than four members of the same party sit on the Commission.

Pursuant to its authority to submit reports, findings, and recommendations to the Congress, the Commission released their report last month on this bill recommending "against the passage of the Native Hawaiians Government Reorganization Act or any other legislation that would discriminate on the basis of race or national origin and further subdivide the American people into discrete subgroups accorded various degrees of privilege."

That is strong language. I submit that is what the bill does. I submit that is why we should not pass it.

Let me repeat that. They oppose this act and any other legislation that would "discriminate on the basis of race or national origin and further subdivide the American people into discrete subgroups accorded varying degrees of privilege." And, I would add, based on their national ancestry or race.

ThIs report was issued after—the Commission held a hearing on January 20, 2006, where experts—both opposing and supporting the bill—testified about the legislation. The Commission held the briefing record open until March 21, 2006, to receive additional comments from the public. Sixteen public comments were received during the period, and most of the commentators wrote to express their opposition to the bill.

Interestingly, the report notes that "While most commenters oppose the legislation, the governmental and institutional commenters primarily support it. The report also states that "Many [opponents] argued, in very personal terms, that the proposed legislation would be inconsistent with basic American principles of equality, traditional Hawaiian values, and their own personal ethics.

Commission Chairman Gerald A. Reynold, himself an African American, agreed with opponents, stating that:

> I am concerned that the Akaka Bill would authorize a government entity to treat people differently based on their race and ethnicity . . . This runs counter to the basic American value that the government should not prefer one race over another."

In a case called Rice v. Cayetano, the Supreme Court found a similar attempt to create a race-based classification unconstitutional. In that case, the Court struck down a race-determinative voting restriction in Hawaii as a violation of the fifteenth amendment, which bars racial restrictions on voting. By a vote of 7 to 2, the Court held unconstitutional a system under which non-Native Hawaiians were barred from voting for or serving as trustees of the State's Office of Hawaiian Affairs. Finding that the fifteenth amendment protects the rights of Whites, Asians, Hispanics, and persons of other races in Hawaii just as it protects all other individuals against racial discrimination, the Court stated:

> One of the reasons race is treated as a forbidden classification is that it demeans the dignity and worth of a person to be judged by ancestry instead of by his or her own merit and essential qualities. An inquiry into ancestral lines is not consistent with respect based on the unique personality each of us possesses, a respect the Constitution itself secures in its concern for persons and citizens.

Proponents of this bill seek to circumvent this Supreme Court decision by completely separating the Native Hawaiian community into its own sovereignty, placing it and its members outside of Constitutional protections. This is the only way it can be done.

Instead of carving Native Hawaiians out from constitutional protections, and separating them from America, we must uphold constitutional principles, as well as American—especially Hawaiian—ideals, by not discriminating against anyone on account of race.

Our Constitution seeks to eliminate racial separatism, not promote it. How can we promote equality while separating our people into distinct, legally-recognized racial sovereignties with more or less rights and still be "one nation"?

Because they existed prior to the establishment of our Constitution and Federal Government, Native American Indian tribes have long been recognized as sovereign entities—most signed treaties to that effect.

Tribes have never been, nor can they now be, created out of thin air by Congressional legislation. Instead, "tribes" seeking recognition after statehood must adhere to a process established by the Federal Government. To be formally recognized, a tribe must demonstrate that it has operated as a sovereign for the past century, was a separate and distinct community, and had a preexisting political orgranization. The Native Hawaiian people cannot meet these criteria and have conceded such on at least one occasion. In the case that I previously mentioned, Rice v. Cayetano, the State of Hawaii argued in its brief that:

> [F]or the Indians the formerly independent sovereign entity that governed them was the tribe, but for native Hawaiians, their formerly independent sovereign nation was the Kingdom of Hawaii, not any particular 'tribe' or equivalent political entity. . . . The tribal concept simply has no place in the context of Hawaiian history.

Let me reiterate and further explain why Native Hawaiians cannot meet the Bureau of Indian Affairs' standards for tribal recognition. Those standards boil down to two basic requirements: one, the group must be a separate and distinct community, and two, a prexisting political entity must be present.

The BIA requires a tribe to demonstrate that it represents a separate and distinct community. Yet, Native Hawaiians live in almost every state in the Nation and have fully integrated into American society. Native Hawaiians do not live as a cohesive, autonomous group of people and have not done so at any point in history. Rather, they are fully immersed in all aspects of American life. For example, almost half of all marriages in Hawaii are interracial. Hawaiians serve in the U.S. military, dedicating their lives to the service of America. They are a part of American culture and certainly do not live separate and distinct from the rest of us.

The BIA requires a tribe to demonstrate that it had a preexisting political organization. Yet, no political entity—whether active or dormant—exists in Hawaii that claims to exercise any kind of organizational or political power. Knowing this, the bill's advocates rely on findings in the bill declaring that "Native Hawaiians" exercised "sovereignty" over Hawaii prior to the fall of the monarchy in 1893, and that it is therefore appropriate for Native Hawaiians to exercise their "inherent sovereignty" again. This argument is fatally flawed because there was no race-based Tribal Hawaiian government in 1893, so there is no "Native Hawaiian" government to be restored. Since the early 19th century, the Hawaiian "people" included many native-born and naturalized subjects who were not "Native Hawaiians" in the sense of this bill—those people included Americans, Chinese, Japanese, Koreans, Samoans, Portuguese, Scandinavians, Scots, Germans, Russians, Puerto Ricans, and Greeks. All were subjects of the monarch, not just those with aboriginal blood. Further, Hawaiian government, including the monarchy that existed until 1893, always employed non-Natives, even at the highest levels of government. Therefore, it would be impossible to "restore" the "Native Hawaiian" government of 1893—as the bill purports to do—because no such racially-exclusive government—or nation—ever existed.

If there ever was a time for Native Hawaiians to establish themselves as an Indian tribe, it has long passed. When Hawaii was considering statehood, there was absolutely no push to establish any tribal sovereignty. In fact, 94 percent of voters supported statehood in 1959, and at the moment it was attained, all people living in the territory became full-fledged citizens of the United States of America. They deserve every protection that our Constitution ensures.

There are many practical consequences of this legislation that must be considered. If this bill passes, it would allow for the creation of Hawaiian "tribes" in every State. This would have extreme social consequences—sporadic pockets of people in almost every State would be governed differently than their neighbors and would be immune from State and Federal laws and taxes. The result would be a chaotic intermixing of different rules and regulations throughout the entire country. Native Hawaiian business owners, exempt from state and local taxes, could displace non-Native Hawaiian business-owning neighbors, giving them an enormous competitive advantage. Further, the bill could conceivably lead to complete secession from the United States. In fact, a group of supporters, including the State of Hawaii's own Office of Hawaiian Affairs, views this bill as a potential step towards "total independence." On a website operated by that agency, the following passage appears under a section called, "How Will Federal Recognition Affect Me?"

> [The bill] creates the process for the establishment of the Native Hawaiian governing entity and a process for federal recognition. The Native Hawaiian people may exercise their right to self-determination by selecting another form of government including free association or total independence.

How breathtaking is that? We simply cannot return to a government where different races of Americans are governed by different laws.

The bill itself does not require any percentage of Native Hawaiian blood for inclusion in the new race-based government, which could therefore include someone with only "one drop" of native blood. Hawaiians with significant traceable blood heritage oppose the bill, in part, for this very reason. Those Hawaiians with at least 50 percent blood quantum were given Federal assistance and lands by the Hawaiian Homes Commission Act of 1921, a requirement which still exists today, with the only exception being for children of homesteaders with 25 percent blood quantum.

Doesn't this entire process of dividing money, property, and benefits based on a person's race—the percentage of "blood" they have—sound an alarm? Yet this bill positively seeks to divide people based upon race and blood—all in the name of apology and restitution.

What about the French who held the Louisiana territory? Should they be given special benefits because we forced them into a sale?

We cannot go down this path. Not only would all Americans suffer if we sever Native Hawaiians from our American community, but those individuals who would become citizens of a Native Hawaiian sovereignty would lose rights that we as Americans cherish.

One of the many lessons learned from the Civil War is the importance of national unity. Abraham Lincoln referred to the principle of secession as "one of disintegration, and [one] upon which no government can possibly endure."

We fought a war over the issue, and the question was settled for all time. We are one Nation and will not be separated—whether by secession of a State or a racial group. Certainly we cannot promote this state-sanctioned racial separatism. If passed, this bill would create a slippery slope that could lead to a host of pernicious possibilities for our future as a unified Nation. In an editorial written last fall, Georgie Anne Geyer quoted the eminent historian Henry Steele Commager praising the Founding Fathers for thinking hard about the future—even the distant future. They "couldn't give a speech or write a letter without talking about posterity."

We cannot set a precedent that would allow every racial group in America to become its own independent sovereignty. Native Hawaiians, just like any other racial group in this country, are free to practice and promote their culture. They are free to pass down their traditions from generation to generation. America celebrates her diversity, but she cannot allow her diversity to divide her citizens.

E Pluribus Unum—out of many, one—is fundamental to our national character. This bill seeks to turn that fundamental principle upside down and would make us many out of one.

Mr. President, I see my colleague from Idaho is in the Chamber. I will conclude with these thoughts. We are as Members of this Senate particularly charged with thinking about the long-term future of our Republic. That is how we are today in a relatively healthy condition because our forefathers thought about those matters. They thought about the principles on which this Nation was founded.

The concept is that once an American, based on adoption of the American ideal, you become an American regardless of your race, your ancestry, your religion, or your national origin. That is who we are as a people. And I submit, it is a matter of the greatest danger that we move away from the classical acceptance of Indian tribes to now start creating sovereign entities.

Sovereign means independent, to a certain degree uncontrollable by the U.S. Government. Sovereign entities within our Nation based on race, with people spread all over the Nation actually, being a member of a new government, a new government that according to the supporters and even the Hawaiian Web site indicates could lead to separation and independence, that is not a step we ought to take. We need to nip this in the bud. We need to end this now. We need not go down this road.

I so respect my colleagues from Hawaii. They are committed to their people. They understand the concerns of their citizens. They want to help them. They have a particular desire to be compassionate to the Hawaiian people, the Native Hawaiians who have grown up on the islands for many years. But I say with all due respect, in terms of the overall National Government of which we are a part and the principles to which we must adhere, that we should not go down the road creating an independent sovereign entity based on race, as this bill would do. Therefore, with reluctance and great respect for my colleagues who support this legislation, I urge our Members to vote no.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I quote:

> Hawaii illustrates the Nation's revolutionary message of equality of opportunity for all, regardless of background, color, or religion. This is the promise of Hawaii, a promise for the entire Nation and, indeed, the world, that peoples of different races and creeds can live together, enriching each other, in harmony and democracy.

That is Lawrence H. Fuchs, Hawaii Pono, 1961, written at the time of statehood.

Today, with that quote in mind, I rise in opposition to the Native Hawaiian Government Reorganization Act of 2006. As my colleague just mentioned, I respect both of my Hawaiian colleagues and the work they have done to promote the culture and heritage of their native people. At the same time, I must disagree with the underlying notion of this bill.

The major argument in favor of this bill is the notion that Congress should create a Native Hawaiian tribe in order to treat them the same as American Indians and Native Alaskans. But Congress cannot simply create an Indian tribe. Only those groups of people who have long operated as an Indian tribe, lived as a separate and distinct community—geographically and culturally—and have a preexisting political structure can be organized as a tribe.

Hawaiians could never qualify as an American Indian tribe. First, they do not have the preexisting political structure. Prior to secession from the Republic of Hawaii, Hawaii operated under a monarchy and not a tribe. Even if they were once organized in tribal governments, they have had no type of Native Hawaiian government for over 100 years.

Furthermore, in 1959, 94 percent of Hawaiians voted favorably to approve the Hawaii Statehood Act and become American citizens.

At this time, there was an understanding that Hawaii's native people would not be treated as a separate racial group and that they would not be transformed into an Indian tribe.

Second, Native Hawaiians do not have an independent and separate community. In fact, Hawaii is one of the most integrated and blended societies in America. Hawaii is, in essence, America's great melting pot. The creation of a Native Hawaiian race-based government entity would drive a wedge into the now harmonious melting pot of the Hawaiian culture. This bill is asking us to pretend that a tribe existed based on the sharing of one drop of blood. We cannot simply reorganize a tribe that never existed or create a new race-based government entity.

Furthermore, using Congress to create a tribe offends the very idea of equal protection under the law. Creating a Native Hawaiian tribe, especially one with no borders, undermines our constitutional rights.

The PRESIDING OFFICER (Mr. COBURN). The control by the majority has expired.

Mr. CRAIG. Mr. President, I ask unanimous consent to proceed for 3 more minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CRAIG. I thank my colleagues for allowing that to happen.

This would establish a set of laws for Native Hawaiians and another set of laws for non-natives, some of whom have lived on the island for generations. This division would create a wedge, in my opinion, in the Hawaiian community. It would create two sets of laws for a group of people who live in the same neighborhoods, attend the same schools, and go to church together. A Native Hawaiian could be subject to one set of laws while his neighbor is subject to a different set of laws. I think not.

The legislation offends a founding principle of this Nation: that all men and women are created equal—we have fought wars and struggled mightily down through the decades to make that happen—not men and women with Hawaiian blood are equal, and those without Hawaiian blood are equal. That is a confusing thought. As the Supreme Court stated, "In the eyes of the government, we are just one race—it is American."

It is astonishing that Congress is considering creating a race-based government in Hawaii given the tremendous progress that this Nation has made, as I have mentioned, in eliminating race as a distinguishing characteristic among its citizens. Presumptive color blindness and race neutrality is now at the core of our legal system and cultural environment and represents one of the most important American achievements of the 21st century.

To create a race-based government would be offensive to our Nation's commitment to equal justice and the elimination of racial distinctions in the law. The inevitable constitutional challenge to this bill almost certainly would reach the U.S. Supreme Court. We cannot simply circumvent the Supreme Court's holding and strict scrutiny of race-based tests.

The U.S. Civil Rights Commission issued a report earlier this year that recommended that Congress reject this bill or any other legislation that would discriminate on the basis of race or national origin and further subdivide the American people into subgroups accorded varying degrees of privilege. This bill would authorize a government entity to treat people differently based on their race and ethnicity. Again, this notion runs counter to the basic American value that the government should not give preference to one race.

Our most violent internal conflicts, whether in the 1860s or the 1960s, have revolved around efforts to eliminate the laws of racial distinctions and to encourage a culture where all citizens become comfortable as a part of the American race.

Creating a race-based government in Hawaii would create a dangerous precedent that could lead to ethnic balkanization. This is a huge step backwards in our American struggle to advance civil rights and to ensure equal protection for all Americans under the law.

This journey is by no means complete, but this bill halts progress in that very important journey and sends an entirely contrary message—a message of racial division and racial distinction and ethnic separatism and of rejection of the American melting pot ideal.

As many of our colleagues have said, and I repeat: We so respect our Hawaiian colleagues, our Hawaiian friends; at the same time, we must reject this idea that there is a separation spoken to in this law unique to a race or a culture.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUYE. Mr. President, I rise at this moment to join Senator AKAKA speaking in support of the measure before us this day.

This bill, which is long overdue, finally will have a chance for fair consideration by this body. I hope this bill will finally begin the process of extending a Federal policy of self-governance to Native Hawaiians and will repair the injustices of the past.

As I sat here listening to the speeches, I must candidly say that I was a bit disappointed that some of my friends who oppose this measure have mischaracterized the history of my State.

Hawaii's history, as recounted by Senator AKAKA, is well-documented. After Captain James Cook arrived in Hawaii, other foreigners came to the islands, often as laborers. Over the ensuing years, like other Native people who carried no immunities to the diseases that accompanied the waves of immigrants to their shores, the Native Hawaiian population was reduced from estimates as high as several hundred thousand people at the time of first recorded western contact to a little over forty thousand. An 1854 smallpox epidemic, for instance, took the lives of

6,000 people—almost 10 percent of the population at that time.

Along with the decimating diseases, the social and economic conditions of the Native Hawaiians deteriorated as well. The influence of non-Native Hawaiians continued to grow. On January 17, 1893, the Hawaiian Kingdom was illegally overthrown with the assistance of the United States. The United States' involvement in the overthrow is thoroughly documented in a report commissioned by President Grover Cleveland.

My parents and grandparents lived through Hawaii's trying times. In my generation, I was raised with an understanding that the Native Hawaiian people had been wronged. It is for this reason that I, and the other citizens of Hawaii, ask you to do the right thing for the Native Hawaiian people.

Some of our colleagues have also questioned Congress' authority to deal with Native Hawaiians. But after serving for 28 years on the Committee on Indian Affairs, with approximately seventeen years as either the Chairman or the Vice Chairman, I am very informed of the law that governs the Federal relations with the aboriginal, native people of the United States. As such, I want to assure everyone that Congress possesses the authority to pass this measure.

Congress' authority over Indian matters has been repeatedly affirmed by the United States Supreme Court. Its power is explicit in the Constitution. It derives from the Indian Commerce Clause, Article I, Section 8, clause 3, which vests Congress with the power to regulate commerce with the Indian tribes. It also stems from the Treaty Clause, which authorizes the Federal Government to enter into treaties with other nations, as was done with various Indian tribes and the Native Hawaiian government. Although the Constitution does not authorize the Congress to make treaties, this provision does authorize Congress to address matters with which the treaties made pursuant to that power pertain.

In addition, the Court has found that Congress' power over Indian affairs derives from the Property Clause, Article IV, Section 3, Clause 2, which vests the Congress with the authority to "dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States." This provision was used by Congress to set aside public lands for the use of Alaska Natives and a colony, established for scattered, unrelated Indians. In Hawaii, approximately 203,500 acres of land were similarly set aside for Native Hawaiians.

And Congress' authority over Indian affairs also derives from the Debt Clause and, like any other national government, its inherent authority that is a necessary concomitant of nationality.

Congress' authority is broad and plenary. The Federal policy towards the aboriginal, indigenous people has not been constant nor consistent. But changing Federal policy is fully within the scope of Congress' authority. Congress has exercised this authority to recognize the inherent sovereignty of an Indian tribe, to terminate the government-to-government relationship between the United States and an Indian tribe, to establish a process for the reorganization of a tribal government, as Congress did with the enactment of the Indian Reorganization Act of 1934, and to restore tribes to their original federally-recognized status.

In fact, after terminating the government-to-government relationship with Indian tribes, Congress enacted legislation to restore the sovereign status of some of those tribes. Even though the Indian tribe did not exercise federally-recognized sovereign authority during the time its relationship with the United States was terminated, this was not a barrier to an exercise of Congress' power to restore the federal recognition of the native government.

When Congress exercises its authority in this manner, it is not "creating" sovereignty nor is it "creating" a native government. Native sovereignty preexisted the formation of the United States. For the purpose of carrying on government-to-government relations, the form of native government is irrelevant.

Congress established the Indian Reorganization Act of 1934 to provide a process for the reorganization of other native governments. This Act does not require that Native governments be organized as tribes. Senate bill 147 proposes to provide a similar process for Native Hawaiians.

Although Native Hawaiians are not Indians nor are they organized as Indian tribes, Congress is not precluded from dealing with them in the manner proposed by the bill. The Constitution is a living document. The authors of the Constitution intended that Congress' authority to deal with Indian tribes include all aboriginal, indigenous people of the United States, including American Indians, Alaska Natives and Native Hawaiians, wherever they were located and however they were organized.

The Supreme Court has affirmed Congress' authority over other aboriginal, indigenous people of the United States, regardless of whether they are "Indians" or organized as a "tribe," as those terms are defined today. It is irrelevant whether the native peoples are located within the original territory of the United States or in territory subsequently acquired, whether within or without the limits of a state. In pre-colonial times, the term "Indian" was defined to mean "native" or "the aboriginal, indigenous people" and the term "tribe" was defined to mean "a distinct body of people."

Correspondence between James Monroe and James Madison concerning the construction of what was to become the Commerce Clause make no reference to Indian tribes, but they do discuss Indians. Clearly, our founding fathers did not intend the term "Indian tribes" as used in the Constitution to only extend to those pre-existing Indian tribes that were dependent nations at the time of the framing of the Constitution. Under this interpretation, Congress would have no authority.

As Senator AKAKA relayed, the first recorded western contact with the aboriginal indigenous people of Hawaii was the arrival of Captain James Cook in 1778. While recording his encounters with Native Hawaiians, Captain Cook referred to Native Hawaiians as "Indians." His accounts reported that the Native Hawaiians "lived in a highly organized, self-sufficient, subsistent social system based on a communal land tenure with a sophisticated language, culture, and religion." In other words, Native Hawaiians were a distinct body of people.

The Court has upheld Congress' exercise of its broad, plenary authority to recognize Indian tribes who were and are not Indians nor were they organized as tribes at the time that Federal recognition was extended to them. For instance, the Court affirmed Congress' recognition of an Indian tribe that consisted of scattered, unrelated individual Indians, who were forced onto a reservation or colony. Even after the Supreme Court questioned whether the Pueblos of New Mexico were Indians and found that they were not organized as tribes, the Supreme Court upheld Congress' exercise of authority to recognize and treat Pueblos as Indian tribes. Despite numerous opportunities to do so, the Supreme Court has not questioned Congress' authority to treat Alaska Natives as Indian tribes.

Whether the reference was to "Indians" or "Indian tribes," the Framers of the Constitution did not intend those terms to limit Congress' authority, but rather intended those terms as descriptions of the native people who occupied and possessed the lands that were later to become the United States. When the Constitution was drafted, they authorized the Federal government to enter into treaties with the Indian tribes because they were considered independent sovereigns, not dependent nations.

Any other interpretation would mean that Congress has been acting illegally since the formation of the Union and that the Supreme Court has wrongly decided the scope of Congress' authority.

The legal basis for the distinct status of the indigenous, native people is their sovereignty, which preexisted the formation of our country, over lands that became the United States.

This sovereignty is not created by Congress. This sovereignty did not need to be retained through treaties with the Federal government. Treaties are a mechanism for recognizing the inherent sovereignty of another government.

Like the other Federally recognized Indian tribes, Native Hawaiians are a distinct body of aboriginal, indigenous people who exercised sovereignty over land that is now the United States. Like other Native groups, the Federal government has a unique responsibility for Native Hawaiians. On November 23, 1993, the United States apologized for its role in the overthrow, acknowledged the historical significance of the overthrow and the suppression of the inherent sovereignty of the Native Hawaiian people, and committed to provide a foundation for reconciliation between the United States and the Native Hawaiian people. As such, Congress has assumed a special relationship with them.

Giving effect to the special relationship between the federal government and the native peoples is not racially discriminatory. The Supreme Court has sustained Congress' action towards Indian tribes as constitutionally valid as long as our actions are reasonable and rationally designed to further self-government and to fulfill our unique obligation towards them.

Between 1826 and 1887, the United States entered into treaties with the Native Hawaiian government. In 1893, we assisted in the illegal overthrow of their government and extinguished the government-to-government relationship between the United States and the Native Hawaiian government. Now, we propose to establish a process that may lead to the restoration of a Federal relationship with a Native Hawaiian governing entity. This bill will authorize Native Hawaiians' with more autonomy to undertake activities that they believe will better their conditions and meet their other needs in the manner that they deem best. It fulfills the Federal government's unique obligation towards Native Hawaiians. As such, it is not racially discriminatory.

Some have suggested that the Supreme Court, in Rice v. Cayetano, has ruled that the Congress does not have the authority to enact this bill.

This is incorrect.

In 1978, the citizens of Hawaii convened a constitutional convention and proposed amendments to the State's constitution to afford Native Hawaiians a means by which to express their right to self-governance and self-determination. They did so by creating the Office of Hawaiian Affairs, which is governed by a Board of Trustees. Because this was intended to be the State counterpart to the Federal policy of extending self-governance and self-determination to the aboriginal, indigenous people, the citizens of Hawaii limited eligibility to vote for the Office of Hawaiian Affairs trustees to Native Hawaiians.

The Office of Hawaiian Affairs is, however, a State agency. Thus, when the Court considered this matter, it ruled that the voter eligibility requirement violated the Fifteenth Amendment as a State may not disenfranchise voters by limiting voter eligibility for a State agency to one group of people. The Court expressly refused to address whether Congress had the authority to treat Native Hawaiians as Indian tribes. In passing, however, the Court mentioned that if the issue were before the Court, it would look to whether Congress has treated Native Hawaiians in the same manner as it has treated Indian tribes.

Congress has done that.

Hawaii became a territory of the United States in 1900 yet by 1910, Congress began treating Native Hawaiians as Indians when it appropriated funds for the ethnological research of American Indians and Native Hawaiians.

In 1921, after receiving testimony from the then Secretary of the Department of Interior who testified that the Native Hawaiians were our wards and "for whom in a sense we are trustees . . .," and who explained that Congress had the right to use the same authority for dealing with Indians to set aside lands for Native Hawaiians, Congress did just that. Congress set aside land for Native Hawaiians as part of its trust responsibility to them.

In 1938, Congress recognized certain Native Hawaiian fishing rights in Hawaii National Park, in a manner similar to Congress' recognition of retained tribal hunting, fishing, and gathering rights in some national parks.

In the 1950s, Congress was terminating its government-to-government relationship with some Indian tribes and delegating some of its authority over Indian affairs to the various States, through such laws as Public Law 83-280, which delegated certain Federal authority of Indian affairs to some States. At this time, Hawaii was seeking to become the fiftieth State. Consequently, Hawaii's admission to the Union was conditioned on its administration of the public trust established pursuant to the Hawaiian Homes Commission Act.

In 1972, a Native Hawaiian employment preference was enacted in the same manner that Congress enacted Indian preference laws. The Indian preference law was subsequently upheld by the Supreme Court as constitutionally sound and consistent with laws designed to preclude discrimination in the workplace.

Notably, this was the same year that the Equal Employment Opportunities Act of 1972, which prohibited discrimination in the workplace, was enacted into law. I mention this for a reason. Congress is an intelligent, thoughtful body. It is highly unlikely that Congress would have adopted one law prohibiting discrimination in the workplace while at the same time enacting a Native Hawaiian employment preference, unless Native Hawaiians were exempt from the broader bill because Congress treats them in the same manner that Congress treats Indian tribes.

Only two years after the United States Supreme Court held that Indian preference laws were not racially discriminatory because of Congress unique responsibility towards Indian tribes, a second Native Hawaiian employment preference law was enacted. Clearly, Congress considered Native Hawaiians as having the same status as Indian tribes.

There are many more laws like these but I will not list all of them. In total, however, over 160 laws concerning Native Hawaiians have been enacted into law. Within the last five years, we have enacted additional laws, including laws that have legislatively reaffirmed our trust relationship with Native Hawaiians. Under the theory of those opposing the bill, all of these laws are illegal.

Although Senator AKAKA explained the process established by the bill in detail, I want to briefly reiterate some of his comments. This bill establishes a process for the reorganization of a Native Hawaiian governing entity. The process is similar to processes established for the recognition of other aboriginal, indigenous people.

Upon enactment of the bill, a Commission will be created to determine whether those who voluntarily choose to participate in the Native Hawaiian governing entity meet the eligibility criteria. The Commission will prepare a roll, which the Secretary must certify. An Interim Governing Council will be established with no powers except to prepare organic governing documents for the approval of those listed on the certified roll. Once this has been approved by the membership, it must be certified by the Secretary of the Department of the Interior.

If, and when, the Secretary certifies the organic governing documents, elections for Native Hawaiian government officials must be held in accordance with the organic governing documents. At this point, the Native Hawaiian governing entity still has no power. Instead, the Native Hawaiian governing entity must negotiate with the State of Hawaii and the Federal government for any powers and authority as well as other rights.

This will be a long, thorough process that will take years to complete. And this will not be the last time that the Congress will have an opportunity to address the power and authorities of the Native Hawaiian governing entity. Bills will need to be introduced in the Congress for the enactment of implementing legislation. They will be referred to the relevant committees of jurisdiction of each House. There will be votes in each body to approve implementing legislation and the President will have to sign such legislation into law.

A similar process will be required for changes to State law. The citizens of Hawaii, through their State representatives, will have an opportunity to be involved in any changes in State law. Any changes to the State's constitution must be submitted to the voters of the State.

Before closing, I want to address some misconceptions regarding this measure and clearly inform my colleagues about what this bill does and does not provide.

This bill does not create sovereignty or extend Federal recognition to the Native Hawaiian governing entity upon passage of this bill. Instead this bill establishes the process that I outlined. As I discussed earlier, any sovereignty by the Native Hawaiian governing entity, if and when it is recognized, is inherent and preexisted Hawaii's inclusion into the Union.

Any governmental powers and authority that the Native Hawaiian governing entity will exercise must be negotiated with the Federal and State governments.

This bill does not extend jurisdiction to the Native Hawaiian governing entity over non-Native Hawaiians. Any jurisdictional authority must be negotiated between the Native Hawaiian governing entity, the State of Hawaii, and the Federal government.

Any jurisdiction that may be granted through the negotiations will be within the boundaries of the State of Hawaii, not over the United States. Critics of the bill confuse the eligibility roll with the potential jurisdiction of the governing entity. Like other native governments in the United States, anyone meeting the eligibility criteria defined in the bill or the organic governing documents, regardless of where they live, are eligible for membership in the governing entity.

The bill prohibits the application of the Indian Gaming Regulatory Act, which is the only Federal authority for the exercise of gaming by Indian tribes. Additionally, the State of Hawaii is one of only two states that criminally prohibits gaming.

The bill expressly provides that Native Hawaiians will not be eligible for Indian or Alaska Native programs. It is unnecessary to include Native Hawaiians in other programs as Congress has already established programs specifically for them.

The cost of the bill is minimal. The Congressional Budget Office estimates that the bill will cost $1 million for fiscal years 2006 through 2008, and less than $500,000 per year thereafter. The Committee on Indian Affairs has also been informed that the enactment of this bill will not affect direct spending or revenues.

I want to make it clear to all of my colleagues that this bill does not propose anything that we have not already done for Indian tribes. Years ago, Congress recognized that it has a trust obligation to the Native Hawaiians. Congress has treated Native Hawaiians in the same manner as it has dealt with Indian tribes. It is time that Congress formally extends its policy of self-government and self-determination to Native Hawaiians.

Mr. President, I want my colleagues to know that this bill will unite Hawaii. Senate bill 147, already has the broad support of both Republicans and Democrats in Hawaii. It is now time to reach out and correct the wrong that was committed so many years ago. I hope that my colleagues will also provide their support by voting for this bill.

As a member of the territorial senate at the time of statehood, and as former majority leader of the house, I was privileged to be involved in discussions and decisions reached between the Government of the United States and the government of the territory of Hawaii. Moreover, as our State's first Member of Congress, I was actively involved in the discussions and agreements between the Government of the United States and the government of the State of Hawaii.

My parents and my grandparents lived in Hawaii through Hawaii's trying times. My grandparents were immigrants from Japan. In my generation, I was raised with an understanding that the Native Hawaiian people had been wronged. This is a part of history that very few of my constituents are fully aware of. But my mother, when she was at the age of 4, lost her father who was working in the fields of the plantation. She had lost her mother at the time of childbirth, so she found herself an orphan at a very early age. But fortunately, a Native Hawaiian couple learned about this, came forward to the plantation village, and took her by the hand and adopted her. And for years she lived as a Hawaiian with the Hawaiian family, and she never forgot that.

For many reasons, including that, I and other citizens of the State of Hawaii ask all of my colleagues here to do the right thing for the Native Hawaiian people. Some of our colleagues have questioned Congress's authority to deal with Native Hawaiians, but after serving for 28 years on the Committee on Indian Affairs and approximately 17 years as either the chair or the vice chair, I believe most humbly that I am sufficiently informed of the law that governs the Federal relations with the aboriginal native people of the United States. There is no question that Native Hawaiians are aboriginal, and they are native and indigenous. They were there before the first White man came. They were there before the first Americans came.

Based on my decades of study and experience, I would like to assure my colleagues that Congress does possess the authority to pass this measure.

We speak of the special relationship between the Federal Government and the native peoples, and some have suggested that this was racially discriminatory.

Mr. President, history shows that Native Hawaiians are good and patriotic Americans. The people of Hawaii are good and patriotic Americans. If you look at the records of World War II and all the wars thereafter, including the present one in Iraq, you will find a disproportionately large number of men and women from Hawaii serving in uniform and standing in harm's way for the people of the United States. In fact, for this small, little State, with about the smallest population, we have more Medals of Honor on a per capita basis than any other State. Our government recognizes the patriotism of Native Hawaiians and the people of Hawaii. In fact, the first Native Hawaiian in the Vietnam war to receive the Medal of Honor was—yes—a Native Hawaiian, and he was one of the first in the Nation to do so. They are good American citizens.

This bill, even if it becomes the ultimate law of this land, will not change the situation. Native Hawaiians will be subject to every provision in the Constitution of the United States. That is the fact. They will be subject to the laws of the State of Hawaii and the United States. They will be subject to the laws of the county of Hawaii. If any changes are made—for example, if we decide, as we did with many Indian nations, to give them the power to arrest—if someone goes speeding through the streets—that power has to be negotiated and granted by the supersovereign, the county to the Indian tribe. It does not come naturally.

The Native Hawaiian government, if you want to call it such, will not have the authority to establish its own army. It will not have the authority to coin its own currency. Yes, they can set up businesses, establish schools if they wish to, but they will never, under this bill, pass any measure that will be in contravention with the Constitution of the United States or the laws of the United States.

This bill does not secede the State of Hawaii or any part thereof from the United States. The lands that we speak of are lands that have been set aside, not by us, but by the Government of the United States in 1920. In 1920, the Members of Congress, without the urging of Native Hawaiians, without the urging of the people of Hawaii, finally came to their senses and realized that the takeover had been illegal, and that Native Hawaiians were indigenous, aboriginal people of the territory of Hawaii at that time.

So, on their own initiative, this Congress established a law to set aside lands which they called the homestead lands. And those qualified, 50 percent Hawaiian blood, were placed on these lands. It is still there, and Native Hawaiians still live in those places. If they ever have this law in the books, these lands will become the land base of this new entity.

They are not taking away anything from the people of Hawaii. They are not taking away anything from the Government of the United States. They will continue to pay taxes. They will continue to put on the uniform of the United States. They will continue to stand in harm's way.

I want Congress to know that, if anything, this bill will unite the people of Hawaii. This bill has the broad support of Republicans and Democrats in the State. Somewhere in this gallery is the Governor of Hawaii, the Honorable Linda Lingle. And she is a Republican. She supports this measure.

The counties of Hawaii, every one them—Oahu, Kauai, Maui and Hawaii—would support this measure. The State of Hawaii legislature, the House and the Senate, unanimously support this measure.

We have heard results of polls. We are politicians. We know all about polls. I can set up a poll myself and suggest that 99 percent of the people of Hawaii support the war in Iraq, and we know that is wrong. Yes, we can set up our own polls.

But I can tell you the legislature supports it, the county governments support it, the Governor does, and all Members of the congressional delegation. I don't know why people would say that the people of Hawaii do not support this measure.

I think it is about time that we reach out and correct the wrong that was committed in 1893. Yes, at that time the representative of the people of the United States directed a marine company on an American ship to land and take over the government. They imprisoned our queen. No crime had been committed. When the new government took over and turned itself over to the government of the United States and said, Please take us in, the President of the United States was President Cleveland at that time. He sent his envoy to Hawaii to look over the case. When he learned that the takeover had been illegal, he said this was an un-American act and we will not take over. The queen is free.

I am a proud American. I am glad that we are part of the United States of America. Senator AKAKA and I took part in World War II. We put on the uniform. He served in the Pacific. I served in Europe. We would do it again. I know our people will do it again.

I wish to discuss the report on the Native Hawaiian Government Reorganization Act which was released by the United States Commission on Civil Rights on May 4, 2006 and the ill-founded reliance on the report by some of my colleagues. It is important to note that the measure before us is supported by leading civil rights organizations, such as the Leadership Conference on Civil Rights and the National Congress of American Indians. There are many more but in the interest of time, I will only note that I am more than willing to provide any Member with a more detailed list of leading civil rights organizational support for this measure.

With respect to the Commission's report, I urge my colleagues to thoroughly examine the report and the proceedings leading to it. I say this because the majority's report lacks credibility—both procedurally and substantively. I am confident that once my colleagues learn of the serious procedural and substantive flaws of the report, they will join me in rejecting the Commission's report and supporting S. 147, the Native Hawaiian Government Reorganization Act of 2006.

The first point that my colleagues need to consider is that this report is not even based on the measure that will be before us. During the Commission's January briefing, the Commissioners were provided with a copy of the Substitute Amendment that was publicly available since last fall and that Senator AKAKA recently introduced as a separate measure. It is this language on which we will vote. Yet, even though the Commission was informed of this, the Commission based its recommendation on the bill "as reported out of committee on May 16, 2005," which is substantially different from the substitute amendment.

Perhaps some think this was an oversight on behalf of the Commission but I assure you—it was not. During the Commission's May 4, 2006 meeting, Commissioner Taylor specifically asked to which version of the bill this report referred. After a discussion on the record in which it was readily apparent that the Commissioners had no idea which version the report was referring to, the Commission had to recess for 10 minutes so that staff could determine to which version the report was referencing. Then, after calling the meeting back to order, the Commission stated that the report pertained to the version as reported by the Committee on Indian Affairs, ignoring entirely the substitute amendment, which they had been informed would be the measure considered by the Senate.

Perhaps some may be thinking—what difference does it make? Let me assure you, the differences between the version reported by the Committee on Indian Affairs and the substitute amendment are substantively different. In fact, the measure that will be before us reflects several weeks of negotiation between the administration and congressional Members to address concerns raised by the administration.

Before moving on to the substantive flaws of the Commission's report, I want to point out that one Commissioner filed an amicus brief in Rice v. Cayetano without ever publicly disclosing that involvement or recusing herself from the Commission's proceedings. Apparently, actions like these are par for the course for this Commission. It is actions similar to these that led to the recent findings of the Government Accountability Office that the Commission lacked procedures to ensure objectivity in its reports.

The Commission's majority report also suffers from serious substantive flaws. Unlike the careful, thoughtful analyses contained in the dissenting opinions, the majority report is devoid of any analysis of the underlying bill or arguments. Instead, the so-called "report" is merely a summary of the briefing held in January, a one sentence recommendation, and copies of the written testimonies provided during the January briefing. It is nothing more than "he said this and she said that." Nothing in this document explains why one argument was rejected and another one accepted. I believe it is because the commissioners know what we know—the law is on our side.

Although this is apparently consistent with the way this Commission does business, it is unacceptable. The Government Accountability Office issued a report last week specific to the Commission and recommended that the Commission should strengthen its quality assurance policies and make better use of its State Advisory Committees. More specifically, the Government Accountability Office found that the Commission lacked policies for ensuring that its reports are objective. It also found that the Commission lacks accountability for some decisions made in its reports because it lacks documentation for its decisions. A review of the Commission's report on Native Hawaiians illustrates that this lack of accountability is clearly evident in this instance, for the Commission provides no rationale for its finding on S. 147.

Another flaw with the Commission's recent report is that the Commission ignored two previous reports on related issues by the Hawaii State Advisory Committee. The Government Accountability Office acknowledged that the State Advisory Committees are the eyes and ears of the Commission. It also found that while the Commission does not have policies to ensure objectivity for its own documents, the Commission does have quality assurance policies in place for State Advisory Committee products, including a policy to incorporate balanced, varied, and opposing perspectives in their hearings and reports. The Hawaii State Advisory Committee heard from numerous witnesses and spent substantial time preparing two articulate, balanced reports on Native Hawaiian issues relevant to the measure before us. Yet the Commission ignored these reports.

Imagine reports from the State Advisory Committee in your respective State—the entity with the most knowledge of local issues, that is the entity most in touch with the local communities, and that has quality assurance policies—not even being consulted or informed about a briefing on an issue that only impacts your State.

Because the Commission's recommendation was based on a version of the bill that is not before us, is void of any analysis and is not supported by Supreme Court case law, it is difficult to address any arguments that may have influenced the Commission's decisions. Thus, I will take this opportunity to clarify some misconceptions that some of the Commissioners appear to possess.

First, this matter is not race-based as the Commission's recommendation implies. Instead, the Commission appears to have a fundamental misunderstanding of Federal Indian law. It is undisputed that the Supreme Court has upheld Congress's plenary authority over Indian tribes, including those aboriginal, indigenous peoples who exercised control over land that comprise the United States even if those peoples were not called Indians, were not organized as tribes, and did not have a government at that time.

I am confident that if challenged, this measure will be upheld. For as then Attorney John Roberts, now Chief Justice Roberts, stated during oral argument in Rice v. Cayetano, "The Framers, when they used the word Indian, meant any of the Native inhabitants of the new-found land" and that Congress's "power does, in fact, extend to Indians who are not members of a tribe."

Second, it is absurd that there are some who think that because Congress delegated some authority to the Secretary of the Department of the Interior to develop regulations to administratively recognize a group of people as an Indian tribe, Congress's power to exercise its own authority is now bound by those regulations. Let me remind everyone—the Congress is not subject to an agency's regulations. Congress still possesses the power to restore recognition to an Indian tribe and we have used this authority repeatedly without first determining whether a group met the criteria set forth in the Secretary's regulation.

I thank the Chair for allowing me this opportunity to educate my colleagues about the true impact of the Commission's report on this matter. I encourage my colleagues to examine the transcript of the January briefing and the May meeting, the report with the dissenting opinions, as well as the recent Government Accountability Office Report on the Commission. I am confident that after doing so, my colleagues will understand that any reliance on this report is misguided.

Mr. President, as Congress has done for many other Indian tribes, this measure merely sets up a process to formally extend the Federal policy of self-governance and self-determination to Native Hawaiians. This bill is about fairness and justice for Native Hawaiians—Native Hawaiians will finally be afforded the same respect that the Federal Government affords to other Native Americans. Given that Congress has already enacted over 160 Federal laws for the benefit of Native Hawaiians, there will be no harm to other Native Americans and equally important, there will be no negative effects on the other citizens of Hawaii.

There are some who claim that this bill is race-based and will divide Hawaii because of race-based preferences stemming from this measure. This is not true. This bill is not based on race and those who make this claim do not understand the people or history of Hawaii. As I said, in 1893, the United States participated in the illegal overthrow of the Kingdom of Hawaii, which resulted in longstanding issues in Hawaii that need to be addressed. This measure will ensure those issues are addressed fairly and equitably. It is because this measure starts the process of healing old wounds and bringing all of Hawaii's citizens together that the vast majority of Hawaii's citizens support passage of this bill.

I ask my colleagues to ignore the rhetoric and to look at the facts: The entire Hawaii Congressional delegation supports, and is actively working on, passage of this bill. Our distinguished colleagues in the House, Congressmen ABERCROMBIE and CASE, have introduced a companion measure, and both testified before the Senate Committee on Indian Affairs in support of this bill and its importance to Hawaii. As Congressman CASE stated, this bill is "the most vital single piece of legislation for our Hawaii since Statehood."

Hawaii's Republican Governor supports the bill and has stated that "this bill will be a unifying force in Hawaii" and that it is "vital to the continued character of the State of Hawaii." Both Hawaii's State House and Senate have repeatedly and overwhelmingly approved a resolution in support of this bill. We were elected by Hawaii's citizens to represent their interests and we believe that this measure is in their best interests. We would not support a bill that would racially divide the people who elected us into office. Trust that we have the best interests of all of Hawaii's citizens in mind.

Beyond Hawaii's elected officials, Hawaii's two largest newspapers have written editorials in support of passage of this bill or condemning allegations that this bill is racially discriminatory. The Honolulu Advertiser recently stated "this measure forges a middle path, the most reasonable course toward resolution—if only Congress would give it a shot." The people of Hawaii support it because, as the Advertiser recognized, "Federal recognition would help chart a course for the difficult but necessary process of resolving festering disputes and in healing the breach caused by the overthrow of the Hawaiian monarchy."

Hawaii's business community, including the two largest banks, support passage of this bill. The vast majority of Hawaii's citizens support passage of this bill. Given this diverse and broad level of support, I do not understand how any of my colleagues can oppose passage of this measure by claiming that it will divide Hawaii based on race.

Instead, I urge my colleagues to join me in supporting this measure as it is the fair, just thing to do and all of Hawaii's citizens will benefit from this measure when the longstanding issues will be finally be put to rest. Without this measure, without your support, those issues will remain unresolved.

Mr. President, as many of my colleagues know, S. 147 does nothing more than to establish a process to formally extend the same Federal policy of self-governance and self-determination that has been extended to other Native Americans to Native Hawaiians. When one looks at the impact that this policy has had on other Native Americans, it is clear that this policy will benefit not only Native Hawaiians but also all of Hawaii's citizens.

Since the 1970s, the Federal Government has had a policy of self-determination and self-governance for Native peoples. The success of this policy has been demonstrated over and over and it is not stopping. Every day, we see improvements in native communities as a result of this policy. Every day, we see State and local communities benefiting from Native Americans exercising self-governance. It is time that Native Hawaiians, and Hawaii, also benefit from this policy.

While Native Hawaiians are not Indians nor is there Indian Country in Hawaii—nor will there be with passage of this measure—the experience of other Native Americans since the Federal Government adopted a policy of self-governance for Indian tribes is informative. Since implementation of the Federal policy of self-determination, other Native Americans have seen a revitalization in their native languages and culture. Because of this policy, other Native Americans have experienced higher educational achievement, stronger economies, better mental and physical health and less reliance on social programs. Although other Native Americans still have a long way to go, the policy of self-governance and self-determination has repeatedly been called the most successful Federal policy for Native Americans. I am confident that Native Hawaiians will have a similar experience and that all of Hawaii's citizens will receive benefits.

Self-governance is critical to maintaining Native Hawaiian culture, language and identity. Native Hawaiians were affected by the various Federal policies the United States had towards Indian tribes. So like other Native Americans, Native Hawaiians were prohibited from speaking their native language and practicing their culture. Native Hawaiians experience similar social characteristics—often ranking the highest in the least desirable categories and the lowest in the most desirable categories. They suffer from some of the highest rates of obesity, diabetes, high blood pressure, heart disease, and other health disparities. They experience the highest rates of poverty in the State of Hawaii and have some of the lowest educational achievement. Native Hawaiian youth suffer from high rates of depression and are more likely to attempt suicide than other youth in Hawaii. Although it will not happen overnight, Native Hawaiian self-governance will reverse these trends. Testimony before the Indian Affairs Committee indicated a link between teen suicide and depression and the lack of language and culture in other native communities. Testimony also indicated that when Indian tribes exercise self-governance and take steps to regain or incorporate their language and culture into everyday life, mental health issues decrease.

Preserving and revitalizing native language, culture and identity leads to stronger personal identity and cultural awareness. Native self-governance will lead to culturally appropriate physical and mental health programs, as well as more relevant education curriculum, for Native individuals. This, in turn, will lead to better health, higher academic achievement, strong native leadership, increased employment, less poverty and decreased dependence on Federal and State social programs. Self-governance will ensure that Native Hawaiians retain their dignity.

Consequently, all people of Hawaii will benefit. Decreased reliance on social programs, fewer children needing remedial education, and more preventative, culturally appropriate health programs will result in less funding needs over the long term. But this is not all. Hawaii is already full of rich, diverse cultures which are celebrated throughout the year but, with this measure, all of Hawaii will be able to celebrate an ever stronger native culture. Non-natives will learn more about the islands based on the traditional knowledge of Native Hawaiians gained over centuries of island occupation. Higher achieving children will no longer have to wait for their counterparts to catch up. Instead of remedial education classes, there will be more rigorous, challenging classes for our youth. Visitors already come to Hawaii to admire and appreciate the unique Hawaiian culture; with this measure, I am confident even more will come to experience the stronger, richer Native Hawaiian culture.

I invite all of my colleagues to Hawaii to experience our unique culture, diversity and spirit of aloha. This bill will enhance Native Hawaiian self-governance while benefiting all of Hawaii's citizens. This is why I am proud to cosponsor this legislation. This is why our distinguished House colleagues, Congressmen ABERCROMBIE and CASE have introduced a companion measure. I respectfully urge my colleagues to help Hawaii by supporting S. 147.

I just hope my colleagues will not look upon Native Hawaiians as those who are trying to get out of the United States. They are not. We are just trying to tell them: Yes, we recognize the wrong we have committed. Therefore, use the lands that we have provided you. Set up a government. But this is what you may do. You may set up your schools, you may set up businesses. What is wrong with that? We are not asking to establish a government in there that will put up a fence and keep everyone out. That government will not establish an army to attack us.

This is the American thing to do; the least we can do. And, incidentally, the National Congress of American Indians, representing the Indian nations of this Nation, support this measure. Alaskan natives, Eskimos, support this measure.

Granted, there are those who oppose this measure. But I just hope that they will look into their hearts and look into the hearts of Native Hawaiians. They are good people. They just want to know that someday they can tell their grandchildren the wrong that was committed in 1830 has been rectified.

I am certain my colleagues will do so. I thank you.

The PRESIDING OFFICER. Who yields time?

Mr. INOUYE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. AKAKA. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AKAKA. Mr. President, I thank my dear colleague from Hawaii, the senior Senator, who has spoken from the heart about our bill and about what it means to our people in Hawaii, the unity of support that is there in Hawaii and also the support that is here nationally.

He mentioned NCAI, the National Congress of American Indians. He mentioned the AFN, the Alaska Federation of Natives. Also, the American Bar Association has supported our bill. These are national organizations that have studied it and have considered this bill to be worthwhile.

As I mentioned in my statement, this bill has been reviewed by the Departments of Justice and the Interior, the White House and the administration. They have made clarifications that we will include in our amendments and in our substitute amendment.

This is a bill that does not have anything to do with starting a government that would be able to do what it wants. This governing entity will be structured so that it can deal with the problems of the Hawaiian people and will give them a seat at the table. It will give them an opportunity to negotiate whatever they decide.

I should tell you, those who have spoken in opposition to this bill are good friends that we respect—and we will continue to do that—who have other reasons to oppose our bill. I do respect them very deeply. But our bill is one that will help the Hawaiians to deal with their concerns. When it was stated that I had mentioned that they could secede, the question that was asked me was whether that could happen. I pointed out that to secede, the Hawaiians would have to take it to this governing entity and this entity would decide whether they should take this to be negotiated with the State government and then with the Federal Government.

Let's say they do decide to secede as an entity. I don't think the State government, with the State laws, would agree to that. It has to be negotiated.

And let's say if—and I know it won't happen—the State of Hawaii agrees to that. Then it has to go to the Federal Government. So this is all within the law.

I have spoken to those in Hawaii who want Hawaii to be independent. I have told them you can use the governing entity to discuss it. This is what I meant. They can bring these issues to the governing entity and the governing entity will make a decision as to independence or returning to the monarchy. But all of this would be within the law of the United States, as mentioned by my senior Senator. It will be within the Constitution of the United States. But this gives the Hawaiians a governing entity to deal with their concerns and negotiate them on the State level as well as the Federal level.

Also, in the substitute amendments that we will be offering, it does have the clarifications from the administration as well.

So I rise to urge my colleagues to permit us to bring it to the floor, to permit us to do that through cloture and then to let the Senate decide about our bill.

As I said, the United States of America is a nation that has consistently tried to keep liberty and justice alive and well. This is an opportunity to do that.

I urge my colleagues to consider their vote, give us their votes on cloture so we can then bring it to the floor and discuss it further.

Mr. President, how much time do we have remaining?

The PRESIDING OFFICER. The Senator has 1 minute.

Mr. AKAKA. Mr. President, I just want to mention on the sovereignty rebuttal, the Federal policy of self-governance and self-determination allows for a government-to-government relationship between indigenous people. This is not new. It exists right now between the United States and 556 tribes, 556 native governments. The continued representation of this bill as an unprecedented new action is just plain wrong.

With all due respect to my colleagues, as I said earlier, Native Hawaiians are proud to be Americans. Native Hawaiians, however, are indigenous peoples and Congress has the authority to recognize indigenous peoples.

I yield.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. SUNUNU. Mr. President, I rise in opposition to this legislation. I do, however, respect the goals and the concerns that have been expressed by the Senators from Hawaii and their supporters. I certainly agree with the language used by Senator INOUYE to describe the people of Hawaii. They are indeed good people. They are indeed great patriots. I think no one better exemplifies the patriotism, the support for American ideals, and the commitment to our country, than the two Senators from Hawaii, each in their service to this institution, their service to our country, and their service to our country's military.

Senator INOUYE discussed the need to right wrongs, and how that was one of the objectives of this legislation. Even if we concede the importance of righting wrongs, we can argue, as I do argue, that this is the wrong way to go about that.

This bill does not create a sovereign state or a sovereign entity. That point was made by both Senators in their remarks. However, we cannot escape the fact that the legislation as written, on page 51, does describe very specifically the objective for Native Hawaiians to have an inherent right of self-determination and self-government. That clearly suggests a goal, whether it is short-term or long-term, of establishing self-governance; of establishing independence in some shape or form.

If this isn't an objective, then certainly it ought not to be included in the legislation.

This is not a question of tribal recognition. I think it is a mistake to make that analogy because there are very specific requirements for tribal recognition, and they are not met in this case. Therefore, that concern is misplaced.

Most fundamentally, and I think most problematically, this legislation does create a very separate and distinct governing entity, and the participation within that governing entity is based upon racial and ethnic classification. We have to ask ourselves whether this is a principle or a policy which the American people would support, whether it is one which will further our shared goals as Americans. I believe the answer is no. It is a mistake to create two distinct privileges for participation in governance at any level that is based solely on one's racial or ethnic background.

The governing power of this new entity, the Native Hawaiian governing entity, is not small nor trivial. Again quoting from the legislation:

> Among the general powers conferred on this governing entity are the power to negotiate or engage in negotiations designed to lead to an agreement addressing such matters as the transfer of land, natural resources and other assets, and the exercise of civil and criminal jurisdiction.

These are not small matters. I believe the suggestion that this is a modest entity, one with only very limited powers, is mistaken.

The proponents of the legislation might argue that there are intervening steps required on the part of the State government or the Federal Government to validate these negotiations. That doesn't change the fact that this governing entity has real power to negotiate that is not given to any other entity, and that the participation in that governance is based solely on one's ethnic or racial background. I believe that simply is not justified.

To the extent there are constitutional questions brought to bear, they ought to be focused on due process, on whether this restriction that one only participates in this governing entity if one has a certain racial or ethnic background is an unfair limitation on an individual American's right to participate in the electoral process.

Even if that were not a factor, balkanizing Americans, dispensing political power, or dispensing political recognition on the basis of ethnic or racial background is a mistake. It is bad precedent. It emphasizes differences that we might have. I believe it runs the risk of disenfranchising certain Americans and takes us in the wrong direction.

If there are wrongs that need to be set right, we should have a debate about what those actions were and what specific steps ought to be taken to address them. However, this is not the right vehicle. This is not the right approach. This does not send the right message.

In dealing with cases that have come before the Supreme Court which dealt with this question, the Supreme Court cited the 15th amendment, which forbids discrimination in voting based on race or ethnic background.

To quote from that decision, the Court said:

> One of the reasons race is treated as a forbidden classification is that it demeans the dignity and worth of a person to be judged by ancestry instead of by his or her own merit and essential qualities. An inquiry into ancestral lines is not consistent with respect based on the unique personality each of us possesses, a respect the Constitution itself secures in its concern for persons and citizens . . . [To do so would be] odious to a free people whose institutions are founded upon the doctrine of equality.

It is an approach that runs contrary to those fundamental goals and objectives which are contained in the 15th amendment.

I think on a more personal level, it is worth understanding the impact this can have on an individual.

I wish to close by referring to several comments which were provided by residents of Hawaii themselves before the Civil Rights Commission.

Quoting from one letter:

> . . . It is appropriate to say that I am of Hawaiian, Caucasian and Chinese descent only because it shall be noted that I am a descendent of the indigenous peoples of Hawaii and do not support the Akaka bill . . . If [the Akaka bill] comes to pass, I will no longer acknowledge my Hawaiian heritage as I will be forced to choose on which side of the fence to stand. I will choose the Anglo-American tradition of the right to life, liberty, property and the pursuit of happiness. This will prevent me from recognizing all that is Hawaiian in me. I consider the Akaka bill to be a proposal to violate my rights . . .

This is a resident of Hawaii testifying before the Civil Rights Commission. He wrote:

> . . . I am writing to ask for the civil rights commission to oppose the Akaka Bill on the grounds that it will divide our state among racial lines . . . I am of native American blood (Nez Pierce Indian) but cannot be considered eligible for benefits such as those desired by native Hawaiians . . . The Akaka Bill will destroy our way of life in Hawaii . . .

The third letter quoted in that report to the Civil Rights Commission:

> . . . I am a descendant of both: Kamehameha the Great, who united the islands and people, natives and non-natives and made Hawaii a model for the world: and the Mayflower pilgrims whose ideals of individual freedom and responsibility and self-reliance shaped the most inclusive and widely shared system of government in history: American democracy . . . The Akaka Bill would dishonor the unity and equality envisioned by Kamehameha the Great and the ideal of one nation, indivisible, composed of indestructible states, envisioned by the U.S. Constitution . . .

These are individual opinions of residents of Hawaii who have their own personal history and perspective. We shouldn't make decisions in Congress or anywhere else based on just anecdotal information, but I think they do reflect the difference of opinion, the difference of perspective, and the natural concerns possessed by even those who are supposed to benefit from this legislation because of the way the bill treats people—not based on the content of their character, not based on their individual rights as Americans, but based on their particular ethnic or racial background.

If we can move away from the balkanization, classification, and unique treatment of people based on racial-ethnic background and move toward the consideration of every individual based on their character, their integrity, and their commitment to our shared ideals, I believe we will be a stronger and a better country.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I rise to speak on this bill with some trepidation, because, as I heard the Senator from Tennessee say earlier as I was watching the debate from my office, everyone in this Chamber has enormous respect and affection for the Senator from Hawaii. We understand how important this issue is to him and believe he is making his arguments in the best of faith.

I must say, though, that it is staggering to me to think of how important the issues are that underlie this bill. This is not a bill which just affects the State of the Senators from Hawaii; this is a bill which would potentially affect what it means to be an American.

One of the defining characteristics of this great country in which we live is that no matter where we come from, no matter what our ethnic or racial heritage might be, no matter where we were raised, once we pledged allegiance to the United States of America, we became an American, someone who believes in the ideal of America's values, including equal justice under the law. So the very concept that people would be treated differently based upon whether they are Native Hawaiians or whether they came from Ireland or whether they are some other ethnic or racial group is anathema to what it means to be an American.

This bill, it has been observed, would create a race-based and racially separate government for Native Hawaiians. It has been observed by the U.S. Supreme Court in the year 2000 in the Rice v. Cayetano lawsuit that this legislation is actually addressed to limit participation in a government based on one's consanguinity or bloodline, is in effect a proxy for race. What we are talking about is participating in the benefits of being a Native Hawaiian based upon race and racial differences rather than saying to anyone and everyone that America remains a nation where anyone and everyone, based upon their hard work, based upon their willingness to try to accomplish the most they can with the freedoms that we are given—it is totally in contradiction to that goal and that aspiration we have for all Americans. It is important to address some of the specific allegations that have been made.

First of all, this is equivalent to creating an Indian tribe. The State of Hawaii has stated in court, in 1985, the tribal concept has no place in the context of Hawaiian history.

In the Rice v. Cayetano case, the brief said that for Indians, the formerly independent sovereignty that governed them was for the tribe, but for the Native Hawaiians, their formally independent sovereign nation was the kingdom of Hawaii, not any particular tribe or equivalent political entity. The tribal concept, the brief went on to say, on behalf of the State of Hawaii, the tribal concept simply has no place in the context of Hawaiian history.

If we think about that, it is clear Native Hawaiians, if they are going to be identified based upon having Native Hawaiian blood, do not live on a reservation or any geographically discrete plot of land. Indeed, they are dispersed throughout Hawaii and throughout the Nation. The only defining characteristic is whether an individual has any Native Hawaiian blood.

It is completely different from Indian tribes which were, at the time of the founding of this Nation, sovereign entities unto themselves, so it was entirely appropriate that the Government negotiated relationships with those existing sovereign entities, the Indian tribes, as they exist even today.

But to say today, in 2006, we all of a sudden are going to identify some 400,000 Native Hawaiians wherever they may live in Hawaii and elsewhere and create a tribe, or a tribe equivalent, out of thin air has simply no counterpart in the way the Indian tribes are created. And, indeed, as the State of Hawaii has said for itself, the tribal concept simply has no place in the context of Hawaiian history.

As to the goals and the aspirations of this particular legislation, it is clear this bill lays down some rudimentary, I would say early, steps in the recognition of a political governing body. But as to the goals of this legislation and the supporters of this legislation, the Office of Hawaiian Affairs acknowledges what the goals are under the Akaka bill. It says:

> The Native Hawaiian people may exercise their right to self-determination by selecting another form of government, including free association or total independence.

The concept of any people within the confines of the United States claiming their total independence is not unknown to our Nation's history. Six hundred thousand people died in a civil war, claiming a right to independence from the Union. There has been much bloodshed, many lives lost, to preserve this great Union that we call the United States of America.

When I say this seemingly innocuous legislation raises profound issues that affect who we are as a Nation and what we will be as a Nation, I mean that in all sincerity. This legislation would be a serious step backward for our Nation and could not be any further from the American ideal.

From the beginning, Americans have been a people bound together not by blood or ancestry but rather by a set of ideas. These ideas are familiar to all of us: liberty, democracy, freedom, and most of all, equal justice under the law. These are the ideas that unite all Americans. They are ideas that have literally changed the course of human events.

No longer are the greatest civilizations in the world recognized or measured by how many subjects bow before a king or how many nations are conquered by armies. Today, we measure greatness of a nation to the extent that the nation's people are recognized as equal under the law. This is enshrined in our most basic documents. Thomas Jefferson's Declaration of Independence, stating "that all men are created equal."

But we know too well that those are words on paper. The long road to equality, on which we most certainly continue to travel and which continues to be a work in progress, has been costly to our Nation. As I mentioned a moment ago, it has been paid for with the blood of hundreds of thousands of American patriots. Unfortunately, the signposts along the way have been too often marked by violence and bigotry when we have seen Americans pitted against other Americans claiming special status because of the color of their skin or because of their relationships.

Today, however, America stands as a shining example of what happens when people set the ideal in their mind as the goal to work forward. As Justice Harlan noted in his classic dissent in the case Plessy v. Ferguson:

> [O]ur Constitution is color-blind, and knows neither nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law.

While it certainly took far too long in our own Nation's history to embrace the truth of Justice Harlan's position, and we certainly have more to do as a work in progress ourselves, America has made significant progress toward equality.

Unfortunately, this bill—whatever good the intentions may be, and I grant those without any argument—the bill threatens to undermine all of the progress we have made by establishing a race-based government and requiring the Federal Government enforce its creation.

There are the bill sponsors, the Governor of Hawaii, and the Attorney General, who argue that the bill does not establish a race-based government. Indeed, they say that the bill neither further balkanizes the United States nor sets up a race-based separate government in Hawaii.

With all due respect, a plain reading of the legislation indicates otherwise.

The bill clearly states that only Native Hawaiians can participate in the newly established community, period. And a Native Hawaiian is defined in part as "[o]ne of the indigenous, native people of Hawaii and who is a direct lineal descendant of the aboriginal, indigenous native people."

But perhaps the most troubling description of the bill comes from our friends, the Senators from Hawaii:

> . . . the first step is to create a list of Native Hawaiians eligible . . . The individuals on the list will be verified by a commission of individuals in Hawaii with demonstrated expertise and knowledge in Hawaiian genealogy. The list will be forwarded to the Secretary of the Department of Interior who is authorized to certify the list only if the Secretary is fully satisfied that the individuals meet the necessary criteria.

In other words, the legislation requires that the Federal Government hire Federal employees to serve on a race-based commission that itself would use a racial test to determine membership in the race-based so-called tribe.

I ask my colleagues to explain to me how this does not "set up a race-based separate government in Hawaii." It seems that if words have any meaning, the truth is plain to see that it does, indeed, establish a race-based system without precedent in American history.

What concerns me even more is that the proponents claim the legislation will not balkanize the United States. But this claim virtually ignores the entirety of our Nation's long and historic struggle over issues of race from slavery to Jim Crow laws and beyond, laws and policies that define our people based on race are bound to ultimately fail.

Furthermore, by claiming to create an analogy to an Indian tribe out of Native Hawaiians scattered across the planet, Congress will be giving the new government some of the same benefits as other Indian tribes. Yet the new government will operate at a very different environment with no geographic boundaries nor physical communities. The people who may be confirmed as Native Hawaiians are completely integrated with all others throughout Hawaii and throughout the 50 States. Developing this government will create a large number of structural and practical difficulties that one can only imagine.

Since time is short today, and it is my sincere hope that our colleagues will vote against cloture on this bill, I will reserve additional comments for a later time.

I conclude by saying this is an idea that runs completely counter to America as a melting pot, which has been so often used to describe our Nation as a Nation that is comprised of many races and many ethnicities, people of wildly divergent beliefs. But the one thing we do agree on is the founding ideals that have made America unique, none of which is more important than equal justice under the law. If we are to embrace for the first time in American history, as a matter of our legislative actions, race-based distinctions for Americans, it will be a day we will long rue and will be a black mark in our Nation's long march toward equal justice.

I yield the floor.

Mr. STEVENS. Can Senator AKAKA yield me some time to comment on the legislation?

Mr. AKAKA. Mr. President, I yield such time as the Senator desires from our side.

The PRESIDING OFFICER. The Senator from Alaska is recognized. The Chair notes the Senator still has 2½ minutes remaining on the majority time as well.

Mr. STEVENS. I ask unanimous consent I be allowed to speak using the time of the Senator from Hawaii. They can reserve their time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I am in support of the legislation, and I will take my time from the other side of the aisle.

The PRESIDING OFFICER. The Senator is recognized.

Mr. STEVENS. Mr. President, I am saddened to hear some of the comments I have heard today in the Senate. Most people do not understand the circumstances that existed in both of our offshore States.

I have come to the Senate to support the Native Hawaiian Government Reorganization Act introduced by my good friends from Hawaii. I support this bill not only because of my friendship and respect for Senator INOUYE and Senator AKAKA but also because it is the right thing to do for the Hawaiian people. I have visited with the Hawaiian people very often on this subject.

Alaska, similar to Hawaii, has a rich history shaped by native cultures and traditions. These customs are a vital part of our heritage. My commitment to protecting and preserving the culture of Alaskan Natives spans now more than four decades. I believe Native Hawaiians deserve this protection as well.

While our Alaskan Native community still faces many challenges, their position has been improved because of legislation which clarified their relationship with our State of Alaska and with the Federal Government.

Soon after I came to the Senate—and that was in 1968—I began working to settle the unresolved claims of our Alaskan Natives. Many of the arguments against the Hawaiian bill now made by the opponents of this legislation were made by those who opposed the Alaskan Native Claims Settlement Act enacted in 1971. But time has proven them wrong. The Alaskan Native Claims Settlement Act did not create States within our State. It did not lead to secession. It did not lead to anyone trying to create a nation within our Nation. Those who argue that the bill before the Senate will lead to secession ignore the history. More than 562 Indian tribes are recognized by our Federal Government.

Not one of those tribes has sought to secede from their State or from the Nation. Federal recognition of these tribes has not prompted any State that they call home to try to secede from our Union. The Akaka bill reaffirms our longstanding commitment to the rights of our indigenous people. It ensures that Native Hawaiians will have the same type of recognition afforded to American Indians and to Alaska natives by the act of 1971.

The U.S. Government has a responsibility to Native Hawaiians, as it does to all indigenous people under our Constitution. The Constitution vests Congress with the authority to promote the welfare of all Native American people and to help foster their success.

Like the Alaska Native Claims Settlement Act, the bill before us, when it is enacted, will create a framework which ensures Native Hawaiian groups can address their unique circumstances. ANCSA was a crucial step in responding to the concerns of Alaska natives. It empowered them to improve their own position. The Akaka bill offers Native Hawaiians the same opportunity.

Our Federal policy of self-determination and self-governance has not been formally extended to Native Hawaiians. This omission unfairly singles them out for disparate treatment from our Federal Government. It deprives them of the processes by which other native groups may negotiate and resolve issues with the Federal and State governments. In my judgment, it is time to right this wrong.

This bill will fulfill our Federal obligation to Hawaii's native people. The Akaka bill authorizes the United States, the State of Hawaii, and the Native Hawaiian Government to conduct negotiations. Their discussions will address the unique issues facing Native Hawaiians. These steps will help ensure the future prosperity of the Native Hawaiian people.

The bill offered by the Hawaiian delegation has garnered widespread support. The legislation reflects the recommendations made by the Department of Justice and the Department of the Interior in the reconciliation report they published in 2000. The Governor of Hawaii, the Hawaii State legislature, and a majority of the Hawaiian people support this bill. Both the National Congress of American Indians and the Alaska Federation of Natives have passed resolutions in support of this bill.

Just as I sought to protect the rights of Alaska natives, Senators AKAKA and INOUYE are fighting for the rights of their native people in Hawaii. They have my full support. They have the support of the Alaska people. I believe they have the support of those who want to see these wrongs righted.

The time has come to fulfill our commitment to these indigenous people and to address the needs of the Native Hawaiians. We can no longer deny our Nation's responsibility to promote their welfare as much as we have promoted the welfare of the Indian people and the Alaska native people.

The Native Hawaiian Government Reorganization Act is a step towards meeting our Federal commitment to Native Hawaiians. It is long overdue. I have come to urge our colleagues to support cloture and vote in favor of this legislation.

I am sorry we are no longer really a debating body. I would love to debate this. I would love to try to ask them to understand what happened in Alaska. The rights of Alaskans aren't the same. There were people who said: You can't do that; that will create a State within a State. There were people who said: You can't do that; they will rebel against the United States.

These people are good Americans. They serve in our military. They just have a different culture, and it has never been recognized by our government as it should. It was done in Alaska in 1971. It is long overdue here.

I ask unanimous consent that the time between 6 and 6:30 be controlled by the majority, and the time between 6:30 and 7 be controlled by the minority.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Hawaii.

Mr. AKAKA. Mr. President, I yield as much time as he needs to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. OBAMA. Mr. President, I rise in support of the Native Hawaiian Government Reorganization Act of 2005.

Although I am a proud Illinoisan, proud to be the junior Senator from Illinois, many of you know that I was born and raised in Hawaii. Anyone who has been fortunate enough to visit or call Hawaii home, as I once did, and as my grandmother and sister and adorable niece still do, anybody who has spent time in Hawaii cannot help but recognize the uniqueness of the place. In addition to its scenic landscapes and rich history, it is the living legacy of aloha—the spirit of openness and friendliness that is ingrained in the shared, local culture that shapes and enhances each island encounter and experience.

Throughout Hawaii's history, individuals of all nationalities, races and creeds have found solace in Hawaii. In large part this stems from the culture of Native Hawaiians, who have always acknowledged and celebrated diversity. This incorporation of new cultures and practices over the years has strengthened and unified the community. And as the child of a black father and a white mother, I know firsthand how important Native Hawaiian efforts are to foster a culture of acceptance and of tolerance.

For this reason, I am proud to join Senator DANIEL AKAKA to extend the Federal policy of self-governance and self-determination to Native Hawaiians. Native Hawaiians are a vital part of our Nation's cultural fabric, and they will continue to shape our country in the years to come.

The Native Hawaiian Government Reorganization Act provides both the process and opportunity for Native Hawaiian communities to engage themselves in and reorganize their governing entity to establish a federally recognized government-to-government relationship with the United States of America. The process set forth in the bill empowers Native Hawaiians to explore and address the longstanding issues resulting from the overthrow of the kingdom of Hawaii.

There are three main provisions of the Native Hawaiian Government Reorganization Act.

First, the bill establishes the Office of Native Hawaiian Relations in the Department of the Interior to serve as a liaison between the Native Hawaiians and the United States.

Second, the bill establishes the Native Hawaiian Interagency Coordinating Group that will be comprised of Federal officials from agencies that administer Native Hawaiian programs. These provisions are intended to increase coordination between Native Hawaiians and the Federal Government.

And third, the bill provides a process for reorganizing the Native Hawaiian government entity. Once the entity is reorganized and recognized, there is a process of negotiations to resolve longstanding issues such as the transfer of and jurisdiction over lands, natural resources, and assets.

Support for this bill comes not only from the people of Hawaii but from people all across America. This bill also is supported by the indigenous peoples of America, including American Indians and Alaska natives. As Americans, we pride ourselves in safeguarding the practice and ideas of liberty, justice, and freedom. By supporting this bill, we can continue this great American tradition and fulfill this promise by affording Native Hawaiians the opportunity to recognize their governing entity and have it recognized by the Federal Government.

As someone who grew up in Hawaii and has enormous love for the Hawaiian culture, I also think it is important, as I know the two Senators from Hawaii will acknowledge, that there have been difficulties within the community of Native Hawaiians, oftentimes despite the fact that we are visitors to Hawaii: that many times particularly young Native Hawaiians have had difficulties in terms of unemployment, in terms of being able to integrate into the economy of the islands, that some of the historical legacies of what has happened in Hawaii continue to burden the Native Hawaiians for many years into the future.

This bill gives us an opportunity not to look backward but to help all Hawaiians move forward and to make sure that the Native Hawaiians in that great State are full members and not left behind as Hawaii continues to progress.

This is an important piece of legislation. I take a minute to commend the senior Senator from Hawaii, Mr. INOUYE, and most of all Senator AKAKA, particularly, for his tireless efforts to bring this to the floor. When people all across the country didn't know about this issue, Senator AKAKA was the one who made sure we did. He has been a champion for the people of Hawaii. He is always working hard and thinking big to realize this ideal for the native population of his State. They are truly fortunate to have Senator AKAKA as their Senator.

I urge my colleagues in the Senate to vote for the Native Hawaiian Government Reorganization Act of 2005. I will be proud to add my vote to the roll call.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, before I yield time to the Senator from Alaska, I would like to say a word about secession. This bill in no way allows the State of Hawaii to secede from the United States. To reiterate my prior statement, I support addressing the legal and political relationship between Native Hawaiians and the United States within Federal law. I do not support independence. I do not support secession of the State of Hawaii from the United States.

This bill extends the Federal policy of self-governance and self-determination to Hawaii's indigenous peoples, thereby providing parity in Federal policies toward American Indians, Alaska natives, and native Hawaiians. The bill focuses solely on the relationship between the United States and Native Hawaiians within the context of Federal law.

None of the numerous federally recognized tribes have been accused of seeking to cause their State to secede from the Union because of their legal and political relationship with the United States. Such claims are false and meant to instill fear in those who are unfamiliar with the nature of government-to-government relations between tribal entities and the United States.

Given Hawaii's history, I have a small group of constituents who advocate for independence. Why? Because there hasn't been a structured process to deal with the longstanding issues resulting from the overthrow. The absence of a process to resolve the issue has led to frustration and desperation. My bill provides a structured process to begin to address these longstanding issues. Contrary to the claim of divisiveness, my bill goes a long way to preserve the unity of the people of Hawaii.

I yield time from our side to Senator MURKOWSKI of Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Ms. MURKOWSKI. I thank the Senator from Hawaii for his leadership on this issue, for his leadership on behalf of the people of Hawaii. There is so much in common that the Alaskans in the north share with our neighbors in the Pacific. I would like to take a few moments to speak a little bit about the history and how the history of our Alaska Natives ties in with the Native Hawaiians and why I stand today in support of the legislation offered by Senator AKAKA.

As Abraham Lincoln is revered by the African American community as our first civil rights President, Richard Nixon is held in esteem by America's native people for his doctrine of self-determination. President Nixon knew that in order for the native people to break out of the despair and poverty that gripped their lives, they would need to be empowered to take control of their own destiny. One of President Nixon's legacies to America's first peoples is the Indian Self Determination and Educational Assistance Act. Another one is the Alaska Native Claims Settlement Act. These two pieces of legislation eliminated any doubt as to whether the Native people of Alaska were recognized as among the first people of our United States and were, therefore, eligible for the programs and services accorded to Native people.

Yet it took more than a century from the time the United States acquired Alaska from Russia for the legitimate claims of Alaska's native people to be resolved. One hundred and three years to be exact. President Nixon signed the Alaska Native Claims Settlement Act into law on December 18, 1971. It has been amended by Congress to clarify one ambiguity or another on numerous occasions since.

The Indian Commerce Clause of the United States Constitution, which provides the legal basis for our Nation's special relationship with its native people, speaks of the authority of Congress to regulate commerce with the Indian tribes. It is now well established that this provision of the Constitution is the legal basis for our Nation's special relationships with the Native peoples of Alaska.

Some of Alaska's native people regard themselves as Indians. But the Eskimo and Aleut peoples of Alaska, who have also been recognized by this Congress and the courts as deserving of the special relationship, most certainly would not regard themselves as Indians.

In Alaska, the basic unit of native organization is the village and while some villages refer to themselves as "tribes," many native villages do not.

The Inupiaq Eskimo villages carry names like the native village of Barrow, the native village of Kaktovik, and the regional governing body of North Slope Inupiaq Eskimos refers to itself as the Inupiaq Community of the Arctic Slope.

Alaska's native peoples are Aleuts, Eskimos and Indians and their units of organization include entities like traditional councils, village councils, village corporations, regional consortia and subregional consortia. Yet neither the Congress nor the Federal courts deny all fall within the purview of the Indian Commerce Clause.

Leading constitutional scholars, including our esteemed Chief Justice John Roberts, have argued that Native Hawaiians also fall within the purview of the Indian Commerce Clause. I think it is high time that this Congress confirm that they do.

The American Indian Law Deskbook, 2d edition, authored by the Conference of Western Attorneys General, an association of state attorneys general, quotes the U.S. Supreme Court's decision in United States v. Antelope for this point.

> Congress may not bring a community or body of people within the range of its Indian Commerce Clause by arbitrarily calling them an Indian tribe, but . . . the questions whether, to what extent, and for what time they shall be recognized and dealt with as tribes are to be determined by the Congress, and not by the courts.

As anyone who has been to law school knows, when the courts apply arbitrariness as the standard of review, they are highly deferential to the initial decision maker, whether that decision is made by the executive branch or the legislative branch.

And the new 2005 edition of Cohen's Federal Indian Law treatise, which has historically been regarded as the definitive authority on Federal Indian Law notes that "no Congressional or executive determination of tribal status has been overturned by the courts" and indeed the Supreme Court has never refined the arbitrariness standard to which I referred.

The Alaska Native Claims Settlement Act was most importantly, a settlement of land claims. But it has turned out to be so much more for Alaska's native people. It created native owned and native controlled institutions at the regional and village level. These institutions, the Alaska Native Corporations, have functioned as leadership laboratories, helping a people who traditionally lived a subsistence lifestyle gain the skills necessary to run multi-million-dollar economic enterprises. I am not only referring to the profit-making corporations created by the act, but also the people serving institutions that manage Indian Self Determination Act programs.

The Alaska native health care delivery system is a prime example of President Nixon's self-determination policies at work. At one time the Federal Government administered the delivery of health care to the native people of Alaska through the Indian Health Service. Today, the native people administer their own health care delivery system under a self-governance compact with the Federal Government.

This healthcare system is recognized around the world as a laboratory for innovation. It is a pioneer in the use of telemedicine technology to connect clinics in remote villages to doctors at regional hospitals, and at the advanced Alaska Native Medical Center in Anchorage. Confidence in the quality of care delivered by the native healthcare system rose when native people took over the system.

But for me the most gratifying thing is to see young native people who are leading their communities into the new millennium. You see them in management and developmental positions everywhere in the Alaska native healthcare system.

The institutions created and fostered by the Alaska Native Claims Settlement Act have helped countless native young people pursue educational opportunities at the undergraduate and graduate level. Young people from the villages of rural Alaska are going off to school and returning with MBAs and degrees in law and medicine, nursing, education and social work.

As I visit the traditional native villages in my State of Alaska, it is evident to me that the Alaska Native Claims Settlement Act accomplished much more than settling land claims and creating native institutions. This legislation empowered a people. The Native people of Alaska have regained their pride in being native. Even as native people are pursuing careers that their ancestors never considered, there is a resurgence of interest in native languages and native culture in many of our native communities.

The empowerment of Alaska's Native people also enriches the broader Alaska community. Thousands of Alaskans participate in programs offered by the Alaska Native Heritage Center in Anchorage. The Athabascan Old Time Fiddler's Festival and the World Eskimo-Indian Olympics enable the native people of Interior Alaska to share their culture with the Alaska community.

At the time the Alaska Native Claims Settlement Act became law, some believed that it would balkanize the State of Alaska and separate people from one another. As we approach the 35th anniversary of the Alaska native land claims settlement, I can state with confidence that this single step of recognizing the legitimate claims of Alaska's native peoples has made our State a better place. It strengthened our ties to the past. It strengthened our sense of community. It enables all of us, native and non-native alike to take pride in Alaska.

Some 112 years have passed since the overthrow of the Kingdom of Hawaii, depriving the Native Hawaiian people of their self-determination and their land. Some 112 years after the Native Hawaiian people came under the control of the United States, I am sad to note that their status among the aboriginal peoples of the United States remains in controversy.

This controversy persists even though the Congress has enacted more than 150 separate laws that recognize a special relationship between the Native Hawaiian people and the United States. Among these laws is the Hawaiian Homes Commission Act of 1921, which set aside lands for Native Hawaiians much like the Alaska Native Allotment Act set aside lands for Alaska Natives.

Now you would think that if Native Hawaiians were regarded as not having the status of Indian people under the Commerce Clause, that the Congress would not have set aside land for them or made them eligible for the sorts of programs and services for which native people are eligible. But the Congress has done so time and time again and Presidents continue to sign these bills into law.

I am referring to the inclusion of Native Hawaiians in laws like the Native American Programs Act of 1974 and the Native American Graves Protection and Repatriation Act, which protect the interests of all of America's native peoples.

I also refer to laws such as the Native Hawaiian Healthcare Act and the Native Hawaiian Education Act which specifically rely on Congress's plenary power over matters involving Indians for their authority.

This controversy persists even though this Senate passed by a margin of 65-34, an Apology Act in 1993 which was ultimately signed into law as Public Law 103-150. Through this Apology Act, the Congress expressed its commitment to provide a proper foundation for reconciliation between the United States and the Native Hawaiian people.

The bill before us, S. 147, is the logical next step in the process of reconciliation. It is the product of many years of hard work by our esteemed colleagues, Senator AKAKA and Senator INOUYE. It has earned the support of the Governor of Hawaii, the Honorable Linda Lingle, and the support of the Hawaii Legislature. It is endorsed by every major Indian group in our Nation—the National Congress of American Indians, the Alaska Federation of Natives and the Council on Native Hawaiian Advancement. It has been carefully considered by the Senate Committee on Indian Affairs which has reported the bill favorably to the full Senate.

First and foremost, it conclusively resolves the issue of whether Native Hawaiians are aboriginal peoples alongside American Indians and Alaska natives. This is a process that the native people of Alaska waited 108 years to resolve. It is important for the Congress to resolve these issues in order to assure that the programs we have enacted for the benefit of Native Hawaiians are free of constitutional challenge.

It provides for the organization of Native Hawaiians in a form that the adult members of that community determine by an open and transparent ballot. And it empowers that Native Hawaiian organization to negotiate with the State of Hawaii and the United States of America over the direction that Native Hawaiian self-determination may take. This is a modest piece of legislation that simply establishes a framework for negotiations to take place in the future.

Some of the opponents of this legislation have set out a parade of horribles that will flow from its enactment. I, for one, am unwilling to speculate on the outcome of the negotiations between the United States, the State of Hawaii, and the organization of Native Hawaiians established by this legislation. This legislation on its face states that it does not authorize Indian gaming, it does not vest the Native Hawaiian organization formed under its provisions with civil or criminal jurisdiction, and it does not require that Federal programs and services to other aboriginal peoples of the United States be reduced in order to provide access to the native peoples of Hawaii. It also does not create Indian reservations in Hawaii.

Sharing and inclusion are fundamental values to the native people of Alaska. The Alaska Federation of Natives, which is the oldest and most respected organization representing all of Alaska's native peoples, strongly supports the inclusion of Native Hawaiians among our first peoples, just as it supports the legitimate claims of the Virginia tribes and those of the Lumbees of North Carolina. I ask unanimous consent that the AFN's resolution of support be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IN SUPPORT OF THE HAWAIIAN PEOPLE

Whereas: the aboriginal people of the Hawaiian Islands, like Alaska Natives and Indians of the Lower 48 states, have long been the victims of colonial expansionism and racial discrimination; and

Whereas: the Office of Hawaiian Affairs, a unit of state government, has for years administered trust funds for the benefit of Native Hawaiians under the aegis of a Board of Directors elected by Native Hawaiians; and

Whereas: in the recent Rice v. Cayetano ruling, the U.S. Supreme Court held that this electoral process violates the Fifteenth Amendment to the United States Constitution, which prohibits the use of race as an eligibility factor in voting; and

Whereas: the Rice decision opens the door to additional lawsuits that would threaten the status and well-being of Hawaiians—and could create serious implications for Alaska Natives and other indigenous Americans; and

Whereas: the most experienced legal strategists in Hawaii, including the Governor and the Congressional Delegation, have determined that the best response to the Rice decision is that the United States Congress enact legislation specifically recognizing the Hawaiians as an "indigenous people" of the United States; and

Whereas: the State of Hawaii, particularly when compared to Alaska, has generally treated its indigenous population with respect and it is now making a unified effort to avoid the damage that Rice could do its own future; and

Whereas: there are several compelling reasons why AFN and the statewide Alaska Native community should now stand up for the Hawaiian people during the struggle for their appropriate legal status:

(1) because it is the right and just thing to do;

(2) because all Americans have a vested interest in healthy social relationships, racial tolerance, and political cohesion; and

(3) because the Hawaiian Congressional Delegation—and above all, Senators Daniel Inouye and Daniel Akaka—have always been there for us in our long fight for Alaska Native rights, including subsistence; Now therefore be it

Resolved, That the Board of Directors of the Alaska Federation of Natives declares its unqualified concern for, and support of, the Hawaiian people in their quest for federal recognition as indigenous people of the United States; and be it further

Resolved, That the Alaska Federation of Natives' Board of Directors direct the President and staff to assist the State of Hawaii's political leadership in this critical effort, by all appropriate means.

Ms. MURKOWSKI. Celebrating the distinctive cultures and ways of our first peoples strengthens of us. The Alaska Native Claims Settlement Act has stood the test of time and proven to be a good thing for the people of Alaska—native and non-native alike.

During his introductory remarks, the Senator from Tennessee, Mr. ALEXANDER, drew some distinctions between the situation of the Native Hawaiians and those of Alaska Natives. I would like to offer a few observations for the RECORD.

It is true that some Alaska Natives now and at the time the Alaska Native Claims Settlement Act of 1971 was enacted live in Alaska Native villages. Those villages have never been regarded as Indian reservations. Non-Natives live in Alaska Native villages alongside Alaska Natives.

But more significantly, the Alaska Native Claims Settlement Act of 1971 did not require that one reside in one of the Alaska Native villages or even in the State of Alaska to be a beneficiary of the settlement. All it required it that an individual have as a result of one's ancestry a specified quantum of Aleut, Eskimo or Indian blood to be an initial shareholder in an Alaska Native Corporation. The Federal Government determined who was eligible to receive stock by formulating a roll of Alaska Natives.

Recognizing rates of intermarriage among Alaska Natives, Congress has amended this legislation to give descendants of a corporation's original shareholders an opportunity to participate in the corporations on a co-equal basis with those shareholders who had the requisite blood quantum.

At the time that the claims act was passed Alaska Natives resided in every urban center of Alaska and many resided outside of the State of Alaska. They too lived as everyone's next door neighbor and were mixed in with the State's population.

In the 34 years since the claims act was passed more and more Alaska Natives have relocated to regional hubs, to Alaska's largest cities, and to locations outside Alaska. Today, Anchorage is regarded as Alaska's largest Native village. Some even live in Hawaii. Yet they have not lost their status as Alaska Natives in fact as in law. All remain eligible for services customarily provided to American Indians and Alaska Natives under the law.

I trust in the judgment of my respected colleagues, Senator AKAKA and Senator INOUYE, and my friend, Governor Lingle, that passage of S. 147 will enrich the lives and spirits of all of the people of Hawaii.

I ask that my colleagues support cloture to enable us to debate S. 147. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I thank the Senator from Alaska for her support. I yield whatever time is left to the Senator from Arkansas, Mrs. LINCOLN.

The PRESIDING OFFICER. The Senator has 18 seconds.

Mrs. LINCOLN. Mr. President, first of all, I compliment my colleagues from Hawaii, Senator INOUYE, and Senator AKAKA especially, for sharing his time and for the incredible work they have done on behalf of the people they represent in the State of Hawaii. I wanted to take this opportunity to——

The PRESIDING OFFICER. The Senator's time has expired. The next 30 minutes, by unanimous consent, is to be controlled by the majority. Does the Senator from Arkansas have a unanimous consent request?

Mrs. LINCOLN. Yes. I ask unanimous consent to proceed for 5 minutes.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Reserving the right to object, and I have no desire to object, my time was starting at 6 o'clock, and then Senator SESSIONS has 10 minutes. He needs to leave by 6:20. He is not here. I think that was the original agreement.

Would the Senator be willing to start at 6:20 and have 5 minutes then?

Mrs. LINCOLN. If there is an objection, I will certainly yield.

The PRESIDING OFFICER. Is there an objection?

Mr. GREGG. That will still be on our time, as I understand it. If the Senator is agreeable, I suggest that at 6:20 she be recognized for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I apologize to the Senator, but Senator SESSIONS advised me he wants me to be completed by 6:10.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

REPEAL OF THE ESTATE TAX

Mr. GREGG. Mr. President, I rise today to support the effort which is being pursued in the Senate in a bipartisan way, I certainly hope, to rid ourselves of the death tax, especially as it applies to smaller estates.

The death tax makes virtually no sense from a standpoint of tax policy. Before I was elected to the Senate and before I got into public office, I was an attorney. At the time, I went back to graduate school for 3 years and got a graduate degree in tax policy and taxation, an LLM, as it is called. One of the areas I specialized in at that time was estate tax planning. It always seemed ironic to me that this was the only tax that was energized not by economic activity—in other words, usually when you are taxed, you do something that generates economic activity. You have a job so you have income; you make an investment and make a sale of that investment, so you have capital gains. Whatever it is, it is an economic event that you energize, that you initiate, and it has generated some sort of income to you.

The death tax is the only tax we have which has nothing to do with economic events. It just has to do with an unfortunate luck of the draw. You are crossing the street and you get run over by a postal truck and die, which is enough of an action to upset your day, and then the IRS comes by and they run over you again. So you end up not only having your day totally ruined because you got run over by the postal truck to begin with, but then your family has their day ruined because they not only lost you, but they suddenly have to pay this huge tax if you are an entrepreneur.

The problem is that it hits most discriminatorily that small entrepreneur in our society who basically creates jobs—the small business person—a person who has made an investment and built an asset throughout their life. Maybe it is people who go out and start a restaurant, maybe employ 10, 15, 20 people; people who go out and start a printing business or make an investment in real estate, an apartment, build housing for people. They are just getting going, they don't have a whole lot of assets, and they are not very liquid usually—in fact, these folks are not liquid at all because it is mostly tied up in real estate—and suddenly they have this traumatic event with the key person in the family dying who maybe built this business and then they get hit with a tax.

Not only is it a tax which has nothing to do with economic activity, it is actually a tax which has the ironic and unintended consequence, I presume—but it is exactly what happens—of actually crushing economic activity and reducing economic activity and, in many cases, costing jobs because the small family business or the farm, which was being operated by this sole proprietor, in most instances, or this small family unit, suddenly can't find itself capable of meeting the costs of paying the estate tax—it didn't ever plan for that or if they did plan for that the cost of planning for that was pretty high—and so they have to sell their assets which usually means the people they employ are at risk or maybe they have to just close down the whole operation.

So the economic activity contracts, and instead of having a business that might have been growing, you end up with a forced sale, the practical effect of which is you contract economic activity.

First you have this really incomprehensible concept that you are going to tax people not for economic gain, but simply because they had a terrible thing happen, which is they died, maybe accidentally, and then you are going to say that instead of encouraging economic activity, which is what the purpose should be of our tax laws, you are actually going to create a tax which contracts economic activity. So it is discriminatory, inappropriate, and irrational, and on top of that, to make things worse, the United States has the third highest estate tax, death tax rate of the industrialized world. In fact, our rate is so high that we are even above—and this is hard to believe—we are even above France. When you get above France in an area of taxation, you have really started to suffocate economic activity, entrepreneurship, and creativity because they are sort of the poster child for basically how to make an economy nonproductive and encourage people not to work and basically be a socialist state.

This whole concept of a death tax, first, makes no sense from the standpoint of tax policy; it is not generated by economic events, and it makes no sense from the standpoint of economic policy because it usually leads to contraction of growth rather than expansion of growth. And it certainly makes no sense that the United States, which should be a bastion of the promotion of entrepreneurship and a bastion of supporting family farmers, the family restaurant, the family gas station, the family entrepreneur, is taxing those families at a rate which is higher than the French do.

There is a proposal—in fact, really there is a series of proposals—in the Senate today and the next few days which will allow us to put in place a more rationalized approach to the death tax. To get to that point, we have to have, it appears, a cloture vote on full repeal, which was the House position. But three or four of our colleagues have put forward ideas that do not involve full repeal—I support full repeal—but these are more modest approaches. Senator KYL has been leading the effort in this area. Senator BAUCUS appears to be pursuing this effort. Senator SNOWE, I know, is pursuing it. There are options floating around the Congress—the Senate specifically—which, hopefully, can be pulled together and moved forward.

It truly is time to do this. We need to put in place a clear statement of what the tax policy is going to be if you have the unfortunate experience of being run over by a postal truck. And it should be a clear statement that if you are a small entrepreneur with a family-type business or a farm, that your family is not going to be wiped out by the IRS coming in on top of this terrible event and taking basically a disproportionate and inappropriate share of your assets and basically contracting and eliminating your business and putting your family's livelihood at risk.

The reason we need to do it now, even though most of this won't take effect until 2010, I can tell you as an estate tax planner before I took this job, before I got into public service, you need that lead time to do it right. You just can't overnight plan for tax policy. You have to have lead time, you have to have a clear statement of what the tax policy is going to be, and consistency is critical. Putting this in place now so it will be effective in 2011, which is what most of the proposals are, is absolutely essential if we are going to have an effective reform of this death tax law which we presently have.

Mr. President, I see the Senator from Alabama is in the Chamber. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I couldn't agree more with Senator GREGG's comments. He is someone who has had experience with the estate tax. He understands these ramifications well.

My college professor, Harold Apolinsky, in Birmingham, one of the great estate tax lawyers in the country, has dedicated his career in recent years to eliminating this tax. He said it is the worst thing happening to our country, and it absolutely ought to be eliminated. He said: Even if it affects my business, I am doing this because I think it is the right thing to do. He has inspired me to be active in this area.

I would like to share three stories.

I was traveling in a small town in Alabama. A man came up to me with his son. They have three motels. He was sharing with me their frustration that they had to take out an insurance policy that cost the family $80,000 a year because if something happened to him, they had no cash—they had built motels, they were investing in a growing economy and expanding this small business and they had no cash—and they would be faced with a death tax.

I want my colleagues to think about this: Against whom is this small business family competing? It is competing against Holiday Inn, Howard Johnson's, Courtyard Marriott, and who all else—huge international corporations that never pay a death tax—never pay it. But this closely held family business can be devastated. And if we don't change the law, as we all know, in 2011, this tax will again be 55 percent of net worth over the base amount.

We need to be encouraging these kinds of businesses. I got a call yesterday from Robert Johnson, the founder and CEO of Black Entertainment Television. He told me that the death tax was going to make it impossible for African Americans to continue to develop wealth. He said he is competing against CBS, ABC, NBC, and Fox. He is not as big as they are, but he is competing. He has made some money. If something happens to him, the family is going to have to take out of his business huge amounts of cash reserves. What then will happen? BET will be put on the sale block, and it will be bought, as he said, by some big conglomerate. It will not be bought by an African American because they won't have the money to do it. He said we are capping off the growth rate, instead of allowing that company to devolve to his heirs so it would continue to be run in that fashion.

Think about a person who may own 5,000 acres of land, let's say. That sounds like a lot. They have managed well. They have been a good steward for 50, 60 years. They saved money. They drove an old pickup truck. They have a modest home. They are frugal. We know people like that.

What about International Paper? They own millions of acres of land. International Paper will never pay a death tax. But yet this landowner who is competing—maybe they have a forestry business—competing, in a way, directly against International Paper. But every generation of this family, Robert Johnson, the motel owner, has to pay a tax the big guys don't pay. Do you want to ask why we are seeing consolidation of wealth in America today? I submit to you that is the reason. Independent bankers, funeral home directors, they are selling out in large numbers. They can't afford to manage their business. They have to get liquid so if something happens to them, they can pay the death tax. It brings in less than 1.3 percent of the income to the United States Government. I submit the way it is working today is destroying competition. It is hurting, savaging, killing off vibrant, growing small businesses, the family-owned entities that need to be competing against the big guys.

It reminds me of going into a forest of trees and there is this little tree trying to grow up in the middle of the forest and somebody just comes in every generation and chops off the top of the little tree. How can it ever compete against the big guys if it has to pay a tax they don't pay?

I believe it is important for us for a lot of different reasons. This is why I think we ought to eliminate the whole thing: some of these companies are $50 million, $100 million companies, but they are tiny—$200 million, $300 million, but they are tiny compared to these big, international corporations. Polls show that the death tax is the most unfair tax—Americans consider it the most unfair tax because people have already paid their money. You earn money, and then you pay, if you are in the higher income bracket, a 35-percent tax rate, and then you buy an asset with it, and a few years later, you die, and Uncle Sam comes in and he wants 55 percent of it. What kind of a tax system is that? It is really a confiscation.

Also, this is very important: Any good tax should be clear, fair, easy to collect, and does not cost a lot of money to collect. When you evaluate the death tax by those standards, it is the worst tax of all.

Alicia Munnell, a professor of finance at Boston College and a former member of President Clinton's Council of Economic Advisers, has written two times that in her opinion the cost of compliance and avoidance—as the big, wealthy people spend a lot of money trying to avoid this tax—may be as high as the revenue raised. How horrible is that, to have a tax that costs as much to collect as it brings in in revenue?

I have a deep concern about the scoring that has been produced by the Joint Tax Committee on this death tax repeal. I do not believe it is accurate. I have not believed it has been accurate for quite some time. The Wall Street Journal just devastated their analysis a couple of days ago in an article. I believe it is absolutely incorrect. I would note that they scored the reduction of the capital gains tax a few years ago, reduced it from 20 to 15 percent, as costing the Federal Government billions of dollars. The truth is, the Federal tax revenues from capital gains increased when the capital gains tax was reduced, and they missed it by more than $80 billion. They had a reduction projected, we ended up with a substantial increase, and the difference between their projection and reality was over $80 billion. Do you know they won't tell us how they compute this death tax cost? They will not tell the Members of this Senate what their working numbers are.

So I will give some more information on my concerns about the score, but I will again note that it brings in less than 1.3 percent of the revenue to the Government. It is time to eliminate it. It will be great for our economy. It will eliminate a tax that costs as much to administer as it does to collect. It will stop savaging small businesses. It will stop preying on families during the most painful time in their lives: the death of a loved one.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I commend the Senator from Alabama, Mr. SESSIONS, on his remarks.

Mr. ISAKSON. Mr. President, Senator SESSIONS is absolutely correct, Senator GREGG is absolutely correct, and this Senate will be absolutely correct if we vote to go to cloture so we can proceed on the total repeal, or at least an additional repeal, of the estate tax. There are a lot of reasons, but I want to try and make my point succinctly and I want to make it briefly because I want to point out how punitive the estate tax is today.

Most Americans are employed by small business; 75, 76, 77 percent of all Americans are employed by small business. It may be a restaurant, it may be a laundry, it may be a farm, it may be a construction company, it may be a utility contractor just like the ones that are in town today lobbying all of us for the best interests of their business. Most people work a lifetime to build a business. They employ people to whom they pay income. The people to whom they pay income pay income taxes. Yet when the tragedy of death comes, an individual owner of a small business dies, immediately they are confronted with one of the most punitive and confiscatory taxes that has ever been devised in the history of taxation.

Granted, we did a good job when we passed the accelerated improvements in the unified credit or the deduction on the estate tax. This year, based on the bill we passed a few years ago, there is a $2 million exemption, and that is a help, and it goes to $3.5 million in a couple of years. Then, magically, the estate tax is repealed in 2010, only to return to us a year later, to return to us at 55 percent. So we are asking people who work a lifetime to save and build a business, to plan, based on a tax that is here today, gone tomorrow, and then returns with a vengeance a year later.

To best illustrate what the estate tax does to American small business, ranchers, and family farmers, I would like to do a little demonstration on the Senate floor. For the sake of argument, let's just round the 55 percent estate tax off to 50 percent, and let's assume for a moment that a small business owner, a family farmer, passes away and dies and their estate becomes taxed at 50 percent. After the credit that is available now, or when we get back to 2011, no credit at all, the United States of America and the department of revenue, the IRS, want to tell the heirs of that estate that within 9 months of the death of that individual, they want this much of that person's estate. If one sheet of paper is the whole estate, they want half of it in taxation.

So when the first generation owner of a small business passes that business on to the second generation, after the Government gets its half, there is only this much left.

Let's assume that family is able, because of savings and because of borrowing and because of productivity, to pay that 50 percent tax without liquidating the business, and that second generation small business owner operates that business, employs the workers in that business, pays them the income that pays the taxes, but let's assume that second generation person meets their demise. And when they die, before they can pass that family business on to the next generation, once again, the IRS gets half of what is left.

So in two generations, what was a full estate ends up with three-fourths of it going to the United States Government, and one-fourth of it left to the individual or family. Of course, that is in reality not really what happens because before that last passing takes place, that business is sold or liquidated, or it is leveraged to such an extent that the amount of cost of the debt service on the leverage makes that business go from profitable to unprofitable. That is why the estate tax is punitive. That is why it is wrong for this country.

I want to address another point that Senator SESSIONS made that is so important for us to focus on as we listen to the two sides of this debate tonight and tomorrow. You will have some come and they will take that score on how much the repeal is going to cost us, and they will talk about that score, saying that is a reason we should not repeal the estate tax or the death tax. I submit, as Senator SESSIONS did, that score is dead wrong because just as the scoring of the reduction in the capital gains tax was dead wrong a few years ago, this scoring is equally dead wrong and it is wrong for this reason: If that family business that was reduced to almost nothing has to be sold, then along with what is sold is the jobs that went with it, the income that went with it, and the future taxes that were paid because of it.

Think of this for a second. If someone has stock they have to sell and liquidate in order to pay the one-time capital gains tax, then it is gone forever from the standpoint of the income production that they otherwise would pay with dividends year in and year out. Wouldn't we rather have people hold assets such as businesses and stocks and real estate and pay taxes on its profitability and its income year after year after year? Wouldn't we rather that happen than all at once to take 50 percent, cause the business to be sold, the stock to be liquidated, the real estate to be divided, and the revenue never to be paid again? It is shortsighted and it is wrong.

I hope the Members of the Senate, when we come to the cloture vote tomorrow, will recognize the death tax is the third bite of the apple. We charge people income tax when they earn income, with what is left they make investments, and then as those investments pay dividends or pay income, we tax that, and then we say: When you die, we want half of that asset. It is wrong. It is wrong for individuals, it is wrong for family farmers, it is wrong for landowners, and it is wrong for America.

I urge all of my colleagues when the cloture vote comes tomorrow to vote yes to bring about a meaningful debate on the repeal of the estate tax or the death tax, and let's take that third bite of the apple away from the Government and put it back in the hands of the people, so those assets, farms, and investments can be productive, not just for one year, but for a lifetime.

I yield the floor.

The PRESIDING OFFICER. Who seeks time?

Mr. ISAKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator should note that he is on majority time by a previous unanimous consent agreement. Is there objection to the Senator proceeding? There being no objection, the Senator from Connecticut is recognized.

Mr. DODD. Will the Chair repeat his statement?

The PRESIDING OFFICER. The Senator is speaking under the majority time previously agreed to under a unanimous consent agreement. I presume there is no objection to the Senator proceeding.

Mr. DODD. I hear no objection, Mr. President. Since no one is on the floor, obviously, that makes it easier.

MARRIAGE PROTECTION AMENDMENT

Mr. DODD. Mr. President, if I can, I wanted to spend a couple of minutes on a matter that this body voted on this morning. I was unavoidably absent this morning at a family matter in Rhode Island, so I was not here for the vote. But I wanted to just take a minute or so here to say to my colleagues and to others that had I been present this morning, I would have voted no on the motion for cloture, and had cloture been invoked, I would have voted against the amendment. I am speaking of the proposed constitutional amendment that would have banned same-sex marriages.

Like many of my colleagues who have spoken on this matter, I believe this is a matter that belongs in the States. This is not a matter that ought to be a part of the Constitution. I have been here for a number of years in the Senate, and over the history of this great country of ours there have been over 11,000—more than 11,000 proposed constitutional amendments. The Congress and the Nation in its wisdom over the years have adopted only a handful of those proposals—27 is the number of amendments that have been adopted since the formation of our country. The reason for that, of course, is the Founders insisted that it be not an easy matter to amend the Constitution and that we ought to amend the Constitution to correct problems in the governmental structures or to expand the category of individual rights such as the first 10 amendments achieved in our Nation.

Our Nation's constitutional history clearly demonstrates that change to our Constitution is appropriate on only the rarest occasions—specifically, to correct problems in the government structure or to expand the category of individual rights such as the first 10 amendments which compose the Bill of Rights. Notably, the amendment to establish prohibition is the only time that the Federal Constitution was amended for a reason other than those I just mentioned.

It was repealed 13 years after its enactment and has been judged by history to be a failure insofar as it sought to restrict personal liberty.

The Framers deliberately made it difficult to amend the Constitution. They did not intend it to be subject to the passions and whims of the moment. Time has proven their wisdom. Since 1789, when the first Congress was convened, there have been 11,413 proposals to amend the Constitution. Sixty-four have been offered in this Congress alone. Luckily, only 27 have been successful. If all or even a substantial fraction of these proposed amendments were adopted, our founding document would today resemble a Christmas tree, a civil and criminal code rather than a constitution, and the United States would be a very different Nation.

It is unfortunate that the majority leadership of the Senate does not share James Madison's view that the Constitution should only be amended "for certain, great, and extraordinary occasions."

Supporters of this proposed amendment would like you to believe that there is currently an "assault" on traditional marriage by some American couples and families that warrants Federal action in the form of a constitutional amendment to "protect" the institution of marriage. They have utterly failed to marshal even a minimal degree of credible facts to support such a claim.

Indeed the facts suggest that there is no such crisis. The Defense of Marriage Act, DOMA, was enacted in 1996 to provide a federal definition of marriage and to stipulate that no state should be required to give effect to a law of any other State with respect to a definition of marriage.

There has been no successful challenge to the DOMA in the decade since its enactment. Courts have never identified a Federal right to same-sex marriage. States have never been forced to recognize an out-of-state marriage that is inconsistent with its own laws.

And no church, temple, mosque, or synagogue has been forced to perform marriages inconsistent with the beliefs of those who worship in them. For Congress to step in now and dictate to the States how they ought to proceed in this matter thus runs counter to the facts. It also runs counter to the principles of federalism and personal liberty that many proponents of this constitutional amendment claim to hold dear.

I am disappointed that we find ourselves spending valuable time on the Senate floor debating this issue. Less than 2 years ago, the majority leader brought the same measure to the Floor. It failed by a vote of 48 to 50. There is no reason to think that it will not fail again.

It is no coincidence that approximately 5 months before the upcoming midterm elections the Senator floor is being held hostage by the majority's misguided priorities. I fear that some of those leading the charge on this legislation are more interested in dividing Americans for partisan gain than uniting the country to solve problems.

Make no mistake: married couples are under considerable strain these days. But the cause of that strain is not the conduct of other American couples going about their daily private lives. Instead, married couples and all Americans are feeling the strain of high gas prices, soaring health care costs, schools in need of reform, a sluggish economy, and a war in Iraq in which American men and women are fighting with courage. Yet this administration and others in this body have little to offer to relieve these strains. Instead, they seek legislation that will only divide and distract Americans from the common challenges we should be facing together.

This proposed constitutional amendment is not the best use of our time. We should be addressing the real needs of American families. We should be legislating. That is what we are elected to do—to address issues like autism, underage drinking, the growing problem of obesity among our nation's children, and the threat of terrorism. But today we have not been afforded that opportunity. Instead, today feels like Groundhog Day.

It is another election year and we are here discussing another issue that has nothing to do with the great challenges of our time.

Only on one occasion did we deviate from that practice and that was the adoption of the amendment dealing with the prohibition of the consumption of alcoholic beverages. That was a complete deviation from the two situations in which the Founders intended that we would amend the Constitution of the United States.

I might point out that it was only a few years after the adoption of the amendment on prohibition that it was repealed by the Congress of the United States and the people across this country.

It would be a mistake, in my view, to repeat another error like that which was committed in the early part of the 20th century when we adopted the prohibition amendment.

Supporters of this amendment like to say that this debate is about an assault on the institution of marriage. I do not believe that to be the case. I do believe, however, that there is currently an assault on families. I am disappointed this body is not spending the time allocated for this debate talking about the important issues families today. For example, we could be talking about the bill dealing with autism that my colleague from Pennsylvania and I have authored and we are trying to get attention on. Obviously the issues of energy prices, education, health care—there are any number of issues I can think of that we might have spent time discussing. We should be trying to come up with some answers rather than debate a question which has marginal significance and minimal importance for most people and which ought really to be left to the States.

Let me also suggest that the motivations behind this may not be helping families but instead inciting a political debate for the elections coming up this fall. What worries me more than anything else, however, is I think it is designed to make people angry, to divide us as a country. I am deeply concerned about the growing divisions occurring in our Nation. This is a time when we ought to be coming together, when our leadership ought to be asking us to sit down and try to come up with answers on some of the overwhelming problems we face—not problems that are so overwhelming we can't answer them. Instead, we are spending that valuable time on a matter that is clearly designed to do nothing more than inflame the passions of people in this country rather than appealing to calm, to rationality, to common sense, to good discourse as a way of addressing the underlying issues. This is a great disappointment.

Again, I would have voted no on the motion to invoke cloture. I am pleased my colleagues from both parties, in a bipartisan way, rejected that cloture motion. It was a good conclusion reached here, and I regret I was not able to be here to cast a vote along with my colleagues who expressed a similar point of view.

THE ESTATE TAX

If I may, I wish to turn to the matter at hand; that is, the debate regarding the estate tax. The last time this body was scheduled to consider legislation to repeal the estate tax, the majority leader decided to postpone consideration of this bill in the wake of the devastation wrought by Hurricane Katrina. The general consensus was it was unseemly for us to be talking about having one-half of one percent—and that is what we are talking about, one-half of 1 percent of the population of this country—receive a bonanza, if you will, by repealing the obligation to share part of their estates to contribute to the growth and benefit of our Nation. The decision was it would be unseemly.

In fact, my good friend from Iowa, the chairman of the Finance Committee, for whom I have a great deal of respect, said, "It's a little unseemly to be talking about doing away with or enhancing the estate tax at a time when people are suffering."

I agree with my colleague from Iowa. I agreed with him then; I agree with him now. If it was unseemly to be talking about enhancing the wealth of the wealthiest in our society at a time when the Nation was suffering from the devastation of Hurricane Katrina only a few short months ago, I suggest that problems have not abated so substantially that we can now make the case that it is no longer unseemly, if you will, to use his language, to adopt a provision here that would make it far more difficult for us to address all of our other priorities as a Nation.

I hope our colleagues will agree and join with others in voting against cloture on the motion to proceed to what I consider to be irresponsible legislation.

Today's discussion is about priorities, as it always should be. I have supported lower taxes for working Americans, including responsible estate tax reform. I think it is wrong to have excessive estate taxes imposed on ordinary farmers and small businesses owners out there who try to leave those businesses or land to their families. Because of the modest incomes most people in these groups make, they could find it impossible to do so under an excessive tax.

I note the presence of my good friend from Arkansas on the Senate floor who speaks eloquently about the farmers in her State who have been left, generation after generation, farms and land for succeeding generations to continue their great traditions. The Presiding Officer comes from a State with a strong agricultural tradition. All of our States have strong small business components, and all of us understand the importance of allowing those families to pass on to succeeding generations the ability to continue those efforts. But I hope my colleagues agree as well, that talking about the total elimination of this estate tax is, I think, irresponsible. It goes too far when we start talking about providing such a massive benefit for only the largest one-half of 1 percent of estates.

I represent the most affluent State in the United States on a per capita basis. I presume as a percentage of my population I have a larger number of estates that would benefit from total repeal than most of the other members of this body, with the exception of my colleague, Senator LIEBERMAN. I can tell you that the few estates that can benefit as a result of the distinction we are making between reform of the estate tax and total repeal seems to go too far, considering the revenue loss it would mean to our country.

We are talking about a revenue loss on an annual basis that exceeds the entire amount of money we commit to elementary and secondary education. Think of that. The entire amount of money in the Federal budget toward elementary and secondary education would be lost as a result of the complete and total repeal, rather than a modest, intelligent, thoughtful, rational reform of this estate tax. We should not bankrupt our Nation's future for a measure that would deliver no benefit to anyone outside a few extremely wealthy estates.

I might point out that some of the most wealthy Americans, people who would benefit the most from this total repeal, have been the loudest, clearest voices urging us not to do so. We ought to take note that the Gates family, people like Warren Buffett, people like John Kluge, people who have made great fortunes in this country and made those great fortunes in their own time, through creative work, not inherited wealth, are urging us, despite the fact that they would benefit to the tune of billions of dollars with a total repeal—listen to the Warren Buffetts, the Bill Gateses, the John Kluges, when they tell you this would be an unwise decision to make to just completely repeal a tax that is so important for continuing our ability to meet our obligations.

Let's not forget we are a nation at war, with American troops fighting and dying in Iraq and Afghanistan, at a terrible human and monetary cost. Repealing the estate tax will cost some $776 billion over 10 years, which would fully be applied beginning after 2011. Not a penny of this cost would be offset. It would all be added to our Nation's debt, which is already now at $8.4 trillion.

I made the case a few weeks ago—how big is $8.4 trillion? If we were to go out on the Capitol steps out here and hand out a hundred-dollar bill every single second, 7 days a week, 24 hours a day, how long do you think it would take to pay off $8.4 trillion? I will tell you the answer. It would take more than 2600 years—24 hours a day, 7 days a week, a one-hundred-dollar bill every second, handing it out. It would take 2,635 years. That is the amount of debt we have accumulated over the last few years, and now we are about to add to that to the tune of almost another trillion dollars here if you take what the revenue loss would be and the added interest cost of some $213 billion. That would be the revenue loss that would result from repealing the estate tax. More than a trillion dollars that would benefit no one at all outside the largest one-half of 1 percent of the estates in the United States; 99.5 percent of the estates in the United States would not gain at all by the proposals to have a modification or reform of the estate tax. Each year of repeal on average would cost roughly the same in today's terms as everything the Government now spends on homeland security and education.

Over the past 5½ years, the current administration has radically altered our Nation's economic and social well-being, in my view. Median incomes have stagnated, poverty rates have risen, and more and more people are living without health insurance. Our troops have struggled with inadequate body armor and other necessities of battle. Farmers, workers, and small business owners are contending with rising interest rates, higher energy and health care costs, and growing global competition. While these problems have grown, the administration has severely reduced our Nation's ability to meet them by driving our Federal budget from surplus into deep deficit.

Since the current President took office, the Federal budget has declined from a surplus of $128 billion to a deficit of more than $300 billion. The national debt has risen to $8.4 trillion. In just 5 and a half years, the administration has added more debt from foreign creditors than every other President in the history of the United States combined—in the last 5 years.

Repealing the estate tax would make these problems far worse, not better, and further hurt America's ability to address our most pressing issues.

A few months ago, the administration and the majority of this body enacted a budget reconciliation bill, the so-called Deficit Reduction Act. This bill made deep cuts to health care, childcare, and education, with the burden falling most heavily on working Americans—in particular on low-income parents and children, the elderly, and people with disabilities. The American people were told these cuts were necessary because of the deep budget deficits our country was facing. Yet here we are today, having been told only a few months ago that this great budget reconciliation act was necessary, despite the fact that we are going to ask those who are the least capable in many cases of providing for their needs, feeling the tremendous pressure they are, here we are today only a few weeks later being told that we can afford to take $1 trillion out of the budget to serve one-half of 1 percent of the estates in this great country of ours.

Where is the logic in that? Mr. President, 99.5 percent of the estates in our country would not be adversely affected by what we are talking about. They would not pay an estate tax. Only one-half of 1 percent would. Yet $1 trillion gets lost as a result of that decision, over the next 10 years, at a time, as I mentioned earlier, when we are not paying for the war and we find ourselves in tremendous need if we start talking about education, health care, and homeland security, just to mention two or three items.

Some proponents of the estate tax repeal have propagated the myth that the estate tax disproportionately harms farmers and small businesses by forcing them to sell their family farm or business in order to pay the tax. This just is not true. It is a scare tactic used by those who will benefit from repeal to create support for their cause. In reality, when the New York Times asked the American Farm Bureau Federation for real-life examples of a family farmer forced to sell by the estate tax, not a single example could be found. Not a single one.

Contrary to the misinformation that has been spread, no one but the very largest estates would ever pay this tax on inherited wealth. This year, an individual can pass on as much as $2 million and a couple can pass on as much as $4 million to their heirs, completely free of any taxation whatsoever. With these exemptions, 99.5 percent of all the estates in the United States would owe no tax at all. Those that will owe, only owe on the value of their estate that exceeds the $2 or $4 million that I just mentioned. With the exemption levels scheduled to rise in 2009 to $3.5 million for individuals and $7 million for couples, the percentage who will owe a single cent in estate tax falls to a mere 0.3 percent of the population that would pay any estate tax at all. So 99.7 percent of the American population would have no obligation whatsoever. Yet we are about to enact legislation here that would repeal this altogether.

I do not understand that at all. How do you explain to people today that your child or your spouse serving in Iraq or Afghanistan? We are being told we don't have enough money for body armor or to up-armor the vehicles they drive, or that homeland security has to be cut because we don't have the revenues to support it. Yet we turn around and do something like this? Where is the logic in this? Under these rules, the number of Americans affected by the estate tax has declined dramatically already under current law, from 50,000 people in 2000 to only 13,000 today, and by 2009 the number will fall to 7,000. Out of a nation of 300 million people, 7,000 people in our 50 States would not be obligated to pay any estate tax at all.

Seven-thousand out of three hundred million, yet we lose $1 trillion in revenue.

Again, where is the logic or common sense in a proposal like that given the damage it would do?

As I said, my State of Connecticut ranks consistently year after year at or near the top of the Nation in per capita income and other such measures. In my State and across America, people of all incomes have worked hard, obviously, to get where they are.

I don't like class warfare. I don't like drawing those distinctions. Many of these people I mentioned, pay taxes and have worked hard, and I respect that.

I urge my colleagues to listen to some of the men and women who have accumulated the greatest wealth as a result of their ingenuity and hard work. What are they saying about this in terms of the benefit to the country and the cost it would have?

In my State, I probably have a greater percentage of constituents than almost any other State in the country who would benefit if there is a total repeal. I stand here today, telling you that an overwhelming majority of the very people who would benefit from this, think it goes too far; that we are going too far with this proposal.

I urge my colleagues to join those who have urged us to be more modest, to have a more commonsense approach than repeal or near-repeal. Again, it would be a major failure to lose the revenue equal to that which we spend on all of the education for elementary and secondary school students, all of the spending on homeland security, to once again drive us further and further into debt. I think it is a great tragedy to be passing that on to the coming generations, to say we want to give a tax break only to the top five-tenths of 1 percent, or three-tenths of 1 percent of the population. That is an indictment that future generations will look back on and ask: What were they thinking at the beginning of the 21st century that they would take such a significant step as to deprive this Nation of the ability to have the revenue we need in order to meet our obligations?

When the vote on cloture on this matter occurs, I urge Members to vote no.

There is a way to do this, and I think many of us are willing to support responsible reform in the estate tax area. But the notion of total repeal, I think, is highly irresponsible.

I urge my colleagues to join in the condemnation of that suggestion.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

NATIONAL HUNGER AWARENESS DAY

Mrs. LINCOLN. Mr. President, I want to take this opportunity to spend a few moments to talk about the 36 million Americans, including 13 million children, who live on the verge of hunger.

I want to divert our conversation a little bit. I have actually waited quite some time to be able to speak about it. I started yesterday trying to get just a few minutes on the floor to bring about an awareness because today is National Hunger Awareness Day.

I often think about the children and the working American families who struggle to make ends meet. But I focus my thoughts and prayers on them today because today is National Hunger Awareness Day, 1 day out of our year. I started yesterday trying to grab 5 minutes where we could bring our attention to something so incredibly important and something so easy to fix.

There is a time when Americans are called to remember the hungry children and adults living across our great Nation. Most importantly, it is a day when we are called to put our words into actions and to help end hunger in our communities and across America.

I guess the realization that I have come to in these last 24 hours is, I have searched just to capture 5 minutes on the floor of the Senate. I suppose I could have submitted my comments for the RECORD. And maybe I am foolish to think by coming to the floor I could spark just a little bit of interest in my colleagues or others across this Nation to think about an issue that affects all of us—an issue where our fellow man is hungry, or another mother has a child out there that is suffering from hunger, that we can't stop for just a moment and realize that hunger is a disease that has a cure. It has a cure—a cure that we can provide, a cure that we all know about. And, if we took the time to think about it, to address it, we could actually cure this disease.

It is hard to find 5 minutes, it is hard to come down here and really make the difference that we want to make, but I believe this day and this issue are far too important to miss again the opportunity to talk about 36 million Americans living in food insecurity.

Two years ago today, I joined with my friends and colleagues, Senator SMITH, Senator DOLE, and Senator DURBIN to form the Senate Hunger Caucus. At that time, we pledged to raise awareness about the hunger experienced by millions of Americans, a majority of which are children and elderly, and to forge a bipartisan effort to end hunger in our Nation.

I am proud that we are working with local, State, and national antihunger organizations to raise awareness about hunger, to build partnership, and develop solutions to end hunger.

An example of a bipartisan initiative to end hunger is the Hunger Free Communities Act which I introduced along with Senators DURBIN, SMITH, and LUGAR. This bill calls for a renewed national commitment to ending hunger in the United States by 2015. Yet we find it hard to find 5 minutes to focus our attention on such an incredible issue.

It reaffirms congressional commitment to protecting the funding and integrity of Federal food and nutrition programs, and creates a national grant program to support community-based antihunger efforts in fighting the disease on the battlefield, right there at the line of attack in our communities.

I am also proud to be a cosponsor of the FEED Act, the bill that would award grants to organizations that effectively combat hunger while creating opportunity by combining "food rescue" programs with job training—not just feeding a fish but teaching a man or a woman how to fish so that they do not just eat for a day, that they feed themselves for a lifetime.

Close to one-third of the food in this country that is processed and prepared goes to waste—one-third, whether it is in places such as Washington where there are multiple receptions going on at one time, banquets and other events that happen across the country. One-third of that food goes to waste.

This bill would help organizations safely recover unserved or unused food while providing culinary skills training to unemployed individuals. Two birds with one stone—using something that otherwise would be thrown away. How simple that seems and yet how hard it is to bring it forward into the light of day and talk about making that effort a reality.

I urge my colleagues to support these worthy and commonsense pieces of legislation.

If it is so hard to find 5 minutes just to talk about it, I wonder how long it is going to take us to pass these commonsense pieces of legislation.

Some people may ask: What can I do to help end hunger in America?

I want to talk about some of the ways Americans can help join the hunger relief effort. Acting on this call to feed the hungry is important, and I urge all Americans who are able to take part in ending this disease.

One critical component of this effort is the willingness of Congress and the American people to support the Federal food and nutrition programs. These programs provide an essential safety net to working Americans, preventing the most vulnerable among us from suffering and even dying from malnutrition. Our continued investment in these programs is vital to the health of this Nation.

Why does it come to mind right now? Think about all of those children across this great country who have received the nutrition they need in school during the school year as school lets out for the summer. Where will they go for that nutritious breakfast? Where will they go for that lunch that they need to sustain them because there is no dinner waiting at home?

These are critical and important programs. Without spending the time and the effort to not only make them a reality but properly fund them in a way where they can actually meet the needs of the children across this country will take our attention.

The most significant of these programs is the Food Stamp Program. It provides nutritious food to over 23 million Americans a year. More Americans find themselves in need of this program every single year. As their wages are stagnant, as they have less and less opportunity to climb a ladder of opportunity because they may not be getting the education they need, they are finding more and more dependency on programs like this to be able to feed their families.

I understand our current budget constraints. I know we all do. Yet I didn't create this mess. The spending that has been freewheeling in this Congress over the last several years has been unbelievable. Yet as my colleagues mentioned, we failed to adequately support and fund issues such as our veterans' benefits; issues like educating our children and providing them with the skills they need to be competitive.

I come here to talk about the main sustenance of life. I understand these budget constraints, but I believe as one man to another, as one woman to another, one human being to another, food, simple nutrition, is something we cannot turn a blind eye to. Even in these tight fiscal times, I believe that we have to maintain our commitment to feed the hungry among us. We must first protect programs such as the Food Stamp Program, the National School Breakfast and School Lunch Program, the Summer Feeding Program, the WIC, and the Children and Adult Care Food Program. These are all critical programs that keep Americans who are on the verge of hunger and destitution from finding themselves there permanently.

Another important tool for local organizations is the Community Food and Nutrition Program, and with support from this program, the Arkansas Hunger Coalition has sponsored a Web site, a quarterly newsletter, an annual conference, a mini grant program, along with many civic, school, and community presentations on hunger which raise public awareness and promote innovative solutions.

Organizations such as the Arkansas Hunger Coalition operate on limited budgets. Yet they are a vital source of information for food pantries, soup kitchens, and shelters that together work to share the importance of food security to the people of our home State of Arkansas.

I urge Americans to contact their congressional representatives to voice their support for these nutritional programs. This critical issue of ending hunger, the unbelievable number of hungry Americans is something that we have to bring greater awareness to not just today but every day.

I urge my colleagues to protect them from cuts and structural changes that will undermine their ability to serve our Nation's most vulnerable citizens.

In addition to the Federal food programs, eliminating hunger in America requires the help of community organizations. Government programs provide a basis for support, but they cannot do the work alone. Community and faith-based organizations are essential to locating and rooting out hunger wherever it persists.

We rely on the work of local food banks and food pantries, soup kitchens, and community action centers across America to go where government cannot. The reason I have stayed so persistent in coming to the floor of this Senate to talk about this issue on a day that we have designated for awareness is because I tried so desperately to put myself in the shoes of other mothers who are not perhaps as lucky as I am. When a child looks into your eyes and says: Mommy, I am hungry, they have no response, whereas I do.

This is a critical issue for us as a nation. It shows where the fabric of our community and our country lies. It shows where our priorities are, and it shows who we are as Americans and what values we truly grasp for our fellow man.

Recently, I have been so proud as my twin boys have gotten invitations to birthday parties. There is a note at the bottom of the invitation. It says: Please don't bring a gift, but in lieu of a gift would you please give to a worthy organization, our local food bank or shelter.

My children with their birthday coming up soon said: Mom, we don't need those gifts again this year. Let's add something for those people who need it the most. Let's make sure that we have fun at our party but that we don't take the gift that we don't need and instead ask our friend to help us in feeding the hungry and sheltering the homeless.

I will try, and I know my colleagues will, too, to work as hard as we can to provide the resources these community organizations need to continue with the difficult but necessary work they perform, to encourage our neighbors, our children, our schools, and others to be as actively involved as they possibly can.

Private corporations and small businesses also have a role to play in eliminating hunger in our great Nation. Our corporations and small businesses generate most of our Nation's health and have throughout history supported many of our greatest endeavors. Many corporations and businesses already contribute to efforts to eliminate hunger. I hope others will begin to participate as opportunities to do so present themselves in the future.

A couple of great examples of how business and nonprofits can partner to feed hungry people occurred these past few months. Together with America's Second Harvest, Tyson Food, in my home State of Arkansas, donated 6 million pounds of protein—one of the more difficult elements of nutrition to get into food banks is protein—6 million pounds of protein from one corporate citizen. Wal-Mart raised $10 million to support food banks all across this country. I am so grateful to these companies and to nonprofit organizations for their leadership in this effort to feed those who have limited access to food and nutrition.

I have also seen some of the important work being done by organizations in the local Washington, DC, area. We see it all around us. All we have to do is open our eyes and make sure we are aware. The Arlington Food Assistance Center works to provide food to those in need in the Arlington, VA, area. I have supported some of their efforts through the local school drive. Not only is it important in terms of providing the needs of food assistance through the Arlington food bank system and the assistance center, but think what it does for our children. It gives them a learning experience of how they, too, can give back not just to their community or their school but to their fellow man, someone desperately in need of a nutritious meal, a family who needs a nutritious breakfast.

Think of what it teaches our children. Despite the fact that Arlington County is one of the wealthiest areas in the country, plenty of local residents do not have enough to eat. The Arlington Food Assistance Center seeks to remedy the problem by distributing bread and vegetables, meat, milk, eggs, and other food items. Our church group routinely goes for a "gleaning" program where local farmers allow us to get into the fields and collect part of their crops that have been left in order to provide fresh fruits and vegetables in our area food banks.

Lastly, this effort needs the commitment of individual Americans. Our greatest national strength is the power that comes from individual initiative and the collective will of the American people. I believe we are called by a higher power to care for our fellow man and our fellow women.

As a person of faith, I feel I am called to serve the poor and the hungry. I know many of my colleagues agree. If we believe in this call, we must live it every day in our schools and in our homes, in our workplaces and our places of worship, in our volunteering and in our prayer. This personal responsibility is a great one, but it holds tremendous power. As we have seen throughout American history, when individuals in this Nation bind together to serve a common cause, they can achieve the greatest of accomplishments. By sharing the many blessings and resources our great Nation provides, I am confident we can alleviate hunger, a disease that we know there is a cure for, both at home and abroad.

I ask all of my colleagues to take a moment to honor on this day of awareness the very brave men and women and children who live in food insecurity and whom we have an opportunity to serve.

Mr. DURBIN. Will the Senator from Arkansas yield for a question?

Mrs. LINCOLN. Absolutely, I yield to my good friend from Illinois who has done so much on the issue of hunger.

Mr. DURBIN. Let me say at the outset it is my great honor to cochair with the Senator from Arkansas this effort relative to hunger, hunger awareness. It has brought us together in terms of offering resolutions, in terms of offering legislation, filling grocery bags. We have done a lot of things together in this effort.

I am fortunate to work with Senator LINCOLN. She comes to this issue driven by her faith and her family. They are linked together in her speech today and in her life. There is hardly a decision she makes—I know from having worked with her for so many years—that is not driven by her understanding of the impact of life on her family and what it means to so many other families.

As we have met in a variety of places, filling boxes and bags with groceries, we both had cause to reflect on what leads to hunger in a prosperous Nation. How does a country so rich as America end up with hungry people? How can this be? Yet we know, as she knows, it turns out to be a lot of people are working hard to avoid hunger. It can be a mother with a low-wage, minimum wage job, a mother who has been stuck in a minimum wage that this Congress has refused to increase for 9 straight years. Think about that: $5.15 an hour for 9 years. This poor mother, trying to keep her family together, put her kids in a babysitter's hands or daycare, and then put food on the table finds that many times one job, sometimes two jobs are not enough, and she ends up at that food pantry.

We expect the poorest of the poor to come in there and many times find the working poor. That is the face of hunger found with many of our senior citizens. I cannot imagine these poor people, many of them alone in life, struggling with medical bills and fixed incomes, never knowing where they are going to turn for a helping hand, who stumble into a food pantry where they can find a loving face, a warm embrace and a bag full of groceries to keep them going.

I found that this last week when I was up in Chicago at the Native American Center on the North Side where a lot of American Indian families rely on their pantry. I said hello to the ladies who were running it. They said, sadly: Senator, business is just too darn good here. There are a lot of people coming in from all around the city of Chicago.

I find it in my hometown, Springfield, IL, at St. John's bread line, which has been there for years. I have been over there serving food once in a while. So many people rely on them.

In Chicago, only 9 percent of the half-million people who seek services from the Chicago Food Depository are homeless. The rest have a home to go to but nothing in the refrigerator and nothing in the cupboard. These people cannot afford the food they need.

Think of that: 37 million people in America, this great and prosperous country, living in poverty; many low-income families supported by jobs that do not pay a livable wage in a country where this Congress will not enact a law to raise that minimum wage. It could be that paying for health care has caused many of these families to be unable to afford food.

America's Second Harvest released a national hunger study showing that in Chicago 41 percent of households neglected their food budget to cover utility costs. You can understand that in the cold winter in Chicago. Last year, natural gas bills went up 20 percent. We were lucky. It could have been worse. And many of these families had to decide: Pay the utility bill, risk a cutoff or buy some food? It may be a combination of factors, but the food budget is often the first thing they cut.

Today, June 7, is National Hunger Awareness Day. Senator LINCOLN and I have come to the Senate encouraging our colleagues and all those following this debate to celebrate and commend the heroic efforts of so many emergency food banks, soup kitchens, school meal programs, community pantries, and so many others that make a difference in fighting hunger.

I don't know if Senator LINCOLN's hometown is the same as mine, but there is a day each year when the letter carriers all pick up food. You put out the bags of food for them. They pick them up. God bless the letter carriers; they collect that food, give it to the pantries to give to hungry people. Here are men and women who probably are footsore from all the miles they have to walk, and they walk an extra mile for the hungry of America. My hat is off to them.

Federal nutrition programs are critically important and they are not reaching enough people. Many parents still skip meals so their kids can eat. Many kids do not have the balanced meals they deserve.

Let me add, too, I am sure the Senator, as a mother of twins, will appreciate this. When I go to school lunch programs, sometimes it is depressing. Giving kids a helping of tater tots, next to a slice of pizza is not exactly my idea of fighting obesity, encouraging nutrition, and feeding kids the right things.

We need to have good nutrition programs. We need to work overtime to make sure the food given to these kids does make a difference. At the Nettlehorst School on Broadway Avenue in Chicago, which I visited a few weeks ago, we opened a salad bar for the kids for school lunch. Guess what. They were all crowded around, filling up their salad trays. They will eat good food if you present it in the right way. We need good nutrition programs with good food to make sure our kids grow the right way.

Hunger drains the strength of the people who, for a variety of reasons, are unable to provide enough food, or the right kinds of food, for themselves or their family. A few blocks away, near a school over on Pennsylvania Avenue, in Southeast Washington, DC, get there early enough in the morning, around 8 o'clock, stand by the drugstore and watch these kids file in to buy bags of potato chips and pop or soft drinks to eat as breakfast on the way to school. Too many of these children rely on that for their only nutrition. I wish their parents could do better or do more. I wonder, sometimes, if they are able to. I don't know if they are. But what those kids are buying costs them money. Maybe those parents could have done a better job. Maybe the school could do a better job. As a Nation, we all need to do a better job.

In a land of abundance, the kind of sacrifice that many families have to make to feed their family members is deplorable and unnecessary. We should end hunger in the United States. Working together, we can.

I salute my colleague from the State of Arkansas. The hour is late, and she has a couple of kids at home waiting for her to get home, maybe to fix dinner. But whatever the reason, she took the time to come to the Senate tonight to remind all of us of our civic responsibility, our social responsibility and our moral responsibility to view hunger as a challenge that we can face and conquer.

I see the Senator from Alabama is probably here to speak. I have another statement to make, but I will defer to him since he has been waiting. Then when he is finished, I will ask to speak again.

The PRESIDING OFFICER (Mr. DEMINT.) The Senator from Alabama.

DEATH TAX

Mr. SESSIONS. Mr. President, with regard to the death tax, I will be offering some remarks later in the process that deal with the estimated cost of the elimination of this tax which does not account for the lack of stepped-up basis that will not occur if the death tax is eliminated and other factors that demonstrate that the allegations being made about large losses of revenue are not true. That is an important factor in the debate. I will not go over that tonight.

I take this moment on another subject to read to the Senate a letter we received, received by Senator FRIST, the majority leader, today, from the administration, William Moschella, U.S. Department of Justice. He deals with the Native Hawaiian bill.

I said earlier today, the Native Hawaiian legislation is exceedingly important. It has to do with whether this great republic is going to allow itself, through the vote of its own legislature, to create within its own boundaries a sovereign entity, a sovereign Nation, that, according to those who support it, even on the Web site of the State of Hawaii, indicates that it could result in an independent nation being created. So any principled approach—and the Senate, of all bodies in the Government, ought to be principled; we should think about the long-term—to dealing with this issue should convince us in the most stark way that this is not a path down which we should travel. This is not a way this Nation should go.

We should say no now and no to any other attempt to divide, balkanize or disrupt the unity of our Nation. We had a Civil War over that. The Presiding Officer is from South Carolina. I am from Alabama. That issue was settled in the 1860s. We don't need to go back to it.

It is important that we read the language of the Department of Justice and how they deal with it. It is very similar to strong language from the U.S. Civil Rights Commission that also voted to oppose this legislation.

The letter is to Majority Leader BILL FRIST:

> DEAR MR. LEADER: The Administration strongly opposes passage of S. 147. As noted recently by the U.S. Civil Rights Commission, this bill risks "further subdivid[ing] the American people into discrete subgroups accorded varying degrees of privilege." As the President has said, "we must honor the great American tradition of the melting pot, which has made us one nation out of many peoples." This bill would reverse that great American tradition and divide people by their race. Closely related to that policy concern, this bill raises the serious threshold constitutional issues that arise anytime legislation seeks to separate American citizens into race-related classifications rather than "according to [their] own merit[s] and essential qualities." Indeed, in the particular context of native Hawaiians, the Supreme Court and lower Federal courts have invalidated state legislation containing similar race-based qualifications for participation in government entities and programs.
>
> While this legislation seeks to address this issue by affording federal tribal recognition to native Hawaiians, the Supreme Court has noted that whether native Hawaiians are eligible for tribal status is a "matter of dispute" and "of considerable moment and difficulty." Given the substantial historical, structural and cultural differences between native Hawaiians as a group and recognized federal Indian tribes, tribal recognition is inappropriate for native Hawaiians and would still raise difficult constitutional issues.
>
> Sincerely,
>
> WILLIAM E. MOSCHELLA,
> *Assistant Attorney General.*

I am pleased the Department of Justice has given this letter to us. It represents an opinion of the agency of Government charged with justice. The Department of Justice is well aware of equal protection requirements. They are well aware of voting rights and the 15th amendment. They are well aware of all of the issues involving tribal questions. They have to deal with that on a regular basis. They understand this. This is part of what they do. The import of this letter is to say that the Native Hawaiians do not comply with tribal requirements. Indeed, a lawyer for the State of Hawaii has admitted as much in previous filings with the Supreme Court. It is not a tribal situation. It is a unique situation.

We are going to create under the bill, if the bill were to become law—hopefully, it will not, but I am troubled by the prospect of maybe even proceeding to this bill tomorrow. It is almost breathtaking to me that that would occur. But what we will see as we go forward is that we are talking about creating an entity, a sovereign entity which will be controlled by individuals who are given a right to vote. And their right to vote in this entity will be entirely contingent upon their race.

Indian tribes were different. Indian tribes were entities with long-established governing councils. They are native groups that have had centuries of cohesion. Many of them entered into treaties with the United States and they were given certain rights and privileges. But Hawaii came into the Union; 94 percent voted to come into the Union. They bragged and were quite proud of their melting pot reputation. They never suggested that they would later want to come back and have this sovereign entity be created. The reason it is fundamentally unfair is that there was a queen in Hawaii in the 1880s, but she did not preside over a tribe. She didn't preside over a racial group. She presided over the people in her territory of all races and entities. There were Asians, Irish, Filipinos, Chinese, and others that were there. They would not get to vote in this race-based government, even if they were there at the time she was queen. And she never pretended that she was presiding only over Native Hawaiians. Of course, I don't know how you could say a third-generation Irish or Chinese American or Japanese American who was in Hawaii, they are not a Native Hawaiian anyway, but that is the way they are defining this. There is only that certain racial group.

So these would not be able to participate, even though they were multigenerational residents of Hawaii at the time they became a State, at the time the queen's government was ended.

It is not the right thing to do. It would create a precedent of far-reaching implications and would jeopardize the unity and cohesion of our Government and would, for the first time, create a sovereign entity within the United States. You are not allowed to vote in it unless you belong a certain race.

It is a bad idea of great significance. We should not go down that road. I hope the Senate will not.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHICAGO SCHOOLS

Mr. President, in 1932, America had suffered through three grinding years of the Great Depression. Millions of Americans were out of work and out of hope. Many people feared that capitalism, as we knew it, and democracy had failed. Campaigning for President that year, Franklin Delano Roosevelt promised the American people bold, persistent experimentation to alleviate the crisis facing this Nation.

He said: It is commonsense to take a method and try it. If it fails, admit it frankly and try another. But above all, try something.

I have just finished a book by Jonathan Alter of Newsweek about the first 100 days of Franklin Roosevelt's Presidency. If there is one thing that really was the hallmark of that Presidency, it was Franklin Roosevelt's boldness, his willingness to try new ideas. He just wasn't going to give up on America. He believed that there was no crisis, no challenge we face that could not be overcome.

For the last 5 years, the Chicago public schools have been led by a team of visionary leaders who also believe in bold, persistent experimentation. Through their hard work and willingness to try to find new solutions, Chicago Public School Board President Michael Scott and Chicago public schools CEO Arne Duncan have helped transform Chicago's school system into a national model for public school reform.

This past weekend, Michael Scott, my friend, announced that he will be leaving his position as president of the Chicago public school board this summer. Earlier today I met with him and Arne Duncan in my office in the Capitol. I have every confidence that Chicago public schools will remain a national model for improvement under the leadership of Arne Duncan and whoever the next school board president may be. I look forward to updating the Senate in the future about Chicago's continued progress and our determination to truly leave no child behind.

Some may not remember, but former Secretary of Education William Bennett went to Chicago and pronounced that school district as the worst in America. That may have been an exaggeration at the time, but not by much. Some would have given up at that point, and many cities have. But not the city of Chicago. They made a conscious decision to change that school system.

Mayor Daley, Paul Valles, Arne Duncan, Michael Scott, and Gary Chico, these were all names of leaders who stepped up, with many professionals giving them support, and accepted the challenge to turn that school district around.

Let me speak about Michael Scott in particular. His service has meant so much to the Chicago public schools, to the city of Chicago, and I believe, with his example, to the Nation. Michael Scott grew up on the west side of Chicago, the Lawndale neighborhood. He didn't train himself to be an educator. He went to Fordham University in New York where he earned a degree in urban planning. He moved back to the west side after his college years.

He started in Chicago politics as a housing activist in the same Lawndale neighborhood where he was born and raised. In the tumultuous time he lived, Michael Scott stood out as a consensus builder. Eventually he served under three different Chicago mayors: Jane Byrne, Harold Washington, and Richard Daley. Five years ago tomorrow, Mayor Daley tapped Michael Scott as the first member of a new team charged with the daunting mission of keeping Chicago public schools a national model for reform.

At the time he was a successful businessman and executive of AT&T. When Michael Scott's appointment was announced, he said: This is not about me; it's about the children.

For the past 5 years, Michael Scott has kept his word. Listen to these statistics, if you want to understand how far the Chicago public schools have advanced due to the hard work of the people I mentioned earlier and Michael Scott.

In 1992, nearly half of Chicago's elementary schoolchildren tested in the lowest 20 percent in reading and math compared to other students across America. Now fast forward 12 years to 2004. Less than 25 percent of Chicago's students tested in the bottom 20 percent and student performance has improved since 2004. That is real progress, real progress against great challenges. Michael Scott believes that parents are the children's first and best teachers, and he has worked hard to make parents active partners in the education of their children.

An annual 2-day conference that he personally founded, entitled "The Power of Parents Conference," has been attended by more than 4,000 Chicago parents since 2002. The belief that every child in every neighborhood has the right to attend a good public school, along with a commitment to bold persistent experimentation, are the foundation of Mayor Daley's Renaissance 2010 School Improvement Plan.

Under that plan and with the leadership of Mayor Daley, Michael Scott and Arne Duncan, Chicago has pushed to replace approximately 207 underperforming schools with 100 new innovative schools, including charter and small schools.

Michael Scott is a product of the Chicago public school system himself. Michael brought an unusually broad range of experience to his job as one of the leaders of that system. His resume includes work in community advocacy, corporate management, urban development, and local government administration. He built new partnerships with all of those worlds to help improve Chicago's public schools.

In 2003, the Chicago public school system established the privately funded Chicago board of education textbook scholarship program. The program awards a $1,000 scholarship to one graduating student from each of the city's 85 public high schools. The scholarships are funded by private business, many of which donated money on the spot when they heard Michael Scott make his appeal to fund this program.

Also under Michael Scott's leadership, Chicago public schools established a new office of business diversity to help Chicago's minority and women-owned businesses navigate the system's complex bidding process and ensure that they can compete fairly for contracts.

While student scores have gone up, spending in some areas has gone down, thanks to the improved fiscal management in the public schools. One example: By restructuring the transportation system, Chicago public schools saved $14 million—$14 million more that can be spent to teach the kids.

Under Michael Scott's leadership, the bond rating for the Chicago public schools was upgraded from A to A-plus, which will produce even more savings for taxpayers and more funds for the kids. Someone once said that the real test of faith in the future is to plant a tree. Before signing on as school board president, Michael Scott served as president of the Chicago Park District. In that job, he saw that plenty of trees were planted. He strengthened the park district's finances, which is widely accredited with making neighborhood parks one of the best features of one of the best cities in America.

As board president of Chicago public schools, Michael Scott helped plant something even more important to our future than trees. He helped plant the seeds of knowledge in the minds of tens of thousands of young people. Together with Chicago students, parents, educators, and business and community and political leaders, he has produced a model for public school improvement from which all of America can learn.

While Chicago public schools will miss his leadership, they and the children who depend on him will continue to benefit for years from Michael Scott's outstanding public service these past 5 years.

In closing, I will quote from an editorial that appeared in the Chicago Defender newspaper on April 28, 2003, about a third of the way through Michael Scott's tenure. The editorial was entitled "Successful students will be Scott's, Duncan's Monument."

> Michael Scott and Arne Duncan are monument makers. Not in the usual sense—the one that explains the ancient pleasure taken by politicians who create structures commemorating something that's a recreation of their self image.
>
> Nor in the sense that Mesopotamia's Nebuchadnezzar built Babylon's Hanging Gardens in the sixth century B.C., one of the seven wonders of the world. Nor in the sense that his successor Saddam Hussein erected bronze statues of himself, monuments that came tumbling down recently with a noticeably historic thump.
>
> Scott, President of the Chicago Board of Education, and his chief executive, Arne Duncan, are building neither stone nor bronze images.
>
> The two educators are building a human monument that will rise and flourish in the term of educated, productive graduates of Chicago's public schools. . . . Future students will thrive in each newly renovated school. . . . That will be Scott's and Duncan's monument.

As Michael Scott's tenure closes at the Chicago public school system, I want to acknowledge the fine contribution he made with his public service, both in the park district and the Chicago public schools. He is such a talented man that he has brought his talent and given his time to help others time and time again. That is the true definition of public service.

I wish Michael the very best in his next endeavor. I am sure it will include not only the private sector, but also a public commitment because he is a person who believes that is part of our civic responsibility. I thank him for all of his leadership in the Chicago public school system, and I wish him and his family the very best in the years to come.

ESTATE TAX

Mr. President, at this moment in history, we are considering the estate tax. It is one of the many taxes that Americans face. Some have characterized it, with a very effective public relations campaign, as the "death tax." They have been so good at describing it as a death tax as to convince many people across America that when you die, you pay a tax to your Federal Government. And unless you have been through a death in the family that you followed closely, you might be misled into believing that.

In fact, the public relations campaign has been so good in characterizing the Federal estate tax as a death tax that I had an experience a couple years ago that I shared with my colleagues in the Senate. I drove out to Chicago O'Hare to take a flight to Washington. I stopped at the sidewalk there, United Airlines, and handed over a bag to be checked in. The person checking my bag took a look at me and looked at the bag and said, "Senator, please, if you don't do anything else, get rid of the death tax." I didn't have the heart to tell that baggage handler that unless he won the Powerball or the Mega-million lottery soon, he would not have to worry about it because, you see, the so-called death tax is an estate tax that is paid by 2 or 3 out of every 1,000 people who die in America each year. That is .2 or .3 percent of the people who die in America pay the tax. It is a very narrowly gauged and narrowly directed tax to the wealthiest people in America.

If you listen to the argument by the Republicans on the floor of the Senate, you think that this is an onerous, unfair tax, borne by some of the most deserving, hard-working, common people in this country, who struggle day to day to get by, and then find after they have passed away that the greedy hands of Government reach into their estate and yanks thousands of dollars out of it. That is not even close to reality. So we are actually going to debate on the floor of the Senate the notion that we need to, if not repeal, virtually repeal the estate tax in America.

It is interesting to note that this estate tax is one that affects very few. It is also interesting to note the context of this debate. This was supposed to come up about 9 months ago. We were supposed to repeal the estate tax on the wealthiest people in America, but then God intervened. Hurricane Katrina struck the Gulf coast. For 24 hours, we watched on live television as our neighbors, fellow Americans, suffered. Some died, some drowned. Many were perched on their roofs praying to be rescued. Then we saw the devastation of the flood.

The sponsors of this estate tax repeal decided this may not be the best moment to cut taxes on the wealthiest in America. Senator CHUCK GRASSLEY of Iowa, a man I greatly respect, said as follows on September 14 of last year:

> It's a little unseemly to be talking about eliminating the estate tax at a time when people are suffering.

Senator GRASSLEY was right. But I say to him that it is still a little unseemly to bring up this issue of eliminating the estate tax on the wealthiest people in America when so many people are still suffering around this country. We know what is happening in New Orleans, that devastation still has been unaddressed and people are still out of their homes, hospitals are unopened, schools are unopened, and families are still separated from communities and neighborhoods that they called home. It is still there.

Senator GRASSLEY's point is still there as well. It is unseemly for us to be reducing the revenues of this country by cutting taxes on the wealthiest people at a time when there is so much need.

People ask, what could we do with this estate tax? If you took the revenues that we will be taking out of the Federal Treasury by this reduction in the estate tax, here is what you could do with those revenues: You could provide health insurance for every uninsured child in America and have enough left over to give them full college scholarships or give every family in America a $500 tax cut or eliminate 75 percent of the shortfall in Social Security, thus buying years of longevity and stability for Social Security, or provide clean food and water to the 800 million people on Earth who lack it or pay for the war in Iraq for the next 10 years.

It is not an insignificant amount of money that we are talking about here. The elimination of the estate tax would take from the Federal Treasury funds which could have been used for tax relief for working families. Instead, this Republican proposal is to give a tax cut to the wealthiest people in America.

How many people pay this estate tax? This pie chart tells it all. In 2009, only .2 percent of estates in America will be subject to the tax. Two or, at most, 3 out of every 1,000 people who die will pay any estate tax whatsoever. And now the Republican leadership has decided these people need a break.

Senator LAUTENBERG of New Jersey decided to find out how repealing the estate tax would affect three people. The first one was the Vice President. Under this proposed estate tax cut from the Republican side, it means more than $12 million in Federal tax liability will be eliminated for the Vice President. And then Paris Hilton, with her little Chihuahua there, it is $14 million for her. Lee Raymond, former CEO of Exxon, a man who was given a $400 million going-away gift at his retirement by ExxonMobil—well, the repeal of the estate tax gives Mr. Raymond another going-away gift of $164 million in tax breaks.

These are truly deserving people, don't get me wrong. When I look at Ms. Hilton, who looks like a lovely young lady, I can see how this $14 million could have a significant positive impact on her otherwise very spare and Spartan lifestyle.

You wonder how in good conscience we can be debating tax cuts for the wealthiest people in America when there are so many things, so many compelling reasons for us to be more serious about in the work that we do in the Senate. This effort reflects the same twisted priorities that the Republican leadership continues to bring to the floor of the Senate.

We just have spent—wasted, I might add—the better part of the week of the Senate's time on the so-called marriage protection amendment. It was called for a vote after all sorts of fanfare and announcements from the White House, and the final vote was 49-to-48. This proposal for a constitutional amendment didn't even win a majority of the Senators voting; only 49 voted for it. It certainly didn't come up with the 60 votes it needed to move forward in debate. It wasn't even close to the 67 votes that are needed to enact it.

Why did we waste our time? Because the Republican leadership in the Senate knew that for political reasons they had to appeal to those folks who believe this is a critically important issue. They want to fire them up for the next election. Even though the American people, when asked, said that this so-called gay marriage amendment ranked 33rd on their list of priorities, they had to move it forward.

Now comes another plank in their platform for the November election, the estate tax. The wealthiest people in America are pushing hard for this estate tax. This morning, the Wall Street Journal printed an article that said that 18 families—listen closely—18 families in the United States of America have spent $200 million lobbying to pass this change in the estate tax—18 families.

Ask yourself why. Why would they spend $200 million? Because they will earn a lot more if this estate tax is repealed. But the cost of the estate tax is dramatic in terms of America's debts. If we repeal the estate tax, we will have $776 billion as the cost of the estate tax repeal in the first 10-year period fully in effect from 2012 to 2021. The cost of the estate tax repeal explodes under the proposal that is before us, meaning, of course, this red ink is more debt for America.

Already we are facing a dramatically deteriorating budget picture in America. Go back to the close of the previous administration, which shows a $128-billion surplus under President Clinton as he left office, and then look at the debt that has been built up under the years of the Bush administration, a debt that will explode even higher with the repeal of the estate tax on the wealthiest people in America, a debt which, unfortunately, we will have to pass on to our children.

Look at the wall of debt. When President Bush took office, the gross national debt of America—this is our mortgage I am talking about—was $5.8 trillion. Now, by 2006, it is up to $8.6 trillion. How did he manage that, almost a 50-percent increase in the debt of America in a matter of 5 years? And now look where it is headed. By the year 2011, because of the Bush-Cheney tax policies, this national debt will be up to $11.8 trillion—$11.8 trillion for our national mortgage. This President has virtually doubled the debt of America with his policies in a matter of 8 years. How can he accomplish this? He can do it with terrible policies, and this is one of them.

President George W. Bush is the first President in the history of the United States of America to cut taxes in the midst of a war—the first. Why? It defies common sense. We have a war that costs us between $2 billion and $3 billion a week. It is an expense for our Nation over and above all the other expenses we commonly face.

Every previous President, when faced with that challenge, has called on Americans to sacrifice, save, and pay more in taxes to pay for the war, but not President Bush. The Bush-Cheney policy is, in the midst of a war with skyrocketing costs, cut taxes—meaning, of course, driving us deeper and deeper into debt, pushing more of that debt burden on our children.

This is not a tax cut which the Republicans are proposing, it is a tax deferral. They want to cut the taxes on the wealthiest estates in America and put a greater tax burden on our children and grandchildren. That is the legacy of the Bush-Cheney tax policy.

But how does this President take care of the debt? First consider this: As Senator CONRAD has brought this chart to the floor before, President Bush has decided that the way to deal with our debt is to borrow from others. President Bush has more than doubled foreign-held debt in 5 years. It took 42 Presidents, including his father, 224 years to build up the same level of foreign-held debt as President George W. Bush has done in 5 years. For 224 years, we had about $1 trillion in debt held by foreign governments. Under President George W. Bush, that figure has virtually doubled in just 5 years.

The obvious question is, Who are these mortgage holders? Which foreign governments are financing America's debt? The top 10 foreign holders of our national debt are Japan, $640 billion, China—no surprise—$321 billion, United Kingdom, oil exporters, South Korea, Taiwan, Caribbean banking centers, Hong Kong, Germany, Mexico, and the list goes on and on.

It is no surprise that the same countries, which are our mortgagers, which are holding the debt of America, are the same countries which are eating our lunch when it comes to sucking jobs out of the United States and pushing imports into the United States. They are the same countries. That is what we are dealing with. And the Republican recipe for this imbalance in this debt is to make it worse: Cut the estate tax in the midst of a war. It is not only unseemly, going back to Senator GRASSLEY's quote, it is unthinkable that at a time when we are asking for so much sacrifice from our soldiers—130,000 of them today risking their lives in Iraq, another 20,000 or 30,000 in Afghanistan, all their families at home praying for their safe return, the anxiety of their friends and relatives as they worry over them each day—at a time when so many in America are giving so much and sacrificing so much, comes the Republican majority and says: Let us give the most comfortable, the most well-off people with the cushiest lives in America a tax break—a tax break.

What are we thinking? Why would we be cutting taxes in the midst of a war? Why would we be heaping debt on our children? Why? So that 2 or 3 people out of every 1,000 who have huge estates worth millions of dollars can escape paying their Federal taxes. It is incredible to me, but true, that when you look at this chart, the number of taxable estates in the year 2000 was 50,000 nationwide. Under this bill, the number of taxable estates has gone down to 13,000 and will be reduced to 7,000. So this tax responsibility that once applied to 50,000 taxable estates annually in the United States will be a tiny fraction of that when it is over.

We also have to reflect on another reality as to why this issue is before us. I mentioned this to my Democratic colleagues, and I say this with some understanding that it is an indictment on our political system, of which I am a part. Why is it that we are so focused on helping the wealthiest people in America instead of focused on helping the hardest working, the working families, the middle-income families? The explanation is sad but true. We spend a lot of our time as Members of the Senate and House of Representatives in the company of very wealthy people. We run across them in the ordinary course of Senate business, but there is another part of our lives as well. We are out raising money for political campaigns that cost millions of dollars. People who can afford to help us are often very wealthy themselves. Some are very wonderful folks, very generous, very helpful to each one of us. But we spend a lot of time in their lifestyle seeing where they live, how they spend their time, understanding their hobbies and their lifestyles and naturally developing a friendship and empathy with the wealthiest people in America.

Our campaign financing system draws us into these situations. It is understandable that with this empathy comes an understanding that some of them are gôing to face taxes when they die for all the money and the wealth they have accumulated. Their pleas have not fallen on deaf ears in the Senate. Their pleas to repeal the estate tax have resulted in this bill before us now.

I think it really is a testament to campaign financing in America that instead of spending time with average people, working people struggling to get by, dealing with their issues and their concerns, we would instead draw the attention of the Senate to the most well-off people in this country and how we can reduce their tax burden and their responsibility to this Nation.

There are a few wealthy people who stand out in this debate. One of them is a gentleman by the name of Warren Buffett who is with Berkshire Hathaway, a company out of Omaha, NE, one of my favorite wealthy people, the second wealthiest person in America. He is the first to say our tax system in this debate is an outrage and disgraceful. He said at a luncheon he attended not long ago that it is true that America is engaged in class warfare, and as the second wealthiest person in America, his class was winning. It is pretty clear he is doing pretty well.

But Warren Buffett understands something which many of the families that are pushing for this estate tax repeal don't understand. He understands he is the luckiest person alive because he was born in America. He was given an opportunity people around this world people would die for. He was given the opportunity to prove himself and succeed, and he has done it. He was given a chance to accumulate his wealth and use it wisely, and he is now given a chance to pay back to this country, which has given him such a great opportunity, something for all he has benefited. And Warren Buffett considers that a pretty fair trade. I think it is, too.

To hear the Republicans on the other side of the aisle say the wealthiest people in America who live the most comfortable lives should be asked to not pay taxes back to support schools, to support health care, to support the defense of our country, to say that somehow they need more disposable income—$14 million for Paris Hilton, I can understand that—from the Republican point of view, that is really helping the truly needy. But from the point of view of most Americans, it is ridiculous that we would consider this kind of a tax cut at a time when this country is facing mounting deficits, at a time when we are at war, at a time when we are asking so much sacrifice from so many wonderful American families.

So, Mr. President, I am opposed to this resolution. I hope we come to our senses. I hope we understand that we were elected to this body to do more than just provide for those with great lobbyists and those with big bankrolls and those who come here in the corridors of power and catch our attention. We were elected to represent the people who are not here—the voiceless, the powerless, the disenfranchised, the homeless. The people expect us to step up on behalf of the entire American family, not just those who are well off but the entire American family, and do our best to help.

I hope we defeat this effort. I hope we stop it in its tracks. I hope we put an end to this tax policy of the Bush-Cheney administration which has driven America to depths of indebtedness that one could never have imagined. I hope we will put an end to this accumulation of national debt which we are passing along to our children with abandon. I hope we will put an end to this foreign borrowing with which this administration has become so enamored which has made us servile to some of the other nations around the world that would readily exploit our economy, our businesses, and our workers.

If we are going to do that, we have to make a stand—a stand for sensible tax policy, a stand for prudence, a stand for something which was once known as fiscal conservatism—fiscal conservatism. It is a great concept. It used to be the concept of the Republican Party, but that was before they discovered supply-side economics and this whole concept of the Bush-Cheney tax policy.

I urge my colleagues, when this comes up for a vote tomorrow, to vote against cloture, vote against this giveaway to a handful of families that are already doing quite well, thank you.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

ORDER OF PROCEDURE

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that immediately following the leader's remarks on Thursday morning, the Senate resume the motion to proceed to H.R. 8, regarding the death tax. I further ask unanimous consent that there be 1 hour equally divided between the two leaders or their designees for debate, with 10 minutes of the minority time reserved for Senator DURBIN and 10 minutes reserved for Senator DORGAN prior to the vote on invoking cloture on the motion to proceed; provided further that the last 20 minutes be reserved for the Democratic leader to be followed by the majority leader. I further ask unanimous consent that regardless of the outcome of that vote, Senators ROBERTS and CLINTON be recognized to speak as in morning business for up to 25 minutes equally divided. I further ask unanimous consent that following that debate, the time until 12:45 p.m. be equally divided again between the two leaders or their designees, with a vote on invoking cloture on the motion to proceed to S. 147 occurring at 12:45 p.m. on Thursday; provided further that if cloture is not invoked on both of the motions to proceed, the Senate then proceed to executive session for consideration en bloc of the following nominations on the Executive Calendar: No. 627, Noel Hillman, U.S. District Judge for New Jersey; No. 628, Peter Sheridan, U.S. District Judge for New Jersey; No. 633, Thomas Ludington, U.S. District Judge for the Eastern District of Michigan; No. 634, Sean Cox, U.S. District Judge for the Eastern District of Michigan; provided there be 10 minutes of debate for each of the Senators from New Jersey, 10 minutes for Senator STABENOW, and 10 minutes each for the chairman and ranking member. Following the use or yielding back of time, I ask that the Senate proceed to consecutive votes on the nominations as listed; however, no earlier than 2 p.m.

I further ask unanimous consent that following those votes, the Senate proceed to the consideration of Executive Calendar No. 663, Susan C. Schwab, to be the United States Trade Representative. I further ask unanimous consent there be 30 minutes for Senator DORGAN, 15 minutes for Senator CONRAD, 10 minutes for Senator BAUCUS, 30 minutes for the chairman. I further ask unanimous consent that following the use or yielding back of time, the Senate proceed to a vote on the confirmation of the nomination, with no intervening action or debate; finally, I ask unanimous consent that following that vote the President be immediately notified of all of the Senate's previous action and the Senate resume legislative session.

I further ask unanimous consent that if cloture has been invoked on the motion to proceed to H.R. 8, the Senate resume debate at this time with all time consumed to this point counting against cloture and the bill not be displaced upon the adoption of that motion if cloture is invoked on a motion to proceed to S. 147. If cloture is invoked on the motion to proceed to S. 147, then the Senate begin consideration of that under the provisions of rule XXII upon the disposition of H.R. 8.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF RICHARD STICKLER TO BE ASSISTANT SECRETARY OF LABOR FOR MINE SAFETY AND HEALTH

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Executive Calendar No. 553, Richard Stickler.

The PRESIDING OFFICER. Without objection, it is so ordered. The nomination will be stated.

The assistant legislative clerk read the nomination of Richard Stickler, of West Virginia, to be Assistant Secretary of Labor for Mine Safety and Health.

CLOTURE MOTION

Mr. SESSIONS. Mr. President, the nomination has been held up since March 8 when it was reported by the HELP Committee. Therefore, I now send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Executive Calendar No. 553, the nomination of Richard Stickler, of West Virginia, to be Assistant Secretary of Labor for Mine Safety and Health.

Bill Frist, Michael B. Enzi, Judd Gregg, Elizabeth Dole, Sam Brownback, Rick Santorum, Chuck Grassley, John McCain, David Vitter, Jim DeMint, Jim Bunning, Norm Coleman, Richard Shelby, Thad Cochran, John Cornyn, Orrin Hatch, Kay Bailey Hutchison.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. SESSIONS. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, today is National Hunger Awareness Day, and I rise to recognize the importance of ending domestic hunger.

Domestic hunger has affected the lives of more than 38 million people in the United States annually. This includes over 14 million children who live below the poverty line.

The face of hunger is diverse. In Illinois, one in every ten people is food insecure. Homeless people are often hunger, but so are single mothers working two jobs to make ends meet. So are our senior citizens whose income does not allow them to eat adequately.

In Chicago, only 9 percent of the half-million people who seek services from the Chicago Food Depository are homeless. Many people simply cannot afford the food they need and often seek emergency food programs.

How can this happen in a country as privileged as ours?

Remember that 37 million Americans are living in poverty.

Many low-income families are supported by jobs that do not pay livable wages.

It could be that paying the health care or housing bills is more than they can manage.

America's Second Harvest released a National Hunger Study showing that in Chicago, 41 percent of households neglect their food budget to cover utility costs.

It may be a combination of factors, but the food budget is often the first thing they cut.

Today, we celebrate and commend the heroic efforts of emergency food banks, soup kitchens, school meal programs and community pantries working to ease the pain of hunger.

Federal nutrition programs work, but they are not reaching enough homes. Many parents are still skipping meals so their children can eat.

Hunger drains the strength of people who, for a variety of reasons, are unable to provide enough food or the right kinds of food for themselves or their families. In a land of abundance, this kind of sacrifice is as deplorable as it is unnecessary.

We should end hunger in the United States and, working together, we can.

Mrs. DOLE. Mr. President, for the past 3 years I have come to the Senate floor on National Hunger Awareness Day to help raise concerns about the far too prevalent problem of hunger, both here in the United States and around the world. In fact, as a freshman Senator, I delivered my maiden speech on this topic and have since made it one of my top priorities in the Senate. Two years ago on Hunger Awareness Day, Senators SMITH, DURBIN, LINCOLN, and I launched the Senate Hunger Caucus, with the express purpose of providing a forum for Senators and staff to focus on national and international hunger and food insecurity issues. Today we have 37 Members dedicated to this cause. I have stated repeatedly that the battle against hunger can't be won in a matter of months or even a few years, but it is a victory that we can certainly claim if we continue to make the issue a top priority.

It is truly astounding that 34 million of our fellow citizens go hungry or are living on the edge of hunger each and every day. In my home State of North Carolina, nearly 1 million of—our 8.6 million residents are dealing with hunger. Our state has faced significant economic hardship over the last few years, as once-thriving towns have been hit hard by the closing of textile mills and furniture factories. I know this story is not unlike so many others across the Nation. While many who have lost manufacturing jobs have been fortunate to find new employment in the changing climate of today's workforce, unfortunately having a steady income these days doesn't always guarantee a family three square meals a day.

Our Nation is blessed to have many faith-based and other nonprofit service organizations that seek to address this need. Feeding the hungry is their mission field—groups such as the Society of St. Andrew, the only comprehensive program in North Carolina that gleans available produce from farms, and then packages, processes and transports excess food to feed the hungry. In 2005, the Society gleaned nearly 7.2 million pounds of food—or 21.5 million servings—just in North Carolina. Amazingly, it only costs about 2 cents a serving to glean and deliver this food to those in need. And all of this work is done by the hands of 13,000 volunteers and a tiny staff.

The Society of St. Andrew has operations in 21 other States, and just last year, the organization saved 29.5 million pounds of fresh, nutritious produce and delivered 88.6 million servings to hungry families in the 48 contiguous States.

We should be utilizing the practice of gleaning much more extensively today—considering that 96 billion pounds of good food—including that at the farm and retail level—is left over or thrown away in this country each year.

Like any humanitarian endeavor, the gleaning system works because of cooperative efforts. Private organizations and individuals are doing a great job—but they are doing so with limited resources. It is up to us to make some changes on the public side and assist in leveraging scarce dollars to help feed the hungry.

One of the single biggest concerns for gleaners is transportation—how to actually get the food to those who need it. I am proud to say that with the help of organizations like the American Trucking Association, America's Second Harvest, and the Society of St. Andrew, we are taking steps to ease that concern. Last year, I reintroduced legislation, S. 283, which would change the Tax Code to give transportation companies incentives for volunteering trucks to transfer gleaned food.

I am also proud to be an original cosponsor of S. 1885, the so-called FEED Act, with my colleagues Senators LAUTENBERG and LINCOLN. The basic idea behind this legislation is simple: Combine food rescue with job training programs, thus teaching unemployed and homeless adults the skills needed to work in the food service industry.

It is astonishing that each year, approximately 20 percent of the food produced in this country never even reaches a consumer's table. With support from the FEED Act, community kitchens across our Nation have the potential to make good use of this food and to serve more than 2 million meals to those in need each year. In Charlotte, NC, the Community Culinary School is already recruiting students from social service agencies, homeless shelters, halfway houses and work release programs who rescue food from restaurants, grocers and wholesalers and then prepare nutritious meals, while receiving training for jobs in the food service industry.

Hunger also affects far too many children in our Nation. In fact, an estimated 13 million children in America are dealing with hunger. This is a travesty that can and must be prevented. As we know, when children are hungry they can not learn, but the obvious way to ensure that these children have a hot meal—and therefore the potential to do well in school—is through the National School Lunch Program. It feeds more than 28 million children in 100,000 schools each day. While the program provides reduced price meals to students whose family income is below 130 percent of the poverty level, State and local school boards have informed me that many families struggle to pay this fee, and for some families, the fee is an insurmountable barrier to participation. That's why I am a strong supporter of legislation to eliminate the reduced price fee for these families and to harmonize the free income guideline with the WIC income guideline, which is 185 percent poverty.

I am very proud that a five State pilot program to eliminate the reduced price fee was included in the reauthorization of Child Nutrition and WIC in 2004. And this year, 13 of my colleagues, including the chairman and ranking member of the Senate Agriculture Committee, have joined me to encourage the Appropriations Committee to include funding for this pilot program. I look forward to working with them on this important issue that truly has the potential to alleviate hunger for many American children and to help ensure their success in school.

In closing, I implore our friends on both sides of the aisle—as well as the good people throughout our great country—to join us in this heartfelt mission—this grassroots network of compassion that transcends political ideology and provides hope and security not only for those in need today—but for future generations as well.

HONORING OUR ARMED FORCES

MARINE CORPORAL CORY L. PALMER

Mr. CARPER. Mr. President, I would like to set aside a few moments today to reflect on the life of Marine Cpl Cory L. Palmer. Cory epitomized the best of our country's brave men and women who have fought to free Iraq and to secure a new democracy in the Middle East. He exhibited unwavering courage, selfless devotion to his country, and above all else, honor. In the way he lived his life—and how we remember him—Cory reminds each of us how good we can be.

Cory was born to Charles and Danna Palmer on May 10, 1984. He was the youngest of three sons. After graduating from Seaford High School in 2002, Cory studied computer engineering at West Virginia University for one semester and then decided to join the Marine Corps. Friends, family, and school officials recalled Cory Palmer as courageous yet humble, fun-loving and adventurous, an all-around good person. He viewed the Marine Corps as an opportunity to gain life experience and as a way to serve his country.

Cory was proud to be a member of the Marine Corps 2nd Recon Battalion, A Company, 1st Platoon. After his initial recruit training at Parris Island, Cory underwent marine combat training at Camp Geiger, located in North Carolina. He excelled in all of his military training and graduated from sniper school, advanced sniper school, jump school, combatant dive school and special survival training school. For his dutiful service, Cory had been awarded the Good Conduct Medal, the National Defense Service Medal, the Sea Service Deployment Ribbon, the Global War on Terror Service Medal, the Global War on Terrorism Expeditionary Medal, the Iraqi Campaign Medal, and the Combat Action Medal.

Cory was on his second deployment in Iraq. His death was caused by injuries sustained when the humvee he was riding in was hit by an explosive device near Fallujah.

Cory was a remarkable and well-respected young soldier. His friends and family remember him as a kind-hearted and mischievous young man who loved the outdoors. Cory was an avid sportsman and explorer who had planned on going hiking and fishing with his two older brothers, Thad and Kyle, upon his return. Cory also had a softer side that he wasn't afraid to show. He served as a mentor and role model to his friends and even took the time to hand-make gifts for his family.

As a youngster, Cory came to the Governor's Fall Festival in Dover that I hosted as Governor and ran with many of us in the 5-kilometer race that kicked off the festival every year. When I visited Cory's family in their Seaford home a little more than a week ago, they shared with me a photo of Cory running in one of those races a decade before his tragic death.

I rise today to commemorate Cory, to celebrate his life, and to offer his family our support and our deepest sympathy on their tragic loss.

STAFF SERGEANT CURTIS HAINES

Mr. PRYOR. Mr. President, it is with the greatest pleasure that I rise today to honor SSG Curtis Haines of Hope, AR. He is a member of the Arkansas Army National Guard's Company A, 1-153rd Infantry of the 39th Brigade Combat Team based in Prescott, AR. For his heroic service in Iraq, Staff Sergeant Haines was recently presented the Soldier's Medal for Bravery at a ceremony in the Prescott High School auditorium.

On May 6, 2004, at a military checkpoint in Baghdad, a car bomb explosion occurred. An Iraqi citizen was seriously injured, on fire, and trapped in a burning vehicle. Without regard for his own safety, Staff Sergeant Haines rescued the man from his vehicle, carried him to safety, and administered medical aid. Because of his heroic actions, Staff Sergeant Haines ultimately saved the man's life.

Mr. President, I ask my colleagues to join me in congratulating Staff Sergeant Haines on receiving this well-deserved honor. Also, please join me in thanking all of our brave men and women in uniform for their service. They risk their lives every day to protect our freedoms and deserve our respect and support for the sacrifices they have made and continue to make for our country.

PRIVATE FIRST CLASS NICHOLAS R. COURNOYER

Mr. GREGG. Mr. President, I rise today to pay tribute to U.S. Army PFC Nicholas R. Cournoyer of Gilmanton, NH, for his service and his supreme sacrifice for his country.

Nicholas, also called Nick by family and friends, grew up in Gilmanton and was a graduate of the Guilford High School class of 2000. On January 22, 2005, he answered a call to serve our country during these tense and turbulent times by enlisting in the U.S. Army. He was sent to Fort Benning, GA where as a member of an infantry training battalion he successfully completed Infantry One Station Unit Training, which combines in one location basic training with advanced individual training. Upon graduation, he left for assignment in June 2005 with the 2nd Battalion, 22nd Infantry Regiment, 1st Brigade Combat Team, 10th Mountain Division, Light Infantry, Fort Drum, NY, where he served as an infantryman. On August 11, 2005, he deployed with his unit to Iraq in support of Operation Iraqi Freedom.

Tragically, on May 18, 2006, this brave 25-year-old soldier was killed in action along with three of his comrades and an interpreter when an improvised explosive device explosion detonated near their military vehicle during combat operations in the vicinity of Baghdad in Iraq. His awards and decorations include the Bronze Star Medal, Purple Heart, Army Achievement Medal, Army Good Conduct Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon, Combat Infantryman Badge, and Weapons Qualification Badge.

Patriots from the State of New Hampshire have served our Nation with honor and distinction from Bunker Hill to Baghdad—and Nick served in that—fine tradition. Daniel Webster said, "God grants liberty only to those who love it, and are always ready to guard and defend it." Nick was a courageous and dedicated volunteer who loved his family and his country and was proud of being a soldier. He served honorably doing the job he wanted to do. This generous, fun-loving young man had a big heart and understood that the freedoms and opportunities provided by this Nation need continuous defense and that they are among the most precious gifts he can give to his family and loved ones.

My heartfelt sympathy, condolences, and prayers go out to Nick's parents, Denis and Lenda, his sister Natalie, and his family and friends who have suffered this grievous loss. Because of his devotion and sense of duty, the safety and liberty of each and every American is more secure. May God bless PFC Nicholas Cournoyer.

WEIGHT GAIN PREVENTION IN CHILDREN

Mr. DEWINE. Mr. President, one of my great passions as a Senator has been advocating for children and advancing initiatives that improve their health and welfare. I wish to share with my colleagues the results of a new study, funded in part by the National Institutes of Health, which reports on two simple steps that can be taken to counter a serious health crisis among America's youth.

The crisis is obesity among all ages and most seriously among children. The Journal of the American Medical Association reported last month that one-third of all children in the United States are either overweight or dangerously close to becoming so and, as a result, are at increased risk of becoming obese adults and developing diabetes and other health problems.

A new "America on the Move Family Study," presented at the Pediatric Academic Societies Meeting, April 30, 2006, provides the first clinical evidence that overweight children can effectively prevent additional weight gain by making small changes to their daily lifestyle. The study was conducted by the University of Colorado at Denver and Health Sciences Center, the primary research arm for America On the Move Foundation, a national nonprofit dedicated to helping individuals and communities across the country improve health and quality of life. This study was designed to evaluate whether overweight children could reduce their risk of gaining additional weight through a combination of increasing physical activity and eliminating 100 calories a day from their diet.

In the study, investigators randomized 216 families with at least 1 overweight child to either a lifestyle intervention group or a control group. Families in the intervention group were asked to eliminate 100 calories a day from their diet by emphasizing a reduction of dietary sugar and an increase in physical activity by 2,000 steps daily. Families in the control groups were asked to monitor their diet and exercise levels. After 6 months, significantly more overweight children in the intervention group maintained or reduced their percent body mass index, BMI, compared to the self-monitoring group, 67 percent versus 53 percent.

The results of this study are striking. By taking two simple, common sense steps—engaging in more physical activity and reducing caloric intake by small amounts—families can help their children control weight gain and reduce obesity. Such steps can have an enormous impact on their health. I applaud this study for bringing this important message to the public's attention.

REDUCE KIDS' ACCESS TO GUNS

Mr. LEVIN. Mr. President, researchers from the Centers for Disease Control and Prevention estimate that 1.69 million children in the United States live in households where firearms are kept unlocked and loaded. Tragically but not coincidentally, guns kill an average of nearly eight children and teenagers each day. In addition, the Children's Defense Fund estimates that at least four times as many are injured in nonfatal shootings. The vast majority of these shootings could be prevented if safe gun storage practices were more widely used.

Some parents believe that simply educating their children about the dangers posed by firearms is enough to keep them safe. Unfortunately, this is not the case. A new study shows that parents who keep guns in their home may have dangerous misperceptions about their child's familiarity with and access to guns.

The study, which was conducted by researchers from Harvard University and the San Francisco General Hospital, compared interview responses from 201 families who have guns in their homes. For each set of interviews, children were questioned separately from their parents. More than 70 percent of the children interviewed for the study said that they knew where to find a gun in their home. Surprisingly, 39 percent of the parents who said their children did not know the storage location of their firearms were contradicted by their children. Additionally, 22 percent of the parents who said their children had not handled their guns were contradicted by their children. These discrepancies are troubling and indicate that simply trying to hide the location of firearms in the home is not enough to adequately protect children from injuring themselves or others with a gun.

According to recent published reports, an estimated 35 percent of homes nationwide include guns. Common sense tells us that when guns and ammunition are secured, the risk of children injuring or killing themselves or others with a gun is significantly reduced. Last year, a study published in the Journal of the American Medical Association found that the risk of unintentional shooting or suicide by minors using a gun is reduced by as much as 61 percent when ammunition in the home is locked up. Simply storing ammunition separately from the gun reduces such occurrences by more than 50 percent.

While educating children about the dangers of guns is certainly necessary, the use of safe storage practices is critically important to the safety of children and families when guns are kept in the home. We should all urge firearms owners around the country to take steps to adequately secure their guns and ammunition.

EMERGENCY ENERGY ASSISTANCE FOR DISABLED VETERANS

Mr. JOHNSON. Mr. President, recently I joined my colleague, Senator NELSON of Nebraska, in introducing the Emergency Energy Assistance for Disabled Veterans Act. I am supporting this bill because I am concerned about inadequate reimbursement rates offered to veterans who must travel to VA facilities for treatment. The VA beneficiary travel program reimburses veterans 11 cents for every mile they are required to drive in order to visit a VA doctor. This reimbursement often is not enough to cover the cost of the trip, especially given high gas prices and the lengthy distances some veterans must travel.

The State of South Dakota is home to almost 77,000 veterans—approximately 10 percent of the State's population. Today gasoline averages $2.97 per gallon. In rural States such as South Dakota, many veterans must travel more than 120 miles each way in order to reach a veterans hospital. South Dakotans living in Selby and Gettysburg must travel as much as 170 miles. With the price of gas rising, the fixed mileage reimbursement leaves these veterans behind.

Oil companies are reaping substantial profits without reinvesting these profits in the infrastructure that helps keep gasoline markets operating smoothly. I am deeply concerned that these companies are being paid billions in profits while at the same time receiving tax cuts and incentives. On the opposite end of the spectrum, veterans are forced to make tough choices in order to afford driving to the VA for treatment. The men and women who defended our Nation should not have to choose between buying groceries and visiting a doctor at the VA.

For over 30 years, mileage reimbursement rates for veterans have remained stagnant, whereas Federal employees received an 8-cent increase for a similar travel program in September 2005. Currently, Federal employees are reimbursed 44.5 cents per mile when using a private vehicle for official Government business. We owe our Nation's veterans the same benefit.

President Bush has consistently supported VA budgets that short change veterans health care by billions of dollars. Unfortunately, under current law, money to reimburse veterans for travel is allocated from the same accounts used to provide medical care. This bill changes the funding formula and would mandate a separate allowance to reimburse travel costs. This will reduce the competition between programs that are equally meritorious and necessary but are forced to compete for the same pot of funds.

Mr. President, I encourage my colleagues to support the Emergency Energy Assistance for Disabled Veterans Act. It is time we rectified this glaring injustice and provide our veterans with the support they deserve.

25TH ANNIVERSARY OF THE FIRST DOCUMENTED AIDS CASE

Mr. FEINGOLD. Mr. President, it was 25 years ago this week that a little-noticed report from the Centers for Disease Control documented a peculiar cluster of deadly pneumonia cases in Los Angeles. That report was the first official mention of AIDS, although the disease had no name at the time. Since 1981, AIDS has become an international human catastrophe, killing more than 25 million people, orphaning more than 15 million children, and infecting more than 65 million people. Today, there are 40 million people living with HIV.

This issue affects us on both a global and a domestic scale. There are over 1.2 million people in the United States living with HIV/AIDS, and there are over 40,000 new infections each year. While the United States made great strides to contain the disease and reduce the number of deaths throughout the 1990s, it now appears that this trend is reversing. The death rate is beginning to destabilize, and the infection rate is growing at a staggering rate among certain populations, particularly people of color. African Americans have the highest AIDS case rates of any racial or ethnic group—more than nine times the rate for Whites.

There is still much to be done in the United States to combat HIV/AIDS, but the prevalence of HIV/AIDS in the rest of the world, particularly in sub-Saharan Africa, is truly devastating. In my role as ranking member of the Africa Subcommittee of the Senate Foreign Relations Committee, I have seen firsthand the devastation this disease has caused in Africa. Africa has accounted for nearly half of all global AIDS deaths, and it is estimated that by the year 2025 the total number of HIV infections in Africa could reach an astounding 100 million. In some African countries, the disease has caused the average life expectancy to drop below 40. HIV/AIDS has ravaged countries, economies, and families.

The most vulnerable in our global society are in many cases those who are most at risk from HIV/AIDS. Women and girls, who in Africa are often left physically, economically, and politically vulnerable, suffer disproportionately from HIV/AIDS. Nearly 60 percent of all people living with HIV in Africa are women; girls in sub-Saharan Africa aged 15 to 19 are infected by HIV at rates as much as five to seven times higher than boys their age. Gender inequalities, cultural norms, transactional sex, and all forms of violence against women and girls increase their susceptibility to HIV/AIDS. Women and girls desperately need legal protection and economic empowerment so that they can make safe health choices. These are fundamentally connected issues.

There is some cause for hope in our battle against this terrible disease; the United States has committed an unprecedented amount of money to the fight, and we are beginning to see some results. This is no cause for complacency, however. According to a recent U.N. report, while the spread of HIV/AIDS appears to be slowing down worldwide and some countries are reporting progress in bringing the pandemic under control, others are failing to reach key targets for prevention and treatment.

Most troubling is the fact that the rate of new HIV infections dramatically outpaces current efforts to reach people with life-sustaining antiretroviral therapy. According to Family Health International, for each new person who received antiretroviral therapy in 2005, another seven people became infected. We must bring increased focus to prevention efforts and do a better job of reaching out to those who are most vulnerable to this disease.

It is also becoming increasingly clear that we cannot address HIV/AIDS in isolation and that we need to deepen coordination between HIV/AIDS initiatives and other development goals. HIV/AIDS does not just affect isolated individuals but families, communities, and entire economies. One problem that has become apparent as we commit increasing funds to address HIV/AIDS is that international AIDS programs are siphoning off trained local health care workers from national health care systems. The World Health Organization has reported that the total number of health care workers per 1,000 people in Africa is 2.3—less than one-tenth the density in the Americas. This "brain drain" issue must be addressed. We need to strengthen national health and social systems by integrating HIV/AIDS intervention into programs for primary health care, mother and child health, sexual and reproductive health, tuberculosis, nutrition, and education. Not only will it be more cost-efficient to work with existing systems, but it will also increase access for people who otherwise might not seek out counseling, testing, or treatment. As we look ahead to the next 5, 10 years and beyond, strong national health systems will be crucial for sustainability.

The 25-year anniversary of this terrible disease is an opportunity to take stock of where we have been and to renew our commitment to overcoming the challenges that lie ahead in the fight against HIV/AIDS.

75TH ANNIVERSARY OF THE NATIONAL HOUSING CONFERENCE

Mr. SARBANES. Mr. President, I rise today to recognize the 75th anniversary of the National Housing Conference. NHC, an organization of over 900 members dedicated to forwarding the cause of affordable housing and community development. For the past 75 years, the National Housing Conference has been an important contributor to the national debate on housing policy. Over the years, NHC has worked to achieve the goal set forth in the landmark Housing Act of 1949: "a decent home and a suitable living environment for every American family."

Organized in New York City in 1931 by the efforts of reformer and social worker Mary Simkhovitch, NHC has the distinction of being the first nonpartisan, independent coalition of national housing leaders from both public and private sectors. This pioneering advocacy group included bankers, builders, civic leaders, realtors, organized labor, architects, and residents. Early on, NHC was instrumental in the efforts to raise public awareness in New York City about the plight of hundreds of thousands of its people and the consequences slums had on the general welfare.

In 1945, NHC moved its headquarters to Washington, DC, and took on a tremendous challenge: get rid of the slums, and eliminate substandard housing. Through the 1940s NHC forged partnerships and mobilized grassroots forces around the country in an effort to pass Federal legislation to meet this challenge. Finally, NHC's efforts were rewarded with the passage of the landmark Housing Act of 1949, the most sweeping, ambitious housing legislation the Nation had ever had. The act called for "a decent home and a suitable living environment for every American family."

In the 1960s, NHC was again instrumental in the passage of the Housing and Urban Development Act of 1965, which resulted in the creation of a Cabinet-level department devoted to housing.

Throughout the 1970s, 1980s, and 1990s NHC was a constant presence in the national debate on housing policy, and continued to advocate on behalf of better housing opportunities for all Americans.

NHC continues to be a force in shaping this Nation's housing policy. Today, as NHC celebrates this milestone, it has rededicated itself to a central mission: fulfilling the dream of the 1949 Housing Act—"a decent home and a suitable living environment for every American family." I commend the National Housing Conference for its past efforts and honor the organization on this very special anniversary.

COAST GUARD CUTTER "ACACIA"

Ms. STABENOW. Mr. President, today at a 10 a.m. the U.S. Coast Guard will decommission the Cutter *Acacia* in a ceremony in Charlevoix, MI.

The Acacia's keel was laid in 1942 in Duluth MN, and was commissioned on September 1, 1944. The cutter is named after the original *Acacia*, a U.S. Lighthouse Service vessel sunk off the coast of British West Indies by a German U-boat on March 17, 1942. The *Acacia* is the last of the Coast Guard's 180-foot World War II era buoy tenders still in service and has called Charlevoix, MI, home since 1990.

The *Acacia* has served as a buoy tender on the Great Lakes for 62 years and its area of responsibility extends from Chicago at the south end of Lake Michigan to Alpena on Lake Huron. The cutter's primary mission is maintaining aids to navigation but has also performed search and rescue missions, as well as providing icebreaking assistance during the winter. The *Acacia*, also know as "The Big A" or "Ace of the Great Lakes" has performed an unheralded but vital mission in the Great Lakes for more than six decades.

I commend the *Acacia* crew both past and present for their tireless service to maintain the Great Lakes navigational aids. Each fall the *Acacia* and its crew begin a race against the Lakes brutal winter weather when they set out to remove buoys in Lake Michigan and Lake Huron. These buoys can weigh over 18 tons and are covered in ice. Pulling buoys out of the frigid and unpredictable Great Lakes in October, November and December is back breaking work in rough seas and sub zero weather. However, it is crucial to keep these waterways open for commercial shipping as long as possible before the ice closes the shipping lanes and grinds any buoys left behind into scrap metal.

Mr. President, the *Acacia* and her crew have served the Great Lakes faithfully since the 1940s and we will miss her fondly.

PROCLAMATION

Mr. DEWINE. Mr. President, I request unanimous consent that my proclamation honoring the Bicentennial of the Steubenville Herald-Star newspaper be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A PROCLAMATION HONORING THE BICENTENNIAL OF THE STEUBENVILLE HERALD-STAR NEWSPAPER

Whereas; The Herald-Star Newspaper was founded on June 7, 1806 in Steubenville by William Lowry and John Miller, who named it the Western Herald, and

Whereas; It is the oldest newspaper in Jefferson County and is also one of the oldest daily circulated newspapers in Ohio, and

Whereas; John Miller left the paper to fight the British during the War of 1812, where he received lands in Missouri, and earned the rank of Colonel—eventually becoming the territorial governor, and

Whereas; President Woodrow Wilson's grandfather, James Wilson bought the Western Herald in 1815. The newspaper stayed in the Wilson family for nearly three decades, and

Whereas; With the establishment of a telegraph between Steubenville and Pittsburgh, the Western Herald became one of the most widely read and influential papers in the area, and

Whereas; The Western Herald once employed journalists who went on to become powerful players in the newspaper industry, like R.B. Allison, who left Steubenville to purchase the St. Louis Post-Dispatch, and

Whereas; The Western Herald and the Steubenville Star merged in 1897 to become the Herald-Star, and

Whereas; The Herald Star is now operated by Ogden Newspapers Inc, and now resides at 401 Herald Square in downtown Steubenville.

Now, therefore, I, Mike DeWine, United States Senator from the Great State of Ohio, would like to commend The Heald-Star for two centuries of commitment to one of this country's founding ideals—the freedom of the press—and congratulate past, present and future employees for their success.

ADDITIONAL STATEMENTS

COLLBRAN JOB CORPS

• Mr. SALAZAR. Mr. President, today I recognize and commend the fantastic work and accomplishments of the students and staff at the Collbran Job Corps located in Collbran, CO.

Last year, the Collbran Job Corps was awarded the outstanding Organization of the Year award by the Colorado Special Olympics Hall of Fame for their outstanding service and dedication to the Special Olympics in Colorado. This recognition was well deserved as Collbran Job Corps has actively participated and supported the Colorado Special Olympics for almost 20 years.

Recently, the students and staff at the Collbran Job Corps Center collaborated to form a robotics team that competed in national competitions against other robotics teams from universities, colleges, and the private sector. In May, Collbran team was awarded 1st place honors in a regional robotics competition in Denver and won an opportunity to compete in the International Robotics Competition in Atlanta against robotics teams from around the globe. The judges at the international competition in Atlanta awarded Collbran the Engineering Inspiration Award for their ability to inspire other competitors.

The students and staff at the Collbran Job Corps certainly live up to their mission statement: "Believe, Achieve, and Succeed." Their first place victory at the Denver regional competition and excellent showing and award at the International Robotics Competition demonstrates that Collbran is meeting and excelling above and beyond this mission statement.

Collbran Job Corps students are well known throughout western Colorado for their achievements and commitment to the betterment of their community. They have actively been involved in community projects that utilized the skills of students in the construction trades, including the CISCO Networking Program, business technology occupations, as well as those in culinary arts training. The longstanding sense of commitment to enhancing community spirit and outreach serves as a benchmark to other Job Corps sites throughout the country.

Recently, the Department of Labor national Office of Job Corps selected Collbran Job Corps as a Career Success

Standards, CSS. Pilot Center and national trainer. The CSS sets a standard for behavioral expectations of students participating in the Job Corps program in support of the President's High Growth Training Initiative. The Collbran Center was selected as a result of their outstanding core values, positive and engaging student culture, and consistent high performance.

Collbran Job Corps highlights the positive impacts the Job Corps opportunity has had on the lives of the disadvantaged youth who participate and the positive effect those youth contribute back to their communities and the strong values of community. As the budget and appropriations process proceeds, I hope the Senate will continue to support the Job Corps program and keep the wonderful example of Collbran Job Corps in mind. I know I will.

I commend the Collbran Job Corps Center for believing, achieving, and succeeding.•

TRIBUTE TO WILLIAM "J" THOMPSON

• Mr. PRYOR. Mr. President, it is with the greatest pleasure that I rise today to honor William "J" Thompson of Highland, AR. J Thompson works as a lineman for the Southern Electric Cooperative, and since 2004, he has also been a first responder and truck captain for the Highland Volunteer Fire Department.

On Christmas Eve, 2005, J Thompson responded to an emergency call from the Highland Police Department. A young man had been stopped by a police officer and had admitted to taking several tranquilizers. Shortly thereafter, he lost consciousness and was unresponsive to the officer. When Mr. Thompson arrived on the scene, the young man had stopped breathing. He was pulled from the vehicle, and it was discovered that he had no pulse. At this point, Mr. Thompson administered CPR, and the individual started breathing and regained a pulse.

Without the heroic actions of J Thompson, this young man would not be alive today. My home State of Arkansas is fortunate to have men of his caliber volunteering their time and expertise to their communities.

Mr. President, I ask my colleagues to join me in applauding William "J" Thompson and all the remarkable volunteer firemen for their selfless commitment to safety and humanitarian efforts in our country.•

IN MEMORIAM: ROBERT L. DUVALL, III

• Mr. BOND. Mr. President, I take this opportunity to honor the life of Bob Duvall, not only out of great respect for his contributions to technology advancements in the defense industry but also for all of those who have played a key role in the strength of our Armed Forces and Nation's security. Warfighters and commanders among all service groups have directly benefited from his engineering contributions. Mr. Duvall passed away on May 24, 2006. He was 61.

Mr. Robert L. Duvall, III, was born in Cheverly, MD, on October 8, 1944 and grew up in the suburbs of Washington, DC. His father was an electrical engineer for the Chesapeake and Potomac Telephone Company and inspired him to pursue a career in engineering. In 1967, he graduated from Cornell University, Ithaca, NY, with a degree in electrical engineering and subsequently went to work at Hughes Aircraft Company in California. Mr. Duvall furthered his education with a master's degree in electrical engineering from the University of Southern California in 1975.

After Mr. Duvall's placement within the defense industry, his technical expertise expanded to include a variety of disciplines, including circuit design, optics, infrared technology, optoelectronics, and systems integration. It was within the infrared technology and laser systems integration sector that his contributions made the most notable and recognized impact to the military capability of the United States. Early contributions and developments during his 20-plus years with Hughes Aircraft led to innovation in Naval and Air Force laser pointing and tracking technology. His contributions are better known for supporting the U.S. Army's Second Generation Forward Looking Infrared, FLIR, developments in the early 1990s.

Mr. Duvall's pioneering efforts with Hughes Aircraft and subsequently his current position as vice president of advanced technology at DRS Technologies have indeed made a difference for our present generation of warfighters. Our sons and daughters enter into battle with the decisive ability to "own the night" and precisely target and defeat the threat because of the incredible contribution he made as a member of our defense industry. There is no doubt Mr. Duvall contributed directly to the saving of many lives and the avoidance of great loss because of his efforts and expertise.

Mr. Duvall is survived by his wife Shirley and his two children Mark and Michelle. Their loss should not be felt alone and should not be remembered alone. It is indeed with great respect and admiration for his contribution to our Nation's defense that we pause today to recognize Mr. Robert L. Duvall, III. His effort will have a lasting effect on many, and no doubt others lives will continue because of him.•

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which ws refered to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 9:22 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1235. An act to amend title 38, United States Code, to improve and extend housing, insurance, outreach, and benefits programs provided under the laws administered by the Secretary of Veterans Affairs, to improve and extend employment programs for veterans under laws administered by the Secretary of Labor, and for other purposes.

H.R. 1953. An act to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the "Granite Lady", and for other purposes.

H.R. 3829. An act to designate the Department of Veterans Affairs Medical Center in Muskogee, Oklahoma, as the Jack C. Montgomery Department of Veterans Affairs Medical Center.

H.R. 5401. An act to amend section 308 of the Lewis and Clark Expedition Bicentennial Commemorative Coin Act to make certain clarifying and technical amendments.

The enrolled bills were subsequently signed by the President pro tempore (Mr. STEVENS).

At 12:00 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5126. An act to amend the Communications Act of 1934 to prohibit manipulation of caller identification information, and for other purposes.

H.R. 5245. An act to designate the facility of the United States Postal Service located at 1 Marble Street in Fair Haven, Vermont, as the "Matthew Lyon Post Office Building".

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 399. Concurrent resolution recognizing the 30th Anniversary of the victory of United States winemakers at the 1976 Paris Wine Tasting.

H. Con. Res. 422. Concurrent resolution supporting the goals and ideals of the Vigil for Lost Promise day.

The message also announced that pursuant to section 703(c) of the Public

Interest Declassification Act of 2000 (50 U.S.C. 435 note), and the order of the House of December 18, 2005, the Speaker appoints the following member on the part of the House of Representatives to the Public Interest Declassification Board for a term of three years: Admiral William O. Studeman of Great Falls, Virginia.

At 1:19 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5441. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes.

At 5:23 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 193. An act to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5521. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2007, and for other purposes.

At 7:24 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2803. An act to amend the Federal Mine Safety and Health Act of 1977 to improve the safety of mines and mining.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5126. An act to amend the Communications Act of 1934 to prohibit manipulation of caller identification information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5245. An act to designate the facility of the United States Postal Service located at 1 Marble Street in Fair Haven, Vermont, as the "Matthew Lyon Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5441. An act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes; to the Committee on Appropriations.

H.R. 5521. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2007, and for other purposes; to the Committee on Appropriations.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 399. Concurrent resolution recognizing the 30th Anniversary of the victory of United States winemakers at the 1976 Paris Wine Tasting; to the Committee on Agriculture, Nutrition, and Forestry.

H. Con. Res. 422. Concurrent resolution supporting the goals and ideals of the Vigil for Lost Promise day; to the Committee on Health, Education, Labor, and Pensions.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 7, 2006, she had presented to the President of the United States the following enrolled bill:

S. 1235. An act to amend title 38, United States Code, to improve and extend housing, insurance, outreach, and benefits programs provided under the laws administered by the Secretary of Veterans Affairs, to improve and extend employment programs for veterans under laws administered by the Secretary of Labor, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6997. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Inspector General Department of Defense Semi-Annual Report to Congress, October 1, 2005–March 31, 2006, along with the classified Annex to the Semi-Annual Report on Intelligence-Related Oversight; to the Committee on Homeland Security and Governmental Affairs.

EC–6998. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Corporation's Inspector General Semi-Annual Report for the period from October 1, 2005 through March 31, 2006 and the Corporation's Report on Final Action; to the Committee on Homeland Security and Governmental Affairs.

EC–6999. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006 and the Management Response; to the Committee on Homeland Security and Governmental Affairs.

EC–7000. A communication from the Chairman, Board of Governors, United States Postal Service, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006 and the Management Response; to the Committee on Homeland Security and Governmental Affairs.

EC–7001. A communication from the Chairman, Railroad Retirement Board, transmitting, pursuant to law, the Board's Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7002. A communication from the Chairman, Federal Housing Finance Board, transmitting, pursuant to law, the Board's Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7003. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the Administration's Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006 and the Management Response; to the Committee on Homeland Security and Governmental Affairs.

EC–7004. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the Administration's Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7005. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Agency's Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7006. A communication from the Acting Secretary of the Interior, transmitting, pursuant to law, the Department of the Interior's Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7007. A communication from the Chairman, United States International Trade Commission, transmitting, pursuant to law, the Commission's Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7008. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department of Energy's Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7009. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department of Labor's Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7010. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7011. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2005 through March 31, 2006 and the Management Response; to the Committee on Homeland Security and Governmental Affairs.

EC–7012. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Fiscal Year 2005 Federal Student Loan Repayment Program Report; to the Committee on Homeland Security and Governmental Affairs.

EC–7013. A communication from the Chairman, U.S. Merit Systems Protection Board, transmitting, pursuant to law, a report entitled "Contracting Officer Representatives: Managing the Government's Technical Experts to Achieve Positive Contract Outcomes"; to the Committee on Homeland Security and Governmental Affairs.

EC–7014. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Letter Report: Review of Relocation and Related

OCTO Employees' Expenses Paid For by the Office of the Chief Technology Officer For Fiscal Years 2001 Through 2003"; to the Committee on Homeland Security and Governmental Affairs.

EC–7015. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Fiscal Year 2005 Annual Report On Advisory Neighborhood Commissions"; to the Committee on Homeland Security and Governmental Affairs.

EC–7016. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Letter Report: Comparative Analysis of Collections to Revised Revenue Estimates for Fiscal Year 2005"; to the Committee on Homeland Security and Governmental Affairs.

EC–7017. A communication from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "Official Seals and Logos" (RIN3095-AB48) received on May 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7018. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–381, "Organ and Tissue Donor Registry Establishment Act of 2006" received on May 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7019. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–382, "Closing of a Portion of S Street, S.E., a Portion of 13th Street S.E., and Public Alleys in Squares 5600 and 5601, S.O. 04–11912, Act of 2006" received on May 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7020. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–383, "Tobacco Settlement Trust Fund and Tobacco Settlement Financing Amendment Act of 2006" received on May 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7021. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–384, "Closing of Public Streets and Alleys in Squares 702, 703, 704, 705, and 706, and in U.S. Reservation 247, S.O. 05–6318, Act of 2006" received on May 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7022. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–385, "National Guard Operations Coordination Temporary Act of 2006" received on May 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7023. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–386, "My Sister's Place, Inc. Grant Authority Temporary Act of 2006" received on May 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7024. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–387, "Disclosure of Mental Retardation and Developmental Disabilities Fatality Review Committee and Mental Retardation and Developmental Disabilities Incident Management and Investigations Unit Information and Records Temporary Amendment Act of 2006" received on May 31, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–7025. A communication from the Director, Office of Personnel Management, transmitting, the report of proposed legislation entitled "Performance Appraisal Certification Technical Corrections Act of 2006"; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. McCAIN:

S. 3457. A bill to provide a national franchise and other regulatory relief to video service providers who offer a-la-carte programming for cable television, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BAYH (for himself and Mrs. BOXER):

S. 3458. A bill to require the Consumer Product Safety Commission to issue regulations mandating child-resistant closures on all portable gasoline containers; to the Committee on Commerce, Science, and Transportation.

By Mr. CHAMBLISS:

S. 3459. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in May 2003 through September 2003; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3460. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in June 2004 through October 2004; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3461. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in February 2003 through May 2003; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3462. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in October 2002 through February 2003; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3463. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in May 2002 through August 2002; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3464. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in May 2002 through June 2002; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3465. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in March 1999 through March 2001; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3466. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in March 2002 through May 2002; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3467. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in January 2002 through March 2002; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3468. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in March 2001 through October 2001; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3469. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in February 2005 through July 2005; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3470. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in October 2004 through February 2005; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3471. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in March 2004 through June 2007; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3472. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in August 2003 through March 2004; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3473. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in November 2001 through December 2004; to the Committee on Finance.

By Mr. CHAMBLISS:

S. 3474. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density, fiberboard-core laminate panels entered in July 2002 through October 2002; to the Committee on Finance.

By Mr. OBAMA:

S. 3475. A bill to provide housing assistance for very low-income veterans; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. AKAKA:

S. 3476. To amend the Homeland Security Act of 2002 to establish employee professional development programs at the Department of Homeland Security; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read. and referred (or acted upon), as indicated:

By Mr. FEINGOLD (for himself, Ms. MURKOWSKI, Mr. BIDEN, and Mr. LUGAR):

S. Res. 503. A resolution mourning the loss of life caused by the earthquake that occurred on May 27, 2006, in Indonesia, expressing the condolences of the American people to the families of the victims, and urging assistance to those affected; to the Committee on Foreign Relations.

By Mr. LAUTENBERG (for himself, Mr. GRAHAM, Mr. MENENDEZ, Mrs. CLINTON, Mr. REID, Mr. KENNEDY, Mr. BIDEN, Mr. LIEBERMAN, Mr. LEVIN, Mr. KERRY, Ms. STABENOW, Ms. MIKULSKI, Mr. SCHUMER, Mrs. BOXER, Mr. DODD, Mr. BINGAMAN, Mr. ALLEN, Ms. COLLINS, Mr. SANTORUM, Mr. BURR, Mr. SALAZAR, Mr. DEMINT, Mrs. LINCOLN, Mr. DORGAN, Mr. REED, Mr. DEWINE, Mr. KOHL, Mr. HATCH, Mr. COLEMAN, and Mr. ROCKEFELLER):

S. Res. 504. A resolution expressing the sense of the Senate that the President should not accept the credentials of any representative of the Government of Libya without the expressed understanding that the Government of Libya will continue to work in good faith to resolve outstanding cases of United States victims of terrorism sponsored or supported by Libya, including the settlement of cases arising from the Pan Am Flight 103 and LaBelle Discotheque bombings; considered and agreed to.

By Mr. GRASSLEY (for himself, Mr. SALAZAR, Mr. LUGAR, Mr. HARKIN, Mr. DEWINE, Mr. OBAMA, Mr. HAGEL, Mr. DORGAN, Mr. COLEMAN, Mr. KERRY, Mr. TALENT, Mr. NELSON of Nebraska, Mr. THUNE, Ms. CANTWELL, Mr. KOHL, and Mr. JOHNSON):

S. Con. Res. 97. A concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber; to the Committee on Agriculture, Nutrition, and Forestry.

ADDITIONAL COSPONSORS

S. 420

At the request of Mr. KYL, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 420, a bill to make the repeal of the estate tax permanent.

S. 484

At the request of Mr. WARNER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 484, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 495

At the request of Mr. CRAPO, his name was added as a cosponsor of S. 495, a bill to impose sanctions against perpetrators of crimes against humanity in Darfur, Sudan, and for other purposes.

S. 918

At the request of Mr. OBAMA, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 918, a bill to provide for Flexible Fuel Vehicle (FFV) refueling capability at new and existing refueling station facilities to promote energy security and reduction of greenhouse gas emissions.

S. 1064

At the request of Mr. COCHRAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1064, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 1272

At the request of Mr. NELSON of Nebraska, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1272, a bill to amend title 46, United States Code, and title II of the Social Security Act to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 1353

At the request of Mr. REID, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 1353, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1575

At the request of Mr. BINGAMAN, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 1575, a bill to amend the Public Health Service Act to authorize a demonstration program to increase the number of doctorally-prepared nurse faculty.

S. 1691

At the request of Mr. CRAIG, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1691, a bill to amend selected statutes to clarify existing Federal law as to the treatment of students privately educated at home under State law.

S. 1722

At the request of Ms. MURKOWSKI, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 1722, a bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Syndrome prevention and services program, and for other purposes.

S. 2025

At the request of Mr. BAYH, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2025, a bill to promote the national security and stability of the United States economy by reducing the dependence of the United States on oil through the use of alternative fuels and new technology, and for other purposes.

S. 2140

At the request of Mr. HATCH, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 2140, a bill to enhance protection of children from sexual exploitation by strengthening section 2257 of title 18, United States Code, requiring producers of sexually explicit material to keep and permit inspection of records regarding the age of performers, and for other purposes.

S. 2284

At the request of Ms. MIKULSKI, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2284, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 2416

At the request of Mr. BURNS, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2416, a bill to amend title 38, United States Code, to expand the scope of programs of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used, and for other purposes.

S. 2467

At the request of Mr. GRASSLEY, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 2467, a bill to enhance and improve the trade relations of the United States by strengthening United States trade enforcement efforts and encouraging United States trading partners to adhere to the rules and norms of international trade, and for other purposes.

S. 2545

At the request of Mr. DEWINE, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2545, a bill to establish a collaborative program to protect the Great Lakes, and for other purposes.

S. 2616

At the request of Mr. SANTORUM, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2616, a bill to amend the Surface Mining Control and Reclamation Act of 1977 and the Mineral Leasing Act to improve surface mining control and reclamation, and for other purposes.

S. 2658

At the request of Mr. BOND, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2658, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

At the request of Mr. LEAHY, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2658, supra.

S. 2661

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. 2661, a bill to provide for a plebiscite in Puerto Rico on the status of the territory.

At the request of Mr. MARTINEZ, the names of the Senator from Indiana (Mr. BAYH) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 2661, supra.

S. 2707

At the request of Mr. SUNUNU, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 2707, a bill to amend the United States Housing Act of 1937 to exempt qualified public housing agencies from the requirement of preparing an annual public housing agency plan.

S. 2810

At the request of Mr. GRASSLEY, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 2810, a bill to amend title XVIII of the Social Security Act to eliminate months in 2006 from the calculation of any late enrollment penalty under the Medicare part D prescription drug program and to provide for additional funding for State health insurance counseling program and area agencies on aging, and for other purposes.

S. 3069

At the request of Mr. DODD, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Wisconsin (Mr. KOHL), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Ohio (Mr. VOINOVICH) were added as cosponsors of S. 3069, a bill to amend section 2306 of title 38, United States Code, to modify the furnishing of government markers for graves of veterans at private ceremonies, and for other purposes.

S. 3275

At the request of Mr. ALLEN, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 3275, a bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. CON. RES. 71

At the request of Mr. AKAKA, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Con. Res. 71, a concurrent resolution expressing the sense of Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual.

S. CON. RES. 96

At the request of Mr. BROWNBACK, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. Con. Res. 96, a concurrent resolution to commemorate, celebrate, and reaffirm the national motto of the United States on the 50th anniversary of its formal adoption.

S. RES. 331

At the request of Ms. LANDRIEU, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. Res. 331, a resolution expressing the sense of the Senate regarding fertility issues facing cancer survivors.

S. RES. 420

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 420, a resolution expressing the sense of the Senate that effective treatment and access to care for individuals with psoriasis and psoriatic arthritis should be improved.

AMENDMENT NO. 4189

At the request of Mrs. BOXER, her name was added as a cosponsor of amendment No. 4189 intended to be proposed to S. 2012, a bill to authorize appropriations to the Secretary of Commerce for the Magnuson-Stevens Fishery Conservation and Management Act for fiscal years 2006 through 2012, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. McCAIN:

S. 3457. A bill to provide a national franchise and other regulatory relief to video service providers who offer a-la-carte programming for cable television, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. McCAIN. Mr. President, today I am introducing the Consumers Having Options in Cable Entertainment, CHOICE, Act of 2006. This bill would encourage broadcasters and cable companies that own cable channels to sell their channels individually to subscribers. It would also promote cable programming distribution over the Internet.

For almost 10 years I have supported giving consumers the ability to buy cable channels individually, also known as a la carte, to provide consumers with more control over the viewing options in their home and their monthly cable bill. Cable companies have resisted this and have continued to give consumers all the "choice" of a North Korean election ballot. There is only one option available: buy a package of channels, whether you watch all the channels or not. The alternative is to not receive cable programming at all. Why have cable companies and cable programmers refused to give consumers the ability to buy and pay for only those channels consumers watch? Simply because they do not have to. They are the only game in town. But not for long, I hope.

Telephone companies have realized that consumers want more and are poised to provide consumers across the nation with an alternative to the local cable company. Many of these telephone companies, including AT&T, are also ready to offer consumers the ability to purchase channels a la carte. Such companies will offer two crucial benefits to consumers: more competition in the video service provider market, and more options for programming packages. Together, these two offerings will allow consumers to have greater control over the content that enters the home and the ability to manage their monthly cable bills.

According to a Government Accountability Office, GAO, report, in communities where there are two cable companies competing for customers, cable rates are 15 percent less than in communities without any competition. A subsequent GAO study suggests that in some markets the presence of another cable competitor may reduce rates by an astounding 41 percent. Unfortunately, today less than 5 percent of communities have two companies competing to provide consumers cable television service.

The CHOICE Act would help bring competition to the cable television market. Choice in cable television delivery is long overdue for consumers who have suffered steep rate hikes year after year. Since 1996, cable rates have increased 58 percent or nearly three times the rate of inflation. The Federal Communications Commission, FCC, has found that rates increased 7 percent in 2001 and 2002, and 5 percent in 2003. The FCC's most recent report found that rates again rose 5 percent in 2004, double the rate of inflation, but only 3.6 percent where the local cable company faced competition. I can only imagine the savings consumers could reap if presented with a choice of providers of cable service and a choice of channels. For this reason I call on Congress to pass the CHOICE Act.

A recent USA Today/Gallup poll found that a majority of Americans would like to buy cable channels individually and an AP/Ipsos poll found that a remarkable 78 percent of Americans would like to do so. According to Nielsen Media Research, households receiving more than 70 channels only watch, on average, about 17 of these. Consumers know that they could have greater control over their monthly bill if given the ability to choose their channels. This was recently confirmed by the FCC. This year the FCC found that consumers could save as much as 13 percent on their monthly cable bills if they could buy only the channels they want.

Mr. President, consider the situation of a senior citizen on fixed income living in Sun City, Arizona, who watches only a few news and movie channels, but continues to pay for high priced channels such as ESPN, Fox Sports, and MTV—channels that other consumers enjoy, but channels that certain seniors may not want and possibly cannot afford. In fact, the general manager of the Sun City cable system has told my staff that he has tried to drop several expensive music video channels from the company's channel lineup to make room for channels his viewers want to receive and to decrease costs, but the owners of the music video channels have forbid him to do so without serious repercussions. So the residents of Sun City continue to subsidize the cost of these channels for viewers around the country. That is why AARP, representing 35 million senior citizens, supports the ability for viewers to buy channels on an a la carte basis. But again, cable companies don't have to listen to these 35 million viewers because there is no real threat of losing them. They have nowhere to turn.

The CHOICE ACT, Mr. President, is not a mandate on cable providers. Instead it is designed to encourage choice and competition by granting significant regulatory relief to video service providers, such as telephone and cable companies, that agree to both offer cable channels on an a la carte basis to subscribers and to not prohibit any channel owned by the video service provider from being sold individually. In exchange, video service providers would receive the right to obtain a national franchise; would be permitted to pay lower fees to municipalities for the use of public rights of way; would benefit from a streamlined definition of "gross video revenue" for the calculation of such fees; and would gain a prohibition on the solicitation of institutional networks, in-kind donation, and unlimited public access channels.

In addition, broadcasters that have an ownership stake in a cable channel would get the benefit of the FCC's network non-duplications rule if the broadcaster does not prohibit the channel from being sold individually. The FCC's network non-duplication rule provides exclusivity for broadcasters by not allowing another broadcaster with the same network affiliation from broadcasting in the same community. The bill would also modify Section 616(a) of the Communications Act that currently prohibits video service providers from using coercion or retaliatory tactics to prevent cable channels from making their services available to competing companies to extend this provision to distribution over the Internet.

For example, if Time Warner Cable offered CNN, a cable channel it owns, on an a la carte basis to its cable subscribers and allowed other cable companies, satellite companies, and video programmers who choose to distribute CNN to make it available on an a la carte basis, Time Warner Cable would be eligible for a national franchise and other regulatory relief. If Disney, which owns ESPN, allowed other cable companies, satellite companies, and video programmers who choose to distribute ESPN to make it available on an a la carte basis, Disney's ABC broadcast stations would have the benefit of the FCC's network non-duplication rule.

Mr. President, contrary to what some might want the American people to believe, the CHOICE Act does not force video service providers or broadcasters to do a single thing. It is their choice whether to act or not act. The bill provides them with such a choice even though they currently don't provide meaningful choices to their customers. This bill is incentive-based legislation that would encourage owners of cable channels to make channels available for individual purchase and would do nothing to prevent cable companies from continuing to offer a bundle of channels or tiers of channels.

The cable industry regularly touts the value of its package of channels, noting that it costs less than taking a family of four to a movie or professional sporting event. However, watching cable television is not always a family event. Several channels have programming that consumers find objectionable or that parents believe is unsuitable for young children. Complaints about indecent cable programming have increased exponentially in recent years. In 2004, the FCC received 700 percent more cable indecency complaints than it received in 2003. Most of the cable programs about which indecency complaints have been filed with the FCC aired during hours when many children are watching television.

Cable and satellite companies currently provide subscribers with a variety of methods of blocking the audio and video programming of any channel that they do not wish to receive. However, subscribers are still required to pay for these channels that they find objectionable. The "v-chip" does not effectively protect children from indecent programming carried by video programming distributors. Most of the television sets currently in use in the United States are not equipped with a v-chip; of the 280 million sets currently in United States households, approximately 161 million television sets are not equipped with a v-chip. Households that have a television set with a v-chip are also likely to have one or more sets that are not equipped with a v-chip.

Again, Mr. President, I am aware that not all consumers want to block and not pay for certain channels, but shouldn't all consumers have the choice to do so? Cable programmers and broadcasters have started offering individual television programs for download on the Internet. This is the purest form of a la carte—where one can watch and pay for only specific programs they choose. In addition, many of these same broadcasters and cable programmers make their channels available for individual purchase in Hong Kong, Canada, and other countries. Why do these cable programmers treat the American cable subscriber differently than a subscriber in Hong Kong or Canada or an Internet user? It remains unclear.

Lastly, Mr. President, I know that the cable programmers and broadcasters will not be the only group that may have some concerns with this bill. Many of my friends in local government are also likely to be interested in the reduced "rights of way" fee and streamlined definition of "gross video revenue" under this bill. Cable companies pay these fees to municipalities to use the right-of-way land under sidewalks, streets and bridges to reach customers' homes and then pass these fees on to subscribers. However, these fees often surpass the costs of managing "rights of way" land, and municipalities use these funds for other expenditures. Just last month at a hearing before the Senate Commerce Committee, Michael A. Guido, Mayor of Dearborn, Michigan, confirmed that these fees are often used to pay for other city expenses, such as emergency vehicles.

In 2004, State and local governments collected approximately $2.4 billion in these fees, slightly more than $37 per year from every household subscriber. Americans for Tax Reform believes that the "franchise fee is just a stealth tax on our consumption of the cable television," as do other economists and taxpayer advocacy groups. To this end, the legislature in my home state of Arizona just recently passed a bill to reduce such fees and taxes on cable television subscribers.

The Phoenix Center, a non-partisan legal and economic think tank, has found that the introduction of competition to cable companies could allow the fee to be lowered "significantly without doing any harm to local governments." Based upon this research, the CHOICE Act would reduce the fee from 5 percent to 3.7 percent for eligible video service providers and allow local governments to petition the FCC for a higher fee if it is necessary to cover the costs of managing "rights of way" land. I believe this would provide some real cost savings to cable subscribers.

I remain open to working with municipalities on this issue and look forward to working with all interested parties to ensure that American consumers receive greater options for affordable and acceptable television viewing. Mr. President, I hope the introduction of the CHOICE Act furthers the debate on the issue of a la carte channel selection and I look forward to the Senate's consideration of the bill.

By Mr. OBAMA:

S. 3475. A bill to provide housing assistance for very low-income veterans; to the Committee on Banking, Housing, and Urban Affairs.

Mr. OBAMA. Mr. President, I rise today to introduce the Homes for Heroes Act of 2006.

When we talk about veterans in Washington, I often think about my grandfather, who signed up for duty in

World War II the day after Pearl Harbor. He marched across Europe in Patton's army, and when he came home to Kansas, he could have very easily faced some tough times.

He could have had trouble paying for college, or finding a job, or even finding a home. But at the time, he lived in a country that recognized the value of his service—a country that kept its promise to defend those who have defended freedom. And so he was able to afford college through the G.I. Bill, and he was able to buy a house through the Federal Housing Administration, and he was able to work hard and raise a family and build his own American dream.

And after I think about my grandfather, and the opportunities he had as a veteran, I then think about a veteran I met named Bill Allen, who told me that on a recent trip he took to Chicago, he actually saw homeless veterans fighting over access to the dumpsters. Think about that. Fighting over access to the dumpsters.

Each and every night in this country, more than 200,000 of our Nation's veterans are homeless. And more than half a million will experience homelessness over the course of a year. There is no single cause for this. Homeless vets are men and women, single and married. They have served in every conflict since World War II. Many suffer from post-traumatic stress disorder; others were physically and mentally battered in combat. A large number left the military without job skills that could be easily used in the private sector.

All have risked their lives for their country. All deserve—at the very least—the basic dignity of going to sleep at night with a roof over their head. And every day we allow them to go without, it brings shame to every single one of us.

This is wrong. It is because we're quick to offer words of praise for our troops when they were abroad, but quick to forget about their needs when they come home. It's wrong because we have the resources and the programs in place to help solve this problem. And it is wrong on a fundamentally moral level—the idea that we would allow such brave and selfless citizens to suffer in such biting poverty. And so it is now our responsibility—it is now our duty—to make this right.

Last year, I introduced the Sheltering All Veterans Everywhere Act, S. 1180—the SAVE Act—to strengthen services for homeless veterans. The SAVE Act would reauthorize and expand two of the most successful programs in dealing with homeless veterans: the Homeless Providers Grant and Per Diem Program and the Homeless Veterans Reintegration Program. In addition, the SAVE Act would expand the reach of the Homeless Veterans Reintegration Program to also include veterans at risk of homelessness, so that we can work to prevent homelessness before it happens.

And while it is one thing to get veterans off the streets temporarily; it is another to keep them off—to place veterans in real, permanent homes. In fact, the VA has consistently identified permanent housing as one of the top three unmet needs in the fight against veteran homelessness.

That is why I'm introducing a bill today called the Homes for Heroes Act. This is a bill that would help expand access to long-term, affordable housing by creating a fund so that the community and nonprofit organizations could purchase, build, or rehabilitate homes and apartments for veterans.

So that we don't just leave them, to face their personal challenges on their own, the organizations would also provide services like counseling, employment training, and child care to the veterans who live in this housing. And the Homes for Heroes Act would expand the number of permanent housing vouchers for veterans from the current number of less than 2,000 to 20,000. These are vouchers that have been highly successful in giving veterans the chance to afford a place to live.

Every day in America, we walk past men and women on street comers with handwritten signs that say "Homeless Veteran—Will Work For Food." Sometimes we give a dollar; sometimes we just keep walking. These are soldiers who fought in World War II, Vietnam, and Iraq. They made a commitment to their country when they chose to serve—and now we must keep our commitment to them. Because when we make the decision to send our troops to war, we also make the decision to care for them, to speak for them, and to think of them—always—when they come home.

This kind of America—an America of opportunity, of collective responsibility for each other—is the kind that any of our parents and grandparents came home to after the Second World War. Now it is time for us to build this America for those sons and daughters who come home today.

Mr. AKAKA:

S. 3476. to amend the Homeland Security Act of 2002 to establish employee professional development programs at the Department of Homeland Security; to the Committe on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, I rise today to introduce legislation that will help train and motivate our homeland security workforce. As the ranking member of the Homeland Security and Governmental Affairs Federal Workforce Subcommittee, I understand the challenges facing the Department of Homeland Security, DHS. Our committee and subcommittee have held numerous hearings on a broad spectrum of DHS-related issues, including poor contract management, ineffective financial systems, and major human capital challenges. I have met with DHS employees and management officials to discuss problems ranging from leadership deficiencies and high employee turnover rates to management challenges. Vacancies resulting from the recent departures of key, high level officials further threaten employee morale and the Department's ability to provide for the security of our Nation. DHS cannot meet its mission if it does not have a well-trained and dedicated workforce. Failure to provide adequate training and career development programs for employees will have serious consequences for our national security.

My bill, the Homeland Security Professional Development Act of 2006, will strengthen the workforce at DHS through the establishment of formal mentoring and rotational programs. The mentoring program will partner junior and entry level workers with more experienced employees to foster an understanding of how employees' roles and responsibilities fit into the Department's mission and to develop career goals. The voluntary rotation program would place midlevel employees in a different component of DHS for a period of time to provide for professional development; increased knowledge of the Department's various missions; and networking opportunities. Participants in the rotation program would be eligible for promotions or other employment preferences. Together the mentoring and rotational programs will improve communication; strengthen recruitment and retention programs; help with succession planning; enhance networking opportunities; and provide a pool of qualified future leaders.

I commend DHS for recognizing the need to strengthen its workforce. Last July, the Department unveiled its Homeland Security Learning and Development Strategic Plan to align education, training, and professional development with the Department's strategic goals. The plan addresses the need to align education and professional development with the Department's vision, mission, core values, and strategic plan. However, this plan alone will not address the daunting challenges facing DHS. Congress must act to ensure that agency-wide employee development programs are in place to eliminate cultural and educational stovepipes.

My bill will increase employee organizational knowledge and technical proficiency in the critical homeland security skill sets required to keep our Nation safe. For example, the Science and Technology Directorate, S&T, would benefit greatly from rotational programs with other DHS directorates and components, including Immigration and Customs Enforcement, ICE, and Customs and Border Protection, CBP. Rotations between these entities would ensure that S&T projects and priorities are correctly aligned with ICE and CBP requirements, in addition to ensuring a cohesive homeland security workforce.

Mentoring programs can hasten the learning curve for new employees, improve employee performance, and alter the culture of the organization by creating a collaborative, team-based, and results-oriented structure. Such programs have a proven track-record of success. According to the April 10, 2006, issue of Federal Human Resources Week, mentoring opportunities are welcomed by federal workers and help in recruitment and retention efforts. This finding is not new. A 1999 workforce study found that 35 percent of private sector employees who did not receive regular mentoring planned to seek other jobs within the next 12 months. This number was reduced to 16 percent when employees received regular mentoring. In addition, according to the International Mentoring Association, employee supervision increases productivity by only 25 percent. However, when training is combined with coaching and mentoring, productivity is increased by an astounding 88 percent.

One positive example of the benefits of mentoring is the apprentice program at the Pearl Harbor Naval Shipyard in my home State of Hawaii. Established in 1924, the Pearl Harbor apprentice program has graduated thousands of highly qualified and skilled journeymen to ensure that the U.S. Navy remains "Fit to Fight."

The Department of Homeland Security continues to face considerable management, leadership, and human capital challenges. The Homeland Security Professional Development Act of 2006 will tackle these challenges by building on the current training efforts of the Department and fostering a well-rounded and well-trained homeland security workforce. I urge my colleagues to support this important legislation and ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Homeland Security Professional Development Act of 2006".

SEC. 2. ESTABLISHMENT OF PROFESSIONAL DEVELOPMENT PROGRAMS AT THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by inserting after section 843 the following:

"SEC. 844. HOMELAND SECURITY MENTORING PROGRAM.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish the Homeland Security Mentoring Program (in this section referred to as the 'Mentoring Program') for employees of the Department. The Mentoring Program shall use applicable best practices, including those from the Chief Human Capital Officers Council.

"(2) GOALS.—The Mentoring Program established by the Secretary—

"(A) shall be established in accordance with the Department Human Capital Strategic Plan;

"(B) shall incorporate Department human capital strategic plans and activities, and address critical human capital deficiencies, recruitment and retention efforts, and succession planning within the Federal workforce of the Department;

"(C) shall enable employees within the Department to share expertise, values, skills, resources, perspectives, attitudes and proficiencies to develop and foster a cadre of qualified employees and future leaders;

"(D) shall incorporate clear learning goals, objectives, meeting schedules, and feedback processes that will help employees, managers, and executives enhance skills and knowledge of the Department while reaching professional and personal goals;

"(E) shall enhance professional relationships, contacts, and networking opportunities among the employees of the Department;

"(F) shall complement and incorporate (but not replace) mentoring and training programs within the Department in effect on the date of enactment of this section; and

"(G) may promote cross-disciplinary mentoring and training opportunities that include provisions for intradepartmental rotational opportunities, in accordance with human capital goals and plans that foster a more diversified and effective Federal workforce of the Department.

"(3) TRAINING LEADERS COUNCIL.—

"(A) ESTABLISHMENT.—The Training Leaders Council established by the Chief Human Capital Officer shall administer the Mentoring Program.

"(B) RESPONSIBILITIES.—The Training Leaders Council shall—

"(i) provide oversight of the establishment and implementation of the Mentoring Program;

"(ii) establish a framework that supports the goals of the Mentoring Program and promotes cross-disciplinary mentoring and training;

"(iii) identify potential candidates to be mentors or mentees and select candidates for admission into the Mentoring Program;

"(iv) formalize mentoring assignments within the Department;

"(v) formulate individual development plans that reflect the needs of the Department, the mentor, and the mentee;

"(vi) coordinate with mentoring programs in the Department in effect on the date of enactment of this section; and

"(vii) establish target enrollment numbers for the size and scope of the Mentoring Program, under the human capital goals and plans of the Department.

"(4) SELECTION OF PARTICIPANTS FOR MENTORING PROGRAM.—

"(A) IN GENERAL.—The Mentoring Program shall consist of middle and senior level employees of the Department with significant experience who shall serve as mentors for junior and entry level employees and employees who are critical to Department succession plans and programs.

"(B) SELECTION OF MENTORS.—Mentors shall be employees who—

"(i) understand the organization and culture of the Department;

"(ii) understand the aims of mentoring in Federal public service;

"(iii) are available and willing to spend time with the mentee, giving appropriate guidance and feedback;

"(iv) enjoy helping others and are open-minded, flexible, empathetic, and encouraging; and

"(v) have very good communications skills, and stimulate the thinking and reflection of mentees.

"(C) SELECTION OF MENTEES.—Mentees shall be motivated employees who possess potential for future leadership and management roles within the Department.

"(5) ROLES AND RESPONSIBILITIES OF PARTICIPANTS IN THE MENTORING PROGRAM.—

"(A) MENTORS.—

"(i) ROLE.—A mentor shall serve as a model, motivator, and counselor to a mentee.

"(ii) LIMITATION.—Any person who is the immediate supervisor of an employee and evaluates the performance of that employee may not be a mentor to that employee under the Mentor Program.

"(iii) RESPONSIBILITIES.—The responsibilities of a mentor may include—

"(I) helping the mentee set short-term learning objectives and long-term career goals ;

"(II) helping the mentee understand the organizational culture of the Department;

"(III) recommending or creating learning opportunities;

"(IV) providing informal education and training in areas such as communication, critical thinking, responsibility, flexibility, and teamwork; and

"(V) pointing out the strengths and areas for development of the mentee.

"(B) MENTEES.—The responsibilities of the mentee may include—

"(i) defining short-term learning objectives and long-term career goals;

"(ii) participating in learning opportunities to broaden knowledge of the Department; and

"(iii) participating in professional opportunities to improve a particular career area, develop an area of technical expertise, grow professionally, and expand leadership abilities.

"(6) REPORTING.—Not later than 180 days after the date of the establishment of the Mentoring Program, the Secretary shall submit a report on the status of the Mentoring Program and enrollment, including the number of mentors and mentees in each component of the Department and how the Mentoring Program is being used in succession planning and leadership development to—

"(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

"(B) the Committee on Homeland Security of the House of Representatives; and

"(C) the Committee on Government Reform of the House of Representatives.

"SEC. 845. HOMELAND SECURITY ROTATION PROGRAM.

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish the Homeland Security Rotation Program (in this section referred to as the 'Rotation Program') for employees of the Department. The Rotation Program shall use applicable best practices, including those from the Chief Human Capital Officers Council.

"(2) Goals.—The Rotation Program established by the Secretary shall—

"(A) be established in accordance with the Department Human Capital Strategic Plan;

"(B) provide middle level employees in the Department the opportunity to broaden their knowledge through exposure to other components of the Department;

"(C) expand the knowledge base of the Department by providing for rotational assignments of employees to other components;

"(D) build professional relationships and contacts among the employees in the Department;

"(E) invigorate the workforce with exciting and professionally rewarding opportunities;

"(F) incorporate Department human capital strategic plans and activities, and address critical human capital deficiencies, recruitment and retention efforts, and succession planning within the Federal workforce of the Department; and

"(G) complement and incorporate (but not replace) rotational programs within the Department in effect on the date of enactment of this section.

"(3) Training leaders council.—

"(A) In general.—The Training Leaders Council established by the Chief Human Capital Officer shall administer the Rotation Program.

"(B) Responsibilities.—The Training Leaders Council shall—

"(i) provide oversight of the establishment and implementation of the Rotation Program;

"(ii) establish a framework that supports the goals of the Rotation Program and promotes cross-disciplinary rotational opportunities;

"(iii) establish eligibility for employees to participate in the Rotation Program and select participants from employees who apply;

"(iv) establish incentives for employees to participate in the Rotation Program, including promotions and employment preferences;

"(v) ensure that the Rotation Program provides professional education and training;

"(vi) ensure that the Rotation Program develops qualified employees and future leaders with broad-based experience throughout the Department;

"(vii) provide for greater interaction among employees in components of the Department; and

"(viii) coordinate with rotational programs within the Department in effect on the date of enactment of this section.

"(4) Allowances, privileges, and benefits.—All allowances, privileges, rights, seniority, and other benefits of employees participating in the Rotation Program shall be preserved.

"(5) Reporting.—Not later than 180 days after the date of the establishment of the Rotation Program, the Secretary shall submit a report on the status of the Rotation Program, including a description of the Rotation Program, the number of employees participating, and how the Rotation Program is used in succession planning and leadership development to—

"(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

"(B) the Committee on Homeland Security of the House of Representatives; and

"(C) the Committee on Government Reform of the House of Representatives.".

(b) Technical and Conforming Amendment.—Section 1(b) of the Homeland Security Act of 2002 (6 U.S.C. 101) is amended by inserting after the item relating to section 843 the following:

"Sec. 844. Homeland Security Mentoring Program.

"Sec. 845. Homeland Security Rotation Program.".

SEC. 3. REPORTS TO CONGRESS.

(a) In General.—Chapter 41 of title 5, United States Code is amended by adding at the end the following:

"SEC. 4122. REPORTS TO CONGRESS.

"The Director of the Office of Personnel Management shall report annually to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives on the training, mentoring, and succession plans and programs of Federal agencies, including the number of participants, the structure of the programs, and how participants are used for leadership development and succession planning programs.".

(b) Technical and Conforming Amendment.—The table of sections for chapter 41 of title 5, United States Code, is amended by inserting after the item relating to section 4121 the following:

"4122. Reports to Congress.".

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as necessary to carry out this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 503—MOURNING THE LOSS OF LIFE CAUSED BY THE EARTHQUAKE THAT OCCURRED ON MAY 27, 2006, IN INDONESIA, EXPRESSING THE CONDOLENCES OF THE AMERICAN PEOPLE TO THE FAMILIES OF THE VICTIMS, AND URGING ASSISTANCE TO THOSE AFFECTED

Mr. FEINGOLD (for himself, Ms. Murkowski, Mr. Biden, and Mr. Lugar) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 503

Whereas, on May 27, 2006, a powerful earthquake measuring 6.2 on the Richter scale occurred in Indonesia, centered near the City of Yogyakarta;

Whereas the earthquake and continuing aftershocks have caused more than 5,000 deaths, resulted in serious injuries to additional tens of thousands of people, and left hundreds of thousands of people with damaged or destroyed homes;

Whereas thousands of people in the affected region are living in temporary shelter or lack basic services, such as clean water and sanitation, thereby increasing the risk of additional suffering and death; and

Whereas the United States and donors from at least 20 other countries have, to date, pledged several millions of dollars in emergency and long-term reconstruction assistance, and have begun to deliver humanitarian supplies to survivors of the earthquake: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the tragic loss of life and horrendous suffering caused by the earthquake that occurred on May 27, 2006, in Indonesia;

(2) expresses the deepest condolences of the people of the United States to the families, communities, and government of the thousands of individuals who lost their lives in the earthquake;

(3) expresses sympathy and compassion for the hundreds of thousands of people who have been left with destroyed or damaged homes or have been seriously affected by this earthquake;

(4) welcomes and commends the prompt international humanitarian response to the earthquake by the governments of many countries, the United Nations and other international organizations, and nongovernmental organizations;

(5) expresses gratitude and respect for the courageous and committed work of all individuals providing aid, relief, and assistance, including civilian and military personnel of the United States, who are working to save lives and provide relief in the devastated areas;

(6) urges the President and the Government of the United States to provide all appropriate assistance to the Government of Indonesia and people of the affected region; and

(7) recognizes the lead role of the Government of Indonesia in providing assistance and promoting recovery for the affected population.

SENATE RESOLUTION 504 EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD NOT ACCEPT THE CREDENTIALS OF ANY REPRESENTATIVE OF THE GOVERNMENT OF LIBYA WITHOUT THE EXPRESSED UNDERSTANDING THAT THE GOVERNMENT OF LIBYA WILL CONTINUE TO WORK IN GOOD FAITH TO RESOLVE OUTSTANDING CASES OF UNITED STATES VICTIMS OF TERRORISM SPONSORED OR SUPPORTED BY LIBYA, INCLUDING THE SETTLEMENT OF CASES ARISING FROM THE PAN AM FLIGHT 103 AND LaBELLE DISCOTHEQUE BOMBINGS

Mr. LAUTENBERG (for himself, Mr. Graham Mr. Menendez, Mrs. Clinton, Mr. Reid, Mr. Kennedy, Mr. Biden, Mr. Lieberman, Mr. Levin, Mr. Kerry, Ms. Stabenow, Ms. Mikulski, Mr. Schumer, Mrs. Boxer, Mr. Dodd, Mr. Bingaman, Mr. Allen, Ms. Collins, Mr. Santorum, Mr. Burr, Mr. Salazar, Mr. DeMint, Mrs. Lincoln, Mr. Dorgan, Mr. Reed, Mr. DeWine, Mr. Kohl, Mr. Hatch, Mr. Coleman, and Mr. Rockefeller) submitted the following resolution; which was considered and agreed to:

Mr. LAUTENBERG. Mr. President, in light of the recent announcement to remove Libya from the State Department's list of state sponsors of terror, I rise today to submit a resolution expressing the sense of the Senate that the Libyan Government should meet the terms of its financial commitment to the families of the victims of the Pan Am flight 103 bombing and other acts of terror supported by Libya before the President accepts credentials of any representative of the Government of Libya. I am pleased that Senators Graham, Menendez, Clinton, Kennedy, Biden, Lieberman, Levin, KERRY, STABENOW, MIKULSKI, SCHUMER, BOXER, DODD, BINGAMAN, ALLEN, COLLINS, BURR, SALAZAR, DEMINT, LINCOLN, DORGAN, REED, DEWINE, KOHL, REID, and SANTORUM have agreed to cosponsor my resolution.

In May 2002, Libya made an unequivocal commitment to compensate the families who lost loved ones in the Pan Am 103 bombing over Lockerbie, Scotland, which killed 270 people, including 189 Americans. To date, Libya has not resolved these claims in full, particularly the last installment of compensation that is to be paid to each family upon Libya's removal from the list of state sponsors of terror. Now that the Secretary of State has announced Libya's removal from the list, the U.S. must ensure that Libya honors its commitment.

Before the U.S. normalizes its relationship with the Government of Libya, it is crucial that we underscore our expectation that Libya will fully honor its commitment to all these American families. The resolution also exhorts the President to press the Government of Libya to make a good faith effort to resolve other outstanding cases involving U.S. victims of its state-sponsored terrorism, including the 1986 bombing of the La Belle Discotheque in Berlin, Germany, that killed two American soldiers and wounded dozens of others.

I am pleased that the Senate is considering this important resolution and urge its immediate adoption.

S. RES. 504

Whereas there has not been a resolution of the claims of members of the United States Armed Forces and other United States citizens who were injured in the April 6, 1986, bombing of the LaBelle Discothéque in Berlin, Germany, and the claims of family members of the service men and women killed in that bombing or the resolution of other outstanding cases of United States victims of terror sponsored or supported by Libya;

Whereas, on December 21, 1988, terrorists from Libya bombed Pan Am Flight 103 over Lockerbie, Scotland, killing 270 people, including 189 Americans;

Whereas, on May 29, 2002, the Government of Libya offered to pay up to $2,700,000,000 to settle claims by the families of the 270 people killed aboard Pan Am Flight 103, representing $10,000,000 for each victim of the Pan Am Flight 103 bombing;

Whereas, on August 15, 2003, Libya's Ambassador to the United Nations, Ahmed Own, submitted a letter to the United Nations Security Council formally accepting "responsibility for the action of its officials" in relation to the Lockerbie bombing;

Whereas, on September 12, 2003, the United Nations lifted sanctions against Libya, thereby enabling the first trigger of the agreement between the Government of Libya and the families of the victims of the attack on Pan Am Flight 103 for a payment of $4,000,000 per victim that has been paid to the victims' families;

Whereas, on September 24, 2004, the United States lifted most economic sanctions against Libya, thereby enabling the second trigger of the agreement between the Government of Libya and the families of the victims of the attack on Pan Am Flight 103 for an additional payment of $4,000,000 per victim that has been paid to the victims' families;

Whereas, on May 15, 2006, Secretary of State Condoleezza Rice announced the determination of President George W. Bush to rescind the designation of Libya on the list of state sponsors of terrorism, thereby enabling the third trigger of the agreement between the Government of Libya and the families of the victims of the attack on Pan Am Flight 103 for a final payment of $2,000,000 per victim;

Whereas, on May 15, 2006, Secretary of State Rice announced the reestablishment of full diplomatic relations with the Government of Libya, ending 26 years of isolation; and

Whereas the agreement between the Government of Libya and the families of the victims of the attack on Pan Am Flight 103 incorporated a timeline for payment of the full $2,700,000,000 that has not been met even though all of the other conditions for such payment have been satisfied.

Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) it remains an important priority for further improvement in the relations between the United States and Libya that the Government of Libya make a good faith effort to resolve all outstanding claims of United States victims of terrorism sponsored or supported by Libya;

(2) it is in the best interests of the long-term relationship between the United States and Libya that final payment be made to the families of the victims of the attack on Pan Am Flight 103; and

(3) the President should not accept the credentials of any representative of the Government of Libya without the expressed understanding that the Government of Libya will continue to work in good faith to resolve outstanding cases of United States victims of terrorism sponsored or supported by Libya, including the settlement of cases arising from the Pan Am Flight 103 and LaBelle Discothéque bombings.

SENATE CONCURRENT RESOLUTION 97—EXPRESSING THE SENSE OF CONGRESS THAT IT IS THE GOAL OF THE UNITED STATES THAT, NOT LATER THAN JANUARY 1, 2025, THE AGRICULTURAL, FORESTRY, AND WORKING LAND OF THE UNITED STATES SHOULD PROVIDE FROM RENEWABLE RESOURCES NOT LESS THAN 25 PERCENT OF THE TOTAL ENERGY CONSUMED IN THE UNITED STATES AND CONTINUE TO PRODUCE SAFE, ABUNDANT, AND AFFORDABLE FOOD, FEED, AND FIBER

Mr. GRASSLEY (for himself, Mr. SALAZAR, Mr. LUGAR, Mr. HARKIN, Mr. DEWINE, Mr. OBAMA, Mr. HAGEL, Mr. DORGAN, Mr. COLEMAN, Mr. KERRY, Mr. TALENT, Mr. NELSON of Nebraska, Mr. THUNE, Ms. CANTWELL, Mr. KOHL, and Mr. JOHNSON) submitted the following concurrent resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

Mr. GRASSLEY. Mr. President, I rise today to introduce a concurrent resolution which expresses the goal of the United States to provide 25 percent of the Nation's energy needs from renewable resources by 2025. I am pleased to be joined in this effort by Senators SALAZAR, LUGAR, HARKIN, DEWINE and OBAMA.

The goal of this 25 by 25 resolution is quite simple: to replace 25 percent of our total energy needs with renewable resources like wind, hydropower, solar, geothermal, biomass and biofuels by 2025. This is a bold goal, but given our current energy situation in the U.S., it is a necessary goal.

In the past few years, we have seen the price of crude oil skyrocket from $25 a barrel to nearly $75 a barrel. This has caused prices at the pump to escalate beyond $3 a gallon. Natural gas, used for electricity generation and industrial uses, has hovered above $6 per million BTU's, while hitting over $15 following the devastating hurricanes along the gulf coast.

The impact of these increased prices is being felt around the country by working families, farmers, businesses and industries. The increased cost for energy at the pump, in home heating and for industrial uses has the potential to jeopardize our economic security and vitality.

And, because we are dependent upon foreign countries for over 60 percent of our crude oil, our dependence is a threat to our national security. President Bush heightened the awareness of the problem by stating in his 2006 State of the Union Address that we are addicted to foreign oil. He highlighted as his goal to reduce our dependence on oil from the Middle East by 75 percent by 2025.

Our effort with this concurrent resolution is to signal to America's farmers, ranchers and forestry industry, that we believe they have the ability and resources to generate 25 percent of our energy needs. An that it is in our economic and national security interest to do so.

There are many inherent virtues in producing our own domestic energy from renewable resources. It is good for our environment. It is good for our national and economic security. It will provide an economic boost for our rural economies. And perhaps most importantly, it will ensure a stable, secure, domestic supply of affordable energy.

Already, our farmers and ranchers are working hard to use their resources to produce electricity from wind, biomass and other agricultural wastes. In addition, corn, soybeans and other crops are being used to produce transportation fuels like ethanol and biodiesel. It is evident that rural America has the drive to achieve this goal.

While this concurrent resolution states our renewable energy goal, it does not prescribe a way to achieve the goal. Rather, it recognizes the benefit of implementing supportive policies and incentives to stimulate the development and use of renewable energy. It also identifies the benefits of technological improvements to the cost and market appeal of renewable energy. The supporters of this goal commit to support sensible policies and proper incentives to work toward the goal.

I am hopeful that my colleagues will recognize the importance and timeliness of this effort, and will consider supporting us in this goal to produce 25 percent of our energy needs from renewable resources by 2025.

There being no objection, the text of the concurrent resolution was ordered to be printed in the RECORD, as follows:

S. CON. RES. 97

Whereas the United States has a quantity of renewable energy resources that is sufficient to supply a significant portion of the energy needs of the United States;

Whereas the agricultural, forestry, and working land of the United States can help ensure a sustainable domestic energy system;

Whereas accelerated development and use of renewable energy technologies provide numerous benefits to the United States, including improved national security, improved balance of payments, healthier rural economies, improved environmental quality, and abundant, reliable, and affordable energy for all citizens of the United States;

Whereas the production of transportation fuels from renewable energy would help the United States meet rapidly growing domestic and global energy demands, reduce the dependence of the United States on energy imported from volatile regions of the world that are politically unstable, stabilize the cost and availability of energy, and safeguard the economy and security of the United States;

Whereas increased energy production from domestic renewable resources would attract substantial new investments in energy infrastructure, create economic growth, develop new jobs for the citizens of the United States, and increase the income for farm, ranch, and forestry jobs in the rural regions of the United States;

Whereas increased use of renewable energy is practical and can be cost effective with the implementation of supportive policies and proper incentives to stimulate markets and infrastructure; and

Whereas public policies aimed at enhancing renewable energy production and accelerating technological improvements will further reduce energy costs over time and increase market demand: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4192. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 4193. Mr. SESSIONS (for Ms. COLLINS) proposed an amendment to the bill H.R. 4311, to amend section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App).

TEXT OF AMENDMENTS

SA 4192. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1084. REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ.

(a) REDEPLOYMENT.—The United States shall redeploy United States forces from Iraq by not later than December 31, 2006, while maintaining in Iraq only the minimal force necessary for direct participation in targeted counterterrorism activities, training Iraqi security forces, and protecting United States infrastructure and personnel.

(b) REPORT ON REDEPLOYMENT.—

(1) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to Congress a report that sets forth the strategy for the redeployment of United States forces from Iraq by December 31, 2006.

(2) STRATEGY ELEMENTS.—The strategy required in the report under paragraph (1) shall include the following:

(A) A flexible schedule for redeploying United States forces from Iraq by December 31, 2006.

(B) The number, size, and character of United States military units needed in Iraq after December 31, 2006, for purposes of counterterrorism activities, training Iraqi security forces, and protecting United States infrastructure and personnel.

(C) A strategy for addressing the regional implications for diplomacy, politics, and development of redeploying United States forces from Iraq by December 31, 2006.

(D) A strategy for ensuring the safety and security of United States forces in Iraq during and after the December 31, 2006, redeployment, and a contingency plan for addressing dramatic changes in security conditions that may require a limited number of United States forces to remain in Iraq after that date.

(E) A strategy for redeploying United States forces to effectively engage and defeat global terrorist networks that threaten the United States.

SA 4193. Mr. SESSIONS (for Ms. COLLINS) proposed an amendment to the bill H.R. 4311, to amend section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.); as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. PROTECTION OF FAMILY MEMBERS.

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by inserting "or a family member of that individual" after "that individual"; and

(2) in subparagraph (B)(i), by inserting "or a family member of that individual" after "the report".

SEC. 2. EXTENSION OF PUBLIC FILING REQUIREMENT.

(a) IN GENERAL.—Section 105(b)(3)(E) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking "2005" each place it appears and inserting "2007".

(b) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsection (a) shall take effect as though enacted on December 31, 2005.

NOTICE OF HEARING

SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks of the Committee on Energy and Natural Resources.

The hearing will be held on Thursday June 15, 2006, at 2:30 pm in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the National Park Service's Revised Draft Management Policies, including potential impact of the policies on park operations, park resources, wilderness areas, recreation, and interaction with gateway communities.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Tom Lillie at (202) 224-5161, David Szymanski at (202) 224-6293, or Sara Zecher at (202) 224-8276.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on Wednesday June 7, 2006 at 9 a.m. in 329A, Senate Russell Office Building. The purpose of this committee hearing will be to discuss Agricultural Conservation Programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. KYL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 7, 2006, at 9 a.m. to hold a hearing on Oil Dependence and Economic Risk.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. KYL. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on "S.3274: The Fairness in Asbestos Injury Resolution Act of 2006" on Wednesday, June 7, 2006 at 9:30 a.m. in Dirksen Senate Office Building Room 226.

Witness list:

Panel I: Governor John Engler, President, National Association of Manufacturers, Washington, DC; Peter Ganz, Executive Vice President and General Counsel, Foster-Wheeler, Clinton, NJ; Eric Green, Founder, Principal Resolutions, LLC, Professor, Boston University, Boston MA: Flora Greene, National Spokesperson, Seniors Coalition; Jim Grogan, General President, International Association of Heat and Frost Insulators and Asbestos Workers, Latham, MD; Douglas Holtz-Eakin, Director, Council on Foreign Relations, Washington, DC; Edmund F. Kelley, Chairman, Liberty Mutual Insurance Company; Bob Wallace, Executive Director, Veterans of Foreign Wars, Washington, DC.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. KYL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 7, 2006 at 2:30 p.m. to hold a closed business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE AND SPACE

Mr. KYL. Mr. President. I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation Subcommittee on Science and Space be authorized to meet on Wednesday, June 7, 2006, at 2:30 p.m. on NASA Budget and Programs: Outside Perspectives.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Madam President, I ask unanimous consent that the following fellows, law clerks, and interns of the staff of the Finance Committee be allowed on the Senate floor for the duration of the debate on the estate tax: Tiffany Smith, Laura Kellams, Tom Louthan, Christal Edwards, Joseph Adams, and Justin Kraske.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, I ask unanimous consent that privileges of the floor be granted to two members of my staff, and they are Bradford Swann and Captain Gade.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, I ask unanimous consent that Pele Peacock, a law clerk in my office, be granted the privilege of the floor for the duration of the debate regarding the Native Hawaiians legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. I ask unanimous consent a law clerk on my staff, Sam Burk, be granted floor privileges for the duration of the debate on S. 147.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent that my budget fellow, Dr. Andrew Barrett, be granted the privilege of the floor for the duration of the death tax debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONDITIONAL ACCEPTANCE OF LIBYAN CREDENTIALS

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 504 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 504) expressing the sense of the Senate that the President should not accept the credentials of any representative of the Government of Libya without the expressed understanding that the Government of Libya will continue to work in good faith to resolve outstanding cases of United States victims of terrorism sponsored or supported by Libya, including the settlement of cases arising from the Pan Am Flight 103 and LaBelle Discoteque bombings.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD.

The resolution (S. Res. 504) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 504

Whereas there has not been a resolution of the claims of members of the United States Armed Forces and other United States citizens who were injured in the April 6, 1986, bombing of the LaBelle Discothéque in Berlin, Germany, and the claims of family members of the service men and women killed in that bombing or the resolution of other outstanding cases of United States victims of terror sponsored or supported by Libya;

Whereas, on December 21, 1988, terrorists from Libya bombed Pan Am Flight 103 over Lockerbie, Scotland, killing 270 people, including 189 Americans;

Whereas, on May 29, 2002, the Government of Libya offered to pay up to $2,700,000,000 to settle claims by the families of the 270 people killed aboard Pan Am Flight 103, representing $10,000,000 for each victim of the Pan Am Flight 103 bombing;

Whereas, on August 15, 2003, Libya's Ambassador to the United Nations, Ahmed Own, submitted a letter to the United Nations Security Council formally accepting "responsibility for the action of its officials" in relation to the Lockerbie bombing;

Whereas, on September 12, 2003, the United Nations lifted sanctions against Libya, thereby enabling the first trigger of the agreement between the Government of Libya and the families of the victims of the attack on Pan Am Flight 103 for a payment of $4,000,000 per victim that has been paid to the victims' families;

Whereas, on September 24, 2004, the United States lifted most economic sanctions against Libya, thereby enabling the second trigger of the agreement between the Government of Libya and the families of the victims of the attack on Pan Am Flight 103 for an additional payment of $4,000,000 per victim that has been paid to the victims' families;

Whereas, on May 15, 2006, Secretary of State Condoleezza Rice announced the determination of President George W. Bush to rescind the designation of Libya on the list of state sponsors of terrorism, thereby enabling the third trigger of the agreement between the Government of Libya and the families of the victims of the attack on Pan Am Flight 103 for a final payment of $2,000,000 per victim;

Whereas, on May 15, 2006, Secretary of State Rice announced the reestablishment of full diplomatic relations with the Government of Libya, ending 26 years of isolation; and

Whereas the agreement between the Government of Libya and the families of the victims of the attack on Pan Am Flight 103 incorporated a timeline for payment of the full $2,700,000,000 that has not been met even though all of the other conditions for such payment have been satisfied.

Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) it remains an important priority for further improvement in the relations between the United States and Libya that the Government of Libya make a good faith effort to resolve all outstanding claims of United States victims of terrorism sponsored or supported by Libya;

(2) it is in the best interests of the long-term relationship between the United States and Libya that final payment be made to the families of the victims of the attack on Pan Am Flight 103; and

(3) the President should not accept the credentials of any representative of the Government of Libya without the expressed understanding that the Government of Libya will continue to work in good faith to resolve outstanding cases of United States victims of terrorism sponsored or supported by Libya, including the settlement of cases arising from the Pan Am Flight 103 and LaBelle Discothéque bombings.

TO AMEND SECTION 105(b)(3) OF THE ETHICS IN GOVERNMENT ACT OF 1978

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 4311, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4311) to amend section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App).

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, today by amending and passing H.R. 4311, we make another attempt to extend critical protections needed to keep the Nation's Federal judges and their families safe. Last November, the Senate passed S. 1558, which extended for 4 years the "sunset" of a provision granting the Judicial Conference of the United States the authority to redact information from a judge's mandatory financial disclosure in circumstances in which it is determined that the release of the information could endanger the filer or the filer's family. This provision was first enacted in the "Identity Theft and Assumption Deterrence Act of 1998" and extended for 4 years in 2001. Chairman SPECTER and I worked with Senators COLLINS and LIEBERMAN to amend S. 1558 to again include a 4-year "sunset" and also to extend its protections to the family members of filers.

Like the more comprehensive court security measure Chairman SPECTER and I have introduced, S. 1968, the "Court Security Improvement Act of 2005, CSIA, from which it is drawn, S. 1558 provides judges and their families with needed security by extending the judges' redaction authority without interruption and expanding it to their families. It also strikes the right balance with the need for continuing congressional oversight to prevent the misuse of this redaction authority, which has been a matter of some concern to me. I appreciate that the Judicial Conference is seeking to improve its practices and the Senate passed S. 1558 because none of us wants to see judges or their families endangered.

However, the House failed to take up and pass S. 1558 before the end of the session. As I said last December, I was disappointed at this failure, which allowed redaction authority to lapse at the end of last year. Instead, the House passed a separate bill, H.R. 4311, which would make redaction authority permanent and which fails to extend it to cover family members of filers. As passed by the House, H.R. 4311 would remove Congress' critical role providing oversight over the use of this extraordinary authority to redact financial disclosure forms. As amended and passed today, H.R. 4311 restores the proper balance while extending the redaction authority, retroactive to its expiration last December, until December 31, 2007. It also makes protection of judges' family members explicit.

I hope that the House will join us without delay both in extending the redaction authority and in expanding the scope of its protections to include family members, so that we can continue to protect the dedicated women and men throughout the Judiciary in this country who do a tremendous job under challenging circumstances.

Mr. SESSIONS. I ask unanimous consent that the amendment at the desk be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid upon the table, and any statement relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4193) was agreed to, as follows:

(Purpose: To amend the Ethics in Government Act of 1978 to protect family members of filers from disclosing sensitive information in a public filing and to extend the authority to redact financial disclosure statements of judicial employees and judicial officers)

Strike all after the enacting clause and insert the following:

SECTION 1. PROTECTION OF FAMILY MEMBERS.

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by inserting "or a family member of that individual" after "that individual"; and

(2) in subparagraph (B)(i), by inserting "or a family member of that individual" after "the report".

SEC. 2. EXTENSION OF PUBLIC FILING REQUIREMENT.

(a) IN GENERAL.—Section 105(b)(3)(E) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking "2005" each place it appears and inserting "2007".

(b) EFFECTIVE DATE AND APPLICATION.—The amendments made by subsection (a) shall take effect as though enacted on December 31, 2005.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 4311), as amended, was read the third time, and passed.

ORDERS FOR THURSDAY, JUNE 8, 2006

Mr. SESSIONS. On behalf of the leader, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Thursday, June 8. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate resume consideration of the motion to proceed to H.R. 8, the death tax relief bill, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SESSIONS. Mr. President, we have had a full day debating the motions to proceed to the death tax relief bill and the Native Hawaiian bill. Tomorrow morning, at approximately 10:45, we will have a cloture vote on the motion to proceed to the death tax relief bill, and at 12:45 we will have a cloture vote on the motion to proceed to the Native Hawaiian bill. We have several nominations to address before the end of the week. These include several judicial nominations, as well as Susan Schwab to be United States Trade Representative, and Richard Stickler to be the Assistant Secretary of Labor for Mine Safety and Health. We hope to vote tomorrow afternoon on the Schwab nomination and four district judges.

Following these votes, the schedule for the remainder of the afternoon will be dependent on the outcome of the cloture votes on the motions to proceed to the death tax relief bill and the Native Hawaiian bill. Moments ago, cloture was filed on the Stickler nomination. Therefore, Senators can expect to have a cloture vote on Friday unless we work out an agreement to vote at an earlier time.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. SESSIONS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:06 p.m., adjourned until Thursday, June 8, 2006, at 9:30 a.m.

NOMINATIONS

Executive nomination received by the Senate June 7, 2006:

THE JUDICIARY

GREGORY KENT FRIZZEL, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OKLAHOMA, VICE SVEN E. HOLMES, RESIGNED.

EXTENSIONS OF REMARKS

ROBERT ZOELLICK'S MOVING REMARKS AT U.S. CAPITOL DAYS OF REMEMBRANCE CEREMONY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. LANTOS. Mr. Speaker, on Thursday, April 27, 2006, the annual ceremony to observe Yom Hashoah, the Day of Remembrance for victims of the Holocaust, was held in the Rotunda of the United States Capitol. This year's theme, "Legacies of Justice," commemorated the 60th anniversary of the International Military Tribunal which was held at Nuremburg, Germany, and was responsible for attempting to seek justice for an almost unimaginable scale of criminal behavior. Members of Congress joined with representatives of the diplomatic corps, Executive and Judicial Branch officials, and hundreds of Holocaust survivors and their families to commemorate the anniversary of the historical beginning of the trials at Nuremburg.

This moving ceremony featured a stirring address by Deputy Secretary of State Robert B. Zoellick. Deputy Secretary Zoellick heads the Bush administration's efforts to end the genocide in Darfur, and establish peace and reconciliation throughout Sudan.

Sixty years ago, the International Military Tribunal (IMT) delivered verdicts against those Nazis charged with war crimes. The actions of the IMT were a watershed moment in international justice, establishing precedents in international law, documenting the historical record and in seeking some beginning, however inadequate, in a search for justice. The Nuremburg trials have left a legacy of justice not only to those victims of the Holocaust, but also to preventing and prosecuting similar crimes in the future.

Mr. Speaker, I ask that the outstanding remarks of Deputy Secretary Robert B. Zoellick be placed in the RECORD, and I urge my colleagues to study and ponder his thoughtful address.

REMARKS AT THE NATIONAL CIVIC COMMEMORATION OF THE DAYS OF REMEMBRANCE

DEPUTY SECRETARY OF STATE ROBERT B. ZOELLICK

Survivors, liberators, Members of Congress, Ambassador Ayalon and Excellencies, Fred Zeidman, Sara Bloomfield, ladies and gentlemen. I was deeply moved by your invitation to join this gathering. In many years of public service, I can think of no greater honor than to help remember those who perished in the Holocaust, salute those who survived, thank those who liberated, and renew our common commitment to human freedom and justice.

Exactly sixty-one years ago today, on April 27, 1945, the 103d U.S. Infantry Division rolled into Landsberg, Germany. Pierce Evans, a radioman from Florida, came across a buddy from another company who had seen two camps on the outskirts of town.

At the first camp, a number of French prisoners had been liberated, and the men of the Division had shared some food with them. But the second, a concentration camp for Jewish prisoners, could not be described in mere words. It had to be seen to be believed.

So Pierce's friend drove him and a few others to Lager #2. Half a century later, in a book he wrote to help his grandson understand the war, Mr. Evans said, "All of the horror story writers in their most morbid states of mind could not describe what I saw in just a few minutes. I had heard about concentration camps before, but was always suspicious about the accuracy of the stories. This time it was not hearsay. I saw it myself and will never forget it."

What is remarkable in reading the accounts of the liberators is how similar they are. The shock, the revulsion, and the inability to put into words what they saw. But one theme is consistent above all: the determination to bear witness to what they had seen.

Corporal Evans vowed never to forget the Nazi Holocaust. His Supreme Commander made the same promise.

In a letter to General George Marshall in April 1945, General Dwight D. Eisenhower recalled the overpowering scenes when he visited a camp near Gotha. He told Marshall he had visited "to be in position to give firsthand evidence of these things if ever, in the future, there develops a tendency to charge these allegations merely to propaganda."

Eisenhower ordered that German civilians be shown the evidence of the bestial things that had been done in their names, on their doorsteps.

Eisenhower's vow to bear witness to genocide is etched on a wall at the Holocaust Memorial Museum in Washington. That museum, and the ceremony we gather for this morning, ensure that we never forget.

So what does it mean to bear witness? Certainly it means to remember, as we today remember the singular horrors suffered by the Jews of Europe. A more precise definition states that to bear witness means to testify to an event. I think it means even more than that.

The Holocaust was uniquely evil. But bearing witness to that genocide should also mean recognizing the lessons of history.

After all, Landsberg—a town that conjured horror stories in 1945—was the same town where Adolf Hitler had written Mein Kampf in a prison cell in 1924. Indeed, camp Lager #2 was the end of a road that had been carefully mapped out—with stark frankness—by Hitler some twenty-one years earlier.

I recently read Ian Kershaw's biography of Hitler. Kershaw details frighteningly how the Nazis further manipulated irrational myths and fears into a perverted "logic" that demanded the systematic destruction of the Jewish people. Even the use of the term anti-Semitism was designed to give a false scientific cover to base brutality.

In Kershaw's words, "Most Jews in Imperial Germany could feel reasonably sanguine about the future, could regard anti-Semitism as a throwback to a more primitive era that was on its way out. But Jews in Germany underestimated the pernicious ways in which modern racial anti-Semitism differed from archaic forms of persecution of Jews, however vicious, in its uncompromising emphasis on biological distinctiveness, its links with assertive nationalism, and the ways it could be taken over and exploited in new types of political mass movements."

Jews made up only 8 tenths of 1 percent of the population of Germany. Nevertheless, Hitler was able to feed off pervasive anti-Semitism in Europe, as well as the despair of a nation that was reeling from a loss in war and a devastating economic depression.

The cautionary tale is that when national anxieties mix with widespread prejudice, the result can be a visceral hatred—masquerading as reason—that blames one group for the failure of an entire society. Evil breeds in such a swamp.

Our own country is not immune to dangerous attitudes. A report last year by the Anti-Defamation League noted an alarming increase in anti-Semitic incidents in the United States.

Not long ago, I attended a conference in Europe, and many were commenting on the upheavals among the Palestinians.

I suggested to the audience that none of us should take Israel's position for granted: It also faces upheavals. We needed to reflect on how Israelis might view events, too. In Israel, the election of Hamas looks like a return to 1947, when the country's neighbors refused to accept Israel's very existence.

In its response to the recent terrorist Passover bombing in Israel, Hamas continued to justify terrorism and feed hatred. Instead of facing up to the challenges of creating a democratic Palestinian state, Hamas has retreated to blaming the Palestinians' problems on the Jews.

Equally troubling, today the modern Jewish democracy that emerged from the Holocaust faces a new threat from an Iranian leader who denies the very existence of that Holocaust . . . who threatens to wipe Israel and its people off the map . . . and who seeks nuclear weapons.

This leader's statements are plain. And the threat he poses is not just to Israel, but to the world.

That is why the United States is working to build a global coalition to prevent Iran from acquiring weapons of mass destruction.

In Iran and with Hamas, we are seeing scenes from the rise of political Islam. Theirs is a violent strain of radicalism that seeks to pervert a religion into an ideology of hatred and racism.

There is a struggle for the soul of Islam. While some use religion to justify murder, other Muslims honor Islam's noble past, welcoming diverse thought and living peacefully with people of other faiths, including Judaism. Courageous Islamic reformers have embraced economic reform, free speech, the rights of women, peace, and democracy.

It is not for Americans to determine the outcome of this struggle, though our interest in the result is immense. From the Mahgreb to Southeast Asia, only fellow Muslims can lead their brothers and sisters of faith to a better Islamic future.

However, with policies that encourage development, open markets, tolerance, individual freedom, and democracy, the United

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

States can bolster the chances of those who believe in a peaceful and hopeful Islam.

Our recognition of genocide must also apply to other lands and peoples.

Last year, I traveled to the Kigali Memorial Centre in Rwanda. As I lay flowers at an open grave, I was chilled by the specters of the site. More than 250,000 victims of the Rwandan genocide are buried there, on a bright hillside overlooking a reviving city. In 1994, more than 800,000 Rwandans were murdered in only a hundred days.

Twelve years later, Rwandan peacekeepers in Sudan show us what it means to bear witness to genocide. On my four trips to Darfur last year, I was privileged to meet with many of the brave African Union soldiers who are struggling to offer peace and security to some 2 million Sudanese who have been herded or retreated into camps.

The Rwandans are among the best of the AU peacekeepers. They are serious men and women. They know what genocide is, and they are determined to do everything they can to stop it.

This weekend, thousands of people will come to Washington—from synagogues, churches, college campuses, and communities across the country—to give voice to their concern about Darfur.

I look forward to meeting with some of them. And I will discuss with them what I think it means to bear witness to genocide.

Bearing witness means we remember . . . but memory is not enough.

Bearing witness means giving testimony . . . but statements are not enough.

Bearing witness means learning from history . . . but knowledge is not enough.

Bearing witness must also mean acting against evil.

President Bush has been pressing the world to help the people of Darfur.

Our first imperative is to continue providing humanitarian relief to those who are suffering. To date in 2006, the United States has provided more than 86% of the food distributed by the World Food Program in Sudan. On my visits, I have had the privilege to meet with the brave humanitarian relief workers—mostly from nongovernmental organizations—who risk their lives to feed the hungry and care for the sick and frightened.

Second, we need to improve security on the ground for the people of Darfur. This means transitioning from the current African Union peacekeeping force to a larger, more robust United Nations peacekeeping mission with a strong mandate, and with support from NATO. There is resistance to overcome, but it must be done. There is no time to waste.

Finally, although humanitarian relief and peacekeeping forces are vital, they are only holding actions: We need a peace agreement to settle the Darfur conflict. The United States is working side-by-side with the African Union and the European Union to energize the Abuja peace talks. A peace accord for Darfur is within reach. But such an agreement would only be the foundation of the next phase—to provide assistance to allow people to return home, reconcile tribes, and offer a path for development, opportunity, and hope.

Another quote on the wall of the Holocaust Museum—this one from the Book of Isaiah—reminds us that we are all witnesses.

As witnesses, we are here to remember.

As witnesses, we must be ever vigilant.

But above all, witnesses cannot be bystanders.

And so today we renew our resolve to take action, so that we can fulfill the promise of the survivors and the liberators: "Never Again."

IN HONOR AND RECOGNITION OF SISTER MARY ASSUMPTA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Sister Mary Assumpta, superior of the Sisters of the Holy Spirit, whose 43-year ministry at the Jennings Center in Garfield Heights continues to heal the hearts and minds of countless residents and their loved ones.

Sister Assumpta grew up in Pennsylvania, where she was instilled at an early age with love for family and service to others. She entered the Catholic ministry at the youthful age of 17, and her commitment to faith and to helping those in need has never wavered since. Sister Assumpta's leadership, vision and love is evident within every facet of the Jennings Center, a home for elderly residents and haven for their families. Her service as director of development, director of pastoral care, and her vital work with hospice programs continues to set a foundation of quality care and support that is reflected throughout the center.

Sister Assumpta's undeniable spirit, energy, quick wit and joy for life continue to frame her life. Her passion for baseball began in her youth and continues to this day. An avid Cleveland Indians fan, Sister Assumpta bakes more than 300 chocolate chip cookies every year for the players. Her major league expertise is sought out annually by the CBS TV network, where she provides commentary for the World Series games, and by WEWS, TV 5 in Cleveland, where she is a feature baseball writer.

Mr. Speaker and colleagues, please join me in honor and recognition of sister Mary Assumpta, superior of the Sisters of the Holy Spirit. Sister Assumpta's love for life, for her colleagues, and most significantly, love for every resident of the Jennings Center, continues to raise their lives into a place of faith, hope and peace. Her influence and service cannot be accurately expressed in words, yet the lives she has touched and the joy she has shared has had a profound impact throughout the Jennings Center, and throughout our entire community, and we are forever grateful.

IN RECOGNITION OF LEW TODD ON THE OCCASION OF THE 20TH ANNIVERSARY OF THE ENACTMENT OF NEW YORK CITY'S LANDMARK LESBIAN AND GAY RIGHTS LAW

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mrs. MALONEY. Mr. Speaker, I rise to pay tribute to Mr. Lew Todd, an outstanding New Yorker who has devoted himself to his community, his city and his country throughout his life. Lew Todd is not just a leader, but a pioneering figure in the history of New York City's gay, lesbian, bisexual and transgender, GLBT, community, the largest of any city in our Nation. This month, his leadership is being honored by the Stonewall Democratic Club at a ceremony commemorating the 20th anniversary of the passage into law of New York City's landmark gay rights bill.

A proud veteran, Lew Todd served his Nation with honor in the United States Navy during the Korean war. Always dedicated to serving others, he made his home in New York City following his return stateside, and devoted his energies to his work and his community. He operated several small businesses, becoming a significant entrepreneur in the restaurant and nightlife industry in lower Manhattan in the 1970s and 1980s.

Continuously involved in the struggle for lesbian and gay rights in the modern era that traces its origins to Greenwich Village, Lew Todd joined the Gay Activists Alliance in 1970, before the first anniversary of the Stonewall riots. Lew Todd quickly became a regular at the Firehouse, the Alliance's legendary headquarters in lower Manhattan's historic Soho neighborhood, which became New York's first GLBT community center.

At the Gay Activists Alliance, Lew Todd emerged as a talented, determined and inspirational leader of a freshly budding branch of the civil rights movement. His political, organizational and business skills became an indispensable part of its planning and operations. In 1970 and 1971, he and his fellow activist and friend, the late Morty Manford, traveled the country as emissaries for the new gay rights movement, teaching other activists how to establish their own civil rights advocacy organizations.

In its nascent phase, the gay and lesbian rights movement could only succeed in making its voice heard by engaging in civil disobedience and staging colorful, attention-getting and frequently disruptive demonstrations. Lew Todd's sheer courage, as well as his larger-than-life physical presence, served as an anchor of strength in many such actions. At one notable event in 1972, Lew Todd and a young activist named Allen Roskoff, dressed to the nines in suits and ties, took to the dance floor at the elegant Rainbow Room atop Rockefeller Center. This action provoked a vivid demonstration of the outdated and blatantly discriminatory nature of the city's public accommodation laws, garnering considerable media attention that helped effect their eventual demise. That same year, Lew Todd placed gay rights on the national agenda as an official gay rights lobbyist at the Democratic National Convention. Thanks to his efforts, for the first time in America history a major national political party was forced to consider the rights of gay and lesbian Americans and include their concerns in its platform.

A visionary as well as a pioneer, Lew Todd possessed the ability to recognize and acknowledge the need for the growing and maturing civil rights movement to adopt new strategies and new tactics. As government, business and the news media began to take heed, Lew Todd saw that the gay rights movement would need to employ negotiation and painstaking political organizing in order to more effectively achieve its goals. Inspired to open this new front in the struggle despite the objections of less far-seeing radical activists, Lew Todd became one of the founders of the National Gay & Lesbian Task Force. It was the first truly Nation-wide gay rights organization to rely more on negotiation and organization than an confrontation. He went on to found many of New York City's most important GLBT political organizations, including Gay & Lesbian Independent Democrats and the influential citywide Stonewall Democratic Club, on whose executive board he has served since its founding 21 years ago. In its first years of operation, he served as a board member and treasurer for the Hetrick-Martin Institute, which operates the Harvey Milk School for GLBT youths. In 1984 he played a key role in convincing New York City to sell the building that today houses New York City's Lesbian and Gay Community Services Center. In 1992, Lew Todd served as a delegate to the Democratic National Convention as an early supporter of a promising candidate named Bill Clinton.

Mr. Speaker, I ask that my distinguished colleagues join me in recognizing the enormous contributions to civic and political life made by Lew Todd, a true pioneer and civil rights activist in the finest traditions of our great republic.

IN RECOGNITION OF THE 75TH ANNIVERSARY OF THE NATIONAL HOUSING CONFERENCE (NHC)

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Ms. VELÁZQUEZ. Mr. Speaker, today on the floor of the U.S. House of Representatives to recognize the 75th anniversary of the National Housing Conference (NHC), an organization with over 900 members dedicated to forwarding the cause of affordable housing and community development.

Organized in 1931 by Mary Simkhovitch, a reformer and social worker, this pioneering advocacy group was the first non-partisan, independent coalition of its kind to include national housing leaders from both public and private sectors. NHC's early membership included an array of bankers, builders, civic leaders, realtors, organized labor, architects and residents from across the greater New York City region. Since its inception, the organization has worked to elevate public awareness on the plight of America's millions of working class families and its consequences on general welfare.

Early on, NHC was committed to making a difference in low-income communities across the country. The organization was instrumental in garnering support for the passage of key legislation, including the Federal Home Loan Bank Act, and the National Housing Act of 1934 that created the Federal Housing Administration (FHA). After President Roosevelt stressed in his second inaugural address of 1937 that "one third of the nation is ill-fed, ill-clothed and ill-housed"—NHC sprang into action and mobilized national support to persuade Congress to pass the critical Housing Act of 1937.

After moving its headquarters from New York City to Washington, DC in 1945, NHC took on a new and tremendous challenge—"get rid of the slums, eliminate substandard housing." Working in conjunction with the labor movement to mobilize grassroots support, NHC's incredible efforts helped to secure the passage of the landmark Housing Act of 1949. This sweeping and ambitious housing legislation called for "a decent home and a suitable living environment for every American family."

During the 1950s and 1960s, NHC continued to draw upon its early successes to advocate for the needs of America's hardworking families and individuals. NHC played a major role in the passage of the Housing and Urban Development Act of 1965 that established the Cabinet-level Department of Housing and Urban Development, and the 1968 Fair Housing Act that prohibited discrimination based on race, religion, color, or national origin.

NHC's advocacy does not stop here. Over the past 35 years, the organization has never ceased to fight for a variety of legislative proposals to improve the landscape of the affordable housing industry. From Section 8 housing, to home ownership programs, and even low income tax credits—NHC continues to fight for the integrity of these programs, despite a constant battle for available federal resources.

In honor of the organization's 75th anniversary, an incredible milestone, NHC has rededicated itself to a central mission: Fulfilling the Dream of the 1949 Housing Act—"a decent home and a suitable living environment for every American family."

Therefore, Mr. Speaker, I rise today to honor the 75th anniversary of the National Housing Conference, and join with my colleagues in the House of Representatives to commend this organization for its outstanding service and dedication to making affordable housing a reality for the millions of working class American families across the country.

IN HONOR OF AUGUSTINE "GUS" STANDARD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Augustine "Gus" Standard, upon his retirement that follows nearly 30 years of outstanding service with the City of Cleveland.

In 1977, Mr. Standard joined the City of Cleveland workforce as Chief Deputy Clerk in the criminal division, before joining the Department of Utilities as a security specialist. While there, Mr. Standard safeguarded the utilities division from various acts of theft and sabotage. He was later promoted to collections manager with the Department of Community Development, where his insight, expertise and diligence reflected in his creation of a successful in-house system of loan collection. Within a short time, millions of dollars of outstanding loans were repaid to the Department.

Mr. Standard was later promoted to Supervisor of the Record Room, Division of Building and Housing. In that capacity, he established greatly needed internal control and systems to prepare and archive files and records. Since 1983, Mr. Standard has worked as a MA/E Coordinator in the Contract Administration Section of Administrative Services. His responsibilities included contract and budget preparation; contract compliance; program evaluation; and special report preparation for City Hall and HUD, just to name a few. Mr. Standard consistently went above and beyond the usual call of duty, and was always willing to assist others whenever needed. Moreover, Mr. Standard's enthusiasm, kind heart and concern for others framed his professional life—inspiring and motivating others to do their best by cultivating an atmosphere where a true sense of teamwork and friendship flourished.

Mr. Speaker and Colleagues, please join me in honor, recognition and gratitude to Mr. Augustine "Gus" Standard, upon his retirement from the City of Cleveland that follows nearly three decades of outstanding service and accomplishment. His dedication, expertise, leadership, and energy, focused on making the City run as efficiently as possible, has lifted all facets of operations at Cleveland City Hall, and most importantly, has raised the lives of countless colleagues and citizens into the light of friendship and unity. I wish Mr. Standard and his family an abundance of health, peace and happiness as his journey begins from here.

INTRODUCTION OF THE "EMPOWERMENT OF IRAQI WOMEN ACT OF 2006"

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mrs. MALONEY. Mr. Speaker, today I, along with Representatives ZOE LOFGREN (D–CA), SUSAN DAVIS (D–CA), and CAROLYN MCCARTHY (D–NY), introduce the "Empowerment of Iraqi Women Act of 2006." This legislation would establish an Iraqi Women's Fund to help Iraqi women and girls in the areas of political, legal, and human rights, health care, education, training, security, and shelter, and it would authorize $22,500,000 in each fiscal year 2007, 2008, and 2009 for this fund. The "Empowerment of Iraqi Women Act" would also provide that 15 percent of the aggregate amount of economic and humanitarian assistance authorized for Iraq in each fiscal year 2007, 2008, and 2009 shall be made available for assistance directly to Iraqi-led nongovernmental organizations (NGO) with demonstrated experience in delivering services. Moreover, of that 15 percent, not less than 5 percent shall be made available for Iraqi women-led organizations. The bill establishes requirements related to U.S. activities in Iraq including the inclusion of the perspectives and advice of Iraqi women's organizations in U.S. policymaking related to the governance of

Iraq, promoting the achievement of 25 percent of the seats in the National Assembly, and encouraging the appointment of women to high-level positions within Iraqi Ministries. Finally, this legislation would place certain requirements on post-conflict reconstruction and development related to the partnering of U.S. organizations with Iraqi-led organizations and would require that the training of Iraqi military and police include the protection, rights, and needs of women.

It is vitally important that the equality and rights of Iraqi women are assured. I have met with several delegations of Iraqi women during my trips to Iraq and here in Washington. I am always inspired by their strength and courage to speak out in support of equality, even in the face of danger. While these women have hope, they understand that the future is very uncertain. There must be full participation and equal treatment under the law for women in Iraq. Every country that protects its women is a stronger country, and Iraq will be a stronger country if women are able to preserve their representation in the new Iraqi government.

IN RECOGNITION OF IRENE RIOS DE PÉREZ

HON. NYDIA M. VELÁZQUEZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Ms. VELÁZQUEZ. Mr. Speaker, I rise today on the floor of the U.S. House of Representatives to recognize the extraordinary life of Ms. Irene Rios de Pérez, a woman who exhibited great strength and determination over the years to overcome obstacles and achieve success for herself and her family.

Born April 22, 1911 in the village of Santa Rosa, Dorado, Puerto Rico, Irene persevered to overcome the challenges of an early orphaned childhood. She. later married Don Francisco Pérez Ramos, and emigrated to New York City with her husband and seven children—Patricia, Elizabeth, Iris, Manuel, Samuel, David, and Francisco.

Working to make a home for her family in New York City, Irene faced many difficulties—including those associated with discrimination, alienation, low income housing, and cultural adaptation. Yet, she never allowed her family to succumb to the challenges they encountered. While continuously caring for her family and loved ones, Irene pushed herself to attend night school and, in the late 1960's, was awarded a high school diploma for her efforts from the New York City Board of Education.

Throughout her long and full life, Irene has always had an enduring faith in God—which has enabled her to live a life that epitomizes respect for herself and others. She is also a capable singer who has used her talent to serve the spiritual needs of the close knit church community.

After 95 years, Irene represents the very best of the human spirit, and continues to exude love, warmth, optimism, compassion, and forgiveness to all those around her. She remains committed to her family—which includes 11 grandchildren and 14 great-grandchildren—friends, and community around her. Her children are fortunate enough to share many of these same qualities and interests, as evidenced in their pursuits in fields such as human services, government, trade, military services, and finance.

Therefore, Mr. Speaker, I rise today in honor of Ms. Irene Rios de Pérez, and join with my colleagues in the House of Representatives to recognize her many outstanding achievements.

IN HONOR AND RECOGNITION OF RICHARD DISTELHOSRT

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of my friend, Richard Distelhosrt, upon his induction into the Des Moines County Democrats Hall of Fame. Mr. Distelhosrt's unwavering, sense of civic activism and volunteerism on behalf of vital social issues continues to make a positive difference within our democratic system of government—in Des Moines, Iowa and across the country.

Mr. Distelhosrt's life is framed by family, community and service to others. His quick wit, friendly personality and passion for social justice frames his character and inspires others. His devotion and compassion for all of humanity originates with family, where he took loving care of his wife Virginia, until her recent passing. Mr. Distelhosrt continues to be a guiding source of support and wisdom for his children, grandchildren and many friends.

A political activist and staunch Democrat, Mr. Distelhosrt has volunteered countless hours that focused on creating positive change across the grassroots landscape of politics, both locally in his Des Moines community and nationwide. He is a long-time member of the Des Moines County Democratic Party, having served as the treasurer and Congressional liaison. He worked tirelessly on behalf of the 2004 Kucinich for President Campaign, serving as the local chairperson. Additionally, Mr. Distelhosrt has organized and led rallies for peace, and continues to educate the people of Des Moines on significant legislative issues of concern, including the Monetary Act, by writing and distributing periodic newsletters.

Mr. Speaker and Colleagues, please join me in honor and recognition of Mr. Richard Distelhosrt, as we celebrate his induction into the Des Moines County Hall of Fame. Mr. Distelhosrt 's passionate activism, unwavering vision and expansive heart continues to raise up the community of Des Moines into the light of hope and possibility as he continues to lead, challenge and inspire us all.

TRIBUTE TO THE SESQUICENTENNIAL OF THE CITY OF WISCONSIN DELLS, WISCONSIN

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Ms. BALDWIN. Mr. Speaker, it is with great pride that I rise today to recognize the sesquicentennial celebration of the city of Wisconsin Dells, Wisconsin. I am indeed fortunate to represent such a great city.

The impact the city of Wisconsin Dells has had on the history of the state of Wisconsin is indescribable. Located along a breathtaking 7-mile stretch of the Wisconsin River, it has been a tourist destination for over 150 years, and has now grown to be the largest recreation center for families in the state of Wisconsin and the Midwest, hosting over 2.5 million people annually.

In 1856, when the city was not even 1 year old, an editor of a Wisconsin paper wrote, "We conclude that the wild, romantic scenery of the Dells will always make them a place of resort for seekers of pleasure." The natural beauty which originally attracted early settlers and tourists 150 years ago has still been maintained for the enjoyment of current and future generations.

Since its beginning, the industrial nature and forward thinking maintained by the community have brought numerous changes and growth. The Dells are widely recognized for diverse entertainment and recreation options. With attractions such as Tommy Bartlett's water ski show, amusement parks, Duck rides on Lake Delton, the oldest family-owned photographic studio in the Nation, and two state parks, Wisconsin Dells is sure to enchant everyone who visits.

The celebration for this landmark achievement will be marked over the days of June 10 and June 11, 2006 through events such as the Taste of the Dells Festival, musical performances, and other community activities. The people of Wisconsin Dells deserve recognition for their great contributions to the state of Wisconsin, and I congratulate them on reaching this historical benchmark.

HONORING THE CAREER OF CHIEF MASTER SERGEANT ROBERT VAN OSS

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. COSTELLO. Mr. Speaker, today I rise to honor the retirement of Chief Master Sergeant Robert Van Oss, who will be retiring from the United States Air Force after more than 30 years of service to his country. Chief Van Oss has led an exceptional military career specializing in healthcare. His proficiency in the medical field has proved to be an invaluable service in numerous ways during his years of service.

Robert J. Van Oss was born on June 20, 1958 in Denver, Colorado. Upon finishing high school at John S. Greenway High School in Phoenix, Arizona in 1976, he enlisted in the Air Force. Upon completion of his training as a Medical Service Specialist, he applied his skills to numerous and important tasks.

Chief Van Oss has performed a variety of assignments at bases in Texas, Louisiana, North Carolina, the Phillipines, Japan, Saudi Arabia, and South Korea. Recently he was deployed in support of Operation Iraqi Freedom where he played a key role in the task of reconstructing an Iraqi healthcare system. He has also made vital contributions to the process of obtaining equipment for the purpose of medical evacuations in both the Air Force's aeromedical evacuation system and the Army medical evacuation system.

Chief Van Oss will be retiring as Chief of Medical Enlisted Issues for Air Mobility Command where he provides professional advice to the AMC Command Surgeon on issues pertaining to the 3,900 enlisted medical personnel who provide healthcare services throughout the command and at Scott Air Force Base. In addition, he is currently the AMC Aerospace Medical Service Technician Functional Manager and is responsible for technicians located at 15 bases throughout the United States.

Mr. Speaker, I ask my colleagues to join me in congratulating CMSgt Robert Van Oss on his long and distinguished military career and thanking him for his service in the United States Air Force and to his country.

IN HONOR AND RECOGNITION OF AMBASSADOR ANDREW YOUNG

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Ambassador Andrew Young, as the City Club of Cleveland honors him with the Citadel of Free Speech Award.

Ambassador Young was born and raised in New Orleans to parents who instilled within him and his brother the value of hard work, education and the significance of giving back to others. Following his graduation from Howard University, Ambassador Young's unwavering social conscience directed him to a life of social activism, leadership and the Christian ministry. He studied the writings and ideology of Gandhi, and became drawn to the methods of non-violent resistance as a catalyst for change within the civil rights movement, including organizing civil rights demonstrations and drives to register African Americans to vote. Ambassador Young formed a close bond with Dr. Martin Luther King, Jr., and chose to stay in Atlanta to work as one of Dr. King's lead commanders on the front lines of the civil rights movement. Ambassador Young was named the executive director of the Southern Christian Leadership Conference. Like other civil rights heroes who dared to challenge the status quo, Ambassador Young remained committed to the cause, despite death threats and being jailed for his participation in the movement.

In 1972, Ambassador Young was elected as the first African American Congressman from Georgia. He was re-elected in 1974 and 1976. Following his third term in Congress, President Jimmy Carter appointed him as the United States Ambassador to the United Nations, where he served with courage, conviction and integrity. In 1981, President Carter awarded him with the Presidential Medal of Freedom. Later that year, Ambassador Young was elected as Mayor of Atlanta. He was reelected in 1985. During his tenure, he raised Atlanta onto a platform of economic strength and international investment, which set a course for Atlanta as a vibrant, thriving city that continues today.

Mr. Speaker and Colleagues, please join me in honor and recognition of Ambassador Andrew Young, whose vision, commitment, activism and wisdom continue to raise America into the light and promise of social justice for all. As recipient of the Citadel of Free Speech Award, presented by the City Club of Cleveland, Ambassador Young continues to personify the words—grace, courage, and devotion to our freedoms and commitment to people here in America and around the world. Ambassador Young's life continues to be a journey of inspiration for every American, and his goodwill and activism continues to extend from across our Nation to places around the world, lending us all hope for the promise of a better day.

IN HONOR OF SANTA CRUZ FOUNDATION FOR THE DREAM

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. FARR. Mr. Speaker, I rise today to commend the efforts of all fundraising efforts for the MLK Memorial and in particular the "Santa Cruz Foundation For The Dream." As you know, Congress has approved the design and building of the Martin Luther King Jr. Memorial on the National Mall in Washington D.C. Congress has vowed to financially assist as much as they can for the construction of the memorial, but substantial monetary donations by American people are still necessary to commence construction of this Memorial.

The MLK Memorial has drawn the attention and efforts of Americans nationwide. Celebrities, such as Morgan Freeman and Halle Berry have volunteered their time and services in fundraising efforts by participating in Public-Service Announcements that intend to educate and initiate the public's involvement in the Memorial's construction. Furthermore, such corporations as Toyota and Tommy Hilfiger Inc. have become highly involved in fundraising by special endorsements and hosting a celebrity golf tournament raising $1.5 million for the memorial. In addition to these celebrity and, corporate efforts, our local efforts should be recognized too as key contributors to the MLK Memorial.

Led by the "Santa Cruz Foundation For The Dream", the people of Santa Cruz County have embarked on a tireless effort to raise consciousness of Martin Luther King, Jr. teachings. Additionally, they have been working extensively on obtaining funds for the Memorial. This foundation has initiated a movement to incorporate a conscience-awareness program in area schools "Kids for King." Building from these efforts, the foundation hopes that local governments, businesses, families, and individuals will participate in the collective effort of raising funds and awareness for the Memorial.

In recognition of Santa Cruz County's efforts, I support including on the Founding Members Wall on the Memorial, an acknowledgement for "the People of Santa Cruz, California". With Santa Cruz County's continuing efforts in the memorial effort, I am hopeful this founding members acknowledgement will occur.

COMMEMORATING SOPHRONIA M. TOMPKINS HIGH SCHOOL CLASS OF 1966

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. KINGSTON. Mr. Speaker, I wish to commemorate the Sophronia M. Tompkins High School Class of 1966 on celebrating their 40th class reunion.

Sophronia M. Tompkins High School was built in 1955 where a dedicated group of educators shaped the lives of hundreds of forthright men and women. Although the school as it was once known is no longer standing, the students that gained life-changing lessons in this learning institution have not forgotten the ideals taught.

This institution has brought forth playwrights, educators, entrepreneurs, nurses, civil servants, ministers, and public servants who credit their tenure at Sophronia M. Tompkins High School to launching their futures.

IN HONOR AND RECOGNITION OF CHIEF ANTHONY H. JACKSON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Chief Anthony H. Jackson, whose recent retirement as the chief of police with the Cuyahoga Metropolitan Housing Authority Police Department, CMHAPD, reflects 33 years of excellence in law enforcement, framed by leadership, accomplishment, integrity and an unwavering commitment on behalf of the security and safety of the public housing residents of our community.

Chief Jackson's illustrious career in law enforcement began in 1973 when he became a police officer with the city of Cleveland Police Department, CPD. He quickly rose through the ranks, serving as detective, sergeant, district lieutenant and commander for the CPD. He accepted the appointment of police chief with the CMHAPD in 1994. For the past 12 years, Chief Jackson's leadership, vision and expertise has transformed the CMHAPD into a nationally recognized and respected department that serves as a model of efficiency and security for numerous public housing police departments.

Because of his guidance, the CMHAPD is one of only six State certified public housing police departments in the entire Nation to attain national accreditation, bestowed in 1998. Additionally, the CMHAPD was the first police department of its kind to achieve 100 percent compliance in its initial assessment for accreditation in 1998, and for every subsequent reaccreditation since. Though busy with family and his profession, Chief Jackson also found time to volunteer on behalf of numerous civic and community endeavors, including his long-time commitment to the Boys & Girls Club of Cleveland.

Mr. Speaker and colleagues, please join me in honor, gratitude and recognition of Chief Anthony H. Jackson. His highly regarded, admired and emulated tenure as a police officer with the city of Cleveland and as chief with the CMHAPD has uplifted the organization onto a platform of efficiency and accomplishment, and most significantly, has strengthened the foundation of safety and security for every resident, thereby uplifting our entire community. I wish Chief Jackson, his wife Michele, their five daughters and one granddaughter, an abundance of health, peace and happiness as he journeys onward from here.

A TRIBUTE TO MICHAEL A. MAIER HONORING HIS CONTRIBUTIONS TO OREGON ON THE OCCASION OF HIS RETIREMENT

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. WALDEN of Oregon. Mr. Speaker, it is my great pleasure to pay special tribute to one of Oregon's most dedicated and accomplished public servants. After 27 years, Mr. Michael A. Maier is retiring from the position of Deschutes County Administrator. During his career, Mike has led Deschutes County through a period of unprecedented growth which has transformed a small rural community into a thriving region that attracts visitors and new residents from throughout the country.

Mike was born and raised in Santa Barbara, California. Upon entering adulthood, he proudly served his country as a member of the United States Marine Corps, holding the position of Group Communication Center Supervisor. Following his discharge, he attended, California State University where he graduated with a Bachelor of Science Degree in Public and Business Administration in 1974. He then proceeded to obtain a Masters Degree in Public Administration from the University of Southern California in 1976.

After completing his education, Mike moved to Oregon and became an Administrator in the Oregon Circuit and District Court system. However, Mike's interest in government continued to grow, and by 1979, he chose to pursue a career in the broader field of public administration. He assumed his current position as Deschutes County Administrator in May 1979 and has been a highly respected and valued contributor to both the community and local government ever since.

During Mike's tenure, Deschutes County has consistently ranked as one of the fastest growing regions in the United States. The rapid increase in population, from approximately 62,000 in 1979 to nearly 145,000 in 2005, has presented a wealth of challenges and opportunities. Mike skillfully guided the County through this transition, managing organizational growth from 250 employees to well over 800 and an annual budget of just over $16 million in 1979 to almost $228 million today.

Among Mike's many accomplishments as a Public Administrator, he is justifiably proudest of those that brought fiscal strength and stability to Deschutes County. His creativity and innovation are the source of a system in which existing property and partnerships are leveraged to construct new County facilities without additional cost to the taxpayer. He also initiated a self-insurance program that has saved millions of taxpayer dollars while creating an environment of trust and cooperation between County management, employees, and labor organizations and serving as a model for other communities.

Mr. Speaker, I ask all of my colleagues to join me in honoring one of Oregon's finest public servants, Mike Maier. On behalf of the citizens of the Second District of Oregon, I am proud to recognize Mike's numerous achievements and to wish him the best as he enters a well-deserved retirement.

HONORING ARMANDO DE JESUS DOMINGUEZ

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to take this opportunity to recognize Mr. Armando de Jesus Dominguez of Saga Bay for his remarkable work as an artist.

Most recently, Mr. Dominguez has been selected out of 4,000 entries as one of ten artists featured by the Smithsonian's National Portrait Gallery. Mr. Dominguez's works and journals are published on the gallery's "Portrait of an Artist" web site. His competition entry Mr. Williams is a riveting portray of a Palmetto Senior High School teacher, an expression of the artist's patience and skill.

Mr. Dominguez was born in Havana, Cuba, and came to Miami with his family at the age of 12. A self-taught painter, he works as a graphic designer for the Spanish-language network Univision. In his artistic work, he focuses on landscape painting and now has a three-year backlog of commissioned work. Dedicated to his community, he also visits local schools and gives presentations to expose children to the arts.

Mr. Dominguez, thank you for your continued commitment to the promotion of the arts. Your unwavering pursuit of your vision through painting has been an inspiration to others. It is this passion, incredible talent, and service to the community of Saga Bay that makes our lives richer and Florida stronger. I congratulate Mr. Armando DeJesus Dominguez on his achievement and service to the community.

THE INTRODUCTION OF THE NORTH AMERICAN WETLANDS CONSERVATION REAUTHORIZATION ACT

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. POMBO. Mr. Speaker, I am pleased to introduce legislation today to extend the North American Wetlands Conservation Act. Joining with me in this effort are Representatives NICK RAHALL, WAYNE T. GILCHREST, THELMA DRAKE, MARK KENNEDY, JOHN D. DINGELL and CURT WELDON.

First enacted in 1989, the North American Wetlands Conservation Act or NAWCA has become one of the most popular and effective conservation programs in the history of this Nation. Since the first Wetland Grant was a warded 15 years ago, more than 1,500 conservation projects have been funded involving more than 3,200 partners. As a result, more than 23 million acres of wetlands and associated habitat has been protected, restored or enhanced in the United States, Canada and Mexico.

Wetlands are among the world's most productive environments. They are critical to the survival of not only thousands of species of marine fish and invertebrates, amphibians, reptiles, birds and wildlife populations but also to the people who live along our coasts. In essence, they are horizontal levees. Without these wetlands and coastal barriers, the impact of last year's huge hurricanes in the Gulf of Mexico would have been far worse in terms of loss of human life and wildlife habitat and the destruction of private property. According to the U.S. Geological Survey, for every 2.7 miles a hurricane travels across marshes and wetlands the storm surge is reduced by one foot.

Wetlands protect ground and surface water, purify water by removing sediments and nutrients, reduce the severity of flooding, prevent erosion and provide habitat for a diverse community of plants, animals, fish and birds. In particular, millions of migratory birds depend on wetlands throughout their life cycles as breeding, staging and resting grounds. Sadly, more than half of our Nation's original colonial wetlands have been lost. The fundamental goal of the North American Wetlands Conservation Act is to conserve remaining wetland habitat. It is a program that is working and it is a sound investment of U.S. taxpayer funds.

In my own Congressional District in California, there have been a number of approved NAWCA projects. A recent example is the $1 million grant issued to the North San Joaquin Valley Wetland Habitat Project to protect, restore and enhance over 36,000 acres of wetlands, riparian and upland habitats. The prime sponsor of this project is the California Waterfowl Association. This organization is working, with local landowners to ensure that critical habitat can provide maximum benefits to migratory birds and a host of other wildlife species. Under their leadership, the California Waterfowl Association and its non-governmental partners will contribute $2.3 million towards the success of this grant.

Since the inception of this program, the amount of private non-governmental matching money has been remarkable. In fact, it now stands in excess of $2.1 billion. This unique public-private wetland conservation partnership effort is a classic case of how government should work and because of these proactive conservation grants dozens of species are witnessing a renaissance in the growth in their population numbers.

It is, therefore, not surprising that this program has been enthusiastically supported by nearly every conservation organization in America including Ducks Unlimited, the Congressional Sportsmen's Foundation, the Association of Fish and Wildlife Agencies, California Waterfowl Association, National Audubon Society, Nature Conservancy, the National Rifle Association, Pheasants Forever and the Wildlife Management Institute.

For the past 5 years, Congress has appropriated about $40 million each year for the North American Wetlands Conservation Program. In its budget submission, the Bush administration recommend an allocation of $41.6 million and under current law the maximum amount that can be appropriated in FY'07 is $75 million. Under the terms of this legislation, the North American Wetlands Conservation Reauthorization Act of 2006, existing funding levels would be extended for an additional 5 years.

Mr. Speaker, the North American Wetlands Conservation Act has been remarkably effective and successful in conserving wetlands. This program has earned an extension and I compliment my colleagues for joining with me in this effort.

I am confident that this important legislation will be warmly embraced by the Administration and President Bush who has stated that "The North American Wetlands Conservation Reauthorization Act shows our concern for the environment and our respect for future generations of Americans". I look forward to giving the President the opportunity to sign this important conservation measure into law this year.

VERMONT'S OUTSTANDING BUSINESS IS EMPLOYEE-OWNED

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. SANDERS. Mr. Speaker, I want to bring to the Nation's attention, and to celebrate, the winner of this year's Deane C. Davis Outstanding Vermont Business Award, King Arthur Flour of Norwich, Vermont.

Founded in 1790, back when the Nation's President was George Washington, King Arthur is the oldest flour company in America. It is also one of the most progressive. It had three owners 215 years ago; today, it has 200. For those who work at King Arthur Flour are not just employees: They own the company. In 1996 its management began an Employee Stock Ownership Plan [ESOP]. Today, King Arthur Flour is a 100 percent employee-owned company.

And King Arthur's president and CEO, Steven Voigt, is helping businesses all across the Nation follow the company's example, for Steve Voigt is chair of the ESOP Association. The ESOP Association, founded in 1978, is a national non-profit membership organization, with 18 local chapters, serving approximately 2,400 ESOPs.

King Arthur Flour itself was founded in Boston, Massachusetts, in 1790 and moved its headquarters to Vermont in 1986. The company has grown since then from a regional staple to a brand known nationwide for its purity and consistent quality; from a small mail-order business with five employees in 1990 to the premier baker's resource in America with nearly 200 employees today; from a family-owned operation for five generations to a 100 percent employee-owned business. Its flour is sold in supermarkets in everyone of the Nation's 50 States.

While most of America's flour makers for the retail market have seen their sales decline, King Arthur has bucked the trend: Its sales have increased 15 percent over the past decade. This should be no surprise. Employee ownership is good for business.

Ten years ago, King Arthur made the move toward employee ownership. It holds quarterly owners' meetings, and its employees gather monthly in what they call "Town Meetings" to keep information flowing and to make sure decisions are participatory. The company's books are open.

An employee-owned company can have a larger and more progressive agenda than just its core business. King Arthur's employee-owners have established a program that allows them to volunteer up to 40 hours a year to a non-profit orgnization—and get paid by the company for that time. King Arthur knows that simply making and selling healthy, non-bleached and non-bromated flour is not enough: It has been offering free bread-making classes to 12,000 people a year in 40 American cities. And it has taught over 60,000 middle school students to bake bread—and taught them about giving and sharing, by providing the students ingredients so that they can bake bread for local foodbanks.

King Arthur Flour employees are worth recognizing because they show so plainly that CEOs who run companies from the top down, and who reward themselves with 431 times the amount that their average employees make, are not essential to running a corporation efficiently and well. ESOPS are soundly managed, good to work for, forward-looking, environmentally conscious. And they make a profit.

So there are many reasons why, in Vermont, one of our major ESOPs, King Arthur Flour, has just been recognized by the Chamber of Commerce and Vermont Business Magazine as the outstanding business in the entire state.

There is much to be learned from the model that the employees at King Arthur Flour have developed so successfully.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. LARSON of Connecticut. Mr. Speaker, I was present and voting during the series of rollcall votes that included rollcall No. 226, final passage of the FY2007 Homeland Security Appropriations bill. While I believed that I had voted "yea" on the measure, apparently the electronic voting system did not register this vote. I would like to ensure that the record reflect that my vote, had it been recorded, would have been "yea" on rollcall No. 226.

CYCLING ACROSS AMERICA—ADVENTURES FOR THE CURE

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. BLUMENAUER. Mr. Speaker, according to the American Diabetes Association, there are 20.8 million children and adults in the United States, roughly equivalent to 7 percent of the population, who are living with diabetes.

I would like to recognize three young athletes as they ride across America to raise awareness for Diabetes. Adam Driscoll, Jesse Stump, and Patrick Blair, riding exclusively fixed gear bicycles, left from Washington State on Sunday, May 14, 2006. They are hoping to arrive at their destination in Maryland sometime in early September. They are also riding to raise awareness for "Kupenda for Children," an organization that provides support for children with disabilities in Africa.

Driscoll, Stump, and Blair will be accompanied on portions of the ride, by African born Emmanuel Yeboah. Yeboah, the subject of the feature length documentary, "Emmanuel's Gift," overcame disability—he is missing one of his legs—to ride 600km across Ghana, Africa.

During their ride the athletes plan to make public appearances in communities to get the word out about what they are doing. They welcome opportunities to schedule additional visits along the way.

To read more about this exciting and unique endeavor in honor of people with disabilities everywhere, and to follow the adventures of the athletes, please visit their web site (*http://www.adventuresforthecure.com*).

HONORING THE COMMUNITY SERVICE OF MARSHALL SLOANE

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. CAPUANO. Mr. Speaker, I rise to congratulate Marshall Sloane who is being honored by the Anti-Defamation League's New England Region with their Distinguished Community Service Award. As the former Mayor of

Somerville, MA where Mr. Sloane founded the Century Bank Trust and Company, I have witnessed firsthand the commitment that he has to improving the community around him. This honor is well deserved.

A World War II Navy veteran, Mr. Sloane attended Somerville High School and Boston University. He founded the Century Bank and Trust Company in 1969: Today, there are 23 branches in the Greater Boston area.

Mr. Sloane's civic involvement includes membership on the National Executive Board of the Boy Scouts of America, Co-Chair of the Dimock Community Health Center's Board of Visitors, Board of Trustees of the Somerville Museum and a Member of the Corporation of the Perkins School for the Blind.

He has been honored by many organizations for his dedication to community service. Some of these include the American Cancer Society, Boston University's School of Management, the City of Somerville and the Boy Scouts of America.

Marshall Sloane has received the Israel Peace Medal for his support of the State of Israel. The Knighthood of St. Gregory the Great was conferred on him on behalf of his Holiness Pope John Paul II. He has also received the Boy Scouts of America's three highest honors: the Silver Beaver, the Silver Antelope and the Silver Buffalo.

As Marshall Sloane's business grew, he never forgot the importance of giving something back to the community. Marshall Sloane has lived by this conviction his entire life, as evidenced by his volunteer work and numerous awards. He inherited this dedication to others from his parents, shared it with his wife Barbara, who joined him in many community efforts, and passed it on to his children. It is fitting that the Anti-Defamation League honors him for his unwavering commitment to improving the world around him. Marshall Sloane's belief that one must give something back to the community serves as a shining example for all of us.

WORLDWIDE ENVIRONMENTAL RANKINGS: A USEFUL TOOL FOR POLICYMAKERS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD, information about the new Environmental Performance Index (EPI) ranking that was researched by experts at Yale and Columbia Earth Institute, and revealed in the World Economic forum in Davos, Switzerland in early 2006. "The index draws on available data to measure 133 countries on 16 indicators in six established policy categories: environmental health, air quality, water resources, and sustainable energy." EPI is the brainchild of Daniel Esty, director of the Yale Center for Environment Law and Policy and Hilhouse Professor of Environmental Law and Policy, who has high hopes for the project. An overarching score and ranking such as the EPI can be instrumental in drafting environmental policies. For example Haiti has an EPI of 114 whereas the Dominican Republic, a country of similar geography and natural resources, has a ranking of 54. A comparative analysis of these two countries would be extremely helpful to policymakers who are trying to improve the environmental standards of Haiti. EPI also provides an evaluation of the performances of the current governments in terms of their environmental standards. EPI is an excellent resource that encourages discourse and is a potentially useful tool for preparing environmental legislation.

I would like to draw the attention of the Congress to this resource.

WORLDWIDE ENVIRONMENTAL RANKINGS: WILL NATIONS COMPETE TO BE GREEN?

At the World Economic Forum in Davos, Switzerland, in early 2006, a new global survey was unveiled that assigns a numerical ranking to individual nations based on their environmental practices and outcomes.

The Environmental Performance Index (EPI), which has prompted both praise and controversy in the international environmental community, draws on available data to measure 133 countries on 16 indicators in six established policy categories: environmental health, air quality, water resources, biodiversity and habitat, productive natural resources, and sustainable energy. A team of experts at Yale and Columbia University's Earth Institute analyzed the data to produce the rankings.

The EPI is the brainchild of Daniel C. Esty, director of the Yale Center for Environmental Law and Policy and Hillhouse Professor of Environmental Law and Policy. Esty, a member of RFF's Board of Directors, believes that it will be a critical tool in bolstering successful pollution control and natural resource management worldwide. (Full text of the report and a summary for policymakers are available at www.yale.edu/epi.)

Resources asked Esty to explore the policy aims and outcomes of the EPI with Senior Fellow Jim Boyd. Their conversation follows.

Boyd: Give me the big picture as a place to start. What was your primary motivation for doing this? And how does your ranking system relate to other performance measures, such as national welfare accounting?

Esty: Our goal is to shift environmental decisionmaking onto firmer analytic foundations. We're trying to make policymaking—across the full spectrum of pollution control and natural resource management issues—more empirical, more fact based, and more durable.

One of our motivations was to provide a counterbalance to the emphasis on GDP growth, which is taken so seriously, not only by economists, but also by decisionmakers in government. We believe the index provides a fairly clean and clear look at current government performance across a spectrum of core environmental challenges.

Boyd: One of the things that will immediately jump out at people is the fact that the United States ranks 28, not far from Cyprus. That's a little surprising to me personally, but how do you view that?

Esty: When I present the EPI in the United States, people are often surprised—even shocked—that the United States ranks as low as 28. When I present the EPI in Europe, people are often surprised—even shocked—that the United States ranks as high as 28. The United States does very well on some issues, like provision of drinking water—it really is unsurpassed in the world in terms of the percentage of the population that has access to safe water. But it does much worse, if not quite poorly, on a range of other issues, like greenhouse gas emissions. So, if you are sitting in America, where the air looks pretty clear and the drinking water looks pretty clean, you might say, gee, why aren't we closer to the top? But in Europe, where people are very much focused on the U.S. failure to step up to the climate change challenge, people think the United States should rank about 130 out of 133 countries.

Boyd: Certain things that you are measuring are more amendable to control by government or society, while others seem more like a country's natural resource inheritance, such as its geography or climate. Are areas for improvement things that all countries can act on—or are some countries stuck with their bad environmental luck?

Esty: All six of the core policy areas that we are looking at represent important challenges that governments can be held accountable for: the quality of their air, water, land-use, and biodiversity, how they manage productive natural resources, habitat protection, and energy and climate change.

Clearly, some governments are better positioned to hit the established targets because of their underlying natural resource endowments or, for example, because of their relatively low population density so they don't strain the resources of their land—a good example would be Sweden. But are these things that governments should be looking at? Absolutely. Are governments being held accountable for these things? All across the board.

Boyd: When you come up with a ranking like this, there's a power in boiling it all down to that one number. Talk to me about your philosophy of doing that versus disaggregating what you have done and going deeper on the specific issues.

Esty: What we found is that there is enormous power in presenting a single, overarching score and a ranking related to that. This is what attracts top-tier government officials, presidents, ministers, and the media. Everyone loves rankings, and everyone wants to know who is up and who is down. From a policy point of view, however, that's just a hook to draw people into a dialogue.

What we are really excited about—and where I think we are succeeding—is what comes after people look at that top-line number, when they get a chance to drill down to the underlying rankings that relate to the core policy categories and even below that, to the issue-by-issue analyses that are the foundation of the index. The rankings lure people into a policy dialogue that can surface best practices that put some nations nearer the top of the ladder.

Boyd: Tell me your thoughts on how this work relates to the Millennium Ecosystem Assessment, issued in 2005.

Esty: The Millennium Ecosystem Assessment and the EPI share a common vision of a more data-driven approach to environmental decisionmaking, where we really look at on-the-ground facts and results so that policy priorities can be based on good information and good science. What differentiates the EPI and gives it particular traction is that it is aligned not on an ecosystem basis, like the Millennium Ecosystem Assessment, but rather on a national basis. National-state boundaries are the true lines of accountability.

In our index, where countries rank low, there's no ducking, there's no hiding. The political officials find they are called upon to answer for poor performance, and we think that's a very powerful tool. No one wants to be at the bottom of the rankings: every country would like to be higher up. We made particular efforts to group countries with regard to appropriate peers so that they are not ranking themselves against the top of the spectrum, per se, but against others that are similarly situated.

Take Haiti, for example, which ranks really quite low on our scale, at 114 out of the 133 countries we ranked. It's not Haiti's job to figure out why it is not number 2, like Sweden, or number 3, like Finland. But it is interesting, if you are Haiti, to figure out why you are doing so much worse than the Dominican Republic, at number 54. These are two countries that share an island, that have a lot in common. And obviously, something is going seriously wrong in Haiti with regard to natural resource management and pollution control. But for a poor country, the Dominican Republic is doing quite well. So we think there is some learning there for Haiti, and perhaps for the Dominican Republic as well, because across 16 issues, there are probably some things that Haiti is doing better.

Boyd: Inherently this is a global data exercise. Comment on the increasing availability of spatial data on environmental conditions, but also about where a government, particularly the U.S. government, stands on its ability to produce and present information that people like you would find useful.

Esty: We are moving into an era of information-age environmental protection, which is exciting. There is a great deal of data that weren't out there before, which gives us a much better handle on problems, the chance to track trends, and a better basis for evaluating policies and understanding what's working and what's not. Having said that, I think the U.S. government still underinvests in producing relevant data.

Boyd: In that regard, how close a connection is there between the top five countries in the ranking and the quality of the data you are getting about those countries? Or is there no correspondence?

Esty: Much better data sets are available for the top 30 countries—basically the ones that are part of the Organisation for Economic Co-operation and Development, the Paris-based, "developed country" think tank. Beyond that, the data become very thin, and frankly, after about 130 countries, it becomes so thin that we can't include all the countries that we would like. So if this move toward a more data-driven approach to environmental protection is to gain further traction, we are going to have to collect data on many more countries. We are also going to have to go after some issues that aren't tracked at all, not even in the most developed countries. These include exposure to toxic chemicals, waste management practices, releases of SO_2 and acid rain, recycling rates, lead and mercury exposure, and wetlands loss.

Boyd: In principle, a country could do poorly because it is using its resources to produce commodities, like cutting trees for lumber. How do you handle the fact that some of those crops and therefore the benefits of that land use are exported? In effect, you are measuring the negative consequences in one country but countries elsewhere are benefiting from that degradation. Is there any way to factor that into your index?

Esty: We took a hard look at this question in the context of exporting dirty businesses and whether countries benefit because someone else is willing to take up the challenge of producing things like steel or aluminum. And it turned out to be very difficult to get at that and hard to do consistently with our model, which centers on the government's responsibility for what it can achieve within its borders. For example, the United States imports steel from Korea but the numbers don't exist to allow us to shift some of the public health and environmental burdens that Korea faces back to this country. It's a weakness of the structure and means that in some respects we haven't captured the full picture.

Boyd: When you unveiled the index at the World Economic Forum in Davos, what indications did you get that the environment is present in the minds of these world leaders?

Esty: It's a very exciting place to release a study because you have lots of people producing reports, businesses releasing statements, major world leaders talking about critical questions, and business leaders like Bill Gates speculating on the future of the information world. So the competition for air space is tough. In that regard, we were very pleased, first by the good turnout for the release in Davos itself, and then, by the stories around the world in the weeks that followed that came from more than 100 countries and appeared in more than 500 newspapers. To date, there have more than half a million downloads of the report from our website.

Speaking more broadly, business leaders overseas take environmental protection very, very seriously, incorporating it into their operating strategies—it's one of their top concerns, falling behind only globalization and competitive strength. A dominant theme at Davos was the rise of India and China and the enormous implications this will have, both positive and negative. Obviously, it means that many, many people will rising out of poverty, and hundreds of millions, if not billions of new consumers will be driving the economy of the world. But it also means vast consumption of natural resources and potentially significant rats of pollution, locally and at a global scale, threatening to exacerbate problems like climate change.

HONORING ROY L. WHITE

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mrs. BLACKBURN. Mr. Speaker, I ask my colleagues to join me today in recognition of Roy L. White of Shelby County, Tennessee for a lifetime of achievement.

As the founder and chief executive officer of Third Party Solutions, LLC, of Memphis, Roy has been a business pioneer.

The devoted husband of Martha Walton White, father of 6 and grandfather of 12, Roy has dedicated countless hours to the charities, civic organizations and educational institutions that help make our community a better place.

We are grateful for his dedication to helping others. He truly has given back more than he has taken, and I'm not alone in recognizing his contributions. Union University has awarded Roy an Honorary Doctor of Philosophy Degree. It's clear his work is having an impact.

A dedicated and active member of Bellevue Baptist Church in Memphis, Roy is setting an example for us all and I want to thank him for that.

Please join me in honoring the life of a beloved Tennessean on his birthday.

IN MEMORY OF VERA JEAN STURNS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. BURGESS. Mr. Speaker, I rise today to give tribute to Mrs. Vera Jean Sturns in the 26th Congressional District of Texas, for her life-long contributions to her community and to her fellow citizens. Mrs. Sturns died on June 4, 2006 at the age of 67.

I would like to recognize and celebrate Vera Sturns life. Raised in rural east Texas near Henderson, Mrs. Sturns later moved to Fort Worth with her husband, the love of her life, Vernell Sturns. She attended the University of Kansas and later served as a drug and alcohol counselor with Tarrant County Mental Health and Mental Retardation.

In addition to her professional life, Vera was involved with a number of various community organizations. She was a longtime member of the Twilight Temple Elks Lodge and a member of Community Christian Church and its Christian Women's Fellowship.

Mrs. Vera Jean Sturns is survived by her sons Robert and Michael Sturns and her daughter Paula Sturns, as well as four grandchildren. I join in mourning the loss of Mrs. Sturns and extend my deepest sympathies to her friends and family. She will be deeply missed and her service to her community will always be greatly appreciated.

IN MEMORIAM: ROBERT L. DUVALL III

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. SESSIONS. Mr. Speaker, I rise today to honor the life of Bob Duvall for his contributions to technology advancements in the defense industry. As an expert engineer with Hughes Aircraft and as Vice President of Advanced Technology at DRS Technologies, Mr. Duvall made a lasting impact on defense technology and military members. Bob passed away on May 24, 2006. He was 61.

Bob Duvall was born in Cheverly, Maryland on October 8, 1944 and grew up in the Maryland suburbs of Washington, DC. His father was an electrical engineer for the Chesapeake and Potomac Telephone Company, and he inspired Bob in his career as an engineer. In 1967, Mr. Duvall graduated from Cornell University with a degree in electrical engineering and subsequently went to work with Hughes Aircraft Company in California, where his technical expertise expanded to include circuit design, optics, infrared technology, optoelectronics and systems integration. Bob furthered his education with a master's degree in electrical engineering from the University of Southern California in 1975.

Bob's early contributions and developments during his more than 20 years with Hughes Aircraft led to innovation in Naval and Air Force laser pointing and tracking technology that today is considered a step forward to a high energy laser system for ballistic missile defense systems.

Following the first gulf war, our military leaders recognized Forward Looking Infrared (FLIR) as a key combat overmatch capability for our mounted and dismounted troops. In response, Bob Duvall was the lead for Hughes Aircraft in partnership with Texas Instruments to develop this next generation of night vision systems using thermal sensors. The Army's Second Generation FLIR involves the insertion of a common second-generation thermal sensor, known as the B–Kit into the Army's highest priority ground-based platforms.

These systems have played an important role in our efforts to fight the Global War on Terrorism. Because of Mr. Duvall, these systems have been fielded with the capability to see when the enemy can not and to fight during conditions that are obscured by weather or time of day. Our troops now enter into battle with the decisive ability to "Own the Night" and precisely target and defeat the threat. Because of his efforts and expertise, Mr. Duvall contributed directly to saving many lives and avoiding great loss.

Bob Duvall was unequaled not only as an Engineer, but as a friend—full of good humor, a wonderful storyteller with an infectious laugh, a patient listener, and a willing contributor to others in need. Bob Duvall's family was his greatest joy and he is survived by his wife Shirley and his two children, Mark and Michelle. He will be sorely missed by his loved ones, his colleagues, and others who benefited from his contribution.

TRIBUTE TO JOSEPH D. PETERS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. RANGEL. Mr. Speaker, I rise today to pay a special tribute to the late Joseph D. Peters, a sports pioneer who demonstrated leadership and commitment to extending the reach of sports as a positive force for social change. Peters was born on June 2, 1938 in Wilmington, Delaware and he passed away on January 9, 2006 at his home in New York City.

His commitment to service began in 1962 when he joined the United States armed forces. He was a former director of the Southern Christian Leadership Conference (SCLC) Sports Project. As director he was responsible for many projects including The International Freedom Games track and field meet and the Martin Luther King All-Star basketball classic.

Peters was inspired by the legendary baseball great Jackie Robinson, who in 1947 broke the color barrier in Major League Baseball. This inspiration was very much reflected in his philosophy on sports. He viewed sports as much more than athletic competition; sports had a deeper purpose and he dedicated his life to making people realize that. He strongly believed that sports were capable of bringing people together and bridging the gaps that divided nations. He also knew how influential sports could be on the home front as well.

Sports have provided economic opportunities and hopes for many disadvantaged but athletically gifted young people. For athletic competition whether as amateurs or professionals has provided a way to move forward when all else around may have seemed to be standing still.

Peters was diagnosed with stomach cancer after the disaster of Hurricane Katrina, yet he continued working to organize a special benefit basketball game in which the Argentine and French Olympic gold and silver medal winners would challenge NBA stars for the benefit of the victims. This was another extension of his sports philosophy.

Peters also attempted to organize a U.S.-Cuban baseball game aimed at bringing the two countries together by engaging in an activity common to both countries. He knew the influence and power that such an event would have on people. We need to continue to believe in his philosophy because it is important to see what further impacts sports can have on our world.

Peters' ambitious initiatives were not always successful, but neither his passion or his resolve ever faded. His dedication was an inspiration not only to athletes but to many others in our community who are seeking ways to make a contribution.

MOUNT ZION AFRICAN METHODIST EPISCOPAL CHURCH OF NORRISTOWN, PENNSYLVANIA

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. GERLACH. Mr. Speaker, I rise today to honor Mount Zion African Methodist Episcopal Church of Norristown, Pennsylvania for its 176th anniversary celebration.

The first gathering of this congregation was held in 1830 in a small building on the corner of Airy and Walnut Streets. Under the influence of Richard Allen, the Founder of the African Methodist Episcopal Church, more and more individuals began to become members. However, the members had to meet in local homes and businesses and were not officially recognized as a church body until 1832.

In 1832, the congregation officially organized and adopted the name Mount Zion, a name derived from highest point in the City of Jerusalem. A more modern interpretation of the name refers to one's "spiritual homeland" or "safe haven". The name Mount Zion appropriately applies to the congregation because many of its earliest members from 1832 to 1845 fled to Canada to escape slavery and oppression. A large majority of the original members returned in 1845 with great determination and courage to acquire and build their very own spiritual safe haven. Adversary seemed to later follow the congregation and the Church lost many of its buildings, funds, and records through a series of improper transactions.

However, the congregation never lost faith and one member, Mother Caroline Lewis, supplied the funds necessary to secure the Basin Street Church property. On May 20, 1867, the Church was granted its charter under the name Mount Zion African Methodist Episcopal Church of Norristown.

The Church has provided the Borough of Norristown outstanding spiritual, communal, and political leadership ever since. The Church was often used as a school, safe house, and shelter and it moved current location in 1915.

Mr. Speaker, I ask that my colleagues join me today in honoring Mount Zion African Methodist Episcopal Church, Norristown, Pennsylvania on its 176 years of history, heritage, and community leadership.

HONORING EXCEPTIONAL HIGH SCHOOLS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mrs. BLACKBURN. Mr. Speaker, last year I had the opportunity to honor Brentwood High and Franklin High as two of our Nation's top schools.

I am proud to say these schools have once again been recognized by Newsweek Magazine for excellence in education. This year Centennial High School in the Seventh District has also been added to the exclusive list.

I want to take a moment to applaud the hard work and dedication it has taken for these schools to achieve such excellence. It's a real team effort and the students, parents, teachers and staff who've dedicated their energy to this success all deserve recognition.

I want to make specific mention of our principals and thank them for their leadership. Brentwood High Principal Kevin Keidel, Centennial High Principal Terry Shrader and Franklin High Principal Willie Dickerson have earned our respect and our thanks, and I hope they'll continue inspiring our kids to work hard and make the most of their education.

IN RECOGNITION OF THE WOMEN'S DIVISION OF THE FORT WORTH METROPOLITAN BLACK CHAMBER OF COMMERCE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. BURGESS. Mr. Speaker, I rise today to recognize the contributions of the Women's Division of the Fort Worth Metropolitan Black Chamber of Commerce in its support for the development and recognition of women as business leaders in Fort worth.

I am proud to represent an organization so dedicated in its efforts to empower African American women and to create an expanded atmosphere for inclusive business development. The Women's Division annually recognizes the success of businesses and organizations that support its mission, and it has awarded over a dozen scholarships to women to enable them to attend area colleges.

The Women's Division of the Fort Worth Metropolitan Black Chamber of Commerce has recognized over one hundred individuals for their business, civic, and social accomplishments and has itself been lauded by the Texas State House of Representatives for steadfast work in behalf and support of the City of Fort Worth.

It is with great pleasure that I recognize the Fort Worth Metropolitan Chamber of Commerce Women's Division and I am honored to now represent them as part of the 26th Congressional District of Texas.

HONORING THE 45TH ANNUAL YMCA YOUTH GOVERNOR'S CONFERENCE

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. SESSIONS. Mr. Speaker, Mr. MELANCON and I rise today to honor the 45th Annual YMCA Youth Governor's Conference that begins in Washington, DC this weekend. We are pleased to have the distinct honor of being the Congressional sponsors for the Youth Governor's breakfast with our fellow colleagues in the House.

The YMCA Youth Governor's Conference brings together some of the most outstanding youth leaders in America. YMCA Youth and Government is a nation-wide program that allows thousands of teenagers to simulate state and national government.

Mr. Speaker, we would like to personally recognize each of this year's YMCA Youth Governors for their dedication and service to America's youth.

Michael Dan Admire of Texas, Julia Catherine Love of Louisiana, Neil Karamchandani of South Carolina, Brian Daniel Tinsman of Delaware, Robert Charles Adler of Minnesota, Charles Edward Strickland of Alabama, Michael Elliot Hughes of Arizona, Ian David Bruce of California, Matthew Paul Cavedon of Connecticut, Rebekah Lydia Hammond of Florida, Jerald Jake Landress of Georgia, Jordyn Suet Ha Toba of Hawaii, Thomas Naaliiolani Toyozaki, Jr. also of Hawaii, Capri H. Savage of Idaho, David Williams Simnick of Illinois, Martin Iran Turman, Jr. of Indiana, Preston Scott Bates of Kentucky, Seth D. Dixon also of Kentucky, Benjamin David Goodman of Maine, Jonathan M. Brookstone of Maryland, Zachary Ryan Davis of Massachusetts, Lauren Brenda Gabriell Hollier of Michigan, Marvin Anthony Liddell also of Michigan, Christine C. DiLisio of Missouri, Vernon Telford Smith IV of Montana, Victoria Elizabeth Gilbert of the Model United Nations program, Eoghan Emmet Kelley of New Hampshire, Danielle C. Desaulniers of New Jersey, Juan Carlo Sanchez of New Mexico, Michael J. Couzens of New York, Edgar Turner Vaughn of North Carolina, Kenneth Robert Hines of Oklahoma, Jerrod Engelberg of Oregon, Emily Claire Pramik of Pennsylvania, Allison M. Dove of Tennessee, Joshua Ray Lambert of Virginia, Morrie S. Low of Washington, Rochelle Mincey-Thompson of the District of Columbia, Max Joseph Balhorn of Wisconsin.

We wish all of the 2006 YMCA Youth Governors a very successful conference here in Washington, and we encourage them to continue their sincere devotion to leadership and public' service in this and their future endeavors.

MOVING THE WORLD KATHERINE DUNHAM CHOREOGRAPHED A LIFE THAT STRETCHED BEYOND THE STAGE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. RANGEL. Mr. Speaker, I rise today to pay tribute to a truly remarkable woman, Ms. Katherine Dunham. A woman of astounding grace and character, Ms. Dunham has altered for the better both our country and world. We recently lost Ms. Dunham on May 21, 2006, at the age of 96 at an assisted living facility in New York.

Born Katherine Mary Dunham in Chicago, Ill on June 22, 1909, and raised in Glen Ellyn, Ill, Dunham was fascinating from the very beginning. The author of a published short story in a magazine edited by W.E.B. DuBois at the young age of 12 she had the gift for the written word. She was class poet in high school, and later wrote a memoir entitled, "A Touch of Innocence".

Ms. Dunham was an enchanting beauty who often danced with a sound sense of rhythm and eroticism. Dunham was always combining and changing methods of dance, the sign of the true innovator within. Katherine Dunham was a pioneer in the first in many areas for blacks. She was among the first black artists to form a ballet troupe and achieve renown as a modem dancer and choreographer on Broadway and in Hollywood. She was responsible for exposing to mass audiences the other side of black artistic expression, a side rarely seen. She made people in the 1930's and 1940's see and understand black dance as "more than tap and minstrelsy".

She was also one of the first black choreographers to work for the Metropolitan Opera. Many admired Dunham because she amassed so much in a country and time where few opportunities for blacks existed.

She will forever remain an inspiration to many who seek guidance in her wisdom and words. She was noted for her no nonsense approach to the way of life as stated here, "Don't be nervous, don't be tired and above all, don't be bored. Those are the three destroyers of freedom". Her insight goes far beyond dance and choreography, but into the real human dilemma. It was stated that, "she was speaking less about dance and more about an area of equal concern: human rights". All those who knew her dignified heart of compassion could not help but follow her lead.

As a human rights activist, she spoke out publicly about the United States' position on deporting Haitian refugees. Dunham was so passionate about the matter that in 1992 she went on a 47 day hunger strike to prove her point. One notable activist, Harry Belafonte stressed the notion that, "She didn't perform miracles; she performed acts of human kindness, which should be viewed as a miracle in itself".

With age Ms. Dunham sought to spread her knowledge to especially young people. She wanted them to grow up with the adequate capabilities and skills necessary to live in today's ever-changing world. She kept a small museum of artifacts about her career with her in East St. Louis, Ill., where she educated local children including Jackie JoynerKersee, the Olympic long jumper, and filmmakers Reginald and Warrington Hudlin.

When asked about her work with the youth she felt she was "trying to steer them into something more constructive than genocide". In a way, maintaining relations with the youth of today kept Dunham youthful, a quality she never lost. In a New York Times report done on her a few years back, she mentioned, "Did you ever see photographs of elderly divas trying to look sexy?"

I enter into the RECORD with pleasure the article published in the Washington Post and New York Times for their in-depth look at Katherine Dunham for both her artistic and humanitarian efforts. She has truly left her mark on our society and I will always remember her for that. We must keep her memory alive in our hearts and minds so that generations after us will know who she was and what she did. One cannot speak of dance and innovation without mentioning Katherine Dunham, for she has without a doubt moved our world.

[The Washington Post, May 23, 2006]

MOVING THE WORLD

(By Sarah Kaufman)

It was a bitterly cold winter day three years ago when I last saw the pioneering choreographer Katherine Dunham teach. She was rolled into the Howard University dance studio in her wheelchair, bundled up like a prized antique. First a thick fur blanket was peeled off, then a woolen wrap, and then Dunham herself was revealed, somewhat hunched, wearing lots of gold jewelry. Peering through her oversize glasses at the more than 100 students sitting on the floor in front of her, she got right to work.

"Think of everything you learn from me today as part of a way of life," she announced in a low, raspy voice. "Now—breathe."

This was not as simple as it sounds. For Dunham, a tireless activist who died Sunday at the age of 96, invested every aspect of her life—indeed, you could say, every breath—with meticulous attention and an unflinching eye.

And on this day in January 2003, that eye didn't see much it liked. Dunham hollered at the dancers to tilt their heads back, to hold their stomach muscles in, to undulate with the breath inside them. Then, unsatisfied with the beat that the drummers alongside her were producing, she leaned out of her wheelchair, grabbed one of their drumsticks and began keeping time on the table in front of her.

A few beats later, that tiny old lady had all the drummers grooving together and the whole room full of young adults breathing in unison.

Dunham's dance technique and her way of life went hand in hand. She was inquisitive, blazingly energetic and exacting as a dancer and a choreographer, but she didn't leave those qualities behind after the curtain fell. Her whole long life was about questions and activism and energy. The path that led her to Broadway. Hollywood and concert stages around the world eventually took her to Haiti, where she lived for a number of years, working feverishly and, to her great distress, ultimately unsuccessfully to bring about change for that nation's desperately poor people.

In her unparalleled career in dance, where she educated the world about the power of African dance as found throughout the diaspora, Dunham mixed academic research and showbiz flair. An anthropologist as well as a choreographer, she studied dance in the Caribbean islands, blending movements she found there with Western dance. Her style was not scholarly; she reveled in eroticism. She sought not to re-create specific rites but to transport the audience the way a spiritual experience might. And she wasn't afraid to use sex to do this. A sensuous performer, she frequently wore costumes that revealed well-muscled thighs and ample curves.

There were other dancers interested in Afro-Caribbean arts—Pearl Primus, also an anthropologist, for one—but Dunham had the most far-reaching success, perhaps because of her utter fearlessness. She founded her company in the 1930s, when a predominantly black dance troupe was unheard of. Her voluptuousness as a dancer made her especially marketable—because, let's face it, audiences at that time were not especially sensitive to the art she was creating. She caught the eye of ballet master George Balanchine, who created the role of the sexpot Georgia Brown for her in the 1940 Broadway hit, "Cabin in the Sky." Dunham and her company performed in other Broadway revues, and she also made her mark choreographing for film, in 1943's "Stormy Weather" and several others, in Hollywood and abroad.

But her twin artistic achievements were her body of choreography—works such as "L'Ag'Ya," a story of love and death, and "Shango," drawn from Trinidadian cult rituals—and the development of her own method of dancing.

"Dunham technique" became part of the bedrock of American modern dance, like the techniques of Martha Graham, José Limon and Merce Cunningham. Through her own flamboyance and interpretive beauty as a performer, as well as her rigor as a teacher, she raised African-based dance to a new level.

Growing up in an America that offered few opportunities for blacks, Dunham served as an inspiration to black artists who saw her achievements as especially formidable given the racism of the times.

"She set the bar for attaining excellence in art and she instilled in us a great sense of pride in our blackness," said singer Harry Belafonte, speaking by phone yesterday from California. Belafonte and his wife, Julie, were close friends of Dunham's for half a century, he said. Julie was a member of Dunham's company; Harry credits Dunham with encouraging him to investigate the music of her beloved Haiti.

Without Dunham's effort to "reveal to me the beauty of that music," Belafonte said, he would never have recorded songs like the gentle, lilting ode "Yellow Bird."

However attuned she was to musical beauty and island mysticism, Dunham could breathe fire in the studio. She was a legendary taskmaster, and even in her nineties, during that class I witnessed at Howard as part of the International Association of Blacks in Dance Conference, she was capable of whipping her students into a lather.

"Now think of your anal opening!" she cried at one point. "Does everyone know what your anal opening is? Think of a pole from the top of your head through that hole. That's your strength! "

"Don't be nervous, don't be tired and above all, don't be bored," she lectured them. "Those are the three destroyers of freedom of movement."

She called on the dancers to be "strong and easy at the same time," swaying in her wheelchair, her arms floating, responding to the drumbeat with a remarkable fluidity.

Her eyes never strayed from the dancers, who by the end of the class were trying to keep up the relentless tempo on their tiptoes, with bent knees, stamping and shimmying their shoulders, adding turns if they could. Dunham technique seeks to balance tricky polyrhythmic equations, with the head nodding out one beat and torso and legs keeping time with another.

The trick, say those who have mastered it, is to move with such musical and muscular intricacy that you achieve complete freedom. Dunham was scheduled to teach for an hour; she kept at it for two.

Not long after that class, I visited Dunham in her Manhattan apartment. She was in bed, where she spent much of her time when she wasn't making appearances. She suffered from crippling arthritis and had had both kneecaps replaced. Reclining against a mound of pillows, wearing a peacock-blue top, and fixing me with her dark, wide-set eyes, she spoke not of weakness but of strength.

"There is a need in the body to express itself," she said. "Every culture has its own form of physical expression. An unfortunate thing about today—about Western dance—is it's too competitive in feeling. I don't dance because I can do this movement better than you. I do it because it's what I feel, and want to do."

"When I first saw however-present and powerful dance was," she said, "it came as a wonderful revelation."

Pressed regarding about her views on dance, though, it became clear she was speaking less about dance and more about an area of equal concern: human rights.

"It's a real job to recognize dance at all," she continued. "Until our Western need to compete begins to slow down and becomes a need to feel and love and express motion and care for our inner selves as well as our outer selves . . . if we can find a way to live in union with other people —" She looked out the window at her view of the skyline. "We have to love ourselves, love what we are doing, and find a way to express these things in unity with other people."

Dunham banged up against politics as she sought to spread her teaching in the island she so loved.

"Long before she could teach the healthy minds, she needed the healthy bodies," Belafonte said. She found herself feeding the students, seeing to their health care and welfare, and eventually spreading this concern into a wholesale human rights activism that included a hunger strike of 47 days in 1992 to protest the U.S. policy of deporting Haitian refugees. Sadly, most of her good works there came to naught without government support to sustain them.

"She didn't perform miracles, she performed acts of human kindness," Belafonte said. "Which should be viewed as a miracle in itself."

How Katherine Dunham Revealed Black Dance to the World

(By Jennifer Dunning)

Whatever else Katherine Dunham was in her long and productive life, which ended on Sunday at 96, she was a radiantly beautiful woman whose warmth and sense of self spread like honey on the paths before her.

How could anyone be stopped by the color of her skin after her invincibly lush sensuality and witty intelligence had seduced audiences on Broadway, in Hollywood films and in immensely popular dance shows that toured the world? And how could anyone cram black American dance into one or two conveniently narrow categories—or for that matter ignore the good strong roots that would one day grow green stems and leaves—with the vision of her company's lavishly theatrical African and Caribbean dance revues in mind?

Miss Dunham was one of the first American artists to focus on black dance and dancers as prime material for the stage. She burst into public consciousness in the 1940's, at a time when opportunities were increasing for black performers in mainstream theater and film, at least temporarily. But there was little middle ground there between the exotic and the demeaning everyday stereotypes.

Ms. Dunham's dance productions were certainly exotic, and sometimes fell into uncomfortable cliches. But a 1987 look at her work, Alvin Ailey American Dance Theater's "Magic of Katherine Dunham" program, confirmed that she also evoked ordinary lives that were lived with ordinary dignity.

Miss Dunham, as she was universally known, was by no means the only dance artist to push for the recognition of black dance in the 1940's, when Pearl Primus pushed, too, though a great deal less glamorously. But though Miss Dunham's academic credentials as an anthropologist were impeccable, including a doctorate from the University of Chicago, it was her gift for seduction that helped most to pave the way for choreographers like Donald McKayle, Talley Beatty and Alvin Ailey, who were the first wave of what is today an established and influential part of the larger world of American modern dance.

Ailey's first encounter with her, as a newly stage-struck boy in his mid-teens, says a great deal about Miss Dunham's appeal. Intrigued by handbills advertising her 1943 "Tropical Revue," he ventured into the Biltmore Theater in downtown Los Angeles, his hometown, where it was playing. There he was plunged into a world of color, light and heat that was populated by highly trained dancers with a gift for powerful immediacy, who were dressed in subtle, stylish costumes designed by John Pratt, Miss Dunham's husband. After the show, Ailey followed the crowd making its way backstage to her dressing room and was again stunned when the door opened on a vision of beautiful hanging fabrics and carpeting, paintings, books, flowers and baskets of fruit. And there was La Dunham, dressed in vividly colored silks and exuding irresistible gaiety and warmth.

Ailey returned to the show several times a week, let into the theater by the Dunham dancers who had looked so unapproachably exotic on that first backstage visit. And he was still more than a little in love with her when he invited her to create for his company "The Magic of Katherine Dunham," a program of pieces that had not been seen for a quarter-century. Miss Dunham's dancers, who remained close to her and to one another throughout her life, swarmed into the studios to help her work with the young performers.

Most of the Ailey dancers did not appreciate Miss Dunham's iron perfectionism or the unusual demands of her technique, a potent but challenging blend of Afro-Caribbean, ballet and modern dance. And she was not the easiest of women. I remember speaking with her before a public interview we were to do in April 1993. Addicted to CNN, she had just learned of the fiery, tragic end to the F.B.I's seige of the Branch Davidian compound in Waco, Tex., that morning, and that was all that she could talk about, off and on the stage, despite her promises to discuss her work.

Her horror was real, as was her sense of social justice. She has been criticized for not denouncing the Duvaliers for their dictatorship in Haiti, where she owned a home. But she had also sponsored a medical clinic in Port-au-Prince, and she stayed on for many years in desolate, impoverished East St. Louis, Ill., where she established a museum of artifacts pertaining to her career and taught local children including Jackie Joyner-Kersee, the Olympic long jumper, and the filmmakers Reginald and Warrington Hudlin.

"I was trying to steer them into something more constructive than genocide," she said of the children in a 1991 interview with me in The New York Times. "Everyone needs, if not a culture hero, a culturally heroic society. There is nothing stronger in a man than the need to grow."

That idealistic, eloquent self was infused with a streak of no-nonsense practicality.

"I don't like that 'accept,' " Miss Dunham, still a vibrant beauty at 91, said during a Times interview six years ago in response to a middle-aged visitor who insisted on talking to her about the acceptance and embrace of old age. "I would just let the whole thing go. Just be there for it, centimeter by centimeter." Then it was time for the photo session.

Her eyes seemed to widen even more invitingly and her gaze to grow even warmer as she looked into the eye of the camera and asked, "Did you ever see photographs of elderly divas trying to look sexy?"

HONORING BATEY GRESHAM

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mrs. BLACKBURN. Mr. Speaker, one of my favorite lessons in life was something my parents taught me—that you should always give back more to your community than you take. Today I want to take a moment to recognize someone who exemplifies that spirit of giving—Batey Gresham, Jr.

Batey has made volunteer work part of his daily life and we are all the beneficiaries of his effort. He has served as a board member of the Middle Tennessee Boy Scout Council and the Alcohol and Drug Council to name just a few. Batey has supported numerous educational institutions, and joined his wife, Ann, in supporting Chi Omega alumnae activities geared toward developing leadership skills in our community's young women.

The co-founders of a respected architecture, engineering, and design firm, Batey and Ann established an endowed professorship at Auburn's College of Architecture, Design and Construction.

The Greshams are building a wonderful legacy and setting an example for all of us to follow. Our community appreciates their work and I hope you'll join me in applauding Batey and Ann.

TRIBUTE TO CORPORAL J. ADAN GARCIA

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. MARCHANT. Mr. Speaker, I rise to express my condolences and heartfelt sympathy to the family and friends of United States Army Corporal J. Adan Garcia, 20, of Irving, Texas.

Corporal Garcia died on May 27, 2006 at the National Naval Medical Center in Bethesda, Maryland, in support of Operation Iraqi Freedom. He died of injuries sustained on May 22, 2006, while serving in Baghdad, Iraq. Corporal Garcia was assigned to the 1st Brigade Special Troops Battalion, 10th Mountain Division, in Fort Drum, New York.

I would like to take this opportunity to pay tribute to Corporal Garcia. This brave young man made the ultimate sacrifice for the security of his country and for the defense of democracy worldwide. He was an outstanding young man; and we should all be grateful for his noble contributions to this nation and the advancement of freedom.

I am proud to call Corporal Garcia one of our own, and again deeply sorry for his family and friends who have suffered this loss. His legacy will remain, as the men and women of our armed services continue to fight for liberty—both abroad and on our home soil.

RECOGNIZING MGA COMMUNICATIONS FOR BEING NAMED NATIONAL AGENCY OF THE YEAR BY THE HOLMES REPORT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. UDALL of Colorado. Mr. Speaker, I rise today to acknowledge a Colorado company, MGA Communications, which has been named 'Boutique Agency of the Year' by the prestigious Holmes Report. In addition, MGA Communications was one of five finalists for 'National Agency of the Year.' The Holmes Report, a national review of the public relations industry, recognized MGA for fostering genuine dialogue in complex community issues.

In particular I would like to thank my good friend and trusted advisor, Omar Jabara, who serves as the Vice President of Public Affairs for the company. I have known Omar for several years and can attest to his political passion. From the time he led Congresswoman CYNTHIA MCKINNEY's successful 1996 election as the communications director, he has demonstrated his political savvy and media relations talent. When he moved back to Colorado, he served as the press secretary for Dottie Lamm's United States Senate campaign. For the past several years, Omar has generously taken the time to speak to my Udall Youth Task Force about issues in the Middle East and public policy. He has become a perennial favorite for his insight, passion and candor on the issue. I suspect that Omar is an outstanding example of the kind of talent that led to the award for MGA Communications.

"No one is better when it comes to engaging local communities around environmentally sensitive—even toxic—issues and earning the kind of trust that is an essential element of any controversial industrial development," said the Holmes Report in describing MGA.

Founded in 1987, MGA Communications is engaged in some of the more complex community development issues in the Rocky Mountain region for clients ranging from the U.S. Army and Shell Oil Company to Cabela's and Questar Market Resources. MGA serves clients throughout the country.

"It's flattering to have the pioneering community relations work we've done over the years acknowledged at this high level," said Mike Gaughan, Chairman of MGA Communications. "Such a prestigious national award is gratifying because ultimately, we pride ourselves on the business-driven results we deliver for our clients and the communities they serve."

The Holmes Report highlighted MGA's work at the Rocky Mountain Arsenal, the former chemical weapons manufacturing facility near Commerce City, Colorado, stating, "That kind of work has turned MGA into one of the nation's leading experts when it comes to dealing with high profile, complex community issues."

Mr. Speaker, I ask my colleagues to join me in congratulating Omar Jabara and MGA Communications on the well deserved recognition of their good work. We are proud to have them in Colorado. I wish them continued success in the future.

WARMING TO THE INDIA NUCLEAR DEAL

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. RANGEL. Mr. Speaker, with the President's proposed agreement with India on civil nuclear cooperation, there has been much discussion as to what Congress' position should be concerning this matter. I find it appropriate to bring to the attention of Congress a May 23 article written by Will Marshall, President of the Progressive Policy Institute, and Wesley Clark, a candidate for the Democratic Presidential nomination in 2004, a retired Army general, and former supreme allied commander of NATO. The article entitled "Warming to the India Nuclear Deal" comprehensively discusses the proposed agreement, determining that it is a great opportunity to create a strategic partnership with India.

The Marshall and Clark article encourages the Senate to support Bush's proposed agreement, but also to articulate several commitments by the Administration on which the support is conditioned, most importantly a fresh burst of energy in promoting the international nonproliferation system.

This deal is a great opportunity for the United States to form a truly beneficial partnership with India, an up-and-coming 21st century power. India has proved its stability as a multi ethnic democracy with an ever-growing economy, a middle-class that is well-versed in English, a lively technology sector, and a tremendous domestic market.

Advocates of arms control argue that the removal of a ban on the supply of fuel to India's civilian nuclear-power sector should not compromise nonproliferation efforts. However, it is clear that admonishing India for its failure to join the Non-Proliferation Treaty, NPT, is not enjoying the success that it should and therefore must be modernized.

The need for efforts to improve the NPT is confirmed by the inception of several new nuclear states and the potential for the establishment of even more in the near future.

Considering India's exceptional nonproliferation efforts, a United States-India partnership in designing a superior global nonproliferation system should prove to be beneficial worldwide.

Mr. Marshall and Mr. Clark encourage a push for NPT reforms, including more effective inspection and control of nuclear activity across the globe. They cite the critical reform as disallowing states who agree not to build nuclear weapons to then develop civilian nuclear energy programs. A loophole such as this permits countries, such as Iran, to insist upon a "right" to produce their own nuclear fuel supplies, as opposed to acquiring their supply from already established nuclear powers.

The article cites a simple solution to the problem: internationalize the nuclear fuels cycle. U.S. officials can organize an adequate source of fuel to countries that agree not to produce nuclear weapons and submit to rigid inspections through an international consortium. India should be at the forefront of this effort.

Mr. Marshall and Mr. Clark also encourage the Senate to demand that the U.S., along with other nuclear powers, move in the direction of disarmament. The current administration has failed to do this, and has in fact done the opposite.

I thank Mr. Marshall and Mr. Clark for their thorough analysis of the President's proposed agreement with India. Their views on the matter are greatly respected.

I therefore submit for the RECORD a piece from the May 23 issue of the Hill for our consideration.

[From the Hill, May 23, 2006]

WARMING TO THE INDIA NUCLEAR DEAL

(By Will Marshall and Wesley Clark)

At first glance, President Bush's proposed agreement with India on civil nuclear cooperation is a no-win proposition for the U.S. Senate. Rejecting the deal could chill relations between the world's biggest democracies; approving it might shred America's credibility as a leader of global efforts to restrain nuclear proliferation.

Senators can escape this dilemma, however, by offering the White House a deal of their own: support for the India agreement conditioned on concrete commitments by the Bush administration to breathe new life into the international nonproliferation system.

Under the deal struck last summer, the United States would lift its ban on supplying expertise and fuel to India's civilian nuclear-power sector. India agreed to place 14 of its 22 nuclear reactors under safeguards with the International Atomic Energy Agency. The deal is intended to remove the chief irritant in U.S.-India relations: America's long-time policy of banning sales of civilian nuclear technology and fuel to any country—most prominently India—that has refused to sign the 1968 Nuclear Non-Proliferation Treaty (NPT).

U.S. leaders should not miss the best opportunity since the Cold War ended to forge a true strategic partnership with India. As a stable, multiethnic democracy with a brisk economic growth rate, a vibrant technology sector, an English-speaking middle class and a potential domestic market four times larger than America's, India is fast emerging as a 21st century power of the first rank.

Arms-control advocates, however, warn that closer U.S.-India ties should not come at the price of undermining the nonproliferation framework. Yet U.S. efforts to punish India for spurning the NPT have manifestly failed. More important, it's clear that the NPT cannot survive in its present terms and needs fundamental revision.

Since the treaty's inception, four new states have elbowed their way into the exclusive nuclear club, and such scofflaw regimes as North Korea and Iran are pounding on the door. Without bold action now to strengthen and modernize the NPT framework, we could be looking at as many as 20 nuclear-armed states within the next decade or two.

So instead of persisting in vain attempts to punish India—which, unlike rival Pakistan, has an exemplary nonproliferation record—the United States should enlist New Delhi's help in designing a fairer and more effective global nonproliferation system.

The Senate, for example, should insist on boosting spending on the Cooperative Threat Reduction programs aimed at securing Russia's loose nuclear materials. It should also press the Bush administration to push for overdue NPT reforms, including stronger inspections, tighter control of nuclear know-how and a closer watch on the activities of nuclear-trained scientists and engineers worldwide.

The key reform is to close the NPT loophole that allows states to develop civilian nuclear energy programs if they agree not to build nuclear weapons. The problem comes when countries demand, as Iran has done, a "right" under NPT to develop their own nuclear fuel supplies rather than acquiring what they need from the nuclear powers. As Ashton Carter and Stephen LaMontagne point out, "Enrichment and reprocessing facilities low states to cross into a proliferation 'red zone,' putting them dangerously close to a nuclear weapons capability."

Carter and LaMontagne offer a simple solution: Internationalize the nuclear fuels cycle. Building on Russia's offer to provide nuclear fuel for Iran, the United States should organize an international suppliers consortium to provide a reliable source of fuel for nuclear energy plants (and a repository for spent fuel) to countries that forswear nuclear weapons and submit to robust inspections. India, as a former leader of the nonaligned nations, could show its commitment to nonproliferation by helping to build support for such an approach among the developing nations.

The Senate also should insist that the United States hold up its end of the nuclear bargain. Under the NPT, the nuclear "haves" are obliged to move toward disarmament. Yet the Bush administration has gone in the opposite direction. It has rejected the Comprehensive Test Ban Treaty, failed to engage the other nuclear powers in talks aimed at mutual cuts in nuclear arsenals and even launched new programs for developing nuclear "small" bombs and "bunker-buster" weapons.

Finally, the United States should offer similar terms to Pakistan, providing it is willing to return to the NPT, put its nuclear programs under international safeguards and offer a full accounting for the worldwide nuclear bazaar operated by A.Q. Khan.

If accompanied by imaginative U.S. efforts to update and strengthen the global nonproliferation system, the proposed deal with India could become a cornerstone of a comprehensive post-Cold War strategy—but only if elected leaders at both ends of Pennsylvania Avenue have the insight and courage to seize this opportunity.

HONORING CURRIE AND NELSON ANDREWS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mrs. BLACKBURN. Mr. Speaker, I want to take a moment today to recognize two individuals who exemplify the spirit of entrepreneurship that makes America great.

A father and son team, Currie and Nelson Andrews were recently named 2006 Dealer of the Year Finalists by the American International Automobile Dealers not only for their success managing a dealership but for outstanding contributions to our community as well.

For 25 years, Andrews Cadillac and Land Rover of Nashville, has been part of our community and consistently ranks as one of Nashville's "Top 100 Privately Owned Businesses."

Thanks to Currie and Nelson's hard work and commitment to our community, 140 people are employed by their dealership today. We look forward to many more years of community involvement from the Andrews and appreciate the example they set for all aspiring entrepreneurs.

Please join me in congratulating Currie and Nelson for their achievements.

HONORING THE LIFE OF JAMES A

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. COSTA. Mr. Speaker, I rise today to honor and remember the life of James A of Fresno, California. Mr. A served in the U.S. Army in both Vietnam and Korea and was a prominent veteran's activist; he passed away May 15, 2006.

James A was born James Burris on October 18, 1946 in Yreka, California. He attended school in Fresno and graduated from Edison High School in 1964. As a way of protesting early American slavery, James Burris legally changed his name to James A. After investigating his genealogy, Mr. A had felt 'Burris' was his slave name.

While serving in the U.S. Army, Mr. A learned to speak German, Korean, and Vietnamese. While stationed in Germany, Mr. A met the love of his life, Edith Isamann. They were marred in 1966 and had two daughters Sabine and Sonja.

The couple returned to Fresno to raise their daughters in the community James affectionately called home. It was during this time that Mr. A began noticing physical problems that later resulted in his paraplegia. He was diagnosed with a neurological condition and as a result of this he was forced to use a wheelchair. Ever the active sole, Mr. A participated in wheelchair basketball and wheelchair races as a way of not letting his illness beat him.

Mr. A used his experience with misfortune to lend a helping hand to others. He waged a personal campaign for veterans in Fresno and in the state of California. James A helped to establish the Vietnam Veteran Monument in Woodward Park. He was also involved with the effort to establish the California Vietnam Veteran's Memorial in Sacramento. Mr. A worked with the Bay Area Western Chapter of Paralyzed Veterans of America and in 2005 he served as its Vice President.

In 2002, Mr. A was diagnosed with lung cancer and was in remission until January of 2005. Determined to be a shining example for his family, despite all of the physical challenges he faced, James A continued to serve his community.

James A is survived by his wife Edith; two daughters Sabine and her husband Asker and Sonja and her husband Andrew; grandchildren Ilkin, Timur, Emily and Rebecca; two sisters and two brothers.

James A cared deeply about advocating for veterans. His warm and compassionate personality which inspired those around him will be missed deeply. I stand today to honor this noble veteran, who served our country not only as a soldier but also as a citizen.

PAYING TRIBUTE TO "TANTE" GERTRUDE ZAHNER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor "Tante" Gertrude Zahner on her 100th birthday.

Gertrude was born in Stuttgart Germany on June 15, 1906. She had three brothers and was the only daughter in the Zahner family. In 1923, when Gertrude was 17 years old the family moved to the United States. Gertrude worked for a number of years at the Ford plant in Michigan. She greatly enjoyed her tenure with the company and even worked for Mr. and Mrs. Henry Ford in their home. In 1979 Gertrude's service to the Ford family ended with her retirement.

Gertrude loved actively participating with her friends in the "Women's Guild", the "German Society", and the "Card Club" while she was living in Detroit. Every year several of the ladies in the "Card Club" would make a journey with her to Las Vegas, where Gertrude had a number of family members. In 1990, Gertrude moved to the greater Las Vegas area to be closer to her family. She has one nephew, Horst Maile, and a niece-in-law, Elfriede Maile. Gertrude is also god-mother to Rolf and Marvin, her grand-nephews.

Mr. Speaker, I am proud to honor "Tante" Gertrude Zahner on her 100th birthday. I wish her many more years of happiness with her family.

DIVISIVE IN ANY LANGUAGE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. RANGEL. Mr. Speaker, I rise today to commend E.J. Dionne Jr. for his recent article published in the Washington Post entitled, "Divisive In Any Language", in which it describes how the argument surrounding the English Language can become more of a tool to divide instead of unify.

It is my belief that all who seek to enter our borders understand the vital importance of learning English, for it is the path to any route of social mobility. The immigrants of the past have understood the importance of learning English just as those who come today do. English must not be seen as a barrier to upward mobility, but as an extremely useful device that opens up the doors to opportunity.

This "American Dream" that we speak of so often seems to now be under fire from those who have made the dream a reality, or who are the beneficiaries of a dream sought many years ago by their forbearers. It is now those who have since benefited from the "American Dream" who seek to shut the door on the hopes and aspirations of others.

To create amendments in our laws and especially in the Senate immigration bill that explicitly say that English is the language of this land will indeed be disrespectful to our current large population of Spanish-speaking members. Dionne pointedly says this will be "legally and formally" disrespectful in a way earlier generations of immigrants from—just a partial list—Germany, Italy, Poland, Russia, Norway, Sweden, France, Hungary, Greece, and China" were not.

I acknowledge my fellow colleague in the United States Senate, KEN SALAZAR from Colorado for his realistic approach to this divisive ordeal. He declared that, "English is the common and unifying language of the United States" while also insisting on the existing rights of non-English speakers "to services or materials provided by the government' in languages other than English".

Senator SALAZAR knows that the key to settling the issue is not by imposing restrictions and making amendments on people who speak English as a second language, primarily Spanish speakers. Our job here today is to get others to see the light, and to understand the real issue at hand.

I enter into the RECORD the Washington Post article by E.J. Dionne Jr. for presenting this issue regarding the use of the English language with a personal perspective. Being brought up in a home where English is not the only language spoken, he knows firsthand the plight of the other side. More of us need to understand and put ourselves in the shoes of those we have come to discriminate against. Let us use English to bring ourselves closer together, for if it is the only common bond we have why not use it. It is in the best interest of this Nation to get this issue settled efficiently, and accordingly.

[From the Washington Post, May 23, 2006]

DIVISIVE IN ANY LANGUAGE

(By E. J. Dionne Jr.)

Yes, let's talk about the English language and how important it is that immigrants and their children learn it.

And please permit me to be personal about an issue that is equally personal to the tens of millions of Americans who remember their immigrant roots.

My late father was born in the United States, and grew up in French Canadian neighborhoods in and around New Bedford, Mass. When he started school, he spoke English with a heavy accent. A first-grade teacher mercilessly made fun of his command of the language.

My dad would have none of this and proceeded to relearn English, with some help from a generous friend named James Radcliffe who, in turn, asked my dad to teach him French. My dad came to speak flawless, accent-free English. He and my mom insisted that their children speak our nation's language clearly, and without grammatical errors.

None of this caused my parents to turn against their French heritage. On the contrary, my sister and I were taught French before we were taught English because my parents took pride in the language of our forebears and knew that speaking more than one language would be a useful skill.

My mom would give free French lessons at our Catholic parochial school to any kid who wanted to take them. When we were young, we'd visit our cousins on a farm in Quebec during the summer, partly to improve our French. (And Parisian French elitists take note: I still love the much-derided accent of the Quebec countryside, which many have compared to the English of the Tennessee mountains.) I tell you all this by way of explaining why I can't stand the demagoguery directed against immigrants who speak languages other than English. Raging against them shows little understanding of how new immigrants struggle to become loyal Americans who love their country—and come to love the English language.

As it considered the immigration bill last week, the Senate passed an utterly useless amendment sponsored by Sen. James Inhofe (R-Okla.) declaring English to be our "national language" and calling for a government role in "preserving and enhancing" the place of English.

There is no point to this amendment except to say to members of our currently large Spanish-speaking population that they will be legally and formally disrespected in a way that earlier generations of immigrants from—this is just a partial list—Germany, Italy, Poland, Russia, Norway, Sweden, France, Hungary, Greece, China, Japan, Finland, Lithuania, Lebanon, Syria, Bohemia, Slovakia, Serbia, Croatia and Slovenia were not.

Immigrants from all these places honored their origins, built an ethnic press and usually worshiped in the languages of their ancestors. But they also learned English because they knew that advancement in our country required them to do so.

True, we now have English-as-a-Second-Language programs that have created some resentments and, in the eyes of their critics, can slow the transition from Spanish to English. Still, the evidence is overwhelming that Spanish speakers and their kids are as aware as anyone of the importance of learning English. That's why we have an attorney general named Gonzales, senators named Salazar, Martinez and Menendez, and a mayor of Los Angeles named Villaraigosa.

Ken Salazar, a Colorado Democrat, introduced an alternative amendment to Inhofe's that also passed the Senate. It declared English the "common and unifying language of the United States" while also insisting on the existing rights of non-English speakers "to services or materials provided by the government" in languages other than English. As Salazar understands, the best way to make English our unifying language is to avoid making language a divisive national issue.

I make my living writing and speaking in English, and I would preach to anyone the joys of mastering this Anglo-Saxon gift to our nation. My wife and I encourage our kids to speak the language with precision and to show respect for its grammar, as did the nuns who taught me as a kid—even if some of them spoke French better than English. Politicians who care about the language might usefully think about how it can be taught well, to the native-born as well as to immigrants.

When I put my children to bed, I recite the same prayer that my late mother said for my sister and me. The prayer is in French. I certainly hope that it doesn't make my children any less American to hear a few spiritual thoughts in a language other than English before they fall asleep.

IN MEMORY OF DAVID P. SMITH, DELAWARE COUNTY CHAMBER OF COMMERCE EXECUTIVE

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. WELDON of Pennsylvania. Mr. Speaker, I rise today to mark the tragic and untimely passing of David P. Smith, a Delaware County Chamber of Commerce executive and a lifelong community activist, who leaves behind a legacy of service to his hometown—Media, Pennsylvania—where he was known as "Mr. Media."

Dave's untimely death is deeply felt by the entire Media community. In celebration of his life a tribute was held yesterday (June 6, 2006) at the Media Theater where his family and friends gathered to remember this remarkable man. Everyone shared words of praise, joyful memories, and personal stories I know will be told for many years to come. Everyone always marveled how Dave could be so active in so many business, political and community endeavors and still have so much time for his friends. Dave was successful in his professional life but, more importantly, in his personal friendships. He was always there for those who needed a kind word, and he always had a ready smile and warm greeting.

Dave lived life with a passion for everything he did, and he worked tirelessly for the betterment of his community. He was active with the Swarthmore Players Club, the Media Republicans, the Delaware County Press Club, the Brandywine Conservancy and the Middletown Business and Professional Association. He demonstrated, by example, the kind of work that can be achieved when one is committed, involved and enthusiastic about making his community a better place to live.

Mr. Speaker, yesterday Delaware County said goodbye to a favorite son. I offer my condolences to his family, his friends and his beloved community. I know that while Dave is no longer with us, his legacy will continue for many years to come.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 8, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 12

2:30 p.m.

Energy and Natural Resources

To hold hearings to examine the implementation of Sections 641 through 645 of the Energy Policy Act of 2005, the Next Generation Nuclear Plant Project within the Department of Energy.

SD-366

3 p.m.

Foreign Relations

To hold hearings to examine Treaty Between The United States Of America And The Oriental Republic Of Uruguay Concerning The Encouragement And Reciprocal Protection Of Investment (Treaty Doc. 109-09).

SD-419

JUNE 13

9:30 a.m.

Foreign Relations

To hold hearings to examine the changing face of terror relating to counterterrorism.

SD-419

10 a.m.

Agriculture, Nutrition, and Forestry

To hold an oversight hearing to examine Department of Agriculture farm loan programs.

SR-328A

Commerce, Science, and Transportation

To resume hearings to examine S. 2686, to amend the Communications Act of 1934 and for other purposes.

Room to be announced

Finance

To hold hearings to examine corporate tax issues.

SD-215

2:30 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, and International Security Subcommittee

To hold hearings to examine autopilot budgeting, including the PART (Program Assessment Rating Tool) and consider how systematic performance reporting of government agencies helps taxpayers get better services as well as whether Congress can better utilize the report cards to inform their annual budgeting.

SD-342

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine business systems modernization and financial management in review of the defense authorization request for fiscal year 2007.

SR-222

3 p.m.

Judiciary

Administrative Oversight and the Courts Subcommittee

To hold hearings to examine the proposed Multidistrict Litigation Restoration Act.

SD-226

JUNE 14

9:30 a.m.

Environment and Public Works

To hold an oversight hearing to examine whether potential liability deters abandoned hard rock mine clean up.

SD-628

Indian Affairs

To hold hearings to examine S. 374, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, and S. 1535, to amend the Cheyenne River Sioux Tribe Equitable Compensation Act to provide compensation to members of the Cheyenne River Sioux Tribe for damage resulting from the Oahe Dam and Reservoir Project.

SR-485

Judiciary

To hold hearings to examine ensuring competition and innovation relating to reconsidering communication laws.

SD-226

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine Financial Accountability Standards Board's proposed standard on "Employers' Accounting for Defined Benefit Pension and Other Postretirement Plans".

SD-538

Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine alternative energy technologies.
Room to be announced

2:30 p.m.
Banking, Housing, and Urban Affairs
Housing and Transportation Subcommittee
To hold hearings to examine extension of HUD's mark-to-market program.
SD–538

Commerce, Science, and Transportation
National Ocean Policy Study Subcommittee
To hold hearings to examine state of the oceans in 2006.
SD–562

JUNE 15

10:30 a.m.
Commerce, Science, and Transportation
Fisheries and Coast Guard Subcommittee
To hold hearings to examine the Coast Guard budget.
SD–562

2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine the National Park Service's Revised Draft Management Policies, including potential impact of the policies on park operations, park resources, wilderness areas, recreation, and interaction with gateway communities.
SD–366

JUNE 20

10 a.m.
Commerce, Science, and Transportation
Business meeting to markup S. 2686, to amend the Communications Act of 1934 and for other purposes.
Room to be announced

JUNE 21

10 a.m.
Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Subcommittee
To hold hearings to examine economics, service, and capacity in the freight railroad industry.
SD–562

2:30 p.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine accelerating the adoption of health information technology.
SD–562

JUNE 22

10 a.m.
Commerce, Science, and Transportation
Trade, Tourism, and Economic Development Subcommittee
To hold hearings to examine the state of the U.S. tourism industry.
SD–562

JUNE 29

10 a.m.
Commerce, Science, and Transportation
Business meeting to consider pending calendar business.
SD–562

JULY 13

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine unmanned aerial systems in Alaska.
SD–562

JULY 19

10 a.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine high performance computing.
SD–562

SENATE—*Thursday, June 8, 2006*

The Senate met at 9:30 a.m. and was called to order by the Honorable DEBBIE STABENOW, a Senator from the State of Michigan.

PRAYER

The PRESIDING OFFICER. I am very pleased today to have the prayer be given by our guest Chaplain from the great State of Michigan, Rev. Timothy Tuthill of the First United Methodist Church in Mason, MI.

The guest Chaplain offered the following prayer:

Let us pray.

Almighty and Everlasting God, You created order out of chaos and have given us life and as we gather here today we are reminded of Your grace and trust in us all. Through Your wisdom, O God, You have shared out of Your abundance and gifted us with minds to think and a spirit to act. We are grateful for the opportunity to serve our country as elected leaders and servants. Guide our elected officials as they debate and discern and may our Senators seek Your great counsel and be mindful of the needs of our communities, States, country, and world.

In this time, let us be ready to stand firm and be guided by the principles that led the Founders of our country to pursue liberty and justice for all. Continue to be with all those who are in harm's way today and guide our Nation and world as we continue to look for peaceful ways to resolve conflict near and far. We ask this and all things in your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable DEBBIE STABENOW led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

KILLING OF AL-ZARQAWI

Mr. FRIST. Mr. President, the Senate just finished honoring our flag with the Pledge of Allegiance, an innovation we added to the Senate proceeding several years ago upon the suggestion and urging of our former colleague, Senator Bob Smith of New Hampshire. As we pay respect to those stars and those stripes, the news this morning of the events in Iraq bring new strength to the patriotism reflected by the Senate for that flag and, indeed, for our country.

Today, our military forces are to be commended for their dedication to eradicating the terrorist network in Iraq. Today's success in eliminating the terrorist, the butcher terrorist, the thuggish terrorist, al-Zarqawi, is a sure sign they are on the way to accomplishing that goal.

In my own visits to Iraq, I have had the opportunity to see firsthand the amazing work our soldiers are doing there on the ground. We are proud of our military, proud of the tremendous work they are doing, and thank them for their efforts and their sacrifice for us each and every day.

Al-Zarqawi was a man who was responsible for the beheading, the killing of hundreds and, indeed, thousands of innocent children, women, and men. He was responsible for the death of many Americans in uniform, men and women. For those reasons, we all know it is a great day for Iraq and, indeed, for the United States.

Al-Zarqawi was the operational head. He is a symbolic head, we know, but equally importantly the operational head of al-Qaida in Iraq. Osama bin Laden called him the "prince of Al-Qaeda." Reportedly, he masterminded the operations, the financial infrastructure, the financial underpinnings, and the strategic support for the terrorist network. While we all know there are many insurgents who remain in Iraq, this is surely a major blow to the terrorists who threaten both the safety and the security of Iraq and, indeed, the United States.

It is also a significant day in the formation of the Government of Iraq, the appointment of the Ministers of Defense, of the Interior, and of National Security. It is a major step forward. The Prime Minister and most of the Cabinet have been in place for about 3 weeks. I think 37 are in place with the completion of that Cabinet today. It is a major step forward. It has been a good morning. These developments are major steps forward. Although, as we all know, many challenges remain, I am more optimistic than ever that a free and stable Iraq can be achieved.

SCHEDULE

Mr. FRIST. Mr. President, I will update our colleagues over the course of the day and run down our schedule.

In a couple of minutes, we will start the 1 hour of debate prior to the cloture vote on the death tax repeal. Therefore, that first vote is expected to begin sometime between about 10:45 and 10:50. Regardless of the outcome of that cloture vote, we will then have the final debate prior to the cloture vote on the motion to proceed to the Native Hawaiians bill. That vote is set for 12:45 this afternoon.

The rest of today's schedule will depend on the outcome of those two cloture votes. We hope to have additional votes this afternoon on four district judges on the calendar, as well as the debate and the vote on the Schwab nomination to be U.S. Trade Representative.

I remind everyone that last night we filed cloture on a Mine Safety and Health nomination. That cloture vote will occur tomorrow unless some other agreement is reached.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

AL-ZARQAWI

Mr. REID. Mr. President, I certainly underscore the statement of the distinguished majority leader. This is a good day for the U.S. military and especially our intelligence community. We should feel very good about this. The mission we are talking about, the successful outcome, is a testament to the bravery, the skill, and the determination of those dedicated men and women on the front lines. This is hard to say about any human being, but he got what he deserved. Anyone who aligns himself with him should know they could await a similar fate as long as they engage in terror.

I was very pleased to hear the President's statement. It was measured. We all recognize there are a lot of difficult days ahead for the United States and Iraqi forces, but having a Security Minister, a Defense Minister, and an Interior Minister makes it that much closer to when we can start drawing down the troops.

DEFENSE AUTHORIZATION AND IMMIGRATION

I look forward—I hope in the near future, and I am confident that will be the case—to working on our Defense authorization bill, which is something we need to do.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

I also say through the Chair to the distinguished majority leader, this is important for our colleagues. We are trying to work something out to get the immigration reform bill to conference with the House. People think we spend a lot time on minutia, all this procedural stuff, but that is the way it is. People are going to have to be patient. We are trying to get a vehicle to go to the House where we have assurances that it will be an immigration bill and not a tax bill. We do not have that worked out yet. I say to my colleagues and through the Chair to the distinguished majority leader, as he knows, negotiations have started. We are trying to work it out.

Mr. FRIST. Mr. President, to respond through the Chair to the Democratic leader—and actually our colloquy, in essence, is to our colleagues—we recognize the importance, both of us, both sides of the aisle, of getting this bill to conference. We have passed a bill that reflected the will of the Senate. Not everyone agreed with it. I thought we had a very good process we should be proud of in terms of debate and amendment and allowing the people's will to be discussed and voted upon.

The next step is getting to conference. We do not need to go into the technical aspects, but it is a challenge to get it there in a way that gives all of the guarantees, but with those guarantees the goal will be to have an immigration bill that stays on immigration. That is exactly what the Democratic leader and I are working on, and we are making progress in that regard.

Mr. REID. Mr. President, I say also that the problem is one person can throw a monkey wrench into the process. We have to try to work it out so no wrenches are thrown.

Mr. President, I ask consent that Senator STABENOW from Michigan be recognized for up to 2 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Michigan is recognized.

THANKING THE GUEST CHAPLAIN

Ms. STABENOW. Mr. President, I take a special moment to say thank you to Rev. Tim Tuthill for giving the invocation today. As a lifelong United Methodist, I am very proud of him.

He is associate pastor of the First United Methodist Church in Mason, MI, and one of our brightest and most engaging young leaders in the community. I am so pleased he is here today.

He has been very active in the mid-Michigan community and served in a number of different leadership positions in the Mason area United Way, the Mason Ministerial Association, the Wesley Foundation, the St. Francis Retreat Center, the West Michigan Conference Leadership Team, and a host of other organizations.

After 8 years with the First United Methodist Church, Reverend Tuthill was recently appointed by the Wesley Foundation to lead the campus ministry at Michigan State, my alma mater, as well as Lansing Community College.

I wish him and his family well. We are so pleased he would take time to join us. We appreciate his words of inspiration this morning.

DEATH TAX REPEAL PERMANENCY ACT OF 2005—MOTION TO PROCEED

The PRESIDENT pro tempore. The Senate will resume consideration of H.R. 8, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to the consideration of H.R. 8, to make the repeal of the estate tax permanent.

The PRESIDENT pro tempore. Under the previous order, there is 1 hour of debate equally divided between the two leaders or their designees, with 10 minutes of the minority time reserved for Senator DURBIN, 10 minutes for Senator DORGAN, and the last 20 minutes reserved as follows: 10 minutes for the Democratic leader, to be followed by the majority leader.

The Senator is recognized.

Mr. DURBIN. Mr. President, we are now considering the repeal of the estate tax. The estate tax is a tax paid by 2 out of every 1,000 Americans. It is not a tax that will affect the vast majority of Americans because they have not accumulated enough wealth in their lifetime to be subject to the tax.

It is an action which is imposed on the very wealthiest, the very richest people in America. It is a tax which is imposed on their estates after a certain amount is exempt. Up to $4 million is exempt for a couple under current estate tax, and that number is scheduled to rise.

However, the Republican majority believes this tax is unfair. They believe it is unfair for the wealthiest people in America, who have accumulated millions of dollars, to pay any tax to the Government on that accumulated wealth when they die. They say that is fundamentally unfair. They come to the Senate with a sense of outrage that we would ask wealthy people in America to pay taxes, so they propose the elimination or dramatic reduction of this tax, to the point where it will add substantially to the deficit of the United States of America.

This is not a tax cut for the wealthy; it is a tax deferral. By reducing or eliminating the tax on the wealthiest, they are passing the burden of taxation on to those in lower income groups. With their elimination of the death tax, they are creating a birth tax.

In other words, if you happen to be born in America and you are one of the 997 out of 1,000 who don't pay the estate tax, you will have a bigger debt and a bigger burden because the Republican majority believes the wealthiest should be spared paying taxes. People who have had the good fortune of living and succeeding in America should be spared, according to the Republicans, any responsibility to pay back to this great Nation for the benefits they have accrued during their lifetime. There is a sense of outrage on the Republican side of the aisle that somehow we would impose this tax. They have created this vast mythology about the estate tax. They translated it into a death tax, suggesting to Americans that when you die you must pay taxes. That is plain false. Only 2 or 3 out of 1,000 people who die each year pay any such tax. Yet the average person on the street believes the Government is going to come and grab whatever small amounts they have kept together for their sons and daughters and take it away in tax collection. It is not true. It is false. It is misleading. It is deceptive.

Who is pushing this great effort to eliminate the estate tax? Will it surprise you to know they are the fattest special interests in Washington, DC? An analysis has shown—and these numbers are nothing short of amazing—that 18 families in the United States of America, with a combined net worth of $185 billion, have spent $200 million lobbying on Capitol Hill to repeal this estate tax. Why? They are going to make a fortune because their fortunes will be protected from being taxed. This is the ultimate special interest bill. This bill has nothing to do with the average American, the average American family, the average American farm or the average American business. It is about the wealthiest people in America flexing their muscles, pushing through on Capitol Hill the most outrageous piece of special interest legislation in modern memory. The Republican majority is pushing this to the floor with a straight face: We want to eliminate the death tax.

What does it mean for the families behind Wal-Mart, Gallo wine, Campbell's soup and other companies? It means that if they are given full repeal of the estate tax, these 18 families will collectively net a windfall of $71 billion. That is what this is about.

Who will end up paying for it? Our children will. We will take the money which we are not going to collect from the estate tax and end up borrowing. And who will loan us the money? More and more the Bush administration goes overseas to borrow the money: Japan, China, Korea, the oil sheikhs, they will loan us the money. But there are strings attached. Do you remember the Dubai Ports deal? Think there is a connection between these Middle Eastern oil giants now buying into the American economy and what we are doing on the estate tax? It is directly linked.

There are bankers, mortgagors. They sell us oil. Why? Because the Republican majority runs up the biggest deficits in the history of the United States.

When President Bush took office, the national debt was $5.8 trillion. The accumulated debt in the history of America was $5.8 trillion. Five years later, the national debt is knocking on the door of $9 trillion. And if they continue to eliminate taxes on the wealthiest people, the debt will be $11 trillion. For the students who are watching this debate on television, in the galleries, through C-SPAN, let me tell you, this effort to find a benefit for the wealthiest families, to absolve them from paying debts for the success they have experienced, is going to be visited on our children and grandchildren. Where is the fairness and where is the justice? Where is the sense of outrage that we would give this special interest legislation such a priority in the Senate? Why wouldn't we consider changing the Tax Code so that average working families can deduct the cost of college education for their kids? Isn't that something good for America? Isn't that of greater value than to say to the superrich: We are going to spare you from paying $71 billion in taxes over the life of this repeal? No. From their point of view, you don't think about the families putting the kids through college. You don't worry about the situation where we have so many Americans, 46 million in fact, without health insurance today. You don't deal with the reality of funding education. You focus your attention and the time of the Republican majority on repealing a tax on the super wealthiest people in America.

Warren Buffett is the second richest man in America. He said: Do you know what is going on here? It is class warfare. And do you know what? My class is winning.

They sure are.

Today the Republican majority will try to put a victory on the board for the richest people in America. Why do we do this? For some, it is a matter of philosophy. They happen to believe if the rich get richer, America will be better off. That has been a philosophy around this country for a long time. I come from a different point of view. I think the strength of America is in its families, those families getting up and going to work every day, doing their best to keep families together, to save money for the future, to put their kids through college. It is in small businesses that take risks and sometimes fail but, when they succeed, build into a business that gives them a chance to hire more people. It is in family farms. That is the strength of America. These other folks have done quite well.

The New York Times went to the Farm Bureau and asked them: Name for us a single example of a family being forced to sell its farm because of estate tax liability. Not one single example derived from the American Farm Bureau. They couldn't find one. I did the same thing in Illinois. Not one farm has been lost because of Federal estate tax liability.

We will hear them crying and moaning and whining and rending their garments about how this is needed to save family farms. They can't come up with a single example where a family farm has been lost by the estate tax. According to the Congressional Budget Office, only 123 family-owned farms and 135 family-owned small businesses would pay any estate tax at all with a $2 million exemption level—across America, pay any tax at all, let alone risk losing their business or farm.

This has been exaggerated to a point which is shameful. To think that at a time when we are facing the biggest deficits, when we are involved in a war where we are asking our sons and daughters to risk their lives for America, that we are going to make those who are comfortable more comfortable by sparing them their taxes, that we are going to welcome home the soldiers, by saying, thanks for serving America and, incidentally, here is a larger national debt for you to carry the rest of your life.

I urge my colleagues to defeat this effort to repeal the estate tax.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Arizona is recognized for 10 minutes.

Mr. KYL. I thank the Chair.

Madam President, we are going to have an opportunity very shortly to do something historic; that is, to begin consideration of a process by which we can either eliminate or substantially reduce the impact of this most unfair tax of all, the estate tax, on small businesses, on family farms, on Americans of all stripes who worry that they will have to pay up to half of what they have put into their life savings, their business, their farm, to the Government in an estate tax.

It has been found by Gallup surveys and others that the American people believe this is the most unfair tax and by percentages, 60 to 70 percent agree that it should be eliminated. To some extent there has been an argument that I have to address because it is a straw man. That argument is that this is all about helping the most wealthy families. That is not correct. Here is why. What we have proposed is that immediately upon going to the House bill, there be a cloture vote on that bill which, frankly, I think all would agree, is doubtful of passing. That is to say that there aren't 60 votes in this Chamber to permanently repeal the estate tax. That is what the Senator from Illinois was talking about. We all know that.

As a result, the majority leader has made an absolute commitment—and I reaffirm it—that immediately following that vote, the majority leader would lay down a substitute, a compromise, if you will, that provides that the estate tax will be substantially modified but not repealed. It will be modified in a way that will help those who, because land values have been increasing or because they put all of their money into a small business, would be either required to pay substantial amounts of money to plan for the potential of paying the estate tax, paying lawyers and accountants and buying insurance and the like, would be responsible for a substantial estate tax bill, it would give them relief from that obligation, but it would still say that the wealthiest families, the Warren Buffetts and others mentioned a moment ago, would still have to pay a substantial amount of estate tax.

The specific proposal that will be offered provides that there will be $5 million exempted and that that would be indexed to inflation and that after that, the capital gains rate would be the rate that would apply to estates that would be taxed. But when you get to the superrich the Senator from Illinois referred to, those with a $30 million estate who would probably qualify in that category, anything above that amount would be taxed at a 30 percent rate which would bring in, obviously, a substantial amount of revenue given the wealth of some of those estates. We are not here debating whether it is going to be either all or nothing, a permanent repeal of the estate tax or the status quo. What we are talking about is going to a process by which we consider a compromise which will, in fact, tax the most wealthy but will allow those small businesses and farms the opportunity to continue their existence.

It is interesting that there is a suggestion that this somehow wouldn't help the small business or the family farm. Let's quote some actual data. For example, the Senator from Illinois challenged us to show one farm that had to sell property in order to pay the estate tax. Here is one. Sam and Ann Payne in Georgia, not too far north of Atlanta. The farm had been in their family since the early 1800s. When their father died in 1968, they had their first experience with the death tax. But then Sam's mother was still alive and it was manageable. When she died 6 years ago, they had to pay close to $400,000 in estate tax. Their land had increased in value. So in order to pay that tax, they had to sell part of their farm to local developers, including an airport. Here is what Sam Payne said:

> At a certain point, you sell off too much land and your farm gets so small that you are not a viable agricultural unit, making it difficult to turn a profit.

There are many other examples. Here is what the American Farm Bureau said in a survey. They surveyed their members and nearly 20 percent of the farmers responded to a survey that said that they had to pay Federal estate taxes in the previous 5 years; 44 percent said they would have to mortgage the farm to pay the death tax; 28 percent said that all or part of the farm's business would have to be sold; 39 percent said that any plans for growth would have to be delayed or canceled.

Here is a pernicious aspect of this. A lot of people spend a fortune trying to avoid the tax: 77 percent of farmers reported that they had to spend money each year on estate planning; 40 percent said that they paid more than $10,000 a year; 13 percent more than $25,000 a year; 5 percent pay more than $100,000 a year. That is a real impact, the same kind of impact on small business. We can provide examples. I gave an example yesterday.

Minority businesses are the most hard hit. Here is what Robert Johnson, founder of Black Entertainment TV, had to say:

> Elimination of the estate tax will help close the wealth gap in this nation between African-American families and white families.

A 2004 study by Impacto Group LLC surveyed Hispanic family-owned business owners; 20 percent of Hispanic family business owners said they would have to sell their business or property in order to pay the estate tax. Only about half of the respondents believe that they are prepared to deal with the death taxes if the principal owner dies.

Surveys conducted by the Family Enterprise Center of Kennesaw State College and the Center for Family Business at Loyola University found that 90 percent of black-owned, family firms say that paying estate taxes makes growth of the business more difficult; 87 percent say paying the estate tax makes the survival of the business more difficult. Nobody who has run a small business or family farm or has accumulated wealth, perhaps simply by the growth in the value of real estate, will argue that this is not a matter of concern to them.

As the Wall Street Journal editorialized today, even the people who appreciate the fact that it won't apply to them favor repeal. I will quote from the editorial:

> Americans favor repealing the death tax not because they think it will help them directly. They're more principled than that. Two-thirds of the public wants to repeal it because they think taxing a lifetime of thrift due to the accident of death is unfair and even immoral. They also understand that the really rich won't pay the tax anyway because they hire lawyers to avoid it.

That is the point of the argument we heard a moment ago.

I ask unanimous consent to print the editorial in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Taxes Everlasting

If you've followed the death tax debate, you know that few issues raise liberal blood pressure more. Liberal journalists in particular are around the bend: How in the world can the public support repealing a tax that most Americans will never pay? Good question, so let us try to answer.

Americans favor repealing the death tax not because they think it will help them indirectly. They're more principled than that. Two-thirds of the public wants to repeal it because they think taxing a lifetime of thrift due to the accident of death is unfair, and even immoral. They also understand that the really rich won't pay the tax anyway because they hire lawyers to avoid it.

For proof that they're right, they need only watch the current debate. The superrich or their kin—such as Bill Gates Sr. and Warren Buffett—are some of the loudest voices opposing repeal. Yet they are able to shelter their own vast wealth by creating foundations or via other crafty estate planning. Edward McCaffery, an estate tax expert at USC Law School, argues that "if breaking up large concentrations of wealth is the intention of the death tax, then it is a miserable failure."

Do the Kennedys or Rockefellers look any poorer from the existence of a tax first created in 1917? The real people who pay the levy are the thrifty middle class and entrepreneurs who've built up a modest nest egg or business and are hit by a 46% tax rate when they die. Americans want family businesses, ranches, farms and other assets to be passed from one generation to the next. Yet the U.S. has one of the highest death tax rates in the world.

By far the largest supporter of preserving the death tax is the life insurance lobby, which could lose billions of dollars from policies written to avoid the tax. The Los Angeles Times reported this week that the insurance industry is the main funder of an anti-repeal outfit known as the Coalition for America's Priorities. A coalition ad features a sound-alike of heiress Paris Hilton praising the Senate as "like awesome" for cutting her family's taxes. But this is the opposite of the truth. The American Family Business Institute has found that the bulk of the Hilton estate has long been sheltered from the IRS in tax-free trusts.

Frank Keating, president of the American Council of Life Insurers, has criticized repeal by saying: "I am institutionally and intestinally against huge blocs of inherited wealth. I don't think we need the Viscount of Enron or the Duke of Microsoft." But while he was Oklahoma Governor in the 1990s, Mr. Keating took a different line: "I believe death taxes are un-American. They are rooted in the failed collectivist schemes of the past and have no place in a society that values entrepreneurship, work, saving, and families." We can appreciate how such a marked change of views would give Mr. Keating intestinal issues.

Which brings us back to the political paradox that, even with Republicans at a low ebb, voters still support death tax repeal. A majority in both houses of Congress also supports it, so Senate Democrats can only stop repeal with the procedural dodge of a filibuster. Even at that, several Democrats are clamoring for a compromise that would take the issue off the table in November. They recall what happened in 2004 to Tom Daschle in South Dakota.

But Republicans should only accept a compromise if it lowers the death tax rate enough (to 15%) to reduce the incentive for avoidance and eliminate its punitive nature. Voters have been saying clearly and for years that they don't want a tax whose only justification is government greed and envy.

Mr. KYL. A lot of the superrich don't care. That is true. There are certain people I will not name, but they have been named, who support continuation of the tax. They have the wealth to be able to get around it with estate planning and to buy the insurance. You heard me quote from minority business owners and farmers who say they cannot afford to pay the cost of that insurance and the estate planning.

Of all of the groups, there is only one that opposes what we are trying to do, and that is the insurance industry. Why not? They make money off of it. If we are talking about special interest legislation, let's understand that the special interests we are trying to protect here are the family-owned businesses, the family farms, the minority businesses; and the special interests that are fighting us are the big insurance companies and the estate planners that make millions of dollars every year.

Alicia Munnell, who was a member of the Clinton administration, has said that the American people pay each year about the same amount to plan against paying the estate tax as the Federal Government collects in revenues from the estate tax. So in effect it is a double tax. Sure, the superwealthy don't care because they have enough money to plan against that. What we are going to do in this proposed compromise is make sure that they pay, but that the people who get caught simply because of the increased value of their property or business will not have to pay.

I also ask unanimous consent to have printed in the Record an article by Harvey Rosen from the Market Watch, dated June 8, which makes the point that the American people will benefit when we reduce the rates on the estate tax because it enables capital formation by entrepreneurs and that the economy is better off as a result of the reduction of these rates.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From Market Watch, June 8, 2006]

It Is the Estate Tax Rate That Matters

(By Harvey S. Rosen)

Princeton, NJ.—This week, the U.S. Senate is expected to turn its attention to the Federal estate tax.

Under current law, the estate tax is being phased out, with repeal set for 2010. But then in 2011 the old law is scheduled to be restored, with marginal tax rates that can exceed 50%. The old law was capricious, complex, and inefficient—bringing it back to life in 2011 would be bad policy.

While the first-best policy response would be to make repeal permanent, this option appears to be politically infeasible. An interesting alternative proposed by Senator John Kyl, R–Ariz., would make the estate tax rate permanent at 15%, increase the exemption level to $5 million, and include step-up in basis.

As the debate on Senator Kyl's and other options moves forward, it is important to focus on keeping the rate of the tax law because of the negative consequences that a high rate has on the economy.

First, a high estate tax rate has a detrimental effect on the behavior of individuals in their roles as entrepreneurs. People with large estates are disproportionately owners of small businesses—Douglas Holtz-Eakin, former director of the Congressional Budget Office and Donald Marples (GAO) estimate that entrepreneurs are three times more likely to be subject to the estate tax than portfolio investors. The estate tax in effect reduces the returns to entrepreneurs' investment. Thus, the estate tax increases the "user cost of capital"—the rate of return that an investment must make in order to be profitable. The higher the user cost of capital, the lower the number of profitable investments available to the entrepreneur.

According to the U.S. Treasury's Office of Tax Analysis, the estate tax leads to an increase in the tax rate of between 4.5 to 9%. Research on entrepreneurial decision making that I published with several colleagues suggests that a 5 percentage point increase in marginal tax rates leads to a 9.9% decline in investment by entrepreneurs. So, if we take the 4.5% tax increase at the low end of the Treasury's range, the implied decrease in entrepreneurial investment is 8.9%. Using the 9% tax rate at the top of the Treasury's range, the decrease in capital accumulation by entrepreneurs is 17.8%.

In short, changes in the user cost of capital induced by the estate tax have a substantial impact on entrepreneurs's investment spending. Given that entrepreneurial enterprises are an important source of growth and innovation in our economy, this is a very sobering result.

Second, an increase in the estate tax rate would have a negative effect on individual saving rates and wealth accumulation. Research by academic economists suggests that an increase in the estate tax rate of 10% leads to a roughly 14% decrease in net worth. Other serious studies conclude that there would be a substantial increase in saving if the estate tax were eliminated altogether.

Put this together with an observation taught in every introductory course in economics: a smaller capital stock reduces productivity and labor income throughout the economy. The clear implication is that the estate tax reduces incomes for everyone. Because of its negative effect on capital accumulation, the burden of the estate tax is shifted, at least in part, to all workers. In particular, future generations are worse off by virtue of having a smaller capital stock with which to work.

Third, arguments that high estate tax rates make the U.S. tax code more progressive are problematic. The basic assumption is that the burden of the estate tax falls entirely on the decedent—the rich dead guy takes the entire tax hit. This assumption is natural because, by law, the decedent's estate is responsible for paying the tax. However, it reflects an approach that the economics profession has rejected for at least a century. Who bears the burden of a tax depends on the underlying economic fundamentals, not on who writes the check to the IRS. When the government levied a special tax on yachts, for example, the burden fell not only on the owners of yachts, but also on the individuals who produced and serviced them. Applying the same kind of logic in this case, the most likely scenario is that the decedent will not bear the burden of the tax. Rather, he or she will simply leave a smaller bequest, because the estate tax makes wealth accumulation (saving) less attractive.

Thus, the argument made by estate tax proponents that increasing the exemption will enhance progressivity is flawed. Whatever the size of the exemption, some entrepreneurs will be hit by the tax and scale back their investment. Other individuals will simply save less. In both cases, the result is the same: workers are worse off. Any estate tax that is big enough to collect substantial revenue is also big enough to have a substantial negative effect on saving and the economy.

In conclusion, although increasing the exemption for the estate tax while retaining a high rate might appear to enhance the progressivity of the tax system, this is not likely correct. True, the typical worker has little reason to know that her weekly paycheck is smaller because of the estate tax. She may never realize that part of the burden of the tax falls on her. But conventional economic analysis suggests that these subtle, indirect effects are real, and critical to understanding the ultimate burden of the tax. As the debate on increasing the estate tax exemption moves forward, policymakers should understand that the putative progressivity of such a step is likely illusory and that reducing the rate would benefit the economy.

Mr. KYL. He concludes that "any estate tax big enough to collect substantial revenue is also big enough to have a substantial negative effect on saving and the economy. Reducing the rate will benefit the economy."

The bottom line is this: We are going to have an opportunity to vote yes on cloture to take up the House repeal bill. For those who believe in full repeal, the next vote would be to support full repeal. Presumably, that won't pass. The next thing that will happen—and the majority leader made this crystal clear, and I reiterate this commitment—is that we will have an opportunity then to vote on the proposal that Senator BAUCUS and Senator LINCOLN and Senators BILL NELSON and BEN NELSON and others of us have been working on to provide a substantial exempted amount—$5 million per spouse—capital gains rate to apply to whatever has to be paid. But when an estate hits $30 million, from then on, it gets hit with a 30-percent rate. That is a fair way to help the people at the lower end of the spectrum and yet collect the revenue from those very wealthy estates which we all agree can pay part of this estate tax.

Mr. COBURN. Will the Senator yield for a question?

Mr. KYL. Yes.

Mr. COBURN. A lot has been made that we are going to borrow money to pay for this tax. But the fact is that the amount of money not collected that is owed to the Federal Government is close to $400 billion a year. The other side of that is there is over $200 billion a year that has been proven to be wasteful or fraudulently misspent by this Government, which we condone each year. That is $600 billion.

We would not be debating this tax if we were doing our job in terms of oversight. Just in terms of improper payments, is the Senator aware of the fact that there is over $150 billion a year paid out by the Federal Government to people who do not deserve it, have not earned it, and yet have manipulated the system to get it? I am not talking about poor people; I am talking about contractors. The point I want to make is that we would not even be having a discussion on the principles of this tax because it is not needed because we are not doing our jobs in terms of oversight. There is $600 billion that would put us into surplus by $200 billion right now, including the cost of the war, if we would just do our job. I wondered if the Senator was aware of that.

Mr. KYL. Yes, because of the great work of the Senator from Oklahoma, we have been made aware of that. He has helped to lead the effort to collect this money and save the money the Government is wasting. The Senator knows that we support fully his efforts in that regard and intend to pursue it.

I will conclude my remarks by simply saying that we have an opportunity to do something very historic for an awful lot of folks in this country who deserve the relief. I hope colleagues will give us the opportunity by supporting the cloture motion when that comes up.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Madam President, this is an interesting debate, and in some ways it is very troubling. I wish to talk a little about fiscal policy and where we find ourselves.

It is almost as if this place is disconnected from what is happening. The night before last, I sat in HC–5 until about 1:30 in the morning working on the emergency supplemental appropriation request—roughly $90 billion for Iraq, Afghanistan, and a portion for Katrina. None of it is paid for; it is just emergency spending—$90 billion. This takes us to something close to $400 billion over these recent years, none of it paid for.

Not many weeks ago, we had on the floor of the Senate a proposed $70 billion tax cut. That passed. It wasn't paid for. Just cutting the revenues. I voted against that. So we are spending money without covering it. We are cutting taxes. The gross federal debt will be $8.6 trillion at the end of 2006. We will add over $600 billion to the indebtedness just this year alone in fiscal policy. We will add over $700 billion this year alone in trade deficits. That is different from the fiscal policy. Combined this year, we likely will be in debt by some $1.3 trillion. Everybody understands this is completely off track and dangerous.

So what is the business today? How about cutting some taxes again? What is going to come behind this? A third tax cut bill coming from the Finance Committee. It is unbelievable. It is almost as if somebody pulled the plug out of the socket, so there is no current coming through here by which people can think straight. You can go to the hometown café or restaurant and folks ask: What do you do next? You are choking on debt up to your neck—$8.6 trillion of fiscal policy debt this year. It is going to increase to almost $12 trillion in the next five years, we expect. So what do we do next? We say we ought to get rid of the "death tax."

But there is no death tax, of course. This is a function of a clever pollster, paid handsomely by people with a lot of money to come up with a moniker that would allow them politically to cast this into the water and have it float. My colleague spoke at great length about the "death tax." Clever, interesting, but it doesn't exist.

There is, in fact, a tax on inherited wealth in this country. Very few Americans pay it. Currently, the exemption is $2 million for a husband and $2 million for a wife. If you don't have $4 million in net assets in your family, don't worry about this issue. That is going to $3.5 million apiece, so that is $7 million. If you are not above $7 million, don't worry about it.

By the way, notwithstanding those exemptions, if one spouse dies, the other owns everything—a 100-percent exemption—and there is no estate tax. It doesn't matter what the estate is worth; the other spouse owns it. There is a 100-percent spousal exemption.

This ruse of suggesting that this is a death tax is an unbelievable. The most interesting hoax of all is this small business and family farm issue. I will tell you why it is a hoax. I came to the floor of the Senate twice and offered amendments twice. The last time I offered the amendment, it would have completely repealed the estate tax obligation of any small business and any family farm passed from the parents to the children, the lineal descendants who continued to operate it. If that family business or farm, no matter the size, were passed from the parents to the children, on January 1, 2003, it would have forever been exempt from an estate tax. My amendment would have taken that issue off the table. And 54 Members of the Senate voted against that, including the people here today crying crocodile tears over small business and family farm issues. When they had the chance to do this, they didn't want to. Why? That is not the purpose.

The purpose of this issue is to say to the wealthiest Americans that we want to help you. My colleague said we are going to craft something that is a little bit of a modification. He didn't tell you that the modification would lose some 80 percent of the money. But his real interest and the interest of most of the folks who are speaking is to repeal the death tax, which doesn't exist.

Now, we are at war, up to our neck in debt—$8.6 trillion in debt, heading toward $12 trillion in debt—with a budget policy that is completely out of control and a trade policy that is wildly out of control. What do those who have the majority in this Chamber decide they ought to do? The President, the majority in this Chamber and in the House—what is their next step? It is to cut taxes for the wealthiest Americans.

Let me tell you what Warren Buffett says about this. He is an interesting guy. He is the second richest man in the world but a really public-spirited man. He said, "If this is class warfare, my side is winning." He doesn't approve of this; he thinks this is nuts. He has an estimated worth of $42 billion. He said:

> I personally think that society is responsible for a very significant percentage of what I have earned. If you stick me down in the middle of Bangladesh, or Peru, or someplace, you will find out how much this talent is going to produce in the wrong kind of soil.

Being here is what allowed him to be successful, he said. He said, by implication, that we owe something back.

We are at war, and my colleagues have decided that the pressing priority is to remove the tax burden from the wealthiest people in this country, the ones worth billions of dollars. Franklin Delano Roosevelt said in one of his fireside chats—this in another age when we were at war:

> Not all of us can have the privilege of fighting our enemies in distant parts of the world. Not all of us can have the privilege of working in a munitions factory or a shipyard, or on the farms or in the oil fields or mines, producing the weapons or raw materials that are needed by our Armed Forces. But there is one front and one battle where everyone in the United States—every man, woman, and child—is in action. . . . That front is right here at home, in our daily lives, and in our daily tasks. Here at home everyone will have the privilege of making whatever self-denial is necessary, not only to supply our fighting men, but to keep the economic structure of our country fortified and secure. . . .

Do you see any urge at all by the majority here, by the White House, to call this country to action for some public spiritedness, about what we need to do together? We have soldiers dying on the battlefield, and we are sitting downstairs in the Capitol Building until about 1:30 in the morning appropriating money for those soldiers for their munitions, for their trucks and tanks and battleships, and we will not pay for it. The majority party says we will not pay for it. Even as we spend money, we won't pay for it. But we see that their highest priority is to cut taxes for those who are very well off.

The wealthiest 1 percent of Americans now own a bigger piece of the pie than the poorest 90 percent added together. That gap is growing. This legislation will once again decide to expand the inequality of income in this country.

Let me say this again. Those who come to this floor talking about small businesses and family farms had a chance to vote for the repeal of any estate tax obligation for any transfer of any family-owned business or any family-owned farm, and that full repeal would have been effective on January 1, 2003; and 54 Members of the Senate voted no. I daresay almost everybody speaking today in support of this legislation because they believe it will help family farms and small businesses, when they had the chance to do it, they voted against it.

And that tells you a little something about what is really at stake.

Has anybody here ever seen a hearse pull a U-Haul? Don't think so. You can't take it with you. We are on this Earth for a relatively short period of time. We are blessed to live here, a unique spot on this planet. And this, in my judgment, requires of us some responsibilities.

Oh, I know some don't want to lose anything. They want to take it all with them. But you can't take it all with you. The question is: Should at least some of the largesse that those who have been most successful in this country have accumulated in this lifetime bear a tax because most represent an accumulation of assets that never ever bore a tax? Growth appreciation of stocks that has never been taxed, should that not also contribute to this country's defense and well-being? The answer is yes.

I hope we decide to do the right thing and reject this proposal.

Mrs. FEINSTEIN. Madam President, I rise to oppose this bill. With an $8.4 trillion national debt, a budget deficit that will exceed $300 billion this year, a looming entitlement crisis, and a mounting alternative minimum tax problem, full repeal of the estate tax at this time is simply not responsible.

We have until 2010 to make decisions about the estate tax. In doing so, time will afford us the opportunity to make more informed choices, with a more complete picture of our Nation's fiscal health.

We are talking about eliminating nearly $1 trillion in Federal revenues here, during a time of war.

Now is not the time to place the interests of a small number of millionaires ahead of millions of working families.

The estate tax is already being gradually phased down under current law. By 2009, only estates valued at more than $7 million per couple—$3.5 million per individual—will owe any estate tax at all. This means that only 3 of every 1,000 people who die would have an estate large enough to owe any Federal estate taxes.

Permanently eliminating the estate tax would cost $402 billion over the next 10 years, 2007 to 2016, though it is important to note that this figure only captures the cost of 5 years of full repeal, from 2011 to 2016.

When all costs are included, nearly a trillion dollars will be lost in the first decade following repeal, from 2012 to 2021. Included in this staggering figure is $213 billion in increased interest payments on the national debt.

Federal revenues are already insufficient to fund our Nation's most critical domestic priorities.

I wish things were different, allowing a vote in support of reforming the estate tax to be cast today in good conscience.

Let me be clear. I am no fan of the estate tax. I understand how hard families work to provide opportunities and a better future for their children. Transferring assets from generation to generation motivates families to work even harder. It is unfair to place unreasonable burdens on small businesses and families seeking to provide for future generations.

I am deeply concerned about California's families who own farms and small businesses. Like many of my colleagues, I worry that they may be forced to sell a primary residence just to pay the estate tax. Our laws should not create even more hardship at a time when someone has lost a loved one.

Yet, as we consider estate tax repeal today, our Nation's fiscal outlook and the potential impact of this administration's policies are uncertain. This President has broken with his predecessors by submitting only 5-year budgets.

Why, you might ask? Especially after we were presented with the traditional 10-year numbers during this President's first year in office. The answer is that these tax cuts explode the debt and deficit in the outyears—the end of the 10-year window.

The President's tax cuts have already cost more than $1 trillion, and those enacted will be more than $3 trillion over the next decade.

Republicans just passed another round, with the lion's share once again going to the very wealthy—$50 billion to extend capital gains and dividends tax breaks over 10 years.

The Federal budget deficit will be at least $300 billion this year. The national debt is soaring. And we are at war. Never before have such expansive tax cuts been enacted or continued during a time of war.

Over the next 10 years, the debt is projected to reach nearly $12 trillion. In this year alone, our national debt is slated to increase by $654 billion. More startling is the fact that the national debt is currently more than 66 percent of our gross domestic product, GDP. The total debt equates to roughly $30,000 owed by every American citizen.

When you combine the cost of the tax cuts with spending for the war in Iraq—currently totaling $370 billion—the inevitable result is that the domestic programs that matter most are squeezed.

For example, the President's fiscal year 2007 budget makes significant cuts to programs such as food stamps, cut by $272 million; food assistance for seniors and children, cut by $111 million; COPS, which put over 118,000 police on the streets nationwide, is being cut by more than $407 million, or 15,000 officers nationwide; first responders—within Department of Homeland Security—by $573 million or 25 percent; firefighters—firefighter grant program, within Department of Homeland Security—by $355 million; Job Corps—an education and job training program for youth—by $55 million, resulting in 1,000 fewer at-risk youth being served; mass transit, by $100 million; safe and drug-free schools State grants, by $346 million; and education—the President's signature education program, No Child Left Behind, would be underfunded this year by more than $15 billion and $55.7 billion since it was enacted.

Let me explain. Most of the money the Federal Government outlays in a given year is currently not controllable. It is spent on what are called entitlements—Social Security, Medicare, Medicaid, veterans benefits. If you are entitled to these benefits, you get them.

And if you add interest on the debt—nearly $400 billion in 2006—that is about 60 percent of everything spent in a given year. So that leaves 40 percent, half of which is the defense budget and half is everything else.

There is a war going on, so it is very difficult to cut defense spending.

So while a select few are benefiting from massive tax breaks, budget cuts must be made—to the programs many Americans rely upon—to prevent uncontainable deficits.

There is a fundamental shift taking place. Republicans have become the profligate spenders, while Democrats have become the deficit hawks.

Americans deserve more responsible leadership. Leadership is about planning for the future and making the difficult decisions that ensure economic stability for our children and their grandchildren.

With the threatening fiscal demands of baby boomers retiring and the pending insolvency of Medicare in less than two decades, repealing the estate tax today would be inconceivably shortsighted.

I urge my colleagues to employ sensible leadership and understand the responsibilities we have to uphold. We have a responsibility to working families, veterans, senior citizens, children, and low-income communities.

No one will deny that this issue needs to be revisited in the coming years. We must adopt a balanced estate tax compromise, while holding the line on spending in order to restore a program of fiscal sanity. I look forward to working with my colleagues to protect small businesses and family farms, without unreasonably jeopardizing our Nation's financial well-being and our ability to help those who need Congress most.

In the meantime, I urge my colleagues to do what they know is right: encourage a more responsible fiscal course and stand in opposition to full repeal of the estate tax at this time. This is the wrong policy at the wrong time.

Mr. McCONNELL. Madam President, nothing could place more stress on a family than the loss of a loved one. Yet at such a difficult time, too many families in America today must make decisions about selling a business or a farm that has been in the family for generations in order to pay estate taxes, or, as they are more commonly called, death taxes.

That is wrong. That is why I support the repeal of the death tax—immediately, completely, and permanently. No American family should be forced to visit the undertaker and the tax collector on the same day.

We have made important progress towards eliminating this onerous tax under President Bush's leadership. In 2001, Congress began phasing out the death tax, and will phase it out completely in 2010. Yet because of our budget rules, the death tax will return in full force in 2011.

Starting in 2011, many small-business owners and their families may be unfairly penalized if we do not eliminate the death tax. We can change that by repealing one of the most destructive, unfair taxes ever conceived by government. Let's kill the death tax forever.

We ought to kill it especially on behalf of America's small businesses, the lifeblood of our growing economy. From their successes come the new jobs of today and the economic growth of tomorrow. Yet the death tax often hits small businesses the hardest.

Today, we see a dogged minority working again to keep death and taxes not just inevitable, but inseparable. But death and taxes are a destructive tag team for our economy, because the death tax destroys small businesses.

My colleague the Democratic leader said recently that during a trip home to his native Nevada, not a single one of his constituents spoke to him about the repeal of the death tax. I think he took this as some kind of proof that we should not address this issue.

Well, I want to bring to my colleagues' attention a Kentuckian who did approach me about this issue last week, when I was at the Perry County Civic Night at Hazard Community College in Hazard, KY, on May 31.

I spoke with a constituent named Bill Fields. He is the co-owner of Perry Distributors Inc., a beer distributor. Without permanent relief from the death tax, he is unable to plan for the future of his business and his family.

Bill is the third generation of his family to be active in the business, and his parents are still active in it as well. Right now, the Fields family has to pay between $15,000 and $25,000 a year for an insurance policy, just in the event that Bill's parents pass on and the family is hit with this massive death tax.

And even at such a high cost, that policy will not cover the full tax burden. Bill estimates it will only cover about 20 percent. He would have to borrow to pay the rest.

Bill says: "The way things are now, nobody knows what to do with estate planning." It's a shame, but it is true.

Now, Bill is still a young man—he is 43—with plenty of working years left in him. But one day, he will want to pass on his business to his heirs.

Unless we act, after Bill passes away, his family may have to sell the business he worked so hard to build during his lifetime just to pay these burdensome taxes. Bill's family faces the same dilemma as too many other Kentucky families who own small businesses.

Before I conclude my remarks, I want to bring to my colleagues' attention an excellent column in this Monday's Washington Post by the Senator from Alabama, JEFF SESSIONS, titled ". . . Or Unfair Burden on Families?"

The Senator from Alabama rightly says, "The death tax is almost dead. Let's put the stake in its heart."

I commend my colleague Senator SESSIONS for writing so cogently and persuasively on the pernicious effects of the death tax. I ask that his column be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 5, 2006]

". . . Or Unfair Burden on Families?"

(By Jeff Sessions)

This week the Senate is expected to vote on permanent repeal of the estate tax. With this vote, Congress will have an opportunity to finish the job it started five years ago.

The estate tax—or, as many of us prefer to call it, the death tax—is a tax imposed on the transfer of assets or property from a deceased person to his or her heirs. This is one of the IRS's most painful taxes, as it hits families at the worst possible time, when they are dealing with the death of a loved one.

Congress passed a gradual phaseout of this tax at the urging of President Bush in 2001, and it was scheduled to disappear in 2010. But because of the peculiarities of the lawmaking process, the death tax will return in 2011—at the same high rates that existed before—unless Congress enacts new legislation. In April 2005 the House passed a permanent repeal of the death tax by a vote of 272 to 162. Over a year has passed since; it is time for the Senate to act:

The list of reasons for eliminating the death tax is long. To begin with, this tax punishes thrift and saving. It tells people that it's better to spend freely during their lifetimes than to leave assets for their children and grandchildren, which will be taxed heavily by the federal government.

The death tax hits hardest at heirs of small-business owners and family farmers. In many cases, the heirs cannot afford to pay the tax and are forced to downsize, layoff employees or even sell their business or farm.

There can be no doubt that closely held family businesses that are growing and beginning to compete with the big guys are often devastated by the tax. I believe the death tax is a major factor in business consolidation and loss of competition.

This tax hurts the growth of minority-owned businesses. As the first generation of African American millionaires begins to die, many of the companies they founded will have to be sold to pay the estate taxes. For example, the tax almost forced the oldest African American-owned newspaper—the Chicago Daily Defender—out of business.

According to Heritage Foundation economists, the death tax also costs the American economy 170,000 to 250,000 potential jobs each year. These jobs are never created because the investments that would have financed them are not made, as these resources are diverted to pay for complex trusts and insurance policies to avoid the tax.

The death tax is double taxation. Most of the assets taxed at death have already been taxed throughout an individual's lifetime.

The death tax accounts for a small portion of federal government revenue, an expected $28 billion in 2006, or only 1.2 percent of federal receipts.

Many argue that repealing the death tax would decrease charitable giving, as this tax allows individuals to deduct gifts to charitable organizations. Yet, even though the phasing out of the death tax began in 2001, charitable contributions in the United States reached a record high in 2004.

The death tax even has a negative effect on the environment, as heirs are often forced to develop environmentally sensitive land to pay the tax. According to a study by researchers from Mississippi State University and the U.S. Forest Service, about 2.5 million acres of forest land were harvested and 1.3 million acres were sold each year from 1987 through 1997 to pay the estate tax.

Finally, the American people already understand the unfairness of the death tax and support its repeal. Sixty-eight percent of those surveyed in a recent poll commissioned by the Tax Foundation supported repeal of the estate tax. Moreover, the death tax was rated by Americans in the same survey as the least fair tax.

As a vote approaches, it is essential that constituents let their representatives hear now how unfair they believe this tax is. The death tax is almost dead. Let's put the stake in its heart.

Mr. ENZI. Mr. President, I want to take this opportunity to voice my support for H.R. 8, the Death Tax Repeal Permanency Act. Since coming to the Senate, I have continuously supported the repeal of this burdensome and unfair tax and am also a proud cosponsor of S. 420, the Death Tax Repeal Permanency Act and S. 988, the Jobs Protection and Estate Tax Reform Act.

I believe the death tax is fundamentally unfair because it constitutes another layer of taxation. After years of paying State and Federal income taxes and other taxes on property while trying to grow a business, the family must pay again at the time of death. This double taxation is unfair and should be eliminated.

Many small, family-owned businesses throughout my State of Wyoming cannot afford to pay the tax and are forced to close their doors. In addition, many landowners are forced to sell their property in order to afford paying this unfair tax and avoid passing on the costs to the next generation. Our country should encourage growth and investment, not force people to sell their assets. Families should not have to choose between paying taxes or operating their business just because a family member passed away. In Wyoming, we work hard, in pursuit of the American Dream, to create a better life for our children and grandchildren. Yet the death tax punishes this dream and the families who must pick up the pieces after losing a loved one.

The death tax not only hurts the families who are forced to pay the tax, it also hurts our overall economy. A Heritage Foundation study reports that repeal of this tax would create 482 jobs in Wyoming alone. While this number may not seem large to my colleagues from New York and California, 482 jobs would have a substantial economic impact for communities throughout my State. I believe we will see additional financial gains when businesses can continue their operations where previously they would have had to shut their doors.

The death tax forces families to spend thousands of dollars on estate planning. By forcing individuals and families to use vital financial resources on estate planning, money is being taken away from the family business or the family farm. When we eliminate this tax, jobs will be saved and money will be devoted to economic growth rather than extensive estate planning costs.

I urge my colleagues to support the passage of H.R. 8, which offers relief to America's hard-working families. Eliminating the death tax will bring fairness to our Tax Code as well as encourage continued growth in our economy.

Mr. OBAMA. Madam President, I rise to speak in opposition to the complete repeal of the estate tax.

First of all, let call this trillion-dollar giveaway what it is—the Paris Hilton tax break. It is about giving billions of dollars to billionaire heirs and heiresses at a time when American taxpayers just can't afford it.

My colleagues on the other side of the aisle have brought out the Paris Hilton tax break in June because they are eager to make it an election issue in November.

And I think that is fine. In fact, I am eager for the American people to choose. Because if people want their Government to spend $1 trillion—an amount more than double what we have spent on Iraq, Afghanistan, and the war on terror combined—on tax breaks for multimillionaires and multibillionaires, then the Republican Party is their party.

If the American people want to borrow billions more from foreign countries, spend billions more in taxes to pay the interest on our national debt, and watch billions cut from health care and education and gulf coast reconstruction, then the Paris Hilton tax break is your tax break.

Now let's be honest. This is not about saving small businesses and family farms. We can reform the estate tax to protect the few farms that are affected. We can set it at a level where no small business is ever affected. We can even repeal the estate tax altogether for the 99.5 percent of families with less than $7 million in taxable assets—that means families with assets almost 100 times greater than the average American household net worth.

Democrats have offered to reform the estate tax in these ways time and time again. Reform is possible in a way that doesn cost $1 trillion.

But our offers have always been refused, which can only mean that the party in power is really interested in an unprecedented giveaway to the wealthiest of the wealthy.

And don't think for a minute that there is any plan to pay for this. Every proposal to enforce pay-as-you-go rules for fiscal responsibility has been rebuffed. This tax cut will have to be paid for in the years ahead by higher taxes on working families and reduced public services in all of our communities. This tax cut will have to be paid for by higher interest rates on homes and student loans. This tax cut will have to be paid for by greater dependence on foreign countries. Alan Greenspan warned us against financing tax cuts with debt. But that is exactly what this bill does.

So I would ask the American people one question. At a time like this—a time where America finds itself deeply in debt, struggling to pay for a war in Iraq, a war in Afghanistan, security for our homeland, armor for our troops, health care for our workers, and education for our children—at a time of all this need, can you imagine opening Forbes magazine, looking at its list of the 400 wealthiest Americans, and realizing that our Government gave the people on that list far more than half a trillion dollars worth of tax breaks?

I know I can imagine that. And I would bet that most Americans can imagine that either.

This is shameful. Are we really going to cut taxes again for the Forbes 400 before we fix the alternative minimum tax which affects middle-class families? Are we really going to cut taxes again for multimillionaires and billionaires before we extend the expiring child tax credit which helps working families? Are we really going to worsen our country's financial future for all Americans just so that a tiny number of the estates—estates that average over $13 million—can escape all taxes?

There is no economic justification for repealing the estate tax and certainly no moral justification. This is politics pure and simple.

So if the Republicans want to bring up their Paris Hilton tax break to use it as an election issue later, I say go for it. Because I can think of no better statement about where and how we differ in priorities than that.

Mr. HARKIN. Madam President, I am dumbfounded that the Senate is debating yet another gigantic tax break for the wealthiest people in our society. The Republicans are pushing this latest giveaway despite the fact that we are facing a deficit, this year, in excess of $300 billion a year, despite the fact that they have run up $2 trillion in new debt since President Bush took office, despite the fact that they have increased spending by 25 percent in just 5 years' time, and despite the fact that we are spending $10 billion a month on seemingly endless wars in Iraq and Afghanistan.

The level of irresponsibility is just breathtaking. This is a tax break we cannot afford, benefitting people who don't need it. Currently, the estate tax impacts far less than 1 percent of the wealthiest families in America. And you can be sure that these are not families facing economic hardship or struggling to make ends meet.

Repeal of the estate tax would not create a single new job. It would do nothing to increase productivity or competitiveness. It would do nothing to improve the education of our children or the general well-being of the American people. No, this is a pure and simple giveaway—a bonanza for those who have already received the lion's share of the tax breaks passed over the last 5 years.

And let's be clear: There is nothing conservative about handing out tax breaks costing nearly $1 trillion, including interest, over 10 years and passing the bill to our children and grandchildren.

In his State of the Union speech 3 years ago, President Bush made this statement: "We will not deny, we will not ignore, we will not pass along our problems to other Congresses, to other presidents, and other generations." But that is exactly what repeal of the estate tax would do. It would add hundreds of billions of dollars to the already-massive debt that President Bush is passing on to "other generations." This is not only irresponsible and reckless; it is just plain shameful.

Average family farmers are being told that they need repeal of the estate tax to save them from a large burden, perhaps losing their farm to pay the tax. But this is pure propaganda. It is simply not true.

The Congressional Budget Office analysis of estate tax returns from the year 2000 showed a very different picture. It showed that if we provide a $2 million exemption, $4 million for a married couple, which is the law for this year, only 123 farm-dominated estates would have had to pay any estate tax. That is a mere 123 farm-dominated estates in the entire United States. The details of the study note that, of those farm-dominated estates, only 15—15 in the entire United States—would not have sufficient liquidity to pay the tax. Only those 15 might have to sell land—though I doubt it. Large farm operations have a range of financial options to fall back on. Moreover, as a Washington Post editorial pointed out yesterday, family farm and business estate "heirs can spread estate tax payments over 14 years, so even those without liquid assets have plenty of time to take over the farm or firm, manage it productively, and thus generate the cash to pay the tax."

Neal Harl, one of the Nation's most respected lawyers and agricultural economists, knows of no instance where a farm has had to be sold because of the estate tax. Iowa Farm groups supporting estate tax repeal have not been able to identify even one instance, so far as I am aware.

There are, indeed, some family-business-dominated estates that would have to pay some estate tax. According to the Congressional Budget Office, at the current level of exemption, there are 135 estates. Only 135 estates in the entire Nation. So why is the Senate wasting precious legislative days addressing an issue affecting only 135 estates?

There is little question that the great majority of Senators—including myself and many other Democrats—would be in favor of passing a reasonable compromise, for example a permanent exemption of at least a $2 million for an individual, $4 million for a couple that is the current exemption.

Of course, I don't want to minimize or dismiss those few instances where real farmers and small business people might have difficulty paying the tax. I do believe that it should be possible to pass family farms and family businesses from one generation to the next. Bear in mind, however, that we have had substantial estate taxes for a long time. And, the reality is that many of those who face the current tax had parents who passed on those same businesses with higher rates than they face today.

There is little question that the great majority of Senators—including myself and many other Democrats—would be in favor of passing a reasonable compromise, for example a permanent exemption of at least a $2 million for an individual, $4 million for a couple. But I challenge my Republican colleagues to tell us how they intend to make up for the revenue that would be lost if a full repeal of the estate tax is passed. The difference between a $2 million exemption and full repeal is about a half trillion in the decade after 2011. How do the Republicans propose to offset that lost revenue? What do they propose to cut? Social Security? Medicare? Education? National defense? What other taxes would they increase? Or do they intend to simply pass on another half trillion in debt to our children and grandchildren?

Based on the record of the last 5 years, the most likely option is that the debt would simply be passed on to future generations. Since President Bush took office, we have already piled up nearly $2 trillion in new debt.

It is hard to believe, but just 6 years ago, before President Bush took office, we were running huge budget surpluses. We faced the very real prospect of completely eliminating the national debt within the decade. But those bright prospects have been squandered in reckless tax cuts and out-of-control spending. We are now running record deficits. The debt tax will rise from about $600 for every man, woman, and child in America in recent years to more than $1,000 per person in 2010 according to the President's most recent budget submission.

How in the world can any responsible person who cares about the fiscal health of our Nation allow this to happen? How can anyone who believes in maintaining a ladder of economic opportunity for future generations—how can we instead saddle those future generations with a debt burden of this magnitude?

As President Kennedy said, "to govern is to choose." If you vote to support this estate tax repeal, who exactly are you choosing to help? Well, according to Congress Watch, and United for a Fair Economy, just 18 families are in the forefront of those demanding this repeal. Those 18 families, with over $180 billion in accumulated wealth, stand to gain more than $70 billion in reduced taxes in the coming years if the estate tax is repealed. They have been spending huge sums for lobbyists and media campaigns. And if they succeed in avoiding paying $70 billion in taxes, then who will get stuck with the bill?

Of those 18 families, the biggest single beneficiary of full repeal would be the Walton family, which owns a lion's share of Wal-Mart. That one family may save as much as $30 billion.

I reject that choice. I reject giving away another half trillion dollars in tax breaks to those who have already been showered with fabulous wealth and good fortune. If we are going to pass new tax breaks, let's focus on working Americans who actually need them, beginning with working parents struggling to raise their children and pay college tuition.

Last month, I met with Warren Buffet, a multibillionaire and a very savvy judge of the economy and business. He said that he is working to shift some of his investments away from the dollar. He believes that the estate tax is good public policy, and he believes that a Nation that recklessly cuts taxes while racking up huge budget and trade deficits is heading for big, big trouble.

We need to come to our senses. Let's freeze the tax where it is, or let's consider a somewhat higher exemption, perhaps $4 million per couple. But let's reject the notion that huge estates should be passed on at a tax rate lower than what hard-working people pay on their earned income.

In any case, it is unacceptable that we on the minority side of the aisle are being denied an opportunity to propose reasonable compromise alternatives. We should not move to consider this bill until we have an agreement that Senators can have an open debate, with amendments offered and voted on by each side. And if we cannot receive such a guarantee, we should vote to reject cloture.

Madam President, this bill to repeal the estate tax would give away a half trillion dollars, as compared to the law for this year. It would give away money we don't have, overwhelmingly to people who don't need it, and it would pass the resulting debt to people who haven't even been born yet. This bill, in its current form, is reckless and irresponsible. I urge my colleagues to vote against cloture. This bill certainly shouldn't go forward until we have a fair, balanced proposal allowing amendments to the bill.

Mr. ALEXANDER. Madam President, I wish to express my support for a full and permanent repeal of the death tax. This is an issue of tax fairness. The death tax can consume up to half of the deceased owner's estate. Many assets that are subject to the death tax were already taxed during the life of the deceased through income taxes, property taxes and other levies. Imposing another tax on someone's estate at the time of his or her death is a grossly unfair form of double taxation.

In 2001, Congress passed a phase-out of the estate tax with full repeal effective in 2010. If Congress does not act soon, the law will revert back to where it was prior to 2001, placing an enormous tax burden on family-owned farms and small businesses. Some families would be forced to sell the farm or business they have just inherited to pay the enormous death tax bill. This goes completely against the American dream of working hard, growing a business and some wealth, and leaving the fruits of your labor to your children.

Some argue that death tax repeal only would benefit the very wealthy. During this debate we have heard names like Bill Gates and Donald Trump. However, the death tax has a major impact on a lot of Americans who aren't household names. For example, I want to talk about Clint Callicott from Williamson County, TN. Clint's family farmed on land in Williamson County that his father owned and then Clint inherited. The farm's value began to increase due to economic growth and development in the county, so at the time his father passed away the land was worth over $1 million. Clint was forced to sell the family farm against his wishes in order to pay the large death tax, and the Callicott family had to relocate to another county.

This unfortunate story illustrates the negative effect the death tax can have on family farms and small businesses, and this example is only one of many. In Alcoa, TN, Dick Daugherty and his wife tried to plan for the impact of the death tax in the early 1990's by hiring a very expensive estate lawyer. Their hope was to preserve their family farm for their children, and they went so far as to take out an insurance policy with significant premiums to ensure there would be enough cash when the time came to pay the death tax bill. However, today the value of the farm land has increased so much due to development in the Alcoa area that—despite their best efforts to plan ahead—it now looks unlikely that the Daugherty sons will be able to afford to hold on to the land that has been in their family since 1871.

Clearly, there is something wrong with a tax system that forces people off the land that has been in their family for generations. And it is just as wrong when the tax system makes it harder for family-owned small businesses to succeed. According to one study, less than 30 percent of these small businesses survive to a second generation and only about 13 percent continue to a third generation. These small businesses face enough hurdles as it is without Uncle Sam imposing yet another obstacle in the form of the death tax.

Supporters of keeping the death tax claim that repeal would be too costly for the Treasury. However, over the last 10 years the death tax only has accounted for about 1.3 percent of all Federal tax revenue. In addition, the "costs" of repeal have been overstated because estimates fail to account for estate planning and compliance costs, the tax revenue lost when a farm or business ceases operation due to the death tax burden, or the economic growth and job creation that would be generated by freeing up capital for investment.

I mentioned the burden of estate planning and compliance costs, and wanted to share another example from my home State of Tennessee. The Anderson Family operates a crop and beef cattle farm. Mr. Anderson recognized the need for estate planning and formed a family partnership that allowed him to pass on his farm assets to his children during his lifetime. This plan is likely to minimize the impact of the death tax, and will increase the chances that the Anderson children will be able to hold onto the family business. However, the considerable legal and accounting costs involved in forming this partnership could have been better utilized elsewhere in the family business.

It is staggering to note that as much as $847 billion over the last several decades has been diverted from the economy for estate planning and compliance costs, according to a Joint Economic Committee study. Estate planning can cost individual families as much as $150,000. This money could be put to better use if it were invested in creating jobs growing our economy. According to the Heritage Foundation, it's estimated that the Federal death tax alone is responsible for the loss of between 170,000 and 250,000 potential jobs each year.

We want a tax system that encourages growth and prosperity, not one that acts as a job killer. However, anticipation of the death tax's impact on one's heirs causes many people to stop working at an earlier age, to reduce the amount of saving and investing, and to cut back on their entrepreneurial activities. Once these Americans reach a certain age, there is less incentive to further build up the estate because that simply increases the tax burden for the loved ones they leave behind.

That is not the right message to send. We should encourage the creation of jobs, new ideas, and new investment in our country. We should encourage our citizens to continue to strive for the American dream of working hard, building up their assets, and passing them on to future generations.

I am disappointed that efforts to repeal the death tax have been blocked in the Senate for the last few years, and I hope Congress will enact a full and permanent repeal.

Mr. LEVIN. Madam President, this bill to repeal the estate tax is unfair and unaffordable. Full repeal is estimated by the Joint Committee on Taxation to cost $776 billion over the first 10 years it is in full effect. And in fact that cost would be nearly $1 trillion when interest payments on the extra debt that would be required are taken into account.

Repealing the estate tax would only benefit a tiny percentage of the very wealthiest Americans among us by enabling them to pass additional millions of dollars to their heirs tax-free. It would shift an even larger share of the Nation's tax burden and debt onto the backs of average working families and our children and grandchildren.

Only a tiny fraction of estates pay the estate tax. In 2004, only 1 percent of estates in Michigan and 1.2 percent nationwide paid any estate tax. In 2006, those numbers will likely be even smaller because each individual's exemption from the estate tax will increase from $1.5 million to $2 million, with those numbers doubled for married couples. In fact, it is estimated that in 2006, just one-half of 1 percent of all estates will owe any estate tax. This percentage will continue to shrink as the exemption level rises. By 2009, when $3.5 million—$7 million for married couples—will be exempt, only three out of every 1,000 estates will owe any estate tax; that's one-third of 1 percent.

Why are the Republican leaders pressing this? Over the last decade, a massive public relations campaign funded by a handful of families has succeeded in creating the mistaken impression that the estate tax catches millions of average Americans. According to a recent report by two nonprofit organizations, Public Citizen and United for a Fair Economy, 18 families worth a total of $185.5 billion quietly financed and coordinated a 10-year effort to repeal the estate tax. The report tells how these families spent over $200 million contributing to political campaigns, financing outside lobby groups and trade associations, and creating a massive anti-estate tax coalition that served as the main coordinator of the repeal campaign.

The advocates of repeal have not been forthcoming about the billions they would save if the estate tax were repealed, but instead they have promoted stories about the effects of the estate tax on family farms and small businesses. Such family-run enterprises make up the core of the American economy and society, so it is no surprise that using them as the poster children in the campaign for repeal has been met with some public relations success. The well-funded initiative has left many with the mistaken impression that the estate tax requires many small businesses and family farms to be sold to cover the estate tax bill.

Few, if any, examples of that are ever offered, but no matter. The disinformation campaign continues. What is the reality? According to data from the Tax Policy Center, of the 18,800 taxable estates in 2004, there were only 440—or two percent—in which farm or business assets made up at least half the total value of the estate. Forty percent of these 440 farm and business estates were valued at less than $2 million and paid an effective tax rate of only 1.6 percent.

According to the Congressional Budget Office, at the upcoming exemption level of $3.5 million, only 200 farms in the year 2000 would have had to even file the estate tax, and fewer than 15 of those estates would have lacked sufficient liquidity to pay the estate tax.

From these numbers, it is clear that an exemption level and other safeguards can be set to keep effectively all small businesses and family farms from having to sell their businesses to pay the tax. That is why I hope that at some point in the near future we will be able to adopt a commonsense proposal to permanently set an appropriate, inflation-adjusted exemption level.

But proceeding to this bill at this time would not achieve that goal. The majority has indicated that if we proceed to debate this bill, consideration would be limited to a small number of predetermined amendments, each of which would set the tax rate on inherited wealth lower than the tax rate on workers' wages. Giving tax preference to inheritance over workers' wages is not the American way.

Furthermore, in the face of mounting deficits, adoption of any of the so-called compromise amendments being talked about would be fiscally irresponsible and would unfairly burden average taxpayers to make up the difference in lost revenue from the Treasury. The proposal endorsed by Senator KYL would still cost eighty-four percent of the cost of full repeal.

The estate tax was created not only to raise revenue but also to prevent the concentration of wealth in the hands of just a few families. It ensures that those who prosper so greatly in the American economic system do their fair share to contribute to our continued national well-being. Just like other Americans, the very wealthy benefit from public investment of tax dollars in areas such as defense, homeland security, environmental protection and infrastructure, and they rely even more than others on the Government's protection of individual property rights. The estate tax is not intended to discourage people from seeing to it that their children are more secure, but rather, it is aimed at helping keep avenues of opportunity open to all citizens. In the words of President Teddy Roosevelt, who proposed the estate tax: "[I]nherited economic power is as inconsistent with the ideals of this generation as inherited political power was inconsistent with the ideals of the generation which established our government."

We should make sure that our current and future tax policies consider not only the value to taxpayers of their take-home pay or accumulated wealth, but also the value to them of the essential government services that are funded by their taxes. It is not a popular thing to talk about these days, but our Nation relies on and needs tax revenues. Every day in Iraq and around the world our military needs tanks, aircraft carriers and protective body armor. We need scientists working toward cures for cancer, Alzheimer's disease and birth defects. We need teachers to educate our children so they can keep our Nation economically competitive in the next generation. We need USDA personnel to screen our meat and livestock for mad cow disease and harmful toxins. We need Government grants to help buy bulletproof vests for the cops on our streets. We need dollars to build new bridges and highways to relieve congested traffic, as well as dollars to repair potholes in existing roads.

On top of these things and many others we already appreciate, there are many other important initiatives: lowering the spiraling cost of healthcare so that all Americans can get the care and medicine they need, improving our education system so that every child grows up prepared to make a valuable contribution to our society, investing in leap-ahead energy technologies that will boost our auto industry and help end our dependence on imported oil, preserving our irreplaceable natural resources, and protecting the jobs provided by our Nation's manufacturers.

If we are to have any hope of paying for even a few of these priorities, eliminating the estate tax for the extremely wealthy is exactly the wrong thing to do. We are running record deficits and we are fighting a war in Iraq. We simply cannot afford such a massive tax cut which would push us even further into the deficit ditch. Today, each American citizen's share of the debt is almost $28,000, and as we continue to run up record yearly deficits, the country's total debt is estimated to reach over $12 trillion by 2016, which is $39,000 per person. It is not just reckless fiscal and economic policy to saddle future generations with this kind of crushing debt burden; it is morally reprehensible to pass this kind of burden to our children and grandchildren.

We need to look out for all of our citizens, not just the few who are extraordinarily wealthy. I cannot agree with policy changes that favor a handful of multimillionaires, one-third of 1 percent of our people who are the very wealthiest, at the expense of working American families and of critical national priorities. That is why I am opposed to repealing the estate tax.

Mr. KERRY. Madam President, today we are debating repeal of the estate tax. Many of us have supported reform to the estate tax in a reasonable way that will help families keep their small businesses and farms. But this debate about repeal of the estate tax has become unreasonable and fiscally irresponsible.

Some in the Republican majority are calling for full and permanent repeal of the estate tax and have referred to the estate tax as "immoral" and "vicious." I disagree. Only very wealthy Americans will benefit from the proposal before us today. It is a proposal that does not reward work, entrepreneurship, or innovation.

I also wonder why we are debating this today. The estate tax debate was postponed last fall because of Hurricane Katrina. New Orleans is still recovering and all signs point to the region being in dire need of more Federal assistance in the months to come. I believe it is still an inappropriate time to debate the estate tax. Congress just passed a $70 billion tax cut that will give those with an income of $1 million an average tax cut of $43,000. Additionally, we have had troops in Afghanistan since October of 2001 and in Iraq since March of 2003. This is a time for sacrifice, not time for another debt financed tax cut for the richest Americans.

Congress is not sending the right message by debating the repeal of the estate tax when soldiers are risking their lives and many citizens are still left homeless by Hurricane Katrina. The estate tax is simply the wrong priority.

Only a few wealthy Americans will benefit from repeal of the estate tax, but it will harm many. Repeal hurts tens of millions of Americans by shifting even more of the tax burden from those who hold wealth to those who work day in and day out to earn a paycheck. Since the proposal is not paid for, it hurts our children and grandchildren by creating billions in debt and interest that they will have to pay for. According to the Center on Budget and Policy Priorities, the total cost of repealing the estate tax for a decade would be nearly a trillion dollars. This revenue could be well spent on essential initiatives such as rebuilding the areas devastated by Hurricane Katrina, our national defense, children's health care, equitable tax reform or paying down the debt.

Repeal of the estate tax hurts millions of working families who need Congress to resolve far greater problems in our tax code, like the punishing and expanding alternative minimum tax, AMT. The AMT is levied on taxpayers merely because they have children and happen to live in particular States. Yet according to the majority leader, the estate tax—which is levied on individuals who will inherit at least several million dollars—is the "cruelest and most unfair tax." I don't see the logic in that argument and I am confident the American people can see through it as well.

My colleagues on the other side of the aisle argue that estate tax repeal is needed to help small businesses, but I bet you would not hear them discuss a provision in H.R. 8 that will result in increased capital gains taxes for small firms. Under current law when a person inherits an asset, they receive a "step-up" in basis. This means that the person inheriting the assets receives a tax basis increased to fair market value at time of death. When the person sells the property, he or she is only taxed on the difference between the sales price and the fair market value at the date of death.

H.R. 8 would limit the amount of assets that are eligible for step-up basis. Assets exceeding $1.3 million would receive "carryover" basis under which the heirs receive the same basis as the deceased owner. Assets of up to $4.3 million transferred to a spouse will receive step-up basis. Carryover basis usually results in higher capital gains taxes because tax will be owed on the difference between the sales price and the basis that the decedent had in the asset. Certain assets will no longer have step-up basis which gives heirs a basis equal to the fair market value at time of death. This change in basis will result in a greater difference between the sale price and the heir's basis.

I agree that Congress should address the estate tax in the coming years, but we need to keep in mind that the current uncertainty was created by the majority's unsound tax policy. It is because of the Republican tax policies that the estate tax is now set to disappear in 2010 and then return to its previous levels in 2011. We tried in the past to make estate tax relief permanent. In 2002, we proposed exempting estates of up to $4 billion and permanently reducing the top rate to 45 percent, but that was not acceptable to advocates for full repeal. Now the Republican majority points to the problems they created with earlier tax cuts as justification for repealing the estate tax—creating further problems, greater inequity, and more debt.

According to a July 2005 Congressional Budget Office, CBO, report, very few farms and small businesses will pay the estate tax if it is set at a reasonable level. The CBO report shows that if the exemption is set at $2 million, only 123 farms and 135 family-owned businesses would have taxable estates and even fewer would have insufficient liquidity to pay the estate tax. Even if one disagrees with the CBO report, we should all be able to agree that raising the exemption amount helps small business and farms. Proposals that exempt inheritances above $3.5 million would overwhelmingly benefit those who own stocks and other securities and really have nothing to do with helping family farms or businesses. If the exemption is increased to $3.5 million, only 0.3 percent of all estates would be affected. Many of these assets have never been taxed, given that assets of wealthy estate frequently include stocks that have never been taxed.

Often it is argued that the estate tax needs to be repealed to assist small businesses. There is no concrete evidence that a family-run business has been put out of business by the estate tax. If the AMT is not addressed it will hurt many more small businesses, but instead of addressing it, Republicans prefer to promote the myth that the estate tax shatters small businesses.

At a time when income inequality is increasing, the estate tax should not be the priority of the Senate. According to the Federal Reserve's Survey of Consumer Finances, the average net worth of an American family grew 6.3 percent while the bottom 40 percent of families' median net worth fell.

When President Theodore Roosevelt advocated an estate tax nearly a century ago, he argued that, the "man of great wealth owes a peculiar obligation to the state, because he derives special advantage from the mere existence of government." He further advocated, "We are bound in honor to refuse to listen to those men who make us desist from the effort to do away with the inequality, which means injustice; the inequality of right, opportunity, of privilege. We are bound in honor to strive to bring ever nearer the day when, as far as is humanly possible, we shall be able to realize the ideal that each man shall have an equal opportunity to show the stuff that is in him by the way in which he renders service." We should heed the words of President Roosevelt and vote against estate tax repeal.

We need to return to a tax system of fairness and equity. Our tax system should reward work and create wealth for more people; it should not be skewed to the wealthiest among us. We need to work together to find a solution to the estate tax which reflects the reality of our fiscal situation and provides certainty for hard-working families.

Mr. BOND. Madam President, 5 years ago Congress took steps to end the death tax. Now the American people expect us to finish the job.

We need to end permanently the tax that punishes American values of savings and investment and of building small businesses and family farms and ranches.

The death tax punishes the American dream—making it virtually impossible for the average American family to build wealth across generations.

The death tax is anti-savings, anti-family, and anti-investment. It is quite simply un-American.

If we don't act now, the death tax will come back in just a few years. Under current law the death tax is phased out in 2010 but comes back in full force in 2011. That is a ridiculous and untenable policy.

The death tax should be completely and permanently repealed now in order to make the Tax Code fairer and simpler and to eliminate the harmful drag this tax has on the economy.

According to the Small Business Administration, more than 70 percent of all family businesses do not survive through the second generation, and 8 percent do not make it to a third.

The death tax is one of the leading causes of the dissolution of small businesses.

It hits those who own small businesses and family farmers the most. When faced with the death tax, farmers and ranchers are in an especially tough spot with most of their assets tied up in land and buildings, livestock and equipment. This gives them little flexibility when settling estates. Unlike an investor with a stock portfolio, they can't simply sell off a block of stocks and move on.

We can all understand budget shortfalls due to a multitude of national and international events. But it is wrong to argue that we can shore up the budget by imposing a death tax on hard-working farmers and small business owners who are the backbone of the American economy.

In reality, the death tax collects little revenue, less than 1.5 percent of Federal revenue.

According to the CATO Institute, compliance with the death tax costs the economy about what the Treasury collects.

A recent study analysis in 2005 by professors at Carnegie Mellon University suggest that repeal would cause a net increase in Federal revenues through dynamic growth effects and increased capital gains receipt.

The Wall Street Journal has reported that repealing the death tax would create an extra 200,000 jobs per year.

Debate usually focuses only on the taxes that estates actually pay, ignoring the real costs this tax imposes on owners of small businesses and family farms. These include estate-planning costs, compliance costs at death, and overall economic growth.

Americans are paying millions of dollars every year to lawyers and accountants just hoping their children will not have to sell off the family business to pay the death taxes. Most small businesses and ranches will not be viable if the children have to sell off half to pay the tax.

That money would be much better spent creating jobs, upgrading family farms, or saving for retirement or a child's college education.

Eliminating the death tax is a matter of fairness.

When folks work their entire lives to build up and pass on a business or family to their children, the kids should not get hit with a huge tax when they die. That is just not the American way.

Americans overwhelmingly agree that it is wrong to tax property and earnings that have already been taxed before. Polls consistently show over 70 percent of Americans support repeal.

Let's have the courage to separate death and taxes.

Mr. HATCH. Madam President, I want to take a few moments to discuss the estate tax and explain why I support its permanent repeal.

I am well aware that many see the move to eliminate the estate tax as little more than a gift to the rich. In my home State of Utah, for instance, the Salt Lake Tribune characterized the elimination of the estate tax as nothing more than "subsidizing spoiled heiresses at the expense of everyone else."

I believe that while this is a commonly held view of the estate tax, it is an unfair and inaccurate pejorative of a principled policy position. A punitive tax on inherited wealth is in no one's best interest, least of all the people with no inherited wealth. The Tax Code should collect revenue in a way that does the least harm to economic growth, and this goal should take precedence over any desire to punish the Paris Hiltons of the world.

Without a doubt, the high estate tax rate harms economic growth.

Perhaps our tax system's biggest flaw is that it taxes the returns to investment, usually more than once. When our employer pays us a dollar, both the Federal and State governments gets their share. When we save what is left over by investing it in stocks or bonds, the government takes another bite at the apple by getting a share of the profits of the company in which we invested. And when the stock or bond delivers an investment return to us, we get to pay the tax man yet again.

The estate tax is often yet another layer of taxation on the investment. How many times does the government need a cut of our money?

At what point do we stand up and say: Don't tax more; spend less?

Because of the estate tax, people save less than they otherwise would and as a result businesses have less capital available to use to grow, expand, and create jobs. With less investment, workers are less productive and wages are lower than would otherwise be the case.

The Bush administration's signature economic achievement, in my view, has been to lower the tax on dividends and capital gains, a change that deserves much of the credit for the strong productivity growth of the past three years. This policy change greatly increased investment and the concomitant growth in output has a lot to do with the simply incredible growth in tax revenue we have seen in the past 2 years.

It now appears that we will collect 30 percent more tax revenue this year than we did just 2 years ago, according to the Congressional Budget Office. This is really incredible. Especially when you consider that the economy was headed for a free fall just 5 years ago. Our efforts to cut taxes have saved our economy over the last 5 years.

A sensible tax system should tax income just once and at a low rate. The inheritance tax does neither.

The current 46-percent estate tax rate borders on being confiscatory. Chris Edwards of the Cato Institute reports that out of the 50 largest economies in the world, we have the third highest estate tax rate.

Len Burman of the Urban Institute recently wrote that it is time for both sides of the aisle to agree that the U.S.

Tax Code should be designed solely to collect money in the most efficient way possible, so that it does the least damage to economic growth. From that beginning we can then move to address distributional issues outside of the scope of the Tax Code.

I believe this makes a lot of sense. Strong economic growth is in everyone's best interest, and we have not done a good job communicating that fact to the American people. Too often economic growth is viewed as a barrier to a cleaner environment, or stronger families, or less poverty, when in fact nothing could be further from the truth. Nearly everyone in society benefits from a more productive economy, especially those on the lower rung of the economic ladder.

The way to help the people at the bottom of the ladder is not to pull down those at the top of the ladder, but to help those at the bottom to get the education and training they need to obtain and keep good jobs.

The estate tax as it currently stands represents a barrier to economic growth, and it behooves us to remedy this situation as quickly as we can by making its repeal permanent.

Mr. BURNS. Madam President, I rise today to express my support for H.R. 8, a bill that would permanently repeal the death tax. This burden is especially harmful to many Montana farms, ranches, and small businesses. As we have heard many times in the past several days, the value of a person's estate is measured by its fair market value at the time of death.

In Montana, as you can imagine, land value has appreciated significantly in recent years. When the death tax hits, often part of the ranch or farm must be sold off to pay federal taxes. The death tax is not only about the wealthy—it harms working families in Montana who have farmed or ranched on the same land for generations, but now, due to no fault of their own, are forced to give up their way of life just to pay the tax bill.

Land appreciation in Montana is a double-edged sword. While soaring property values benefit sellers and the local tax base, for those with no intention to sell their property to the highest bidder, the death tax helps make a difficult decision even easier. We already face high out-migration from frontier counties in Montana. It is difficult enough to keep younger generations involved in the family business, but even harder when a death sets in motion a series of unpleasant financial events, including payment of this burdensome tax. I have been a strong supporter of the permanent, full repeal of the death tax. It isn't fair to families who have worked all of their lives to build assets and a way of life that then is taken away. At the very least, the Federal Government should not punish small businesses, farms, and ranches for filling such an important role vital to our economic well-being. I have spent a lot of time on these ranches, and I am here to tell you that these Montanans are some of the hardest working people in the country. By and large, they are not multimillionaires who purchase dude ranches as a pleasant distraction from the hustle and bustle of city life. These are folks who spend a lot of hot days in June swathing hay to make sure the cows are fed throughout the winter. They invest blood. sweat, and tears, often for a dwindling profit. For example, let's look at the case of Mary Jo Lane from Livingston, MT. She wrote to me, saying:

> My husband Tom operates the family ranch east of Livingston on the Yellowstone River. My father-in-law, Tom Lane, Sr. is the epitome of the American success story. His father was a first generation American and his mother was an Irish immigrant. He started ranching on his family's ranch out of Three Forks with his brother and became a cattle buyer. Through much hard work, determination and moderate living, along with a little Irish luck, he was able to buy the Livingston ranch in 1972, and his brother took over the ranch in Three Forks. Over the last thirty years Tom Sr. has been able to put together a ranching operation large enough to keep all four of his sons working on the family ranch. In addition to my husband on the Livingston ranch, his brothers operate ranches in Cascade, Harlowton and Ismay. In 1972, I am sure he never imagined what would happen to land values in this area. The ultra-wealthy and celebrities have been driving up land values which agriculturally we can never gain enough income to support. This would be great for anyone interested in selling their land, but it puts a huge burden on the family rancher interested in maintaining the dream of passing the land down to their kids and staying true to the family heritage. With these new purchasers gaining land for purely aesthetic reasons, with no consideration to generating income from the land, we just can't keep up with rising estate costs. In our case, we already know it is not a matter of if we have to sell a piece of land, but which piece to sell that will have the least effect on the operation. This issue is not purely agricultural; it flows into so many other segments of society. As you know, this land is like our factory and when part of the factory is sold, that reduces production which in turn reduces income and reduces taxes paid to the government. No matter how much the land is valued, it still requires about 25 acres to carry one cow/calf pair. Consider too, what selling out does to the small ag communities in the state that rely on ranchers to buy their farming implements, parts, fuel, etc. etc. Estate taxes have a direct impact on the environment as well. Ranches and farms keep the Western land open, limiting development and giving wildlife and people room to roam. Many people come from all over America to visit our beautiful state, but they don't appreciate the fact that the family rancher is paying quite a price to keep it that way.

This experience shows how the death tax has affected just one working Montana ranch, and makes a powerful case for permanent and full repeal of the death tax. Another Montanan called the death tax "un-American" since "ranches are having to be sold in part or entirety to pay the estate tax." This point is well taken—the death tax is not levied only against the rich, but against hard-working Montanans. Robert Rumney from Cascade, MT, wrote:

> My father has been building this family ranch for almost 50 years, and I have been working with him full time for over 25 years. This winter, we have been updating our estate planning, so that my son and I will be able to continue to work and live on this family ranch. We did research on fair market value of ranch land, and came up with a very conservative estimate of over $10,000,000 value. This included land, cattle, and presently owned equipment. All of these are absolutely necessary to continue to operate this cattle ranch. With the recreational buyers driving up the price of land far beyond its actual agricultural value, it is becoming virtually impossible to pass on a long-time family ag-operation to the next generation. What is this going to do to our nation? What is the purpose of eliminating the family-owned farm or ranch? The affluent buyers are not operating these ranches as producers, but rather using them as private hunting and fishing retreats. How are we going to feed our nation? The estate tax of any kind is going to affect all of us, not just the poor rancher or farmer who is trying to pass along his hard work to the next generation. Please don't allow this to happen. Please vote to eliminate the estate tax.

Robert's letter points to an inevitable result stemming from the death tax. If our working farms and ranches are taxed out of existence, the economic impact would extend far beyond these families, and would affect domestic agricultural production. This statement may well be a reality should the 55 percent tax rate come back in full force in 2011 without any congressional action. The death tax is unfair because it represents essentially a double taxation. Ms. Merelee Manuel from Winnett, MT, explained to me:

> Dear Senator Conrad Burns,
>
> I'm deeply concerned about the repeal of the Death Inheritance Tax. I want to explain what happened to the Gjerde Ranch. I was married to Bud Gjerde. We lost his Dad, John Gjerde. We paid the death tax on the ranch when his mother Margaret Gjerde inherited the ranch. She passed away and death tax was paid again. Bud and I bought the ranch, and then Bud passed away Feb. 3, 1975. The death tax was paid again. This took place in a time span of 10 to 12 years. The death tax was paid 3 times! We were NOT RICH. We saved and scraped and did without so that we could put some savings away for a rainy day. Guess what? It had to be used to pay Death Inheritance Tax. This is the most unfair tax of all. Income tax was being paid on this ranch every year. Please don't think it's just the rich who benefit from not having to pay death inheritance tax.

I think it's fair to say that Federal share of this ranch in Winnett was far larger than it should have been. As this letter shows, it's becoming more and more difficult to maintain the family farm in the wake of such excessive taxation. The death tax not only poses hardship on Montana's farms and ranches, but on a variety of other small businesses. Donald Dulle, Jr., runs the Flathead Beverage Company in Kalispell, MT. In a letter to me, he said:

> I am counting on you to provide permanent relief from the death tax so I may plan for the future of my business and my family. Evidence has shown that a mere one-third of family-owned business survive the next generation. Too often liquidation is the only choice for family members who have worked side by side with parents and siblings to create a business of value in order to provide certainty for generations to come. I urge you and your colleagues, Democrats and Republicans alike, to put aside your differences and demonstrate the leadership for which you were elected by putting America's family-owned businesses first.

The damaging impact the death tax has on Montana's small businesses and estate planning is widespread. This experience is not limited to just a few Montana businesses but extends across the country. In the Statement of Administration Policy dated June 8, 2006, the administration notes that "Fundamentally, the death tax penalizes savings and risk-taking, reduces capital formation in the economy, and ultimately, reduces living standards . . . The time to fix this problem is now, so American families can plan for the future without worrying about whether the death tax will reemerge."

For those of you who may be familiar with the band the Beatles, they had a song called the "Taxman." Though the lyrics were written in 1966, they still remain especially true today, even with a reference to payment of taxes at death. The lyrics say, "Now my advice for those who die, Declare the pennies on your eyes."

In the Senate, we have tried to provide relief for small businesses. Unfortunately, we were prevented from continuing work on small business health plans. I urge my colleagues to support the full and permanent repeal of the death tax to provide basic fairness to these small businesses that are the engine that drives not only Montana's economy, but the Nation's as well.

Mr. BYRD. Madam President, along with millions of Americans, I am acutely sensitive to the values of saving and hard work. Like citizens all across our country, many West Virginians devote their lives to acquiring and nurturing a family business or farm in order to pass it on to a son or daughter. These forward-looking Americans ought not to have to worry about their heirs losing the family heritage because of the demands of the tax code. While I oppose full repeal of the estate tax, I had hoped to support a compromise measure that would exempt small businesses and farms.

In order to debate the estate tax repeal, and work on an amendment exempting small businesses and farms, I had hoped to vote for cloture on the motion to proceed. However, if cloture on the motion to proceed to the estate tax bill had been invoked, a compromise would not have been possible. The majority leadership indicated an intent to immediately file cloture on the underlying bill, and then to limit votes on amendments. The Senate would have then been forced to accept legislation that could have cost the U.S. Treasury up to $1 trillion over 15 years.

If a realistic estate tax repeal is ever to be enacted, the Senate must be allowed to fully debate and amend the estate tax repeal. Such a sweeping tax repeal should not be forced down the throat of the Senate without a thorough debate and the offering of reasonable amendments. Until such time as an understanding is reached to fairly debate the matter—including the offering of amendments—I must oppose taking up the bill.

Mr. SMITH. Madam President, I would like to express my support for compromise on reforming the "death" tax. I have always been a supporter of full repeal of the estate tax. However, the votes are simply not there. For America, small businesses, farmers, and others to get the full benefit of estate planning, they need to have something permanent—and not something that is suspended in 2010. Therefore, it is critical that we come together and support a compromise on the estate tax.

I believe that the greatest issue with the estate tax relates to small businesses. In many instances, upon the death of the owner, the family needs to sell its business in order to stay in business. This is not good for our economy. It is important to remember that these earnings which go toward someone's net worth are earnings that if left in the economy would create jobs. In fact, the Heritage Foundation estimates that repeal of the estate tax could produce 240,000 new jobs per year. In my home State of Oregon, repeal would create over 3,000 new jobs. Clearly, these dollars would do far more good for our economy if they are used for employing people and investing in plants and equipment than if you take them into the Government and redistribute them through Washington.

Small business owners are out there taking the risks—and I believe they should be left with the rewards. When running a small business, there is no set calendar which guarantees you vacation or even weekends off. You are working all the time—even Christmas. Owning a small business is a hard way to go, but it is also a great way to go if you have the stamina for it. I applaud all small business owners. They are the spark plugs of the American dream. Unfortunately, they tend to be underappreciated in the halls of government. But small businesses are central to the progress of our country.

The compromise package that seems to have the most support would increase the exemption limit to $5 million. Estates valued over $5 million but less than $30 million would be taxed at the capital gains rate of 15 percent—and estates over $30 million would be taxed at 30 percent. I think this is a reasonable approach. If your estate is over $30 million, you are at a place where you can hire the expensive lawyers and purchase the insurance policies. Basically, you can plan for the next generation in ways that smaller businesses frankly find befuddling and counterproductive to their continued employment and operation of their business.

Some argue that the estate tax is important because it redistributes income between generations. But is it really the Government's business to redistribute income? My own sense is that it is better for the economy if you leave the assets at home—with small businesses and with families. In my opinion, the best redistributer of income and inherited wealth is freedom. Usually third generations will do very well or horribly—thereby redistributing income through freedom.

Lots of people also argue that very few estates are subject to the estate tax today—and they are right. In Oregon, only about 400 estates were subject to the estate tax in 2004. However, the reason that lots of estates don't pay the tax is because they are expending an extraordinary amount of money on insurance policies, lawyers, estate planners, and accountants to try to get around it. These extra fees are the equivalent of a tax for owners of small businesses and farms that need to plan ahead to avoid the tax. Secondly, I believe these resources are better spent plowing them back into businesses and investments that are more productive than just accounting and lawyering.

It is time to put the death tax to rest. I believe that reasonable people should be able to live with compromise. It will provide certainty to small businesses and allow them to keep the rewards of their hard work.

I urge all of my colleagues to support a compromise on the death tax.

Ms. MIKULSKI. Madam President, today the Senate is considering whether to repeal the estate tax. I believe strongly there are problems with the estate tax. Most importantly, it needs to be reformed so it applies to fewer people.

To ensure our Nation's economic competitiveness, government must reward thrift, hard work, and entrepreneurship. It cannot punish those who have saved and worked hard. Instead, we should support our small businesses and family farms—the engine of economic growth in America.

To do this, Congress must raise the exemption for the estate tax. In 2006, estates worth more than $2 million are subject to the tax. This is too low and subjects too many Americans to the estate tax. That exemption needs to be raised. The baby boomers are growing older and approaching retirement, and many have attained some measure of economic prosperity through their years of hard work. They should not be punished for this well-deserved success. Tripling the exemption to $6 million will make sure that the estate tax continues to target an extremely small group of very wealthy Americans. In fact, with an exemption of $6 million per person, or $12 million per couple, less than 50 of all those who pass away in Maryland in 2006 will have to pay any estate taxes at all.

At the same time, I stand for a patriotic pause, which means not passing any new tax cuts until our Nation has paid for the war in Iraq and our troops. The war in Iraq is costing us $2 billion each week. Where is the Iraqi oil that we were promised would help pay for this? There cannot be a change in our revenue stream until the war is over—or paid for by Iraqi oil. If I have to choose between a tax cut or body armor for our troops, I choose body armor. Our first obligation must be to our troops.

War is not the time to be repealing the estate tax. Americans are putting their lives on the line to serve in Iraq and too many are making the ultimate sacrifice for their country. Now more than ever, we cannot afford to repeal the estate tax. But we must reform it.

I am a deficit Democrat. The Federal Government has a $337 billion budget deficit. But that pales in comparison to our Nation's debt, which has risen to $8.3 trillion. It has been estimated that by 2015, each American family's share of our national debt will be $85,000. It affects us all.

I took the tough votes in 1990 and 1993 that led to a balanced budget. They led to the first budget surplus in a generation. But most importantly, those steps put the economy back on track and resulted in 8 years of prosperity enjoyed by all Americans. We created 23 million new jobs and increased wages. Inflation fell and unemployment dropped to historic lows.

Today, Congress must act responsibly. We should not be repealing the estate tax. We should be reforming it so it affects fewer people, protects our small businesses, and so we can keep our Nation strong and secure.

Mr. McCAIN. Madam President, let me say from the outset that I do not support full repeal of the estate tax. I have consistently voted against repealing this tax because of the impact it would have on the deficit, as well as the possible chilling affect it could have on charitable giving in this country. Having said that, I do recognize the need for commonsense reform of the estate tax structure. However, due to our serious fiscal constraints, we must proceed very cautiously on this and all other federal tax and spending matters.

In his 1906 State of the Union Address, President Theodore Roosevelt proposed the creation of a Federal inheritance tax. Roosevelt explained: "The man of great wealth owes a peculiar obligation to the State because he derives special advantages from the mere existence of government." Additionally, in a 1907 speech he said: "Most great civilized countries have an income tax and an inheritance tax. In my judgement both should be part of our system of federal taxation." He noted, however, that such taxation should "be aimed merely at the inheritance or transmission in their entirety of those fortunes swollen beyond all healthy limits."

I agree with President Roosevelt, and I remain opposed to full repeal of the estate tax. I have indicated, for several years now, that I am open to considering a reasonable compromise that addresses the concerns of those on both sides of this issue. What constituted a fortune "swollen beyond all healthy limits" in 1907 is very different from the wealth we see today. I don't think it's unreasonable to raise the amount exempted from estate taxes in order to protect America's family farms and small businesses while maintaining the tax for huge fortunes. We need to debate this issue and come to some kind of resolution. As we all know, our colleague, Senator KYL, has worked very hard for a long time to craft an alternative to full repeal. His compromise deserves to be debated and voted on.

To his credit, the majority leader has consistently indicated that, if the Senate can secure cloture on a motion to proceed to legislation dealing with the estate tax, Senator KYL would be recognized to offer his alternative proposal as an amendment. Therefore, I am voting to invoke cloture on the motion to proceed to H.R. 8 so that we can debate and vote on the Kyl alternative. In 2001, I stated that I supported "estate tax reform that will take into account the effect such reform will have on our robust charitable community. For this and other reasons, I support a $5 million cap with regard to the estate tax cut." My position remains unchanged today. Senator KYL's alternative proposal would put that $5 million cap in place. It is a good compromise and is consistent with my longstanding views on this issue.

I want to be clear. This vote should in no way be viewed as a vote in support of full repeal of the estate tax. It is not. It is simply a vote to allow debate and amendments on the issue—with one of those amendments being the alternative crafted by Senator KYL. This vote is consistent with both my longstanding opposition to full repeal of the estate tax as well as my support for a reasonable compromise. Again—I continue to oppose full repeal of the estate tax, but look forward to supporting Senator KYL's alternative proposal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, how much time is it remaining on our side?

The PRESIDING OFFICER. There is 7 minute 45 seconds remaining on the Republican side.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that the time be divided in the following way: Senators SESSIONS for 3 minutes, Senator DEMINT for 2 minutes 45 seconds, and Senator HUTCHISON for 2 minutes, and that each be notified of their time when they come to that limit.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank the Senator from Texas. Earlier this year, 26 Senators signed a letter that I produced asking Senator FRIST, the majority leader, to bring up this bill. He has worked hard to find the time, and here we are.

I recall, and I will set the record straight, that the death tax is eliminated already in the year 2010. It goes to zero. But the next year, the exemption is $1 million and the rate is 55 percent, a confiscatory rate.

The American heritage is one of savings and frugality and a belief in the right to own private property and leave that property to whomever people choose on their death. That is why overwhelmingly people who are not impacted by the death tax believe it is wrong and say in poll after poll it should be eliminated.

The cost of collecting this tax exceeds what it brings in to the Government coffers. That is the definition of a bad tax—the very definition of it. A good tax is one that is simple and fair and low cost to collect. This one is exactly the opposite, causing all kinds of gymnastics to avoid it.

Finally, and importantly, it savages growing closely held businesses. I think about one man I met traveling in Alabama. He and his sons own three motels. He met with me and told me they were paying $80,000 a year for a life insurance policy because when that father dies, it will take that much life insurance, $7,000 a month, to pay the death tax.

They are competing with the big guys—Howard Johnson's, Holiday Inn, Marriott—trying to really get up there, but every month they are paying $7,000 that could be used to pay down the mortgage on their motels and build a competitive business. That is why this tax is adversely impacting our country. It is against savings, it is against frugality.

I received a call from Robert Johnson this week, head of Black Entertainment Television. He is competing with CBS, NBC, Fox, and ABC. He is trying to do well. He has a family-held business. If something happens to him, he said there is no other African American who can buy this business. It is going to be bought up by some conglomerate.

I ask my colleagues to remember that CBS, ABC, Fox, and NBC never pay a death tax. Holiday Inn never pays a death tax. It is the small, closely held businesses that are expanding, have no cash for investing in their next new motel who compete with the big guys who have to suck out that money.

Those who want to keep estate tax claim repealing it will cost the Government too much money.

I would like to discuss this issue in some detail. They point to two Government reports—one by the Joint Committee on Taxation, or JCT, and one by the Congressional Budget Office, or CBO. Both these reports assert that repealing the death tax will reduce Government revenues by approximately $280 billion from 2011 to 2015. However, simply put, these cost estimates are not realistic.

Before discussing why, it is important to note that the JCT does not generally share the specifics of their revenue estimates, describe their methodology, or reveal their assumptions to the general public or Members of Congress. We thus must speculate exactly how JCT arrives at their revenue projections. Of course, if the JCT is so confident in the quality of their estimates, one must ask why they are reluctant to reveal their methods and assumptions.

There are many reasons to believe that revenue loss estimates by JCT and CBO regarding repeal of death tax are on the "high side." First, as Joint Economic Committee points out, JCT has estimated that the total revenue loss from death tax repeal would actually exceed revenue the tax raises. This is a curious notion, to say the least. At the time of JCT's analysis, estate tax was expected to raise $218 billion from 2011 to 2015—the 5-years after the death tax returns to its 55 percent top rate. However, JCT estimates that over that same period of time, repeal would lose $281 billion in revenue. In other words, revenue lost from estate tax repeal would equal 129 percent of the actual revenue the tax is supposed to raise. A similar pattern exists for CBO estimate where revenue lost from repeal equals 120 percent of the actual revenue it is estimated to raise. This pattern—present in both estimates—certainly begins to raise questions about these scores.

Second, passing the bill before us would eliminate the stepped-up basis rule. What is the stepped-up basis rule? Current law allows inherited assets to be valued at their current market value at the time of decedent's death. The heirs get a stepped-up basis rather than having as a basis the original purchase price. No capital gains tax is therefore applied to any increase in the value of that asset. This reduces capital gains tax collections significantly. For example, if an heir were to inherit a house valued at $250,000 that was originally purchased by her father for $100,000, the daughter would pay no capital gains tax on the $150,000 increase in the value of that home. The bill we are debating today would effectively change this to require that a capital gains tax be paid on the full increase in the asset price from the time it was originally purchased. As the Wall Street Journal pointed out this week, the JCT has calculated that changing how inherited assets are treated in terms of capital gains tax law would raise $50 billion to $60 billion a year. Most important, this $50 to $60 billion exceeds the amount of revenue the estate tax raises annually, which has only accounted for 1 percent to 2 percent of all Federal receipts over the years. In other words, the estate tax has not traditionally been a major source of revenue for the Federal Government and elimination of the stepped-up basis rule should more than cover any loss of revenue from eliminating this tax.

A 2005 study from one econometrics firm—CONSAD Research Corporation—backs up this analysis. In particular, they found that the revenue impact of permanent repeal coupled with a limited stepped-up basis rule for the calculation of estates' capital gains realizations would actually yield a small net gain in revenues through 2014.

Third, JCT and CBO scores ignore fact that existence of estate tax itself helps reduce income tax collections. For example, the estate tax encourages widespread tax avoidance, given its high top tax rate, which would return to 55 percent if we do not pass this bill. To avoid paying the estate tax, parents in high-income brackets often shift resources to their children in lower tax brackets, lowering income tax receipts. Similarly, income tax revenue is lost when transfers are made to tax-exempt groups, such as charities and family trusts.

Existence of estate tax also reduces income tax collections by reducing the amount of capital in the economy. Joint Economic Committee estimates that the estate tax has resulted in $847 billion less in savings and capital investment in the United States over the long run—in other words, investment in such assets as office buildings, retirement accounts, houses, factory equipment and so forth. Similarly, recent studies have shown that the estate tax encourages consumption rather than savings and wealth accumulation, shrinking the size of taxable estates.

In addition, according to Heritage Foundation economists, the estate tax costs our economy between 170,000 and 250,000 productive jobs each year. These jobs are never created because the investments that would have financed them are not made, as these resources are diverted to pay the death tax itself or pay for complex trusts and insurance policies to avoid the tax. If these jobs were created, each of these 170,000 to 250,000 individuals would be paying income tax, lessening revenue loss from estate tax repeal.

The estate tax also imposes an excessive compliance cost on taxpayers, again lowering income tax collections. Estate planning can be very complex, requiring the average family which engages in it to spend anywhere from $30,000 to $150,000 according to one study. It should be noted that twice the number of estates were required in 2004 to file all the death tax paperwork than actually paid the tax. Many of these filings require hiring lawyers and accountants at a significant cost to these estates. In fact, Alicia Munnell, a professor of finance at Boston College and a former member of President Clinton's Council of Economic Advisers, has estimated that the costs of complying with estate tax laws are roughly the same as the revenue raised. In particular, she has written that "in the United States, resources spent on avoiding wealth transfer taxes are of the same general magnitude as the yield." Similarly, she wrote in another article, "the compliance, or, more appropriately, the avoidance costs of the transfer tax system may well approach the revenue yields." Put another way, for every dollar of tax revenue raised by the estate tax, Munnell estimates that another dollar is wasted simply to comply with or avoid the tax.

Fourth, another reason it is safe to believe that the estimates we are discussing today are inaccurate is that, according to an analysis by the American Family Business Institute, the CBO underestimates economic growth in its analysis and thus tax revenues. Specifically, in scoring revenue loss with repeal, CBO assumes that over the next 10 years that real GDP growth will average 2.95 percent per year. This forecast is an underestimation of historical averages. Over the past 40 years, average growth in GDP is 3.20 percent; the 30-year average is 3.23 percent; the 20-year average is 3.11 percent; and the past 10-year average is 3.34 percent. If we assume a 0.1 percent per year increase in GDP growth above CBO baseline, which would keep GDP below any of the averages I just mentioned, the result is a revenue loss from repeal of only $87 billion over the next 10 years. In other words, revenue loss is more than 300 percent lower if we assume only a slightly higher growth in GDP, which is still lower than other recent 10-year GDP averages.

Finally, past estimates by JCT and CBO have been wildly off base. JCT forecast that the capital gains tax reduction enacted in 2003 would "cost" $3 billion from fiscal years 2003 to 2005.

What happened? The cut in capital gains tax rate raised revenue. In fact, tax receipts from capital gains tax are now expected to be $87 billion more than CBO originally predicted for years 2003 to 2006. Similarly, JCT estimated total revenue loss for the first year of the 2004 American JOBS Creation Act—a bill that provided several corporate tax cuts would be $4.5 billion. In reality, enactment of this law actually resulted in a revenue gain of $16 billion.

Finally, Congress reduced the capital gains rate from 28 to 20 percent in 1997. JCT estimated at that time that such a reduction would result in a revenue loss of $21.2 billion over 10 years. However, over the first 4 years following this rate reduction alone, revenues from capital gains tax were $47.8 billion more than JCT estimates.

Given all these problems with the JCT and CBO estimates, what are we to believe about the cost of repealing the death tax? Personally, I believe that even though the Federal Government may lose some revenue from eliminating the estate tax, that amount will be negligible, if the Government loses any money at all. Thus, the argument that we cannot afford to eliminate the death tax is a hollow one. Two-thirds of the American people support repeal of the death tax according to a recent survey.

It is time to follow their wishes.

The PRESIDING OFFICER. The Senator has used 3 minutes.

Mr. SESSIONS. I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Madam President, we are being subjected, once again, to the tired old Democratic song that Republicans are trying to help their rich friends, even though the other side has said only 2 or 3 out of every 1,000 Americans pay this tax. They think we are doing this to get votes. Even though they say only a small number of Americans pay this tax, the majority of Americans believe it is wrong because they know what Senator SESSIONS was just saying about a family-owned hotel chain, that it is not just those who own it who will suffer if it is broken up and sold, that it is all the people who work for it.

So the question today is really when someone dies in America, should their property and possessions go to the Government, or should it stay working in a family business or farm in producing jobs in this country?

One point I would like to make in this short period of time is, this estate tax does not benefit the average American. It does not help poor Americans. In fact, it takes their job.

Just to deal with the death tax—and we have heard these figures before—lawyer and accountant fees are from $30,000 to $150,000, life insurance policies, which Senator SESSIONS just mentioned, appraisal costs, tax preparation—the cost of dealing with this is actually much more than the revenue.

This chart reminds us that the revenue in the death tax is less than $25 billion a year, but the economic cost to our country is estimated at $847 billion in lost capital investment because of the death tax, a loss of over 100,000 jobs per year, and over $10 billion in lost income.

The American people are not stupid. They know that while this tax may hit the wealthiest of Americans, that most of us as Americans work for those family businesses or farms. It makes no sense to break up these businesses and send the money to the Government where it will not be nearly as effective in producing economic prosperity.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Madam President, how much time is remaining?

The PRESIDING OFFICER. There is 2 minutes remaining.

Mrs. HUTCHISON. Madam President, we passed a bill in 2001 that actually started lowering the death tax for a 10-year period, and then it will come back in full force. When it comes back in full force, we are going to have up to a 55-percent tax on estates that are over $1 million.

What does this mean? It means that if someone owns a farm where the property has appreciated but they cannot possibly produce enough on that farm to pay one lump sum on its value—55 percent of it—we would be breaking up family farms and ranches all over this country. That is what the death tax has been doing for years.

In fact, America has the highest death tax in the world. We say we are a country of small businesses, of family-owned businesses, entrepreneurs who have started with nothing and built something, and yet we do the very thing that hurts those small businesses. In fact, they cannot pass to the next generation. Thirty percent of family businesses today pass to the second generation; 13 percent make it to the third generation. That is because the property owned in a business is worth much more in value than it produces.

The death tax walks away from the American dream. The American dream is if you come to this country, if you work hard, you can give your children a better chance than you had. The American dream is that you can start with nothing and you can build something if you work hard and you have a good idea. But the death tax walks away from that because it breaks up that family business, it breaks up the ability to accumulate wealth, it interferes with freedom and the free enterprise in this country today.

I hope we will not throw people out of jobs, as Senator DEMINT just mentioned; that we will not prevent people from giving their kids a better chance than they had. Please vote for cloture today so that we can do the right thing for our country and promote small farms, family-owned businesses, and entrepreneurship once again.

The PRESIDING OFFICER. Time has expired.

Mr. REID. Madam President, it is my understanding that I will speak, then Senator FRIST will speak, and then we will have a vote; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. Madam President, first, I understand the people downtown and on 5th Avenue have come up with this death tax name, but this is an estate tax. If my wife or I die, there would be no tax. I would acquire the property she had and vice versa. At such time as she and I pass away, and if there is a tax—of course, we have paid no tax on any of this—when we pass away, there would be a tax perhaps. But if there was a tax, one would have 14 years to pay it.

I want all within the sound of my voice to understand that 46 million people have no health insurance, and there is not a word of debate in the Senate. Gas prices are over $3 a gallon in Nevada. Minimum wage has not been raised in years, and we are not doing anything on that in the Senate.

The Republican-dominated Congress just eliminated the tuition tax credit, a credit for which one could get a tax benefit for sending their kids to college. We are not working on that issue.

We have a deficit approaching $9 trillion, and we are doing nothing about that.

Stem cell research, to give hope to hundreds of thousands, if not millions, of Americans with diseases such as Parkinson's, Alzheimer's, diabetes, Lou Gehrig disease—we are not doing anything about that.

Prescription drugs for everyday Americans and for seniors—nothing.

Not one of these issues is before the Senate, but we are going to talk about something today that affects two-tenths of 1 percent of the people in America—two-tenths of 1 percent.

The estate tax is not high on the agenda of people in Nevada. I think we are wasting precious days on divisive issues when there are so many other matters that deserve and demand our attention. Why aren't we doing something in the Senate to address issues that affect 99.8 percent of the American people?

I haven't talked about the intractable war in Iraq. It rages on. Our soldiers continue to fight valiantly, and heroic performance and sacrifice has not been matched, I don't believe, by the fact that we have $50 million we need to spend to get the military up to the position it was in when the war started. There has been deterioration of our equipment.

With respect to health care, there are 46 million Americans who have no health insurance. I think it is a national crisis.

The national debt—I mentioned that briefly—stands at $8.4 trillion right now and is scheduled to grow to $12 trillion by 2011, double what stood when President Bush took office. The national debt represents a birth tax for our children, our children's children, and their children. The Senate is doing nothing to relieve the burden of the birth tax. Why?

Well, we know the answer. The majority, the Senate Republicans, don't intend to fix these problems because so many of them are problems they created, and they don't want to call attention to them. That is why we don't have legislation on which we can offer amendments.

So, instead, we have the estate tax on the Senate floor, the latest effort to distort, distract, and confuse Americans.

The estate tax is an extremely costly tax for a wealthy few that comes at the expense of every American born and yet to be born for decades to come. How costly? Roughly $1 trillion. And how few? Twelve thousand estates in America. We are a country of 280 million people. We are legislating here today for 12,000 people who are rich.

I think it is fair to say that Warren Buffett, George Soros, the Gateses—billionaires—they have said very clearly that this tax should remain, that it is their obligation as rich people in America who have achieved the American dream to pay these taxes. But there are a few who don't feel that way. As Senator DURBIN indicated, $800-some-odd billion by people who are pushing this legislation by running full-page ads in newspapers around the country.

Let me talk about some myths concerning the estate tax. First, some proponents of the estate tax repeal sponsored by about 18 families would have us believe that it is a fiscal-free lunch. One group, the American Family Business Institute, even claims that repealing the estate tax would increase the coffers of this country. Oh, that is so wrong.

The Joint Committee on Taxation has estimated revenue loss over the next 10 years to be about $400 billion. Even President Bush's own Treasury Department says that repealing the estate tax will reduce Federal revenues. The Treasury Department puts the loss at about $340 billion. That is only half the story.

According to the Tax Policy Center, a joint project of the Brookings Institute and the Urban Institute—these are nonpartisan organizations—the revenue loss associated with repealing the estate tax over the first full 10 years it is in effect would be $750 billion. But we have to borrow that money. So that would mean that this would be financed by China, Japan, Saudi Arabia, Great Britain, and other countries. Over half the money now that we have borrowed doesn't come from Americans; it comes from foreign countries. So that is about $1 trillion. Over 10 years, we can expect the national debt to increase by $1 trillion for 12,000 estates, two-tenths of 1 percent at the most.

The second myth is that we need to repeal the estate tax to protect and preserve small businesses and family farms. That is a myth. Very few small businesses and family farms pay any estate tax, and an even smaller fraction suffers any liquidity problems as a result of the tax. In fact, the American Farm Bureau in California, the largest farm producer in America—they grow the most, by far, of any State in the Union—the Farm Bureau was asked, Show us a single farm in California that was forced to sell as a result of the tax. They could produce not a single farm, not one.

It is a similar situation with small business. In fact, the Small Business Council of America has said that the repeal of the estate tax will actually harm most small business owners because of how it would change the tax benefits they currently receive.

A third myth. We have a compromise. If there were ever a myth about a compromise, listen to this beauty. For the first, I think it is $5 million or $10 million I read in the paper, no tax. None. Then, after you have over $5 million or $10 million, or whatever the bottom figure is, then the tax goes up to the outrageous sum of 15 percent. Over $30 million, then it goes up to 30 percent. Someone who is worth $30 million net—that is a lot of money—and it would even be more than that because you would subtract stuff to get to the net estate—they would be paying less taxes than somebody who works in Henderson, NV at one of the industrial plants. They pay more taxes, somebody working for wages, than somebody with that kind of money.

So the third myth perpetuated here by the majority is that the only way to reach a deal on the estate tax is by voting on a motion to proceed and foregoing your right to vote on all amendments, save one, drafted by supporters of full repeal, and it is a full repeal anyway. It amounts to about 85 or 90 percent of the lost revenue.

This country is bleeding in red ink. I support fiscally responsible reform of the estate tax, but anyone who knows the Senate and knows the compromise proposal will quickly see that the majority's proposal doesn't even pass the laugh test. The best way to bring Members together on a difficult issue is to let the Senate work its will. That is what is supposed to be done, with Members of both parties able to offer any amendment they choose and get a vote. Yet under the majority's offer, only the most ardent supporter of repeal of the estate tax will be permitted to draft and offer an amendment. All other Members would be denied that opportunity. That fact alone should tell people our majority friends are not serious about letting the Senate work its will to develop a true bipartisan compromise.

But it is even worse than that. No one I know has seen the actual language of the so-called compromise—only what was in the newspapers—and there certainly has not been any actual score of how much it would cost. But on descriptions of the amendment we have seen in the press, credible outside analysts have indicated this new proposal would cost about $825 billion or $850 billion. As I have said, it is 85 or 90 percent of the cost of full repeal. Only those trying to sell the people a bill of goods could possibly call something a compromise that is not a compromise when the costs are this large, are this close to full repeal.

I don't know where the term "a pig in a poke" came from, but if there were ever a description of what I think it means, that is, you have a container and you put something in it and you wind up with nothing, this is it. This is an absolute farce.

I hope this Senate will not focus its attention on two-tenths of 1 percent of the American people and leave 285 million people still wondering when are we going to get some health insurance reform, when are we going to do something for health care, stem cell research, when are we going to do something about education costs. I can't imagine that our Senate would do this with the red ink as far as you can see, and we are going to focus on two-tenths of 1 percent and leave everyone, including the folks wanting a minimum wage increase, out in the cold as they have been for years. This is unfair. I would hope that we would not vote for cloture on the motion to proceed. This is wrong.

Madam President, the majority leader is on his way. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. Madam President, Michael Caudle's father founded the Greenfield Lumber Company in Greenfield, TN in 1955. Michael's dad and his granddad spent years building that business into the trusted, reliable family business that exists today. But when Michael's dad passed away 6 years ago in 2000, the business was put on the brink. The family at that time, all of a sudden, was forced to pay nearly $400,000 in death taxes and almost had to sell the business they had worked so hard to put together to pay the tax.

Michael says he hopes to pass that lumber company on to his children and his grandchildren. It is his life. It is what he has worked for: to give them that sense of family pride and community, that pride and community that his dad had passed on to him.

But like so many American families, his dream is threatened by what has come to be known in my State as the "buzzard tax," and by people who don't see the value in preserving a hard-won family tradition, that name is appropriate.

One Tennessee couple told my office they decided not to trust their fate to the tax man. They sold their east Tennessee car dealership so that if one of them were to die suddenly, the other one simply wouldn't have to pay those exorbitant taxes; that burden wouldn't fall on their shoulders. They didn't want that buzzard picking apart that dream that they had built together.

Fred Heinecke's parents, unfortunately, didn't know about that kind of tax planning. As Mr. Heinecke of Vanore, TN wrote to the Knoxville News just this Saturday:

> Current law allows a $4 million deduction for a couple. That may be true if they die at the same time, such as in a plane crash, but not if they die separately as most couples do. I learned the hard way because my parents died a couple years apart without a trust. When my mom died in 2003, I wrote a painful check for over $300,000 to the Federal government. This required the sale of property that had been in the family for over 50 years.

Fred, like so many people, not only had to write that unexpected and huge check to the Federal Government in order to pay, he had to negotiate the sale of his parents' property at one of the worst moments in anybody's life, and that is the time of their death, the passing of his mom. As Fred's story, which is so typical and like so many other stories, illustrates, this death tax is unfair. I think that is the strongest argument of why we bring the repeal of the death tax back to the floor today. It is time to bury it. It is time for it to go.

In a few moments we will have a vote on cloture on the motion to proceed to H.R. 8, and we need to be very clear about what this vote means. A vote in favor is a vote to move forward with this important debate. A vote against is a vote to kill any chance of repealing or even reforming this onerous tax and is a vote in favor of returning the death tax to the pre-2001 confiscatory rate of 55 percent, an exemption of only $1 million per person.

Back in 2001, we passed a gradual phaseout of the death tax—real progress. Under that 2001 Economic Growth Tax Relief and Reconciliation Act, the death tax is scheduled to disappear in 2010.

But under the terms of this compromise legislation, after 2010 it comes roaring back with that tax level of 55 percent in 2011. That is why we need to act. We need a permanent fix, and that is what this vote is all about.

Last spring, the House passed a bill to make full repeal of the death tax permanent. They did so with strong bipartisan support. Over a year has passed and thus now it is time for us to act.

Americans have broadly said they support repealing the death tax. In a recent poll commissioned by the Tax Foundation, nearly 70 percent polled in favor of repeal.

With stories like Mr. Henicke's, it is not hard to understand why. We already pay enough taxes over our lifetimes, whether it is a water tax, a gas tax, a payroll tax, a utility tax, a cable tax, a property tax, a sales tax, an income tax—we are taxed every minute of our lives. We are taxed from that first cup of coffee in the morning to the time we flip off the lights at bedtime. In fact, we are taxed so much that one nonpartisan organization calculates that the first 5 months of the average American's salary is confiscated by the Government.

If you are an enterprising entrepreneur who has worked hard to grow a family business or to keep and maintain that family farm, your spouse and children can expect to hear the knock of the tax man right after the Grim Reaper.

Some on the other side of the aisle argue that the death tax is a critical stream of Federal revenue and that in any event it only hits the superrich. Neither is true. Mounting evidence shows that once widespread estate tax avoidance is accounted for, the death tax nets zero to negative tax revenue. Worse yet, the death tax may be responsible for the loss of from as many as 170,000 to 250,000 potential jobs each year.

Meanwhile, it is not the superrich who are hardest hit by the death tax; family businesses bear the brunt. The Seattle Times Company reports that 89 percent of all taxable estates filed in 1995, before the 2001 reform, were $2.5 million or less in size. What does this mean?

> A family-owned business stands to lose nearly half of all its assets when it passes from one generation to the next. That is over half of everything, including land, buildings, equipment, money and more—all because of the current estate tax law which is really a tax on death. They sell out, letting long-term employees go. Not because they want to. But because they have to. And the echo reverberates through an entire community.

Just yesterday I heard from farmers and western landowners and listened to the damage, the harm they suffered as a result of this death tax. Some of my colleagues have said that the death tax doesn't hurt farmers, but the farmers simply take a different view. Many of them are cash poor. They own land handed down from their parents. They know there is no easy way their children can continue to work the land if they are subjected to this death tax, so rather than wait for the death tax to pick apart their family farm, they make plans to sell the land in advance. That is the part of the story that never gets told. The death tax not only confiscates the honest earnings of the recently deceased, it often forces families to divest themselves of that family enterprise.

In the past, when Congress enacted a death tax, it was at an extraordinary time of war, and the purpose was to raise temporary funds. But after the war was over the death tax would go away, it was repealed. But that changed in the last century. The death tax was imposed and has never been lifted. Instead, it became entrenched and it took 90 years to roll back.

It is time to stop punishing America's entrepreneurs and job creators for saving, for investing, and succeeding. The death tax tells people it is better to consume today than to invest for the future; to consume today rather than save for the future; to spend now and leave nothing for later. That doesn't make sense. It is unfair.

On February 10 of this year I said the Senate would debate and decide the fate of the death tax. That time is upon us. I urge my colleagues to cast their vote in favor of cloture, of proceeding to allow debate on elimination of the death tax. If we do not, the death tax prevails. America's family businesses lose and so do the workers they hire and the communities they support. A vote for cloture is a vote to protect these family traditions. It is a vote for what is right, for simple fairness.

We will turn to the vote in just a few moments. Again, this is a vote on the motion to proceed to allow debate. It will require 60 votes on this very important issue. If we get 60 votes—and I hope we do get those 60 votes—I expect we will see a cloture motion on the underlying bill. If that underlying bill is not successful, I would think that we would need to gather together to have compromise legislation, and I would expect a vote on that as well.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 84, H.R. 8: to make the repeal of the estate tax permanent.

Bill Frist, Jon Kyl, Jim Bunning, Conrad Burns, Richard Burr, Tom Coburn, Wayne Allard, Craig Thomas, George Allen, Judd Gregg, Johnny Isakson, David Vitter, John Thune, Mike Crapo, Jeff Sessions, John Ensign, Rick Santorum.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 8, an act to make repeal of the estate tax permanent, shall be brought to a close? The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from New York (Mr. SCHUMER) are necessarily absent.

The PRESIDING OFFICER (Mr. ENSIGN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 164 Leg.]

YEAS—57

Alexander
Allard
Allen
Baucus
Bennett
Bond
Brownback
Bunning
Burns
Burr
Chambliss
Coburn
Cochran
Coleman
Collins
Cornyn
Craig
Crapo
DeMint
DeWine
Dole
Domenici
Ensign
Enzi
Frist
Graham
Grassley
Gregg
Hagel
Hatch
Hutchison
Inhofe
Isakson
Kyl
Lincoln
Lott
Lugar
Martinez
McCain
McConnell
Murkowski
Nelson (FL)
Nelson (NE)
Roberts
Santorum
Sessions
Shelby
Smith
Snowe
Specter
Stevens
Sununu
Talent
Thomas
Thune
Vitter
Warner

NAYS—41

Akaka
Bayh
Biden
Bingaman
Boxer
Byrd
Cantwell
Carper
Chafee
Clinton
Conrad
Dayton
Dodd
Dorgan
Durbin
Feingold
Feinstein
Harkin
Inouye
Jeffords
Johnson
Kennedy
Kerry
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Menendez
Mikulski
Murray
Obama
Pryor
Reed
Reid
Salazar
Sarbanes
Stabenow
Voinovich
Wyden

NOT VOTING—2

Rockefeller
Schumer

The PRESIDING OFFICER. On this vote, the yeas are 57, the nays are 41. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. DORGAN. I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KOHL. Mr. President, I rise to explain to the people of Wisconsin my vote this morning on the estate tax.

The arguments surrounding estate tax repeal are muddled, and I believe there are important clarifications to make. First, small businesses and farms rarely—if ever—are forced to sell off assets or close up shop to pay the tax. Under the current exemption, roughly 99 percent of estates owe nothing in estate taxes. When the exemption expands to $2.5 million, 99.9 percent of all estates won't owe a dime. According to a report by the Tax Policy Center, in 2011, with a $3.5 million exemption, only two of every 100,000 people who die that year would be subject to the estate tax.

The second explanation is of what the Senate voted on today. Today's vote was on a motion to proceed to a bill to repeal the estate tax. Not to proceed to a compromise or any other deal—but to full repeal.

I oppose full repeal of the estate tax. Our Nation can no longer afford this tax break for the very well off. I supported the 2001 tax bill because we were in a time of surplus. That is not the case today. Now we face huge deficits, deficits amplified by the war on terror and reconstructing the gulf coast. According to the non-partisan Center on Budget and Policy Priorities, permanently repealing the estate tax would add about $1 trillion to our national debt from 2011 to 2021. We cannot afford, at this time, these kinds of costs.

Nevertheless, I do support estate tax reform, and I will work with my colleagues towards that end. Responsible estate tax reform is possible and necessary. We must work to find an exemption level coupled with a tax rate that will provide significant relief, while not adding nearly a trillion dollars to the next generation's tab.

PANDEMIC FLU

The PRESIDING OFFICER. Under the previous order, there will be 25 minutes for debate, equally divided between the Senator from Kansas, Mr. ROBERTS, and the Senator from New York, Mrs. CLINTON.

The Senator from Kansas.

Mr. ROBERTS. Mr. President, I rise today with my colleague, Senator CLINTON, to talk about an issue that demands our attention and action: the potential for a pandemic flu outbreak and, more importantly, what we can do about it.

Behind me I have a picture of a crowded emergency hospital at Fort Riley, KS, during the 1918 Spanish flu pandemic. That flu eventually took the lives of more than 600,000 Americans and 50 million people worldwide. However, my colleagues may not be aware that the first human cases of the Spanish flu in the United States were discovered in my home State of Kansas at Camp Funston in Fort Riley, KS.

On the morning of March 11th, 1918, a company cook reported to the camp infirmary complaining about a bad cold. By noon, over 100 sick soldiers suffering the same bad cold also reported to the infirmary. These complaints of bad colds turned out to be the first cases of Spanish flu in America.

Within weeks, that influenza had spread to places as far away as Camps Hancock, Lewis, Sherman, and even to several hundred prisoners at San Quentin. By the summer, the flu reached around the globe, killing tens of thousands of people.

This flu was so severe and damaging that attack plans during World War I had to be altered or postponed because there were shortages of healthy men to battle. The Spanish flu continued to spread all throughout 1919. It reached its death toll of nearly 50 million people worldwide.

I yield to my distinguished colleague.

Mrs. CLINTON. Mr. President, I thank my colleague. Senator ROBERTS has outlined the impact the 1918 flu outbreak had on Kansas, our Nation, and the world. It is almost unimaginable that starting with that one company cook, 50 million people worldwide died.

I will tell a different story about a public health success. In March of 1947, the City of New York faced an outbreak of smallpox when three cases appeared at a local hospital. On April 4, New York City began a mass vaccination campaign to prevent further cases from occurring.

Behind me is a photograph of Red Cross volunteers waiting to receive a vaccination against this deadly disease. Over the next month, more than 6 million people were inoculated against smallpox, the largest mass vaccination in United States history. Even President Truman, who was scheduled to visit New York during this time, received a vaccination.

Through the cooperative efforts of local government employees, public health workers and an army of volunteers, an outbreak was averted. Vaccinations took place at hospitals, schools, and police stations. Frequent press bulletins helped to ensure that people knew what was happening and where they could go to have themselves and their families vaccinated. Our national public health system was able to respond both quickly and efficiently to contain this disease.

As the New York City Health Commissioner reported in the American Journal of Public Health later that year, never before had so many people in one city been vaccinated in such a short time and on such short notice. Thanks are due to the press and radio for giving so generously of their space and time to bring necessary information to the public. Had it not been for them and the intelligent cooperation of the public, the generosity of private physicians and volunteer workers, notably from the American Red Cross, the American Women's Voluntary Services and former Air Raid Warden groups from World War II, it would have been impossible to have achieved this remarkable record.

Senator ROBERTS and I are here today because we believe, half a century later, we face a similar public health issue. The looming threat of pandemic influenza has caused our Federal Government to begin mobilizing for when—not if—avian flu hits our shores. We are investing in research for a vaccine, stockpiling medications, and trying to develop plans for mass vaccinations.

If recent history is any indication, we may not be able to muster the same response as we did in 1947 when Americans were still on a war footing or had a mentality of working together. What is worrisome to me when I think about our country's preparedness is the fact we are not even prepared to deal with the seasonal influenza we face every single year.

Since 2000, we have had four shortages of seasonal influenza vaccine. We have seen senior citizens line up for hours to get flu shots. Unfortunately, we have seen some unscrupulous distributors trying to sell the flu vaccine to the highest bidder. Millions of Americans have chosen not to get vaccinated, despite the clear preventive effects of the vaccine.

This is something we want to stress and that Senator ROBERTS and I have been working on together to try to come up with some practical solutions. This is a matter of preparedness, not a partisan issue. This is a matter of planning. It is a matter of ensuring that our health care system can respond both to the annual flu outbreak and to the threat of a pandemic flu. We believe we have a lot of work to do.

Mr. ROBERTS. As Senator CLINTON has highlighted, the need to be prepared for both seasonal flu and a potential avian flu pandemic is absolutely critical. Some believe the potential avian flu outbreak could be as lethal as the 1918 Spanish flu. One cannot watch or read the news without a report on the concern of flu reaching our shores.

In reality, human cases of avian flu have been discovered in 10 countries. Three years ago there were only three confirmed cases of avian flu in humans. Today these numbers have grown to over 224 human cases, 127 deaths.

In February, I took part in an avian flu exercise at the National Defense University. That exercise was called Global Tempest—aptly named. The exercise simulated a worst-case scenario flu pandemic, and participants from several Federal agencies, and Members of Congress, took part in the event. We all served as advisers to the President.

The exercise showed firsthand how quickly our public health system and real critical infrastructure services can be simply overwhelmed, how communication can easily break down and how panic can take hold amongst the public. We were forced with the difficult decision of having to determine where limited medical supplies and personnel should be targeted, how the Federal Government can sustain the private sector and try to mitigate the real economic effects of the pandemic, and if and when the Department of Defense should be called in to assist with the civilian efforts.

This Global Tempest exercise and experience, along with understanding the strength and the force of the Spanish flu in recent natural disasters such as Hurricane Katrina, have taught us a valuable lesson. We must be prepared at all levels to deal with the large-scale public health emergency such as the pandemic flu. This system must be able to respond in any type of crisis. But, more importantly, this system must be ready to respond before the crisis begins.

As chairman of the Senate Committee on Intelligence and a member of the Senate Agriculture and Health, Education, Labor, and Pensions Committees, I take the threat of a flu pandemic seriously and view it not only as a public health concern but a concern in regard to our national security.

Senator CLINTON is a fellow member of the HELP Committee. She shares these concerns. However, we do not want to stand before our colleagues and our constituents, those watching today, and cause panic or alarm. There have been no cases of the avian flu virus in the United States, nor has there been a human transmission of the disease in a form that could fuel a pandemic. Instead, we stand together before all of our colleagues hoping to motivate them to take the necessary steps to make sure we are adequately prepared, should avian flu take hold in the United States. We believe there are some weaknesses in our system that we must strengthen so we can respond to a crisis.

Last week, I hosted a pandemic flu planning conference in Kansas with Senator BROWNBACK and Governor Sebelius. The conference included other Federal, State, and local officials, the business community, university, health providers, hospitals, school administrators, many other stakeholders who came together to make sure that Kansas is prepared in the event of an influenza pandemic. We identified the steps that must be taken at the State and local level to plan for and respond to a flu pandemic.

At the Federal level, Senator CLINTON and I took the lead last October and introduced legislation to help strengthen our Nation's flu vaccine system. The Influenza Vaccine Security Act takes a comprehensive approach and includes several provisions to improve our vaccine market and delivery system for the seasonal flu. It also provides the framework that is absolutely critical during a pandemic flu.

Mrs. CLINTON. Senator ROBERTS is absolutely right. We believe it is critical to ensure that our basic seasonal flu vaccine production and distribution system is capable of delivering vaccines to all who need them, especially with the threat of an avian flu pandemic moving over us. Thousands of people die in our country every year from seasonal flu. It makes sense to us that we need to get that system absolutely as efficient as it needs to be so that then we could handle a rapid vaccine production, mobilization, and delivery challenge in the event of pandemic flu. Because we don't have a system through which to track vaccines, we cannot ensure that supplies reach the highest priority populations—including seniors and the chronically ill, those who should get vaccinated as early as possible in any given flu season. Many physicians and other providers have contacted us to express frustration at their continuing inability to accurately predict at which point they may be able to provide needed supplies of influenza vaccine to their patients. We do this in other parts of our economy. We routinely use tracking devices to trace deliveries of other goods in the private market. But yet we still cannot predict when a vaccine order placed in the summer might actually be provided to a doctor's office or a hospital or another place where the flu vaccine can be administered.

Our legislation, the Influenza Vaccine Security Act, would establish a tracking system through which we could better trace the distribution of vaccine from the factory to the provider, and we could identify counties with high numbers of priority populations. Then with that system in place, we could easily determine, in times of shortage, where the vaccine was most needed and facilitate distribution to those areas. All of this could take place in a matter of hours, rather than days or weeks, as it does now.

The tracking system in our legislation builds upon the current private system of distribution. It has received support from vaccine manufacturers and public health groups. Linking information through a national database can be done in a manner that does not jeopardize free-market competition but actually assists it.

It simply makes sense to establish a tracking system for vaccine distribution that can be used in both seasonal and pandemic events, to have that system already operational rather than to rely on untried mechanisms in emergency situations when we would already be facing all the multiple challenges of delivering health care.

We recognize that many entities in our States as well as around the country may not have the technology or infrastructure in place for a vaccine tracking system. That is why our bill also creates a demonstration program that authorizes the Centers for Disease Control, working together with State and local health departments, to provide demonstration grants to health care institutions to assist them in information technology upgrades to allow these institutions to improve their ability to report and track flu vaccine dissemination.

Mr. ROBERTS. Senator CLINTON and I also recognize the very critical need for domestic-based vaccine manufacturers and an increased production capacity in the event of a flu vaccine shortage or some kind of a public health emergency that would require a mass need for vaccines or any other countermeasure. That is why our bill improves the ability of the current manufacturers to remain in the U.S. market and encourages more companies to enter the market with domestic-based production facilities. We provide grants to manufacturers for technical assistance from the Food and Drug Administration and grants for capital improvements in technology or production capacity.

Our bill also addresses the need to quickly find the medical professionals in the event of an emergency. We require the Centers for Disease Control and Prevention to work with our State and local health departments to develop a registry, if you will, of medical personnel who can provide services during a public health emergency. Such a system was required under the Bioterrorism Act passed by Congress 4 years ago. But there is still no working system in place. This is unacceptable. We must have a system that can easily identify doctors and other health professionals who can assist during a public health emergency—that is common sense—especially during an emergency that affects many areas across State lines. This will allow our Federal, State, and local officials to move quickly and efficiently to provide Medicare to those in need.

During Hurricane Katrina and its aftermath, I heard from many doctors and other health professionals across Kansas—I am sure the Senator from New York did as well—who wanted to volunteer their time in the gulf coast area. However, their desire to help those in need was hampered by the inability of Government officials to easily identify a doctor who was credentialed or other health providers from other States who could provide care. This is why Senator CLINTON and I now stand before our colleagues to stress that we can no longer wait for the development of such a registry of medical personnel. We are working and will continue to work with the HELP Committee to make sure this is a priority in the bioterrorism reauthorization.

Mrs. CLINTON. Senator ROBERTS and I also believe that reforming the flu vaccine system requires increasing demand for vaccinations. This bill increases the funding for CDC's educational initiatives and sets up grants through State and local health departments, in collaboration with health care institutions, insurance companies, and patient groups, to increase vaccination rates among Americans but particularly among priority populations—the elderly, the chronically ill, and those for whom the seasonal flu is a particular risk. We have made progress. Between 1989 and 1990, flu vaccination rates among senior citizens doubled from 33 percent to 66 percent of the population. But we need to get those numbers up even higher to try to meet the Healthy People 2010 goal of having 90 percent of our seniors receive an annual flu vaccine. We have to get more information out to people about why this is important.

This is especially critical if we are confronted with pandemic flu. Many people last year wanted to get a seasonal flu vaccine, because they thought it would protect them against pandemic flu. The information was not clear. It wasn't getting out in the right ways. We need to do more to help find reliable sources of information in communities.

I want to add another point about the funding for research that we are advocating. We think we should have new vaccine-based technologies, such as cell-based technology. We rely on production methods that haven't kept pace with the advances in medical science. In order to make a vaccine today, strains of influenza virus are cultivated in chicken eggs. That is a nonsterile environment. Many of the contamination problems we have seen over the last several years have resulted because of this cultivation process. Although we still have to rely on this technology, Senator ROBERTS and I would like to expedite the efforts to increase research into safer, faster, more reliable methods of vaccine production.

I have to emphasize again, however, it is not research alone that will help us. We can't do great research in the laboratory but then not know where the vaccine is, how to track it and to get it where it needs to be, how to have good information sources. Senator ROBERTS discussed the war game he participated in. There was a lot of confusion. We are trying to cut through that to couple research efforts with the development of a system to track and distribute both seasonal and pandemic influenza vaccine.

Mr. ROBERTS. Over the last several months, the distinguished Senator from New York and myself have worked with our colleagues in the HELP Committee to include the provisions of the bill we discuss today in the Public Health Security and Bioterrorism Preparedness and Response Act—the reauthorization of that bill—or the BioShield II bill to be considered by the committee and the full Senate.

I thank especially Senators BURR, ENZI, and KENNEDY, and their staffs for their willingness to work with us. Senator CLINTON and I strongly believe that the provisions of the bill we discuss today are absolutely relevant and critical to these discussions.

We hope—it is not hope; we are going to insist—that these provisions will be included in any legislation approved by the committee and Senate. As a matter of fact, were it parliamentarily correct, I would ask unanimous consent that the bill be read three times and passed now. We are thankful for all the attention and focus on planning for a pandemic flu, but we also believe a few more steps need to be taken to make sure we are ready. This is why we are urging our colleagues to consider our legislation, the Influenza Vaccine Security Act, and support our efforts on the bioterrorism and BioShield II bills.

I thank Senator CLINTON for her hard work, dedication, and leadership on this issue. I urge my colleagues to think about this and to support this legislation.

I yield the floor.

Mrs. CLINTON. Mr. President, I thank Senator ROBERTS. He brings to this issue the concern that he faces every day on the Intelligence Committee. I agree with him absolutely. This is a national and homeland security issue, as well as a health and economic one. I hope, working with our colleagues on both sides of the aisle in the HELP Committee, we can ensure that the provisions from our legislation will be included within the reauthorization of the bioterrorism and public health emergency legislation. We believe an ounce of prevention is truly worth a pound of cure. We stand ready to work to move this as quickly as possible so we can get a system in place that we can then work on during seasonal influenza time and be prepared for a pandemic flu.

I thank Senator ROBERTS and yield the floor.

NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2005—MOTION TO PROCEED

The PRESIDING OFFICER (Mr. ALEXANDER). Under the previous order, the Senate will resume consideration of the motion to proceed to S. 147, which the clerk will report.

The bill clerk read as follows:

Motion to proceed to S. 147, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

The PRESIDING OFFICER. Under the previous order, the time until 12:45 p.m. will be equally divided between the two leaders or their designees.

The Republican whip.

Mr. McCONNELL. Mr. President, the history of America has been one of racial inequity, followed by a long but sure path to reconciliation. At the time of this country's founding, a person's race could determine whether he lived in freedom or in slavery.

Fifty years ago, race could still determine where a person could live, what water fountain he could drink from, or what kind of life he could lead.

Today, thankfully, that is no longer true. We have recognized that nearly every time our Government has taken race into account when dealing with its citizens, the effects have been detrimental, if not devastating; and for that reason, as President Kennedy once said, "Race has no place in American life or law."

Unfortunately, today, the Senate is considering a bill that would wreck the progress we have made toward a colorblind society.

S. 147, the Native Hawaiian Government Reorganization Act, would not only direct the Government to establish a government based solely on race, it would also seek to confer preferences based on race. It violates the letter and the spirit of the U.S. Constitution, and it must be opposed.

When I say the bill violates the U.S. Constitution, I am referring specifically to the 14th amendment, which was ratified in 1868, after the Civil War, to address unequal treatment based on race.

The 14th amendment reads:

> All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.
>
> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States . . . nor deny to any person within its jurisdiction the equal protection of the laws.

The 14th amendment was quite clear. The way this bill tries to maneuver around its unconstitutionality is by classifying Native Hawaiians via the Federal Indian law system, and creating a new "tribe" of Native Hawaiians.

But this new "tribe" is a shell game. Native Hawaiians have never been viewed as an Indian tribe, including when Hawaiians overwhelmingly voted for statehood in 1959.

As recently as 1998, the State of Hawaii itself acknowledged that the tribal concept has no historical basis in Hawaii. Specifically, in Rice v. Cayetano, the State of Hawaii wrote the following in a brief to the U.S. Supreme Court. This is what the State of Hawaii had to say at that time:

> For the Indians the formerly independent sovereign entity that governed them was the tribe, but for Native Hawaiians, their formerly independent sovereign nation was the kingdom of Hawaii, not any particular tribe or equivalent political entity. . . .The tribal concept simply has no place in the context of Hawaiian history.

That was in the brief of the State of Hawaii itself in a case in 1998.

Mr. President, the Senate should be an institution that brings America together. Let's not tear apart our common identity as Americans. We should not use this fiction of Indian tribe status for Native Hawaiians to divide our country.

By the way, have I mentioned that not even the people of Hawaii support this bill? According to a poll conducted by the Grassroot Institute of Hawaii, 67 percent of Hawaiians oppose it—two-thirds of the State. Hawaiians overwhelmingly oppose this bill, based upon those survey results.

The U.S. Commission on Civil Rights conducted public hearings on S. 147. They oppose it and recommend against its passage. They oppose it because they believe it is racially discriminatory and divisive. This is what the Commission on Civil Rights had to say about this measure:

> The Commission recommends against the passage of the Native Hawaiians Government Reorganization Act . . . or any other legislation that would discriminate on the basis of race or national origin and further subdivide the American people into discrete subgroups accorded varying degrees of privilege.

And it should be pointed out that it seems that private interests who commented on the bill opposed it, with only institutional interests submitting comments in support of the bill. Only institutional interests have advocated for it. But the people, it seems, do not want it.

That includes even some Native Hawaiians. One person who testified before the commission was a Hawaiian named Kaleihanamau Johnson. She told them:

> I am of Hawaiian, Caucasian and Chinese descent . . . and do not support the Akaka bill.

Ms. Johnson went on to say that if this bill passes:

> I will be forced to choose on which side of the fence to stand. I will choose the Anglo-American tradition of the right to life, liberty, property and the pursuit of happiness. This will prevent me from recognizing all that is Hawaiian in me. I consider the Akaka bill to be a proposal to violate my rights.

Let me share some of the testimony of advocates of Hawaiian statehood from half a century ago. These comments show that Hawaiians entered the Union with the expectation of being equal to any other of our States. Overwhelmingly, Hawaiians were eager to be Americans. Senator Wallace Bennett of Utah, the father of our good friend, the current Senator from Utah, said in 1954:

> Hawaii is literally an American outpost in the Pacific, completely reflecting the American scene, with its religious variations, its cultural, business and agricultural customs, and its politics.

And former Interior Secretary Fred Seaton wrote to a Senate committee in 1959:

> Hawaii is truly American in every aspect of its life.

I sure hope that is true, in the sense that being American means we do not define and divide people by race, but we transcend that. Every American, regardless of race, has equal freedom to excel. That is why we attract people of all races, from all over the world, who leave behind what they have known and start new lives here.

Because we are a multiracial, multicultural society, and because of the misfortunes that have transpired when this country has looked at its citizens through the prism of race, we must not turn racial preferences into law, as this bill would have us do.

I believe the way forward for our country is for the Government to focus less and less on race, not more and more. To treat people differently based on race implies that, on some fundamental level, race defines who we are.

I believe history has shown that idea to be bankrupt. And I believe that America has led the way in proving it so.

Let's do our best to get this country to a point where race truly has no place, not when it comes to our Government, or to our promise of equal justice under the law.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, how much time remains on our side of the aisle?

The PRESIDING OFFICER. Twenty-one minutes.

Mr. CORNYN. I ask unanimous consent that I be allotted 10 minutes out of that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, yesterday, when I came to the floor and spoke on this legislation—the so-called Native Hawaiian legislation—I indicated that I had profound concerns about the constitutionality of the bill. I might add that it is not sufficient for Members of Congress to say that the courts will clean up the mess after we pass the bill. Indeed, it is our responsibility to uphold and defend the Constitution as Members of the Senate.

Yesterday, we heard a few hours of discussion from both those who support and those who oppose the bill. I have made no secret of my opposition. Simply put, I cannot and I will not support a bill the purpose of which is to divide America and is based upon race, and which is clearly contrary to our fundamental American principle of equal justice under the law.

The bill would create a separate race-based government for Native Hawaiians to the exclusion of all other Americans. And because of its very focus on race, the legislation creates particularly troublesome constitutional problems. In fact, it appears to be designed to be an end-run around the U.S. Supreme Court decision in the year 2000, in Rice v. Cayetano, a Ninth Circuit Court of Appeals decision which has struck down the practice of segmenting Hawaiians based upon race. I mentioned the 2000 decision in Rice v. Cayetano. That was a 7-to-2 decision which struck down the ancestry requirements for voting for the Office of Native Hawaiian Affairs trustee elections. The Court found that because ancestry was a proxy for race and the election was an affair of the State, it was in violation of the Constitution, and particularly the 15th amendment to the Constitution.

Justice Kennedy, writing for the majority, makes clear why the very purpose of S. 147 creates broad constitutional concerns:

> One of the reasons race is treated as a forbidden classification is that it demeans the dignity and worth of a person to be judged by ancestry instead of by his or her own merit and essential qualities. An inquiry into ancestral lines is not consistent with respect based on the unique personality each of us possesses, a respect the Constitution itself secures in its concern for persons and citizens.

Some say this bill simply equates Native Hawaiians to Indian tribes. But Congress cannot simply and arbitrarily create Indian tribes where they don't exist. The Constitution does not authorize Congress to make Indian tribes out of subsets of Americans who have no relationship whatsoever to an Indian tribe. The Supreme Court has been clear that Congress may not insulate a program from the Constitution's strict scrutiny for legal distinctions based upon race by "bring[ing] a community or body of people within the range of this [congressional] power by arbitrarily calling them an Indian tribe."

In addition, the 14th amendment precludes the use of race in making appointments—something clearly contemplated by this bill. This bill perhaps most clearly raises constitutional concerns in its direct contravention of the Supreme Court ruling in Rice. The legislation would require that the Department of the Interior manage a special election in which eligibility depends entirely on race. As I have pointed out before, the Court made clear that racial restrictions relating to Native Hawaiians is prohibited by the 15th amendment.

In summary, in its attempt to pigeonhole Native Hawaiians as equivalent to an Indian tribe and to create a governmental entity based entirely on race, S. 147 runs counter to the express letter and certainly the spirit of the Constitution.

Unfortunately, despite these clear constitutional problems, it seems that some in the Senate are content to acquiesce—to accept passing an unconstitutional bill, while passing the buck to the courts to bail us out. Yet just 2 days ago, my colleagues on the other side of the aisle were talking about what they thought was "wasting time" on defending marriage, a basic institution—perhaps the most basic institution—in our society.

And yet they are willing to spend a week debating a measure that has little chance of passing and that flies squarely in the face of the Constitution. I find these inconsistencies difficult to reconcile.

The sponsors of this legislation last year wrote a Dear Colleague letter that suggests that any constitutional inquiries should be left to the courts, the implication of which is Congress should not concern itself with the bill's constitutionality. I could not disagree more.

When I came to Washington, I, like the rest of my colleagues, swore an oath to defend and uphold the Constitution of the United States. That pledge is non-negotiable and does not allow, much less require, me or any Member of the Senate to defer our obligations to pass legislation that reasonably appears to be within the four corners of the United States Constitution.

Congress is required to uphold the Constitution, as are judges. More importantly, it is imperative that we pass legislation that furthers the principles of the Constitution rather than dissolve them. A constitutional commitment to equal justice for all would be undermined should we choose today to endorse the creation of a race-based government. This is not a question that should be passed off to the courts. We should decide right here and right now.

I urge my colleagues to vote against cloture on the motion to proceed. If they are serious about working on issues that really matter, I urge them to allow the Senate to move on to consider other pressing business.

I yield the floor.

The PRESIDING OFFICER (Mr. MARTINEZ). Who yields time?

The Senator from Hawaii.

Mr. AKAKA. Mr. President, I encourage my colleagues to vote with me to invoke cloture on the motion to proceed to S. 147, the Native Hawaiian Government Reorganization Act of 2005.

I begin by expressing my deep appreciation to the cosponsors of this legislation and to the Senators who spoke in support of bringing this bill forward for debate. I especially thank the Senator from Illinois, Mr. OBAMA, and the ranking member of the Indian Affairs Committee, Senator DORGAN, for their support.

I also thank the Senators from Alaska who shared their experiences encountered 35 years ago when Alaska Natives sought to address similar issues when Congress enacted the Alaska Natives Claims Settlement Act.

It is ironic that the same arguments used against that bill, which has been incredibly successful and has served to unite rather than divide the people of Alaska, are being used against our efforts today to bring parity in Federal policies to Hawaii's indigenous peoples.

Beginning with the debates of the Continental Congress and continuing in the records of discussion and correspondence amongst the Framers of the Constitution, it was recognized that the aboriginal indigenous people who occupied the lands now comprising the United States had a status as sovereigns that existed prior to the formation of the United States.

Based upon the recognition of that preexisting sovereignty, the U.S. Constitution, article I, section 8, clause 3, vests the Congress with authority to regulate commerce just as with foreign nations in numerous rulings of the last 215 years. The U.S. Supreme Court has repeatedly held that legislation enacted to address the special concerns and conditions of the native people of the United States is constitutional and does not constitute discrimination on the basis of race or ethnicity because the sovereign status of the Indian tribes is a basis for the government-to-government relationship that tribes have with the United States.

The court has consistently drawn a distinction between legislation that addresses the conditions of native people of the United States and legislation that addresses conditions of specific groups whose members are defined only by reference to their race or ethnicity.

According to the court decisions, the United States has a political and legal relationship with Indian tribes that is not predicated on race or ethnicity but, rather, on sovereignty.

The status that the Constitution recognizes in Indian tribes was later extended to Alaska Natives in their capacity as aboriginal indigenous people of the United States, and it is on that same basis that the Congress has enacted legislation for aboriginal indigenous people of Hawaii.

I know the senior Senator from Hawaii, Mr. INOUYE, is going to address this more when he speaks, but I want to comment on a disturbing conclusion that was made by some of my colleagues yesterday.

Somehow efforts to recognize Native Hawaiians are perceived as un-American. Native Hawaiians are proud—proud—to be Americans. A number of Native Hawaiians in the Hawaiian National Guard returned from Operation Iraqi Freedom this spring, after having spent 18 months away from their families. Some of our most celebrated heroes who have died in the war have been Native Hawaiians. It is offensive to me as a veteran and as a Native Hawaiian that my efforts to ensure justice and parity for Hawaii's indigenous peoples are being characterized as un-American. I beg to differ.

A federally recognized native government does not cause an indigenous person to lose his or her status as an American citizen. The concepts are not mutually exclusive. I remind my colleagues of the 556 native governments that have federally recognized government-to-government relationships with the United States. I don't see anyone characterizing our Native American brethren as being un-American. To do so in this case is another injustice to indigenous peoples, not only from Hawaii but from our great Nation.

The Senator from Tennessee, a good friend whom I admire, argued yesterday that this bill is about sovereignty. I agree, it is about sovereignty within the bounds of existing Federal law. The political and legal relationships between Native Hawaiians and the United States already exist, as evidenced by the 160 Federal statutes that have been enacted to address conditions of Native Hawaiians.

The Federal policy of self-governance and self-determination allows for a government-to-government relationship between indigenous peoples. This is not new. It exists right now between the United States and 556 native governments. The continued representation of this bill as unprecedented new action is just plain wrong.

Native Hawaiians are the indigenous aboriginal people of the lands which now comprise the State of Hawaii. Prior to their overthrow, the native government, the Kingdom of Hawaii, was recognized by the United States. The fact that the kingdom included non-natives within its government does not make it a non-native government. It is clear that the Kingdom of Hawaii was a preexisting native Government.

Hawaii is the homeland for Native Hawaiians. That is what makes them different from other ethnic groups. That is what makes them like the 556 native governments that are federally recognized and engaged in a government-to-government relationship with the United States.

This bill embodies the goals of this Nation—fairness, justice, liberty for all. A federally recognized government-to-government relationship with the United States does not make Native Hawaiians un-American. Being Native Hawaiian and American are not mutually exclusive, no more than being an American Indian or Alaska Native and being American.

Mr. President, 556 native governments enjoy this relationship. The question is: Why not Native Hawaiians? The only argument I am hearing is that Native Hawaiians are not native enough, and I beg to differ. This is why the bill needs to be brought to the floor for debate. This is why my colleagues should vote to invoke cloture on the motion to proceed. At a minimum, it is what the people of Hawaii deserve.

My colleagues have said that Hawaii is a melting pot, perhaps the greatest melting pot in the United States, and I agree. However, I like to think of it not as a melting pot where everyone loses their individuality, but I would like to think of it as a rainbow. Each color of the rainbow represents a different culture. The more we are in touch with our culture and tradition, the brighter and more vivid is the color. Taken together, we combine to make something very beautiful.

My colleagues, however, would rather everyone be melded into one color, monotone. I believe we are intelligent, articulate beings who are able to celebrate our nationality in addition to preserving, understanding, and practicing our culture and traditions.

One of my colleagues referred to statehood and its supposed agreement that Native Hawaiians would not be treated any differently from any other citizens. Debate transcripts from the Constitutional Convention of 1950, which developed the Constitution that was used in 1959 when Hawaii became a State, clearly show an effort to protect Native Hawaiians and their culture. The 1950 Constitutional Convention adopted as a provision the Hawaiian Homes Commission Act of 1920, passed by the Congress in 1921, which established a homesteading program for Native Hawaiians in an attempt to offset the tremendous decline in their numbers and to ensure continuation of their culture. The Convention also adopted a provision accepting a compact with the Federal Government to continue the trust obligation associated with the Hawaiian Homes Commission Act and providing that congressional consent would be required for an amendment to decrease lessee benefits or alter lessee qualifications.

Inclusion in the Constitution as early as 1950 shows recognition of Native Hawaiians as Hawaii's indigenous peoples and reflects the widespread support for the preservation of Native Hawaiian culture, custom, and tradition. Unlike many of the other Western States' enabling laws, the Hawaii Admissions Act and the Alaska Statehood Act expressly recognized and preserved the rights of the indigenous native people in those two States. The Hawaii Admissions Act not only provides for the protection of land set aside under Federal law for Native Hawaiians but further directs that revenues from lands ceded back to the State are to be used for five purposes, one of which is the betterment of the conditions of Native Hawaiians.

I would also like to address the report issued by the U.S. Commission on Civil Rights. The U.S. Commission on Civil Rights was established to serve as an independent and bipartisan fact-finding agency to investigate and report on the status of civil rights in our country. The GAO just issued a report highlighting the Commission's lack of policies to ensure that its national products—its briefings, reports, and hearings—are objective and that the Commission is sufficiently accountable for decisions made on these projects.

Take this issue, for example. In January, the Commission determined it would hold a briefing on this legislation we are considering. The Commission failed—the Commission failed—to consult with the Hawaii State advisory committee, which is composed of experts on civil rights in Hawaii. This is not a new issue. In fact, the Hawaii State advisory committee has previously issued three reports addressing the political and legal relationship between Native Hawaiians and the United States. The Hawaii State advisory committee members tried to participate in the process, and their efforts were rebuffed. This was not a case of being overlooked; this was a case of being shut out by that Commission.

The Commission was provided with a substitute amendment that we negotiated with the executive branch in January by my staff. In addition, provisions of the amendment were discussed during that briefing. Yet in May of this year, when the Commission voted to issue its report, it based its decision on the bill as reported out of committee, not the bill we will actually be debating and voting upon.

In addition, the Commission's report has no analysis, no findings in it. The report is a summary of testimony made by witnesses and a conclusion that the legislation is race-based—again, no analysis, no findings.

Further, upon reviewing the transcript, it is clear to me that the majority of the Commissioners were not familiar with Hawaii's history, with Federal Indian law, or with the legislation itself at the briefing. Again, this is where the expertise of the Hawaii State advisory committee to the Commission would have been helpful, yet their efforts were rebuffed.

The two Commissioners who dissented read the bill. They read the bill. That was obvious in their dissents which actually analyze the bill and Hawaii's history.

I question such actions, as they leave me with little doubt that there are those who used this process for political reasons—to the detriment of Hawaii's indigenous peoples and the people of Hawaii. My conclusion is supported by the recent GAO report criticizing the Commission as lacking policies to ensure objectivity in its hearings and briefings and accountability in its conclusion. And they have issued that report.

In addition, on June 6, a Resolution of No Confidence was adopted by current and former State advisory committee chairpersons regarding the Commission's commitment to fulfilling statutory and regulatory obligations to the State advisory committees. This saddens me greatly, as many of us have tremendous respect for the Commission. And I repeat, we have tremendous respect for the Commission, but that respect is based on our reliance on the Commission as an independent, bipartisan, factfinding agency. There was little independence, bipartisanship, or factfinding in the Commission's consideration of this legislation. That an agency with such an important mission would succumb to a political agenda is disgraceful and offensive.

Last night, the Department of Justice issued a letter expressing opposition to S. 147. This is understandable and, of course, not surprising. The administration voiced these concerns last July. That prompted 3 months of negotiations with Hawaii's congressional delegation and Governor with the Department of Justice, Office of Management and Budget, and the White House officials. The result of those negotiations is S. 3064, which the majority leader put on the calendar this week. If the Senate invokes cloture on S. 147, the language of S. 3064 will be offered as a substitute. That language, agreed to with the administration, addresses the administration's policy concerns with the original bill.

The administration's letter of last July noted constitutional concerns with the legislation. As the floor debate yesterday demonstrated, disagreement over those constitutional questions exists and, if the legislation is enacted, would rightfully be left to the courts to decide. The substitute amendment addresses liability of the United States, ensures that military readiness is preserved, prohibits gaming, and ensures that civil and criminal jurisdiction remains with the State and Federal Governments until negotiated.

I ask my colleagues who have only had the time to listen to characterizations of the bill and sound bites of perceived impacts to actually take a look at this bill. It is not often that we can get almost every policymaker in Hawaii to agree on an issue. Except for two people in the State legislature, every other policymaker in Hawaii supports authorizing a process for the reorganization and recognition of a Native Hawaiian governing entity for the purposes of a government-to-government relationship. We are the people who deal with this every day. I ask you, at a minimum, to give us an opportunity to share more information about this with you. Don't make your decision based on someone else's characterization of the bill if you have not taken the time to read it and understand it. The people of Hawaii—native and nonnative—deserve more than that.

I stand here and ask my colleagues to vote for cloture so that we can further address these matters. I ask all of you to give us the courtesy of at least a debate on this bill.

I have heard the opposition, and again I say that we have had good relationships which will continue, and I want to voice the reasons we need this bill because as we pledge daily, under God, with liberty and justice, we do this.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Tennessee.

Mr. ALEXANDER. How much time is remaining on our side?

The PRESIDING OFFICER. There is 12 minutes 50 seconds remaining.

Mr. ALEXANDER. Mr. President, I ask the Chair to notify me when 10 minutes has lapsed.

Mr. President, I wish to begin as I began yesterday, by expressing my respect for the Senators from Hawaii, and it is genuine, it is a genuine respect. I also wish to begin by making it absolutely clear that there is no question about whether Hawaiians, including Native Hawaiians, are Americans. Hawaiians, including Native Hawaiians, are Americans, as good Americans as any Americans, and that is why this bill is a bad bill.

Hawaiians became U.S. citizens in 1900. They have saluted the American flag. They have paid American taxes. They have fought in American wars. The distinguished senior Senator from Hawaii has won the highest honor our Nation gives to an American warrior. In 1959, 94 percent of Hawaiians reaffirmed that commitment to become Americans by voting to become a State. Like citizens of every other State, Hawaiians vote in national elections.

My argument is that since Hawaiians have chosen to become Americans and distinguish themselves as Americans, that is the reason we should not move forward to allow a small group of Hawaiians, who live in every State in the Nation, to form a new government, a sovereign entity, which would be empowered to negotiate, as was said yesterday on this floor, the question of secession from the United States, the question of transfer of land to this new entity, the question of the transfer of money to this new entity, and the question of civil and criminal laws to this new entity.

When we began this discussion, many Senators were saying: Wait a minute, you are mischaracterizing this bill; it is not about sovereignty, it is not about land and money, it is not about race. But I think we have clearly established—and I believe it is a fair characterization of what the Senator from Hawaii has just said—that it is about sovereignty. It is clearly about race because you can't be a member of this new government unless you have Native Hawaiian blood; it may be only a drop of blood. So it is based on race. So the only possible argument to justify doing what no group of American citizens would ever be allowed to do in the United States is that this is just another Indian tribe, just another tribe. I want to address that in just a moment.

United States law, of course, does recognize Native American tribes, and the contention here today, from the Senators from Hawaii, is that this is just another tribe. That is a different contention than the State of Hawaii made a few years ago, in 1998. There, in the case of Rice v. Cayetano, the brief of the State of Hawaii said, "the tribal concept has simply no place in the context of Hawaiian history." This is what the State of Hawaii said in 1998 before the Supreme Court.

Yesterday the Department of Justice Assistant Attorney General of the United States wrote a letter to the majority and minority leaders of the U.S. Senate saying that the administration strongly opposes this piece of legislation. It first discusses the constitutional objection to creating a race-based government, which clearly violates our Constitution and turns that original motto of this country, "from one, many," upside-down. The letter from the Assistant Attorney General goes on to say:

> While this legislation seeks to address this issue by affording federal tribal recognition to native Hawaiians, the Supreme Court [of the United States] has noted that whether native Hawaiians are eligible for tribal status is a "matter of dispute" and of considerable moment and difficulty.

The Assistant Attorney General goes on:

> Given the substantial historical structure and cultural differences between native Hawaiians as a group and recognized federal Indian tribes, tribal recognition is inappropriate for native Hawaiians and would still raise difficult constitutional issues.

I ask unanimous consent to have the letter from the Assistant Attorney General printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Office of the Assistant
Attorney General,
Washington, DC, June 7, 2006.

Hon. Bill Frist,
Majority Leader, U.S. Senate,
Washington, DC.

Dear Mr. Leader: The Administration strongly opposes passage of S. 147. As noted recently by the U.S. Civil Rights Commission, this bill risks "further subdivid[ing] the American people into discrete subgroups accorded varying degrees of privilege." As the President has said, "we must . . . honor the great American tradition of the melting pot, which has made us one nation out of many peoples." This bill would reverse that great American tradition and divide people by their race. Closely related to that policy concern, this bill raises the serious threshold constitutional issues that arise anytime legislation seeks to separate American citizens into race-related classifications rather than "according to [their] own merit[s] and essential qualities." Indeed, in the particular context of native Hawaiians, the Supreme Court and lower Federal courts have invalidated state legislation containing similar race-based qualifications for participation in government entities and programs.

While this legislation seeks to address this issue by affording federal tribal recognition to native Hawaiians, the Supreme Court has noted that whether native Hawaiians are eligible for tribal status is a "matter of dispute" and "of considerable moment and difficulty." Given the substantial historical, structural and cultural differences between native Hawaiians as a group and recognized federal Indian tribes, tribal recognition is inappropriate for native Hawaiians and would still raise difficult constitutional issues.

Sincerely,

WILLIAM E. MOSCHELLA,
Assistant Attorney General.

Mr. ALEXANDER. As to the charge the U.S. Civil Rights Commission didn't review this carefully, I will ask unanimous consent to have a letter to Senator CORNYN printed in the RECORD. It is from a member of the Commission, Peter N. Kirsanow, writing in his individual capacity, who details the careful attention, he says, that the Commission gave to the legislation.

He says, in addition, "I maintain that it is the worst piece of legislation the commission has reviewed during my tenure."

I ask unanimous consent to have that letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Hon. JOHN CORNYN,
Chairman, U.S. Senate Subcommittee on Immigration, Border Security and Citizenship.

DEAR SENATOR CORNYN: The U.S. Commission on Civil Rights ("Commission") found significant problems with the proposed Native Hawaiian Government Reorganization Act (S. 147), also known as the Akaka bill. I maintain that it is the worst piece of legislation the Commission has reviewed during my tenure.

The Commission went to great lengths to ensure that its report on the Akaka bill ("Report") was thorough, well-reasoned and objective. Much of the Report was based upon testimony from a balanced panel of expert witnesses. Public comment on the Akaka bill also was solicited and a number of responses were received from a variety of perspectives—both pro and con. The ABA, for example, issued a letter supporting the bill. Others opposed it. The Commission considered all of these responses and modified the Report based on valid concerns of those critical of some of the provisions in earlier drafts. The final Report reflects these recommendations, reaffirming its balance.

The Report was subjected to rigorous controls, several layers of review, checks and balances to insure its accuracy and integrity. Any attempt to discount the Report's findings on the basis of a GAO report that the Commission somehow lacks procedures for insuring objectivity is completely misdirected. The GAO report cited by proponents of the Akaka bill does not relate to the Report. Rather, the GAO's findings relate largely to the lack of internal controls at the Commission during and resulting from the previous management that had failed, among other things, to conduct an audit in 12 years; and was repeatedly excoriated for issuing reports perceived as biased.

Since assuming a majority on the Commission over a year ago, the Republican commissioners, along with our new Democrat colleagues, have worked vigorously to adopt all previous GAO reform recommendations and to implement a broad series of internal controls and procedures to insure the integrity of Commission reports. These procedures were adopted well before the Commission hearing on the Akaka bill and the issuance of the Report. (For example, the hearing had an equal number of witnesses on each side of the issue, something the Commission was not necessarily known for in prior years).

The Commission's Report on the Akaka bill represents a fair, rigorous and objective assessment of the bill. Although I am writing in my individual capacity, I am sure that the majority of my colleagues hope that the Senate, in it's deliberations on the Akaka bill, gives the Report serious consideration.

Sincerely,

PETER N. KIRSANOW,
Commissioner,
U.S. Commission on Civil Rights.

Mr. ALEXANDER. Mr. President, what do we have here on the issue of "just another tribe"? Under the United States law, as we have said several times, there are specific requirements for the recognition of an Indian tribe. The U.S. Government does recognize those tribes. But it has not created any tribe. This would be the creation, the establishment of a new sovereign government.

Here is what the law says:

> The tribe must have operated as a sovereign for the last 100 years.

Native Hawaiians have not. It says:

> Tribes must be a separate and distinct community.

Native Hawaiians are not. They live in every State of the United States of America; 160,000 live outside of Hawaii. Only 20,000 live on the Native Hawaiian homelands.

It further says:

> A tribe must have had a preexisting political organization.

The Native Hawaiians did not. That is why, I suppose, the brief of the State of Hawaii acknowledged in the Supreme Court of the United States, in 1998, "The tribal concept simply has no place in the context of Hawaiian history."

In the history of our country, as it grew and developed, there have been many wrongs. The men who wrote our Constitution, setting our high goals, were only men. And women didn't even have the right to vote in the United States until 100 years ago. Those who wrote the Constitution locked out the press. The press would say today that is a wrong. Those who wrote the Constitution, many of them, owned slaves. That was a terrible wrong.

But our history is filled with reaching high goals to address and correct those wrongs, and doing it as a Nation, as Americans, all of us together. We are proud of our nationalities, of where we come from. But when we become Americans, as Hawaiians did when they became a State in 1959, we pledge allegiance to the United States of America. This bill would create a new competing government. That is what is wrong with this bill. It is the wrong way to right whatever wrongs may have happened in Hawaii.

The PRESIDING OFFICER. The Senator has consumed 10 minutes.

Mr. ALEXANDER. It is my hope that my colleagues will vote no on this bill. Perhaps there are other ways that the Congress can help the distinguished Senators from Hawaii address wrongs which may have existed in Hawaii. But if that motto means anything, "E pluribus unum," and if the constitutional prohibition against making distinctions based on race means anything, then we should not be authorizing a new sovereign government capable of negotiating secession, land, money, civil and criminal penalties—admission to which is only based upon race. The U.S. Department of Justice, the Supreme Court, the State of Hawaii itself—all have said this is not a tribe. Hawaiians are proud Americans, which is why this bill should be rejected.

Mr. ENZI. Mr. President, I rise in strong opposition to S. 147, the Native Hawaiian Government Reorganization Act of 2006. We must celebrate racial diversity in our Nation. Racial diversity defines the cultural norms and values that make America the "melting pot" that is so amazing. America's foundation is built upon many diverse races and cultures uniting to become one Nation, but while we can celebrate those diverse cultures, we must remember that we are all Americans and we must work to bridge gaps, not widen them.

Every day millions of Americans pledge their allegiance to our flag. They stand for the freedoms and rights guaranteed by our Constitution. One of the essential clauses of this pledge remains, "one Nation, under God, indivisible, with liberty and justice for all." A source of our strength is our diversity, and still, despite our diversity, we are melded as one Nation, under God.

When I return to Wyoming, I often attend swearing in ceremonies. It is an honor to watch people become citizens of this great Nation. Swearing in ceremonies are moving experiences that I cherish. At a swearing in ceremony, people from every background and every nation come together to celebrate America. Every American should take the time to watch a swearing in ceremony because when they do, they will realize the privilege that comes with being an American citizen. They come in as citizens of India, China, Mexico, Germany, and many others, but they leave as Americans.

Although many citizens of this country practice and honor diverse traditions that are unique to their culture, one core similarity exists: we are all Americans. Racial diversity is important, but it should not be the rationale for the establishment of a separate sovereign government.

Wyoming is the home to the Eastern Shoshone and Northern Arapahoe Tribes on the Wind River Indian Reservation. As part of the United States, these tribes have been recognized for nearly 150 years as sovereign nations. The Eastern Shoshone community was granted sovereignty during the Treaty of Fort Laramie in 1863 before Wyoming became a State. Over the years, other Native American and Alaskan tribes gained sovereignty by meeting the criteria laid out in our laws. Native Hawaiians now seek sovereignty similar to that of Native Americans and Alaskan Natives through this legislation.

While I understand their desire to be granted sovereign immunity, the facts and circumstances surrounding Native Hawaiians are different. It does not make sense to waive or change the requirements that others had to meet.

Our Government has never created an Indian tribe. Sovereignty has only been granted to preexisting tribes and only in special, rare circumstances after statehood.

In order to be federally recognized, a tribe must meet several criteria. A tribe must prove it existed and operated as a tribe for the past century. Additionally, the tribe must distinguish itself as a separate and distinct community both geographically and culturally. Finally, the tribe must have a preexisting political structure that is clear. Native Hawaiians do not meet these criteria.

A distinct community does not exist according to the standards outlined in the proposed legislation. Within the United States and the State of Hawaii, Native Hawaiians live integrated among all races.

During the "fall" of Queen Liliuokalani, a "Native Hawaiian" government was not present. All races coexisted under the reign of the monarchy. Non-natives even held high positions within the government.

In 1898, at the time of annexation, there was no political effort to treat Native Hawaiians similar to Alaska Natives or Native American tribes. The same held true when 94 percent of Hawaiians voted to become a State in 1959. Ninety-four percent of Hawaiians voted to become Americans. In fact, at that time, advocates of Hawaiian statehood emphasized the cohesive diversity, the "melting pot" nature of Hawaii.

In addition, in 1998, the State of Hawaii's Supreme Court brief from the case of Rice v. Cayetano expressed the government's belief that, "The Tribal concept simply has no place in the context of Hawaiian history."

If the proposed legislation passes, the progress we have made over the past century to improve racial equality regresses. Instead of uniting the country, we divide it, and some of the darkest hours of this Nation occurred when people were separated because of race. This legislation is based solely on the ideology of race.

We are all Americans, and as such, we need to be united. Although I respect the desire of Native Hawaiians to be a federally recognized sovereign nation, I strongly urge my colleagues to oppose S. 147.

Mr. McCAIN. Mr. President, today we will vote on the motion to proceed to S. 147, the Native Hawaiian Government Reorganization Act of 2005. This legislation was passed by the Indian Affairs Committee on March 9, 2005. The bill is similar to a bill reported by the Committee during the 108th Congress that was not brought before the full Senate.

S. 147 was developed to provide Native Hawaiians with a mechanism for self-governance and self-determination, which the bill's sponsors believe would protect from legal challenges a variety of programs and services currently in place for the benefit of Native Hawaiians. To achieve this goal, the bill would establish a process that would permit Native Hawaiians to organize a sovereign entity that would have a legal relationship with the United States similar to that which exists today between the United States and federally recognized Indian tribes.

I recognize that this legislation has been offered in response to many legitimate concerns expressed by the members of the Hawaii delegation and the State's Governor. The leaders of the State of Hawaii are attempting to ensure that a longstanding agreement between the Federal Government and Hawaii will not be jeopardized by litigants determined to undermine certain aspects of that agreement relating to Native Hawaiians. That does not change the fact that I have serious doubts about the wisdom of this legislation.

The sponsors reached an agreement in the 108th Congress that they would be afforded an opportunity to bring the bill to the Senate floor during this Congress. To fulfill that agreement, in my capacity as the chairman of the Indian Affairs Committee, I have worked to ensure that the legislation would be reported by the committee. I will also support the motion to proceed to the bill's consideration because of the agreement that was reached in the last Congress. I would like the record to reflect clearly, though, that I am unequivocally opposed to this bill and that I will not support its passage should cloture be invoked.

Again, I do know how important this legislation is to the Senators from Hawaii and certainly to the very capable Governor of the 50th State. I am very much aware that one of the purposes of this legislation is to insulate current Native Hawaiian programs from constitutional attack in the courts, and I am sympathetic to that purpose. I commit to the Senators and the Governor that I remain willing to work with them to address the fundamental legal concerns facing their State. I also recognize the efforts made by Senator AKAKA to address some of the criticisms that have been leveled at this legislation. However, I still have a number of significant concerns with this measure.

Foremost among these concerns is that, if enacted, S. 147 would result in the formation of a sovereign government for Native Hawaiian people. I am sure that the sponsors have good intentions, but I cannot turn away from the fact that this bill would lead to the creation of a new nation based exclusively—not primarily, not in part, but exclusively—on race. In fact, any person with even a drop of Hawaiian blood would qualify to vote on the establishment of this new, legislatively created entity that would then negotiate with the Federal Government of the United States and the State of Hawaii on potentially unlimited topics.

As the U.S. Commission on Civil Rights stated in its recent report recommending against passage of S. 147, this bill would "discriminate on the basis of race" and "further subdivide the American people into discrete subgroups accorded varying degrees of privilege." This is unacceptable to me, and it is unacceptable, I am sure, to most other citizens of this Nation who agree that we must continue our struggle to become and remain one people—all equal, all Americans.

Mr. REID. Mr. President, I will use my leader time now.

The PRESIDING OFFICER. The Senator is recognized.

Mr. REID. Mr. President, I have had the good fortune to serve here in Washington almost a quarter of a century. I have had the good fortune of serving with wonderful people, both when I served in the House and when I have had the opportunity to serve here in the Senate. As I look back over the delegations from the respective States here during my service in the Senate, there are no two finer men, no two finer persons who have ever served in our Senate than the two Senators who now represent the State of Hawaii. Senator AKAKA and Senator INOUYE are two of the best.

Everyone knows, because I have stated here on the floor, how I feel about DAN INOUYE. I have never, ever known a person for whom I have more respect and admiration than I do DAN INOUYE. Think about that: A man who has earned the highest award this country can give for heroism, the Medal of Honor; DAN AKAKA, who served in the military.

We live in a country that is a Federal Government. What does that mean? It means, as I learned in college, that you have a central whole divided among self-governing parts. What are those self-governing parts? It is the State of Nevada, it is the State of Florida, it is the State of Tennessee, and it is the State of Hawaii—plus 46 others; none better than the other. Hawaii is equal to Florida, to Tennessee, to Nevada.

Let's talk about Nevada. Nevada has been a State for a long time, since 1864. Hawaii is one of the two new kids on the block, along with Alaska. But take Nevada as an example. The State of Nevada has 22 different Indian tribes and Indian entities. The State of Nevada knows they are there. It works just fine. It doesn't take away our sense that we are part of the Federal Government. We need to treat Hawaii as we do other States.

Some have said here that it is going to change the State of Hawaii. I think we should give the Senators from the State of Hawaii a little bit of credit for doing what is right for their State. We are scheduled to vote in just a short time on a motion to proceed to S. 147, the Native Hawaiian Government Reorganization Act. This vote provides all Senators an opportunity to do right by Native Hawaiians, and just as importantly by Hawaii's two very distinguished Senators, about whom I have just spoken.

A look at the historical record of Native Hawaiians demonstrates the importance of this legislation. That is why the two Senators from Hawaii have worked tirelessly on its behalf.

I can remember when this vote was scheduled previously. It was within a day or two of when Katrina hit. In Washington at the time was the Governor of the State of Hawaii. She believed just as strongly as these two men that it was good for Hawaii. It was bipartisan. She is a Republican and these are two Democrats.

From their very first contacts with the western world more than two centuries ago to today, Native Hawaiians have endured a lot—just as the Native American Indians in Nevada endured a lot, a whole lot. While the Native Hawaiians have done so much, with such quiet dignity and courage, it should be clear to all of us that they now require our attention.

This legislation will do several things. First, it establishes a process for the reorganization of the Native Hawaiian Government Authority. There is nothing wrong with that. There is nothing different from the Pyramid Paiute tribe in northern Nevada. Pyramid is named after the lake there, Pyramid Lake.

It is no different from the Owyhee Indians in the northeastern part of our State. How would you get a name that sounds like Hawaii? Their reservation is Owyhee because well more than 100 years ago some Hawaiians came there to trap, and that is the last we heard of them. But the name never left. Hawaii, Owyhee. It is a sovereign tribe in Nevada. It has Hawaiian roots—at least the name. We are proud of them, the Indians. That reservation is made up of Shoshonis and Paiutes.

Second, this legislation, after the process has run its course and a Native Hawaiian governing entity is established, just like the tribal government, Walker River, that we have with the Paiute tribe, the bill reaffirms the special political/legal relationship between the U.S. Government and that entity, just like the Las Vegas Indian colony.

Third and perhaps more important, in the words of an editorial in Wednesday's New York Times, "this legislation offers a chance for justice in Hawaii."

Although arguments for why the Senate should address the legislation are crystal clear, I think the integrity of the U.S. Senate is on the line here. I think the integrity of the Senators who seek this opportunity merit attention. I have addressed myself to that.

The chance for justice in Hawaii—that is what this is all about. Hawaii is no different than Nevada. Native Hawaiians are no different than the Indians in Nevada.

The PRESIDING OFFICER. Who yields time? The Senator from Hawaii.

Mr. INOUYE. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 6 minutes and 37 seconds.

Mr. INOUYE. Mr. President, before proceeding I would like to thank my leader, the Senator from Nevada, for his very generous remarks. I appreciate that very much.

I rise today in support of S. 147, the Native Hawaiian Government Reorganization Act and to address the outrageous mischaracterizations that some of my colleagues made yesterday about this measure. The law does not support their attempts to discriminate against Native Hawaiians so my colleagues had to resort to trying to confuse the issue.

This measure does not result in race discrimination. But discrimination will occur if this measure is not passed. It is undisputed that Native Hawaiians are the aboriginal, indigenous people of Hawaii. Yet some of my colleagues want to discriminate against them and treat them differently from other Native Americans—the American Indian and the Alaska Native. They seek to impose a new requirement for Congressional legislation to authorize the reorganization of a Native Hawaiian government even though many of these opponents have been in Congress for years and did not impose this requirement on the other aboriginal indigenous people recognized by Congress since 1978. Do not participate in these discriminatory activities.

Congress has plenary authority over the aboriginal, indigenous people of America. The Supreme Court has repeatedly upheld this. The Supreme Court has also acknowledged Congress' authority to recognize as an Indian tribe the aboriginal, indigenous people of America regardless of whether they are Indians, regardless of whether they are organized as a tribe, and regardless of whether they are located in territory of the United States. My colleagues who spoke against this measure yesterday know this. But none of them attempted to address these issues.

Rather, they are trying to distract us and the American people by claiming that this bill will strip Native Hawaiians of their American citizenship. My colleagues know better than this. They know that Indian tribes, however they are formed, are recognized as sovereign governments in the United States. They know that since the early 1800s the Supreme Court has called the Native governments of this land—domestic, dependent nations. They know that the status and existence of Native governments is recognized within our form of government. But they are relying on the fact that many of our citizens are not familiar with Native American governments so that they incite fear of racial preference, denial of rights, and secession.

Although the United States of America does not recognize dual citizenship for those who come from other countries, the United States does recognize that Native Americans can be both citizens of the United States and members of their Native government. This is true even for those Native Americans located in the lower 48, whose tribal governments were terminated in the 1950s, or whose tribal governments were restored or recognized over the last 30 or so years. This bill will lead to a similar situation for the Native Hawaiians. It is not inconsistent with what already exists in the United States.

Native Hawaiians do live as separate and distinct communities. In 1921, Congress enacted the Hawaiian Homes Commission Act of 1920, which set aside approximately 203,500 acres of land for homesteading and agricultural use by Native Hawaiians. The Act was intended to "rehabilitate" the Native Hawaiian race, which was estimated to have dropped from between 400,000 and 1 million, to 38,000. At the time, prevailing Federal Indian policy was premised upon the objective of breaking up Indian reservations and allotting lands to individual Indians. Most of the homestead communities belong to an organization called the State Council of Hawaiian Homestead Associations.

The Council is composed of 24 separate Native Hawaiian Homestead Associations. These associations are distinct and separate communities of Native Hawaiians.

Aside from living on Hawaiian homelands, there are communities that are distinctly Native Hawaiian. Through Native Hawaiian social and political institutions such as the Royal Hawaiian societies which existed during the Kingdom of Hawaii as well as the Association of Hawaiian Civic Clubs, Kamehameha Schools, and Queen Liliuokalani Children's Center, the Native Hawaiian community has maintained its distinct character as an aboriginal, native people.

Native Hawaiian culture, tradition, custom, and language has experienced a renaissance in the past 30 years. Many Native Hawaiians speak the Hawaiian language and practice the cultural practices of our kupuna, our ancestors, in health care and in education.

In another attempt to incite fear of this bill, some of my colleagues stated that this measure would lead to Hawaii seceding from the United States. Yes, a small percentage of my constituents advocate for Independence from the United States. It is an extreme view that I do not share, that the majority of Hawaii's citizens do not share, and that will not happen.

In 1959, Hawaii was admitted to become a part of the United States because the voters in the territory of Hawaii overwhelmingly voted to do so. This does not, however, erase the wrongs that were committed against this unique group of indigenous aboriginal native people. This bill does not affect Hawaii's statehood or the rights of it citizens under such statehood. This measure does, however, provide an opportunity to reorganize a Native Hawaiian government, similar to that of Alaska Native and American Indians, who are also American citizens, and it provides an opportunity to finally resolve longstanding issues that exist in Hawaii as a result of the illegal overthrow.

The United States, in enacting Public Law 103–150, the Apology Resolution, has already recognized the fact that Native Hawaiians have never given up their inherent sovereignty. Despite the fact that Hawaii was admitted as the 50th State of the Union, Native Hawaiians neither by the government or through a plebiscite or referendum gave up their rights to inherent sovereignty. The June 27, 1959, statehood plebiscite in Hawaii only asked "Shall Hawaii immediately be admitted to the Union as a State?" Although the statehood plebiscite did not provide other options for independence or free association, it did not dissolve an inherent right to sovereignty by the indigenous people of Hawaii, Native Hawaiians.

Native Hawaiians are Americans and will continue to be American citizens upon enactment of this measure. Like other Native Americans, Native Hawaiians have honorably and overwhelmingly served in the United States military. Like their Native American brethren, they have served in numerous wars, including, World War II, Vietnam, Afghanistan, and Iraq and remain truly essential to protecting our country. Native Hawaiians will continue to do so after enactment of this measure. Native Hawaiians are truly proud to be Americans and should be.

Yesterday, some implied that this measure would abridge the right to vote and there was an attempt to somehow link the Supreme Court's decision in Rice v. Cayetano to this matter. This holding of this case has no bearing on the measure before us and this bill does not reverse the Court's holding. In order to fully understand what this decision did and did not say, one needs to know the facts:

The Office of Hawaiian Affairs is established pursuant to the Hawaii State Constitution as a State agency to administer programs for the benefit of Native Hawaiians. Prior to the Rice decision, the State limited voting for the trustees of the Office of Hawaiian Affairs, to Native Hawaiians. Mr. Rice, a non-Native Hawaiian citizen of the State of Hawaii, sued the Office of Hawaiian Affairs, a State agency, because he was not eligible to vote in the elections for the Board of Trustees that administers programs for the benefit of Native Hawaiians. Because the Office of Hawaiian Affairs is an arm of the State, the Supreme Court held that the State of Hawaii's denial of the right to vote in elections for the Board of Trustees of the Office of Hawaiian Affairs violated the Fifteenth Amendment guarantee of the right to vote.

That is what the Rice v. Cayetano decision held. Nothing more, nothing less.

But it appears that many of my colleagues have not read Rice. So I will take the liberty to cite from the decision so that my colleagues can fully understand that this case has no bearing on the matter before us today. Because with respect to whether or not Congress may treat Native Hawaiians as it does Indian tribes, the Court left open the possibility that Congress could treat Native Hawaiians as such. At 528 U.S. 518, the Court accurately noted that it had not yet considered whether "Congress . . . has determined that native Hawaiians have a status like that of organized Indian tribes. . . ." but the Court continued by specifically stating on page 519, "We can stay far off that difficult terrain." The Court found it unnecessary to address whether Congress has treated Native Hawaiians as an Indian tribe because it found that the Office of Hawaiian Affairs is a State agency.

Although the holding of Rice is not relevant to the matter before us, the author of the State's brief is interesting, for the author is none other than recently confirmed Chief Justice John Roberts. Now Chief Justice Roberts clearly laid out the arguments as to how and why Native Hawaiians are a separate and distinct aboriginal, indigenous people who fall within Congress's plenary authority over Indian tribes. For instance, Chief Justice Roberts stated:

> Congress's broad authority over Indian affairs reaches the shores of Hawaii, too.
>
> The Constitution gives Congress—not the courts—authority to acknowledge and extinguish claims based on aboriginal status.
>
> Congress has established with Hawaiians the same type of "unique legal relationship" that exists with respect to the Indian tribes who enjoy the "same rights and privileges" accorded Hawaiians. . . .

I urge all of my colleagues to read the excellent brief drafted by now Chief Justice Roberts.

Congress has repeatedly enacted laws that limit the right to vote in Native governmental elections to the members of that native government and it is consistent with the Constitution. In the 1930's, Congress enacted the Indian Reorganization Act and limited voting to tribal members. In the 1970's, Congress enacted the Alaska Native Claims Settlement Act and limited voting to Native shareholders and their descendants. Since 1978, Congress has enacted over 20 laws that authorized the reorganization or recognition of Indian tribes and many of those laws expressly limit voting to the members of those tribes. To listen to the opponents of this measure, the bill will create a racial preference for voting in a native government and that this has never been done before. But as I just pointed out, this bill is not forging new ground. This bill is consistent with Congress's past actions and the Supreme Court has never questioned these actions.

Another matter that my colleagues try to confuse others on is the difference between reorganizing or recognizing a native government and creating a native government. No one, not even the opponents of the measure, dispute that Native Hawaiians exercised sovereignty over the lands that now comprise Hawaii before European contact. No one disputes that there was a Native Hawaiian Kingdom. Consequently, there was a Native Hawaiian government that the United States recognized as a sovereign. Indeed, the United States even engaged in government-to-government relations with the Kingdom of Hawaii. It is this government which will be reorganized as a domestic, dependent nation within our constitutional framework, in a manner consistent with the status of other Native Americans.

To hear the comments made yesterday, one would think that there was never a Native Hawaiian government.

One of my colleagues recently attended a forum on this measure and mentioned his concern over the lack of civic education in America and the corresponding lack of knowledge about America's history. I agree with him. I urge all my colleagues to learn more about the history of Hawaii, the history of Native Hawaiians, the history of the United States, the laws enacted by Congress for the benefit of the aboriginal, indigenous people of the United States, and the laws handed down by the Supreme Court.

I am confident that once my colleagues become more informed about these matters, all will realize that enacting legislation authorizing the reorganization of a native government is within Congress authority. The Supreme Court reaffirmed this authority as recently as 2 years ago in United States v. Lara. In fact, the Court acknowledged that "Congress has restored previously extinguished tribal status—by re-recognizing a Tribe whose tribal existence it previously had terminated."

Once everyone obtains more education about the history and laws influencing this measure, they will realize that various history impacts the history of the United States, you will realize the difference between authorizing the reorganization of a native government and creating one out of thin air.

Claims that this bill will establish a precedent for the recognition of tribal status for Amish or Hassidic Jews or other groups are ridiculous. It is just another attempt to scare the citizens of America. Congress has the authority to recognize government-to-government relations with the aboriginal, indigenous people because of their preexisting sovereignty over the lands because of European contact. None of these other groups are preexisting sovereigns who exercised such authority.

Nor will this result in a government for the Hispanics who lived in Texas before it became a republic in 1836, or for descendants of the French citizens before the Louisiana Purchase. Again, these citizens are not aboriginal, indigenous people who exercised sovereignty before Western contact. While Congress has used its plenary authority to recognize the aboriginal, indigenous people who reside in these former territories, Congress has never attempted to recognize the non-aboriginal, nonindigenous people as a government nor will it. We are not creating a precedent here.

Finally, I want to address the letter from the Department of Justice that was sent to Majority Leader FRIST last night. Last year, the Justice Department sent a longer letter outlining substantive policy concerns. Senator AKAKA and I, along with Governor Lingle, engaged in extensive negotiations with administration officials to address these substantive policy concerns. The result of these negotiations are contained in the substitute amendment that Senator AKAKA will he offering. There was no attempt to address the ideological concerns laid out in that letter. Therefore, Senator AKAKA and I have always known that all of the Department of Justice's concerns will not be addressed in the substitute amendment.

Before anyone relies too much on the Justice Department's letter, let me point out that the letter cites to the United States Commission on Civil Rights. I urge everyone to read the Government Accountability Office report released last week that noted the Commission's recent activities are not objective nor are there procedures in place to guarantee that they are.

While the letter correctly notes that the Supreme Court believes there is considerable dispute, it fails to acknowledge that the Supreme Court could have addressed the issue in Rice v. Cayetano but instead chose to put the issue aside for another day. The letter also does not mention the extensive Supreme Court case law that recognizes that it is Congress who has the authority to recognize a government-to-government relationship with a native government, not the Courts.

I urge my colleagues to vote "yes" on cloture so that this matter can be fully debated and everyone can be informed of the law supporting this measure. Do not fall victim to attempts to confuse this issue before us. Do not let your arm be twisted with threats that you should ignore your constituents and vote for the party line that is based on misinformation, not the law. All we are asking is that you allow an up or down vote on this measure.

Recently, the President of the United States George W. Bush submitted the name of John Roberts to be Chief Justice of the United States. Chief Justice Roberts was confirmed by this body because of his intellectual background and primarily because of his conservative views.

Recently, Chief Justice Roberts laid out arguments as to how and why Native Hawaiians are a separate and distinct aboriginal indigenous people who fall within Congress's plenary authority over Indian tribes. Among the many things that the Chief Justice said in his brief is the following:

> Congress' broad authority over Indian affairs that reaches the shores of Hawaii too.

He went further to say:

> The Constitution gives Congress—not the courts—authority to acknowledge and extinguish claims based on aboriginal status.

Chief Justice Roberts further stated:

> Congress has established with Hawaiians the same type of "unique legal relationships" that exist with respect to the Indian tribes who enjoy the "same rights and privileges" accorded Hawaiians . . .

I urge all of my colleagues to read this excellent brief by now Chief Justice Roberts.

Mr. President, many things have been said about what this bill will do and will not do. Some were rather outrageous, I must say. For example, it was argued that this bill will establish a precedent for the recognition of tribal status for Amish and Hasidic Jews or other groups.

I think it is just another attempt to scare our fellow Americans.

Congress has the authority to recognize government-to- government relations with aboriginal indigenous people because of their preexisting sovereignty over lands before European contact. None of the groups that have been named, such as the Amish or the Hasidic Jews, are preexisting sovereigns who exercised such authority.

While Congress has used plenary authority to recognize aboriginal indigenous people who reside in these former territories, Congress has never attempted to recognize the nonaboriginal nonindigenous people as a government, and it will not. We are not creating any precedent here.

Finally, the letter from the Department of Justice was mentioned. It was sent to our majority leader last evening.

Last year, the Justice Department sent a longer letter outlining substantive policy concerns. As a result of that letter, Senator AKAKA and I, together with Governor Lingle, the Republican Governor of Hawaii, engaged in extensive negotiations and discussions for nearly 2 months with officials of the White House, the Justice Department, and OMB to address these policy concerns.

The result of these negotiations was contained in a substitute amendment identified as S. 364, which was introduced by Senator AKAKA. He made a formal request that this bill be considered original text for consideration in this debate. Regretfully, that offer was rejected.

This letter from the Attorney General does not refer to S. 364, which they are well aware of because they helped us draft it. They refer to the old bill, S. 147, which we intend to substitute with S. 364.

Yes, we are aware of the shortcomings of S. 147, and we met for nearly 2 months to clarify that.

I hope my colleagues will vote yes on this cloture motion so this matter can be more fully debated and everyone can be fully informed of the laws supporting the measure.

All we are asking for is an up-or-down vote on this measure. We just want an opportunity to debate this measure.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee has 2 minutes remaining.

Mr. ALEXANDER. Mr. President, there is a fundamental shortcoming to this bill that can't be corrected by small amendments. There is no question that this legislation would—and I believe for the first time in our history—create a new, separate, independent race-based government within the borders of the United States of America. The only argument that could possibly justify such an offense to our constitutional tradition and our original motto, which says that when we became Americans we are proud of where we came from but we are prouder of being Americans, is that Native Hawaiians are just another Indian tribe. But the government of Hawaii itself, in a brief in the Supreme Court in 1998, said: "The tribal concept simply has no place in the context of Hawaiian history."

The Department of Justice, in a letter yesterday to the majority leader, with a copy to the minority leader, said: "Tribal recognition is inappropriate for native Hawaiians and would still raise difficult constitutional issues."

I have outlined in my remarks how Native Hawaiians do not constitute just another tribe. There may be wrongs to address, but this is the wrong way to right a wrong.

I urge my colleagues to vote "no."

CLOTURE MOTION

The PRESIDING OFFICER. All time has expired.

Under the previous order, the clerk will report the motion to invoke cloture on the motion to proceed to Calendar No. 101, S. 147, Native Hawaiians Governing Entity.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 101, S. 147, native Hawaiians Governing entity.

Daniel K. Akaka, Daniel K. Inouye, Charles Schumer, Jack Reed, Patrick Leahy, Joe Biden, Barbara Mikulski, Evan Bayh, Barbara Boxer, Frank Lautenberg, Harry Reid, Jay Rockefeller, Richard Durbin, Jeff Bingaman, Edward Kennedy, Herb Kohl, James M. Jeffords, Mark Dayton, Jon Kyl, Norm Coleman.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to Calendar No. 101, S. 147, Native Hawaiians Governing Entity bill, be brought to a close? The yeas and nays are mandatory under rule XXII. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senator was necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from New York (Mr. SCHUMER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—56 yeas, 41 nays, as follows:

[Rollcall Vote No. 165 Leg.]

YEAS—56

Akaka
Baucus
Bayh
Biden
Bingaman
Boxer
Byrd
Cantwell
Carper
Clinton
Cochran
Coleman
Collins
Conrad
Dayton
Dodd
Domenici
Dorgan
Durbin
Feingold
Feinstein
Grassley
Hagel
Harkin
Inouye
Jeffords
Johnson
Kennedy
Kerry
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
McCain
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Salazar
Sarbanes
Smith
Snowe
Specter
Stabenow
Stevens
Wyden

NAYS—41

Alexander
Allard
Allen
Bennett
Bond
Brownback
Bunning
Burns
Burr
Chafee
Chambliss
Coburn
Cornyn
Craig
Crapo
DeMint
DeWine
Dole
Ensign
Enzi
Frist
Gregg
Hatch
Hutchison
Inhofe
Isakson
Lott
Lugar
Martinez
McConnell
Roberts
Santorum
Sessions
Shelby
Sununu
Talent
Thomas
Thune
Vitter
Voinovich
Warner

NOT VOTING—3

Graham
Rockefeller
Schumer

Mr. PRESIDING OFFICER (Mr. VITTER). On this vote the yeas are 56, the nays are 41. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Mr. McCONNELL. I move to reconsider the vote and to lay that motion on the table.

The motion to lay on the table was agreed to.

EXECUTIVE SESSION

NOMINATION OF NOEL LAWRENCE HILLMAN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

NOMINATION OF PETER G. SHERIDAN TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY

NOMINATION OF THOMAS L. LUDINGTON TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

NOMINATION OF SEAN F. COX TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider en bloc the following nominations, which the clerk will report.

The legislative clerk read the nominations of Noel Lawrence Hillman, of New Jersey, to be United States District Judge for the District of New Jersey; Peter G. Sheridan, of New Jersey, to be United States District Judge for the District of New Jersey; Thomas L. Ludington, of Michigan, to be United States District Judge for the Eastern District of Michigan; Sean F. Cox, of Michigan, to be United States District Judge for the Eastern District of Michigan.

The PRESIDING OFFICER. Debate on these nominations shall be allocated as follows: Mr. LAUTENBERG, 10 minutes; Mr. MENENDEZ, 10 minutes; Ms. STABENOW, 10 minutes; Mr. SPECTER, 10 minutes; and Mr. LEAHY, 10 minutes.

Who yields time?

The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I ask unanimous consent to use 1 minute of the time allocated to Senator LEAHY.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I am very pleased that the Senate will be voting today on two Michigan jurists, Tom Ludington and Sean Cox, whom the President has nominated to the Federal bench for the Eastern District of Michigan. Both of these jurists received unanimously "well qualified" ratings from the American Bar Association to serve as Federal district judges. We are fortunate that we have jurists such as Judge Ludington and Judge Cox devoted to public service. I believe both will bring character and judicial temperament and integrity to the Eastern District of Michigan. I congratulate these jurists and their families on their nominations. I urge the Senate to confirm them.

Thomas Ludington is currently chief judge on the Circuit Court for Midland County in Midland, MI. He received his J.D. from the University of San Diego School of Law in 1979 and his B.A. from Albion College in 1976, where he graduated cum laude.

After graduating from law school, Judge Ludington worked as an associate and then as a shareholder-partner at a private law firm. At that firm, Judge Ludington's practice covered a range of commercial issues, including banking, securities, bankruptcy, the uniform commercial code, and employment law. He served as president of the firm for 6 years.

In 1995, Judge Ludington was elected to a 6-year term on the 42nd Circuit Court of Michigan. In 1999, he was appointed to the position of chief judge, in which he as served with distinction.

Judge Ludington is a member of several State and local bar associations and belongs to numerous professional and community organizations. For example, since assuming the bench, he has helped organize the Midland Alliance for Justice, a foundation for the local bar association that provides legal representation to indigent parties.

The American Bar Association rated Judge Ludington unanimously "well qualified" to serve as a Federal judge.

Sean Cox earned his B.A. from the University of Michigan and his J.D. from the Detroit College of Law in May 1983. In his 20-year legal career, Judge Cox has had experience in both private practice and on the bench. Judge Cox began practicing law in April 1984 as an associate attorney with a private law firm and worked for 12 years in the areas of medical malpractice, products liability, and complex litigation.

Cox left private practice in March 1996 to serve as judge of the Circuit Court for the Third Judicial Circuit in Wayne County, MI. Judge Cox has also served in various professional organizations and has frequently provided free legal services through a legal aid clinic his law firm established at St. Anne's Catholic Church in Detroit.

The American Bar Association has also rated Judge Cox Unanimously "well qualified" to serve as a Federal judge.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, I endorse the nominations of the people under consideration, Noel Hillman and Peter Sheridan, to be Federal judges on the U.S. District Court of New Jersey. Both of these candidates are outstanding attorneys and are well qualified to assume the position on the bench.

The Senate has recently confirmed two nominees for this court—Judge Susan Wigenton and Renee Bumb. Today I hope this body will resoundingly approve these two additional nominees for the District of New Jersey.

Noel Hillman recently served as the Chief of the Public Integrity Section at the Department of Justice, leading a team of 30 attorneys who investigate and prosecute public corruption cases nationwide.

Mr. Hillman has a reputation for taking on crimes that undermine public confidence in our political system—no matter how political or controversial. He steps up to the task and does it well.

Before he went to the Justice Department, Mr. Hillman served as Deputy Chief of the Criminal Division of the U.S. Attorney's Office in New Jersey and as Assistant U.S. Attorney for the Fraud and Public Protection Division.

His work has not escaped recognition. He received the Attorney General's Award for Fraud Prevention in 2004, the Executive Office of U.S. Attorneys Director's Award in 1996 and 1999, and the Department of Justice Superior Performance Award in 1997.

I am also proud to note that Mr. Hillman was educated in New Jersey, graduating from Monmouth College and Seton Hall Law School.

Mr. President, Peter Sheridan has also been nominated for the District Court of New Jersey, and his resume shows his vast legal experience and knowledge.

Like Mr. Hillman, Peter Sheridan is the product of a New Jersey education. Mr. Sheridan also graduated from Seton Hall Law School, as well as receiving his undergraduate degree from St. Peter's College.

Both of these people know New Jersey well and are part of the culture and character of New Jersey. We are delighted that they are going to accede to the bench if approved here, as we expect.

Mr. Sheridan has spent the last decade as a named partner at Graham, Curtin & Sheridan in Trenton, NJ. Prior to that he worked in private practice at other law firms, and has a strong record of public service.

He served as director of the Authorities Unit for the State of New Jersey, vice president and general counsel of the Atlantic City Casino Association, and an attorney with the Port Authority of New York and New Jersey.

Mr. President, I note that if the Senate approves these two nominees, then this year alone we will have confirmed New Jersey nominees for the Supreme Court, the Third Circuit Court of Appeals, and the District Court of New Jersey.

I hope the good working relationship that allowed this accomplishment will continue for the remaining vacancy on the Third Circuit Court of Appeals and for future nominations.

I had the honor of introducing Mr. Hillman and Mr. Sheridan to the Judiciary Committee, and today I am proud to endorse their confirmation. I urge my colleagues to support them as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey, Mr. MENENDEZ, is recognized.

Mr. MENENDEZ. Mr. President, I rise today in support of the nominations of Peter G. Sheridan and Noel Lawrence Hillman to serve as United States District Judges for the District of New Jersey.

The confirmation of a judge to a lifetime appointment is a vital responsibility given to this body by the Constitution, and one that I take very seriously.

That is why I am pleased that our final two nominees from the package of four from New Jersey have come before the Senate today. Each of the four was favorably reported by the Judiciary Committee back in April. Their confirmation would be a testament to the cooperation and collaborative effort between the Senators from New Jersey, the Senate Judiciary Committee, and the White House.

When we work together to select qualified, independent, and diverse judges, we can fill these positions expeditiously and work in a bipartisan manner that benefits not only the State of New Jersey, but also our Nation.

Both nominees before us today are graduates of Seton Hall School of Law in Newark, NJ, and both possess undergraduate degrees from our shared State.

Mr. Sheridan attended my own alma mater, St. Peter's College, and was honored as Alumnus of the Year in 2003, an honor that I'm still hoping to receive one day. He has been in private practice with Graham, Curtin, and Sheridan for the past 11 years and is currently a shareholder and director of the firm. Mr. Sheridan is an experienced trial lawyer, appearing on numerous occasions before the very court to which he is now nominated. I am confident that his years of experience before State and Federal courts will serve him well on the Federal bench.

The final nominee in our package is Noel Lawrence Hillman. Mr. Hillman is a graduate, cum laude, from Monmouth University in Long Branch, NJ. In addition to his law degree, he also has a masters in law from New York University. Mr. Hillman served as an Assistant U. S. Attorney for nearly a decade before becoming Deputy Chief of the Criminal Division.

Most recently, he worked as the Chief of the Public Integrity Section at the U.S. Department of Justice, where he spearheaded the Government's case against Jack Abramoff. Mr. Hillman has twice received the Director's Award, the highest award given to an assistant U.S. attorney, and in 2004 received the Attorney General's Award for Fraud Prevention. The American Bar Association has rated Mr. Hillman as "well qualified" for this position and I must concur with that assessment.

There truly is no higher calling than the calling of public service. That is why I am so pleased to see people of this quality who are willing to serve our Nation in the administration of justice.

I must thank the chairman and ranking member of the Judiciary Committee for moving these nominees through the process so fairly and quickly. I hope the U.S. District Court for the District of New Jersey can serve as an example of bipartisanship and cooperation in getting mutually agreed upon judges confirmed without dispute. I look forward to each of our four nominees serving on the Federal bench and know that they will make our State proud.

Mr. President, I urge my colleagues to support the nominations of Peter Sheridan and Noel Lawrence Hillman to serve on the U.S. District Court for the District of New Jersey.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business and have this time counted toward the requirements for the executive session.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE INTERNET

Mr. WYDEN. Mr. President, tomorrow in the other body, the House of Representatives, they will begin debating one of the most important communications issues facing our country—the future of the Internet.

Since the other body will begin that discussion shortly and we have had debate beginning in the Senate Commerce Committee, chaired by Senator STEVENS who worked so cooperatively with Senator INOUYE, I wish to take a few minutes and talk about why I think this issue is so important and what the stakes are for our country.

We all understand what has been so exciting about the Internet. The Internet has been a tremendously democratizing force, ensuring that in every nook and cranny of America, opportunities are there for Americans to learn, to tap the free enterprise system and to secure health care to name a few. This is an extraordinary array of opportunities.

Today on the Internet, after you have paid your access charge to use the Net, you go where you want, when you want, how you want, free of discrimination because you have paid that one original access charge.

Unfortunately, there are huge communications lobbies, consisting particularly of some of the major phone companies and some of the major cable companies, that want to change the way the Internet works. They would like to make consumers and businesses in our country pay tomorrow for what is free today.

Today, when small businesses or consumers pay their Internet access charge, they can go wherever they want, whenever they want, however they want, without racking up extra charges and without facing discrimination. Unfortunately, these big communications lobbies would like to change that. For example, we see reports in distinguished business publications, such as the Wall Street Journal. They talk there about communications plans that are "pay to play." If you were going to go to a variety of Web sites, under the approach they are proposing in the Wall Street Journal, the Web sites or the consumer would have to pay every time they went to one of these Web sites, in order to get good quality service.

I don't think that is right. I think that is discrimination. I think it is discriminating against consumers, I think it is discriminating against small businesses. I think it will do extraordinary damage to the inherent beauty of the Internet, which has been all about a fair shake for every American, for every consumer.

In an effort to spin this discrimination by the big cable companies and big phone companies against the consumers, the big lobbies are engaged in a huge advertising blitz. By my back-of-the-envelope calculations, these big lobbies are spending hundreds of millions of dollars on advertisements to convince the American people that discrimination and these extra charges they would face on the Internet are actually good for consumers and businesses.

If it is so good for the consumer, why are these lobbies spending millions of dollars on these advertisements to tell the American people about it? If discrimination was so good, wouldn't consumers have been interested in paying higher prices a long time ago?

It is hard to open the pages of a newspaper or turn on the television without seeing an advertisement urging people to stop Congress from "regulating the Internet." One trade association has even placed ads in the airports around Washington, DC, hoping Senators and Representatives traveling back to their States will see them. I can't imagine the executives of these large corporations would commit such large sums to advertising if they didn't think these kinds of advertisements would pay off handsomely in profits.

Groups, such as Hands Off the Internet, a front group for some of the big communications lobbies, have offered some eye-popping ads. Look at this recent ad, for example, in which they display a copy of my legislation, the Internet Nondiscrimination Act. The only thing accurate about this ad is the top page of my bill. It has my name on it. It clearly says the "Internet Nondiscrimination Act," but just about everything else is dead wrong. What they have done is falsely add what looks like hundreds, if not thousands, of pages to my bill. This is how they demonstrate what my legislation is all about. Here is the reality, Mr. President. Here is what they say I propose. However, this is just not accurate. Here is what my legislation looks like, what the big communications lobbies ought to describe as the real world; a piece of legislation that is 15 pages long.

The bill I have introduced, this 15-page bill, doesn't look like anything along the lines of what the big communications lobbies are spending such vast sums on saying it looks like.

There is an even more disturbing misrepresentation in this ad. It says, stamped up at the top, "regulation." My legislation isn't about regulation. All I want is to leave the Internet alone. I don't want it to be subject to discriminatory changes, changes that would hit the American consumer in the pocket.

I think any fairminded American who looks at my record will see that I have never sought to regulate the Internet. On the contrary, when I came to the Senate, I was a leader in the effort to keep the Internet free of discriminatory taxes. I fought to keep the Internet free of regulation. Now I am trying to keep control of the Internet in the hands of the American people and not force Americans in this country to pay tomorrow for what is free today.

If you looked at these advertisements, Mr. President, you would think that neutrality is some newfangled idea that threatens the Internet. Net neutrality is what we have today, and the Internet has thrived precisely because it is neutral. It has thrived because consumers, and not some huge phone company or some huge cable company, get to choose what they want to see and how quickly they get to see it.

I want to make it clear that those of us who are fighting to keep the Net neutral, which means that when you go to your browser, you go where you want, when you want, how you want, after you pay that initial access charge, are not interested in regulating anything. The people who want to make the changes, the big telecom and cable lobbies, are the ones who want to meddle with the Internet. They want to put their hands on the Internet so they can heap all these extra charges on the American people.

Right now there is a small business, a craft maker, in Tigard, OR, who has a Web site where she sells her products all over the world. If these big lobbies have their way, she will have to pay a new hefty fee so customers can continue to have the same access to her Web site. That is not right. The consumer, after they pay that initial access charge, ought to be able to go where they want, when they want, how they want to get there. To make them pay tomorrow for what they get for free today is wrong.

Colleagues are waiting to speak. I had anticipated spending a bit more time on this, but I think this ad says it all. We ought to keep the Internet free of discrimination. We ought to protect consumers against multiple and discriminatory access charges. The next time somebody sees one of these ads, ads that seem to have millions of dollars of lobby money backing them up, they ought to know that this which purports to represent my legislation is false. What is in this ad suggests scores and scores of pages. The reality is my bill to keep the Internet free of discrimination and protect the consumer is 15 pages long.

This argument at the top of the ad that there will be a host of Net-neutrality regulations is similarly false. It is not about regulating anything on the Internet. I want to keep the Internet the way it is—an open, vibrant system, accessible to all.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). Who yields time?

The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise today to speak to the nominations before us. I appreciate my distinguished colleague and friend from Oregon relinquishing the floor. He is very passionate and such a wonderful leader on so many topics. I appreciate his good work.

I rise today to support the nominations of Judge Sean Cox and Judge Thomas Ludington to the U.S. District Court for the Eastern District of Michigan. Both nominees will bring distinguished legal careers and judicial experience to the Federal bench.

Judge Sean Cox has served as a Circuit Court Judge for the Third Circuit of Michigan since 1996. He is a graduate of the Detroit College of Law at the University of Michigan and has over 12 years of private practice experience.

Judge Thomas Ludington has served on the 42nd Circuit Court for Midland County since 1995. He has served as chief judge of this court for the past 6 years.

Judge Ludington is a graduate of the University of San Diego School of Law and Albion College. After graduating from law school, Judge Ludington worked at Currie and Kendall law firm for 14 years. He also served as president of the firm before he left to join the Michigan circuit bench.

I thank Senator SPECTER and Senator LEAHY for working with me and Senator LEVIN to bring these two truly qualified nominees to the floor of the Senate. I look forward to continuing to work with them on issues related to the Michigan District Court and the Sixth Circuit Court of Appeals. I urge my colleagues to join with us in strongly supporting the nominations and confirming Judge Cox and Judge Ludington.

Mr. President, I ask unanimous consent that the votes on the confirmation of judges begin at 2 p.m. today; provided further, that all the votes in the sequence after the first be limited to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The hour of 2 p.m. having arrived, the question is, Will the Senate advise and consent to the nomination of Noel Lawrence Hillman, of New Jersey, to be United States District Judge for the District of New Jersey?

Ms. STABENOW. Mr. President, I ask unanimous consent that it be in order to ask for the yeas and nays on all four of the nominees.

The PRESIDING OFFICER. Is there objection?

Ms. STABENOW. I ask for the yeas and nays, Mr. President.

The PRESIDING OFFICER. Is there objection?

Mr. SPECTER. Mr. President, I wish to speak briefly—for less than 2 minutes—on the four nominees. They have been cleared by the Judiciary Committee, and I ask unanimous consent that their résumés be printed in the RECORD. They are all well qualified, and I urge my colleagues to confirm them.

NOEL L. HILLMAN

NOMINEE, U.S. DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Birth: 1956; Red Bank, New Jersey.

Legal Residence: Virginia.

Education: 1978–1981; Monmouth College, B.A. degree. 1981–1985: Seton Hall University School of Law, J.D. degree. 1985–1998; New York University School of Law, L.L.M. degree.

Bar Admittance: 1986; New Jersey. 1990; New York.

Experience: 1992–present; U.S. Department of Justice. 2003–2006; Public Integrity Section, Senior Counsel to the Assistant Attorney General; Chief. 2002–2003; Acting Chief. 2001–2002; Principal Deputy Chief. 2000–2001; Criminal Division, United States Attorney's Office, District of New Jersey Deputy Chief. 1999–2000; Campaign Finance Task Force Trial Attorney. 1992–2001; United States Attorney's Office, District of New Jersey, Assistant U.S. Attorney. 1988–1992; Lord Day & Lord Associate. 1986–1988; U.S. District Judge Maryanne Trump Barry, Law Clerk. 1986; Hillman & Sullivan, Associate.

PETER G. SHERIDAN

Birth: April 21, 1950; Cambridge, Massachusetts.

Legal Residence: New Jersey.

Education: 1968–1972; St. Peter's College B.S. degree. 1974–1977; Seton Hall University School of Law, J.D. degree.

Bar Admittance: 1977; New Jersey. 1980; New York.

Experience: 1977–1978; Law Clerk to the Honorable James J. Petrella, Superior Court of New Jersey, County of Bergen. 1978–1981; Port Authority of New York/New Jersey, Office of New Jersey, Solicitor Attorney. 1981–1984; McCarthy and Schatzman, Associate. 1984–1987; Atlantic City Casino Association, Vice President and General Counsel. 1987–1990; Office of Governor Thomas Kean, Director of Authorities Unit. 1990–1992; Cohen, Shapiro, Polisher, Shiekman, & Cohen, Of Counsel. 1992–1993; Cullen and Dykman. 1994–1995; Partner. 1993–1994; N.J. Republican State Committee, Executive Director. 1995–present; Graham, Curtin & Sheridan, Shareholder/Director.

THOMAS L. LUDINGTON

Birth: December 28, 1953; Midland, Michigan.

Legal Residence: Michigan.

Education: 1972–1976; Albion College, B.A. degree, cum laude. 1977–1979; University of San Diego School of Law, J.D. degree.

Bar Admittance: 1980; Michigan.

Experience: 1980–1994; Currie and Kendall, P.C., Associate/Partner. 1994–Present; 42nd Circuit Court, State of Michigan, Judge (Chief Judge since 1999).

SEAN F. COX

DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

Birth: September 24, 1957; Detroit, Michigan.

Legal Residence: Michigan.

Education: 1975–1979; University of Michigan, B.G.S. degree, 1980–1983; Detroit College of Law, J.D. degree.

Bar Admittance: 1983; Michigan.

Experience: 1983; James Flynn, P.C., Law clerk. 1983–1984; Self-employed. 1984–1989; Kitch, Saurbier, Drutchas, Wagner & Kenney, Associate. 1989–1990; Bloom & Kavanaugh, Associate. 1990–1996; Cummings, McClorey, Davis & Acho, P.C., Partner. 1996–present; Third Judicial Circuit Court, State of Michigan, Circuit Judge.

Mr. SPECTER. We are operating under some time pressures because there are Senators who have other commitments. We wanted to call the vote at 2 o'clock. It is 2:01 now. I believe the unanimous consent request has been made that the votes start immediately and that the subsequent votes be 10 minutes each.

The PRESIDING OFFICER. That is correct.

Mr. SPECTER. Have the yeas and nays been ordered on all of the nominations?

The PRESIDING OFFICER. There is a pending unanimous consent request for the yeas and nays on all four nominees. Is there objection to that request? Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Noel Lawrence Hillman, of New Jersey, to be United States District Judge for the District of New Jersey? On this question, the yeas and nays have been ordered. The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from New York (Mr. SCHUMER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 166 Ex.]

YEAS—98

Akaka
Alexander
Allard
Allen
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Boxer
Brownback
Bunning
Burns
Burr
Byrd
Cantwell
Carper
Chafee
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Cornyn
Craig
Crapo
Dayton
DeMint
DeWine
Dodd
Dole
Domenici
Dorgan
Durbin
Ensign
Enzi
Feingold
Feinstein
Frist
Graham
Grassley
Gregg
Hagel
Harkin
Hatch
Hutchison
Inhofe
Inouye
Isakson
Jeffords
Johnson
Kennedy
Kerry
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Salazar
Santorum
Sarbanes
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Talent
Thomas
Thune
Vitter
Voinovich
Warner
Wyden

NOT VOTING—2

Rockefeller
Schumer

The nomination was confirmed.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Peter G. Sheridan, of New Jersey, to be United States District Judge for the District of New Jersey? On this question, the yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from New York (Mr. SCHUMER) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 167 Ex.]

YEAS—98

Akaka
Alexander
Allard
Allen
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Boxer
Brownback
Bunning
Burns
Burr
Byrd
Cantwell
Carper
Chafee
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Cornyn
Craig
Crapo
Dayton
DeMint
DeWine
Dodd
Dole
Domenici
Dorgan
Durbin
Ensign
Enzi
Feingold
Feinstein
Frist
Graham
Grassley
Gregg
Hagel
Harkin
Hatch
Hutchison
Inhofe
Inouye
Isakson
Jeffords
Johnson
Kennedy
Kerry
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Salazar
Santorum
Sarbanes
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Talent
Thomas
Thune
Vitter
Voinovich
Warner
Wyden

NOT VOTING—2

Rockefeller
Schumer

The nomination was confirmed.

Mr. LEAHY. Mr. President, I ask unanimous consent the previously ordered rollcalls on the next two nominees be vitiated, they be considered and passed en bloc.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

The question is, Will the Senate advise and consent en bloc to the nominations of Thomas L. Ludington, of Michigan, to be United States District Judge for the Eastern District of Michigan and Sean F. Cox, of Michigan, to be United States District Judge for the Eastern District of Michigan.

The nominations were confirmed en bloc.

Mr. LEAHY. Mr. President, today the Senate confirmed four lifetime appointments to U.S. district courts, Noel Hillman and Peter Sheridan, who have been nominated to seats on the U.S. District Court for the District of New Jersey, and Thomas Ludington and Sean Cox, who have been nominated to seats on the U.S. District Court for the Eastern District of Michigan. They are all nominees who have the support of Democratic home State Senators.

I am glad the Republican leadership has taken notice of the fact that, as I discussed earlier this week, these nominees have been ready for action for some time, since being reported unanimously last month. I also look forward to working with the Republican leadership to schedule debate and consideration of Sandra Segal Ikuta, who has been nominated to a seat on the U.S. Court of Appeals for the Ninth Circuit, and Andrew Guilford to be a district judge for the Central District of California who also have the support of Democratic home State Senators and could also be easily confirmed. When they are considered, and I hope the Republican leadership will agree to do that next week and not delay, we will have confirmed 250 of President Bush's nominees to lifetime appointments on the Federal courts.

As I noted earlier this week, the nominees we are considering today could have been confirmed earlier if the Republican leadership had chosen to proceed with them instead of pressing forward first with the controversial nomination of Brett Kavanaugh and the divisive debate over a constitutional amendment that had no chance of passing. I do commend the Republican Senate leadership for wisely passing over the controversial nominations of William Gerry Myers III, Terrence W. Boyle, and Norman Randy Smith to turn to these nominations today. In the course of an hour or two this week, the Senate will confirm five lifetime appointments to the Federal courts. Debate on those flawed nominations will take much longer. The Republican leadership is right to have avoided such controversial nominations that were only reported on a party-line vote.

During the 17 months I was chairman of the Judiciary Committee and the Senate was under Democratic control, we confirmed 100 of President Bush's nominees. After today, in the last 17 months under Republican control, the Senate will have confirmed 43.

Regrettably, rather than fill judicial vacancies with qualified nominees, the Republican leadership seems all too often more focused on picking fights. Last month, they forced debate on the controversial nomination of a White House insider selected for a lifetime position on the DC Circuit as a reward for his loyalty to President Bush. I did not support confirmation of Brett Kavanaugh. That was the fight the Republican leader had promised the narrow special interest groups of the rightwing of his party.

The President and Senate Republican leadership continue to pick fights over judicial nominations rather than focus on filing vacancies. This is part of their partisan effort to agitate conservative voters, no doubt. They are willing to play politics with the Constitution and with the courts. They treat the Constitution as a billboard for campaign posters and political ads.

Judicial vacancies have now grown to nearly 50 from the lowest vacancy rate in decades. More than half these vacancies are without a nominee. The Congressional Research Service has recently released a study showing that this President has been the slowest in decades to make circuit court nominations and the Republican Senate among the slowest to act. If they would concentrate on the needs of the courts.

our Federal justice system, and the needs of the American people, we would be much further along.

This week we passed a milestone, confirming the 17th judicial nominee this session. That was the total number of judges confirmed in the 1996 congressional session, when Republicans controlled the Senate and stalled the nominations of President Clinton. In the 1996 session, however, Republicans would not confirm a single appellate court judge. All 17 confirmations were district court nominees. That is the only session I can remember in which the Senate has simply refused to consider a single appellate court nomination. That was part of their pocket-filibuster strategy to stall and maintain vacancies so that a Republican President could pack the courts and tilt them decidedly to the right. In the important DC Circuit, the confirmation of Brett Kavanaugh was the culmination of the Republicans' decade-long attempt to pack the DC Circuit that began with the stalling of Merrick Garland's nomination in 1996 and continued with the blocking of President Clinton's other well-qualified nominees, Elena Kagan and Allen Snyder.

If the Republican leadership will work with us to schedule Sandra Segal Ikuta's nomination for consideration and a vote, we are likely to add another circuit court confirmation to that total. I only wish President Clinton's nominees had received the same treatment.

The road ahead is likely to be rocky. In the runup to the Kavanaugh nomination debate, we saw that the Senate Republican leadership is apparently heeding the advice of The Wall Street Journal editorial page, which wrote, "[a] filibuster fight would be exactly the sort of political battle Republicans need to energize conservative voters after their recent months of despond." Rich Lowery, editor of the conservative National Review, listed a fight over judges as one of the ways President Bush could revive his political fortunes, writing that he should, "[p]ush for the confirmation of his circuit judges that are pending. Talk about them by name. The G.O.P. wins judiciary fights."

Republican Senators are relishing picking fights over controversial judicial nominees. Senator THUNE has said, "A good fight on judges does nothing but energize our base . . . . Right now our folks are feeling a little flat." Senator CORNYN has said, "I think this is excellent timing. From a political standpoint, when we talk about judges, we win." On May 8, 2006, The New York Times reported: "Republicans are itching for a good election-year fight. Now they are about to get one: a reprise of last year's Senate showdown over judges." The Washington Post reported on May 10: "Republicans had revived debate on Kavanaugh and another Bush appellate nominee, Terrence Boyle, in hopes of changing the pre-election subject from Iraq, high gasoline prices and bribery scandals."

We should not stand idly by as Republicans choose to use lifetime Federal judgeships for partisan political advantage. In a May 11, 2006, editorial The Tennessean wrote:

> [T]he nation should look with complete dismay at the blatantly political angle on nominations being advocated by Senate Republicans now. . . . Republicans are girding for a fight on judicial nominees for no reason other than to be girding for a fight. They have admitted as much in public comments. . . . In other words, picking a public fight over judicial nominees is, in their minds, the right thing to do because it's the politically right thing to do. . . . Now, Republicans are advocating a brawl for openly political purposes. The appointment of judges deserves far more respect than to be an admitted election-year ploy. . . . It should be beneath the Senate to have such a serious matter subjected to nothing but a tool for political gain.

On May 3, 2006, The New York Times wrote in an editorial: "The Republicans have long used judicial nominations as a way of placating the far right of their party, and it appears that with President Bush sinking in the polls, they now want to offer up some new appeals court judges to their conservative base."

Consider the President's nomination of Judge Terrence Boyle to the Fourth Circuit. We have learned from recent news reports that, as a sitting U.S. district judge and while a circuit court nominee, Judge Boyle ruled on multiple cases involving corporations in which he held investments. In at least one instance, he is alleged to have bought General Electric stock while presiding over a lawsuit in which General Electric was accused of illegally denying disability benefits to a longtime employee. Two months later, he ruled in favor of GE and denied the employee's claim for long-term and pension disability benefits. Whether or not it turns out that Judge Boyle broke Federal law or canons of judicial ethics, these types of conflicts of interest have no place on the Federal bench. Certainly, they should not be rewarded with a promotion to the Fourth Circuit. Certainly, they should be investigated.

The President should heed the call of North Carolina Police Benevolent Association, the North Carolina Troopers' Association, the Police Benevolent Associations from South Carolina and Virginia, the National Association of Police Organizations, the Professional Fire Fighters and Paramedics of North Carolina, as well as the advice of Senator SALAZAR and former Senator John Edwards, and withdraw his ill-advised nomination of Judge Terrence Boyle. Law enforcement from North Carolina and law enforcement from across the country oppose the nomination. Civil rights groups oppose the nomination. Those knowledgeable and respectful of judicial ethics oppose this nomination. This nomination has been pending on the calendar in the Republican-controlled Senate since June of last year when it was forced out of the committee on a party-line vote. It should be withdrawn.

Also on the calendar is the nomination of William Myers to the Ninth Circuit. This is another administration insider and lobbyist whose record has made him extremely controversial. I opposed this nomination when it was considered by the Judiciary Committee in March 2005. He was a nominee who the so-called Gang of 14 expressly listed as someone for whom they made no commitment to vote for cloture, and with good reason. His antienvironmental record is reason enough to oppose his confirmation. His lack of independence is another. If anyone sought to proceed to this nomination, there would be a need to explore his connections with the lobbying scandals associated with the Interior Department and Jack Abramoff. This nomination should also be withdrawn.

A few months ago, the President withdrew the nomination of Judge James Payne to the Court of Appeals for the tenth Circuit after information became public about that nominee's rulings in a number of cases in which he appears, like Judge Boyle, to have had conflicts of interest. Those conflicts were pointed out not by the administration's screening process or by the ABA but by journalists.

Judge Payne joins a long list of nominations by this President that have been withdrawn. Among the more well known are Bernard Kerik to head the Department of Homeland Security and Harriet Miers to the Supreme Court. It was, as I recall, reporting in a national magazine that doomed the Kerik nomination. It was opposition within the President's own party that doomed the Miers nomination.

During the last few months, President Bush also withdrew the nominations of Judge Henry Saad to the Court of Appeals for the sixth Circuit and Judge Daniel P. Ryan to the Eastern District of Michigan after his ABA rating was downgraded.

It is not as if we have not been victimized before by the White House's poor vetting of important nominations. If the White House had its way, we would already have confirmed Claude Allen to the Fourth Circuit. He is the Bush administration insider who recently resigned his position as a top domestic policy adviser to the President. Ultimately we learned why he resigned when he was arrested for fraudulent conduct over an extended period of time. Had we Democrats not objected to the White House attempt to shift a circuit judgeship from Maryland to Virginia, someone now the subject of a criminal prosecution for the equivalent of stealing from retail stores would be a sitting judge on the Fourth Circuit confirmed with a Republican rubberstamp.

Yet another controversial pending nomination is that of Norman Randy Smith to the Ninth Circuit. This nomination is another occasion on which this President is seeking to steal a circuit court seat from one State and reassign it to another one, one with Republican Senators. That is wrong. I support Senators FEINSTEIN and BOXER in their opposition to this tactic. I have suggested a way to resolve two difficult situations if the President were to renominate Mr. Smith to fill the Idaho vacancy on the Ninth Circuit instead of a vacancy for a California seat. Regrettably, the White House has not followed up on my suggestion.

A complicit Republican-controlled Senate remains all too eager to act as a rubberstamp for the Bush-Cheney administration. The nomination of Mr. Kavanaugh was one of the few to be downgraded by the ABA upon further review. Until the Republican-controlled Senate proceeded to confirm this White House insider, I cannot recall anyone being confirmed after such a development—another first, and another problematic confirmation that ill serves the American people.

Another troubling nomination is that of William James Haynes to the Fourth Circuit, which has been pending in the Republican-controlled Senate without action for 3 years. Mr. Haynes is the general counsel at the Defense Department and was deeply involved developing the torture policies, detention and interrogation policies, military tribunals, and other controversial aspects of the manner in which this administration has proceeded unilaterally to make mistakes and exceed its legal authority. Concerns about the Haynes nomination may not be confined to Democratic Senators, according to recent press reports.

I trust that the Senate will not repeat the mistake it made before. It was only after Jay Bybee was confirmed to a lifetime appointment to the Ninth Circuit that we learned of his involvement with the infamous Bybee memo seeking to justify torture and degrading treatment. I had asked him what he had worked on while head of the Department of Justice's Office of Legal Counsel, but he had refused to respond. This former Defense Department and Justice Department insider now sits on the Ninth Circuit for life.

Finally, there is the more recent nomination of Michael Wallace to a vacancy on the Fifth Circuit. Mr. Wallace received the first ABA rating of unanimously "not qualified" that I have seen for a circuit court nominee since President Reagan. Yet that is one of the controversial nominations we can expect the Republican Senate to target for action given their track record.

One of the most important checks and balances to unprecedented overreaching by the Bush-Cheney executive branch is an independent judiciary. I have sought to expedite consideration of qualified, consensus nominees and urged the President to work with us to make selections that unite all Americans. When the White House fails to make those kinds of selections, I hope that the Republican-controlled Senate will stop rubberstamping them and stop using controversial judicial nominations to score partisan political points. Our courts are too important. The rights and liberties of the American people are too important. The courts are the only check and balance left to protect the American people and provide some oversight of the actions of this President.

SUSAN C. SCHWAB TO BE UNITED STATES TRADE REPRESENTATIVE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the following nomination, which the clerk will report.

The assistant legislative clerk read the nomination of Susan C. Schwab, of Maryland, to be United States Trade Representative, with the rank of Ambassador Extraordinary and Plenipotentiary.

The PRESIDING OFFICER. Debate on this nomination shall be as follows: Senator DORGAN for 30 minutes, Senator CONRAD 15 minutes, Senator BAUCUS, 10 minutes, Senator GRASSLEY, 30 minutes.

The Senator from North Dakota is recognized.

Mr. DORGAN. I ask unanimous consent the Senator from Iowa be recognized. I believe the Senator from Alabama wishes to be recognized. I am happy to proceed following those two.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I strongly support the nomination of Susan Schwab to serve as U.S. Trade Representative.

It is almost 7 months to the day since the Senate unanimously confirmed Ambassador Schwab to be Deputy U.S. Trade Representative.

During her service in that position, Ambassador Schwab has amply demonstrated her qualifications to take over as our next trade representative.

She successfully concluded negotiations of trade agreements with Peru and Columbia and has been actively engaged in the ongoing negotiations of the Doha Development Round of the World Trade Organization.

Given her strong background in trade policy, it is not surprising, then, that Ambassador Schwab has served so well in her current position.

Ambassador Schwab formally served as Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service. That is an agency within the Department of Commerce with people on the ground in foreign countries pushing for the interest of U.S. businesses.

She, herself, worked abroad to advance U.S. trade objectives while serving as a trade policy officer in the U.S. embassy in Tokyo.

Her first job in Washington was as an agricultural trade negotiator for the Office of U.S. Trade Representative. Ambassador Schwab thus knows full well the importance and the challenge of advancing the trade interests of U.S. family farmers.

Ambassador Schwab also has extensive experience working for the Congress of the United States, the very committee that I chair. She spent 8 years during the 1980s as a trade policy specialist and then as legislative director for then-Senator Danforth at a time when he chaired the trade subcommittee of this Committee on Finance.

Ambassador Schwab is well aware of the important role Congress plays in U.S. trade policy. I look forward to working closely with her in advancing U.S. trade objectives.

In addition, Ambassador Schwab has experience working on trade issues also in the private sector. At one point, she was director of corporate business development for Motorola. In that position, she engaged in strategic planning on behalf of Motorola in the continent of Asia.

More recently, she served as dean of the University of Maryland School of Public Policy. That was from 1995 through the year 2003, and then as president and CEO of the University System of the Maryland Foundation, as well as serving as vice chancellor for advancement.

Her academic and private-sector experiences complement her strong background in Government service. She is well rounded, in other words. Given the major challenges we face in advancing a robust trade agenda, it is especially important we have someone of Ambassador Schwab's caliber serving as U.S. Trade Representative dealing with 149 countries that are members of the World Trade Organization.

We need to achieve substantial progress in Doha Round negotiations, and soon, if we are going to succeed in getting an agreement before trade promotion authority for the President of the United States expires next year. We still have a long way to go on those negotiations to reach an ambitious outcome that would be acceptable to me as chairman of the committee, but I think I can speak for the entire Congress on that point.

We are also in the process of negotiating free trade agreements with a number of important trading partners, including South Korea and Malaysia. These are going to represent terrific challenges. These are going to represent yet new challenges for her, particularly in addressing regulatory and other nontariff barriers to trade.

It is essential our bilateral negotiations with South Korea, Malaysia, and other nations conclude in time to be considered under trade promotion authority which expires July next year.

In addition, it is important our next trade representative continue to encourage meaningful regulatory reform in other major trading partners, especially Japan and China.

I expect Ambassador Schwab to continue to push our trading partners to come into compliance with their existing trade obligations such as and not limited to these: Mexico's obligation under NAFTA and the World Trade Organization regarding the importation of U.S. agricultural products and China's obligations to protect intellectual property rights.

Separately, I expect any bilateral agreement on Russia's access to the World Trade Organization will be concluded on strong, commercially meaningful terms and will not be rushed to meet some artificial deadline. Russia must demonstrate its willingness, its ability, and its commitment to abide by World Trade Organization rules.

It is important we remind ourselves of the tremendous benefits we derive from open international trade because too often we hear criticism of our trading regimes. As an example, on average, over the past decade, our economy has created a net of 2 million jobs each year. In 2005, our unemployment rate dropped to 4.7 percent, which is well below the averages of the 1970s, 1980s and 1990s.

An important part of our economic success is due to our trade. During the last decades, our exports have accounted for about one-quarter of U.S. economic growth. Jobs created by exports are estimated to pay 13 to 18 percent more on average compared to jobs unrelated to exports.

With respect to agriculture, approximately one-third of the acres planted in the United States are exported. Our service sector, which accounts for almost 70 percent of the U.S. economy, is anxious to break down barriers to our exports of services around the world.

Today our services exports account for a little more than a quarter of the total U.S. exports of goods and services, so breaking down barriers to our services exports would go a long way toward helping us improve our trade deficit.

Therefore, we in the Congress need to recommit ourselves to securing improved market access for our exporters, both in the Doha Round negotiations and by means of bilateral and regional trade agreements.

I am confident Ambassador Schwab will effectively meet each of the many challenges she will face as our next trade representative. Her experience and her skills make it quite evident she is the right person for the job. I urge my colleagues to join me in supporting her nomination. Once confirmed, I look forward to working with her to advance an ambitious trade agenda and would expect her to consult under the law trade promotion authority with our committees when we ask her to and when she thinks it is necessary for her to make advances to us on that sort of communication because consultation between us prior to a negotiation being signed is the basis for the success and the opportunity to get such an agreement through the Congress.

Mr. SHELBY. Would the Senator from Iowa let me speak for 2 or 3 minutes as in morning business?

I support the nominee. There is no objection by Senator DORGAN.

Mr. GRASSLEY. The Senator can have whatever time he desires.

The PRESIDING OFFICER. The Senator from Alabama.

(The remarks of Mr. SHELBY are printed in today's RECORD under "Morning Business.")

Mr. SHELBY. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CONRAD. Mr. President, what now is the business before the body?

The PRESIDING OFFICER. The Schwab nomination.

Mr. CONRAD. I thank the Chair.

Let me indicate as a member of the Finance Committee that we had hearings on the Schwab nomination. Let me stipulate that she is well qualified for the position. She is a lovely person, well educated and well trained. With all that said, after her testimony before the Finance Committee, I decided reluctantly that I would oppose her nomination. I want to share very briefly with the Members why I made that judgment.

When Ms. Schwab came before the Finance Committee, I put up a chart showing what has happened to the trade deficit of the United States. The trade deficit soared to over $700 billion last year. I had another chart that showed what has happened to the trade deficit with Mexico since the NAFTA agreement. Before the NAFTA agreement, we had a trade surplus with Mexico of several billion dollars. Now we have a massive trade deficit with Mexico.

I asked Ms. Schwab: Is this a successful trade policy?

Her answer was: Yes.

I told her: If this is a success, I would hate to see a failure. Because this trade policy is proving to be a disaster for the financial health of the United States. We are spending $700 billion a year more in purchases than we are in sales. A country cannot do that for very long.

Then I asked her about agricultural trade policy. I asked her about the strategy of our trade ambassador going into the trade talks and making unilateral concessions, offering to cut support for our producers by 60 percent on the notion that then the other side would make concessions to us. I told her this is the strangest way to negotiate that I have ever seen. Unilateral concessions on the hope that the other side will follow suit—who has ever seen that in a negotiation? That is like going to the car dealership and agreeing to pay the sticker price. Why would you ever do that?

Ms. Schwab told me this is actually a smart trade tactic, a negotiating tactic, that you make big concessions on the front end and then you get tougher at the end. I don't think that is smart. I think it is a disaster. We are in a circumstance in which the Europeans provide five times as much support for their producers as we provide for ours. They account for more than 90 percent of the export subsidy in the world. We are about 1 or 2 percent. So they have us outgunned there 70 or 80 to 1.

Our idea of a negotiation is to make major unilateral concessions and then hope the other side gives in. What happened with this strategy? Did Europe then follow and make major concessions in response to ours? No. They made none.

I fear we are pursuing a trade agenda that is simply not working. I would present as exhibit No. 1 record trade deficits, the biggest in our history and growing dramatically.

Exhibit No. 2, NAFTA: We signed on to the NAFTA agreement. Our leadership told us this was going to be a great success. At the time we had a positive trade balance with Mexico. Now our trade deficit is measured in the tens of billions of dollars a year. This is a trade policy that is not working.

I cannot support as our trade ambassador somebody who clearly believes that is a success. How could anyone define this as a success?

I have reluctantly concluded that if we were to have a vote, and apparently this will be on a voice vote, I want it clearly recorded that I would vote "no."

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I understand there is an order with respect to my presentation on this matter.

The PRESIDING OFFICER. The Senator has been allocated 30 minutes.

Mr. DORGAN. Mr. President, this reminds me of Madam Tussaud's wax museum. It looks like there are people here, except there is no movement. Month after month after month, we hear the results of unbelievably bad trade agreements that pull the rug out from under our workers and farmers, pulling the rug out from under our economy, ringing up the highest trade deficits in the our history, shipping American jobs overseas, even as we import cheap labor through the backdoor, and no one says a thing. No one does a thing. We today have a proposal before us to approve the nomination of a new U.S. trade ambassador. For what purpose?

Let me describe what is happening with our trade deficit. This is the trade deficit from the most recent year going back to 1995. We are hemorrhaging in red ink.

These are the largest trade deficits in the history of humankind, by far, not even close with any other country. What does this mean? This means that we are selling part of our country every day to those who live outside of our country. It is called the selling of America.

We seem to think that it is all right to have a trade deficit of $2 billion a day. That means that we import products more than we export to the rest of the world, and we pay for those imports with our currency or debt instruments. The result is at the moment the bank of Korea holds $200 billion of our currency; the Chinese, $750 billion; the Japanese, $800 billion; the Taiwanese, $250 billion. We are literally selling our country with these trade deficits every day.

Trade deficits are not just about selling America piece by piece. It is about shipping American jobs overseas and undercutting American workers all at the same time.

Winston Churchill said: The further backward you look, the further forward you can see. So I will look back a little bit. It is surprising to me that we have the nomination of a trade ambassador on the floor of the Senate and no real discussion, save that of my colleague, Senator CONRAD, about the merits of where we are headed. This country is dangerously off-track with wildly inflated and mushroomed trade deficits. It is getting worse, much worse, not better. Yet there is not a whimper here in the Congress about it.

Part of the reason is that the folks who work here are not going to have their jobs outsourced. No one wearing a blue suit and suspenders who hangs around here is going to have their job sent to China. If that were the case, we would have a change in trade policy immediately. But nobody loses their job here. For that matter, no journalist loses their job. That is why all you read, for example, in most of these major newspapers in support of this trade policy that, as we can see from this chart, is a massive failure. Just take a look at a portion of it. Two hundred billion of that $700 billion is with China alone. You can take a look at what is happening there, dramatic growth.

Here is the trade strategy we are currently working under: exporting good American jobs and importing cheap labor. We just finished importing cheap labor with the immigration bill 2 weeks ago. I didn't support that. I voted against that. I voted against the trade agreements that have allowed us to export good jobs.

I have gone through at great length in the Senate a range of issues. Let me use a couple to describe what has happened and what our trade agreements are about.

We are now negotiating a trade agreement with Korea. Let me talk about automobile trade with Korea. See if anybody cares about that, see maybe if this new trade ambassador would care about that. Last year we got 730,863 cars coming in on ships from Korea. They loaded all the Korean cars on ships, sailed across the ocean and offloaded 730,000 Korean cars in the United States.

Guess how many American cars we were able to sell in Korea. Seven hundred thirty thousand? No. Four thousand two hundred. Ninety-nine percent of the automobiles on the streets in Korea are produced in Korea. Why? They don't want American vehicles to be allowed into their market. They want to send their vehicles here for sale, but they don't want our vehicles sold in Korea.

This imbalance exists. Does anybody care about it? It doesn't mean a thing to most people. What it means to a lot of families is they have lost their jobs. United Auto Workers have lost their jobs. But nobody cares much about that because nobody in this Chamber is going to lose their job because of this imbalance in automobile trade.

Japan: 95 percent of the cars driving in the streets of Japan are produced in Japan. Why don't we export more cars to Japan? They don't want them. They, like China and many other parts of the world, including Korea, want to exercise their right to send their products to the American marketplace, but they sure don't want to have their marketplace wide open to that which is produced by American workers. That is the last thing they want.

Let me go back a few decades to 1970 or so. The largest American corporation was General Motors. In most cases people who went to work for GM worked there for a lifetime. That was their job. They were going to retire there and did. They worked there for a lifetime, got good pay, good benefits, good retirement. Now, 30 years later, the largest corporation in America is Wal-Mart. Average salary, according to published reports, is about $18,000 or $19,000 a year.

A substantial portion of their employees have no benefits. Of those eligible for health care benefits, they pay double the amount that most employees of corporations would pay for health care. Many of those who do have full-time jobs at low salaries cannot afford the benefits that are offered. So have we made progress in these 30 years?

By the way, with respect to Wal-Mart, 70 percent of the products on their shelves is from China. Wal-Mart's pressure will lead them to close their American operations and move them to China. The only way to sell it the way the we want to is have it produced in China, where you can pay a worker 33 cents an hour.

I read a month or so ago that China has finally purchased Whammo Corporation. There are a lot of companies moving, deciding they cannot afford to produce in America anymore. They don't want to pay U.S. workers decent wages. They want to produce in China for 33 cents an hour, where you don't have to worry about health care and retirement. We have seen 4 million to 5 million American jobs gone from our country.

I noticed in the newspaper that Chinese purchased Whammo Corporation—Frisbee, Hula Hoop, Slip 'N Slide. It is sort of the hood ornament on what is wrong with our trade. So Whammo is gone. What about the steelworker in America or the textile worker in America or the metal fabricator in America or the family farmer or the software engineer—their jobs are gone in increasing numbers.

Alan Blinder, the former vice chairman of the Federal Reserve Board, said recently in a Foreign Affairs article that there are roughly are 42 million to 56 million jobs in America that are subject to being outsourced to other countries—China, Indonesia, Sri Lanka, Bangladesh, and more.

American companies have discovered that this large planet has a billion to a billion and a half people, and perhaps more, where if you move the technology and capital, you can employ people in other parts of the world for pennies. You can hire kids, you can work 12-year-olds 12 hours a day and pay them 12 cents an hour. You can ship the product to Toledo, Fargo, Los Angeles, or Lansing, MI, and say to the American producer and business and worker: Compete with that. The fact is, you cannot compete with that, and you should not be asked to compete with that.

We fought for a century in this country for the standards of production that have made this a great place and allowed us to expand the middle class. I have spoken before about James Fyler, who died of lead poisoning; he was shot 54 times. Earlier in this century, he and others were standing up for the right of people to organize, for workers to be able to organize. We finally became a country in which workers can organize without having to go to prison, like they do in China. I have the names of people sitting in prison in China because they wanted to organize workers for a fair deal. We signed the Fair Labor Standards Act in this country and established a minimum wage and gave people the right to organize. We did a whole series of things—child labor laws—that have established the conditions of production, that produced a burgeoning middle class and the strongest economy the world has ever known. Now it is systematically being taken apart. I know it is hard to see day by day, but you watch what is happening in this country to the good jobs, the jobs with security that pay well, with benefits. One by one, 1,000 by 1,000 and, yes, a million by a million, they are leaving this country.

No, it is not just the bottom rung of the economic ladder; it is also engineers, software producers, and others. Nobody here seems to care very much. This Congress certainly doesn't. This Congress supports all that. This Congress supports giving a tax break to companies that ship their jobs overseas. Show me a company that fires all the American workers and ships their jobs to China, and I will tell you that this Congress supports giving that company a tax break—$1.2 billion a year our current Tax Code spends in tax cuts to companies that ship their American jobs overseas. It is unbelievable.

I have offered four amendments in this Senate to shut that perverse tax break down and I have lost four times. In 2005, Bo Anderson, one of the top executives at General Motors dealing with parts and supplies, called 380 parts and suppliers together; he called the executives of the parts suppliers to a meeting. He said to them that you need to be building your automobile parts in China to reduce the cost. In other words, move those jobs offshore, get rid of those American workers. Delphi, which used to be the largest General Motors parts supplier, were paying workers $26 to $30 an hour with benefits. Well, that is over. They are in bankruptcy and, of course, it is blamed on the workers. Nobody talked about the executives and what role they might have had. They want to outsource the jobs, and for the jobs they would keep here, they want to pay $8 to $10 an hour. I am wondering how you create a country with a growing middle class and a consumer ability to make purchases in this country if jobs are going elsewhere in search of pennies an hour. IBM laid off 13,000 people; they are going to ship the jobs to India. They said to workers, by the way: This is not a comment on the excellent work you have done. See you later. Your job is gone.

The question is, What are we building and what does all this mean? The reason I mention all of this is that all of it comes from trade agreements. We have all of these trade agreements, and one is NAFTA with Mexico. We turned a small trade surplus into a giant deficit with Mexico. It is pretty unbelievable when you think about it. My colleague says that the current nominee believes that the trade agreement with Mexico is a huge success. She has not lost her job to outsourcing either. But it is not a success by any standard. The trade deficit with Mexico and with Canada and with Europe, with Japan, Korea, and China—it is a disaster. Nobody seems to care much.

Now, I want to talk a little about this notion of free trade. It sounds like such a wonderful term, "free trade." Freedom. Free trade means that you want to substitute that which we have fought for and built, that which people have died for, that which people have debated for a long time—what are the standards of production? What is being an American all about? What is protecting children? What is a fair wage? What is a safe workplace? What is the right to organize worth? It is trading that in and saying none of that matters. The largest corporations can pole-vault over all of it and move their factory to China. We are taking apart that which we built for a century. That is what the trade agreements are doing. I have shown you the red ink. So the trade agreements are an abysmal failure.

I would like to speak now about something that we learned very recently, involving sweatshops in the country of Jordan.

At the outset, let me say that the trade agreement with Jordan was slightly better than all the others. I give credit to President Clinton because they negotiated a free trade agreement with Jordan that had standards with respect to workers' rights, for a change. So it was a step forward—not a giant step but a step in the right direction.

What has happened to trade with Jordan since that time? The New York Times has written an article based on some work by the National Labor Committee. They have done terrific work investigating what is going on in Jordan. Remember, this was supposed to have created the gold standard for labor protection for workers, signed in 1999. But what happened since then is that Jordan has flown in so-called guest workers from countries such as Bangladesh and China to make products in Jordan for export to this country. So we see products in stores such as Wal-Mart, Target, and others, that have now, we know, come from sweatshops in Jordan under our free trade agreement.

Here is how the New York Times describes these sweat shops:

> Propelled by a free trade agreement with the U.S., apparel manufacturing is booming in Jordan. Exports to America are soaring twentyfold in the last 5 years. But some foreign workers in Jordanian factories that produce garments for Target, Wal-Mart, and others are complaining of dismal conditions—of 20-hour days, of not being paid for months and months, of being hit by supervisors and of being jailed when they complain.

These factories in Jordan are flying in planeloads of workers from the poorest countries, such as Bangladesh, to work in slavelike conditions. They also ship in Chinese materials—textiles in this case—to those manufacturers. What you end up with are Bangladesh workers working up to 120 hours a week in sweatshops in Jordan piecing together Chinese materials to be shipped into the United States under free trade agreements to be sold in a Wal-Mart or a Target.

Is that what free trade agreements are supposed to be about? I don't think so.

The workers at these Jordanian sweatshops testified they were forced to work far below minimum wages, promised $120 a month, but in many cases they were not paid at all. One worker paid $50 for 5 months of work. It is unbelievable to see what is going on.

Then when this is exposed in the New York Times, you hear people say: Well, we had no idea this was going on. It is kind of akin to the French police chief in the movie Casablanca, he was shocked to find that there was gambling taking place in Rick's Café. Nobody ought to be shocked by this. This is what is going on in the world.

I am going to introduce legislation at the end of my presentation today dealing with these issues of sweatshops and how we try to respond to them. My legislation will establish substantial civil penalties for the import of sweatshop goods. When sweatshop factories abuse workers for profit, the best way to attack the problem is to take that profit away. If the Federal Trade Commission determined that an overseas factory was producing sweatshop labor, it would issue an order prohibiting importation from that factory. Violation would carry a civil penalty, and each separate violation would be a separate offense. Also, my bill would allow U.S. retailers the right to sue their competitors in U.S. courts if their competitors are sourcing their merchandise from these sweatshop factories.

I feel strongly that as we come to talk about trade today and the nomination of a new trade ambassador, we ought to talk about what is going on in the real world. I have described previously so many stories. I was going to talk about Maytag—you know, the repairman who has nothing to do, and part of that is because Maytag is moving its jobs overseas these days.

Here are the dancing grapes in this picture. I love the dancing grapes from Fruit of the Loom. They make shorts and T-shirts that are all over America, and they have these people dressed up as grapes. Who on Earth would dress up as a grape? I guess a job is a job. Who is dancing in grape suits these days? That is the way they advertise this American underwear. Guess what. It may still be all-American underwear, but it is not made here anymore. They danced right out of this country. Fruit of the Loom is gone to Mexico. And it is not just Fruit of the Loom. The best example I know is Huffy bicycles. They are now a Chinese company. They got rid of all their Ohio workers; they fired them because they made too much money, $11 an hour. They have now become a Chinese company. You can still buy them here, and they produce a product they call all-American. It is just that they are made in China. I happen to know where. They pay 33 cents an hour there, and all those American workers who lost jobs, who had a long career making these bicycles at the largest bicycle plant in the world, they were told: Your career is over. You make too much money at $11 an hour, so Huffy has gone to China. If you had a Huffy years ago, you noticed there was an American flag decal on the front. That is gone too. Now it is a decal of the globe.

By the way, on the last day of work at Huffy Bicycles, when their jobs left for China, I was told that when the workers left the parking lot, as they drove out of the lot, they left a pair of empty shoes in the space where their car was. It was a way of saying to the company that you can move our jobs to China, but you are not going to be able to fill our shoes. That is how much they cared about their jobs.

Little red wagon, Radio Flyer—I bet there is not a kid around who hasn't ridden in that little red wagon. Of course, that was American for a century. Gone to China. The list goes on and on. I could talk for hours about companies.

Levi's. There is not one pair of Levi's made in America. Talk about all-American jeans—there is not one pair of Levi's made in America. If you wear Tony Lama boots, you might be wearing boots made in China, by the way. The list goes on and on.

The question for this nominee for the U.S. Trade Ambassador's job is, Do you care whether these jobs are gone from our country? Do you care whether Americans are now asked to compete against those in other parts of the world who make 33 cents an hour? Do you care about that? Do you care that our workers are asked to compete against young kids, some of them locked in manufacturing plants, some of them hand-weaving rugs, some of them whose fingertips were scarred by putting sulfur on the fingertips and lighting the sulfur in order to produce a scar so that when they are using the needles on the rug and they stick their fingers, they won't bleed? Do you care about all that?

How about a trade policy that stands up for the interests of our country? Yes, I think we ought to trade. Yes, I think expanded trade is good for our country. But it must be and has to be fair trade. You cannot say to companies: All right, we have decided over a century what the conditions of production are in this country that represent a growing middle class and a growing economy and a humane way to do things. We have decided that, but you can avoid all of that by just deciding to shut your American manufacturing plant, move the jobs elsewhere, and if somebody messes with you when your plant has moved overseas and they want to organize workers for better wages, you can get the government to throw them in prison. If somebody cares about you putting poisons in the water and the air, pumping effluent and pollution into the water and the air, you don't have to worry about that because you can do that with impunity. When somebody says you can't hire children, you don't have to worry about that because you can put kids in your manufacturing plant. And if somebody says OSHA is going to come, you can say: There ain't no OSHA here; I can do what I want here. And by the way, when I get the product produced, I am shipping it to the United States of America because I have store shelves to fill and I have American customers who want low prices. I know, they are the same customers who are going to drive Korean cars to the store, wear their Italian shoes, wear their Taiwanese shirt, wear their Chinese slacks, and they are going to wonder where all the American jobs went.

I would like to ask one of these days when we have a change in the U.S. trade ambassador's job what they really think success is. Do you really believe this hemorrhaging of red ink, selling America $2 billion a day to foreign governments, foreign enterprises, do you really believe that can continue? It cannot. That just cannot continue.

And, oh, by the way, the strategy I described earlier that I believe doesn't add up for our country is a strategy by which we tell companies: You can export good American jobs, and you can import cheap labor. That was the immigration bill, the last portion—export good jobs, import cheap labor. I am saying that doesn't add up.

At least a portion of that—exporting good jobs and importing cheap labor—is now attended to by a desire to decide that when you export good jobs and import cheap labor, you can run your profits through the Cayman Islands so you don't have to pay taxes in this country.

This little house, I have told my colleagues before, this five-story white house, called the Ugland House on Church Street in the Cayman Islands, is home to 12,748 corporations. That is right. They are not there; it is just a figment of someone's imagination. Lawyers have established this address for 12,748 corporations for one purpose, and that is to avoid paying U.S. taxes. It is unbelievable, if you think about it.

So export your jobs, import your products here, sell them in the United States, and run your income through the Cayman Islands. I am just saying none of this adds up and none of it works.

I agree with my colleague who described a while ago his opposition to this trade ambassador. I don't believe the nominee is unqualified, I just believe there our trade policy is terribly misguided. That is pretty troublesome because I don't think this country will have the kind of economic strength that expands so that our kids have jobs, good jobs that pay well with benefits in the future. I don't think it is going to happen. I wish I were wrong. I don't think I am. Yet all this continues in a giant silence. Nobody seems to care very much.

Let's just continue doing this. We will sell a little bit of America every single day, keep shipping jobs elsewhere, not think much about it because we can buy a cheap product at Wal-Mart, and it will be just fine. Be happy. I am just saying I don't think this adds up for our country's future.

I don't support this nomination because I want a nominee at the U.S. trade ambassador's office who is going to stand up for a trade policy that is fair for this country—fair trade.

A colleague just came into the Chamber who comes from a State that has a lot of ranching. We are not getting beef into Japan at the moment. That is a different story. It is unbelievable with the trade deficit that we can't get beef into Japan. Let's assume that problem was resolved tomorrow. Every pound of beef that would go into Japan would have a 50-percent tariff on it, and that's 16 years after we had a beef agreement with Japan. That is just a tiny little example, beef to Japan. That would be considered a failure by any standard, a 50-percent tariff a decade and a half after the beef agreement.

We blithely go along and say: Be happy, it will be fine, drive to Wal-Mart and pick up an Etch-A-Sketch and be happy. It doesn't matter. This will all work out in the end.

Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. DORGAN. Mr. President, I ask unanimous consent for 4 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I conclude by describing one of the concerns I have about the silence on these issues. Some long while ago, I was on the floor of the House of Representatives when there was a joint meeting of Congress. A fellow named Lech Walesa was speaking to Congress at a joint meeting.

Lech Walesa told a story—pretty unbelievable—a story, of course, I had known from the history books. He told us this: He said it was Saturday morning in a shipyard in Gdansk, Poland. He had been fired from his job as an electrician from this plant. He went back into the shipyards on Saturday morning to lead a labor strike against the Communist government, believing workers ought to have the right to self-determination. He went back in to lead a strike against the Communist government. They seized him that Saturday morning and brutally beat him, beat him bloody, took him to the edge of a fence that was heightened with barbed wire and threw him over the barbed-wire fence into the dirt on the other side of the fence.

He laid in the dirt face down, bleeding, having been beaten severely. He told us he wondered what he should do next. As he lay there, he decided what to do next. He picked himself up, climbed back over the fence into the shipyard, right back into the same shipyard that morning. Ten years later, this unemployed electrician was identified by the Doorkeeper of the U.S. House of Representatives as the President of the country of Poland—not an intellectual, not a military leader, not a business leader, just an unemployed electrician with the guts to take on the Communist government for a free labor movement.

They called it Solidarity. We all celebrated solidarity. What a wonderful thing it was. We supported Solidarity. He said to us: We didn't have any guns; the Communists had all the guns. We had no bullets; the Communists had all the bullets. We were workers armed with an idea. We were armed only with an idea; that is, people ought to be free to choose their own destiny.

What is the idea here? What is the idea in America by which we fought for 100 years for the basic standards, by which we expanded the middle class, safe workplaces, decent wages, the right to organize? What is that idea, and does it have value now, or have we forgotten that idea and is there someone willing to stand for that idea today?

I hope so. I don't believe we ought to decide that which we created is somehow unworthy as we look to the future of this country, and I believe we ought to continue to build a place that is better for our children. We want a place, all of us want a place we can turn over to our children and grandchildren that is better than the place we inherited. That ought to be the goal.

I don't intend to ask for a recorded vote, but I do not support this nomination only because I think we are headed toward a trade strategy—and we have been in the middle of it for some long while now—that is injuring this country and is going to ship jobs overseas.

As I said when I started, Alan Blinder, a respected Vice Chairman of the Federal Reserve Board, said there are 42 million to 56 million American jobs at this point subject to outsourcing. Those not outsourced are still going to be required to compete with others in the world who make a great deal less money. That is not the way we are going to continue to build the economy we believed we were building for the last century.

I am not suggesting putting walls around our country. I am not a xenophobe. I am not an isolationist. I am not one who believes trade is not worthy. I do. But I think this country ought to insist and lead in the area of demanding fair trade, demanding trade be fair, standing up for our businesses, standing up for our workers, and saying we insist on and demand fair trade.

Ms. MIKULSKI. Mr. President, I speak today in support of the nomination of Dr. Susan Schwab to be the U.S. Trade Representative. I have known Susan for a long time and have seen her great leadership and vision as dean of the University of Maryland School of Public Policy. As dean, Susan helped the school grow into one of the top public policy programs in the Nation.

I support fair trade, so American workers can compete. Dr. Schwab has demonstrated her commitment to this approach and to ensuring our Nation's economic competitiveness. Our top trade representative needs to be tough, smart, and have experience standing up for American interests. Dr. Schwab clearly fits that bill as well.

Dr. Schwab's qualifications for this position are first-rate. She is a former Foreign Service officer, serving in the U.S. Embassy in Tokyo and as a trade negotiator at the USTR. The experience of serving on the front lines of an office she will now help lead is particularly important. Dr. Schwab also has extensive experience in both the legislative and executive branches of the Federal Government. She was legislative director for Senator John Danforth and served as Assistant Secretary of Commerce and Director-General of the U.S. & Foreign Commercial Service in the first Bush administration.

In addition to her practical experience, Dr. Schwab is accomplished academically. While dean of the Maryland School of Public Policy, she taught a variety of graduate courses on U.S. trade policy and international relations. Dr. Schwab received her Ph.D. in public administration and international business from the George Washington University. She holds a master's in development policy from Stanford University and a bachelor's from Williams College.

I ask my colleagues to join me in supporting this nomination.

Ms. COLLINS. Mr. President, I am pleased to offer my strong support and endorsement of the confirmation of Ambassador Susan Schwab as U.S. Trade Representative. During her long career in public service, Ambassador Schwab has dedicated herself to advocating for the best interests of the United States in the global economy. I was delighted when I learned that the President had nominated her for the position of U.S. Trade Representative, a position for which she is ideally suited.

Throughout the 1980s, Ambassador Schwab was as a trade policy specialist and then legislative director for Senator John C. Danforth, playing a major role in numerous U.S. trade policy initiatives, including landmark trade legislation that Congress enacted in 1984 and 1988. While serving on the staff of Senator William S. Cohen and as staff director of the Subcommittee on Government Oversight, I worked closely with Ambassador Schwab on a number of trade issues affecting Maine and its industries.

In particular, Ambassador Schwab worked with our staff to support Maine's shoe industry and its workers during the industry's massive dislocations in the 1980s. She was instrumental in helping us develop legislation to address the industry's dire situation in those years, including critical improvements to antidumping, countervailing duty, and safeguard provisions. She also worked closely with our staff to improve market access for Maine agricultural goods in foreign markets.

Ambassador Schwab's professional and personal record of service will enable her to effectively represent U.S. interests around the world. She will make an outstanding U.S. Trade Representative.

Mr. BAUCUS. Mr. President, I strongly support the nomination of Susan Schwab to be our next U.S. Trade Representative. I have known and worked with Ambassador Schwab for many years. She has had a stellar career as a trade negotiator, a senior congressional staffer, a businesswoman, and a university administrator and professor.

I recently read a piece about Ambassador Schwab in the Washington Post. That article described her as "a hard-nosed pragmatist, well versed in arcane trade economics, and a dazzling strategist and negotiator."

She was described as excelling as "a strategic thinker and consensus builder . . . able to quickly synthesize the thinking of Congress, the administration and special-interest groups."

That Washington Post article is 19 years old. It is from July 1987. By that point, Ambassador Schwab had already honed her reputation in the international trade community.

She had already negotiated tricky agriculture agreements in the Tokyo Round. She had already helped draft provisions of U.S. trade law—like Super 301—that became a fixture of U.S. trade policy for the next decade.

She had already attracted both fear and admiration among many of our most recalcitrant trading partners.

Nineteen years later, Ambassador Schwab continues to demonstrate her skill as a seasoned trade negotiator. In her tenure as Deputy U.S. Trade Representative, she has settled one of the most difficult and complicated trade issues—our dispute with Canada over subsidized imports of softwood lumber.

She has worked tirelessly with our trading partners on trade agreements, and she has worked to obtain consensus among the 149 members of the World Trade Organization in the ongoing Doha Round negotiations.

Ambassador Schwab will need all of her skills to carry out the job as U.S. Trade Representative. We have entered one of the most difficult periods in trade policy that I can remember—both with our trading partners and domestically.

At the top of Ambassador Schwab's agenda will be shoring up the Doha Round. Unless something changes soon, these talks are at serious risk of collapse.

Our trading partners continue to believe that America alone must make the concessions necessary for these talks to conclude. They forget that negotiations are two-way. They are give and take.

As I have told Ambassador Schwab, I will not be in a position to support any result out of the Doha Round unless several results are achieved: No. 1, the EU must commit to serious and meaningful reductions in agriculture tariffs; No. 2, Brazil, India, and developing world countries must commit to serious and meaningful reductions in industrial tariffs; and No. 3, our key trading partners must agree to open further their services markets.

Ambassador Schwab will also face serious challenges in our bilateral trade and economic relationship with China. China often makes promises—in the WTO and bilaterally—that it does not always keep. For instance, in April, China promised to lift its ban on U.S. beef. But China still has not done so, and it appears to be in no hurry.

In the coming months, I hope to work with Ambassador Schwab in creating a more sustained, structured, and comprehensive dialogue with China that allows the United States to hold China's feet to the fire on the promises that it makes.

And we also need a better framework to seek out ways to cooperate more effectively on issues of mutual economic interest.

Ambassador Schwab will also be responsible for negotiating the most challenging free-trade agreements to date. Agreements with Korea and Malaysia—our 7th and 10th largest trading partners respectively—hold great promise. But each presents unique and difficult issues that we must address in order to build political support for these agreements at home.

That will be Ambassador Schwab's greatest challenge—building political support for trade at home. It is no secret that support for trade has evaporated.

Since Congress granted this administration trade promotion authority in 2002, Members have been asked to take a series of difficult votes on trade agreements with small countries of limited commercial value.

Since that time, the concerns Members of Congress have expressed about the administration's trade strategy have fallen on deaf ears, and since that time, support for trade among usually protrade constituents has waned considerably.

As a result, when trade promotion authority expires next year, I do not think Congress will renew it without major changes. I do not anticipate new fast-track authority until Congress, the administration, and all relevant stakeholders are willing to engage in a serious discussion. They need to answer the tough questions that remain unaddressed: questions relating to trade adjustment assistance and other programs to help those who may be hurt by trade, questions about the role of labor in our trade agreements, and questions relating to the relationship between trade and a competitive U.S. economy.

These are hard issues, and Ambassador Schwab will have to face them head-on. But I have full confidence that Ambassador Schwab has the skills, experience, and the guts to tackle them. Indeed, she spent most of the 1980s grappling with very similar issues when she worked for Senator Danforth in both the majority and the minority.

Nineteen years ago, the Washington Post described Susan Schwab as a "strategic thinker" and a "consensus builder." We need these skills at the U.S. Trade Representative, now more than ever.

I look forward to working closely with Ambassador Schwab and urge my Colleagues to vote to confirm her today.

Mr. HATCH. Mr. President, today I rise to give my complete support for Ambassador Susan Schwab who will become our Nation's Trade Representative.

I have been dismayed that the Senate did not move more quickly on this nomination. I have also been disappointed by the opinions, of some, who state that her nomination is an indication that the administration is deemphasizing trade policy.

Obviously, these individuals do not know Ambassador Schwab.

I, on the other hand, have had that privilege of working with her and join the vast majority of my colleagues in stating that that Ambassador Schwab is a tenacious, forceful, yet thoughtful advocate of our Nation's trade agenda.

Our Nation is at a critical juncture. In 2005, the United States trade deficit widened to a record $726 billion, increasing to 5.8 percent of the Gross Domestic Product from 5.3 percent in 2004, and 4.5 percent in 2003.

Many economists now describe the trade deficit as unsustainable. For example, C. Fred Bergsten, Director of the Institute for International Economics, has pointed out "the United States must now attract almost $7 billion of capital from the rest of the world every day to finance our current account deficit and our own foreign investment outflows."

In order to meet these challenges, we need our best and brightest working on solutions. Solutions that ensure that that the Doha Round lives up to its potential, while ensuring that a level playing field is created for American farmers, manufactures and service providers.

Solutions that enable the United States to move expeditiously in our free trade negotiations with Korea and Malaysia thereby providing unfettered access to these markets.

Mr. President, I cannot think of anyone better suited to find these solutions then Ambassador Susan Schwab. I am very pleased that the Senate confirmed her nomination just minutes ago.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. THOMAS. Mr. President, how much time is on this side?

The PRESIDING OFFICER. Senator GRASSLEY controls 20 minutes.

Mr. THOMAS. Mr. President, it is a pleasure for me to have the opportunity to discuss the nominee who is before the Senate. I am chairman of the Trade Subcommittee on the Finance Committee, so I have had an opportunity to deal with some of these issues for some time. I was also chairman of the Foreign Relations subcommittee on Asia and the Pacific Rim. These are areas about which I feel strongly.

Fortunately, I had a good deal of opportunity to visit with Susan Schwab, the President's nominee for U.S. Trade Representative.

Obviously, this is a very important position, the position that Rob Portman had over the past 9 months or a year. He has done an excellent job of representing the United States in a situation that is not easy.

The United States is a little different from most countries in the world. They see us a little differently. They expect more from us than we should be asked to give, but nevertheless that continues to be the case. We have to seek to find equality and fairness.

Based on my discussions with her, I think she is an outstanding selection. Senator GRASSLEY talked about her background, and certainly she is well prepared for the position. Her credentials speak for themselves. That is very important in this issue.

Trade is very easy to talk about. Some of my friends on the other side talk about trade is all bad and there is nothing right about it. There is a lot to trade that we have to figure out. We have a lot of demand for overseas goods and, of course, we are the biggest buyer in the world; therefore, we are the biggest trader in the world. So it feels a little differently. It doesn't mean we should not have fair and equal treatment. That is what we seek to have, and that will be the task she undertakes. She will be a strong voice for American trade policy. I believe that is excellent, and I am so pleased.

We are the largest trading nation in the world, and the world is changing, as we know. Twenty years ago, it was quite different. Everyone was fairly isolated. Now, with the kind of communications we have and the kind of transportation that is available—why, there are billions of dollars moving around the world every day. It becomes quite difficult. The countries are changing very fast.

We deal with China today much differently than we did 10 years ago, as we will have to in the future. Foreign trade is not an easy matter with which to deal. What we need to seek and do seek is fairness. Frankly, that is a little difficult in the world because everyone thinks that because we are such a prosperous country, they should have special treatment. But our effort has been to have fair trade, and that ought to be what we do, and that is what we are seeking.

I have met with Susan Schwab and talked about that point, and the fact that we are the largest trading country in the world should not give others an unfair advantage. We need to trade in a fair way, and I think that is what she is committed to do, and certainly I support her for that.

We are the largest trading nation in the world. So, of course, we are the target of most everyone who wants to increase their sales. We also, however, have some opportunities to increase our sales as well, and we are doing some of that. Our demand, because the size of our economy, of course, is large, and we are interested in pursuing those kinds of opportunities. So trade is going to happen, and it is going to increasingly happen as times change and the world becomes smaller. Simply because of our ability to communicate and our ability to move around the world, it will become smaller.

So the challenge is how we can trade fairly with these other countries. Many of them think, Oh, you are the big, rich country; you ought to be able to give us a lot of things. That really ought not to be what we are dealing with. We ought to be dealing with fair trade. I think that is the point. It is what I have talked to Susan Schwab about, and she certainly is agreeable to that.

More than 25 percent of the U.S. gross domestic product is tied to trade, so it is an important aspect of our economy. Ninety-six percent of the world's consumers live outside of the United States. So in terms of our production, we need to be involved in world trade and we need to make it fair. And that really, of course, is the challenge.

It is easy to be critical about everything we do in trade. The fact is, particularly with some of the commodities in my State of Wyoming, trade is about selling our markets somewhere else. So we need to understand that. Again, the key is fair trade and that is what we are talking about. We need to find ways to open the world market to our goods and our services, and we ought to be able to enter into the market on the same basis as anyone else, and at the same time hold others to the same considerations that we have when they come here. We need to pursue both bilateral and multilateral negotiations, and of course that is what we are doing. And we need strong leadership to do it and to represent our interests in these discussions.

So I think that is exactly what we will be able to do. We are making progress.

My colleague mentioned the fact of the cow business in Japan. Well, that is a problem. Frankly, it is not a trade problem as much as it is a mad cow disease problem. It has been handled wrong, and we are working toward getting that resolved. Our best potential and the largest growth we have in the beef industry and exports has been in Asia. That is where we are now. We have been able to open up the markets in Australia and in South Korea, and we had the markets pretty much open in Japan until the mad cow disease came along, and now we are in the process, hopefully, of getting them open again. So that is very important, and we need to continue certainly to do that.

We need a strong leader to represent our interests. I think that is exactly what we will get with Susan Schwab, and that leadership is what we need. Bob Portman has done a very good job, and she has worked with him, of course, in getting us into this position. So we need to have good leadership to walk away from some of the bad agreements, the tough agreements that we have had. The world is sometimes difficult to deal with, but Susan Schwab will provide that leadership.

During her testimony before the Finance Committee, of which I am a member, she stated:

> It will take more than a willing spirit to forge good trade policy in the next 5 years. It will require us to keep the multilateral process on track in the WTO, to negotiate commercially significant free trade agreements, and to enforce vigorously the terms of those agreements and to uphold the rules of trade.

So that is what we are really faced with. These smaller countries, these countries that frankly generally have less economic strength than we do and they always want special treatment: Well, you guys can afford that. What we need is fair trade, and that is what trade is all about, and that is why it takes a leader to do that. So I am very pleased that she is there and that she is willing to do this. She is well trained to do it.

She further stated that her success may require:

> An honest, sometimes blunt, but always respectful exchange of views, along with a willingness to compromise when possible and the strength to stand firm when necessary.

The strength to stand firm when necessary. To me, that is probably the most important element of the trade negotiations that we enter into, is to be able to stand firm on what we agree on, and we ought to be in a position to do that when we are as big a buyer as we are. We also need to have some muscle on the other side, and we can do that.

I am pleased with the commitment she has made to reach out and listen and consult with Members of Congress on both sides of the aisle. Engaging Congress in a bipartisan way upfront and throughout the process will be crucial, and she will do that. Ms. Schwab understands this, and I am confident that she will follow through.

So I look forward to working with her. I am looking forward to one of the important elements of our economy, and that is world trade, and doing it in a fair manner.

Mr. President, I yield back all time on behalf of Republicans and Democrats and ask for a vote.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Susan C. Schwab, of Maryland, to be United States Trade Representative?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mr. THOMAS. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

A VICTORY IN THE WAR ON TERROR

Mr. CORNYN. Mr. President, earlier today, we witnessed an important victory in the war on terror and in the continued march of freedom and democracy in Iraq.

Al-Zarqawi, like Saddam Hussein, was a mass murderer. I am not sad to say that he has made his last video.

I could not be more proud of our men and women in uniform—our military and intelligence services and those individuals who participated in this particular operation. Our intelligence and military forces have demonstrated their exceptional abilities and reminded us yet again that, through patience and resolve, we will continue to win the war on terror and advance the cause of freedom around the globe.

So I want to say to our military forces and our intelligence community serving all around the world that we support you, we are proud of you, and we know that you will continue to keep up the good work.

Mr. SHELBY. Mr. President, last night the U.S. military, as we know now, working hand in hand with the Iraqi counterpart, located and killed al-Qaida terrorist Abu Mus'ab al-Zarqawi. We know who this terrorist is. He is a brutal terrorist who has repeatedly encouraged violence against Americans and Iraqi citizens.

Al-Zarqawi is credited with ordering kidnappings, beheadings, and killings of innocent civilians with insurgent attacks. Al-Zarqawi was the operational mastermind of the al-Qaida network in Iraq. He sought to destroy America and our coalition partners to create a sanctuary for the al-Qaida organization in the Middle East. His death marks the fragmentation of al-Qaida's primary leadership and the silencing of a ruthless terrorist.

The military operation against al-Zarqawi was performed by our dedicated, professional Armed Forces in concert with our coalition partner. Our military servicemembers should be commended for their remarkable efforts in eradicating the enemy of a free and democratic Iraq.

Our war fighters worked tirelessly with our Iraqi counterparts tracking the movement of al-Zarqawi's followers, leading to his demise in last night's airstrike.

We are proud of the success of this operation, but even prouder of the job that our Armed Forces have accomplished in their commitment to peace and stability in Iraq. Although this is positive development and significant step in the global war on terror, our fight in Iraq is far from over. We are making significant strides toward eradicating terrorism, developing a free government, and reviving the economy. But Iraq will not become a democracy overnight. While our involvement continues to be difficult, our resolve must remain strong. We must remain focused on our fundamental goal—preserving the freedom and security of the United States. This is an enormous challenge that will take determination, global cooperation, and fortitude to succeed. I am confident the United States will triumph over global chaos and tyranny, as it always has. But whatever it is, we must back our troops.

RECIPIENTS OF THE "HEROES AMONG US" AWARD

Mr. KENNEDY. Mr. President, all of us in New England are proud of the Boston Celtics and their skill on the basketball court. We're also proud of the support they give to those who need help in our communities. Each year, the Celtics organization honors outstanding persons in New England as "Heroes Among Us"—men and women who make an especially significant impact on the lives of others.

The award is now in its ninth year, and the extraordinary achievements of the honorees this year include saving lives, sacrificing for others, overcoming obstacles to achieve goals, and making lifelong commitments to improve the lives of those around them. The honorees include persons of all ages and all walks of life—students, community leaders, founders of nonprofit organizations, members of the clergy, and many others.

At home games during this season, the Celtics, their fans and the Massachusetts State Lottery saluted the efforts of each honoree in special presentations on the basketball court. Over 300 individuals have now received the "Heroes Among Us" award, and it has become one of the most widely recognized honors in New England. I commend each of the honorees for the 2005–2006 season. They are truly heroes among us, and I ask unanimous consent that their names and communities may be printed in the RECORD.

Bill Driscoll, Jr., Milton, MA
Captain Bob DeFlaminis, Franklin, MA
Sergeant Jim Flaherty, Quincy, MA
Michael Rodrigues, Hopedale, MA
Nick Prefontaine, Shrewsbury, MA
Chiara Arcidy, Bedford, NH
Dr. Sam Nosike, Watertown, MA
Brendan and Kelley McDonough, North Chelmsford, MA
Principal Bill Henderson and Patrick O'Hearn Elementary School, Dorchester, MA
Carrie Larson, Bedford, MA
Brian Russell, Merrimack, NH
Dr. Peter Raffalli, North Andover, MA
Bob Manger, Scituate, MA
Jay Blake, Marston Mills, MA
Jane Smith, Shrewsbury, MA
Adam Roberge, East Kingston, NH
Stuart Molk, Danvers, MA
Ron Bell, Milton, MA
Marie Poulin, Quincy, MA
David Russell, Ipswich, MA
Ryan Curtis, Lynn, MA
Alex Ingoglia, Malden, MA
Matthew Scibelli, Malden, MA
Brian Short, Medford, MA
Mirelle Manzone, Dover, MA
David and Stephanie Dodson, Weston, MA
Anthony Fiorino, East Boston, MA
Josh Algarin, Holbrook, MA
Georgiana Melendez, Peabody, MA
Reverend William Dickerson, Dorchester, MA
Theresa Reilly, Roslindale, MA
Dean Levy, Marshfield, MA
Sean McDonough, North Quincy, MA
Sarah Fader, Ipswich, MA
Suzanne Wintle, Weston, MA
Tiesha Hughes, Boston, MA
Stan Kosloski, Cromwell, CT
Ron Goodman, Quincy, MA
Theresa Lynn, Jamaica Plain, MA
Denise Carriere, Andover, MA
Mark Mitchell, West Springfield, MA
Donna Tardif, Freeport, ME
Lieutenant Jim Meeks, Chestnut Hill, MA
Donna Fournier Cuomo, North Andover, MA
Members of the Original Tuskegee Airmen: Luther McIlwain, Methuen, MA, James Sheppard, Portland, ME

AGRICULTURE DISASTERS IN SOUTH DAKOTA

Mr. JOHNSON. Mr. President, extreme weather conditions pounded much of South Dakota in 2005, leaving nearly 60 out of the State's 66 counties eligible for Federal disaster aid. Many family farmers and ranchers have had little reprieve from the previous year of harsh weather conditions, as blizzards and drought have already hampered the 2006 production year. On top of natural disasters, low commodity prices and skyrocketing energy costs are forcing producers to make tough decisions in order to keep their operations afloat. I believe we can do more to help ease the burdens that our producers bear, and I want to draw the Senate's attention to a handful of South Dakota counties devastated by natural disaster in 2005 and into 2006.

In 2005, 59 South Dakota counties were included in Presidential or Secretarial emergency declarations as either primary or contiguous disaster counties. These counties experienced natural disasters such as drought, high winds, extreme heat, flash flooding, hail, prairie fires, spring frost, severe storms, and blizzards.

For example, 2005 marked the fourth consecutive year of experiencing drought conditions in central South Dakota, including Hand, Hughes, Hyde, Stanley, and Sully counties. Inadequate snowfall, meager spring rains, high temperatures, and desolating winds led to sparse pastures and a lack of forage crops necessary for feeding livestock. Without adequate precipitation, producers were forced to reduce the size of their livestock herds. Of the 57,500 acres planted or growing in Stanley County, losses ranged from 35 to 70 percent. In Sully County, 50 to 70 percent of 280,075 acres planted or growing were lost due to drought conditions. Hyde County's corn, soybean, and sunflower crops experienced yield losses ranging from 50 to 80 percent.

In southern South Dakota, Charles Mix County experienced much of the same drought conditions. While drought typically wreaks havoc on an area over an extended period of time, one day of particularly extreme temperatures and strong winds on top of severe drought can devastate already struggling crops. On July 23, 2005, the temperature reached 114 degrees Fahrenheit with 45-mile-per-hour winds. These conditions led to a 60 percent loss of corn yields, 50 percent loss of soybean yields, and 30 to 35 percent of yield losses in sorghum, alfalfa, mixed forage, and grass. Neighboring county, Hutchinson County, experienced 100 percent loss of prevented corn and soybean yields and 50 percent loss of corn and soybean yields.

We are now in the middle of the 2006 production season and Farm Service Agencies, FSA, in parts of the State report conditions edging toward severe drought and fear that without adequate precipitation soon, many counties will be faced yet again with another difficult year of production. Livestock producers are increasing supplemental feeding early this year due to poor pasture conditions and lack of water in dams and dugouts. Farmers are left with very little to work with, as both the topsoil and subsoil lack the necessary moisture to produce operation-sustaining crops. This cycle of drought conditions has created a new element of synergism in the agriculture industry, compounding year upon year of devastating effects not only on producers' pocketbooks, on livestock and land conditions.

Campbell County, in north-central South Dakota, is one among many counties experiencing drought again this year. Entering into its fourth year of drought conditions, with only 1.54 inches of rainfall to date for 2006, Campbell County is currently 63 percent below the normal precipitation for the area. Today, many water sources are dry due to below normal snowfall during the winter months yielding no runoff, and below normal rainfall this spring. In addition to drought, frost has forced producers to shorten grazing time on native pastures and native and tame greases.

In central South Dakota, drought is rearing its ugly head for the fourth and fifth consecutive years. Hand County is experiencing yet another extremely dry year, with approximately 330 livestock producers affected and an estimated $210,000 needed in Emergency Conservation Program, ECP, funds to correct the damage. In Lyman County, winter and spring wheat yields will likely yield zero to 40 percent of normal. Row crops, which were planted into dry ground, are not germinating and will likely fail unless adequate precipitation is received soon. While most livestock producers in these areas have not liquidated as of yet, should these conditions persist, they will be forced to sell their entire herd.

On the opposite end of the spectrum is Clay County, which experienced a series of heavy rains, flooding, hail, and frost in 2005. Much of the alfalfa affected by the excessive rain incurred a significant quality loss, because most of the first cutting was not able to be marketed as dairy-quality hay. The majority of producers affected suffered a 20 to 40 percent of yield losses, while 100 to 125 producers experienced greater than 30 percent in losses. Of those with greater loss, some producers received assistance from the FSA Farm Loan Division in order to keep their farm in operation.

Counties throughout the State have also been impacted by frost or freezing temperatures. Haakon County, in western South Dakota, had frost hit winter wheat and alfalfa crops in March of 2005, only to experience freezing temperatures two months later. Eighty percent of yield losses affected the 15,800 acres of alfalfa and 10 to 20 percent of winter wheat yields were lost. Among other counties affected by frost or freezing temperatures were Brown, Gregory, McPherson, Hyde, Potter, Brookings, Perkins, Clay, and Sully.

Dealing with winter storms is certainly not new to South Dakotans. However, from time to time the combination of unusually high winds, freezing rain, and large snow accumulation results in the temporary paralysis of communities and agriculture operations. Not only did severe winter weather in 2005 and the spring of 2006 take a toll on livestock, but many producers were without electricity for days and even weeks. Producers' pocketbooks took an extra hit because of the high fuel costs it took to run generators around the clock.

From November 27 through November 29, 2005, severe winter storms swept through much of eastern South Dakota. President Bush declared 42 primary and contiguous counties as emergency designations. In Hamlin and Deuel Counties, 30 percent of producers' alfalfa and winter wheat were lost in that particular blizzard.

Western South Dakota was hit with severe blizzard conditions on April 18 and 19, 2006, dropping as much as 24 inches of snow. Harding, Meade, Haakon, and Butte counties were among those hardest hit by the spring blizzard, with the total estimate of livestock losses at approximately 11,732. Harding County experienced the worst losses. According to the Harding County FSA office, 60 of the 300 producers contacted reported losses totaling 2,500 cows and calves and 6,000 sheep. For one producer in northwest Harding County, about one-third of his herd died when between 450 and 500 of his sheep piled up against a fence and suffocated. Butte County also sustained significant losses to their livestock herd.

I briefly described the agricultural conditions South Dakota's family farmers and ranchers have faced over the last year and a half. The counties I described are merely a snapshot of the reality that our producers experience following a natural disaster. In some cases, disasters are limited to portions of one county, while other disasters span large parts of the state, affecting all producers.

Every farmer or rancher knows that each production year is a gamble with Mother Nature. Unfortunately, all too often most producers at some point lose this gamble and suffer the devastating effects of a natural disaster. I understand the financial and emotional hardships that this places on many family operations' struggle to survive. Because agriculture is the driving force behind South Dakota's economy, it is crucial that producers receive the resources necessary to recover from their losses.

In response to the many natural disasters that producers throughout the country have suffered, Senator KENT CONRAD and I introduced the Emergency Agricultural Disaster Assistance Act of 2006 on March 16, 2006. Our relief package would provide emergency production loss and economic assistance to agricultural producers for losses sustained during the 2005 production year. Assistance for crop production losses, livestock assistance, supplemental nutrition, and economic disaster assistance to aid with rapidly-increasing production input costs are included in our bill. In addition, a number of provisions in the bill address agricultural recovery in the areas affected by Hurricane Katrina.

Senators KENT CONRAD, BYRON DORGAN and I worked to fold our stand-alone bill into the larger spending bill, the Emergency Supplemental Appropriations Act, H.R. 4939. On May 4, 2006, the Senate passed the $109 billion emergency funding package, of which $3.9 billion would be used for agriculture disaster relief. As a negotiator in the conference consideration of the bill, I fought to secure meaningful disaster aid for producers. However, House leadership demonstrated their priorities, leaving America's family farmers and ranchers out to dry yet again. The conference report that was presented to the committee contained only money for Hurricane Katrina-related agriculture disaster—not a penny was included to provide relief for the flooding and drought conditions that have plagued so many of our producers in 2005.

While this administration insists that the 2005 crop year was outstanding, if not a record-breaking year, the disaster situations I just described indicate otherwise. This agreement was a raw deal for our producers and a raw deal for our rural communities.

FEDERAL INTEROPERABLE COMMUNICATIONS AND SAFETY ACT

Mrs. CLINTON. Despite the fact that there has been progress on the issue of interoperability, such as the transfer of much needed spectrum for first responder communications and the allocation of $1 billion for interoperability grants that passed last year, it is clear that incidents like Hurricane Katrina demonstrate that there remains more work to be done.

What I am concerned about is that 5 years after 9/11, I do not believe that there has been the leadership role at the Federal level to give this issue the full attention and high profile that it demands.

I believe we need an office at DHS that will be charged with continually analyzing, continually assessing, and continually thinking about how to coordinate not only the Federal agencies that manage and operate communications systems, but the local and State governments, who often have very different ideas of what interoperability means.

Additionally, we also need to give that office the resources and authority it needs to carry out its mission.

We have ostensibly given the leadership role of one of the most critical issues to emerge from 9/11 and Katrina to the SAFECOM Office within DHS. However, it is my understanding that this office has fewer than 10 full-time employees and for all intents and purposes is buried within the DHS bureaucracy. While I understand that this office is headed and staffed by dedicated professionals, how do we provide the Federal leadership necessary with fewer than 10 people?

SAFECOM, according to its own Director, needs more authority in funding decisions and its interactions with other agencies.

We have got to get serious about this matter, and I believe that legislation I have recently introduced, S. 3172, the Federal Interoperable Communications Act of 2006, takes us a step in that direction and I would like to thank Senators SALAZAR and DURBIN for cosponsoring my legislation.

My bill is not radical in how it is put together nor does it espouse to have the latest technology that will solve the interoperability problem once and for all. But it does put forth a blueprint in how the Federal Government can utilize all of the assets at its disposal and ensure that there is clear accountability and leadership on this issue at the Federal level.

It creates an interoperability czar who would report directly to the Secretary of Homeland Security. It also puts that czar in charge of a central interoperability office and gives it a clear mission, outlines responsibilities and expectations, and allows it to get the resources it would need to carry out its mission.

It requires the development of a national strategy, which would include an inventory that identifies the channels and frequencies used in every Federal agency and keeps track of what is being used by the State and local officials, so that when first responders from the Federal Government or other jurisdictions respond to an incident, they will know what frequencies and radios are being used.

This strategy sets clear benchmarks to ensure that we are constantly evaluating our capabilities and adjusting our strategies accordingly to changes in threats, advancements in technology and other factors.

My bill would also help ensure that the money that we are spending now on interoperability grants is being spent wisely and efficiently by ensuring that the grant guidelines are consistent with the goals and mission of the Office of Emergency Communication and that grant recipients have submitted a statewide interoperability plan or have adopted national consensus standards of how their platforms will work.

There have been dozens of first responders, emergency support providers, and Federal, State, and local officials who have testified before Congress, where they have cited the need for consistency in Federal grant guidelines and clarity in the DHS mission for a national emergency communications plan, and my bill seeks to address those concerns.

My bill also will help ensure that there is always an open line of communication between the State and local governments, the private sector, and the Interoperability Czar by creating regional working groups that include virtually every entity with an interest in communications policy that can report the specific needs and progress in a region.

Finally, the bill also creates an Emergency Communications Preparedness Center which will be a consortium of all the Federal agencies that have focused on interoperable communications, namely the FCC, DHS, Commerce, DOD, and the Justice Department. I envision that this would be the Federal clearinghouse which would help ensure that these agencies which have access to the latest technologies and innovative strategies in interoperable communications can share and coordinate that information and technology to the benefit of the State and local agencies they work with.

I also have provisions that will help facilitate the creation of a national and interoperable alert warning system.

Basically, this bill boils down to providing the leadership needed at the top level to ensure that the technologies, best practices, and resources are flowing to the men and women on the ground.

One of the key recommendations of the 9/11 Commission was to deploy interoperable communications for all of our Nation's first responders. Indeed, this is an enormous, difficult, and complicated task, which requires and demands the immediate and coordinated attention of our Federal Government. My legislation will help ensure that this critical issue gets the attention that it deserves.

ADDITIONAL STATEMENTS

HONORING TERRENCE J. LEARY

• Mr. CHAFEE. Mr. President, I am pleased to pay tribute to Terrence J. Leary, who has served as president and CEO of the Harmony Hill School in Glocester, RI, for the last 29 years. In all, he has worked at Harmony Hill for 40 years having begun his career as a teacher and then serving as education director under the school's founders, Edward and Laura Spring.

Terry has built upon the legacy of the Springs and led Harmony Hill to national status with a program providing an environment in which at-risk youth can prosper. In January 2000, Terry received the National Association of Private Schools for Exceptional Children's Executive of the Year Award for his outstanding contributions to private special education.

Terry Leary has served on many civic and charitable boards, including the Rhode Island Council for Exceptional Children, Big Brothers of Rhode Island, and the Lions Club of Smithfield, RI.

Terry's wife, Linda Leary, is a special education teacher in Lincoln, RI, and they have a daughter, Kara, a student at Gallaher Middle School in Smithfield.

Mr. President, Terry Leary's compassionate leadership at the Harmony Hill School is an inspiration for all who work in the field of education, and I ask unanimous consent that his achievement be recognized at an appropriate place in the RECORD.•

100TH ANNIVERSARY OF MAX, NORTH DAKOTA

• Mr. CONRAD. Mr. President, I rise today to recognize a community in North Dakota that will be celebrating its 100th anniversary. On June 30–July 2, the residents of Max will gather to celebrate their community's history and founding.

The community of Max began its century in the heartland on August 8, 1906, when it was platted by J.G. Sheldrick. The town gained its unusual name because when people would come to the post office, a shaver named Max would jokingly ask if they were coming to his post office. The name Max's Post Office stuck and was later transferred to the town.

Max prides itself on community involvement. The Community Enterprises, a group that invests in and sustains local businesses, has helped keep this small town vibrant. The annual "Great Plunge" is an example of the lively, fun-loving spirit in Max. In this event, the community places a large Dr. Pepper can on an ice-covered pond. Tickets are sold with the day and time the ice will melt, causing the can to fall into the pond.

The community has planned a wonderful weekend celebration to commemorate its 100th anniversary. Events include a street dance, children's activities, skits, presentations and fireworks.

I ask the Senate to join me in congratulating Max, ND, and its residents on their first 100 years and in wishing them well through the next century. By honoring Max and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Max that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Max has a proud past and a bright future.•

100TH ANNIVERSARY OF HANNAFORD, NORTH DAKOTA

• Mr. CONRAD. Mr. President, I rise today to recognize a community in North Dakota that will be celebrating its 100th anniversary. On June 30–July 1, the residents of Hannaford will gather to celebrate their community's history and founding.

Hannaford is a Community of Progress and Proud Heritage, located in the heart of east-central North Dakota. Since the day of its founding by Jules M. Hannaford the community has been small but very active.

Hannaford has plenty to offer its residents and visitors. There is always something to do, from visiting the park, to bowling, hunting, and playing around at the baseball complex.

The community has planned a wonderful weekend celebration to commemorate its 100th anniversary. The celebration preparation includes a bingo fundraiser, a 2002 Centennial Historical Book sale, and a cookbook sale. The money raised will be used for the celebration festivities.

I ask the Senate to join me in congratulating Hannaford, ND, and its residents on their first 100 years and in wishing them well through the next century. By honoring Hannaford and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Hannaford that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Hannaford has a proud past and a bright future.•

HONORING RAY DOOLEY

• Mr. KERRY. Mr. President, earlier this year Boston lost a legendary political organizer, Mr. Ray Dooley, whose passion and intelligence lifted Massachusetts and everyone who worked with him. I ask unanimous consent that the remarks I delivered at his memorial service be printed in the RECORD:

The information follows.

Anne, Catroina, Conor, and Brian, in the time since your husband and father was taken from all of us, but especially was taken too soon from you who loved him best and needed him most, people across Massachusetts and Ireland have rightfully remembered Ray's social conscience, his decency, his strength, his wisdom, and his judgment.

Each of these qualities of character ought to be especially celebrated because they are as suddenly rare in public life as they were abundant in Ray Dooley.

But they don't tell us the something about Ray which brought so many of us in this room together time and again, from movements to end an unjust war, to the march for civil rights, to Ray Flynn and City Hall, to hard fought, bare knuckled Senate races in 1984 and 1996 in which Ray took center stage. I know better than anyone that they wouldn't have ended in victory without him.

Ray lived out what Winston Churchill's political right hand R.A. Butler knew: "Politics is largely a matter of heart."

But more than that even, Ray Dooley taught a generation of politicians and political organizers that idealists could be tough as nails—and that there was nobility in fighting your heart out on the political field. He shattered anyone's illusion that liberals were fuzzy headed bleeding hearts out of the Ivy Tower who floated above the fray. Ray was never defensive about being 'in politics'—he was proud of it, he wore his passion for the game on his sleeve. He was gutsy, determined, and in the finest sense of the phrase, a true believer. Ray showed us all how to win a campaign and keep your conscience.

Harry Truman, who rose through the ranks came of age of Kansas City's Pendergast machine, was once asked if he minded being referred to all his life as a 'politician' while others were called 'statesman.' Truman laughed and said 'they only call you a statesman when you're gone.'

I have no doubt Ray would prefer to be remembered as a political organizer—for he was one of the best and he gave his talent not only for his candidates—and what a difference he made for us—but for the common good. And what a difference that made for our city, our state, and our country.

Ray had steadiness, toughness, and a willingness to ruffle feathers—along with the force of character to tell candidates when they're wrong. More than once he said to me: "John, cut the b.s." Ray, I hope I've finally learned.

He knew that in politics you can't make everyone happy and he saw those on the other side as opponents, but never enemies. He fiercely wanted to defeat them, but never to destroy them.

He also had grit, and an instinct for when to tell a loud mouth to pipe down, finally giving a reluctant activist at the end of the table the confidence to speak up—and speak out. It was leadership, the art of politics at its best; he was a man who lived for others.

No, Ray was never afraid to be 'in politics' because he knew it was politics that got things done for the people whose cares were his cause—for the poor who lacked decent housing, for a city divided over race, for women and gays and lesbians who only ask for the freedom to be who they are, for workers who deserve decent wages, and, in Ireland, for children whose rights and dignity had to be respected.

It wasn't cheering things on as they were that made the progress Ray demanded, it wasn't high fallutin words that got these things done, it was politics—it was deal-making—it was Ray Dooley and the language was Dooley-speak.

Ray was a kind of quiet Pied Piper not unlike our old friend Michael Ventresca. He loved underdogs. Tom Gallagher wasn't supposed to win, but Ray proved the wise-guys wrong. Ray Flynn wasn't supposed to win, but Dooley proved them wrong again. And I wasn't supposed to win—but Ray believed, and I'm glad that together we proved him right. And in all these underdog fights, he loved being an odd couple political matchmaker. It was Dooley and the best kind of politics in 1983 and 1984 that surprised many and puzzled some when he helped to bring Ray Flynn and me together. It was Dooley who made it possible for Susan Tracy to stand at the Jackson Mann School on primary day 1984 when Ray's first victorious candidate Tom Gallagher came to my aid. It was Ray who knew what it would mean to have a red ink stamp on all the Kerry lit that read "endorsed by Rep. Tom Gallagher." That was Ray Dooley. It was the same Dooley style politics that showed up in Iowa in 2004—when suddenly local reporters starting hearing about nuns phonebanking voters in Dubuque as part of Catholics for Kerry. I don't envy the Bush supporter on the receiving end of that phone call!

That's how Ray Dooley won grassroots races: one house, one block, and one precinct at a time. In an era when the art of politics is abused by some in the profession and cynically dismissed by some in the press, it's important to remember—Ray showed how to do it right and for the right reasons.

Ray lived up to the words of John Kennedy—that politics is an "honorable profession." To Ray it was the worthiest of endeavors, a joyful profession. And through all the turbulence and temptations, he was always above all something he prized in others—a man of honor.

But Ray wasn't just an individual force; he leaves behind an army he enlisted to carry on his mission. He built a farm team of political professionals who have become All Stars while staying true to progressive causes. They carry a whole lot of Ray with them in the hopes and energy that fuels the work of Mary Beth Cahill, Patty Foley, Michael Whouley, Joe Newman, Kevin Honan, Susan Tracy, Marie Turley, Howard Leibovitz, and John Giesser. Anne, Catroina, Conor, and Brian miss Ray in a way beyond measure; but his political family here in America also misses a friend, a mentor, a surrogate father and adopted brother.

With his humor, his doggedness, and his rare qualities of insight, Ray fought and won great political battles. Campaign manager, chief strategist, conscience—he was all this and more in politics. And he was every bit as talented, committed, and resourceful in searching out treatments for his illness while always thinking about how medical science could help improve treatment for future cancer patients. He saved his hardest fight for the race in which he was the ultimate underdog. With humor, he laughed at his own mortality, sustaining those around him. Others might have reasonably given up, but not Ray. Why give in to the long odds of beating a tough cancer when long odds had never stopped him before? Knocked on his ass, Ray Dooley dusted himself off and kept punching. And each of us could learn a lot from that too.

So: our friend Ray was many things: an activist, a shameless idealist, an unapologetic progressive, a self-proclaimed liberal, a humanitarian, and a globalist in the best sense of the word. But it would be a mistake if his passing from man to unforgettable memory made any of us forget that Anne's husband, the father of Catroina, Conor, and Brian, was also the tough, go-to, level-headed, street-smart strategic leader who lived and breathed politics in this proudly political city—and in Dooley-speak, he was damned good at it.

Ray, we gather here now one last time as your legion of lifelong friends. Tomorrow and tomorrow, we will miss—you and so will the world, for the injustices you would've righted, the hurts you would have healed, and the great clashes that would've summoned you to arms. Your legacy is a generation that loves politics as much as you did and fights with the same heart, conviction, and passion that are your undying gift to us, your political family. You are buried in your beloved Ireland, but for years to come your soul will be with us here in that other Irish place you loved, the city of Boston.●

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

TRIBUTE TO ROBERT EDWARD HOLROYD

● Mr. ROCKEFELLER. Mr. President, I wish to commemorate a man who has made a significant impact on the State of West Virginia and on his community—Robert Edward Holroyd is not only a dear friend of mine, but the work he has done for our State has been beyond extraordinary. Bob and I have been friends for a very long time and in addition to being a wonderful friend, he is also a counselor, and someone on whom I often rely for advice and wisdom.

Holroyd has been active in improving the medical practices for the State of West Virginia. He was one of the organizers of Princeton Community Hospital, where he served on the board until he became general counsel of the hospital, a position he continues to hold. Also, he is presently the chair of St. Luke's Hospital in Bluefield, WV and serves as chairman of the Mercer County 911 committee.

In 1981, Holroyd played a significant role in the opening of the Princeton Health Care Center nursing home, which is celebrating its 25th anniversary on June 16, 2006. Princeton Community Hospital opened as a general hospital on December 20, 1970, and was chartered as a nonprofit organization with its own board of directors to establish and plan for future health care centers. Since its inception, and thanks to those like Holroyd, the hospital staff has grown from 13 physicians and 125 employees to more than 100 doctors and 1,140 employees today as it celebrates this milestone. With the addition of new equipment, the adoption of new concepts in health care delivery, and the expansion of the facility, the hospital's well-trained and highly motivated professionals are able to provide quality health care services for the citizens of Mercer and surrounding counties. The hospital's many specialties and technological advancements place it on the leading edge of medical treatment in southern West Virginia.

Mr. Holroyd was born to the late Virginia Lazenby and the late Dr. Frank Jackson Holroyd on September 15, 1931, in Princeton, Mercer County, WV. Beginning in his youth in Mercer County, Holroyd was a natural born leader, already making an impact in his community. He was active in the First Baptist Church in Princeton, WV as well as the Boy Scouts of America. Troop 1, in which he attained the rank of Eagle Scout. While at Princeton High School, Holroyd was a member of the nationally ranked Princeton High 1948–49 debate team. As a result of his successes early in life, Holroyd received a 4-year scholarship to West Virginia University.

At West Virginia University, he majored in political science and speech. During his tenure at the University, Holroyd left Morgantown and joined the United States Marine Corps during the Korean Conflict. Holroyd served on active duty for 3 years and served with special assignments to military police. In 1954, Holroyd became a Marine reservist and returned to Morgantown, WV to finish his undergraduate studies, and pursue law school. He graduated with a law degree in 1958 and returned home to Princeton, WV, to practice law.

Holroyd's interest in politics blossomed after law school, and in 1960, he became very active in President John F. Kennedy's primary campaign in southern West Virginia. In Princeton, Holroyd was assistant prosecuting attorney from 1961–1964. In 1964, he was elected to the West Virginia House of Delegates and served as prosecuting attorney of Mercer County from 1965–1967. Besides working on President Kennedy's campaign, Holroyd continued supporting the Democratic Party by serving on the West Virginia State Democratic Executive Committee for two terms, as well as being a delegate to the Democratic National Convention in 1976.

Holroyd served West Virginia as a consultant to the Governor's Committee on Crime and Delinquency and Correction and the International Association of Chiefs of Police. He was also an instructor on Criminal Law and Procedure at West Virginia State Police Academy and West Virginia Basic Police Science Courses at Institute, WV. Holroyd also served the Police force by being a guest instructor at Bluefield State College, Police Service Department and as an adjunct professor at Marshall University.

Throughout his community, Holroyd was a past member and officer in Princeton's Junior Chamber of Commerce. He was an active member in the Princeton Rotary Club, and is a current member of the Veterans of Foreign Wars—VFW, American Legion, Elks, Moose, Mercer County and West Virginia's State Bar Associations.

Husband to Emilie Norwood Adams, father to Elizabeth, William and Mary Jacqueline Holroyd, and grandfather to four, Holroyd has served his family, his State, and his country. West Virginia is proud and honored to say he represents the State, and I am proud and honored to say he is a dear friend. West Virginia thanks him for his extraordinary service and for his leadership some 25 years ago that make this anniversary possible for the Princeton Health Care Center nursing home.●

100TH ANNIVERSARY OF LEMMON, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I rise to recognize Lemmon, SD. The town of Lemmon will celebrate the 100th anniversary of its founding this year.

Located in Perkins County, Lemmon was founded when the Milwaukee railroad extended its line toward the West. It officially became a town on May 16, 1906, founded by George Edward Lemmon.

I would like to offer my congratulations to Lemmon on their anniversary and I wish them continued prosperity in the years to come.●

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 10:59 a.m., a message from the House of Representatives, delivered by Ms. Chiappardi, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 193. An act to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

The enrolled bill was subsequently signed by the President pro tempore (Mr. STEVENS).

At 12:20 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5254. An act to set schedules for the consideration of permits for refineries.

ENROLLED BILL SIGNED

At 1:11 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 2803. An act to amend the Federal Mine Safety and Health Act of 1977 to improve the safety of mines and mining.

The enrolled bill was subsequently signed by the President pro tempore (Mr. STEVENS).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5254. An act to set schedules for the consideration of permits for refineries; to the Committee on Energy and Natural Resources.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 8, 2006, she had presented to the President of the United States the following enrolled bills:

S. 193. An act to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

S. 2803. An act to amend the Federal Mine Safety and Health Act of 1977 to improve the safety of mines and mining.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–7026. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics) transmitting, pursuant to law, a report from the Counterproliferation Program Review Committee entitled "Report on Activities and Programs for Countering Proliferation and NBC Terrorism"; to the Committee on Armed Services.

EC–7027. A communication from General Counsel of the Department of Defense, transmitting, a report of legislative proposals as part of the National Defense Authorization Bill for Fiscal Year 2007; to the Committee on Armed Services.

EC–7028. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Global Hawk program; to the Committee on Armed Services.

EC–7029. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to restructuring the National Polar-orbiting Operational Environmental Satellite System (NPOESS) program; to the Committee on Armed Services.

EC–7030. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Quality Assurance" (DFARS Case 2003–D027) received on May 31, 2006; to the Committee on Armed Services.

EC–7031. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Contract Termination" (DFARS Case 2003–D046) received on May 31, 2006; to the Committee on Armed Services.

EC–7032. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Authorization for Continued Contracts" (DFARS Case 2003–D052) received on May 31, 2006; to the Committee on Armed Services.

EC–7033. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Basic Agreements for Telecommunications Services" (DFARS Case 2003–D056) received on May 31, 2006; to the Committee on Armed Services.

EC–7034. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Describing Agency Needs" (DFARS Case 2003–D073) received on May 31, 2006; to the Committee on Armed Services.

EC–7035. A communication from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Special Contracting Methods" (DFARS Case 2003–D079) received on May 31, 2006; to the Committee on Armed Services.

EC–7036. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 06–114—06–124); to the Committee on Foreign Relations.

EC–7037. A communication from the Acting Administrator, U.S. Agency for International Development, transmitting, reports relative to a series of studies on the "Muslim World"; to the Committee on Foreign Relations.

EC–7038. A communication from the Acting U.S. Global AIDS Coordinator, Department of State, transmitting, pursuant to law, a report relative to the 13th Board meeting of the Global Fund to Fight AIDS, Tuberculosis and Malaria held in Geneva, Switzerland, from April 27–28, 2006; to the Committee on Foreign Relations.

EC–7039. A communication from the Acting U.S. Global AIDS Coordinator, Department of State, transmitting, pursuant to law, a report on the President's Emergency Plan for AIDS Relief—Bringing Hope: Supplying Antiretroviral Drugs for HIV/AIDS Treatment; to the Committee on Foreign Relations.

EC–7040. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report providing information on steps taken by the U.S. Government to bring about an end to the Arab League boycott of Israel and to expand the process of normalization between Israel and the Arab League countries; to the Committee on Foreign Relations.

EC–7041. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services in the amount of $50,000,000 or more to Israel; to the Committee on Foreign Relations.

EC–7042. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a certification regarding the proposed transfer of major defense equipment valued (in terms of its original cost) at $14,000,000 or more from the Government of the Netherlands to the Government of the United Arab Emirates; to the Committee on Foreign Relations.

EC–7043. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, the 2006 Annual Report of the Supplemental Security Income Program; to the Committee on Finance.

EC–7044. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Determining Average Manufacturer Prices for Prescription Drugs Under the Deficit Reduction Act of 2005; to the Committee on Finance.

EC–7045. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Rules for Helping Blind and Disabled Individuals Achieve Self-Support" (RIN0960-AG00) received on May 31, 2006; to the Committee on Finance.

EC–7046. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of the Expiration Date for the Digestive Listings" (RIN0960–AG39) received on May 31, 2006; to the Committee on Finance.

EC–7047. A communication from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Single Entry for Unassembled or Disassembled Entities Imported on Multiple Conveyances" (RIN1505–AB34) received on May 31, 2006; to the Committee on Finance.

EC–7048. A communication from the Director, Regulatory Management Division, Office of Executive Secretariat, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes to the Procedures for Notifying the Public of Premium Processing Service Designations and Availability" (RIN1615–AB40) received on May 31, 2006; to the Committee on Finance.

EC–7049. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; State Health Insurance Assistance Program" (RIN 0938–AJ67) received on May 31, 2006; to the Committee on Finance.

EC–7050. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Conditions for Coverage for Organ Procurement Organizations (OPOs)" (RIN 0938–AK81) received on May 31, 2006; to the Committee on Finance.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. SPECTER for the Committee on the Judiciary.

Andrew J. Guilford, of California, to be United States District Judge for the Central District of California.

Charles P. Rosenberg, of Virginia, to be United States Attorney for the Eastern District of Virginia for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BROWNBACK:

S. 3477. A bill to suspend temporarily the duty on certain athletic footwear valued at not over $2.50; to the Committee on Finance.

By Mr. BOND (for himself and Mr. TALENT):

S. 3478. A bill to amend the National Trails System Act relating to the statute of limitations that applies to certain claims; to the Committee on Energy and Natural Resources.

By Mr. BROWNBACK:

S. 3479. A bill to suspend temporarily the duty on numerous other seals made of rubber or silicone, and covered with, or reinforced with, a fabric material; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. COLEMAN):

S. 3480. A bill to prevent abuse of Government credit cards; to the Committee on Homeland Security and Governmental Affairs.

By Mr. THUNE:

S. 3481. A bill to require the Government Accountability Office to submit a report to Congress on the compliance of the Postal Service with procedural requirements in the closing of the postal sorting facility in Aberdeen, South Dakota, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HARKIN (for himself and Mrs. CLINTON):

S. 3482. A bill to provide for the establishment of a volunteer corps to aid in the dissemination and distribution of vaccines and other countermeasures during a public health emergency; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENSIGN (for himself and Mr. LIEBERMAN):

S. 3483. A bill to improve national competitiveness through enhanced education initiatives; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself and Ms. CANTWELL):

S. 3484. A bill to amend the Federal Food, Drug, and Cosmetic Act to extend the food labeling requirements of the Nutrition Labeling and Education Act of 1990 to enable customers to make informed choices about the nutritional content of standard menu items in large chain restaurants; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DORGAN:

S. 3485. A bill to amend the Tariff Act of 1930 to prohibit the import, export, and sale of goods made with sweatshop labor, and for other purposes; to the Committee on Finance.

By Mr. REID (for Mr. ROCKEFELLER (for himself, Mr. JEFFORDS, Mr. BAUCUS, Mr. LEAHY, and Ms. STABENOW)):

S. 3486. A bill to protect the privacy of veterans, spouses of veterans, and other persons affected by the security breach at the Department of Veterans Affairs on May 3, 2006, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KERRY (for himself and Mr. PRYOR):

S. 3487. A bill to amend the Small Business Act to reauthorize and improve the disaster loan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FRIST (for himself and Mr. REID):

S. Res. 505. A resolution authorizing the taking of a photograph in the Chamber of the United States Senate; considered and agreed to.

By Ms. STABENOW (for herself, Ms. SNOWE, Mrs. MURRAY, and Mr. LAUTENBERG):

S. Res. 506. A resolution to designate the period beginning on June 5, 2006, and ending on June 8, 2006, as "National Health IT Week"; considered and agreed to.

By Mr. BROWNBACK (for himself, Mr. LIEBERMAN, Mr. ALLEN, Ms. COLLINS, Mr. FRIST, Ms. MIKULSKI, Mr. PRYOR, Mr. SANTORUM, Mr. SMITH, Mrs. CLINTON, Mr. REID, Mrs. DOLE, and Mr. INHOFE):

S. Con. Res. 98. A concurrent resolution commemorating the 39th anniversary of the reunification of the city of Jerusalem; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 602

At the request of Ms. MIKULSKI, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 602, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 707

At the request of Mr. ALEXANDER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 707, a bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 843

At the request of Mr. SANTORUM, the names of the Senator from Florida (Mr. NELSON) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1330

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1330, a bill to amend the Internal Revenue Code of 1986 to provide incentives for employer-provided employee housing assistance, and for other purposes.

S. 1353

At the request of Mr. REID, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1353, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1522

At the request of Mr. CHAMBLISS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1522, a bill to recognize the heritage of hunting and provide opportunities for continued hunting on Federal public land.

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 1522, supra.

S. 1537

At the request of Mr. AKAKA, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1537, a bill to amend title 38, United States Code, to provide for the establishment of Parkinson's Disease Research Education and Clinical Centers in the Veterans Health Administration of the Department of Veterans Affairs and Multiple Sclerosis Centers of Excellence.

S. 1575

At the request of Mr. BINGAMAN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1575, a bill to amend the Public Health Service Act to authorize a demonstration program to increase the number of doctorally-prepared nurse faculty.

S. 1687

At the request of Ms. MIKULSKI, the names of the Senator from New York (Mrs. CLINTON), the Senator from California (Mrs. BOXER) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 1687, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 1691

At the request of Mr. CRAIG, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1691, a bill to amend selected statutes to clarify existing Federal law as to the treatment of students privately educated at home under State law.

S. 1741

At the request of Mr. VOINOVICH, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1741, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area.

S. 1923

At the request of Ms. SNOWE, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1923, a bill to address small business investment companies licensed to issue participating debentures, and for other purposes.

S. 2140

At the request of Mr. HATCH, the names of the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Florida (Mr. MARTINEZ) were added as cosponsors of S. 2140, a bill to enhance protection of children from sexual exploitation by strengthening section 2257 of title 18, United States Code, requiring producers of sexually explicit material to keep and permit inspection of records regarding the age of performers, and for other purposes.

S. 2243

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2243, a bill to make college more affordable by expanding and enhancing financial aid options for students and their families and providing loan forgiveness opportunities for public service employees, and for other purposes.

S. 2393

At the request of Mr. COLEMAN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2393, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

S. 2416

At the request of Mr. BURNS, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2416, a bill to amend title 38, United States Code, to expand the scope of programs of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used, and for other purposes.

S. 2435

At the request of Mr. LUGAR, the names of the Senator from Ohio (Mr. DEWINE), the Senator from North Dakota (Mr. DORGAN) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 2435, a bill to increase cooperation on energy issues between the United States Government and foreign governments and entities in order to secure the strategic and economic interests of the United States, and for other purposes.

S. 2461

At the request of Mr. SANTORUM, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2461, a bill to prohibit United States assistance to develop or promote any rail connections or railway-related connections that traverse or connect Baku, Azerbaijan, Tbilisi, Georgia, and Kars, Turkey, and that specifically exclude cities in Armenia.

S. 2467

At the request of Mr. GRASSLEY, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 2467, a bill to enhance and improve the trade relations of the United States by strengthening United States trade enforcement efforts and encouraging United States trading partners to adhere to the rules and norms of international trade, and for other purposes.

S. 2503

At the request of Mrs. LINCOLN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 2503, a bill to amend the Internal Revenue Code of 1986 to provide for an extension of the period of limitation to file claims for refunds on account of disability determinations by the Department of Veterans Affairs.

S. 2566

At the request of Mr. LUGAR, the names of the Senator from Oregon (Mr. SMITH), the Senator from South Carolina (Mr. GRAHAM) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 2566, a bill to provide for coordination of proliferation interdiction activities and conventional arms disarmament, and for other purposes.

S. 2592

At the request of Mr. HARKIN, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 2592, a bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren by updating the definition of "food of minimal nutritional value" to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs.

S. 2599

At the request of Mr. VITTER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. 2629

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2629, a bill to improve the tracking of stolen firearms and firearms used in a crime, to allow more frequent inspections of gun dealers to ensure compliance with Federal gun law, to enhance the penalties for gun trafficking, and for other purposes.

S. 2704

At the request of Mr. DEWINE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2704, a bill to revise and extend the National Police Athletic League Youth Enrichment Act of 2000.

S. 2787

At the request of Mr. CRAIG, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2787, a bill to permit United States persons to participate in the exploration for and the extraction of hydrocarbon resources from any portion of a foreign maritime exclusive economic zone that is contiguous to the exclusive economic zone of the United States, and for other purposes.

S. 2970

At the request of Mr. KERRY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2970, a bill to require the Secretary of Veterans Affairs to provide free credit monitoring and credit reports for veterans and others affected by the theft of veterans' personal data, to ensure that such persons are appropriately notified of such thefts, and for other purposes.

S. 3275

At the request of Mr. ALLEN, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 3275, a bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. CON. RES. 96

At the request of Mr. BROWNBACK, the names of the Senator from Utah (Mr. HATCH) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. Con. Res. 96, a concurrent resolution to commemorate, celebrate, and reaffirm the national motto of the United States on the 50th anniversary of its formal adoption.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOND (for himself and Mr. TALENT):

S. 3478. A bill to amend the National Trails System Act relating to the statute of limitations that applies to certain claims; to the Committee on Energy and Natural Resources.

Mr. BOND. Today, I and Senator JIM TALENT introduce the Easement Owners Fair Compensation Act of 2006. This bill will right a wrong done to property owners from whom the government took property without compensation. It will also ensure that future property owners are treated fairly when the government seeks to take their property through eminent domain.

In 1992, the federal government confiscated property owned by 102 St. Louis County, Missouri residents through the Federal Rails to Trails Act. The taking imposed an easement on their property for a public recreational hiking/biking trail. A trail easement was established on their property on December 20, 1992. After twelve years of bureaucratic fighting and delay, the Justice Department admitted the government's takings liability and agreed to pay the property owners $2,385,000.85 for their property, interest and legal fees.

However, two days before the U.S. Court of Claims was scheduled to approve the compensation agreement, the U.S. Federal Circuit issued the Caldwell decision regarding a rails-to-trails takings case in Georgia. That decision established the statute of limitations for rails-to-trails claims as the date of notice of interim trail use, not the date the trail easement was imposed on the property, as previously assumed. Under the new date, the statute of limitations on the St. Louis County takings claim had expired. The Justice Department accordingly sought dismissal of the claims without payment and the Court of Claims judge agreed.

This bill is a Senate companion to H.R. 4581 introduced by Representative AKIN and cosponsored by Representatives CARNAHAN and EMERSON. The legislation sets the statute of limitations as beginning on the date an interest is conveyed. It also allows for reconsideration of past claims dismissed because of this issue.

Without this bill, we will allow the wrong committed by the federal government to stand. The federal government took private property, admitted it owed the property owners over $2,000,000, and then refused to pay because of a technicality. That is no way to treat our citizens. That is no way to run a rails-to-trails program. That is no way to encourage future recreational hiking and biking. I urge my colleagues to support this legislation.

By Mr. GRASSLEY (for himself and Mr. COLEMAN):

S. 3480. A bill to prevent abuse of Government credit cards; to the Committee on Homeland Security and Governmental Affairs.

Mr. GRASSLEY. Mr. President, today I am reintroducing the Government Credit Card Abuse Prevention Act to address, in a comprehensive way, the abuse, misuse, and fraud that has occurred with Government charge cards. Some people might ask, "Why are you bothering with legislation? Is it that big of a problem?" It is true that most Government employees who are entrusted with a travel card or a purchase card do not abuse it. It may also be true that the amount of money concerned is only a fraction of any agency's annual budget. Well, when you have agencies like the Department of Defense with an over $500 billion budget, even a small fraction means a lot of taxpayers' money. When I asked GAO to look into instances of waste, fraud, and abuse with Government charge cards, starting with the Department of Defense, we found that purchase cards were used to spend taxpayer money for a sapphire ring, LA-Z-Boy reclining rocking chairs, and a dinner party for a general at Treasure Island Hotel and Casino that included $800 for alcohol. Government travel cards were used for gambling, sporting events, concerts, cruises, and even gentlemen's clubs and legalized brothels. Government travel cards are for official travel-related expenses only, not tickets to a Dallas Cowboys game or a Janet Jackson concert, but these are real examples of improper purchases GAO uncovered in reports I had requested. While travel cards are not paid directly with taxpayers' money like purchase cards, failure by employees to repay these cards results in the loss of millions of dollars in rebates to the Federal Government. Also, when credit card companies are forced to charge off bad debt, they raise interest rates and fees on everyone else.

Based on what we found in DoD, I worked with GAO to uncover similar problems in the U.S. Forest Service where one employee purchased five digital cameras at a cost of $2,960, six computers for $6,019, three palm pilots totaling $736, jewelry worth $1,967, and $6,101 in other items like cordless telephones, figurines, and Sony Playstations, all for personal use and all at taxpayer expense. GAO subsequently found similar problems at other agencies like the Federal Aviation Administration and the Department of Housing an Urban Development. I have cited just some of the extreme examples, but there are many more instances where employees purchased items that were not needed by the agency or where a cheaper alternative would meet the purpose just as well. This occurred because of weak internal controls within the agencies and is something that clearly needs to be addressed governmentwide. Based on oversight from Congress, GAO, and agency inspectors general, the situation has improved in many agencies and I am pleased that the Office of Management and Budget has begun to bring about an improved control environment through direction contained in OMB Circular 123. However, there is more to be done and my experience has convinced me that legislation is necessary.

The Government Credit Card Abuse Prevention Act is largely based on the recommendations by GAO regarding what controls are necessary to prevent the kinds of waste, fraud, and abuse we have uncovered. Since I originally introduced this legislation in the last Congress, I have collected input and ideas and worked to refine the bill to make it both comprehensive and workable. The provisions in my bill are simply commonsense internal controls that should be present in every Federal agency to prevent improper purchases. These include: performing credit checks for travel cardholders and issuing restricted cards for those with poor or no credit to reduce the potential for misuse; maintaining a record of each cardholder, including single transaction limits and total credit limits so agencies can effectively manage their cardholders; implementing periodic reviews to determine if cardholders have a need for a card; properly recording rebates to the Government based on prompt payment; providing training for cardholders and managers; utilizing available technologies to prevent or catch fraudulent purchases; establishing specific policies about the number of cards to be issued, the credit limits for certain categories of cardholders, and categories of employees eligible to be issued cards; invalidating cards when employees leave the agency or transfer; establishing an approving official other than the purchase cardholder so employees cannot approve their own purchases; reconciling purchase card charges on the bill with receipts and supporting documentation; submitting disputed purchase card charges to the bank according to the proper procedure; making purchase card payments promptly to avoid interest penalties; retaining records of purchase card transactions in accordance with standard Government recordkeeping polices; utilizing mandatory split disbursements when reimbursing employees for travel card purchases to ensure that travel card bills get paid; comparing items submitted on travel vouchers with items already paid for with centrally billed accounts to avoid reimbursing employees for items already paid for by the agency; and submitting refund requests for unused airline tickets so the taxpayers don't pay for tickets that were not used.

My bill would also provide that each agency inspector general will periodically conduct risk assessments of agency purchase card and travel card programs and perform periodic audits to identify potential fraudulent, improper, and abusive use of cards. We have had great success working with inspectors general using techniques like data mining to reveal instances of improper use of government charge cards. Having this information on an ongoing basis will help in strengthening and maintaining a rigorous system of internal controls to prevent future instances of waste, fraud, and abuse with government charge cards. In addition, my bill requires penalties so that employees who abuse Government charge cards cannot get away scotfree. In cases of serious misuse or fraud, the bill provides that employees must be dismissed and suspected cases of fraud will also be referred to the appropriate U.S. attorney for prosecution under Federal antifraud laws. Hopefully this will send a clear message that such activity will not be tolerated so as to act as a deterrent for others.

I am proud of the oversight work that I do to uncover waste, fraud, and abuse, but sometimes I feel like Sisyphus, doomed to eternally roll a boulder up a hill only to see it fall again. Instead of eternally looking over the shoulder of agencies to find waste that should never have occurred and then poking and prodding them to close the barn door after the horse has gotten out, we need to put the internal controls in place to make sure these problems don't happen in the first place. This bill will accomplish that for the Government charge card programs so that American taxpayers can sleep soundly knowing that their money isn't being charged away by some bureaucrat. I hope my colleagues will support this commonsense measure and that it will be enacted into law in short order.

By Mr. ENSIGN (for himself and Mr. LIEBERMAN):

S. 3483. A bill to improve national competitiveness through enhanced education initiatives; to the Committee on Health, Education, Labor, and Pensions.

Mr. LIEBERMAN. Mr. President, I rise today to introduce, along with my colleague from Nevada, Senator ENSIGN, the "National Innovation Education Act". The intent of this bill is to enhance our science and technology talent base and improve national competitiveness through strengthened education initiatives. Enhancing academic success, particularly in the fields of science, technology, engineering and math—often called the STEM disciplines—through innovative educational programs will stimulate change and growth within elementary, secondary and postsecondary institutions, improve current educational opportunities for all students, allow graduates greater opportunity for economic success and greater ability to successfully compete in the global market.

This bill proposes initiatives spanning the education spectrum that seek to improve quality instruction and access to STEM learning for all students. Recent recommendations from the Council on Competitiveness and The Augustine Commission at the National Academy of Sciences, among others, target national concerns around the content and quality of K-16 in STEM disciplines, particularly with regard to minority and low-income students, the need to stimulate innovation, and the need to enhance teacher preparation and professional development in the STEM fields.

An increasing number of researchers express alarm at the nearly one out of three public high school students who won't graduate and the failure of our systems to adequately prepare high school graduates, and particularly minorities, for success in college and the work place. Addressing the challenge of successfully thriving in a world of change, the Council on Competitiveness examined the pressing issue of attracting more young Americans to science and engineering fields. Currently, less than 15 percent of U.S. students have the prerequisite skills to pursue scientific or technical degrees in college. Only 5.5 percent of the 1.1 million high school seniors who took the college entrance exam in 2002 planned to pursue an engineering degree. And there continues to be poor representation of women and minorities in these fields. The National Academies report, "Rising Above the Gathering Storm," notes that amongst the U.S. science and technology workforce 38 percent of PhDs were foreign born. Changes need to be enacted to not only increase the number of students pursuing math and science degrees but to prepare them to pursue these degrees.

Indeed, numerous national reports in recent years have called for efforts to improve K-12 education, teacher preparation and professional development in the STEM areas. Recommendations include increasing the numbers of postsecondary students pursuing careers in the areas of mathematics, science, engineering, and technology and increasing the numbers of postsecondary students in the STEM fields who will then pursue concurrent degrees in education. Increasing funding for not only STEM education but STEM research has received strong recommendations as an important and timely approach to addressing improvements in education and innovation. Finally, a critical factor to ensuring program success is the ability to engage and then hold students' interests in the various STEM fields enough to encourage them to pursue STEM careers.

Our bill seeks to craft a comprehensive response to many of these issues, and includes the following provisions.

Title I—Improving Pre-kindergarten Through Grade 16, supplies a remedy to the critical issue of the disconnect existing between high school outcomes and college expectations. Through the formation of partnerships between P-12 and higher education systems in the states—P-16 Commissions—academic success in postsecondary education becomes the priority agenda item for reform. We anticipate that P-16 Commissions will bring about an increase in the percentage of academically prepared students, particularly low-income and minority students, and a decrease in the percentage of college students requiring remedial coursework, particularly with respect to math, science, and engineering.

Many States across our country have already seen the wisdom of a P-16 Commission and have been working on goals and implementation. The results, although preliminary for many States, are vastly encouraging. Title I will provide support both to States with existing P-16 bodies, or States seeking to establish such commissions. It will give priority to the States also seeking to establish or enhance data systems. We hope that States will have an opportunity to craft a vision that will reach all students over time so that their educational pathway of access to and success in college will be ensured.

Magnet schools have the capacity to create learning environments tailored to the interests and needs of its community and can offer a focused curriculum capable of attracting substantial numbers of students of different racial backgrounds. Title II of our bill authorizes the National Science Foundation to award grants to assist in the promotion of innovation and competitiveness through the development and implementation of magnet school programs. These programs would encourage students to meet state academic content standards through the development and design of innovative educational methods, practices and curricula that promote student achievement in STEM courses and encourage student enrollment in postsecondary institutions.

In addition, Title II authorizes NSF grants to elementary and middle schools creating pilot programs implementing innovation-based experiential learning environments. Innovation-based experiential learning is a teaching model that seeks to seed traditional technical studies with new exposure to methods for creative thinking and translating ideas into practical applications. Such programs would likely involve immersing students in hands-on experimentation that helps students discover new concepts and use those concepts to solve real-world problems.

The interrelated demands that mathematics and science education places upon schools to prepare both teachers and students must be addressed consecutively. Teachers need to be better prepared to teach STEM topics across the board and students need to have access to teachers who are well versed in their content subjects.

Title III of our bill authorizes funding to increase the number of graduates from postsecondary institutions with concurrent degrees in education and STEM fields. This program is based on the successful UTeach model at the University of Texas at Austin. Encouraging science and math majors to concurrently pursue certification in the field of education will help increase the number and quality of teachers in these fields. The model program at the University of Texas has experienced impressive success in attracting and keeping promising young STEM teachers. Our bill also calls for the establishment of Teacher Professional Development Institutes to promote innovative and effective approaches to improving teacher quality by providing professional development support for educators already in the classroom. The Teacher Institute Model encourages collaboration between urban teachers and university faculty to improve student learning by enhancing teacher mastery of subject matter. It is based upon the model which has been in operation at Yale University in New Haven, CT for over 25 years.

Our Nation recognizes the pressing need to increase funding for STEM research and boost the number of students in undergraduate and graduate programs pursuing mathematics and science degrees for our country's continued development, prosperity and security.

Within the final title of our bill, Title IV, NSF basic research funding is doubled. NSF is authorized to expand funding for STEM education through increased fellowships and trainee programs at the undergraduate and graduate level. A clearinghouse at the National Science Foundation of successful professional science master's degree program elements will be made available to postsecondary institutions as well as grants for developing pilot programs or improving current programs. In addition the NSF Tech Talent program is reauthorized with increased funding. This program provides competitive grants to undergraduate universities to develop new methods of increasing the number of students receiving degrees in science, math, and engineering. Finally, it is in our interest to examine and understand the emerging field of services sciences, a multidisciplinary curriculum partnering science, technology, engineering, and math with management and business disciplines. To this end, the National Science Foundation will conduct a collaborative study with leaders from institutions of higher education to come to an understanding of how best to support this new field.

Our National Innovation Education Act takes a broad and comprehensive approach to addressing national prosperity, security and our ability to compete internationally with recommendations for enhanced education initiatives in order to improve our national competitiveness. Improving current education for all students will allow graduates greater opportunity for economic success and greater ability to successfully compete in the global market. Our very Nation's future prosperity and security depends upon our willingness as leaders to infuse education with the requisite innovative vision that will inspire our youth to reach for goals that are achievable only beyond the ordinary bounds.

I urge my colleagues to act favorably on this measure. I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3483

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Innovation Education Act".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—IMPROVING PREKINDERGARTEN THROUGH GRADE 16 EDUCATION

Sec. 101. Short title.
Sec. 102. Purposes.
Sec. 103. Definitions.
Sec. 104. P-16 education stewardship system grants.
Sec. 105. State application and plan.
Sec. 106. P-16 education stewardship commission.
Sec. 107. P-16 education data system.
Sec. 108. Reports; technical assistance.
Sec. 109. Authorization of appropriations.

TITLE II—NATIONAL SCIENCE FOUNDATION MAGNET SCHOOLS AND INNOVATION-BASED LEARNING

Sec. 201. General definitions.
Sec. 202. Magnet schools.
Sec. 203. Innovation-based experiential learning.

TITLE III—TEACHER TRAINING AND PROFESSIONAL DEVELOPMENT

Sec. 301 Baccalaureate degrees in mathematics and science with teacher certification.
Sec. 302. Teachers professional development institutes.

TITLE IV—STEM EDUCATION AND RESEARCH

Sec. 401. Definitions.
Sec. 402. Graduate fellowships and graduate traineeships.
Sec. 403. Professional science master's degree programs.
Sec. 404. Increased support for science education through the National Science Foundation.
Sec. 405. A national commitment to basic research.
Sec. 406. Study on service science.

TITLE I—IMPROVING PREKINDERGARTEN THROUGH GRADE 16 EDUCATION

SEC. 101. SHORT TITLE.

This title may be cited as the "College Pathway Act of 2006".

SEC. 102. PURPOSES.

The purposes of this title are the following:

(1) To broaden the focus of Federal, State, and local higher education programs to promote academic success in postsecondary education, particularly with respect to mathematics, science, engineering, and technology.

(2) To increase the percentage of low-income and minority students who are academically prepared to enter and successfully complete postsecondary-level general education coursework.

(3) To decrease the percentage of students requiring developmental coursework through grants that enable States to coordinate the public prekindergarten through grade 12 education system and the postsecondary education system—

(A) to ensure that covered institutions articulate and publicize the prerequisite skills and knowledge expected of incoming postsecondary students attending covered institutions, in order to provide students and other interested parties with accurate information pertaining to the students' necessary preparations for postsecondary education;

(B) to establish and implement middle school and secondary school course enrollment guidelines while ensuring rigorous content standards—

(i) to ensure that public secondary school students, in all major racial and ethnic groups, and income levels, complete academic courses linked with academic success in mathematics, science, engineering, and technology at the postsecondary level; and

(ii) to increase the percentage of students in each major racial group, ethnic group, and income level who graduate from secondary school and enter postsecondary education with the academic preparation necessary to successfully complete postsecondary-level general education coursework, particularly with respect to mathematics, science, engineering, and technology;

(C) to implement programs and policies that increase secondary school graduation rates while ensuring rigorous content standards; and

(D) to collect and analyze disaggregated longitudinal student data throughout P–16 education in order to—

(i) understand and improve students' progress throughout P–16 education;

(ii) understand problems and needs throughout P–16 education; and

(iii) align prekindergarten through grade 12 academic standards and higher education standards so that more students are prepared to successfully complete postsecondary-level general education coursework.

SEC. 103. DEFINITIONS.

In this title:

(1) IN GENERAL.—The terms "local educational agency", "parent", "secondary school", and "State" have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) ACADEMIC ASSESSMENTS.—The term "academic assessments" means the academic assessments implemented by a State educational agency pursuant to section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)).

(3) ACADEMIC STANDARDS.—The term "academic standards" means the challenging academic content standards and challenging student academic achievement standards adopted by a State pursuant to section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)).

(4) COVERED INSTITUTION.—The term "covered institution" means an institution of higher education that participates in a program under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(5) DEVELOPMENTAL COURSEWORK.—The term "developmental coursework" means coursework that a student is required to complete in order to attain prerequisite knowledge or skills necessary for entrance into a postsecondary degree or certification program.

(6) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(7) P–16 EDUCATION.—The term "P–16 education" means the educational system from prekindergarten through the conferring of a baccalaureate degree.

(8) P–16 EDUCATOR.—The term "P–16 educator" means an individual teaching in P–16 education.

(9) SECRETARY.—The term "Secretary" means the Secretary of Education.

(10) STUDENT.—The term "student" means any student enrolled in a public school.

SEC. 104. P-16 EDUCATION STEWARDSHIP SYSTEM GRANTS.

(a) PROGRAM AUTHORIZED.—From amounts appropriated under section 109 for a fiscal year, and subject to subsection (b), the Secretary shall award grants, on a competitive basis, to States to enable the States—

(1) to establish—

(A) P–16 education stewardship commissions in accordance with section 106; or

(B) P–16 education stewardship systems consisting of—

(i) a P–16 education stewardship commission in accordance with section 106; and

(ii) a P–16 education data system in accordance with section 107; and

(2) to carry out the activities and programs described in the State application and plan submitted under section 105.

(b) AWARD BASIS.—In determining the approval and amount of a grant under subsection (a), the Secretary shall give priority to an application from a State that desires the grant to establish a P–16 education stewardship system described in subsection (a)(1)(B).

(c) PERIOD OF GRANTS.—

(1) STATES ESTABLISHING P–16 EDUCATION STEWARDSHIP SYSTEMS.—Each grant made under this section to a State to establish a P–16 education stewardship system described in subsection (a)(1)(B) shall be awarded for a period of 5 years.

(2) STATES ESTABLISHING P–16 EDUCATION STEWARDSHIP COMMISSIONS.—Each grant made under this section to a State to establish a P–16 education stewardship commission described in subsection (a)(1)(A) shall be awarded for a period of 3 years.

SEC. 105. STATE APPLICATION AND PLAN.

(a) IN GENERAL.—A State desiring a grant under section 104 shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(b) CONTENTS.—Each application submitted under this section shall include, at a minimum, the following:

(1) A demonstration that the State, not later than 5 months after receiving grant funds under this title, will establish a P–16 education stewardship commission described in section 106.

(2) For a state applying for a grant under section 104(a)(1)(B), a demonstration that the State, not later than 2 years after receiving grant funds under this title, will implement, expand, or improve a P–16 education data system described in section 107.

(3) A demonstration that the State will work with the State P–16 education stewardship commission and others as necessary to examine the relationship among the content of postsecondary education admission and placement exams, the prerequisite skills and knowledge required to successfully take postsecondary-level general education coursework, the prekindergarten through grade 12 courses and academic factors associated with academic success at the postsecondary level, particularly with respect to mathematics, science, engineering, and technology, and existing academic standards and aligned academic assessments.

(4) A description of how the State will, using the information from the State P–16 education stewardship commission, increase the percentage of students taking courses that have the highest correlation of academic success at the postsecondary level, for each of the following groups of students:

(A) Economically disadvantaged students.

(B) Students from each major racial and ethnic group.

(C) Students with disabilities.

(D) Students with limited English proficiency.

(5) A description of how the State will distribute the information in the P–16 education stewardship commission's report under section 106(c)(4) to the public in the State, including public secondary schools, local educational agencies, school counselors, P–16 educators, institutions of higher education, students, and parents.

(6) An assurance that the State will continue to pursue effective P–16 education alignment strategies after the end of the grant period.

SEC. 106. P-16 EDUCATION STEWARDSHIP COMMISSION.

(a) P–16 EDUCATION STEWARDSHIP COMMISSION.—

(1) IN GENERAL.—Each State receiving a grant under section 104 shall establish a P–16 education stewardship commission that has the policymaking ability to meet the requirements of this section.

(2) EXISTING COMMISSION.—The State may designate an existing coordinating body or commission as the State P–16 education stewardship commission for purposes of this title, if the body or commission meets, or is amended to meet, the basic requirements of this section.

(b) MEMBERSHIP.—

(1) COMPOSITION.—Each P–16 education stewardship commission shall be composed of the Governor of the State, or the designee of the Governor, and the stakeholders of the statewide education community, as determined by the Governor or the designee of the Governor, such as—

(A) the chief State official responsible for administering prekindergarten through grade 12 education in the State;

(B) the chief State official of the entity primarily responsible for the supervision of institutions of higher education in the State;

(C) bipartisan representation from the State legislative committee with jurisdiction over prekindergarten through grade 12 education and higher education;

(D) representatives of 2- and 4-year institutions of higher education in the State;

(E) representatives of the business community; and

(F) at the discretion of the Governor, or the designee of the Governor, representatives from prekindergarten through grade 12 and higher education governing boards and other organizations.

(2) CHAIRPERSON; MEETINGS.—The Governor of the State, or the designee of the Governor, shall serve as chairperson of the P–16 education stewardship commission and shall convene regular meetings of the commission.

(c) DUTIES OF THE COMMISSION.—

(1) MEETINGS OF COVERED INSTITUTIONS.—

(A) IN GENERAL.—Each State P–16 education stewardship commission shall convene regular meetings of the covered institutions in the State for the purpose of assessing and reaching consensus regarding—

(i) the prerequisite skills and knowledge expected of incoming freshmen to successfully engage in and complete postsecondary-level general education coursework without the prior need to enroll in developmental coursework; and

(ii) patterns of coursework and other academic factors that demonstrate the highest correlation with success in completing postsecondary-level general education coursework and degree or certification programs, particularly with respect to mathematics, science, engineering, and technology.

(B) FINDINGS OF COVERED INSTITUTIONS.—The covered institutions shall communicate to the P–16 education stewardship commission the findings of the covered institutions, which—

(i) shall include the consensus on the prerequisite skills and knowledge, patterns of coursework, and other academic factors described in subparagraph (A);

(ii) shall address, at minimum, the subjects of reading or language arts, history, mathematics, science, technology, and engineering, and may cover additional academic content areas;

(iii) shall be descriptive of content and purpose, and shall not be limited to a simple listing of secondary course names; and

(iv) may be different for 2- and 4-year institutions of higher education.

(2) COMMISSION RECOMMENDATIONS.—Not later than 18 months after a State receives a grant under section 104, and annually thereafter for each year in the grant period, the State P–16 education stewardship commission shall—

(A) develop recommendations regarding the prerequisite skills and knowledge, patterns of coursework, and other academic factors described in paragraph (1)(A); and

(B) develop recommendations and enact policies to increase the success rate of students in the students' transition from secondary school to postsecondary education, including policies to increase success rates for—

(i) students of economic disadvantage;

(ii) students of racial and ethnic minorities;

(iii) students with disabilities; and

(iv) students with limited English proficiency.

(3) COMMISSION FINDINGS.—Not later than 3 years after a State receives a grant under section 104(a)(1)(B), the State P–16 education stewardship commission shall—

(A) compile and interpret the findings from the P–16 education data system; and

(B) include the compilation and interpretation of the findings in the report described in paragraph (4)(A).

(4) REPORTS.—

(A) IN GENERAL.—Not later than 18 months after a State receives a grant under section 104, and annually thereafter for each year in the grant period, the State P–16 education stewardship commission shall prepare and submit to the Secretary a clear and concise report that shall include the recommendations described in subparagraphs (A) and (B) of paragraph (2).

(B) DISTRIBUTION TO THE PUBLIC.—Not later than 60 days after the submission of a report under subparagraph (A), each State P–16 education stewardship commission shall publish and widely distribute the information in the report to the public in the State, including—

(i) all public secondary schools and local educational agencies;

(ii) school counselors;

(iii) P–16 educators;

(iv) institutions of higher education; and

(v) students and parents, especially students and parents of students listed in clauses (i) through (iv) of paragraph (2)(B) and those entering grade 9 in the next academic year, to assist students and parents in making informed and strategic course enrollment decisions.

SEC. 107. P-16 EDUCATION DATA SYSTEM.

(a) ESTABLISHMENT.—Not later than 2 years after a State receives a grant under section 104(a)(1)(B), the State shall establish a Statewide longitudinal data system that provides each student, upon enrollment in a public school or in a covered institution in the State, with a unique identifier that is retained throughout the student's enrollment in P-16 education in the State.

(b) VALID DATA AND COMPLIANCE WITH FERPA.—The State, through the implementation of the data system described in subsection (a), shall—

(1) ensure the implementation and use of valid and reliable secondary school dropout data; and

(2) ensure that the data system is compliant with the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g).

(c) REQUIRED ELEMENTS OF A STATEWIDE DATA SYSTEM.—The State shall ensure that the data system described in subsection (a) includes the following elements:

(1) A unique statewide student identifier.

(2) Student-level enrollment, demographic, and program participation information.

(3) Individual students' yearly test records.

(4) Information on students not tested by grade and subject.

(5) A teacher identifier system with the ability to match teachers to students.

(6) Student-level transcript information, including information on courses completed and grades earned.

(7) Student-level college readiness test scores.

(8) Student-level information about the points at which students exit, transfer in, transfer out, drop out, or graduate P–16 education.

(9) The capacity to communicate with higher education data systems.

(10) A State data audit system assessing data quality, validity, and reliability.

(d) FUNCTIONS OF THE STATEWIDE DATA SYSTEM.—In implementing the data system described in subsection (a), the State shall—

(1) identify factors that correlate to students' ability to successfully engage in and complete postsecondary-level general education coursework without the need for prior developmental coursework;

(2) identify factors to increase the percentage of low-income and minority students who are academically prepared to enter and successfully complete postsecondary-level general education coursework; and

(3) use data to otherwise inform education policy and practice.

(e) EXISTING DATA SYSTEMS.—A State may employ, coordinate, or revise an existing data system for purposes of this section if such data system produces valid and reliable information that satisfies the requirements of subsections (b) through (d).

SEC. 108. REPORTS; TECHNICAL ASSISTANCE.

(a) STATE REPORTS.—

(1) ANNUAL REPORT.—Each State that receives a grant under section 104 shall submit an annual report to the Secretary for each year of the grant period that shall include a description of the activities undertaken under the grant to improve academic readiness for postsecondary-level general education coursework and course completion.

(2) DISSEMINATION.—Each State shall prepare and widely disseminate the report described in paragraph (1) to the public in the State, including secondary schools, local educational agencies, school counselors, P–16 educators, institutions of higher education, students, and parents.

(b) SECRETARY REPORTS.—

(1) ANNUAL REPORT.—The Secretary shall submit an annual report to Congress that includes—

(A) findings from the State reports submitted under subsection (a)(1);

(B) a description of the actions taken by the Department of Education to assist States with creating P–16 education stewardship commissions and P–16 education data systems;

(C) a description of the actions and incentives planned by the States' P–16 education stewardship commissions—

(i) to help States align academic standards, courses, and academic assessments with postsecondary academic expectations, courses, and assessments;

(ii) to help States increase the percentage of minority and low-income students prepared to enter and succeed at the postsecondary level; and

(iii) to decrease postsecondary developmental coursework enrollment rates of minority and low-income students;

(D) a description of the actions and incentives planned to help States reduce postsecondary developmental coursework enrollment rates;

(E) an assessment of the effectiveness of P-16 education stewardship commissions in improving college readiness and eliminating the need for developmental coursework; and

(F) recommendations regarding how to make the P–16 education stewardship commissions more effective, and whether the establishment of such commissions should be encouraged throughout the United States.

(2) AVAILABILITY.—The Secretary shall make the annual report described in paragraph (1) available to the public and to each State and institution of higher education.

(c) TECHNICAL ASSISTANCE.—The Secretary shall provide, to the extent practicable, technical assistance to States and institutions of higher education seeking technical assistance under this title.

SEC. 109. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title $55,000,000 for fiscal year 2007 and such sums as may be necessary for each of fiscal years 2008 through 2011.

TITLE II—NATIONAL SCIENCE FOUNDATION MAGNET SCHOOLS AND INNOVATION-BASED LEARNING

SEC. 201. GENERAL DEFINITIONS.

Except as otherwise provided, the terms used in this title have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 202. MAGNET SCHOOLS.

(a) PURPOSE.—The purpose of this section is to assist in the promotion of innovation and competitiveness by providing financial assistance to eligible local educational agencies for—

(1) the development and implementation of magnet school programs that will assist eligible local educational agencies in achieving systemic reforms and providing all students the opportunity to meet challenging State academic content standards and student academic achievement standards;

(2) the development and design of innovative educational methods, practices, and curriculum that promote student achievement in science, mathematics, and technology courses;

(3) improving the capacity of eligible local educational agencies, including through professional development, to continue operating magnet schools after Federal funding for the magnet schools is terminated; and

(4) ensuring that students enrolled in such schools have access to a high quality education that will enable such students to succeed academically and enroll in postsecondary education at a high level.

(b) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term "Director" means the Director of the National Science Foundation.

(2) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—The term "eligible local educational agency" means a local educational agency described in section 5304 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7231c).

(3) MAGNET SCHOOL.—The term "magnet school" means a public elementary school or public secondary school that—

(A) offers a curriculum focused on science, mathematics, and technology; and

(B) attracts a substantial number of students from different racial backgrounds.

(c) PROGRAM AUTHORIZED.—The Director, in accordance with this section, is authorized to award grants to eligible local educational agencies, and consortia of such agencies where appropriate, to carry out the purpose of this section for magnet schools.

(d) APPLICATIONS AND REQUIREMENTS.—

(1) APPLICATIONS.—An eligible local educational agency, or consortium of such agencies, desiring to receive a grant under this section shall submit an application to the Director at such time, in such manner, and containing such information and assurances as the Director may reasonably require.

(2) INFORMATION AND ASSURANCES.—Each application submitted under paragraph (1) shall include—

(A) a description of—

(i) how a grant awarded under this section will be used to promote instruction in science, mathematics, and technology;

(ii) the manner and extent to which the magnet school program will increase student academic achievement in the instructional areas offered by the school;

(iii) how the applicant will continue the magnet school program after assistance under this section is no longer available;

(iv) how grant funds under this section will be used—

(I) to improve student academic achievement for all students attending the magnet school programs; and

(II) to implement services and activities that are consistent with programs under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.); and

(v) the criteria to be used in selecting students to attend the proposed magnet school program; and

(B) assurances that the applicant will—

(i) use grant funds under this section for the purpose specified in subsection (a);

(ii) employ highly qualified teachers in the courses of instruction assisted under this section; and

(iii) carry out a high-quality education program that will encourage greater parental involvement in decision making.

(e) PRIORITY.—In awarding grants under this section, the Director shall give priority to applicants that propose to carry out new magnet school programs or significantly revise existing magnet school programs.

(f) USE OF FUNDS.—

(1) IN GENERAL.—Grant funds made available under this section may be used by an eligible local educational agency or consortium of such agencies—

(A) for planning and promotional activities directly related to the development, expansion, continuation, or enhancement of academic programs and services offered at magnet schools;

(B) for the acquisition of books, materials, and equipment (including computers), and the maintenance and operation of materials, equipment, and computers, necessary to conduct programs in magnet schools;

(C) for the compensation, or subsidization of the compensation, of elementary school and secondary school teachers who are highly qualified, and instructional staff where applicable, who are necessary to conduct programs in magnet schools;

(D) for activities, which may include professional development, that will build the capacity of the eligible local educational agency, or consortium of such agencies, to operate magnet school programs once the grant period has ended;

(E) to enable the eligible local educational agency, or consortium of such agencies, to have more flexibility in the administration of a magnet school program in order to serve students attending a school who are not enrolled in a magnet school program; and

(F) to enable the eligible local educational agency, or consortium of such agencies, to have flexibility in designing magnet schools for students in all elementary school and secondary school grades.

(2) SPECIAL RULE.—Grant funds under this section may be used for activities described in paragraphs (2) and (3) of subsection (a) only if the activities are directly related to improving—

(A) student academic achievement based on the State's challenging academic content standards and student academic achievement standards; or

(B) student skills in or knowledge of mathematics, science, and technology as well as other core academic subjects.

(g) PROHIBITION.—Grants under this section may not be used for transportation or any activity that does not augment academic improvement.

(h) LIMITATION.—

(1) DURATION OF AWARDS.—A grant under this section shall be awarded for a period that shall not exceed 3 fiscal years.

(2) LIMITATION ON PLANNING FUNDS.—An eligible local educational agency, or consortium of agencies, may expend for planning (professional development shall not be considered to be planning for the purposes of this subsection) not more than 50 percent of the grant funds received under this section for the first year of the program and not more than 15 percent of such funds for each of the second and third such years.

(3) AMOUNT.—No eligible local educational agency, or consortium of such agencies, awarded a grant under this section shall receive more than $4,000,000 under this section for any one fiscal year.

(4) TIMING.—To the extent practicable, the Secretary shall award grants for any fiscal year under this section not later than July 1 of the applicable fiscal year.

(i) EVALUATIONS.—

(1) RESERVATION.—The Director may reserve not more than 2 percent of the funds appropriated to carry out this section for any fiscal year to carry out evaluations, provide technical assistance, and carry out dissemination projects with respect to magnet school programs assisted under this section.

(2) CONTENTS.—Each evaluation described in paragraph (1) at a minimum shall address—

(A) how and the extent to which magnet school programs lead to educational quality and improvement;

(B) the extent to which magnet school programs enhance student access to high quality education; and

(C) the extent to which magnet school programs differ from other school programs in terms of the organizational characteristics and resource allocation of such magnet school programs.

SEC. 203. INNOVATION-BASED EXPERIENTIAL LEARNING.

(a) PILOT PROGRAM.—

(1) PROGRAM AUTHORIZED.—The Director of the National Science Foundation shall award grants to local educational agencies to enable the local educational agencies to implement innovation-based experiential learning in a total of 500 elementary schools or middle schools in the United States.

(2) APPLICATION.—A local educational agency desiring a grant under this section shall submit an application at such time, in such manner, and accompanied by such information as the Director of the National Science Foundation may require.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for fiscal year 2007 and $20,000,000 for each of the fiscal years 2008 and 2009.

TITLE III—TEACHER TRAINING AND PROFESSIONAL DEVELOPMENT

SEC. 301. BACCALAUREATE DEGREES IN MATHEMATICS AND SCIENCE WITH TEACHER CERTIFICATION.

(a) DEFINITIONS.—Unless otherwise specified in this section, the terms used in this section have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(b) GRANTS AUTHORIZED.—From the amounts authorized under subsection (h), the Secretary shall award grants to eligible recipients to enable the eligible recipients to provide integrated courses of study in mathematics, science, or engineering and teacher education, that lead to a baccalaureate degree in mathematics, science, or engineering with concurrent teacher certification.

(c) DEFINITION OF ELIGIBLE RECIPIENT.—In this section, the term "eligible recipient" means any department of mathematics, science, or engineering of an institution of higher education.

(d) AWARD AND DURATION.—

(1) AWARD.—The Secretary shall award a grant under this section to each eligible recipient that collaborates with a teacher preparation program at an institution of higher education to develop undergraduate degrees in mathematics, science, or engineering with pedagogy education and teacher certification.

(2) DURATION.—The Secretary shall award a grant under this section to each eligible recipient in an amount that is not more than $1,000,000 per year for a period of 5 years.

(e) MATCHING REQUIREMENT.—Each eligible recipient receiving a grant under this section shall provide, from non-Federal sources (provided in cash or in kind), to carry out the activities supported by the grant, an amount that is not less than 25 percent of the amount of the grant for the first year of the grant, not less than 35 percent of the amount of the grant for the second year of the grant, and not less than 50 percent of the amount of the grant for each succeeding fiscal year of the grant.

(f) APPLICATION.—

(1) IN GENERAL.—Each eligible recipient desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall include—

(A) a description of how the eligible recipient will use grant funds to develop and administer undergraduate degrees in mathematics, science, or engineering with pedagogy education and teacher certification, including a description of proposed high-quality research and laboratory experiences that will be available to students;

(B) a description of how the mathematics, science, or engineering departments will coordinate with a teacher preparation program to carry out the activities authorized under this section;

(C) a resource assessment that describes the resources available to the eligible recipient, the intended use of the grant funds, and the commitment of the resources of the eligible recipient to the activities assisted under this section, including financial support, faculty participation, time commitments, and continuation of the activities assisted under the grant when the grant period ends;

(D) an evaluation plan, including measurable objectives and benchmarks for—

(i) improving student retention;

(ii) increasing the percentage of highly qualified mathematics and science teachers; and

(iii) improving kindergarten through grade 12 student academic performance in mathematics and science;

(E) a description of the activities the eligible recipient will conduct to ensure graduates of the program keep informed of the latest developments in the respective fields;

(F) a description of how the eligible recipient will work with local educational agencies in the area in which the eligible recipient is located and, to the extent practicable, with local educational agencies where graduates of the program authorized under this section are employed, to ensure that the activities required under subsection (g)(3) are carried out; and

(G) a description of efforts to encourage applications to the program from underrepresented groups, including women and minority groups.

(g) AUTHORIZED ACTIVITIES.—An eligible recipient shall use the funds received under this section—

(1) to develop and administer teacher education and certification programs with indepth content education and subject-specific education in pedagogy, leading to baccalaureate degrees in mathematics, science, or engineering with concurrent teacher certification;

(2) to offer high-quality research experiences and training in the use of educational technology; and

(3) to work with local educational agencies in the area in which the eligible recipient is located and, to the extent practicable, with local educational agencies where graduates of the program authorized under this section are employed, to support the new teachers during the initial years of teaching, which may include—

(A) promoting effective teaching skills;

(B) development of skills in educational interventions based on scientifically-based research;

(C) providing opportunities for high-quality teacher mentoring;

(D) providing opportunities for regular professional development;

(E) interdisciplinary collaboration among exemplary teachers, faculty, researchers, and other staff who prepare new teachers; and

(F) allowing time for joint lesson planning and other constructive collaborative activities.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $30,000,000 for fiscal year 2007 and such sums as may be necessary for each of the fiscal years 2008 through 2013.

SEC. 302. TEACHERS PROFESSIONAL DEVELOPMENT INSTITUTES.

Title II of the Higher Education Act of 1965 (20 U.S.C. 1021 et seq.) is amended by adding at the end the following:

“PART C—TEACHERS PROFESSIONAL DEVELOPMENT INSTITUTES

“SEC. 241. SHORT TITLE.

“This part may be cited as the ‘Teachers Professional Development Institutes Act’.

“SEC. 242. PURPOSE.

“The purpose of this part is to provide Federal assistance to support the establishment and operation of Teachers Professional Development Institutes for local educational agencies that serve significant low-income populations in States throughout the Nation—

“(1) to promote innovative and effective approaches to improving teacher quality through the use of the Teacher Institute Model that encourages collaboration between urban school teachers and university faculty;

“(2) to improve student learning; and

“(3) to enhance the quality of teaching by strengthening the subject matter mastery and pedagogical skills of current teachers through continuing teacher preparation, particularly with respect to mathematics, science, technology, and engineering.

“SEC. 243. DEFINITIONS.

“In this part:

“(1) POVERTY LINE.—The term ‘poverty line’ means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act) applicable to a family of the size involved.

“(2) SIGNIFICANT LOW-INCOME POPULATION.—The term ‘significant low-income population’ means a student population of which not less than 25 percent are from families with incomes below the poverty line.

“(3) STATE.—The term ‘State’ means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

“(4) TEACHERS PROFESSIONAL DEVELOPMENT INSTITUTE.—The term ‘Teachers Professional Development Institute’ means a partnership or joint venture between or among 1 or more institutions of higher education, and 1 or more local educational agencies serving a significant low-income population, which partnership or joint venture—

“(A) is entered into for the purpose of improving the quality of teaching and learning through collaborative seminars designed to enhance both the subject matter and the pedagogical resources of the seminar participants, particularly with respect to mathematics, science, technology, and engineering; and

“(B) works in collaboration to determine the direction and content of the collaborative seminars.

“SEC. 244. GRANT AUTHORITY.

“(a) IN GENERAL.—The Secretary is authorized—

“(1) to award grants to Teachers Professional Development Institutes to encourage the establishment and operation of Teachers Professional Development Institutes where not less than 50 percent of collaborative seminars are targeted to the fields of mathematics, science, technology, and engineering; and

“(2) to provide technical assistance, either directly or through existing Teachers Professional Development Institutes, to assist local educational agencies and institutions of higher education in preparing to establish and in operating Teachers Professional Development Institutes.

“(b) SELECTION CRITERIA.—In selecting a Teachers Professional Development Institute for a grant under this part, the Secretary shall consider—

“(1) the extent to which the proposed Teachers Professional Development Institute will serve a community with a significant low-income population;

“(2) the extent to which the proposed Teachers Professional Development Institute will follow the Understandings and Necessary Procedures that have been developed following the National Demonstration Project;

“(3) the extent to which the local educational agency participating in the proposed Teachers Professional Development Institute has a high percentage of teachers who are unprepared or under prepared to teach the core academic subjects the teachers are assigned to teach, particularly in the areas of mathematics, science, technology, and engineering; and

“(4) the extent to which the proposed Teachers Professional Development Institute will receive a level of support from the community and other sources that will ensure the requisite long-term commitment for the success of a Teachers Professional Development Institute.

“(c) CONSULTATION.—

“(1) IN GENERAL.—In evaluating applications under subsection (b), the Secretary may request the advice and assistance of existing Teachers Professional Development Institutes.

“(2) STATE AGENCIES.—If the Secretary receives 2 or more applications for new Teachers Professional Development Institutes that propose serving the same State, the Secretary shall consult with the State educational agency regarding the applications.

“(d) FISCAL AGENT.—For the purpose of this part, an institution of higher education participating in a Teachers Professional Development Institute shall serve as the fiscal agent for the receipt of grant funds under this part.

“(e) LIMITATIONS.—A grant under this part—

“(1) shall be awarded for a period not to exceed 5 years; and

“(2) shall not exceed 50 percent of the total costs of the eligible activities, as determined by the Secretary.

“SEC. 245. ELIGIBLE ACTIVITIES.

“(a) IN GENERAL.—A Teachers Professional Development Institute that receives a grant under this part may use the grant funds—

“(1) for the planning and development of applications for the establishment of Teachers Professional Development Institutes;

“(2) to provide assistance to existing Teachers Professional Development Institutes established during the National Demonstration Project to enable the Teachers Professional Development Institutes—

“(A) to further develop existing Teachers Professional Development Institutes; or

“(B) to support the planning and development of applications for new Teachers Professional Development Institutes;

“(3) for the salary and necessary expenses of a full-time director to plan and manage such Teachers Professional Development Institute and to act as liaison between the participating local educational agency and institution of higher education;

“(4) to provide staff, equipment, and supplies, and to pay other operating expenses for the development and maintenance of Teachers Professional Development Institutes;

“(5) to provide stipends for teachers participating in collaborative seminars in the sciences and humanities, and to provide remuneration for those members of the higher education faculty who lead the seminars; and

"(6) to provide for the dissemination through print and electronic means of curriculum units prepared in conjunction with Teachers Professional Development Institutes seminars.

"(b) Technical Assistance.—The Secretary may use not more than 25 percent of the funds appropriated to carry out this part to provide technical assistance to facilitate the establishment and operation of Teachers Professional Development Institutes. For the purpose of this subsection, the Secretary may contract with existing Teachers Professional Development Institutes to provide all or a part of the technical assistance under this subsection.

"SEC. 246. APPLICATION, APPROVAL, AND AGREEMENT.

"(a) In General.—To receive a grant under this part, a Teachers Professional Development Institute shall submit an application to the Secretary that—

"(1) meets the requirement of this part and any regulations under this part;

"(2) includes a description of how the Teachers Professional Development Institute intends to use funds provided under the grant;

"(3) includes such information as the Secretary may require to apply the criteria described in section 244(b);

"(4) includes measurable objectives for the use of the funds provided under the grant; and

"(5) contains such other information and assurances as the Secretary may require.

"(b) Approval.—The Secretary shall—

"(1) promptly evaluate an application received for a grant under this part; and

"(2) notify the applicant within 90 days of the receipt of a completed application of the Secretary's approval or disapproval of the application.

"(c) Agreement.—Upon approval of an application, the Secretary and the Teachers Professional Development Institute shall enter into a comprehensive agreement covering the entire period of the grant.

"SEC. 247. REPORTS AND EVALUATIONS.

"(a) Report.—Each Teachers Professional Development Institute receiving a grant under this part shall report annually on the progress of the Teachers Professional Development Institute in achieving the purpose of this part and the purposes of the grant.

"(b) Evaluation and Dissemination.—

"(1) Evaluation.—The Secretary shall evaluate the activities funded under this part and submit an annual report regarding the activities to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

"(2) Dissemination.—The Secretary shall broadly disseminate successful practices developed by Teachers Professional Development Institutes.

"(c) Revocation.—If the Secretary determines that a Teachers Professional Development Institute is not making substantial progress in achieving the purpose of this part and the purposes of the grant by the end of the second year of the grant under this part, the Secretary may take appropriate action, including revocation of further payments under the grant, to ensure that the funds available under this part are used in the most effective manner.

"SEC. 248. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part—

"(1) $4,000,000 for fiscal year 2007;
"(2) $5,000,000 for fiscal year 2008;
"(3) $6,000,000 for fiscal year 2009;
"(4) $7,000,000 for fiscal year 2010; and
"(5) $8,000,000 for fiscal year 2011.".

TITLE IV—STEM EDUCATION AND RESEARCH

SEC. 401. DEFINITIONS.

In this title:

(1) Institution of higher education.—The term "institution of higher education" has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(2) Professional science master's degree program.—The term "professional science master's degree program" means a graduate degree program in science and mathematics that extends science training to strategic planning and business management and focuses on multidisciplinary specialties such as business and information technology (IT), biology and IT (bioinformatics), and computational chemistry.

(3) Service science.—The term "service science" means curriculums, research programs, and training regimens, including service sciences, management, and engineering (SSME) programs, that exist or that are being developed to teach individuals to apply technology, organizational process management, and industry-specific knowledge to solve complex problems.

(4) SSME.—The term "SSME" means the discipline known as service sciences, management, and engineering that—

(A) applies scientific, engineering, and management disciplines to tasks that one organization performs beneficially for others, generally as part of the services sector of the economy; and

(B) integrates computer science, operations research, industrial engineering, business strategy, management sciences, and social and legal sciences, in order to encourage innovation in how organizations create value for customers and shareholders that could not be achieved through such disciplines working in isolation.

SEC. 402. GRADUATE FELLOWSHIPS AND GRADUATE TRAINEESHIPS.

(a) Graduate Research Fellowship Program.—

(1) In general.—During the 5-year period beginning on the date of the enactment of this Act, the Director of the National Science Foundation shall expand the Graduate Research Fellowship Program of the Foundation so that an additional 1250 fellowships are awarded to United States citizens under such Program during such period.

(2) Extension of fellowship period.—The Director of the National Science Foundation is authorized to award fellowships under the Graduate Research Fellowship Program for a period of 5 years, subject to funds being made available for such purpose.

(3) Authorization of appropriations.—In addition to any other amounts authorized to be appropriated, there are authorized to be appropriated $51,000,000 for each of the fiscal years 2007 through 2011 to provide an additional 250 fellowships under the Graduate Research Fellowship Program during each such fiscal year.

(b) Integrative Graduate Education and Research Traineeship Program.—

(1) In general.—During the 5-year period beginning on the date of the enactment of this Act, the Director of the National Science Foundation shall expand the Integrative Graduate Education and Research Traineeship program of the Foundation so that an additional 1,250 United States citizens are awarded grants under such program during such period.

(2) Authorization of appropriations.—In addition to any other amounts authorized to be appropriated, there are authorized to be appropriated $51,000,000 for each of the fiscal years 2007 through 2011 to provide grants to an additional 250 individuals under the Integrative Graduate Education and Research Traineeship program during each such fiscal year.

SEC. 403. PROFESSIONAL SCIENCE MASTER'S DEGREE PROGRAMS.

(a) Clearinghouse.—

(1) Development.—From amounts appropriated under subsection (c), the Director of the National Science Foundation shall establish a clearinghouse, in collaboration with 4-year institutions of higher education, industries, and Federal agencies that employ science-trained personnel, to share program elements used in successful professional science master's degree programs.

(2) Availability.—The Director of the National Science Foundation shall make the clearinghouse of program elements developed under paragraph (1) available to institutions of higher education that are developing professional science master's degree programs.

(b) Pilot Programs.—

(1) Program authorized.—From amounts appropriated under subsection (c), the Director of the National Science Foundation shall award grants for pilot programs to 4-year institutions of higher education to facilitate the institutions' creation or improvement of professional science master's degree programs.

(2) Application.—A 4-year institution of higher education desiring a grant under this section shall submit an application at such time, in such manner, and accompanied by such information as the Director of the National Science Foundation may require. The application shall include—

(A) a description of the professional science master's degree program that the institution of higher education will implement;

(B) the amount of funding from non-Federal sources, including from private industries, that the institution of higher education shall use to support the professional science master's degree program; and

(C) an assurance that the institution of higher education shall encourage students in the professional science master's degree program to apply for all forms of Federal assistance available to such students, including applicable graduate fellowships and student financial assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(3) Preference for alternative funding sources.—The Director of the National Science Foundation shall give preference in making awards to 4-year institutions of higher education seeking Federal funding to support pilot professional science master's degree programs, to those applicants that secure more than ⅔ of the funding for such professional science master's degree programs from sources other than the Federal Government.

(4) Number of grants; time period of grants.—

(A) Number of grants.—Subject to the availability of appropriated funds, the Director of the National Science Foundation shall award grants under paragraph (1) to a maximum of 200 4-year institutions of higher education.

(B) Time period of grants.—Grants awarded under this section shall be for one 3-year term. Grants may be renewed only once for a maximum of 2 additional years.

(5) Evaluation and Reports.—

(A) Development of Performance Benchmarks.—Prior to the start of the grant program, the National Science Foundation, in collaboration with 4-year institutions of higher education, shall develop performance benchmarks to evaluate the pilot programs assisted by grants under this section.

(B) Evaluation.—For each year of the grant period, the Director of the National Science Foundation, in consultation with 4-year institutions of higher education, industry, and Federal agencies that employ science-trained personnel, shall complete an evaluation of each pilot program assisted by grants under this section. Any pilot program that fails to satisfy the performance benchmarks developed under subparagraph (A) shall not be eligible for further funding.

(C) Report.—Not later than 180 days after the completion of an evaluation described in subparagraph (B), the Director of the National Science Foundation, in consultation with industries and Federal agencies that employ science-trained personnel, shall submit a report to Congress that includes—

(i) the results of the evaluation described in subparagraph (B); and

(ii) recommendations for administrative and legislative action that could optimize the effectiveness of the pilot programs, as the Director determines to be appropriate.

(c) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $20,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year.

SEC. 404. INCREASED SUPPORT FOR SCIENCE EDUCATION THROUGH THE NATIONAL SCIENCE FOUNDATION.

There are authorized to be appropriated to carry out the science, mathematics, engineering, and technology talent expansion program under section 8(7) of the National Science Foundation Authorization Act of 2002 (Public Law 107-368, 116 Stat. 3042) the following amounts:

(1) For fiscal year 2007, $35,000,000.
(2) For fiscal year 2008, $50,000,000.
(3) For fiscal year 2009, $100,000,000.
(4) For fiscal year 2010, $150,000,000.

SEC. 405. A NATIONAL COMMITMENT TO BASIC RESEARCH.

(a) Plan for Increased Research.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Science Foundation shall submit to Congress a comprehensive, multiyear plan that describes how the funds authorized in subsection (b) shall be used. Such plan shall be developed with a focus on utilizing basic research in physical science and engineering to optimize the United States economy as a global competitor and leader in productive innovation.

(b) Increased Funding for National Science Foundation.—There are authorized to be appropriated to the National Science Foundation for the purpose of doubling research funding the following amounts:

(1) $6,440,000,000 for fiscal year 2007.
(2) $7,280,000,000 for fiscal year 2008.
(3) $8,120,000,000 for fiscal year 2009.
(4) $8,960,000,000 for fiscal year 2010.
(5) $9,800,000,000 for fiscal year 2011.

(c) Recommendations for Research and Development Funding.—Not later than 1 year after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall evaluate and, as appropriate, submit to Congress recommendations for an increase in funding for research and development in physical sciences and engineering in consultation with agencies and departments of the United States with significant research and development budgets.

SEC. 406. STUDY ON SERVICE SCIENCE.

(a) Sense of Congress.—It is the sense of Congress that, in order to strengthen the competitiveness of United States enterprises and institutions and to prepare the people of the United States for high-wage, high-skill employment, the Federal Government should better understand and respond strategically to the emerging vocation and learning discipline known as service science.

(b) Study.—Not later than 270 days after the date of the enactment of this Act, the Director of the National Science Foundation shall conduct a study and report to Congress regarding how the Federal Government should support, through research, education, and training, the new discipline of service science.

(c) Outside Resources.—In conducting the study under subsection (b), the Director of the National Science Foundation shall consult with leaders from 2- and 4-year institutions of higher education, leaders from corporations, and other relevant parties.

By Mr. HARKIN (for himself and Ms. CANTWELL):

S. 3484. A bill to amend the Federal Food, Drug, and Cosmetic Act to extend the food labeling requirements of the Nutrition Labeling and Education Act of 1990 to enable customers to make informed choices about the nutritional content of standard menu items in large chain restaurants; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, today I am pleased to introduce the Menu Education and Labeling Act of 2006, along with my colleague, Senator CANTWELL of Washington. Our bill would extend the successful nutrition labeling that has been on packaged foods since the mid nineties to include foods at chain restaurants with 20 or more outlets and food sold in vending machines. The aim of this bill is to help Americans to take better charge of their health by giving them the tools that they need to make sound nutrition choices for themselves and their children.

It is no secret that poor health and the resulting health costs are major problems in the United States. According to the Centers for Medicare and Medicaid Services, total health care spending in the United States in 2004 was $1.8 trillion, and is expected to double by approximately 2014. Furthermore, chronic diseases, which are, in many cases preventable, account for approximately 75 percent of health care costs annually.

Poor nutrition, diet-related chronic diseases, overweight, and obesity are public health threats of the first order. Heart disease and stroke are the first and third leading causes of death in the United States and together, they account for about 40 percent of annual deaths in the United States. In addition, nearly two-thirds of adults are either overweight or obese.

But it is not just adults who are affected by poor diets. Kids are increasingly at risk as well. According to the National Academy of Sciences, over the last three decades, the obesity rate has doubled among preschoolers and adolescents, and tripled for kids between ages 6 and 11. For children born today, it is estimated that 30 percent of boys and 40 percent of girls will develop diabetes. Some scientists are predicting that the current generation of children may well be the first in American history to live shorter lives than their parents, largely because of poor diets and diet-related chronic disease.

The issues are economic as well. The economic impact of chronic disease can be seen in the annual costs associated with various conditions. Cardiovascular disease and stroke are estimated to cost $352 billion annually. The yearly economic impacts of obesity, cancer, and diabetes are estimated at $117 billion, $172 billion, and $132 billion, respectively. So we need to promote common-sense steps to prevent these conditions. Increasing consumer knowledge is one of them.

This bill will give consumers a much-needed tool to make wiser choices and achieve healthier lifestyles. Will individual steps like this, by themselves, be enough to turn the tide of chronic disease and poor health? Of course not. But we must look for opportunities to give consumers information they can use to take better control of their health.

In 1990, Congress passed the Nutrition Labeling and Education Act, NLEA, requiring food manufacturers to provide nutrition information on nearly all packaged foods. The impact has been extremely positive. Not only do nearly three-quarters of adults read and use the food labels on packaged foods, but studies indicate that consumers who read labels have healthier diets. It's time to extend this same opportunity to consumers who want to make smart nutrition choices in restaurants and at vending machines.

More and more of Americans' food dollars are spent in restaurants. Restaurants play an increasingly important role in Americans' diet and health. But restaurants were excluded from the NLEA.

Today, American adults and children consume a third of their calories at restaurants. Nutrition and health experts say that rising caloric consumption and growing portion sizes are causes of overweight and obesity. We also know that when children eat in restaurants, they consume twice as many calories as when they eat at home. Consumers say that they would like nutrition information provided when they order their food at restaurants. However, while they are fully informed about the nutrition content of food available in supermarkets, consumers at restaurants are almost totally in the dark, left to guess about what is in the foods they are ordering. This legislation seeks to remedy this so that consumers can make the same informed choices in a restaurant that they are currently able to make in the grocery store.

This legislation requires restaurants to convey only minimal but essential information, including calories, grams of fat and trans fat, and milligrams of sodium for each serving. In addition, it recognizes there may be inadvertent human errors that affect things such as variations in serving sizes and food preparation, so the bill directs the Secretary of Health and Human Services, in promulgating regulations, to allow for some reasonable leeway. And finally, it recognizes that menus change from time to time, so the labeling requirements would not apply to daily specials or to temporary menu items. In short, we are not trying to require information for every individual thing that is made available at restaurants, but we are asking restaurants to provide clear and consistent information on those menu items that are broadly and consistently available.

There are some who will say this is impractical and an extraordinary burden on restaurants. I disagree. I have been through this debate before, when Congress was considering the NLEA. We heard the same parade of arguments and horror stories. But the law was passed anyway and, lo and behold, the sky did not fall. To the contrary, businesses made simple adjustments. Americans got access to the necessary information. It had positive health benefits. And at the end of the day, things worked out just fine.

In fact, you can even look at the Senate to see the potential success of this law. A couple of years ago, I wrote to the administrator of the Senate cafeteria, to which I often send out for lunch. I simply requested that the cafeteria, if possible, provide nutrition information on standard menu items. Not more than a couple of months later, printed handouts were available in the cafeteria with detailed nutrition information on the daily menu. This is not McDonald's, Burger King or Arby's. This is the Senate cafeteria. And by gosh, if the Senate cafeteria can do this without an undue burden, then surely so can the largest restaurant chains in the country.

I believe that most Americans want to take more charge of their health. They want to make the best decisions for both themselves and for their children. But it is hard to do so without nutrition information upon which they can base their informed decisions. This legislation seeks to give Americans the information they want and need. This will be a simple but very important step in the right direction, helping ourselves and our children to live healthier, happier, and more productive lives. I urge my colleagues to join us in supporting the Menu Education and Labeling Act of 2006.

By Mr. REID (for Mr. ROCKEFELLER (for himself, Mr. JEFFORDS, Mr. BAUCUS, Mr. LEAHY, and Ms. STABENOW)):

S. 3486. A bill to protect the privacy of veterans, spouses of veterans, and other persons affected by the security breach at the Department of Veterans Affairs on May 3, 2006, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. ROCKEFELLER. Mr. President, today's headline is sad and stunning. The VA Secretary now reports that 2.2 million active-duty military personnel were also exposed in the massive security breach at VA on May 3. This means that 1.1 million active-duty military personnel, 430,000 National Guard members and 645,000 reservists are exposed to potential identity theft. The brave men and women, who are serving and protecting our country, are not being protected by their own government.

This is deeply disturbing and we owe each servicemember and veteran real support to protect their financial information.

I have revised my legislation, S. 3176, the Veterans' Privacy Protection Act, to expand coverage to our military personnel. I am proud to have the cosponsorship of Senators JEFFORDS and BAUCUS.

Every American has the justifiable expectation that the Federal Government will protect their private personal information—information that they are required to provide to Federal agencies. It is a basic and fundamental responsibility of government to make sure that this sensitive data is handled appropriately, accessed only by authorized personal, and used only for intended purposes.

On May 22, the Department of Veterans Affairs, VA, announced that computer disks containing as many as 26.5 million veterans' personal information were stolen from an employee who had taken the information home. I, along with many of my colleagues, am outraged at this enormous lapse in security. The VA has an obligation to make sure that veterans and military personnel are not harmed because of the agency's failure to protect sensitive personal data.

This information includes social security numbers and dates of birth, the underpinnings of almost all of our financial information. In the wrong hands, this information can be used to steal a person's identity causing substantial harm. All of us have constituents who have been victims of identity theft. When a person's identity is stolen, it can have devastating financial consequences for that person and that family. Even if the financial harm is minimal, it often takes years to clear your name. Plus, veterans and military families must live with the uncertainty about the financial records.

I understand that the VA, FBI and local law enforcement are working on the investigation, but Congress must also conduct a thorough investigation into how this security breach occurred. I want to know why the VA waited almost three weeks for its first announcement. I want to know why it took another two weeks to compare files and realize that 2.2 million military personnel were also exposed.

In my opinion, it is inexcusable that veterans and military were not notified immediately that their personal information had been stolen and were not given any guidance as to the steps they should take to protect themselves from identity theft. I understand the VA inspector general has cited the agency for poor security policies and procedures. Congress must also begin a comprehensive review of the agency's security protocols and policies and force the agency to adopt stricter security measures to make sure that the personal data our veterans are required to provide the agency is not ever again at risk.

It is for this reason that I am reintroducing the Veterans' and Military Privacy Protection Act today. Although all Federal agencies need comprehensive data privacy policies, this is a targeted bill to address the security breach at the VA on an urgent basis.

Congress has required the Federal Trade Commission to address identity theft and its consequences. The agency has taken an aggressive approach in combating this devastating crime. My bill would require the Federal Trade Commission to develop a hotline explicitly for veterans and military personnel to provide the information, counseling, and help necessary to allow each person to protect himself from the loss of personal data.

At this point, our legislative response must cover all 28.7 million veterans and servicemembers that the VA believes may have had their personal information compromise. My bill would make it easier for them to request a long-term credit alert for their records so credit agencies are aware that their personal information could be being used by others. It is my understanding that a security freeze on an individual's record can have a modest cost, and VA has the obligation to cover the costs of this enormous security breach.

Finally, my bill requires the General Accountability Office to evaluate the VA response to this incident and to analyze the agency's security protocols. I believe that an independent investigation could generate a number of recommendations to improve the security of personal information not just in the VA but in all Federal agencies.

The VA has exposed millions of veterans and military to identity theft and potential financial problems. It is inconceivable to me how any Federal agency could have let this happen, and how the investigation and followup could be so haphazard. We all have heard the stories during the past year regarding massive breaches of private and confidential data by private entities. The Federal Government acted quickly to respond to these breaches and now it must act just as quickly if not more so to address its own failings. My bill is a critical step in providing the necessary assistance that millions of veterans and servicemembers may require, and I urge my colleagues to act on it with the urgency this situation demands.●

By Mr. KERRY (for himself and Mr. PRYOR):

S. 3487. A bill to amend the Small Business Act to reauthorize and improve the disaster loan program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, June brings the beginning of the 2006 Atlantic Hurricane season, and according to the National Oceanic and Atmospheric Administration, we can expect it to be a busy one. The administration is predicting 13 to 16 named storms, with as many as 4 to 6 predicted to become major hurricanes of category three strength or higher.

As our gulf coast communities learned last fall, it only takes one of these storms to utterly destroy the homes, businesses and lives of millions of Americans. We owe it to the victims of Hurricanes Katrina, Rita and Wilma, as well as to the unsuspecting victims of future disasters, to fix the Federal disaster loan program and build it to be responsive to the needs of disaster victims.

That's why I am introducing the Small Business Disaster Loan Reauthorization and Improvement Act of 2006. This bill seeks to improve coordination between responding agencies in the immediate aftermath of a disaster. The priority of first responders should be addressing the needs of victims, and the laws establishing disaster response should allow for maximum agency collaboration in addressing those needs.

To this end, we have directed the Administrator of the Small Business Administration and the Director of the Federal Emergency Management Agency to coordinate disaster assistance application periods when possible. The Small Business Administration is directed to address any inconsistencies between the Federal regulations and the administration's standard operating procedures that govern the disaster loan program.The Administrator is also directed to work to the maximum extent practicable to gain speedy access to all relevant tax records for loan applicant consideration, and when considering applications, is directed to consider an applicant's credit rating from the day prior to the disaster's occurrence.

The Comptroller General is directed to study the current disaster assistance application and referral process that has resulted in an approval rate of only 35 percent of total disaster loan applicants. The Administrator is also directed to report on how this process can be improved. To increase awareness of available disaster loan assistance, the bill directs the Administrator to develop a proactive marketing plan that will get information on disaster loans in the hands of those who need it. The bill includes an additional study to be conducted by the Comptroller General on industries that may have difficulty accessing disaster loans.

In addition to reauthorizing the disaster loan program for a period of 3 years beginning in 2007, this bill provides the increased capital that homeowners and small business owners need and currently have trouble accessing following a major disaster. A presidential declaration of catastrophic national disaster will allow the Administrator to offer economic injury disaster loans to adversely affected business owners beyond the geographic reach of the disaster area. In addition, private lenders are encouraged to make disaster loans through the 7(a) and 504 lending programs with reduced fees, and the Administrator is authorized to enter into agreements with private contractors in order to expedite loan application processing for direct disaster loans.

Disaster victims are often in need of capital prior to when traditional assistance programs are available. To address this need, this bill establishes a process for providing Federal bridge loans, allowing States to redirect funding previously designated for Community Development Block Grants and use these funds to provide bridge loans and grants to disaster victims. Having this waiver in place will allow States to ensure that victims have the speedy access to capital while they wait for alternative sources of assistance.

Non-profit entities working to provide services to victims should be rewarded and given access to the capital they require to continue their services. To this end, the Administrator is authorized to make disaster loans to nonprofit entities, including religious organizations.

So that businesses are not limited during major disasters by a loan cap that is not sufficient to meet their needs, the bill increases the aggregate amount of loans available to $10,000,000 during a declared major disaster or a catastrophic national disaster.

This bill strengthens the Stafford Act by requiring a 10 percent goal for local firms to participate in the recovery and reconstruction effort. The bill also encourages the utilization of expedited procurement tools for small, small disadvantaged, service-disabled, and historically underutilized businesses.

Construction and rebuilding contracts being awarded are likely to be larger than the current $2 million threshold currently applied to the SBA Surety Bond Program which helps small construction firms gain access to contracts. This bill increases the guarantee against loss for small business contracts up to $5 million and allows the Administrator to increase that level to $10 million, if deemed necessary.

The bill also allows faster payments to small firms in order to increase their ability to gain access to bonds. To make bonding more attractive to surety providers in the disaster area, the Administrator may wave fees for sureties offering bonding in the disaster area and allows the sureties to use the State-approved rates for bonds awarded in the disaster area.

The bill also provides for small business development centers to offer business counseling in disaster areas, and to travel beyond traditional geographic boundaries to provide services during declared disasters. To encourage small business development centers located in disaster areas to keep their doors open, the maximum grant amount of $100,000 is waived.

So that Congress may remain better aware of the status of the administration's disaster loan program, this bill directs the administration to report to the Committee on Small Business and Entrepreneurship of the Senate and to the Committee on Small Business of the House of Representatives regularly on the fiscal status of the disaster loan program as well as the need for supplemental funding. The administration is also directed to report on the number of Federal contracts awarded to small businesses, minority-owned small businesses, women-owned businesses, and local businesses during a disaster declaration.

Many small businesses depend on the contributions of America's military reservists, and have been struggling through the months that these brave men and women have served their country through active duty. This bill authorizes the Administrator to provide grants to the smallest of these firms to assist them as they seek to remain open.

Gas prices continue to soar, and fuel dependent small businesses are struggling with the cost of energy. This bill provides relief to small business owners during times of above average energy price increases, authorizing energy disaster loans through the Small Business

Administration and the United States Department of Agriculture to companies dependent on fuel.

Residents of the gulf coast continue to rebuild from last year's hurricane season, and they do so despite the slow and inadequate response from their Federal Government. By increasing access to capital for small businesses suffering as a result of a disaster, and by ensuring that Federal agencies charged with disaster response are doing their jobs in a coordinated manner that puts the needs of victims first, we can ensure that the Federal Government is better prepared to respond to future disasters.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 505—AUTHORIZING THE TAKING OF A PHOTOGRAPH IN THE CHAMBER OF THE UNITED STATES SENATE

Mr. FRIST (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 505

Resolved. That paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended for the sole and specific purpose of permitting an official photograph to be taken of Members of the United States Senate on June 13, 2006.

SEC. 2. The Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements therefore, which arrangements shall provide for a minimum of disruption to Senate proceedings.

SENATE RESOLUTION 506—TO DESIGNATE THE PERIOD BEGINNING ON JUNE 5, 2006, AND ENDING ON JUNE 8, 2006, AS "NATIONAL HEALTH IT WEEK"

Ms. STABENOW (for herself, Ms. SNOWE, Mrs. MURRAY, and Mr. LAUTENBERG) submitted the following resolution; which was considered and agreed to:

S. RES. 506

Whereas the Center for Information Technology Leadership estimated that the implementation of national standards for interoperability and the exchange of health information would save the United States approximately $77,000,000,000 in expenses relating to healthcare each year;

Whereas the RAND Corporation estimated that, if the healthcare system of the United States implemented the use of computerized medical records, the system could save the United States more than $81,000,000,000 each year;

Whereas healthcare information technology has been shown to improve the quality and safety of the delivery of healthcare in the United States;

Whereas healthcare information technology and management systems have been recognized as essential tools for improving the quality and cost efficiency of the healthcare system;

Whereas the President and Secretary of Health and Human Services have made a commitment to leveraging the benefits of the healthcare information technology and management systems by establishing of the Office of the National Coordinator for Health Information Technology and the American Health Information Community;

Whereas Congress has placed an emphasis on improving the quality and safety of the delivery of healthcare in the United States; and

Whereas 42 organizations have come together to support National Healthcare IT Week to improve public awareness relating to the potential benefits of improved quality and cost efficiency that the healthcare system could achieve by implementing health information technology: Now, therefore, be it

Resolved, That the Senate designates the period beginning on June 5, 2006, and ending on June 8, 2006, as "National Health IT Week".

SENATE CONCURRENT RESOLUTION 98—COMMEMORATING THE 39TH ANNIVERSARY OF THE REUNIFICATION OF THE CITY OF JERUSALEM

Mr. BROWNBACK (for himself, Mr. LIEBERMAN, Mr. ALLEN, Ms. COLLINS, Mr. FRIST, Ms. MIKULSKI, Mr. PRYOR, Mr. SANTORUM, Mr. SMITH, Mrs. CLINTON, Mr. REID, Mrs. DOLE, and Mr. INHOFE) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 98

Whereas, for 3,000 years, Jerusalem has been the holiest city of Judaism and the focal point of Jewish religious devotion;

Whereas Jerusalem is also considered a holy city by members of other religious faiths;

Whereas, from 1948 to 1967, Jerusalem was a divided city, and Israeli citizens of all faiths, as well as Jewish citizens of all countries, were denied access to certain holy sites;

Whereas, in 1967, Jerusalem was reunited by Israel during the conflict known as the "Six Day War";

Whereas, since 1967, Jerusalem has been a united city, and persons of all religious faiths have been guaranteed full access to holy sites within the city;

Whereas this year marks the 39th year that Jerusalem has been administered as a unified city in which the rights of every ethnic and religious group are protected;

Whereas, in 1990, the Senate and House of Representatives overwhelmingly adopted S. Con. Res. 106 (101st Congress) and H. Con. Res. 290 (101st Congress), declaring that Jerusalem, the capital of Israel, "must remain an undivided city" and calling on Israel and the Palestinians to begin negotiations to resolve their differences;

Whereas each sovereign country, under international law and custom, has the right to designate its own capital;

Whereas Jerusalem is the seat of the Government of Israel, including the President, the Parliament, and the Supreme Court;

Whereas the Jerusalem Embassy Act of 1995 (Public Law 104–45; 109 Stat. 398), which became law on November 8, 1995, states as a matter of United States policy that Jerusalem should remain the undivided capital of Israel in which the rights of every ethnic and religious group are protected;

Whereas section 214 of the Foreign Relations Authorization Act, Fiscal Year 2003 (5 U.S.C. 8411 note; Public Law 107–228) directs that the Secretary of State shall, upon the request of a citizen or a legal guardian of a citizen, record the place of birth of a United States citizen born in the city of Jerusalem as Israel: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) congratulates the residents of Jerusalem and the people of Israel on the 39th anniversary of the reunification of that historic city;

(2) strongly believes that Jerusalem must remain an undivided city in which the rights of every ethnic and religious group are protected as they have been by Israel during the past 39 years;

(3) calls upon the President and Secretary of State to publicly affirm, as a matter of United States policy, that Jerusalem must remain the undivided capital of the State of Israel;

(4) strongly urges the President—

(A) to discontinue use of the waiver contained in the Jerusalem Embassy Act of 1995 (Public Law 104–45; 108 Stat. 398);

(B) to carry out the provisions of that Act immediately; and

(C) to begin the process of relocating the United States Embassy in Israel to Jerusalem; and

(5) further urges officials of the United States to carry out section 214 of the Foreign Relations Authorization Act, Fiscal Year 2003 (Public Law 107–228; 116 Stat. 1365).

Ms. MIKULSKI. Mr. President, I am honored to join my colleagues in the submittal of S. Res. 98 congratulating the Israeli people on their celebration of the 39th anniversary of the reunification of Jerusalem and calling for the United States to relocate its embassy in Israel from the city of Tel-Aviv to the recognized capital city of Jerusalem.

This year, Israel celebrates the 39th anniversary of the reunification of Jerusalem. Starting in 1948 Jerusalem was a divided city. Under Jordanian rule, many of the holy areas were off limits to Israelis of any religion and to Jews of any nationality. In 1967, during the Six Day War, Israeli troops reunified the city of Jerusalem. Then, people of all religious faiths have been guaranteed full access to holy sites within the city, and the rights of all faiths have been respected and protected.

In 1995, the U.S. Congress declared that Jerusalem should remain the undivided capital of Israel. I was proud to cosponsor the Jerusalem Embassy Act of 1995, and I am proud today to join my colleagues in urging the administration to move our Embassy to Israel's rightful capital. The President of Israel, Israel's Parliament and the Israeli Supreme Court are all located in Jerusalem. What is not located in Jerusalem is the Embassy of the United States. Every sovereign country has the right to designate its own capital and the United States maintains its Embassy in the functioning capital of every country. The one exception is Israel, a great friend and ally to the United States.

Israel is a steadfast strategic ally of the United States. The United States conducts official meetings and other business in the city of Jerusalem in de facto recognition of its status as the capital of Israel. It is time for the U.S. Embassy to be relocated to Jerusalem, the recognized capital of Israel. With this resolution, the Senate calls on President Bush to discontinue the waiver contained in the Jerusalem Embassy Act of 1995, relocate the U.S. Embassy to Jerusalem, and reaffirm U.S. policy that Jerusalem must remain the undivided capital of Israel.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4194. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 8, to make the repeal of the estate tax permanent; which was ordered to lie on the table.

SA 4195. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 8, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4194. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 8, to make the repeal of the estate tax permanent; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. PERMANENT EXTENSION OF ESTATE TAX AS IN EFFECT IN 2009.

(a) EXCLUSION EQUIVALENT OF UNIFIED CREDIT EQUAL TO $3,500,000.—Subsection (c) of section 2010 of the Internal Revenue Code of 1986 (relating to unified credit against estate tax) is amended to read as follows:

"(c) APPLICABLE CREDIT AMOUNT.—

"(1) IN GENERAL.—For purposes of this section, the applicable credit amount is the amount of the tentative tax which would be determined under section 2001(c) if the sum determined under subsection (b)(1) were equal to the applicable exclusion amount.

"(2) APPLICABLE EXCLUSION AMOUNT.—

"(A) IN GENERAL.—For purposes of this subsection, the applicable exclusion amount is $3,500,000.

"(B) INFLATION ADJUSTMENT.—In the case of any decedent dying in a calendar year after 2010, the dollar amount in subparagraph (A) shall be increased by an amount equal to—

"(i) such dollar amount, multiplied by

"(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2009' for 'calendar year 1992' in subparagraph (B) thereof.

If any amount as adjusted under the preceding sentence is not a multiple of $10,000, such amount shall be rounded to the nearest multiple of $10,000.".

(b) MAXIMUM ESTATE TAX RATE EQUAL TO 45 PERCENT.—Subsection (c) of section 2001 of the Internal Revenue Code of 1986 (relating to imposition and rate of tax) is amended—

(1) by striking "but not over $2,000,000" in the table contained in paragraph (1),

(2) by striking the last 2 items in such table,

(3) by striking "(1) IN GENERAL.—", and

(4) by striking paragraph (2).

(c) MODIFICATIONS OF ESTATE AND GIFT TAXES TO REFLECT DIFFERENCES IN UNIFIED CREDIT RESULTING FROM DIFFERENT TAX RATES.—

(1) ESTATE TAX.—

(A) IN GENERAL.—Section 2001(b)(2) of the Internal Revenue Code of 1986 (relating to computation of tax) is amended by striking "if the provisions of subsection (c) (as in effect at the decedent's death)" and inserting "if the modifications described in subsection (g)".

(B) MODIFICATIONS.—Section 2001 of such Code is amended by adding at the end the following new subsection:

"(g) MODIFICATIONS TO GIFT TAX PAYABLE TO REFLECT DIFFERENT TAX RATES.—For purposes of applying subsection (b)(2) with respect to 1 or more gifts, the rates of tax under subsection (c) in effect at the decedent's death shall, in lieu of the rates of tax in effect at the time of such gifts, be used both to compute—

"(1) the tax imposed by chapter 12 with respect to such gifts, and

"(2) the credit allowed against such tax under section 2505, including in computing—

"(A) the applicable credit amount under section 2505(a)(1), and

"(B) the sum of the amounts allowed as a credit for all preceding periods under section 2505(a)(2).

For purposes of paragraph (2)(A), the applicable credit amount for any calendar year before 1998 is the amount which would be determined under section 2010(c) if the applicable exclusion amount were the dollar amount under section 6018(a)(1) for such year.".

(2) GIFT TAX.—Section 2505(a) of such Code (relating to unified credit against gift tax) is amended by adding at the end the following new flush sentence:

"For purposes of applying paragraph (2) for any calendar year, the rates of tax in effect under section 2502(a)(2) for such calendar year shall, in lieu of the rates of tax in effect for preceding calendar periods, be used in determining the amounts allowable as a credit under this section for all preceding calendar periods.".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to estates of decedents dying, generation-skipping transfers, and gifts made, after December 31, 2009.

(e) MODIFICATIONS TO ESTATE TAX.—

(1) IN GENERAL.—Subtitles A and E of title V of the Economic Growth and Tax Relief Reconciliation Act of 2001, and the amendments made by such subtitles, are hereby repealed; and the Internal Revenue Code of 1986 shall be applied as if such subtitles, and amendments, had never been enacted.

(2) SUNSET NOT TO APPLY.—

(A) Subsection (a) of section 901 of the Economic Growth and Tax Relief Reconciliation Act of 2001 is amended by striking "this Act" and all that follows and inserting "this Act (other than title V) shall not apply to taxable, plan, or limitation years beginning after December 31, 2010.".

(B) Subsection (b) of such section 901 is amended by striking ", estates, gifts, and transfers".

(3) REPEAL OF DEADWOOD.—Sections 2011, 2057, and 2604 of the Internal Revenue Code of 1986 are hereby repealed.

SA 4195. Mr. CARPER submitted an amendment intended to be proposed by him to the bill H.R. 8, to make the repeal of the estate tax permanent; which was ordered to lie on the table; as follows:

Amend the title as to read:

"An Act to amend the Internal Revenue Code of 1986 to make permanent the estate tax in effect in 2009, including the step-up-in-basis regime, and for other purposes."

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee to meet on Armed Services be authorized to meet during the session of the Senate on Thursday, June 8, 2006, at 9:30 a.m., in closed session, to receive a classified briefing on overhead imagery systems.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. McCONNELL. Mr. President, I ask unanimous consent, that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, June 8, 2006, at 4 p.m., to receive a briefing on the loss of personal information about Department of Defense personnel as a result of the theft of a computer from a Department of Veterans Affairs analyst.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, June 8, 2006, at 5:20 p.m., to receive a classified briefing on the death of Al-Zarqawi.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 8, 2006, at 10 a.m., to conduct a hearing on the nominations of Ms. Sheila C. Bair, of Kansas, to be a member and chairperson of the Board of Directors of the Federal Deposit Insurance Corporation; Mr. James B. Lockhart III, of Connecticut, to be the Director of the Office of Federal Housing Enterprise Oversight; Mr. Donald L. Kohn, of Virginia, to be Vice Chairman of the Board of Governors of the Federal Reserve System; and Ms. Kathleen L. Casey, of Virginia, to be a member of the Securities and Exchange Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, June 8, 2006, at 2:30 p.m. on Nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, June 8, 2006, at 10 a.m. The purpose of this hearing is to consider the nominations of: Philip D. Moeller, of Washington, to be a member of the Federal Energy Regulatory Commission for the term expiring June 30, 2010, Vice Patrick Henry Wood III, resigned and Jon Wellinghoff, of Nevada, to be a member of the Federal Energy Regulatory Commission for the term expiring June 30, 2008, Vice William Lloyd Massey, term expired.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, June 8, 2006, at 11 a.m., in 215 Dirksen Senate Office Building, to consider original bills entitled, the "Medicare, Medicaid, and SCHIP Indian Health Care Improvement Act of 2006", and the "Improving Outcomes for Children Affected by Meth Act of 2006".

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, June 8, 2006, at 9:30 a.m. to hold a hearing on The Role of Non-Governmental Organizations in the Development of Democracy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Homeland Security Affairs Governmental Affairs be authorized to meet on Thursday, June 8, 2006, at 10 a.m., for a hearing titled, "National Emergency Management: Where Does FEMA Belong?"

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, June 8,2006, at 9:30 a.m., in the Dirksen Senate Office Building room 226. The agenda will be provided when it becomes available.

I. Nominations: Andrew J. Guilford, to be U.S. District Judge for the Central District of California; Frank D. Whitney, to be U.S. District Judge for the Western District of North Carolina; Kenneth L. Wainstein, to be an Assistant Attorney General; Charles P. Rosenberg, to be U.S. Attorney for the Eastern District of Virginia.

II. Bills: S. 2453, National Security Surveillance Act of 2006, Specter; S. 2455, Terrorist Surveillance Act of 2006, DeWine, Graham; S. 2468, A bill to provide standing for civil actions for declaratory and injunctive relief to persons who refrain from electronic communications through fear of being subject to warrantless electronic surveillance for foreign intelligence purposes, and for other purposes, Schumer; S. 3001, Foreign Intelligence Surveillance Improvement and Enhancement Act of 2006, Specter, Feinstein; S. 2831, Free Flow of Information Act of 2006, Lugar, Specter, Graham, Schumer, Biden.

III. Matters: S.J. Res. 12, Flag Desecration resolution, Hatch, Feinstein, Brownback, Coburn, Cornyn, DeWine, Graham, Grassley, Kyl, Sessions, Specter.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, June 8, 2006, for a committee hearing re pending benefits related legislation. The hearing will take place in room 418 of the Russell Senate Office Building at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 8, 2006, at 2:30 p.m. to hold a closed briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CORRECTIONS AND REHABILITATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary Subcommittee on Corrections and Rehabilitation be authorized to meet to conduct a hearing on "The Findings and Recommendations of the Commission on Safety and Abuse in America's Prisons" on Thursday, June 8, 2006, at 2:30 p.m. in Room 226 of the Dirksen Senate Office Building. Witness list.

The Honorable John J. Gibbons, Commission Co-Chairman, Former Chief Judge of the U.S. Court of Appeals for the Third Circuit, Newark, NJ.

Nicholas de B. Katzenbach, Commission Co-Chairman, Former U.S. Attorney General, Princeton, NJ.

Gary D. Maynard, Commissioner, Director of the Iowa Department of Corrections and President-Elect of the American Correctional Association, Des Moines, IA.

Mark H. Morial, Commissioner, President and CEO of the National Urban League, former Mayor of New Orleans and Louisiana State Senator, New York, NY.

Pat Nolan, Commissioner, President of Prison Fellowship's Justice Fellowship and a member of the National Prison Rape Elimination Commission, Lansedowne, VA.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on East Asian and Pacific Affairs be authorized to meet during the session of the Senate on Thursday, June 8, 2006, at 2:30 p.m. to hold a hearing on Asian Adoptions in the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL OCEAN POLICY STUDY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation Subcommittee on National Ocean Policy Study be authorized to meet on Thursday, June 8, 2006, at 10 a.m. on Offshore Aquaculture: Challenges of Fish Farming in Federal Waters.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ISAKSON). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 2766

Mr. McCONNELL. Mr. President, I am going to close shortly. First the distinguished Senator from Virginia, chairman of the Armed Services Committee, will seek recognition.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, in consultation with the distinguished leadership on both sides, Senator LEVIN and I participating, I am pleased to ask unanimous consent that at 3 p.m. on Monday, June 12, the Senate proceed to the immediate consideration of S. 2766, the Defense authorization bill; further, that Senator LEVIN be recognized at 5:30 to make his opening statement; provided further that Senator WARNER then be recognized and that no amendments be in order until the chairman is recognized at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Again, I thank the leadership. I am very anxious, as are all members of the Armed Services Committee from both sides of the aisle, and my esteemed ranking member, Senator LEVIN, to begin this bill on Monday. It is our hope that we can proceed as quickly as possible, fully recognizing that there may be, hopefully, an interruption with regard to the supplemental appropriations conference report. At some point—and I discussed this with Senator LEVIN—it would be our intention to approach our leadership in hopes that in the amendment process, after a day or so in the beginning, we can turn to the tradition of having relevant amendments so that we can bring this bill to a close. That gives Senators an opportunity in the first day or so to present whatever they wish and then thereafter proceed to matters that have a direct relevance to the bill itself.

I thank the distinguished leader for the opportunity to address the Senate.

Mr. McCONNELL. Mr. President, I compliment the distinguished Senator from Virginia, the chairman of the Armed Services Committee, who has managed many of these very difficult measures over the years and is raring to go one more time starting Monday. We look forward to responding to his leadership.

Mr. WARNER. I thank the Senator.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that on Tuesday, June 13, at 2:30 p.m., immediately following the official photograph, there be 60 minutes equally divided for debate prior to the cloture vote on Executive Calendar No. 553, with 15 minutes under the control of Senator BYRD, and 15 minutes under the control of Senator KENNEDY, and 30 minutes under the control of Chairman ENZI; provided further, that if cloture is invoked on the nomination, the Senate proceed to an immediate vote on the confirmation of the nomination, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING THE TAKING OF A PHOTO IN THE SENATE CHAMBER

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 505, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 505) authorizing the taking of a photograph in the Chamber of the United States Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 505) was agreed to, as follows:

S. RES. 505

Resolved, That paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) be temporarily suspended for the sole and specific purpose of permitting an official photograph to be taken of Members of the United States Senate on June 13, 2006.

SEC. 2. The Sergeant at Arms of the Senate is authorized and directed to make the necessary arrangements therefore, which arrangements shall provide for a minimum of disruption to Senate proceedings.

NATIONAL HEALTH IT WEEK

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 506, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 506) to designate the period beginning on June 5, 2006, and ending June 8, 2006, as "National Health IT week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 506) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 506

Whereas the Center for Information Technology Leadership estimated that the implementation of national standards for interoperability and the exchange of health information would save the United States approximately $77,000,000,000 in expenses relating to healthcare each year;

Whereas the RAND Corporation estimated that, if the healthcare system of the United States implemented the use of computerized medical records, the system could save the United States more than $81,000,000,000 each year;

Whereas healthcare information technology has been shown to improve the quality and safety of the delivery of healthcare in the United States;

Whereas healthcare information technology and management systems have been recognized as essential tools for improving the quality and cost efficiency of the healthcare system;

Whereas the President and Secretary of Health and Human Services have made a commitment to leveraging the benefits of the healthcare information technology and management systems by establishing of the Office of the National Coordinator for Health Information Technology and the American Health Information Community;

Whereas Congress has placed an emphasis on improving the quality and safety of the delivery of healthcare in the United States; and

Whereas 42 organizations have come together to support National Healthcare IT Week to improve public awareness relating to the potential benefits of improved quality and cost efficiency that the healthcare system could achieve by implementing health information technology: Now, therefore, be it

Resolved, That the Senate designates the period beginning on June 5, 2006, and ending on June 8, 2006, as "National Health IT Week".

EXPRESSING THE SENSE OF THE SENATE ON THE DISCUSSION BY THE NORTH ATLANTIC COUNCIL

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 444, S. Res. 456.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 456) expressing the sense of the Senate on the discussion by the North Atlantic Council of secure, sustainable, and reliable sources of energy.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 456) was agreed to, as follows:

S. RES. 456

Resolved, That it is the sense of the Senate that—

(1) the President should place on the agenda for discussion at the North Atlantic Council, as soon as practicable, the merits of establishing a policy and strategy for the North Atlantic Treaty Organization to promote the security of members of the Organization through the development of secure, sustainable, and reliable sources of energy; and

(2) the President should submit to Congress a report that sets forth—

(A) the actions the United States has taken to place the matter referred to in paragraph (1) on the agenda for discussion at the North Atlantic Council;

(B) the position of the United States on the matter, as communicated to the North Atlantic Council by the representatives of the United States to the Council;

(C) a summary of the debate on the matter at the North Atlantic Council, including any decision that has been reached with respect to the matter by the Council; and

(D) a strategy for the North Atlantic Treaty Organization to develop secure, sustainable, and reliable sources of energy, including contingency plans if current energy resources are put at risk.

ORDERS FOR FRIDAY, JUNE 9, 2006

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m., Friday, June 9. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. McCONNELL. Mr. President, for the information of our colleagues, there will be no votes tomorrow, Friday. On Monday, we will begin consideration of the Defense authorization matter. Senators are encouraged to come to the floor to give their opening statements during Monday's session. No votes will occur on Monday, and the next vote will be on Tuesday prior to the policy luncheons.

I remind everyone that on Tuesday at 2:15 p.m., we will have our official photograph taken in the Senate Chamber. Senators should be seated at their desks promptly at 2:15 p.m. on Tuesday.

A few minutes ago, we locked in an agreement for debate and a cloture vote on a Mine Safety and Health nomination. That vote will occur at 3:30 p.m. on Tuesday. Again, I remind everyone that the first vote will occur prior to the policy lunch recess.

In addition to a busy week on the Defense authorization bill, next week we will address the supplemental appropriations conference report which should shortly be available. I know, I just signed it myself.

I will have more to say on Friday regarding next week's schedule.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. In my capacity as a Senator from the State of Georgia, I ask unanimous consent that the order for the quorum call be rescinded.

Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. In my capacity as a Senator from the State of Georgia, if there is no further business to come before the Senate, I ask unanimous consent that it stand in adjournment under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Friday, June 9, 2006, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, June 8, 2006:

EXECUTIVE OFFICE OF THE PRESIDENT

SUSAN C. SCHWAB, OF MARYLAND, TO BE UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

THE JUDICIARY

NOEL LAWRENCE HILLMAN, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

PETER G. SHERIDAN, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY.

THOMAS L. LUDINGTON, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

SEAN F. COX, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

HOUSE OF REPRESENTATIVES—*Thursday, June 8, 2006*

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

"Love justice, rulers of the earth, set your mind upon the Lord, as is your duty. Seek the Lord with simplicity of heart. He is found by those who trust Him without question, and makes Himself known to those who never doubt Him."

Lord, how boldly You speak, in the opening words of the Book of Wisdom. And You speak directly to those chosen to rule, govern and legislate for Your people.

Everything begins with a love of justice. If each day, each undertaking, each Member, each committee meeting and each debate would be focused on a true pervasive love of justice, neither time nor money would be wasted. Energy would run high and Your people would be animated with a transforming spirit that would shape this Nation and change the world.

Help Congress, Lord, to set all else aside as secondary and first, love justice, now and forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from North Carolina (Mr. MCHENRY) come forward and lead the House in the Pledge of Allegiance.

Mr. MCHENRY led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

> H.R. 4311. An act to amend section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.).

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to ten 1-minutes on each side.

LONE STAR VOICE: ALEXANDRA GARY

(Mr. POE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE. Mr. Speaker, this week, the first National Guard troops hit our Nation's border. They are not carrying the same guns and ammunition as the Mexican military on the other side, but they are driving bulldozers and road equipment. They are starting a project that people all across the country support, fortifying our border, helping to prevent the invasion of the drug smugglers and human traffickers that blatantly infiltrate our Nation.

Americans want to see our Nation strengthened. Mr. Speaker, Alexandra Gary from Riverwood Middle School in Kingwood, Texas, writes to me, "I think we should stop trying to help people from Mexico come into America illegally. I think we should have a stronger border control. It is unfair to let so many people come to America illegally. It is almost like they are stealing. They sneak into our country and escape from paying taxes. They take people's jobs. The few people that we catch and return to Mexico just keep coming back. If we strengthen our borders, then no more can come in. All America needs is ideas and justice."

Mr. Speaker, those simple but strong ideas of justice come from a 12-year-old, someone who has more stake in the future of our nation than anyone on the floor right now. And as a legal citizen, no matter her age, she, unlike illegals, has the right to speak her mind. Alexandra understands we are being invaded. Now it is our government's turn to understand this simple but wise truth. And that's just the way it is.

CRITICIZING THE HATE-FILLED WORDS OF ANN COULTER

(Mr. EMANUEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMANUEL. Mr. Speaker, as United States citizens, we are blessed with many freedoms. Among those is the right to freely speak our minds. While freedom of speech is one of the things that makes our country great, it also means we have to endure the words of a hatemonger like Ann Coulter.

In her new book, the goddess of the right slanders the 9/11 widows, writing, "These broads are millionaires, lionized on TV and in articles about them, reveling in their status as celebrities and stalked by grief-arazzies. I have never seen people enjoying their husbands' death so much."

Lest Ms. Coulter forget, more than 3,000 Americans were killed simply because they lived in the United States. That doesn't matter to Ms. Coulter, because she is doing it to enrich herself.

But there is something more sinister in Ms. Coulter's words. The hate she spews is the same kind of hatred we are battling in the war on terror. As a country of thought and reason, I urge all of us to reject it.

I must ask my colleagues on the other side of the aisle, does Ann Coulter speak for you when she suggests poisoning Supreme Court Justices or slanders the 9/11 widows? If not, speak now. Your silence allows her to be your spokesman.

She should apologize to all of us who have lost our fellow citizens on 9/11.

U.S. AIRSTRIKE KILLS LEADING ENEMY OF FREEDOM IN IRAQ

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, I rejoice in the death of no man, but today I will make an exception. As America and the world just learned, the al Qaeda leader in Iraq, Abu Musab al-Zarqawi is dead. The President of the United States said it was an opportunity to turn the tide and that the ideology of terror had lost one of its most visible and aggressive leaders, and it has.

But this was not simply a tactically significant strike by U.S. and Iraqi forces. Somebody dropped a dime. It is also evidence, as U.S. General George Casey in Iraq said earlier today, of increased cooperation.

I commend U.S. and Iraqi forces for this extraordinary accomplishment. The leading enemy of freedom in Iraq is dead. Abu Musab al-Zarqawi is gone. Let freedom reign in Iraq.

MAKE MEMBER VOTING RECORDS AVAILABLE TO CONSTITUENTS

(Ms. BEAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BEAN. Mr. Speaker, last month this Chamber passed without my support the Lobbying Accountability and

☐This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Transparency Act. Unfortunately, this body failed to truly bring sunshine to its decision-making process to the American people.

Mr. Speaker, democracy works best when the American electorate is engaged and informed. If we want to truly regain the public's trust, we can provide greater accountability and transparency with a simple step. Let's start by communicating to our constituents about the votes we take.

Too many people feel left out of the process and find it difficult to locate and understand the votes cast by their representatives. That is why I encourage my colleagues to cosponsor H. Res. 797, which I introduced with my colleague CHRIS SHAYS.

This resolution would require each Member of this Chamber to provide a clear link from their publicly-funded official Web site to a new voting record database organized by Member name maintained by the House clerk. This nonpartisan database would give each American the opportunity with the click of a button to view a comprehensive list of every rollcall vote cast by their representative and see a description of each vote.

We are supposed be the most representative body of government. With this in mind, we should make it easy for citizens to be informed. Please cosponsor H. Res. 797.

WORLD A SAFER PLACE WITH THE DEATH OF AL-ZARQAWI

(Mr. KELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KELLER. Mr. Speaker, the killing of al-Zarqawi is the most important victory in Iraq since capturing Saddam Hussein. Al-Zarqawi was the Osama bin Laden of Iraq. He was al Qaeda's leader in Iraq. He personally beheaded American hostages on national TV. He bombed U.N. headquarters in Iraq and hotels Jordan.

I was with President Bush yesterday at the White House at the very moment he got the message that al-Zarqawi was killed. At exactly 3:57 p.m., National Security Advisor Steven Hadley told President Bush and also handed a note to Vice President CHENEY and Condi Rice that he had been killed. President Bush looked at the note, smiled and winked at Condi Rice. I knew something big had just happened.

I have just returned from Iraq, where I personally met with the people who tracked down al-Zarqawi. I met with General Stan McChrystal and his Special Operations team at their command center. All over the walls of the command center were posters of al-Zarqawi. They told us they were close to getting him and they would get him.

Well, they did get al-Zarqawi, and today the world is a safer place. Thank God for our troops.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BOOZMAN). Guests in the gallery should refrain from applauding.

AL-ZARQAWI'S DEATH A MAJOR MILESTONE IN WAR ON TERROR

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, we are making great strides in the war on terror with every new day. Just last night, Abu Musab al-Zarqawi, the mastermind behind countless brutal acts of terror, was killed in an air strike. Al-Zarqawi was directly responsible for thousands of bombings, assassinations, kidnappings and other acts of terror in Iraq and around the globe. Thanks to the hard work and perseverance of our United States military forces, he will no longer be able to kill.

This is a major victory in the war on terror and a major step setback to al Qaeda, as al-Zarqawi was one of its strongest leaders. Yet as President Bush said, we cannot expect the terrorists to give up just because one of their most visible leaders is gone. We must continue to prosecute this war on terror until our mission is accomplished and until Iraq can defend and govern itself.

Mr. Speaker, I cannot begin to express how proud I am of our troops for their service, selfless attitude and sacrifice. They are making great strides. They are freeing people from oppression so they may enjoy the same freedoms Americans cherish. They are fighting a global war on terror, and they are winning.

I commend our military forces for reaching this great milestone and encourage them to keep up the great work.

FREEDOM IS ON THE MARCH IN IRAQ

(Mr. KENNEDY of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY of Minnesota. Mr. Speaker, last night, the murderous mission of one of the most brutal terrorist minds in Iraq, al-Zarqawi, al Qaeda's master of death and destruction to Sunni, Shiite, Kurd and coalition forces alike, has been brought to an end. The death of Zarqawi, al Qaeda's commander-in-chief of the insurgency, is proof to the people of Iraq, the United States and the world as a whole that freedom is on the march. His death in a U.S. military air strike represents another milestone in the war on terror.

We owe a debt of gratitude to our men and women in uniform who put themselves in harm's way to protect our freedom and to bring terrorists like al-Zarqawi to justice.

I call upon my colleagues to reaffirm our commitment to the important work our troops in Iraq are doing to make the world a safer place for people of all nations.

WASHINGTON REPUBLICANS PLAY POLITICS RATHER THAN OFFER REAL SOLUTIONS

(Ms. WATSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WATSON. Mr. Speaker, we need to declare victory with the Zarqawi killing, and this is a time to also declare that the Iraqi government has completed the formation of its cabinet and we can start withdrawing our troops.

Now, all Americans are disgusted by what they see in Washington and they are looking for real leadership on the important issues of the day. First we could announce there are victories and we can start withdrawing our troops.

But, unfortunately, Washington Republicans prefer to waste time on partisan politics, instead of focusing on priorities such as affordable health care, energy costs, the economy, the rising cost of staying in Iraq and the deficit.

This week, the Senate spent 3 days debating a gay marriage amendment that everyone knew was going nowhere. In order to pass out of the Senate, the amendment needed 67 votes, and they couldn't even get a majority. The issue should be dead for the year, but now we hear the House leadership plans to bring it up later this summer.

Mr. Speaker, let us give ourselves credit for what we have done in Iraq and let us focus on these issues and let us start withdrawing our troops.

AN IMPORTANT DAY IN THE GLOBAL WAR ON TERROR

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, today is an important day in the global war on terror. One of al Qaeda's most evil and ruthless terrorists, al-Zarqawi, has been eliminated, along with seven of his top aides. Justice has prevailed.

As the leader of al Qaeda in Iraq, Zarqawi was the mastermind behind the brutal murder of countless innocent Iraqis, car bombings, assassinations, kidnappings and attacks on our troops. It was Zarqawi who appeared on Internet videos personally beheading innocent civilians for the whole world to see.

News like this shows that we are making steady progress in Iraq. The death of al-Zarqawi strengthens the new Iraqi government and Prime Minister al-Maliki and sends a clear message to the terrorists of the world. The courage and dedication of the U.S. and Iraqi and coalition security forces remind the world that the forces of freedom and liberty will ultimately prevail over the forces of murder and terror.

☐ 1015

DEATH OF AL-ZARQAWI

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, thanks to the precise and swift action of the United States military forces, al-Zarqawi's reign of terror has ended.

Osama bin Laden and terrorists worldwide should note that there is no safe place for them to hide. Terrorists in Iraq should also note that the events of the last 24 hours are further proof that the Iraqi people want to live free from fear.

Last year we saw the Iraqi people send a strong message to the terrorists at the ballot box. Last month we witnessed the formation of a new unity government, and today Prime Minister Maliki announced the completion of his cabinet.

The American people understand the road to a democratic way of life is not an easy one. Just as our Nation struggled in the beginning, Iraq has difficult and challenging days ahead. But I am confident that with continued support of the coalition forces, Iraq will figure out the best way to govern themselves in freedom.

The Iraqi people, as well as our enemies, should know we will stay the course because the security of our Nation depends on the willingness to take action to protect and preserve freedom.

JUSTICE IN IRAQ

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last night the brave men and women of the United States Armed Forces, with Iraqi security forces, delivered a major victory in the global war on terrorism.

Because of their tremendous patience, courage and skill, the most wanted terrorist in Iraq is now dead. And as President Bush has said, there is justice in Iraq.

As the operational commander of the terrorist movement in Iraq, al-Zarqawi delighted in the devastation of Iraq and the destruction of life. As the mastermind behind countless car bombings, mass murders and assassinations, he was responsible for the brutal deaths of many Americans and thousands of innocent Iraqis.

Today's victory in Iraq is a testament to the tremendous talent of the United States military. By risking their lives to kill terrorists in Iraq, these brave men and women are protecting the lives of American families and making our country safer.

As we celebrate this incredible milestone, I rise to express my sincere gratitude to our brave troops and our Iraqi allies.

In conclusion, God bless our troops, and we will never forget September 11.

VA DATA SECURITY

(Mr. SALAZAR asked and was given permission to address the House for 1 minute.)

Mr. SALAZAR. Mr. Speaker, last week the VA revealed that private information for over 26 million veterans was stolen from an employee's home weeks ago, putting their identities and credit at risk.

Mr. Speaker, my father used to have a saying that the more that you poke at a cow pie, the more that it stinks. Well, for nearly 2 weeks the administration insisted that the stolen data only contained the veterans' names, birth dates and Social Security numbers.

On Tuesday, though, the administration revised their story again. So what is the real story? We know that the stolen data contained personal information of more than 2.2 million active duty personnel. Yesterday over 145 Members joined me in a letter to President Bush urging him to take action and help those affected to recover from this security breach.

We have introduced legislation, H.R. 5455, that would be the first step in giving veterans access to 1 year of free credit monitoring. I urge my colleagues to cosponsor this bill.

Mr. Speaker, this last month has been an embarrassing display of the VA consistently failing to provide timely information about the severity and scope of the data. The delays and misinformation have hurt veterans and military personnel. It has hurt them at a time when we should be taking aggressive steps to protect their identities and financial standing.

Our veterans and our troops deserve answers and action right now.

AL-ZARQAWI DOWN, FREEDOM UP

(Mr. McHENRY asked and was given permission to address the House for 1 minute.)

Mr. McHENRY. Mr. Speaker, sometimes a person's mere existence causes death and destruction in this world. Abu Musab al-Zarqawi, al Qaeda's leader in Iraq who has led a bloody, bloody campaign of suicide bombings and kidnappings, was killed yesterday by our U.S. forces in an air raid north of Baghdad.

The death of this terrorist breathes new life into our efforts to implement democracy in a region desperate for freedom and hungry for peace.

Mr. Speaker, the Iraqi Parliament, as well, made a major breakthrough today by appointing officials to lead the country's top security ministries, giving Iraq a complete government for the first time since their elections in December of 2005.

Victory in Iraq is not only possible, Mr. Speaker, it is approaching. I want to tell my colleagues on the other side of the aisle, our troops are putting their lives on the line every day and making the sacrifices necessary to ensure safety, security, and a democratic Iraq, which will provide a model for a free and representative government in the Middle East.

Mr. Speaker, peace is a product of strength and democracy. We are showing strength by eliminating the terrorists and implementing democracy which will help root out Islamic extremists in the Middle East.

DEMOCRATS ARE FOCUSED ON THE AMERICAN PEOPLE'S PRIORITIES

(Mr. NADLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. NADLER. Mr. Speaker, while House Republicans plan to use the next couple of months trying to distract the attention of the American people away from their failures, House Democrats are focused on the American people's priorities.

While Washington Republicans have allowed our dependence on foreign oil to increase over the last 5 years, House Democrats are committed to achieving energy independence in the next 10 years. We would do this by doubling the percentage of renewable fuels sold in America in 6 years, increasing the percentage of flex-fuel vehicles that run on ethanol or gasoline, and investing in biofuel research.

While Republicans attempt to run from their fiscal record of turning a $5.6 trillion surplus into a $4 trillion deficit, Democrats continue to propose fiscally sound budgets that incorporate the pay-as-you-go policies that led to the record surpluses of the 1990s.

The Democratic budget for the upcoming year would have balanced the budget by 2012, something the Republicans neglect to do in theirs. Democrats have solutions to the problems Republicans ignore.

If House Republicans were really interested in solving our Nation's problems, they would stop the attempts to distract and would instead offer some new ideas.

VA DATA SECURITY BREACH

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I am deeply concerned that nearly 27 million veterans could be affected by a data security breach of record proportions that could compromise sensitive personal information, and every day we learn more.

Tuesday we learned that names, dates of birth and Social Security numbers for as many as 1.1 million active duty U.S. military personnel, 430,000 National Guard members, 645,000 Reserve members, may also have been included.

This elevates the concern for personal financial security of some veterans to national security for all. This data could be used to identify where servicemembers live, demographics that a lot of our enemies would like to know.

Unfortunately, data breaches like this highlight the need for legislation I have authored, H.R. 4127, the Data Accountability and Trust Act. This bill, which the Energy and Commerce Committee has passed by a huge bipartisan vote, goes to the heart of this problem of the critical need to protect consumers' personal information.

Mr. Speaker, let's pass H.R. 4127 as soon as possible.

GOOD WORK OF OUR TROOPS IN IRAQ

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, having just returned from Iraq, I can appreciate the great celebration for the outstanding work of the special forces in the bringing down of an enormous terrorist, Zarqawi. That is an important step.

Most Americans will celebrate. And meeting personally the special forces both in Iraq and Afghanistan, it is a day for commendation and respect. It is important, however, that we begin as well a detailed outlook and plan for having our soldiers be able to claim the victory that they should claim and begin, as soon as practicable, their return home.

It is also important for the sovereign nation of Iraq to build up the Iraqi National Army, which our forces are training in an outstanding manner, and their police. It will only be when the Iraqi people believe that their own police and army can secure them that we will have the opportunity for that sovereign government to stand, and we must move as quickly and expeditiously as possible for them to understand that is their first priority.

The real war is the war between Sunnis and Shiias. That is a civil war, and the Government of Iraq must solve that problem.

☐ 1030

PROVIDING FOR CONSIDERATION OF H.R. 5522, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2007

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 851 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 851

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: the number "5" on page 60, line 4; section 526; beginning with "Of" on page 86, line 1 through "That" on line 16; section 538; beginning with the semicolon in section 565(a)(2) through "501)" in section 565(a)(3); and sections 570 and 579. Where points of order are waived against part of a paragraph or section, points of order against a provision in another part of such paragraph or section may be made only against such provision and not against the entire paragraph or section. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, the rule provides 1 hour of general debate evenly divided and controlled by the chairman and ranking member of the Committee on Appropriations. The rule also provides one motion to recommit with or without instructions.

I would like to take this opportunity to reiterate that we bring this legislation to the floor under an open rule. Historically, appropriations legislation has come to the House governed by an open rule, and we continue to do so, in order to allow each Member of this House the opportunity to submit amendments for consideration as long as they comply with the rules of the House.

Mr. Speaker, the legislation before us today appropriates over $21 billion, an increase of $600 million over last year, for operations across the globe. The bill is fiscally sound while at the same time compassionate and globally responsive to needs of those plagued by disease, famine, and disaster.

H.R. 5522, the legislation that we bring to the floor today, bolsters the President's Millennium Challenge Corporation to $2 billion, nearly a quarter of a billion dollars more than in fiscal year 2006. This expansion of assistance is meant to encourage transparency in government and to fight corruption in some of the world's poorest nations.

The Millennium Challenge, which President Bush called a new compact for global development, provides assistance through a competitive selection process to developing nations that are pursuing political and economic reforms in three areas: Ruling justly, investing in people, and fostering economic freedom. Contributions from the Millennium Challenge Corporation are linked to greater responsibility from developing nations.

The new responsibilities these developing nations accept and exchange for funds ensue that the monies we provide do not go to waste and will have the greatest possible impact on those who need help the most.

Three years ago in his State of the Union address, President Bush announced for President's Emergency Plan for AIDS Relief, the largest international health initiative in history initiated by a single government to address one disease. This bill demonstrates Congress's continued support of the fight against HIV/AIDS as it includes over $3.4 billion to continue the fight against HIV/AIDS. It is an increase of over $750 million. I congratulate the committee on the sizeable increase for this program. It demonstrates our resolve, our determination to help all those across the globe who fight this disease.

In other foreign assistance, H.R. 5522 funds the Andean Counter Drug Initiative at the President's request $721 million. Economic growth in the area since the start of Plan Colombia is proof that the assistance we have provided Colombia has made a difference in that country. President Uribe has made great strides to combat narcoterrorism in Colombia. Under his leadership, Colombia is now neutralizing guerilla forces and prosecuting those who are implicated in serious crimes.

However, we must not take progress in the Andean region for granted. If the United States turns its back on the region, a scenario could ensue that would require greater U.S. investment at a time when we have significant responsibilities worldwide.

The underlying legislation, Mr. Speaker, also provides about $2.5 billion for military and economic assistance to Israel. We must and we will continue to ensure that our friends and allies remain secure. A strong Israel is necessary to the United States national interests and to stability in the Middle East. We are committed to doing everything we can so that Israel is safe and secure within her border, especially as the terrorist group now in the government in the Palestinian Authority and also the Iranian dictatorship continue to threaten to wipe Israel off the face of the map, something that will not happen and we would never permit.

The particular concern to my district is funding for the Republic of Haiti. That country has undergone a tumultuous few years of political instability as well as being hit by a natural disaster. The bill fully funds the President's request of $164 million in funding for Haiti.

Over the last two decades, an estimated 2 million people in Sudan have died due to war-related causes and famine, and millions have been displaced from their homes. This bill fully funds the President's request of $450 million, with $137 million devoted to Darfur. Assistance is conditional; it will only be given to the coalition government if that assistance is in direct support of the comprehensive peace agreement or the Darfur peace agreement.

Mr. Speaker, H.R. 5522 was introduced and worked on in a very detailed and serious way by Chairman KOLBE and reported out of the Appropriations Committee on May 26 by a voice vote. It is a good piece of legislation, important to our continued commitment to the security and safety of all citizens and residents of the United States, and we bring it forth under an open and fair rule.

I would like to take this opportunity to thank Chairman LEWIS and Chairman KOLBE and Ranking Member LOWEY for their leadership on this important issue. I would like to point out that this is Chairman KOLBE's final appropriations bill as chairman of the Foreign Operations Subcommittee. It has been truly a pleasure to work with Chairman KOLBE on the Foreign Operations appropriations bill and on many other important legislative projects throughout his distinguished career in this House. I urge my colleagues to support both the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank my good friend and colleague from Florida (Mr. LINCOLN DIAZ-BALART) for yielding me the time. I yield myself such time as I may consume.

Mr. Speaker, as many in this body know, Representative DIAZ-BALART and I are privileged to represent perhaps the most international region of our country in South Florida. It is therefore only fitting that the two of us be here today to manage this rule on the foreign operations appropriations bill. I look forward to a fruitful discussion with the gentleman on many important issues facing our Nation abroad.

Mr. Speaker, I rise today with great concern about the foreign operations appropriations bill for fiscal year 2007. While the other 10 appropriations bills fund our domestic priorities, the foreign operations bill outlines and fulfills our commitments abroad. It serves as Congress's most significant diplomatic statement each year. I just hope that the international community isn't listening this time around.

The underlying legislation not only shortchanges funding for some of our country's most critical foreign programs by almost $2.4 billion, but it sends a clear message to our allies and enemies alike that the United States Congress is not seriously fulfilling America's commitment to the global community. I am certainly pleased that the bill has increased funding for development assistance, critically important child survival nonHIV/AIDS programs. It has increased funding for basic education programs and HIV/AIDS funding.

Nevertheless, I remain concerned that we are not doing enough in other areas. The dramatic underfunding of critical programs throughout the underlying bill calls into question the House's commitment to refugee assistance, debt relief, democracy in eastern Europe and the former Soviet Union, the global environmental facility, and foreign aid in general.

Let me drop a footnote there. The chair and the ranking member have done the best that they could with what they have, but it is the overall parameters and all of our responsibility here in the House that fails. Perhaps most troubling, these cuts dramatically hinder the President's ability to conduct the business of this country abroad. As our colleagues come to the floor today to discuss, debate, and consider the underlying legislation, I sincerely hope that they will look at the statement this bill is sending to the international community and reconsider some of these dramatic cuts.

Mr. Speaker, for the last 2 years, I have had the great honor and privilege to serve as the president of the Organization for Security and Cooperation in Europe's parliamentary assembly. In this capacity I have traveled to 29 countries in Europe, the former Soviet Union, and Central Asia; I have met with heads of state, foreign ministers, ambassadors, colleagues of foreign parliaments, our ambassadors, and interest groups throughout the OSCE region.

If I have learned anything during this time, it is that the principles of freedom and democracy in many places in this world are still struggling to break free from the bondages of oppression and tyranny. Today is a day when American leadership in the world is desperately needed.

In the former Soviet Union, many states are struggling desperately to establish solid democratic foundations. How is Congress helping them? By cutting economic aid to eastern Europe and the former Soviet Union countries by a total of $202 million from last year's level. At a time when African nations are being forced to allocate well over 50 percent of their annual budgets to repay debt to western countries, how is Congress helping? By cutting debt relief funding by more than $44 million to a level that is more than $160 million less than President Bush's request.

Throughout the world, the number of refugees fleeing across borders to escape persecution and poverty is increasing, yet the House is now poised to reduce the United States' commitment to international refugee assistance by almost $33 million, $82 million less than President Bush's request. In Sudan and Congo, innocent people are dying for no reason other than the color of their skin or the religion that they practice, but our financial commitment to them continues to fall short.

How about the Millennium Challenge Account? As my colleagues will recall, Congress established the account in January 2004, and through fiscal year 2006 has underfunded the account by $2.6 billion. The underlying legislation, as has been the case in the past, again shortchanges the Millennium Challenge Account by $1 billion. And don't even get me started on the bill's rescinding of $188 million in already appropriated dollars to the World Bank. No wonder so many in the world have really stopped looking at us as a place of hope and compassion and reliability.

☐ 1045

As the lone superpower in the world, Mr. Speaker, we must not allow ourselves to become encapsulated in the philosophy of leadership by force. Our military must not only be the strongest in the world, and they are, and today I compliment the special forces for their extraordinary efforts in bringing to ultimate justice a person that was an ultimate terrorist, but so must our diplomacy be strong and the best in the world. America's willingness and sincere interest to utilize the voices of reason and persuasion over the barrel of a gun must be guided by sound principle in its foreign policy.

The underlying legislation, not the defense appropriations bill as some in this body may want you to believe, in my judgment, is the greatest tool that Congress has in its box to show the world true American strength. Whether or not we choose to maximize this tool is, frankly, up to us. I fear, however, that the underlying legislation comes up dramatically short of what needs to be done.

Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

I also take this opportunity, I think it is very appropriate and just to do so as we discuss legislation that furthers the U.S. national interests in our foreign policy, to commend our forces in Iraq who have managed that great victory of the elimination of the leader of the al Qaeda terrorist network there, who had caused so much pain and suffering, not only to our forces, but to the people of Iraq.

The action of the American Armed Forces is to be commended, as well as admired, and freedom-loving people throughout the world, I know, are joining us today in congratulating the U.S. Armed Forces for the great success in the elimination of the terrorist head in Iraq.

Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Arizona (Mr. KOLBE), the prime author of the legislation that we are bringing forth today.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from Florida for yielding this time, and I also want to thank him for the very kind remarks that he made a few moments ago.

As he pointed out, this will be the last regular, foreign ops appropriation bill that will be brought to the floor under my tutelage as chairman of that subcommittee. It has been a great privilege and a pleasure for the last 6 years to bring this bill to the floor. It has also been a great pleasure to work with the gentleman from Florida, who has the responsibility for foreign affairs issues in the Rules Committee.

Mr. Speaker, I do rise in support of the rule. I will be very brief because I will make most of my remarks during the debate, when we get to general debate on the bill itself, but I do rise in support of the rule for consideration of H.R. 5522, which is the fiscal year 2007 appropriations bill for foreign operations, export financing and related programs.

As has been pointed out, the total in this bill is $21.3 billion. That is $597 million over the amount provided in fiscal year 2006, not counting supplementals; but it is fully $2.4 billion below the President's request. This means that there is $2.4 billion elsewhere in the budget for critical needs. The gentleman from Florida on the other side also spoke about some of those. Whether we are talking about veterans care or education or health programs, it is $2.4 billion that is freed up by the fact that our allocation has been reduced, and yet our allocation is still more than 5 percent over the amount that we had last year, and I think it is a fair amount.

We are once again faced with difficult choices in developing this recommendation because we are significantly below the President's request. The President's budget request had significant increases for the Millennium Challenge Corporation, for HIV/AIDS, and reconstruction and stabilization efforts in both Iraq and Afghanistan. While no one got everything they wanted, the recommendation I think strikes a difficult balance among the competing priorities, and at the same time fiscally responsible.

Our priority has been to increase funding for the war on terror. We have also increased the Millennium Challenge Corporation by about $245 million, enough of an increase to make clear our commitment to the Millennium Challenge Corporation. We believe the MCC is working. We believe they are doing the right thing, and we are going to continue on a path towards increasing it as a vehicle for delivering foreign assistance around the world. We have also increased international health spending, and those are the three priorities which lie at the core of U.S. interests abroad.

Mr. Speaker, H.R. 5522 is a package of foreign assistance which has been formed by experience. It funds programs that are accountable and transparent; and most importantly, it helps to secure and protect the United States abroad. It was developed in a bipartisan manner, and I believe that it should have wide support on the floor of the House.

This is a fairly standard rule. It is an open rule, allowing for amendments; and we have a number of amendments which will be discussed here later today. I expect a thorough and complete debate on a number of areas of U.S. foreign policy, and I believe that this will be the House of Representatives at its finest hour.

Mr. Speaker, I rise in strong support of this rule.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Before I yield to my very good friend from New York, I would like to compliment my very good friend who just spoke, Mr. KOLBE, the chairperson of this particular committee, and compliment him for the 6 years of very active work on behalf of this country. I know for a fact that he did all that he could with what he had; and you are to be thanked, Jim, for your great service, and you will be missed sorely by all of us.

However, I can honestly say I will not miss going on CODELs with you because of your indefatigable energy when we are on CODEL; and if we had the time, we could share some stories in that regard.

Mr. Speaker, I am very pleased to yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY), the ranking member of the foreign operations subcommittee.

Mrs. LOWEY. Mr. Speaker, I rise in strong support of this rule, and I thank the Rules Committee for granting a fair, open rule for the consideration of the foreign operations bill.

While I am disappointed that this rule leaves several commonsense provisions in the bill vulnerable to points of order, I am grateful that the Rules Committee has protected section 587 of the bill. This provision will enhance the focus of U.S. foreign assistance programs on supporting women's access to economic opportunity and will help women take full advantage of the possibilities of the global economy.

I am particularly appreciative to Congresswoman ROS-LEHTINEN, Chairman HYDE and, of course, Chairman KOLBE for enabling this language to be maintained; and I look forward to several robust debates today on a number of issues affecting U.S. foreign policy and U.S. foreign assistance.

Of course, I am appreciative of our chairman, and I will thank him appropriately again. I think we have expressed our appreciation and devotion and respect probably at least a half a dozen times, but you deserve it every time, Mr. Chairman.

So I want to again thank the Rules Committee for allowing these debates to proceed by granting an open rule.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Rules Committee.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding and congratulate him on his management of this very important piece of legislation.

Let me begin by joining and extending congratulations to our friend from Tucson, Mr. KOLBE, for the superb leadership that he has provided on this measure. I am looking at him at this moment, Mr. Speaker, and he is sitting with the distinguished minority ranking member, Mrs. LOWEY.

In the Rules Committee yesterday when we were dealing with this issue, everyone was praising the fact that this measure is moving ahead with strong bipartisan support. I think the leadership that JIM KOLBE has provided on this demonstrates his commitment to good public policy and addressing it in a bipartisan way, and I want to extend my hearty congratulations to him.

I want to say this measure is very important. We, of course, all have gotten the news this morning of the killing of Abu Musab al-Zarqawi, that charismatic al Qaeda leader who has been responsible for some of the most heinous acts and, of course the very, very sad killings and beheadings of a number of people who come to mind; and as the Secretary of Defense said earlier this morning, this man probably has more blood on his hands than any other human being when it comes to terrorist acts in the past few years. So we, I believe, are in the midst of understanding that the leadership that the United States of America is providing through our foreign assistance package is one which is playing a role in helping us win the global war on terror.

We obviously are faced today with the potential for great tragedy and retaliation because of the killing of al-Zarqawi, but we also have to recognize that when the members of the Iraqi media lurched to their feet and applauded, celebrating the killing of Abu Musab al-Zarqawi, this is a great day for the people of Iraq who do want freedom and liberation and an opportunity to proceed with self-determination.

Mr. Speaker, that has come about in large part due to the leadership that JIM KOLBE and Mrs. LOWEY and others have provided in this package that we are going to be voting on today. It is an important one, and I know that it is often criticized by many as simply taking U.S. taxpayer dollars and sending them to other parts of the world and, frankly, much of this is expended right here in the United States to help us deal with the development of political pluralism, the establishment of democratic institutions, and very important societal needs that exist in a number of countries in the world.

One of the things that I mentioned in the Rules Committee last night, Mr. Speaker, was the fact that Mr. KOLBE serves as a very important member of the House Democracy Assistance Commission and you, Mr. Speaker, are a very important member of that commission as well, and it was one that I was pleased that a little over a year ago Speaker HASTERT and Minority Leader PELOSI came together and established this bipartisan commission that is designed to look at a number of countries that are really beginning to take steps towards democracy that have recently held elections and elected parliaments.

We have created a chance for direct parliament-to-parliament consultation, working member to member, with members of these new parliaments, working with staffs, working with officers of these parliaments to make sure that we help them move into establishing the very important things that are in our Constitution and we have a tendency to take for granted.

But many in this world are moving towards that, being the responsibility of oversight from the legislative branch to the executive branch, making sure that they deal with constituent service and a wide range of these other things that we in the United States House of Representatives engage in, and I believe that the existence of this commission, which I am very privileged to work with our colleague DAVID PRICE from North Carolina who serves as the ranking minority member on, is important and much of the funding for that is coming through this appropriation bill that has been put together.

Mr. HASTINGS of Florida. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Speaker, I would just like to ask a question. It is my belief that compared to gross domestic product that America spends less than 1 percent on the foreign relations and this particular matter. Do you feel, as I do, that we are pretty stingy compared to other countries when it comes to that measure? Everything you said is true, and all of those things are wonderful; but I still think that we are pretty stingy in this arena.

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Mr. DREIER. If I can reclaim my time, Mr. Speaker, I would say to my very good friend from Fort Lauderdale, who serves so ably on the Rules Committee, that I don't believe that we are stingy at all. I think the American people are very, very generous.

I know my friend has been involved in providing leadership in a wide range of areas internationally, and he has had a commitment to dealing with many of these issues. I think that the United States of America has demonstrated its generosity, not only through its foreign assistance package, but also through the eleemosynary activities of so many Americans who are voluntarily involved. I think of the wealthiest person in the world, Bill Gates, who has stepped forward to deal with the AIDS in Africa crisis. He voluntarily has done many, many things to help deal with this issue.

So I would say a resounding no, we are not stingy when it comes to this issue. We are, I believe, very cost effectively, Mr. Speaker, dealing with the important needs that are out there. And my friend raised the issue of the percentage of the gross domestic product what is being done, and of course, what is brought to mind for me is another issue, and that is, in fact, that we have seen a great reduction in our Federal deficit as a percentage of the gross domestic product. It is now below 2.6 percent of the GDP.

And I think that our growing economy will again put dollars in the pockets of Americans so that they will be able to voluntarily deal with many of these needs that exist in other parts of the world.

So I thank my friend for his question, and I thank again the distinguished vice chairman of the Committee on Rules for his leadership on this and a wide range of other foreign policy initiatives, and again congratulate my friend, the distinguished chairman of the Subcommittee on Foreign Operations for his fine work.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the chairman for his response. Bill Gates and others in their eleemosynary undertakings do not have the responsibility that we do here in this body to undertake appropriate foreign undertakings.

That said, I would at this time yield 3 minutes to my friend, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentleman's courtesy in permitting me to speak on this. I rise in support of the open rule. I join my colleagues in praising the leadership of Mr. KOLBE, with whom I have had an opportunity to learn a great deal from his tutelage as Chair and his commitment to foreign affairs, and to watch Mrs. LOWEY and Mr. KOLBE make the most out of the difficult budget hand they have been dealt.

This is, in fact, a great investment of American tax dollars. It is not just the right thing to do morally, but it does make markets for U.S. goods, it helps developing partners around the world in commerce, and it is much cheaper than the military option. Think of what could have been accomplished with the trillion dollars we will have spent in Iraq.

It is time for us, however, I think, for us to consider some adjustments in philosophy and direction. I know there is going to be some proposals later in amendments that would deal with issues regarding Egypt, where we have given some $25 billion since 1979, and, sadly, the repressive tactics against journalists, against people who would exercise their Democratic rights is a sad commentary. And I do not think that we need to be held hostage for putting vast amounts of military assistance into Egypt at a time when they are not responding in ways that are consistent with what we are trying to do. I think sending some modest signals that we are not going to be held hostage is important.

Indeed, one-half of the top 25 recipients of United States' arms in the developing world are undemocratic, according to the United States State Department's own record. I think that is an unfortunate commentary. And I will be offering an amendment later in this debate, with my good friend, the gentleman from Iowa (Mr. LEACH), who chairs our Subcommittee on International Affairs on Asia, to divert $250 million from the military aid to put it in assistance that would make a difference for foreign countries around the world to deal with the fact that there are a billion people around the world who live on a dollar a day or less; that every 15 seconds, a child dies from waterborne disease. Indeed, one-half of the people who are sick today anywhere around the world are sick needlessly from waterborne disease.

This Chamber, last year, supported bipartisan legislation, the Water for the Poor Act, named after our colleague, Senator Paul Simon, that has the potential of being transformational for these people. But what we need to do is to invest money to make that the case. So I am going to strongly urge that my colleague look at this proposal, much to be commended, but to look at one specific adjustment, putting money away from arms to undemocratic areas where, frankly, it is not the highest priority, and, instead, invest 250 million additional dollars for this critical economic and development aid.

Remember, last year, in the total budget for the entire world dealing with this problem of waterborne disease, the entire budget was only $200 million, after we had worked and worked and worked. This budget currently only provides $50 million. We can do more, and I strongly urge consideration of the Leach-Blumenauer amendment.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 4 minutes to my good friend from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. I know that there will be a general debate, but I want to take this opportunity to acknowledge one of the best working teams that we have in the House, and that is the team of LOWEY and KOLBE on Foreign Ops. And I want to take this time on the rule to thank Mr. KOLBE for his spirited commitment to Africa and developing nations and his partnership with Mrs. LOWEY, who always finds a basis of resolve and, if you will, a solution. So we thank you, and I pay this tribute to Mr. KOLBE on what I believe will be his last Foreign Ops bill.

But I agree with Mr. HASTINGS in suggesting that foreign ops is our face to the world. And with his experience of traveling on behalf of this Nation, I am saddened by what the appropriators have had to do in this foreign ops bill, because we have turned our backs somewhat on the world.

We can applaud the special forces as our gun and the bringing down of Zarqawi, but really diplomacy and government and governance is going to win the war in Iraq. So it is important that we have investment in those kinds of issues.

Let me speak specifically to the question of Sudan. And although we realize that in addition to the Darfur issues, there are rebel issues, and rebels play a part in the conflict, it is the government of Sudan that needs the overcoming of its attitude of disingenuousness in not paying attention to finding ways to resolve the conflict. I would hope that an amendment, or at least language that I have that focuses on Chad, and realizes that the burden of refugees needs to have additional funding and focus so that the Sudanese situation can move forward, I hope we will have an opportunity to debate that amendment and also include that language but, more importantly, as we move to the Senate, have funding for Chad.

I hope we will also recognize that Afghanistan is really the war we can win. Finding now Osama bin Laden, but more importantly, investing into the regional reconstruction plan so that we can have more schools and hospitals and infrastructure for a country that has absolutely nothing, yet its people are inclined to move enthusiastically towards democracy. President Karzai represents stability, and we need to invest more in the reconstruction of Afghanistan.

Then I hope that we would have the opportunity to address the question of what we call codes of conduct in many of our Islamic countries who overlook the rape of women, gang rapes in fact, where the nations condone the rape to the extent that they allow the cultural mores to exist over the safety and security of women. We have seen this happen throughout the Islamic world, where there are gang rapes and no prosecution.

It is extremely important that we focus on these tragedies that are occurring, and they occur in countries that happen to be our allies. So I hope that language on that will be accepted to respond to the rape and pillage of women without any protection whatsoever.

I would also add to the Afghan funding is the necessity of protecting the parliamentarians. There is a democratically-elected government in Afghanistan with a large percentage of women parliamentarians who are fearful of going back to their districts. They need security, and that should be the face of the foreign appropriations as well. Meeting with them in Afghanistan just recently, they begged us to provide them with security, security, security.

So let me thank the appropriators for doing the best that you could do, but, unfortunately, it does not help the face of America to cut in such crucial areas as have already been mentioned. But in any event, I hope we will have the ability to improve on this in the Senate and as well to not turn our back on the ways that we can add to democratization and add to the security of the world.

Mr. HASTINGS of Florida. Mr. Speaker, I yield back the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I want to thank my good friend, Mr. HASTINGS, and all who have participated in this debate. We are very proud to bring forth this appropriation bill with an open rule. Very proud of the underlying legislation, with over $21 billion in assistance for countries throughout the world to help with disease and with poverty.

The American people are very generous, year after year after year, and I am very proud to be a Representative here in this House of that generous people.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATIONS OPPORTUNITY, PROMOTION, AND ENHANCEMENT ACT OF 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 850 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 850

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5252) to promote the deployment of broadband networks and services. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. Notwithstanding clause 11 of rule XVIII, no amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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UNFUNDED MANDATE POINT OF ORDER

Ms. BALDWIN. Mr. Speaker, I make a point of order.

Mr. Speaker, pursuant to section 426 of the Congressional Budget Act of 1974, I make a point of order against consideration of the rule, H. Res. 850. Page 1, line 7, through page 2, line 1, states: "All points of order against consideration of the bill are waived."

The rule makes in order H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act of 2006, which contains a large unfunded mandate on State and local governments in violation of section 425 of the Budget Act. Section 426 of the Budget Act specifically states that the Committee on Rules may not waive section 425; and, therefore, this rule violates section 426.

The SPEAKER pro tempore. The gentlewoman from Wisconsin makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974. In accordance with section 426(b)(2) of the Act, the gentlewoman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated.

Under section 426(b)(4) of the Act, the gentlewoman from Wisconsin (Ms. BALDWIN) and the gentleman from Florida (Mr. LINCOLN DIAZ-BALART) each will control 10 minutes of debate on the question of consideration.

Pursuant to section 426(b)(3) of the Act, after that debate the Chair will put the question of consideration, to wit: Will the House now consider the resolution?

The Chair recognizes the gentlewoman from Wisconsin.

Ms. BALDWIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in January of 1995 in the first few weeks after the Republicans took control of this House for the first time in 40 years, they passed a bill they proudly called the Unfunded Mandates Reform Act.

The goals of this bill, they argued at the time, were honesty and accountability. It would force the Congress to publicly acknowledge when it passed legislation that imposed large, unreimbursed uncompensated costs known as unfunded mandates on State and local governments.

As our former colleague and current director of the Office of Management and Budget, Rob Portman, said during the debate back in 1995, "No significant unfunded mandate can now go through Congress without Members having to vote up or down in the public view."

But here we are 11 years later and the tables have turned. My Republican colleagues are bringing to the floor a bill that imposes hundreds of millions of dollars of unfunded mandates on communities across this country whose local public, educational, and government accessible channels, known as PEG access channels, as well as institutional networks known as I-Nets, over which our police, fire and emergency communications often travel, will be gutted by the legislation we are considering today creating a national cable franchise system.

As provided under the rule, H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act, also known as the COPE Act, would limit available support for PEG access channels to a maximum of 1 percent of an operator's gross revenue, less than what many communities receive today. This legislation's one-size-fits-all approach fails to keep communities financially whole.

Local cable franchises are long-term contracts signed between a cable operator and a community, and some go as long as 15 years. Yet this bill allows cable operators to walk away from those signed and sealed contracts, causing the city to lose long-term revenue it expected to get under those contracts.

Many communities have made the decision in their local franchises to require more than 1 percent worth of PEG and I-Net support more than would be available under COPE. In those communities that make robust use of these resources, enactment of this bill may result in the loss of up to 67 percent of their budgets for these important and crucial services.

Indeed, according to the Congressional Budget Office's cost estimate for the bill, by prohibiting local franchising authorities from charging cable providers more than 1 percent of their gross revenues to provide PEG programming, enacting COPE would lead to a loss in State and local revenues estimated to be between $150 million and $450 million by 2011. Even with projected offsets from other provisions of the bill, the Congressional Budget Office estimates that the net cost of this mandate would likely fall between $100 million and $350 million per year by 2011.

Because of CBO's conclusion that the annual cost of this mandate over the next 5 years will exceed $64 million, which triggers the unfunded mandate law that Republicans so proudly backed in 1995, I am raising this point of order against the rule.

The fact is that the rule waives all points of order against this bill. The Budget Act specifically says that the Committee on Rules cannot waive points of order against unfunded mandates. yet the Republican leadership ignores this. So in the spirit of the debate in 1995, I am raising this point of order that will force us all in the public view to vote up or down this unfunded mandate.

During these really challenging economic times with very tight local and State budgets, how many States and localities can afford this? Local programming and police and fire communications traffic supported by I-Nets should not be allowed to be diminished through the passage of this bill. Yet because of this unfunded mandate, the city of Madison in my own congressional district will see losses in the tens of thousands of dollars per year, while larger franchises such as that in Montgomery County, Maryland, will suffer almost $2 million in losses.

Mr. Speaker, I will submit for the RECORD a chart compiled by the Alliance for Community Media detailing how 45 local franchising authorities in 13 States will lose huge percentages of their annual PEG funding under the COPE Act.

During the committee markup of H.R. 5252, and subsequently at the Committee on Rules, I offered an amendment that would have remedied this problem. In addition to the option of a PEG fee based on 1 percent of the cable operator's gross revenue, my amendment allowed the franchising authority to continue requiring cable operators with a national franchise to pay a fee equivalent to the value on a per subscriber, per month basis of all PEG support currently provided by an incumbent cable operator in a franchise area pursuant to that incumbent's existing franchise agreement.

This hold-harmless approach would have ensured the current level of PEG funding that was in no way diminished by the transition from local to national franchise systems.

Under my amendment, the new national cable franchisee will not pay a single cent more than what the current incumbent cable providers are already paying. More importantly, my amendment would have eliminated this unfunded mandate that will cost local communities hundreds of millions of dollars. Unfortunately, my amendment was not allowed to come to the floor for a vote under this restrictive rule.

Mr. Speaker, if this legislation passes, the diverse and vibrant offerings of public access channels on cable television will face enormous challenges.

I want to talk a little about the importance of PEG access channels as communities' resources. There are over 3,000 PEG access centers across the country today representing 3,000 channels, 250,000 organizations and 1.2 million volunteers.

According to a survey of the National Association of Telecommunications Officers and Advisors, 73 percent of communities with PEG capacity receive financial support from the cable operator under terms of the local franchise over and above the franchise fee. Whether it is in the form of an annual fee, a one-time grant, or use of a building or equipment, or a per subscriber fee, such resources are used to support the needs of local PEG communities in their production of local programming. These resources are used by schools for distance education, by our locally elected officials to improve governmental services and enhance democratic discourse, and by our communities as the last source of free speech over the medium of television.

My congressional district in Wisconsin has one of the most diverse, enriching, and vibrant public access communities in the Nation. For over 30 years, Madison City Channel has helped connect Madison residents with their local government in much the same way C–SPAN allows our constituents to follow our actions here in Congress. Madison City Channel has provided that window into the workings of county and city governments, the levels of government that most directly impact the lives of our constituents on a daily basis.

In addition, the school district operates two channels that feature a variety of school board meetings and forums, as well as interviews with school board members and administrators and sporting events. The channel also features student music events, math and science fairs, and news programming.

PEG channels from the city of Whitewater in my district feature not just local election coverage, meetings of the city council and school board, but also programming produced by the local United Way, the Historical Society, and five local churches, among others.

Overall, the 80-plus PEG access channels in Wisconsin perform invaluable services on a daily basis commercial free, with the sole basis of informing and educating our citizens.

Diversity of programming and coverage are found in communities across the country. I want to note that in addition to coverage of government and educational affairs, different communities adopt various genres of programming to reflect their local interests. For example, religious programming represents 20 to 40 percent of programming in most public access centers, according to a survey of the National Association of Telecommunications Officers and Advisors. And "Army Newswatch" is the most-syndicated program on PEG channels, with carriage on over 300 PEG channels nationwide. I know that many Members of Congress host their own public access shows on PEG channels to reach out and connect with their constituents.

Preserving PEG funding is about preserving the local flavor and diversity of community voices. It is about transparency and accountability in our local government, and it is about strengthening the sense of shared neighborhoods and communities.

Mr. Speaker, the House can either choose to consider this rule in spite of COPE's unfunded mandate; or it can send this rule back to committee, make my amendment in order, and eliminate the unfunded mandate upon which this point of order is predicated.

Ms. BALDWIN. Mr. Speaker, I would like to submit these charts for the RECORD during the debate on the Point of Order that I raised against H. Res. 850 providing for the consideration of H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act of 2006. The charts are compiled by the Alliance for Community Media detailing how 49 local franchising authorities in 13 States will lose huge percentages of their annual PEG funding under the COPE Act.

ANNUAL PEG SUPPORT FUNDING FROM CABLE COMPANIES

Franchise area	Current PEG annual funding[1] (excluding state law-mandated franchise fee of $1.20/sub/year to State and LFA)*	PEG annual funding under HR 5252 and SB 2686 (1% of gross revenues)	Potential PEG annual funding loss under HR 5252 and SB 2686
Massachusetts:			
Bamstable, Yarmouth, Chatham, Dennis, Harwich	$1,714,482 ($1,663,982 [4.5% of gross revenues] plus allocation of $505,000 in initial grants).	$369,774	$1,344,708 (78%)
Cambridge	$1,215,148 ($965,148 in 2005, plus $150,000/yr. grant, plus allocation of $1,000,000 capital grant).	193,030	1,022,118 (84%)
Newton	$974,502 ($833,502 [4% of gross revenues], plus $80,000/year in other grants, plus allocation of $610,000 in initial grants).	208,375	766,127 (79%)
Worcester	$985,000 ($900,000 [3% of gross revenues] plus allocation of $850,000 in initial grants).	300,000	685,000 (70%)
Billerica	$594,721 ($539,721 [5% of gross revenues] plus $55,000/year in capital grants)	107,944	486,777 (82%)
New Bedford	$591,098 (3% of gross revenues)	197,033	394,065 (67%)
Malden	$457,500 ($400,000 in 2005 plus allocation of $575,000 initial capital grant)	96,970	360,530 (79%)
Plymouth-Kingston	$443,050 ($410,000 [3% of gross revenues] plus allocation of $330,500 in initial grants).	136,667	306,383 (69%)
Norwood	$335,000 ($305,000 [5% of gross revenues] plus allocation of $300,000 in initial grants).	61,000	274,000 (82%)
Fall River	$385,000 (2% of gross revenues)	192,500	192,500 (50%)
Holliston	$131,998 ($106,998 [5% of gross revenues] plus $25,000/year in other grants)	21,400	110,598 (84%)
Carver	$82,300 ($74,000 [3% of gross revenues] plus allocation of $83,000 in initial grants.	24,667	57,633 (70%)

Franchise area	Current PEG annual funding (excluding franchise fees) *	PEG annual funding under HR 5252 and SB 2686 (1% of gross revenues)	PEG annual funding loss under HR 5252 and SB 2686
Minnesota:			
St. Paul	$1,437,000 ($761,000 for operations, $676,000 for equipment)	361,000	1,076,000 (75%)
Arden Hills, Falcon Heights, Lauderdale, Little Canada, Mounds View, New Brighton, North Oaks, Roseville, Shoreview, St. Anthony.	$1,046,023 ($951,629 operating grant, $94,394 equipment grant)	218,022	828,001 (79%)
Birchwood, Dellwood, Grant, Lake Elmo, Mahtomedi, Maplewood, North Saint Paul, Oakdale, Vadnais Heights, White Bear Lake, White Bear Township, Willernie.	$811,000 ($771,000 for operations, $40,000 for equipment)	222,000	589,000 (73%)
Blaine, Centerville, Circle Pines, Ham Lake, Lexington, Lino Lakes, Spring Lake Park.	$591,190 (for operations and equipment)	139,188	452,002 (76%)
Eagan, Burnsville	$647,982 (for operations and equipment)	225,237	422,745 (65%)
Andover, Anoka, Champlin, Ramsey	$357,000 ($311,000 for operations, $46,000 for equipment)	125,506	231,494 (65%)
Brooklyn Center, Brooklyn Park, Crystal, Golden Valley, Maple Grove, New Hope, Osseo, Plymouth, Robbinsdale.	$716,266 (for operations and equipment)	500,000	216,266 (30%)
Inver Grove Heights, Lilydale, Mendota, Mendota Heights, South St. Paul, Sunfish Lake, West St. Paul.	$293,000 ($235,000 for operations, $58,000 for equipment)	135,000	158,000 (54%)
Cities of Stillwater, Oak Park Heights, Bayport, and the Townships of Baytown and Stillwater.	$109,000 (for operations and equipment)	38,300	70,700 (65%)
Maryland:			
Montgomery County	$3,703,519 ($2,013,993 for PEG operations plus $236,100 for PEG capital plus $1,453,426 for I–Net operations).	1,787,200	1,916,319 (52%)
Washington, DC.			
Washington, DC	$2,160,000	1,080,000	1,080,000 (50%)
Oregon:			
Portland	$3,000,000 (3% of gross revenues)	1,000,000	2,000,000 (67%)
Multnomah County	$561,000 (3% of gross revenues)	187,000	374,000 (67%)
Salem	$400,000 (1.5% of gross revenues)	265,000	135,000 (34%)
McMinnville	$73,297 ($1.00 per subscriber per month)	43,215	30,082 (41%)

Franchise area	Current PEG annual funding (excluding franchise fees) *	PEG annual funding under HR 5252 and SB 2686 (1% of gross revenues)	PEG annual funding loss under HR 5252 and SB 2686
Virginia:			
Fairfax County	$4,500,000 (3% of gross revenues)	1,500,000	3,000,000 (67%)
Arlington County	$1,439,000 ($855,000/year; plus $584,000 in 2005—1% of gross revenues)	591,500	847,500 (59%)
Arizona:			
Tucson	$1,500,000 ($1.35 per subscriber per month)	700,000	800,000 (53%)
Michigan:			
Bloomfield Township	$313,243 (3% of gross revenues plus $33,500 annual grant)	97,910	215,333 (69%)
California:			
Santa Maria & Lompoc	$464,000 ($395,000 in 2005, plus allocation of $69,000/year, from $828,000 initial grant).	142,200	321,800 (69%)
Glendale	$613,333 ($600,000 in 2005, plus allocation of $13,333/year, from $200,000 initial grant).	300,000	313,333 (51%)
Ventura	$350,292 ($263,625 in 2005, plus allocation of $86,667/year from $1,040,000 in Yrs. 1–3 grants).	146,050	204,242 (58%)
Gilroy, Hollister, San Juan Bautista	$259,471 ($189,471 in 2005, plus allocation of $70,000/year, from $700,000 initial grant).	63,157	196,314 (76%)
Monterey	$231,622 ($151,622 in 2005; plus allocation of $80,000/year, from $800,000 initial grant).	68,571	163,051 (70%)
Palo Alto, East Palo Alto, Menlo Park, Atherton	$304,295 (88 cents per subscriber per month)	163,902	140,393 (46%)
Humboldt County, Eureka, Arcata, Fortuna, Ferndale, Blue Lake, Rio Dell	$293,750 ($200,000/year; plus allocation of $93,750/year, from $750,000 in Yrs. 1–2 grants).	180,000	113,750 (39%)
Oceanside	$487,333 ($214,000 in 2005; plus allocation of $273,333/year from $4,100,000 in Yrs. 1–3 grants).	389,538	97,795 (20%)
Santa Rosa	$316,667 ($150,000/year: plus allocation of $166,667/year, from $2,500,000 in other grants during franchise term).	260,000	56,667 (18%)
Monrovia	$83,000 ($46,000 plus 1% of gross revenues)	37,000	46,000 (55%)
Lawndale	$60,000 (2% of gross revenues)	30,000	30,000 (50%)
Ohio:			
Cincinnati	$756,000 ($0.96 per subscriber per month)	497,956	258,044 (34%)
Forest Park, Greenhills, Springfield Township	$161,665 ($1.06 per subscriber per month)	118,682	42,983 (27%)
Wisconsin:			
West Allis	$200,000 (annual grant)	104,400	95,600 (48%)
River Falls	$44,500 ($1.32 per subscriber per month)	15,790	28,710 (65%)
Madison	$388,000 ($0.60 per subscriber per month)	360,000	28,000 (7%)
Illinois:			
Urbana	$162,536 (2% of gross revenues)	81,268	81,268 (50%)
Kansas:			
Salina	$135,000 (70 cents per subscriber per month)	95,549	39,451 (29%)

[1] Massachusetts State law currently provides that any funding above the state mandated fees be spent on communications operations including PEG, I-Net and others. This chart anticipates state law changing to allow franchise fees to be used for other purposes.

* In addition to the annual PEG support funding described in this chart, other PEG and in-kind services resources are often provided by cable companies that serve these communities, including connections for program origination from multiple locations, free cable modem service, promotional assistance (e.g., ad avails, program listings on TV Guide channel, annual bill-stuffers), Institutional Networks, etc.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the question before us is not whether we should eliminate any mandates, but whether we should consider this bill at all.

The one thing that is clear is that we need national video competition. Prices will fall and consumers will benefit.

The opponents of this legislation would have you believe that the current locality-by-locality method of video franchise helps consumers. The track record is just the opposite. Consumers benefit when there are low barriers to entry for competition.

The distinguished proponent of this point of order wants to keep those barriers in place. If you vote against this question, you are voting not to proceed with consideration of the rule and of the bill. That means you are voting to deprive the American consumer of video competition, lower prices, and new services.

Americans who are demanding this competition for these services. We need to move forward with this bill and with this rule so that we can debate the best ways to deliver what our constituents are asking for. I encourage my colleagues to oppose this maneuver and vote "yes" on the question of consideration.

Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. BARTON), the distinguished chairman of the Committee on Energy and Commerce.

Mr. BARTON of Texas. Mr. Speaker, next week the President of the United States is expected to sign in the Oval Office or the Rose Garden a bill that increases fines for utterances of an obscene nature over the public airwaves. That is Chairman UPTON's bill, and I am a sponsor and strong supporter of it.

□ 1130

If C-SPAN were over the public airways and not cable, I would probably be the first victim fined, the first violator of that bill because of my reaction, not to the gentlewoman's point of order, which is within the rules of the House, but because of the underlying premise that the Congressional Budget Office has propounded that there is an unfunded mandate in this bill. The thing that I can say that is printable is that is hogwash.

Now, we went down to the dictionary that is always here in the House of Representatives and looked up the word "mandate." The number one definition, a command to act in a particular way on a public issue. That is the number one definition for mandate in that dictionary: a command to act in a particular way on a public issue.

Now, if the bill before us had told the cities that they had to provide cable service themselves to every citizen in their community and not compensated for it with Federal dollars, that would be a mandate.

If the bill had said that every Member of Congress in the House and the Senate had to be provided an office with a television studio by the cities, that would be a mandate; and it would be unfunded. It is not in this bill.

What is the Congressional Budget Office definition of an unfunded mandate? It is an Alice in Wonderland definition. It is a reverse definition. Here is what the bill actually does: it says every city that is currently collecting fees gets to continue to collect those fees, or it can negotiate a better deal if they want to. It says that every new entrant that wants to get the so-called national franchise, if they let the city know that they want to provide video services to that city, they have to pay that city up to 5 percent, plus an additional 1 percent for all of these PEG channels, public education and governmental channels, that the gentlewoman from Wisconsin was just talking about. It says these new entrants have to pay that.

There are studies out that says because of this provision that these new entrants are going to have to pay the cities additional revenue; that the cities, in total, may get up to 40 percent or more of additional revenues, more money not less money. That is not an unfunded mandate. That is what we in Texas call found money. Oh, here's another $150,000 for next year, or two million or whatever it is.

The bill before us allows the cities to charge an additional 1 percent. I didn't want to do that. I was opposed to that. But Mr. UPTON and some of my friends on the Democratic side that were negotiating on the bill thought that was a fair thing to do. And so it is in the bill. If there is one thing that I am sure of, it is that there is no unfunded mandate in this bill.

Now, I will tell you how energized I am about this. I am going to go out and draft me a CBO reform bill and I am going to introduce it and I am going to get the committee of jurisdiction, which I think is the Budget Committee, to try to hold a hearing on it or move it or do something about it. I am tired of a CBO that looks like an Alice in Wonderland operation.

If there really were an unfunded mandate in this bill, I would oppose it. But there is not. And so I strongly, I respect the rights of the minority to use every parliamentary procedure they have, and the CBO did issue a report that does say there is an unfunded mandate. That is a true statement. But what the CBO calls an unfunded mandate is absolute hogwash.

So I oppose this point of order, and hope that we will sustain the underlying rule and move forward on the base bill and have an honest debate on the merits of the bill later this afternoon and tomorrow.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, I would just like to say, just to correct the record, I was not a big supporter of this 6 percent from the beginning. And I can point the finger at others. I was not the instigator of this. However, it is part of the bill. And, in fact, a study was put out that, according to the Phoenix Center for Advanced Legal and Economic Public Policy Studies, indicates that competition and the rise in the number of cable providers will cause total cable industry revenues to go up such that the 5 percent franchise fee, along with the 1 percent increase for the PEG channels, will see revenues increase by as much as 30 percent.

Now, I might note, where does that 30 percent come from? It comes from us, the consumers. It is passed along. So the cities are going to actually increase revenue. They are going to still maintain the control of the right-of-way, as they should.

I don't know where the CBO came up with this study. I know that I am told that they conferred with our staff. They obviously didn't listen very well.

I look forward to cosponsoring the legislation along with Chairman BARTON. I think that this does need to be addressed.

CBO, I think, in addition, made another major mistake on the transition to digital bill that the President signed into law earlier this year when they calculated that the sale of the spectrum, the analog spectrum, would bring in only $10 billion when, in fact, we saw some private studies that it might be as much as $20 billion.

So, again, Mr. Speaker, I would ask my colleagues to support the Rules Committee and deny this motion.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I am glad we had this opportunity. I think it is appropriate for the minority to use the rights available to it. It is part of the democratic process, very proud of that, zealously need to defend that.

At the same time, it is important for the facts to come out, and Chairman BARTON has explained how this bill provides the cities with an option to get another percent, to charge a fee of another percent that they can't charge under current law. That sounds to me like more funds than less. And yet it is called an unfunded mandate.

Mr. Speaker, I yield the remainder of our time to Chairman BARTON.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1¼ minutes.

Mr. BARTON of Texas. Mr. Speaker, let me just recapitulate. Under current law, if you are a satellite provider, you don't have to pay any franchise fee, any at all. Now, if you are a landlocked cable provider, you do have to pay some of these fees. They can be up to 5 percent, and they can charge some in-kind contribution for these pay channels. That is current law.

Under the pending bill, if it were to become law, you get the existing franchise fees that are paid by the incumbent cable provider, plus the city can charge a 1 percent fee to the incumbent plus these new entrants are going to be automatically assessed up to 5 percent plus an additional 1 percent unless the city makes a different deal. Okay?

Cities are going to have more money, more revenue sources. And the independent studies that have already come out say that, in most cases, city and local revenues are expected to grow as much as 30 percent. And I think they may be even higher than that.

Ladies and gentlemen, that is not an unfunded mandate. That is not an unfunded mandate. So I strongly oppose this point of order and hope that we sustain the base rule and move forward to debate the underlying bill.

PARLIAMENTARY INQUIRY

Mr. MARKEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Massachusetts may state his inquiry.

Mr. MARKEY. Mr. Speaker, under the rules, is it the Congressional Budget Office that determines whether or not an item is an unfunded mandate or not?

The SPEAKER pro tempore. Section 424 of the Congressional Budget Act does provide for estimates by the Congressional Budget Office of unfunded mandates.

Mr. MARKEY. And in this instance, has the CBO not determined that there is an unfunded mandate that could be upwards of 500 million to 1.5 billion on cities and towns over the next 5 years?

The SPEAKER pro tempore. The issue of the estimate may be addressed in debate. The point of order was made against the resolution for waiving any point of order under the Congressional Budget Act, as provided by section 426 of such Act.

Mr. MARKEY. Mr. Speaker, is there anything left with the Contract With America? Is that an appropriate parliamentary inquiry?

The SPEAKER pro tempore. The gentleman is not stating a parliamentary inquiry.

All time having expired, pursuant to section 426(b)(3) of the Congressional Budget Act of 1974, the question is: Will the House now consider the resolution?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. BALDWIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 254, nays 166, not voting 12, as follows:

[Roll No. 235]

YEAS—254

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Higgins
Hinojosa
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Inslee
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon

McMorris
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Sánchez, Linda T.
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—166

Abercrombie
Ackerman
Allen
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Rothman
Roybal-Allard
Ryan (OH)
Sabo
Salazar
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu

NOT VOTING—12

Andrews
Bono
Davis (FL)
Evans
Gibbons
Hyde
Johnson (IL)
Manzullo
Nussle
Oberstar
Reyes
Smith (TX)

□ 1206

Mr. SPRATT, Mr. WATT and Mrs. JONES of Ohio changed their vote from "yea" to "nay."

Messrs. WYNN, BOYD, MELANCON, INSLEE, RUSH, RUPPERSBERGER and Mrs. KELLY changed their vote from "nay" to "yea."

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. ANDREWS. Mr. Speaker, I regret that I missed one vote on June 8, 2006. Had I been present I would have voted "no" on H. Res. 850 (Providing for consideration of the bill H.R. 5252, to promote the deployment of broadband networks and services).

The SPEAKER pro tempore. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this rule provides 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule also provides one motion to recommit, with or without instructions.

Mr. Speaker, for virtually every telecommunications service, consumers have a choice over which service they can obtain. They can comparison shop and get the deal they feel is best for their family based on service and on price.

The reason that consumers can choose the best telecommunications deal for their family is because most telecommunications services are part of a competitive business. However, unfortunately, this is not true for video services. The lack of competition for cable television service means poorer service, higher prices, and less innovation for new products and services.

Mr. Speaker, it is time we allow competition for video services. The Federal Communications Commission has found that less than 2 percent of markets have face-to-face cable television competition. In the other 98 percent of markets where there is no face-to-face competition, cable rates have increased approximately 85 percent since 1995.

When there is competition, cable rates drop. According to the General Accounting Office, cable competition leads to a 15 percent decrease in costs for consumers. Bringing competition to long distance and wireless services has brought lower costs for consumers. For example, since 1995, the cost for long distance telephone service has fallen approximately 50 percent. The cost of wireless minutes has fallen approximately 77 percent.

This act, the COPE Act, removes barriers to entry for new competitors in the video services market by establishing clear Federal standards to replace the outdated local franchise approval process. There are over 34,000 local franchise authorities. Negotiating just one local franchise can take years.

Now, imagine, Mr. Speaker, negotiating 34,000 such agreements. One company official testified that, for example, if AT&T signed a franchise agreement every day, it would take more than 7 years to complete its deployment plan. Signing all of these agreements is prohibitively expensive to companies interested in offering video service.

This system impedes entry by new competitors, and consumers end up paying the price. Even though companies will be able to get a national or a State franchise instead of negotiating with each of the local authorities, the local authorities will still retain many of their rights under the current system. The local franchise authorities, for example, will still have the right to manage their rights-of-way.

They will receive a franchise fee of up to 5 percent of gross revenues. In addition to the franchise fee, they can receive an additional 1 percent for public, educational and governmental, so called PEG, channels and institutional networks.

This bill includes stringent antidiscrimination provisions. A cable operator will not be able to deny access to its cable service to any group of potential residential cable service subscribers in a franchise area because of the income of that group.

Any complaint filed by a local authority with the FCC must be completed in 60 days. If the FCC finds discriminatory practices against a group, the FCC must ensure that the cable operator extends access to that group within a reasonable period of time. The FCC may also order that the cable operator pay penalties of up to $500,000 per day, per violation to the franchise authority.

In addition, Mr. Speaker, to improving cable competition, this legislation also provides the FCC with explicit authority to enforce its broadband policy statement. The statement has four principles that the FCC can enforce with regard to net neutrality.

Those are that consumers are entitled to, first, access to lawful Internet content of their choice; two, run applications and services of their choice subject to the needs of law enforcement; three, connect their choice of legal devices that do not harm the network; and, four, competition among network providers, application and service providers, and content providers. Consumers are entitled to that as well.

Mr. Speaker, this legislation was introduced by Chairman BARTON and reported out of the Energy and Commerce Committee by a bipartisan vote of 42–12. Most impressive. This is good legislation that will bring competition to cable television finally in this country and lower the price of video services to consumers.

I would like to thank Chairman BARTON and Chairman UPTON and Representative RUSH for their hard work and their leadership on this very important issue.

I urge my colleagues to support both the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, our democratic system of government promises that the will of the people it serves will be heard. But it does more than that. It also promises that the right to debate will not be trampled underfoot by the might of simple majorities.

In so doing, it seeks to protect the needs of all of its citizens, rather than simply those of the biggest, the richest, and the most well-connected groups in our society. For all of these reasons, the rule and the bill that we have before us today is onerous on two separate, but connected, levels.

It should not be a handful of people in the back room that decides what ideas this democracy is allowed to consider. And yet while eight Democrat amendments were made in order last night in the Rules Committee, almost 20 were not.

Among those silenced were crucial corrections to this legislation that would protect the needs of American consumers and citizens against the unchecked ambitions of some of our Nation's largest and most well-connected companies, companies I might add that were perfectly willing to hand over all of our records to the government.

Now, perhaps this makes sense, considering that what we have left is a bill that without amendment will radically undermine the technology that has been proven to embody the democratic ideals of our Nation in a way that few inventions ever have.

□ 1215

I am, of course, talking about the Internet. That is what my Democrat colleagues and I are talking about when we speak of an America that is for sale: Assaults on democracy here in the House that ripple out and hurt Americans everywhere.

Consider some of the amendments the bill turned down yesterday, the Rules Committee turned down yesterday. Representatives DOYLE and DINGELL gave us an amendment that would give local officials and mayors some power over where and how telecommunications companies could build their infrastructure in their towns and cities. This bill will take that power away from them. But the majority did not allow us to debate the amendment today.

Another amendment sought to require telecommunications companies to provide high speed Internet access not just to the well-off neighborhoods, but to all the neighborhoods in our cities and towns so that all our families would have access to the power and knowledge that comes with information and that amendment was rejected by the majority.

Another amendment would have taken an aggressive stance against red lining, the practice of denying service or offering inferior service to consumers because of their race, national origin, religion or gender. That amendment was turned away by the Republican majority.

Mr. Speaker, these were amendments written for the benefit of all Americans. They were designed not to unfairly impinge on the ability of telecommunication companies to do business, but rather to ensure the business done served the public good and the needs of all of us. But when we examine what was put into the bill before us, it makes sense that a handful of folks in the leadership decided for all of us that the amendments would be left out.

The Communications Opportunity, Promotion, and Enhancement Act of 2006 as it stands today will do much more to limit online opportunities than it will enhance the experiences of users or promote the Democratic digital flow of ideas. It is a bill written by and for a limited number of companies that are already wildly profitable. Also, they can make even more money and the American people will pay the price.

It is indeed true that corporations like Verizon and AT&T have invested a great deal in the high technology and infrastructure empowering our Nation's economy, but they are being compensated richly for their efforts by ordinary consumers who pay to access their systems. Verizon, for example, is one of the largest corporations in America with annual revenues in excess of $75 billion a year.

Because the information superhighway these companies help build has remained open to all and free of arbitrary tolls, it has been home to an unlimited profusion of new and novel companies. It is the basis of the greatest exchange of ideas, opinions and information in human history. It has become instrumental to our global economy and to our international political system, and it has allowed a free market to truly flourish.

Today anyone with an idea or business concept can share it with literally billions of others. Open telecommunication systems have broken down walls and made old barriers obsolete. But my colleagues and I are not exaggerating when we say that all of that is threatened by this bill. It permits major telecom corporations to serve those who can pay them the most better than those who cannot pay. The Internet has traditionally been a true marketplace for ideas and commerce with small and large vendors competing on equal footing, a true community bazaar for the 21st century.

This bill, if not amended, will bulldoze the dynamic Main Street style marketplace that is our Internet today and will replace it with a one-size fits all Wal-Mart superdome. We have all seen the effects that type of development has had on local communities all over America. Why on earth would we help the Republicans do the same thing to the Internet as well? Why should Americans accept the destruction of the very concept that makes the Internet what it is today?

The truth is under this law, independent online media outlets and small Internet businesses will not be able to compete anymore. And Internet users will eventually have no choice but to use the services of an ever-dwindling number of online organizations. Innovation of all kinds will be stifled and the ultimate leveler of the playing field will have been forever tilted in favor of the already rich and already powerful. And all of this will have been done simply so the wealthy can make more money.

The solution to this unacceptable outcome, Mr. Speaker, is known as net neutrality; and my colleagues, Mr. MARKEY, Mr. BOUCHER, Ms. ESHOO and Mr. INSLEE have offered an amendment to enshrine that concept in this legislation.

I should say, Mr. Speaker, that while the rule we are debating here today will fortunately allow us to debate the amendment, it does not make in order another fine net neutrality proposal that Chairman SENSENBRENNER and Ranking Member CONYERS developed in the Judiciary Committee.

Net neutrality is being portrayed by some as an attempt at excessive regulation, but the opposite is the truth. But what we are doing here today will have long lasting repercussions, Mr. Speaker. I pray we do it right.

Net neutrality proposals like the one proposed in the MARKEY, BOUCHER, ESHOO, and INSLEE amendment are the only way for us to keep the Internet open for all.

These reforms we are proposing won't prevent telecommunications companies from building their networks and earning tremendous profits. . . . They just won't provide giant companies with a government sanctioned stranglehold on the Internet marketplace.

What they will do instead is ensure that networks will be worth building—that the infinitely diverse universe of information, ideas, and entertainment that currently flows into homes around the world will be protected and perpetuated.

Ultimately, this issue is about the freedom of the marketplace, and understanding the value of competition.

The Republican leadership, who talk so much about benefits of competition and the value of free-markets have abandoned these core principles on this bill, in order to carry water for the biggest and richest telecommunications companies in the world.

And when my friends on the other side of the aisle rejected important amendments to this bill designed to defend ordinary consumers and citizens against some of the largest companies around, they were rigging the game to ensure their own victory.

In the process, I worry that this House leadership is headed toward selling out the needs of tens of millions of Americans yet again.

But they have a chance to change my mind here today, and the minds of millions and millions of Americans who want an Internet not controlled by a handful of mega-corporations.

They have a chance to stand up for the market place of ideas that the Internet has become . . . to embrace true competition instead of trampling it under the foot of big business.

They have a chance to ensure that the Internet will truly belong to all Americans and that anyone who chooses may have a voice online. And that that voice won't be filtered by a few privileged super companies who have greased the skids in Congress.

America deserves better than this, Mr. Speaker.

And I know that quietly many of my Republican colleagues out there today agree with me on this issue.

I just hope they are brave enough to stand with us.

I urge everyone in this House to vote "yes" on the Markey, Boucher, Eshoo, and Inslee amendment.

Without it, this legislation is little more than an unjustifiable attack on a technology with the rarest of potentials—to better the lives of everyone it touches.

Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have fashioned a very fair rule, very fair. Mr. MARKEY's amendment, he has worked long and hard on it, was in order on net neutrality, a very important issue. We look forward to considering it. My distinguished friend, the Chairman of the Judiciary Committee, his problem was that amendment was not germane.

Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida (Mr. STEARNS).

Mr. Speaker, I would say to Ms. SLAUGHTER that as Mr. DIAZ-BALART has mentioned, the bill in question passed 42 to 12 in committee. Only rarely do you see a bill pass with only 20 percent in opposition to the bill. And during this extensive markup, there were plenty of amendments that were offered, many of them were defeated. And a lot of these amendments, particularly the Markey amendment, are going to be offered today. So the main concern that you have is a vote on net neutrality, and we are going to have that today. So I really think what you are complaining about is not of concern to members in general.

The current requirement for new entrants into competitive cable service as has been pointed out are overly burdensome and serve as a barrier to entry. Because of the tireless work of Chairman BARTON and also Mr. UPTON, we have this bill before us, the Communication Opportunity, Promotion, and Enhancement Act, or we call COPE. So the requirement to negotiate local franchise fees as well as obligations of local franchising authorities, what they impose are delaying such entry and blocking the consumer benefits that such entry would provide.

More competition would lead to lower prices, better service and greater innovation, and all of these benefits are positive for our constituents. The COPE Act creates a national framework for the regulation of cable services while striking the proper balance by preserving local government enforcement of local rights of way regulation and national consumer protection rules are in the bill.

The bill also preserves local franchise fees and provides additional financial support for and carriage of educational, public and governmental programming. It is all there. In addition, the COPE Act also includes stricter net neutrality enforcement provisions. These folks against the bill will say there is nothing in the bill for compliance of net neutrality but they are wrong. In the bill it establishes penalties of up to half a million dollars for broadband providers that block lawful content. Mr. Speaker, the FCC would have explicit power to go after companies that violate the network neutrality issues for the first time in this bill.

The FCC now has the ability to enforce their broadband policy statements and the principles included therein. Under this Act, the FCC can act swiftly to punish those who simply violate these principles.

So free and open Internet is crucial to formulating an effective policy. We must not lose site of the fact that if the network providers really do act badly in the future, Congress can and I hope will, step in and legislate through tough rules. But for now the strict, strong enforcement provisions that are in this bill are a tough deterrent to anyone who would act to change the free and open nature of the Internet.

I urge support of the rule. I urge support of the bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the gentlewoman for yielding me time and her leadership on this important issue about openness and freedom on the Internet.

Mr. Speaker, last year, House Democrats met with leaders around the country to create our innovation agenda, a commitment to competitiveness to keep America number one. One young technology leader told us, If you think you have seen it all on the Internet and broadband, you ain't seen nothing yet.

The objective of this legislation, to create more competition in the broadband marketplace, is a laudable one. But a key goal of the telecommunications policy must be that everyone in America, from the most rural areas to the most urban, is never more than a key stroke or a mouse click away from the jobs and opportunity that broadband can create and support. Bridging the digital divide with inclusiveness must be a central value of our broadband efforts, yet today absent from this bill is that spirit of inclusiveness.

Why are we not able to debate amendments that ensure that access is built out to the entire community and not limited by race or religion? Why are we not able to debate amendments to protect our local governments and enforce our local laws?

In fact, on the previous vote on consideration of the resolution that Ms. BALDWIN put forward on unfunded mandates, it was reported by the CBO that this bill could cost local governments about $350 million in unfunded mandates.

It is interesting to me that the Republicans who have had not having unfunded mandates as a principle of their Contract with America, 100 percent of the Republicans voted for an unfunded mandate for localities in our country to the tune of hundreds of millions of dollars. Not one Republican supported the principle of no unfunded mandates. What are the Republicans afraid of?

Because the debate has been limited and Americans' voices silenced by this restrictive rule, I urge my colleagues to vote against the rule.

One issue that we do have a chance to vote on today is the Markey amendment on net neutrality. Mr. MARKEY has offered an amendment that will continue the innovative tradition of the Internet by enacting net neutrality protections that ensure all consumers are able to access any content they wish with the same broadband speed and performance. The imposition of additional fees for Internet content providers would unduly burden Web-based small businesses and start-ups. They would hamper communications by noncommercial users, those using religious speech, promoting civic involvement and exercising first amendment freedoms.

That is why organizations across the political spectrum support net neutrality, from the Gun Owners of America to Common Cause, from the Christian Coalition to the Service Employees International Union. America's most innovative companies like Google and eBay and YouTube and Yahoo also favor the Markey amendment.

Without Net neutrality, the current experience that the Internet users enjoy today is in jeopardy. Without the Markey amendment, telecommunications and cable companies will be able to create toll lanes on the information superhighways. This strikes at the heart of the freedom and quality of the Internet.

Today we can vote to retain the openness and innovation of the Internet. I urge my colleagues to vote in favor of the future, in favor of the Markey amendment, and against the restrictiveness of this rule.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3½ minutes to the distinguished gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, I rise today to support this rule and to support the bill, H.R. 5252, the COPE Act as we have called it. And I want to take a moment and thank Chairman BARTON and Chairman UPTON for their excellent work on this bill. I also want to thank Congressman WYNN who has worked with me on video choice and franchising and on these issues. It has been a bipartisan bill and it has been a 1-year debate, and I thank him for his leadership and his participation on this issue.

□ 1230

I think it is important to note that this bill came out of committee on a strong bipartisan vote, 42–12, and there is a reason that that happened. The reason for that is our constituents know that when we pass this bill that they are going to see greater access to broadband. They are going to have that coming into their communities, and they are going to have greater access. This is good for them, it is good for their communities, and it is good for economic development in those areas.

Our constituents believe that they have the right, that they should have the opportunity, that they should have the access to something more than one single cable provider, one set of rabbit ears or a satellite; and I agree with them. Government regulation has created the artificial marketplace that exists today, and it is a market that does mean higher prices for our consumers.

There is another point that has been mentioned a couple of times. Some of these so-called D.C.-based groups that lobby for our cities I think have had a little bit of a problem understanding the bill or reading the bill. So I would like to clarify a couple of things there.

New entrants into the video service market would be responsible for the same franchise fees that the incumbent operators pay, and our cities would be receiving those same fees from the new entrants, as well as those incumbent companies. Many times, if you have got an incumbent company, you add one to it that gives you two companies. So you know there is some opportunity there.

New entrants would also provide the same government and education channels. We call those PEG channels. They are going to be included. Cities also maintain control over their rights-of-way.

Now, we know that competition works. We have seen it work in Keller, Texas, and Herndon, Virginia, and in other areas where we have brought in new entrants into the video service market. We know that speeds up broadband. We are 16th worldwide in broadband deployment. So let us speed that up.

Another thing on net neutrality. That is a nice fuzzy sounding name, but if we were to see the amendment being offered today, we would have a net not so neutral and have a Secretary of Internet Access that would be overseeing how we approach that issue. So I would encourage a "no" vote on that amendment.

Mr. Speaker, I thank you for the time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from Michigan (Mr. DINGELL), the ranking member on the committee.

Mr. DINGELL. Mr. Speaker, I thank the distinguished gentlewoman from New York. This is a bad rule. It gags the House. It does not give enough time. It denies opportunity for Members to offer worthwhile and important amendments. It is going to lead to enactment of bad legislation. I would be ashamed to support or present a rule of this character.

This body is supposed to debate matters. We are supposed to be able to offer amendments. We are supposed to be able to represent our constituents, and we are supposed to be able to see to it that the public interest is broadly served by the legislation we pass after fair consideration. None of that is present, and I say to this body on this rule, shame. Reject the rule.

I support consumers having choices for video and broadband. This bill will do more harm than good, and our constituents and communities deserve to know the truth about it, but they also deserve to have a fair bill.

Democrats on the committee offered real solutions to prevent harm to consumers. We came close to a deal. At one point, we had a handshake deal which would have served everybody, but the telephone companies got on the leadership here, and you know what has happened. We are not able to even consider an amendment which will take care of the cities.

This is going to affront the cities. It is going to leave many consumers of these kinds of services with less service, worse service, higher cost and inability to participate fully in the business of moving information and information technology at all.

First, the bill would leave consumers paying higher cable prices for worse service. Some may even lose their only provider of cable service altogether. This is a bill which is supported not by consumers, but by the special interests and by those who will be the beneficiaries of a national system of charter.

Second, the legislation does nothing to stop cable operators and incoming cable operators from offering inferior service to groups of people based on race, color, religion, national origin, or sex. Representatives SOLIS, BALDWIN, WAXMAN, WATSON and WU sought to prevent this by offering a strong anti-discrimination amendment. This amendment has been blocked. Why?

The bill removes the authority of the cities and townships to manage their own property, and it is going to clog the FCC with business which they will simply disregard because it will be inconvenient. Cities will be hurt, our constituents will be hurt, and the constituents of the cities will be hurt. Representative DOYLE and I offered amendments to keep the locals in charge, with courts hearing appeals rather than a Federal bureaucracy. Unfortunately, the Republican majority has again blocked that amendment.

These three issues deserved open debate, they are important, as did others offered by Democratic colleagues, or amendments that might wish to be offered by Members on the floor. This is a complex, technically difficult piece of legislation. It is one in which the future of this country is going to be very much affected, and it is a piece of legislation which is going to relate to how people are treated fairly.

None of that is permitted by the rule. The legislation is a bad bill. We could have made it a good bill had my Republican colleagues been cooperative and had the special interests not gotten on them.

If you look at this legislation and how it is going to work, you will find that this legislation is going to benefit the special interests, particularly the cable and the telephone industry. You will find that it will do nothing for the ordinary citizens. It is a shameful bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

We are very proud of this bill. We were very proud of the rule that brings it forth. Three times as many Democrat or bipartisan amendments have been made in order by the rule that we bring this legislation to the floor with than Republican amendments, three times.

In addition, the cities were heard repeatedly. I have a list here, Mr. Speaker, of concern after concern after concern of the cities that were dealt with by the legislation, are dealt with by the legislation. It is good legislation for the consumers.

Finally, there is going to be competition in this country for cable television, something the consumers have been demanding for many, many years.

Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. GUTKNECHT), my distinguished friend and colleague.

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman for yielding, and I want to just comment on a couple of things.

First of all, I rise in support of this rule. Now, there are people on both sides who may say that this rule is not perfect and the bill is not perfect, and they probably would be correct; but I think considering what we can get done this year, this is a very good rule, and this is a very good bill.

I want to call particular attention to an amendment that was made in order that will be offered by me, Mr. STUPAK, Mr. PETERSON, and a group from the Congressional Rural Caucus. It deals with the issue that many Members of Congress, and I suspect many of our constituents, do not completely understand. It is a new technology called voice over Internet protocol. Why is that important? Well, it is a technology that is growing by leaps and bounds, and it has to ride on the telecommunications system, the interstate highway, if you will; and the interstate system is only as good as its weakest link. Everyone wants to serve the suburbs and most companies want to serve the cities, but when you get out into the distant parts of rural America, it becomes more and more difficult to serve those areas.

One of the ways that we have tried to level that playing field is with what is called a universal service fund, and the base bill says nothing about the universal service fund and the obligation that providers of voice over Internet protocol have to participate in the universal service fund.

So the amendment that we are going to be offering, and I hope Members will consider supporting the amendment, will simply say that nothing in this act shall be construed to exempt the VoIP service provider from requirements imposed by the Federal Communications Commission or a State commission on all VoIP service providers, among others, to participate in the universal service fund.

This is a very important amendment. In many respects, it is innocuous but it is important, especially in rural America; but if you think about it, it is important for everyone because the chain is only as strong as its weakest link.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I thank the gentlewoman.

In a post-GATT, post-NAFTA global world, global economy, you need an ongoing plan as to who is going to gain access to telecommunications technology, Information Age technology.

Well, the Republicans have constructed a defeatist policy. Knowing that 50 percent of the children in America will be minorities by the year 2020 in our country, they have refused Congresswoman SOLIS, Congresswoman WATSON, representing the Hispanic and the Black Caucus, to come out here to make an amendment that would require the telephone companies to build out on the poor side of town, because we know they are going to the wealthy side of town, and they want this decision to be made at the Federal Government level.

Every mayor in the past has made this decision because they negotiate the contract with the cable company, but the Republicans say we are not even going to have a debate on that issue on the House floor.

On net neutrality, 20 minutes, 10 minutes for either side. Net neutrality, an issue which is going to fundamentally change the nature of the Internet forever. On the naming of post offices, the Republicans give 40 minutes of debate. On changing the Internet for the rest of eternity, 20 minutes, evenly divided.

It is so disrespectful of the importance of these issues that it almost defies description, but it is a reflection of the telephone company agenda, and the Republicans have decided to take that agenda 100 percent.

Now, what did the telephone companies have to do with inventing the Internet? Nothing. The browser? Nothing. The World Wide Web? Nothing. What have they had to do with the Internet from the beginning of time? Nothing.

But what the Republican Party has done is side in this bill, in a gag rule that does not allow us to debate the important issues, with the telephone company against every entrepreneurial company in America, the future Sergey Brins, the future Marc Andreessen of Netscape and Google. They are going to have to pay a broadband tax to the telephone company to gain access. It will be their highway. That is what they say.

Well, that runs fundamentally contrary to the agenda which we need to have for the future of America as the entrepreneurial telecommunications Information Age giant in a modern world. This is our strength, and it also completely ignores the role that these 50 percent of minority children are going to have in terms of access to it.

No requirement to build out into the poor parts of town. Now, what kind of plan is that for America? It is a defeatist attitude, and the Republicans have just basically put in this bill the tech agenda for America in a rearview mirror. It is a sad commentary.

Now, Congresswoman SOLIS wants to have an amendment out here so we would debate red-lining to make sure the telephone companies just do not go to the good parts of town. They are going to my part of town. They are going to anybody's part of town that has money in their pocket over $100,000 a year. Sure, that is great. Members of Congress, they are going to be fine. But what about the people in the neighborhoods that people drive around? Are they going to get access to it? Not under their bill, and by the way, not a debate to be had on the House floor.

It is so disrespectful. It is so defeatist. It is so lacking in vision as to what our country needs for entrepreneurs and for minority children, and I beg the Members to vote "no" on this rule, to open it up. Forty minutes on the naming of a post office, 20 minutes on the future of the Internet. Vote "no" on this Republican rule.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

That, Mr. Speaker, after having made his amendment in order. Mr. Speaker, there were a number of misstatements that were just made; and first of all, I want to reiterate that this is an extremely fair rule that we have brought forth the underlying legislation with. There are three times as many Democrat or bipartisan amendments has Republican amendments, including the amendment of the gentleman that just spoke.

□ 1245

What I am going to do now is yield 4 minutes to one of the prime authors of this legislation to hopefully clarify a number of the misstatements, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Speaker, I rise not only as a Member, but also as the Chairman of the Telecommunications and Internet Subcommittee, and I first want to thank Chairman DREIER and Mr. DIAZ-BALART for their work in crafting what I think is a fair rule in the debate we have today and perhaps tomorrow.

From the start, this has been, I think, a very fair and open process. And I must note that the Barton-Rush-Upton-Pickering bill, H.R. 5252, has been fair and open from the very start. In fact, I would note that when you look at the number of cosponsors, and this bill was filed after we completed the markup in full committee, H.R. 5252, and after we completed the markup, not beforehand but after, 15 Democrats from the Energy and Commerce

Committee cosponsored the legislation. That perhaps is one of the reasons why it passed in subcommittee 27-4, overwhelming; and 42-12 before the full committee.

The process has been open. We have had lots of hearings, lots of discussions. We have had lots of viewpoints, lots of panels. We have heard from just about anyone with any interest at all in this legislation as it has moved through this process. We looked at a number of staff drafts, many of them with Member input. Some Members might want to decline to have Members' input, but in any case we had lots of debate and lots of issues that we looked at, starts and stops, and at the end of the day I think that the process, most Members would say, was very fair.

What was the intent of what we were trying to do? It is called deregulatory parity; that is that we are going to treat all of the providers of these services equally, whether they be a cable provider, whether it be telephone or voice provider, or whether they have broadband or high speed Internet access. All of those can provide these services. All of us consumers want those services in our homes and in our businesses, and yet under existing law it is not parity. It really is weighted towards one side and against the others. So the bottom line was we wanted it to be fair, and I think we achieved that result with this legislation.

What does it mean for the consumers? Well, for the consumers that have these services, it is probably going to mean about a $30 to $40 reduction per month. That comes out to about $400 per year that they will save with the enactment of this legislation.

Now, I hear a lot about the cities. We wanted to protect the cities. Let me tell you that the rights-of-way are protected. They are going to be able to govern whether the streets are torn up or where the wires are going to be strung. All of that the cities retain those rights. Look at the language in the bill. It is there.

The revenue stream, very important as well to the cities. Remember, that is us consumers that pay. Some would call it a hidden tax, but it is there. The revenue stream is protected. In fact, there are some studies that came out, we debated this a little earlier, perhaps a 30 percent increase to the cities revenues because you have got more providers coming into town and you are going to have more people that perhaps just have over-the-air and don't pay into that at all who are going to want these new services and it is going to be very beneficial. And we have the same standard, the same standard for accumulating those revenues that there is today.

So the bottom line is this: This was a bipartisan bill. We worked hard to see it that way, and the proof is in the pudding. That is why a 27-4 vote in subcommittee, overwhelming, and then a 42-12 vote in the full committee brings this bill to the House floor.

Now, earlier this morning, I had a chance to talk to Chairman STEVENS on the other side of the Capitol. They are looking forward to moving legislation. I hope it is fairly close to ours. A markup yet this month and on the floor as early as next month, so that we can get a bill to conference, work together, and get this bill to the President.

I am proud to say that the Barton-Rush-Upton-Pickering bill is gaining a lot of steam, a lot of momentum. This rule vote is very important. I would urge all my colleagues to support the rule, a fair rule. Let us get it done to get the consumers some money in their pockets.

Ms. SLAUGHTER. We appreciate your getting to us, Mr. Speaker, and I yield 2½ minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. I thank the distinguished ranking member of the Rules Committee.

My colleagues, this debate today and this rule on the bill is a debate about the past or a pathway to the future. This bill, I can't believe it, that in the 21st century we are going to divide up the country on access to the haves and the have-nots.

All we have to do is to look at the history of cable, of the cable industry in our country. They invested billions and billions of dollars to build out everywhere, and the American people won, as did the cable industry. And I applaud that. So what does this bill do? It says, under the new rules, you build out, but you don't have to build out everywhere. You don't have to build out everywhere. We know what will happen as a result of that.

And you know what is in the bill? If you live in a neighborhood where you are not going to have access to this, guess what you can do, Mr. and Mrs. America? You, on your own, can go to the FCC. Is that a joke or what? Although, it is more than a joke, it is an insult, and it is not the way to go.

Ever since I have come to the Congress, I have worked to expand and protect the Internet. So where are we going with this bill? The big telcos are coming in and saying, we have a better idea. On the information superhighway, we are going to have a toll road and we are going to charge and charge mightily on that.

Well, you know what, Members of Congress? We all have cable in our districts. We all have telephone companies in our districts. But you know what, there are tens of millions of Internet users. So what this bill represents, unfortunately, is the reverse gear.

That is not what America is about. America is the best idea that was ever born, and the Internet has been the imprimatur for hands off, for democratizing information; that everyone gets to use it, small businesses, entrepreneurs, individuals, families, teachers, schools, whomever you are, wherever you are, whatever color you are, and regardless of how much money you have. This bill will damage that.

I urge my colleagues to defeat this rule. This bill should not see daylight. We can do better than this.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, there are strong antidiscrimination provisions in this legislation. And a prime author of this legislation, who has worked very diligently, precisely on this issue, as well as others, and the gentleman who I had the privilege of coming to Congress with, a classmate, Mr. RUSH of Illinois. I yield him 4 minutes.

Mr. RUSH. I want to thank the gentleman for yielding. Mr. Speaker, I am in kind of a difficult situation here. I am a minority, I am a Democrat, I was raised in the civil rights movement, I live next door to a public housing residence in the City of Chicago, and I am a supporter of this rule.

Why am I a supporter of this rule? I am a supporter of this rule because my constituents want to get much-needed relief from the escalating and high cost of cable television. I am amused and I am bemused by the comments of some of my colleagues from the party that I am a member of because they are talking about build out. They are talking about video services in my community, the community that I represent, that I haven't left, that I have been a part of.

Well, let me tell you about that community. That community has the highest viewership of cable television than any other demographic group in America. We pay more for video services, for high premium packages than any other group in America. And why is that? Because only on cable do we see people who look like us, speak like us, and who understand us. That is why we pay more for cable.

Let me just tell you, Mr. Speaker, we don't need build out, we need build up in my community; build up by allowing minority entrepreneurs to get access to the telecommunication industry. And that is what this bill would do, and that is what this rule will provide for. We need build up and not build out. This legislation represents a huge step in lowering prices and creating more choices for cable services, not only to my hard-pressed constituents, but to the entire Nation.

Mr. Speaker, this is a good bill. This is a good rule. Of course, there were amendments in the committee that were voted down. I voted against a lot of them, because the intention of those amendments was to gut the bill. And I cannot go back to my community, because I came here to represent my community. I came here to represent my community, no philosophy, no party, my community, and that is what I am going to do. I am going to represent my community, and my community wants this bill. They want lower cable prices, they want more access, and they want more diversity and content on the video platform. That is what this bill does.

I urge my colleagues, those who can think for the little people in America, not the elite, but for the little people in America, I urge you to vote for this rule.

Mr. Speaker, I rise in support of the rule for H.R. 5252, the Communications, Opportunity, Promotion, and Enhancement Act of 2006, a bill that I jointly and proudly sponsored with my Colleague Congressman BARTON. This legislation represents a huge step in bringing lower prices and more choices for cable services, not only to my hard pressed constituents, but to the entire Nation. Specifically, this bill would provide equitable competition amongst a variety of video service providers. Video service providers can compete in price, quality and quantity, and consumers can finally decide which service provider they prefer. Specifically, this bill would create a nationwide approval process for pay-TV services. By streamlining the archaic franchise system, companies will be able to offer new TV services in many areas while protecting local interests. It would prohibit discrimination on the basis of income and give the FCC the power to impose stiff fines up to 500,000 a day or revoke a provider's franchise area if there is willful or repeated violation of discrimination. The bill also preserves net neutrality by allowing the FCC explicit power to go after companies that violate network neutrality principles and lastly and more importantly H.R. 5252 creates new jobs when video entrants make new investments in advance network.

Mr. Speaker, I believe this is a fair rule it allows for meaningful amendments by my Democratic colleagues. I respectfully urge my colleagues to support this rule and the underlying legislation.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Mr. Speaker, I thank the gentlewoman for allowing me this time.

Mr. Speaker, I rise in strong opposition to the rule. While H.R. 5252, the COPE Act, which I think is a cop-out act, contains a provision that purports to prevent red lining, it is weak and it will prove to be ineffective. It does not fully ensure that all communities, communities of color, regardless of race, income, or national origin will have the benefits of enhanced cable competition.

Last night, in Rules Committee, I offered two amendments, with several of my colleagues, including Ranking Member DINGELL and Congressman MARKEY, which would have strengthened the weak antidiscrimination provisions in this bill. These amendments would establish incremental market-based service requirements for cable providers so that they build out their cable services to their entire franchise area, not skipping over poor communities like mine in east Los Angeles and in the San Gabriel Valley.

We are tired of what goes on, the red lining. The proposed build out that they talk about that is going to be provided in this bill is false. It is not there. In fact, the Bells did not want to see any language put in to that effect.

So I have to be very straight on this. In my community, yes, we want diversity, yes, we want to see more minority ownership, yes, we want to see more faces portrayed like mine in different aspects of the whole industry, but it is not going to happen overnight, and it is not going to happen with this bill.

In fact, the amendments we provided were strongly supported by over 30 consumer and civil rights advocacy organizations, including the Leadership Conference on Civil Rights, the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, and the Consumers Union. Despite this strong support, neither of these amendments were accepted by the Rules Committee that I proposed.

The Rules Committee also didn't accept the Doyle-Dingell cities amendment to protect and preserve the ability of our communities to oversee the enforcements of cable franchises. We are going to lose money, folks.

The rule reported by the committee fails to address the serious concerns raised by so many. I urge my colleagues to oppose the rule.

□ 1300

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, the Rules Committee made in order three times as many Democrat or bipartisan amendments as Republican amendments. This is an extremely fair rule.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. GILLMOR).

Mr. GILLMOR. Mr. Speaker, I thank the gentleman for yielding me this time, and I commend Chairman BARTON and Chairman Upton for the hard work they did on this bill.

This bill is pro-consumer and -business legislation. It represents a giant leap forward in our efforts to reform the Nation's telecommunications laws. Bringing our laws up to date with current technologies will remove many of the current bureaucratic barriers that prevent consumers from having access to the latest television and broadband technologies.

Furthermore, this bill will have a significant impact on rural areas such as mine by making more services available. This legislation represents months of hard work, and for consumers it means two things: it means more choices and lower prices, pure and simple.

Capitalizing on this opportunity now will ensure that Americans enter the Digital Age as soon as possible.

Much has been said about net neutrality, and there is a Markey amendment in order which is called "net neutrality." That is a catchy phrase, but it is not descriptive. What it is is government regulation of the Internet. Now you can call a pig a chicken, but it doesn't make it a chicken. It is still a pig. You can call an amendment "net neutrality" when it is government regulation, and it is still government regulation. That is an amendment that is a solution in search of a problem. I would urge Members to vote against that amendment, to vote for this rule, and vote for the bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, I rise in strong opposition to the rule for H.R. 5252, the COPE Act. "COPE" is the perfect name for this act because we will be coping for the results of this act for decades to come.

My constituents have been coping with high cable prices for years now, and because this rule omits several key amendments, many may be forced to cope with these high bills, inferior service, or lack of access for a long time.

My colleagues and I offered amendments we think will truly strengthen the bill. We offered an amendment that would prevent telecom companies from picking and choosing the parts of communities they wish to service. It would have required gradual market-based build-out to all areas so all constituents will eventually be served in exchange for access to public rights-of-way. Unfortunately, because this amendment was blocked, oversight would be left to Washington, D.C.

The FCC's oversight of local rights-of-way does in no way serve our cities, nor our constituents. They deserve a local court of appeal that knows the community and therefore can make sound judgments that benefit all of our constituents.

Our other amendment strengthens the antidiscrimination language necessary to ensure that people of all races, colors, religions, national origins, or sex have a court of law to turn to in the event they receive inferior access or no access to important telecom services.

This necessary safeguard protects all people, particularly those who have historically been denied access to services others take for granted. Because this amendment was blocked, telecom companies can redline entire neighborhoods, leaving minorities and others behind.

I urge my colleagues to vote against this rule. It does not offer an alternative to a weak telecommunications bill that only protects fair services for a few and not all.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, we are very proud of the rule and we are very proud of the underlying legislation, and I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 3½ minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, I thank the gentlewoman from New York, my friend and colleague, for giving me this time to discuss this rule and the bill that it controls.

I hope that the majority of the people in this House will vote against this rule. This House of Representatives is supposed to provide the American people with a free, open and fair discussion of the most critical issues that affect them and this democratic Republic.

This rule does just the opposite. This rule closes down the debate on one of the most important issues before the American public and before this Congress, and that is the free and open, fair dissemination and discussion of information.

What this legislation does is it curtails the free, open and fair discussion of information, even more so than we have currently, and the situation that we have currently is bad enough. A large part of that badness comes out of the 1996 Telecommunications Act, which the Republican Party pushed through this House of Representatives back then.

Remarkably, there were 16 of us who voted against that bill. A lot more wish they had voted against it today, and those people who vote for this rule and vote for this bill, at some point in the future they will regret having done so because what this rule does is close down debate on a bill which closes down discussion of important issues before the American public.

Let me just give you a quote from the Supreme Court. Almost 60 years ago the Supreme Court declared: "The widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public. A free press is a condition of a free society."

What do we have today? Today we have five companies that own the broadcast networks. They own 90 percent of the top 50 cable networks. They produce three-quarters of all prime-time programming, and they control 70 percent of the prime-time television market.

These same companies that own the Nation's most popular newspapers and networks also own 85 percent of the top 20 Internet news sites, and you are going to close down the Internet even more with this legislation.

One-third of America's independent TV stations have vanished. There has been a 34 percent decline in the number of radio station owners since the 1996 Telecommunications Act passed.

I want to say this to my dear friend from Chicago for whom I have the greatest affection and affiliation: there has also been a severe decline in the number of minority-owned broadcast stations since the end of the 1990s. Minorities now own little more than 1.5 percent of U.S. television stations, and they own 4 percent of the Nation's AM and FM radio stations.

This bill now closes down the process even more. It closes down the last free, open element of communication not controlled by big corporations in America. It closes down the Internet. It is going to make the Internet less available to Americans. It is going to make communication through the Internet less available to Americans. And it is going to further stifle debate on the most important issues confronting our country just in the same way that this Republican rule stifles debate on this very important piece of legislation.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we are again very proud of the rule that we have brought this legislation forth under. A colleague on my side of the aisle asked me why is it you are making three times as many Democrat or bipartisan amendments in order as Republican amendments, and my rely was we want to be as fair as possible. That is what we are doing today.

We are very proud of the process and the rule. We are very proud of the underlying legislation. It is extremely pro-consumer and is going to bring relief to consumers, to our constituents throughout the country.

It is finally going to bring competition to the cable television process in this country. So it is very important legislation. It has been made possible by hard work and study and perseverance by numerous Members.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield the balance of my time to the gentleman from Pennsylvania (Mr. DOYLE).

Mr. DOYLE. Mr. Speaker, I rise today in strong opposition to today's rule for the COPE Act which blocked many important amendments, including an amendment that was of great concern to the people all of us represent in this body. Each of us comes from cities or towns, many of us were elected to this body from county councils. Some of us were mayors. I have gotten a lot of calls from the cities I represent, and I know my friends on both sides of the aisle have too, but the leadership stands in the way of debating the amendment that answers their calls.

This rule hangs up on cities and towns. This rule should be voted down. With the Doyle-Dingell cities amendment ruled out of order, leadership has told our cities, told our towns, told our mayors, told our councilmen that leadership does not care about their concerns. Even though TV revenues are a large part of municipal budgets, even though their citizens rely on public, educational, and government channels for information, even though local governments have a lot to say, the leadership has told local governments they are shut out of this debate. This rule should be voted down.

There has been little debate about the COPE Act and what it does to rights-of-way. Proponents say it protects city streets. In reality, it only goes halfway. It allows cities to manage their rights-of-way which include streets, sidewalks and other public property; but that is exactly what America's cities and towns do today. But the COPE Act sends any dispute about those rights-of-way to the FCC. That is such a fundamental change. The COPE Act is so far from how it works today, and our body needs to debate it. This rule should be voted down.

If a city like Pittsburgh has an ordinance that prohibits blocking rush-hour traffic on a major road, who is best to determine whether that ordinance is legal under the COPE Act? Is it somebody from the Pittsburgh area, or is it a bureaucrat in Washington at the FCC?

Mr. Speaker, the COPE Act sends these disputes to the FCC. Why? We will never know. The leadership is afraid of a debate. They are afraid the voices of cities and towns might actually win this amendment. Our body should debate this change of policy. This rule should be voted down.

Today, local governments also enforce the franchise agreements they have signed with cable operators. These franchises include a wide range of other matters. But guess what, the COPE Act takes all other local disputes that used to be resolved locally and it detours them to the FCC. This rule should be voted down.

The Doyle-Dingell cities amendment would have saved taxpayers money by allowing local governments to handle these local problems first. It tapped into the infrastructure local governments already have in place to handle these complaints. This rule should be voted down.

I want to thank my friends on the other side of the aisle who expressed interest in the Doyle-Dingell amendment. I am sad that their interest in solving problems in a bipartisan manner might have killed its chances from being considered.

Mr. Speaker, the Doyle-Dingell amendment was supported by the National League of Cities, the U.S. Conference of Mayors, the National Association of Counties, and others. Without our amendment, the COPE Act will create real problems for America's cities. Why should Congress detour disputes about how a city manages its roads away from the local area?

Since when does the FCC care about the Pittsburgh public access channel? How fast will the FCC respond to Pittsburgh's institutional network, the I-Net that a city relies on.

□ 1315

Why should the FCC be the final arbiter over America's streets?

Why is Congress telling America's local governments that they have to hire a Washington attorney to defend their roads?

We will never know. We are not allowed to debate this bill. This rule should be voted down.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I think we have heard a good debate. I think the key, first with regard to the process, the rule. Obviously every piece of legislation is brought forth for consideration by rule that sets the terms of the debate, how many amendments can be made in order, how long they be can be debated, et cetera.

As I said before, a colleague of mine on my side of the aisle said, why have we made under this rule three times as many Democrat or bipartisan amendments than Republican amendments? I said, because we want to be fair. It is an important issue; want to make sure that everybody gets a chance, that the key issues, the key issues have a chance to move forward in a fair way. So we are being exceptionally fair. It is an exceptionally important issue.

There is finally going to be competition for cable television in this country. I don't know about you, Mr. Speaker, but I have constituents through the years complain about their lack of choice with regard to cable, the fact that rates continue to rise. There is no competition. There is no alternatives for consumers with regard to cable television.

Finally, there is going to be, because of this legislation. So it is an important piece of legislation. That is why we wanted to be as fair as possible with regard to the terms of debate. That is why we made three times as many amendments, Democrat or bipartisan amendments in order than Republican amendments.

We have still heard complaints. Obviously it is a free country. But Mr. Speaker, we are proud of the rule, proud of the process, of the hard work that has been put into this legislation, starting with Chairman BARTON, Mr. RUSH of Illinois, Mr. UPTON, so many others, Mr. PICKERING, who have worked so hard on this piece of legislation, and we bring it forth in a very fair process with a very fair rule.

Mr. BUYER. Mr. Speaker, as the telecommunications industry takes leaps and bounds in pushing the innovation envelope, it is almost impossible for the Federal Government to keep pace. In fact, it is often times a detriment for the Government to preemptively legislate on an issue before we can either define it or grasp its impact. What we can do is to remove barriers to entry that currently exist, paving the way for new entrants to offer services benefiting this Nation.

The legislation before us here today is a step in the direction of more choice and lower costs for American consumers. A national cable franchise will streamline the current process and allow faster entry into the marketplace for non-traditional cable providers providing real choice for all of our constituents.

In my home State of Indiana, legislation was enacted earlier this year, streamlining the process by which cable providers could offer service. Already, investment is coming to the heartland—millions of dollars is being plugged into our economy by companies laying fiber, offering different services, leading to more jobs in Indiana. Let's also talk about the smaller companies in my district, and across Indiana, who now are free from barriers to entry so they can begin to offer cable services to compete with larger companies.

Who is the winner in the end? Our constituents, our economy, our innovators. I thank Chairman BARTON and Chairman UPTON for their leadership on this issue.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5522, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 851 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5522.

□ 1322

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes, with Mr. THORNBERRY in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Arizona (Mr. KOLBE) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. KOLBE. Mr. Chairman, I am pleased today to present to the House of Representatives H.R. 5522, the fiscal year 2007 appropriation bills for foreign operations, export financing and related programs. And I might say, Mr. Chairman, that I am pleased to have you back in the Chair for I am not sure how many of the consecutive years since I have been doing this bill that you have been there, but it feels very good to have you back with us.

Before I turn to the bill, let me just mention that this is the last appropriations bill that I will be bringing to the floor, at least the last regular foreign operations appropriations bill.

As with nearly every other foreign operations bill over the last 6 years, this bill is a product of bipartisan cooperation, something I could not have done without the support and cooperation of my esteemed ranking member, Mrs. LOWEY, or my vice chairman, Mr. SHERWOOD and every member of the subcommittee.

I am proud of this bill. I can honestly say it has probably been one of the more difficult ones that we have put together. The bill before you totals $21.3 billion. While this level is $597 million above the amount provided in fiscal year 2006, not counting supplementals, it is fully $2.4 billion below the amount requested by the President. In other words, by reducing the allocation by $2.4 billion, we have freed up that amount for pressing domestic needs.

The bill includes increases for three priorities, the war on terror, the Millennium Challenge Corporation, and international health spending, priorities which lie at the core of the United States interests abroad. For the war on terror, this bill includes $962.3 million for Afghanistan. This amount is $137 million below the President's request, but $85 million over fiscal year 2006.

As with last year's bill, this bill continues a provision that withholds $385 million until the Afghan government, both at national and local levels, fully cooperates with our efforts against narcotics production and trafficking. I want to be clear that I appreciate the support of the government of Afghanistan in the war on terror. However, that government must take difficult but necessary measures to fight narcotics production and trafficking, measures that it has so far been unwilling or unable to take.

The bill also includes $521.9 million for Iraq. While below the President's request, it represents a very large increase of $461 million over what we provided in fiscal year 2006. That is because last year we required the administration to fund Iraq programs from unexpended relief and reconstruction funds that were in the very original supplemental appropriation. Now, however, these funds are nearly all expended.

This bill would normalize Iraq and Afghanistan assistance programs, moving them away from emergency supplementals that exceed budget limits.

The bill contains no funding in the economic support fund for West Bank and Gaza programs. Although the President's requested $150 million for this purpose, the request was made before Hamas was elected to lead the Palestinian Authority. The subcommittee believes that humanitarian assistance must continue to the Palestinian people, a view, I might add, that is shared by the Israeli government and by the administration.

Such funding is not affected by this bill. It does contain humanitarian pro democracy funding with restrictions and safeguards that have been included in the past.

For international health, the bill contains the President's requested amount of $3.4 billion for the emergency plan for AIDS relief, and increase of $751.6 million. Within this sum, we more than double the President's request for a contribution to the global fund to fight AIDS, tuberculosis and malaria, to attain last year's level of $444.5 million.

At the same time, I am pleased that the bill maintains last year's funding levels for other health programs, including an increase for malaria programs of $243 million. For several years now the President's budget request has included deep cuts to international health programs. We have worked hard to restore them to at least the level of the previous year.

In order to bring these accounts back up, we have had to cut some other programs that are also priority programs. We provide $2 billion for the Millennium Challenge Corporation, but that is $1 billion below the request of the President. It is $248 million above the amount that we provided in 2006.

This is a difficult decision for me, but I saw no way to move forward with a bill that gave the full amount that the President asked for the Millennium Challenge Corporation. My goal was very simple, I wanted to send a clear message that Congress supports the MCCs innovative, accountable approach to help countries move away from reliance on donor funding. I think a $248 million increase does send that very clear message, while it frees up funds above that level that enables us to bring before you today a bipartisan bill.

The bill contains two important innovations. First, it includes a Trade Capacity Enhancement Fund which consolidates trade capacity funding from a variety of accounts. This new account includes $522 million, virtually all of what is spent for trade capacity by agencies and accounts that are under the jurisdiction of this subcommittee. And it is about half of the $1.3 billion that is spent on a government-wide basis.

Since we will now require a coherent strategy for the use of these funds, it is my hope and my belief that this new account will provide a strong incentive for countries to liberalize their trade regimes.

This bill would also restructure assistance to Colombia, formerly provided only through the Andean Counterdrug Initiative, or ACI. I want to be very clear about one point. This bill does not cut funding from the President's request for Colombia.

□ 1330

It simply reallocates the funds requested and appropriated to regular assistance accounts. It begins to treat Colombia as we treat other strategic partners.

I think it should be clear to all of us by this time that Colombia has made significant progress in the war on drugs. They are now bringing guerilla forces in from the jungle, they are prosecuting those who are implicated in serious crimes, and they are reintegrating others back into society. Coca interdiction, although not eradication, but interdiction, continues to improve. I spoke with Speaker HASTERT, who years ago fathered the legislation creating the ACI, about this reformulation of assistance. It has his support. The Colombian government also supports this move. It is time to recognize both successes of Colombia and its strategic importance to the region.

Finally, this bill includes the President's full request for Israel and for Egypt, our two partners of longstanding in the Middle East. Report language from previous years is continued directing $50 million of Egypt Economic Support Fund assistance to be used for democracy and another $50 million for education. Other language, again the same as last year, would withhold expenditures until Egypt implements financial sector reforms. Importantly, this bill would also rescind $200 million from unexpended balances made available for Egypt in previous years.

In closing, let me say, again, it has been a great pleasure to work with my distinguished colleague, ranking member on the minority side, Mrs. LOWEY, who I have the greatest respect and affection for. It has been a pleasure to work with her and with her staff, with Beth Tritter and Nisha Desai. And I don't want to neglect mentioning the fine work of the majority staff, Betsy Phillips, Rob Blair, Craig Higgins, Delia Scott, and Lori Maes, and also Todd Calongne, a USAID fellow working on my personal staff. They are all competent, professional, and a joy to work with. The work that we have accomplished together, and I want to underscore the word "together," has helped make America more secure. It has improved the lives of millions throughout the world.

We have accomplished much over these last 6 years. My colleagues have often heard me say that foreign assistance is a vital component of United States economic and security interests, to say nothing of the humanitarian imperative. And while two significant initiatives were begun under my watch, the Emergency Plan For Aids Relief and the Millennium Challenge Corporation, the changes we have implemented in 6 years of appropriations run even deeper. We have worked to direct our nonsecurity foreign assistance around three primary issues, which I believe are at the heart of global development: Health, trade, and governance. This bill continues that direction.

In 2001, international HIV/AIDS and tuberculosis spending from these accounts was $535 million. Today, just 5 years later, we are at $3.4 billion. With these steady increases, we have provided life-saving medicines to hundreds of thousands of people in the developing world, people who are still alive to take care of their children and be productive members of their economies, thanks to the antiretroviral drugs that we are now providing to them and other important therapies. As importantly, these are people who now live with hope, and I believe that people with hope are less likely to be attracted to crime and violence.

The New Trade Capacity Enhancement fund will place trade where it belongs, at the center of our international development agenda. Without trade, sustained global development is simply not possible. This new account will provide further incentives for countries to enter constructive trade agreements with the United States and others. It will also help to ensure that the right programs and policies are in place to make sure the poor are not left behind as economies improve.

Finally, the bill provides further support, as I mentioned, to the Millennium Challenge Corporation, which I see as our best hope for weaning countries from foreign assistance. The MCC provides another set of incentives to countries to make the correct policy decisions, policies which improve rule of law and economic policies, investments in the health and education of people.

I am proud to have served in this institution, and I am especially proud of the work of this committee and this subcommittee. The package of foreign assistance before you is built on a solid basis of experience, funds programs that are more accountable and transparent, and, most importantly, helps to protect U.S. security at home and abroad. It is an example of the good that can be accomplished with a bipartisan effort, and I can think of no arena more important for a unified American voice than in foreign affairs.

Mr. Chairman, fellow members, I am pleased to submit this bill and urge your favorable consideration.

Mr. Chairman, I include the following for the RECORD.

FOREIGN OPERATIONS- EXPORT FINANCING- AND RELATED PROGRAMS APPROPRIATIONS- 2006 (H.R. 5522)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - EXPORT AND INVESTMENT ASSISTANCE					
EXPORT-IMPORT BANK OF THE UNITED STATES					
Subsidy appropriation	99,000	26,382	26,382	-72,618	---
Administrative expenses	72,468	75,234	75,234	+2,766	---
Inspector General	990	988	988	-2	---
Negative subsidy	-35,000	-45,000	-45,000	-10,000	---
Emergency appropriations (P.L. 109-148) (rescission)	-25,000	---	---	+25,000	---
Total, Export-Import Bank of the United States	112,458	57,604	57,604	-54,854	---
OVERSEAS PRIVATE INVESTMENT CORPORATION					
Noncredit account:					
Administrative expenses	41,851	45,453	45,453	+3,602	---
Insurance fees and other offsetting collections	-240,000	-258,000	-258,000	-18,000	---
Subsidy appropriation	20,073	20,035	20,035	-38	---
Total, Overseas Private Investment Corporation	-178,076	-192,512	-192,512	-14,436	---
FUNDS APPROPRIATED TO THE PRESIDENT					
Trade and development agency	50,391	50,300	50,300	-91	---
Total, title I, Export and investment assistance	-15,227	-84,608	-84,608	-69,381	---
TITLE II - BILATERAL ECONOMIC ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
United States Agency for International Development					
Child survival and health programs fund	1,569,150	1,433,000	1,565,613	-3,537	+132,613
(Transfer out)	(-5,940)	---	---	(+5,940)	---
Emergency appropriations (P.L. 109-148)	75,200	---	---	-75,200	---
Development assistance	1,508,760	1,282,000	1,294,000	-214,760	+12,000
(Transfer out)	(-20,790)	(-21,000)	(-21,000)	(-210)	---
(By Transfer)	---	---	(135,000)	(+135,000)	(+135,000)
International disaster assistance	361,350	348,800	348,800	-12,550	---
Emergency appropriations (P.L. 109-148)	56,330	---	---	-56,330	---
Subtotal, Disaster assistance	417,680	348,800	348,800	-68,880	---
Transition Initiatives	39,600	50,000	40,000	+400	-10,000
Development Credit Authority:					
(By transfer)	(20,790)	(21,000)	(21,000)	(+210)	---
Administrative expenses	7,920	8,400	8,400	+480	---
Africa House and Infrastructure Facility	---	5,000	---	---	-5,000
Subtotal, Development assistance	3,618,310	3,127,200	3,256,813	-361,497	+129,613
Payment to the Foreign Service Retirement and Disability Fund	41,700	38,700	38,700	-3,000	---

FOREIGN OPERATIONS- EXPORT FINANCING- AND RELATED PROGRAMS APPROPRIATIONS- 2006 (H.R. 5522)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs Enacted	Bill vs. Request
Operating expenses of the U.S. Agency for International Development	623,700	678,826	646,000	+22,300	-32,826
Emergency supplemental (P.L. 108-106)	---	---	---	---	---
(By transfer)	(5,940)	---	---	(-5,940)	---
Subtotal, Operating expenses	623,700	678,826	646,000	+22,300	-32,826
Capital Investment Fund	69,300	131,800	105,300	+36,000	-26,500
Operating expenses of the U.S. Agency for International Development Office of Inspector General	35,640	38,000	39,000	+3,360	+1,000
Total, USAID	4,388,650	4,014,526	4,085,813	-302,837	+71,287
Other Bilateral Economic Assistance					
Economic support fund:					
Israel	237,600	120,000	120,000	-117,600	---
Egypt	490,050	455,000	455,000	-35,050	---
Other	1,880,010	2,639,470	2,075,740	+195,730	-563,730
Economic support fund (P.L. 108-106)	---	---	---	---	---
(Transfer out)	(-5,000)	---	---	(+5,000)	---
(Transfer out)	---	---	(-135,000)	(-135,000)	(-135,000)
Iraqi Relief and Reconstruction Fund (by transfer)	(5,000)	---	---	(-5,000)	---
Subtotal, Economic support fund	2,607,660	3,214,470	2,650,740	+43,080	-563,730
International Fund for Ireland	13,365	---	10,800	-2,565	+10,800
Assistance for Eastern Europe and the Baltic States	357,390	273,900	227,900	-129,490	-46,000
Assistance for the Independent States of the former Soviet Union	508,860	441,000	371,280	-137,580	-69,720
Trade Capacity Enhancement Fund	---	---	522,000	+522,000	+522,000
Total, Other Bilateral Economic Assistance	3,487,275	3,929,370	3,782,720	+295,445	-146,650
INDEPENDENT AGENCIES					
Inter-American Foundation					
Appropriation	19,305	19,268	19,268	-37	---
African Development Foundation					
Appropriation	22,770	22,726	22,726	-44	---
Peace Corps					
Appropriation	318,780	336,700	324,587	+5,807	-12,113
Millenium Challenge Corporation					
Appropriation	1,752,300	3,000,000	2,000,000	+247,700	-1,000,000

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS, 2006 (H.R. 5522)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Department of State					
Global HIV/AIDS initiative	1,975,050	2,894,000	2,772,500	+797,450	-121,500
Democracy Fund	94,050	---	---	-94,050	---
International narcotics control and law enforcement	472,428	795,490	703,600	+231,172	-91,890
Subtotal, Narcotics control	472,428	795,490	703,600	+231,172	-91,890
Andean Counterdrug Initiative	727,155	721,500	506,850	-220,305	-214,650
Migration and refugee assistance	783,090	832,900	750,206	-32,884	-82,694
United States Emergency Refugee and Migration Assistance Fund	29,700	55,000	30,000	+300	-25,000
Nonproliferation, anti-terrorism, demining and related programs	405,999	449,430	425,010	+19,011	-24,420
Conflict response fund	---	75,000	---	---	-75,000
Subtotal, Department of State	4,487,472	5,823,320	5,188,166	+700,694	-635,154
Department of the Treasury					
International Affairs Technical Assistance	19,800	23,700	23,700	+3,900	---
Debt restructuring	64,350	182,799	20,000	-44,350	-162,799
Subtotal, Department of the Treasury	84,150	206,499	43,700	-40,450	-162,799
Total, title II, Bilateral economic assistance	14,560,702	17,352,409	15,466,980	+906,278	-1,885,429
Appropriations	(14,429,172)	(17,352,409)	(15,466,980)	(+1,037,808)	(-1,885,429)
Emergency appropriations	(131,530)	---	---	(-131,530)	---
(By transfer)	(31,730)	(21,000)	(156,000)	(+124,270)	(+135,000)
(Transfer out)	(-31,730)	(-21,000)	(-156,000)	(-124,270)	(-135,000)
TITLE III - MILITARY ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
International Military Education and Training	85,877	88,900	88,000	+2,123	-900
Foreign Military Financing Program:					
Grants:					
Israel	2,257,200	2,340,000	2,340,000	+82,800	---
Egypt	1,287,000	1,300,000	1,300,000	+13,000	---
Other	910,800	910,900	814,900	-95,900	-96,000
Subtotal, Grants	4,455,000	4,550,900	4,454,900	-100	-96,000
(Limitation on administrative expenses)	(41,600)	(43,500)	(42,500)	(+900)	(-1,000)
Total, Foreign Military Financing	4,455,000	4,550,900	4,454,900	-100	-96,000
Peacekeeping operations	173,250	200,500	170,000	-3,250	-30,500
Subtotal, Peacekeeping operations	173,250	200,500	170,000	-3,250	-30,500
Total, title III, Military assistance	4,714,127	4,840,300	4,712,900	-1,227	-127,400
Appropriations	(4,714,127)	(4,840,300)	(4,712,900)	(-1,227)	(-127,400)
Emergency appropriations	---	---	---	---	---
(Limitation on administrative expenses)	(41,600)	(43,500)	(42,500)	(+900)	(-1,000)

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS, 2006 (H.R. 5522)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - MULTILATERAL ECONOMIC ASSISTANCE					
FUNDS APPROPRIATED TO THE PRESIDENT					
International Financial Institutions					
World Bank Group					
Contribution to the International Bank for Reconstruction and Development:					
Global Environment Facility	79,200	56,250	56,250	-22,950	---
Contribution to the International Development Association	940,500	950,000	950,000	+9,500	---
Contribution to Multilateral Investment Guarantee Agency	1,287	---	---	-1,287	---
(Limitation on callable capital subscriptions)	(8,127)	---	---	(-8,127)	---
Total, World Bank Group	1,020,987	1,006,250	1,006,250	-14,737	---
Contribution to the Inter-American Development Bank:					
Contribution to the Enterprise for the Americas Multilateral Investment Fund	1,725	25,000	23,000	+21,275	-2,000
Inter-American Investment Corporation	1,725	---	---	-1,725	---
Total, Inter-American Development Bank	3,450	25,000	23,000	+19,550	-2,000
Contribution to the Asian Development Bank:					
. Paid-in capital	---	23,750	---	---	-23,750
Contribution to the Asian Development Fund	99,000	115,250	115,250	+16,250	---
Total, Asian Development Bank	99,000	139,000	115,250	+16,250	-23,750
Contribution to the African Development Bank:					
Paid-in capital	3,602	5,018	5,018	+1,416	---
(Limitation on callable capital subscriptions)	(88,334)	(78,622)	(78,622)	(-9,712)	---
Contribution to the African Development Fund	134,343	135,700	135,700	+1,357	---
Total, African Development Bank	137,945	140,718	140,718	+2,773	---
Contribution to the European Bank for Reconstruction and Development:					
Paid-in capital	1,006	---	---	-1,006	---
(Limitation on callable capital subscriptions)	(2,250)	---	---	(-2,250)	---
Contribution to the International Fund for Agricultural Development	14,850	18,000	18,000	+3,150	---
Total, International Financial Institutions	1,277,238	1,328,968	1,303,218	+25,980	-25,750
International Organizations and Programs					
Appropriation	326,163	289,000	327,570	+1,407	+38,570
Total, title IV, Multilateral economic assistance	1,603,401	1,617,968	1,630,788	+27,387	+12,820
(Limitation on callable capital subscript)	(98,711)	(78,622)	(78,622)	(-20,089)	---

FOREIGN OPERATIONS- EXPORT FINANCING- AND RELATED PROGRAMS APPROPRIATIONS- 2006 (H.R. 5522)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE V - GENERAL PROVISIONS					
Expenditure transfer (Sec. 540)	---	---	---	---	---
Sec. 6084 Security in Asia	9,900	---	---	-9,900	---
Sec. 577	---	---	---	---	---
Sudan (Sec. 569)	---	---	---	---	---
Rescission	---	---	-388,100	-388,100	-388,100
Total, title V, General Provisions	9,900	---	-388,100	-398,000	-388,100
Appropriations	(9,900)	---	---	(-9,900)	---
Grand total	20,872,903	23,726,069	21,337,960	+465,057	-2,388,109
Appropriations	(20,766,373)	(23,726,069)	(21,726,060)	(+959,687)	(-2,000,009)
Emergency appropriations	(131,530)	---	---	(-131,530)	---
Contingent emergency appropriations	---	---	---	---	---
Rescissions	(-25,000)	---	(-388,100)	(-363,100)	(-388,100)
(By transfer)	(31,730)	(21,000)	(156,000)	(+124,270)	(+135,000)
(By transfer emergency appropriations)	---	---	---	---	---
(Transfer out)	(-31,730)	(-21,000)	(-156,000)	(-124,270)	(-135,000)
(Transfer out emergency appropriations)	---	---	---	---	---
(Limitation on administrative expenses)	(41,600)	(43,500)	(42,500)	(+900)	(-1,000)
(Limitation on callable capital subscript)	(98,711)	(78,622)	(78,622)	(-20,089)	---
(Emergency Supplemental (P.L. 108-106))	(131,530)	---	---	(-131,530)	---

FOREIGN OPERATIONS- EXPORT FINANCING- AND RELATED PROGRAMS APPROPRIATIONS- 2006 (H.R. 5522)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
CONGRESSIONAL BUDGET RECAP					
Scorekeeping adjustments:					
Emergency appropriations	-131,530	---	---	+131,530	---
ATB adjustment	---	---	---	---	---
Total, adjustments	-131,530	---	---	+131,530	---
Total (including adjustments)	20,741,373	23,726,069	21,337,960	+596,587	-2,388,109
Amounts in this bill	(20,872,903)	(23,726,069)	(21,337,960)	(+465,057)	(-2,388,109)
Scorekeeping adjustments	(-131,530)	---	---	(+131,530)	---
Prior year outlays	---	---	---	---	---
Total mandatory and discretionary	20,741,373	23,726,069	21,337,960	+596,587	-2,388,109
Mandatory	(41,700)	(38,700)	(38,700)	(-3,000)	---
Discretionary	(20,699,673)	(23,687,369)	(21,299,260)	(+599,587)	(-2,388,109)
RECAP BY FUNCTION					
Mandatory	41,700	38,700	38,700	-3,000	---
Prior year outlays	---	---	---	---	---
Total, Mandatory	41,700	38,700	38,700	-3,000	---
Discretionary	20,699,673	23,687,369	21,299,260	+599,587	-2,388,109
Prior year outlays	---	---	---	---	---
Total, Discretionary	20,699,673	23,687,369	21,299,260	+599,587	-2,388,109
Grand total, Mandatory and Discretionary	20,741,373	23,726,069	21,337,960	+596,587	-2,388,109
DISCRETIONARY 302(b) ALLOCATION					
302(b) allocation	20,937,000	---	21,300,000	+363,000	+21,300,000
Over/under allocation	-237,327	23,687,369	-740	+236,587	-23,688,109

Mr. Chairman, I reserve the balance of my time.

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong support of this bill, and I urge my colleagues to support it as well. Our 302(b) allocation, which was nearly $2.4 billion below the President's requested level, presented us with several challenges. Within this sharply reduced allocation, we were compelled to fit dramatic increases in presidential priorities such as the Millennium Challenge Account and the President's Emergency Plan For AIDS Relief, as well as increased funding for Afghanistan and Iraq.

I generally agree with Chairman KOLBE on the spending levels recommended within the reduced allocation. We worked closely together as always to ensure that, in the face of devastating cuts, we at least level funded child survival and health and development assistance priorities. The bill provides the President's request of $3.4 billion for HIV/AIDS, increasing the overall amount for HIV/AIDS and TB by $751 million over the fiscal year 2006 enacted levels, and more than doubling the President's request for the global fund to fight AIDS, TB, and malaria to the fiscal year 2006 enacted level of $444.5 million. Although I know we both wish we could have done more for the global fund, I believe we are doing the best we can with the resources we have.

The bill maintains level funding for basic education in the development assistance account at last year's level of $365 million. And I am pleased that we have been able to increase non-DA funds for basic education in the bill for a total of $550 million. We also continue the U.S. reconstruction program in Afghanistan, fully fund the requested levels for Liberia, Haiti, and Sudan, and fully fund our strategic commitments in the Middle East. I am pleased that we have also restored deep cuts the President requested in family planning and reproductive health programs. The bill substantially increases family planning funding and the child survival and health account from the President's request, fully restores billwide bilateral funding to $432 million, the fiscal year 2006 House-passed level, and earmarks $34 million for the United Nations population fund.

I am also pleased that the bill restores funding for several key U.N. agencies, including UNICEF; UNDP, UNIFEM, and the UNIFEM Trust Fund.

I want to commend the chairman for his willingness to take a critical look at the Andean Counternarcotics Initiative, and specifically how the continuation of a special program aimed primarily at eradication of coca is consistent with the myriad U.S. foreign policy goals in the Andean region. I do believe that our overemphasis on the drug war has caused us to neglect many of the critical objectives throughout Latin America, and it is my hope that the changes made by the chairman in the allocation of funds in this bill are the first steps toward a wholesale reevaluation of our foreign aid program in the region.

I want to point out a few specific concerns I have with the bill. Our shamefully low allocation required us to make cuts from the requests in several key areas, including Migration and Refugee Assistance, peacekeeping, programs for Eastern Europe and the former Soviet Union, key Economic Support Fund programs, and Congo debt relief. It is my hope we will be able to restore these cuts and even provide increases where warranted, in conference, in addition to providing funding for many of these priorities in the supplemental conference report expected on the House floor tomorrow.

I also hope that we can restore full funding for the United States commitment to the Global Environmental Facility. The President's requested level granted in this bill is more than $20 million less than what we had pledged. In light of the GEF's adoption just this week of a number of U.S. initiated matters and reforms, I believe we have a particular responsibility to fully fund our commitment to this organization.

I am disappointed that this bill places no conditionality whatsoever on U.S. military assistance to Indonesia and Guatemala. Despite constructive language on Indonesia included in the FY 06 bill, this bill fails to send the message that the United States does expect Indonesia to continue on the path of achieving true civilian control over the military and accountability for human rights abuses. Again, I hope this is something we can remedy in conference.

Finally, I would like to take this opportunity to thank Chairman KOLBE for his hard work this year and every year throughout his tenure in creating a bipartisan environment for examining our foreign aid policy priorities and addressing the funding needs of our foreign assistance program. The chairman has shown tremendous leadership in steering our subcommittee, setting an example of bipartisan cooperation and collaboration that, unfortunately, is too rare in Congress today, and, Chairman KOLBE leaves behind an impressive legacy as he prepares to retire.

Chairman KOLBE has overseen the largest increases in the foreign aid budget post-Cold War, understanding implicitly the key role foreign aid plays in maintaining United States national security. Under his stewardship, funding in the bill to combat HIV-AIDS has increased from $485 million in FY 02 to $3.43 billion in the mark before us today. Basic education has increased more than five-fold. I know he is particularly proud of his work on trade capacity building, as well as on shaping and promoting the Millennium Challenge Account.

Today, the last time Chairman KOLBE will manage the Foreign Operations bill during floor consideration, I do hope we can all take a moment to express our appreciation for the chairman's leadership and his friendship. This Congress and the American people are richer for his service to this body, and his departure will leave a void of intelligence, expertise, professionalism and decency that will not easily be filled.

Chairman KOLBE, you are really a great Member and a great friend. I think I speak for many of my colleagues when I say that it has been an honor and a pleasure to work with you.

I look forward to continuing to work with the chairman and with our Senate counterparts as the bill moves into conference. However, I think the bill before us today is a good product. I appreciate the chairman's leadership, the involvement of all of our subcommittee members and associate staff, of course, the hard work of our staff, as exemplified by Nisha Desai and Betsy Phillips celebrating their birthday here in this Capitol at about 1 or 2 in the morning. So we all say happy birthday. Happy birthday, Betsy.

We thank Beth Tritter, Craig Higgens, Rob Blair, Delia Scott, Lori Maes, Kevin Hernandez and Todd Calongne for their hard work in crafting this bill.

Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. LEWIS), the distinguished chairman of the Appropriations Committee.

Mr. LEWIS of California. Mr. Chairman, I am very pleased today to rise in support of H.R. 5522, the Foreign Operations appropriations bill for fiscal year 2007. This is the seventh of 11 bills the committee plans to bring to the House floor before the 4th of July break.

I, too, want to take a moment to express my appreciation for the work of Mr. KOLBE, as well as Ms. LOWEY. These two people working together are a demonstration of the way Congress ought to work. The two of them working together does demonstrate for all of us that the best way to get this done is to set aside partisan differences where it is possible, but, most importantly, to promote the thought that the place works a lot better by working together.

I want to take a moment to give very special tribute to JIM KOLBE, as Ms. LOWEY did. JIM is presenting his last bill. It is a very, very impressive product, most impressive because it demonstrates truly one of our fabulous Members working on behalf of all of us and the country. JIM KOLBE is as fine a member as the Appropriations Committee has ever had.

The bill addresses critical issues, including the AIDS pandemic, global trade and commerce, anti-narcotics programs, and the Global War on Terrorism.

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Specifically, this bill provides a total of $3.4 billion in global assistance funds to combat HIV/AIDS, tuberculosis and malaria, $752 million above last year's level, and the same as the President's request.

The bill provides $445 million for the U.S. contribution to the Global Fund to Fight AIDS, tuberculosis and malaria. These accounts are more than double the amount that was requested by the President.

The legislation also provides a record level of funding for the President's signature foreign assistance initiative, the Millennium Challenge Corporation. Total funding is $2 billion, $248 million above last year. That represents a budget increase in a very tight budget circumstance.

Mr. Chairman, I think it is really important for us to recognize the role that this bill has played on the global war on terror. We would not have been as successful as we have been in that effort if it had not been for the work of this subcommittee.

Mrs. LOWEY. Mr. Chairman, I yield 3½ minutes to the very distinguished member of the committee, Ms. KILPATRICK.

Ms. KILPATRICK of Michigan. Mr. Chairman, to Chairman KOLBE and to my ranking member, NITA LOWEY, who has shepherded this bill through the many years that I have been on the committee, through several chairmen and ranking members, I just want to say thank you very much for your leadership and for your cooperation, because it makes it easier for all of the subcommittee members when our Chair and ranking member work together. I want to thank you for that.

To Chairman KOLBE, as you enter your next life, sir, I just want to say thank you for your leadership, your compassion and your working togetherness that you have demonstrated as I have worked with you over these last many years. We are going to miss you in this body. I am sure your next opportunities will also enhance this body. So congratulations and good luck to you.

I stand in support of this bill. It is a bipartisan effort that we have worked together on for several months now. If we had more money, we could have done better. But we did the best with what we had.

Mr. Chairman, I am happy that the HIV account is probably funded higher than it has been ever under Chairman KOLBE and Ranking Member LOWEY's leadership and direction. HIV/AIDS is a pandemic in the world, and the U.S. is certainly doing our part. And I want to thank the administration as well as the Members of this Congress, both House and Senate, for standing by and making available treatment options so that people can have fuller, better lives.

Our Child Survival Account, which is not at the level that I would like to see it, but continues to help with malaria and TB and other kinds of illnesses across this world. We thank you for that. The assistance that this bill gives Liberia, as well as the Sudan, we had the President from Liberia here not long ago, President Sirleaf, who has demonstrated a new wave in Liberia. I am happy that this bill will continue to assist them.

The Darfur debacle that is currently under way in the Sudan, we have got to do more there. We have got to rise up as a Nation and offer the leadership of the United States to bring this decimation of millions of peoples and their lives and children to a rest.

I do not want to really get into it here, but there will be much debate about Egypt. I want to talk about it just a moment. I was able to go to Egypt a couple of weeks ago with our Chair and ranking member; I have been in that region before.

I come from the State of Michigan. Michigan has the largest amount of Arab Americans and Arabs in America in our part of the world through four of the Members of this Congress. Congressman DINGELL, CONYERS, KNOLLENBERG and myself share that population of Arab Americans in our districts, have been living with them for decades, and they are a part of our family and our population in southeastern Michigan, where two-thirds of the population of our State lives.

Egypt, the leading country in that part of the Middle East, is a friend of America. President Mubarak is the best friend we have in the region. There will be much debate about Egypt as we go forward. I do not want to get into the specifics right now, but I do want to say thank you to the chairman, there is a rescission of $200 million in the budget that was not spent.

So there is some attention paid to what is happening in Egypt. Egypt needs to be our partner, and they need to know that we support them. The rescission that the Chairman offered has now been ratified by the subcommittee and the full committee. It is a step to say that we are watching you, we are working with you.

Democracy in our region of the world is not the same as it is all over the world. I believe President Mubarak and his administration are doing what they can to maintain the stability in the region. So I believe this is a good bill.

And as we go throughout the day to debate the 20-plus amendments, pay particular interest to what is happening in the world. We are a leader. We deserve it. And we look forward to your support.

Mr. KOLBE. Mr. Chairman, I yield 4 minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I rise in strong support of H.R. 5522, the fiscal year 2007 Foreign Operations Appropriations Act.

First, I want to extend my best wishes to Chairman KOLBE for all of the work that he has done. He has done some tremendous work, extraordinary work. I think he has been an invaluable resource for the foreign operations end of things. So I just want to say, in addition he has always been receptive, been very responsive to Members' input on a very, very difficult bill.

Mr. KOLBE, I really appreciate having you around. I also want to wish you the very best in the future in whatever you decide to move into.

I also want to commend the ranking member, Mrs. LOWEY. Mr. KOLBE and Mrs. LOWEY, I think, have been a great team for this particular committee. I convey my best. You are not leaving obviously, Mrs. LOWEY, so can you stick around. But I convey the very best to her and the work that she has done.

We found common ground on a variety of issues, and together I think we achieved some pretty important results. I look forward to continuing that in the future.

Mr. Chairman, I want to thank the subcommittee staff for the hard work that they have performed in addressing the many issues in this bill. It is a testament to them that the bill runs through the process so smoothly every year despite the number of demands and challenges that they face.

Once again, Chairman KOLBE, his staff, Ranking Member LOWEY have crafted an excellent bill that balances all of the many priorities the United States has around the world. Our foreign assistance fosters democratic and transparent governments, promotes human rights and helps millions of people in need.

While less than 1 percent of our entire annual budget, foreign assistance serves as a main pillar of our foreign policy and is an integral part of our national security.

As always, assistance to the Middle East is the central part of this bill. It provides the full amount that the President requested for Israel, including both economic and security assistance.

It also provides $40 million for refugee resettlement in Israel. Just as importantly, it lays down the groundwork for this program in the future. It also provides no direct funding for the Hamas-infected Palestinian Authority.

However, it does provide limited humanitarian assistance under strict guidelines and checks to ensure absolutely no funding reaches Hamas.

Additional funding for Lebanon, Egypt and other Middle East countries is important to support reform efforts. It is particularly important to note the continued funding for the Middle East Partnership Initiative which further reforms the region.

Mr. Chairman, I am also particularly pleased that the bill provides $62 million in economic assistance to Armenia. I look forward to working with Chairman KOLBE to ensure that the final bill includes adequate funding for Armenia. This funding is especially important since Turkey and Azerbaijan continue to obstruct transportation and infrastructure routes into and out of Armenia with the intention of forcing Armenia into economic isolation.

The bill maintains parity in U.S. military assistance to Armenia and Azerbaijan, which is critical to the overall policy toward the South Caucasus.

There is also no chance in section 907 language with respect to Azerbaijan. The bill includes other important funding, such as $2 billion for the Millennium Challenge Corporation, which provides foreign assistance to specific countries if and only if they meet specific criteria. It also includes substantial funding to fight the scourge of HIV/AIDS.

Mr. Chairman, this is a responsible bill. It is the result of significant oversight. It is fiscally sound and it focuses funding on the priorities that will advance our interests. For all of those reasons, I strongly support the bill. I urge all of my colleagues to join in supporting this bill on the floor today.

Mrs. LOWEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. McCARTHY) for the purpose of a colloquy.

Mrs. McCARTHY. Mr. Chairman, I want to talk for a moment about a radio station in Iraq called Radio Al Mahaba, which is giving Iraqi women a taste of freedom of speech. It is the first and only station for women in the entire Middle East and the only politically and religious independent radio station in Iraq.

This station started in April 2005 using a $350,000 grant from the United Nations Development Fund for Women. As we know, under Saddam Hussein, women lost not only vast employment opportunities, but also educational opportunities. The illiteracy rate of Iraqi women rose to a high of 75 percent, according to UNICEF estimates.

The recent changes in the social and political structure of Iraq have also been difficult on Iraqi women. The radio station was created in order to empower and educate women. When they started, they were broadcasting throughout Iraq, including in isolated areas discussing issues important to women, and also discussing the goals of freedom and democracy.

Unfortunately, insurgent attacks knocked out their main transmitter. In spite of that and a shoestring budget, the people who worked at the station continued on broadcasting in Baghdad. Last week their remaining transmitter, which was rented, failed.

However, with the help of the Iraqi Civil Society Program implemented by America's Development Foundation and funded by the U.S. Agency For International Development, it looks as though they may be able to rent another transmitter and get back on the air soon.

Of course, a more permanent solution is needed. They need a transmitter so they can again broadcast throughout Iraq and have a goal of reaching places like Iran. Iraqi women are fortunate to have this radio station, and it plays an important role toward achieving a free and democratic Iraq.

Mrs. LOWEY. I thank the gentlewoman for her interest in the issue, and I understand that Radio Al Mahaba has given Iraqi women the opportunity to exercise freedom of expression during a very confusing and dangerous time in their country.

I will look forward to working with my colleague from New York to support the continued operation of this vital resource. And I thank the gentlewoman for bringing it to our attention.

Mrs. McCARTHY. Mr. Chairman, I thank the ranking member for her willingness to engage us in a colloquy.

Mr. KOLBE. Mr. Chairman, may I inquire about the remaining time.

The CHAIRMAN. The gentleman from Arizona has 11 minutes remaining. The gentlewoman from New York has 16½ minutes remaining.

Mr. KOLBE. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank my good friend for yielding me time and thank him for the job he has done on this very important legislation.

Mr. Chairman, this morning I had the privilege of joining First Lady Laura Bush, Ambassador Tobias, Dr. Kent Hill at an event announcing Malawi, Mozambique, Rwanda, and Senegal as the newest countries to be added to the President's Malaria Initiative, $1.2 billion over its 5-year program. Mrs. Bush also announced Admiral R. Timothy Ziemer as the new U.S. Malaria Coordinator.

I think Members should be aware if they are not already that every 30 seconds an African child dies of malaria moreover about 1.2 million people die each year, mostly in Africa, from this preventable disease.

The President's Malaria Initiatives (PMI) goal is to cut malaria deaths by 50 percent in 15 African countries and hopefully to also mitigate morbidity. The plan includes disseminating insecticide-treated bed nets, indoor residual spraying, life-saving drugs called ACTs, and treatment for pregnant women known as intermittent preventive treatment or IPT.

The money in this bill will advance this initiative and will now include four new countries. Let me also thank the chairman and the committee for modestly upping the amount of money to try to effectuate cures for those women suffering obstetric fistula.

The amount has now risen to $7.5 million. My hope is, and perhaps in conference, we can bump that up even further to $10 million. Two million women suffer from this debilitating condition, the result of which is incontinence. I have visited hospitals in Africa, and seen that for a mere $150 a woman's life can be given back to her through a surgical repair.

Obviously, there is also prevention, but there are these 2 million women who have a fistula today, and it seems to me we need to do even more to try to end their misery.

□ 1400

Having met with many of these women, to see the smiles on their faces, having gotten their lives back, going back to their villages knowing that they will no longer be ostracized because incontinence obviously is not just a health hazard and leads to sickness, it results in very serious odor as well.

Let me remind my colleagues that anywhere from 50,000 to 100,000 new cases occur every year, and certainly if we were to increase our effort on obstetrical services, especially midwives in Africa, such an effort would go a long way to preventing this condition when an obstructed delivery or some kind of sexual trauma causes obstetric fistula.

I would hope the chairman would try to increase that number even further, and I thank him for what he has done.

Mr. KOLBE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of New Jersey. I yield to the gentleman from Arizona.

Mr. KOLBE. The gentleman has identified a problem that we think is absolutely of critical importance. We have moved from, I believe, no money just in 2003 to 1 million to 5 million to $7 million in this year, so I think we are moving very substantially in this area.

Mrs. LOWEY. Mr. Chairman, I yield myself such time as I may consume.

I just want to respond to the gentleman from New Jersey. I appreciate your advocacy on this very critical issue. Many of us in the Congress on both sides of the aisle understand the urgency, and I do hope we can work together on the next step because these young women come there with this terrible, terrible problem and then they are repaired. And without contraceptive coverage, without family planning, they come back again and again and again. So I look forward to continuing the dialogue and I thank you for your advocacy.

Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. ACKERMAN).

Mr. ACKERMAN. Mr. Chairman, I appreciate this opportunity to engage in a colloquy with Ranking Member LOWEY and Chairman KOLBE.

The report accompanying H.R. 5522, the Foreign Options Appropriations Act, includes language encouraging the consideration of a proposal from the Gift of Life International for Project Iraqi Hearts, a program that will provide life-saving open heart surgery to Iraqi children that they cannot get at home.

I have been an advocate of the Gift of Life Program since 1983 when I worked with then-First Lady Nancy Reagan, to arrange for a young boy and girl from South Korea to come to the United States by way of Air Force One for a life saving open heart surgery.

Supported by 50 Rotary Districts every year, the Gift of Life International transports to the United States and surgically operates on over a thousand children from all over the developing world. Through the efforts of our military personnel serving in Iraq, the Gift of Life has now identified at least 1,500 children that have been diagnosed as suffering from congenital heart defects that will be fatal if left untreated.

The Gift of Life has a terrific track record on our Nation's reputation in Iraq. It could certainly use a little boost from a program like this. While specific funds have not been set aside in the text of the bill, I would like the chairman and ranking member of the subcommittee to confirm their interest in the program and to reiterate their support through consideration of this initiative by the Department of State and USAID.

Mr. KOLBE. Mr. Chairman, will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman from Arizona.

Mr. KOLBE. The report accompanying H.R. 5522 does indicate the committee's awareness of the Gift of Life International's Project Iraqi Hearts. It is an initiative that should be thoroughly explored. The ranking minority member and I are both committed to working with the gentleman from New York to ensure that this proposal gets careful consideration from the Department of State and USAID. Specific funds have not been set aside, but if review by State and AID show the program can deliver results that save lives, it would have the committees's strong support.

Mrs. LOWEY. Mr. Chairman, will the gentleman yield?

Mr. ACKERMAN. I yield to the gentlewoman from New York.

Mrs. LOWEY. Mr. Chairman, I certainly agree that this program should be thoroughly considered by the Department of State and USAID. It can save lives that would otherwise be lost, and advance our national interest by demonstrating the compassion of the American people. It deserves a chance to go forward. I look forward to working with the Chair and the gentleman from New York to ensure that Project Iraqi Hearts gets the attention and consideration it deserves.

Mr. ACKERMAN. Mr. Chairman, I thank the Chair and ranking member for their commitment to this initiative and I look forward to working with them to see if we can save some Iraqi children's lives through the Gift of Life Program.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHERWOOD), the distinguished vice chairman of the subcommittee, a very important Member who has contributed much to the work of this subcommittee.

Mr. SHERWOOD. Mr. Chairman, I rise today in strong support of the foreign operations bill for 2007. The legislation before us is a fair and fiscally responsible bill that sensibly promotes U.S. foreign policy.

I would like to commend Chairman KOLBE on a job well done. He is an effective leader with a strong work ethic, a balanced approach and a remarkable knowledge and command of the subject matter. I have learned a great deal from you, Mr. Chairman, as a member of your subcommittee. As you leave Congress, I wish you the kind of success and respect that you have earned here in the House of Representatives.

This foreign operations bill is a solid bipartisan piece of legislation that helps our government meet our objectives abroad and in turn make America more secure. The bill is $2.4 billion below the President's request, but in light of the many domestic needs here in the U.S., I agree with the chairman that the allocation is fair. Tough choices had to be made to fund our international priorities, and I believe he has made the right choices in setting these priorities.

The bill provides reasonable increases in assistance to our allies in the war on terror, the Millennium Challenge Corporation, and international health objectives that fight the spread of diseases such as AIDS, malaria, and tuberculosis. It provides funds for Afghanistan, including nearly $300 million for illegal drug interdiction and law enforcement. The increase in poppy production in Afghanistan is of particular concern to the subcommittee, and these funds are crucial in curbing this very real drug problem.

The bill also includes assistance for Iraq. I know it is a priority of the chairman to fund Iraq and Afghanistan assistance programs in regular appropriations bills and less in supplementals. We are one step closer to doing that in this bill. This bill before us is an important measure that successfully fulfills our commitments abroad and as a result makes America stronger and more secure. I ask for its full support.

Mrs. LOWEY. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN. Mr. Chairman, I thank my ranking member and my friend from the State of New York for yielding me time.

Mr. Chairman, as a member of the Subcommittee on Foreign Operations, I want to thank our distinguished chairman, Mr. KOLBE from Arizona. It has been a great honor and privilege to work with you, sir, all of these years. We are going to miss you, your wisdom and your kindness and your sense of fairness. Thank you, sir, for all you have done for us and for our work. And to Ms. LOWEY, our ranking member, thank you for your leadership as the ranking member for bringing our priorities to the floor and our values. You are a tireless and effective advocate.

Mr. Chairman, despite an allocation from the Budget Committee that was lower than what we had hoped, we I believe on our subcommittee have accomplished a great deal and in a bipartisan way, such as providing funds for critical programs such as global AIDS and HIV programs, basic education worldwide, and economic and military assistance for many of our allies.

This assistance to our allies is important for three reasons: One, it improves strategic relations with important countries around the world who help guarantee America's security and the perpetuation of democracy and western values, countries such as the State of Israel, Armenia and Cyprus. It also provides humanitarian assistance for nations in need such as in the Sudan, Liberia and Haiti. It keeps our trade relations strong, promoting cooperation between nations that help us solve global problems and feed the world.

With regards to the environment, Mr. Chairman, I am concerned that the United States may not be doing enough under this bill to contribute to the international programs that protect the environment. The Global Environment Facility, or the GEF, is the single largest source of funding for programs that conserve and protect biodiversity and preserve habitats in countries around the world, from Bangladesh to Brazil.

In the roughly 15 years since its creation, the U.S.'s funding to the GEF has leveraged at least $14 for every $1 we have contributed, $14 for every $1 we have contributed. International conservation issues, Mr. Chairman, know no national boundaries; and I think the funding model of the GEF where our funding is matched many times over by other donors to solve problems that impact us all, is a smart, fair, and effective approach. Given the importance of the GEF to the global environment, I am concerned about the level of funding for the GEF in this fiscal year 2007 bill.

The administration requested $56.25 for the GEF in this year's budget, which the committee funded at the request level. But this is a 48 percent cut compared with the administration's own request last year. In the meantime, as our distinguished chairman knows, just this past Tuesday, the GEF adopted all of the reforms proposed by the Treasury Department associated with the fourth replacement of the GEF.

The U.S. negotiators have now committed our country to providing $80 million to the GEF in fiscal year 2007. An increase of $23.75 million over the President's budget. I certainly hope that in the conference, our distinguished chairman, our ranking member and the other people participating in the conference, will work to have this full $80 million committed by the Treasury in the conference report. This is vitally important to our Nation's and our world's environment.

I look forward to working with the chairman and the ranking member on this issue as we move forward towards the conference.

Mr. KOLBE. Mr. Chairman, I yield 2½ minutes to the gentleman from Kansas (Mr. TIAHRT), a member of the committee.

Mr. TIAHRT. Mr. Chairman, I appreciate the gentleman from Arizona yielding to me for the purpose of a colloquy. I would also like to thank him for his service to the country. In his 22 years in the Congress, he has been a great subcommittee chairman and we appreciate his leadership.

Mr. Chairman, I also want to thank him for his foresight and inclusion for the Tiahrt amendment violation report language. I also appreciate his hard work as chairman of the subcommittee on this bill, which I support. As the author of this important amendment, which has been in law since 1998, I have grave concerns about the violations that took place in Guatemala, the confirmed fact that the violations went on for 3 years, and the amount of time it took USAID to notify Congress of the violations.

The purpose of this report language is to send a strong message to USAID that the law has been ignored and that Congress will not stand by and watch. We must be able to provide proper oversight. In order to do that the agencies that receive taxpayer dollars under the child survival and health programs fund, must adhere to the specifications of the law.

USAID has confirmed that bonus payments were paid to 12 referral agents at APROFAM, the Family Welfare Association of Guatemala, which is an international Planned Parenthood federation affiliate. Each agent had a target of bringing in 25 women for sterilization. The bonus payments were paid to the agents when certain quotas were met, and for some their salaries were almost doubled as a result. This violates two parts of the language of the law.

USAID found out about the violations and the bonus was stopped. However, the length of time concerns me. It took them 9 months to get the information from Guatemala to USAID to Washington, then another 60 days to get it to Congress.

We ought to be horrified that no less than 900 women that were sterilized by APROFAM over the span of 3 years, the bonus payment system was in place.

Mr. Chairman, I have heard of other possible amendment violations to the Tiahrt amendment in other countries, and I implore USAID to act quickly to investigate these in a proper and timely manner and to report to Congress.

I want to thank again the chairman for engaging in this colloquy and for his service to the committee and to the country.

Mr. KOLBE. Mr. Chairman, I want to thank my colleague from Kansas for his discussion on this very important subject, and certainly as the subcommittee was crafting this bill, we acknowledge how important these issues are.

□ 1415

I want to assure the gentleman that the committee will continue to pay close attention to the reports from USAID of possible and confirmed violations of this amendment. We also will work with the USAID to ensure the timely reporting of violations if, and when, they occur.

I thank the gentleman.

Mrs. LOWEY. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Chairman, I want to thank our ranking member, Mrs. LOWEY. I want to commend her and Chairman KOLBE for their hard work and leadership on this bill, and I am particularly pleased that the subcommittee called for a higher allocation to Armenia than requested by the administration and would like to personally thank him for maintaining and providing the needed assistance to Nagorno-Karabahk.

The President's budget request called for 20 percent more military aid to Azerbaijan than to Armenia. That request was a clear breach of an agreement struck between the White House and Congress in 2001 to maintain parity in U.S. military aid to Armenia and Azerbaijan. Given the fact that relations between Armenia and Azerbaijan continue to be tenuous, it is imperative that the U.S. maintain a balanced approach. I am happy to see that the committee maintained that parity agreement despite the administration's request.

Unfortunately, the administration's budget also called for drastic cuts in economic assistance to Armenia, a nearly 33 percent decrease in humanitarian aid. Again, I was pleased to see the committee provided $62 million in U.S. aid for Armenia, representing a $12 million increase over the President's budget. The subcommittee also allocated $5 million for Nagorno-Karabahk.

I am also very pleased that the subcommittee rejected efforts by Azerbaijani's advocates to weaken section 907 restrictions on U.S. assistance to Azerbaijan. Section 907 of the FREEDOM Support Act remains a fundamental element of U.S. policy toward the South Caucasus. Because Azerbaijan continues its blockade of Armenia, section 907 is essential.

As the co-chair of the Armenian Caucus, I strongly believe that technical and developmental assistance and investment is essential to Armenia. This funding is imperative to democratic stability and economic reform. The dual blockades of Armenia by Azerbaijan and Turkey continue to impede Armenia's economic well-being.

Despite these blockades, Armenia continues to successfully implement economic and democratic reforms. However, as long as Armenia suffers from blockades on its east and west borders, continued and robust U.S. assistance to Armenia will be needed to help minimize their impact.

Thank you again to the committee and the subcommittee.

Mr. KOLBE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from California (Mr. ROYCE), a member of the House International Relations Committee for the purposes of a colloquy.

Mr. ROYCE. Mr. Chairman, I rise today to engage the chairman of the subcommittee, Mr. KOLBE, in a colloquy.

Mr. Chairman, as you know, on Tuesday the administration successfully concluded negotiations for the fourth replenishment of the Global Environment Facility, the GEF. These have been long and detailed negotiations that had been scheduled to be concluded last year. The GEF is an important international institution for protection of the global environment, and we should be pleased that negotiations have come, frankly, to a very successful resolution.

The Treasury Department, which conducted the negotiations on behalf of the United States, got, in essence, all of the reforms it demanded. These include the items mentioned on the report language accompanying the bill, including the two major changes proposed by the U.S.: first, plans to apply a resource allocation framework to the entire GEF portfolio of new projects by

2010; second, enhanced fiduciary standards for agents that the GEF works with, including a prohibition of new funding to agencies that do not meet the standards.

The agreement also resolved the other outstanding issues to our satisfaction: removal of language regarding arrears that were objectionable to the United States; a provision regarding expanding the number of agencies the GEF works with; a provision on institutional effectiveness; and a firm target for satisfactory outcome ratings for GEF projects.

Based on this outcome, the United States negotiators pledged a total of $320 million in U.S. contributions to the GEF over the next 4 years, $80 million a year, starting in fiscal year 2007.

I support the administration's new commitment to the GEF, and I urge the chairman to help the administration live up to this promise that has been made to the other donors to provide $80 million for the GEF in the bill that is ultimately sent to the President. The bill before us underfunds this commitment by $23.75 million and, as it stands, represents a 26 percent decrease in U.S. commitment to the GEF.

Mr. Chairman, we engaged, you and I, in a colloquy last year on the GEF, and you committed to work to secure funding at conference for the GEF if it completed reforms associated with the previous replenishment. The GEF did complete those reforms, and I want to thank you right now for your support last year.

Mr. KOLBE. Mr. Chairman, will the gentleman yield?

Mr. ROYCE. I yield to the gentleman from Arizona for a response.

Mr. KOLBE. Mr. Chairman, I thank the gentleman from California for the statement you have just made and your commitment to the international environment.

As you pointed out, I have in the past supported the mission of the GEF. I had the opportunity to sit down with the CEO of the GEF, Mr. Good, to engage in some very good discussions about their reforms and also on their programs in the past.

I have in the past been concerned about the pace of reform at the GEF. Last year, the House withheld funding for the GEF because it had not completed reforms associated with the third replenishment when our bill came to the floor. There were subsequent agreements that allowed us, in the end, to fund the GEF fully last year.

It is my understanding the GEF has now adopted the reforms sought by the committee and the administration for the fourth replenishment. We will certainly take this into consideration when we meet with the Senate in conference on this bill. In order to facilitate this, I urge the administration to consider a budget amendment requesting additional funds should they decide that is appropriate.

I thank the gentleman again for his commitment to GEF and the environment and will work with him as the bill moves through the process.

Mrs. LOWEY. Mr. Chairman, since the time has expired, I will just say that I will be happy to work with him, too.

Mr. Chairman, I am very happy to yield 2 minutes to the gentleman from New York (Mr. CROWLEY), my good friend.

Mr. CROWLEY. Mr. Chairman, I thank the gentlewoman, and my friend and mentor, from New York for yielding me this time; and I want to thank her and Chairman KOLBE, another good friend, on another good bill coming out of this committee and proving once again, when it comes to the issue of foreign aid, we can work in a very bipartisan way.

This bill is of particular importance because it is the last for Chairman KOLBE, and I would like to commend Chairman KOLBE for his steadfast support of foreign aid and for what I believe will become your greatest legacy, the creation of a Trade Capacity Enhancement Fund. Time does not allow me to go into it in further detail, but I want to thank you for that.

This bill also includes $34 million to the United Nations Population Fund, but it has become a norm under this administration that restrictions on providing this important funding will not be released by the administration. The administration seems determined to hinder the health of women and children around the world.

While remaining troubled that this detrimental policy continues, there is much good in this bill, particularly when it comes to the issue of the Middle East.

I strongly support the funding included in this bill for Israel's foreign military financing and economic aid. We need to continue to ensure that our close allies are able to protect themselves and remain a strong and viable state.

While I support our ally Egypt, there are issues that we in Congress must address. I understand that the Egyptians are concerned about how we disburse the aid to them, but it is important for them to understand what we expect of our partner.

The government of President Mubarak has shown that it is quite quick to throw dissidents into jail, discriminate against the Coptic minority, tolerate anti-Semitism and anti-Zionism in the official press, throw gay Egyptians into jail.

The United States must do more to help end this dangerous mix, and before the problem becomes more unstable.

There is more I would like to say about the issue of Egypt that time does not permit, but also the country of Pakistan, another country I have been concerned about for quite some time; and I am glad the Appropriations Committee recognized the internal problems within Pakistan. The reductions in ESF and FMF should send a strong message to Pakistan that it cannot use the war on terror as an excuse to repress their people.

With that, I urge my colleagues to support this worthy legislation.

Many of us in Congress have strong concerns about our partners in the developing world's capacity to handle free trade agreements with the United States and this new fund will help to solve many of those issues.

This new fund will provide the much needed assistance to our FTA partners who need increased assistance with labor and environmental standards.

My hope is that this new fund will create the environment where we will not have to repeat the divisive CAFTA battle.

We should all be doing what we can to support free trade to benefit these emerging democracies.

We must recognize that building stable societies must start at the grassroots level and that is why I was pleased to see that this new section of the program will receive $6 million.

We need to redouble our efforts to make sure while we move peace along at the top levels we don't forget to focus on the people who will truly make a lasting peace.

Egypt has been a strong friend and ally and has done much to help bring about a peaceful solution to the Israeli-Palestinian conflict but we cannot allow that to cloud our judgment.

Egypt should expect more from themselves, if they want to compete in today's world and move forward with the reforms they have outlined.

Pakistan is another country I have been concerned about for quite some time and I am glad the appropriations committee recognized the internal problems with Pakistan.

The reductions in ESF and FMF should send a strong message to Pakistan that they cannot use the war on terror as an excuse to repress their people.

This is a strong bill that will help our friends and allies and I urge all of my colleagues to support this bill.

Mrs. LOWEY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER) who has been one of the strongest advocates for clean water in the world, and we thank you for your important work.

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentlewoman's courtesy in permitting me to speak and for her kind words and for the work that she and Mr. KOLBE have done in this important bill, fashioning, I think, something that is very, very good, given the minimum amount of money they have been given.

Across the world, this bill will enable the United States to cooperate with other donors, to partner with people in extreme poverty to improve their lives and well-being; but, Mr. Chairman, I am hopeful that we can do a little modification to make this difficult bill a little better.

During consideration here, I will be offering an amendment with the gentleman from Iowa (Mr. LEACH) to increase the Development Assistance Account by $250 million in order to support these smart investments to reduce poverty of the 1 billion people around the world who live on less than $1 a day, the children who will die every 15 seconds because they do not have access to clean water and sanitation.

The proposed increase would be offset by a reduction in equal amount from unearmarked funds in the Foreign Military Financing Account. This will not affect the almost $4 billion that is set aside for Israel, for Egypt, Jordan, or Colombia.

Mr. Chairman, the American people overwhelmingly support these investments to fight against global poverty. Recently, the Program on International Assistance Policy Attitudes found that 65 percent of the American public would support significant increases in U.S. assistance to fight poverty and disease.

This amendment will represent an all-too-rare occasion in this Chamber for bipartisan cooperation to shift money away from what are largely repressive regimes for unnecessary military assistance and put it where it will make a difference, saving the lives of poor families and especially their children around the world.

Mrs. LOWEY. Mr. Chairman, I am very pleased to yield 2 minutes to the distinguished gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. Mr. Chairman, I thank the gentlewoman for yielding, and today I rise in strong support of the 2007 foreign operations appropriations bill.

I want to acknowledge the fine work done by the chairman, Mr. KOLBE, who I had the honor to travel to Indonesia with as part of the House Democracy Assistance Commission and also the superb work done each and every day by our ranking member, NITA LOWEY. We are very grateful for your fine work.

There is a lot to applaud in this bill, and I want to recognize a couple of areas worthy of specific mention, funding in Darfur and funding for the state of Israel among others; but before I do, I want to express my regret and concern about the fact that this bill is still $2.38 billion below the President's request. That significant cut in foreign assistance, given all the problems around the world, should be concern to all of us. Some of the areas of particular significance that have been cut: refugee assistance is being reduced; debt relief is being cut; peacekeeping is being reduced. The Peace Corps funding is being reduced. Funding for democratization efforts in Eastern Europe and the former Soviet Union countries is being reduced. Global environmental facility funding and economic support funds, all those are being reduced from the President's proposed budget at a cumulative cost in cuts in those areas and others of $2.3 billion; and that is, I think, a considerable concern.

In other areas, I want to acknowledge and applaud the work that we are doing in Darfur and the Sudan. More needs to be done. At least 300,000 people are estimated to have died in Darfur in what has remained a largely neglected tragedy and genocide. Currently, more than 3.5 million Darfurians depend on international aid for survival. Another 2 million have been driven from their homes. The $450 million in humanitarian relief efforts to the Sudan provided in this bill will help meet this rapidly growing need and lend credibility to American calls for other countries to follow our example.

I also applaud the legislation for the groundwork it does for vital improvements in global health and AIDS funding which also are very significant.

Again, I congratulate our Chair and our ranking member for their superb efforts.

□ 1430

Mrs. LOWEY. Mr. Chairman, I am very pleased to yield to the distinguished gentleman from Wisconsin (Mr. KIND) 1 minute.

Mr. KIND. Will the chairman be kind enough to yield me his 30 seconds?

Mr. KOLBE. If I am correct, I think I have 30 seconds remaining, and I will yield the balance of my time to the gentleman.

Mr. KIND. Thank you, Mr. Chairman, and I rise to enter into a colloquy with the chairman.

I rise to express appreciation for the very clear direction provided in the committee's report to the Agency for International Development with regard to the continuation of the East Central European Scholarship program in Albania and Macedonia. Over the last several years, I have become very familiar with this highly effective program because for more than a decade, the University of Wisconsin-La Crosse, through this program, has been able to provide training to some 300 financial managers from all the participating program countries.

The program has provided the managers training with bank risk management, financial management, and supervision of financial institutions, all of which are critically important to stable market economies. This training has helped create financial sectors with improved protections against corrupt and fraudulent activities and has facilitated integration by these economies with the broader European economy.

As the chairman may be aware, however, USAID has not been responsive to the committee's views with regard to the program, as laid out in recent earlier reports. With that in mind, I would appreciate getting the chairman's assurance that the subcommittee will follow up on this excellent report language to impress upon the agency the seriousness of our congressional intent here.

Mr. KOLBE. I appreciate the gentleman from Wisconsin's comments and strong support for ECESP. We will have those discussions with USAID to emphasize the importance of continuing ECESP activities in Albania and Macedonia this fiscal year to shape future utilization of ECESP's expertise.

Mr. KIND. Thank you, Mr. Chairman, I appreciate that; and I, too, want to echo the sentiments and the appreciation for the gentleman's many years of fine service to this body, this institution.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I have made this point several times before during the appropriations cycle, and I want to put Members on notice one more time. I think the record is pretty clear that the minority has cooperated at every step of the way on every appropriation bill before this House so far this year. We have facilitated time agreements, we have persuaded our own Members to stifle themselves and reduce the amount of time they take on amendments, we have asked numerous people not to introduce duplicative amendments, and we have, in general, worked as a willing partner with the majority to see to it that this House proceeds in an orderly fashion.

I have had only one requirement. I do not believe that major issues affecting the expenditure of taxpayers' dollars should be decided in the dead of night, and I do not believe that this House has any business voting on these major issues at 11, 12, or 1 o'clock in the morning. It is clear to me that that is what is going to happen on this bill.

I intend to support this bill, unless two amendments that are pending do not pass. But if that happens, I intend to support this bill. But I do not believe that it serves the interests of this country to be passing this legislation or dealing with major amendments thereto in the midnight hours.

So I want to put every Member on notice. I am perfectly willing to agree to a unanimous consent agreement that enables us to get a substantial way through the consideration of this bill. I would love to see it finished tonight. If it can, by a reasonable hour, no one will be happier than I. But I do not intend to cooperate in a process which pushes all of these votes into 11, 12 or 1 o'clock votes.

We saw that on prescription drugs, we saw that on major tax bills, we have seen that on several appropriation bills last year, and I do not intend to allow that to continue without doing everything I can to prevent it. We can either proceed in an orderly fashion, in a way which is reflective positively on what is supposed to be the world's greatest deliberative body, or we can run a death march where we hide most of our major actions after midnight.

I don't intend to participate in the latter. I will be happier to cooperate in the former.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 5522

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I—EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

Inspector General

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $988,000, to remain available until September 30, 2008.

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I won't take that much time, but let me just respond to the gentleman from Wisconsin and let me just say that he has been very cooperative, and I appreciate very much his cooperation in trying to work out some time limitations so that we could work our way through this bill in an orderly fashion, and hopefully in a timely fashion, and get everybody home at a reasonable hour.

With the number of amendments that we have, it does not appear that we can get any kind of a unanimous consent agreement that would allow us to finish the bill by the time that the gentleman has said that he would prefer us to be out and not considering major issues of appropriations of taxpayers' dollars after the hour of 10 o'clock at night.

So it is beyond my pay grade at this point to decide how we proceed, whether or not we do agree to a unanimous consent agreement to have some limitation on the time of amendments and stop at a reasonable time tonight, or whether we simply plunge on through without any kind of agreement and get as far as we can tonight, which will certainly be much shorter, but we will not get nearly as far or nearly as fast.

So I am hoping the leadership, that is not on this floor at this time, will shortly be able to come back to us with some understanding of how we are going to proceed, and I hope we can just move on and do the reading, and we will get to amendments as we can here.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Program Account

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided*, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: *Provided further*, That notwithstanding section 1(c) of Public Law 103-428, as amended, sections 1(a) and (b) of Public Law 103-428 shall remain in effect through October 1, 2007.

Subsidy Appropriation

For the cost of direct loans, loan guarantees, insurance, and tied-aid grants as authorized by section 10 of the Export-Import Bank Act of 1945, as amended, $26,382,000, to remain available until September 30, 2010: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such sums shall remain available until September 30, 2025, for the disbursement of direct loans, loan guarantees, insurance and tied-aid grants obligated in fiscal years 2007, 2008, 2009, and 2010: *Provided further*, That none of the funds appropriated by this Act or any prior Act appropriating funds for foreign operations, export financing, and related programs for tied-aid credits or grants may be used for any other purpose except through the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated by this paragraph are made available notwithstanding section 2(b)(2) of the Export-Import Bank Act of 1945, in connection with the purchase or lease of any product by any Eastern European country, any Baltic State or any agency or national thereof.

Administrative Expenses

For administrative expenses to carry out the direct and guaranteed loan and insurance programs, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, and not to exceed $30,000 for official reception and representation expenses for members of the Board of Directors, $75,234,000: *Provided*, That the Export-Import Bank may accept, and use, payment or services provided by transaction participants for legal, financial, or technical services in connection with any transaction for which an application for a loan, guarantee or insurance commitment has been made: *Provided further*, That, notwithstanding subsection (b) of section 117 of the Export Enhancement Act of 1992, subsection (a) thereof shall remain in effect until October 1, 2007.

AMENDMENT OFFERED BY MR. LYNCH

Mr. LYNCH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Lynch:

Page 4, line 10, after the dollar amount, insert the following: "(reduced by $5,000,000)".

Page 38, line 20, after the dollar amount, insert the following: "(increased by $5,000,000)".

Mr. KOLBE. Mr. Chairman, I am prepared to accept the amendment being offered by the gentleman from Massachusetts, if the gentleman would be prepared to proceed in that way.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes on his amendment.

Mr. LYNCH. First of all, Mr. Chairman, I want to thank Mr. Kolbe for his great work on this bill, and also Ranking Member Lowey. I will not take the 5 minutes that I am allowed under the amendment process, but I do want to take a few minutes just to talk about what is going on here.

Mr. Chairman, the amendment that I have offered proposes to confront the related threats posed by improvised explosive devices, also known as IEDs, as well as land mines, which are being used against our men and women in uniform and against innocent civilians in both Afghanistan and Iraq.

My amendment seeks to accomplish this by dedicating $5 million for the State Department account for nonproliferation, anti-terrorism, demining, and related programs. This $5 million will be offset by shifting the same amount from the Export-Import Bank's administrative expense account, which is currently funded at $72 million.

Mr. Chairman, like a lot of Members on both sides of the aisle, I have recently returned from my fifth visit to our troops in Iraq and I have also spent some time in Afghanistan. On all of my visits to the region, I have been accompanied by strong representation from both parties, and one issue that has emerged and has grown more lethal is the threat to our men and women in the military, to nongovernmental agencies, to coalition contractors, to the press, and to innocent Afghani and Iraqi citizens is the threat posed by these so-called improvised explosive devices, or IEDs.

While some IEDs are triggered remotely with basic electronics, such as portable phone stations or garage door openers, in many other cases, we are finding that these IEDs are being triggered by a simple contact strip concealed within a narrow section of split holes that is concealed in cracks in the roadway or have been covered by a thin layer of dirt just below the surface of local roads. They can be detonated by pressure of a passing vehicle or with as little pressure as a child's footstep. These latter types of devices are much more similar in their nature and use to land mines.

Moreover, as time goes on and as the casualties grow, we are finding that many of the land mines previously planted by Saddam Hussein and the Taliban in Afghanistan have been recovered by the insurgents and are now being retrofitted to serve as components in these more lethal IEDs.

Like most of my colleagues, Republicans and Democrats, I have made more than a few visits to Walter Reed Army Medical Hospital. We have all seen the devastation and the damage and suffering that these IEDs have brought to the very best Americans and their families. In my last visit with General Casey in Baghdad, he estimated that approximately 50 percent of our monthly casualties in Iraq are the result of these IEDs. So the importance of what we are doing here, reducing these threats, should be obvious to everyone.

In closing, with today's news that Abu Musab al-Zarqawi has been eliminated and the last of the new Iraqi ministers has been selected, it is my greatest hope that we have now reached a point at which we can begin to transfer governing authority and responsibility to the new Iraqi government and to bring our troops home. But regardless of the rate of progress, these armaments will still remain a lethal threat to our troops and to innocent civilians. By transferring this money, this $5 million, we can expedite the process of recovering and disposing of these lethal land mines and potential IEDs before additional life and limb is lost.

I do appreciate the courtesy that Chairman KOLBE and Ranking Member LOWEY have afforded me, and I am thankful that they have accepted this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-McDONALD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. MILLENDER-McDONALD:

Page 4, line 10, after the dollar amount, insert the following: "(reduced by $1,000,000)".

Page 5, line 6, after the dollar amount, insert the following: "(reduced by $1,000,000)".

Page 19, line 22, after the dollar amount, insert the following: "(increased by $2,000,000)".

Mr. KOLBE. Mr. Chairman, I would just rise to say that I am prepared, if the gentlewoman will keep her remarks very short, to accept this amendment.

The CHAIRMAN. The Chair recognizes the gentlewoman from California for 5 minutes.

Ms. MILLENDER-McDONALD. I do recognize that. Thank you so much, Mr. Chairman. We will miss you sorely on this committee and the work that you have done, along with our distinguished ranking member.

Today I do offer this amendment that addresses one of the greatest atrocities of the 21st century, and that is the trafficking of men, women, and children for forced labor and sexual exploitation.

The Economic Support Fund operates to provide financial assistance for various developmental programs worldwide, including 266 programs to eradicate human trafficking. These programs are designed to present a multifaceted defense against the various and varied crimes that comprise human trafficking.

We know that this year the committee has provided $8 million for the use of this program. That is a start, but it is less than what the President has suggested in the program. Of course, I am proposing a modest increase of $2 million. This amendment offsets the increase by those things that have been outlined in the amendment.

It is not enough that we pay lip service to this problem, we actually have to lead the 21st Century Abolitionist Movement against modern day slavery. I am very happy to present this amendment. We know that human trafficking affects an estimated 800,000 persons each year, and 80 percent of those victims are women and children.

I am happy that the ranking member joined me on the trip to the United Nations to address these atrocities, and so I am so happy that the chairman and the ranking member have accepted this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

OVERSEAS PRIVATE INVESTMENT CORPORATION

NON-CREDIT ACCOUNT

The Overseas Private Investment Corporation is authorized to make, without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, such expenditures and commitments within the limits of funds available to it and in accordance with law as may be necessary: *Provided*, That the amount available for administrative expenses to carry out the credit and insurance programs (including an amount for official reception and representation expenses which shall not exceed $35,000) shall not exceed $45,453,000: *Provided further*, That project-specific transaction costs, including direct and indirect costs incurred in claims settlements, and other direct costs associated with services provided to specific investors or potential investors pursuant to section 234 of the Foreign Assistance Act of 1961, shall not be considered administrative expenses for the purposes of this heading.

PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, $20,035,000, as authorized by section 234 of the Foreign Assistance Act of 1961, to be derived by transfer from the Overseas Private Investment Corporation Non-Credit Account: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That such sums shall be available for direct loan obligations and loan guaranty commitments incurred or made during fiscal years 2007, 2008, and 2009: *Provided further*, That funds so obligated in fiscal year 2007 remain available for disbursement through 2014; funds obligated in fiscal year 2008 remain available for disbursement through 2015; funds obligated in fiscal year 2009 remain available for disbursement through 2016: *Provided further*, That notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq: *Provided further*, That funds made available pursuant to the authority of the previous proviso shall be subject to the regular notification procedures of the Committees on Appropriations.

In addition, such sums as may be necessary for administrative expenses to carry out the credit program may be derived from amounts available for administrative expenses to carry out the credit and insurance programs in the Overseas Private Investment Corporation Non-Credit Account and merged with said account.

TRADE AND DEVELOPMENT AGENCY

For necessary expenses to carry out the provisions of section 661 of the Foreign Assistance Act of 1961, $50,300,000, to remain available until September 30, 2008.

TITLE II—BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

For expenses necessary to enable the President to carry out the provisions of the Foreign Assistance Act of 1961, and for other purposes, to remain available until September 30, 2007, unless otherwise specified herein, as follows:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapters 1 and 10 of part I of the Foreign Assistance Act of 1961, for child survival, health, and family planning/reproductive health activities, in addition to funds otherwise available for such purposes, $1,565,613,000, to remain available until September 30, 2008: *Provided*, That this amount shall be made available for such activities as: (1) immunization programs; (2) oral rehydration programs; (3) health, nutrition, water and sanitation programs which directly address the needs of mothers and children, and related education programs; (4) assistance for children displaced or orphaned by causes other than AIDS; (5) programs for the prevention, treatment, control of, and research on HIV/AIDS, tuberculosis, polio, malaria, and other infectious diseases, and for assistance to communities severely affected by HIV/AIDS, including children displaced or orphaned by AIDS; and (6) family planning/reproductive health: *Provided further*, That none of the funds appropriated under this heading may be made available for nonproject assistance, except that funds may be made available for such assistance for ongoing health activities: *Provided further*, That of the funds appropriated under this heading, not to exceed $350,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of child survival, maternal and family planning/reproductive health, and infectious disease programs: *Provided further*, That the following amounts should be allocated as follows: $356,400,000 for child survival and maternal health; $25,000,000 for vulnerable children; $346,621,000 for HIV/AIDS; $287,592,000 for other infectious diseases; and $350,000,000 for family planning/reproductive health, including in areas where population growth threatens biodiversity or endangered species: *Provided further*, That of the funds appropriated under this heading, and in addition to funds allocated under the previous proviso, not less than $200,000,000 shall be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108–25), for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria (the "Global Fund"), and shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That funds appropriated under this heading, may be made available for a United States contribution to The GAVI Fund, and up to $6,000,000 may be transferred to and merged with funds appropriated by this Act under the heading "Operating Expenses of the United States Agency for International Development" for costs directly related to international health, but funds made available for such costs may not be derived from amounts made available for contributions under this and preceding provisos: *Provided further*, That none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President of the United States, supports or participates in the management of a program of coercive abortion or involuntary sterilization: *Provided further*, That none of the funds made available under this Act may be used to pay for the performance of abortion as a method of family planning or to motivate or coerce any person to practice abortions: *Provided further*, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further*, That none of the funds made available under this Act may be used to lobby for or against abortion: *Provided further*, That in order to reduce reliance on abortion in developing nations, funds shall be available only to voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services, and that any such voluntary family planning project shall meet the following requirements: (1) service providers or referral agents in the project shall not implement or be subject to quotas, or other numerical targets, of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning (this provision shall not be construed to include the use of quantitative estimates or indicators for budgeting and planning purposes); (2) the project shall not include payment of incentives, bribes, gratuities, or financial reward to: (A) an individual in exchange for becoming a family planning acceptor; or (B) program personnel for achieving a numerical target or quota of total number of births, number of family planning acceptors, or acceptors of a particular method of family planning; (3) the project shall not deny any right or benefit, including the right of access to participate in any program of general welfare or the right of access to health care, as a consequence of any individual's decision not to accept family planning services; (4) the project shall provide family planning acceptors comprehensible information on the health benefits and risks of the method chosen, including those conditions that might render the use of the method inadvisable and those adverse side effects known to be consequent to the use of the method; and (5) the project shall ensure that experimental contraceptive drugs and devices and medical procedures are provided only in the context of a scientific study in which participants are advised of potential risks and benefits; and, not less than 60 days after the date on which the Administrator of the United States Agency for International Development determines that there has been a violation of the requirements contained in paragraph (1), (2), (3), or (5) of this proviso, or a pattern or practice of violations of the requirements contained in paragraph (4) of this proviso, the Administrator shall submit to the Committees on Appropriations a report containing a description of such violation and the corrective action taken by the Agency: *Provided further*, That in awarding grants for natural family planning under section 104 of the Foreign Assistance Act of 1961 no applicant shall be discriminated against because of such applicant's religious or conscientious commitment to offer only natural family planning; and, additionally, all such applicants shall comply with the requirements of the previous proviso: *Provided further*, That for purposes of this or any other Act authorizing or appropriating funds for foreign operations, export financing, and related programs, the term "motivate", as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That to the maximum extent feasible, taking into consideration cost, timely availability, and best health practices, funds appropriated in this Act or prior appropriations Acts that are made available for condom procurement shall be made available only for the procurement of condoms manufactured in the United States: *Provided further*, That information provided about the use of condoms as part of projects or activities that are funded from amounts appropriated by this Act shall be medically accurate and shall include the public health benefits and failure rates of such use.

DEVELOPMENT ASSISTANCE

For necessary expenses to carry out the provisions of sections 103, 105, 106, and sections 251 through 255, and chapter 10 of part I of the Foreign Assistance Act of 1961, $1,294,000,000, to remain available until September 30, 2008: *Provided*, That $365,000,000 should be allocated for basic education: *Provided further*, That of the funds appropriated under this heading and managed by the United States Agency for International Development Bureau of Democracy, Conflict, and Humanitarian Assistance, not less than $15,000,000 shall be made available only for programs to improve women's leadership capacity in recipient countries: *Provided further*, That such funds may not be made available for construction: *Provided further*, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed $42,500, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: *Provided further*, That funds appropriated under this heading should be made available for programs in sub-Saharan Africa to address sexual and gender-based violence: *Provided further*, That of the funds appropriated under this heading, $10,000,000 may be made available for cooperative development programs within the Office of Private and Voluntary Cooperation: *Provided further*, That not less than $20,000,000 should be made available for rural water and sanitation projects in East Africa.

□ 1445

AMENDMENT NO. 1 OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BLUMENAUER:

In the item relating to "DEVELOPMENT ASSISTANCE", after the aggregate dollar amount, insert the following: "(increased by $250,000,000)".

In the item relating to "FOREIGN MILITARY FINANCING PROGRAM", after the aggregate dollar amount, insert the following: "(reduced by $250,000,000)".

Mr. BLUMENAUER. Mr. Chairman, the amendment I am offering today, along with Mr. LEACH from Iowa, the chairman of the International Relations Subcommittee on Asia, will increase the development assistance account by $250 million in order to fund clean water and other anti-poverty programs. This increase will be offset by an equal amount of unearmarked funds in the military foreign financing account; and as such will not, and I want to emphasize this, will not impact the military aid to Israel, Egypt, Jordan, or Colombia.

Over the last few years, it has become increasingly clear to people of every political stripe that we live in an interconnected world. How people in other countries live affects how we are secured at home, whether we are impacted by diseases like avian flu that thrive in poverty, whether our economy grows and creates more and better jobs.

By investing in poor people around the world, we invest in global economic growth, the kind of thing that will have a clear effect on our own economic future. It is also helping responsible governments get stronger, offering their own people a better future, and a smart investment in our own security from terrorism to bird flu. The capacity of responsible governments to partner with the United States in tackling these shared challenges is critical to our security at home.

Across the world, people living in extreme poverty are working, are struggling to improve their lives; but a billion of them live on $1 a day or less. It is critical that we expand our programs to help them in this work.

There is no doubt that the record of previous development efforts, including foreign aid, has been uneven; but the fact is we are getting better at it. We know what works. There is a global partnership that has emerged that does have a measurable, positive impact on growth in poor countries.

Thankfully, we now have the very best ideas of what kinds of steps are effective in providing the best returns in fighting poverty. The best tools, luckily, are simple: targeted programs to provide clean water, health care, improve agricultural productivity, and support good governance. This is not rocket science, as they say; but these are things that work.

Time and time again we have made commitments to fight against poverty, and we must now put those commitments into action.

In 2000, we joined with over 190 countries in committing to a series of ambitious targets called the Millennium Development Goals, including cutting in half the people living in extreme poverty by 2015. There are a series of other initiatives that have taken place to try and make sure that the rich countries of this world invest 0.7 percent of their gross national product in anti-poverty programs.

Currently, there is only one country in the world of the rich, developed countries that does less than we do in this regard. We spend less than 0.2 percent. It is time for us to live up to the commitments we have made. This amendment is a simple way to do it.

In fact, this is supported by people across this country. The Program on International Policy Attitudes at the University of Maryland found that two-thirds of the American public supports significant increases for our foreign assistance. It shows majorities of both Republicans and Democrats supporting increasing our investments.

Now, there are consequences for our lack of leadership. Mr. Chairman, every 15 seconds a child dies needlessly from waterborne disease. Half the people who are sick today around the world are sick needlessly because of a lack of fresh pure water and sanitation.

This is within our capacity to make a difference, and there is no great philosophical fault line. Indeed, Girl Scout troops, churches, synagogues, your local Rotary Club may well have been involved with these efforts; and they support these approaches and can do something about it.

This amendment would allow the House to decide if $250 million is better served by investing in people through good governments, health and economic development, or selling more weapons around the world, often to countries with questionable human rights records.

The most recent year that I surveyed showed that half the money that we gave for military assistance went to countries that the State Department ruled were not democratic. I strongly urge the adoption of this amendment to be able to realize this bipartisan objective.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is an example of the kind of amendment that we are going to hear a great deal about this afternoon and this evening. It is the kind of amendment that if the world were different, if we lived in a world with unlimited resources, it would be wonderful to say "yes" to an amendment like this.

But, of course, we do not live in a world of unlimited resources. As described in general debate, the allocation for our bill is $2.4 billion below the amount requested by the President, and certainly lower even than what all Members would like to see in the bill.

We have $1.29 billion for development assistance. That is $12 million above what the President requested. So in this particular area, despite the fact that we are $2 billion below the President's request, we have actually exceeded the amount in this area. It is equal to the amount we provided in fiscal year 2006 once you adjust for the trade capacity funds that have been moved to the new account.

We have some very tough choices that we have to make in this bill, and yet we have provided at least steady funding levels for the Development Assistance Account.

Now, the difficult part of this amendment is where the money comes out of. The gentleman says it is more important to provide safe drinking water than it is to make military sales to other countries. I would agree with that statement certainly when it is phrased that way. But I think it is important, and the gentleman understand, that of the $4 billion that we have in our bill for military assistance, foreign military financing, all but $900 million is designated for countries. It is designated to Egypt, Israel, Jordan and some for Colombia, and a couple of other countries. But there is only $900 million that is not designated.

The gentleman's amendment takes this money out of it, but does not touch the earmarks, of course; and so it comes out of that $900 million that is left. What he is doing is taking the money away from a handful of countries which would absolutely decimate the handful of countries left. You would be talking about taking away the small amounts of money that we give to such countries as Armenia, the substantial amounts that we give to Pakistan, Turkey, the small amounts that we give to countries like Liberia and Ethiopia. All of it would come out of the funds that go to those countries, which money is important, very important in terms of their security, very important in terms of their international obligations. In many cases, it goes for things so those countries can meet their international obligations towards peacekeeping forces.

So the amendment is going to reduce funding out of 68 small country programs which would have to be cut by 50 percent or more in each of those cases in order to accommodate the gentleman's amendment. I think to do this would be absolutely irresponsible on the part of the House of Representatives, and we should not allow this to happen.

Let me conclude by saying what we have done on water programs in this legislation. We have directed the U.S. Agency for International Development to provide not less than $50 million from the development assistance accounts to build wells in rural areas and to secure water systems in urban areas of Africa and communities that lack access to fresh water.

In addition, we have language, bill language within the Development Assistance Account, that mandates $20 million specifically for water programs in East Africa, and that of course is where we know the need is the very greatest.

These directives, these mandates, will double the fiscal year 2006 allocation for Africa in the Development Assistance Account. No one, certainly not the least of whom is me, doubts the need to provide clean, safe water for drinking around the world. I believe this bill as presented to the House helps us deliver on that promise.

Does it do everything we would like it to do? No. But in so many other areas, this bill so necessarily falls shorts, as do other appropriations bills.

This amendment is not the right way to proceed and the consequences for the small countries that rely importantly on our foreign military financing programs and are affected by this reduction would be absolutely drastic. I would urge my colleagues to defeat this well-meaning amendment, but with consequences that are quite dire to the effect of this bill.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in reluctant opposition to this amendment, and I associate myself with the remarks of Chairman KOLBE. I understand and support what the gentleman from Oregon seeks to accomplish; but I believe passage of this amendment would upset the delicate balance of funding we have achieved in this bill on a bipartisan basis.

It would also severely disrupt foreign military financing programs that are a key part of our overall national security strategy.

I was pleased that the fiscal year 2006 foreign operations bill included a $200 million earmark for drinking water supply projects in the developing world, and I understand that USAID will indeed meet that earmark in this current fiscal year. As we have not reduced development assistance funding below the 2006 enacted level, and have not reduced disaster assistance significantly from the enacted level, I am confident this bill has room to at least meet the 2006 earmark for water supply projects.

As I said, the potential effect of the gentleman's amendment, and the chairman referred to that, would be to cut nearly in half the 68 unearmarked recipients of foreign military financing. So I am very concerned, but I hope to work with the chairman and the gentleman from Oregon in conference to ensure a high level of funding is earmarked for water supply projects.

In the meantime, I reluctantly urge my colleagues to oppose this amendment.

Mr. OBEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I recognize that there are some problems associated with this amendment. And if it were adopted, I think there would have to be substantial rejiggering of the allocation to the subcommittee. But I just want to make an observation, nonetheless.

With the passage of the defense appropriations bill, we will have spent $450 billion on the dumbest war since the War of 1812, that war being our involvement in Iraq.

The conferees on the supplemental two nights ago, despite the fact that there were two Senate votes and one House vote which put into that bill a declaration that the Congress was in opposition to creating permanent bases in Iraq, despite that fact, the conferees dropped all three of those.

□ 1500

So we are now in the position where the Congress of the United States will not even take a position that we don't want permanent bases in Iraq. Now, I know there are some people in this Chamber who don't want us to pull out immediately. There are a lot of people who don't want us to do that. But, certainly, the only other option isn't to stay there forever, but that is what is being implied if we accept these permanent bases in Iraq.

Imagine how our influence in the world would be transformed. Right now, since our invasion of Iraq, we are at an all time low in terms of American popularity in every region of the world. Imagine how our popularity would be transformed if we said that, instead of spending $450 billion on a stupid war, imagine how the world would look at us if instead we said we were going to take 1/10 that amount and use it to make certain that every single one of God's creatures who we could reach in the next 10 years would finally have access to water that doesn't make them sick and doesn't make a lot of their kids die. America would be transformed, at least our image would be transformed, into actually living up to our Judeo-Christian principles. Wouldn't that be a shocker?

So I recognize that there are technical problems associated with the gentleman's amendment. But just because my heart moves me on that subject, I am going to vote for it. And if it means that somebody somewhere is not going to get all the weapons they have been planning on, isn't that too bad.

Mr. LEACH. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the amendment which Mr. BLUMENAUER and I are offering is a transfer amendment. $250 million would be taken from the unearmarked section of the Military Assistance Account which exceeds the Development Assistance Account by approximately a three to one margin. These resources would then be applied to clean water and other poverty alleviation programs.

In our interactions with the world, the U.S. basically only has two options. We can emphasize our capacities to project military might and be a global policeman, or we can emphasize our humanitarian concerns and be a global doctor or engineer. There are times that the policeman's role may be compelling, but I am hard pressed to think anything except that in the long run, American leadership in the 21st century will be judged on whether the United States chooses to be a superhumanitarian power rather than principally a military interventionist.

One of the myths of our time is that realism is about might. Actually, realism is about the human condition. It is the human condition that must be improved if national security is to be strengthened. Impoverished nations are breeding grounds for radicalism. Where there is no hope, there is nothing to lose. There is no restraint on violence.

Thus, the approach contained in this amendment is to address the daily concerns of the 3.7 billion people in the world who lack access to clean drinking water and adequate sanitation. These people are exposed to sicknesses like giardia, guinea worm, shistosomaisis, and diarrhea on a regular basis. Hundreds of millions of people, including one in every five children in the poorest countries of the world, die simply because there is no clean water.

Mr. Chairman, our priorities must be recalibrated. It may be true that the militaries of several poor countries will not be as advantaged, but the family of man will clearly benefit.

Mr. SWEENEY. Mr. Chairman, I move to strike the last word.

Let me start by saying as a member of the committee I really appreciate the work of the chairman and the ranking member. I know the very difficult choices that had to be made under an extremely tight budget and extremely tough year in making those decisions. And I rise in opposition to this amendment somewhat reluctantly because I agree with some of the prior speakers and the need to look at the priority of water and the needs of water throughout the Nation as a means of expanding United States influence in a very positive way. We do it in this bill; we do it as best we could in fitting in some of the other priorities they have.

And why I rise in opposition to this amendment is because of its effect. As has been pointed out already, it cuts everything, but from the designated funds, the earmarked funds. It cuts $250 million that I think will critically imbalance United States relationships in some places. For example, it cuts from some of the African nations that I think desperately need the support that would be given in the MFM fund.

And as an Armenian American, I want to point specifically to the effect it would have on Armenia and the fact that it would cut $68 million in assistance, economic and border security assistance to Armenia, which I view in large part is in this bill in order to balance out some of the challenges that fledgling nation has with its neighbors in Turkey and Azerbaijan; and in part, in recognition, which we have failed in this Congress to do as of yet, and in this Nation, to recognize the Armenian genocide of the past century and its impact on that nation's history.

And so I want to salute the chairman and the ranking member for trying to find that delicate balance and striking it here in this bill. And while I applaud the sponsor of the amendment and his intentions and hope that we can work in future years to do even more as it relates to providing water, I think the impact of what this bill does in terms of offsetting those funds would have too detrimental an impact. Therefore, I would urge my colleagues to object.

Mr. BLUMENAUER. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I yield to the gentleman from Oregon.

Mr. BLUMENAUER. I just want to clarify in my own mind. I heard Mr. KOLBE say that the effect of our amendment, there were about 900 million, if I heard him correctly, that was unallocated at this point. There is some report language in there that talks about where it might go.

According to the information I have, there is only $7 million that has been identified in report language for Armenia and Azerbaijan, and there is over a quarter billion dollars that is completely undirected. So I am wondering where the $70 million figure came from that you are citing here that our amendment would impact.

Mr. SWEENEY. Well, the amount for Armenia, as is being explained to me by the chairman, is about 7 percent. So if I said 7 million, then I misspoke out of MFM. But the total impact, as I understand it, of the taking of the 250, about 50 percent would be to lose the 68 million that was intended to be sent to Armenia for the border security.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

The Clerk will read.

The Clerk read as follows:

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

For necessary expenses to carry out the provisions of section 491 of the Foreign Assistance Act of 1961 for international disaster relief, rehabilitation, and reconstruction assistance, $348,800,000, to remain available until expended, of which $30,000,000 should be for famine prevention and relief.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OBEY:

Page 14, line 1, after the dollar amount, insert the following: "(increased by $50,000,000)".

Page 19, line 22, after the dollar amount, insert the following: "(reduced by $100,000,000)".

Page 20, line 3, after the dollar amount, insert the following: "(reduced by $100,000,000)".

Page 32, line 7, after the dollar amount, insert the following: "(increased by $50,000,000)".

Mr. OBEY. Mr. Chairman, I am offering this amendment on behalf of myself, the gentleman from Illinois (Mr. HYDE), the gentleman from California (Mr. LANTOS), and the gentleman from Texas (Mr. AL GREEN).

For some time, Mr. Chairman, I have been troubled by the repression of political freedom in Egypt and the lack of democratic reform. But in light of the historical role that Egypt has played in the region and the continuing stability that Egypt brings to an increasingly troubled region, I have appealed for patience and moderation in efforts to alter Egypt's aid package.

I chaired this subcommittee for 10 years, and during that time I was responsible for providing over $20 billion in military and economic aid to Egypt. In the years since, I have helped to fend off amendments that sought to cut or restrict aid to Egypt.

Last year, during the Full Committee consideration of the bill, I offered an amendment that earmarked some of Egypt's economic aid for democracy purposes, a move that allowed Congress to fend off yet another attempt to restrict the military aid. But in offering that amendment, I gave notice to the government of Egypt that my patience, and the patience of the American people, was wearing thin, and I hoped and expected that the government of Egypt would get the hint and make some moves to loosen its grip on political freedom and democratic reforms.

Instead, I am sad to say, we have gotten backsliding on municipal elections, an extension of emergency laws, repression of judicial freedoms and a crackdown on demonstrations and rallies.

Most recently, we have seen the appellate court in Egypt reject the appeal of Ayman Nour, a political opponent of President Mubarak who was conveniently arrested just prior to last year's presidential elections.

Hundreds of demonstrators have been arrested and jailed in recent weeks, many of them young kids in their teens and 20s who have been beaten and bullied. Reporters have been roughed up and intimidated.

Just this week, the government of Egypt suspended the work of the International Republican Institute in Egypt after the IRI country director criticized in an interview the pace of reform as being too slow.

Now, I am not a naive peddler of global democracy. I am not preaching that we hold elections all across the Middle East and call it a day. I understand that the very free and fair elections in the West Bank in Gaza have resulted in a disastrous consequence for the peace process through the election of Hamas.

But I do fear that Egypt is heading toward a precipice. What is happening in Egypt, Mr. Chairman, is that the government is systematically fencing in and squeezing out its moderate opposition. And if they continue to do that, they are going to wind up with the only viable opposition being the Muslim Brotherhood, the most radical of the forces in the country. That will be disastrous for Mr. Mubarak. It will be disastrous for his government. It will disastrous for the American people, and it will be disastrous for the entire region.

I consider myself a lifelong friend of Egypt, and I have taken a lot of heat on this floor through the years for taking a number of actions that supported Egypt and the rest of the Arab world, sometimes even when I differed with my friends who were supporting various provisions for Israel.

But it seems to me that if you are a friend of Egypt, you will try to make them understand that they are endangering their ability to have a peaceful transfer of power when Mr. Mubarak leaves office.

Now, I have met Mr. Mubarak's son. I understand that Mr. Mubarak would like to see his son succeed him. I am very impressed by his son. I happen to think he would probably be a good leader. But he is not going to get the chance for very long if the moderate opposition in that country is systematically jailed, beaten up and wiped out, because then you will have only the most radical extreme elements left.

So what we are doing in this amendment is to cut $100 million out of the Economic Support Fund, and we are moving 50 million of that to help refugees in the Sudan, and we are moving another 50 million of it to provide increased funding for the President's HIV/AIDS initiative. I am not doing this out of anger at Egypt. I am doing this out of a deep and abiding concern for the future of that country.

I respect Egypt. I think the people of Egypt are a wonderful people. And I think that Mr. Mubarak has done many constructive things that have been in the interest of peace in the region and have helped promote our own national interests as well.

□ 1515

But I am speaking as a friend, and I am saying this Congress has an obligation to recognize the problem and to act before it is too late to salvage the situation.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do rise in opposition to this amendment, and I say so with the greatest respect to my colleague DAVID OBEY. Often on this floor, we say things about each other and we say things because it is the oil that helps make this place move forward, but I do have the greatest respect for him and I believe he has been a great part of this institution, it has been a privilege to serve with him. We just differ on this amendment. We had a very good debate in the full Appropriations Committee on this, and I hope the debate this afternoon will be as constructive and as good as the debate that we had in the committee.

We both agree that Egypt should strive toward greater democracy and greater freedoms, and I believe the approach taken by this amendment is the wrong approach.

Mr. OBEY suggests that we would take $100 million of funding in economic support funds from Egypt. The intent is to take these funds from the amounts that are designated as budget support for Egypt. These are the funds that are transferred to Egypt when it successfully completes certain financial sector reforms. In other words, we have put benchmarks in front and said the money can't be released until they meet these reforms. As they meet these reforms, the money is then released. This would then take the money away from that, reducing that incentive to make these kinds of reforms.

The funds that are targeted by this amendment support one of our strongest allies in this region. And I say that very carefully, one of our strategic partners, our very strong allies in this region, to help them meet the memorandum of understanding that we made in March of 2005 about these financial sector reforms.

Last month in the same kind of debate that we had in Committee, the Secretary of State said in a letter to the chairman of the Appropriations Committee, "Reducing U.S. assistance would seriously damage our partnership as well as the broader strategic interests of the United States." And she also went on to state, "We firmly believe the U.S. assistance to Egypt could continue at the full level requested by the administration, and ask your support for that request."

In the past, the ranking member Mr. OBEY has himself recognized this when he has stated on the floor his support for the funding for Egypt. Now, I recognize and he could argue quite correctly, times have changed, there are different things that have happened, and he could say this is a different source of funds perhaps from it. But nonetheless, he himself has recognized the importance of Egypt as an ally.

While it is sometimes important to dispense tough love by withholding or eliminating funds, we also have to ensure that Egypt remains allied with the United States as a leading moderate nation within the Middle East. And I believe that, in this case, any attempt to pressure Egypt into hastening its transition to democracy could push this country away from the United States and allow another foreign power to gain a foothold in the region that could be very detrimental not only to our interests, but to the interest of peace in the region. This certainly would not be good for any of us.

Mr. Chairman, the bill that is before us today already has a $200 million rescission in funds for Egypt in the economic support fund. So for those who want to make this claim, the bill already has sent a signal to the Egyptians, and I think this amendment just simply piles on. It is overkill, in my opinion.

As in the programs that would receive funds with the Obey amendment, he would put some of it to the global HIV/AIDS initiative. I don't believe that anybody could claim that we have not supported this program or provided all the funds that could reasonably and effectively be spent. In fact, this bill has a total of $3.4 billion for HIV/AIDS programs. The President's request, $750 million increase over the 2006 level, this is the largest increase in this bill, and that demonstrates how much I think all of us on this committee and in this body care about fighting the HIV/AIDS. To increase it by another $50 million is simply not necessary and doesn't do anything more to meet in any way, certainly not as much as it detracts from the strategic interests that we have in Egypt.

The second area is in the international disaster and famine assistance, and this is a contingency count for uses when disaster strikes. In this bill there is a total of $348 million, again, the President's request for this account. The supplemental that 2 days ago was considered by the House and Senate conferees includes an additional $161 million for IDFA to accommodate emergencies that have recently arisen. We have done what I think is the responsible thing in this bill.

Mr. Chairman, I urge my colleagues to vote against the Obey-Lantos amendment.

Mr. LANTOS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my friend and colleague Chairman HYDE and I are strong friends of Egypt and we are proud cosponsors of this amendment. We are sponsors of this amendment because we are fed up with an Egyptian government that has received well over $50 billion from United States taxpayers in the past quarter century, yet it will not treat its citizens with dignity and respect. We are fed up with an Egypt that suppresses dissent, an Egypt that suffocates the secular liberal opposition, throws its leaders in jail on trumped-up charges, an Egypt that takes out its wrath on a man called Ayman Nour, who finished a distant second in President Mubarak's landslide victory last year. I am sickened, Mr. Chairman, that Mr. Nour is likely to spend the next 5 years of his life behind bars on transparently manufactured charges when we know his only real crime was having the temerity to wage a political campaign against Mr. Mubarak.

We are fed up with and are not fooled by an Egyptian government that stages parliamentary elections, but prevents voters from reaching the polls. We are fed up with an Egyptian government that punishes judges who merely want to insist on judicial independence and ignores its promises to end emergency law and instead extends it. We are fed up with and deeply disappointed in an Egyptian government that suspended the activities of the International Republican Institute in Egypt simply because the local director criticized the pace of reform in Egypt.

We are fed up with an Egypt that is one of the leaders among the so-called group of 77 who are working hard to derail the critical United Nations reforms proposed by Kofi Annan, the Secretary General, which have bipartisan and strong support here in this Congress.

We are fed up with an Egypt that has nearly 500,000 active duty troops in its military, yet can do nothing in the international effort in Afghanistan.

We are fed up with an Egypt whose peace with Israel remains frigid, far colder than it ought to be, as we approach the 27th anniversary of the peace treaty.

Mr. Chairman, I do not denigrate the importance of our alliance with Egypt and I deeply appreciate the importance of the Israeli-Egyptian peace. But I do feel that we deserve more, much more for our generosity than the laundry list of problems I have only partially described.

I want the United States to maintain the strongest possible relations with Egypt. As you know, Chairman HYDE and I have made efforts in the past to communicate this to Egypt in clear and unmistakable legislative language.

The approach in our amendment is not precisely the approach I would have championed. Nevertheless, I consider it absolutely critical that President Mubarak understand the deep dissatisfaction here with the course of events in Egypt, particularly regarding the decline of human rights and personal freedoms.

It is also critical that the Egyptian people understand that we are taking this action in support of those moderate political parties, human rights advocates and independent judges who are supporting change in Egypt.

I believe this amendment sends a message to President Mubarak and to the Egyptian people in a manner that is loud, clear, friendly and measured. I urge all of my colleagues to join me in supporting this amendment, communicating our deep disappointment in our ally Egypt, and boosting simultaneously the underfunded and critical causes of the tragedy in Darfur and fighting HIV/AIDS globally.

Mr. HOYER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise on behalf of and in support of the amendment offered by Mr. OBEY, Mr. HYDE, Mr. LANTOS and Mr. GREEN, and I associate myself with the remarks of Mr. OBEY and Mr. LANTOS.

I believe the alliance between ourselves and Egypt is an important one. I believe that Egypt has played an important role, not as expansive a role as I would have wanted, but an important role in the Middle East.

Mr. Chairman, in his inaugural address President Bush stated, "It is the policy of the United States to seek and support the growth of democratic movements and institutions in every nation and culture, with the ultimate goal of ending tyranny in the world."

Mr. Chairman, I agree with this unambiguous statement in support of democracy and freedom, and I believe Members on both sides of the aisle agree with it as well. In fact, it is the reiteration of the policy that has guided our Nation from Wilson to Roosevelt, to Truman to Kennedy, to the present day.

Yet today, Mr. Chairman, one of our Nation's key allies in the Middle East, our friend Egypt, has taken demonstrable steps that raise troubling questions about its commitment to democracy.

Mr. Chairman, I will give examples. Multiparty presidential elections in 2005, as has been stated, were marred by allegations of fraud, voter suppression and intimidation. The leading opposition candidate, Ayman Nour, was arrested and sentenced to 5 years in prison, prompting the State Department to comment, "The Egyptian government's handling of this case represents both a miscarriage of justice by international standards and a setback for the democratic aspirations of the Egyptian people."

In Egypt, judges who protested the election have been disciplined. More than 600 pro-democracy activists have been arrested, and members of the foreign and Egyptian press have been harassed and intimidated.

Let me add, Mr. Chairman, it troubles me that last year, Egypt voted with the United States of America on contested votes of importance only 8.9 percent of the time. Let me reiterate that. A country to whom we have given $67 billion since Camp David, voted with us in important votes 8.9 percent of the time.

Thus, today, Mr. Chairman, I believe this amendment gives us a clear choice: We can continue to turn a blind eye to the undemocratic behavior of the Egyptian government, which will receive $1.8 billion in military and economic assistance through this foreign operations bill; or, alternatively, through the adoption of this amendment, we can send a message to our friend that the United States of America does not approve of its undemocratic activities, and, indeed, believes those are inimical to Egypt itself. We expect Egypt to abide by its commitments on democracy, human rights and the rule of law.

The Secretary of State's letter has been referred to by the chairman of the subcommittee. I have read that letter, Mr. Chairman. It sets forth many things that Egypt has done which have had a positive effect on stability in the Middle East.

Mr. Chairman, in my opinion, those actions were in Egypt's best interests.

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They did not do that for the United States. They did it to create stability in the region in which they live. I congratulate them for that. But they did not do it because we gave them aid, assistance.

The bipartisan amendment that has been offered, quite simply, would cut $100 million, as has been said, in economic assistance for Egypt. Like Mr. LANTOS, that would not be my choice, but that is the choice of this amendment. Instead, it increases funding for disaster assistance for refugees in Darfur, one of the crisis regions of the world today. In addition, it increases the President's Global HIV/AIDS Initiative by an additional $50 million

At a time when this Nation has committed itself to promoting democracy throughout the Middle East, we have, it seems to me, a responsibility to expect that the most populous country in the region meets its democratic commitments.

Mr. Chairman, I urge support of this amendment.

Mr. WICKER. I move to strike the requisite number of words.

Mr. Chairman, my colleagues, I rise in opposition to the amendment and urge my colleagues for a strong vote against this ill-advised initiative.

In debate on the House floor some 2 years ago, some of the advocates of this amendment today rose and very eloquently spoke basically on the other side of the argument, saying that this would be ill advised, it would be unilateral action against a friend of ours.

I thought those remarks were correct at the time. And I am disappointed that some of the advocates of this amendment have changed their minds over 2 years' time. What has happened in 2 years?

Well, one thing that has happened is they have had a presidential election in Egypt which has represented progress. Now, we were not happy with everything that happened with the parliamentary elections, and it was not exactly a perfect presidential election in Egypt. But they had multiple parties, they had an open process. And I think almost every person who watched this on the international stage said it represented progress. So what has happened between 2004 and now is actual progress in Egypt. I commend them for that. But let's talk about why we have this bill at all. I meant to get down here for general debate to discuss this. We do foreign assistance for altruistic reasons, certainly for humanitarian reasons, of course. But the main reason we do foreign assistance is we do it in the American national interest. This bill is a very important part of our national security package. And let me tell you about the national interest. Those of you who have been to the Middle East know that we do not have a lot of friends over there. But one friend we have in that area is Egypt. Since Nasser kicked the Soviets out, since Sadat helped with Camp David, with the beginnings of that Arab-Israeli peace process up until today, Egypt has been our strategic friend and our strategic partner.

Talk about national interests: When we went in with Operation Iraqi Freedom, some of our allies, Turkey, for example, would not let us through. How much trouble did that cause us, because we were not able to go into Iraq through Turkey?

By contrast, Egypt has allowed us to use the Suez for that purpose. They have allowed us continuous overflights. And just recently, they have been instrumental in helping with the unilateral Israeli withdrawal from the Gaza. They have helped us when it counted.

How many American soldiers are alive today because Egypt was our friend in Operation Iraqi Freedom? How many billions of dollars have we saved for the American taxpayers because Egypt has been our friend?

An amendment that was stronger than this was offered in the Appropriations Committee, and it was rejected overwhelmingly on a bipartisan basis. The authors of this amendment have attempted to soften it here on the floor. And one of the things that they have tried to do is take the money from Egypt and give it to programs that we all like—AIDS in Africa, Darfur, things of that nature. It is hard to resist. It sounds good.

But my friends, these people in Egypt have stood by us in a tough, tough neighborhood. And I do not think this amendment is the sort of thing we do to our friends. It might make us feel good, but it is terrible foreign policy, and I believe the House of Representatives will reject this amendment.

Ms. KILPATRICK of Michigan. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, Members and the world, this is a very important amendment, and we must pay particular attention to it. The Middle East is in turmoil. We are threatened on every side of the Middle East. Sometimes we do not respect the culture. Sometimes we do not respect the religion. Sometimes we do not respect the people for what has happened to this country and terrorism around the world.

But I want for a minute for you to just take a moment and think how important this amendment would be and the signal it would send to our strongest alley in the Middle East. We have had a wonderful relationship with Egypt over the last 30 years. Over 75 million Egyptians, with some of the other countries, Syria, Jordan, Saudi, some of them 7 million, some 10 million, some 12, this is 75 million Egyptians who live in our country today and who live in the Middle East.

Mr. Chairman, it is the wrong signal to send at a time when the Middle East is in turmoil. Leadership is what they must have. And I contend to you that President Mubarak and his administration is the best friend that we have in the Middle East. I am recently returned from the World Economic Forum in Egypt on the Middle East, where countries from that region came together.

We met with them, a good delegation of us. And we interacted with them for the 2, 3 days of that summit. They want to be good neighbors. And what I am here to tell you is that Egypt, with the President and his administration, is leading the effort to make sure that our relationship with them and theirs with the rest of the Middle East is one that is important, that is stabilized, and that it is secure.

Egypt is a critical partner of the U.S. in the Middle East. Egypt is an honest broker with the Palestinians on its issues and on our issues. Egypt is the main protector of Israel, and we need that communication, we need that cooperation. Egypt supports us in the Gaza and the Egyptian border.

Egypt has sent 800 peacekeepers to the Sudan. Egypt also participates in joint exercises with our military. They buy our U.S. military equipment. This is not the time to punish them. No, they are not a democracy like we have. This is the best country in the world. Our democracy is second to none.

But do we penalize our neighbors, sovereign nations, because they are not like us? President Mubarak in the last 12 months has issued many decrees and is about changing how they believe and what they believe in Egypt.

As a result of that, Egypt has seen three bombings, had not seen any in over 10, 15, 20 years. Because it is hard to change from one way of governing, and then come to another. You have people in Egypt rising up against the president and against us too.

It is not time now. The timing is not good for the U.S. to back away from our relationship with Egypt as we help to stabilize that part of the world and remain partners with our country.

Is it possible that some things might not be right? Yes. I would be the first to say that. Are they working to make it better? Yes, they are. Israel needs a strong Egypt. The U.S. needs a strong Egypt. So I implore my colleagues, and I hate to rise any time against my ranking member. I feel so passionately about this that I implore my colleagues to look at what is happening in the world, look at us as our Nation, we are a great Nation, second to none.

Let us not forfeit our partnership with our friends that will destabilize our own country. There was a great act in the Middle East overnight, when one of the terrorists was captured, not only captured but further than that. Do we throw all of that for naught, or do we try to live in a world community where we can live together as brothers and sisters from different nationalities and ethnicities? I contend that Egypt is key in that and that we must continue.

It is not about the money, I must say as I take my seat. The cost of military assistance is phenomenal. The amount that this will deduct from that, it is not about the money; it is about the good will and the partnership.

Hundreds of millions of dollars are being spent for our own security. I contend that Egypt is a partner with us, and we should maintain that bipartisanship, for it is they and us and nations of good will like us that will determine what kind of world your grandchildren will live in. Vote "no" on the amendment.

Mr. PRICE of North Carolina. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Obey amendment, although I have great respect for what my colleague is trying to achieve.

What we are hearing in this debate is two narratives, both of which are important. In the first narrative, we hear that Egypt's progress toward democratic reform has been far too slow with far too many setbacks; and, my colleagues, that is true.

The Egyptian Government persists in imprisoning political opponents like Ayman Noor. I could add Professor Saad Ibrahim to that list. I worked for several years with colleagues to urge the Egyptian Government to free Mr. Ibrahim, director of an organization in Cairo that promoted democracy and was critical of President Mubarak's leadership.

Thankfully, Mr. Ibrahim has now been released, but the pattern of imprisoning dissenters continues. These are very real concerns, and I hope the Egyptian Government hears the debate in this Chamber today as a strong alarm signal regarding Egypt's slow pace of progress.

However, there is a second narrative that is equally compelling. Egypt is one of our most important allies in a troubled region. It has contributed greatly to many efforts critical to our national security, including supporting efforts to stabilize and rebuild Afghanistan; training Iraqi police and troops; helping ensure an orderly withdrawal of Israeli forces from Gaza, including the sending of 750 troops to the Sinai-Gaza border; and policing the Rafah border crossing between Egypt and the Palestinian territories.

Perhaps most important now, Mr. Chairman, is Egypt's role as a mediator in the Israeli-Palestinian conflict. Egyptian leaders like General Suleiman have intervened in discussions and negotiations when the U.S. simply cannot do so.

Just this morning, USA Today reported that Egypt had mediated between Fatah and Hamas to secure an agreement under which Hamas will withdraw its 3,000-person militia from Gaza and allow it to be folded into the Palestinian security forces.

Egyptian leaders have intervened on several other notable occasions. In an effort to prevent Fatah's disorganization from enabling a Hamas victory in Palestinian elections, General Suleiman worked with Abu Mazen in December 2005 to try to mediate between splinter parties.

In December 2004, during a period of heavy attacks against Israel, General Suleiman initiated a dialogue with Hamas and the Islamic jihad and other Palestinian militant groups to seek an end to the attacks.

Mr. Chairman, we are facing a critical period in the Middle East. The political crisis caused by Hamas's victory makes Egyptian mediation more, not less, critical. That is decisive for me. It is a time to build on this second narrative, not to deliver an irresponsible poke in the eye to a critical player at a critical time.

Let me say a few words about the supposed beneficiaries of this amendment. Mr. OBEY has cleverly crafted the amendment to distract attention from the cuts to Egypt by directing the money to two causes that many of us believe are of the highest importance, stopping genocide in Darfur and stemming the spread of HIV/AIDS.

□ 1545

I strongly support both of these priorities and would support added funding in this bill for them. However, this amendment does a disservice to those priorities by making them pawns in a political game that is about our support for Egypt, not for support for AIDS and Darfur. I hope we can add funding for efforts to address the AIDS pandemic and the genocide in Darfur, but this amendment is not the responsible way to do it.

Let us not lose sight of the millions of people in the Middle East who are depending on our leadership and our ability to work with Egypt to achieve peace in their troubled region. That is the priority of which we must not lose sight. I urge my colleagues to oppose the Obey amendment.

Mr. ROTHMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, what if a member of your family were heading in a direction that was going to cause that person irrevocable harm, a member of your family? Would you stand by and say nothing? Someone you love. Or would you get their attention however you could as subtly as possible but if subtlety does not work then with a little more oomph to get their attention, to get them to change direction because they are going in a destructive direction?

That is what the Obey amendment is about. It is about our friend Egypt, a member of our family, if you will, going in the wrong direction. A friend who we have committed more than $67 billion to, delivered it to them. They have done wonderful things for our national security as well. We are great and good friends, Egypt and the United States, but our friend Egypt is headed in the wrong direction.

Just this past year, President Mubarak's leading opposition candidate for president was put in jail. Emergency laws which suspend democracy and the rule of law are still in effect. Independent judges have been disciplined for not following in lockstep with what the government says is their agenda. Freedom of the press has been weakened. And just this week, the International Republican Institute, a democracy building program in Egypt that is also funded by our Appropriations Committee, was suspended for criticizing the slow pace of reforms in Egypt.

People around the world, countries around the world, Mr. Chairman, have no hesitation telling us in America when we are moving in the wrong direction. Even in a time of war, other countries who are our friends say, America, you should not do that. You are going in the wrong direction. Well, that is what the Obey amendment does. It says to our friends in Egypt, please, we have tried every subtle way to get your attention, it has not succeeded. We are going to try to get your attention now with this $100 million transfer to two very worthy purposes, by the way, HIV/AIDS relief in Africa and $50 million for Darfur, clearly places where this money will be put to better effect.

Now, again, I view the Egyptian people as honorable and great people, great friends of the United States. I heard somewhere that that somebody said Egypt is defending Israel. By the way, Israel is America's greatest ally in the Middle East by far and votes with American more than any other country. Egypt unfortunately only votes with us 8 percent. Israel votes with America over 90 percent of the time at the U.N. Israel takes care of itself.

But, Mr. Chairman, we need to send a message to our friend, Egypt, to finally make these changes and show progress this coming year in the rule of law, in respect for democracy and human rights. I support the Obey amendment.

Mr. SWEENEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to this amendment and would like to say, first, that I understand that simply by having this debate here today, I think we are sending the appropriate message that needs to be sent to Egypt. And I would point out that already in the bill we rescind $200 million in aid to Egypt, and I think that this particular amendment would be much more punitive than is requisite and needed.

The United States needs to strive to bring reforms to Egypt. We all agree on that. But this is not tough love. This is going over the top in my estimation, and would cause damage for many years in the future if it were to pass. Reducing U.S. aid to Egypt at this time would also be strategically not a good move for the United States. Egypt has facilitated expeditious transit of hundreds of U.S. warships and thousands of U.S. aircraft through the Suez Canal and Egyptian air space since the start of Operation Enduring Freedom and Iraqi freedom.

Egypt has been a close partner. Many of my colleagues before have spoken about that relationship and what it means to the region at such a critical team. So I would urge my colleagues to oppose this amendment because I think it goes just too far.

Mr. KOLBE. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I yield to the gentleman from Arizona.

Mr. KOLBE. I thank the gentleman for yielding. I want to correct some statements that were made by previous speakers with regard to the International Republican Institute having been denied the ability to operate in Egypt. I have the privilege of serving on the board of the IRI, and I did speak yesterday to the president of the IRI.

There has been some disagreement, some misunderstanding, I think, really in terms of the registration process for the IRI in Egypt, but it is the belief of the President of the IRI that this is going to be worked out very shortly. But we do not believe it will, in any way, affect the programs of IRI in Egypt.

So I think he would agree, and certainly I would suggest to you that $100 million whack at Egypt over the slowness of registering an organization, an NGO that has engaged in democracy building, is a little bit of an overkill.

That leads me to my larger point, and this has been a bipartisan debate, and we have seen speakers here on both sides of the aisle speaking against this amendment and appreciate my colleagues who have come to the floor to make the points about how important Egypt is as a strategic partner.

That is the bottom line here. Egypt is a strategic partner. Egypt is a country that is in transition as we speak. Everybody knows that we are moving on to a post-Mubarak age. The question is, where do we want to be 10 years from now? Where do we want Egypt to be? Where do we want to be with regard to our relationship with Egypt. I would suggest to you that Egypt which has been since 1979, with the Camp David Accord, the key part of our strategic effort to achieve peace in the Middle East, that this would not be the time, this would not be the way to achieve that, to continue on that path by kicking sand in the face of Egypt.

This is not the right move, Mr. Chairman. This is not the way to go about this. We need to continue this strategic partnership. We need to continue to say to Egypt, we do expect you to reform. We do expect these kinds of political reforms to be made. We will work with you and we will stand with you and we will stand with the people of Egypt to make these reforms. And we are glad that you have moved towards the multi-party presidential election. We are glad some of these things are happening. We expect more to be done, but we are not going to achieve that if we do not continue the partnership. If we jerk the rug out from under them, if we take away that partnership, we can hardly expect that to continue.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. SWEENEY. I yield to the gentleman from Wisconsin.

Mr. OBEY. Last year, I said virtually everything that my good friend is now saying today. The problem is that in the last year they have jailed their main opponents, they have beaten up people who are defending an independent judiciary, they have imposed another round of martial law, and they have continued the very things that are totally opposed to our values.

Now, to me the issue is not whether Egypt is a good friend and a good ally. They obviously are. The question is; Are they going to be around to continue to be that. If they do not change the way they are behaving, they are not going to be succeeded by a moderate government. They are systematically alienating every moderate group in that society, and you are going to wind up with the Muslim Brotherhood running that country unless they wake up before it is too late.

Mr. SWEENEY. Reclaiming my time, let me conclude by saying that I agree the purposes of this amendment are quite noble and that we as a body and as an institution should be promoting the ideas of reform and we should be intolerant and frustrated, but this amendment goes too far. And we have already taken steps and the mere fact we are having this debate I believe reinforces that message. I urge my colleagues to oppose this amendment.

Mr. ACKERMAN. Mr. Chairman, I move to strike the requisite number of words. I rise in support of the Obey-Hyde-Lantos amendment.

Mr. Chairman, in years past on this floor and in committee I have noted Egypt's central role in the Middle East peace efforts and that without those efforts we would have been even further away from peace than we are. That is, I believe, still true today. And clearly Egypt played an important part of Israel's successful disengagement from Gaza last year, but as central as the Egyptian role in the Israeli-Palestinian conflict is and as helpful as Egypt has been with ship transits through the Suez and flights over the Suez Canal in support of our efforts in Iraq, in regional peace and security, is not the only agenda that we have with Egypt.

President Bush has called for democratic transformation as a response to the rise of Islamic extremists in the Arab world. In Egypt, the response to that call has been decidedly mixed. Clearly, last year's presidential elections which for the first time featured more than one candidate on the ballot were a departure from the past practice of an up or down vote on President Mubarak and were a positive step forward. However, the Egyptian parliamentarian elections in December were marred with violence, voter intimidation and allegations of fraud as the ruling party sought to hold not just its majority in the assembly but its overwhelming majority.

While some will point out that a large number of opposition candidates who want seats, the real concern is that so many of them are affiliated with the Muslim brotherhood. No doubt the Egyptian government will look at these results and say again that political reform must proceed slowly.

I would argue that these results are of the government's own making. It is not democratic reform that produced these results, but the lack of political space for legitimate secular parties to function within Egyptian society. By denying that space, by arresting judges and journalists, by prosecuting legitimate opposition political leaders, by beating demonstrators, by extending the emergency law, the government of Egypt makes more likely the political result that they most fear, a future government of Egypt dominated by radical Islamists.

The choice we have today is to do nothing and hope that with more dialogue and a little more cajoling, that we can get President Mubarak to continue on the path to reform or we can send a clear message that even appreciating how helpful Egypt is on the regional peace and security issues, the Congress will not stand silently by as government thugs beat peaceful demonstrators in the streets of Cairo and with their fists extinguish the hope of a truly moderate, secular democratic future for Egypt.

Mr. OBEY. Mr. Chairman, will the gentleman yield?

Mr. ACKERMAN. I yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman. We were just told this amendment goes too far. The fact is the State Department made phone calls to a number of people here yesterday indicating they would be willing to support this amendment. The only difference was that they wanted $50 million going to added democratization programs rather than going to AIDS. That was the only difference, because the State Department is getting fed up with the conduct that Egypt is demonstrating, and the State Department recognizes that this is a very dangerous slippery slope the Egyptian government is on.

So some may think this amendment goes far, but based on these conversation yesterday, the State Department is not one of them.

Mr. ACKERMAN. Mr. Chairman, I do not think we should regard this as punitive. We should regard this as a signal coming from a friend. Mr. OBEY, I think as a lifelong friend of Egypt as am I, would probably as ranking member, or perhaps as chairman, would be the first person to rush to the floor to restore those funds and then some, should Egypt understand this message and rectify its ways and move in a direction that is within its own interests.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I reluctantly rise in support of the Obey amendment and I want my colleagues to know that the decision to support this amendment has not been an easy one for me. I support it out of a deep sense of disappointment and unease with recent actions taken by the Egyptian government.

I returned from Egypt with many of the members of the committee just a couple of weeks ago. Our brief visit there was filled with candid meetings with key Egyptian officials. We heard about Egypt's support for the Darfur peace process, its pledges of support for a U.N. peacekeeping force.

□ 1600

We heard the fears of Egyptian officials about the prominence of the Muslim Brotherhood, the threats to Egyptian society and industry from terrorism, and that what happened in the Palestinian elections with Hamas could happen to them.

We also heard about the great strides Egypt has made on economic reforms and the difficult reforms still ahead, and we heard about Egypt's cooperation on the Middle East peace process and Israel's withdrawal from Gaza and on ensuring speedy passage for U.S. military vessels through the Suez Canal.

However, in recent weeks and months, we heard other stories as well, of thousands of riot police being deployed to crush peaceful demonstrations by supporters of judicial independence, of judges being punished for publicly saying that past elections have been rife with fraud, of efforts to quash moderate opposition parties, including through the prosecution, brutal physical abuse and lengthy incarceration of an opposition candidate, of the extension of the sweeping emergency law despite explicit statements that it would not be removed and, most recently, of the termination of democracy-building projects under the auspices of the International Republican Institute simply because IRI's Cairo director criticized the slow pace of Egyptian reform.

I have such great respect for the chairman and am delighted that he had conversations with the IRI as a board member, and I do hope that there has been a misinterpretation of the public information with that issue, and I do hope it can be straightened out.

I am concerned about these developments, and I just finally came to the conclusion that the U.S. has an obligation to speak out; and to those who say that Egypt is a close ally of the United States and we should deal with these issues in private, I believe that we are a close ally, we will remain a close ally. We understand how important the United States-Egyptian relationship is, but I would say that we have dealt with them in private, countless times; but the Mubarak government refuses to acknowledge our messages.

We, as members of the committee, delivered those messages in person. We understand that Egypt is a close, essential, strategic ally which is precisely why we tried to deliver those messages quietly, in private. It did not work. The reports kept appearing. The pictures on CNN when we were even in Egypt kept appearing.

Since 1979, Egypt has received more than $60 billion in military and economic aid from the United States, and I have supported it every time I had the opportunity to vote for that, understanding the importance of Egypt in that very difficult region of the world. This is proof enough of the importance of Egypt's continued strength, stability, and friendship to the United States.

The Obey amendment is not about devaluing that relationship or causing instability. It is, rather, a strong, unequivocal message that only a friend can deliver, that the way in which the government of Egypt currently approaches its moderate political opposition is simply inexcusable; and for this reason, I do urge my colleagues to support the Obey amendment.

Mr. WICKER. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Mississippi.

Mr. WICKER. Mr. Chairman, I accompanied the gentlewoman on the delegation to Egypt. Will she acknowledge that we met with Mr. Mubarak, Jr., and that he outlined a roadmap for further constitutional democratization in Egypt that is a positive step and that the gentlewoman was impressed with that? Would she acknowledge that?

Mrs. LOWEY. Mr. Chairman, reclaiming my time, may I respond to my colleague, I feel strongly that I am not going to tell Mr. Mubarak or his son, with whom we were very impressed. I am not going to tell them whether they should democratize in 1 year, 2 years or 3 years.

The CHAIRMAN. The time of the gentlewoman from New York (Mrs. LOWEY) has expired.

(By unanimous consent, Mrs. LOWEY was allowed to proceed for 2 additional minutes.)

Mrs. LOWEY. Mr. Chairman, in response to my good friend Mr. WICKER, as you well know, we had some very, very solid, powerful dialogue with both President Mubarak and his very impressive son, and we both felt that his words were very strong, very optimistic about the future of the continuance of our relationship and the importance of their role in that region.

I am not even suggesting to my good friend Mr. WICKER that we should tell them they should democratize in 2 years or 3 years. They are living in a tough neighborhood, and they are taking actions that they may think are appropriate in their move towards democratization.

However, I happen to believe, from the bottom of my heart, that those pictures on the camera of 10,000 riot police beating people over the head or the jailing of political opposition for 5 years on forgery charges, and I know we heard that he was not a very good, upstanding citizen, I believe that, however, I am taking this action because of the behavior which I think is inexcusable and because I have confidence that they will continue to move towards the path of democracy.

So I am taking this action not because I am commenting on their slow move towards democracy, but because of the actions that they have taken that I think are inexcusable and, in my judgment, would be problematic if you are moving towards democratic reform.

Mr. WICKER. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Mississippi.

Mr. WICKER. Mr. Chairman, will the gentlewoman agree that if this Obey amendment passes today, the headline tomorrow in Egypt would be that the United States House has taken a slap at our allies in Egypt and that it might make it harder for moderates in Egypt to continue down that path?

The CHAIRMAN. The time of the gentlewoman from New York (Mrs. LOWEY) has again expired.

(By unanimous consent, Mrs. LOWEY was allowed to proceed for 1 additional minute.)

Mrs. LOWEY. Mr. Chairman, I would hope the headline would emphasize the over $1 billion that we are providing in assistance to Egypt because we acknowledge the very critical role in that region: the critical role they are playing in Darfur; the critical role they are playing in the peace process. And I have confidence that that relationship is so strong that we will continue to work together to make sure that someday, in our lifetime, we will see peace in that region of the world and hopefully it will be based on democratic principles.

I thank my good colleague for your very thoughtful question.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, one could not help but appreciate the debate that has been carried on this afternoon and particularly the remarks of concern about Egypt's democratization; and, certainly, the gentleman from Wisconsin and the gentlemen from California and Illinois are individuals that I respect, but I rise this afternoon to again emphasize key elements that we cannot change.

In a letter from Secretary Rice dated the 24th to the chairman of the Appropriations Committee, she said let me first state that our strategic partnership with Egypt is a cornerstone, a cornerstone, of U.S. policy in the Middle East, and the partnership that would continue would be in the U.S. interests.

So although I recognize that this is to, if you will, to say to Egypt that all is not well, I would simply say to my colleagues that this is too important a relationship to create the kind of atmosphere or tone that would say that the alliance between Egypt and the United States has been broken and forever broken.

A few weeks ago, some of us took our passion and our belief to the Sudanese embassy and were arrested, and so of course I have a sense of passion and concern for the dollars that would go to Sudan. But do we realize that Egypt is the first Arab country to support the peace agreement with Darfur that was reached between the government of Sudan and the rebels; that Egypt committed itself to participate in the international forces and post-war reconstruction of Darfur; that just recently Egypt has convinced the government of Khartoum to accept the international peace forces; and that Egypt has increased its participation in the African Union peacekeeping; and that they will welcome the sick and injured from Darfur, including the rebels? They have worked on behalf of this peace agreement.

And then I might say to you that based on mutual agreement between Egypt and the U.S., the ES fund that was allocated is already $40 million less than fiscal year 2006. We have already cut them more than half of the level, cut half of the level of 1998, and particularly this ES fund is targeted for democracy and education. The very complaint that we have will be undermined by the Obey amendment.

I would also say to you that in Secretary Rice's letter she said again reducing the U.S. assistance would seriously damage our partnership, as well as the broader strategic interests of the United States. Accordingly, we firmly believe, the State Department, that the U.S. assistance to Egypt should continue at the full level requested by the administration.

We frankly have an opportunity to reinforce our friendship. I do not like the incarceration of opposition and the 10,000 police that were, if you will, both misguided and without temperament. They should be chastised, and the Mubarak government has the responsibility to do that. What the world sees, the world believes.

But Egypt is currently undergoing a process of reform. They are undergoing an effort of broadening political participation ensuring freedom of expression. In addition, they recognize that this is a problem with the incarceration of the opposition. I might remind my colleagues that it was a court decision that caused Mr. Noor to be incarcerated.

But nonetheless, any letter to the effect that suggests that this is not the right way I will join, but this is not the way to engage in this position. It is true that Egypt is not engaged in active or interactive military conflict as we speak, but there is no doubt that Egypt is a target of terror and terrorism. There is no doubt that they are a strategic body of safety within the region of the Middle East. They are subject to forces of terrorism, militant Islam, and rogue countries that threaten America and Egypt.

I would only ask my colleagues that, yes, it is appropriate to admonish Egypt and to make them realize that we want an encompassing of the ideals of democracy, but having just received the Prime Minister of Israel, they have a relationship with a strong partner of the United States. Let us recognize that Egypt has been a friend; that Egypt's culture is a culture of great diversity; that Egyptians here in the United States have spent their blood on behalf of freedom of this country; and that the relationship that we have between Egypt and the United States is one to nurture and one to give credence to and one to be able to protect.

Egypt is listening to this debate, and I believe, Mr. Chairman, as they listen to this debate they will correct their ways, but we should not support this amendment. Let us support and nurture the relationship between the United States and Egypt. They are a strategic partner.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the requisite number of words.

In a moment, I would turn to my colleague Mr. OBEY in case he has other thoughts to round out his, I think, important case on an important amendment, which I strongly support. The only adjustment that I could possibly suggest would be that some of the money that was of the $100 million be invested in water resources around the world, but I am pleased to step forward.

I am a supporter of the historic agreement that Egypt entered into. I think the $60 billion American taxpayers have invested is justifiable, but I think it is time for us to take a step back and get real. I have listened to the argument that we have heard from a variety of people, including those who have been the most steadfast supporters of Egypt on the floor of this Chamber year after year in terms of patience running thin, in terms of the oppression of people in Egypt, suppression of the democratic process.

☐ 1615

I find it a little farfetched to suggest that somehow everything is going to be fine with our relationship with Egypt if we give them $1.75 billion, but if somehow that is scaled down to $1.65 billion that somehow things are going to be upset; that it is a slap in the face; that Egypt is somehow undermined. Who else is going to give them this type of money and provide this type of steadfast support?

It is the wrong use of this money. I think Mr. OBEY has suggested higher and better uses. Again, I only wish it was water resources. I think it is an important wake-up call for Egypt, but more important, I think it is an affirmation of our responsibility of how we use these resources to extend our interests in foreign policy. We shouldn't be trapped in time.

I think Mr. OBEY's amendment is an important step in our exercising our responsibility.

I yield to Mr. OBEY if he wanted to elaborate on his defense.

Mr. OBEY. I thank the gentleman. Someone on the other side just said "What will the headline be tomorrow?"; that it will be that there is a slap in the face of the government. That is the point. That is the point.

Our long-term security is tied not just to Mr. Mubarak, but whoever comes after him. And what we are trying to do is to send a message to all levels in Egyptian society that we stand for what we say we stand for, which is a modicum of decency in dealing with your political opponents, absent other trappings of democracy.

And it is important that a lot of people in Egypt besides Mr. Mubarak understand that we are serious about our democratic values, that we are serious about assuming that the country that is more identified with us than any other Arab country, that it is important that they reflect certain norms of decency with respect to the way they treat their population and treat their political opponents.

And it is in the interest of the United States to make sure that every citizen of Egypt understands that, because otherwise, we allow other groups, like the Muslim Brotherhood, to paint caricatures of the United States, which will do us no good in the long run.

I thank the gentleman for the time.

Mr. DOGGETT. Mr. Chairman, I move to strike the last word.

Mr. Chairman, only a few months ago, the Department of State reported on the type of Egypt that would receive more American tax dollars under this bill: "The government's respect for human rights remained poor, and serious abuses continued in many areas." "Security forces killed a number of opposition voters and protestors." "A systematic pattern of torture by the security forces existed." "At least seven persons died in custody at police stations or prisons" during 2005. This on top of 120 such deaths in police custody "as a direct result of torture" over the prior decade "among some 420 cases of torture."

I think Secretary of State Rice was absolutely correct to speak out on democracy in Egypt earlier this year, and she was also correct when she said previously "that for 60 years, it has been the policy of the United States and our allies to turn a blind eye to the absence of freedom in the Middle East." The only problem is that the commitment of this Administration to democracy promotion is largely determined by its desperate attempt to find more excuses for its other foreign policy failures. And when it comes to Egypt, the Bush administration has merely changed that "blind eye" to a wink.

Yes, just after President Mubarak last month extended emergency rule and dictatorial powers for himself, just after he locked up his electoral opponent, and just as his henchmen were beating peacefully assembled people brutally on the streets of Cairo, Vice President CHENEY winked and accorded Mubarak, Jr. the prestige of a White House meeting. And the Administration advises that President Bush dropped in to say hello to Mubarak, Jr., but briefly because he only wanted to convey his best wishes to Mubarak, Sr.

Well, the Mubarak strategy deserves more than that kind of wink and a nod toward democracy. His strategy has been, from the very beginning, to convince American leaders and American taxpayers to transfer their tax dollars to Egypt because he represents the only alternative to Islamic extremists. And to ensure that his strategy continues to pay dividends, he aggressively suppresses any moderate opposition that emerges.

It is true that he doesn't boil his opponents alive like Secretary Rumsfeld's former buddy in Uzbekistan. But to follow the sad path of civic discourse in Egypt is to watch an authoritarian respond to his people's demand for a more open society with a big stick, with a view that he can beat that spirit out of them with fear and intimidation.

What we need in Egypt, as several people have said on both sides of this debate, what we need is a pragmatic policy, a policy that realizes if we continue to associate ourselves with a corrupt regime, eventually the pressure cooker will explode, and we will have paid to create the very disaster that these dollars are allegedly designed to avoid.

Now is the time to tell President Mubarak, through this amendment, that we have wasted more than enough money propping up tyranny. Ultimately, by approving the Obey-Lantos-Hyde-Green bipartisan amendment, this Congress can say to this latter-day pharoah. "let your Egyptian people go." Doing that is the best way not only to help the people of Egypt, but also to help American families be safer.

Some have asked about the headline that will likely run about this debate. I will tell you what the headline will be if this amendment is not approved. The headline will be: "We got away with it again." Clearly, the Egyptian government has not heard the comments given quietly in private during the past. They have paid more attention to the winks they have gotten from this Administration. The only thing they will understand is in dollars and cents and in the votes that are cast for this amendment.

I urge my colleagues to support this bipartisan amendment because it will not only protect American tax dollars, it will lead to more safety for American families.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today in support of the Obey-Hyde-Lantos-Green amendment to increase disaster assistance funding for Darfur by $50 million and to increase HIV/AIDS assistance by $50 million. In order to pay for this funding, this bipartisan amendment will cut $100 million in economic budget support for Egypt.

Mr. Chairman, when we provide money to any organization or government, we should demand accountability and results in return. However, we have heard over and over again that in just the last year the government of Egypt has imprisoned the leading opposition candidate in their 2005 elections. which were themselves marred by fraud; extended so-called emergency laws despite promises to repeal them, cracked down on pro-democracy groups, harassed and arrested members of the press, and suspended a United States Government funded program to promote democracy. This is simply not acceptable. Perhaps some tough love and leaner times will help refocus the Egyptian government on Democratic reforms.

While our funds are obviously finite, the need for true humanitarian assistance around the world is seemingly infinite. The World Food Program has recently had to cut rations for refugees in the Sudan due to a shortfall in funding. The global HIV/AIDS initiative is funded at $121 million below the President's request. I am sure that nearly all of us would rather see our taxpayers' money used to support refugees and children orphaned by AIDS than used to throw dissidents and reporters into Egyptian jails.

Just a day or two ago, I was arrested in front of the Sudanese Embassy as a result of all of the difficulty and the genocide and the instability taking place in Darfur. Certainly a little bit of additional money to help provide resources for those refugees, for those individuals whose lives are disrupted would go a long way. So I urge support for the Obey amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong support of the Obey-Hyde-Lantos amendment because the lifesaving interventions that would be effectuated by the amendment to enhance by $50 million money for PEPFAR and another $50 million to meet the needs for refugees and IDPs in Darfur are compelling.

The money diverted from Egypt, I want to make very clear, will be very well used. I have actually visited camps in Darfur, Mr. Chairman, and they are underfunded. Despite our best efforts and many of the efforts of the international community, people do need more, food, medicines, as well as the shelter and security that ensures that the food and medicines can go to the people.

Let me also point out that the PEPFAR program did not receive in this bill the amount of money that the President had asked for. Some of that money was put into the Global Fund. And I think it is unfortunate that PEPFAR, that has worked so well and is still growing in its capabilities as well as its impact, should be funded at least at the level the President has asked for. This gets us closer to that number.

I recently visited a number of the programs that are funded by PEPFAR in Uganda and saw firsthand how there is behavioral change that is occurring as part of the abstinence, be faithful approach. But especially for those under the age of 30, there is a profound change. The infection rate is dropping dramatically, and has been for a few years now in places like Uganda.

We went out into the bush and into areas where U.S. funded teams are going out two by two to bring the message of health, including testing as well as what needs to be done if one is found to be infected by HIV/AIDS. We also saw that the PEPFAR monies were being used very efficaciously using faith-based initiatives and others to get the antiretroviral drugs to those infected. But clearly, there is not enough medicine available. Whether it be for young people or people who are older, there is just not enough antiretroviral medicine being funded to reach all of those who could get their lives back if indeed that money was there. So this money, at least $50 million of it, will be put there.

Let me also say with regards to Egypt, we all know pursuant to the Camp David agreement, and because of the boycott, the Egyptians did receive significant amounts of money, as they should have, and they do so every year. They continue to do so even if the Obey-Hyde-Lantos language is adopted. But I am very concerned, as someone who spends a great deal of time working on human rights, that there has been a deterioration of human rights in Egypt, Christians and others, the government has not done all it can do to try to mitigate these abuses.

Yes, I like Mubarak. We all like him. He is a very affable and a very effective leader in many ways. But it seems to me much more has to be done on a human rights record that the Country Reports on Human Rights Practices this year again has said is poor, as well as the International Religious Freedom Report with regards to Egypt.

So for all of these reasons, I strongly urge that we support this amendment. It is a good amendment. And, again, we are still, even if this passes, major providers of U.S. taxpayer funds to Egypt, even if this amendment passes. So I urge support of the amendment.

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

Friends, it is absolutely true that we need friends in this region, but it is also true that it is not easy to be our friend in the region. It is not easy, first of all, because a lot of folks in that area are not very fond of the United States of America, and Egypt has been an exception and a dear friend in troubling times and in a troubling region.

It is not easy also because, as a friend, we are sometimes rather condescending.

□ 1630

I have listened to some of the language that has been used here. We talk about tough love. Tough love is something you do not do with someone of mutual stature; tough love is something parents do to children. I have heard language like "get their attention." We have Egypt's attention. They understand that we care about democracy, but it is presumptuous of us to assume that Egyptians do not care about democracy and human rights as well.

I had the privilege of traveling to Egypt recently with some of my good colleagues. We met with a number of moderates and business leaders who said it would be counterproductive if the House of Representatives seeks to punish Egypt or teach Egypt a lesson by withholding these appropriations. It would be counterproductive. Human rights activists told me that. The reason it would be counterproductive is because Egypt has made a number of reforms that we have asked them to make. They are engaging in economic liberalization. They are engaging in progress towards democracy after thousands of years.

Our own country certainly did not start perfectly. As any African American or woman knows, we passed the Alien and Sedition Acts under John Adams. Our own country had a slow and tortuous progress towards full democratic participation.

Egypt is moving in that direction. If we are condescending and patronizing at this critical time, it will send the wrong message, not the right message.

Egypt has boots on the ground in Darfur helping the refugees. They are operating a field hospital in Afghanistan, treating our own wounded and Afghani civilians. Egypt has been critical to helping negotiate the tense situation with the Palestinian Authority. Egypt has been involved in training the Iraqi troops.

Yes, there are concerns. But goodness gracious, could you not turn on the TV occasionally and see demonstrators clashing with police in our own country? And do we not have other allies in that country and elsewhere on this planet that have treated journalists harshly?

If we expect perfection from our friends or we will punish them or teach them a lesson or engage in tough love, we are going to have precious few friends left in the world. Precious few. We need to treat the Egyptians with the respect their long and proud history deserves. We need to continue to support them with appropriations, and we need to work with them as partners with mutual respect and honor in the long tradition that we have established with this great country.

I understand the good motives of the ranking member and the others who have supported this amendment. I understand their intentions and I respect that. I just think it is a strategy that may actually backfire on us in the region, and for that reason I urge rejection of this amendment and we continue to work with the Egyptian Government to encourage and support the many achievements they have made and to support future achievements as they move forward.

That is the message I heard on the ground in Egypt, and I hope my colleagues will share that and reject this amendment.

Mr. FORTENBERRY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, thank you for this opportunity to support Mr. KOLBE in opposing this amendment to decrease economic support to the government of Egypt.

I think it is important to note that I fully appreciate the concerns raised by the sponsors of this amendment and their commitment to political and human rights reform in Egypt. The imprisonment of Mr. Noor, a presidential candidate, other prisoners of conscience, as well as serious violations of religious freedom, are very serious affronts to human dignity and freedom. I believe that we have a responsibility to raise the issue of reform with the Egyptian Government which the United States has done on numerous occasions and continues to do.

However, it is also important to note that Egypt has borne significant sacrifices for the cause of peace and freedom in the Middle East.

President Sadat paid a very high price for Egypt's rapprochement with Israel. More recently, Ambassador Ihab al-Sherif paid with his life for daring to defy the foes of peace in Iraq.

When I visited the Sinai as an 18-year-old in the aftermath of the 1973 war, I was struck by the graffiti scrawled on a twisted heap of concrete, a scene so typical throughout the Middle East. The message in Arabic and English read: "Here was the war. Here is the peace."

For close to 30 years now, Egypt has stood by a courageous choice, daring to chart a new course. President Sadat could have made another choice. While no government is perfect, this choice has been consistent with a march toward democratic reform. Much is left to do. Many challenges remain. But the loosening of our hand of friendship with Egypt will potentially harm that which this amendment seeks to achieve.

Egypt is one of our most important strategic allies in the Middle East, and a cultural and historical leader of the Arab world. I believe this amendment would achieve nothing short of damaging an important relationship at a critical time.

Mr. AL GREEN of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I thank God that Members OBEY, HYDE and LANTOS have had the courage to bring this amendment. And I say so because, Mr. Chairman, a human crisis of the highest magnitude exists in Darfur. As we speak, we have had 2.5 million people displaced. Something has got to be done about that. We have had 3 million people put in a position such that they have to exist on emergency assistance. 400,000 people are dead. These are real people; these are real numbers. There is real suffering going on in Darfur.

I do not know what the headlines will read tomorrow in Egypt. I do not know what they are going to read here in my hometown of Houston or here in Washington, D.C., but I know this: at some point on the infinite continuum that we call time, the omniscient, the omnipresent, and the omnipotent will come together and every one of us will have to answer the question: Where were you when there was murder and rape and hunger in Darfur? Where were you when your brothers and your sisters were suffering?

I want to let you know that this is the least we can do for the people of Darfur.

Mr. Chairman, $50 million will go to the World Food Program that needs help. It only has 32 percent of what it needs to meet the demands of this crisis.

Mr. Chairman, we have to ask ourselves the question: If not now, when? When will we give help and aid to those in need?

If not here, where? Where will the help come from?

If not us, who? Who will the help come from?

Mr. OBEY, God bless you. You have done the decent thing for people who have been suffering for too long. I thank you for what you have done.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. OBEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. OBEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Wisconsin will be postponed.

Mr. KOLBE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I hope in just a moment here that we will be able to have the committee rise and we will have a unanimous consent agreement to propound. But let me say before that moment that I do think this debate that we have just concluded has been a very constructive debate, a very productive one.

As I said in the committee, I hope that our friends in Egypt, whether they are here in the United States or whether they are listening to this abroad, have taken some message from this debate that we have just had on the question of our relationship with Egypt and the support and the strategic partnership which we all recognize as an important one. But I hope the message that our friends in Egypt take from this is that democracy is about this kind of a debate.

In a democracy, you not only allow this kind of debate, you encourage it. What we hope to be able to say to our friends in Egypt is that this debate is an important one, and we have had a very constructive debate that I believe is very important.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BOOZMAN) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5522, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2007

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5522 in the Committee of the Whole, pursuant to House Resolution 851, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

Pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

An amendment by Mr. MCGOVERN regarding Andean counterdrug funding, which shall be debatable for 60 minutes;

An amendment by Mr. MCGOVERN regarding a funding limitation on Western Hemisphere Institute for Security Cooperation, which shall be debatable for 30 minutes;

An amendment by Ms. GINNY BROWN-WAITE of Florida regarding funding for Ireland;

An amendment by Ms. GINNY BROWN-WAITE of Florida regarding INCLE funding for Mexico;

An amendment by Mr. BROWN of Ohio regarding Child Survival and Health program;

An amendment by Ms. WATERS regarding funding for Haiti, which shall be debatable for 20 minutes;

An amendment by Ms. WATERS regarding funding for Haiti;

An amendment by Ms. HOOLEY regarding INCLE funding;

An amendment by Ms. BERKLEY to strike the waiver authority in section 544 of the bill;

An amendment by Ms. BERKLEY to strike the waiver authority in section 550 of the bill;

An amendment by Ms. BERKLEY to strike the waiver authority in section 555 of the bill;

An amendment by Mr. MCHENRY to strike the waiver authority in section 581 of the bill;

An amendment by Mr. DEAL of Georgia regarding section 583 of the bill and certain waiver authority;

An amendment by Mr. TERRY regarding funding limitation on importation of counterfeit goods and services;

An amendment by Mr. WEINER regarding funding limitation on Saudi Arabia, which shall be debatable for 20 minutes;

An amendment by Mr. KING of Iowa regarding funding limitation on ESF funds to Mexico;

An amendment by Mrs. MUSGRAVE regarding funding limitation on importation of U.S. beef;

An amendment by Mr. KUCINICH regarding funding limitation on Northern Transnational Highway in El Salvador;

An amendment by Mr. POE regarding funding limitation on countries that do not accept the transfer of certain individuals issued a Final Removal Order by ICE;

An amendment by Mr. POE regarding reduction of funds in the bill;

An amendment by Mr. SANDERS regarding funding limitation on Ex-Im

Bank approval of an application related to oil and gas field development project, which shall be debatable for 20 minutes;

An amendment by Ms. JACKSON-LEE of Texas regarding funding limitation on IMET funds for the Government of Chad;

An amendment by Ms. JACKSON-LEE of Texas regarding funding limitation on Pakistanian enforcement of the Offence of Zina ordinance of 1979;

An amendment by Ms. JACKSON-LEE of Texas regarding authorization of funds for security activities in Afghanistan;

An amendment by Ms. JACKSON-LEE of Texas regarding funding limitation on IMET funds for child soldiers;

An amendment by Mr. DEAL of Georgia regarding funding limitation on the use of INCLE funds;

An amendment by Mr. CULBERSON regarding funding limitation on assistance to Mexico;

An amendment by Mr. HEFLEY regarding reduction of funds in the bill; and

An amendment or amendments by Mr. KOLBE regarding funding levels.

Each such amendment may be offered only by the Member named in this request or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Foreign Operations, Export Programs, and Related Programs may each offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 851 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5522.

□ 1640

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes, with Mr. THORNBERRY in the Chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) had been postponed and the bill had been read through page 14, line 3.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House of today, which is at the desk.

AMENDMENT OFFERED BY MR. OBEY

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on one amendment on which further proceedings were postponed, the amendment by Mr. OBEY of Wisconsin.

The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Wisconsin (Mr. OBEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 198, noes 225, not voting 9, as follows:

[Roll No. 236]

AYES—198

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Butterfield
Cantor
Capuano
Cardin
Cardoza
Carnahan
Carson
Clay
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Doggett
Doyle
Duncan
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Ford
Foxx
Frank (MA)
Gallegly
Gerlach
Gohmert
Gonzalez
Gordon
Green (WI)
Green, Al
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hayworth
Herseth
Higgins
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hyde
Israel
Jackson (IL)
Jefferson
Jindal
Johnson (IL)
Keller
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lowey
Maloney
Markey
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McGovern
McHenry
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moran (KS)
Moran (VA)
Musgrave
Nadler
Napolitano
Neal (MA)
Northup
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Platts
Poe
Ramstad
Rangel
Reichert
Renzi
Rogers (AL)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Sherman
Simmons
Simpson
Slaughter
Smith (NJ)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Tancredo
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Wexler
Wolf
Woolsey
Wynn

NOES—225

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Drake
Dreier
Ehlers
Emerson
English (PA)
Everett
Feeney
Flake
Foley
Forbes
Fortenberry
Fossella
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green, Gene
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hinchey
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Inslee
Issa
Istook
Jackson-Lee (TX)
Jenkins
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kilpatrick (MI)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Marchant
Marshall
Matsui
McCotter
McCrery
McDermott
McHugh
McKeon
McKinney
McMorris
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore (WI)
Murphy
Murtha
Myrick
Neugebauer
Ney
Norwood
Nunes
Ortiz
Osborne
Otter
Oxley
Pastor
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ruppersberger
Ryan (WI)

Ryun (KS)
Sanchez, Loretta
Saxton
Schmidt
Schwarz (MI)
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Skelton
Smith (TX)
Smith (WA)
Sodrel
Sullivan
Sweeney
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Upton
Walden (OR)
Walsh
Wamp
Waters
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wu
Young (AK)
Young (FL)

NOT VOTING—9

Bono
Davis (FL)
Evans
Gibbons
Kingston
Manzullo
Nussle
Peterson (PA)
Reyes

☐ 1711

Messrs. CLEAVER, DINGELL, ROHRABACHER, CUELLAR, FEENEY and WU, and Ms. MCKINNEY and Ms. EDDIE BERNICE JOHNSON of Texas, changed their vote from "aye" to "no."

Messrs. EDWARDS, GALLEGLY, MCHENRY, FERGUSON, FORD and LOBIONDO changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. KOLBE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the Chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING CONSIDERATION OF H.R. 5522, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2007

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5522 pursuant to House Resolution 851, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clause 9 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON APPROPRIATIONS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Appropriations:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 8, 2006.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Please accept my resignation, effective immediately, from the House Committee on Appropriations.

It has been my great pleasure to serve on the committee under the fine leadership of Chairman Jerry Lewis and Chairman Bill Young.

Thank you for your attention to this request.

Sincerely,

TOM DELAY,
Member of Congress.

The SPEAKER pro tempore. The question is, Shall the resignation be accepted?

The gentleman from Texas is recognized.

☐ 1715

Mr. DELAY. Mr. Speaker, political careers tend to end in one of three ways: defeat, death, or retirement. And despite the fervent and mostly noble exertions of my adversaries over the years, I rise today to bid farewell to this House under the happiest of the available options.

I wish to begin the end of my congressional career by publicly thanking for the last time as their Representative the people of the 22nd District of Texas. Everything I have ever been able to accomplish here I owe and dedicate to them. It has been an honor and a privilege to serve them here.

Mr. Speaker, the real Speaker, he is on his way, I want to tell the real Speaker it has been a real honor to serve with DENNY HASTERT, who is my good friend, my most trusted partner and colleague. I want to take just a moment to congratulate him myself on becoming the longest serving Republican Speaker in history.

What a blessing this place is, Mr. Speaker. What a castle of hope this building is, this institution is for the people of the world. It is one of those things in political life that you always know, but seldom notice. The schedules we are forced to keep during our days in Washington are not always hospitable to sitting back and reflecting on the historical significance of our surroundings.

In the weeks since I announced my retirement, however, I have found myself doing just that. I notice things like I have not in years. I notice the monuments on the Mall. I notice that in Washington's obelisk, the Father of Our Country is represented not as an object of glory, but as a dutiful sentry at attention, minding his post for eternity.

I notice that under Jefferson's dome, the statue of the man is relatively understated, while his etched words still thunder from the marble with the power to drive history.

I notice that Lincoln's chair, the man who sought above all peace and reconciliation, keeps one of his hands in a perpetual fist. I walk these halls with a keener perspective. I notice now the statues of old and great, and in some cases almost forgotten, heroes that line the halls of this building, that stand in Statuary Hall.

In these halls I have also noticed in recent weeks the number of tourists in the Capitol who speak no English. They are not from America, most of these visitors, and yet, in a certain sense, of course they are. They may speak Italian or Polish or Japanese, but the freedoms they enjoy, both here and in their own country, have been inspired, won and secured by the ideals and the courage and the compassion of the American people.

These pilgrims come from all over the world to the House of Representatives to sit up in these galleries, photograph the statues, and stare up at the rotunda, to bear witness to the awesome feat of human liberty we have achieved right here.

The dome above us, Mr. Speaker, is a lighthouse, a star even, by which all of the people in the world, no matter how oppressed, how impoverished, how seemingly without hope can chart a course towards security, prosperity, and freedom.

It is worth considering, though I will admit it is considerably easier to consider after you have announced your retirement, whether the days we lead here, the debates we wage, the work we do is always worthy of the elevated ideals embodied in that dome.

I submit that we could do better, as could all people in all things at all times, but perhaps not in the way some might think. In preparing for today, I found that it is customary in speeches such as these to reminisce about the good old days of political harmony, and across-the-aisle camaraderie, and to lament the bitter divisive partisan rancor that supposedly now weakens our democracy.

Well, I cannot do that, because partisanship, Mr. Speaker, properly understood, is not a symptom of democracy's weakness, but of its health and its strength, especially from the perspective of a political conservative.

Liberalism, after all, whatever you may think of its merits, is a political philosophy and a proud one, with a great tradition in this country with a voracious appetite for growth. In any place, or any time, on any issue, what does liberalism ever seek, Mr. Speaker? More. More government. More taxation. More control over people's lives and decisions and wallets.

If conservatives do not stand up to liberalism, no one will. And for a long time around here, almost no one did. Indeed, the common lament over the recent rise in political partisanship is often nothing more than a veiled complaint instead about the recent rise of political conservatism.

I should add here that I do not begrudge liberals their nostalgia for the days of a timid, docile, and permanent Republican minority. If we Republicans had ever enjoyed that same luxury over the last 12 years, heck, I would be nostalgic too.

Had liberals not fought us tooth and nail over tax cuts and budget cuts and energy and Iraq and partial birth abortion, those of us on this side of the aisle can only imagine all of the additional things we could have accomplished.

But the fact of the matter is, Mr. Speaker, they did not agree with us. So to their credit, they stood up to us. They argued with us. And they did so honorably on behalf of more than 100 million people, just like we did against President Clinton and they did against President Reagan.

Now, it goes without saying, Mr. Speaker, that by my count, our friends on the other side of the aisle lost every one of those arguments over the last 22 years, but that is besides the point. The point is, we disagree. On first principles, Mr. Speaker, we disagree. And so we debate, often loudly and often in vain, to convince our opponents and the American people of our point of view.

We debate here on the House floor. We debate in committees. We debate on television, and on radio and on the Internet and in the newspapers; and then every 2 years we have a huge debate, and then in November, we see who won.

That is not rancor; that is democracy. You show me a Nation without partisanship, and I will show you a tyranny. For all its faults, it is partisanship based on core principles that clarifies our debates, that prevents one party from straying too far from the mainstream, and that constantly refreshes our politics with new ideas and new leaders.

Indeed, whatever role partisanship may have played in my own retirement today, or in the unfriendliness heaped upon other leaders in other times, Republican or Democrat, however unjust, all we can say is that partisanship is the worst means of settling fundamental political differences, except for all of the others.

Now, politics demands compromise, and, Mr. Speaker, even the most partisan among us have to understand that. But we must never forget that compromise and bipartisanship are means, not ends, and are properly employed only in the service of higher principles. It is not the principled partisan, however obnoxious he may seem to his opponents who degrade our public debate, but the preening self-styled statesman who elevates compromise to a first principle.

For the true statesman, Mr. Speaker, we are not defined by what they compromise, but what they do not. Conservatives, especially less enamored of government's lust for growth, must remember that our principles must always drive our agenda and not the other way around.

For us conservatives, there are two such principles that can never be honorably compromised: human freedom and human dignity. Now, our agenda over the last 12 years has been an outgrowth of these first principles.

We lowered taxes to increase freedom. We reformed welfare programs that however well intentioned undermined the dignity of work and personal responsibility and perpetuated poverty.

We have opposed abortion, cloning and euthanasia because such procedures fundamentally deny the unique dignity of the human person. And we have supported the spread of democracy and the ongoing war against terror, because those policies protect and affirm the inalienable human right of all men and women and children to live in freedom.

Conservatism is often unfairly accused of being insensitive and mean-spirited, sometimes unfortunately, even by other conservatives. As a result, conservatives often attempt to soften that stereotype by overfunding broken programs or glossing over ruinous policies. But conservatism is not about feeling people's pain; it is about curing it.

And the results since the first great conservative victory in the 1980s speak for themselves. Millions of new jobs, new homes, and new businesses created, thanks to conservative economic reforms. Millions of families intact and enriched by the move from welfare to work. Hundreds of millions of people around the world liberated by a conservative foreign policy victory over Soviet Communism, and more than 50 million Iraqis and Afghanis liberated from tyranny since September 11, 2001.

To all of the critics of the supposedly mean-spirited conservative policies that brought about these results. I say only this: compassionate is as compassionate does.

Now, when I say that word, Mr. Speaker, compassionate, my thoughts turn to one person, my wife, Christine. Twelve years ago, Christine became what is called a court-appointed special advocate for abused and neglected children. And soon thereafter we became foster parents ourselves to three such children.

Over the last 10 years, I have spent more time and energy on the plight and needs of abused, neglected children than on any other single issue. It is an issue that transcends politics, let alone partisanship, and one that will continue to command a disproportionate amount of my time as a private citizen.

I am concerned, however, about whether it will receive the attention it deserves here in Washington, D.C. And because this is the last time I may ever command the attention of the House and of the national media, I will make one more plea before I go.

The catastrophe of America's child welfare and foster care systems is a national outrage, a government failure, and a bipartisan embarrassment. Congresses, administrations, Governors and State legislatures of every party and ideological bent for almost 100 years have thrown abused and neglected children into a vicious cycle of violence, fear, and instability.

Children who have already been beaten and betrayed by the people that are supposed to love them the most are routinely tossed from one temporary placement to another, often 10 to 20 times during their most formative, vulnerable years.

The system we have created still includes perverse economic incentives that deny children permanent homes, and in some States still lacks meaningful child monitoring or even background checks for perspective foster parents. The courts charged with overseeing each case are overrun with unrelated duties. So the thankless, unexciting work of looking after foster kids is just set aside in favor of more glamorous cases on the docket.

□ 1730

Bureaucracies layered one on top of another consign these children to the perdition of government and foster care for years at a time and with little or no effort made to finding them permanent loving forever families.

Instead, every few months these children throw their despair and distrust into a black plastic trash bag along with their few belongings and head off to the next place, the next letdown. They are abused and neglected long before they ever reach our abusive and neglectful foster care system and once in, things often only get worse.

Children are dying, Mr. Speaker, inside and out, and it is our fault. There is legislation now waiting in the Senate to help expedite interstate placement of foster children, and within its narrow focus this bill will do some good on the margins of some cases. I am proud of what little I have been able to accomplish for these children over the years, but in truth, I have only moved molehills, not mountains.

So I leave you today not by asking that one take up this cause, but by asking that all of you do. That you listen to the stories of these children and the stories that they tell and study the broken system we have created for them and help them, for God's sake, help them.

I ask this of Republicans and Democrats alike, not in the name of bipartisanship but in the name of principle, which brings me back, Mr. Speaker, to those memorials and those statues.

The great Americans honored here in bronze and marble, the heroes of our history and the ghosts of these halls were not made great because of what they were but because of what they did. George Washington and Abraham Lincoln have almost nothing in common with Junipero Serra and Jack Swigert, except the choice they each made, to live, to fight and even to die in the service of freedom. We honor men with monuments not because of their greatness or even simply because of their service, but because of their refusal even in the face of danger or death to ever compromise the principles they served.

Washington's obelisk still stands watch because democracy will always need a sentry. Jefferson's words will still ring because liberty will always need a voice. And Lincoln's left hand still stays clenched because tyranny will always need an enemy. And we are still here, Mr. Speaker, as a House and as a Nation because the torch of freedom cannot carry itself.

Here on this floor, I have caught and thrown spears of every sort. Over the course of 22 years, I have probably worked with and against almost everyone in this Chamber at least once. I have scraped and clawed for every vote, every amendment for every word of every bill that I believed in my heart would protect human freedom and defend human dignity. I have done so at all times honorably and honestly, Mr. Speaker, with God as my witness and history as my judge. And if given the chance to do it all again, there is only one thing I would change. I would fight even harder.

This place has given me so many memories, so much life. For 22 years, I have served the best I knew how. In this House, I have found my life's calling and my soul's savior. Eight years ago, I witnessed evil in the murder of two Capitol Hill police officers, one just outside my office and another, a very dear friend on my protection detail, inside my office itself. And 5 years ago, I witnessed unparalleled courage as their surviving comrades stood at their posts inside this building during the frantic evacuation on 9/11. They are around us every day, the Capitol Police force.

I tell you, those police officers are Members' and staffs' own personal army of guardian angels. They are the bravest men and women serving under this dome, and I offer them now, one more time, my great respect and admiration because believe it or not, Mr. Speaker, this is a happy day for me, though admittedly perhaps not as happy as it is for some of our old friends on the other side of the aisle. But nothing, not this retirement, not tough losses or old wounds, can detract from the joy that I feel and the blessings I offer to this House and its Members.

I say good-bye today, Mr. Speaker, with few regrets, no doubt. And so with love and gratitude for friends and foe alike, patriots all, I yield back the floor of our beloved House. And I exit as always, stage right.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5252, COMMUNICATIONS OPPORTUNITY, PROMOTION, AND ENHANCEMENT ACT OF 2006

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the pending business is the vote on adoption of House Resolution 850, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 262, nays 151, not voting 19, as follows:

[Roll No. 237]

YEAS—262

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berkley
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carnahan
Carter
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole (OK)
Conaway
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Gene
Gutierrez
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Higgins
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore (KS)
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Pastor
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Udall (NM)
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—151

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berman
Berry
Bishop (NY)
Blumenauer
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carson
Case
Cleaver
Conyers
Cooper
Costello
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Green, Al
Grijalva
Harman
Hastings (FL)
Herseth
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Rothman
Roybal-Allard
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Stark
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wu

NOT VOTING—19

Bono
Davis (FL)
Edwards
Evans
Gibbons
Gillmor
Harris
Kingston
Kirk
LaTourette
Manzullo
Moore (WI)
Nussle
Paul
Peterson (PA)
Pryce (OH)
Reyes
Strickland
Udall (CO)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1756

Mr. CLEAVER and Mr. BROWN of Ohio changed their vote from "yea" to "nay."

Messrs. MARSHALL, RAHALL, CLAY and FORD changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. PRYCE of Ohio. Mr. Speaker, on the legislative day of Thursday, June 8, 2006, the house had a vote on rollcall 237, on H Res. 850, providing for consideration of the bill (H.R. 5252) to promote the deployment of broadband networks and services. Had I been present, I would have voted "yea."

GENERAL LEAVE

Mr. BARTON of Texas. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 5252 and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

COMMUNICATIONS OPPORTUNITY, PROMOTION, AND ENHANCEMENT ACT OF 2006

The SPEAKER pro tempore. Pursuant to House Resolution 850 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5252.

□ 1758

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5252) to promote the deployment of broadband networks and services, with Mr. PRICE of Georgia in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. BARTON) and the gentleman from Michigan (Mr. DINGELL) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I enthusiastically bring the general debate for H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act of 2006, to the floor of the House of Representatives. The process in getting the bill to this stage has been long, has been fruitful, and, in my opinion, it has been fair. It has involved more than a year of hearings, as well as staff and Member-level negotiations. That process has clearly borne, I think, positive fruit.

We come to the House today with a bill that has received overwhelming bipartisan support in both the subcommittee and the full committee. The bill passed the subcommittee by a margin of 27–4, with all Republicans voting for it and two-thirds of the Democrat minority party voting for it. In the full committee it was reported by a margin of 42–12, again all Republicans voting for it and a majority of the Democrats voting for it.

The primary focus of this legislation is to create a streamlined cable franchising process in order to increase the number of facilities-based providers for video, voice, and data services everywhere in our great Nation.

Today, there are thousands of local franchising authorities. Each may impose disparate restriction on the provision of cable service in its specific franchising area. The requirement to negotiate such local franchises and the patchwork of obligations that local franchising authorities impose are hindering the deployment of advanced broadband networks that will bring increasingly innovative and competitive services to all of our constituents.

The United States does not even rank in the top 10 of the nations of the world in broadband deployment. This bill should change that statistic.

H.R. 5252 seeks to address this concern and strike the right balance between national standards and local oversight. It would allow the negotiation of local franchises, but make available an alternative national franchise process.

□ 1800

Moreover, the national franchise preserves local franchise fees, municipal control over their rights-of-way, and support for their Public Education and Governmental channels that so many of our Members are strongly in favor of.

The bill also seeks to strike the right balance between ensuring the public Internet remains an open, vibrant marketplace, and ensuring Congress does not hand the FCC a blank check to regulate Internet services, an action that I believe would have a chilling effect on broadband deployment, especially broadband innovation. We need the FCC to stop the cheats without killing honest creativity. We don't need anybody to be the first Secretary of the Internet.

Finally, the bill addresses rules for voiceover Internet protocol services, or VoIP services, to ensure that the Internet voice services become a vibrant competitor to what we call plain old telephone service.

I want to thank Congressman RUSH for his cosponsorship, Subcommittee Chairman Mr. UPTON for his cosponsorship, Vice Chairman CHIP PICKERING of Mississippi for his leadership, and all the members of the committee and the subcommittee on both sides of the aisle who have cosponsored this bipartisan legislation with me.

I would urge my colleagues to support this bill and look forward to a vigorous debate on the amendments that have been made in order by the Rules Committee.

Mr. Chairman, I reserve the balance of my time.

Mr. DINGELL. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I rise in opposition to this measure. It is a bad bill. It does nothing except take care of the special and the vested interests. The baby bells, the telephone companies, and the cable operators are going to cut a fat hog. The consumers are able to anticipate only a few things: One, they are going to get worse service, probably less competition, and almost certainly increases in rates.

Consumers are going to see their cities lose control over their streets and roads to, of all things, the Federal Communications Commission, one of the sorriest of the Federal agencies, and an agency which has neither the staff time nor willingness to address the important questions that are going to be conferred on it by this legislation.

In addition to that, the FCC is going to be clogged. There is going to be deadlock and absolute chaos in that agency because of the total lack of that agency in addressing the serious questions regarding administration of highways, streets, roads, and use of public facilities belonging to cities, counties, and States.

It would be a wonderful argument, which is made by the proponents of this bill, that it will lower cable bills and bring consumers choice. What a wonderful argument, if only it were true. This bill is going to harm our consumers, harm our citizens, and harm commercial users of the Internet.

First, with regard to consumers. The bill will leave many consumers paying higher prices for cable services. There is no general promise of lower prices. In fact, the telephone companies, and listen to this, have been telling Wall Street that the price they get for their services will be higher than cable. That is the competition we are going to see under this legislation.

Worse, the bill is a blow to the universal service principles which Congress has insisted on since 1927. The bill abandons current law that in exchange for the use of public property cable operators are required to serve all consumers, all consumers in the franchise area. Both new and existing cable providers will, under this bill, be allowed to cherrypick and skim cream, serving only attractive neighborhoods and the highest value of consumers in the way that best suits their balance sheets. The rest of us will only be left without competitive choice, but we very well can face higher cable bills, worse service qualities, or even withdrawal of our only provider.

The bill's redlining provisions focused on income is too weak to offer any real protection against discrimination, which is why the leadership conference on civil rights opposes it. The bill does not stop cable operators from offering inferior service based on a person's race, color, religion, national origin or sex.

Second, communities find that this bill inexplicably takes control over local rights-of-way. And as I mentioned, hands them, of all things, to the FCC. Now, the FCC knows about as much on street and sidewalk repairs and local traffic patterns and other local concerns as it does about astrophysics, yet the bill lets the FCC overrule the cities with regard to the management of their property. This is the reason that the League of Cities, the Conference of Mayors and the National Association of Counties oppose it.

Citizens and commercial users of the Internet will find a third reason to oppose it. This bill does away with network neutrality. It is something in which there should be no mistake. Telephone and cable companies will be able to operate as private tax collectors to single out certain Web sites to pay extra fees, to make extra benefits, and get extra privileges. Small and large business schools, libraries, ordinary citizens running Web sites will get shut out of this fast lane unless they are willing to pay a lot more. This could significantly alter the open and innovative Internet that the government has, until now, protected.

If you want a bad piece of legislation, Mr. Chairman, we are looking at it right here. It is going to hurt people. We could have written a good piece of legislation but, regrettably, did not. We have before us, then, a piece of the purest special interest legislation, something which will benefit the few at the expense of the many, something which is rather worthy of this Republican-led Congress.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to a member of the Energy and Commerce Committee, a strong supporter of the bill, the gentleman from California (Mr. RADANOVICH).

Mr. RADANOVICH. Thanks, Mr. Chairman.

Mr. Chairman, I rise to support H.R. 5252, the COPE Act. Today's communications networks have become national and international in nature, therefore it does not make sense to still require companies to provide video services to meet varying requirements in tens of thousands of different areas.

We have seen evidence and heard stories of the months and years it takes to get any one individual franchise, and in some cases video providers must get dozens of individual franchises to service one area. All that does is slow down competition.

This bill also helps get the next generation Internet to consumers with the ability to provide voice, data, and now video, telecommunications companies will be able to develop and increase their infrastructure and provide better and cheaper services.

This is one of the most pro-consumer bills to come to the floor this year, and we need to make sure that the President signs video voice legislation this year. I urge all my colleagues to vote for the COPE Act.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. Mr. Chairman, I rise today in opposition to H.R. 5252, the Communications Opportunity Promotion and Enhancement Act of 2006.

Simply put, I support the ends but not the means with respect to this legislation. The goal of increasing competition in the video communication market is worthy. Indeed, it is of great importance. We know that robust competition can improve customer services, reduce pricing, and spark innovation and technological advances. This House is right to take on this critical and timely subject. But I am disappointed the drafters felt the need to use a national cable franchise as the means to achieve these laudable ends.

I see numerous examples of telephone companies, small and large, entering into successful negotiations with local franchise authorities, and I believe that we can encourage new entrants and new competition without moving to a federally managed national franchise.

But, Mr. Chairman, despite my reservations about the national cable franchise, I might view this model more favorably if the legislation contained adequate safeguards and requirements to ensure that the benefits of increased competition are shared as widely as possible. Unfortunately, this is not what happened in committee when we marked up this legislation and we were denied the ability to bring our amendments to improve the bill to the floor this evening.

Instead, H.R. 5252 backs away from the tenet of universal service to all citizens, which has been a fundamental principle of our Nation's communication policies for over 70 years. And while anti-redlining language is included in the bill, other provisions in the bill render it toothless.

The legislation also strips the States and localities of their authority to both establish and enforce consumer protections and customer service standards. It makes the FCC the final arbiter of local rights-of-way disputes.

Most disappointingly, the bill does little to protect what we call the neutrality of the Internet. Neutrality has become crucial to the development of innovative and competitive broadband content and services.

I urge my colleagues to reject this legislation.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to a member of the full committee and the distinguished Chairman of the Veterans' Committee, Mr. BUYER of Indiana.

Mr. BUYER. Mr. Chairman, I commend Chairman BARTON and Chairman UPTON for their leadership, along with my colleague, Mr. RUSH, from Chicago, and others.

This came out of the subcommittee 27–4, a majority of the minority Democrats of the full committee supported this legislation. So this is an overwhelmingly bipartisan piece of legislation that is very exciting for the American people because it outlines the principles of free, open, market competition. It continues to spawn the technological renaissance that will benefit consumers and lower price.

We are talking about things today that weren't even around when we did the Telecommunications Act of 1996. Telephony? IPTV? We didn't even know those terms. As a matter of fact, when compression technology came along, we thought the future in 1996 was about voice. We got it wrong. It is about voice, video, and data, and that is what we have today on these cell phones.

So when we talk about delivering of video services, the landscaped has changed. Congress has to change. We need to get out of the way. We need to deregulate. If you have to regulate, do so on parity and be technologically neutral.

I commend the chairman.

I do not support the Markey amendment.

Mandated neutrality standards do nothing more than squelch innovation, stifle competition and undermine broadband deployment.

Anytime the government attempts to legislate a "potential" problem it ends up either, at best in years of litigation, and at worst with a regulatory framework that does nothing to help this country.

Currently, at great expense, large and small companies across the country have invested billions of dollars to lay fiber in an effort to provide wanted services to their consumers. Any attempt for government to then restrict their ability to potentially charge for the use of these pipelines acts as a disincentive to continue to deploy, or maintain current access.

Even now, consumers choose different tiers of access to the Internet—I don't see how it can be fair to charge the same rate to one consumer who merely wants to use the internet for sending and receiving emails and another who is actively downloading a multitude of songs, videos, and television shows. The same goes for web sites that demand the use of large amounts of data, such as a video sharing site, or a music download site. In an effort to provide the fastest and most efficient service, should we be blind to those who paid and labored to place the fiber in the ground?

It seems inequitable and counterintuitive to the pro-market principles from which this nation has benefited.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BOUCHER).

Mr. BOUCHER. Mr. Chairman, I thank the gentleman from Massachusetts for yielding this time to me. I rise in support of the bill and I urge its approval by the House.

In my view, it will bring urgently needed competition to cable television and benefit consumers nationwide with more varied program offerings and the better pricing that competition inevitably brings.

The bill also opens the door for local governments to offer commercial telecommunication services, filling the gap where broadband is either not available or is available but is priced beyond the reach of residential subscribers and the small business community.

The manager's amendment contains provisions I recommended that will assure fair treatment for electric utilities and telephone companies in pole attachment pricing, and I want to thank the gentleman from Texas (Mr. BARTON), who chairs the full committee, for his assistance with that provision. And the bill will assure that consumers who desire to purchase a freestanding broadband service can do so without having to buy telephone or cable service from the broadband provider.

I also urge support for the net neutrality amendment that the gentleman from Massachusetts (Mr. MARKEY) will be offering. It is essential to preserve the Internet as a platform for innovation. Broadband providers plan to create a two-lane Internet, a fast lane for their own content and for others who can pay for fast-lane access, and a slow lane for everyone else. That plan fundamentally changes the character of the Internet and would eliminate the openness and the accessibility that have enabled the Internet to be a platform for innovation unequaled by any advent in American history.

□ 1815

I will have more to say about that when the Markey amendment is offered, but I want to take the opportunity during these remarks to say that the net neutrality amendment is fundamental, and I strongly urge its adoption when it is offered.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. ALEXANDER).

Mr. ALEXANDER. Mr. Chairman, I rise in support of H.R. 5252. This legislation will permit us to move the video franchising process into the 21st century. The concept of a national franchise is needed to make the U.S. concurrent with the global nature of telecommunications by enabling competition to enter the market and build tomorrow's communications network in a timely manner.

There are more than 30,000 individual franchise authorities in the United States. If telecom companies have to negotiate with each and every one of these, it will be a very long time before they get around to addressing video franchises for rural areas such as the one I represent in Louisiana. Video competition will increase access for these rural Americans and drive new innovations like telemedicine and distance learning. We can greatly accelerate that process by creating a national streamlined method for video entry.

Let us not miss this opportunity to allow the marketplace to thrive and usher in a new era in technology.

Mr. MARKEY. Mr. Chairman, I yield 2½ minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I thank the distinguished ranking member of the Telecommunications Subcommittee for yielding me this time.

Mr. Chairman, I want to start out by saying, here we are again. I remember being a conferee on the 1996 telecommunications bill. It does not seem like it was a decade ago, but it was.

That bill, if my colleagues will recall, was designed to create telephone competition for the Baby Bells. But instead, it resulted in the babies eating the mother.

There is something monopolistic in the air here. And if any Member of the House is trying to make up their minds about what to do with this bill, I want to tell you something, if you like monopolies, you will love this bill because they are at it again.

In 1996, they signed onto and said these are the rules that we are going to play by. Local competition, boy, that went out the window.

Then they came on again and wanted something else. Now the telephone companies want to go for the golden goose of the American economy, and that is the Internet.

What should be built into this bill is net neutrality. But I want to say a few other things about the bill. It is flawed in other ways. It really turns local control on its head. Local governments across the country have weighed in. Mayors have said these are not good rules for us.

I came from local government. I have a deep regard for it. We can do much better by the cities and mayors in our communities. We can do much better about the rules in terms of build-out in our country. We should not in the 21st century be drawing lines around who is in and who is out. That is not where America is at its strongest and its best.

This is a flawed bill, and we have to remember, all of us, that the Internet has been the key driver of the American economy. And to have the telecoms come after it and reconfigure it, reshape it to their liking, is something that is an echo of the past, their past behavior. We should not allow that.

So I am urging my colleagues in this general debate to reconsider what it is you are considering because this is not the best legislation for the people of our country. We can do much, much better.

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Mr. Chairman, I wish to propound a parliamentary inquiry.

I would like to yield 10 minutes to my Democrat sponsor, Mr. RUSH, to control in the general debate in the Committee of the Whole. Is that possible, or how might I do that?

The CHAIRMAN. The Chairman of the Committee of the Whole may not entertain a request to change the scheme for control of general debate ordered by the House.

Mr. BARTON of Texas. So I can't do it.

The CHAIRMAN. Under the rule, the gentleman from Texas must be the one to yield the time, and the Chair cannot entertain a request to change the scheme for general debate from the established by the special order of business in House Resolution 850.

Mr. BARTON of Texas. Mr. Chairman, in that case, I yield 2 minutes on behalf of Mr. RUSH to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Chairman, first of all, I need to thank the chairman, my neighbor in Texas, as well as Mr. RUSH, my dear friend and colleague.

I want to express my support today as we move forward on the COPE Act. This bill will make necessary changes to the Nation's cable laws to ensure that for the first time we have a fully open national market for cable services. This will allow not only the major phone and cable companies to compete against each other in provision of video services to average Americans, but will allow countless new companies to quickly enter the cable television market and offer their services. This will not only drive down prices for every American, but it will undoubtedly result in countless unforeseen new services and technologies to be offered to Americans.

Mr. Chairman, the telecommunications industry is the most dynamic industry in this country. Every day new technologies are introduced that have the potential to dramatically expand the opportunities for average Americans to have access to new sources of information, new forms of entertainment, and new ways to communicate with each other. These changes have become so rapid with so many implications to both business and public policy that the political process has simply failed to keep up.

This bill reflects, in my view, how Congress should best handle the revolutionary changes that are occurring in telecommunications. It should let the marketplace work. Mayors, regulators, and Members of Congress simply do not know in advance how all of the revolutionary changes in telecommunications will turn out. For us to attempt to do so, whether under the guise of net neutrality or any other slogan, is both foolish and dangerous.

Rather, we should aim, as this bill does, to relieve unnecessary barriers that prevent a full national market to develop and leave the ultimate decision-making process to the engineers, the businessmen and, most importantly, the consumers of our country.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. ZOE LOFGREN).

Ms. ZOE LOFGREN of California. Mr. Chairman, until August of last year, broadband Internet providers were considered common carriers under the law, with a legal requirement to carry all traffic equally.

A series of FCC decisions and the Supreme Court's decision to them changed all that, turning broadband services into unregulated "information services."

Why is this important? In my district in Silicon Valley, everybody uses the Internet and knows that you have to have net neutrality. They cannot believe that we would even consider changing that rule.

So what does "common carrier" mean? For those of you who don't use the Internet a lot, common carrier is a concept that is quite old. What it really means in exchange for rights to use public ways: you agree to carry all passengers on the same terms. If you get on the bus, a common carrier, you are charged a fee; but the bus company cannot charge more to women than it can to men, and that is really the equivalent of what we are talking about here.

The phone company consolidations have meant that most Americans have one or at most two choices for their broadband service provider. What that means is that we are going to have a duopoly or a monopoly unless we have net neutrality rules that will stifle the Internet. It will turn the Internet into the equivalent of cable TV. That is not going to be good for innovation.

Google is a multi-billion dollar corporation that was founded in a dorm room by two Stanford students. They had an opportunity to be successful because they were not screened out at the very beginning by incumbents who paid for access. That is about to change unless this House adopts net neutrality rules.

Some of the phone companies have suggested that there is a free ride. What they have failed to point out is that the phone companies are paid an enormous amount of money, just like the bus company is, for use of their services. What the net neutrality rules say is you cannot differentiate.

I would just like to say we want to go on seeing the girl in the funny hat making lemonade. Don't make us watch Robin Williams' cousin making bacon juice instead.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentlewoman from Tennessee (Mrs. BLACKBURN), a very valuable member of the subcommittee.

Mrs. BLACKBURN. Mr. Chairman, I want to thank our chairman for the good work on the bill, and I want to encourage my colleagues to support this legislation tonight.

My colleague, Representative WYNN, and I began working on the effort to streamline this Nation's franchising rules more than a year ago when we introduced the Video Choice Act. It has been a pleasure to work with him on the issue.

We knew that government regulations were keeping prices high for American consumers; and when I spoke earlier today during debate on the rule, I talked a bit about how competition helps lower prices. I have a chart here to help make that point. This data demonstrates consumer price changes over the past 7 years. Here is the Consumer Price Index. Now take a look at what has happened with cable prices over the past 7 years and how they have soared. This blue line right here is our long distance prices, and then our wireless prices are the green line. So you can see how dramatically our video or cable pricing has outpaced the Consumer Price Index.

Mr. Chairman, the COPE bill will bring competition. It will help lower prices. It will help all entrants, including the little guys, like Ben Lomand Telephone Cooperative in McMinnville, Tennessee.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Chairman, I rise in opposition to H.R. 5252. I regret that leadership did not allow votes on key amendments important to municipalities and community television.

Each of us wants more competition in video. That can happen today. There is no legal impediment to a telephone company offering video over its lines. There are two towns in Maine wired for video, but the service has not been turned on.

If the current local franchising regime is as cumbersome as the phone companies say, then let's figure out a way to streamline the process. The municipalities are open to streamlining. We should negotiate a consensus bill involving all of the stakeholders.

Unfortunately, this bill did not follow that process. Twice the Committee on Energy and Commerce on which I serve struck bipartisan deals that gave all stakeholders a voice in the legislation; and twice the bipartisan deals were scuttled by external forces that preferred a divisive bill to a consensus one.

My substantive concerns are threefold:

First, local control. The current cable franchising process gives communities the ability to meet their needs. Municipalities can ensure that every resident gets service and that access to public access channels. They retain management of public rights-of-way.

This bill goes too far by federalizing the process of streamlining. It makes the FCC the arbiter of consumer complaints, for example; and the FCC has neither the resources nor expertise to do that.

Second, universal access. The new video providers have been honest. They are going to the swanky neighborhoods first. Maine is a rural State. Without a build-out requirement, companies are free to ignore northern and eastern Maine.

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If we abandon universal access, we will leave rural areas behind.

Third, net neutrality. I support the Markey amendment. Allowing toll booths on the Internet will undermine the freedom of the Internet and hurt consumers.

Lastly, any franchising bill that becomes law should include reform of the universal service fund to bring broadband and video competition to rural and underserved counties.

I urge defeat of the bill.

Mr. UPTON. At this point, Mr. Chairman, on behalf of Mr. RUSH, I yield 2 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, the COPE Act is a complex piece of legislation with a simple purpose, granting a nationwide cable television franchise to provide competition.

Today, cable television is a series of local monopolies. Only 2 percent of the United States has competition, companies that those local franchises are aggressively marketing, Voice Over IP, telephone service, broadband, and giving them a triple play of video, broadband and voice services at a flat monthly rate.

In Houston, that monthly rate is about $100 and you can get digital cable, high speed Internet and unlimited telephone calls from the cable company. To compete with the cable's triple-play monopoly, telephone companies need to spend billions to upgrade their networks to carry the high-definition cable television service and faster broadband.

The FCC has found that cable television rates drop 40 percent after competition. And that doesn't even factor in the consumer benefits from the triple play, so to speak, that you add, also the cost savings from telephone Internet and high speed cable service, definition service.

As a result, we should support granting national franchises for cable television service to spur competition. If we stick with local franchises, then there will be much less cable and triple-play competition.

The purpose of the bill is great, and I have had a number of concerns about the district I represent that is not a wealthy area. These concerns have been addressed.

For example, franchise areas are defined as they are today that would prevent telephone companies from cherry-picking areas out of existing franchises. This means that the bill's redlining provisions, drafted by my colleague from Illinois, BOBBY RUSH, would stop companies from picking and choosing the areas they want to serve. I would have preferred Mr. DINGELL's approach, but again we don't have that opportunity, and it didn't pass in committee even though I voted for it.

However, I still strongly support the legislation because we have had several discussions with our local telecom company about their plans for competition in my area. As a result, I am confident that the build-out will increase in all areas of Houston, and they are not just going to go to the high-income areas; they will come to my low-wealth and my middle class area.

Mr. Chairman, I would like to place my full statement into the RECORD, and I would hope that this would be a compromise bill. I am sorry that our leadership and the committee didn't work it. But some day, hopefully, it will be the Barton-Dingell bill again.

Mr. Chairman, the COPE Act is a complex piece of legislation with a simple purpose: granting nationwide cable television franchises to provide competition.

Today cable television is a series of local monopolies—only 2 percent of the U.S. has competition.

Companies with these local franchises are aggressively marketing VOIP telephone service and broadband, giving them a "triple play" of video, broadband, and voice services at a flat monthly rate.

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The Federal Communications Commission has found that cable television rates drop 40 percent after competition and that doesn't even factor in the consumer benefits of the triple play.

As a result, we should support granting national franchises for cable television service to spur competition. If we stick with local franchises, then there will be much less cable and triple play competition.

The purpose of the bill is great, but I did have a number of concerns about this legislation and its effects on the middle-class folks in my district. These concerns have been addressed.

For example, franchise areas in the bill were defined as they are today, which would prevent telephone companies from cherry-picking areas out of existing franchise areas.

This means that the bill's anti-redlining provisions, drafted by Congressman BOBBY RUSH, will stop companies from picking and choosing the areas they want to offer service.

I would have preferred the approach by Mr. DINGELL, which would have set reasonable, flexible guidelines for companies to build out their networks and offer new services.

I wish we could have considered Mr. DINGELL's amendment today, and I am disappropriated that the Rules Committee rejected it.

They did a disservice to one of the most knowledgeable, respected Members in the history of Congress.

However, I can still strongly support this legislation because we have had several discussions with our local telecom company about their plans for competition in the Houston area.

As a result of those conversations, I am confident that buildout is going to increase in all areas of Houston and that they are not going to discriminate against our middle class and low wealth areas.

To all members who are concerned about the impact of this legislation on your district, I encourage you to contact your incumbent telecom company and meet with their local staff responsible for deployment, not just the DC staff. I think you will be happy with what you hear.

Cities are also concerned with their interests in franchising, but many of these concerns have been addressed. Cities will not lose any revenue as a result of this bill. The COPE Act allows 5 percent franchise fees and 1 percent public access fees.

Cities will also not lose any right-of-way control and to make sure, I included an amendment in Committee to require companies to certify in writing that they will obey local right of way rules.

I do regret that the usual bi-partisan telecom process between the leadership of our Committee has temporarily broken down.

Today is not the end of the road, so I hope this can still become a Barton-Dingell bill or a Dingell-Barton bill before all is said and done.

Mr. MARKEY. I yield 1 minute to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I thank my friend from Massachusetts for his leadership on all of these issues.

Net neutrality would maintain the free and open Internet that exists today. This bill simply does not protect the right of consumers to a wide array of information and entertainment sources.

The Markey amendment would provide those essential protections by outlawing sweetheart deals between network operators, like the phone or cable companies, and Internet content providers.

Without net neutrality, buying company A's phone service might restrict you to Google and deny you Yahoo, might deny you CNN.com and only give you FoxNews.com.

American consumers deserve choice, whether they choose to use the Internet giant Google or the new start-up search engine. This amendment is about consumer choice. This amendment is about market competitiveness.

I urge you to join me in support of the Markey amendment in opposition to the bill.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to a member of the Energy and Commerce Committee, the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Chairman, I do want to thank Chairman BARTON, chairman of the Full Committee; and the gentleman from Michigan, who is the subcommittee chairman; as well as Vice Chairman PICKERING. And also we have enjoyed the bipartisan support from BOBBY RUSH on our committee.

This is truly a bipartisan product that was forged together after countless hours of negotiation. Its recent passage out of the Energy and Commerce Committee by a vote of 42–12 only underscores this point.

Mr. Chairman, I represent a district in north Texas, and there is a community within that area in north Texas named Keller. Keller, Texas, a very forward-thinking town of over 36,000 people. Keller is home to Verizon's first fiberoptic television system. What has happened since the fiberoptic system was introduced in the Keller market is that prices for cable TV are now 25 percent lower than they were before the entry into the video market. New services, new technologies, lower prices.

Consumers now have a choice, and over 30 percent of the market has signed up for this new fiberoptic service from Verizon. Clearly, people want choice. The citizens of Keller not only have access to one of the best telecommunications networks in the world, and a choice of providers, but they also get much better services at competitive prices.

What is even more intriguing is about a third of those new video customers were not previously cable customers. That means that these customers now are a new source of franchise fee revenue for the city of Keller.

Mr. Chairman, it is no accident that every member from Texas on the committee supports this bill. This past year the State of Texas passed legislation similar to that which we are considering here, removing the franchise fee from the local level. Texas is now at the forefront of video competition.

I sponsored H.R. 5252. I voted for it in committee. I will vote for it on the floor. I urge my colleagues to support this commonsense legislation as well.

Mr. MARKEY. Mr. Chairman, I yield myself 2 minutes.

This is a historic bill. Without question, the Republican majority is not respecting the importance of the issue.

Tonight, we will have a debate on net neutrality that will last 20 minutes, 10 minutes on either side. That is, without question, a disgrace. We debate week after week out here on the House floor, namings of post offices that each get 40 minutes. Here we are talking about an engine of economic growth which has transformed our economy and the global economy over the last 15 years. And it has done so with provisions which guaranteed nondiscrimination to the smallest players being able to enter with their ideas and communicate across our country and across the globe.

What the Republicans are doing tonight is they are refusing to have a debate on who is going to be benefited from it. That is, will the telephone companies be responsible for building-out across all communities? Their bill says you don't have to, and they won't allow us an amendment out here on the floor so that we can have that debate.

Will there be redlining? We believe there should not be. The Republicans refuse to allow Hilda Solis's amendment out here on the floor so we can have a full debate on it.

Will there be a bill that passes tonight which is defeatist in terms of entrepreneurs and equal access, democratization of access to opportunity because of access to this new technology in every part of the community? Or will it be a bill that has a future orientation, looking ahead over the next century as to who Americans are going to be, what the nature of our economy is going to be in terms of these entrepreneurs playing this change agent role? Or will we have this bill that has been put together behind closed doors with the most powerful three or four companies in America, the telephone companies who had nothing to do with the construction of the Internet?

Mr. UPTON. Mr. Chairman, on behalf of Congressman Rush, I yield 2 minutes to the gentleman from Maryland (Mr. Wynn), an able member of the subcommittee.

Mr. WYNN. Mr. Chairman, I thank the committee chairman for his leadership, the subcommittee chairman for his leadership, as well as Mrs. Blackburn of Tennessee who worked with me on the Video Choice Act which was somewhat of a precursor to this bill.

I want to say, first of all, that this bill is not about net neutrality. The Google crowd, the Internet crowd does not care about cable rates. But this bill is about cable rates. And what we know today is that cable rates are too high in America. We know that consumers are paying as much as 80 percent increases over the last years in cable rates, and so that is what this bill seeks to address. It addresses it by trying to create more competition. And there is no disagreement that if we had more competition in video services we would have lower cable bills.

Now, there are new companies, telephone companies and other companies, that want to come into the market. But under current law, they have to negotiate hundreds of thousands of individual agreements with local governments. That is why we don't have more competition.

This bill creates a national franchise and says we can bring in new entrants to provide competitive services and lower prices. What happens with this? Well, we do protect the local communities because they still receive franchise fees from new entrants. We protect their rights to control their rights-of-way.

We also have antidiscrimination to protect against redlining. We have language that says that if you discriminate, you can and will be punished and penalized. So I think this is a very good bill that addresses the fundamental issue, which is cable rates.

Let me turn for a moment to net neutrality. Understand, there is only finite space within the network. Everybody can't travel at top speed at the same time, so there has to be some differentiation. And ultimately, the issue is who will pay. Will the consumer pay, or will the content providers pay? That is the Google and the Internet and the innovators that they talk about. Those innovators, those people would rather have the consumer pay if there has to be a differentiation, if you want ultra-high speeds, if you want excessive amounts of the bandwidth.

I believe net neutrality is not a relevant issue here. I believe that we have a solid bill that addresses the fundamental concern, which is reducing cable rates. We have an opportunity to do something very good for the American people, and I think we ought to do it and pass the COPE bill.

Mr. MARKEY. I yield 3 minutes to the gentlewoman from California (Ms. Solis).

Ms. SOLIS. Mr. Chairman and Members, today I rise again in strong opposition to this bill. I support the efforts to increase competition in the video marketplace.

Greater competition, as we know, will inevitably help to create jobs and provide for lower consumer costs. But we must also make certain that benefits derived from a streamlined franchising process benefit consumers and not just the telecommunications industry.

The bill doesn't go far enough, in my opinion, to ensure that all communities have access to broadband Internet. Although the broadband access has increased greatly in recent years, the digital divide remains a reality in communities like mine, the ones that I represent in Los Angeles County in California.

In fact, in 2003, a study by the Pew Foundation found that those least likely to have broadband Internet access at home are the poor, the older, less educated and Latinos and African Americans; 60 percent of the constituents I represent in my district happen to be underserved Latinos.

While Latinos are the fastest growing demographic group of online users, only one in eight Latino households has access to broadband services.

Eleven Hispanic Members of this Congress and numerous civil rights organizations, consumer and Latino advocacy organizations weighed in in strong support of such language, including the Leadership Conference on Civil Rights; the Mexican American Legal Defense and Education Fund, known as MALDEF; the National Conference of Hispanic State Legislators; the Hispanic Federation; the National Puerto Rican Coalition; and the National Hispanic Bar Association. That is why these groups are urging a "no" vote on the bill.

The bill also weakens, in my opinion, consumer protections without providing strong enforcement for consumer rights. We should ensure that all States and localities retain the ability to establish consumer protection standards for video services. No one here knows the needs of the residents that I represent in Los Angeles, El Monte, West Covina, and other cities that I represent.

In fact, this week I received numerous letters that I will submit for the Record from cities in my district, including the City of Los Angeles, the newly elected mayor, Mayor Antonio Villaraigosa, urging me and others to oppose the bill.

I share with my colleagues' goals of passing legislation which promotes an increased competition, lower prices, improves the quality and access to developing brand-new services that help all consumers. But the digital divide, Members, remains a reality for many constituents in my district and many others across this country. We should not let this opportunity pass without addressing this fact. I would ask that we not let this opportunity pass without addressing the fact in an effective manner.

I urge my colleagues to oppose the bill. Furthermore, I would like to say that while we have had numerous discussions outside of the committee room regarding this bill, I still have not heard from the telephone companies and others that they would like to see strong language put in the bill to provide for protection so that we don't exclude communities like mine that I represent.

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I am disheartened when I hear that there is a possibility that they will come into Los Angeles, but they will go around East Los Angeles and they won't attend to those constituents that I represent.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Chairman, rural America needs broadband now more than ever. The information society is in full swing with an abundant amount of choices and access to the infinite sources of information, yet there are those who may not have the same access to information and will therefore be left out in the cold.

As we move away from dial-up Internet to broadband via cable modem, DSL, satellite, and fiber-based networks, Congress should be enacting legislation that encourages broader network deployment. Without the proper economic incentives and regulatory environment, rural America will be left behind when the next generation networks are built.

That is why we must pass the COPE Act tonight. Not only does COPE open competition in the video market, but it also includes the proper regulatory light touch and the right incentives to foster the deployment of advanced networks. More importantly, it creates incentives to build out these networks without the spending of government funds.

It is time to pass this bill and get broadband deployment moving in the right direction, the direction of rural America.

Mr. MARKEY. Mr. Chairman, I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I would yield on behalf of Mr. RUSH 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I rise in support of the COPE Act. Fundamentally, it is all about promoting greater competition in the video service industry, what we often call cable, but is no longer limited to that delivery system.

We have all heard the complaints from our constituents about the rising cost of cable. For part of my district, the fact is there is no competitor to cable. Satellite TV signals can't magically go around tall buildings nor pass through them to reach someone on the other side. The COPE Act will speed competition into the video service industry and drive down prices.

I am also pleased with the VoIP provisions of the bill. I was an early proponent to require emergency 911 services for VoIP providers. I am also pleased that we cleaned up the rules for VoIP providers to interconnect, thus providing the same level playing field that C-LECs enjoyed. Finally, I was pleased to offer language requiring disabilities access with my colleague from Washington (Mr. INSLEE). With the support of Chairman UPTON, we have ensured that disabled Americans will be a full part of this broadband resolution.

We will consider a number of amendments today, some I will support because I believe that they will make this a better bill. I would have voted for the Baldwin and Solis amendments if they had been allowed to be put forth. Nevertheless, we start with a good base bill, and it will have my support on final passage regardless of which amendments pass. We have before us a bill that seeks to update our laws to keep pace with new technologies and new market realities.

Mr. MARKEY. Mr. Chairman, I continue to reserve my time.

Mr. UPTON. Mr. Chairman, I yield 1 minute to the gentleman from the Buckeye State, the chairman of the Financial Services Committee, Mr. OXLEY.

Mr. OXLEY. Mr. Chairman, it seems like old times debating a telecommunications bill. It has been a while since I had that opportunity, and I see some familiar faces on both sides. I first want to congratulate my good friend from Michigan for his concerted efforts on this legislation as well as Chairman BARTON and other members who have worked on this legislation.

This is a good solid follow-up of the 1996 Act. It recognizes market forces, it gets government out of picking winners and losers. I chair the Financial Service Committee now, and there have been some arguments about whether the net neutrality issue that the gentleman from Massachusetts will be offering will be a boon for the financial services industry. I am here to say that the financial services industry understands competition, they understand choice, they understand how markets work, and the folks that are represented in that financial services community will benefit by this legislation without the Markey amendment, and that is what is important to keep in mind.

This has been a great effort. I congratulate again all those who have put this bill on the floor today.

I rise in strong support of H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act of 2006.

I've been a believer in the power of competition in telecommunications since I came to Congress 25 years ago. The move from government regulation to market competition has totally changed the telecommunications landscape, and the consumer has been the big winner. There are more products, services, and choices than ever before.

I remember people looking at Congressman RICK BOUCHER and me like we were nuts when we first introduced a bill to allow telephone and cable companies to compete with each other. Since then, satellite TV and the Internet have joined the act and we have more channels than we know what to do with.

Some saw the spectrum auctions as a heretical idea. But they helped give birth to the cell phone industry, and now there's a kiosk in every mall begging for your business. Along the way, those auctions brought in billions of dollars for the U.S. Treasury and our own budgeters.

I was on the conference committee for the Telecommunications Reform Act of 1996, and the law has done a lot to promote private investment and consumer choice. But I'm not sure we ever fully broke the regulatory mindset at the bureaucratic level.

Ten years later, we're at the point where we need to see more investment in the advanced telecommunications systems vital to our international competitiveness. We trail some of our hungriest competitors in broadband deployment. And by next year, China may have more broadband subscribers than the United States.

There are still too many regulatory impediments holding back competition. H.R. 5252 does a good job of removing them, so we can unleash private capital on this national need.

Historically, video entrants—primarily cable companies—have been required to negotiate contracts, called franchises, with local governments before offering video service. With some 33,000 municipalities, this negotiating process is time consuming and costly, serving as a barrier to market access.

H.R. 5252 streamlines this process by creating a single, national approval process. This will open the door for telephone companies to enter the video services market and build out extensive new fiber-optic networks to compete with the cable industry whose network is already well established. The bottom line is a national franchise will open the door for more choices, better services and lower bills.

I am concerned about some of the potential amendments that, under the guise of "fairness," would just defeat the purpose of the bill.

The first is mandatory build-out requirements, which are nothing less than the government telling a business how to run itself. Requiring a new entry in a competitive market to deploy broadband everywhere at once, even when it's not economical, guarantees that nothing will be built. Market demand will make the case for broadband expansion soon enough.

Next, there seem to be new efforts to regulate the "last frontier," the Internet. I think the Internet has experienced explosive growth because for the most part, the government has kept its hands off by not taxing and regulating it to death.

But in the name of something called "net neutrality," some would have the government effectively impose free carriage requirements on the Internet and Internet backbone providers. Supporters claim that in order to "keep the internet as we know it" we must regulate the service providers. Regulating Internet Service Providers will stall investment, curbing the growth and innovation the Internet has fostered in the last decade.

Again, this is something best left to the market to figure out. And at this point, it seems to be a solution in search of an actual problem.

We are again at a pivotal point in telecommunications policy. At one time, telecom was one of the drivers of our economy and we need a full comeback. This bill will promote investment in the advanced networks that will keep the U.S. economy competitive in a fierce global marketplace. Let's again unleash the innovation of our telecom, cable, satellite, and Internet companies because when the rules are right, there are none in the world who are better.

Mr. BARTON of Texas. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, I just want to thank the distinguished chairman of the Financial Services Committee, Mr. OXLEY, for his leadership and his statement that he just made. It is greatly appreciated and it I think enlightens the debate.

Mr. MARKEY. Mr. Chairman, I yield myself 1 minute at this time.

Mr. Chairman, let me explain one of the real problems with this bill. In testimony before the Commerce Committee on this legislation, I asked the head of the national cable industry what they would do once this bill passed, and the answer was quite revealing. They said that after this bill passes, since the telephone companies are going to go into the wealthy side of town in order to deploy their new broadband systems, that under the legislation they no longer had any responsibility to serve the whole community. They had no responsibility to continue to upgrade on the other side of the town, which the cable industry is already serving, because every mayor always extracted that from every cable company as they came into town.

So we are going to wind up with a perverse situation where the cable industry on the poor side of town is able to raise rates because the telephone companies won't promise to go there and actually compete against the cable company. And the Republicans oppose even having a debate on the House floor in order to accomplish that, and so we wind up with a situation where the wealthy people are going to have two competitors and have lower rates, and the poor people are going to have only one company that is saying they are going to raise rates because there will be no competition. It is a perverse result for cable subscribers in America.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Chairman, I thank the chairman for yielding.

I rise today in support of H.R. 5252, and I want to discuss the so-called net neutrality provisions. The free Internet that we have today will remain free. If you can go there today, you will be able to go there tomorrow. If you would like to be able, in the future, to immediately download full-length movies and high definition video games and you are willing to pay for that greater bandwidth to do that, you will have the freedom to make that choice as well. If we take away these choices, it will be like trying to send a golf ball through a garden hose in terms of clogging up the bandwidth for everyone.

In a nutshell, it seems to me that more consumer freedom and less government regulation is the better approach. If down the road the telecommunication companies improperly restrict access to the Internet and the FCC fails to act, then we can drop the hammer on them. Until then, it seems like imposing new regulations on the Internet is a case of Big Brother being a big pain in the behind.

I urge my colleagues to vote "yes" on H.R. 5252.

I rise today in support of H.R. 5252, and I want to discuss the so-called "Net Neutrality" provisions.

I don't understand why we need new laws for a problem that doesn't yet exist. I've heard that some high-tech companies, like Yahoo and Google, are worried that certain cable or phone companies might block, or limit, consumers' internet access.

At this early stage, it seems to me that the market place will take care of that issue real quick. Consumers simply will not continue to purchase service from a provider that seeks to block or restrict their internet access.

For example, when I'm at my home in Orlando, Florida, I use Google and Yahoo nearly every day, and I get my high speed internet access through my local cable company, Bright House. If Bright House restricted my access to either Google or Yahoo, I would switch to my local phone company, BellSouth, so fast it would make your head spin. In other words, competition is what will keep companies on the straight and narrow.

The free internet that we have today will remain free. If you can go there today, you will be able to go there tomorrow.

If you would like to be able, in the future, to immediately download full-length movies and high-definition video games, and you're willing to pay for the greater bandwidth to do that, you'll have the freedom to make that choice as well.

If we take away these choices, it will be like trying to send a ball through a garden hose in terms of clogging up the bandwidth for everyone.

In a nutshell, it seems to me, that more consumer freedom, and less government regulation, is the better approach. If, down the road, the telecommunications companies improperly restrict access to the internet, and the FCC fails to act, then we can drop the hammer on them.

Until then, it seems like imposing new regulations on the internet is a case of Big Brother being a big pain in the behind.

I urge my colleagues to vote "yes" on H.R. 5252.

Mr. MARKEY. Mr. Chairman, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Chairman, on behalf of Mr. RUSH of Illinois, I yield 1 minute to the gentlewoman from Illinois (Ms. BEAN).

Ms. BEAN. Mr. Chairman, I thank Mr. RUSH for this opportunity to speak, and I thank him and my colleagues on both sides of the aisle for their work on this bill. As a new Member of this body who brings 20 years of experience in the tech sector, I rise today to speak in support of H.R. 5252.

Many of our constituents have one option for cable TV and one price. Our constituents desire choice. I believe this bill will provide much-needed modernization of our telecommunications laws to provide for improved competition for video services and lower prices for consumers. By overhauling current rules and speeding the entry of competitors in the market, we encourage competition and provide our constituents with new choices and cheaper bills.

To keep America competitive in the global economy, telecommunications companies will be expected to invest heavily in infrastructure. This bill will spur investment in broadband networks that will help bring America up to speed with other nations who have jumped ahead of us in broadband capacity.

Some colleagues have raised legitimate concerns about how to streamline our laws while advancing new technologies. I am confident this bill will ensure consumer choice and preserve innovation on the Net, respect rights for municipalities while establishing a new source of revenue for them, and strictly prohibiting discriminatory practices like redlining.

I encourage support.

Mr. MARKEY. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, so again we hear the argument that this is going to lower cable rates. And it will lower cable rates, I don't deny that, on the good side of town, which is where they are going with their Harvard Business School 3-by-5 card, "go to the wealthy side of town and offer them a package of broadband services to compete against the cable companies." Rates are going down.

But the problem is on the other side of town, once this bill passes, once the telephone company comes into town, the cable company is no longer bound by the agreement that it made with the city. So the cable industry, and they testified to this in the committee, they can then raise rates on the parts of town that the telephone company is not going to go to and provide cable service.

So you are going to wind up with this incredible situation where we, that is, Congressmen in our parts of town, we are going to have lower cable rates. But people on the other side of town, and you don't have to be a summa cum laude, you from Harvard Business School, to understand this, the people on the other side of town are not going to get this service, because obviously the Republicans are protecting AT&T and Verizon by prohibiting us having this discussion here on the floor.

They won't even let the discussion take place, because they know that is what is going to happen, that the other side of town isn't going to get this service, because AT&T doesn't want us to have to mandate that if they are going into the town, they just can't cherry-pick the good parts of town. They are going to have to do everybody. And if they don't do everybody, what do you think is going to happen when there is no competition? Rates are going up in that part of town, because that part of the town will be a monopoly.

Mr. BARTON of Texas. Mr. Speaker, I want to yield 1 minute to a gentleman from Mississippi who doesn't have a degree from Harvard Business School, but he does have a degree from Ole Miss, CHIP PICKERING, the vice chairman of the full committee.

Mr. PICKERING. Mr. Chairman, I thank the chairman.

Having received an MBA from a great institution in the State of Texas, Baylor, I was taught that competition drives deployment, innovation, investment.

Why would the telephone companies have to go to both sides of the town? Because the cable companies are going with something called voiceover Internet, voice over cable systems, voice providers and other companies, into both sides of the town. And unless the telephone companies want to lose both sides of the town, they are going to have to go with video.

So more video choice, more voice choice, more investment, more innovation, greater competition. And that is why we will see benefits on all parts, in all parts of our country, and all sides of our cities and communities.

That is why this is a good bill. It makes a national framework, as it should do, as we go into an IP, Internet-based world. It is interstate. It is international. It should be done at the FCC, not in a patchwork of entities all across the country, slowing deployment and investment.

I want to commend the great chairman from the Great State of Texas and the subcommittee chairman from Michigan, and I also want to thank our colleagues on the other side.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Chairman, I stand in opposition to the fact that the provisions that are going to be considered do not contain any language that would guard against discrimination, discrimination as to where people live, redlining. And we want to be sure that when we go into restructuring where we place our cable lines, I want to be sure no community is left out.

Unless we can see that language in the bill, I cannot support it. Communications are too important, and I don't want the cable companies choosing the high-end communities and leaving the low-end communities out of the cable network.

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So I would hope that if we do not get a provision in the bill, and it looks like we are not going to, that we vote against it and try all over again.

This will affect every area of my district, and many districts in this country, if we do not put provisions in there to eliminate redlining, to be sure we have antidiscrimination clauses in there, and be sure that people do not have to come to the FCC to get rulings when they find they are underserved. I would suggest that we vote against the bill.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. MACK).

Mr. MACK. Mr. Chairman, competition is the backbone of innovation. Competition has enabled the Internet and scores of new technologies to be introduced to the marketplace, and it has changed the way we live, work and play.

Mr. Chairman, the COPE Act will ensure that competition and innovation continue to flourish. It will eliminate needless government barriers and has shown that the expansion of new technology and innovation comes when competition is alive and well.

Mr. Chairman, I urge my colleagues to vote in support of this piece of legislation. It will help drive prices down. It will help companies invest in future technology that will help make our lives better.

Mr. Chairman, I want to thank you, I want to thank the committee for giving me the opportunity to speak on this bill.

Mr. MARKEY. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, here is the really perverse part of this. The telephone company is going to come into town, and they are going to start offering lower rates on the good part of town, as they are delivering the service.

The people on the other side of town, the poorer part of town, are going to say, hey, do we get the lower rates too in town? Because under the cable-negotiated agreement with the city, everyone got the same rate in town.

Well, the telephone company will not offer that same lower rate to the other part of the town, only to the people on the good part of town, which is where they are going. So we said to the majority, the Republicans, well, let's make sure everyone in town gets that lower rate, because now we know what the rate should be for that community, because they are offering it to the good side of town.

The Republicans say, oh, no, we are not going to give the lower rate to the poor side of town where the telephone company is not going to, because they are not going there. And the cable industry says, fine, we are going to raise rates on that side of town because the telephone company is telling us we are not going there.

So we are going to have again this crazy situation where they are going to the homes, and we are going to wind up with this perverse result where they are going to the good side of town, they are going to the good communities. They are going to have lower cable rates because they are going to have competition. And the telephone companies have told us over and over and over again they are not going to the other side of town.

They are not going to the poorer communities, and we object to any amendment by Democrats on the floor that will make us do the poor part of town, that will make us go to the other side of town. We are going to fight it and we are going to ask the Republicans to not even allow for a debate on the House floor that will help the people on the poor side of town get the lower rates.

That is what this bill at its heart is all about tonight, the ability of the telephone companies to cherry-pick the wealthiest families in America to have competing cable service.

Mr. BARTON of Texas. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. UPTON), our subcommittee chairman.

Mr. UPTON. Mr. Chairman, a couple of weeks ago, the Wall Street Journal ran a story headlined: "U.S. lags behind in high speed Internet access, ranking slips to 12th spot among 30 nations."

Today telecommunication providers offer a host of services, whether it be voice, data, or video. And this legislation, should it be enacted later this year like I think it will, will jump-start, jump-start that competition, as it will provide more competition, it will lower prices, probably in the range of $30 to $40 per household per month, nearly $400 for the year, and I have to tell you that that is great for America.

Now, over the last year we have had plenty of hearings, lots of witnesses, input from almost every sector. It has been a fair and open process from the start. And I commend my chairman, Joe Barton. He has done a magnificent job pulling together folks from all sides of the aisle, all different sides of the issues, to put together a bipartisan bill that we debate tonight.

Now, the document that we marked up in my subcommittee and then in full committee changed. It changed because of amendments that were debated and offered and accepted and voted on. And I have to tell you that after each step of that process, the bill was better. It was stronger and it was better. And the proof was in the pudding.

We passed the bill in subcommittee 27-4. We passed the bill in full committee, changed, 42–12. And I would note that when we introduced H.R. 5252, after the full committee markup process was completed, there were 15 Democrats from the Energy and Commerce Committee that asked that their names be listed as cosponsors.

Now, in some debate tonight we have talked about the cities, a question about right-of-way. Well, let us read the language in the bill. Page 19 says this: "Nothing in this act affects the authority of a State or local government to manage, on a reasonable, competitively neutral, and nondiscriminatory basis, the public rights-of-way and easements that have been dedicated for compatible use.

That protects the cities with rights-of-way. We protect the cities with a revenue stream. Most of them today have about a 5 percent revenue from the receipts that are collected. We add to that. It will be 6 percent, because we guarantee that that extra percent is going to go to the community access channels, what we call the PEG channels, the Public, Education, Government channels.

In fact, some of the studies that have come out show that the cities will gain revenues in the neighborhood of perhaps as much as 30 percent. We added an anti-redline provision that was offered by our friend, Mr. RUSH from Chicago. It was a great provision. It made the bill better. It was accepted, as I recall, on a voice vote.

The bottom line is this: if you are happy with the status quo, please vote "no" tonight. If you like cable rates going up, if you like the regulations, vote "no." But if you want change, please vote "yes."

Mr. MARKEY. Could I inquire of the Chair how much time is remaining.

The CHAIRMAN. The gentleman from Massachusetts (Mr. MARKEY) has 2½ minutes remaining. The gentleman from Texas (Mr. BARTON) has 3½ minutes remaining.

Mr. MARKEY. I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman. I know this has been hard work for members of the Energy and Commerce Committee. This is another giant step in telecommunications, and now with the focus on broadband.

I recall, Mr. Chairman, the 1996 opportunity, and in fact I recall many, many years ago before I was in Congress the opportunities that led to the creation of BET. I hope as we go forward that we will be able to focus on small, medium, women-owned, minority-owned businesses that may engage in the cable franchising business.

I think as we make our way to the Senate and this bill comes back to the House, more emphasis needs to be focused on those generating opportunities. We are seeking, of course, to open telecommunications, broadband to the world. And to do that, it is also important that small businesses have the opportunity, both in terms of the franchise fees, and both in terms of mentoring by larger companies, so I hope that in working with my colleagues on Energy and Commerce and through the Senate, we will have the opportunity to put a focus on small, medium, women-owned and minority-owned businesses.

Mr. BARTON of Texas. Mr. Chairman, I yield 3½ minutes to the gentleman from Illinois (Mr. RUSH), my distinguished primary cosponsor on the Democrat side.

Mr. RUSH. Mr. Chairman, I want to thank the gentleman for yielding me time.

Mr. Chairman, I am from the other side of town. I live on the other side of town; and, Mr. Chairman, those who live on the other side of town understand the Biblical principle, the verse in the Bible that says, know ye the truth, and the truth shall set you free.

Mr. Chairman, there are some untruths that have been spoken today about this bill. This is a good bill. This is a marvelous bill. This is a bill that is worthwhile. This is a bill that will make a difference in the lives of the people who live on the other side of town.

Mr. Chairman, there are five truths about this legislation that I want to share with you. This legislation, number one, represents a huge step in bringing lower prices and more choices for cable services, not only from the other side of town, but from all of town, and also to the Nation.

Mr. Chairman, this bill will provide equitable competition amongst a variety of video service providers on the other side of town. Video service providers can compete in price, in quality, and in quantity. And the people on the other side of town, on my side of town, can finally decide which service provider they prefer.

Number two, Mr. Chairman, the second truth, this bill will create a nationwide approval process for pay TV services. The people on my side of town, on the other side of town, pay more money for cable TV services than any other demographic group within the Nation. And by streamlining this archaic franchise system, companies will be able to offer new TV services on the other side of town, while also protecting the local interests.

The third truth. And this is a truth, Mr. Chairman, that I take to heart. I have spent all of my life fighting against discrimination. And I will never, never, ever be a sponsor or cosponsor or vote for a bill that allows for discrimination in any area of life within this Nation.

The third truth, Mr. Chairman, is that this bill will prohibit discrimination on the basis of income and give the FCC the power to impose stiff fines, up to $500,000 a day, or revoke a provider's franchise area if there is willful or repeated violation of discrimination.

And it goes even beyond that. The burden of proof will be on the company and not on the consumer.

The fourth truth, Mr. Chairman, is that this bill also preserves net neutrality by allowing the FCC explicit power to go after companies that violate network neutrality principles.

And, Mr. Chairman, on network neutrality, let me just say this: network neutrality is a Trojan horse in this whole debate. It is not about build-out; it is not about access. The opponents of this bill are in favor of network neutrality, and they are not in favor, Mr. Chairman, of lowering cable costs for the people on the other side of town.

Mr. MARKEY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, this bill is a failure. It fails the challenge to ensure that this broadband technology will be deployed in every neighborhood in America. The Bell Companies oppose it, and the Republicans are not going to allow us to even have that debate here on the House floor.

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Why is it important? Because in a post-GATT, post-NAFTA world, we have to make sure that every family and every child in every family has access to this high tech skillset which can only come from access to this broadband technology. The telephone companies do not want the responsibility to build out into the poor side of the town, the Republicans have not built that responsibility into the bill, and they have prohibited the Democrats from making that amendment. And their bill also fails the Internet. It fails the nondiscriminatory history of the Internet which has required, which has made possible for entrepreneurs and individuals on a nondiscriminatory basis, to use the Internet.

We want to have a debate on net neutrality. All the Republicans are willing to give to the proponents of the Net neutrality, the central constitutional protection built into the Internet for the last 20 years, is 10 minutes. That is a disgrace. The whole way we are making this bill is really a tribute to the Republican control of Congress and their lack of willingness to have full and open debate on the most important post-GATT, post-NAFTA issues we could debate, the access to a 21st century skillset and the ability for entrepreneurs to use the information superhighway to create the new jobs. I urge a "no" vote on final passage on this bill.

Mr. STARK. Mr. Chairman, I rise in strong opposition to H.R. 5252, the so-called Communications Opportunity, Promotion and Enhancement Act of 2006, H.R. 5252.

Supporters of this bill claim that if telephone companies provide video services to compete with cable and satellite, rates will decrease and quality of service will increase.

I agree, but there is nothing in current law stopping phone companies from offering video services. Just ask Verizon, which currently offers fiber optic TV in 16 states—and counting. However, AT&T and others thought they could get a better deal from their Congressional benefactors. The Leave No Lobbyist Behind Republican Congress did not disappoint them.

This bill eliminates all requirements to build out service to an entire community, so if you want to benefit from competition, you better live on the right side of town with the rich people. Your city also better have enough money to have a lawyer permanently stationed in Washington, DC, because this bill gives the Federal Communications Commission, FCC, final say over all video services. Under current law, cities control when and where video providers dig up streets to lay cable and they set standards for customer service and billing. But small government Republicans think that the FCC knows better. They provide no new staff or money to handle this enormous responsibility, so expect a busy signal the next time you have a problem with your cable bill.

Finally, this bill was a critical opportunity to renew so-called "net neutrality" rules that require Internet Service Providers to treat all Web sites equally. When Google was being run out of a college dorm, the search page loaded just as quickly as Yahoo or MSN or the Comcast corporate Web site. The ability for so-called "garage inventors" to enter the market without paying a toll or suffering degraded service enabled the Internet's rapid growth and success. Those non-discrimination rules ended last year, and broadband providers have made no secret of their desire to extract a high price for continued service. Their multimillion dollar campaign to defeat a net neutrality amendment only confirms their insidious plans.

This gift to giant telecom companies, devoid of any worthwhile public policy, is a disgrace, and I urge my colleagues to join me in voting no.

Mr. BLUMENAUER. Mr. Chairman, I agree with the intent of the bill, which is to improve competitive choice for consumers, lower costs, and increase innovation. I hope that is where we will be at the end of this process. However, currently, I have profound concerns about the loss of local revenues, lack of assurances for universal access, and the potential for anti-competitive behavior by network providers.

This comes to the floor with significant problems for local governments. The COPE Act will reduce Public Education Government, PEG, funding for Portland and Multnomah County by $2.4 million each year.

Proponents argue that more competitors will increase local revenues. However, the revenue is based on the size of the customer population, thus more competitors will not necessarily result in more revenue than already exists. This bill also grants new authorities to the FCC to resolve local and private disputes. I am uncertain that the FCC possesses the capacity to effectively handle these local issues.

In the spirit of preserving innovation and providing equal access to web surfers and businesses alike, the Internet must remain a non-discriminatory, egalitarian, and open playing field. This is an issue that has often been referred to as "net neutrality." I am concerned about the ability of the Internet to remain neutral and equal under the COPE Act.

This issue is particularly important to my district in Oregon as it has one of the highest broadband penetration rates in the country. I have received thousands of letters, e-mails, and phone calls from my constituents expressing concerns about the COPE Act's ability to safeguard the neutrality of the Internet. I support the Markey Amendment on network neutrality, which regretfully the House failed to adopt.

Lastly, I am concerned that the COPE Act does not ensure universal access for vital telecommunication services. Without strong "build out provisions," poor and rural areas in the country are at risk of falling behind. Telecom companies will be able to cherry pick the most profitable areas and force cable companies to follow suit in order to remain competitive. History suggests that it is unrealistic to expect one company to continue to invest in all of its regions if a competitor applies market pressure to small concentrated areas.

This bill is the start of a long conversation regarding how best to address telecommunications in this country. It is my strong belief that we will be revisiting the concerns I have outlined should this bill pass, and it is my hope that through the legislative process, we can provide the American people the telecom reform they deserve.

Mr. WELLER. Mr. Chairman, I rise today in support of the Communications Opportunity, Promotion and Enhancement Act of 2006 (COPE), H.R. 5252. This is an important, bipartisan bill that will benefit the consumers I represent, especially those in rural areas.

While the cost of wireless minutes has fallen more than 77 percent in the past 10 years, the cost of cable rates has done the exact opposite, increasing over 86 percent during that same time frame. The COPE bill will bring choice and competition to television and the Internet. Through this bill, the market will have a chance to expand to areas in which competition does not currently exist. As we have consistently seen in other industries, competition helps the consumer through more choices and lower prices. For example, my own parents live in a small rural community. Mom and dad are retired on a fixed income. Like millions of other Americans living in small towns or rural communities, they have limited options when it comes to cable service. With the COPE bill, my parents and countless others will have increased access and competition.

It should be noted that this bill is about more than just lowering prices and creating a competitive marketplace. Significant benefits will be brought uniquely for rural communities. It will bring faster broadband to more places, especially rural areas. It will also mean the opportunity for distance learning and distance medical diagnosis and treatment for those living in rural communities. These are new and important opportunities for improving the quality of life for rural America.

This legislation really is about choice, competition, and rural access. I urge my colleagues to support the Barton-Rush COPE Act, an important bipartisan bill.

Mr. UDALL of Colorado. Mr. Chairman, while I have some reservations about the COPE Act, H.R. 5252, I will vote for it today.

There have been many changes in the telecommunications and cable industry in the 10 years since the last major revision of telecommunications law.

In 1996, telecommunication companies and cable companies provided very different services. Today though, these industries are providing very similar services and the distinctions in the old law are no longer as relevant. As a result, I believe it is time for us to make changes to our telecommunication laws that take into account the technological advances of the industry and the changes in the marketplace.

This bill would make some of those needed changes. However, I am concerned that its provisions, particularly those affecting the local franchise authorities, may go a little too far and do not do enough to allow localities and their constituents to adequately address right-of-way concerns in a timely fashion. I hope that Congress will be able to more fully address these concerns as this bill proceeds through the legislative process.

I supported the Markey amendment, even though its language would have needed some adjustments in conference particularly as it pertained to the "last mile" of Internet connectivity, because I thought it would improve the bill.

I was joined in this support for "net neutrality" by a wide variety of organizations whose members place a high value on unencumbered use of the internet—from AARP, ACLU and Gun Owners of America. I regret the amendment was not adopted.

However, even without that amendment this bill is an improvement over current law. It takes important steps to increase competition and reduce costs of cable and Internet. There is no doubt that the Internet has revolutionized how we do business, educate, and entertain. Making broadband services more affordable and accessible is vital to ensure we close the digital divide and allow businesses to benefit from new Internet-based technologies.

While this bill is not perfect, it is a good step forward. I believe it is important that we continue to work with the Senate to improve this bill and hope a conference report will continue to provide an increase in competition while protecting the freedom of the Internet.

Mr. GOODLATTE. Mr. Chairman, I rise in general support of this legislation, which will increase competition in the video services market by reducing the regulatory barriers that effectively bar new entrants into this important market. Competition will give consumers more choices and will help ensure the delivery of new and innovative services at lower prices.

However, I have concerns about the way this bill addresses the net neutrality issue. Specifically, this legislation was drafted such that it grants exclusive jurisdiction to the Federal Communications Commission to adjudicate complaints arising from anticompetitive practices of broadband providers. This grant of exclusive jurisdiction unfortunately puts into question whether the antitrust laws would apply when anticompetitive conduct arises in this area.

I believe in free market principles and the fact that government involvement often stifles innovation in the marketplace. However, I also believe that our Nation's antitrust laws have served as important guidelines to ensure that markets remain competitive and that these antitrust laws must remain applicable in the broadband services market.

I understand that Congressman LAMAR SMITH will offer an amendment today to expressly state that the antitrust laws do indeed apply despite the use of the word "exclusive" in the underlying bill. I support that clarification to ensure that our nation's antitrust laws continue to have full effect and continue to guard against anticompetitive conduct in the marketplace. However, I do not believe that this amendment goes far enough to discourage anticompetitive conduct in the Internet arena.

On the other hand, I do not believe that the amendment that will be offered by Congressman MARKEY is the right approach either. Specifically, that amendment would create more government red tape and hurdles for broadband providers by applying an FCC-focused overly regulatory approach to protecting the Internet. The way to ensure competition in the provision of broadband is not to bury broadband providers with more regulations.

I believe that competition in this area can be encouraged by setting forth clear and articulate guidelines that do not stifle innovation or the ability for broadband providers to recoup the investments they make in their infrastructures. Relatively minor amendments to our Nation's antitrust laws could be the right approach in this area. Unfortunately, neither this legislation, nor any of the amendments being offered today, contains such a narrowly-tailored and effective approach.

Despite my strong concerns about how the underlying bill handles the net neutrality issue, I will support this legislation because of the video services provisions that will increase competition and lower prices in that market. However, I look forward to working with all affected parties to ensure that robust competition remains the standard in the broadband services market.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise today to share my thoughts on H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act of 2006.

Similar to the 1996 telecommunications law that deregulated the phone and cable industries, I have examined this bill with the interests of my constituents in mind and a deep respect for the advancement of technological innovation.

As a result of this I have decided to vote in favor of H.R. 5252 as the bill provides the best we here in the House of Representatives could wish for with regard to the increased distribution of affordable cable services and a continued support of increased telecommunications innovation.

As with any complex bill, I do not agree with every aspect of the measure; however, I do feel that the measure provides the tools necessary to facilitate increased video choice for my district. Streamlining the video franchise process will help accelerate competition in the video market.

Constituents within my congressional district are crying out for increased competition and affordable cable rates and it is impossible for me to disregard their concerns by voting against this, bill. According to the Federal Communications Commission, roughly 1.5 percent of markets have head-to-head competition for cable services.

Increased competition amongst cable providers will provide my constituents with consumer choice that is currently lacking. Consumers win when telecom carriers and cable operators compete head-to-head.

A multitude of service providers, each committed to indiscriminately serving my constituents regardless of income levels holds great promise for lower prices, better service and increased programming content and diverse ownership opportunities for minority and women-owned businesses.

Lastly, much has been said regarding the issue of net neutrality, the notion that broadband service providers should operate their networks in a nondiscriminatory manner.

While I agree wholeheartedly with this notion, I also feel that the government should not act too prematurely in intervening with the growth and innovation of the internet. The net neutrality bill presented before us tonight would impose a non-discriminate requirement on the internet backbone.

For years, the internet has blossomed, thanks in large part due the hands-off approach the federal government has taken. Currently I am satisfied with the language captured in H.R. 5252.

The bill gives the FCC strong authority to protect web access and internet applications by allowing the FCC to enforce its broadband principles that ensure consumers are entitled to: (1) Access the lawful internet content of their choice; (2) Run applications and services of their choice, subject to the needs of law enforcement; (3) Connect their choice of legal devices that do not harm the network; and (4) Competition among network providers, application and service providers, and content providers.

While I do not feel that additional action above and beyond the bill's current language at this time, I do support revisiting the issue in the event discriminatory conduct amongst internet service providers in the future.

Mr. CONYERS. Mr. Chairman, I rise against this legislation for several reasons. I fully support the concept of bringing competition to video, but the bill before us today contains some serious flaws and omissions that negate the positive intentions.

First, the bill does not contain meaningful net neutrality protections. All it does is reference the FCC's policy statement, which does not clearly delineate what a network provider can and cannot do. It provides the FCC with "exclusive" authority to define and adjudicate discriminatory broadband practices but also deprives the FCC of the authority to adopt rules on net neutrality. It only allows for case-by-case adjudication of complaints so that there will never be an order of general applicability.

Chairman SENSENBRENNER and I hoped that our net neutrality legislation, which passed the Judiciary Committee with bipartisan support, would be debated on the House floor today. Our amendment would have required that broadband service providers interconnect with the facilities of other network providers on a reasonable and nondiscriminatory basis. It also would have required them to operate their network in a reasonable and nondiscriminatory manner so that all content, applications and services are treated the same and have an equal opportunity to reach consumers.

To the detriment of the COPE Act, the Rules Committee did not make our amendment in order. The Committee did make in order an amendment offered by Representative SMITH, which purports to preserve the antitrust laws for net neutrality but is actually nothing but a fig leaf. It changes nothing and does nothing to protect net neutrality. Of course the antitrust laws apply, but the Smith amendment does nothing to clarify how they apply and whether they apply to protect nondiscrimination.

The failure to provide strong net neutrality rules is not the only flaw of the COPE Act. Again, while I support the goal of furthering competition in video, I could only endorse this approach with certain protections to ensure that the service is distributed equitably and fairly. The COPE Act does not include these important safeguards.

The COPE Act removes guarantees that all cable customers must be treated equally, regardless of race, color, nationality or sex because it permits providers to designate their franchise areas. As a result, a provider will be able to "cherry pick" those areas it wants to serve and totally bypass other parts of the community. And it allows national franchise holders to offer service in one area of a community at a higher rate in order to subsidize the provision of service to residents in a more competitive area of the community.

These are serious problems that detract from the ultimate goal of furthering competition in the provision of video services. As a result, I oppose this legislation and urge my colleagues to do the same.

Mr. BACHUS. Mr. Chairman, I support H.R. 5252. Communications technology today is advancing rapidly but communications law is not. H.R. 5252 will allow the law to not only "catch-up" with technology, but also to get out of the way so consumers may benefit from new innovations and competition for broadband video services.

It is odd to me that, at the same time we are streamlining our policy in one area, we are considering new regulation in another area that has enjoyed explosive growth and innovation precisely because it has been free of government regulation. Mr. Chairman, this is not the time to start regulating the Internet.

Some voices say new regulation is necessary to preserve the Internet and protect consumers. I do not agree. The Internet is growing and thriving without regulation. Until there is a specific problem to fix, I think Internet regulation is a heavy-handed solution in search of a problem that will have many unintended consequences.

It is important to remember that the FCC has already adopted principles designed to ensure that Internet services are provided in a fair and neutral manner. Provisions of H.R. 5252 reinforce these principles without imposing innovation stifling regulation. Plus, my colleague on the House Judiciary Committee, Mr. SMITH, is offering an amendment making it clear that our Nation's anti-trust laws are in place to protect consumers as well. I support his amendment and encourage my colleagues to approve H.R. 5252 and reject calls for Internet regulation.

Mr. OXLEY. Mr. Chairman, I rise in strong support of H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act of 2006.

I've been a believer in the power of competition in telecommunications since I came to Congress 25 years ago. The move from government regulation to market competition has totally changed the telecommunications landscape, and the consumer has been the big winner. There are more products, services, and choices than ever before.

I remember people looking at Congressman RICK BOUCHER and me like we were nuts when we first introduced a bill to allow telephone and cable companies to compete with each other. Since then, satellite TV and the Internet have joined the act and we have more channels than we know what to do with!

Some saw the spectrum auctions as a heretical idea. But they helped give birth to the cell phone industry, and now there's a kiosk in every mall begging for your business. Along the way, those auctions brought in billions of dollars for the U.S. Treasury and our own budgeters.

I was on the conference committee for the Telecommunications Reform Act of 1996, and the law has done a lot to promote private investment and consumer choice. But I'm not sure we ever fully broke the regulatory mindset at the bureaucratic level.

Ten years later, we're at the point where we need to see more investment in the advanced telecommunications systems vital to our international competitiveness. We trail some of our hungriest competitors in broadband deployment. And by next year, China may have more broadband subscribers than the United States.

There are still too many regulatory impediments holding back competition. H.R. 5252 does a good job of removing them, so we can unleash private capital on this national need.

Historically, video entrants—primarily cable companies—have been required to negotiate contracts, called franchises, with local governments before offering video service. With some 33,000 municipalities, this negotiating process is time consuming and costly, serving as a barrier to market access.

H.R. 5252 streamlines this process by creating a single, national approval process. This will open the door for telephone companies to enter the video services market and build out extensive new fiber-optic networks to compete with the cable industry whose network is already well established. The bottom line is a national franchise will open the door for more choices, better services and lower bills.

I am concerned about some of the potential amendments that, under the guise of "fairness", would just defeat the purpose of the bill.

The first is mandatory build-out requirements, which are nothing less than the government telling a business how to run itself. Requiring a new entry in a competitive market to deploy broadband everywhere at once, even when it's not economical, guarantees that nothing will be built. Market demand will make the case for broadband expansion soon enough.

Next, there seem to be new efforts to regulate the "last frontier", the Internet. I think the Internet has experienced explosive growth because for the most part, the government has kept its hands off by not taxing and regulating it to death.

But in the name of something called "net neutrality", some would have the government effectively impose free carriage requirements on the Internet and Internet backbone providers. Supporters claim that in order to "keep the internet as we know it" we must regulate the service providers. Regulating Internet Service Providers will stall investment, curbing the growth and innovation the Internet has fostered in the last decade.

Again, this is something best left to the market to figure out. And at this point, it seems to be a solution in search of an actual problem.

We are again at a pivotal point in telecommunications policy. At one time, telecom was one of the drivers of our economy and we need a full comeback. This bill will promote investment in the advanced networks that will keep the U.S. economy competitive in a fierce global marketplace. Let's again unleash the innovation of our telecom, cable, satellite, and Internet companies because when the rules are right, there are none in the world who are better.

Mr. BOUCHER. Mr. Chairman, I rise in support of the bill and I urge its approval by the House. In my view, it will bring urgently needed competition to cable television and benefit consumers nationwide with more varied program offerings and the better pricing that competition inevitably brings.

The bill also opens the door for local governments to offer commercial telecommunications services, filling the gap where broadband is either not available or is available but is priced beyond the reach of residential subscribers and the small business community. Section 401 of the measure prohibits states from barring local governments from providing telecommunications, information or cable services. This provision applies to all current and future state measures that may have this effect. Section 401 also prohibits local governments from discriminating in favor of municipal providers over commercial providers of such services. This prohibition does not apply to local governments to the extent that they are providing services to themselves or to other government entities. Finally, nothing in this section exempts a public provider from any law or regulation that applies to private sector providers of a telecommunications service, information service or cable service.

The manager's amendment contains provisions I recommended that will assure fair treatment for electric utilities and telephone companies in pole attachment pricing, and I want to thank the gentleman from Texas (Mr. BARTON), who chairs the full committee, for his assistance with that provision. And the bill will assure that consumers who desire to purchase a freestanding broadband service can do so without having to buy telephone or cable service from the broadband provider. That provision was added in an amendment I offered during the markup of the bill in subcommittee.

I also urge support for the net neutrality amendment that the gentleman from Massachusetts Mr. MARKEY will be offering. I am pleased to be a co-sponsor of that amendment. It is essential to preserve the Internet as a platform for innovation. Broadband providers plan to create a two-lane Internet, a fast lane for their own content and for others who can pay for fast-lane access, and a slow lane for everyone else. That plan fundamentally changes the character of the Internet and would eliminate the openness and the accessibility that have enabled the Internet to be a platform for innovation unequaled in American history.

I will have more to say about that when the Markey amendment is offered, but I want to take the opportunity during these remarks to say that the net neutrality amendment is fundamental, and I strongly urge its adoption when it is offered.

Ms. HARMAN. Mr. Chairman, the House passed the Communications Opportunity, Promotion, and Enhancement (COPE) Act. I voted with 105 of my Democratic colleagues in favor of the COPE Act, which will spur much-needed competition in the market for pay-television and high-speed internet services. While communities have expressed concern about the local impact of this bill—and I pledge to work with cities in my district to address those concerns—I believe the act is a crucial step toward providing more affordable broadband services to more consumers.

The COPE Act not only encourages innovation and the wider deployment of broadband networks, it will help drive down the price that consumers pay for broadband services. It requires that service providers pay 5 percent of local revenues to local governments—more than many cities currently receive—and that providers pay an additional 1 percent to support public, governmental, and educational programming. It also contains provisions to ensure that service providers do not discriminate against low-income consumers. These are important improvements over existing law.

The COPE Act is far from perfect. It inappropriately allows the Federal Communications Commission to resolve local "rights-of-way" disputes. These are concerns best handled by local governments. When a broken water main interrupts local TV service, it doesn't make much sense for customers to call an 800 number at the FCC. Still, two amendments added to the bill go a long way toward restoring local control. The first institutes a 90-day period during which local authorities and service providers must meet to resolve right-of-way and fee disputes. Only after the 90-day period can either party bring the dispute to the FCC. This amendment empowers local authorities by forcing providers to work with local officials to resolve most right-of-way and fee disputes. The second gives cities the authority to resolve consumer complaints about cable service, including complaints that a cable provider has failed to provide consumers with fair and open access to the Internet. This amendment would give local officials the legal authority to protect consumers and prevent unfair and discriminatory business practices, which could lead to fines for providers up to $750,000 a day.

Equally troubling is the lack of strong "net neutrality" language, which would ensure that everyday web surfers have access to the same Internet used by big media companies. Both sides of this dispute want a vibrant Internet that allows fast and fair access to all users. The question is how to get there. Opponents of "net neutrality" believe that market forces alone will do the job. I am not so sanguine. I voted for an amendment that would have prohibited service providers from selectively blocking or slowing access to certain Internet content, or from charging certain users extra to send information over the Internet. Though it is not absolutely clear this language is needed now, my vote sends the message that the Internet must remain fair and open to all. I believe we will have more opportunities to address this issue during the conference on the COPE Act.

I will work to ensure that the telecommunications legislation Congress sends to the President strikes the right balance and is reflective of the needs of consumers and our communities. This bill makes important progress, but we can make it even better.

Mr. ETHERIDGE. Mr. Chairman, I rise today in support of H.R. 5252, the Communications Opportunity, Promotion, & Enhancement (COPE) Act of 2006.

The technology in wireless and traditional wire-line capabilities has far outpaced our current telecommunications laws, and the COPE Act serves to update these regulations. This bill provides for the streamlining of video franchising at the federal level, to speed up the process of granting new franchises into these markets, providing badly needed competition in the marketplace, and lowering prices for telecommunications in America.

This legislation updates the rules ensuring that satellite providers are treated equally to local cable franchises; and addresses new technologies that did not exist when the last telecommunications laws were written, such as ensuring that voice-over internet providers provide 911 emergency services to their customers. The COPE Act also contains build-out requirements for these new franchises, as well as protecting our rural infrastructure by ensuring that these providers contribute fairly to the Universal Service Fund.

In 2005, the Federal Communications Commission released four network neutrality principles: (1) consumers are entitled to access the lawful Internet content of their choice; (2) consumers are entitled to run applications and services of their choice; (3) consumers are entitled to connect their choices of safe legal devices; and (4) consumers are entitled to competition among networks, applications, services, and content providers. H.R. 5252 enacts these neutrality principles into law, sending a strong non-discrimination message to Internet providers. North Carolina's economy has prospered from open Internet access, and H.R. 5252 ensures that we continue to enjoy that opportunity.

Mr. Chairman, no legislation is perfect. I would like to have seen stronger language regarding build-out requirements than was included in the bill, and I supported amendments that gave local authorities even greater oversight than the original language provided.

However, this legislation represents a significant step forward in the information age. I urge support of H.R. 5252.

Mr. UPTON. Mr. Chairman, I also want to add that Mr. McCRERY wanted to cosponsor H.R. 5252, but was unable to do so because the bill already had been reported by the House Energy and Commerce Committee. I certainly appreciate his interest in cosponsoring the bill nonetheless.

Mrs. MYRICK. Mr. Chairman, the House passed by a very large margin H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act of 2006. As a strong supporter of this legislation, I want to congratulate Chairmen BARTON and UPTON for authoring a bill that will accelerate the development of next-generation video and broadband competition to all Americans.

I also wish to elaborate on one aspect of this bill dealing with the definition of cable systems and its effect on private cable operations. The Committee Report "emphasizes that none of the changes to the cable definitions made under Section 102 are intended to affect the application of any of the definitions, including Section 602(7)(B) of the Communications Act (47 U.S.C. 522(7)(B)), which exempts from the 'cable system' definition facilities that serve subscribers without using public rights-of-way."

This means that an entity that constructs facilities for the distribution of video programming entirely on private rights-of-way is not a cable operator, even if the video programming signal is delivered over a telecommunicaions provider's facility that does use public rights-of-way, if the entity using private rights-of-way neither owns nor controls the facility that transmits its programming over the public rights-of-way. That is the case because Section 602(5) (47 U.S.C. 522(5)) defines a cable operator as a person who provides cable service over a cable system they own or control, and a facility that does not use public rights-of-way is not a cable system under section 602(7)(B).

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill is considered read for amendment under the 5-minute rule.

The text of the bill is as follows:

H.R. 5252

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Communications Opportunity, Promotion, and Enhancement Act of 2006".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.

TITLE I—NATIONAL CABLE FRANCHISING

Sec. 101. National cable franchising.
Sec. 102. Definitions.
Sec. 103. Monitoring and reporting.

TITLE II—ENFORCEMENT OF BROADBAND POLICY STATEMENT

Sec. 201. Enforcement of broadband policy statement.

TITLE III—VOIP/911

Sec. 301. Emergency services; interconnection.

TITLE IV—MUNICIPAL PROVISION OF SERVICES

Sec. 401. Government authority to provide services.

TITLE V—BROADBAND SERVICE

Sec. 501. Stand-alone broadband service.
Sec. 502. Study of interference potential of broadband over power line systems.

TITLE VI—SEAMLESS MOBILITY

Sec. 601. Development of seamless mobility.

TITLE I—NATIONAL CABLE FRANCHISING

SEC. 101. NATIONAL CABLE FRANCHISING.

(a) AMENDMENT.—Part III of title VI of the Communications Act of 1934 (47 U.S.C. 541 et seq.) is amended by adding at the end the following new section:

"SEC. 630. NATIONAL CABLE FRANCHISING.

"(a) NATIONAL FRANCHISES.—

"(1) ELECTION.—A person or group that is eligible under subsection (d) may elect to obtain a national franchise under this section as authority to provide cable service in a franchise area in lieu of any other authority under Federal, State, or local law to provide cable service in such franchise area. A person or group may not provide cable service under the authority of this section in a franchise area unless such person or group has a franchise under this section that is effective with respect to such franchise area. A franchising authority may not require any person or group that has a national franchise under this section in effect with respect to a franchise area to obtain a franchise under section 621 or any other law to provide cable service in such franchise area.

"(2) CERTIFICATION.—To obtain a national franchise under this section as authority to provide cable service in a franchise area, a person or group shall—

"(A) file with the Commission a certification for a national franchise containing the information required by paragraph (3) with respect to such franchise area, if such person or group has not previously obtained a national franchise; or

"(B) file with the Commission a subsequent certification for additional franchise areas containing the information required by paragraph (3) with respect to such additional franchise areas, if such person or group has previously obtained a national franchise.

"(3) CONTENTS OF CERTIFICATION.—Such certification shall be in such form as the Commission shall require by regulation and shall contain—

"(A) the name under which such person or group is offering or intends to offer cable service;

"(B) the names and business addresses of the directors and principal executive officers, or the persons performing similar functions, of such person or group;

"(C) the location of such person or group's principal business office;

"(D) the name, business address, electronic mail address, and telephone and fax number of such person or group's local agent;

"(E) a declaration by such person or group that such person or group is eligible under subsection (d) to obtain a national franchise under this section;

“(F) an identification of each franchise area in which such person or group intends to offer cable service pursuant to such certification, which franchise area shall be—

“(i) the entirety of a franchise area in which a cable operator is, on the date of the filing of such certification, authorized to provide cable service under section 621 or any other law (including this section); or

“(ii) a contiguous geographic area that covers the entirety of the jurisdiction of a unit of general local government, except that—

“(I) if the geographic area within the jurisdiction of such unit of general local government contains a franchise area in which a cable operator is, on such date, authorized to provide cable service under section 621 or any other law, the contiguous geographic area identified in the certification under this clause as a franchise area shall not include the area contained in the franchise area of such cable operator; and

“(II) if such contiguous geographic area includes areas that are, respectively, within the jurisdiction of different franchising authorities, the certification shall specify each such area as a separate franchise area;

“(G) a declaration that such person or group transmitted, or will transmit on the day of filing such declaration, a copy of such certification to the franchising authority for each franchise area for which such person or group is filing a certification to offer cable service under this section;

“(H) a declaration by the person or group that the person or group will comply with the rights-of-way requirements of the franchising authority under subsection (f); and

“(I) a declaration by the person or group that—

“(i) the person or group will comply with all Commission consumer protection and customer service rules under section 632(b) and subsection (g) of this section; and

“(ii) the person or group agrees that such standards may be enforced by the Commission or by the franchising authority in accordance with subsection (g) of this section.

“(4) LOCAL NOTIFICATION; PRESERVATION OF OPPORTUNITY TO NEGOTIATE.—

“(A) COPY TO FRANCHISING AUTHORITY.—On the day of filing any certification under paragraph (2)(A) or (B) for a franchise area, the person or group shall transmit a copy of such certification to the franchising authority for such area.

“(B) NEGOTIATED FRANCHISE AGREEMENTS PERMITTED.—Nothing in this section shall prevent a person or group from negotiating a franchise agreement or any other authority to provide cable service in a franchise area under section 621 or any other law. Upon entry into any such negotiated franchise agreement, such negotiated franchise agreement shall apply in lieu of any national franchise held by that person or group under this section for such franchise area.

“(5) UPDATING OF CERTIFICATIONS.—A person or group that files a certification under this section shall update any information contained in such certification that is no longer accurate and correct.

“(6) PUBLIC AVAILABILITY OF CERTIFICATIONS.—The Commission shall provide for the public availability on the Commission's Internet website or other electronic facility of all current certifications filed under this section.

“(b) EFFECTIVENESS; DURATION.—

“(1) EFFECTIVENESS.—A national franchise under this section shall be effective with respect to any franchise area 30 days after the date of the filing of a completed certification under subsection (a)(2)(A) or (B) that applies to such franchise area.

“(2) DURATION.—

“(A) IN GENERAL.—A franchise under this section that applies to a franchise area shall be effective for that franchise area for a term of 10 years.

“(B) RENEWAL.—A franchise under this section for a franchise area shall be renewed automatically upon expiration of the 10-year period described in subparagraph (A).

“(C) PUBLIC HEARING.—At the request of a franchising authority in a franchise area, a cable operator authorized under this section to provide cable service in such franchise area shall, within the last year of the 10-year period applicable under subparagraph (A) to the cable operator's franchise for such franchise area, participate in a public hearing on the cable operator's performance in the franchise area, including the cable operator's compliance with the requirements of this title. The hearing shall afford the public the opportunity to participate for the purpose of identifying cable-related community needs and interests and assessing the operator's performance. The cable operator shall provide notice to its subscribers of the hearing at least 30 days prior to the hearing.

“(D) REVOCATION.—A franchise under this section for a franchise area may be revoked by the Commission—

“(i) for willful or repeated violation of any Federal or State law, or any Commission regulation, relating to the provision of cable service in such franchise area;

“(ii) for false statements or material omissions knowingly made in any filing with the Commission relating to the provision of cable service in such franchise area;

“(iii) for willful or repeated violation of the rights-of-way management laws or regulations of any franchising authority in such franchise area relating to the provision of cable service in such franchise area; or

“(iv) for willful or repeated violation of the antidiscrimination requirement of subsection (h) with respect to such franchise area.

“(E) NOTICE.—The Commission shall send a notice of such revocation to each franchising authority with jurisdiction over the franchise areas for which the cable operator's franchise was revoked.

“(F) REINSTATEMENT.—After a revocation under subparagraph (D) of a franchise for a franchise area of any person or group , the Commission may refuse to accept for filing a new certification for authority of such person or group to provide cable service under this section in such franchise area until the Commission determines that the basis of such revocation has been remedied.

“(G) RETURN TO LOCAL FRANCHISING IF CABLE COMPETITION CEASES.—

“(i) If only one cable operator is providing cable service in a franchise area, and that cable operator obtained a national franchise for such franchise area under subsection (d)(2), the franchising authority for such franchise area may file a petition with the Commission requesting that the Commission terminate such national franchise for such franchise area.

“(ii) The Commission shall provide public notice and opportunity to comment on such petition. If it finds that the requirements of clause (i) are satisfied, the Commission shall issue an order granting such petition. Such order shall take effect one year from the date of such grant, if no other cable operator offers cable service in such area during that one year. If another cable operator does offer cable service in such franchise area during that one year, the Commission shall rescind such order and dismiss such petition.

“(iii) A cable operator whose national franchise is terminated for such franchise area under this subparagraph may obtain new authority to provide cable service in such franchise area under this section, section 621, or any other law, if and when eligible.

“(c) REQUIREMENTS OF NATIONAL FRANCHISE.—A national franchise shall contain the following requirements:

“(1) FRANCHISE FEE.—A cable operator authorized under this section to provide cable service in a franchise area shall pay to the franchising authority in such franchise area a franchise fee of up to 5 percent (as determined by the franchising authority) of such cable operator's gross revenues from the provision of cable service under this section in such franchise area. Such payment shall be assessed and collected in a manner consistent with section 622 and the definition of gross revenues in this section.

“(2) PEG/I-NET REQUIREMENTS.—A cable operator authorized under this section to provide cable service in a franchise area shall comply with the requirements of subsection (e).

“(3) RIGHTS-OF-WAY.—A cable operator authorized under this section to provide cable service in a franchise area shall comply with the rights-of-way requirements of the franchising authority under subsection (f).

“(4) CONSUMER PROTECTION AND CUSTOMER SERVICE STANDARDS.—A cable operator authorized under this section to provide cable service in a franchise area shall comply with the consumer protection and customer service standards established by the Commission under section 632(b).

“(5) CHILD PORNOGRAPHY.—A cable operator authorized under this section to provide cable service in a franchise area shall comply with the regulations on child pornography promulgated pursuant to subsection (i).

“(d) ELIGIBILITY FOR NATIONAL FRANCHISES.—The following persons or groups are eligible to obtain a national franchise under this section:

“(1) COMMENCEMENT OF SERVICE AFTER ENACTMENT.—A person or group that is not providing cable service in a franchise area on the date of enactment of this section under section 621 or any other law may obtain a national franchise under this section to provide cable service in such franchise area.

“(2) EXISTING PROVIDERS OF CABLE SERVICE.—A person or group that is providing cable service in a franchise area on the date of enactment of this section under section 621 or any other law may obtain a franchise under this section to provide cable service in such franchise area if, on the date that the national franchise becomes effective, another person or group is providing cable service under this section, section 621, or any other law in such franchise area.

“(e) PUBLIC, EDUCATIONAL, AND GOVERNMENTAL USE.—

“(1) IN GENERAL.—Subject to paragraph (3), a cable operator with a national franchise for a franchise area under this section shall provide channel capacity for public, educational, and governmental use that is not less than the channel capacity required of the cable operator with the most subscribers in such franchise area on the effective date of such national franchise. If there is no other cable operator in such franchise area on the effective date of such national franchise, or there is no other cable operator in such franchise area on such date that is required to provide channel capacity for public, educational, and governmental use, the cable operator shall provide the amount of channel capacity for such use as determined by Commission rule.

“(2) PEG AND I-NET FINANCIAL SUPPORT.—A cable operator with a national franchise under this section for a franchise area shall pay an amount equal to 1 percent of the cable operator's gross revenues (as such term is defined in this section) in the franchise area to the franchising authority for the support of public, educational, and governmental use and institutional networks (as such term is defined in section 611(f)). Such payment shall be assessed and collected in a manner consistent with section 622, including the authority of the cable operator to designate that portion of a subscriber's bill attributable to such payment. A cable operator that provided cable service in a franchise area on the date of enactment of this section and that obtains a national franchise under this section shall continue to provide any institutional network that it was required to provide in such franchise area under section 621 or any other law. Notwithstanding section 621(b)(3)(D), a franchising authority may not require a cable operator franchised under this section to construct a new institutional network.

“(3) ADJUSTMENT.—Every 10 years after the commencement of a franchise under this section for a franchise area, a franchising authority may require a cable operator authorized under such franchise to increase the channel capacity designated for public, educational, or governmental use, and the channel capacity designated for such use on any institutional networks required under paragraph (2). Such increase shall not exceed the higher of—

“(A) one channel; or

“(B) 10 percent of the public, educational, or governmental channel capacity required of that operator prior to the increase.

“(4) TRANSMISSION AND PRODUCTION OF PROGRAMMING.—

“(A) A cable operator franchised under this section shall ensure that all subscribers receive any public, educational, or governmental programming carried by the cable operator within the subscriber's franchise area.

“(B) The production of any programming provided under this subsection shall be the responsibility of the franchising authority.

“(C) A cable operator franchised under this section shall be responsible for the transmission from the signal origination point (or points) of the programming, or from the point of interconnection with another cable operator under subparagraph (D), to the cable operator's subscribers, of any public, educational, or governmental programming produced by or for the franchising authority and carried by the cable operator pursuant to this section.

“(D) Unless two cable operators otherwise agree to the terms for interconnection and cost sharing, such cable operators shall comply with regulations prescribed by the Commission providing for—

“(i) the interconnection between two cable operators in a franchise area for transmission of public, educational, or governmental programming, without material deterioration in signal quality or functionality; and

“(ii) the reasonable allocation of the costs of such interconnection between such cable operators.

“(E) A cable operator shall display the program information for public, educational, or governmental programming carried under this subsection in any print or electronic program guide in the same manner in which it displays program information for other video programming in the franchise area. The cable operator shall not omit such public, educational, or governmental programming from any navigational device, guide, or menu containing other video programming that is available to subscribers in the franchise area.

“(f) RIGHTS-OF-WAY.—

“(1) AUTHORITY TO USE.—Any franchise under this section for a franchise area shall be construed to authorize the construction of a cable system over public rights-of-way, and through easements, which is within the area to be served by the cable system and which have been dedicated for compatible uses, except that in using such easements the cable operator shall ensure that—

“(A) the safety, functioning, and appearance of the property and the convenience and the safety of other persons not be adversely affected by the installation or construction of facilities necessary for a cable system;

“(B) the cost of the installation, construction, operation, or removal of such facilities be borne by the cable operator or subscriber, or a combination of both; and

“(C) the owner of the property be justly compensated by the cable operator for any damages caused by the installation, construction, operation, or removal of such facilities by the cable operator.

“(2) MANAGEMENT OF PUBLIC RIGHTS-OF-WAY.—Nothing in this Act affects the authority of a State or local government (including a franchising authority) over a person or group in their capacity as a cable operator with a franchise under this section to manage, on a reasonable, competitively neutral, and non-discriminatory basis, the public rights-of-way, and easements that have been dedicated for compatible uses. A State or local government (including a franchising authority) may, on a reasonable, competitively neutral, and non-discriminatory basis—

“(A) impose charges for such management; and

“(B) require compliance with such management, such charges, and paragraphs (1)(A), (B), and (C).

“(g) CONSUMER PROTECTION AND CUSTOMER SERVICE.—

“(1) NATIONAL STANDARDS.—Notwithstanding section 632(d), no State or local law (including any regulation) shall impose on a cable operator franchised under this section any consumer protection or customer service requirements other than consumer protection or customer service requirements of general applicability.

“(2) PROCEEDING.—Within 120 days after the date of enactment of this section, the Commission shall issue a report and order that updates for cable operators franchised under this section the national consumer protection and customer service rules under section 632(b), taking into consideration the national nature of a franchise under this section and the role of State and local governments in enforcing, but not creating, consumer protection and customer service standards for cable operators franchised under this section.

“(3) REQUIREMENTS OF NEW RULES.—

“(A) Such rules shall, in addition to the requirements of section 632(b), address, with specificity, no less than the following consumer protection and customer service issues:

“(i) Billing, billing disputes, and discontinuation of service, including when and how any late fees may be assessed (but not the amount of such fees).

“(ii) Loss of service or service quality.

“(iii) Changes in channel lineups or other cable services and features.

“(iv) Availability of parental control options.

“(B) Such rules shall require forfeiture penalties or customer rebates, or both, as determined by the Commission, that may be imposed for violations of such Commission rules in a franchise area, and shall provide for increased forfeiture penalties or customer rebates, or both, for repeated violations of the standards in such rules.

“(C) The Commission's rules shall also establish procedures by which any forfeiture penalty assessed by the Commission under this subsection shall be paid by the cable operator directly to the franchising authority.

“(D) The Commission shall report to the Congress no less than once a year—

“(i) on complaints filed, and penalties imposed, under this subsection; and

“(ii) on any new consumer protection or customer service issues arising under this subsection.

“(E) The Commission's rules established under this subsection shall be revised as needed.

“(4) COMPLAINTS.—Any person may file a complaint with respect to a violation of the regulations prescribed under section 632(b) in a franchise area by a cable operator franchised under this section—

“(A) with the franchising authority in such area; or

“(B) with the Commission.

“(5) LOCAL FRANCHISING ORDERS REQUIRING COMPLIANCE.—In a proceeding commenced with a franchising authority on such a complaint, a franchising authority may issue an order requiring compliance with any of such regulations prescribed by the Commission, but a franchising authority may not create any new standard or regulation, or expand upon or modify the Commission's standards or regulations.

“(6) ACCESS TO RECORDS.—In such a proceeding, the franchising authority may issue an order requiring the filing of any contract, agreement, or arrangement between the subscriber and the provider, or any other data, documents, or records, directly related to the alleged violation.

“(7) COMMISSION REMEDIES; APPEALS.—Unless appealed to the Commission, an order of a franchising authority under this subsection shall be enforced by the Commission. Any such appeal shall be resolved by the Commission within 30 days after receipt of the appeal by the Commission.

“(8) COST OF FRANCHISING AUTHORITY ORDERS.—A franchising authority may charge a provider of cable service under this section a nominal fee to cover the costs of issuing such orders.

“(h) ANTIDISCRIMINATION.—

“(1) PROHIBITION.—A cable operator with a national franchise under this section to provide cable service in a franchise area shall not deny access to its cable service to any group of potential residential cable service subscribers in such franchise area because of the income of that group.

“(2) ENFORCEMENT.—

“(A) COMPLAINT.—If a franchising authority in a franchise area has reasonable cause to believe that a cable operator is in violation of this subsection with respect to such franchise area, the franchising authority may, after complying with subparagraph (B), file a complaint with the Commission alleging such violation.

"(B) NOTICE BY FRANCHISING AUTHORITY.—Before filing a complaint with the Commission under subparagraph (A), a franchising authority—

"(i) shall give notice of each alleged violation to the cable operator;

"(ii) shall provide a period of not less than 30 days for the cable operator to respond to such allegations; and

"(iii) during such period, may require the cable operator to submit a written response stating the reasons why the operator has not violated this subsection.

"(C) BIANNUAL REPORT.—A cable operator with a national franchise under this section for a franchise area, not later than 180 days after the effective date of such national franchise, and biannually thereafter, shall submit a report to the Commission and the franchising authority in the franchise area—

"(i) identifying the geographic areas in the franchise area where the cable operator offers cable service; and

"(ii) describing the cable operator's progress in extending cable service to other areas in the franchise area.

"(D) NOTICE BY COMMISSION.—Upon receipt of a complaint under this paragraph alleging a violation of this subsection by a cable operator, the Commission shall give notice of the complaint to the cable operator.

"(E) INVESTIGATION.—In investigating a complaint under this paragraph, the Commission may require a cable operator to disclose to the Commission such information and documents as the Commission deems necessary to determine whether the cable operator is in compliance with this subsection. The Commission shall maintain the confidentiality of any information or document collected under this subparagraph.

"(F) DEADLINE FOR RESOLUTION OF COMPLAINTS.—Not more than 60 days after the Commission receives a complaint under this paragraph, the Commission shall issue a determination with respect to each violation alleged in the complaint.

"(G) DETERMINATION.—If the Commission determines (in response to a complaint under this paragraph or on its own initiative) that a cable operator with a franchise under this section to provide cable service in a franchise area has denied access to its cable service to a group of potential residential cable service subscribers in such franchise area because of the income of that group, the Commission shall ensure that the cable operator extends access to that group within a reasonable period of time.

"(H) REMEDIES.—

"(i) IN GENERAL.—This subsection shall be enforced by the Commission under titles IV and V.

"(ii) MAXIMUM FORFEITURE PENALTY.—For purposes of section 503, the maximum forfeiture penalty applicable to a violation of this subsection shall be $500,000 for each day of the violation.

"(iii) PAYMENT OF PENALTIES TO FRANCHISING AUTHORITY.—The Commission shall order any cable operator subject to a forfeiture penalty under this subsection to pay the penalty directly to the franchising authority involved.

"(i) CHILD PORNOGRAPHY.—Not later than 180 days after the date of enactment of this section, the Commission shall promulgate regulations to require a cable operator with a national franchise under this section to prevent the distribution of child pornography (as such term is defined in section 254(h)(7)(F)) over its network.

"(j) LEASED ACCESS.—The provisions of section 612(i) regarding the carriage of programming from a qualified minority programming source or from any qualified educational programming source shall apply to a cable operator franchised under this section to provide cable service in a franchise area.

"(k) APPLICABILITY OF OTHER PROVISIONS.—The following sections shall not apply in a franchise area to a person or group franchised under this section in such franchise area, or confer any authority to regulate or impose obligations on such person or group: Sections 611(a), 611(b), 611(c), 613(a), 617, 621 (other than subsections (b)(3)(A), (b)(3)(B), (b)(3)(C), and (c)), 624(b), 624(c), 624(h), 625, 626, 627, and 632(a).

"(l) EMERGENCY ALERTS.—Nothing in this Act shall be construed to prohibit a State or local government from accessing the emergency alert system of a cable operator with a franchise under this section in the area served by the State or local government to transmit local or regional emergency alerts.

"(m) REPORTING, RECORDS, AND AUDITS.—

"(1) REPORTING.—A cable operator with a franchise under this section to provide cable service in a franchise area shall make such periodic reports to the Commission and the franchising authority for such franchise area as the Commission may require to verify compliance with the fee obligations of subsections (c)(1) and (e)(2).

"(2) AVAILABILITY OF BOOKS AND RECORDS.—Upon request under paragraph (3) by a franchising authority for a franchise area, and upon request by the Commission, a cable operator with a national franchise for such franchise area shall make available its books and records to periodic audit by such franchising authority or the Commission, respectively.

"(3) FRANCHISING AUTHORITY AUDIT PROCEDURE.—A franchising authority may, upon reasonable written request, but no more than once in any 12-month period, review the business records of such cable operator to the extent reasonably necessary to ensure payment of the fees required by subsections (c)(1) and (e)(2). Such review may include the methodology used by such cable operator to assign portions of the revenue from cable service that may be bundled or functionally integrated with other services, capabilities, or applications. Such review shall be conducted in accordance with procedures established by the Commission.

"(4) COST RECOVERY.—

"(A) To the extent that the review under paragraph (3) identifies an underpayment of an amount meeting the minimum percentage specified in subparagraph (B) of the fee required under subsections (c)(1) and (e)(2) for the period of review, the cable operator shall reimburse the franchising authority the reasonable costs of any such review conducted by an independent third party, as determined by the Commission, with respect to such fee. The costs of any contingency fee arrangement between the franchising authority and the independent reviewer shall not be subject to reimbursement.

"(B) The Commission shall determine by rule the minimum percentage underpayment that requires cost reimbursement under subparagraph (A).

"(5) LIMITATION.—Any fee that is not reviewed by a franchising authority within 3 years after it is paid or remitted shall not be subject to later review by the franchising authority under this subsection and shall be deemed accepted in full payment by the franchising authority.

"(n) ACCESS TO PROGRAMMING FOR SHARED FACILITIES.—

"(1) PROHIBITION.—A cable programming vendor in which a cable operator has an attributable interest shall not deny a cable operator with a national franchise under this section access to video programming solely because such cable operator uses a headend for its cable system that is also used, under a shared ownership or leasing agreement, as the headend for another cable system.

"(2) DEFINITION.—The term 'cable programming vendor' means a person engaged in the production, creation, or wholesale distribution for sale of video programming which is primarily intended for the direct receipt by cable operators for their retransmission to cable subscribers.

"(o) GROSS REVENUES.—As used in this section:

"(1) IN GENERAL.—Subject to paragraphs (2) and (3), the term 'gross revenues' means all consideration of any kind or nature, including cash, credits, property, and in-kind contributions (services or goods) received by the cable operator from the provision of cable service within the franchise area.

"(2) INCLUDED ITEMS.—Subject to paragraph (3), the term 'gross revenues' shall include the following:

"(A) all charges and fees paid by subscribers for the provision of cable service, including fees attributable to cable service when sold individually or as part of a package or bundle, or functionally integrated, with services other than cable service;

"(B) any franchise fee imposed on the cable operator that is passed on to subscribers;

"(C) compensation received by the cable operator for promotion or exhibition of any products or services over the cable service, such as on 'home shopping' or similar programming;

"(D) revenue received by the cable operator as compensation for carriage of video programming or other programming service on that operator's cable service;

"(E) all revenue derived from the cable operator's cable service pursuant to compensation arrangements for advertising; and

"(F) any advertising commissions paid to an affiliated third party for cable services advertising.

"(3) EXCLUDED ITEMS.—The term 'gross revenues' shall not include the following:

"(A) any revenue not actually received, even if billed, such as bad debt net of any recoveries of bad debt;

"(B) refunds, rebates, credits, or discounts to subscribers or a municipality to the extent not already offset by subparagraph (A) and to the extent such refund, rebate, credit, or discount is attributable to the cable service;

"(C) subject to paragraph (4), any revenues received by the cable operator or its affiliates from the provision of services or capabilities other than cable service, including telecommunications services, Internet access services, and services, capabilities, and applications that may be sold as part of a package or bundle, or functionally integrated, with cable service;

"(D) any revenues received by the cable operator or its affiliates for the provision of directory or Internet advertising, including yellow pages, white pages, banner advertisement, and electronic publishing;

"(E) any amounts attributable to the provision of cable service to customers at no charge, including the provision of such service to public institutions without charge;

"(F) any tax, fee, or assessment of general applicability imposed on the customer or the transaction by a Federal, State, or local government or any other governmental entity, collected by the provider, and required to be remitted to the taxing entity, including sales and use taxes and utility user taxes;

"(G) any forgone revenue from the provision of cable service at no charge to any person, except that any forgone revenue exchanged for trades, barters, services, or other items of value shall be included in gross revenue;

"(H) sales of capital assets or surplus equipment;

"(I) reimbursement by programmers of marketing costs actually incurred by the cable operator for the introduction of new programming; and

"(J) the sale of cable services for resale to the extent the purchaser certifies in writing that it will resell the service and pay a franchise fee with respect thereto.

"(4) FUNCTIONALLY INTEGRATED SERVICES.—In the case of a cable service that is bundled or integrated functionally with other services, capabilities, or applications, the portion of the cable operator's revenue attributable to such other services, capabilities, or applications shall be included in gross revenue unless the cable operator can reasonably identify the division or exclusion of such revenue from its books and records that are kept in the regular course of business.

"(5) AFFILIATE REVENUE.—Revenue of an affiliate shall be included in the calculation of gross revenues to the extent the treatment of such revenue as revenue of the affiliate has the effect (whether intentional or unintentional) of evading the payment of franchise fees which would otherwise be paid for cable service.

"(6) AFFECT ON OTHER LAW.—Nothing in this section is intended to limit a franchising authority's rights pursuant to section 622(h).

"(p) ADDITIONAL DEFINITIONS.—For purposes of this section:

"(1) CABLE OPERATOR.—The term 'cable operator' has the meaning provided in section 602(5) except that such term also includes a person or group with a national franchise under this section.

"(2) FRANCHISE FEE.—

"(A) The term 'franchise fee' includes any fee or assessment of any kind imposed by a franchising authority or other governmental entity on a person or group providing cable service in a franchise area under this section, or on a subscriber of such person or group, or both, solely because of their status as such.

"(B) The term 'franchise fee' does not include—

"(i) any tax, fee, or assessment of general applicability (including any such tax, fee, or assessment imposed on both utilities and a person or group providing cable service in a franchise area under this section (or the services of such person or group) but not including a fee or assessment which is unduly discriminatory against such person or group or the subscribers of such person or group);

"(ii) any fee assessed under subsection (e)(2) for support of public, educational, and governmental use and institutional networks (as such term is defined in section 611(f));

"(iii) requirements or charges under subsection (f)(2) for the management of public rights-of-way, including payments for bonds, security funds, letters of credit, insurance, indemnification, penalties, or liquidated damages; or

"(iv) any fee imposed under title 17, United States Code.

"(3) INTERNET ACCESS SERVICE.—The term 'Internet access service' means a service that enables users to access content, information, electronic mail, or other services offered over the Internet.

"(4) UNIT OF GENERAL LOCAL GOVERNMENT.—The term 'unit of general local government' means—

"(A) a county, township, city, or political subdivision of a county, township, or city;

"(B) the District of Columbia; or

"(C) the recognized governing body of an Indian tribe or Alaskan Native village that carries out substantial governmental duties and powers.".

(b) IMPLEMENTING REGULATIONS.—The Federal Communications Commission shall prescribe regulations to implement the amendment made by subsection (a) within 120 days after the date of enactment of this Act.

SEC. 102. DEFINITIONS.

Section 602 of the Communications Act of 1934 (47 U.S.C. 522) is amended—

(1) in paragraph (4), by inserting before the semicolon at the end the following: ", or its equivalent as determined by the Commission";

(2) in paragraph (5)(A), by inserting "(regardless of whether such person or group provides such service separately or combined with a telecommunications service or information service)" after "over a cable system"; and

(3) by striking paragraph (6) and inserting the following:

"(6) the term 'cable service' means—

"(A)(i) the one-way transmission to subscribers of (I) video programming, or (II) other programming service; and

"(ii) subscriber interaction, if any, which is required for the selection or use of such video programming or other programming service; or

"(B) the transmission to subscribers of video programming or other programming service provided through wireline facilities located at least in part in the public rights-of-way, without regard to delivery technology, including Internet protocol technology, except to the extent that such video programming or other programming service is provided as part of—

"(i) a commercial mobile service (as such term is defined in section 332(d)); or

"(ii) an Internet access service (as such term is defined in section 630(p)).".

SEC. 103. MONITORING AND REPORTING.

(a) REPORT ON CABLE SERVICE DEPLOYMENT.—The Federal Communications Commission shall, commencing not later than one year after the date of enactment of this Act, issue a report annually on the deployment of cable service. In its report, the Commission shall describe in detail—

(1) with respect to deployment by new cable operators—

(A) the progress of deployment of such service within the telephone service area of cable operators, if the operator is also an incumbent local exchange carrier, including a comparison with the progress of deployment of broadband services not defined as cable services within such telephone service area;

(B) the number of franchise areas in which such service is being deployed and offered;

(C) where such service is not being deployed and offered; and

(D) the number and locations of franchise areas in which the cable operator is serving only a portion of the franchise area, and the extent of such service within the franchise area;

(2) the number and locations of franchise areas in which a cable operator with a franchise under section 621 of the Communications Act of 1934 (47 U.S.C. 541) on the date of enactment of this Act withdraws service from any portion of the franchise area for which it previously offered service, and the extent of such withdrawal of service within the franchise area;

(3) the rates generally charged for cable service;

(4) the rates charged by overlapping, competing multichannel video programming distributors and by competing cable operators for comparable service or cable service;

(5) the average household income of those franchise areas or portions of franchise areas where cable services is being offered, and the average household income of those franchise areas, or portions of franchise areas, where cable service is not being offered;

(6) the proportion of rural households to urban households, as defined by the Bureau of the Census, in those franchise areas or portions of franchise areas where cable service is being offered, and the proportion of rural households to urban households in those franchise areas or portions of franchise areas where cable service is not being offered, including a State-by-State breakdown of such data and a comparison with the overall ratio of rural and urban households in each State; and

(7) a comparison of the services and rates in areas served by national franchisees under section 630 of the Communications Act of 1934 (as added by section 101 of this Act) and the services and rates in other areas.

(b) CABLE OPERATOR REPORTS.—The Federal Communications Commission is authorized—

(1) to require cable operators to report to the Commission all of the information that the Commission needs to compile the report required by this section; and

(2) to require cable operators to file the same information with the relevant franchising authorities and State commissions.

TITLE II—ENFORCEMENT OF BROADBAND POLICY STATEMENT

SEC. 201. ENFORCEMENT OF BROADBAND POLICY STATEMENT.

Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

"SEC. 715. ENFORCEMENT OF BROADBAND POLICY STATEMENT.

"(a) AUTHORITY.—The Commission shall have the authority to enforce the Commission's broadband policy statement and the principles incorporated therein.

"(b) ENFORCEMENT.—

"(1) IN GENERAL.—This section shall be enforced by the Commission under titles IV and V. A violation of the Commission's broadband policy statement or the principles incorporated therein shall be treated as a violation of this Act.

"(2) MAXIMUM FORFEITURE PENALTY.—For purposes of section 503, the maximum forfeiture penalty applicable to a violation described in paragraph (1) of this subsection shall be $500,000 for each violation.

"(3) ADJUDICATORY AUTHORITY.—The Commission shall have exclusive authority to adjudicate any complaint alleging a violation of the broadband policy statement and the principles incorporated therein. The Commission shall complete an adjudicatory proceeding under this subsection not later than 90 days after receipt of the complaint. If, upon completion of an adjudicatory proceeding pursuant to this section, the Commission determines that such a violation has occurred, the Commission shall have authority to adopt an order to require the entity subject to the complaint to comply with the broadband policy statement and the principles incorporated therein. Such authority shall be in addition to the authority specified in paragraph (1) to enforce this section under titles IV and V. In addition, the Commission shall have authority to adopt procedures for the adjudication of complaints alleging a violation of the broadband policy statement or principles incorporated therein.

"(4) LIMITATION.—Notwithstanding paragraph (1), the Commission's authority to enforce the broadband policy statement and the principles incorporated therein does not include authorization for the Commission to adopt or implement rules or regulations regarding enforcement of the broadband policy statement and the principles incorporated therein, with the sole exception of the authority to adopt procedures for the adjudication of complaints, as provided in paragraph (3).

"(c) STUDY.—Within 180 days after the date of enactment of this section, the Commission shall conduct, and submit to the House Committee on Energy and Commerce and the Senate Committee on Commerce, Science, and Transportation, a study regarding whether the objectives of the broadband policy statement and the principles incorporated therein are being achieved.

"(d) DEFINITION.—For purposes of this section, the term 'Commission's broadband policy statement' means the policy statement adopted on August 5, 2005, and issued on September 23, 2005, In the Matters of Appropriate Framework for Broadband Access to the Internet over Wireline Facilities, and other Matters (FCC 05–151; CC Docket No. 02–33; CC Docket No. 01–337; CC Docket Nos. 95–20, 98–10; GN Docket No. 00–185; CS Docket No. 02–52).".

TITLE III—VOIP/911

SEC. 301. EMERGENCY SERVICES; INTERCONNECTION.

Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.) is further amended by adding after section 715 (as added by section 201 of this Act) the following new sections:

"SEC. 716. EMERGENCY SERVICES.

"(a) 911 AND E–911 SERVICES.—

"(1) IN GENERAL.—Each VOIP service provider has a duty to ensure that 911 and E–911 services are provided to subscribers of VOIP services.

"(2) USE OF EXISTING REGULATIONS.—A VOIP service provider that complies with the Commission's regulations requiring providers of VOIP service to supply 911 and E911 capabilities to their customers (Report and Order in WC Docket Nos. 04–36 and 05–196) and that are in effect on the date of enactment of this section shall be considered to be in compliance with the requirements of this section, other than subsection (c), until such regulations are modified or superseded by subsequent regulations.

"(b) NON-DISCRIMINATORY ACCESS TO CAPABILITIES.—

"(1) ACCESS.—Each incumbent local exchange carrier (as such term is defined in section 251(h)) or government entity with ownership or control of the necessary E–911 infrastructure shall provide any requesting VOIP service provider with nondiscriminatory access to such infrastructure. Such carrier or entity shall provide access to the infrastructure at just and reasonable, nondiscriminatory rates, terms, and conditions. Such access shall be consistent with industry standards established by the National Emergency Number Association or other applicable industry standards organizations.

"(2) ENFORCEMENT.—The Commission or a State commission may enforce the requirements of this subsection and the Commission's regulations thereunder. A VOIP service provider may obtain access to such infrastructure pursuant to section 717 by asserting the rights described in such section.

"(c) NEW CUSTOMERS.—A VOIP service provider shall make 911 service available to new customers within a reasonable time in accordance with the following requirements:

"(1) CONNECTION TO SELECTIVE ROUTER.—For all new customers not within the geographic areas where a VOIP service provider can immediately provide 911 service to the geographically appropriate PSAP, a VOIP service provider, or its third party vendor, shall have no more than 30 days from the date the VOIP provider has acquired a customer to order service providing connectivity to the selective router so that 911 service, or E911 service where the PSAP is capable of receiving and processing such information, can be provided through the selective router.

"(2) INTERIM SERVICE.—For all new customers not within the geographic areas where the VOIP service provider can immediately provide 911 service to the geographically appropriate PSAP, a VOIP service provider shall provide 911 service through—

"(A) an arrangement mutually agreed to by the VOIP service provider and the PSAP or PSAP governing authority; or

"(B) an emergency response center with national call routing capabilities.

Such service shall be provided 24 hours a day from the date a VOIP service provider has acquired a customer until the VOIP service provider can provide 911 service to the geographically appropriate PSAP.

"(3) NOTICE.—Before providing service to any new customer not within the geographic areas where the VOIP service provider can immediately provide 911 service to the geographically appropriate PSAP, a VOIP service provider shall provide such customer with clear notice that 911 service will be available only as described in paragraph (2).

"(4) RESTRICTION ON ACQUISITION OF NEW CUSTOMERS.—A VOIP service provider may not acquire new customers within a geographic area served by a selective router if, within 180 days of first acquiring a new customer in the area served by the selective router, the VOIP service provider does not provide 911 service, or E911 service where the PSAP is capable of receiving and processing such information, to the geographically appropriate PSAP for all existing customers served by the selective router.

"(5) ENFORCEMENT: NO FIRST WARNINGS.—Paragraph (5) of section 503(b) shall not apply to the assessment of forfeiture penalties for violations of this subsection or the regulations thereunder.

"(d) STATE AUTHORITY.—Nothing in this Act or any Commission regulation or order shall prevent the imposition on or collection from a VOIP service provider, of any fee or charge specifically designated or presented as dedicated by a State, political subdivision thereof, or Indian tribe on an equitable, and non-discriminatory basis for the support of 911 and E–911 services if no portion of the revenue derived from such fee or charge is obligated or expended for any purpose other than support of 911 and E–911 services or enhancements of such services.

"(e) FEASIBILITY.—In establishing requirements or obligations under subsections (a) and (b), the Commission shall ensure that such standards impose requirements or obligations on VOIP service providers and entities with ownership or control of necessary E–911 infrastructure that the Commission determines are technologically and operationally feasible. In determining the requirements and obligations that are technologically and operationally feasible, the Commission shall take into consideration available industry technological and operational standards.

"(f) PROGRESS REPORTS.—To the extent that the Commission concludes that it is not technologically or operationally feasible for VOIP service providers to comply with E–911 requirements or obligations, then the Commission shall submit reports to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the progress in attaining and deploying E–911 service. Such reports shall be submitted semiannually until the Commission concludes that it is technologically and operationally feasible for all VOIP service providers to comply with E–911 requirements and obligations. Such reports may include any recommendations the Commission considers appropriate to encourage the migration of emergency services to TCP/IP protocol or other advanced services.

"(g) ACCESS TO INFORMATION.—The Commission shall have the authority to compile a list of PSAP contact information, testing procedures, and classes and types of services supported by PSAPs, or other information concerning the necessary E–911 infrastructure, for the purpose of assisting providers in complying with the requirements of this section.

"(h) EMERGENCY ROUTING NUMBER ADMINISTRATOR.—Within 30 days after the date of enactment of this section, the Federal Communications Commission shall establish an emergency routing number administrator to enable VOIP service providers to acquire non-dialable pseudo-automatic number identification numbers for 9–1–1 routing purposes on a national scale. The Commission may adopt such rules and practices as are necessary to guide such administrator in the fair and expeditious assignment of these numbers.

"(i) EMERGENCY RESPONSE SYSTEMS.—

"(1) NOTICE PRIOR TO INSTALLATION OR NUMBER ACTIVATION OF VOIP SERVICE.—Prior to installation or number activation of VOIP service for a customer, a VOIP service provider shall provide clear and conspicuous notice to the customer that—

"(A) such customer should arrange with his or her emergency response system provider, if any, to test such system after installation;

"(B) such customer should notify his or her emergency response system provider after VOIP service is installed; and

"(C) a battery backup is required for customer premises equipment installed in connection with the VOIP service in order for the signaling of such system to function in the event of a power outage.

"(2) DEFINITION.—In this subsection:

"(A) The term 'emergency response system' means an alarm or security system, or personal security or medical monitoring system, that is connected to an emergency response center by means of a telecommunications carrier or VOIP service provider.

"(B) The term 'emergency response center' means an entity that monitors transmissions from an emergency response system.

"(j) MIGRATION TO IP-ENABLED EMERGENCY NETWORK.—

"(1) NATIONAL REPORT.—No more than 18 months after the date of the enactment of this section, the National 911 Implementation and Coordination Office shall develop a report to Congress on migrating to a national IP-enabled emergency network capable of receiving and responding to all citizen activated emergency communications.

‘‘(2) CONTENTS OF REPORT.—The report required by paragraph (1) shall—

‘‘(A) outline the potential benefits of such a migration;

‘‘(B) identify barriers that must be overcome and funding mechanisms to address those barriers;

‘‘(C) include a proposed timetable, an outline of costs and potential savings;

‘‘(D) provide recommendations on specific legislative language,

‘‘(E) provide recommendations on any legislative changes, including updating definitions, to facilitate a national IP-enabled emergency network; and

‘‘(F) assess, collect, and analyze the experiences of the PSAPs and related public safety authorities who are conducting trial deployments of IP-enabled emergency networks as of the date of enactment of this section.

‘‘(3) CONSULTATION.—In developing the report required by paragraph (1), the Office shall consult with representatives of the public safety community, technology and telecommunications providers, and others it deems appropriate.

‘‘(k) IMPLEMENTATION.—

‘‘(1) DEADLINE.—The Commission shall prescribe regulations to implement this section within 120 days after the date of enactment of this section.

‘‘(2) LIMITATION.—Nothing in this section shall be construed to permit the Commission to issue regulations that require or impose a specific technology or technological standard.

‘‘(l) DEFINITIONS.—For purposes of this section:

‘‘(1) VOIP SERVICE.—The term ‘VOIP service’ means a service that—

‘‘(A) provides real-time 2-way voice communications transmitted through customer premises equipment using TCP/IP protocol, or a successor protocol (including when the voice communication is converted to or from TCP/IP protocol by the VOIP service provider and transmitted to the subscriber without use of circuit switching), for a fee;

‘‘(B) is offered to the public, or such classes of users as to be effectively available to the public (whether part of a bundle of services or separately); and

‘‘(C) has the capability so that the service can originate traffic to, and terminate traffic from, the public switched telephone network.

‘‘(2) VOIP SERVICE PROVIDER.—The term ‘VOIP service provider’ means any person who provides or offers to provide a VOIP service.

‘‘(3) NECESSARY E–911 INFRASTRUCTURE.—The term ‘necessary E–911 infrastructure’ means the selective routers, selective router databases, automatic location information databases, master street address guides, trunk lines between selective routers and PSAPs, trunk lines between automatic location information databases and PSAPs, and other 911 and E-911 equipment, facilities, databases, interfaces, and related capabilities specified by the Commission.

‘‘(4) NON-DIALABLE PSEUDO-AUTOMATIC NUMBER IDENTIFICATION NUMBER.—The term ‘non-dialable pseudo-automatic number identification number’ means a number, consisting of the same number of digits as numbers used for automatic number identification, that is not a North American Numbering Plan telephone directory number and that may be used in place of an automatic number identification number to convey special meaning. The special meaning assigned to the non-dialable pseudo-automatic number identification number is determined by nationally standard agreements, or by individual agreements, as necessary, between the system originating the call, intermediate systems handling and routing the call, and the destination system.

‘‘SEC. 717. RIGHTS AND OBLIGATIONS OF VOIP SERVICE PROVIDERS.

‘‘(a) IN GENERAL.—

‘‘(1) FACILITIES-BASED VOIP SERVICE PROVIDERS.—A facilities-based VOIP service provider shall have the same rights, duties, and obligations as a requesting telecommunications carrier under sections 251 and 252, if the provider elects to assert such rights.

‘‘(2) VOIP SERVICE PROVIDERS.—A VOIP service provider that is not a facilities-based VOIP service provider shall have only the same rights, duties, and obligations as a requesting telecommunications carrier under sections 251(b), 251(e), and 252, if the provider elects to assert such rights.

‘‘(3) CLARIFYING TREATMENT OF VOIP SERVICE.—A telecommunications carrier may use interconnection, services, and network elements obtained pursuant to sections 251 and 252 from an incumbent local exchange carrier (as such term is defined in section 251(h)) to exchange VOIP service traffic with such incumbent local exchange carrier regardless of the provider originating such VOIP service traffic, including an affiliate of such telecommunications carrier.

‘‘(b) DISABLED ACCESS.—A VOIP service provider or a manufacturer of VOIP service equipment shall have the same rights, duties, and obligations as a telecommunications carrier or telecommunications equipment manufacturer, respectively, under sections 225, 255, and 710 of the Act. Within 1 year after the date of enactment of this Act, the Commission, in consultation with the Architectural and Transportation Barriers Compliance Board, shall prescribe such regulations as are necessary to implement this section. In implementing this subsection, the Commission shall consider whether a VOIP service provider or manufacturer of VOIP service equipment primarily markets such service or equipment as a substitute for telecommunications service, telecommunications equipment, customer premises equipment, or telecommunications relay services.

‘‘(c) DEFINITIONS.—For purposes of this section:

‘‘(1) FACILITIES-BASED VOIP SERVICE PROVIDER.—The term ‘facilities-based VOIP service provider’ means an entity that provides VOIP service over a physical facility that terminates at the end user's location and which such entity or an affiliate owns or over which such entity or affiliate has exclusive use. An entity or affiliate shall be considered a facilities-based VOIP service provider only in those geographic areas where such terminating physical facilities are located.

‘‘(2) VOIP SERVICE PROVIDER; VOIP SERVICE.—The terms ‘VOIP service provider’ and ‘VOIP service’ have the meanings given such terms by section 716(j).’’.

TITLE IV—MUNICIPAL PROVISION OF SERVICES

SEC. 401. GOVERNMENT AUTHORITY TO PROVIDE SERVICES.

(a) IN GENERAL.—Neither the Communications Act of 1934 nor any State statute, regulation, or other State legal requirement may prohibit or have the effect of prohibiting any public provider of telecommunications service, information service, or cable service (as such terms are defined in sections 3 and 602 of such Act) from providing such services to any person or entity.

(b) COMPETITION NEUTRALITY.—Any State or political subdivision thereof, or any agency, authority, or instrumentality of a State or political subdivision thereof, that is, owns, controls, or is otherwise affiliated with a public provider of telecommunications service, information service, or cable service shall not grant any preference or advantage to any such provider. Such entity shall apply its ordinances, rules, and policies, including those relating to the use of public rights-of-way, permitting, performance bonding, and reporting without discrimination in favor of any such provider as compared to other providers of such services.

(c) COMPLIANCE WITH OTHER LAWS NOT AFFECTED.—Nothing in this section shall exempt a public provider from any law or regulation that applies to providers of telecommunications service, information service, or cable service.

(d) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Federal Communications Commission shall submit to the Congress a report on the status of the provision of telecommunications service, information service, and cable service by States and political subdivisions thereof.

(e) DEFINITION OF PUBLIC PROVIDER.—For purposes of this section, the term ‘‘public provider’’ means a State or political subdivision thereof, or any agency, authority, or instrumentality of a State or political subdivision thereof, that provides telecommunications service, information service, or cable service, or any entity that is owned, controlled, or is otherwise affiliated with such State or political subdivision thereof, or agency, authority, or instrumentality of a State or political subdivision thereof.

TITLE V—BROADBAND SERVICE

SEC. 501. STAND-ALONE BROADBAND SERVICE.

Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.) is further amended by adding after section 717 (as added by section 301 of this Act) the following new section:

‘‘SEC. 718. STAND-ALONE BROADBAND SERVICE.

‘‘(a) PROHIBITION.—A broadband service provider shall not require a subscriber, as a condition on the purchase of any broadband service the provider offers, to purchase any cable service, telecommunications service, or VOIP service offered by the provider.

‘‘(b) DEFINITIONS.—In this section:

‘‘(1) The term ‘broadband service’ means a two-way transmission service that connects to the Internet and transmits information at an average rate of at least 200 kilobits per second in at least one direction.

‘‘(2) The term ‘broadband service provider’ means a person or entity that controls, operates, or resells and controls any facility used to provide broadband service to the public, by whatever technology and whether provided for a fee, in exchange for an explicit benefit, or for free.

‘‘(3) The term ‘VOIP service’ has the meaning given such term by section 716(j).’’.

SEC. 502. STUDY OF INTERFERENCE POTENTIAL OF BROADBAND OVER POWER LINE SYSTEMS.

Within 90 days after the date of enactment of this Act, the Federal Communications Commission shall conduct, and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a study of the interference potential of broadband over power line systems.

TITLE VI—SEAMLESS MOBILITY

SEC. 601. DEVELOPMENT OF SEAMLESS MOBILITY.

(a) STREAMLINED REVIEW.—

(1) The Commission shall further the development of seamless mobility.

(2) Within 120 days after the date of enactment of this Act, the Commission shall implement a process for streamlined review and authorization of multi-mode devices that permit communication across multiple Internet protocol-enabled broadband platforms, facilities, and networks.

(b) STUDY.—The Commission shall undertake an inquiry to identify barriers to the achievement of seamless mobility. Within 180 days after the date of enactment of this Act, the Commission shall report to the Congress on its findings and its recommendations for steps to eliminate those barriers.

(c) DEFINITIONS.—For purposes of this section, the term "seamless mobility" means the ability of a communications device to select between and utilize multiple Internet protocol-enabled technology platforms, facilities, and networks in a real-time manner to provide a unified service.

The CHAIRMAN. No amendment to the bill is in order except those printed in House Report 109–491. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. BARTON OF TEXAS

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 109–491.

Mr. BARTON of Texas. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BARTON of Texas:

Page 5, line 4, strike "intends" and insert "seeks authority".

Page 5, lines 13 and 23, and page 6, line 4, strike "contiguous".

Page 5, beginning on line 17, strike "within the jurisdiction of such unit of general local government contains" and insert "overlaps with".

Page 6, lines 1 and 2, strike "area contained in the franchise area of such cable operator" and insert "overlapping area".

Page 6, line 15, after "certification" insert "for authority".

Page 6, line 20, strike "under" and insert "in accordance with".

Page 7, line 1, strike "and subsection (g) of this section" and insert "(including the rules adopted under section 632(b) pursuant to subsection (g) of this section)".

Page 8, line 4, strike "that files" and insert "with".

Page 9, line 19, after the period insert the following: "The Commission shall by rule specify the methods by which a franchising authority shall notify a cable operator of the hearing for which its participation is required under this subparagraph.".

Page 12, line 24, strike "definition of gross revenues" and insert "definitions of gross revenues and franchise fee".

Page 15, line 25, after "to provide" insert "on the day before its national franchise became effective".

Page 16, beginning on line 20, strike subparagraph (A) and insert the following:

"(A) A cable operator franchised under this section shall ensure that any public, educational, or governmental programming carried by the cable operator under this section within a franchise area is available to all of its subscribers in such franchise area.

Page 17, line 16, after "cable operators shall" insert ", if at least one of the operators is providing cable service in the franchise area pursuant to a franchise under this section,".

Page 19, line 16, strike "Act" and insert "section".

Page 22, line 7, strike "Congress" and insert "Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate".

Page 27, beginning on line 24, strike "The following sections" and insert "The provisions of this title that apply to a cable operator shall apply in a franchise area to a person or group with a national franchise under this section to provide cable service in such franchise area, except that the following sections".

Page 28, line 3, before the colon insert "in such franchise area".

Page 28, line 7, strike "Act" and insert "section".

Page 29, line 22, strike "subsections (c)(1) and (e)(2)" and insert "subsection (c)(1) or (e)(2)".

Page 30, line 22, after "cable operator" insert "with a national franchise".

Page 38, line 5, strike "and"; on page 39, line 2, strike the period at the end of the line and insert a semicolon; and after such line insert the following:

(4) in paragraph (7)(D), by inserting after "section 653 of this title" the following; "except in a franchise area in which such system is used to provide cable service under a national franchise pursuant to section 630";

(5) in paragraph (9)—

(A) by inserting "(A)" after "means"; and

(B) by inserting before the semicolon at the end the following: "; and (B) a national franchise that is effective under section 630 on the basis of a certification with the Commission"; and

(6) in paragraph (10), by inserting before the semicolon at the end the following: ", but does not include the Commission with respect to a national franchise under section 630".

Page 39, line 8, before the period insert the following: "pursuant to the amendments made by this title".

Page 41, after line 20, insert the following new section:

SEC. 104. RULE OF CONSTRUCTION.

Nothing in this Act or the amendments made by this Act shall affect the application or interpretation of section 224 of the Communications Act of 1934 (47 U.S.C. 224).

Page 53, line 24, after "for a fee" insert "or without a fee".

Page 54, beginning on line 11, strike paragraph (3) and insert the following:

"(3) NECESSARY E–911 INFRASTRUCTURE.—The term 'necessary E–911 infrastructure' means the originating trucks to the selective routers, selective routers, databases (including automatic location information databases and master street address guides), trunks, or other related facilities necessary for the delivery and completion of 911 and E–911 calls, or other 911 and E–911 equipment, facilities, databases, interfaces, and related capabilities specified by the Commission.

Page 57, line 18, and page 60, line 13, strike "716(j)" and insert "716(l)".

The CHAIRMAN. Pursuant to House Resolution 850, the gentleman from Texas (Mr. BARTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have continued to listen to the constructive comments from Members on both sides of the aisle as well as the comments of the cities and the affected stakeholders in this issue as the bill has moved from committee to discussion under the Rules Committee, and now to the floor of the House of Representatives. We have tried to incorporate many of those constructive comments into the manager's amendment that is now before the House.

The amendment would do the following: It would clarify what constitutes a franchise area. This was a concern of Mr. DINGELL in the full committee markup.

It would clarify that a person or group seeking authority to provide service under a national franchise must agree to comply with all requirements the FCC Commission would promulgate pursuant to the consumer protection and customer services provisions in the bill.

Further, it clarifies that pursuant to a colloquy that I had with Mr. BOUCHER at the full committee markup, the manager's amendment would clarify that anyone with a national franchise shall be subject to all the cable operator provisions of title 6 of the Communications Act, except for those ones specifically in the pending bill.

It would also clarify that nothing in the legislation that affects existing pole attachment law. This was another concern of Mr. BOUCHER and others at full committee.

Mr. Chairman, I would urge my colleagues to support the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MARKEY. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes.

Mr. MARKEY. Mr. Chairman, I yield myself such time as I may consume. I might add that I am not in opposition to the manager's amendment except to the extent to which the manager's amendment does not include language on nondiscrimination. Language which would ensure that all parts of a community receive the lower cable rates, not just the good parts of town where the telephone companies are going to deploy.

There is no provision in here that deals in a meaningful way with net neutrality to ensure that the Internet as we know it is preserved, protected for the future, that entrepreneurs know that they can have access to it without having to pay a discriminatory entry fee, that the telephone companies cannot tip these entrepreneurs upside down and shake money out of their pockets. That is the problem that I have with the manager's amendment. It is not that I object to what is in it. It is really what is not in it, what should have been included, what would have led to this bill being characterized as a bill which was balanced.

By the way, the bill which we had agreed upon on a handshake deal, Democrats and Republicans, was a balanced bill. It did include protections for the Internet. It did include protections for rate payers. But all of that, obviously, was objected to by the Bell companies.

Let me just make this point once again. The Bell companies had nothing to do with the creation of the Internet. The Bell companies had nothing to do with the development of the World Wide Web. The Bell companies had nothing to do with the browser in its development. In fact, AT&T was asked if they wanted to build the Internet, the packet switch network in 1966. They turned the contract down when the government went to them. And so a company named BB&N, Bolt, Betranick and Newman got the contract. It was a very small company, not AT&T.

They have had nothing to do with the development of the Internet, but now at this late date, they want to come in and to create these bottleneck control points that allow them to extract Internet taxes, Internet fees from companies and individuals who have been using the Internet for a generation.

It is this absence of nondiscriminatory language in the manager's amendment and in the bill to which I object, and I think as time goes on and, obviously, the majority has been unwilling to have this debate in the full light of day. We will be finishing this some time around midnight. And the key amendments, of course, were not even put in order for us to debate, with the exception of net neutrality which we will have 10 minutes to the proponents of net neutrality to make their case. You can barely explain the concept in 10 minutes, much less have a full debate on what the implications of it are. But that is all part of the plan by the telephone companies and the Republican majority not to have a full debate on it.

But the consequences for our country are going to be dramatic in the long run. It has taken a long time to get to this point where America has been the leader in the Internet. And tonight monopolies have arrived, finally, belatedly, as they have come to understand this technology. But a little bit of history is important to understand.

They never purchased their first foot of fiber optic until the government broke up AT&T in 1984. They never deployed their first broadband technology until 1997 after we passed the Telecommunications Act. It has always taken the government to ensure that AT&T, these telephone companies, do, in fact, innovate, such as the word can be used, when you are describing a telephone company.

The real storyline over the last 20 years has been hundreds of thousands of smaller companies using the Internet, innovating on the Internet, creating jobs and revolutionizing not only our own country's ability to communicate and create jobs, but the rest of the world's as well.

So I do not object to the manager's amendment for what is in it but rather for what is not in it. And, unfortunately, the same thing can be said for amendments which are not going to be debated here tonight because of the Republican recalcitrance, their unwillingness to have a full blown debate on perhaps the central growth issue that we will have before the Congress on this session.

Mr. Chairman, I yield back the balance of my time.

Mr. BARTON of Texas. Mr. Chairman, I have no further requests for time. I urge a yes vote on the Barton manager's amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. BARTON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 109–491.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. JACKSON-LEE of Texas:

Page 15, line 16, before the period insert ", except that such amount shall be equal to 0.5 percent of such revenues in the case of a cable operator that is a small business concern owned and controlled by socially and economically disadvantaged individuals or a small business concern owned and controlled by women (as such terms are defined in section 8(d)(3) of the Small Business Act)".

The CHAIRMAN. Pursuant to House Resolution 850, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the distinguished chairman. My amendment had very well founded and grounded intentions, and that is in this massive effort, the hard work of this committee, the fine leadership of Mr. DINGELL and Mr. MARKEY, fine leadership of Mr. BARTON and Mr. RUSH, all focus on greater opportunities. And so this amendment was to provide greater opportunity for, in fact, the small businesses, minority-owned businesses, women-owned businesses, businesses in rural areas to access, if you will, the broadband, the DSL, but opportunities to be a franchisee, if you will, and be able to have small entities that would be part of this massive reformation of this system.

So this was an effort to draw upon the funding for a particular programmatic provision in the legislation and to allow the small companies to pay less fees so they could be competitive enough to engage in what I think is a very, very important business.

I hope that as we make our way through this process of legislation and as we make our way to the Senate, we will be reminded of language specifically that could ensure the energy of small businesses to be created. Someone gave me a terminology, I hope I have it correct, but the productivity of technology or the expansion of technology amongst many, many different groups and specifically the women-owned disadvantaged and small businesses. However, I am also aware of the fact that the peg programming supports stations like Access Houston and covers programming for issues dealing with women and minorities. So I am particularly sensitive to that issue.

Even with that in mind I do not want to eliminate, if you will, eliminate the opportunity for small businesses with this massive reformation of this broadband and DSL system as we move forward with this legislation.

Mr. Chairman, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Chairman, I claim the time in opposition to the amendment although I am not opposed to the amendment.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON of Texas. I want to commend the gentlewoman from Houston for her leadership on this issue. I am somewhat unclear what her intentions are in terms of moving towards a vote. I will pledge to her to continue to work with her, if she were to withdraw the amendment, to reach a mutually acceptable resolution as we go to conference with the other body, but I am going to follow her yield or her wishes on the pending amendment.

If she calls it for a vote, I will vote yes on the amendment. If she wishes to withdraw it, I will work with her as we move forward in the normal channels of the legislative process.

Mr. Chairman, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentlewoman has 2½ minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from Illinois (Mr. RUSH).

Mr. RUSH. I thank the gentlewoman. Mr. Chairman, her amendment is a very worthwhile amendment. It goes a long way toward getting to the essence of a problem that I have determined is one of the barriers to economic parity within this Nation.

Mr. Chairman, we are sick and tired in my community of just being viewed as consumers of technology. We also want to be providers of technology. And this amendment, the Jackson-Lee amendment, would go a long way in making us providers of that amendment.

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Ms. JACKSON-LEE of Texas. Mr. Chairman, I am delighted to yield 30 seconds to the distinguished gentleman from Maryland (Mr. WYNN).

Mr. WYNN. Mr. Chairman, I thank the gentlewoman for yielding.

I wanted to compliment her on her amendment because it focuses on a very important area and that is the diversity of technology providers, focusing on women-owned business, minority businesses and small businesses that want to compete as providers of technology, and the thrust of this bill is providing more competition. She recognizes it is providing an opportunity to help these small businesses compete.

There has been a lot of talk about build-out in neglected communities. One aspect of the bill that has not been considered is the fact that there are a lot of competitors who may go into other communities, underserved communities, who may be enthusiastic about the opportunities she is trying to provide.

So I wanted to indicate that she is on the right track with her amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

I thank the distinguished gentleman from Maryland for his comments.

I want to inquire of the gentleman from Massachusetts (Mr. MARKEY) and thank him for his leadership. We know the leadership you have given. We understand the dilemma I have here because I support programmatic funding that PEG provides as well. However, I think it is important that we have at least a language statement, if you will, about the importance of small, minority, women-owned businesses to be engaged in this superhighway and this new DSL and broadband.

Mr. Chairman, I yield 30 seconds to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I thank the gentlewoman for raising this very important issue, and really, since the beginning of my career on the Telecommunications Subcommittee, working with Mickey Leland from your district, adding in language that ensured a larger percentage of minority participation in legislation, it is without question a high goal.

What I think we all want to be sure of here is that in communities it does not take resources away from municipalities that might have gone to those very same communities, but I think we can work together in order to accomplish that.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself the remaining time.

Let me thank Mr. MARKEY. I know of his history. Let me thank the chairman, Mr. RUSH and Mr. WYNN. I am passionate, as many of us are, about the embracing of small, minority, women-owned businesses and medium-owned businesses, and I like the terminology "provider of technology."

We want to make sure that we have extensive build-out. We want to make sure that we have the representation of our community, but I want to see some producers. I accept the kind hand of the chairman and the ranking member of the subcommittee I believe of energy and commerce and Mr. WYNN and Mr. RUSH.

With that in order to ensure a program going forward, I would like to be able to work on this language further as it makes its way through the Senate and the conference.

Mr. Chairman, I respectfully ask to withdraw this amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

AMENDMENT NO. 3 OFFERED BY MR. WYNN

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 109–491.

Mr. WYNN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. WYNN:

Page 21, strike line 17 and all that follows through page 23, line 22, and insert the following:

"(B) The Commission's revised consumer protection rules shall provide for forfeiture penalties, or customer rebates, refunds or credits, or both, and shall establish forfeiture, rebate, refund, and credit guidelines with respect to violations of such rules. Such guidelines shall—

"(i) provide for increased forfeiture penalties for repeated violations of the standards in such rules; and

"(ii) establish procedures by which any forfeiture penalty assessed by the Commission under this subsection shall be paid by the cable operator directly to the franchising authority affected by the violation.

"(4) COMPLAINTS.—

"(A) IN GENERAL.—Any person may file a complaint with respect to an alleged violation of the Commission's revised consumer protection rules in a franchise area by a cable operator franchised under this section—

"(i) with the franchising authority in such area; or

"(ii) with the Commission.

"(B) LOCAL FRANCHISING AUTHORITY PROCEDURE.—On its own motion or at the request of any person, a franchising authority for a franchise area may—

"(i) initiate its own complaint proceeding with respect to such an alleged violation; or

"(ii) file a complaint with the Commission regarding such an alleged violation.

"(C) TIMING.—The Commission or the franchising authority conducting a proceeding under this paragraph shall render a decision on any complaint filed under this paragraph within 90 days of its filing.

"(5) LOCAL FRANCHISING ORDERS.—

"(A) REQUIRING COMPLIANCE.—In a proceeding commenced by a franchising authority, a franchising authority may issue an order requiring compliance with the Commission's revised consumer protection rules, but a franchising authority may not create any new standard or regulation, or expand upon or modify the Commission's revised consumer protection rules.

"(B) ACCESS TO RECORDS.—In such a proceeding, the franchising authority may issue an order requiring the filing of any data, documents, or records (including any contract, agreement, or arrangement between the subscriber and the cable operator) that are directly related to the alleged violation.

"(C) COST OF FRANCHISING AUTHORITY ORDERS.—A franchising authority may charge a cable operator franchised under this section a nominal fee to cover the costs of issuing orders under this paragraph.

"(6) COMMISSION REMEDIES; APPEALS.—

"(A) REMEDIES.—An order of a franchising authority under this subsection shall be enforced by the Commission under this Act if—

"(i) the order is not appealed to the Commission;

"(ii) the Commission does not agree to grant review during the 30-day period described in subparagraph (B); or

"(iii) the order is sustained on appeal by the Commission.

"(B) APPEALS.—Any party may file a notice of appeal of an order of a franchising authority under this subsection with the Commission, and shall transmit a copy of such notice to the other parties to the franchising authority proceeding. Such appeal shall be deemed denied at the end of the 30-day period beginning on the date of the filing unless the Commission agrees within such period to grant review of the appeal.

"(C) TIMING.—After the filing of a notice of appeal under subparagraph (B), if such notice is not denied by operation of such subparagraph, the Commission shall render a decision within 90 days of such filing.

"(7) ANNUAL REPORT.—

"(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Commission shall submit a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the

Senate on the implementation of this subsection, including the following:

"(i) The number of complaints filed with franchising authorities under clause (4)(A)(i).

"(ii) Any trends concerning complaints, such as increases in the number of particular types of complaints or in new types of complaints.

"(iii) The timeliness of the response of such franchising authorities and the results of the complaints filed with such franchising authorities, if not appealed to the Commission.

"(iv) The number of complaints filed with the Commission under clause (4)(A)(ii).

"(v) The number of appeals filed with the Commission under paragraph (6)(B) and the number of such appeals which the Commission agreed to hear.

"(vi) The timeliness of the Commission's responses to such complaints and appeals.

"(vii) The results of such complaints and appeals filed with the Commission.

"(B) SUBMISSION OF INFORMATION BY FRANCHISING AUTHORITIES.—The Commission may request franchising authorities to submit information about the complaints filed with the franchising authorities under subparagraph (4)(A)(i), including the number of such complaints and the timeliness of the response and the results of such complaints.

"(8) DEFINITION.—For purposes of this subsection, the term 'Commission's revised consumer protection rules' means the national consumer protection and customer service rules under section 632(b) as revised by the Commission pursuant to paragraph (2) of this subsection.

The CHAIRMAN. Pursuant to House Resolution 850, the gentleman from Maryland (Mr. WYNN) and a Member opposed each will control 5 minutes.

Mr. DOYLE. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland.

Mr. WYNN. Mr. Chairman, I yield myself such time as I may consume.

One of the issues that came up as we began to develop this bill was consumer protection and the role of the local franchising authority in protecting the interests of local consumers.

The bill says that we will have a national franchise, and it also provides that under the national franchise the FCC will promulgate specific standards for consumer protection, dealing with issues such as billing disputes, discontinuation of service, loss of service, service quality, changes in channel line-up, other service features, the availability of parental controls.

The amendment that I have today basically says that, number one, an individual that has a complaint may file a complaint with the FCC or with the local franchising authority. It says that the FCC or the local franchising authority must render a decision in 90 days of the filing of a complaint. That is to address the concern that the complaint process, the consumer protection process, is too time consuming and imposes burdens on the franchisee.

Second, the amendment provides that the local franchising authority, the cities, the counties, the States, may initiate on their own a complaint proceeding and file that complaint with the FCC regarding a violation of the rules promulgated by the FCC. They may issue an order requiring that the franchisee comply with the FCC's consumer protection rules. This order will stand and may be enforced by the FCC unless it is successfully appealed.

This basically adds to the consumer protections already in the bill and enables both the individual and the local community to bring an action to enforce the rules that are set forth by the FCC to protect the consumer.

In addition, the amendment provides for an annual report, because one of the things that we wanted to see was what was going on out there once we had this new field of competition and new providers of video services. So we will have a study that will come back to our committee and our companion committee in the Senate telling us about the number of complaints the FCC has received, the trend in these complaints, the timeliness of the response to these complaints. We believe this type of information will be very useful in determining whether we need stronger rules and regulations on consumer protection.

In sum, this is a very simple and straightforward amendment that protects the consumers and involves the local communities, and I urge its adoption.

Mr. BARTON of Texas. Mr. Chairman, will the gentleman yield?

Mr. WYNN. I yield to the gentleman from Maryland.

Mr. BARTON of Texas. Mr. Chairman, I thank the gentleman for yielding. This is a good amendment. I am very supportive and urge a "yes" vote on the Wynn amendment.

Mr. WYNN. Mr. Chairman, I thank my chairman.

Mr. Chairman, I reserve the balance of my time.

Mr. DOYLE. Mr. Chairman, I yield myself such time as I may consume.

I want to thank my good friend from Maryland for offering a good amendment that is quite similar to the provisions of the Doyle-Dingell amendment that was ruled out of order. No sour grapes. It is a good amendment, worthy of support, but it only goes part of the way.

I want to make sure my friends and colleagues understand that settling for the Wynn amendment is like a football team declaring victory right after kickoff.

The Doyle-Dingell amendment would have been the equivalent of winning the Super Bowl, and I say that humbly, coming from Pittsburgh.

The Wynn amendment gives local governments the right to enforce consumer complaints and outlines an FCC backstop, just like the Doyle-Dingell amendment did.

Where this amendment stops is on the enforcement of the rest of the bill. If you agree with Mr. WYNN that the principle of local enforcement and an FCC appeal is a good one, and you should, you should also agree with that same principle for issues like public access and school channels, INETs, public hearings, as well as consumer protection like the Dingell-Doyle amendment would have.

While we are on the subject of enforcement, I want to make sure my friends are aware that the House will not debate an amendment to fix the COPE Act's rights-of-way boondoggle. For my friends who have gotten calls and letters from mayors in their districts, resolutions from city councils, this amendment, while good, does not address their larger concerns about their roads, their streets, and their other public property.

If local enforcement is such a good idea, and it is, then why should local governments not be allowed to enforce their own laws about their own streets? The COPE Act sends any dispute about streets and sidewalks to the FCC in Washington, D.C. That is a fundamental change. It is so far from how the law works today, and our body needed to debate that point.

America's cities and towns and consumers will benefit from the Wynn amendment, and I thank my friend from Maryland for offering it, but it is a 5-yard gain when America needs 80 yards to score.

Mr. Chairman, I reserve the balance of my time.

Mr. WYNN. Mr. Chairman, I yield myself such time as I may consume.

Let me begin by thanking the gentleman for his kind words with respect to my amendment, and I also want to thank him for his leadership, along with that of our ranking member on other issues of great concern.

I would only point out that he has acknowledged that having the FCC promulgate and allow local enforcement of this rule is a good idea. I thank you for that comment, and that is what this amendment attempts to do.

Are there other things that might be desirable? I would certainly concur with him that there are, but I would certainly appreciate support for the amendment because, as he has pointed out, it addresses at least part of the issue that local communities have expressed concern about.

Mr. Chairman, I yield back the balance of my time.

Mr. DOYLE. Mr. Chairman, I yield myself such time as I may consume.

I would just conclude by saying that it is better to have someone in the local jurisdiction who understands the problems of local government make these decisions than a bureaucrat down in Washington, D.C. If you want to have every municipality, every mayor, every city council have to hire a Washington attorney to go to the FCC to represent them when there is a dispute about a street opening, then we have not done a good enough job today on this bill.

The Wynn amendment is a good idea. It is a good principle. It goes halfway. It is a shame we could not have gone all the way and taken care of all the problems in this bill.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland (Mr. WYNN).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 109–491.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. EDDIE BERNICE JOHNSON of Texas:

Page 27, line 5, strike "$500,000" and insert "$750,000".

The CHAIRMAN. Pursuant to House Resolution 850, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield myself such time as I may consume.

Let me thank the chairman of the committee, also a Texan. I have an amendment before us today that is really unambiguous and straightforward in its intent.

The amendment increases the maximum forfeiture penalty in the antidiscrimination section from $500,000 to $750,000 if the FCC determines that a cable operator has denied access to its services to a group of potential services because of that group's income.

It is my respectful view that an increase of 50 percent to this bill's current penalty amount is a small price for a corporation that discriminates in the delivery of video or broadband services against communities that are crying out for increased competition and affordable cable prices.

Many of the constituents that I represent are heavy cable users and heavy telephone users. The gas prices are very high. Tickets to entertainment are very high, and so cable is generally their entertainment and the telephone keeps them in touch with companies. So it is a large use many times of the lower-income communities in my congressional district and throughout America that should not be relegated to second-class citizens with regard to their ability to enjoy the fruits of cable competition that this bill touts.

I am not thrilled that the Federal Communications Commission will be delving into discrimination matters that could impact an entire class of individuals. However, it is my belief that if the FCC is to be charged with enforcing antidiscrimination laws and levying correspondent fines, the agency, one, should be sensitive as possible to complaints filed by a local franchising authority that believes a cable operator with a national franchise has violated the antidiscrimination section of this bill; and, two, respond forcefully with a meaningful forfeiture penalty that preserves the integrity of the ultimate public interest goal of universal service, particularly to individuals that stand to benefit significantly from increased competition.

Mr. Chairman, as I close, I would like to reiterate that a 50 percent increase in this bill's current penalty amount is a small price for the battle between the millionaires and billionaires, and so I do not know why I did not put $1 million here; but whether the action is motivated intentionally or the direct result of shortsightedness, cable providers should not be left off the hook for failing to bring competition to communities that need it the most.

I urge my colleagues to vote "yes" on this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Chairman, for purposes of debate only, I rise in opposition to the amendment; but I am not in opposition to the amendment.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON of Texas. Mr. Chairman, I yield myself such time as I may consume.

First, let me say about the gentlewoman from Dallas, I support her amendment. I think it is a good amendment. I think it adds to the bill, increasing the penalty by 50 percent from $500,000 to $750,000. It does increase the penalty for discrimination; and for that reason, I will be happy to support the amendment at the appropriate time.

□ 1945

Mr. Chairman, I would like to enter into a colloquy with a member of the committee, Mr. MURPHY of Pennsylvania.

Mr. MURPHY. I thank the chairman for this. I have worked with you in the committee to move this bill forward. I know it has a number of things that continue to help local franchising authorities to collect the 5 percent of revenues and also allows some other aspects in there, but I want to get to a colloquy about these two specific issues.

Many localities in my district are concerned about their continued management of rights-of-way. In Pennsylvania, such management has been said to include not only the physical, but also the fiscal management of those rights-of-way. Currently, when a cable wire carries multiple services, a Pennsylvania municipality can charge rent based on some formula for the use of rights-of-way.

Do you see the bill having an adverse effect on a locality's income by shielding operator revenue in this manner?

Mr. BARTON of Texas. Congressman MURPHY, current law allows local authorities to assess a franchise fee of up to 5 percent of a cable operator's gross revenue for the use of the public right-of-way for cable service. The Act before us would allow the localities to assess the exact same fee on holders of a national franchise.

In other words, localities may continue to collect the same rent for the use of the rights-of-way for cable service. The Act before us also preserves the locality's physical management of their right-of-way. Section 630(f) explicitly states that nothing in the Act affects the authority of the localities to manage their rights-of-way on a competitively neutral, reasonable, and nondiscriminatory basis.

Mr. MURPHY. Thank you, Mr. Chairman. One other question.

In addition to retaining rights-of-way management authority, isn't it true that municipalities would still have the authority to negotiate franchises with cable operators under this bill?

Mr. BARTON of Texas. Would you repeat the question?

Mr. MURPHY. Yes. Is it true that municipalities would still have the authority to negotiate franchises with cable operators under this bill? In other words, they still have the authority to negotiate local franchise agreements.

Mr. BARTON of Texas. For a specific period of time, the answer to that is yes.

Mr. MURPHY. Thank you, and I appreciate your responses and clarifying these issues, Mr. Chairman.

Mr. DOYLE. Mr. Chairman, would the chairman yield for a question?

Mr. BARTON of Texas. I would always yield to my friend from Pittsburgh, a member of the committee, and the new manager of the Democrat baseball team, who is so overworking his team that they are complaining to me about how hard they are having to work, yes.

Mr. DOYLE. Mr. Chairman, when you have a talent deficit, you have to work harder.

Mr. Chairman, just a question. Under the bill, if a local government had an ordinance that said you couldn't open a street during rush hour in a major artery, and the cable or phone company saw that as not reasonable and decided not to comply with that ordinance, where would the appeal process be? Currently, under law now, that appeal process takes place in local courts. Would the bill require local governments to now go to the FCC for any dispute resolution on rights of ways?

Mr. BARTON of Texas. Reclaiming my time, nothing in the pending bill will change current law with regard to how the cities control their local rights-of-way, the physical access to that right-of-way. They would have access through the local court system, and I would assume, if they wished to, they could also go to the Federal Court system or the FCC. But they can certainly continue to use the remedies available under current law.

Mr. DOYLE. If the chairman will continue to yield. So, Mr. Chairman, you are saying under the COPE bill, that any disputes with regards to rights-of-way do not have to go to the FCC for resolution?

Mr. BARTON of Texas. They have the option under the pending bill, if the gentleman were so kind to vote for it on final passage, and I know he is thinking about that, we would expand the potential remedies. They would have every remedy under existing law, plus they could also go to the Federal courts and to the FCC.

Mr. DOYLE. So if the gentleman will continue to yield.

Mr. BARTON of Texas. So far you have not tricked me, so I will continue to yield.

Mr. DOYLE. You are saying that any right-of-way dispute, any right-of-way dispute could be adjudicated at the local level and not have to go to the FCC.

Mr. BARTON of Texas. They have the option. They have the option. They have an expanded list of remedies that they currently don't have.

Mr. Chairman, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. RUSH

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 109-491.

Mr. RUSH. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. RUSH:

Page 30, after line 15, insert the following new paragraph:

"(6) FEE DISPUTE RESOLUTION.—

"(A) COMPLAINT.—A franchising authority or a cable operator may file a complaint at the Commission to resolve a dispute between such authority and operator with respect to the amount of any fee required under subsection (c)(1) or (e)(2) if—

"(i) the franchising authority or the cable operator provides the other entity written notice of such dispute; and

"(ii) the franchising authority and the cable operator have not resolved the dispute within 90 calendar days after receipt of such notice.

"(B) MEETINGS.—Within 30 calendar days after receipt of notice of a dispute provided pursuant to subparagraph (A)(i), representatives of the franchising authority and the cable operator, with authority to resolve the dispute, shall meet to attempt to resolve the dispute.

"(C) LIMITATION.—A complaint under subparagraph (A) shall be filed not later than 3 years after the end of the period to which the disputed amount relates, unless such time is extended by written agreement between the franchising authority and cable operator.

"(D) RESOLUTION.—The Commission shall issue an order resolving any complaint filed under subparagraph (A) within 90 days of filing.

The CHAIRMAN. Pursuant to House Resolution 850, the gentleman from Illinois (Mr. RUSH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RUSH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment establishes a dispute resolution process for monetary disputes between local franchise authorities and cable operators. If localities and video operators have disputes over franchise fees or other fees, this amendment will allow them to negotiate a resolution in a timely process.

The amendment is simple. It sets forth a deadline for the initiation and resolution of a complaint process. First, the amendment calls for the parties to meet and settle their differences before issuing a complaint at the FCC. It simply states that a franchise authority or cable operator must provide written notice to each other if there is a dispute regarding franchise fees or PEG/I-Net support. Both parties must meet within 30 days of notification. If the local franchise authority and the cable operator have not resolved the dispute within 90 days, then both parties can petition the FCC to resolve the complaint. The FCC then has 90 days to resolve any fee disputes.

Mr. Chairman, I urge my colleagues on both sides of the aisle to support this amendment.

I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Chairman, for purposes of debate, I rise to claim the time in opposition, but I am not in opposition.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON of Texas. Mr. Chairman, I do support the Rush amendment. I think it is an addition to the base bill, and it continues to show the excellent leadership that Mr. RUSH is providing on this issue, and I would urge my colleagues at the appropriate time to support the amendment.

At this point in time, I would like to enter into a colloquy with the gentleman from Washington, Congressman REICHERT.

Mr. REICHERT. Mr. Chairman, I appreciate your leadership on this legislation and I would like to call attention to an issue of extreme importance to America's public safety providers: The inability of Americans to use 911 on their Voice Over Internet Protocol phones. As a former cop, this certainly ranks high on the list of my concerns.

The Federal Communications Commission attempted to address this issue by requiring Voice Over IP companies to provide enhanced 911 before they could sell their services. I am largely in favor of this bill; however, it does reverse the FCC ruling. It allows Voice Over IP companies to continue to sell telephone service without having to properly route 911 calls for as long as 6 months after entering a new market. Six months is too long to wait, which is why many first responders have not embraced this bill.

There have already been tragedies and near tragedies that have occurred when Voice Over IP consumers have tried to call 911 in an emergency. To call 911 and receive the service is a necessity regardless of the type of phone service a caller is using. Customers expect this capability.

The ability to provide every American full access to 911 is of great concern to me. Our first duty is to protect American citizens. I urge you to address this issue before the legislation is finalized in conference.

Mr. Chairman, thank you for allowing me this opportunity voice my concerns.

Mr. BARTON of Texas. I thank the gentleman from Washington for raising this issue. We agree that as a matter of both public policy and public safety, American citizens should have access to basic 911 service.

I understand your perspective on this concern, as a former law enforcement officer who had to respond to 911 calls himself for many years. I will work in conference to address your concerns.

I can add that Mr. GORDON of Tennessee and Mr. PICKERING of Mississippi, just to name two members of the committee, share your concerns and are working on this issue.

Mr. REICHERT. I thank the Chairman and look forward to working with you.

Mr. BARTON of Texas. I have no other requests for time, urge a "yes" vote on the Rush amendment, and I yield back the balance of my time.

Mr. RUSH. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. RUSH).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. SMITH OF TEXAS

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 109–491.

Mr. SMITH of Texas. Mr. Chairman, I have an amendment at the desk made in order under the rule.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. SMITH of Texas:

Page 44, after line 12, insert the following (and make such technical and conforming changes as may be appropriate):

"(d)(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to modify, impair, or supersede the applicability of the antitrust laws or the jurisdiction of the district courts of the United States to hear claims arising under the antitrust laws.

"(2) DEFINITION OF ANTITRUST LAWS.—The term 'antitrust laws' has the meaning given it in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), except that such term includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that such section 5 applies to unfair methods of competition."

The CHAIRMAN. Pursuant to House Resolution 850, the gentleman from Texas (Mr. SMITH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I yield myself such time as I may consume.

The Internet has succeeded beyond our wildest dreams, in large part, because the government has not tried to regulate its growth. I sympathize with the concerns of those who want to regulate the Internet, but we do not want to destroy the wonderful tool the Internet has become in order to save it. Frankly, I do not think we have the ability to perceive how the Internet will grow or to direct that growth.

I am more comfortable leaving these matters to the antitrust courts and the FCC to decide on a case-by-case basis in the context of specific factual situations, and that is what this amendment would do. It is a simple antitrust savings clause. It makes clear that the language in the bill that gives the FCC exclusive jurisdiction of network neutrality complaints does not displace the antitrust laws or the jurisdiction of the courts to hear antitrust cases in this area. These cases would be heard under existing antitrust standards.

Look at what the Internet was 10 years ago and look at what it is now. It would not be anything like what it is today if we had tried to regulate it then. The courts and the FCC are sometimes slow, but they are much better equipped to work through the complicated fact situations that these issues present. We can always come back and legislate in the future if they fail in their task.

This amendment makes sure that broadband service providers are subject to antitrust lawsuits. In my experience, most people would consider that to be a pretty heavy burden. If those broadband service providers lose such a suit, they are subject to the whole range of antitrust remedies, including treble damages, injunctions, and attorneys' fees. The people who are for the various provisions designed to ensure network neutrality are the same people who usually push these kinds of antitrust remedies.

Some will argue you should skip over this amendment and vote for the Markey amendment. It is true that the Markey amendment includes an antitrust savings clause, and I appreciate Mr. MARKEY's desire to keep the Judiciary Committee involved in this area. The problem with his amendment is that it is a package deal. Not only do you get an antitrust savings clause, you also get to impose his vision of how he and the government would regulate the Internet. I do not think, Mr. Chairman, anyone is qualified to dictate how the government should control the Internet. The Internet has done pretty well on its own without any interference from any of us.

So the choice is this: Do we let the Internet grow on its own, as it has for the last 10 years; or do we tie its future to government regulation? To me, that is an easy choice, and that is why I offer this amendment.

I urge my colleagues to support this amendment and oppose the Markey amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Chairman, I rise in opposition to the Smith amendment.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON of Texas. Mr. Chairman, I wanted to clarify some things with the author of the amendment. Does your amendment deal specifically with the complaint adjudication process with regards to antitrust laws and the jurisdiction of the courts to hear such cases?

Mr. SMITH of Texas. If my friend will yield, the answer is yes, that is correct.

Mr. BARTON of Texas. With that understanding, I am going to change from opposition to support and encourage you for offering the amendment.

□ 2000

Mr. CONYERS. Mr. Chairman, I rise to claim the time in opposition to the amendment of the gentleman from Texas on the Judiciary Committee, Mr. SMITH. I am opposed to the amendment.

The CHAIRMAN. The gentleman from Texas has claimed the time in opposition.

Mr. BARTON of Texas. Mr. Chairman, I will be happy to yield to the distinguished ranking member of the Judiciary Committee. I believe I probably still have 4 minutes; is that correct?

The CHAIRMAN. The gentleman has 4½ minutes remaining.

PARLIAMENTARY INQUIRY

Ms. ZOE LOFGREN of California. Mr. Chairman, parliamentary inquiry.

The CHAIRMAN. The gentlewoman may state her inquiry.

Ms. ZOE LOFGREN of California. Isn't it necessary to claim the time in opposition to actually be opposed, and the chairman of the committee is not opposed to the amendment.

Mr. BARTON of Texas. Mr. Chairman, I was opposed at the beginning of the debate.

The CHAIRMAN. The gentleman will suspend.

The gentleman stated he was opposed, and the Chair took the gentleman at his word when allocating the time.

Mr. BARTON of Texas. Mr. Chairman, I respect Mr. CONYERS. He is a good man. He is in serious opposition. I have 4½ minutes remaining. I would be happy to yield those 4½ minutes to my good friend, Mr. CONYERS.

The CHAIRMAN. The gentleman from Michigan is recognized for 4½ minutes.

Mr. CONYERS. Mr. Chairman, I want to thank the chairman, Mr. BARTON, because I am sure this could have been cleared up and it was an inadvertent mistake and I thank him for his generosity in correcting this matter.

I would like to share some of this time in opposition with the gentlewoman from California (Ms. ZOE LOFGREN), but I rise against the Smith amendment because what we have here is a problem of an amendment that does not really promote the goals of net neutrality as we understand them.

It is a horse, a beautiful horse, but it is a Trojan horse. The language is disguised as meaningful net neutrality protection, but it is actually an empty shell.

The current law already allows for an antitrust remedy for violations of anticompetitive conduct; but when it comes to net neutrality, there are no rules, no guidelines telling the gatekeepers of the Internet what kind of conduct is allowed and what kind is not allowed.

The telephone and cable companies have made it clear they intend to use their market power to charge companies who want to distribute their content over the Internet, thereby determining what a consumer can access.

The Sensenbrenner-Conyers net neutrality amendment which we hoped to have made in order would have provided clear guidelines. I have five specifics that would make it very clear as opposed to what the Smith amendment does not do, and I include them for the RECORD.

H.R. 5417 reasserts an antitrust remedy for anticompetitive conduct in which the broadband network provider: (1) fails to provide network services on reasonable and nondiscriminatory terms; (2) refuses to interconnect with the facilities of other network providers on a reasonable and nondiscriminatory basis; (3) blocks, impairs or discriminates against a user's ability to receive or offer lawful content; (4) prohibits a user from attaching a device to the network that does not damage or degrade the network; or (5) fails to disclose to users, in plain terms, the conditions of the broadband service.

I will reserve our time on this side.

The CHAIRMAN. The gentleman from Texas controls the time.

Mr. BARTON of Texas. Mr. Chairman, if I do, I will be happy to yield to the gentlewoman from California. I want there to be a full debate on this.

The CHAIRMAN. The gentleman from Texas controls the time.

Mr. BARTON of Texas. How much time do I still have?

The CHAIRMAN. The gentleman from Texas has 2½ minutes remaining.

Mr. BARTON of Texas. I would like to yield Ms. LOFGREN 2½ minutes if she so wishes.

The CHAIRMAN. The gentlewoman from California is recognized for 2½ minutes.

Ms. ZOE LOFGREN of California. Mr. Chairman, I would just like to point out that the Smith amendment does absolutely nothing. The amendment is to the Communications Act, not to the Clayton or Sherman antitrust acts; and whether or not we past this amendment, the current antitrust laws will continue to operate as before.

The savings clause neither creates new net neutrality protections nor takes them away. It is superfluous, it is nothing, and it is meant to encourage Members who actually are for net neutrality into thinking they can somehow get away with being for net neutrality but doing nothing.

The Trinko case contained a similar antitrust savings clause. The Telecommunications Act of 1996 and the Trinko case basically held there were no antitrust remedies for anticompetitive conduct in areas regulated by the Telecommunications Act.

The whole issue is how the antitrust laws apply. I would point out that our committee, the Committee on the Judiciary, reported out by a vote of 20–13 a bill introduced by Chairman SENSENBRENNER and the ranking member, Mr. CONYERS, that actually did provide antitrust remedies for these Internet provisions. Inexplicably, the real bill, the real amendment that the chairman of the committee and the ranking member crafted and that won a majority of support, bipartisan I would add, on the committee to be reported out, was not made in order for us to discuss today. Instead, this phony amendment was made in order.

I would like to say something else about this rhetoric about regulation. Antitrust law is not regulation. It sets the standard for what monopolies cannot do. It is not a regulatory approach. It is a set of laws that keep monopolies from squeezing the little guys, which is what is going to happen if we do not get real net neutrality in this bill.

The Markey amendment was put in order. We can vote for that, and I hope it passes. If it does not, we will end up with the dualopolies or the monopolies turning the Internet into a kind of cable television outfit.

When the public finds out what we are doing to their Internet, the dome is going to collapse with the uproar they create. For Members who have been here a long time and remember the vote that they took that allowed cable TV rates to go through the roof, that uproar is going to be nothing compared to what you hear if this measure goes forward.

Mr. SMITH of Texas. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, let me say again that I sympathize with the concerns of those who would oppose this amendment. I want a vibrant Internet just like they do. Our disagreement is over how best to achieve that. I say let entrepreneurs develop it freely. They say let the government dictate it. It is an honest difference of opinion, but I think we have a 10-year track record and the entrepreneurs have got us to where we are today.

My amendment deals only with antitrust, so I urge my colleagues to reject government regulation of the Internet. Vote for the Smith amendment and against the Markey amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. SMITH of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. MARKEY

The CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 109–491.

Mr. MARKEY. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. MARKEY:

Strike section 201 of the bill and insert the following:

SECTION 201. NETWORK NEUTRALITY.

(a) AMENDMENT.—Title VII of the Communications Act of 1934 (47 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

"SEC. 715. NETWORK NEUTRALITY.

"(a) POLICY.—It is the policy of the United States—

"(1) to maintain and enhance the vibrant and competitive free market that presently exists for the Internet and Internet services, upon which Internet commerce relies;

"(2) to preserve and promote the open and interconnected nature of the Internet and consumer empowerment and choice;

"(3) to foster innovation, investment, and competition among network providers, as well as application, content, and service providers;

"(4) to ensure vigorous and prompt enforcement of this section's requirements to safeguard innovation, consumer protection, and marketplace certainty; and

"(5) to preserve the security and reliability of the Internet and the services that enable consumers to access content, applications, and services over the Internet.

"(b) IN GENERAL.—Each broadband network provider has the duty—

"(1) not to block, impair, degrade, discriminate against, or interfere with the ability of any person to use a broadband connection to access, use, send, receive, or offer lawful content, applications, or services over the Internet;

"(2) to operate its broadband network in a nondiscriminatory manner so that any person can offer or provide content, applications, and services through, or over, such broadband network with equivalent or better capability than the provider extends to itself or affiliated parties, and without the imposition of a charge for such nondiscriminatory network operation;

"(3) if the provider prioritizes or offers enhanced quality of service to data of a particular type, to prioritize or offer enhanced quality of service to all data of that type (regardless of the origin of such data) without imposing a surcharge or other consideration for such prioritization or enhanced quality of service;

"(4) to enable a user to attach and use any device to the operator's network that does not physically damage, make unauthorized use of, or materially degrade other users' utilization of, the network; and

"(5) to clearly and conspicuously disclose to users, in plain language, accurate information about the speed, nature, and limitations of their broadband connection.

"(c) PRESERVED RIGHTS AND EXCEPTIONS.—Nothing in this section shall prevent a broadband network provider from taking reasonable and nondiscriminatory measures to—

"(1) manage the functioning of its network to protect the security of such network and broadband network services, provided that such management does not depend upon the affiliation with the broadband network provider of the content, applications, or services on the network;

"(2) offer varied service plans to users at defined levels of bandwidth and different prices;

"(3) offer consumer protection services (including services for the prevention of unsolicited commercial electronic messages, parental controls, or other similar capabilities), or offer cable service, so long as a user may refuse or disable such services;

"(4) give priority to emergency communications and telemedicine services; or

"(5) prevent any violation of Federal or State law, or comply with any court-ordered law enforcement directive.

"(d) EXPEDITED COMPLAINT PROCESS.—Within 180 days after the date of enactment of this section, the Commission shall prescribe regulations providing for the expedited review of any complaints alleging a violation of this section. Such regulations shall include a requirement that the Commission issue a final order regarding any request for a ruling contained in a complaint not later than 30 days after the date of submission of such complaint.

"(e) DEFINITIONS.—As used in this section:

"(1) BROADBAND NETWORK PROVIDER.—The term 'broadband network provider' means a person or entity that owns, controls, operates, or resells and controls any facility used to provide broadband network service to the public, by whatever technology and whether provided for a fee, in exchange for an explicit benefit, or for free.

"(2) BROADBAND NETWORK SERVICE.—The term 'broadband network service' means a two-way transmission service that connects to the Internet and transmits information at an average rate of at least 200 kilobits per second in at least one direction.

"(3) USER.—The term 'user' means any person who takes and uses broadband network service, whether provided for a fee, in exchange for an explicit benefit, or for free.".

(b) SAVINGS PROVISION.—Nothing in this section shall be construed to modify, impair, or supersede the applicability of the antitrust laws, as such term is defined in section 602(e)(4) of the Telecommunications Act of 1996.

In the heading of title II of the bill, strike "**ENFORCEMENT OF BROADBAND POLICY STATEMENT**" and insert "**NETWORK NEUTRALITY**".

Conform the table of contents accordingly.

The CHAIRMAN. Pursuant to House Resolution 850, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BOUCHER).

Mr. BOUCHER. Mr. Chairman, I thank the gentleman from Massachusetts for yielding this time to me.

The Internet is a platform for innovation unequaled in American history. It has enabled the creation of hundreds of thousands of jobs and has driven the growth and the technology industry, which in turn has driven the growth of the American economy.

But innovation on the Internet is now at risk. The openness and accessibility that have defined the Internet experience are now threatened. Broadband providers are planning a two-lane Internet with a fast lane for their content and for the content of those who pay, and a slow lane for everyone else. Start-ups cannot afford the fast lane fees, and in the slow lane they cannot succeed. Innovation is at risk.

The Markey amendment which I am pleased to cosponsor will keep the Internet open. It will keep the toll booths from being erected. It is essential to the promotion of the American economy. This is the most important debate that we are having on this bill. There are those who will say that we have the time to wait; we should simply see how this works out. Make a determination 5 or 8 or 10 years down the road about how the two-lane Internet is faring. And if innovation is threatened, if problems arise, then we can always come back and make corrections.

My message tonight is that we will have one opportunity to act, and it is tonight. History shows us that once a business model goes into effect and revenues are being derived from that business, jobs depend on that business, stock valuations depend on that business, and it is virtually impossible for Congress under those circumstances to take that business model away. And so tonight is the night.

The Markey amendment is the amendment. It will preserve the openness and accessibility of the Internet. It will keep it a platform for innovation for the 21st century, and I urge its adoption.

Mr. BARTON of Texas. Mr. Chairman, I rise in strongest possible opposition to the Markey amendment.

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. UPTON), the distinguished subcommittee chairman.

Mr. UPTON. Mr. Chairman, I live by an adage: if it ain't broke, don't fix it. No Internet service provider ought to be able to block access to your favorite Web sites or Internet applications, and I have to say that there are protections in this bill which preserve those rights. There is no evidence of any problem. And if they surface, we have some protections in here.

Let me read what they are. This bill, Barton-Rush bill, ensures that consumers are entitled to: one, access the lawful Internet content of their choice; two, run applications and services of their choice, subject to the needs of law enforcement; three, connect their choice of legal devices that do no harm to the network; and, four, competition among network providers, application and service providers, and content providers.

We give the FCC the explicit authority to enforce those principles, in fact, a fine for up to half a million dollars for every violation. We have a 90-day time clock to make sure that they are adjudicated properly and in a timely fashion.

The Internet has a great history of developing free of taxation and regulation. We want to keep it that way, and that is why we should vote "no" on this amendment.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Chairman, the Internet, the World Wide Web truly are the most magnificent intellectual achievements since the invention of the printing press. And tonight the U.S. Congress, if it does not do its job, will severely let down that marvelous achievement of the human intellect because today, at least until last August, engrained in the DNA of the Internet was a principle of nondiscrimination and freedom among all sources of information on the Internet.

Unless we pass the Markey amendment and preserve net neutrality, that basic DNA is going to be subject to mutation, to discrimination.

We have a simple proposition in the Markey amendment, and that is just as all men are created equal, all bits are created equal and we must treat all bits of information fairly, accurately, and without discrimination.

If this amendment does not pass, we will for the first time, for the first time allow the infection of discrimination to discriminate amongst bits of information. I note this because the opponents of this amendment, the Markey amendment, are saying we have to get these entities that use these services to pay. No doubt. And under the marketing ability, you will be able to charge for the distribution of bits. But what we should not allow is to discriminate amongst those who in fact enter the on-ramp of the Internet information superhighway.

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We will continue to allow people to charge depending on how many bits you send through the pipe. But what we should never allow, and until last August, we have not allowed, is the discrimination about who is sending those bits across this information super highway.

Preserve the basic DNA of the Internet. Pass the Markey amendment and preserve freedom of access of information.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the distinguished member of the subcommittee and full committee, the gentlewoman from Nashville, Tennessee, Congresswoman BLACKBURN.

Mrs. BLACKBURN. Mr. Chairman, I rise in opposition to the Markey amendment.

This afternoon I went to the computer and I pulled up Google and then I pulled up Yahoo and in my search engines I put "network neutrality." Interesting what I found.

Well, I found article after article that I certainly believe has their facts wrong, because network neutrality is a term that people can't agree on. Everybody has got a different definition.

Now, while that bothered me, Mr. Chairman, I believe that it is important that we do a couple of things. One of those is I don't think the government ought to tell Google and Yahoo how to rank or present their information. That is not a road that we want to go down. But that is what the Markey amendment would do. It would force companies that build and maintain the networks where the data flows to present and categorize data in packets according to a government standard. Once we have done that, Mr. Chairman, the next thing is going to be having a Secretary of Internet access. I don't believe that is somewhere we want to go.

The COPE bill says that individuals should be able to connect any device to the Internet and access legal content.

Mr. MARKEY. I yield 2½ minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Chairman, I thank our distinguished ranking member of the Telecommunications Committee in the House. And everyone knows that when he speaks about anything that is related to telecommunications, he knows of what he speaks. And that is why this amendment that bears his name, and I am proud to have my name as a part of this amendment as well, why it is so important.

Now, for people that are listening in to us this evening, what is this debate about? What does the term "net neutrality" mean? I think the better way to describe this is what does the Internet look like today? How does it function? What does it represent? What are the opportunities? Who takes advantage of these opportunities? Is anyone discriminated against when they go to use the Internet? Whether it is a small Web company, whether it is an individual user, whether it is a university, a library, a school, seniors in the senior center, those that are at home, those of us in Congress, our staff, it is not discriminatory. It is open. Everyone has equal access to it.

So what is this debate about? The telephone companies, and let's face it, if they really were in charge of the future, they would have allowed cell phones, and they didn't. I mean, these people are really part of the past. I am sorry to say. So what this is is a profound change to the Internet.

What will the change be? The telephone companies have come to the Congress and said, change the rules. Rewrite the rules. We want to be able to offer our own tier, our own speed and charge for it. I think that this is flawed, deeply flawed. And I think if we move in this direction, we will be moving away from the future. This debate is really all about the future, the future of the Internet and what we want it to look like.

Our Republican friends have done some real heavy lifting here. Some Democrats too, but I will tell you something. I take my hat off to the Republicans. They have done everything for the telephone companies, everything, at a cost to what is one of the greatest sources of pride of America, a free and open Internet that is accessible to everyone. It has worked. We are the envy of the world as a result of it. We should not tamper with it. Vote for net neutrality.

Mr. BARTON of Texas. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman of the full committee hailing from the great Alamo City, birthplace of Texas democracy, Mr. GONZALEZ.

Mr. GONZALEZ. Mr. Chairman, first of all, the advocates for this amendment claim this amendment is about consumers, the little guy. Countless of bloggers have written all Members of Congress in fear if this amendment does not pass, they will no longer be free to express their opinions on the Internet and have their voices heard. Let me tell you as directly as I can to all the bloggers out there, to all of e-mailers out there, to all the households out there, to the average American, this Markey amendment is not about you. It is not about the consumer.

So what is it? I will tell you what it is. First, it is a guarantee that the consumer will be the only one to finance the building, the maintenance and the improvement of the Internet highway. That is what the Markey amendment will do.

It imposes and establishes, secondly, a massive Federal regulation by mandating and dictating conditions on how the Internet will evolve without any consideration for technological advances and emerging business practices and models.

The Markey amendment does this. It picks sides. It creates inferior and superior stakeholders in the Internet.

And lastly, this is the Markey amendment, in my own opinion. It is driven by a hostility against one particular business entity that is involved and is a stakeholder in the Internet.

It is unfair when this body takes sides and does not allow the marketplace and innovation, imagination, creativity, technological and business practices to flourish in our society. We do a disservice. Vote "no" on Markey.

Mr. MARKEY. I yield 1½ minutes to the ranking member of the full commerce committee, the gentleman from the State of Michigan, Mr. DINGELL.

Mr. DINGELL. Mr. Chairman, and my colleagues, this is a good amendment. If you want to improve the bill, and I suspect the Bells don't want you to, and they may not even permit you to. But the hard fact of the matter is this preserves network neutrality.

The bill, as it now constitutes, says that the FCC shall do certain things. But it denies them specifically the authority to write rules under which uniform treatment will be afforded to all persons. It imposes, or permits the imposition of huge fines. But the fines will never be imposed.

What network neutrality does, it sees that everybody is treated alike with regard to use of the Internet. That has been a principle which has been applied to the Internet and Internet use since it was first originated.

This legislation permits the Bells to begin to disregard that, to pick and choose whom they will serve, to determine the conditions under which they will afford service, and to create a situation where there will be no rights and no capacity for the user of the Internet or the companies which provide Internet service to see to it that they can protect their rights.

The Markey amendment, which is before us, gives us some assurance that the FCC will be able to do some of the things that it should do to see to it that we preserve the Internet as we have known it, to protect the users, to protect the companies which provide this service, to protect the libraries, the schools, the individuals and the universities.

I urge adoption of the amendment.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to the pride of New Providence, New Jersey, a member of the full committee, Mr. FERGUSON.

Mr. FERGUSON. Mr. Chairman, I rise in strong opposition to the Markey amendment. This amendment is essentially a solution in search of a problem. When we considered this bill in both the subcommittee and in the full committee, we asked experts to identify one example of a problem that this amendment would solve. They couldn't point to one example where a Bell-operated company or a cable company had blocked access to their networks or infringed on so-called Internet freedom.

Further, when we asked these experts to define net neutrality, these same experts couldn't even agree on a definition for this term or even provide a description that was less than confusing.

I am concerned that this amendment will give the FCC the authority to impose old network common carriage requirements on new networks.

Since the advent of the Internet, Congress's hands off policy has allowed the World Wide Web to prosper by having the market pick winners and losers, rather than the government.

The Markey amendment takes us in the opposite direction. It forsakes the free market in favor of government price controls. This amendment would chill investment in broadband network and deployment of new broadband services, and, at the end of the day, very simply, it would reduce choice for our constituents. The Internet has prospered very well without this type of heavy-handed interference.

This amendment is not about network neutrality, it is about network neutering, and this amendment should be defeated.

Mr. MARKEY. Mr. Chairman, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to another member of the Energy and Commerce Committee, the pride of the entire State of Nebraska, Mr. Lee Terry.

Mr. TERRY. Mr. Chairman, the interesting irony about this is that the bill, as written, does not regulate or tamper or mess with anything on the Internet. The amendment that we are discussing here is the regulation of the Internet. And I agree with the Speaker beforehand. There is not an issue today on prioritization along the network or through the pipelines.

I look at it like, this amendment, if it was brought up 100 years ago, would have froze the Pony Express into that permanent state. But yet, we all know that later on developed first class mail, airplane, FedEx, UPS and a variety of different ways to deliver to the consumer. I say, let's wait until there is a discriminatory process that is put in place, that is anti-consumer and trying to guess that something that, we don't know what, may happen in the future. Let's not regulate the Internet today. Let's defeat this amendment.

Mr. BARTON of Texas. Mr. Chairman, I yield 1 minute to another member of the distinguished Energy and Commerce Committee who hails from Houston, Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I hope I am also the pride of the whole State of Texas.

Mr. BARTON of Texas. He is the pride of the entire State of Texas.

Mr. GENE GREEN of Texas. Mr. Chairman, I will include my full statement in the RECORD, and I will paraphrase it.

The Internet is made of numerous interconnected, privately owned networks. It has become the amazing resource it is today without the law on network Internet neutrality.

The FCC, in 2005, released four network neutrality principles and they are in this language. H.R. 5252 enacts these network principles into the law, sending a strong anti- or nondiscrimination message to the telecommunications industry.

As we listen to the debate, the supporters of the Markey amendment will use these four principles in their rhetoric, but their amendment adds a much different network neutrality principle. The Markey amendment bans residential Internet providers from charging large Internet content providers for maintenance or upgrades based on how much bandwidth they are using.

The Markey amendment means higher praises for the consumers, those of us who pay monthly, while large Internet content providers get a free ride over the portion of the Internet that is the most need for investment.

Supporters claim the Internet companies pay for their network. The problem is, with television and video, it requires more bandwidth. They have got to make that investment. Are we going to put it on our constituents individually, or are the people who are making the money going to pay for it?

The Internet is made of numerous interconnected privately-owned networks, and it became the amazing resource it is today without any law on Internet network neutrality.

In 2005, the Federal Communications Commission released four network neutrality principles:

(1) consumers are entitled to access the lawful Internet content of their choice;

(2) consumers are entitled to run applications and services of their choice;

(3) consumers are entitled to connect their choice of safe, legal devices; and

(4) consumers are entitled to competition among network, application, service, and content providers.

Some people say we need to pass the Markey amendment to prevent blocking of websites or anticompetitive behavior. This is not the case.

The (COPE) Act, H.R. 5252, enacts these net neutrality principles into law, sending a strong non-discrimination message to the telecommunications industry.

As we listen to the debate, the supporters of the Markey amendment will use these four FCC principles for their rhetoric, but their amendment adds a much different network neutrality principle.

The Markey amendment bans residential Internet providers from charging large Internet content providers for maintenance or upgrades based on how much bandwidth they are using.

The Markey amendment means higher prices for consumers while large Internet content providers get a free ride over the portion of the Internet that is in most need of investment.

Supporters claim that if Internet companies pay their way on the network we will hurt entrepreneurs.

Any website that takes up a lot of bandwidth already has always paid more to Internet backbone providers if they are putting a lot of content on the Internet and generating a lot of traffic.

Now many of these companies are complaining about paying local Internet network owners for the use of their networks.

The issue for the future is when websites offer high-bandwidth services like high-definition movies, television, and video games from websites, all over the Internet.

These applications require guaranteed high quality service, something that's not usually available on the Internet today.

To upgrade the "last mile" of broadband to accommodate these new services while keeping consumer prices low, telephone and cable companies may need to offer premium service to large Internet content companies.

The Markey amendment bans this commercial arrangement and sends the whole bill to the consumers.

Congress should ensure that no Internet service is blocked or degraded by cable or telephone companies, and the COPE Act does just that.

This point is so important we should repeat it: the underlying text of the COPE Act puts network neutrality into law for the first time. No anticompetitive discrimination is allowed.

The Markey amendment goes much further, and regulates the price of Internet traffic between large network operators and large Internet content providers.

A good definition of wisdom is not how much you know, but if you know what you don't know.

Most of us do not fully understand how the Internet works on a detailed basis or the financial arrangements that build our networks.

The Internet has thrived without Congressional intervention on prices and commercial arrangements, and it will do so in the future. If it ain't broke, don't fix it.

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Mr. BARTON of Texas. Mr. Chairman, I reserve the balance of my time.

Mr. MARKEY. I yield myself the balance of the time.

This debate is a travesty. We are allowed 10 minutes to explain this fundamental change in the whole history of the Internet. It is pretty much a joke.

If two consumers go into a car dealership and one wants to buy a Ferrari and another decides to buy a Ford Taurus, that is their choice. The Ferrari is expensive and has all sorts of bells and whistles. But once those two customers drive the Ferrari and the Taurus off the lot, the car dealership shouldn't be allowed to tell them where they can and cannot drive. We don't have certain roads or destinations just for Ferraris or just for Taurus drivers, and the auto dealership certainly shouldn't be permitted to put up new toll booths to extract fees on those highways. That limits freedom. That is what the Republicans and the Bell companies are doing tonight.

If you like the way the Internet is today, vote for the Markey amendment. If you don't want new broadband taxes, fees imposed upon the Internet, vote for the Markey amendment. If you agree with the National Religious Broadcasters, with the Gun Owners Association, Common Cause, the Christian Coalition, and the ACLU, you vote for the Markey amendment tonight. Because if you don't, there is going to be a fundamental change in the whole history of the Internet. You can't put together a coalition like that unless something fundamental is happening in America. It goes to voices, all of these organizations who feel it is going to be limited, and choices, the choices that consumers are going to have and the choices that entrepreneurs are going to have in getting onto this information highway without having to pay special fee or tax to the telephone companies or cable companies. Vote "aye" for the Markey amendment. Preserve network neutrality, preserve the Internet as we know it today. There is nothing wrong with it, and you won't hear a word from the Republicans or from the telephone companies making a case that there is anything wrong.

Mr. BARTON of Texas. I yield myself the balance of the time.

Mr. Chairman, I listened with a great degree of respect to the gentleman from Massachusetts as he rose in defense of his amendment. And I agree that, if a consumer goes into that dealership and you could find a dealership that was selling a Ferrari alongside with a Ford Taurus, that the consumer has the right to choose which vehicle to purchase and he has the right to take that vehicle out on the highway and he has the right, subject to the laws of the State, to drive it as fast as he or she wishes. That is what the underlying base bill does.

We are debating a term of "net neutrality" that didn't exist 9 months ago. We are debating a term that, as Mr. FERGUSON pointed out in his remarks, there wasn't even agreement among the experts exactly what it was when we had a hearing on this before the full committee. But we understand, just as Mr. MARKEY supports, we understand that, whatever net neutrality is, we want to preserve the open access nature of the Internet, number one.

Number two, we also want to bring the United States out of the undeveloped nations, so to speak, in terms of broadband deployment.

Now, the underlying purpose of this bill is to get the private entrepreneurs of this country to put the billions and billions and billions of dollars that are necessary to get the broadband deployment into the homes hopefully of every American home in this country, and then use that to unleash the creative entrepreneurship of our creative community to develop new services and new ways of providing those services so that all Americans can have access to some of these new services that are promised if we actually make this bill a reality.

What Mr. MARKEY's amendment really does, if we were to adopt it, is say you can't charge for any of that; you can't differentially price between the Taurus and the Ferrari, you have to charge everybody the same. And, if you do that, you are not going to get the deployment.

Now, the base bill says we are not sure what net neutrality is, but we agree it should be preserved, and we want the FCC to preserve it. And, we explicitly give the FCC the authority to punish a transgression once it is identified on a case-by-case basis and to do it within 90 days.

Now, if you really want to unleash the creative energy, if you really want this to be a jobs bill, if you really want the United States to go from twelfth in broadband deployment into hopefully number one, vote against Mr. MARKEY and for the underlying bill. That is real net neutrality.

Ms. PELOSI. Mr. Chairman, I salute my colleagues, Congressmen DINGELL, MARKEY, INSLEE, and BOUCHER, and Congresswoman ESHOO for their leadership on this issue of vital importance to the future. I also want to recognize the leadership of Congressman JOHN CONYERS and Congresswoman ZOE LOFGREN for their work on Net Neutrality in the Judiciary Committee.

HISTORY

When Lewis and Clark made their historic journey of discovery two centuries ago, information could only travel as fast as a horse could run or a boat could sail. Now information travels in an instant. And just as railroads and highways did in the past, broadband has dramatically increased the productivity and efficiency of our economy and will continue to do so in the future. It has created jobs today, and will create even more jobs tomorrow.

INNOVATION AGENDA

Last fall, House Democrats introduced our Innovation Agenda: A Commitment to Competitiveness to Keep America Number One. In that Agenda, we have called for affordable broadband access for every American within 5 years.

INTERNET

The reason we want to bring broadband to everyone is because that key infrastructure brings the Internet to everyone. In turn, the Internet brings us the world—a world of information, communications, and commerce. The Internet brings us the future.

Since its inception, the Internet has been characterized by its openness—its freedom. That freedom has enabled innovation to flourish.

Magnificent disrupters like Jerry Yang of Yahoo! and Larry Page and Sergey Brin from Google built businesses based on big ideas, bringing spectacular new innovations and services to billions of users.

NET NEUTRALITY

About a year ago, the FCC and the Courts changed the way the Internet is regulated.

Due to that change, there could be the equivalent of new taxes on electronic commerce.

Telecommunications and cable companies are now able to create toll lanes on the information superhighway, essentially permitting new, discriminatory fees—a new broadband bottleneck tax—on Web-based businesses to reach consumers.

This strikes at the heart of the free and equal nature of the Internet and would fundamentally change the way the Internet currently works.

America's small businesses and entrepreneurs could be left in the slow lane with inferior Internet service, unable to compete with the big corporations that can pay Internet providers toll charges to be in the fast lane. Bloggers, our citizen journalists, could be silenced by skyrocketing costs to post and share video and audio clips.

The Markey amendment will prevent those toll lanes. The Markey amendment will allow the innovative tradition of the Internet to continue by enacting protections that ensure all consumers are able to access any content they wish with the same broadband speed and performance. The Markey amendment will preserve the equality, openness, and innovation of the Internet that has defined it since its first days.

CONCLUSION

I urge my colleagues to vote in favor of the future, to vote in favor of Net Neutrality by supporting the Markey amendment.

Mrs. CAPPS. Mr. Chairman. I rise in strong support of the Markey amendment to maintain network neutrality on the Internet.

This is probably one of the most important issues this Congress will face this year.

At issue is whether we maintain the current system of nondiscrimination on the network or whether we allow this engine for innovation and progress to be controlled by a few large corporations.

As we all know, the Internet has a history of openess and freedom. To be sure, all this freedom has its questionable effects—an enormous amount of chaos, loud and intemperate voices opining on everything under the sun, and an unparalled proliferator of unfounded rumors.

I'm sure we all remember the infamous—and mythical—Congressman Schnell who was introducing legislation to tax the Internet? Only the Internet could start and rapidly transmit—and keep going for years—such an easily knocked down rumor.

But it is precisely this unbridled freedom on the Internet that has also brought us innovation on an almost unimaginable scale over the last decade or so. The explosive growth of everything from web-based businesses to politically-based sites to newsgathering sources has been nothing short of amazing. And much of that growth is attributable to the ease with which anyone can access the world wide platform of the Internet.

We simply have to protect that level of freedom and openess on the Internet.

And yet, the head of AT&T is loudly calling for changes that could seriously undermine the Internet and perhaps marginalize its innovative qualities in the future.

I am extremely concerned about what the Internet might look like under a regime where one—or more likely, all—of the big broadband networks decides what data bits can move at what speeds across the network.

The large phone and cable companies will tell us all that they have no desire to reduce the freedom of the Internet. They will tell us such a move would be bad for business if nothing else. And they are telling us that there is no problem to be solved, that all this talk about network neutrality is just theoretical.

But how can we believe any of this when AT&T's CEO refers to the paths for Internet access as "his pipes" and he vows to make some users pay for access to these pipes? That sounds very clear to me and I find some agreement with one Internet expert who referred to this as the "Tony Soprano business model."

The danger is twofold. First, it means that small players on the Internet will find it harder to use the world wide reach of the Internet to bring their new ideas to market.

The danger is not to Google, but to the next potential Google. That new idea that might upend Google or MySpace won't get very far if it can't match the reach of those behemoths. The inability to pay phone and cable company fees for the "fast lane" will keep new ideas out of the market.

Second, the lack of net neutrality allows for the distinct possibility that the phone and cable companies could block or slow the sites and services of their competitors. I don't see in the phone and cable companies the kind of wide open competition that is present today on the Internet. And given that lack of competition in the phone and cable industries, I question the commitment to competition of its players and what that means for consumers under the provisions of this bill.

This legislation is supposed to be about creating more competition, giving consumers more choices and lower prices. But without this amendment to ensure that network neutrality remains the fundamental principle governing the Internet, this bill will result in fewer choices and higher prices.

I urge the House to adopt this amendment and ensure the Internet remains a platform for innovation and choice.

Mrs. MALONEY. Mr. Chairman, I rise in support of the Markey amendment which would ensure that this bill contain the necessary provisions to ensure the neutrality of the Internet.

The Internet has revolutionized so many facets of our daily lives. Using the Internet, we can send and receive e-mail messages instantly, purchase merchandise, check our banking records, look at photos posted on a website created by a friend or family member, legally download a song or a movie, or check the latest headlines from a news source.

I agree with my colleagues that the underlying legislation does not provide sufficient safeguards to consumers to ensure that their access to websites and services on the Internet are not restricted. We must ensure that the Internet remain equally accessible to everyone. Net neutrality is supported by the Consumers Union, Amazon.com, Google, Yahoo, and the Service Employees International Union to name just a few.

There should not be a fast lane and a slow lane for using the Internet. I urge a yes vote on the Markey amendment.

Mr. BARTON of Texas. Mr. Chairman, I yield back the balance of my time and ask for a "no" vote on the Markey amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. GUTKNECHT

The CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 109–491.

Mr. GUTKNECHT. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. GUTKNECHT:

At the end of title III of the bill, add the following new section:

SEC. 302. COMPENSATION AND CONTRIBUTION.

(a) RULE OF CONSTRUCTION.—Nothing in this Act (including the amendments made by this Act) shall be construed to exempt a VOIP service provider from requirements imposed by the Federal Communications Commission or a State commission on all VOIP service providers to—

(1) pay appropriate compensation for the transmission of a VOIP service over the facilities and equipment of another provider; or

(2) contribute on an equitable and non-discriminatory basis to the preservation and advancement of universal service.

(b) DEFINITIONS.—As used in this section—

(1) the terms "VOIP service provider" and "VOIP service" have the meanings given such terms in section 716(h) of the Communications Act of 1934, as added by section 301 of this Act; and

(2) the term "State commission" has the meaning given such term in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

The CHAIRMAN. Pursuant to House Resolution 850, the gentleman from Minnesota (Mr. GUTKNECHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. GUTKNECHT. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I rise on behalf of the Bipartisan Congressional Rural Caucus. The amendment we offer tonight is real simple: It preserves the right of the FCC to require VoIP providers to contribute to the universal service fund and pay appropriate intercarrier compensation fees.

Today, VoIP providers do not contribute to the USF, which is the mechanism that helps build and maintain the communications network that we all rely on, especially in rural America. All other voice providers contribute. Regardless of where you live, we all depend on a vibrant, strong communications network.

So why are we doing this on this bill? Title 3 of the COPE Act is a VoIP title. The language grants VoIP providers all the benefits of being telecommunications carriers, such as the right to interconnect with networks and access to right-of-way. It also gives VoIP providers some of the same responsibilities, such as providing the E–911 service, complying with regulations for the disabled, number portability, et cetera. However, H.R. 5252 does not classify VoIP providers as telecommunications carriers, and therefore they do not have all the same social responsibilities such as USF contributions and intercarrier payments. Our amendment would not mandate that VoIP providers contribute to USF or pay intercarrier compensation fees, nor would it require the FCC to force them to do these things: it merely preserves the FCC's authority to do so. We need to assure the FCC that it is not congressional intent to exempt VoIP providers from the duties required under other communications networks.

Mr. Chairman, I urge passage of this amendment and the underlying bill.

Mr. Chairman, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Chairman, I rise in opposition to the Gutknecht amendment.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON of Texas. Mr. Chairman, I am not going to object strenuously to this amendment. I do want to make a couple of points. I think the universal service fund needs, at a minimum, to be significantly reformed. I do not think, as we hopefully deploy more technologies and more innovative ways of using those technologies, that we should saddle these new emerging technologies with attacks that, while well-intentioned, was originated in the 1920s and is in need of serious reform. So I do oppose the amendment, respectfully, but I understand those that support it, and am very respectful of the gentleman who offered it, because he has worked with us diligently on it.

I would like to enter into a colloquy with the gentlewoman from Tennessee at this point in time.

Mrs. BLACKBURN. Mr. Chairman, I rise to engage Chairman BARTON in a colloquy.

I would like to pose a question concerning the interplay of the National franchise and the anti-redlining provisions of the bill, particularly as they apply to some of the rural telephone companies that are interested in providing the video competition afforded under the bill.

The committee report language concerning redlining that appears on page 23 provides, and I quote, "A national franchisee is in violation of the provision if it is offering service to parts of a franchised area identified in its certificate but not to another part of the franchised area because of the income of the area."

Pursuant to that language, Mr. Chairman, would a telephone company that is not providing video service to a part of a franchise area be in compliance with the Act if the reason for not providing video service is that the provider lacks the facilities to make service available in the area? In other words, if the existing footprint of the phone company does not encompass that portion of the cable franchised area, then the provider's decision is not a case of redlining, because the lack of service is not based on the income of the group but rather the lack the facilities by which to provide the service.

Mr. Chairman, I yield to the gentleman from Texas.

Mr. BARTON of Texas. I wish to acknowledge the important role that you have played in the process of developing this legislation. I also would like to commend you on your support for rural America, and would add that, if this bill becomes law, small rural telephone companies are going to benefit and enter the video business in communities like your community in your congressional district of McMinnville, Tennessee.

In response to the specific inquiry, you are correct, under the legislation if the telephone company identifies a portion of a cable franchise area that it intends to serve with video, there is no build-out obligation nor would there be a redlining violation as long as the telephone company did not refuse to serve a group of potential residential subscribers in that area because of the income of that group.

Mrs. BLACKBURN. I thank Chairman BARTON for his answer, which is important to hundreds of small phone companies. I congratulate you on the bill and look forward to its enactment into law.

Mr. BARTON. Mr. Chairman, I yield back the balance of my time.

Mr. GUTKNECHT. Mr. Chairman, I yield 1 minute to my cochair of the Telecommunications Task Force of the Rural Caucus, Mr. STUPAK of Michigan.

Mr. STUPAK. Mr. Chairman, I rise to offer this amendment on behalf of the Congressional Rural Caucus with my friend, Mr. GUTKNECHT from Minnesota. This amendment makes a good bill better. Our amendment is not controversial, it simply is a savings clause. It preserves the ability of the FCC to extend universal service fund and intercarrier compensation obligation to Voice over Internet Protocol or VoIP providers.

The problem is that the underlying bill extends many new rights to VoIP providers, but extends only some of the responsibility. This leaves out the responsibility to contribute to the universal service system and pay appropriate compensation for use of the network.

These two funding mechanisms have ensured that we enjoy the ubiquitous phone coverage we have today, and USF funds provide affordable broadband access for low income schools, libraries, and rural health facilities.

During our hearings, Jeffrey Citron of the Vonage Holdings Company stated, and I quote: "As a businessman, I don't get nor do I expect a free ride on anyone's network." Kyle McSlarrow, president and CEO of the National Cable and Telephone Association stated, "The cable industry strongly supports the goals and purposes of universal service fund. Thus, cable operators that offer VoIP services already pay millions of dollars into the current system, and we support making that obligation to everyone."

Mr. GUTKNECHT. Mr. Chairman, I yield 1 minute to our colleague from Nebraska (Mr. OSBORNE).

☐ 2045

Mr. OSBORNE. Mr. Chairman, people in my district, which is largely rural, want and need broadband services just as much as people in urban areas; yet according to a recent report, almost half of rural Nebraska communities only have one broadband Internet provider and some have none.

Without the help of the Universal Service Fund, the average Nebraskan living in a rural area would pay an additional $235 each year for telecommunications services, and this is true across the country in rural areas.

The Gutknecht-Stupak amendment would preserve FCC authority to require VoIP providers to contribute to the Universal Service Fund and pay appropriate fees, just like every other service provider. This commonsense amendment is the result of numerous hearings, briefings and meetings hosted by the Rural Caucus over the last year and a half.

Mr. Chairman, I appreciate their leadership and efforts on this issue. I urge my colleagues to support this amendment.

Mr. GUTKNECHT. Mr. Chairman, I yield 30 seconds to the gentleman from Florida (Mr. BOYD), a very active member of the Rural Caucus.

Mr. BOYD. Mr. Chairman, I thank Mr. GUTKNECHT and Mr. STUPAK for their work on behalf of this amendment. I want to tell you that the Universal Service Fund is designed to ensure telecommunications services to all Americans, no matter where they live, what kind of rural area.

This amendment preserves the authority for the FCC to require the VoIP providers to pay into the USF. I strongly support and encourage the adoption of the amendment.

Mr. GUTKNECHT. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I want to thank the sponsors of this amendment for bringing this forward today, because it is relevant. I agree with the chairman of our committee that the universal service is built on a 1920s or 1930s model, and it is outdated and in need of reform.

I also believe that universal service is as relevant today as it was back then, and maybe even more so. In modernizing universal service so that all people in America can enjoy the services of telephony and its advanced services, broadband, we need to fix universal service.

And one of the areas that we need to fix is that as different technology or VoIP emerges, then companies use this digital process to avoid paying into the universal service, therefore strangling it. This is just one piece of the universal service puzzle. I support these efforts to fix this little piece today and also look forward to working on the total reform of universal service and modernizing it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. GUTKNECHT).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 6 by Mr. SMITH of Texas.

Amendment No. 7 by Mr. MARKEY of Massachusetts.

The Chair will reduce to 5 minutes the time for the second electronic vote in this series.

AMENDMENT NO. 6 OFFERED BY MR. SMITH OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SMITH) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 353, noes 68, not voting 11, as follows:

[Roll No. 238]

AYES—353

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
Engel
English (PA)
Etheridge
Everett
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa

Istook
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marshall
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McIntyre
McKeon
McMorris
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NOES—68

Andrews
Blumenauer
Capps
Capuano
Conyers
Davis (IL)
DeGette
Dingell
Doyle
Emanuel
Eshoo
Farr
Filner
Frank (MA)
Grijalva
Harman
Hinchey
Holt
Honda
Inslee
Jackson (IL)
Jefferson
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kucinich
Lantos
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Markey
Matsui
McDermott
McGovern
McKinney
McNulty
Millender-McDonald
Miller, George
Moore (WI)
Neal (MA)
Olver
Owens
Payne
Pelosi
Rangel
Roybal-Allard
Ryan (OH)
Sánchez, Linda T.
Schakowsky
Scott (VA)
Sensenbrenner
Serrano
Slaughter
Solis
Stark
Strickland
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Velázquez
Wasserman Schultz
Watson
Wexler
Woolsey
Wu

NOT VOTING—11

Bono
Davis (FL)
DeLay
Evans
Gibbons
Kingston
Manzullo
McHugh
Nussle
Peterson (PA)
Reyes

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that two minutes remain in this vote.

☐ 2114

Ms. LINDA T. SÁNCHEZ of California changed her vote from "aye" to "no."

Messrs. LYNCH, GILCHREST, LANGEVIN, GUTIERREZ, HASTINGS of Florida, CLEAVER, CARDIN, BUTTERFIELD, HOYER, MEEHAN, SABO, LEWIS of Georgia and Mrs. MALONEY and Mrs. WILSON of New Mexico changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

☐ 2115

AMENDMENT NO. 7 OFFERED BY MR. MARKEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 152, noes 269, not voting 11, as follows:

[Roll No. 239]

AYES—152

Abercrombie
Allen
Andrews
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boucher
Brown (OH)
Burton (IN)
Capps
Capuano
Cardin
Carson
Case
Chandler
Conyers
Cooper
Costello
Davis (CA)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Farr
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gordon
Grijalva
Gutierrez
Harman
Herseth
Higgins
Hinchey
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Miller (NC)
Miller, George
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Regula
Reichert
Ross
Rothman
Roybal-Allard
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Slaughter
Smith (WA)
Snyder
Solis
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Wolf
Woolsey
Wu

NOES—269

Ackerman
Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carnahan
Carter
Castle
Chabot
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Etheridge
Everett
Fattah
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McIntyre
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Ortiz
Osborne
Otter
Oxley
Pastor
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rehberg
Renzi
Reynolds

Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Sanchez, Loretta
Saxton
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Towns
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Bono
Davis (FL)
DeLay
Evans
Gibbons
Kingston
Manzullo
McHugh
Nussle
Peterson (PA)
Reyes

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 2122

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. There being no further amendments, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ADERHOLT) having assumed the chair, Mr. PRICE, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5252) to promote the deployment of broadband networks and services, pursuant to House Resolution 850, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MS. SOLIS

Ms. SOLIS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Ms. SOLIS. Yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Solis moves to recommit H.R. 5252 to the Committee Energy and Commerce with instructions to report the same forthwith to the House with the following amendments:

Page 13, after line 20, insert the following:

"(6) PUBLIC BENEFITS FOR USE OF PUBLIC RIGHTS-OF-WAY.—A cable operator authorized under this section to provide cable service in a local franchise area is authorized pursuant to subsection (f)(1) to use public rights-of-way in the area if the operator complies with subsection (f)(3).".

Page 20, after line 7, insert the following:

"(3) SERVICE AREA REQUIREMENTS.—

"(A) CABLE OPERATOR ELECTS FRANCHISE AREAS TO SERVE.—A cable operator that obtains a national franchise shall not be required under this section to offer cable service in any franchise area.

"(B) NO SERVICE AREA REQUIREMENT FOR 5 YEARS.—A cable operator that obtains a national franchise shall not be required under this subsection to offer service in any portion of a franchise area for 5 years after the effective date of the operator's national franchise under this section.

"(C) MARKET-BASED INCREMENTAL EXPANSION.—Beginning on the date that is 5 years after the effective date of a cable operator's national franchise under this section for a franchise area and every 3 years thereafter, if in the portion of the franchise area where the cable operator is offering cable service to at least 15 percent of the households subscribe to such service, the franchising authority in the franchise area may require the cable operator to increase by 20 percent the households in the franchise area to which the cable operator offers cable service by the beginning of the next 3-year interval, until the cable operator is capable of providing cable service to all households in the franchise area.

"(D) HIGH-COST, RURAL AREAS.—The Commission may—

"(i) limit the application of the provisions of this subsection to a cable operator if the operator demonstrates that compliance with such provisions will result in financial distress to the cable operator;

"(ii) permit a cable operator to offer cable service using alternative technologies to rural or high-cost areas within the franchise area if the service offered is comparable in rates, features, functionalities, and programming to the cable service offered by the cable operator in other parts of the franchise area; and

"(iii) grant exemptions—

"(I) to avoid requiring a cable operator that is an incumbent local exchange carrier (as such term is defined in section 251(h)) on the date of enactment of this section from offering cable service in areas that are outside the area in which the operator provides local exchange service;

"(II) to avoid requiring the extension of service to portions of the franchise area that are sparsely populated and geographically remote from the areas within which the cable operator is offering cable service; and

"(III) to any cable operator that the Commission determines is a small cable operator.

Page 23, beginning on line 23, strike subsection (h) and insert the following:

"(h) ANTIDISCRIMINATION.—

"(1) PROHIBITION.—A cable operator with a national franchise under this section shall not deny or offer inferior access to its cable service to any group of potential or current residential cable service subscribers in a manner that has the purpose or effect of discriminating against that group on the basis of income or in a manner contrary to the first purpose set forth in section 1 of this Act.

"(2) ENFORCEMENT.—

"(A) COMPLAINT.—On request of an affected potential residential subscriber, if a franchising authority in a franchise area has reasonable cause to believe that a cable operator is in violation of this subsection with respect to such franchise area, the franchising authority may initiate a proceeding to enforce the requirements of paragraph (1) within its jurisdiction.

"(B) NOTICE BY FRANCHISING AUTHORITY.—To initiate a proceeding under subparagraph (A), a franchising authority—

"(i) shall give notice of each alleged violation to the cable operator;

"(ii) shall provide a period of not less than 30 days after such notice for the cable operator to respond to each such allegation; and

"(iii) during such period, may require the cable operator to submit a written response stating the reasons why the operator has not violated this subsection.

"(C) DECISION.—Within 180 days after a franchising authority initiates a proceeding by providing the first notice for such proceeding under subparagraph (B)(i), the franchising authority shall issue a written final decision setting forth its findings and the reasons for its decision.

"(D) APPEAL TO THE COMMISSION.—A final decision issued by a franchising authority under subparagraph (C) may be appealed to the Commission within 30 days after the date of issuance.

"(E) MOTION TO ENFORCE.—If a final decision issued by a franchising authority under subparagraph (C) is not appealed to the Commission within 30 days after the date of issuance, the franchising authority may, within 180 days after the date of issuance, file a motion to enforce its decision with the Commission. Upon the filing of such a motion and after notice to the cable operator, the Commission shall impose remedies on the cable operator pursuant to subparagraphs (I) and (J).

"(F) NOTICE BY COMMISSION.—Upon receipt of an appeal under subparagraph (D), the Commission shall give notice of the appeal to the complainant and the franchising authority that initiated the proceeding under subparagraph (A).

"(G) INVESTIGATION.—In a proceeding under subparagraph (A), the franchising authority may require a cable operator to disclose to the authority such information and documents as necessary to determine whether the cable operator is in compliance with this subsection. In investigating an appeal under this paragraph, the Commission may require a cable operator to disclose to the Commission such information and documents as necessary to determine whether the cable operator is in compliance with this subsection and shall allow the franchising authority that initiated the proceeding under subparagraph (A) to review and comment on such information and documents. The Commission and the franchising authority shall maintain the confidentiality of any proprietary information or document collected under this subparagraph.

"(H) DEADLINE FOR RESOLUTION OF APPEAL.—Not more than 120 days after the Commission receives an appeal under this paragraph, the Commission shall issue a determination with respect to each violation alleged in the decision of the franchising authority.

"(I) DETERMINATION.—In response to a motion to enforce a franchising authority's decision that a cable operator has violated paragraph (1) with respect to a group, or if the Commission determines in response to an appeal that a cable operator has violated paragraph (1) with respect to a group, the Commission shall ensure that the cable operator extends access to that group.

"(J) REMEDIES.—

"(i) IN GENERAL.—This subsection shall be enforced by the Commission under titles IV and V.

"(ii) MAXIMUM FORFEITURE PENALTY.—For purposes of section 503, the maximum forfeiture penalty applicable to a violation of this subsection shall be $500,000 for each day of the violation.

"(iii) PAYMENT OF PENALTIES TO FRANCHISING AUTHORITY.—The Commission shall order any cable operator subject to a forfeiture penalty under this subsection to pay the penalty directly to the franchising authority involved.

Ms. SOLIS (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California is recognized for 5 minutes in support of her motion.

Ms. SOLIS. Mr. Speaker, this bill has good intentions. We all support more cable competition. Greater competition will inevitably help to create jobs and lower consumer costs for all of us, but I urge caution if competition for the attractive parts of the towns come literally at the expense of everywhere else.

What I am trying to say here is that when we talk about competition, and that is a word that is used very loosely, when we talk about competition, oftentimes we forget about what literally happens to the small towns, to the rural areas and to the low-income, underserved areas. That is what we are talking about tonight.

As the world's leading economy, the U.S. must ensure the universal deployment of broadband networks. That means every community is not left behind. Just like the President says leave no child behind, leave no community like mine behind.

Unfortunately, redlining, if you understand the terminology, the practice of companies cherry-picking which communities they will serve, continues, and in my opinion is a threat to our country and to our Nation because you should not be allowed to come into areas where you know you are going to make a profit and exclude those other areas that are in need of having support and sufficient infrastructure support.

We have not done this, in my opinion, in H.R. 5252 which contains a provision that says that they will prevent redlining. It is weak and may prove ineffective, in my opinion.

Over 30 civil rights organizations and consumer groups agree with this assessment. Our mayors, our cities, even in my hometown in Los Angeles the mayor, Antonio Villaraigosa, has come out and said this is not the right thing to do.

We are giving away so much that we should further discuss and debate this issue more thoroughly, and that has not been given to us.

Our communities have felt the sting of being jumped over and left out when it comes to enhanced telecom and other services.

□ 2130

This motion to recommit gives us one opportunity to ensure that broadband is deployed to every single community, whether it is rural, low-income, or an underserved minority community.

The motion to recommit is simple. It establishes a phased-in, market-based buildout of services so that eventually cable operators become capable of serving all households in a franchise area.

What I am talking about is that we know of instances in the State of Michigan, where our ranking member, Mr. DINGELL, has a community, Inkster, which was excluded from buildout. They purposely went out around his area in Michigan and served the outer surrounding community. That community had a higher income. But when they looked at the little portion, the donut hole, they were low income and minority. That is what happened. There was no services provided there.

My motion, Members, is simple. It establishes a phased-in, market-based buildout service so that eventually cable operators become capable of serving all households. That is what this bill should be doing and it doesn't. It extends the prohibition on discrimination based on income to include discrimination based on race, color, religion, and national origin. It also prohibits a cable operator from offering unequal service, upgrades, and repairs to any group of potential or current consumers.

The motion, in my opinion, addresses numerous flaws in the bill that were outlined today by Ranking Member DINGELL, Mr. MARKEY, and others today. It will correct the bill to ensure more competitive broadband alternatives in every neighborhood so all citizens can reap these benefits. I think that is what we are elected to do, to provide coverage for all our consumers.

As the world's leading economy, the U.S. must ensure that universal deployment of competitive broadband networks, whether they live in east Los Angeles or the San Gabriel Valley or the Bronx, every American, every American should have the benefit of the latest digital and video technologies. Instead, the COPE Act, or the Cop-Out Act, in my opinion, I call it, repeals or weakens the bipartisan and time-honored laws that have helped to ensure that those who provide video services do not discriminate among neighborhoods based on income, race, geography or other factors.

I would like to conclude by urging my colleagues to support the motion to recommit.

Mr. BARTON of Texas. Mr. Chairman, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. BARTON of Texas. Mr. Speaker, I rise in opposition to this motion for two principal reasons: The anti-redlining provisions of the motion are unnecessary because the underlying bill has language that has been carefully crafted with the leadership of such distinguished members of the full committee as Mr. RUSH, Mr. WYNN, Mr. TOWNS, Mr. GONZALEZ, and others. We worked on it for a number of months. We have perfected it, we have changed it, and so I think the bill more than adequately addresses that part of the motion to recommit.

On the second part of the motion to recommit, which deals with the concept called buildout, under existing law when you only have one franchise, only have one franchise, I think it is acceptable public policy to require there be a buildout provision because you have a monopoly. But the premise of this bill is to go from a monopoly situation to a market situation where you could have as many as four or five competitors in the same market. If that is the case, what Adam Smith, in that great book called The Wealth of Nations, called the hidden hand of the market is going to more than adequately take the place of a monopolistic model buildout requirement.

If you are a new entrant into the market and you have a national franchise and you go into Chicago or New York or Los Angeles, or a small community, like Ennis, Texas, or Arlington, Texas, you are not going to want to just serve a little bit, you are going to want to get market penetration. You are going to want to take away customers from an existing cable provider, so you are going to want to reach out to as many people as is possible and there is not going to be a need for a buildout provision.

I would also point out that these new entrants are going to be, in most cases, telephone companies that already have close to 100 percent of market penetration through their phone lines, or wireless providers that are coming into the market with their towers that, again, will have wide penetration. So there is really not a need for a buildout provision.

So I urge a "no" vote on the motion to recommit.

To close out debate, I am going to yield the balance of my time to my distinguished sponsor, colleague of the full committee, the distinguished gentleman from Chicago (Mr. RUSH).

Mr. RUSH. I want to thank the gentleman for yielding.

Mr. Speaker, I have heard it all. I have heard every argument against the bill, and I have heard all in this motion to recommit. But I must rise to oppose this motion to recommit. And I don't do it lightly, but I must do it.

I must do it because, Mr. Speaker, what I have heard from the opponents of this bill is so confusing, it is creating a confused state in this Chamber. But I would ask all of my colleagues to not get confused about this bill. This is a good bill. This is a great bill. This bill will do a lot and go a long way to making sure that the cost of cable television throughout America, particularly in underserved areas, that we will have competition and the cost of cable will be reduced.

Mr. Speaker, the opponents of this particular resolution, they are trying to confuse us. They are trying to confuse us. They want us to eat the wrapper and throw the candy bar away. They want us to walk outside when it is bright and the sun is shining with our umbrella over our head, and when there is mist from the rain and the storm, we will walk out with nothing covering our heads. They are trying to confuse us.

Mr. Speaker, I know that this bill will drive the cost of cable down for my community in my district and districts like mine across the country. More than that, this bill, Mr. Speaker, will allow for diversity and ownership diversity in programming. This bill will allow minorities to get into the cable industry and into the telecommunication industry.

I urge my colleagues, don't fall for the confusion. Be clear. Vote against this motion to recommit.

Ms. WATSON. Mr. Speaker, I rise today in support of the Motion to Recommit that I am offering, together with Ms. SOLIS, on H.R. 5252, the COPE Act of 2006. This motion will send this bill back to the Energy & Commerce committee to fix two of the most glaring weaknesses of this bill—the lack build-out provisions necessary to make sure all neighborhoods and communities get service—and the lack of strong anti-discrimination language necessary to prevent redlining.

Our motion will instruct the committee to include language, first to prohibit discrimination based on basis of the race, color, religion, national origin, sex, or income—the same common sense non-discrimination language that has formed the basis of so much legislation here in Congress—and second, to include so-called "build-out" provisions, which require the companies building large broadband networks to make sure that they are expanding their networks on a fair basis to all communities.

The COPE Act—as currently written—allows service providers to cozy-up to some neighborhoods while snubbing others. Without build-out provisions that require service providers to reach all households, many Americans will lack quality service—or be deprived of service entirely—simply because they live in the wrong neighborhood. This means that, under the COPE Act, consumers won't choose their Internet provider—Internet providers will choose their customers.

Furthermore, the COPE Act excludes the anti-discrimination language necessary to ensure equal treatment to all people, no matter what their race, ethnicity or economic situation. Americans will have no legal recourse if they receive inferior or no access to vital telecom services. This anti-discrimination language is necessary to protects all Americans from redlining, particularly those who have historically been denied access to services others take for granted.

In short, the COPE Act as written will leave many people behind as we enter a new technological age. It permits and even encourages redlining by failing to require that telecom companies serve all Americans without discrimination. In the words of Doctor Faye Williams, Chair of the National Congress of Black Women, "Had [this] kind of thinking prevailed during the civil rights movement—the 'don't outlaw discrimination because the situation will take care of itself' claim—we may have never had a Civil Rights Act or Voting Rights Act."

Mr. Speaker, ladies and gentlemen, my dear colleagues—we can fix this bill. I urge you to vote for the Solis/Watson Motion to recommit, so we can send this bill back to committee, fix these glaring weaknesses, and give Americans a telecom bill that brings the entire country—not just certain neighborhoods and people—in the broadband age.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. SOLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—yeas 165, nays 256, not voting 11, as follows:

[Roll No. 240]

YEAS—165

Abercrombie
Ackerman
Allen
Andrews
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carnahan
Carson
Case
Chandler
Cleaver
Clyburn
Conyers
Cooper
Costello
Crowley
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gordon
Green, Al
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Price (NC)
Rahall
Rangel
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu

NAYS—256

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chocola
Clay
Coble
Cole (OK)
Conaway
Costa
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)

Rohrabacher
Ros-Lehtinen
Ross
Royce
Rush
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Towns
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—11

Bono
Davis (FL)
DeLay
Evans
Gibbons
Kingston
Manzullo
McHugh
Nussle
Peterson (PA)
Reyes

□ 2156

Ms. EDDIE BERNICE JOHNSON of Texas changed her vote from "nay" to "yea."

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BARTON of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 321, nays 101, not voting 11, as follows:

[Roll No. 241]

YEAS—321

Ackerman
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardin
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
Engel
English (PA)
Etheridge
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Marchant
Marshall
Matheson
McCarthy
McCaul (TX)
McCrery
McHenry
McIntyre
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (WI)
Ryun (KS)
Salazar
Sanchez, Loretta
Saxton
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tanner
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watt
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—101

Abercrombie
Allen
Baird
Baldwin
Becerra
Berman
Blumenauer
Brady (PA)
Brown (OH)
Capps
Capuano
Case
Cleaver
Conyers
Costello
Davis (CA)
DeFazio
DeGette
Delahunt
Dingell
Doggett
Doyle
Emanuel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Goode
Grijalva
Hinchey
Hoekstra
Holden
Holt
Honda
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kucinich
Lantos
Larsen (WA)
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McCollum (MN)
McCotter
McDermott
McGovern
McKinney
McNulty
Meehan
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Moore (WI)
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Paul
Payne
Pelosi
Peterson (MN)
Price (NC)
Roybal-Allard
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanders
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Sherman
Slaughter
Snyder
Solis
Stark
Tancredo
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Velázquez
Waters
Watson
Waxman
Weiner
Wilson (NM)
Woolsey
Wu

NOT VOTING—11

Bono
Davis (FL)
DeLay
Evans
Gibbons
Kingston
Manzullo
McHugh
Nussle
Peterson (PA)
Reyes

□ 2205

Mr. CLEAVER changed his vote from "yea" to "nay."

Mr. MORAN of Virginia changed his vote from "nay" to "yea."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. LEWIS of California submitted the following conference report and statement on the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes:

CONFERENCE REPORT (H. REPT. 109–494)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939), "making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I

GLOBAL WAR ON TERROR SUPPLEMENTAL APPROPRIATIONS

CHAPTER 1

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for "Public Law 480 Title II Grants", during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, for commodities supplied in connection with dispositions abroad under title II of said Act, $350,000,000, to remain available until expended: Provided, That from this amount, to the maximum extent possible, funding shall be used to support the previously approved fiscal year 2006 programs *under section 204(a)(2) of the Agricultural Trade Development and Assistance Act of 1954: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.*

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", $6,587,473,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", $1,321,474,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", $840,872,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", $1,155,713,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", $140,570,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", $110,712,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", $10,627,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", $1,940,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", $111,550,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", $1,200,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", $17,744,410,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", $2,696,693,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", $1,639,911,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", $5,576,257,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Defense-Wide", $2,830,677,000, of which—

(1) not to exceed $25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom;

(2) not to exceed $5,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes;

(3) not to exceed $740,000,000, to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: Provided, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph; and

(4) up to $75,000,000 shall be transferred to the Coast Guard "Operating Expenses" account: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", $100,100,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", $78,509,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", $87,875,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", $18,563,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", $178,600,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", $30,400,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FORMER SOVIET UNION THREAT REDUCTION ACCOUNT

For an additional amount for "Former Soviet Union Threat Reduction Account", $44,500,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AFGHANISTAN SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Afghanistan Security Forces Fund", $1,908,133,000, to remain available until September 30, 2007: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Office of Security Cooperation—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Iraq Security Forces Fund", $3,007,000,000, to remain available until September 30, 2007: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", $1,958,089,000, to remain available until September 30, 2008: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That within 60 days of the enactment of this Act, a plan for the intended management and use of the Fund is provided to the congressional defense committees: Provided further, That the Secretary of Defense shall submit a report not later than 30 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of this Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon determination that all or part of the funds so transferred from this appropriation are not necessary for the purpose provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", $345,000,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", $203,300,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", $1,767,451,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", $829,679,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", $5,819,645,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", $516,869,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", $55,200,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", $323,256,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", $54,640,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", $2,577,467,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", $674,815,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", $29,047,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", $1,500,591,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", $331,353,000, to remain available until September 30, 2008: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", $54,700,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", $124,845,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", $382,630,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", $148,551,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", $516,700,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", $1,153,562,000 for operation and maintenance: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", $150,470,000, to remain available until expended: Provided, That these funds may be used only for such activities related to Afghanistan and the Central Asia area: Provided further, That the Secretary of Defense may transfer such funds only to appropriations for military personnel; operation and maintenance; procurement; and research, development, test and evaluation: Provided further, That the funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation to which transferred: Provided further, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for "Office of the Inspector General", $5,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for the "Intelligence Community Management Account", $158,875,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 1201. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to $2,000,000,000 of the funds made available to the Department of Defense in this chapter: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: Provided further, That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2006, except for the fourth proviso.

(TRANSFER OF FUNDS)

SEC. 1202. Section 8005 of the Department of Defense Appropriations Act, 2006, (Public Law 109–148; 119 Stat. 2680), is amended by striking "$3,750,000,000" and inserting "$5,000,000,000": Provided, That funds previously transferred among appropriations under the authority of section 8005 of Public Law 109–148 pursuant to reprogramming action 06–13PA may be restored to their source appropriations accounts: Provided further, That transfers made pursuant to reprogramming action 06–13PA and transfers back under this section shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under section 8005: Provided further, That the amount made available by the transfer of funds in or pursuant to this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

(TRANSFER OF FUNDS)

SEC. 1203. During fiscal year 2006 and from funds in the Defense Cooperation Account, the Secretary of Defense may transfer not to exceed $5,800,000 to such appropriations or funds of the Department of Defense as he shall determine for use consistent with the purposes for which such funds were contributed and accepted: Provided, That such amounts shall be available for the same time period as the appropriation to which transferred: Provided further, That the amount made available by the transfer of funds in or pursuant to this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 1204. Section 1005(c)(2) of the National Defense Authorization Act, Fiscal Year 2006 (Public Law 109–163) is amended by striking "$289,447,000" and inserting "$345,547,000".

SEC. 1205. (a) AUTHORITY TO PROVIDE SUPPORT.—Of the amount appropriated by this Act under the heading, "Drug Interdiction and Counter-Drug Activities, Defense", not to exceed $22,200,000 may be made available for support for counter-drug activities of the Governments of Afghanistan and Pakistan: Provided, That such support shall be in addition to support provided for the counter-drug activities of such Governments under any other provision of the law.

(b) TYPES OF SUPPORT.—

(1) Except as specified in subsections (b)(2) and (b)(3) of this section, the support that may be provided under the authority in this section shall be limited to the types of support specified in section 1033(c)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, as amended by Public Law 106–398 and Public Law 108–136), and conditions on the provision of support as contained in section 1033 shall apply for fiscal year 2006.

(2) The Secretary of Defense may transfer vehicles, aircraft, and detection, interception, monitoring and testing equipment to said Governments for counter-drug activities.

(3) For the Government of Afghanistan, the Secretary of Defense may also provide individual and crew-served weapons, and ammunition for counter-drug security forces.

SEC. 1206. Notwithstanding 10 U.S.C. 2208(l), the total amount of advance billings rendered or imposed for all working capital funds of the Department of Defense in fiscal year 2006 shall not exceed $1,200,000,000: Provided, That the amounts made available pursuant to this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Sec. 1207. In addition to amounts authorized in section 1202(a) of Public Law 109–163, from funds made available in this chapter to the Department of Defense, not to exceed $423,000,000 may be used to fund the Commander's Emergency Response Program and for a similar program to assist the people of Afghanistan, to remain available until December 31, 2007.

Sec. 1208. Supervision and administration costs associated with a construction project funded with "Afghanistan Security Forces Fund" or "Iraq Security Forces Fund" appropriations may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

Sec. 1209. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

Sec. 1210. Effective as of January 6, 2006, and as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163), subsection (d)(2) of section 1478 of title 10, United States Code, as added by section 664(b) of such Act (119 Stat. 3316), is amended by striking "May 11, 2005" and inserting "August 31, 2005".

(RESCISSIONS)

Sec. 1211. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

"Missile Procurement, Air Force, 2006/2008", $80,000,000;

"Other Procurement, Air Force, 2005/2007", $39,400,000.

Sec. 1212. (a) Sense of Congress.—Congress recognizes the importance of ensuring that absent uniformed services voters, Department of Defense personnel, and their dependents have the opportunity to exercise their right to vote.

(b) IVAS Ballot Request Program.—

(1) The Interim Voting Assistance System (IVAS) Ballot Request Program shall be continued with respect to all absent uniformed services voters, Department of Defense personnel, and dependents covered by the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) with the objective to further improve ballot request procedures and voting assistance with respect to such persons.

(2) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of the program referred to in paragraph (1), including an accounting of the utilization of funds available for the program under subsection (c).

(c) Funding.—Of the amounts provided by this chapter, $2,500,000 shall be available for the program referred to in subsection (b).

Sec. 1213. (a) Findings.—The Senate makes the following findings:

(1) Title IX of the Department of Defense Appropriations Act, 2006 (division A of Public Law 109–148) appropriated $50,000,000,000 for the cost of ongoing military operations overseas in fiscal year 2006, although those funds were not requested by the President.

(2) The President on February 16, 2006, submitted to Congress a request for supplemental appropriations in the amount of $67,600,000,000 for ongoing military operations in fiscal year 2006, none of which supplemental appropriations was included in the concurrent resolution on the budget for fiscal year 2006, as agreed to in the Senate on April 28, 2005.

(3) The President on February 6, 2006, included a $50,000,000,000 allowance for ongoing military operations in fiscal year 2007, but did not formally request the funds or provide any detail on how the allowance may be used.

(4) The concurrent resolution on the budget for fiscal year 2007, as agreed to in the Senate on March 16, 2007, anticipates as much as $86,300,000,000 in emergency spending in fiscal year 2007, indicating that the Senate expects to take up another supplemental appropriations bill to fund ongoing military operations during fiscal year 2007.

(b) Sense of Senate.—It is the sense of the Senate that—

(1) any request for funds for a fiscal year after fiscal year 2007 for ongoing military operations in Afghanistan and Iraq should be included in the annual budget of the President for such fiscal year as submitted to Congress under section 1105(a) of title 31, United States Code;

(2) any request for funds for such a fiscal year for ongoing military operations should provide an estimate of all funds required in that fiscal year for such operations;

(3) any request for funds for ongoing military operations should include a detailed justification of the anticipated use of such funds for such operations; and

(4) any funds provided for ongoing military operations overseas should be provided in appropriations Acts for such fiscal year through appropriations to specific accounts set forth in such appropriations Acts.

CHAPTER 3

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

United States Agency for International Development

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For an additional amount for "Child Survival and Health Programs Fund", $7,800,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEVELOPMENT ASSISTANCE

For an additional amount for "Development Assistance", $16,500,000, to remain available until September 30, 2007: Provided, That of the funds appropriated under this heading, $6,000,000 shall be made available for assistance for Guatemala for relief and reconstruction activities related to Hurricane Stan: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "International Disaster and Famine Assistance", $161,300,000, to remain available until expended, of which up to $80,000 may be transferred to and merged with "Operating Expenses of the United States Agency for International Development", for associated administrative costs: Provided, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for "Operating Expenses of the United States Agency for International Development", $101,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER BILATERAL ECONOMIC ASSISTANCE

Economic Support Fund

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Economic Support Fund", $1,686,000,000, to remain available until September 30, 2007, of which up to $11,000,000 may be used for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for Afghanistan or otherwise of reducing any amounts owed to the United States or any agency of the United States by Afghanistan: Provided, That such amounts for the costs of modifying direct loans and guarantees shall not be considered "assistance" for the purposes of any provision of law limiting assistance to a country: Provided further, That the last proviso under the heading "Economic Support Fund" in title II of Public Law 109–102 and comparable provisions in prior Acts making appropriations for foreign operations, export financing, and related programs shall no longer be applicable to funds appropriated under such heading in this Act or any prior Act: Provided further, That of the funds available under this heading for assistance for Afghanistan, $5,000,000 shall be made available for agriculture and rural development programs in Afghanistan to be administered through a national consortium of agriculture colleges and land-grant universities: Provided further, That of the funds available under this heading for assistance for Iraq, not less than $50,000,000 shall be made available to the United States Agency for International Development for continued support for its Community Action Program in Iraq, of which not less than $5,000,000 shall be transferred to and merged with funds appropriated under the heading "Iraq Relief and Reconstruction Fund" in chapter 2 of title II of Public Law 108–106 and shall be made available for the Marla Ruzicka Iraqi War Victims Fund: Provided further, That of the funds made available under this heading for assistance for Iraq, not less than $50,000,000 shall be made available for programs and activities to promote democracy, the rule of law and reconciliation: Provided further, That funds appropriated under this heading that are made available for police and judicial reform in Haiti shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF STATE

Democracy Fund

For an additional amount for "Democracy Fund", $22,500,000, of which $20,000,000 shall be made available for programs and activities promoting democracy in Iran and of which $2,500,000 shall be made available for assistance for the Democratic Republic of the Congo, to remain available until September 30, 2007: Provided, That funds appropriated under this heading shall be made available notwithstanding any other provision of law, and those funds made available to promote democracy in Iran shall be administered by the Middle East Partnership Initiative, in consultation with the

Bureau of Democracy, Human Rights, and Labor of the Department of State: Provided further, That funds made available under this heading in this Act shall be subject to the regular notification procedures of the Committees on Appropriations: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "International Narcotics Control and Law Enforcement", $107,700,000, to remain available until September 30, 2008: Provided, That of the funds appropriated under this heading, not less than $3,300,000 shall be made available for assistance for the Peace and Justice Unit of the Colombian Fiscalia notwithstanding section 599E of Public Law 109–102: Provided further, That of the funds appropriated under this heading, up to $13,000,000 is available for procurement of a maritime patrol aircraft for the Colombian Navy and may be transferred to and merged with funds previously appropriated to the "Foreign Military Financing Program" to finance such procurement: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for "Migration and Refugee Assistance", $75,700,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For an additional amount for "International Affairs Technical Assistance", $13,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

PEACEKEEPING OPERATIONS

For an additional amount for "Peacekeeping Operations", $178,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1301. Funds appropriated or made available by transfer in this chapter may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956 and section 10 of Public Law 91–672 (22 U.S.C. 2412).

SEC. 1302. (a) Notwithstanding any other provision of law, amounts under the heading "Iraq Relief and Reconstruction Fund" in title II of Public Law 108–106 shall remain available for one additional year from the date on which the availability of funds would otherwise have expired, if such funds are initially obligated before the expiration of the period of availability provided herein: Provided, That notwithstanding section 2207(d) of Public Law 108-106, requirements of section 2207 of Public Law 108–106 shall expire on October 1, 2008.

(b) Chapter 2 of title II of Public Law 108–106 (117 Stat. 1225–1226), as amended by Public Law 108–309 (118 Stat. 1142–1143), is further amended under the heading "Iraq Relief and Reconstruction Fund" by—

(1) striking "$5,090,000,000" and inserting "$5,036,000,000" for security and law enforcement;

(2) striking "$1,960,000,000" and inserting "$2,349,800,000" for justice, public safety infrastructure, and civil society;

(3) striking "$4,455,000,000" and inserting "$4,220,000,000" for the electric sector;

(4) striking "$1,723,000,000" and inserting "$1,735,600,000" for oil infrastructure;

(5) striking "$2,361,000,000" and inserting "$2,131,100,000" for water resources and sanitation;

(6) striking "$500,000,000" and inserting "$465,500,000" for transportation and telecommunications;

(7) striking "$370,000,000" and inserting "$333,700,000" for roads, bridges, and construction;

(8) striking "$793,000,000" and inserting "$739,000,000" for health care;

(9) striking "$845,000,000" and inserting "$805,300,000" for private sector development; and

(10) striking "$342,000,000" and inserting "$410,000,000" for education, refugees, human rights, and governance.

SEC. 1303. Of the funds made available for Coalition Solidarity Initiative under the heading "Peacekeeping Operations" in chapter 2 of title II of division A of Public Law 109–13, $7,000,000 is rescinded.

SEC. 1304. (a) Section 550 of Public Law 109–102 (119 Stat. 2217) is amended to read as follows:

"PROHIBITION ON ASSISTANCE FOR THE PALESTINIAN AUTHORITY

"SEC. 550. (a) PROHIBITION ON ASSISTANCE.—None of the funds appropriated by this Act or any prior Act making appropriations for foreign operations, export financing, and related programs, may be obligated or expended for assistance for the Palestinian Authority unless the Secretary of State determines, and so reports to the Committees on Appropriations, that the Palestinian Authority has complied with the standards contained in the Quartet's January 30, 2006 Statement on the Situation in the Middle East that "a future Palestinian government must be committed to nonviolence, recognition of Israel, and acceptance of previous agreements and obligations, including the Roadmap".

"(b) WAIVER AUTHORITY.—

"(1) The President may waive subsection (a) with respect to the administrative and personal security costs of the Office of the President of the Palestinian Authority, for activities of the President of the Palestinian Authority to promote democracy, peaceful resolution of the Israeli-Palestinian conflict, and the rule of law, and with respect to independent agencies, if the President certifies and reports to the Committees on Appropriations that—

"(A) it is in the national security interest of the United States to provide such assistance;

"(B) as the case may be, the President of the Palestinian Authority, the President's party, and independent agencies and any members thereof, are not members of, appointed by, or effectively controlled by Hamas or any other foreign terrorist organization; and

"(C) assistance provided under the authority of this subsection will not be transferred or retransferred to any member of Hamas or other foreign terrorist organization or to any entity effectively controlled by Hamas or other foreign terrorist organization.

"(2) Not less than 15 days prior to exercising the authority provided in this subsection, the President shall consult with, and shall provide a written policy justification to, the Committees on Appropriations of the House of Representatives and the Senate and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

"(c) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations describing how the funds will be spent and the accounting procedures in place to ensure proper oversight and accountability.".

(b) Effective on the date of enactment of this Act, none of the funds appropriated under the heading "Economic Support Fund" in Public Law 109–102 (119 Stat. 2217) or any prior Act making appropriations for foreign operations, export financing and related programs may be obligated for assistance for the West Bank and Gaza until the Secretary of State consults with the Committees on Appropriations, submits a revised plan for such assistance to the Committees on Appropriations, and determines and reports to the Committees on Appropriations that appropriate procedures and safeguards exist to ensure that United States assistance is not provided to or through any individual, private or government entity, or educational institution, that the Secretary knows or has reason to believe advocates, plans, sponsors, engages in, or has engaged in, terrorist activity.

SEC. 1305. Of the funds appropriated under the heading "Subsidy Appropriation" for the Export-Import Bank of the United States that are available for tied-aid grants in title I of Public Law 107–115 and under such heading in prior Acts making appropriations for foreign operations, export financing, and related programs, $37,000,000 are rescinded.

SEC. 1306. To the extent not otherwise authorized, supervision and administrative costs of the Department of Defense associated with a construction project funded with the Iraq Relief and Reconstruction Fund may be obligated at the time a construction contract is awarded or, for pre-existing contracts, by September 30, 2006: Provided, That for the purposes of this section, supervision and administration costs include all in-house Government costs.

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating Expenses", $26,692,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 5

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for "Military Construction, Army", $187,100,000, to remain available until September 30, 2007: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That $50,000,000 of the funds provided under this heading may not be obligated or expended until after that date on which the Secretary of Defense submits a detailed plan for Counter IED/Urban Bypass Roads, Iraq, to the Committees on Appropriations of the House of Representatives and Senate.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force", $27,700,000, to remain available until September 30, 2007: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for "Military Construction, Defense-Wide", $20,600,000, to remain available until September 30, 2007: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 6

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for "Salaries and Expenses, United States Attorneys", $3,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $1,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $85,700,000, to remain available until September 30, 2007: Provided, That no funding provided under this heading shall be available for obligation for a new or enhanced information technology program unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations that the information technology program has appropriate program management and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice and Federal Bureau of Investigation: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $14,200,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $4,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Diplomatic and Consular Programs", $1,383,625,000, to remain available until September 30, 2007: Provided, That of the funds available under this heading, not less than $250,000 shall be made available for the establishment and adequate support, including staffing and travel, of the Office of the Presidential Special Envoy for Sudan: Provided further, That of the amount made available under this heading, $1,000,000 shall be available for transfer to the United States Institute of Peace: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Office of Inspector General", $25,300,000, to remain available until September 30, 2007, of which $24,000,000 shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For an additional amount for "Educational and Cultural Exchange Programs", $5,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for "Contributions for International Peacekeeping Activities", $129,800,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for "International Broadcasting Operations" for programs and activities promoting democracy in Iran, $10,274,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

BROADCASTING CAPITAL IMPROVEMENTS

For an additional amount for "Broadcasting Capital Improvements", $25,826,000, to support programming to Iran, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1601. Funds appropriated or made available in this chapter for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947.

SEC. 1602. (a) WAIVER OF ANNUITY LIMITATIONS ON REEMPLOYED FOREIGN SERVICE ANNUITANTS.—Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended to read as follows:

"(g)(1) To facilitate the assignment of persons to Iraq and Afghanistan or to posts vacated by members of the Service assigned to Iraq and Afghanistan, the Secretary of State may waive the application of subsections (a) through (d) on a case-by-case basis for an annuitant reemployed on a temporary basis, or grant authority to the head of an Executive agency to waive the application of subsections (a) through (d) on a case-by-case basis for an annuitant reemployed on a temporary basis—

"(A) if, and for so long as, such waiver is necessary due to an emergency involving a direct threat to life or property or other unusual circumstances; or

"(B) if the annuitant is employed in a position for which there is exceptional difficulty in recruiting or retaining a qualified employee.

"(2) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to subparagraph (B) of paragraph (1), or to grant authority to the head of an Executive agency to waive the application of such subsections to an annuitant under subparagraphs (A) or (B) of such paragraph, shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

"(3) The Secretary should prescribe procedures for the exercise of any authority under paragraph (1), including criteria for any exercise of authority and procedures for a delegation of authority.".

(b) WAIVER OF ANNUITY LIMITATIONS ON REEMPLOYED CIVIL SERVICE ANNUITANTS.—

(1) DEPARTMENT OF STATE.—Title I of the Department of State Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following new section:

"SEC. 61. REEMPLOYMENT OF ANNUITANTS UNDER THE CIVIL SERVICE RETIREMENT SYSTEM AND FEDERAL EMPLOYEES' RETIREMENT SYSTEM.

"(a) AUTHORITY.—

"(1) IN GENERAL.—To facilitate the assignment of persons to Iraq and Afghanistan or to posts vacated by members of the Service assigned to Iraq and Afghanistan, the Secretary of State may waive the application of the provisions of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis for employment of an annuitant in a position in the Department of

State for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.

"(2) TERMINATION OF AUTHORITY.—The authority of the Secretary under paragraph (1) shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

"(b) PROCEDURES.—The Secretary should prescribe procedures for the exercise of any authority under subsection (a), including criteria for any exercise of authority and procedures for a delegation of authority.

"(c) ANNUITANTS NOT TREATED AS EMPLOYEES FOR PURPOSES OF RETIREMENT BENEFITS.—An employee for whom a waiver under this section is in effect shall not be considered an employee for purposes of subchapter III of chapter 83, or chapter 84 of title 5, United States Code.".

(2) UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.—Section 625 of the Foreign Assistance Act of 1961 (22 U.S.C. 2385) is amended by adding at the end the following new subsection:

"(j)(1)(A) To facilitate the assignment of persons to Iraq and Afghanistan or to posts vacated by members of the Service assigned to Iraq and Afghanistan, the Administrator of the United States Agency for International Development may waive the application of the provisions of section 8344 or 8468 of title 5, United States Code, on a case-by-case basis for employment of an annuitant in a position in the United States Agency for International Development for which there is exceptional difficulty in recruiting or retaining a qualified employee, or when a temporary emergency hiring need exists.

"(B) The authority of the Administrator under subparagraph (A) shall terminate on October 1, 2008. An annuitant reemployed pursuant to such authority prior to such termination date may be employed for a period ending not later than one year after such date.

"(2) The Administrator should prescribe procedures for the exercise of any authority under this subsection, including criteria for any exercise of authority and procedures for a delegation of authority.

"(3) An employee for whom a waiver under this section is in effect shall not be considered an employee for purposes of subchapter III of chapter 83, or chapter 84 of title 5, United States Code.".

(c) REPORT ON USE OF ANNUITY LIMITATION WAIVER AUTHORITY.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit to the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Homeland Security and Government Affairs of the Senate and the Committee on International Relations, the Committee on Appropriations, and the Committee on Government Reform of the House of Representatives a report on the exercise of the waiver authorities provided under section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)), as amended by subsection (a), section 61 of the State Department Basic Authorities Act of 1956, as added by subsection (b)(1), and section 625(j) of the Foreign Assistance Act of 1961, as added by subsection (b)(2). The report shall include the number and type of positions that have been filled under such waiver authority, and the retirement date, former job title, and new job title of each annuitant reemployed under such authority.

(d) HOME LEAVE PROVISIONS.—

(1) TRAVEL EXPENSES FOR REST AND RECUPERATION TRAVEL.—Section 901(6) of the Foreign Service Act (22 U.S.C. 4081(6)) is amended by striking "unbroken by home leave" each place it appears.

(2) AUTHORITY TO REQUIRE LEAVES OF ABSENCE.—Section 903(a) of the Foreign Service Act (22 U.S.C. 4083) is amended by striking "18 months" and inserting "12 months".

(e) AUTHORITY TO PROVIDE ACCOMMODATION AND SUBSISTENCE TO INDIVIDUALS SERVING IN IRAQ AND AFGHANISTAN.—The Secretary of State may provide during any fiscal year, with or without reimbursement, accommodation and subsistence to personnel in Iraq and Afghanistan for whom the Chief of Mission is responsible.

SEC. 1603. (a) IN GENERAL.—During fiscal years 2006, 2007, and 2008, the head of an agency may, in the agency head's discretion, provide to an individual employed by, or assigned or detailed to, such agency allowances, benefits, and gratuities comparable to those provided by the Secretary of State to members of the Foreign Service under section 413 and chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3973; 4081 et seq.), if such individual is on official duty in Iraq or Afghanistan.

(b) CONSTRUCTION.—Nothing in this section shall be construed to impair or otherwise affect the authority of the head of an agency under any other provision of law.

(c) APPLICABILITY OF CERTAIN AUTHORITIES.—Section 912(a) of the Internal Revenue Code of 1986 shall apply with respect to amounts received as allowances or otherwise under this section in the same manner as section 912 of the Internal Revenue Code of 1986 applies with respect to amounts received by members of the Foreign Service as allowances or otherwise under chapter 9 of title I of the Foreign Service Act of 1980.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $1,800,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE II

FURTHER HURRICANE DISASTER RELIEF AND RECOVERY

CHAPTER 1

DEPARTMENT OF AGRICULTURE

EXECUTIVE OPERATIONS

WORKING CAPITAL FUND

For an additional amount for "Working Capital Fund", $25,000,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for "Office of the Inspector General", $445,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $10,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities", $20,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

For an additional amount for "Emergency Watershed Protection Program", $50,955,000, to remain available until expended, for emergency measures in disaster areas affected by Hurricane Katrina and other hurricanes of the 2005 season: Provided, That notwithstanding any other provision of law, the Secretary, acting through the Natural Resources Conservation Service, using funds made available under this heading may provide financial and technical assistance to remove and dispose of debris and animal carcasses that could adversely affect health and safety on non-Federal land in a hurricane-affected county: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $1,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season for State Rural Development offices located in Mississippi and Louisiana: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RURAL COMMUNITY ADVANCEMENT PROGRAM

For an additional amount for the cost of community facilities direct loans, loan guarantees, and grants described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, $25,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That not to exceed $5,000,000 shall be available for direct and guaranteed loans: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING TRANSFER OF FUNDS)

SEC. 2101. Notwithstanding subsection (b) of section 102 of title I of division B of Public Law 109–148 (119 Stat. 2748), the Secretary of Agriculture may provide financial and technical assistance in carrying out such section in an amount up to 100 percent Federal share, as provided in regulations implementing the emergency watershed protection program: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2102. Notwithstanding any other provision of law, the Chief of the Natural Resources Conservation Service may enter into agreements to donate up to 20 used vehicles currently on loan to organizations or State or local units of government affected by Hurricane Katrina and other hurricanes of the 2005 season.

SEC. 2103. The Secretary of Agriculture may continue to use any of the authorities provided in section 105 of chapter 1 of title I of division B of Public Law 109–148 (119 Stat. 2749–2750), for a period not to exceed 18 additional months: Provided, That the authority provided in subsection (a)(7) of such section may allow funds made available under the Community Facility Grant program to be approved without regard to income limits for purposes related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season for structures designated by a State or local governmental entity as an emergency shelter: Provided further, That the amount provided under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2104. Of the funds appropriated in section 101(a) of chapter 1 of title I of division B of Public Law 109–148 (119 Stat. 2747), to provide assistance under the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.), $38,000,000 are transferred to the National Oceanic and Atmospheric Administration in the Department of Commerce for activities involving oysters: Provided, That the amount transferred under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2105. Section 101(b) of chapter 1 of title I of division B of Public Law 109–148 (119 Stat. 2747) is amended—

(1) in the heading, by striking ", Oyster,";

(2) in the matter preceding paragraph (1)—

(A) by striking ", oyster,"; and

(B) by striking "public and private oyster reefs or";

(3) in paragraph (3), by adding "and" at the end;

(4) by striking paragraph (4); and

(5) by redesignating paragraph (5) as paragraph (4).

SEC. 2106. Funds made available for the wildlife habitat incentive program established under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb–1) under section 211(b) of the Agricultural Risk Protection Act of 2000 (Public Law 106–224; 7 U.S.C. 1421 note) and section 820 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (Public Law 106–387; 114 Stat. 1549A–59) shall remain available until expended to carry out obligations made for fiscal year 2001 and are not available for new obligations.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", $2,125,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", $22,002,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", $3,992,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", $21,610,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", $4,071,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", $10,200,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", $2,176,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", $94,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", $1,304,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", $1,408,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", $29,913,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", $37,359,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", $12,755,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", $1,277,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", $42,307,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", $700,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H.

Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Other Procurement, Army

For an additional amount for "Other Procurement, Army", $9,136,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Aircraft Procurement, Navy

For an additional amount for "Aircraft Procurement, Navy", $579,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Procurement of Ammunition, Navy and Marine Corps

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", $899,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Shipbuilding and Conversion, Navy

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Shipbuilding and Conversion, Navy", $775,236,000, to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, which shall be available for transfer within this account to replace destroyed or damaged equipment; prepare and recover naval vessels under contract; and provide for cost adjustments for naval vessels for which funds have been previously appropriated: Provided, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers within this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Other Procurement, Navy

For an additional amount for "Other Procurement, Navy", $85,040,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Aircraft Procurement, Air Force

For an additional amount for "Aircraft Procurement, Air Force", $13,000,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Procurement, Defense-Wide

For an additional amount for "Procurement, Defense-Wide", $2,797,000, to remain available until September 30, 2008, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Research, Development, Test and Evaluation, Navy

For an additional amount for "Research, Development, Test and Evaluation, Navy", $12,000,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Research, Development, Test and Evaluation, Air Force

For an additional amount for "Research, Development, Test and Evaluation, Air Force", $6,250,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Research, Development, Test and Evaluation, Defense-Wide

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", $730,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

REVOLVING AND MANAGEMENT FUNDS

Defense Working Capital Funds

For an additional amount for "Defense Working Capital Funds", $1,222,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

National Defense Sealift Fund

For an additional amount for "National Defense Sealift Fund", $10,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TRUST FUNDS

General Fund Payment, Surcharge Collections, Sales of Commissary Stores, Defense

For an additional amount for "General Fund Payment, Surcharge Collections, Sales of Commissary Stores, Defense", $10,530,000, to remain available until September 30, 2010, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

Defense Health Program

For an additional amount for "Defense Health Program", $33,881,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Office of the Inspector General

For an additional amount for "Office of the Inspector General", $326,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

(TRANSFER OF FUNDS)

SEC. 2201. Upon his determination that such action is necessary to ensure the appropriate allocation of funds provided to the Department of Defense in this chapter and in chapter 2, title I of this Act, the Secretary of Defense may transfer up to $150,000,000 between appropriations made available for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and revolving and management funds: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense.

SEC. 2202. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2005 and 2006 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

SEC. 2203. Notwithstanding any other provision of law, of the amounts appropriated or otherwise made available under the heading "Shipbuilding and Conversion, Navy" in chapter 2 of title II of this Act, or under said heading in chapter 2 of title I of the Emergency Supplemental Appropriations Act to Address Hurricanes in the Gulf of Mexico and Pandemic Influenza, 2006 (division B of Public Law 109–148; 119 Stat. 2757), not less than $140,000,000 shall be made available for infrastructure improvements at Gulf Coast shipyards that have existing Navy shipbuilding contracts and that were damaged by Hurricane Katrina in calendar year 2005.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

Corps of Engineers—Civil

INVESTIGATIONS

For an additional amount for "Investigations" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $3,300,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, utilizing $3,300,000 of the funds provided herein shall develop a comprehensive plan, at full Federal expense, to deauthorize deep draft navigation on the Mississippi River-Gulf Outlet, Louisiana, extending from the Gulf of Mexico to the Gulf Intracoastal Waterway: Provided further, That, not later than 6 months after the date of enactment of this Act, the Secretary shall submit an interim report to Congress comprising the plan: Provided further, That the Secretary shall refine the plan, if necessary, to be fully consistent, integrated, and included in the final report to be issued in December 2007 for the Louisiana Coastal Protection and Restoration Plan: Provided further, the Secretary shall provide to the Congress a report, by not later than 90 days after the date of enactment of this Act, describing, for the period beginning on the date on which the individual system components for hurricane and storm damage reduction were constructed and ending on the date on which the report is prepared, the difference between the vertical settlement of the system that is attributable to the settling of levees and floodwalls or subsidence versus the vertical grade deficiencies that are attributable to new storm data that may require a higher level of vertical protection in order to comply with 100-year floodplain certification and standard project hurricane.

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $549,400,000, to remain available until expended, of which up to $20,200,000 may be used to reduce the risk of storm damage to the greater New Orleans metropolitan area, at full Federal expense, by restoring the surrounding wetlands through measures to begin to reverse wetland losses in areas affected by navigation, oil and gas, and other channels and through modification of the Caernarvon Freshwater Diversion structure or its operations; at least $495,300,000 shall be used consistent with the cost-sharing provisions under which the projects were originally constructed to raise levee heights where necessary and otherwise enhance the existing Lake Pontchartrain and Vicinity project and the existing West Bank and Vicinity project to provide the levels of protection necessary to achieve the certification required for participation in the National Flood Insurance Program under the base flood elevations current at the time of this construction: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That $1,500,000 shall be for the North Padre Island, Texas project: Provided further, That $30,400,000 is available for flood control work in the Sacramento, California, Area: Provided further, That $2,000,000 shall be provided at full Federal expense for the Hawaii Water Systems Technical Assistance Program.

OPERATIONS AND MAINTENANCE

For an additional amount for "Operations and Maintenance" to dredge navigation channels and repair other Corps projects related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $3,200,000 to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use funds appropriated herein for dredging needs along the Texas Gulf Coast.

FLOOD CONTROL AND COASTAL EMERGENCIES

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for "Flood Control and Coastal Emergencies", as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to the consequences of Hurricane Katrina and other hurricanes, $3,145,024,000, to remain available until expended: Provided, That the Secretary of the Army is directed to use the funds appropriated under this heading to modify, at full Federal expense, authorized projects in southeast Louisiana to provide hurricane and storm damage reduction and flood damage reduction in the greater New Orleans and surrounding areas; $530,000,000 shall be used to modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront; $250,000,000 shall be used for storm-proofing interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events; $170,000,000 shall be used for armoring critical elements of the New Orleans hurricane and storm damage reduction system; $350,000,000 shall be used to improve protection at the Inner Harbor Navigation Canal; $215,000,000 shall be used to replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the existing New Orleans to Venice hurricane protection project; $1,584,000,000 shall be used for reinforcing or replacing flood walls, as necessary, in the existing Lake Pontchartrain and Vicinity project and the existing West Bank and Vicinity project to improve the performance of the systems; $30,024,000 for repairs, replacements, modifications and improvements of non-Federal levees and associated protection measures in Terrebonne Parish at full Federal expense: Provided further, that $16,000,000 is provided for the restoration of funds for hurricane-damaged projects in the State of Pennsylvania: Provided further, That any project using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Of the funds provided under this heading in chapter 3 of division B of Public Law 109–148, $15,000,000 are rescinded.

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

WATER AND RELATED RESOURCES

For an additional amount for "Water and Related Resources", $9,000,000, to remain available until expended for Drought Emergency Assistance: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

Sec. 2301. Use of Unexpended Funds. (a) In General.—Notwithstanding any other provision of law, amounts made available to the State of Oklahoma or agencies or authorities therein (referred to in this section as the "State") before the date of enactment of this Act for general remediation activities being conducted in the vicinity of the Tar Creek Superfund Site in northeastern Oklahoma and in Ottawa County, Oklahoma, that remain unexpended as of the date of enactment of this Act are authorized to be used by the State to assist individuals and entities in relocation from areas at risk or potential risk of damage caused by land subsidence as determined by the State.

(b) Use of Unexpended Funds.—The use of unexpended funds in accordance with subsection (a)—

(1) shall not be subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.); and

(2) may include any general remediation activities described in section (a) determined to be appropriate by the State, including the buyout of 1 or more properties to facilitate a relocation described in subsection (a).

Sec. 2302. (a) The $12,000,000 provided in division B, chapter 3 of title I, Investigations, of Public Law 109–148 (119 Stat. 2761) for the Louisiana hurricane protection study shall be at full Federal expense.

(b) Of the $12,000,000 provided in division B, chapter 3 of title I, Investigations, of Public Law 109–148 (119 Stat. 2761) for the Louisiana hurricane protection study, $5,000,000 shall be available for expenditure prior to the effective date of the enactment of a State law establishing a single State or quasi-State entity to act as local sponsor for construction, operation and maintenance of all of the hurricane, storm damage reduction and flood control projects in the greater New Orleans and southeast Louisiana area.

Sec. 2303. Chapter 3, under division B of title I of Public Law 109–148 (119 Stat. 2762) under the heading "Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee" is modified by inserting the following before the period: ": Provided further, That the Corps is directed to expedite and accelerate completion of any study or any unconstructed portion of the Mississippi River and Tributaries project for the flood and storm damage reduction projects in the south Louisiana area": Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Sec. 2304. Chapter 3, under division B of title I of Public Law 109–148 (119 Stat. 2762) under the heading "Operations and Maintenance" is modified by inserting the following before the last proviso: ": Provided further, That $75,000,000 of the funds provided herein shall be used for the repair, construction or provision of measures or structures necessary to protect, restore or increase wetlands, to prevent saltwater intrusion or storm surge": Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

Sec. 2305. Section 227 of Public Law 104–303 is modified as follows:

(1) Section 5(a) is amended by striking "6", and inserting "7" in lieu thereof.

(2) Section 5(e)(2) is amended by striking "$21,000,000", and inserting "$25,000,000" in lieu thereof.

SEC. 2306. (a) Section 104(c) of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2214(c)) is amended by striking "September 30, 2005" and inserting "September 30, 2010" in lieu thereof.

(b) Section 301 of the Reclamation States Emergency Drought Relief Act of 1991 (43 U.S.C. 2241) is amended by striking "fiscal years 1992, 1993, 1994, 1995, 1996, 1999, 2000, 2001, 2002, 2003, and 2004" and inserting "the period of fiscal years 2006 through 2010" in lieu thereof.

SEC. 2307. None of the funds made available before, on, or after the date of enactment of this Act in an appropriations Act may be expended to prevent or limit any reprogramming of funds for a project to be carried out by the Corps of Engineers using funds appropriated in any Act making appropriations for energy and water development, based on whether the project was included by the President in the budget transmitted under section 1105(a) of title 31, United States Code, or is otherwise proposed by the President or considered part of the budget by the Office of Management and Budget, if the project received funds in an Act making appropriations for energy and water development or any other appropriations Act making additional funds available for energy and water development.

SEC. 2308. None of the funds made available under this or any other Act shall be used during fiscal year 2006 or previous to April 1, 2007, to make, or plan or prepare to make, any payment on bonds issued by the Administrator of the Bonneville Power Administration (referred in this section as the "Administrator") or for an appropriated Federal Columbia River Power System investment, if the payment is both—

(1) greater, during any fiscal year, than the payments calculated in the rate hearing of the Administrator to be made during that fiscal year using the repayment method used to establish the rates of the Administrator as in effect on February 6, 2006; and

(2) based or conditioned on the actual or expected net secondary power sales receipts of the Administrator.

SEC. 2309. Section 1202 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended (110 Stat. 4085, 4091; 16 U.S.C. 4722(i)(3)(C)), is amended by deleting ", to carry out this paragraph, $750,000", and inserting the following in lieu thereof: "such sums as are necessary to carry out the dispersal barrier demonstration project directed by this paragraph".

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF INSPECTOR GENERAL

For an additional amount for "Office of Inspector General" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $12,900,000: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $4,800,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

OPERATING EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Operating Expenses" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $88,970,000, to remain available until September 30, 2007, of which up to $267,000 may be transferred to "Environmental Compliance and Restoration" to be used for environmental cleanup and restoration of Coast Guard facilities in the Gulf of Mexico region; and of which up to $470,000 may be transferred to "Research, Development, Test, and Evaluation" to be used for salvage and repair of research and development equipment and facilities: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for "Acquisition, Construction, and Improvements" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $191,730,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL EMERGENCY MANAGEMENT AGENCY

ADMINISTRATIVE AND REGIONAL OPERATIONS

For an additional amount for "Administrative and Regional Operations" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $71,800,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY

For an additional amount for "Preparedness, Mitigation, Response, and Recovery" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $10,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DISASTER RELIEF

For an additional amount for "Disaster Relief" for necessary expenses under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $6,000,000,000, to remain available until expended: Provided, That for States in which the President declared a major disaster (as that term is defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) on September 24, 2005, as a result of Hurricane Rita, each county or parish eligible for individual and public assistance under such declaration in such States will be treated equally for purposes of cost-share adjustments under such Act, to account for the impact in those counties and parishes of Hurricanes Rita and Katrina: Provided further, That the Secretary of Homeland Security shall submit for approval a proposal and an expenditure plan for housing, including the alternative housing pilot programs under section 2403 of this Act, to the Committees on Appropriations of the Senate and House of Representatives within forty-five days from the date of enactment of this Act: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For an additional amount for "Disaster Assistance Direct Loan Program Account" for the cost of direct loans as authorized under section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5184), $279,800,000, to be used to assist local governments affected by Hurricane Katrina and other hurricanes of the 2005 season in providing essential services, of which $1,000,000 is for administrative expenses to carry out the direct loan program: Provided, That such funds may be made to subsidize gross obligations for the principal amount of direct loans not to exceed $371,733,000: Provided further, That notwithstanding section 417(b) of such Act, the amount of any such loan issued pursuant to this section may exceed $5,000,000, and may be equal to not more than 50 percent of the annual operating budget of the local government in any case in which that local government has suffered a loss of 25 percent or more in tax revenues due to Hurricane Katrina or Hurricane Rita: Provided further, That notwithstanding section 417(c)(1) of such Act, such loans may not be canceled: Provided further, That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a): Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2401. The Federal Emergency Management Agency may provide funds to a State or local government or, as necessary, assume an existing agreement from such unit of government, to pay for utility costs resulting from the provision of temporary housing units to evacuees from Hurricane Katrina and other hurricanes of the 2005 season if the State or local government has previously arranged to pay for such utilities on behalf of the evacuees for the term of any leases, not to exceed 12 months, contracted by or prior to February 7, 2006: Provided, That the Federal share of the costs eligible to be paid shall be 100 percent.

SEC. 2402. (a) Title III of Public Law 109-90 (119 Stat. 2079) is amended under the heading "National Flood Insurance Fund" by striking in the proviso "$30,000,000" and inserting "such sums as necessary".

(b) The provisions of this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2403. Notwithstanding any other provision of law, the Secretary of Homeland Security shall consider eligible under the Federal Emergency Management Agency Individual Assistance Program the costs sufficient for alternative housing pilot programs in the areas hardest hit *by Hurricane Katrina and other hurricanes of the 2005 season.*

CHAPTER 5

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to projects from which funds were transferred for such purposes, $132,400,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the "Historic Preservation Fund" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $43,000,000, to remain available until September 30, 2007: Provided, That of the funds provided under this heading, $40,000,000 shall be provided to State Historic Preservation Officers, after consultation with the National Park Service, for grants for disaster relief in areas of Louisiana, Mississippi, and Alabama impacted by Hurricanes Katrina or Rita: Provided further, That grants shall be for the preservation, stabilization, rehabilitation, and repair of historic properties listed in or eligible for the National Register of Historic Places, for planning and technical assistance: Provided further, That preference shall be given to grants based upon, but not limited to, properties located within National Heritage Areas, owner-occupied houses, and an ability to spend the funds expeditiously: Provided further, That grants shall only be available for areas that the President determines to be a major disaster under section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)) due to Hurricanes Katrina or Rita: Provided further, That individual grants shall not be subject to a non-Federal matching requirement: Provided further, That no more than 5 percent of funds provided under this heading for disaster relief grants may be used for administrative expenses: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $55,400,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Surveys, Investigations, and Research" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $10,200,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Royalty and Offshore Minerals Management" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes, $15,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

For an additional amount for "Environmental Programs and Management" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $6,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

For an additional amount for the "Leaking Underground Storage Tank Program" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $7,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

For an additional amount for the "National Forest System" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $20,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 6

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For an additional amount for "Training and Employment Services", $16,000,000, to remain available until expended, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, for construction, rehabilitation, and acquisition of Job Corps centers as authorized by the Workforce Investment Act of 1998: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For an additional amount for "Community Health Centers", $4,000,000, to remain available until expended, to purchase and operate communications equipment including satellite phones for a communications network among departments of health, community health centers and major medical centers in States affected by Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

For an additional amount for "Disease Control, Research, and Training", $8,000,000, to remain available until expended, for mosquito and other pest abatement activities in States affected by Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF EDUCATION

HURRICANE EDUCATION RECOVERY

For an additional amount under the heading "Department of Education" in Public Law 109–148 for carrying out section 107 of title IV, division B of that Act, $235,000,000, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

For an additional amount under part B of title VII of the Higher Education Act of 1965 ("HEA") for institutions of higher education (as defined in section 102 of that Act) that are located in an area in which a major disaster was declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act related to hurricanes in the Gulf of Mexico in calendar year 2005, $50,000,000: Provided, That such funds shall be available to the Secretary of Education only for payments to help defray the expenses (which may include lost revenue, reimbursement for expenses already incurred, and construction) incurred by such institutions of higher education that were forced to close, relocate or significantly curtail their activities as a result of damage directly caused by such hurricanes: Provided further, That such payments shall be made in accordance with criteria established by the Secretary and made publicly available without regard to section 437 of the General Education Provisions Act, section 553 of title 5, United States Code, or part B of title VII of the HEA: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS, OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the Corporation for National and Community Service (the "Corporation") for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $10,000,000, to remain available until September 30, 2007: Provided, That the funds made available under this *heading shall be available for the Civilian Community Corps authorized under subtitle E of title I of the National and Community Service Act of 1990 (the "Act") (42 U.S.C. 12611 et seq.): Provided further, That the Corporation may transfer funds from the amount provided under the first proviso to the National Service Trust authorized under subtitle D of title I of the Act (42 U.S.C. 12601) upon determination that such transfer is necessary to support the activities of Civilian Community Corps participants and after notice is transmitted to Congress: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.*

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2601. (a) In this section:

(1) The term "affected institution" means an institution of higher education that is—

(A) a part B institution, as such term is defined in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061);

(B) located in an area affected by a Gulf hurricane disaster; and

(C) able to demonstrate that the institution—

(i) incurred physical damage resulting from the impact of Hurricane Katrina or Rita;

(ii) has pursued collateral source compensation from insurance, the Federal Emergency Management Agency, or the Small Business Administration, (as appropriate); and

(iii) has not been able to fully reopen in existing facilities or fully reopen to the levels that existed before the impact of such hurricane due to physical damage to the institution.

(2) The terms "area affected by a Gulf hurricane disaster" and "Gulf hurricane disaster" have the meanings given such terms in section 209 of the Higher Education Hurricane Relief Act of 2005 (Public Law 109–148, 119 Stat. 2809).

(b) Notwithstanding any other provision of law (unless enacted with specific reference to this section), the Secretary of Education is authorized to waive or modify, as the Secretary determines is necessary, any statutory or regulatory provision related to historically Black college and university capital financing under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.), in connection with a Gulf hurricane disaster, to ensure that—

(1) the calculation of financing need under section 343 of such Act (20 U.S.C. 1066b) for an affected institution is modified to reflect any changes in the financial condition of the institution as a result of the Gulf hurricane disaster; and

(2) an affected institution that was not receiving assistance under such part before the Gulf hurricane disaster is eligible to apply for capital financing to assist in institutional recovery from the Gulf hurricane disaster.

(c)(1) Notwithstanding section 343(b)(1) or any other provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1066b(b)(1), 1051 et seq.), in carrying out section 343 of such Act, a designated bonding authority shall withhold not more than 1 percent for the cost of issuance from the proceeds of qualified bonds that are loaned to an affected institution.

(2) Notwithstanding section 343(b)(3) or any other provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1066b(b)(3), 1051 et seq.), the Secretary shall pay any interest above 1 percent charged for a loan issued under part D of title III of such Act, after the date of enactment of this Act and with respect to an affected institution, such that the affected institution pays interest at a rate no higher than 1 percent.

(3) Notwithstanding any other provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.), the requirements of section 343(b)(8) and 343(c)(2) of such Act (20 U.S.C. 1066(b)(8)) shall not apply with respect to an affected institution receiving a loan under part D of title III of such Act (20 U.S.C. 1066 et seq.).

(d) Notwithstanding any provision of title III of the Higher Education Act of 1965 (20 U.S.C. 1051 et seq.), or any regulation promulgated under such title, the Secretary of Education shall grant a deferment, for a period of not more than 3 years, to an affected institution that has received a loan under part D of title III of such Act (20 U.S.C. 1066 et seq.). During the deferment period granted under this subsection, the affected institution shall not be required to pay any periodic installment of principal required under the loan agreement for such loan, and interest on such loan shall not accrue for the period of the deferment. During the deferment period, the Secretary shall make principal and interest payments otherwise due under the loan agreement. At the closing of the loan, terms shall be set under which the affected institution shall be required to repay the Secretary for the payments of principal made by the Secretary during the deferment, on a schedule that begins upon repayment to the lender in full on the loan agreement.

(e)(1) Except as provided in paragraph (2), the authority provided under this section to enter into, or modify or waive the terms of, a loan agreement or insurance agreement under part D of title III of the Higher Education Act of 1965 (20 U.S.C. 1066 et seq.), or to grant a loan deferment under subsection (d), shall terminate 1 year after the date of enactment of this Act.

(2) Any provision of a loan agreement or insurance agreement modified or waived by the authority under this section shall remain so modified or waived for the duration of the period covered by the loan agreement or insurance agreement.

(f) The amount provided in this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2602. Notwithstanding sections 107(f) and 110 of title IV (commonly known as the "Hurricane Education Recovery Act") of division B of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148; 119 Stat. 2680), the Secretary of Education may extend the period during which a State educational agency or local educational agency may obligate funds received under section 107 of that title to a date no later than September 30, 2006, except that such funds shall be used only for expenses incurred during the 2005–2006 school year, as required by section 107 of that title.

SEC. 2603. Funds available to the Mississippi Institutes of Higher Learning under the heading "Department of Education" in Public Law 109–148 may be used to support activities authorized by part B of title VII of the Higher Education Act of 1965, as determined necessary by the Mississippi Institutes of Higher Learning: Provided, That the amount provided under this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

(TRANSFER OF FUNDS)

SEC. 2604. Of the funds made available under the heading "Disaster Relief" under the heading "Federal Emergency Management Agency" in chapter 4 of this title, $38,000,000 is hereby transferred to the Social Security Administration for necessary expenses and direct or indirect losses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season: Provided, That the amount transferred by this section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 7

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for "Military Construction, Navy and Marine Corps", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $44,770,000, to remain available until September 30, 2010: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $97,300,000, to remain available until September 30, 2010: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for "Military Construction, Army National Guard", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $330,071,000, to remain available until September 30, 2010: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That of the amount provided under this heading in chapter 7 of title I of division B of Public Law 109–148 (119 Stat. 2770), $120,000,000 are rescinded: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For an additional amount for "Military Construction, Air National Guard", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $5,800,000, to remain available until September 30, 2010: Provided, That such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

MILITARY CONSTRUCTION, NAVY RESERVE

(INCLUDING RESCISSION OF FUNDS)

For an additional amount for "Military Construction, Navy Reserve", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $24,270,000, to remain available until September 30, 2010: Provided, That such funds may *be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: Provided further, That the amount provided under the heading "Military Construction, Naval Reserve" in chapter 7 of title I of division B of Public Law 109–148 (119 Stat. 2771) shall remain available until September 30, 2010, except that, of such amount $49,530,000 are rescinded: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.*

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

For an additional amount for "Construction, Major Projects", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $585,919,000, to remain available until expended: Provided, That $35,919,000 shall be available for environmental cleanup and removal of debris from the Department of Veterans Affairs land in Gulfport, Mississippi, and for any authorized purpose under this heading: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCY

ARMED FORCES RETIREMENT HOME

MAJOR CONSTRUCTION

For an additional amount for "Major Construction", for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $176,000,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, such funds shall be obligated and expended for the planning and design and construction of a new Armed Forces Retirement Home in Gulfport, Mississippi: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2701. The limitation of Federal contribution established under section 18236(b) of title 10 is hereby waived for projects appropriated in this chapter.

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

SEC. 2702. (a) Of the amounts made available in chapter 7 of title I of division B of Public Law 109–148, Department of Veterans Affairs, "Medical Services", $198,265,000 are hereby rescinded.

(b) For an additional amount for Department of Veterans Affairs, "Medical Services", $198,265,000, to remain available until September 30, 2007, for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season.

(c) The funds made available in subsection (b) may be transferred to the Department of Veterans Affairs, "Medical Services", "Medical Administration", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems" accounts as required.

(d) Not less than 15 days prior to making any such transfer as authorized under subsection (c), the Department shall notify the Committees on Appropriations of both Houses of Congress.

(e) This section is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 2703. Notwithstanding any other provision of law, within six months of enactment of this Act, the Secretary of Veterans Affairs is authorized and directed to clean up and transfer all land parcels of the Department's land in Gulfport, Mississippi, to the city of Gulfport, Mississippi.

(TRANSFER OF FUNDS)

SEC. 2704. The following unobligated balances shall be transferred to the Armed Forces Retirement Home "Major Construction" account, to remain available until expended, for the planning and design and construction of a new Armed Forces Retirement Home in Gulfport, Mississippi, from amounts appropriated under the heading "Armed Forces Retirement Home" in chapter 7 of division B of Public Law 109–148 (119 Stat. 2769), $45,000,000 provided for Armed Forces Retirement Home—Gulfport; and unobligated balances of funds provided in fiscal years 1998 through 2004 for construction and renovation of the physical plants at the United States Naval Home/Armed Forces Retirement Home—Gulfport: Provided, That the General Services Administration, in consultation with the Naval Facilities Engineering Command and the management of the Armed Forces Retirement Home, shall be the agent for all matters with regard to the planning, design, construction, and contract administration related to the construction of the new Armed Forces Retirement Home in Gulfport, Mississippi: Provided further, That the amounts provided or otherwise made available under this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 8

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for "Salaries and Expenses, General Legal Activities" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for "Salaries and Expenses, United States Attorneys" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $6,500,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for "Operations, Research, and Facilities" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $118,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for "Procurement, Acquisition and Construction" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $32,000,000, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION CAPABILITIES

For an additional amount for "Exploration Capabilities" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $35,000,000 shall be for the Stennis Space Center and Michoud Assembly Facility, to remain available until expended: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the "Disaster Loans Program Account" for the cost of direct loans authorized by section 7(b) of the Small Business Act, $542,000,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That up to $190,000,000 may be transferred to and merged with "Salaries and Expenses" for administrative expenses to carry out the disaster loan program: Provided further, That none of the funds provided under this heading may be used for indirect administrative expenses: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 9

DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

For an additional amount for the "Emergency Relief Program" as authorized under 23 U.S.C. 125, $702,362,500, to remain available until expended, for expenses identified under "Formal Requests" in the Federal Highway Administration table entitled "Emergency Relief Program Fund Request—updated 06/06/06" with the exception of such expenses addressed in other provisions of this Act making amendments to Public Law 109–148 and expenses otherwise funded in other Appropriations Acts: Provided, That notwithstanding 23 U.S.C. 125(d)(1), the Secretary of Transportation may obligate more than $100,000,000 for such projects in a State in a fiscal year, to respond to damage caused by Hurricane Dennis and the 2004–2005 winter storms in the State of California: Provided further, That any amounts in excess of those necessary for emergency expenses relating to the eligible projects cited in the first sentence of this paragraph may be used for other projects authorized under 23 U.S.C. 125: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

(HIGHWAY TRUST FUND)

(RECISSION)

Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, $702,362,500 are rescinded: Provided, That such recission shall not apply to the funds distributed in accordance with 23 U.S.C. 130(f), 23 U.S.C. 133(d)(1) as in effect prior to the date of enactment of Public Law 109–59, the first sentence of 23 U.S.C. 133(d)(3)(A), 23 U.S.C. 104(b)(5), or 23 U.S.C. 163 as in effect prior to the enactment of Public Law 109–59.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the "Community development fund", for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in the most impacted and distressed areas related to the consequences of Hurricanes Katrina, Rita, or Wilma in States for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $5,200,000,000, to remain available until expended, for activities authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93–383): Provided, That funds provided under this heading shall be administered through an entity or entities designated by the Governor of each State: Provided further, That such funds may not be used for activities reimbursable by or for which funds are made available by the Federal Emergency Management Agency or the Army Corps of Engineers: Provided further, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State under this heading: Provided further, That each State may use up to five percent of its allocation for administrative costs: Provided further, That not less than $1,000,000,000 from funds made available on a pro-rata basis according to the allocation made to each State under this heading shall be used for repair, rehabilitation, and reconstruction (including demolition, site clearance and remediation) of the affordable rental housing stock (including public and other HUD-assisted housing) in the impacted areas: Provided further, That no State shall receive more than $4,200,000,000: Provided further, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by the State that such waiver is required to facilitate the use of such funds or guarantees, and a finding by the Secretary that such waiver would not be inconsistent with the overall purpose of the statute: Provided further, That the Secretary may waive the requirement that activities benefit persons of low and moderate income, except that at least 50 percent of the funds made available under this heading must benefit primarily persons of low and moderate income unless the Secretary otherwise makes a finding of compelling need: Provided further, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: Provided further, That every waiver made by the Secretary must be reconsidered according to the three previous provisos on the two-year anniversary of the day the Secretary published the waiver in the Federal Register: Provided further, That prior to the obligation of funds each State shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: Provided further, That prior to the obligation of funds to each State, the Secretary shall ensure that such plan gives priority to infrastructure development and rehabilitation and the rehabilitation and reconstruction of the affordable rental housing stock including public and other HUD-assisted housing: Provided further, That each State will report quarterly to the Committees on Appropriations on all awards and uses of funds made available under this heading, including specifically identifying all awards of sole-source contracts and the rationale for making the award on a sole-source basis: Provided further, That the Secretary shall notify the Committees on Appropriations on any proposed allocation of any funds and any related waivers made pursuant to these provisions under this heading no later than 5 days before such waiver is made: Provided further, That the Secretary shall establish procedures to prevent recipients from receiving any duplication of benefits and report quarterly to the Committees on Appropriations with regard to all steps taken to prevent fraud and abuse of funds made available under this heading including duplication of benefits: Provided further, That of the amounts made available under this heading, $12,000,000 shall be transferred to "Management and Administration, Salaries and Expenses", of which $7,000,000 is for the administrative costs, including IT costs, of the KDHAP/DVP voucher program; $9,000,000 shall be transferred to the Office of Inspector General; and $6,000,000 shall be transferred to HUD's Working Capital Fund: Provided further, That none of the funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

INDEPENDENT AGENCY

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

For an additional amount for the "Federal Buildings Fund" for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $37,000,000, from the General Fund and to remain available until expended: Provided, That notwithstanding 40 U.S.C. 3307, the Administrator of General Services is authorized to proceed with repairs and alterations for affected buildings: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE III—EMERGENCY AGRICULTURAL DISASTER ASSISTANCE

SEC. 3001. SHORT TITLE.

This title may be cited as the "Emergency Agricultural Disaster Assistance Act of 2006".

SEC. 3002. DEFINITIONS.

In this title:

(1) HURRICANE-AFFECTED COUNTY.—The term "hurricane-affected county" means—

(A) a county included in the geographic area covered by a natural disaster declaration related to Hurricane Katrina, Hurricane Ophelia, Hurricane Rita, Hurricane Wilma, or a related condition; and

(B) each county contiguous to a county described in subparagraph (A).

(2) NATURAL DISASTER DECLARATION.—The term "natural disaster declaration" means—

(A) a natural disaster declared by the Secretary—

(i) during calendar year 2005 under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or

(ii) during calendar year 2006 under that section, but for which a request was pending as of December 31, 2005; or

(B) a major disaster or emergency designated by the President—

(i) during calendar year 2005 under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

(ii) during calendar year 2006 under that Act, but for which a request was pending as of December 31, 2005.

(3) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

Subtitle A—Crop and Livestock Assistance

SEC. 3011. SUGAR AND SUGARCANE DISASTER ASSISTANCE.

(a) FLORIDA.—The Secretary of Agriculture shall use $40,000,000 of funds of the Commodity Credit Corporation to make payments to processors in Florida that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) to compensate first processors and producers for crop and other losses in hurricane-affected counties that are related to hurricanes, tropical storms, excessive rains, floods, and wind in Florida during calendar year 2005, by an agreement on the same terms and conditions, to the maximum extent practicable, as the payments made under section 102 of the Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act of 2005 (Public Law 108–324; 118 Stat. 1235), including that the 2005 base production of each harvesting unit shall be determined using the same base year crop production history that was used pursuant to the agreement under that section.

(b) LOUISIANA.—

(1) COMPENSATION FOR LOSSES.—The Secretary shall use $40,000,000 of the funds of the Commodity Credit Corporation to make assistance available to first processors of sugarcane that operate in a hurricane-affected county, or obtain sugarcane from a hurricane-affected county, and that are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)), in the form of monetary payments or commodities in the inventory of the Commodity Credit Corporation derived from carrying out that section, to compensate producers and first processors for crop and other losses due to Hurricane Katrina, Hurricane Rita, or related conditions.

(2) ADMINISTRATION.—Assistance under this subsection shall be—

(A) shared by an affected first processor with affected producers that provide commodities to the processor in a manner that reflects contracts entered into between the processor and the producers, except with respect to a portion of the amount of total assistance provided under paragraph (1) necessary to compensate affected producers for individual losses experienced by the producers, including losses due to saltwater intrusion, flooding, wind damage, or increased planting, replanting, or harvesting costs, which shall be transferred by the first processor to the affected producers without regard to contractual share arrangements; and

(B) made available under such terms and conditions as the Secretary determines are necessary to carry out this subsection.

(3) FORM OF ASSISTANCE.—In carrying out this subsection, the Secretary shall—

(A) convey to the first processor commodities in the inventory of the Commodity Credit Corporation derived from carrying out section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a));

(B) make monetary payments to the first processor; or

(C) take any combination of actions described in paragraphs (1) and (2), using commodities or monetary payments.

(4) LOSS DETERMINATION.—In carrying out this subsection, the Secretary shall use the same base year to determine crop loss that was elected by a producer to determine crop loss in carrying out the hurricane assistance program under section 207 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 543).

(5) LIMITATION.—The Secretary shall provide assistance under this subsection only in a State described in section 359f(c)(1)(A) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ff(c)(1)(A)).

(c) TEXAS.—The Secretary shall use $400,000 of funds of the Commodity Credit Corporation to assist sugarcane growers in Texas by making a payment in that amount to a farmer-owned cooperative sugarcane processor in that State, for costs of demurrage, storage, and transportation resulting from hurricanes, excessive rains, floods, wind, and other related conditions during calendar year 2005.

SEC. 3012. LIVESTOCK ASSISTANCE.

(a) LIVESTOCK COMPENSATION PROGRAM.—

(1) USE OF COMMODITY CREDIT CORPORATION FUNDS.—Effective beginning on the date of enactment of this Act, the Secretary shall use $95,000,000 of funds of the Commodity Credit Corporation to provide assistance under the same terms and conditions as assistance provided under section 203 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 539).

(2) ELIGIBLE APPLICANTS.—Subject to subsection (d), in providing assistance under paragraph (1), the Secretary shall provide assistance to any applicant that—

(A) produces poultry, swine, sheep, beef, equine, buffalo, beefalo, dairy, goats, or an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1));

(B) conducts an agricultural operation that is physically located in a hurricane-affected county; and

(C) meets all other eligibility requirements established by the Secretary.

(b) LIVESTOCK INDEMNITY PROGRAM.—

(1) IN GENERAL.—Effective beginning on the date of enactment of this Act, the Secretary shall use $30,000,000 of funds of the Commodity Credit Corporation to carry out a program under the same terms and conditions as the Livestock Indemnity Program authorized under title III of Public Law 105–18 (111 Stat. 170).

(2) ELIGIBLE APPLICANTS.—Subject to subsection (d), in carrying out the Program, the Secretary shall provide assistance to any applicant that—

(A) produces poultry, swine, sheep, eggs, beef, equine, buffalo, beefalo, dairy, goats, crawfish, or an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1));

(B) conducts an agricultural operation that is physically located in a hurricane-affected county; and

(C) meets all other eligibility requirements established by the Secretary for the Program.

(c) LIVESTOCK INDEMNITY PROGRAM FOR CONTRACT GROWERS.—

(1) IN GENERAL.—Subject to subsection (d), the Secretary shall use funds of the Commodity Credit Corporation to establish a program to assist poultry and egg producers in hurricane-affected counties that suffered income losses.

(2) TERMS AND CONDITIONS.—The program established under paragraph (1) shall contain similar terms and conditions as the terms and conditions used for the livestock indemnity program for contract growers described in subpart E of chapter XIV of title 7, Code of Federal Regulations (as in effect on January 1, 2002).

(d) LIMIT ON AMOUNT OF ASSISTANCE.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.

SEC. 3013. SPECIALTY CROPS AND NURSERY CROPS.

(a) IN GENERAL.—The Secretary shall use $95,000,000 of funds of the Commodity Credit Corporation to provide assistance to producers of specialty crops and nursery crops in hurricane-affected counties.

(b) ADMINISTRATION.—

(1) IN GENERAL.—Assistance required by subsection (a) shall be carried out by the Secretary under the same terms and conditions as the special disaster relief programs carried out for producers that suffered from crop damage and tree losses, and carried out related cleanup, in certain areas of Florida due to Hurricanes Charley, Frances, and Jeanne during August and September 2004, as described in the notice of program implementation relating to Florida citrus, fruit, vegetable, and nursery crop disaster programs (69 Fed. Reg. 63134 (October 29, 2004)), with vegetable losses treated as citrus losses for purposes of that program.

(2) LOSS OF RECORDS.—Due to the complete destruction of the business records of many producers, the Secretary shall use the best available information in determining eligibility, determining losses, and calculating payment amounts under this section.

(c) LIMIT ON AMOUNT OF ASSISTANCE.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.

SEC. 3014. DAIRY ASSISTANCE.

The Secretary shall use $17,000,000 of the funds of the Commodity Credit Corporation to make payments to dairy producers for dairy production losses and dairy spoilage losses in hurricane-affected counties.

SEC. 3015. COTTONSEED.

(a) IN GENERAL.—The Secretary shall use $15,000,000 of the funds of the Commodity Credit Corporation to provide assistance to producers and first-handlers of the 2005 crop of cottonseed in hurricane-affected counties.

(b) DISTRIBUTION OF FUNDS.—The Secretary shall provide disaster assistance under subsection (a) under the same terms and conditions as assistance provided under section 206 of the Agricultural Assistance Act of 2003 (Public Law 108–7; 117 Stat. 543), except that assistance shall be—

(1) distributed to producers and first handlers of cottonseed; and

(2) based on cottonseed production during the most recent year for which a disaster payment specifically for cottonseed was not authorized.

Subtitle B—Forestry

SEC. 3021. TREE ASSISTANCE PROGRAM.

(a) DEFINITION OF TREE.—In this section, the term "tree" includes a tree (including a Christmas tree, ornamental tree, nursery tree, and potted tree), bush (including a shrub), and vine.

(b) PROGRAM.—Except as otherwise provided in this section, the Secretary shall use such sums of funds of the Commodity Credit Corporation to provide assistance under the tree assistance program established under sections 10201 through 10203 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8201 et seq.) to—

(1) producers who suffered tree losses in hurricane-affected counties; and

(2) fruit and tree nut producers in hurricane-affected counties for site preparation, replacement, rehabilitation, and pruning.

(c) COSTS.—Funds made available under this section shall also be made available to cover costs associated with tree pruning, tree rehabilitation, and other appropriate tree-related activities as determined by the Secretary.

(d) LIMIT ON AMOUNT OF ASSISTANCE.—The Secretary shall ensure, to the maximum extent practicable, that no producer on a farm receives duplicative payments under this section and any other Federal program for the same loss.

SEC. 3022. EMERGENCY FORESTRY CONSERVATION RESERVE PROGRAM.

Section 1231(k)(3)(G) of the Food Security Act of 1985 (16 U.S.C. 3831(k)(3)(G)) is amended by striking "$404,100,000" and inserting "$504,100,000".

SEC. 3023. When evaluating an offer to enroll private nonindustrial forest land into the emergency forestry conservation reserve program, as authorized by section 1231(k) of the Food Security Act of 1985 (16 U.S.C. 3831(k)), the Secretary of Agriculture shall accord equal weight to, and not distinguish between, private nonindustrial forest lands comprised of softwood or hardwood trees for the purpose of determining whether the private nonindustrial forest land of the landowner satisfies criteria used to evaluate the offer, including, but not limited to, soil erosion prevention, water quality improvement, wildlife habitat restoration, and mitigation of economic loss.

Subtitle C—Miscellaneous

SEC. 3031. ADMINISTRATIVE COSTS.

The Secretary may use not more than $9,600,000 of funds of the Commodity Credit Corporation to cover administrative costs incurred by the Farm Service Agency directly related to carrying out this title.

SEC. 3032. AQUACULTURE PRODUCER GRANTS.

Grants to assist aquaculture producers announced by the Secretary on May 10, 2006 (71 Fed. Reg. 27188; relating to 2005 section 32 hurricane disaster programs) shall be provided for industry recovery in a manner consistent with the announcement or under the same terms and conditions as assistance provided under section 203(a)(2)(B) of the Agricultural Assistance Act of 2003 (Public Law 108-7; 117 Stat. 540).

SEC. 3033. EMERGENCY DESIGNATION.

Amounts made available by the transfer of funds in or pursuant to this title are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 3034. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act").

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

TITLE IV

PANDEMIC FLU

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Public Health and Social Services Emergency Fund" to prepare for and respond to an influenza pandemic, including international activities and activities in foreign countries, preparedness planning, enhancing the pandemic influenza regulatory science base, accelerating pandemic influenza disease surveillance, developing registries to monitor influenza vaccine distribution and use, supporting pandemic influenza research, clinical trials and clinical trials infrastructure, and the development and purchase of vaccines, antivirals, and necessary medical supplies, $2,300,000,000, to remain available until expended: Provided, That $30,000,000 shall be transferred to and merged with funds appropriated under the heading "Child Survival and Health Programs Fund" in chapter 3 of title II of division B, of Public Law 109–148 for activities related to international surveillance, planning, preparedness, and response to the avian influenza virus: Provided further, That $250,000,000 shall be for upgrading State and local capacity, and at least $200,000,000 shall be for the Centers for Disease Control and Prevention to carry out global and domestic disease surveillance, laboratory capacity and research, laboratory diagnostics, risk communication, rapid response and quarantine: Provided further, That products purchased with these funds may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile: Provided further, That notwithstanding section 496(b) of the Public Health Service Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologicals, where the Secretary finds such a contract necessary to secure sufficient supplies of such vaccines or biologicals: Provided further, That the Secretary may negotiate a contract with a vendor under which a State may place an order with the vendor for antivirals; may reimburse a State for a portion of the price paid by the State pursuant to such an order; and may use amounts made available herein for such reimbursement: Provided further, That funds appropriated herein and not specifically designated under this heading may be transferred to other appropriation accounts of the Department of Health and Human Services, as determined by the Secretary to be appropriate, to be used for the purposes specified in this sentence: Provided further, That the amounts provided under this heading are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE V

BORDER SECURITY

CHAPTER 1

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Defense-Wide", $708,000,000 for emergency National Guard support to the Department of Homeland Security, including operating surveillance systems, analyzing intelligence, installing fences and vehicle barriers, building patrol roads, and providing training, to remain available until September 30, 2007: Provided, That the Secretary of Defense may transfer these funds to appropriations for military personnel, operation and maintenance, and procurement to be available for the same purposes as the appropriation or fund to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation, to be merged with and made available for the same purposes and for the time period provided under this heading: Provided further, That the Secretary of Defense shall, not more than five days after making transfers from this appropriation, notify the congressional defense committees in writing of any such transfer.

CHAPTER 2

DEPARTMENT OF HOMELAND SECURITY

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $410,000,000, to remain available until September 30, 2007: Provided, That the entire amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for "Air and Marine Interdiction, Operations, Maintenance, and Procurement", $95,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for "Construction", $300,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $327,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

PREPAREDNESS

OFFICE FOR DOMESTIC PREPAREDNESS

STATE AND LOCAL PROGRAMS

For an additional amount for "State and Local Programs", for discretionary grants as determined by the Secretary, $15,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For an additional amount for "Acquisition, Construction, Improvements, and Related Expenses", $25,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CHAPTER 3

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

ADMINISTRATIVE REVIEW AND APPEALS

For an additional amount for "Administrative Review and Appeals", $9,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for "Salaries and Expenses, General Legal Activities", $9,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for "Salaries and Expenses, United States Attorneys", $2,000,000, to remain available until September 30, 2007: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE VI

LEGISLATIVE BRANCH

ARCHITECT OF THE CAPITOL

CAPITOL POWER PLANT

For an additional amount for "Capitol Power Plant", $27,600,000, to remain available until September 30, 2011: Provided, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

TITLE VII

GENERAL PROVISIONS AND TECHNICAL CORRECTIONS

AVAILABILITY OF FUNDS

SEC. 7001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 7002. Funds appropriated in this Act, or made available by the transfer of funds in or pursuant to this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 7003. Section 8044 of Public Law 109-148 (119 Stat. 2708) is amended as follows: After "Defense," and before "acting" insert, "notwithstanding any other provision of law,".

SEC. 7004. (a) Of the unobligated balances made available pursuant to section 504 of Public Law 108–334, $20,000,000 are rescinded.

(b) For an additional amount for "United States Secret Service, Salaries and Expenses", $20,000,000, to remain available until September 30, 2007.

SEC. 7005. (a) Of the funds available for "Screening Coordination and Operations", $3,960,000 are rescinded.

(b) For an additional amount for the "Office of the Secretary and Executive Management", $3,960,000.

SEC. 7006. Public Law 109–90 is amended by striking section 528.

SEC. 7007. Section 402(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(b)) is amended by striking "June 30, 2006" and inserting "September 30, 2007".

SEC. 7008. For an additional amount for "Department of Labor, Mine Safety and Health Administration, Salaries and Expenses", $25,600,000 for the enforcement of mine safety law with respect to coal mines, including the training and equipping of inspectors: Provided, That progress reports on hiring shall be submitted to the House and Senate Committees on Appropriations and the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and the Workforce of the House on a quarterly basis, with the first report due July 15, 2006: Provided further, That the amount provided under this heading shall remain available until September 30, 2007: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 7009. Unexpended balances for Health Resources and Services Administration grant number 7C6HF03601–01–00, appropriated in Public Law 106–554, shall remain available until September 30, 2009.

SEC. 7010. For an additional amount for "Department of Health and Human Services, Centers for Disease Control and Prevention, Disease Control, Research and Training", to carry out section 501 of the Federal Mine Safety and Health Act of 1977, $10,000,000 for research to develop mine safety technology: Provided, That progress reports on technology development shall be submitted to the House and Senate Committees on Appropriations and the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and the Workforce of the House on a quarterly basis, with the first report due July 15, 2006: Provided further, That the amount provided under this heading shall remain available until September 30, 2007: Provided further, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 7011. Public Law 109–149 (119 Stat. 2876) under the heading "Railroad Retirement Board, Dual Benefits Payments Account" is amended by striking "to the amount by which the product of recipients and the average benefit received exceeds $97,000,000" and inserting "to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits" in lieu thereof.

SEC. 7012. Section 224 of Public Law 109–149 (119 Stat. 2862) is amended by striking "June" and inserting "December" in lieu thereof.

SEC. 7013. None of the funds appropriated in Public Law 109–149 or prior Acts under the heading "Employment and Training Administration" that are available for expenditure on or after the date of enactment of this section shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II, except as provided for under section 101 of Public Law 109–149. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A–133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

SEC. 7014. Any national service educational award described in subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.), made with funds appropriated to, funds transferred to, or interest accumulated in the National Service Trust, shall hereafter be known as a "Segal AmeriCorps Education Award".

SEC. 7015. (a) REPEAL OF SINGLE HOLDER RULE.—Section 428C(b)(1)(A) of the Higher Education Act of 1965 (20 U.S.C. 1078–3(b)(1)(A)) is amended by striking "and (i)" and all that follows through "so selected for consolidation)".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any loan made under section 428C of the Higher Education Act of 1965 (20 U.S.C. 1078–3) for which the application is received by an eligible lender on or after the date of enactment of this Act.

(c) CONSOLIDATION INTO DIRECT LENDING.—Section 428C(b)(5) of the Higher Education Act of 1965 (20 U.S.C. 1078–3(b)(5)) is amended by striking "DIRECT LOANS.—" and all that follows through "Such direct consolidation loan" and inserting the following: "DIRECT LOANS.—In the event that a borrower is unable to obtain a consolidation loan from a lender with an agreement under subsection (a)(1), or is unable to obtain a consolidation loan with income-sensitive repayment terms acceptable to the borrower from such a lender, the Secretary shall offer any such borrower who applies for it, a Federal Direct Consolidation loan. Such direct consolidation loan".

(d) REPEAL.—Section 8009(a) of the Higher Education Reconciliation Act of 2005 (Public Law 109–171, 120 Stat. 164) is amended by striking paragraph (2).

SEC. 7016. Section 2401 of the Military Construction Authorization Act for Fiscal Year 2006 (Public Law 109–163) is amended by striking after "Augusta", "$61,466,000" and inserting in lieu thereof "$340,854,000". This project may be incrementally funded. Funds appropriated in Public Law 109–114 for this project shall be available to fund the first increment.

SEC. 7017. Section 2401 of the Military Construction Authorization Act for Fiscal Year 2006 (Public Law 109–163) is amended by striking after "Kunia", "$305,000,000" and inserting in lieu thereof "$350,490,000". The project may be incrementally funded. Funds appropriated in Public Laws 108–7, 108–87, and 109–114 for this project shall be available to fund the first increment.

SEC. 7018. Section 2403(b) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163) is amended in paragraph (2) by striking "$12,500,000" and inserting "$291,888,000", and in paragraph (3) by striking "$256,034,000" and inserting "$301,524,000".

SEC. 7019. Section 2846 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1320), as amended by section 2865 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2149) is further amended by striking "840 acres" and inserting "1,540 acres".

SEC. 7020. Of the amount made available by the Department of Justice Appropriations Act, 2006 under the heading "Community Oriented Policing Services" (Public Law 109–108, 199 Stat. 2302), for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797 et seq.), $1,500,000 shall be available to the Attorney General, without regard to such part BB, for the study on forensic science described in House Report 109–272 to accompany Public Law 109–108.

SEC. 7021. The referenced statement of the managers in House Report 109–272, Making Appropriations for Science, the Departments of State, Justice, and Commerce, and Related Agencies for the Fiscal Year Ending September 30, 2006, and for other purposes, under this heading is deemed to be amended with respect to amounts made available under the heading "Science, Aeronautics and Exploration" for the Mitchell Institute by striking "educational purposes" and inserting "the science and engineering education endowment".

SEC. 7022. Section 613 of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006 (Public Law 109–108; 119 Stat. 2336) is amended—

(1) by inserting after "$500,000 shall be available for the Iowa Department of Economic Development for the Entrepreneurial Venture Assistance Project" the following: "(including the ability to make subgrants or loans for such project)"; and

(2) by striking "Clark County Department of Aviation, Las Vegas," and inserting "University of Nevada Las Vegas,".

SEC. 7023. Under the heading "Department of Transportation, Federal Highway Administration, Emergency Relief Program" in Public Law 109–148 (119 Stat. 2778), strike "$629,000,000" and insert "$803,000,000".

SEC. 7024. Notwithstanding 49 U.S.C. 5336, any funds remaining available under Federal Transit Administration grant numbers NY–03–345–00, NY–03–0325–00, NY–03–0405, NY–90–X398–00, NY–90–X373–00, NY–90–X418–00, NY–90–X465–00 together with an amount not to exceed $19,200,000 in urbanized area formula funds that were allocated by the New York Metropolitan Transportation Council to the New York City Department of Transportation as a designated recipient under 49 U.S.C. 5307 may be made available to the New York Metropolitan Transportation Authority for eligible capital projects authorized under 49 U.S.C. 5307 and 5309.

SEC. 7025. For recipients of assistance under chapter 53 of title 49, United States Code, directly affected by Hurricane Katrina, the Secretary may waive the Federal matching share requirements for Federal transit assistance programs under such chapter, including the Federal matching share requirements contained in existing Federal assistance grant agreements: Provided, That the Secretary may allow such recipients to use such assistance for operating assistance, notwithstanding the terms and conditions contained in existing Federal assistance grant agreements: Provided further, That the authority of the Secretary hereunder shall expire two years after the date of enactment of this section, unless determined otherwise by the Secretary for a compelling need.

SEC. 7026. The first sentence under the heading "Department of the Treasury, Departmental Offices, Salaries and Expenses" in title II of division A of Public Law 109–115 (119 Stat. 2432) is amended by inserting after "travel expenses" the words "(except for travel performed by officials in the Office of Terrorism and Financial Intelligence and the Office of International Affairs)".

SEC. 7027. (a) Funds appropriated for intelligence activities, or made available by the transfer of funds, by this Act, by Public Law 109–108 for the Department of Justice, or by Public Law 109–115 for the Department of the Treasury, are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947, as amended, (50 U.S.C. 414) during fiscal year 2006 until the enactment of the Intelligence Authorization Act for Fiscal Year 2006.

(b) Subsection (a) shall be effective:

(1) with respect to funds appropriated, or made available by the transfer of funds, by this Act, upon the enactment of this Act;

(2) with respect to funds appropriated, or made available by the transfer of funds, by Public Law 109–108 for the Department of Justice, as if enacted on the date of enactment of Public Law 109–108; and

(3) with respect to funds appropriated, or made available by the transfer of funds, by Public Law 109–115 for the Department of the Treasury, as if enacted on the date of enactment of Public Law 109–115.

SEC. 7028. (a) The matter under the heading "Tenant-Based Rental Assistance" in chapter 9 of title I of division B of Public Law 109–148 is amended—

(1) in the first proviso, by striking "or the Stewart B. McKinney Homeless Assistance Act (Public Law 100–77)" and inserting "the McKinney-Vento Homeless Assistance Act, section 221(d)(3), 221(d)(5), or 236 of the National Housing Act, or section 101 of the Housing and Urban Development Act of 1965"; and

(2) in the second proviso, by inserting ", except that paragraph (7)(A) of such section shall not apply" after "1937".

(b) The provisions of this section are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 7029. The Department of Housing and Urban Development Appropriations Act, 2006 (Public Law 109–115) is amended in designated paragraph (5) under the heading "Tenant-based Rental Assistance"—

(1) by striking "$10,000,000" and inserting "$25,000,000"; and

(2) by striking "$1,240,000,000" and inserting "$1,225,000,000".

SEC. 7030. (a) The second paragraph under the heading "Community Development Fund" in title III of division A of Public Law 109–115 is amended by striking "statement of managers accompanying this Act" and inserting "statement of managers correction for H.R. 3058 relating to the Economic Development Initiative submitted to the House of Representatives by the Chairman of the Committee on Appropriations of the House on November 18, 2005, and printed in the House section of the Congressional Record on such date".

(b) Section 5023 of title V of division B of Public Law 109–148 is amended by striking "in title III of Public Law 109–115 (as in effect pursuant to H. Con. Res. 308, 109th Congress)" and inserting "in title III of division A of Public Law 109–115".

(c) Each amendment made by this section shall apply as if included in the amended public law on the date of its enactment.

SEC. 7031. The referenced statement of the managers under the heading "Community Development Fund" in title II, division G of Public Law 108–199 is deemed to be amended—

(1) with respect to item number 402, by striking "in Kansas City, Missouri" and inserting "in the Kansas City Metropolitan Statistical Area (MSA)";

(2) with respect to item number 329 by striking "for purchase of the D.C. Metropolitan Police Boys and Girls Club facility" and inserting "for renovation of Boys and Girls Clubs of Greater Washington Clubhouse #2, Clubhouse #4, Clubhouse #10, Clubhouse #11, and Clubhouse #14 in the District of Columbia";

(3) with respect to item number 188 by striking "the City of Macon for construction of the historic Coca-Cola building" and inserting "Wesleyan College in Macon, Georgia for facility renovation, build out, and construction";

(4) with respect to item number 830 by striking "construction" and inserting "purchase, renovation, build out and upgrade";

(5) with respect to item number 380 by striking "for construction of a new facility" and inserting "to upgrade an existing facility";

(6) with respect to item number 348 by striking "land acquisition" and inserting "the construction and renovation of the Holyoke Community College Enrollment Center"; and

(7) with respect to item number 602 by striking "to the J. Frank Troy Senior Center in Toledo, Ohio for renovation and construction" and inserting ", including $100,000 to the Northwest Ohio Area Office on Aging for construction of the Jerusalem Township Senior Center and Food Pantry; and $100,000 to Aurora Gonzales Resource Center, Toledo, Ohio, for renovation and build out of a facility".

SEC. 7032. The referenced statement of the managers under the heading "Community Development Fund" in title II, division I of Public Law 108–447 is deemed to be amended—

(1) with respect to item number 838 by striking "City of Canby, Minnesota" and inserting "Western Five Community Development Corporation.";

(2) with respect to item number 912 by striking "renovations to the Broadway Market" and inserting "the demolition and redevelopment of properties in the Broadway-Fillmore Corridor, Buffalo, New York";

(3) with respect to item number 631 by striking "construction" and inserting "acquisition";

(4) with respect to item number 536 by striking "an economic development planning study" and inserting "the Main Street Revitalization Project";

(5) with respect to item number 444, by striking "City of St. Petersburg, Florida for facilities construction and renovation for the Mid-Pinellas Science Center" and inserting "St. Petersburg College, City of Seminole, Florida for the development of Science and Nature Park at St. Petersburg College";

(6) with respect to item 260 by inserting after renovations "and for property renovation at 754 Broad Street for the Family Center emergency shelter for families and children"; and

(7) with respect to item number 136, by striking "renovation of the Fire House in Brookhaven, Mississippi" and inserting "the restoration of the historic City Hall in Brookhaven, Mississippi".

SEC. 7033. The statement of managers correction referenced in the second paragraph under the heading "Community Development Fund" in title III, division A of Public Law 109–115 is deemed to be amended—

(1) with respect to item number 793 by striking "for street infrastructure and parking facility improvements" and inserting "to purchase and demolish blighted property, develop detailed design/construction drawings, and to begin site preparation for new infill housing lots";

(2) with respect to item number 1114 by striking "West Virginia Technical College" and inserting "West Virginia University Institute of Technology Community and Technical College";

(3) with respect to item number 849, by striking "Mahanoy City, Pennsylvania for improvements to West Market Street" and inserting "Mahanoy City, Pennsylvania for improvements to Centre Street";

(4) with respect to item number 740 by striking "infrastructure improvements in Central Plaza Park" and inserting "the demolition and redevelopment of properties in the Broadway-Fillmore Corridor, Buffalo, New York";

(5) with respect to item number 374 by striking "Day Care" and inserting "Senior Citizens";

(6) with respect to item number 714, by striking "construction of a senior center;" and inserting "renovation and build out of a multipurpose center;"

(7) with respect to item number 850, by striking "City of Lancaster, Pennsylvania" and inserting "in Pennsylvania";

(8) with respect to item number 925, by striking "Greenwood Partnership Alliance, South Carolina for the renovation of the Old Federal Courthouse" and inserting "City of Greenwood, South Carolina for the Emerald Triangle Project"; and

(9) with respect to item number 615 by inserting "and UND Technology Transfer and Commercialization Center" before the semicolon.

SEC. 7034. Notwithstanding any other provision of law, the Administrator of General Services may convey, without consideration ownership and jurisdiction (custody, accountability and control) to the City of Crosby, North Dakota real property as described: Lots 9, 10, 11, 12, 13, and 14, Eastlawn Addition to Crosby, Divide County, North Dakota.

SEC. 7035. 2007 DISCRETIONARY LIMITS. (a) IN GENERAL.—For the purposes of section 302(a) of the Congressional Budget Act of 1974, the allocations of the appropriate levels of budget totals for the Committee on Appropriations of the Senate for fiscal year 2007 shall be—

(1) $872,778,000,000 in total new budget authority for general purposes discretionary; and

(2) $577,241,000,000 in total new budget authority for mandatory;

until a concurrent resolution on the budget for fiscal year 2007 is agreed to by the Senate and the House of Representatives pursuant to section 301 of the Congressional Budget Act of 1974.

(b) ADJUSTMENTS AND LIMITS.—The limits and adjustments provided in section 402 of S. Con. Res. 83 (109th Congress), as passed the Senate, for fiscal year 2007 shall apply to subsection (a).

(c) APPLICATION.—The section 302(a) allocations in subsection (a) shall be deemed to be allocations set forth in the joint explanatory statement of managers accompanying the concurrent resolution on the budget for fiscal year 2007, as though adopted by Congress, for all purposes under titles III and IV of the Congressional Budget Act of 1974. Section 302(a)(4) of the Congressional Budget Act of 1974 shall not apply to this section.

(d) EXCEPTIONS.—The following provisions of H. Con. Res. 95 (109th Congress) shall not apply in the Senate—

(1) Section 404; and

(2) until January 3, 2007, section 403(b)(2).

(e) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act.

This Act may be cited as the "Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006".

And the Senate agree to the same.

JERRY LEWIS,
C.W. BILL YOUNG,
RALPH REGULA,
HAROLD ROGERS,
FRANK R. WOLF,
JIM KOLBE,
JAMES T. WALSH,
CHARLES H. TAYLOR,
DAVID L. HOBSON,
HENRY BONILLA,
JOE KNOLLENBERG,
JOHN P. MURTHA,
MARTIN OLAV SABO,
ALAN B. MOLLOHAN,
PETER J. VISCLOSKY,
NITA M. LOWEY,
JOHN W. OLVER,
CHET EDWARDS,
Managers on the Part of the House.

THAD COCHRAN,
TED STEVENS,
PETE V. DOMENICI,
CHRISTOPHER S. BOND,
MITCH MCCONNELL,
CONRAD BURNS,
RICHARD C. SHELBY,
JUDD GREGG,

ROBERT F. BENNETT,
LARRY CRAIG,
KAY BAILEY HUTCHISON,
SAM BROWNBACK,
WAYNE ALLARD,
ROBERT C. BYRD
(except Deeming Resolution),
DANIEL K. INOUYE,
TOM HARKIN
(except Deeming Resolution),
BARBARA A. MIKULSKI
(except Deeming Resolution),
HARRY REID
(except Deeming Resolution),
HERB KOHL
(except Agriculture Disaster and Deeming Resolution),
PATTY MURRAY
(except Deeming Resolution and Veterans Funding)
BYRON L. DORGAN
(except Agriculture Disaster),
DIANNE FEINSTEIN,
TIM JOHNSON
(except Agriculture Disaster),
MARY L. LANDRIEU,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effects of the action agreed upon by the managers and recommended in the accompanying conference report.

Report language included in the reports of the House (H. Rept. 109–388) and of the Senate (S. Rept. 109–230) accompanying H.R. 4939 should be complied with unless specifically addressed in this statement of the managers. The statement of the managers, while repeating some report language for emphasis, is not intended to negate the language referred to above unless expressly provided herein.

TITLE I—GLOBAL WAR ON TERROR SUPPLEMENTAL APPROPRIATIONS

CHAPTER I—DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

The conference agreement provides $350,000,000, to remain available until expended, for PL 480 Title II Grants as proposed by the House and the Senate.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

The conference agreement recommends $65,791,894,000 for the Department of Defense, instead of $67,557,241,000, as proposed by the House, and $65,657,269,000, as proposed by the Senate.

The following table provides details of the supplemental appropriations for the Department of Defense—Military.

[In thousands of dollars]

Account	House	Senate	Conference
Military Personnel:			
Military Personnel, Army	6,506.223	6.665,284	6,587,473
Military Personnel, Navy	1.061.724	1,071.474	1,321,474
Military Personnel, Marine Corps	834,122	860,872	840,872
Military Personnel, Air Force	1,145,363	1,195.713	1,155,713
Reserve Personnel, Army	166.070	150,570	140,570
Reserve Personnel, Navy	110.412	115.712	110,712
Reserve Personnel, Marine Corps	10.327	13,192	10,627
Reserve Personnel, Air Force	1,940	3,440	1,940
National Guard Personnel, Army	96,000	121,550	111,550
National Guard Personnel, Air Force	1,200	6,200	1.200
Total Military Personnel	9,933.381	10.204,007	10,282,131
Operation and Maintenance:			
O&M, Army	18,380,310	17,594,4101	17.844.410
O&M, Navy	2,793.600	2,826,693	2,696,693
O&M, Marine Corps	1.722.911	1.589.911	1,639,911
O&M, Air Force	5.328,869	6,057.408	5.576,257
O&M, Defense-Wide	3.259.929	2,879.899	2,830.677
O&M, Army Reserve	100,100	100.100	100,100
O&M, Navy Reserve	236,509	236,509	78,509
O&M, Marine Corps Reserve	55,675	87.875	87,875
O&M, Air Force Reserve	18,563	18,563	18,563
O&M, Army National Guard	178,600	178,600	178.600
O&M, Air National Guard	30,400	30,400	30,400
Former Soviet Union Threat Reduction Account	....	....	44,500
Afghanistan Security Forces Fund	1,851.833	1.908,133	1,908,133
Iraq Security Forces Fund	3,007,000	3,703.000	3,007,000
Iraq Freedom Fund	....	25,000	....
Joint Improvised Explosive Device Defeat Fund	....	1.958,089	1,958,089
Total Operation and Maintenance	36.964,299	39.194,590	37,899,717
Procurement:			
Aircraft Procurement, Army	533,200	533.200	345,000
Missile Procurement, Army	203,300	203,300	203.300
Procurement of WTCV, Army	1,983,351	1.592,451	1,767,451
Procurement of Ammunition, Army	829,679	829.679	829.679
Other Procurement, Army	7,528,657	6.286,145	5,819,645
Aircraft Procurement, Navy	293,980	412,169	516.869
Weapons Procurement, Navy	90,800	63,351	55,200
Procurement of Ammunition, Navy & Marine Corps	330,996	327,126	323.256
Other Procurement, Navy	111,719	140,144	54,640
Procurement, Marine Corps	3,260,582	2,576,467	2,577,467
Aircraft Procurement, Air Force	663,595	679,515	674.815
Procurement of Ammunition, Air Force	29,047	29,047	29,047
Other Procurement, Air Force	1,489,192	1.452,651	1,500,591
Procurement, Defense-Wide	331,353	331.353	331.353
Total Procurement	17,679,451	15,456.598	15.028.313
Research, Development, Test and Evaluation:			
RDT&E, Army	424,177	54,700	54,700
RDT&E, Navy	126,845	124,845	124,845
RDT&E, Air Force	305,110	382,630	382,630
RDT&E, Defense-Wide	145,921	148.551	148,551
Total RDT&E	1,002,053	710,726	710.726
Revolving and Management Funds:			
Defense Working Capital Funds	502.700	516,700	516.700
Other Department of Defense Programs:			
Defense Health Program	1.153.562	1,153,562	1,153,562
Drug Interdiction and Counter-Drug Activities Defense	156,800	154,596	150,470
Office of the Inspector General	6,120	1.815	5.000
Total Other DoD Programs	1,316.482	1.309,973	1,309.032
Related Agencies:			
Intelligence Community Management Account	158,875	158,875	158.875
General Provisions:			
Transfer Authority for GWOT Supplemental [Non add]	[2,000,000]	2.000.000]	2,000,000]
Transfer Authority for FY 2006 Appropriations Act [Non add]	[0]	[600.000]	1,250,000]
Defense Cooperation Account	....	5.800	5.800
Reduction for Border Security	....	– 1,908,000	....
Cooperative Threat Reduction Program	....	8,000	....
Rescission, Missile Procurement, Air Force	....	....	(80,000)
Rescission, Other Procurement, Air Force	....	....	(39.400)
Grand Total	67,557,241	65,657,269	65.791.894

REPORTING REQUIREMENTS

The conferees direct the Secretary of Defense to provide a report to the congressional defense committees within 30 days after the date of enactment of this legislation on the allocation of the funds within the accounts listed in this chapter. The Secretary shall submit updated reports 30 days after the end of each fiscal quarter until funds listed in this chapter are no longer available for obligation. The conferees direct that these reports shall include: a detailed accounting of obligations and expenditures of appropriations provided in this chapter by program and subactivity group for the continuation of the war in Iraq and Afghanistan; and a listing of equipment procured using funds provided in this chapter. The conferees expect that in order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriations accounts for purposes other than those specified in this report. The conferees direct the Department of Defense to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this chapter.

Additionally, the conferees direct that the reporting requirements of section 9010 of Public Law 109–148, the Department of Defense Appropriations Act, 2006, regarding military operations and stability in Iraq shall apply to the funds appropriated in this Act.

ARMY COMBAT BRIGADES AND LONG-TERM EQUIPMENT REPAIR COSTS REPORTS

The conferees agree on the House requirements for reports to be submitted to the congressional defense committees on Army Combat Brigades and Long-Term Equipment Repair Costs. The conferees direct that the reports shall be submitted not later than July 7, 2006.

NATIONAL GUARD AND RESERVE

The House report directed that not less than $3,571,083,000 of the funds provided in this bill shall be provided for the National Guard and Reserve forces to prosecute the Global War on Terror. The conferees agree that within the funds provided in the conference report, the National Guard and Reserve should receive not less than the President's budget request for these activities.

STRYKER UPGRADES

The conferees urge the Department of the Army to initiate Block 2 upgrade programs for existing Stryker brigades undergoing reset maintenance using funds available in this Act.

CLASSIFIED PROGRAMS

Recommended adjustments to classified programs are addressed in a classified annex accompanying this report.

MILITARY PERSONNEL

The conference agreement recommends $10,282,131,000 for the military personnel accounts, instead of $9,933,381,000 as proposed by the House, and $10,204,007,000 as proposed by the Senate. The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
Military Personnel, Army:			
Incremental OIF/OEF wartime costs	4,170,763	4,170,763	4,170,763
Basic Allowance for Housing	843,660	843,660	843,660
Army active duty overstrength	370,100	370,100	370,100
Convalescent Soldiers Clothing Allowance	1,900	1,900	1,900
Recruiting and Retention Initiatives	151,000	298,811	221,000
Subsistence	289,800	289,800	289,800
Foreign Language Proficiency Pay	33,700	33,700	33,700
SGLI/Death Gratuities	645,300	656,550	656,550
Total Military Personnel, Army	6,506,223	6,665,284	6,587,473
Military Personnel, Navy:			
Incremental OIF/OEF wartime costs	704,451	404,451	404,451
Basic Allowance for Housing	98,473	98,473	98,473
Pay and Allowances	…………	300,000	550,000
SGLI/Death Gratuity	221,000	230,750	230,750
Active Duty Special Work	13,400	13,400	13,400
GITMO PCS	12,500	12,500	12,500
Foreign Language Proficiency Pay/Other	10,400	10,400	10,400
GWOT Initiatives	1,500	1,500	1,500
Total Military Personnel, Navy	1,061,724	1,071,474	1,321,474
Military Personnel, Marine Corps:			
Incremental OIF/OEF wartime costs	283,492	283,492	283,492
Basic Allowance for Housing	86,430	86,430	86,430
Marine Corps active duty overstrength	272,600	272,600	272,600
Pay and Allowances	…………	20,000	…………
SGLI/Death Gratuity	191,600	198,350	198,350
Total Military Personnel, Marine Corps	834,122	860,872	840,872
Military Personnel, Air Force:			
Incremental OIF/OEF wartime costs	721,834	721,834	721,834
Basic Allowance for Housing	131,100	131,100	131,100
Pay and Allowances	…………	40,000	…………
SGLI/Death Gratuity	292,429	302,779	302,779
Total Military Personnel, Air Force	1,145,363	1,195,713	1,155,713
Reserve Personnel, Army:			
Recruiting and Retention Initiatives	159,070	129,070	129,070
Branch Officer Basic Course	…………	10,000	…………
Foreign Army Training Command	4,500	4,500	4,500
Port Handling Operations	2,500	2,500	2,500
SGLI/Death Gratuity	…………	4,500	4,500
Total Reserve Personnel, Army	166,070	150,570	140,570
Reserve Personnel, Navy:			
Incremental OIF/OEF wartime costs	82,128	82,128	82,128
Basic Allowance for Housing	24,984	24,984	24,984
Recruiting and Retention	…………	5,000	…………
SGLI/Death Gratuity	2,300	2,600	2,600
GWOT Initiatives	1,000	1,000	1,000
Total Reserve Personnel, Navy	110,412	115,712	110,712
Reserve Personnel, Marine Corps:			
Transitional Active Force Augmentation	9,127	9,127	9,127
Recruiting and Retention	…………	2,565	…………
SGLI/Death Gratuity	1,200	1,500	1,500
Total Reserve Personnel, Marine Corps	10,327	13,192	10,627
Reserve Personnel, Air Force:			
Schools and Special Training	…………	1,500	…………
SGLI/Death Gratuity	1,940	1,940	1,940
Total Reserve Personnel, Air Force	1,940	3,440	1,940
National Guard Personnel, Army:			
Recruiting and Retention Initiatives	35,000	55,000	45,000
SGLI/Death Gratuity	5,000	17,550	17,550
Inactive Duty Training	36,200	36,200	36,200
Annual Training (AT)	12,800	12,800	12,800
Incapacitation Pay	7,000	…………	…………
Total National Guard Personnel, Army	96,000	121,500	111,500
National Guard Personnel, Air Force:			
Recruiting and Retention Initiatives	…………	5,000	…………
SGLI/Death Gratuity	1,200	1,200	1,200
Total National Guard Personnel, Air Force	1,200	6,200	1,200
Total Military Personnel	9,933,381	10,204,007	10,282,131

OPERATION AND MAINTENANCE

The conference agreement recommends $37,899,717,000 for the operation and maintenance accounts, instead of $36,964,299,000 as proposed by the House, and $39,194,590,000 as proposed by the Senate. The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	*Conference*
Operation and Maintenance, Army:	
Incremental Wartime Operating Costs	7,562,500
Incremental LOGCAP	1,752,410
Civilian and Contractor Subsistence	511,000
Second Destination Transportation	646,500
Other Transportation	754,600
Depot Maintenance	773,700
Depot Maintenance: Army National Guard Abrams AIM	130,000
Contractor Logistics Support (CLS)	865,700
Other Maintenance—Organizational and Intermediate	109,500
Communications and Electronics	585,200
Other Personnel Support	349,000
Recruiting and Retention	4,000
Medical and Casualty Support	62,600
Contract Linguists	290,000
Training	1,446,800
CONUS Base Support (to include CHPP Fire Damage)	16,000
Army Modular Facilities	247,700
Other GW OT Operations and Support	125,100
OHDACA Reimbursement	20,000
Lift and Sustain	351,000
Commanders Emergency Response Program	423,000
Project and Contracting Office	200,000
Joint Improvised Explosive Device (JIED) Defeat Transfer to JIED Fund Coalition Blue Force Tracker and COB Communications	16,000
Other Programs	235,600
Baseline Budget Fuel Increase	116,500
Reset	150,000
Total Operation and Maintenance, Army	17,744,410
Operation and Maintenance, Navy:	
Personnel Support Costs	41,800
Body Armor	13,200
Ship Depot Maintenance	134,200
Aircraft Depot Maintenance	19,600
Ground Depot Maintenance	110,300
Reset	36,700
Steaming Days	130,200
Flying Hours	503,900
C4I, Logistics, Material and Training Support	268,600
Other Operational Support Costs	203,100
OHDACA Reimbursement	20,000
Baseline Fuel Rate Increase	157,600
Other GWOT Operations and Support	90,600
Classified Programs	61,593
USMC Transportation	326,900
Airlift	255,700
Sealift	20,800
Other Transportation	301,900
Total Operation and Maintenance, Navy	2,696,693
Operation and Maintenance, Marine Corps:	
Personnel Support Costs	118,900
Body Armor/Initial Issue/Personal Protection Equipment	238,700
Equipment Maintenance	39,100
Reset	240,800
In-Theater Logistics Support	321,100
Horn of Africa LOG CAP	149,900

Account	*Conference*
Other Operating Support Costs	190,511
Classified Programs	8,600
Second Destination Transportation	289,000
Airlift	22,300
Sealift	21,000
Total Operation and Maintenance, Marine Corps	1,639,911
Operation and Maintenance, Air Force:	
Operating Support/Flying Hours/Unit Optempo	1,262,849
Depot Maintenance and Contractor Logistics Support	838,572
Transportation	1,559,004
Fuel Rate Increase	149,200
GWOT Airlift/SDT	924,360
Personnel Support	296,294
Body Armor	24,700
Other Support	275,549
OHDACA Reimbursement	20,000
Classified Programs	225,729
Total Operation and Maintenance, Air Force	5,576,257
Operation and Maintenance, Defense-Wide:	
TJS—Combatant Commander Initiative Fund	25,000
SOCOM—Special Operations Command	856,852
DLA—Over Ocean Transportation	100,000
DCAA—Contract Audit	16,000
DCMA—Contract Management	6,000
DODEA—Family Support Counseling	85,000
DODEA—Transition Assistance to Separating Service Members	8,000
DLSA—Military Tribunals	11,000
DISA—Communications Network Support	77,000
AFIS—Stars & Stripes, American Forces Radio/TV Service	12,100
DSCA—Coalition Support	740,000
OSD—Lift & Sustain	95,000
OSD—NII/DCIP to Support USCENTCOM and Warfighter Activities	32,600
DTRA—Cooperative Threat Reduction (Transfer to FSUTR Account)	-
Other Defense-Wide Programs	26,547
Coast Guard Support	75,000
Classified Programs	664,578
Border Security Initiative (Transfer to title V)	-
Total Operation and Maintenance, Defense-Wide	2,830,677
Operation and Maintenance, Army Reserve:	
Recruiting and Retention Support	3,800
Premobilization Training	65,400
Port Handling Operations	600
Pre/Post Mobilization Equipment Maintenance	8,800
USAR Range Operations	3,000
Foreign Army Training Command	2,000
Soldier and Family Support Programs	1,100
Baseline Budget Fuel Increase	15,400
Total Operation and Maintenance, Army Reserve	100,100
Total Operation and Maintenance, Navy Reserve:	
Reserve Operating Support Costs	59,909
Classified Programs	15,600
Depot Maintenance	3,000
Total Operation and Maintenance, Navy Reserve	78,509
Total Operation and Maintenance, Marine Corps Reserve:	
Body Armor/Initial Issue/Personal Protection Equipment	68,900
Other Personnel Support	2,100
Operating Forces	9,825
Training and Support	3,725
Base Operating Support	3,125
Baseline Budget Fuel Increase	200
Total Operation and Maintenance, Marine Corps Reserve	87,875
Operation and Maintenance, Air Force Reserve:	
Personnel Operating Support Costs	1,300
Baseline Budget Fuel Increase	17,263
Total Operation and Maintenance, Air Force Reserve	18,563
Operation and Maintenance, Army National Guard:	
Recruiting and Retention Support	77,000
Premobilization Training	21,500
Aviation Depot Level Maintenance	19,300
Military Technician Program	30,000
Battle Command Simulation	1,200
Line of Duty Application Processing	1,500
Baseline Budget Fuel Increase	28,100
Total Operation and Maintenance, Army National Guard	178,600
Operation and Maintenance, Air National Guard:	
Baseline Budget Fuel Increase	30,400
Total Operation and Maintenance, Air National Guard	30,400
Former Soviet Union Threat Reduction Account (FSUTRA)	44,500
Afghanistan Security Forces Fund	1,908,133
Iraq Freedom Fund	3,007,000
Total Security Forces Funds	4,915,133
Iraq Freedom Fund	-
Joint Improvised Explosive Device Defeat Fund	1,958,089
Total Operation and Maintenance	37,899,717

COMPREHENSIVE COMBAT CASUALTY CARE CENTER IN SAN DIEGO

The conferees are pleased that the Navy has made funds available to open the Comprehensive Combat Casualty Care Center in San Diego and that the Navy has agreed to continue financing this center in future budgets. The creation of this center will help marines, sailors and soldiers assigned to the West Coast return to their commands, families and communities, while ensuring that their rehabilitation continues without interruption.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement includes $5,000,000 for emergencies and extraordinary expenses instead of $10,000,000 as proposed by the House. The Senate did not address this matter.

The conference agreement includes $740,000,000 in coalition support funding as proposed by the Senate instead of $1,200,000,000 as proposed by the House.

The conference agreement amends Senate language providing that up to $75,000,000 shall be transferred to the Coast Guard for operating expenses. The House bill addressed this matter in the Operation and Maintenance, Navy account.

BORDER SECURITY INITIATIVE

On May 18, 2006, the Administration submitted a revised supplemental request for a border security initiative. The revised request provided an additional $1,900,000,000 to the Departments of Defense, Justice and Homeland Security for this initiative. The additional amount for the President's border security initiative was offset by a corresponding reduction to the Department of Defense's funding for the Global War on Terror.

The conferees recommend $708,000,000, instead of $756,000,000 as proposed by the Administration, for the Department of Defense to fund the incremental military personnel and operation and maintenance costs of deploying up to 6,000 National Guard personnel to the U.S. border for one year in support of the Department of Homeland Security.

The funds recommended for the Department of Defense are addressed in Title V of this Act.

Counseling and Transition Assistance

The conferees remain concerned about the effects of combat operations on the emotional and psychological well-being of our military forces returning from war. This concern is borne out by a recently released Veterans Administration (VA) report that indicates almost 30,000 Operation Iraqi Freedom/Operation Enduring Freedom veterans have reported to VA hospitals with effects from post traumatic stress syndrome (PTSD). To address this issue, the conferees agree to include $93,000,000 for family support counseling and transition assistance, an increase of $50,000,000 over the request. The conferees believe the Department of Defense should redouble its efforts to understand the counseling and transition assistance needs of our returning troops and seek sufficient funding for programs that address these needs.

Former Soviet Union Threat Reduction Account

The conference agreement provides $44,500,000 for the Former Soviet Union Threat Reduction Account.

Afghanistan and Iraq Security Forces Funds

The conference agreement provides $1,908,133,000 for the Afghanistan Security Forces Fund, as proposed by the Senate, instead of $1,851,833,000 as proposed by the House; and provides $3,007,000,000 for the Iraq Security Forces Fund, as proposed by the House, instead of $3,703,000,000, as proposed by the Senate. The conferees agree that funds may be made available for infrastructure for the security forces in both countries that are being trained and equipped by the United States and its coalition allies, including police and military forces.

While the conference agreement does not provide full funding as requested by the President for these funds, the conferees note that it would not have been possible for the requested funds to be fully obligated and expended in the remaining months of fiscal year 2006. The reduction is taken without prejudice.

The conferees endorse language as proposed by the House regarding reporting requirements for the Afghanistan and Iraq Security Forces Funds.

The conferees are concerned that Iraq's neighbors in the Middle East have not provided sufficient resources to ensure security and stability in that country. Many of these nations have experienced greatly increased revenue flows due to the rise in oil prices. While the United States and its coalition allies have borne the predominant burden of combat operations, supporting free elections, and helping establish a permanent government, Arab and other nations in the region now need to greatly enhance their assistance for the new Iraqi security forces. The conferees strongly urge the Department of Defense and the Administration to renew efforts to solicit contributions from these nations so that in the future the United States is not the primary source of funds for the modernization of the Iraqi security forces.

Commander's Emergency Response Program

The conferees provide $423,000,000 for the Commander's Emergency Response Program (CERP), as proposed by both the House and the Senate. The conferees endorse language as proposed by the House that amends current CERP reporting requirements. The conferees also recognize that military commanders in the field are the first line of contact with the civilian population and therefore direct that the CERP funds remain under the operational control of the military commanders.

Condolence Payments

The conferees agree with the intent of the Senate language on condolence payments to civilians who have suffered injuries, or to the families of those who have died, as a result of combat operations. In addressing Department of Defense condolence payments, the report should only address activities funded under the CERP program. Recommendations on funding mechanisms for condolence payments should include a consideration of funding through other Federal Agencies.

Joint Improvised Explosive Device Defeat Fund

The conferees provide $1,958,089,000 for the Joint Improvised Explosive Device Defeat Fund, as proposed by the Senate.

The conferees endorse the Senate language which directs the Department of Defense to provide an initial report on the organization, funding, and other matters related to the Joint Improvised Explosive Device Defeat Fund. The initial report shall be provided to the congressional defense committees within 60 days of enactment of the accompanying Act. In addition, the Department is to provide subsequent reports not later than 30 days after the end of each fiscal quarter to the congressional defense committees.

PROCUREMENT

The conference agreement provides a total of$15,028,313,000 for various procurement appropriations, instead of $17,679,451,000 as proposed by the House and $15,456,598,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
Aircraft Procurement, Army:			
AH–64 Apache Mods	500,000	500,000	345,000
GUARDRAIL Mods (TIARA)	33,200	33,200	....
Total Aircraft Procurement, Army ..	533,200	533,200	345,000
Missile Procurement, Army:			
ATACMS Block I A Unitary	91,000	91,000	91,000
ITAS/TOW Mods	112,300	112,300	112,300
Total Missle Procurement, Army ..	203,300	203,300	203,300
Procurement of Weapons and Tracked Combat Vehicles, Army:			
Stryker	164,875	158,875	158,875
Carrier Mods	50,000	50,000	50,000
Fire Support Team (FIST) Vehicle	116,220	116,220	116,220
Bradley Fighting Vehicle Systems Mods	5,000	5,000	5,000
Bradley Fighting Vehicle Systems Mods—Bradley Reactive Armored Tile (BRAT)	137,400	137,400	137,400
Bradley Base Sustainment	250,000	....	175,000
M1 Abrams Tank Mod (AIM)	103,000	103,000	103,000
System Enhancement Program: SEP M1A2	300,000	....	....
M1 Abrams Tank Urban Survival Kit (TUSK)	100,000	100,000	100,000
Abrams System Enhancement Program: SEP M1A2	....	300,000	300,000
Improved Recovery Vehicle	100,000	....	....
Heavy Assault Bridge (HAB) System Mod	6,346	6,346	6,346
M240 medium machine gun (7.62mm)	2,703	2,703	2,703
M249 SAW machine gun (5.56mm)	23,939	23,939	23,939
MK–19 Grenade Machine Gun (40mm)	18,300	18,300	18,300
Mortar Systems	50,500	50,500	50,500
M107, Cal. 50 sniper rifle	9,949	9,949	9,949
Pistol 9mm Automatic, M9	4	4	4
XM 110 Semi-Automatic Sniper System (SASS)	8,000	8,000	8,000
CROWS	131,000	131,000	131,000
Howitzer, Light Towed, 105mm, M119	152,900	152,900	152,900
Phalanx	192,600	157,700	157,700
Howitzer, MED SP FT 155mm M109A6	480	480	480
Shotgun Modular Accessory System (MASS)	10,478	10,478	10,478
M249 SAW mods	14,060	14,060	14,060
M240 medium machine gun mods	10,105	10,105	10,105
M16 rifle mods	659	659	659
Modifications Less Than $5 Million	11,224	11,224	11,224
M2 50 Cal Machine Gun Mods	8,900	8,900	8,900
Small Arms Equipment (Soldier Enhancement Program	4,709	4,709	4,709
Total Procurement of WTCV, Army ...	1,983,351	1,592,451	1,767,451
Procurement of Ammunition, Army:			
CTG, 5.56MM, All Types ..	50,170	50,170	50,170
CTG, 7.62MM, All Types ..	45,739	45,739	45,739
CTG, 9MM, All Types	3,513	3,513	3,513
CTG, .50 CAL, All Types ..	22,951	22,951	22,951
CTG, 20MM for Counter Rocket and Mortar System (C–RAM)	20,700	20,700	20,700
CTG, 25MM, All Types	18,999	18,999	18,999
CTG, 30MM, All Types	11,062	11,062	11,062
CTG, 40MM, All Types	47,132	47,132	47,132
CTG, 60MM MORTAR, All Types	30,670	30,670	30,670
CTG, 81MM MORTAR, All Types	67,469	67,469	67,469
CTG, MORTAR, 120MM, All Types	139,927	139,927	139,927
CTG, Tank Training, All Types	2,262	2,262	2,262
CTG, Tank, 120MM Tactical, All Types	15,000	15,000	15,000
CTG, Artillery, 155MM, All Types	4,239	4,239	4,239
Modular Artillery Charge System (MACS), All Types	16,082	16,082	16,082
Mines (Conventional), All Types	486	486	486
Mine, Clearing Charge, All Types	5,000	5,000	5,000
Shoulder Fired Rockets, All Types	8,571	8,571	8,571
Rocket, Hydra 70, All Types	10,000	10,000	10,000
Demolition Munitions, All Types	25,828	25,828	25,828
Grenades, All Types	7,577	7,577	7,577
Signals, All Types	186,209	186,209	186,209
Non-Lethal Ammunition, All Types	46,782	46,782	46,782
Items Less Than $5 Million	12,311	12,311	12,311
Provision of Industrial Facilities (Holston Army Ammunition Plant)	31,000	31,000	31,000
Total Procurement of Ammunition, Army	829,679	829,679	829,679
Other Procurement, Army:			
Joint Improvised Explosive Device (IED) Defeat	1,110,712	....	....
LOGCAP Trucks, Trailers and other equipment ..	245,000	....	....
Tactical Trailer/Dolly Sets	29,000	29,000	29,000
Up-Armor HMMWVs: M1151, M1152	890,000	890,000	890,000
FMTVs	499,000	499,000	319,000
Fire Trucks and Associated Fire Fighting Equipment	23,600	23,600	23,600
FHTV	142,100	142,100	142,100
Armored Security Vehicles	39,200	39,200	39,200
HMMWV RECAP Program	451,900	451,900	451,900
Modification of In-Service Equipment Transfer from RDT&E,A	....	21,800	21,800

[In thousands of dollars]

Account	House	Senate	Conference
Non-Tactical Vehicles, Other	600	600	600
Super High Frequency (SHF) Terminal (SPACE)	10,000	10,000	10,000
Navstar Global Positioning System (Space)	63,200	63,200	63,200
Global Broadcast Service (GBS)	1,300	1,300	1,300
Global Command and Control System—Army (GCCS–A)	7,200	7,200	7,200
Items Under $5 million, Modification of In-Service Equipment	2,000	2,000	2,000
Army Data Distribution System (ADDS)	31,300	31,300	31,300
SINCGARS Family	692,000	692,000	525,000
Bridge to Future Networks—Joint Network Nodes (JNN)	853,700	743,700	643,700
Radio Improved, HF Family	257,700	257,700	257,700
Medical Comm for Combat Casualty Care (MC4)	11,300	11,300	11,300
TSEC, Army Key Management System (AKMS)	35,700	35,700	35,700
Information System Security Program	95,700	....	....
World Wide Tech Control Improvement Program	6,200	101,900	101,900
All Source Analysis System	33,500	33,500	33,500
Army Common Ground Station	8,900	8,900	8,900
Prophet Ground	8,900	8,900	8,900
Tactical Unmanned Aerial System (TUAS)	50,200	50,200	50,200
Digital Topographic Support System	36,400	36,400	36,400
Tactical Exploitation System (TES)	19,500	19,500	....
CI HUMINT Information Management Systems (CHIMS)	6,900	6,900	6,900
Items Less Than $5.0M (MIP)	53,100	53,100	53,100
Lightweight Counter Mortar Radar	89,700	89,700	89,700
Counter Intelligence/Security Countermeasure	4,200	4,200	4,200
Night Vision Devices.	173,300	173,300	173,300
Long Range Advanced Scout Surveillance System (LRAS3)	82,200	82,200	82,200
Thermal Weapon System—NightVision Equipment	42,200	42,200	42,200
Artillery Accuracy	15,500	15,500	15,500
Modification of In-Service Equipment (Firefinder Radar)	108,300	108,300	108,300
Force XXI Battle Command BDE and Below (FBCB2)	38,900	38,900	38,900
Lightweight Laser Designator Rangefinder (LLDR)	95,000	95,000	95,000
Handheld Mortar Ballistic Computer (LHMBC)	21,300	21,300	21,300
Mortar Fire Control System	9,600	9,600	9,600
Tactical Operations Centers	78,300	78,300	78,300
Advanced Field Artillery Tactical Data Systems (AFATDS)	1,900	1,900	1,900
Lightweight Technical Fire Direction System	2,700	2,700	2,700
Battle Command Sustainment Support System (BCS3)	21,600	21,600	21,600
Forward Area Air Defense Command, Control and Intelligence (FAAD C2) System	154,400	189,300	189,300
Forward Entry Device (FED)/Lightweight FED	6,100	6,100	6,100
M707 Knight with Fire Support Sensor System (FS3)	112,800	112,800	112,800
Maneuver Control System (MCS)	26,000	26,000	26,000
Single Army Logistics Enterprise	600	600	600
Automated Data Processing Equipment	87,800	87,800	87,800
Transponder Test Set	2,700	2,700	2,700
Smoke and Obscurant Family—Radiac Meters & Chem Masks	11,800	11,800	11,800
Handheld Standoff Minefield Detection System	5,300	5,300	5,300
Ground Standoff Minefield Detection System	200,700	200,700	200,700
Explosive Ordnance Disposal Equipment (EOD EQPM)	2,100	2,100	2,100
Items Less than $5.0M Countermine Equipment	1,100	1,100	1,100
Items Less than $5.0M Engineering Support	1,000	1,000	1,000
Distribution System, Petroleum and Water	35,900	35,900	35,900
Shop Equipment, Contact Maintenance	37,300	37,300	37,300
Loader, Scoop, 4–5 Cubic Yard	5,000	5,000	5,000
Construction Equipment (Scrapers, Graders, Dozers)	25,000	25,000	25,000
Generators and Associated Equipment	24,400	24,400	24,400
Persistent Surveillance/Threat Detection Systems	143,400	143,400	143,400
Physical Security Systems—Mobile Vehicle and Cargo Inspection Systems	37,700	37,700	37,700
Communications Equipment Spares (TUAV Spares)	3,000	3,000	3,000
Building Pre-Fab, Relocatable	....	135,000	135,000
Demolition Set Explosive	100	100	100
Shelter Tunnel TY3	400	400	400
Table Tilting Gyro Instrument	3,000	3,000	3,000
Tool Outfit Hydraulic System	45	45	45
Classified Program	500	500	500
Training Devices, Nonsystem	....	31,500	31,500
Total Other Procurement, Army	7,528,657	6,286,145	5,819,645
Aircraft Procurement, Navy:			
V–22	....	230,000	230,000
UH–1Y/AH–1Z Aircraft	....	....	....
KC–130J—Procure 2 Aircraft	126,600	....	126,600
EA–6 Series	7,029	7,029	7,029
AV–8 Series	9,647	21,947	9,647
F–18 Series	15,500	15,500	15,500
H–46 Series	12,957	12,957	12,957
AH–1W Series	810	810	810
H–53 Series	38,504	40,504	38,504
SH–60 Series	250	250	250
H–1 Series	14,978	14,978	14,978
E–2 Series	15,620	12,200	12,200
C–2A	1,950	1,950	1,950
C–130 Series	18,875	15,184	15,184
Common Electronic Countermeasure (ECM) Equipment	1,540	1,540	1,540
ID Systems	625	625	625
Spares and Repair Parts	20,409	11,909	20,409
Common Ground Equipment	2,937	2,937	2,937
Aircraft Industrial Facilities	879	879	879
War Consumables	4,870	20,970	4,870
Total Aircraft Procurement, Navy	293,980	412,169	516,869
Weapons Procurement, Navy:			
Hellfire Missiles	85,200	55,200	55,200
Small Arms and Weapons—NECC	5,600	8,151	....
Total Weapons Procurement, Navy	90,800	63,351	55,200
Procurement of Ammunition, Navy and Marine Corps:			
Air Expendable Countermeasures	1,800	1,800	1,800
Small Arms and Landing Party Ammunition	....	3,870	....
5.56MM Ammunition, All Types	10,284	10,284	10,284
7.62MM Ammunition, All Types	6,685	6,685	6,685
50 Caliber Ammunition	15,054	15,054	15,054
40MM Ammunition, All Types	48,888	41,148	41,148
60MM Ammunition, All Types	17,436	17,436	17,436
81MM Ammunition, All Types	35,652	35,652	35,652
120MM Ammunition, All Types	38,989	38,989	38,989
CTG 25MM, All Types	7,590	7,590	7,590
9MM Ammunition, All Types	235	235	235
Grenades, All Types	7,118	7,118	7,118
Rockets, All Types	45,303	45,303	45,303
Artillery, All Types	42,395	42,395	42,395
Demolition Munitions, All Types	36,420	36,420	36,420
Fuze, All Types	855	855	855
Non Lethals	1,070	1,070	1,070
Ammo Modernization	15,003	15,003	15,003
Items Less Than $5 Million	219	219	219
Total Procurement of Ammunition, Navy and Marine Corps	330,996	327,126	323,256
Other Procurement, Navy:			
Tactical Vehicles—NECC	17,928	25,528	....
Construction and Mainenance Equipment—NECC	571	1,051	....
Items Under $5 Million (Civil Engineering Support)—NECC	8,305	10,655	....
Shipboard IW Exploit	19,000	19,000	19,000
Common Ground Imagery Ground Surface System DCGS—Navy	21,400	21,400	21,400
Communications Items Under$5M	4,095	4,995	4,955
Standard Boats (RHIBs)—NECC	22,295	36,995	....
Physical Security Equipment	3,300	3,300	3,300
Chemical Warfare Detectors—NECC	376	1,476	....
Materials Handling Equipment—NECC	73	478	....
Spares and Repair Parts—NECC	3,436	3,801	....
C41SR Equipment—NECC	140	140	140
NAVSTAR GPS Receivers—NECC	....	75	....
Expeditionary Airfields	3,600	3,600	3,600
Items Less Than $5M, Other Shipboard Equipment	7,200	7,200	7,200
Total Other Procurement, Navy	111,719	140,144	54,640
Procurement, Marine Corps:			
AAV7A1 Product Improvement Program	58,089	58,089	58,089
Light Armored Vehicle (LAV) Product Improvement Program	62,000	62,000	61,953
M1A1 Firepower Enhancements	5,762	....	....
Weapons & combat Vehicles under $5 Million (to include MARSOC)	134,710	35,610	35,610
Modular Weapon System	15,690	10,805	10,790
Modifications Kits (Armor & Weapons Systems)	39,392	32,500	32,492
Weapons Enhancement Program (to include MARSOC)	36,230	36,230	36,230
Operations Other Than War (Security Systems and Non-lethal Systems)	15,600	15,600	15,600
JAVELIN	3,682	3,682	3,682
Modifications Kits—TOW	239,984	239,984	239,984
Unit Operations Center	2,191	791	791
Repair and Test Equipment	222,510	222,510	222,510
Combat Support System (LSWAN)	15,000	15,000	15,000
Items Under $5 Million (Communications & electronics)	153	153	153
Air Operations C2 Systems	5,504	5,504	5,504
RADAR Systems (TPS–59)	15,250	15,250	15,250
Fire Support Systems	5,790	5,790	5,790
Intelligence Support Equipment (UAV)	78,175	18,975	18,975
Night Vision Equipment	258,740	217,040	217,147
Common Computer Resources	21,599	21,599	21,599
Command Post Systems	4,200	....	....
Radio Systems	539,815	424,209	424,209
Communications Switching & Control Systems	215,125	118,425	119,425
Communications & Electronics Infrastructure Support	178,600	178,600	178,553
5/4T Truck HMMWV (MARSOC)	271,409	271,409	271,409
Motor Transport Modifications	302,179	302,179	302,179
Family of Tactical Trailers	31,933	31,933	31,933
Items less than $5 Million (Various Support Vehicles)	1,991	1,991	1,991
Environmental Control Equipment Assorted	8,788	8,788	8,788
Bulk Liquid Equipment	7,581	7,581	7,581
Tactical Fuel Systems	4,016	4,016	4,016

[In thousands of dollars]

Account	House	Senate	Conference
Power Equipment Assorted	26,888	21,888	21,888
Amphibious Support Equipment (MARSOC)	12,168	12,168	12,168
EOD Systems	154,704	27,094	27,104
Physical Security Equipment	12,600	12,600	12,600
Material Handling Equipment	2,459	2,459	2,459
Field Medical Equipment	5,592	5,592	5,592
Training Devices	126,090	61,790	61,790
Container Family	7,212	7,212	7,212
Family of Construction Equipment (MARSOC)	2,126	2,126	2,126
Family of Internally Transportable Vehicle (ITV)	51,760	....	....
Rapid Deployable Kitchen	800	800	800
Items less than $5 Million	56,495	56,495	56,495
Total Procurement, Marine Corps	3,260,582	2,576,467	2,577,467
Aircraft Procurement, Air Force:			
Compass Call IED Defeat Capability	600	600	600
U2 SIGINT Sensor Replacement	22,500	22,500	22,500
Predator RQ/MQ–1	53,000	57,700	53,000
A–10 Refurbishment	7,000	7,000	7,000
C–130J	216,000	216,000	216,000
HH–60 Altitude Hold Hover Stabilization System	9,200	9,200	9,200
Senior Scout QRC	1,300	1,300	1,300
RC–135 Rivet Joint Real-Time SIGINT	20,300	15,300	15,300
Tactical Data Link (A–10 Aircraft)	3,760	3,760	3,760
U–2 Electronic Warfare System MEWS Replacement	14,280	....	....
U–2 Ground Support Unit II	975	975	975
AC–130 Enhanced ETCAS	13,000	13,000	13,000
C–17 Initial Spares Replenishment	28,000	....	28,000
C–17 (MYP)	....	28,000	....
MQ–1 Predator Initial Equipment—AFSOC	76,680	76,680	76,680
C–17 LAIRCM	97,000	....	....
C–17 Aircraft (AP for 7 aircraft in FY08)	100,000	227,500	227,500
Total Aircraft Procurement, Air Force	663,595	679,515	674,815
Procurement of Ammunition, Air Force:			
War Reserve Material Ammunition	22,527	22,527	22,527
Remote Firing Devices and Demolition Munitions for EOD Units	6,520	6,520	6,520
Total Procurement of Ammunition, Air Force	29,047	29,047	29,047
Other Procurement, Air Force:			
Hydrema Mine clearance Equipment	8,700	8,700	8,700
Up-Armored HMMWV	17,831	17,831	17,831
MTRS for EOD	12,500	12,500	12,500
AFRES Vehicle Replacements	223	223	223
Distributed Common Ground System	95,000	95,000	95,000
DGS–4	5,045	5,045	5,045
Halvorsen	7,000	7,000	7,000
DCGS PEDS Integration	1,600	1,600	1,600
Warfighting Headquarters ICE	1,500	1,500	1,500
Encryption Device Replacement	400	438	438
Combat Convoy Trainer	2,430	2,430	2,430
Classified	1,312,963	1,300,384	1,324,324
CENTAF Battle Control System—Mobile	24,000	....	24,000
Total Other Procurement, Air Force	1,489,192	1,452,651	1,500,591
Procurement, Defense-Wide:			
Teleport Program	4,800	4,800	4,800
Defense Information Switched Network	2,600	2,600	2,600
A/MH–6M Little bird Helicopters Repair & Replacements (3)	6,800	6,800	6,800
SOF Ordnance Replenishment	26,200	26,200	26,200
SOF Ordnance Acquisition	43,600	43,600	43,600
Communication Equipment & Electronics	47,400	47,400	47,400
SOF Intelligence Systems	23,300	23,300	23,300
Small Arms and Weapons	13,700	13,700	13,700
Tactical Vehicles	13,100	13,100	13,100
SOF Combatant Craft Systems	500	500	500
SOF Operational Enhancements	50,400	50,400	50,400
Individual Protection	5,100	5,100	5,100
Contamination Avoidance	53,178	53,178	53,178
Clasified Programs	40,675	40,675	40,675
Total Procurement, Defense-Wide	331,353	331,353	331,353
Total Procurement	17,679,451	15,456,598	15,028,313

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides a total of $710,726,000 for research, development, test and evaluation appropriations, as proposed by the Senate, instead of $1,002,053,000 as proposed by the House.

The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
RDT&E, Army:			
Joint Improvised Explosive Device (IED) Defeat	357,477	....	....
Combat Engineer Equipment Uparmoring Engineering Development	25,800	4,000	4,000
FAAD C2 Counter Rocket, Artillery, Mortar (C–RAM)	13,400	13,400	13,400
Oak Bard (Classified)	5,900	5,900	5,900
Rapid Equipping Soldier Support Equipment	20,000	20,000	20,000
JNN Testing (transfer from Other Procurement, Army)	....	10,000	10,000
Fuel Cost Increase	1,600	1,400	1,400
Total RDT&E, Army	424,177	54,700	54,700
RDT&E, Navy:			
AV–8B Aircraft Engine Development	4,500	4,500	4,500
Electronic Warfare Development	900	900	900
Other Helo Development	2,000	....	....
Classified Program	117,445	117,445	117,445
Various (Fuel)	2,000	2,000	2,000
Total RDT&E, Navy	126,845	124,845	124,845
RDT&E, Air Force:			
A–10 Beyond Line-of-Site Radio	1,200	1,200	1,200
TARS CIP	3,000	....	....
CENTAF BCS–M Replacement	6,000	6,000	6,000
Fuel Price Increase	4,500	4,500	4,500
Predator Multiple Aircraft Control	1,500	....	....
Defense Reconnaissance Support Activities	3,430	3,450	3,450
Classified	285,480	367,480	367,480
Total RDT&E, Air Force	305,110	382,630	382,630
RDT&E, Defense-Wide:			
Defense Information Systems Agency	22,500	22,500	22,500
Advanced Concept Technology Development	2,600	2,600	2,600
Quick Reaction Special Projects	3,921	3,921	3,921
Classified	116,900	119,530	119,530
Total RDT&E, Defense-Wide	145,921	148,551	148,551
Total RDT&E	1,002,053	710,726	710,726

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

The conference agreement provides $516,700,000 for the Defense Working Capital Funds, as proposed by the Senate, instead of $502,700,000 as proposed by the House, to be allocated as follows:

[In thousands of dollars]

	Conference
War Reserve Stocks—Army	$49,100
Prepositioned Stocks—Army (APS–5)	43,000
Spares Augmentation—Army	255,000
Increased Fuel Costs (Defense Working Capital Fund)	37,600
Defense Logistics Agency (DLA) Fuel Distribution-Iraq	107,000
Theater Distribution Center Kuwait (DLA)	25,000

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

The conference agreement provides $1,153,562,000 for the Defense Health Program, as proposed by the House and the Senate, for medical costs related to providing health care for activated reservists and their families, allowing military hospitals to contract for civilian medical staff to backfill deployed active duty medical staff, providing mental health services and medical treatment of mental health conditions, and for other medical-related costs for the Global War on Terror.

The conferees agree that expanding the U.S. prosthetic and orthotic training capacity is an important long-term issue. However, the conferees do not agree to $20,000,000 within the total to expand the capacity to nine schools accredited by the National Commission on Orthotic and Prosthetic Education as proposed by the House. The conferees encourage the Department to enhance this training in future budget requests.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides $150,470,000 for Drug Interdiction and Counter-Drug Activities, Defense instead of $156,800,000 as proposed by the House, and $154,596,000 as proposed by the Senate. Adjustments to this account are shown below:

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

In thousands of dollars

Country	Budget	House	Senate	Conference
Afghanistan	102,900	102,900	102,900	102,900
Uzbekistan	6,000	0	0	0
Tajikistan	20,000	0	10,000	10,000
Turkmenistan	10,000	0	5,000	10,000
Oman	6,000	6,100	4,226	6,100
Pakistan	18,000	18,700	18,700	18,700
Kyrgyzstan	7,100	7,100	5,270	5,270
Kazakhstan	12,000	12,000	6,000	5,000

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE—Continued

In thousands of dollars

Country	Budget	House	Senate	Conference
Iraq	5,000	5,000	0	0
Horn of Africa	5,000	5,000	2,500	2,500
TOTAL	192,800	156,800	154,596	150,470

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $5,000,000 for the Office of the Inspector General, instead of $6,120,000 as proposed by the House and $1,815,000 as proposed by the Senate. This increase is intended to allow the Inspector General to facilitate his oversight activities of the Afghanistan and Iraq Security Forces Funds, among other activities.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

The conference agreement provides $158,875,000 for the Intelligence Community Management Account, as proposed by both the House and the Senate.

GENERAL PROVISIONS—THIS TITLE

The conferees agree to retain and amend section 1201, as proposed by the House and Senate, which provides the Secretary of Defense authority to transfer up to $2,000,000,000 of funds made available in this title.

The conferees agree to retain and amend section 1202, as proposed by the Senate, which amends section 8005 of the Department of Defense Appropriations Act, 2006 to provide an additional $1,250,000,000 in transfer authority.

The conferees agree to retain section 1203, as proposed by the Senate, which provides that funds in the Defense Cooperation Account may be transferred to other defense accounts.

The conferees agree to retain section 1204, as proposed by the Senate, which increases the authorized United States contribution to NATO to $345,547,000.

The conferees agree to retain and amend section 1205, as proposed by the House and Senate, which provides that not more than $22,200,000 may 706 233 be available for support for counter-drug activities of Afghanistan and Pakistan.

The conferees agree to retain and amend section 1206, as proposed by the House and Senate, which provides that during the current fiscal year working capital funds of the Department of Defense may increase the limitation on advance billing to $1,200,000,000.

The conferees agree to retain section 1207, as proposed by the House and Senate, which provides for an increase in the amount of funds that may be used for the Commander's Emergency Response Program (CERP).

The conferees agree to retain section 1208, as proposed by the House and Senate, which includes a technical change to language regarding use of the Afghanistan Security Forces Fund and the Iraq Security Forces Fund for supervision and administration costs of construction projects that will be completed after fiscal year 2006.

The conferees agree to retain section 1209, as proposed by the House and Senate, which prohibits funds provided in this chapter to finance programs or activities denied by Congress, or to initiate a new start program without prior notification to the congressional defense committees.

The conferees agree to retain and amend section 1210, as proposed by the Senate, which amends Public Law 109-163 to provide retroactive payments of Death Gratuity benefits for those military members who died on active duty from May 12, 2005 to August 31, 2005.

The conferees agree to retain and amend section 1211, which rescinds a total of $119,400,000 from funds provided in prior Department of Defense appropriations acts. The conferees include a rescission of $39,400,000 from "Other Procurement, Air Force", appropriated in fiscal year 2005/2007. The conferees also include a rescission of $80,000,000 from "Missile Procurement, Air Force" appropriated in fiscal year 2006/2008.

The conferees agree to retain and amend section 1212, as proposed by the Senate, which directs the Department to continue the Interim Voting Assistance System (IV AS) Ballot Request Program.

The conferees agree to retain section 1213, as proposed by the Senate, which includes Sense of the Senate language that any request for funds after fiscal year 2007 for an ongoing military operation overseas, including operations in Afghanistan and Iraq, should be included in the President's annual budget submission for that fiscal year.

The conferees agree to delete language, as proposed by the Senate, which transfers funds available for Cooperative Threat Reduction to the "Former Soviet Union Threat Reduction Account".

The conferees do not agree to section 1312 of the Senate bill regarding Federal employee pay when serving as a member of the Uniformed Services or National Guard.

CHAPTER 3

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

The conference agreement provides $7,800,000 for "Child Survival and Health Programs Fund", instead of $5,300,000 as recommended by the House and $10,300,000 as recommended by the Senate.

DEVELOPMENT ASSISTANCE

The conference agreement provides $16,500,000 for "Development Assistance" instead of $10,500,000 as proposed by the House and $22,500,000 as proposed by the Senate.

The conference agreement includes $6,000,000 for assistance for Guatemala for relief and reconstruction activities related to Hurricane Stan, instead of no funding as proposed by the House and $12,000,000 as proposed by the Senate.

INTERNATIONAL DISASTER AND FAMINE ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $161,300,000 for "International Disaster and Famine Assistance" instead of $136,290,000 as proposed by the House and $171,290,000 as proposed by the Senate. The conferees agree to provide these funds to meet the highest priority requirements for disaster and famine assistance.

The conference agreement includes the Senate proposal to provide a transfer of $80,000 to Operating Expenses of the United States Agency for International Development (USAID).

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The conference agreement provides $101,000,000 for "Operating Expenses of the United States Agency for International Development" for expenses in Iraq, Afghanistan and Sudan, instead of $61,600,000 as proposed by the House and $141,600,000 as proposed by the Senate.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $1,686,000,000 for the "Economic Support Fund", instead of $1,584,500,000 as proposed by the House and $1,757,500,000 as proposed by the Senate.

The conferees agree that the funds provided in this appropriation shall be expended as follows:

Country	Request	House	Senate	Conference
Afghanistan	$43,000	$5,000	$43,000	$43,000
Iraq	1,489,000	1,489,000	1,489,000	1,485,000
Iran	65,000	0	0	0
Liberia	0	50,000	50,000	50,000
Pakistan	40,500	40,500	40,500	40,500
Jordan	0	0	100,000	50,000
Haiti	0	0	35,000	17,500
TOTAL	1,637,500	1,584,500	1,757,500	1,686,000

The conference agreement includes $43,000,000 for assistance for Afghanistan as proposed by the Senate, instead of $5,000,000 as proposed by the House.

The conference agreement includes a proposal by the Senate to provide $11,000,000 for costs of modifying direct loans and guarantees for Afghanistan and that the costs of modifying such loans should not be considered assistance.

The conference agreement includes a proposal by the Senate to provide $5,000,000 for agriculture and rural development programs in Afghanistan to be administered through a national consortium of agriculture colleges and land-grant colleges.

The conference agreement includes a proposal by the Senate to amend a provision carried in the Economic Support Fund appropriation of fiscal year 2006 and prior fiscal years.

The conference agreement includes a total of $1,485,000,000 for assistance for Iraq instead of $1,489,000,000 as proposed by both the House and the Senate.

Within the amounts provided for Iraq, the conference agreement includes $50,000,000 for continued support for the USAID Iraq Community Action Program (ICAP) which directly engages Iraqis in democratic decision making to restore basic services and reconstruct their own communities instead of $10,000,000 as proposed by the House and $75,000,000 as proposed by the Senate. The conferees agree that significant congressional support for ICAP is due to the fine work that has been achieved by this consortium of nongovernmental organizations committed to making the lives of Iraq's citizens more productive. These funds will enable ICAP to continue functioning at approximately the current level through fiscal year 2006, after which fiscal year 2007 funds will become available.

The conference agreement includes language to transfer $5,000,000 of the ICAP funds to the Iraq Relief and Reconstruction Fund (IRRF) for the Marla Ruzicka Iraqi War Victims Fund, instead of $10,000,000 as proposed by the Senate, for assistance to Iraqi civilians who have suffered losses as a result of the military operations.

Within the amounts provided for Iraq, the conference agreement includes $50,000,000 for democracy, rule of law, and reconciliation programs, including activities that promote the development of civil society, political parties, election processes and parliament. The Senate addressed this issue in Section 1407 of the bill. The conferees agree that the funds shall be provided to the following organizations in the following amounts:

[In thousands of dollars]

IFES	$10,000
IREX	3,000
NED	5,000
ADF	8,000
NDI	10,000
IRI	10,000
USIP-Iraq and Afghanistan	4,000
TOTAL	50,000

The conferees expect compliance with the reporting requirements contained in Section 1407(b) of the Senate bill.

The conference agreement includes $17,500,000 for Haiti instead of no funding as proposed by the House and $35,000,000 as proposed by the Senate for programs to increase economic opportunities, for police reform, and judicial and legal reforms.

The conference agreement includes a proposal by the Senate requiring that funds made available under this heading for police and judicial reform programs for Haiti be subject to regular notification procedures.

The conference agreement includes $50,000,000 for assistance for Jordan instead of no funding as proposed by the House and $100,000,000 as proposed by the Senate.

The conference agreement includes $40,500,000 for assistance for Pakistan as proposed by the House and the Senate for assistance to meet urgent needs associated with the October 2005 earthquake, including reimbursement of funds previously expended for such purposes.

The conference agreement includes $50,000,000 for assistance for Liberia as proposed by the House and the Senate. The conferees agree with the language as proposed by the Senate that assistance for Liberia should be for emergency employment activities, infrastructure development projects, democracy, human rights and rule of law programs, and activities to assist with the demobilization and reintegration of ex-rebel combatants.

The conferees expect compliance with the reporting requirement and the limitation on expenditures with respect to PRTs/PRDCs in Iraq as proposed by the House.

DEPARTMENT OF STATE

DEMOCRACY FUND

The conference agreement includes $22,500,000 for "Democracy Fund", instead of $10,000,000 as proposed by the House and $39,750,000 as proposed by the Senate.

The conference agreement does not include language as proposed by the House that the funds are for the advancement of democracy in Iran.

The conference agreement includes $20,000,000 for programs and activities promoting democracy in Iran instead of $10,000,000 as proposed by the House and $34,750,000 as proposed by the Senate.

The conference agreement provides $2,500,000 for assistance for the Democratic Republic of the Congo (DRC) instead of no funding as proposed by the House and $5,000,000 as proposed by the Senate. The conferees agree to provide these funds for immediate electoral assistance and to improve governance and consolidate democracy following the elections this year, the first in the DRC in nearly half a century.

The conference agreement includes a proposal by the Senate that funds available under this heading are available notwithstanding any other provision of law and those funds available to promote democracy in Iran shall be administered by the Middle East Partnership Initiative. The conference agreement includes a modification of this language to require consultation with the Department of State's Bureau of Democracy, Human Rights, and Labor.

The conference agreement includes a proposal by the Senate that funds available under this heading in this Act shall be subject to regular notification procedures.

The conferees expect compliance with reporting requirements and limitation on expenditure of funds with respect to democracy programs in Iran as proposed by the House.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $107,700,000 for "International Narcotics Control and Law Enforcement", as proposed by both the House and the Senate.

The conference agreement includes language making funds available until September 30, 2008 as proposed by the Senate instead of September 30, 2007 as proposed by the House.

The conference agreement includes language that provides from within funds appropriated under this heading, up to $13,000,000 for maritime surveillance aircraft for the Colombian Navy, instead of $26,300,000 as proposed by the House and no funding as proposed by the Senate. The conference agreement also includes language that allows for the transfer of these funds to the "Foreign Military Financing Program" should this provide the most effective means of procuring a maritime patrol aircraft for the Colombian Navy.

The conferees direct the Director of the Defense Security Cooperation Agency and the Deputy Secretary of State, prior to the obligation of the funds for the maritime patrol aircraft, to submit jointly a report to the Committees on Appropriations that describes: (a) an Analysis of Alternatives (AoA) for the acquisition of a maritime patrol aircraft for the Colombian Navy; (b) the source of funds most appropriate for supporting the recommended acquisition strategy (to include the viability of providing a maritime patrol capability through the transfer of excess defense articles); and (c) an assessment of the overall assistance needs of the Colombian Army, Air Force and Navy for fiscal year 2008. The AoA shall include at a minimum: the requirement or mission need for the aircraft to be procured; planned funding for the subject acquisition; cost of alternative aircraft to include mission essential communications, navigation and intelligence equipment; mission capabilities to include range, lift and operational limitations; estimated annual maintenance costs and requirements; and contract or availability limitations.

The conference agreement includes a proposal by the Senate that from within funds appropriated under this heading, $3,300,000 shall be made available for assistance for the Peace and Justice Unit of the Colombia Fiscalia notwithstanding section 599E of Public Law 109–102. The conferees agree to provide these funds to support criminal investigations and prosecutions related to the demobilization of paramilitary organizations. These funds are in addition to the $1,700,000 made available in fiscal year 2005 funds that have already been allocated for this purpose.

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement provides $75,700,000 for "Migration and Refugee Assistance" instead of $51,200,000 as proposed by the House and $110,200,000 as proposed by the Senate.

The conference agreement includes the following amounts for the following programs:

[In thousands of dollars]

Afghanistan	$3,400
Chad/Darfur humanitarian assistance	11,700
Southern Sudan repatriation	12,300
Liberia	13,800
Refugee food aid	12,000
Burma	5,000
Other	17,500
TOTAL	75,700

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The conference agreement does not include an appropriation for the "United States Emergency Refugee and Migration Assistance Fund" as proposed by the House instead of $20,000,000 as proposed by the Senate.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

The conference agreement includes $13,000,000 for "International Affairs Technical Assistance" as proposed by both the House and the Senate.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

PEACEKEEPING OPERATIONS

The conference agreement includes $178,000,000 for "Peacekeeping Operations" instead of $173,000,000 as proposed by the House and $181,200,000 as proposed by the Senate.

The conference agreement does not include language proposed by the House that the appropriation be increased by $50,000,000.

The conference agreement includes the following amounts for the following programs:

[In thousands of dollars]

	Conference
Contractor logistics support/base operations	$68,200
Contract military observers	2,300
Security and infrastructure upgrades for AMIS base camps	8,500
Contractor train and equip AMIS battalions	37,000
Global Peace Operations Initiative	57,000
Democractic Republic of the Congo	5,000
Total	178,000

The conference agreement includes $5,000,000 for training and equipment for the Congolese National Army (FARDC) to improve the capacity of FARDC units that are integrated with United Nations peacekeeping troops to provide effective security. The conferees agree that rebuilding the FARDC into a professional, disciplined force that respects human rights and civilian authority will be essential to stability and peace in the Democratic Republic of the Congo. The conferees direct the Department of State to consult with the Committees on Appropriations prior to the obligation of these funds.

GENERAL PROVISIONS—THIS CHAPTER

Section 1301. Availability of funds—The conference agreement includes a provision similar to that proposed by the House (Sec. 1301) and similar to that proposed by the Senate (Sec. 1403) concerning availability of funds.

Sec. 1302. Iraq Relief and Reconstruction Fund—The conference agreement includes a provision similar to that proposed by the House (Sec. 1304) and the Senate (Sec. 1401) that extends the availability of the IRRF for an additional one year for the purposes of deobligation and re-obligation of funds and provides new "sectoral" allocations for the IRRF.

The conference agreement does not include a provision as proposed House (Sec. 1302) recommendmg the transfer of $185,500,000 from funds appropriated to the IRRF to the "Economic Support Fund" contained in this Act.

Sec. 1303. Peacekeeping Operations (Rescission)—The conference agreement includes a provision similar to that proposed by the House (Sec. 1303) to rescind $7,000,000 of previously appropriated funds.

Sec. 1304. Palestinian Authority—The conference agreement includes a provision similar to that proposed by the Senate (Sec. 1404) and similar to a provision proposed by the House (Sec. 3012) concerning assistance to the Palestinian Authority.

Sec. 1305. Export-Import Bank (Rescission)—The conference agreement includes a provision similar to that proposed by the Senate (Sec. 1405) to rescind $37,000,000 of previously appropriated funds.

Sec. 1306. Administrative Cost—The conference agreement includes a provision proposed by the Senate (Sec. 1402) stating that the administrative costs of the Department of Defense associated with a construction project funded by the IRRF may be obligated at the time of the contract award and for pre-existing contracts by September 30, 2006, and states that such costs include all inhouse government costs.

Democracy in Iraq—The conference agreement does not include a provision proposed by the Senate (Sec. 1407). Instead the conferees agree to provide $50,000,000 for democracy programs in Iraq within the "Economic Support Fund" in this Act.

Economic Support Fund (Rescission)—The conference agreement does not include a provision proposed by the Senate (Sec. 1408) that rescinded funds previously appropriated for Egypt cash transfer assistance.

TITLE III

GENERAL PROVISIONS AND TECHNICAL CORRECTIONS

Palestinian Authority—The conference agreement does not, in this Title, include a provision proposed by the House (Sec. 3012) and similar to a provision proposed by the Senate (Sec. 1404) contained in Title I, Chapter 4 of the Senate bill. Instead, the conferees agree to address this issue as Sec. 1304 in Title I of this agreement.

Basing Rights in Iraq—The conference agreement does not include a provision proposed by the House (Sec. 3014) that would have prohibited the use of funds to enter into a basing rights agreement between the United States and Iraq.

CHAPTER 4

DEPARTMENT OF HOMELAND SECURITY

UNITED STATES COAST GUARD

OPERATING EXPENSES

The conferees agree to provide $26,692,000 as proposed by the House and the Senate for the United States Coast Guard's share of enhanced death gratuity benefits and for upgrades to necessary intelligence systems.

CHAPTER 5

DEPARTMENT OF DEFENSE

Use of requested military construction funds to offset border security proposal.—The Office of Management and Budget (OMB) submitted on February 16, 2006, an emergency military construction request for the global war on terrorism totaling $484,700,000. The projects comprised by that request were deemed urgent and vital to ongoing contingency operations in Iraq and Afghanistan. On May 14, 2006, OMB submitted a border security funding proposal that included offsets from the military construction request submitted in February. Included in this list were three projects at Bagram, Afghanistan, though OMB gave no explanation as to why these projects were no longer deemed emergency requirements. The conferees do not recommend funding for these three projects, since the Administration no longer regards them as priorities. The conferees believe that emergency spending requests must be taken seriously and deserve to be reviewed and acted upon in good faith. Such consideration becomes more difficult, however, when emergency requests are revoked without any apparent reason related to changing facts on the ground in the theater of operations.

MILITARY CONSTRUCTION, ARMY

The conferees agree to provide $187,100,000, instead of $287,100,000 as proposed by the House and $214,344,000 as proposed by the Senate. The conferees agree to include a provision as proposed by the House to prohibit the obligation or expenditure of funds for Counter IED/Urban Bypass Roads in Iraq until the Secretary of Defense submits a detailed plan for the construction of such roads. The Senate bill contained no similar provision. The conferees also agree to make the funds available until September 30, 2007, as proposed by the House, instead of September 30, 2010, as proposed by the Senate. Funds are provided as follows:

Location	Project description	Amended Request	Conference Agreement
Afghanistan: Bagram	Waste Water Treatment and Distribution System		
Afghanistan: Bagram	Waste Treatment Plant and Distribution System		
Afghanistan: Kabul	Consolidated Compound	30,000,000	30,000,000
Iraq: Al Asad	Airfield Improvements	30,000,000	15,000,000
Iraq: Al Asad	AT/FP Improvements	7,400,000	7,400,000
Iraq: Al Asad	Electrical Infrastructure/Generator Station	8,900,000	8,900,000
Iraq: Camp Talil/Ali	Base Perimeter Security Fence	22,000,000	22,000,000
Iraq: Camp Talil/Ali	Construct/Replace Roads	5,700,000	5,700,000
Iraq: Camp Talil/Ali	Dining Facility	5,100,000	5,100,000
Iraq: Camp Talil/Ali	Relocate Cedar II Convoy Support Center	35,000,000	21,000,000
Iraq: Camp Taqaddum	Air Control Tower		
Iraq: LSA Anaconda	Perimeter Security	12,000,000	12,000,000
Iraq: Various Locations	Counter IED/Urban Bypass Roads	167,000,000	50,000,000
Worldwide: Unspecified	Planning and Design	19,500,000	10,000,000
Total		342,600,000	187,100,000

MILITARY CONSTRUCTION, AIR FORCE

The conferees agree to provide $27,700,000, instead of $35,600,000 as proposed by the House and $28,200,000 as proposed by the Senate. The conferees agree to make the funds available until September 30, 2007, as proposed by the House, instead of September 30, 2010, as proposed by the Senate. Funds are provided as follows:

Location	Project description	Amended Request	Conference Agreement
Afghanistan: Bagram	Bulk Fuel Storage		

Location	Project description	Amended Request	Conference Agreement
Afghanistan: Bagram	Tanker Truck Off-Load Facility	19,600,000	19,600,000
Iraq: Balad	Material Handling Equipment Road	5,800,000	5,300,000
Worldwide: Unspecified	Planning and Design	2,800,000	2,800,000
Total		28,200,000	27,700,000

MILITARY CONSTRUCTION, DEFENSE-WIDE

The conferees agree to provide $20,600,000, instead of $35,200,000 as proposed by the Senate. The House bill contained no funding for this account. The conferees agree to make the funds available until September 30, 2007, instead of September 30, 2010, as proposed by the Senate. Funds are provided as follows:

Location	Project Description	Request	Conference Agreement
United Kingdom: Menwith Hill	Uninterruptable Power Supply (UPS) Building	18,600,000	18,600,000
United Kingdom: Menwith Hill	UPS Building—Chilled Water Systems	13,200,000	....
Worldwide: Unspecified	Planning and Design	3,400,000	2,000,000
Total		35,200,000	20,600,000

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

The conferees have not included $430,000,000 of contingent emergency appropriations as proposed by the Senate. The House bill contained no similar provision.

GENERAL PROVISIONS—THIS CHAPTER

The conferees have not included a provision proposed by the Senate to prohibit the use of funds in this title to establish permanent United States military bases in Iraq, or to exercise United States control over the oil infrastructure or oil resources of Iraq. The House bill contained no similar provision.

The conferees have not included a provision proposed by the Senate to prohibit the use of funds in this title to establish permanent military bases in Iraq, or to exercise control over the oil infrastructure or oil resources of Iraq. The House bill contained no similar provision.

The conferees have not included a provision, proposed by the House, which would have expanded the use of funds previously appropriated to the Department of Veterans Affairs, Medical Services account. The Senate bill contained no similar provision.

CHAPTER 6

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement provides $3,000,000 for the United States Attorneys for necessary costs associated with national security investigations and prosecutions, as proposed by the House and Senate.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The conference agreement provides $1,000,000 for the United States Marshals Service (USMS), instead of $1,500,000 as proposed by the Senate and no funding as proposed by the House. The funding is provided for USMS operations in Iraq.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSE

The conference agreement provides $85,700,000 for the Federal Bureau of Investigation, instead of $99,000,000 as proposed by the House and $82,000,000 as proposed by the Senate. Funds are provided for operations in Iraq and Afghanistan and enhanced counterterrorism activities. The recommendation includes language proposed by the House regarding information technology programs.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement provides $14,200,000 for the Drug Enforcement Administration (DEA), as proposed by the House and instead of $5,000,000 as proposed by the Senate. The conference agreement includes $5,000,000 to create a National Security Section within DEA's intelligence program and $9,200,000 for intelligence equipment for use in Afghanistan.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The conference agreement provides $4,000,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives, as proposed by the Senate instead of $4,100,000 as proposed by the House. Funding is provided for ongoing operations in Iraq including firearms and explosives tracking and enforcement.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $1,383,625,000 under this heading for expenses relating to Iraq, Afghanistan, Iran, and Sudan, instead of $1,380,500,000 as proposed by the House, and $1,392,600,000 as proposed by the Senate. The agreement includes $1,327,275,000 for necessary expenses for the operations of the United States Mission in Iraq, including: $945,853,000 for security-related costs, including equipment, armored vehicles, protective details, common area security improvements and contract support; $28,956,000 for information technology and country-wide emergency radio connectivity; $217,720,000 for logistical costs; and $134,746,000 for the State Department operations in Iraq.

The following table provides details of funding:

State	Request	Conference
Diplomatic & Consular Programs:		
Embassy operations	134,746	134,746
Embassy security related costs	616,078	616,078
Information technology	28,956	28,956
Overhead protection	100,000	100,000
Provincial reconstruction teams (PRT) security	400,000	229,775
Logistics/Life Support (LOGCAP)	217,720	217,720
Total, Iraq Embassy Operations & Security	1,497,500	1,327,275
Office of the Presidential Special Envoy for Sudan	....	250
Iraq Study Group	....	1,000
Afghanistan operations & security	50,100	50,100
Public diplomacy programs for Iran	5,000	5,000
Total, D&CP	1,552,600	1,383,625

Within the amounts provided, $1,000,000 is included for transfer to the United States Institute of Peace for activities relating to Iraq. The Committees on Appropriations expect to be kept regularly informed on expenditures of funds for the Iraq Study Group.

Also, within the amount provided not less than $250,000 is included for the Office of the Presidential Special Envoy for Sudan. The conferees direct that this Office shall pursue, in conjunction with the African Union and other international actors, a sustainable peace settlement to end the genocide in Darfur, Sudan, assist the parties to the Comprehensive Peace Agreement for Sudan with implementation of the Agreement, coordinate policy, make recommendations, and pursue efforts related to conflict resolution to bring lasting stability to all areas of Sudan and the region, including northern Uganda and Chad, facilitate, in cooperation with the people of Darfur and the African Union, a dialogue within Darfur to promote conflict resolution and reconciliation at the grass roots level, and develop a common policy approach among international partners to address such issues.

Further, the conference agreement includes $50,100,000 for security requirements in Afghanistan, and $5,000,000 to expand public diplomacy information programs relating to Iran.

The conferees direct the State Department, no later than 60 days after the date of enactment of this Act, to provide a report to the Committees on Appropriations describing how, within these categories, the Department allocated the funds provided under this heading. The report shall also describe how the Department intends to allocate any remaining balances.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $25,300,000 under this heading, as proposed by both the House and Senate, of which $24,000,000 is for the Special Inspector General for Iraq Reconstruction to conduct oversight work on reconstruction projects in Iraq, and $1,300,000 is for the State Department's oversight work related to operations in Iraq and Afghanistan.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement includes $5,000,000 for academic, professional and cultural exchanges with Iran, as proposed by both the House and Senate.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement includes $129,800,000, the full amount of which is for the assessed costs of United Nations peacekeeping in Darfur and southern Sudan.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes $10,274,000 for United States international broadcasting programs and activities promoting democracy in Iran, instead of $7,600,000 as proposed by the House and $30,250,000 as proposed by the Senate.

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement includes $25,826,000 for capital improvements relating to United States international broadcasting programs and activities promoting democracy in Iran, instead of $28,500,000 as proposed by the House. The Senate did not include funding under this heading.

GENERAL PROVISIONS—THIS CHAPTER

The conference agreement includes language under section 1601 waiving provisions of existing legislation that require authorizations to be in place prior to the expenditure of any appropriated funds.

The conference agreement includes language under section 1602 amending provisions of existing legislation regarding annuity limitations on reemployed civil and foreign service annuitants to facilitate the assignment of persons to Iraq and Afghanistan or to posts vacated by members of the foreign service to Iraq and Afghanistan.

The conference agreement includes language under section 1603 providing authorities to equalize allowances, benefits, and gratuities of personnel on official duty in Iraq and Afghanistan.

CHAPTER 7

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

The conferees provide $1,800,000 for Salaries and Expenses, the same as the House and the Senate. Of this amount, $1,300,000 is to support the Department's participation as colead agency in the Iraq Threat Finance Cell; and $500,000 is to establish a Deputy Treasury Attaché in Iraq.

TITLE II—FURTHER HURRICANE DISASTER RELIEF AND RECOVERY

CHAPTER 1—DEPARTMENT OF AGRICULTURE

WORKING CAPITAL FUND

The conference agreement provides $25,000,000 for the Working Capital Fund as proposed by the House and the Senate for necessary expenses of the National Finance Center as a result of Hurricane Katrina.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $445,000 for the Office of the Inspector General in the Department of Agriculture account for audits and investigations related to oversight of hurricane related activities, as proposed by the Senate instead of funding within the Department of Homeland Security account, as proposed by the House.

AGRICULTURAL RESEARCH SERVICE

SALARIES AND EXPENSES

The conference agreement provides $10,000,000 for the Agricultural Research Service (ARS), Salaries and Expenses, instead of $15,600,000 as proposed by the Senate.

The conferees recommend $10,000,000 for expenses incurred by the ARS in the wake of Hurricane Katrina. The conference agreement includes $6,000,000 for the immediate cleanup, salvage, and remediation of the Southern Regional Research Center (SRRC) in New Orleans, Louisiana. The conference agreement also includes $4,000,000 for expenses related to temporary duty assignments for ARS scientists working at the SRRC.

BUILDINGS AND FACILITIES

The conference agreement provides $20,000,000 for the Agricultural Research Service, Buildings and Facilities, for the long-term restoration of the Southern Regional Research Center in New Orleans, Louisiana, as proposed by the House and the Senate.

FARM SERVICE AGENCY

SALARIES AND EXPENSES

The conference agreement does not provide funding for Farm Service Agency, Salaries and Expenses in this Title as proposed by the Senate.

EMERGENCY CONSERVATION PROGRAM

The conference agreement does not provide funding for the Emergency Conservation Program as proposed by the Senate.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

The conference agreement provides $50,955,000 for the Emergency Watershed Protection Program instead of $165,000,000 as proposed by the Senate. The conferees direct that funding under this program be prioritized to address watershed impairments that pose imminent threats to life or property.

The conference agreement does not include $10,000,000 in funding for easements as proposed by the House.

RURAL DEVELOPMENT

SALARIES AND EXPENSES

The conference agreement provides $1,000,000 for Rural Development, Salaries and Expenses as proposed by the Senate.

RURAL COMMUNITY ADVANCEMENT PROGRAM

The conference agreement provides $25,000,000 for the Rural Community Advancement

Program instead of $150,000,000 as proposed by the Senate to respond to damages caused by hurricanes that occurred during the 2005 calendar year. This funding level includes $20,000,000 for Community Facilities grants and not to exceed $5,000,000 for Community Facilities loans which can support an estimated loan level up to $1,389,000,000. The conferees expect unobligated balances remaining in the Community Facilities loan program to be transferred to the grant program should demand for loans not materialize by June 30, 2007.

GENERAL PROVISIONS—THIS CHAPTER

Section 2101.—The conference agreement includes a technical correction related to the Emergency Watershed Protection Program.

Section 2102.—The conference agreement includes language authorizing the Natural Resources Conservation Service to donate of up to 20 aging vehicles through agreements with communities affected by Hurricane Katrina and other hurricanes of the 2005 season.

Section 2103.—The conference agreement includes a provision to extend emergency authorities for an additional 18 months and includes language granting the Secretary of Agriculture temporary authorities for the Community Facilities Grant program.

Section 2104.—The conference agreement includes a provision to allow the transfer of funds from the United States Department of Agriculture to the Department of Commerce.

Section 2105.—The conference agreement includes a technical and conforming change consistent with section 2104.

Senate Section 2106.—The conference agreement does not include funding for rural housing as proposed by the Senate.

Section 2106.—The conference agreement includes language regarding the availability of past year funding for the wildlife habitat incentive program to carry out obligations made for fiscal year 2001.

Section 2109.—Non-competitive contracts for Katrina relief.—The conference agreement does not include section 2109 as proposed by the Senate, a prohibition on entering into non-competitive contracts over $500,000, recognizing the nature of emergency response. The conferees direct any agency engaged in Katrina relief, not currently reporting to the Committees on Appropriations on non-competitive contracts, to report quarterly to the Committees detailing any non-competitive contract executed for Katrina relief that has or will exceed $500,000.

CHAPTER 2

DEPARTMENT OF DEFENSE—MILITARY

The conference agreement recommends $1,154,919,000 for the Department of Defense, instead of $1,156,593,000 as proposed by the House, and $1,404,919,000 as proposed by the Senate.

The following table provides details of the supplemental appropriations for the Department of Defense—Military.

[In thousands of dollars]

Account	House	Senate	Conference
Military Personnel:			
Military Personnel, Army	2,125	2,125	2,125
Military Personnel, Navy	22,002	22,002	22,002
Military Personnel, Marine Corps	3,992	3,992	3,992
Military Personnel, Air Force	21,610	21,610	21,610
Reserve Personnel, Army	4,071	4,071	4,071
Reserve Personnel, Navy	10,200	10,200	10,200
Reserve Personnel, Marine Corps	2,176	2,176	2,176
Reserve Personnel, Air Force	94	94	94
National Guard Personnel, Army	1,304	1,304	1,304
National Guard Personnel, Air Force	1,408	1,408	1,408
Total Military Personnel	68,982	68,982	68,982
Operation and Maintenance:			
O&M, Navy	29,913	29,913	29,913
O&M, Air Force	37,359	37,359	37,359

[In thousands of dollars]

Account	House	Senate	Conference
O&M, Navy Reserve	12,755	12,755	12,755
O&M, Air Force Reserve	1,277	1,277	1,277
O&M, Army National Guard	42,307	42,307	42,307
Total Operation and Maintenance	123,611	123,611	123,611
Procurement:			
Procurement of Ammunition, Army	700	700	700
Other Procurement, Army	9,136	9,136	9,136
Aircraft Procurement, Navy	579	579	579
Procurement of Ammunition, Navy and Marine Corps	899	899	899
Shipbuilding and Conversion, Navy	775,236	1,025,236	775,236
Other Procurement, Navy	85,040	85,040	85,040
Aircraft Procurement, Air Force	13,000	13,000	13,000
Procurement, Defense-Wide	4,797	2,797	2,797
Total Procurement	889,387	1,137,387	887,387
Research, Development, Test and Evaluation:			
RDT&E, Navy	12,000	12,000	12,000
RDT&E, Air Force	6,250	6,250	6,250
RDT&E, Defense-Wide	730	730	730
Total RDT&E	18,980	18,980	18,980
Trust Funds, Revolving and Management Funds:			
Defense Working Capital Funds	1,222	1,222	1,222
National Defense Sealift Fund	10,000	10,000	10,000
Surcharge Collections, Sales of Commissary Stores, Defense	10,530	10,530	10,530
Total Trust and Revolving and Management Funds	21,752	21,752	21,752
Other Department of Defense Programs:			
Defense Health Program	33,881	33,881	33,881
Inspector General		326	326
Total Other Department of Defense Programs	33,881	34,207	34,207
General Provision—Transfer Authority [Non add]	[0]	[75,000]	[150,000]
Grand Total	1,156,593	1,404,919	1,154,919

MILITARY PERSONNEL

The conference agreement recommends $68,982,000 for the military personnel accounts as proposed by the House and the Senate. The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
Military Personnel, Army:			
Basic Allowance for Housing	2,125	2,125	2,125
Total Military Personnel, Army	2,125	2,125	2,125
Military Personnel, Navy:			
Basic Allowance for Housing	22,002	22,002	22,002
Total Military Personnel, Navy	22,002	22,002	22,002
Military Personnel, Marine Corps:			
Basic Allowance for Housing	3,992	3,992	3,992
Total Military Personnel, Marine Corps	3,992	3,992	3,992
Military Personnel, Air Force:			
Basic Allowance for Housing	21,610	21,610	21,610
Total Military Personnel, Air Force	21,610	21,610	21,610
National Guard Personnel, Army:			
Basic Allowance for Housing	4,071	4,071	4,071
Total National Guard Personnel, Army	4,071	4,071	4,071
Reserve Personnel, Navy:			
Basic Allowance for Housing	10,200	10,200	10,200
Total Reserve Personnel, Navy	10,200	10,200	10,200
Reserve Personnel, Marine Corps:			
Basic Allowance for Housing	2,176	2,176	2,176
Total Reserve Personnel, Marine Corps	2,176	2,176	2,176
Reserve Personnel, Air Force:			
Basic Allowance for Housing	94	94	94
Total Reserve Personnel, Air Force	94	94	94
National Guard Personnel, Army:			
Basic Allowance for Housing	1,304	1,304	1,304
Total National Guard Personnel, Army	1,304	1,304	1,304
National Guard Personnel, Air Force:			
Basic Allowance for Housing	1,408	1,408	1,408
Total National Guard Personnel,	1,408	1,408	1,408
Total Military Personnel	68,982	68,982	68,982

OPERATION AND MAINTENANCE

The conference agreement recommends $123,611,000 for the operation and maintenance accounts as proposed by the House and the Senate. The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
Operation and Maintenance, Navy:			
Facilities Sustainment, Restoration and Modernization	29,913	29,913	29,913
Total Operation and Maintenance, Navy	29,913	29,913	29,913
Operation and Maintenance, Air Force:			
Equipment Repair and Replacement	22,688	22,688	22,688
Facilities Sustainment, Restoration and Modernization	5,071	5,071	5,071
Personal Property Claims	9,600	9,600	9,600
Total Operation and Maintenance, Air Force	37,359	37,359	37,359
Operation and Maintenance, Navy Reserve:			
Collateral Equipment	2,285	2,285	2,285
Facilities Sustainment, Restoration and Modernization	10,470	10,470	10,470
Total Operation and Maintenance, Navy Reserve	12,755	12,755	12,755
Operation and Maintenance, Air Force Reserve:			
Travel, Per Diem, Other	1,277	1,277	1,277
Total Operation and Maintenance, Air Force Reserve	1,277	1,277	1,277
Operation and Maintenance, Army National Guard:			
Equipment Repair and Replacement	39,878	39,878	39,878
Facilities Sustainment, Restoration and Modernization	2,429	2,429	2,429
Total Operation and Maintenance, Army National Guard	42,307	42,307	42,307
Total Operation and Maintenance	123,611	123,611	123,611

PROCUREMENT

The conference agreement includes a total of $887,387,000 for various procurement appropriations, instead of $889,387,000, as proposed by the House, and $1,137,387,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
Procurement of Ammunition, Army:			
Mississippi Ammunition plant repairs	700	700	700
Total Procurement of Ammunition, Army	700	700	700
Other Procurement, Army:			
Information Systems at National Guard Facilities	9,136	9,136	9,136
Total Other Procurement, Army	9,136	9,136	9,136
Aircraft Procurement, Navy:			
Aircraft Industrial Facilities	579	579	579
Total Aircraft Procurement, Navy	579	579	579
Procurement of Ammunition, Navy and Marine Corps:			
5"/54 Ammunition	347	347	347
Intermediate Caliber Ammunition	94	94	94
Other Ship Gun Ammunition	334	334	334
Small Arms and Landing Party Ammunition	124	124	124
Total Procurement of Ammunition, Navy and Marine Corps	899	899	899
Other Procurement, Navy:			
Milcon Support—NAS JRB New Orleans, LA	2,550	2,550	2,550
Milcon Support—NSA New Orleans, LA	600	600	600
Milcon Support—Gulfport, MS	10,350	10,350	10,350
Milcon Support—Stennis Space Center, MS	16,000	16,000	16,000
Base Infrastructure Replacement—Communications	35,052	35,052	35,052
BUPERS IT Systems—SPAWAR Systems Center	2,908	2,908	2,908
Replace IT Systems—SPAWAR Systems Center	8,830	8,830	8,830
Replace RESFOR IT Systems—NSA New Orleans, LA	8,750	8,750	8,750
Total, Other Procurement, Navy	85,040	85,040	85,040
Shipbuilding and Conversion, Navy:			
Overhead and Labor	775,236	1,012,236	775,236
Contractor-Furnished Equipment		13,000	
Total Shipbuilding and Conversion, Navy	775,236	1,025,236	775,236
Aircraft Procurement, Air Force:			
Other Production Charges	13,000	13,000	13,000
Aircraft Procurement, Air Force	13,000	13,000	13,000
Procurement, Defense-Wide:			
Special Operations Command	4,797	2,797	2,797
Procurement, Defense-Wide:	4,797	2,797	2,797
Total Procurement	889,387	1,137,387	887,387

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement provides a total of $18,980,000 for research, development, test and evaluation appropriations as proposed by the House and the Senate.

The conference agreement on items addressed by either the House or Senate is as follows:

[In thousands of dollars]

Account	House	Senate	Conference
RDT&E, Navy:			
Littoral Combat Ship	12,000	12,000	12,000
Total RDT&E, Navy	12,000	12,000	12,000
RDT&E, Air Force:			
Facilities Restoration and Modernization—T&E Support			
Test and Evaluation Support Equipment	1,800	1,800	1,800
Facility Restoration	4,450	4,450	4,450
Total RDT&E, Air Force	6,250	6,250	6,250
RDT&E, Defense-Wide:			
Classified	730	730	730
Total RDT&E, Defense-Wide	730	730	730
Total RDT&E	18,980	18,980	18,980

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

The conference agreement includes $1,222,000 for the Defense Working Capital Funds, as proposed by the House and the Senate.

NATIONAL DEFENSE SEALIFT FUND

The conference agreement includes $10,000,000 for the National Defense Sealift Fund, as proposed by the House and the Senate.

TRUST FUNDS

GENERAL FUND PAYMENT, SURCHARGE COLLECTIONS, SALES OF COMMISSARY STORES, DEFENSE

The conference agreement includes $10,530,000 for General Fund Payment, Surcharge Collections, Sales of Commissary Stores, Defense, as proposed by the House and the Senate.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

The conference agreement provides $33,881,000 for the Defense Health Program, as proposed by the House and Senate, for health care costs associated with active duty personnel and beneficiaries who previously received care at Keesler Medical Center and now are receiving health care and pharmaceuticals through private sector contracts.

OFFICE OF THE INSPECTOR GENERAL

The conference agreement provides $326,000 for the Office of the Inspector General, as proposed by the Senate. The House did not provide funding in this account.

GENERAL PROVISIONS—THIS CHAPTER

The conferees agree to retain and amend section 2201, as proposed by the Senate, which provides the Secretary of Defense authority to transfer up to $150,000,000 of funds made available in this chapter and in chapter II of title I of this Act.

The conferees agree to retain section 2202, as proposed by the House and Senate, which prohibits funds provided in this chapter to finance programs or activities denied by Congress, or to initiate a new start program without prior notification to the congressional defense committees.

The conferees agree to amend section 2203, as proposed by the Senate, to allow for the use of funds appropriated to the Navy for certain specified activities.

CHAPTER 3

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The Committee recommendation provides emergency funding to address water resource needs related to Hurricane Katrina and other emergency needs.

INVESTIGATIONS

Funds totaling $3,300,000 are provided for the Corps to develop a comprehensive plan, at full Federal expense, to deauthorize deep draft navigation on the Mississippi River-Gulf Outlet, Louisiana. The plan shall include recommended modifications to the existing authorized current use of the Outlet, including what navigation functions, if any, should be maintained and any measures for hurricane and storm protection. The plan shall be developed in consultation with St. Bernard Parish, the State of Louisiana, and affected Federal Agencies. An interim report summarizing the plan shall be forwarded to the appropriate House and Senate authorizing and appropriations committees within six months of enactment of this Act and final recommendations shall be integrated into the Louisiana Coastal Protection and Restoration Plan, due to Congress in December 2007.

Additionally, the Secretary is directed to undertake an analysis to determine the amount of vertical settlement or subsidence that has occurred since levee system components were built, versus levee grade deficiencies due to the application of new storm data. The Plan shall address how these changes affect compliance with 100-year floodplain certification and standard project hurricane requirements. A report on the findings of this analysis shall be forwarded to the appropriate authorizing and appropriations committees within 90 days of enactment of this Act.

CONSTRUCTION

Funds totaling $549,400,000 are provided for Construction. The Conferees are aware that the wetlands surrounding the greater New Orleans metropolitan area operate as a natural buffer to lessen storm impacts, and are an important part of the overall storm damage reduction system. Nourishing and rebuilding these wetlands will increase the effectiveness of the levees and floodwalls of New Orleans. Therefore, the Conferees recommend bill language directing the Corps to use $20,200,000, at full Federal expense, to reduce the risks of storm surge and storm damage to the greater New Orleans metropolitan area by restoring the surrounding wetlands, and to aid in the reduction of risk to both loss of life and damage to homes, businesses, and local infrastructure in the metropolitan area. The Corps is further directed to use these funds in the following manner: $10,100,000 to modify the Caernarvon Freshwater Diversion structure or its operations; and $10,100,000 to protect the shoreline along the Barataria Basin Landbridge in Jefferson Parish, Louisiana. Of the funds provided, at least $495,300,000 shall be available, consistent with cost sharing provisions, to raise levee heights and otherwise improve the existing Lake Pontchartrain and Vicinity and the West Bank and Vicinity projects.

Additional funds of $1,500,000 are provided to address storm damages to North Padre Island, Texas, caused by Hurricane Emily, and $2,000,000 is provided for Hawaii water systems technical assistance program.

In recognition of flood threats to the Sacramento area, the Conferees have included $7,100,000 for South Sacramento Streams, California, and $23,300,000 for the Sacramento Bank Protection Project, California. The Corps is further directed to use up to $400,000 of previously appropriated funds to continue the operation of the Chicago Sanitary and Ship Canal Demonstration Barrier.

The moratorium on the execution of project cooperation agreements contained in P.L. 109–275 shall not apply to continuing authorities program projects for which funding was provided, or is otherwise available, to fully fund the construction phase of the project. For those projects where the local sponsor's cost share will be lost due to the inability to sign a project cooperation agreement, the Corps may sign project cooperation agreements with the explicit consent of the House and Senate Committees on Appropriations. For any project for which an exception is made due to this circumstance, the local sponsors of such projects should be aware that the construction of the project remains contingent upon future appropriations which are not guaranteed.

Further, requirement that the Corps institute cost sharing for Sections 206 and 1135 projects was not intended to change the cost share structure of projects currently in the feasibility phase.

OPERATION MAINTENANCE

Funds totaling $3,200,000 are provided to restore Federal navigation channels and harbors along the Texas Gulf Coast to pre-storm conditions affected by Hurricane Katrina and other hurricanes of the 2005 season.

FLOOD CONTROL AND COASTAL EMERGENCIES

(INCLUDING RESCISSION OF FUNDS)

Funds totaling $3,145,024,000 are recommended to continue repairs to flood and storm damage reduction projects. These projects are to be funded at full Federal expense.

The Conferees provide the full request of $1,584,000,000 to replace all floodwalls within Orleans East Bank Algiers, Jefferson East Bank/St. Charles, Jefferson West Bank, New Orleans East, St. Bernard/Lower Ninth Ward, Belle Chasse/Algiers East hydraulic areas of the existing Lake Pntchartrain and Vicinity project and the existing West Bank and Vicinity project, not including lower Plaquemines Parish. However, the Conferees recognize this cost estimate is a "worst case" scenario and assumes the replacement of all flood walls. Therefore, the funds provided are contingent upon site-specific engineering assessment and analysis that determines replacement is necessary to maintain the integrity of the system. Further, these funds are not available for any other project, program, or activity without the approval of the House and Senate Committees on Appropriations.

The Conferees provide $530,000,000 for construction of permanent closures and pumping plants at the 17th Street, Orleans, and London Avenue Canals. Further, the Corps is directed to provide adequate temporary pumping capacity to evacuate expected flows from the existing pumping stations in the three drainage canals in order to minimize interior flooding.

Additionally, the Conferees include: $170,000,000 for levee and floodwall armoring; $350,000,000 to construct navigable closures on the Inner Harbor Navigational Canal, one near Seabrook and another on the Gulf Intracoastal Waterway; $215,000,000 for incorporation of non-Federal levees on the west bank of the Mississippi River in Plaquemines Parish in order to provide improved storm surge protection and to protect evacuation routes; $250,000,000 for storm proofing interior pump stations to ensure their reliability during hurricanes, storms and high water events; and $30,024,000 for repairs to non-Federal levees in Terrebonne Parish.

Within the funds provided, $16,000,000 shall be used to restore previously appropriated emergency funds for flood protection projects damaged in previous disasters in Pennsylvania. Funds for these projects were withdrawn shortly after Katrina struck the Gulf Coast to address immediate needs.

The Conferees also rescind $15,000,000 previously provided in P.L. 109–148 for the Grand Isle, Louisiana project. It is the Conferees' understanding that the project is not economically justified and therefore the funds appropriated to accelerate construction are no longer required.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

The Conferees recognize that snowpack amounts in many areas of the Southwest are at historic lows and precipitation forecasts are not favorable for improving the situation. Runoff in many river basins in the West is expected to be one quarter of normal or less. The Conferees note that the communities of Ruidoso, Ruidoso Downs and Las Vegas, New Mexico, are already operating under stringent water restrictions.

Therefore, the Conferees have provided $9,000,000 for drought emergency assistance. The Conferees expect Reclamation to undertake drought contingency planning, to provide emergency potable water sources for eligible communities and to provide other drought emergency assistance within their authorities to help stricken communities.

GENERAL PROVISIONS—THIS CHAPTER

Sec. 2301. The conference agreement includes a provision related to the use of unexpended funds and waives the requirements of the Uniform Relocation Assistance and Real Property Act.

Sec. 2302. The conference agreement includes a provision that states that the funds provided in division B, chapter 3, Investigations, of Public Law 109–148 are not subject to any non-Federal cost sharing requirement and changes the amount contingent upon the enactment of a single levee board.

Sec. 2303. The conference agreement includes a provision that further defines the activities that can be undertaken in division B, chapter 3, Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee, of Public Law 109–148.

Sec. 2304. The conference agreement includes a provision that modifies a provision in division B, chapter 3, Operations and Maintenance, of Public Law 109–148, concerning activities that can be undertaken along the Mississippi River-Gulf Outlet.

Sec. 2305. The conference agreement includes a provision to extend the duration of the National Erosion Control Development and Demonstration Program through September 30, 2006, and increase the cost limitation to $25,000,000 for section 227 of Public Law 104–303 in order to allow funds appropriated in the fiscal year 2006 Energy and Water Development Appropriations Act to be utilized for continuing projects.

Sec. 2306. The conference agreement includes a provision extending the Drought Relief Act through 2010.

Sec. 2307. The conference agreement includes a provision clarifying the availability of funds for the purposes of reprogramming actions.

Sec. 2308. The conference agreement includes a provision that prohibits the use of any funds in fiscal year 2006 through April 1, 2007 to affect bond repayment.

Sec. 2309. The conference agreement includes a provision relating to the Chicago Sanitary and Ship Canal Demonstration Barrier.

CHAPTER 4—DEPARTMENT OF HOMELAND SECURITY

OFFICE OF INSPECTOR GENERAL

The conferees agree to provide $2,000,000 for the Department of Homeland Security's Inspector General instead of $13,500,000 as proposed by the House for transfer to other federal departments and agencies and no funds as proposed by the Senate. Funds are available until September 30, 2007. Funding for federal departments and agencies is addressed in other chapters of this conference agreement.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

The conferees agree to provide $12,900,000 as proposed by the House and the Senate for necessary expenses related to the consequences of the Gulf Coast hurricanes.

CONSTRUCTION

The conferees agree to provide $4,800,000 as proposed by the House and the Senate for necessary expenses related to the consequences of the Gulf Coast hurricanes.

UNITED STATES COAST GUARD

OPERATING EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

The conferees agree to provide $88,970,000 instead of $14,300,000 as proposed by the House and $90,570,900 as proposed by the Senate. Of this total, $7,350,000 is for cleanup and repair of damaged facilities; $7,400,000 for increased temporary logistics; $3,483,000 for basic housing allowances; and $70,000,000 for energy costs. In addition, the conferees have included bill language allowing transfers of up to $267,000 to the "Environmental Compliance and Restoration" appropriation for Coast Guard facilities in the Gulf Coast region and $470,000 to the "Research, Development, Test, and Evaluation" appropriation for additional costs to reposition the State of Maine vessel. Funds are available until September 30, 2007.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

The conferees agree to provide $191,730,000 instead of $80,775,000 as proposed by the House and $191,844,000 as proposed by the Senate. Of this total, $80,800,000 is for the reconstruction of the Integrated Support Command Center in New Orleans; $103,930,000 is for Katrina-related costs associated with materials, equipment, facilities and labor; and $7,000,000 is for the relocation of the Gulfport Coast Guard Station. The conferees direct the Coast Guard to ensure that the Defense Contract Audit Agency audits Katrina-related cost increases associated with pre-Katrina contracts. Funds are available until expended.

FEDERAL EMERGENCY MANAGEMENT AGENCY

ADMINISTRATIVE AND REGIONAL OPERATIONS

The conferees agree to provide $71,800,000 as proposed by the Senate instead of $70,000,000 as proposed by the House. Of this total, $70,000,000 is included for necessary expenses related to the consequences of the Gulf Coast hurricanes and $1,800,000 is included for the Office of National Security Coordination.

PREPAREDNESS, MITIGATION, RESPONSE, AND RECOVERY

The conferees agree to provide $10,000,000 for Preparedness, Mitigation, Response, and Recovery, as proposed by the House and the Senate. Of this total, $3,000,000 is included to immediately review and revise the National Response Plan (NRP) and the National Incident Management System (NIMS); $1,000,000 for the logistics management system; and $1,000,000 for the Enterprise Content Management System. FEMA is to brief the House and Senate Committees on Appropriations no later than 45 days from the date of enactment of this Act on the hiring initiatives to meet its staffing requirements and its staffing plan.

DISASTER RELIEF

The conferees agree to provide $6,000,000,000 for Disaster Relief, instead of $9,548,000,000 as proposed by the House and $10,400,000,000 as proposed by the Senate. The conferees do not specify the purposes for these funds, except $400,000,000 of this amount is made available to carry out section 2403 of this chapter.

The conferees agree to include bill language proposed by the Senate that each county or parish eligible for assistance under the disaster declaration of September 24, 2005, will be treated equally for purposes of cost-share adjustments.

The conferees note the Department of Homeland Security (DHS), in conjunction with the Federal Emergency Management Agency (FEMA), recently issued interim policy guidance clarifying that charter schools are eligible for FEMA's Public Assistance Program. The conferees believe this policy should be quickly finalized so it can be distributed to FEMA officials throughout the country as expeditiously as possible, and encourage DHS and FEMA to continue working with the relevant Congressional committees on implementation of this policy.

The conferees concur with language proposed by the House regarding the weekly Disaster Relief Report and the lack of information regarding the assumptions DHS is using to estimate total disaster relief funding needed this fiscal year. Beginning immediately, the conferees direct DHS to include an explanation of the methodology used to calculate estimated yearly allocations by program area and program name. This explanation shall include the total yearly cost estimate, the amount allocated and obligated to date, and a written explanation of the assumptions and methodology used to estimate the total yearly cost.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

The conferees agree to provide $279,800,000 to subsidize not to exceed $371,733,000 in loans for the Special Community Disaster Loans Program authorized in the Community Disaster Loan Act of 2005, P.L. 109-88, instead of $301,000,000 ($150,000,000 by transfer) as proposed by the House and $301,000,000 as proposed by the Senate. Of this total, $1,000,000 is included for administrative costs. The conferees include bill language proposed by the Senate specifying that loans may be equal to not more than 50 percent of the annual operating budget of the local government in cases where that government has suffered a loss of 25 percent or more in tax revenues due to Hurricanes Katrina or Rita.

GENERAL PROVISIONS—THIS CHAPTER

Sec. 2401. The conferees agree to include bill language as proposed by the House and Senate authorizing FEMA to pay for utility costs for those leases negotiated by State and local governments on FEMA's behalf.

Sec. 2402. The conferees agree to include bill language as proposed by the House and Senate amending P.L. 109-90 to allow the National Flood Insurance Fund to pay sufficient interest on the amounts the program has borrowed from the Treasury.

Sec. 2403. The conferees agree to include and modify bill language as proposed by the Senate allowing the Secretary of Homeland Security to consider eligible for funding the costs of alternative housing pilot programs in the areas hardest hit by Hurricane Katrina and other hurricanes of the 2005 season.

CHAPTER 5

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

The conference agreement provides $132,400,000 for "Construction", as proposed by both the House and the Senate, for cleanup and facility repair needs at National Wildlife Refuges related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season. The managers agree that the Service shall, as proposed by the House, repay funds that were transferred from projects that have yet to be completed. These funds were transferred on an emergency basis for initial hurricane response needs and must be repaid so that projects from which they were borrowed can be completed. A technical correction has been made to the repayment language proposed by the House.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

The conference agreement provides $43,000,000 for the "Historic Preservation Fund" instead of $3,000,000 as proposed by the House and $83,000,000 as proposed by the Senate. Of the funds provided, $3,000,000 is for Section 106 assistance and $40,000,000 is for disaster relief grants for the preservation, stabilization, rehabilitation, and repair of historic properties listed on or eligible for the National Register of Historic places, and for planning and technical assistance.

These funds are available for obligation until September 30, 2007, as proposed by the House, instead of being available until expended as proposed by the Senate.

As proposed by the Senate, funds for historic preservation grants are available for areas with a Presidential disaster determination associated with Hurricanes Katrina or Rita; are not subject to a non-Federal matching requirement; and no more than 5% may be used for administrative expenses.

The managers expect the National Park Service to award the Section 106 assistance funds to the States without any delay. Of the $3,000,000 available for Section 106 assistance, at least $1,500,000 shall be available for the Mississippi State Historic Preservation Officer. The remaining $40,000,000 is for grants to State Historic Preservation Officers (SHPOs) as described below.

The managers expect the National Park Service to award disaster relief grant funds to SHPOs in accordance with existing Historic Preservation Fund policies and procedures, except as modified herein, and only after a State has submitted, and the National Park Service has reviewed, an Action Plan Narrative that describes the major tasks to be undertaken with the supplemental grant funds. Each task statement shall describe the major services provided by the State Historic Preservation Officer, the problems to be addressed, a preliminary list of proposed projects and their estimated costs, and the expected results.

The National Park Service shall undertake its review of each plan and shall award funds as expeditiously as possible. Preference in making awards shall be given to plans that include: (1) properties located within designated National Heritage Areas; (2) owner-occupied houses; and (3) a demonstrated ability to spend the funds expeditiously. The managers intend that these funds be awarded with an emphasis on individuals who are committed to rebuilding their communities and who otherwise cannot afford the additional costs often associated with historic preservation.

No State shall receive more than 65% of the total available for these grants. There is a 5% limitation on administrative costs. Of the amount available for administrative expenses, up to $550,000 is available to the National Park Service to expedite awarding and oversight of the funds.

CONSTRUCTION

The conference agreement provides $55,400,000 for "Construction", as proposed by both the House and the Senate, for immediate cleanup and facility repair needs at National Parks related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $10,200,000 for "Surveys, Investigations, and Research", as proposed by both the House and the Senate, for facility and equipment repair needs related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season and for repayment of advances to other appropriation accounts from which funds were transferred for such purposes.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $15,000,000 for "Royalty and Offshore Minerals Management" as proposed by both the House and the Senate. These funds are for costs associated with the temporary relocation of the Minerals Management Service's Gulf of Mexico regional office from Louisiana to Houston, Texas, including purchase of new equipment and temporary office arrangements, other disaster related expenses, and repayment of advances to other appropriation accounts from which funds were transferred for such purposes.

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

The conference agreement provides $6,000,000 for "Environmental Programs and Management", as proposed by both the House and the Senate, for increased environmental monitoring, assessment, and analytical support necessary to protect public health during the ongoing recovery and reconstruction efforts related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season.

LEAKING UNDERGROUND STORAGE TANK PROGRAM

The conference agreement provides $7,000,000 for the "Leaking Underground Storage Tank Program", as proposed by both the House and the Senate, to assess the most immediate underground storage tank needs in areas affected by Hurricane Katrina and other hurricanes of the 2005 season and to initiate appropriate corrective actions.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

NATIONAL FOREST SYSTEM

The conference agreement provides $20,000,000 for the "National Forest System" as proposed by the House instead of $50,000,000 as proposed by the Senate. As proposed by the House, these funds are only for necessary expenses of debris cleanup and related activities on National Forests affected by Hurricane Katrina and other hurricanes of the 2005 season.

CHAPTER 6

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

The conference agreement includes $16,000,000 for the reconstruction of two Job Corps facilities in Gulfport, Mississippi and New Orleans, Louisiana. The Senate had proposed $32,000,000 and the House had no similar provision. The conferees instruct the Department to allocate $14,000,000 to the Gulfport facility and $2,000,000 to the New Orleans facility for repairs and rehabilitation of damage due to Hurricane Katrina.

DEPARTMENTAL MANAGEMENT

OFFICE OF INSPECTOR GENERAL

The conference agreement does not include a provision proposed by the Senate that provided $2,000,000 to the Department of Labor, Office of Inspector General, for hurricane-related expenses. The House bill did not include a similar provision.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

The conference agreement includes $4,000,000 to establish a communications network, including the purchase and operation of communications equipment, including satellite phones, for community health centers and those entities (including major medical centers and departments of public health) deemed by the state associations of community health centers to be critical in providing health care in the event of a future hurricane or other natural disaster in states affected by hurricane Katrina and other hurricanes of the 2005 season. Where they exist, state associations representing community health centers should be the primary recipient of these funds. The conferees expect this funding to be distributed by July 30, 2006 so that these systems can be in place as early as possible in the hurricane season. The Senate included $6,000,000 for this purpose. The House did not propose a similar provision.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

The conference agreement includes $8,000,000 for mosquito and other pest abatement activities in states affected by the Gulf Coast hurricanes of 2005. The Senate bill proposed $20,000,000 and the House did not propose a similar provision. The conferees intend that these funds be distributed as grants to the eligible states and not be subject to the provisions of the Mosquito Abatement for Safety and Health (MASH) Act.

OFFICE OF THE SECRETARY

OFFICE OF INSPECTOR GENERAL

The conference agreement does not include a provision proposed by the Senate that provided $2,669,846 to the Department of Health and Human Services, Office of Inspector General, for hurricane-related expenses. The House bill did not include a similar provision.

DEPARTMENT OF EDUCATION

DEPARTMENTAL MANAGEMENT

OFFICE OF THE INSPECTOR GENERAL

The conference agreement does not include a provision proposed by the Senate that provided $1,500,000 to the Department of Education, Office of Inspector General, for hurricane-related expenses. The House bill did not include a similar provision.

HURRICANE EDUCATION RECOVERY

The conference agreement includes $235,000,000 in additional assistance for displaced elementary and secondary school students for the 2005–2006 school year under the authority of the Hurricane Education Recovery Act. The Senate bill proposed $300,000,000 for this activity. The House bill had no similar provision.

The conference agreement does not include funding for schools serving displaced elementary and secondary school students in the 2006–2007 school year under the authority of part A of Title V of the Elementary and Secondary Education Act. The Senate bill proposed $350,000,000 for this activity. The House bill had no similar provision.

The conference agreement deletes a provision proposed by the Senate to create a loan program for institutions of higher education that were affected by the Gulf hurricanes. The House bill contained no similar provision.

The conference agreement includes $50,000,000 for grants to institutions of higher education to help defray the expenses incurred as a result of the Gulf hurricanes of 2005. The House bill contained no similar provision and the Senate bill included $30,000,000 for a similar purpose. The conferees request that the Department brief the House and Senate Committees on Appropriations not later than five days before the announcement of the availability of these funds.

RELATED AGENCIES

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS, OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $10,000,000 for the AmeriCorps National Civilian Community Corps. The Senate bill included $20,000,000 for this purpose. The House bill contained no similar provision.

SOCIAL SECURITY ADMINISTRATION

OFFICE OF INSPECTOR GENERAL

The conference agreement does not include a provision proposed by the Senate that provided $277,000 to the Social Security Administration, Office of Inspector General, for hurricane-related expenses. The House bill did not include a similar provision.

GENERAL PROVISIONS—THIS CHAPTER

DEPARTMENT OF EDUCATION—HURRICANE EDUCATION RECOVERY

The conference agreement deletes a provision proposed by the Senate to create a new loan program for institutions of higher education that were affected by the Gulf hurricanes. Funds are instead provided through a grant mechanism.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM

The conference agreement modifies a provision included by the Senate related to the Historically Black College and University Capital Financing Program. The House bill did not include a similar provision.

SUPPLEMENTAL ELEMENTARY-SECONDARY FUNDS OBLIGATION EXTENSION

The conference agreement includes bill language that extends the period of time States and local school districts have to spend funds made available under section 107 of the Hurricane Education Recovery Act. Neither House nor Senate bill included a similar provision. This provision provides the Secretary of Education with the authority to extend the period of availability of such funds up to September 30, 2006, provided that such expenditures are for the 2005–2006 school year as is required by the Hurricane Education Recovery Act.

USE OF SUPPLEMENTAL HIGHER EDUCATION ACT FUNDS

The conference agreement includes a provision proposed by the Senate regarding funding for the Mississippi Institutes of Higher Learning. The House bill did not include a similar provision.

SOCIAL SECURITY ADMINISTRATION

(TRANSFER OF FUNDS)

The conference agreement includes a provision proposed by the Senate transferring $38,000,000 from the Disaster Relief funds of the Federal Emergency Management Agency to the Social Security Administration for hurricane-related expenses. The House bill did not include a similar provision.

CHAPTER 7

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The conferees agree to provide $44,770,000 as proposed by both the House and the Senate. Funds are provided as follows:

Location	Project description	Request	Conference agreement
MS: Bay St. Louis	Seclusion Berthing	3,240,000	3,240,000
MS: NCBC Gulfport	Fitness Center	32,800,000	24,140,000
MS: NCBC Gulfport	Navy Exchange Complex and NEX/MWR Cold Storage Facilities	15,890,000	15,890,000
Worldwide: Unspecified	Planning and Design	1,500,000	1,500,000
Total		53,430,000	44,770,000

MILITARY CONSTRUCTION, AIR FORCE

The conferees agree to provide $97,300,000 as proposed by the House, instead of $103,500,000 as proposed by the Senate. Funds are provided as follows:

Location	Project description	Request	Conference agreement
MS: Keesler AFB	Base Exchange	40,000,000	40,000,000
MS: Keesler AFB	Consolidated Aircraft Maintenance Facility	29,000,000	29,000,000
MS: Keesler AFB	Fire Cash Rescue Station	19,600,000	19,600,000
MS: Keesler AFB	Library	5,500,000	5,500,000
Worldwide Unspecified	Planning and Design	17,140,000	3,200,000
Total		111,240,000	97,300,000

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

(INCLUDING RESCISSION OF FUNDS)

The conferees agree to provide $330,071,000, instead of $67,800,000 as proposed by the House and $210,071,000 as proposed by the Senate. The conferees agree to rescind $120,000,000 from Public Law 109–148 and provide the same amount in this chapter to be used for the same purpose and projects as those identified in the conference report accompanying Public Law 109–148. Funds are provided as follows:

Location	Project description	Request	Conference agreement
LA: Hammond	Army Aviation Support Facility	67,800,000	67,800,000
LA: Jackson Barracks	Joint Forces HQs/USPFO	84,200,000	84,200,000
LA: Jackson Barracks	Readiness Center	51,600,000	51,600,000
Worldwide: Unspecified	Planning and Design	6,471,000	6,471,000
Worldwide: Various Locations	Projects provided in P.L. 109–148	....	120,000,000

Location	Project description	Request	Conference agreement
Total		210,071,000	330,071,000

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

The conferees agree to provide $5,800,000 as proposed by both the House and the Senate. Funds are provided as follows:

Location	Project description	Request	Conference agreement
MS: CRTC Gulfport	Upgrade Storm Water System	600,000	600,000
MS: Key Field	Replace Medical Training Facility	4,700,000	4,700,000
Worldwide: Unspecified	Planning and Design	500,000	500,000
Total		5,800,000	5,800,000

MILITARY CONSTRUCTION, NAVY RESERVE

(INCLUDING RESCISSION OF FUNDS)

The conferees agree to provide $24,270,000 as proposed by both the House and the Senate. The conferees also agree to rescind $49,530,000 from Public Law 109–148 as proposed by both the House and the Senate. Funds are provided as follows:

Location	Project description	Request	Conference agreement
LA: NAS/JRB New Orleans	Command and Control Center	3,610,000	3,610,000
LA: NAS/JRB New Orleans	Crash/Fire/Rescue Station	7,360,000	7,360,000
LA: NAS/JRB New Orleans	Public Works Complex	12,600,000	12,600,000
Worldwide: Unspecified	Planning and Design	700,000	700,000
Total		24,270,000	24,270,000

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

The conferees agree to provide $585,919,000 for Construction, Major Projects, instead of $550,000,000 as proposed by the House and $623,000,000 as proposed by the Senate. The conferees agree that the funding provided includes $550,000,000 for construction of a medical facility in New Orleans, Louisiana. In addition, $35,919,000 is provided for debris removal and environmental cleanup of the former Department of Veterans Affairs Medical Center in Gulfport, Mississippi, and for any authorized purpose within this account.

In a report issued to Congress on February 28, 2006, the Department of Veterans Affairs identified its preference to rebuild the medical center in New Orleans as a "shared facility" with its academic partners. The conferees are supportive of this effort and encourage the Department to continue to work with its affiliates to develop the shared facility concept. However, the conferees caution the Department not to enter into any agreement in which it pays for more than its share in the name of collaboration.

RELATED AGENCY

ARMED FORCES RETIREMENT HOME

The conferees agree to provide $176,000,000 for construction of a new facility in Gulfport, Mississippi, as proposed by the Senate. The House bill contained no similar provision. The conferees note that cost estimates provided in a report to Congress on February 28, 2006, included significant expenses which should not be incurred for construction of a facility of this type and have adjusted the funding accordingly. The conferees have also included a general provision which consolidates $64,700,000 of previously appropriated funding which is to be used for this construction project. The conferees believe that the total funding available is sufficient to build a new replacement facility, fully compliant with all relevant laws, regulations, and standards for a retirement domicile, on the existing site in Gulfport, Mississippi.

GENERAL PROVISIONS—THIS CHAPTER

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

The conferees agree to include a provision (Sec. 2701), as proposed by the Senate, to waive a Federal funding limit on Guard and Reserve military construction projects appropriated in this chapter. The House bill contained no similar provision.

The conferees agree to include a provision (Sec. 2702), as proposed by the Senate, which allows funds previously appropriated for the Department of Veterans Affairs, Medical Services account, to be transferred to other accounts upon notification to the Committees on Appropriations of both Houses of Congress. The provision also extends the availability of the funds beyond the current fiscal year. The House bill contained no similar provision.

The conferees agree to include a provision (Sec. 2703), as proposed by the Senate, which directs the Secretary of the Department of Veterans Affairs to clean up and transfer property in Gulfport, Mississippi, to the city of Gulfport, Mississippi. The House bill contained no similar provision.

The conferees have not included a provision, as proposed by the Senate, which would authorize site acquisition and construction of medical facilities in New Orleans, Louisiana, and Biloxi, Mississippi. The House bill contained no similar provision.

The conferees agree to include a provision (Sec. 2704) which consolidates unobligated balances of the Armed Forces Retirement Home, to be used for the planning, design, and construction of a new facility in Gulfport, Mississippi, as proposed by the Senate. The conferees have modified the Senate proviso to this provision which designates the General Services Administration, in consultation with the Naval Facilities Engineering Command and the Armed Forces Retirement Home, as the agent for all matters with regard to planning, design, construction, and contract administration. The House bill contained no similar provision.

CHAPTER 8

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement provides $2,000,000 for General Legal Activities, as proposed by the House instead of $3,200,000 as proposed by the Senate. Funding is provided for the Criminal Division and Civil Division for expenses to investigate and prosecute fraud cases related to hurricanes in the Gulf Coast region.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement provides $6,500,000 for United States Attorneys as proposed by the Senate instead of $5,000,000 as proposed by the House. Funding is provided for expenses to investigate and prosecute fraud cases related to hurricanes in the Gulf Coast region.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

The conference agreement provides $118,000,000 under this heading, instead of no funding as proposed by the House and $1,135,000,000 as proposed by the Senate. In addition to the amount provided under this heading, language is included in chapter one of this title to transfer $38,000,000 from the United States Department of Agriculture to NOAA for reseeding, rehabilitation and restoration of oyster reefs.

The conferees remain concerned about the ongoing recovery efforts in the Gulf of Mexico and the previous lack of attention given to the critical need for mapping the Gulf waters for debris removal. In the wake of the numerous hurricanes of 2005, which greatly disrupted the water in the Gulf of Mexico, all previous mappings of those waters are now inaccurate. To date the only areas within the Gulf of Mexico that have been remapped are the vessel channels to allow for safe passage of ships traveling through the many ports along the Gulf. The remainder of the Gulf of Mexico must also be mapped beginning with traditional fishing grounds in order to remove debris and begin the process of surveying stocks and reestablishing this element of the economy. Mapping and debris removal is a critical safety and security precaution necessary to prevent catastrophic accidents from occurring during the upcoming fishing and boating season.

The conference agreement provides $20,000,000 for the Office of Coast Survey to conduct scanning and mapping and coordinate with the Office of Response and Restoration for marine debris removal; $2,000,000 for the Center for Operational Oceanographic Products and Services to establish Physical

Oceanographic Real-Time Systems along the Gulf of Mexico; $1,000,000 for the Center for Operational Oceanographic Products and Services to repair and replace tide gauge stations in the northern Gulf of Mexico; $90,000,000 for the National Marine Fisheries Service to provide technical assistance to States and industry for oyster bed and shrimp ground rehabilitation and to undertake cooperative research to monitor the recovery of Gulf fisheries; and not to exceed $5,000,000 to assist fishermen to recover from severe economic impacts due to fisheries disasters declared in 2005.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The conference agreement provides $32,000,000 under this heading as proposed by the Senate, instead of $11,800,000 as proposed by the House.

The conference agreement provides $20,000,000 for the National Marine Fisheries Service to complete the repair and reconstruction of the NOAA science center.

The conference agreement also provides $12,000,000 for the Office of Marine and Aviation Operations to procure a replacement emergency response mapping aircraft and sensor package to continue NOAA's capability to provide information about hurricane damage.

SCIENCE

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

EXPLORATION CAPABILITIES

The conference agreement provides $35,000,000 for repair and rehabilitation requirements at the Stennis Space Center and the Michoud Assembly Facility related to the consequences of hurricanes of the 2005 season.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $542,000,000 for additional lending authority for the Small Business Administration's (SBA) disaster loan program, as proposed by the House and the Senate (excluding a transfer provision contained in both bills).

The conferees remain concerned about fluctuations in SBA's disaster lending subsidy estimates and will continue to monitor lending activity and expenditures. The conferees expect the SBA to provide weekly reports to the House and Senate Committees on Appropriations, the Senate Committee on Small Business and Entrepreneurship, and the House Committee on Small Business containing the following information on all open disaster declarations: number of loan applications received; number and amount of loans approved, denied, and disbursed; loan subsidy obligations; and the costs associated with administering the loan program (including salaries, travel, and information systems).

In light of the National Oceanic and Atmospheric Administration's prediction of a very active hurricane season for 2006, the conferees expect the SBA to build on the lessons learned from responding to numerous hurricanes during the 2005 season to ensure that the agency is better prepared for future disasters. The conferees expect that, no later than July 15, 2006, SBA shall submit to the House and Senate Committees on Appropriations, the Senate Committee on Small Business and Entrepreneurship, and the House Committee on Small Business a report on the status of the disaster response plan for the 2006 Atlantic hurricane season.

CHAPTER 9

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

The conferees agree to House and Senate language preventing the Secretary from issuing a final rule regarding foreign control of U.S. airlines for 120 days.

FEDERAL HIGHWAY ADMINISTRATION

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

The conferees agree to provide $702,362,500 for the Emergency Relief Program, instead of $594,000,000 as proposed by the Senate. The conferees direct that funds shall be used for eligible projects identified under "Formal Requests" in the Federal Highway Administration table entitled "Emergency Relief Program Fund Requests Requests—updated 06/06/06" with the exception of projects addressed in other provisions of this Act making amendments to Public Law 109–148 and otherwise funded in other appropriations Acts. The conferees include language that waives the $100,000,000 per State per disaster cap for damages caused by Hurricane Dennis and by the 2004–2005 winter storms in the State of California and provides that any excess amounts may be used for other eligible projects.

(HIGHWAY TRUST FUND)

(RESCISSION)

The conference agreement includes a rescission of $702,362,500 of the unobligated balances of funds apportioned to the states under chapter 1 of title 23, United States Code, excluding safety programs and funds set aside within the state for population areas. The conferees direct the FHWA to administer the rescission by allowing each state maximum flexibility in making adjustments among the apportioned highway programs.

FEDERAL TRANSIT ADMINISTRATION

EMERGENCY ASSISTANCE FOR PUBLIC TRANSPORTATION

The conference agreement does not include $200,000,000 for emergency assistance for public transportation, as proposed by the Senate. The conference agreement includes provisions proposed by the Senate waiving the state funding match requirement and allowing funds to be used for operations as a general provision. The conferees did not agree to include a provision waiving other grant requirements as proposed by the Senate. The House did not include funds or recommend waivers.

The conferees note that the City of Baton Rouge has absorbed a very large number of citizens as a result of Hurricane Katrina resulting in a significant boost in the demand for transit services. The conferees recognize the community of Baton Rouge as having been directly impacted by Hurricane Katrina for the purpose of these transit waivers.

FEDERAL RAILROAD ADMINISTRATION

CAPITAL GRANTS FOR RAIL LINE RELOCATION

The conferees do not agree to provide $700,000,000 for capital grants for rail line relocation or make other amendments to title 49, United States Code, as proposed by the Senate.

RAILROAD RESEARCH AND DEVELOPMENT

The conferees agree to report language, as proposed by the Senate, expecting that funds previously appropriated for the Deployment of Safety Overlay Technology shall be allocated for the purpose of deploying train control technology for which the Federal Railroad Administration is currently considering a product safety plan.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

The conferees do not agree to provide $202,000,000, for Tenant-Based Rental Assistance, as proposed by the Senate. The conferees agree to report language, as proposed by the Senate, directing HUD to report within 180 days on the States' efforts to address the needs of the disabled, elderly, and homeless.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $5,200,000,000 for the Community Development Fund, as proposed by the Senate, instead of $4,200,000,000 as proposed by the House. The conferees agree that no state shall receive more than $4,200,000,000. The conferees further agree that not less than $1,000,000,000 shall be available on a pro-rata basis for the repair, rehabilitation, and reconstruction of affordable rental housing.

The conferees agree that of this amount, $12,000,000 is available for transfer to HUD's salaries and expenses account, of which $7,000,000 is for the administrative costs, including IT costs, of the KDHAP/DVP voucher program. The Senate proposed funds for this purpose under the Tenant-Based Rental Assistance account. The conferees agree that $9,000,000 is available for transfer to the Office of Inspector General. In addition, the conferees agree to transfer $6,000,000 to HUD's Working Capital Fund for the immediate enhancement of the capabilities of the Disaster Recovery Grant Reporting system by building additional electronic controls that will increase accountability while further decreasing the risk of fraud, waste, or abuse.

The conferees retain language as proposed by both the House and Senate, prohibiting the use of these funds by a State or locality as a matching requirement, share, or contribution for any other Federal program.

The conferees are aware that individuals with disabilities face unique challenges in finding accessible and affordable housing. As such, the conferees urge the states to work with HUD and the disabled community to ensure that these challenges are considered when states are developing and implementing Disaster Action plans. The conferees also urge HUD to take the necessary steps to inform the disabled community about the eligible uses of CDBG funding in addressing their needs.

INDEPENDENT AGENCIES

ELECTION ASSISTANCE COMMISSION

ELECTION ASSISTANCE

The conferees do not agree to provide $30,000,000 for the Election Assistance Commission, as proposed by the Senate.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

The conferees agree to provide $37,000,000 for the Federal Buildings Fund, as proposed by both the House and Senate.

TITLE III—EMERGENCY AGRICULTURAL DISASTER ASSISTANCE

The conference agreement provides a total of $500,000,000 for emergency agricultural disaster assistance instead of $3,944,000,000 as proposed by the Senate. This assistance is targeted to counties located in the geographic area covered by a disaster declaration related to hurricanes Katrina, Ophelia, Rita, Wilma, or a related condition. In addition, counties that are contiguous to hurricane disaster counties are eligible for this assistance.

The conferees expect the Department of Agriculture to work with eligible individuals and entities to make payments under the authority of this Act, or from section 32 pursuant to the Secretary's May 10, 2006, announcement. The conferees encourage the Department to ensure that individuals or entities receive the higher benefit for which they are eligible.

Section 3011 of the conference agreement provides $40,000,000 to make assistance available to producers/processors of sugarcane in Florida that are located in hurricane affected counties and are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996. This section also provides $40,000,000 to make assistance available to producers/processors of sugarcane in Louisiana that are located in hurricane affected counties and are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996. In addition, this section provides $400,000 to provide assistance for hurricane losses for a farmer-owned sugarcane cooperative in Texas, including additional demurrage, storage and transportation costs of raw sugar resulting from hurricanes and related conditions during calendar year 2005.

Section 3012 of the conference agreement provides $95,000,000 for the Livestock Compensation Program, and $45,000,000 for the Livestock Indemnity Program. This section allows poultry and egg producers to receive assistance under this program. The conference agreement includes language that requires that all eligible applicants conduct an agricultural operation that is physically located in a hurricane-affected county.

Section 3013 of the conference agreement provides $95,000,000 to provide assistance to specialty crops and nursery crops in hurricane affected counties. This assistance shall be carried out under the same terms and conditions as the assistance that was provided in certain areas of Florida due to hurricanes Charley, Frances, and Jeanne.

Section 3014 of the conference agreement provides $17,000,000 to assist dairy producers who experienced spoilage losses and are located in hurricane-affected counties.

Section 3015 of the conference agreement provides $15,000,000 to assist producers and first-handlers of the 2005 crop of cottonseed. The conference agreement includes language requiring that all eligible applicants must be located in hurricane-affected counties.

Section 3021 provides a definition for the term "tree", and directs that the Secretary provide assistance under the tree assistance program established under sections 10201–10203 of the Farm Security and Rural Investment Act of 2002. The conference agreement includes language requiring that all eligible applicants must be located in hurricane-affected counties. The estimated cost for this provision is $35,000,000.

Section 3022 provides an additional $100,000,000 for the Emergency Forestry Conservation Reserve Program for recovery efforts in hurricane-affected counties.

Section 3023 of the conference agreement includes language to provide clarification to the Secretary on the implementation of the Emergency Forestry Conservation Reserve Program.

Section 3031 provides $9,600,000 to cover administrative costs incurred by the Farm Service Agency directly related to carrying out disaster assistance.

Section 3032 provides flexibility for the implementation of section 32 funds that were announced by the Department of Agriculture on May 10, 2006 for aquaculture producer grants. The estimated cost for this provision is $8,000,000.

Section 3033 designates the funds made available in this title as an emergency.

Section 3034 includes provisions waiving certain rulemaking procedures and paperwork reduction requirements.

While the assistance provided by this title is limited to producers in areas affected by Gulf Coast hurricanes in 2005, the conferees fully recognize the losses suffered by farmers, ranchers, and rural communities in all parts of the nation. At such time as may be reasonably determined by the Secretary, the conferees direct the Department to apply any unused funds from this title, and any unused funds from the May 10, 2006 announcement (71 Fed. Reg. 27188) relating to 2005 Section 32 Hurricane Disaster Programs to respond to disaster-related events including wildfires in Texas and other states, drought, flooding in Hawaii and other states, and other natural disasters.

TITLE IV—PANDEMIC FLU

DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $2,300,000,000 to prepare for and respond to an influenza pandemic, the same overall funding level as proposed by the Senate. The House bill did not include a similar provision.

The conference agreement includes provisions proposed by the Senate giving the Secretary various authorities to purchase goods for the stockpile, enter into contracts for antivirals, construct or renovate privately-owned buildings, and transfer funds to other HHS accounts.

Within the total provided, the conference agreement includes $30,000,000 to be transferred to the United States Agency for International Development (USAID) for activities related to international surveillance, planning, preparedness, and response to the avian influenza virus. Neither the House nor the Senate included a similar provision.

The conferees intend that all federally-funded international surveillance, preparedness, and response activities be planned and implemented in a coordinated manner to maximize the chances of early detection of potential pandemics. The conferees expect HHS, the Centers for Disease Control and Prevention (CDC), and USAID officials to coordinate their international pandemic-related activities at all levels by maintaining frequent contacts at the senior leadership, program management, and on-the-ground personnel levels. The conferees direct HHS and USAID to submit a joint report to the appropriate House and Senate Appropriations subcommittees, within six months of enactment, which details their international surveillance, preparedness, and response activities and describes the manner in which they have been coordinated.

Within the total provided, the conferees have set aside $250,000,000 for state and local preparedness activities. The Senate included $300,000,000 for state and local capacity and the House did not include a similar provision. The conferees recognize that state and local public health departments play essential roles in responding to influenza outbreaks, including implementation of necessary epidemic containment measures, provision of services to homebound and disabled populations, distribution and redistribution of available antiviral medications and vaccines to high priority populations, and coordination with all other local medical and emergency response authorities. Therefore, the conferees encourage the Department to assure that distribution of pandemic influenza funds and all aspects of Federal pandemic influenza planning are consistent with operational realities at the local level and will have the intended public health results when implemented locally. The conferees further urge the Department to assure that all aspects of its pandemic influenza planning and preparations avoid duplication and inconsistency with other Federal directives affecting public health preparedness.

The conferees understand that State and local public health officials must be prepared to coordinate large-scale vaccination efforts in the case of a pandemic influenza outbreak. Therefore, the conferees encourage State and local public health departments to conduct local mass immunization exercises using seasonal flu vaccine.

Within the funds provided for upgrading state and local capacity, funds may be used for regional training meetings bringing together several states. These funds may also be used, if determined necessary by the director of CDC, to enhance flu program planning efforts and the existing preparedness training network at the established CDC centers for public health preparedness and other accredited schools of public health.

Within the total provided, the conference agreement includes $200,000,000 for CDC. These funds are intended to augment the fiscal year 2006 appropriation and expand and enhance on-going activities related to global and domestic disease surveillance, laboratory capacity and research, laboratory diagnostics, risk communication, rapid response, and quarantine. The Senate proposed a total of $250,000,000 for these activities within CDC, but included two separate provisos. The House did not include a similar provision.

The conference agreement does not include $5,000,000 as proposed by the Senate for the Smithsonian Institution to carry out domestic disease surveillance. The House did not include a similar provision.

The conferees are aware of the Department's plan to subsidize "up to" 25 percent of the cost of 31,000,000 courses of anti-virals. The conferees note that the bill language authorizing this subsidy is flexible and does not require, nor limit, the amount of the subsidy. The conferees encourage the Secretary to consider subsidizing these purchases beyond 25 percent for States whose finances have been severely affected by Hurricane Katrina and other hurricanes of the 2005 season. The conferees believe that access to life-saving drugs should be based on public health need, not the finances of the State in which an individual resides.

FUNDING FOR PANDEMIC INFLUENZA VACCINE INJURY COMPENSATION

The conference agreement does not include $289,000,000 for a pandemic influenza vaccine compensation fund as proposed by the Senate. The House did not propose a similar provision.

TITLE V—BORDER SECURITY

DEPARTMENT OF DEFENSE—MILITARY

CHAPTER 1

BORDER SECURITY INITIATIVE

The conference agreement recommends $708,000,000, instead of $756,000,000 as proposed by the Administration, for the Department of Defense to fund the incremental military personnel and operation and maintenance costs of deploying up to 6,000 National Guard personnel to the U.S. border for one year in support of the Department of Homeland Security.

The conferees direct the Secretary of Defense to provide a report to the congressional defense committees within 30 days after the end of each fiscal quarter detailing the transfers of funds provided in this chapter until funds provided in this chapter are no longer available for transfer. The conferees direct that the report shall include: a detailed accounting of obligations and expenditures of appropriations to which funds are transferred by appropriation account, program, and subactivity group; and a listing of equipment procured using funds provided in this chapter.

GENERAL PROVISIONS—THIS CHAPTER

The conference agreement deletes a provision, as proposed by the Senate, which reduced funds for Department of Defense—Military in this Act by $1,908,000,000.

CHAPTER 2

DEPARTMENT OF HOMELAND SECURITY

The conferees agree to provide $1,172,000,000 for border security and immigration enforcement programs within the Department of Homeland Security as requested by the President on May 18, 2006, instead of $1,900,000,000 as proposed by the Senate and no funds as proposed by the House. Funds are available until September 30, 2007.

CHAPTER 3

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

ADMINISTRATIVE REVIEW AND APPEALS

The conference agreement provides $9,000,000 for Administrative Review and Appeals, Executive Office of Immigration Review to meet additional caseload requirements resulting from increased border enforcement efforts of the Department of Homeland Security.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement provides $9,000,000 for the Civil Division's Office of Immigration Litigation to meet additional caseload requirements resulting from increased border enforcement efforts of the Department of Homeland Security.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The conference agreement provides $2,000,000 for United States Attorneys to prosecute additional cases in support of increased border enforcement efforts of the Department of Homeland Security.

PORT SECURITY ENHANCEMENTS

The conferees do not include supplemental appropriations totaling $648,050,000 for port security enhancements as proposed by the Senate. The House proposed no similar funding.

TITLE VI

LEGISLATIVE BRANCH

ARCHITECT OF THE CAPITOL

CAPITOL POWER PLANT

The conference agreement includes $27,600,000, to remain available until September 30, 2011, for the Architect of the Capitol, Capitol Power Plant, to make improvements in the utility steam tunnels, as proposed by the Senate.

TITLE VII—GENERAL PROVISIONS AND TECHNICAL CORRECTIONS

The conference agreement includes section 7001 regarding the availability of funds in this Act. The House proposed identical language as section 3001, and the Senate proposed identical language as section 9001.

Sec. 7002. The conference agreement includes a provision for Department of Defense—Military, as proposed by the House and Senate, concerning funds for intelligence related activities.

Sec. 7003. The conference agreement includes a provision for Department of Defense—Military, as proposed by the Senate, which makes a technical correction to section 8044 of the fiscal year 2006 Department of Defense Appropriations Act concerning the Office of Economic Adjustment.

The conference agreement does not include a provision for Department of Defense—Military, as proposed by the Senate, concerning mortuary affairs. The conferees have been advised that the Armed Services Committees in the House and Senate plan to address the Department of Defense mortuary affairs procedures in the fiscal year 2007 National Defense Authorization Act. The conferees encourage the Department to complete a thorough review of procedures to preserve and expeditiously return the bodies of American military casualties to their families and loved ones. Further, the conferees encourage the Department to continue to improve casualty assistance procedures in support of survivors of military decedents.

Sec. 7004. The conferees agree to rescind $20,000,000 from lapsed fiscal year 2005 balances, instead of $43,620,000 from unobligated balances available in the Immigration and Customs Enforcement Automation Modernization account as proposed by the House and no rescission as proposed by the Senate. The conferees direct the Secretary of the Department of Homeland Security to report to the Committees on Appropriations of the Senate and House of Representatives within fifteen days after enactment of this Act on the proposed distribution of the rescission of funds prior to its implementation pursuant to section 504 of Public Law 108–334. This report should specifically list the respective amount proposed to be rescinded by agency and appropriations account, and explain the original purpose of the appropriation and the reason why such funds are available.

The conferees agree to provide $20,000,000 for United States Secret Service Salaries and Expenses, instead of $43,620,000 as proposed by the House and no appropriation as proposed by the Senate. Of this total, $18,000,000 is provided to restore a shortfall in overtime expenses, and $2,000,000 is provided for the purchase of critical equipment.

Sec. 7005. The conferees agree to rescind $3,960,000 from Office of Screening Coordination and Operations and reappropriate these funds to the Office of Policy within the Office of the Secretary and Executive Management, as proposed by the Senate. The House bill had no comparable provision.

Sec. 7006. The conferees agree to strike Section 528 of Public Law 109–90.

Section 7007 extends the authority for collection of fees, under the Surface Mining Control and Reclamation Act of 1977, through September 30, 2007, as proposed in section 9016 of the Senate bill. These fees are paid by coal producers and are subsequently appropriated for reclamation of abandoned mines.

The conference agreement does not include language, proposed in section 9015 of the Senate bill, providing an additional $500,000 to the U.S. Geological Survey for assistance with assessments of critical reservoirs and dams.

The conference agreement does not include language, proposed in section 9036 of the Senate bill, providing an additional $1,000,000 to the Environmental Protection Agency for assistance relating to assessments and monitoring of waters in the State of Hawaii.

HHS—LOW INCOME HOME ENERGY ASSISTANCE

The conference agreement does not include a provision proposed by the House that permitted the allocation of emergency funds provided under section 9001(a)(2) of the Deficit Reduction Act of 2005 to be available during the remainder of fiscal year 2006 and fiscal year 2007. The Senate did not include a similar provision.

DEPARTMENT OF LABOR—OFFICE OF JOB CORPS

The conference agreement deletes without prejudice language proposed by the Senate to prohibit the implementation of Secretary's Order 09–2006. The House had no similar provision. The conferees direct the Department to implement Section 102 of Public Law 109–149 retaining in the Job Corps those program functions previously administered by the Job Corps prior to the transfer and to ensure the support necessary for oversight and management responsibilities.

The conferees further expect that, although the Office of Assistant Secretary for Administration and Management will oversee the procurement process, this arrangement shall not alter the existing authorities, duties, or activities of Job Corps as it existed prior to the transfer. The Office of Job Corps and the Assistant Secretary for Administration and Management are directed to maintain controls to assure the procurement activities are completely separate from program operations. Further, the Department is directed to report to the Committees on Appropriations in the House and Senate by August 30, 2006 on steps necessary to establish a unified chief procurement officer with responsibilities for all procurement activities in the Department. The report shall include the comments and recommendations of the Department's Inspector General.

DEPARTMENT OF LABOR—MINE SAFETY

Sec. 7008. The conference agreement includes $25,600,000 as proposed by the Senate for hiring of additional inspectors, including their training and equipment, to increase coal mine enforcement. The House had no similar provision. Funds are designated as emergency and are made available for two years. The conferees instruct the Department to include a plan for the allocation of funds in the first report to the House and Senate Committees on Appropriation and the House and Senate authorizing committees, due on July 15, 2006.

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

Sec. 7009. The conference agreement includes a provision that extends the funding availability for a fiscal year 2001 Congressional project until September 30, 2009. The Senate included a similar provision, but extended the availability of funding until expended. The House did not propose a similar provision.

CENTERS FOR DISEASE CONTROL—MINE SAFETY

Sec. 7010. The conferees include $10,000,000 for the National Institute for Occupational Safety and Health for research to develop mine safety technology, as proposed by the Senate. The House had no similar provision.

RAILROAD RETIREMENT BOARD

Sec. 7011. The conference agreement includes a provision proposed by the Senate to modify the dual benefit payments language contained in P.L. 109-149. The House had no similar provision.

HEAD START REGULATIONS EFFECTIVE DATE

Sec. 7012. The conference agreement includes a provision proposed by the Senate extending the effective date of a Head Start transportation regulation from June 30, 2006, to December 30, 2006. The House bill did not include a similar provision.

EMPLOYMENT AND TRAINING ADMINISTRATION

Sec. 7013. The conference agreement includes a provision limiting compensation from federal funds to a rate not greater than Executive Level II for any recipient or subrecipient receiving funds under the heading, "Employment and Training Administration", similar to a provision proposed by the Senate. The House had no similar provision. The provision has been modified to include prior year funds that have yet to be expended.

SEGAL AMERICORPS EDUCATION AWARD

Sec. 7014. The conference agreement amends a provision included by the Senate to name the AmeriCorps education award as the "Segal AmeriCorps Education Award. The conference agreement further amends the provision to make the name change permanent. The House bill did not include a similar provision.

SINGLE HOLDER RULE REPEAL AND CONSOLIDATION INTO DIRECT LENDING

Sec. 7015. The conference agreement includes a provision repealing the "single holder rule" related to consolidated student loans and permitting consolidation loans under direct lending. Neither the House bill nor the Senate bill contained a similar provision.

The conferees agree to include a provision (Sec. 7016) as proposed by the Senate, to amend the authorization for a military construction project in Georgia. The House bill contained no similar provision.

The conferees agree to include a provision (Sec. 7017), as proposed by the Senate, to amend the authorization for a military construction project in Hawaii. The House bill contained no similar provision.

The conferees agree to include a provision (Sec. 7018) to amend a limitation on the total cost of military construction projects carried out by Defense agencies, to conform with provisions agreed to regarding military construction projects in Georgia and Hawaii. The House bill and Senate bill contained no similar provision.

The conferees agree to include a provision (Sec. 7019) as proposed by the Senate, to amend the authorization for a military land purchase in North Carolina. The House bill contained no similar provision.

The conferees do not agree to include a provision as proposed by the Senate to change the use of military construction funds provided in the fiscal year 2006 Appropriations bill. The House bill contained no similar provision.

The conference agreement includes language under section 7020 making a technical correction regarding Community Oriented Policing Services.

The conference agreement includes language under section 7021 making a technical correction regarding the National Aeronautics and Space Administration.

The conference agreement includes language under section 7022 making technical corrections regarding the Small Business Administration.

Sec. 7023. The conferees agree to a provision, as proposed by the Senate, amending Public Law 109-148 regarding the repair and reconstruction of the I-10 bridge in Louisiana.

Sec. 7024. The conferees agree to a provision, as proposed by the House, making technical changes to transit grant funds awarded to the New York City Department of Transportation.

Sec. 7025. The conferees agree to a provision, as proposed by the Senate, waiving the Federal matching share requirements for Federal transit assistance programs; allowing recipients to use funds for operating assistance; and canceling this authority for the Secretary in 2 years, unless a compelling need exists.

Sec. 7026. The conferees agree to a provision, as proposed by the Senate, adjusting the Department of the Treasury travel cap for certain offices.

Sec. 7027. The conferees agree to a provision, as proposed by the Senate, authorizing intelligence activities funded through the Departments of Justice and Treasury for fiscal year 2006.

Sec. 7028. The conferees agree to a provision, as proposed by both the House and Senate, expanding the households eligible for assistance to include HUD assisted project-based multifamily properties and waiving the requirements of Section 8(o)(7)(A) of the United States Housing Act of 1937 to enable HUD to establish voucher leases for 18 months.

Sec. 7029. The conferees agree to a provision amending Public Law 109-115 with regard to tenant-based rental assistance.

Sec. 7030. The conferees agree to a provision, as proposed by the House, making a technical correction to the list of economic development grants in Public Law 109-115.

Sec. 7031. The conferees agree to modify a provision, as proposed by the Senate, making technical corrections to economic development grants in Public Law 108-199.

Sec. 7032. The conferees agree to modify a provision, as proposed by the House, making technical corrections to economic development grants in Public Law 108-447.

Sec. 7033. The conferees agree to modify a provision, as proposed by the House, making technical corrections to economic development grants in Public Law 109-115.

Sec. 7034. The conferees agree to a provision, as proposed by the Senate, allowing for the transfer of real property to the City of Crosby, North Dakota, from GSA.

The conference agreement does not include section 9026 of the Senate bill regarding detail authority for the Department of Transportation.

The conference agreement does not include section 9028 of the Senate bill preventing the Secretary from issuing a final rule regarding foreign control of U.S. airlines.

The conference agreement does not include section 9037 of the Senate bill amending project number 4651 in section 1702 of SAFETEA-LU.

The conference agreement does not include section 9040 of the Senate bill amending section 1940 of SAFETEA-LU.

The conference agreement does not include section 9041 of the Senate bill regarding nonconforming signs.

The conference agreement does not include section 3013 of the House bill regarding registered and legal voters.

The conference agreement includes a provision (Sec. 7035) establishing discretionary spending allocations for the Committee on Appropriations of the Senate for fiscal year 2007.

The conference agreement does not include section 3011, as proposed by the House, regarding the prohibition of funds for the acquisition of any leases, contracts, rights, or other obligations of P&O Ports by Dubai Ports World. The decision by Dubai Ports World to transfer operations of United States ports to a United States entity makes such language unnecessary. The Senate did not propose similar language.

NOTIFICATION OF EMERGENCY LEGISLATION

The congressional budget resolution agreed to by Congress for fiscal year 2006, and both the House and Senate versions of the fiscal year 2007 budget resolution, include provisions relating to the notification of emergency spending. These provisions require a statement of how the emergency provisions meet the criteria for emergency spending identified by the budget resolutions.

The conference agreement on this bill contains emergency funding for fiscal year 2006 that is related to the global war on terror and hurricanes in the Gulf Coast region, and such spending is identified throughout the conference report. The funding is related to unanticipated needs and is for situations that are sudden, urgent, and unforeseen, specifically the global war on terror in the aftermath of 9/11, and the devastating hurricanes of 2006. These events fit the specific criteria for emergencies.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2006 recommended by the Committee of Conference, comparisons to the 2006 budget estimates, and the House and Senate bills for 2006 follow:

(In thousands of dollars)

Budget estimates of new (obligational) authority, fiscal year 2006	92,220,585
House bill, fiscal year 2006	91.947.581
Senate bill, fiscal year 2006	108.897.907
Conference agreement, fiscal year 2006	94.429.554
Conference agreement compared with:	
Budget estimates of new (obligational) authority, fiscal year 2006[1]	+2,208.969
House bill, fiscal year 2006	+2,481.973
Senate bill, fiscal year 2006	-14.468.353

[1] Including future-year spending in Title III (Emergency Agricultural Disaster Assistance) of $91,000,000. the increase above the budget estimates equals $2.300.000.000, which is equal to the amount provided in Title IV for costs related to pandemic flu.

JERRY LEWIS,
C.W. BILL YOUNG,
RALPH REGULA,
HAROLD ROGERS,
FRANK R. WOLF,
JIM KOLBE,
JAMES T. WALSH,
CHARLES H. TAYLOR,
DAVID L. HOBSON,
HENRY BONILLA,
JOE KNOLLENBERG,
JOHN P. MURTHA,
MARTIN OLAV SABO,
ALAN B. MOLLOHAN,
PETER J. VISCLOSKY,
NITA M. LOWEY,
JOHN W. OLVER,
CHET EDWARDS,
Managers on the Part of the House.

THAD COCHRAN,
TED STEVENS,
PETE V. DOMENICI,
CHRISTOPHER S. BOND,
MITCH MCCONNELL,
CONRAD BURNS,
RICHARD C. SHELBY,
JUDD GREGG,
ROBERT F. BENNETT,
LARRY CRAIG,
KAY BAILEY HUTCHISON,
SAM BROWNBACK,
WAYNE ALLARD,
ROBERT C. BYRD
(except Deeming Resolution),
DANIEL K. INOUYE,
TOM HARKIN
(except Deeming Resolution),
BARBARA A. MIKULSKI
(except Deeming Resolution),
HARRY REID
(except Deeming Resolution),
HERB KOHL
(except Agriculture Disaster and Deeming Resolution),
PATTY MURRAY
(except Deeing Resolution and Veterans Funding)
BYRON L. DORGAN
(except Agriculture Disaster),
DIANNE FEINSTEIN,
TIM JOHNSON
(except Agriculture Disaster),
MARY L. LANDRIEU,
Managers on the Part of the Senate.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations and ordered to be printed:

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, June 6, 2006.

Hon. J. DENNIS HASTERT,
Speaker of the House U.S. House of Representatives, H-232 The Capitol, Washington, DC.

DEAR MR. SPEAKER: Enclosed please find the resolutions approved by the Committee on Transportation and Infrastructure on May 17, 2006, in accordance with 40 U.S.C. 3307.

Sincerely,

DON YOUNG,
Chairman.

LEASE—FEDERAL BUREAU OF INVESTIGATION INFORMATION TECHNOLOGY FACILITY, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 136,800 rentable square feet for the Federal Bureau of Investigation—Information Technology Facility, at a proposed total annual cost of $4,788,000 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—UNITED STATES ARMY SOUTHERN COMMAND, MIAMI, FLORIDA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 708,597 rentable square feet and 2,874 outside parking spaces for the United States Army Southern Command, at a proposed total annual cost of $22,675,104 for a lease term of 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution, except for the execution of an interim lease.

LEASE—FEDERAL BUREAU OF INVESTIGATION WASHINGTON, DC METROPOLITAN AREA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 180,000 rentable square feet of space and 30 outside parking spaces for the Federal Bureau of Investigation in the Washington, DC Metropolitan Area, at a proposed total annual cost in Washington, DC of $8,460,000, Northern Virginia of $6,300,000, or Maryland of $5,760,000 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2048

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 2048, the Motor Vehicle Owners' Right to Repair Act.

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2048

Ms. BALDWIN. Mr. Speaker, I ask unanimous consent to have my name removed from H.R. 2048.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Wisconsin?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2048

Ms. DEGETTE. Mr. Speaker, I too ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 2048.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2048

Mr. MARKEY. Mr. Speaker, I rise with grateful appreciation if unanimous consent could be granted by you and by the other Members of this House that I have my name withdrawn as a cosponsor of H.R. 2048.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

EVOLUTION OF HIV/AIDS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. PELOSI) is recognized for 5 minutes.

Ms. PELOSI. Mr. Speaker, this week we recognize that 25 years ago in San Francisco doctors saw a disease that did not yet have a name with symptoms that hearkened back to the Middle Ages. Some manifestations of the disease were lesions, pneumonia, infections. Within 5 years, we were losing so many, many friends to AIDS that we would often go to two funerals in one day. A whole generation of young people went to more funerals than birthdays. We had too many friends who we held in our arms at the end of their lives that felt like a bag of bones more than the muscular young people they had been. There was so much, first of all, a lack of information and then fear of what became known as HIV/AIDS.

Nineteen years ago, it was this week I came to Congress to be sworn in. And my first sentence was, I am here from San Francisco and I have come to fight against AIDS. Actually, what I said is, Sala Burton sent me here to fight against AIDS. She was my predecessor. People asked me, why would you say that? You don't want to be labeled that way. That is the way AIDS was viewed at the time. But that was why I came here, and I said that from day one.

Because San Francisco had suffered the most, we now had an opportunity to be a model for America and eventually the world, a model for leadership, for community-based solutions, and for intervention. We got to work right away, working with many of my colleagues, Congressman WAXMAN in the lead on our Banking Committee; Congressmen MCDERMOTT, SCHUMER and FRANK working on our Housing Opportunities With People With Aids; Congresswoman, now Senator, BOXER, again, working with Congressman WAXMAN creating the Ryan White CARE Act to provide health care and support services for people with HIV and AIDS.

Just as this was all going on, at the very beginning of my tenure in Congress, I measure things that way, a gentleman named Cleve Jones from San Francisco came to me and said we want to have a press conference at your home to announce something called the Names Project. What that would be is that people would make a patch for a giant quilt in honor of a friend, a family member, a loved one who had died of AIDS.

I, being the mother of five and taught to sew in my Catholic school upbringing, said, Sew? Nobody's going to sew. Nobody sews anymore. I have four daughters and one son. I don't sew and I know how to sew. But I was wrong and he was right. And what started that day as us taking a few stitches with then-mayor of San Francisco Art Agnos and Cleve Jones turned into this giant Names Project that has been displayed on the Mall here in Washington. It is indeed a wonder of the world.

Sadly, though, as the quilt grew, so did the recognition of the many lives that were taken or lost from HIV and AIDS.

☐ 2215

Next in San Francisco, we created the AIDS Memorial Grove and then designated a national memorial to the thousands of Americans who have died of AIDS. It was really a remarkable thing in our city of San Francisco. Although the numbers were staggering, every diagnosis was an individual one and a personal one, and we had to measure the success of what we were doing as to what it meant to the lives of each person infected with HIV or to the next stage of AIDS.

We recognized that if we were going to have an appropriate response to AIDS, that it had to be international, and thus was started by Paul Boneberg, a person in San Francisco, The International Mobilization Against AIDS. This was many years ago.

Fast forward to now. This year, we have an essential responsibility to continue these efforts by reauthorizing the Ryan White Care Act and then supporting what works by making serious investments in it.

Twenty-five years ago when we heard about the symptoms that would become known as AIDS, and 19 years ago when I first came to Congress, I never thought that we would be standing here today without a cure. Five years from now, on the 30th anniversary, I pray that we can say that AIDS is a terrible, terrible memory; that we have prevented deaths, ended the epidemic, and found a cure. This is especially true not only in our country but throughout the world where many children are affected by the deaths of their parents, being orphaned, and by their own infections as well.

With a group of my colleagues, I visited South Africa and other countries in Africa, but particularly in South Africa we visited the AIDS clinic and saw the important work that was being done there on that continent. It is taking a terrible toll in terms of lives and hopes and dreams and aspirations. I hope that we will soon be able to say that AIDS taught us how to love each other more but that we will never see it again.

Again, I call to the attention of my colleagues the 25th anniversary of the first diagnosis of AIDS, and hope that a cure will be right around the corner.

TAX CUTS PROVIDE BOOST TO ECONOMY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

Mr. MCHENRY. Tonight, Mr. Speaker, I think it is important that we address our agenda as Republicans, and what we have done as a majority in this House. We have controlled both the House, the Senate, and the White House.

Mr. Speaker, the American people and my constituents, in particular, have been asking, what have you done? What have you achieved for us? And I want to tell you tonight the center of what we have achieved as Republicans, Mr. Speaker, is an economic growth that has been unrivaled in our Nation's history, and at the center of that economic growth are tax cuts. Those tax cuts have fueled our economic recovery over the last 6 years.

Mr. Speaker, Republican tax cuts have made an enormous difference. And let us talk about this. One hundred eleven million American taxpayers have seen their taxes decline by an average of $1,877, and for the average family that is real money. Here in Washington, D.C. they spend that in a minute, but at home in my district, in Cherryville, North Carolina, that is real money. That is real money for an American family, a family in Cherryville or in Hickory or in Morrisville, to spend on textbooks, clothes, maybe even a vacation, Mr. Speaker. That has fueled our economic recovery, the fact that the American people have more in their own pocket now than they did 6 years ago.

I will also say that a family of four earning $40,000 received a tax relief because of President Bush's tax cuts and Republican leadership in the House, they have received a tax cut of $2,010 per year, Mr. Speaker. That is for a family of four making $40,000 a year. That is a wonderful, wonderful thing that we have allowed the American people to keep more of what they earned.

Well, what we are trying to do now, what this Republican Congress is trying to do with the help of our President is not only extend the tax cuts, which I am very proud that we were able to enact just a few weeks ago; we extended the President's tax cuts for 2 more years, but to make it permanent. And what would making those tax cuts permanent do for the American people? Well, in my State of North Carolina, between now and 2014 we would produce 22,000 new jobs because of extending and making permanent the President's tax cuts.

Our annual GDP would grow by over $111 billion higher, after inflation, if we make the President's tax cuts permanent. Personal savings will grow by $163 billion per year on average over the next decade if we make the President's tax cuts permanent. And personal income will grow in the State of North Carolina on average by $4,000 a year. Disposable income, that is, Mr. Speaker. And beyond that, we are going to see the economy continue to grow if we are able to extend these tax cuts, and a strong economy will spread prosperity more evenly throughout our economy, and that is very important. The American people having more money in their pocket is a very vital thing. That is a very vital thing.

Now, my colleagues on the other side of the aisle have been four square against this. Why? They think of government solutions as the only alternative, Mr. Speaker. And I would say that it is important that we come together as a body and say that reducing the size and scope of government is a good thing. Now, my colleagues on the other side of the aisle have stood in the way of progress in terms of tax cuts. Most of them, a majority, have opposed tax cuts here on this House floor, not just for the last 5 or 6 years during the President's term, but over the course of the Republican majority for the last 12 years. Why Mr. Speaker? Because they want more revenue for government. They want government to expand.

Beyond that, Republicans have worked very hard at growing this economy in other ways. Not only have we cut taxes which has led to greater economic growth, but we are trying to increase the supply of oil, gasoline, and natural gas for all Americans, and look at alternative energies. And the Democrats have stood in our way in terms of energy policies as well. And I would encourage them to join with the Republican majority and do what is right, expand our energy supply and continue to cut taxes.

RECOGNIZING THE YOUNGSTOWN CONNECTION

Mr. RYAN of Ohio. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentleman from Ohio is recognized for 5 minutes.

There was no objection.

Mr. RYAN of Ohio. Mr. Speaker, I rise today in recognition of the Youngstown Connection. This group of exceptional students from the Youngstown city schools serves as ambassadors of our valley throughout the Nation and the world.

The Youngstown Connection is comprised of 12 high school students from Youngstown city schools. They are skilled in all areas of the performing arts including theater, dance, and music.

The talents of the Youngstown Connection have been showcased at National venues, including the Kennedy Center and the Washington National Cathedral in Washington, D.C., the Lincoln Center, and the Macy's Thanksgiving Day parade in New York City. Across the globe they have performed at the World War II D-Day commemorations in Normandy, Paris, and London, Austria's Millennial Celebration of Music in Vienna, and the Berlin Wall Freedom Celebration in cities throughout Germany.

Many of the students come from a variety of socioeconomic backgrounds, and through the Youngstown Connection they are able to explore opportunities they may not have otherwise been granted.

It has been widely reported, Mr. Speaker, that students of the arts continue to outperform their peers who for one reason or another have not taken courses in the arts. According to the College Entrants Examination Board, in 2005 SAT scores of students with coursework or experience in the arts scored between 25 and 65 points higher in the verbal section and an average of 28 points higher in the math section than those with no arts coursework. 100 percent of Youngstown Connection students graduate from high school, and 97 percent go on to graduate from college. The focus, the discipline, and the motivation the students gain throughout these experiences in the Youngstown Connection remains with them throughout their lives.

Today, Mr. Speaker, several alumni of the program are at the top of their career fields, including several professional performers. Lawrence Brownlee, who went on to gain a Master of Music degree from Indiana University, is an opera singer who is considered one of the top young tenors in the entire world. He has performed in every major opera house worldwide and currently has a contract with the Metropolitan Opera. Another Youngstown Connection alumnus, Timothy Gordon, is a professional dancer and teacher in New York who has performed with, amongst others, Alicia Keys. Three former alumni are currently pursuing Ph.D.'s from universities across the country in fields such as cancer and heart research.

Mr. Speaker, all children in every school need the same opportunities as these kids. Imagine the potential that could be unleashed across the country. Let us give these kids the opportunity that they deserve. These students learn the value of giving back to their community through service projects to help the homeless. The group also raises their own funds for travel, costumes, and other expenses through the use of fund-raising activities and generous donations from private citizens and groups. The Youngstown Connection provides these young adults with the opportunity to share their love of the arts and promote the message of brotherhood and peace throughout the world.

I am proud of the Youngstown Connection, Mr. Speaker, and because of them the future of our community in northeast Ohio and the country is in good hands.

BADMAN VS. LAWMAN—A TRIBUTE TO TEXAS PEACE OFFICER DALE GEDDIE

Mr. POE. Mr. Speaker, I request permission to take Mr. BURTON's time.

The SPEAKER pro tempore. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. POE. Mr. Speaker, it is the kind of ammunition you would expect a foreign insurgent to have, 150 armor piercing bullets and a rifle. But it was all too familiar what happened in this event. This individual with all this fire power and being a bad father and a bad husband, he was pitted against police and his own family. He held them hostage, then lashing out at the lawmen sent to rescue his family. This domestic disturbance ended fatally, just as too many domestic disturbances end.

After threatening his wife, this family terrorist, Joseph Earl Walsh, turned his blazing gun on a well-known and well-loved peace officer—a servant of the people—leaving him to die while holding fellow peace officers at bay. This stand-off would last more than 3 hours. And when the dust and gun powder cleared the skies, East Texas Constable Dale Geddie of Tyler, Texas would be found murdered.

As a constable, Geddie was more than a law officer, he was an officer of the people. He carried a charge that dates all the way back to the Father of Texas, Stephen F. Austin—who started this band of lawmen to protect Texas settlers from the Indians. Constables are an elite corps of cowboy-lawmen, part of an organization really older than Texas Rangers. They date back to before the days of the Republic of Texas. And Constable Dale Geddie was known for upholding the charge "to protect and serve".

He was a fine lawman and a fine human being. Friends have said that "if you knew Dale, he was your friend for life. He was the guy who would take off his boots and give them to you if you needed them". Now it is Constable Dale Geddie's family, his wife and his two sons, who will need help during the loss of their good father and their good husband. Their father's fellow peace officers, with their badges draped in the black cloth of sacrifice, their hearts bruised, have lost a friend, a leader, and a hero.

Today we remember Constable Dale Geddie, his family and friends and other fellow Texas lawmen, and as we remember them we also remember Smith County Sheriff's Deputy Daniel Leon, who was also injured in this attack. Today we pause to say a prayer and give praise to all the other lawmen across the country who face the forces of evil, evil that hides in the hardened hearts of the heathen.

Mr. Speaker, peace officers are the last strand of wire in the fence between the people and the lawless.

Constable Dale Geddie was one of those peace officers.

And that's just the way it is.

ON THE PASSING OF GEORGE DUNNE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent to claim the time of Mr. BROWN.

The SPEAKER pro tempore. Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, last week George William Dunne, one of the giant figures of Chicago and Cook County politics in the last half of the 20th century passed at age 93.

George Dunne came from humble circumstances, the son of Irish immigrants. He graduated from De La Salle Institute on Chicago's South Side, the alma mater of such stalwarts of Cook County politics as Mayor Martin Kennelly, Cook County board president Dan Ryan, and Mayor Richard J. Daley.

□ 2230

He attended Northwestern University and served his country in the United States Army during World War II and the Korean War. George Dunne began his public service career as a park supervisor at a Lake Michigan playground, and went on to a series of positions with the Chicago Park District.

He was elected to the Illinois House of Representative in 1955 and elevated to House Majority Leader in 1961. In 1962 he was elected to the Cook County Board and 7 years later he was elected to the position of President of the Board. George served in that position for 31 years, until his retirement in 1990.

In addition to his government service, George held responsible posts in the Cook County Democratic Party. He was Democratic committeeman of the 42nd Ward on Chicago's north side for more than 40 years, and as chairman of the Cook County Democratic Party for all but 5 years from 1976 to his retirement in 1990.

George Dunne was present at many of the great historical landmark events of his day. He was with Colonel Jacob Arvey at the 1984 Democratic Convention in Philadelphia for the nomination of Harry Truman.

20 years later he was with Mayor Richard J. Daley at the 1968 Democratic Convention for the nomination of Hubert Humphrey.

However, Mr. Speaker, for me those are not the events I remember. When I remember George Dunne, I remember 1983 when Harold Washington won the Democratic nomination for Mayor of Chicago. The Democratic Party began to split along racial lines, with some white Democrats turning to oppose the nominee of their own party.

George Dunne was one of those who resisted such splitting tactics and supported Harold Washington, including what was to become immortalized in one famous photograph, marching arm in arm with Washington at the St. Patrick's Day Parade.

I remember the depth of the crisis at Cook County Hospital when George Dunne, became President of the Cook County Board. At one time Cook County Hospital had been a model for public health institutions. But by the early 1970s, many were calling for the closing of the hospital.

Today we would call it privatization of the hospital. Eventually, President Dunne put aside his political predilections and hired a radical young doctor, Dr. Quentin Young to lead the Department of Medicine, a move which today is generally created with saving the hospital.

Mr. Speaker, I do not believe that we mortals should make final judgement on the life of other mortals, but when we reflect on the life of George Dunne, I hope that these qualities and actions are among those which are never forgotten.

Several of his proteges are integral parts of Illinois and Chicago politics, such as the Honorable Jesse White, Secretary of State, the Honorable Burton Naturus, Alderman and committeeman of the 42nd Ward, and the honorable Walter Burnett, alderman of the 27th Ward.

Mr. Speaker, I am sure that they would join with me and countless others of saying thanks to his family for sharing with all of us a tremendous elected official, politician, but most of all a gentleman and a humanitarian.

HONORING CORPORAL ERIC R. LUEKEN

Mr. SODREL. Mr. Speaker, I would like to claim the time of Ms. FOXX.

The SPEAKER pro tempore. Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. SODREL. Mr. Speaker, I rise today to honor a young man, a Marine from my district who served with the 3rd Battalion, 3rd Marine Regiment, 3rd Marine Division, 3rd Marine Expeditionary Force in Iraq.

Corporal Eric R. Lueken of Dubois, Indiana joined the Marines in 2003. He served in Afghanistan from November 2004 to June 2005. On March 11, 2006, he left for service in Iraq. Eric grew up on the family poultry farm, played basketball at Northeast Dubois High School, and joined the Marines because he wanted to do something he could be proud of.

Corporal Leuken's mother, Melinda Lueken, said he wanted to achieve something for himself and he did. He was just a country boy. He liked hunting and fishing. But he wanted to do something with his life and he did not want to always stick around here in the little town of Dubois.

Lueken's fiancée, Ericka Merkel, said, "Once he joined the Marine Corps, all of his needs, they were second. Everybody else's needs were first. He never put himself first." Even in Iraq he said, "I am praying for you." He was never praying for himself.

This Memorial Day, Mr. Speaker, adds special meaning for me. Corporal Lueken was killed on April 22, 2006 when his convoy was the target of an improvised explosive device in Iraq's Anbar Province.

Corporal Lueken was a field radio operator. He was only 23 years old. Mr. Speaker, I attended the memorial services for Corporal Lueken and witnessed an incredible outpouring of affection and gratitude from the people of Dubois County, Indiana, from the people who knew Eric best.

The Marine Honor Guard, Marine Corps Association, VFW, American Legion and other Armed Services members, current and past, traveled great distances to show their respect and support for his friends, his fiancée and his family.

Like so many young men and women who choose to serve our country, it is clear to me, Corporal Eric Lueken embodied the very best of what makes this country great. Corporal Lueken's sacrifice, his commitment to his faith, his family, and his country was unwavering.

Semper Fidelis, always faithful, at home, in Afghanistan, and Iraq. Southern Indiana has lost a remarkable young man. My thoughts and prayers are with the Lueken family and with all of many men and women of the United States Armed Forces who defend liberty around the world.

DEMOCRATS PLAN FOR A WAY FORWARD IN IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from California (Mr. SCHIFF) is recognized for half the time until midnight as the designee of the minority leader.

Mr. SCHIFF. Mr. Speaker, there have been too many dark days in Iraq of late, but today is not one of them. The removal of Abu Musab al Zarqawi is a welcome event.

Zarqawi was a blood thirsty thug and an indiscriminate killer of innocent men, women and children. All Americans join in congratulating the American military and the Iraqi people for their success in tracking, finding and eliminating the most vicious terrorist in Iraq.

It is too early to predict what the effect of the elimination of Zarqawi will have on the counterinsurgency effort that the Iraqi and coalition forces are engaged in.

On the one hand there is ample historical evidence that eliminating terrorist and insurgent leaders does not necessarily cripple their movements. New leaders rise up to take their places. In the Iraqi case, however, Zarqawi's form of jihad, which has resulted in the slaughter of so many innocent civilians has alienated most Iraqis and helped to foster reported back-channel negotiations between the U.S., the Iraqi Government and some of the insurgent groups over the past few months.

Whether the confluence of Zarqawi's death and the completion of the new Iraqi cabinet can accelerate the prospects for some kind of more open negotiations remains to be seen. Especially as the sectarian violence that Zarqawi sought has continued to grow in recent months.

Even as we celebrate Zarqawi's death and recall the horrors he perpetrated, the videotaped beheadings of helpless hostages, the mass casualty suicide bombings of Shiite mosques, and the horrific destruction of the UN headquarters, we cannot turn away from the grim reality, that the war the President declared over in the spring of 2003 has been bloodier, costlier, longer and more difficult than the administration anticipated or planned for.

We need a new way forward in Iraq, and that is what we would like to talk about tonight. The Democratic ideas for a new way forward in Iraq are part of an overall effort to reconfigure America's security for the 21st Century, a plan we call Real Security.

Earlier this spring, Members of our party from both the House and the Senate unveiled a comprehensive blueprint to better protect America and restore our Nation's position of international leadership.

Our plan, Real Security, was devised with the assistance of a broad range of experts, former military officers, retired diplomats, law enforcement personnel, homeland security experts and others, who helped identify key areas where current policies have failed and where new ones were needed.

In a series of six special orders, my colleagues and I have been sharing with the American people our vision for a more secure America. The plan has five pillars, and each of our special order hours have been addressing them in turn: Building a 21st Century Military, Winning the War on Terror, Providing for Our Homeland Security, A Way Forward in Iraq, and the Achievement of Energy Independence.

Tonight we address a New Course in Iraq, to make 2006 a year of significant transition to full Iraqi sovereignty, with the Iraqis assuming primary responsibility for securing and governing their country with a responsible redeployment of U.S. forces.

Democrats will insist that Iraqis make the political compromises necessary to unite the country and defeat the insurgency, promote regional diplomacy and strongly encourage our allies and other nations to play a constructive role.

I have been to Iraq three times to visit our troops there, and I have spent time with our wounded here and in Germany. They have done everything we have asked of them, and they have done it magnificently. Whatever success we have had in Iraq, every village that was secured, every public works project that was completed, every school that was reopened, is due to the efforts of our soldiers, sailors, airmen and marines.

But, Mr. Speaker, these heroes are still being killed and wounded daily. Over 2,450 American troops have been killed and thousands more have been injured. American taxpayers are paying approximately $194 million a day for the war, according to the CBO. That is more than $1 billion a week.

A recent Congressional Research Service report puts the current cost of continued operations in Iraq and Afghanistan at close to $10 billion a month, with most of that money going to Iraq.

This is a conflict that has come to grief in so many ways. In the fall of 2002, Congress voted to authorize the use of force against Iraq because of the threat that Saddam Hussein had stockpiles of chemical and biological weapons, and because we were told he had an active nuclear weapons program.

If you go back and look at the debate in the House and Senate, this was a decision taken by the Congress to prevent Iraq from acquiring and using or transferring nuclear weapons.

Months later as American forces pushed across the Kuwaiti frontier and into Iraq, we were told by the President that our troops were on a hunt for weapons of mass destruction. Delivering the Iraqi people from the brutality of Saddam Hussein was a noble act, but the promotion of democracy in Iraq was not our primary reason for going to war.

Similarly, we knew that the Shiite majority had suffered terribly under the Ba'athist regime, and freeing them from the oppression of the Sunni minority was an added benefit of the invasion. But reordering the ethnic balance of political power in Iraq was not our primary purpose for going to war.

Soon after the fall of Baghdad, it became clear that many of the prewar assumptions that had guided the President and his advisors were wrong. There were no chemical or biological weapons. There was no nuclear program. And while many Iraqis celebrated the ouster of Saddam Hussein, they did not line the streets of Baghdad to greet our troops with flowers. In fact, within days, there emerged the beginnings of what would be an organized, deadly insurgency that would quickly put an end to General Tommy Frank's plan to pare down the 140,000 troops in Iraq in April of 2003 to 30,000 by September of 2003.

In recent months, the nature of the struggle in Iraq has changed yet again. Long-simmering ethnic tensions which had been suppressed under Saddam's totalitarian regime have threatened to tear the country apart.

While the full-scale civil war that many feared in the wake of the bombing of Askariya mosque in Samarra has not come to past, not yet, most observers believe the country is currently in the grip of a low-level civil war that could erupt into full-scale conflict at any time.

As first, much of the sectarian violence was perpetrated by Sunni insurgents who saw continuing violence and instability in Iraq as their best hope to gain power in a country dominated by Shiia Muslims.

Shiite political factions have responded by creating militias, and these have become more active in targeting Sunnis over the past few months. In recent weeks I have been concerned by media reports that Shiite militias have been deploying to Kirkuk, Iraq's third largest city, in a bid to forestall any attempt by Kurds to assert control over this major center of Iraq's oil-rich north.

In Baghdad, Shiite units, some of them nominally under the control of the Ministry of Interior, have acted as death squads, and the streets of the capital have become a dumping ground for bodies.

We have a moral obligation to do what we can to avoid having Iraq spiral into all-out civil war. But now is the time for Iraqis themselves to decide whether they wish to be one country. That is the decision we cannot make for them.

Accordingly, the first element of the Real Security Plan for Iraq calls for the United States to take the necessary steps to ensure that 2006 is a year of significant transition to full Iraqi sovereignty.

□ 2245

There is a broad consensus among experts here and abroad that Iraq's future will be determined politically and not by force. The formation of a permanent Iraqi government, one that will have power, legitimacy and vision, to assume primary responsibility for securing and governing the country is a necessary precondition to ending the insurgency, preventing civil war and allowing large scale reconstruction to begin.

Consequently, our role in Iraq must become more political and less military for if there is one thing that Iraqis of every religious, political and ethic stripe can agree on, it is that they do not want foreign troops in their country indefinitely.

The second element of the Democratic Real Security plan for Iraq is a responsible redeployment of our troops during the course of 2006 so that we are not drawn into sectarian conflict, and so that Iraqis are forced to take primary responsibility for securing and governing their country. The process of training Iraqi security forces has gone more slowly than many had hoped and few Iraqi units are capable of taking a leading role in combating the insurgency and remain almost wholly dependent on coalition forces for logistical support.

We must redouble our efforts to train Iraqi forces in order to allow for the responsible redeployment of American troops without a consequent loss of security in the areas we leave. A responsible redeployment of American coalition forces will have to be done in stages to build greater Iraqi sovereignty and control over security, not civil war.

In the first phase of redeployment, I believe our forces should be gradually withdrawn from urban centers where their mere presence in large numbers has earned the animosity of the local population. Our troops should be moved to smaller cities where reconstruction is supported by the local population and to remote bases where our troops will be able to support Iraqi units if necessary but will not become a buffer between warring sects bent on killing each other.

Over time, these troops will be withdrawn from Iraq altogether and redeployed outside the country, either in the region or back to the United States. We should publicly declare that the U.S. does not seek to maintain a permanent military presence in Iraq and many of us have co-sponsored legislation to prevent the establishment of bases which can only serve as a catalyst for the insurgency and for foreign jihadis.

A redeployment of American troops cannot succeed if the Iraqis themselves are not willing to find the political solution to counter the forces that threaten the unity of the country. There is to doubt that Iraq's ongoing sectarian strife has been exacerbated by the protracted struggle among and inside Iraq's political factions over the formation of a permanent government.

The real key to a better future for the Iraqi people and the third element of the Democratic Real Security plan for Iraq is the promotion of political compromise to unite the country. The recent formation of a national unity government by the prime minister is a positive step. While Zarqawi's death has grabbed most of the headlines today, the prime minister's announcement that he has filled the crucial vacancies in the interior defense and national security ministries may prove more important to Iraq's future, which will be determined politically and not by force.

The Iraqi government must demonstrate to its people that it can actually bring Iraq's rival factions together in a common effort to confront the foreign jihadis and bring the insurgents into the political process. This is the best hope for maintaining the unity of Iraq. But Mr. Speaker, we can not do it alone.

American soldiers, American diplomats and American reconstruction experts are shouldering almost the entire burden in Iraq. This is unfortunately a problem wholly of our making. The President made little effort to bring others on board before we went into Iraq. And after the fall of Baghdad, he rebutted an offer by the United Nations to assume a central role in rebuilding the country.

Finding a way to internationalize the struggle to stabilize Iraq is the fourth element of the Democratic Real Security plan for Iraq. It is not surprising our allies and others are reluctant to send their solders and contractors to help us. It is dangerous and we have not been amenable to listening to the suggestions of others. Unfortunately, the situation in Iraq has deteriorated to the extent that the world must reengage if only because the alternative is too horrible to contemplate. At a minimum, our allies should be willing to assume a greater role in training Iraqi security forces, as well as provide long-promised economic support.

Finally, the last element of the Real Security plan is the need to hold the administration accountable for its conduct of the war. More than any other variable under the control of Congress, our failure to perform this oversight has been a major factor contributing to the difficult situation in Iraq.

The failure of oversight and the need to hold accountable people that are responsible for those failures has plagued the Iraq war from the beginning. And because this Congress, this Republican-controlled Congress refuses to hold the President to account, we keep making the same mistakes over and over again.

For years, the administration and majority tried to cow into silence anyone who dared to question the conduct of the war by calling them unpatriotic. It is not disloyal to ask these questions. Oversight is a core responsibility of Congress. The great strength of a democratic system with built-in checks and balances is that mistakes are caught and corrected. Every Member of this House, Republican and Democrat, wants a stable and representative Iraqi government. But, Mr. Speaker, we cannot hope to change course in Iraq until and unless we are willing to acknowledge mistakes, until we hold the administration accountable and force change.

Devising and implementing a successful end game in Iraq will be difficult, but the President's open ended commitment to remain in the country is untenable and unwise. The American people want Iraq to succeed and for a representative government there to survive and lead to a better future for the Iraqi people, but that success requires a new direction.

I now yield to two of my colleagues, my fellow co-chairs of the Democratic Study Group on National Security their thoughts on the way forward in Iraq. First, I would like to turn to Mr. ISRAEL of New York who has been a great leader on this issue, who is the Chair of the Democratic Task Force on National Security. I yield to the gentleman from New York.

Mr. ISRAEL. I thank my friend from California and particularly I want to thank him for his strong and wise leadership on national security issues.

As the gentleman mentioned he and our colleague from Atlanta, Georgia, Mr. SCOTT, and I co-founded the Democratic Study Group on National Security Policy, which advocates for a long and smart military, which believes in policy that are robust and visionary when it comes to our national security.

I have the great honor, not just being a Member of Congress, but serving on the House Armed Services Committee. And I was in Iraq just a month ago. It was my second visit as a member of the Armed Services Committee. And when I was there I had the sense that we were getting close to finding al-Zarqawi. He was still on the loose but we were getting closer, and I am glad that we finished the job. This is a guy who relished beheadings. This is someone who enjoyed car bombings. This is someone who killed Americans who killed, Sunnis, who killed Shi'ia, who killed Kurds. And so I believe it is an important day and it is good news that while we have many struggles ahead this one struggle no longer exists.

But I think it is very important for us to focus on the future. While I was in Iraq I had the opportunity to meet with Prime Minister Maliki and President Talabani and General Casey and his troops. All of those people were involved and should take credit for what happened today.

The questioning now faces what is next. The gentleman talked about our plan for Iraq. The fact that 2006 should be a year of transition to full Iraqi sovereignty, that we need a responsible redeployment of U.S. forces, that we need to promote Iraqi political compromise to unite the country, encourage our allies to play a constructive role, hold the Bush administration accountable. And there is one more thing that we must do that I know my colleagues and I agree completely on. And that is to make sure that our troops continue to have everything they need, because despite the fact that al-Zarqawi has been removed, there are going to be other al-Zarqawis in the world. There are going it be others who enjoy beheadings and car bombings. And for as long as long as they exist, we are going to need the capabilities of meeting and defeating them.

That is why I was so distressed when my constituents woke up this morning to this front page in our Long Island newspaper, Newsday. The front page headline, "Blood clot bandages, frontline shortage, some troops calling home to ask for life saving dressings."

By the way, I would say to my friends from Georgia and California, this story is under a story about how Ann Coulter visited my district having just attacked 9/11 widows as being witches and harpies. After Ann Coulter attacked 9/11 widows, I have about a hundred of them in my district, comes to my district and attacks them. Under that story is this story about potential shortages of blood clot bandages.

Let me share with my colleagues what this story says. "Despite Army order that frontline medics get special clotting bandages, soldiers say they're still needed." It begins with this lead. "Nine months after an Army order that all combat orders would get life saving clotting bandages to curb bleeding deaths, some troops in Iraq are still calling home, asking friends and families to supply them. Despite Army assurances that there are plenty of bandages to go around. Soldiers have written to say they have not found their way to all those on the front lines, and the manufacturer under contract with the Army acknowledged last week that early production problems may have spurred a shortage."

Now, let me be clear on this. We have been working with the Army and we will continue to work closely with them. They are trying to get to the bottom of this and that is their obligation. I appreciate their responsiveness to this report. But we cannot afford continued reports like this three years after the invasion.

It is unfair that Ms. Doreen Kenny, who lost her job, Jacob Fletcher, in Iraq, one of the first Long Islanders to be killed in action, has to have her photograph in this story with the quote, "If I can prevent one knock at the door of a military family, I will do all I can to prevent them from living through the heartbreak I have had to live through."

Why is she in this story? Because Doreen Kenny, who lost her boy, is mailing this critical medical equipment to our troops in Iraq. That is not what she should be having to do right now.

So I know we will continue as Democrats to ensure that when we go to war we do not go with the Army we have, as Secretary Rumsfeld said, but with the supplies they need. That those of us who believe that we have to draw a line against totalitarianism understand that we have to make sure our supply lines are adequately equipped. That we cannot afford to send soldiers into hostility and then read reports that they are calling home asking for blood clotting bandages.

I want to thank the gentleman for his leadership. We will continue to pursue this vitally important plan for Iraq, but I know that at the centerpiece of those plans is the understanding that we have to protect the protectors and defend the defenders, and that is what Democrats are doing in the United States Congress today.

Mr. SCHIFF. I thank the gentleman for yielding and for sharing the experience of your constituent. I think each of us has sat down with troops returning from Iraq and heard the stories of the lack of lifesaving equipment that they have had to cope with. I had lunch with a guardsman from my district a couple of weeks ago who told me during the year he was in Iraq, the Humvees they were riding in had no doors, and they had to jerry-rig sheets of plywood separated by sacks of sand or concrete, what we call hillbilly armor, to protect themselves as they went from base to base, asking each other, why are we having to do this?

And when we consider all of the misspent and unaccounted for billions of reconstruction dollars and how many coagulant bandages that would pay for or body armor or uparmored vehicles, I think it is the case of going to war with the leadership you have, not the leadership you would like. And I thank the gentleman. If the gentleman has time, we can have a colloquy later on but let me turn to my other colleague from Georgia, Mr. SCOTT, one of our great leaders on national security issues, and I yield to the gentleman.

Mr. SCOTT of Georgia. Thank you so much and to my good friend, Mr. ISRAEL. What a pleasure it is to serve, the three of us, as co-chairs of our Democratic Group on National Security and providing leadership for this Nation on this critical area, and also letting the American people know that Democrats stand, foremost, for national security. Our history, our legacy speaks to that.

As we have counted time and time again, every time we have had a national crisis, Democrats have paved the way and brought us through, from Franklin Delano Roosevelt to Harry Truman, John Fitzgerald Kennedy. Who could be more strong than at the Bay of Pigs, at the missile crisis in Cuba, with the Soviet Union in the Cold War. We have been in the forefront in every aspect of protecting this country and we are at the forefront now.

It is such a pleasure and I am just very proud to be here with you. I want to pick up on that theme because while we all salute the killing of al-Zarqawi, we are proud of that, we are proud of our military.

□ 2300

We salute them for having done a remarkable job, but I think it is very important for us not to get too caught up in that as much as it is very important for us to look at this Iraq situation from the standpoint of the soldier, from that person that is on the front lines.

Like the two of you, I have been to Iraq. I have been over into the war zone twice. I have been into the European theater. I have been into Afghanistan. I have been on the front lines with our troops. I have eaten with them. I have been there and I have talked with them, and I have looked them in the eyes and they have looked me in the eyes. We have been able to see and to be able to feel one another's passion and their pain.

I am committed, as the two of you are, to make sure that we speak for the soldier, and this is what I want to do this evening. I want to talk about our military, and I want to talk about them from the standpoint of the sacrifices that our men and women in uniform are making.

Most recently, we had in the news the disturbing story about the marines and about what happened over there, but I want you to know that this is one soldier here, this is one congressman, who is going to not come to any conclusions, because no matter what the situation is on that battlefield, where our marines, where our soldiers are, they did not choose to go over there. They did not choose to go over there with bad equipment, undermanned and in the rotation cycle that they have that has put tremendous strain on our military.

Many of our marines, many of our soldiers, are over there not on their second tour, not even on their third tour. Some are on their fourth tour of duty. I talked with them. That is not right, and it is not fair.

I think as we talk tonight we need to talk about the strain that this Iraqi situation is placing on our military so that when we judge our military, let us judge them right. Let us judge them with the hills and valleys and the mountains that they have got to go through over there.

I want to talk about just for a second that nearly all of the available combat units in the United States, Army and the Army National Guard and the Marine Corps, have been used up in the current operations in Iraq and Afghanistan.

Every available combat brigade from the active duty Army has already been to Afghanistan and Iraq at least once for a 12-month tour. Many are now in their second or third tours of duty, and approximately 95 percent of the Army National Guard's combat battalions and special operation units have been mobilized since 9/11, and short of full mobilization or a new presidential declaration of national emergency, there is little available combat capacity remaining in the Army National Guard.

All active duty Marine Corps units are being used on tight, tight rotation schedules, 7 months deployed, less than a year home to rest or recess, then another 7 months deployed, and all of the Marine Reserve combat units have been mobilized.

The point I am making is that the decision to go to war is one thing. The other thing is you never make that decision and you send on a mission that is not clearly defined, that has been moving and shaking. Let us review for a moment just what our soldiers, just what our military has been asked to do.

First of all, the mission was to go and find weapons of mass destruction, based upon faulty information and sometimes false information purposefully, for whatever purpose. We know all that now. We did not know it then, but we sent our military into that, and we sent our military in with not enough manpower. Seventy percent of the generals said we do not have enough manpower. The one person with the level of credibility, combat experience in this administration, Colin Powell, made the statement, We do not go to war without the size of the military we need to do the job. You go with massive force.

Then secondly, once there were no weapons of mass destruction, the mission changed to go to find Saddam Hussein. We did that.

Then to set up a free government. We did that, all under great, great obstacles.

And then the test, to reconstruct the country. That was not the mission of our Army.

So, as we sit back and as we applaud this great accomplishment today with al-Zarqawi, let us not forget the soldier. Let us not forget the difficult and challenging and meandering, constantly changing mission, not having the resources, going into dung heaps, going into landfills to get body armor.

This country, and the very just passionate story that STEVE ISRAEL talked about on the front page of the Newsday and the Long Island newspaper today. America deserves better. I tell you one thing, they are going to get better because we in the Democratic group on national security, we are going to make sure of it. We are going to hold this administration accountable. We are going to point in a new direction, and we are going to give the American people the kind of strong, forceful, national security that they need and can be proud of.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman from Georgia.

I think most of the American people really do not have a firsthand sense of the kind of sacrifice that our troops are making, which is nothing short of extraordinary, with the multiple deployments that you mentioned, with the uncertainty for their families of when they will come home, if they will come home and in what condition they will come home, the economic sacrifices the families make.

One of the concerns I have is not only the problem making sure that there is enough coagulant bandages while they are there, but what about when they come home? Our VA system is already over capacity. The administration is talking about closing Walter Reed. I do not know how that can be done. Every time I have been there it is been brimming with patients.

We, I do not think, have even begun to think about the demands on our health care system for veterans. This young Guardsman that I mentioned earlier, he told me that he still has to resist the impulse to drop to the deck when he hears someone close the door behind a Civic. There is something about the closing of a door behind a Civic that sounds a lot like a mortar going off at 2,000 meters. He said he was pretty well-off in Iraq; he was not one of the people who had to bust down doors every day and go through that kind of stress.

Imagine the mental health care needs, the physical health care needs. I do not think we are prepared yet to meet them, and I want to ask my colleague from New York, a member of the Armed Services Committee, someone who is a military historian and studied the kind of strain we are placing on our active duty and our reserve, what are your thoughts on this subject?

Mr. ISRAEL. Well, I thank the gentleman for the question. You know, every Member of Congress prides themselves on the work we do with respect to veterans case work. I know in my district we have two people devoted exclusively to trying to work with veterans, get them their retroactive payment, get them their medals.

We secured over $2 million in my district in back payments for our veterans, but those are Vietnam veterans. Some of these are World War II veterans, Korean veterans. This country is just now catching up to people who were in the military theater 40 years ago. Just catching up now to those people.

Can you imagine what our situation is going to be where we now have a multitude, a new generation of veterans coming back with post-traumatic stress disorder and other very serious physical and psychological problems, and we have to say to them we are sorry, we know we sent you to the front, but now we have got to balance the budget on your backs because we have run out of money? Just cannot do it as a result of the fiscal policy of the past 6 years.

When the gentleman and I were elected, we had a $5.6 trillion surplus. We could have paid for the war in Iraq and then paid for health care for every single soldier that went, so that they did not have to go without the potential of coagulant bandages. So when they came home, they came home to a country that would take care of them.

Now, we have got an $8 trillion debt, and we have to make painful cuts. The other side has forced us to cut back on those services, forced veterans to dig deeper into their pockets.

Mr. SCHIFF. The gentleman and I were talking just this morning, all three of us, about the need to sacrifice, the need to have leadership in this country, and ask the American people to make a sacrifice.

Right now, the people sacrificing are the people in uniform and their families, but the rest of us can contribute, too. I know you have been at the forefront of calling for our national sacrifice, and we could start by balancing the budget so that these young soldiers, sailors, marines and airmen do not come back, in addition to having to try to put their lives back together, have that huge national debt hanging over their heads.

Mr. ISRAEL. Mr. Speaker, if the gentleman would yield, there is a lot of talk by the administration about the global war on terror and America's fight on the global war on terror. 133,000 of our troops are fighting the global war on terror. They are the ones who have been made to engage in the sacrifice. They are the ones who have been uprooted from their families.

These two gentlemen on the front page of my daily newspaper, they are fighting the global war on terror. The rest of us are watching it on television. America can do better than that. I refuse, and I know the gentleman from California and the gentleman from Georgia should refuse to be the first generation of Americans in history to say let everybody else do it, we will just sit back and relax. We will pass a permanent repeal of the death tax or the estate tax which may cost $300 billion, and then have the temerity to tell these people on the front page of Newsday, sorry, we cannot afford your supplies, we cannot afford to take care of you when you come home. I do not want to be the first generation of Americans to balance the budget on the backs of someone who is on his back in this photograph.

We have an obligation if we are going to fight the Zarqawis of the world, something I believe we should do, to make sure that those who are doing the fighting are protected and make sacrifices at home that save their lives abroad.

Mr. SCHIFF. Mr. Speaker, I have to yield to the gentleman from Georgia.

Mr. SCOTT of Georgia. That is exactly the point we were making earlier in the debate early last week in terms of these tax cuts. I mean, we are here and this administration last week prides itself at a time when our soldiers are making these kinds of sacrifice, at a time that this administration will stand in the way of the concurrent receipts bill, and forcing our veterans to have to choose if they get injured or they get a wound in the battlefield, and they have to retire from the service, they have to choose between their retirement pay and their disability pay.

This administration is standing in the way of correcting that, and at the same time will ask for tax cuts for the top 1 percent of the most wealthy people in this country, on the backs of not treating our veterans right, on the backs of not increasing the military widows' pay or giving the death benefits that we need or giving the military service people the raise that they need.

This is why I was just so astounded at the glee that came from the Republican administration in passing a tax cut at a time of war, of great sacrifice. Never before in this history has that occurred.

Mr. SCHIFF. If I could ask of the gentleman from Georgia, prior to the Memorial Day weekend, you shared a short anecdote about meeting one of your constituents in Iraq. Can you tell us about that because I think it so characterizes the sacrifice we are talking about.

Mr. SCOTT of Georgia. This was a remarkable experience I had with the soldier in Iraq, and we had to make that choice of staying that night and putting our own selves in greater danger because, you know, going over there, you cannot fly up at night. You have to go by the roads, but we made that choice, and I am so glad because it gave me the experience of a lifetime.

As we were in Camp Victory in Baghdad and we were gathered there, and this soldier came up and was just hugging me. I was hugging him, tears falling down his eyes, tears falling down my eyes, and we were just squeezing each other. He said something to me I will never forget. He said, Congressman SCOTT, when I am hugging you, it is like hugging a piece of home. I almost get choked up every time that happens.

I am so glad that God gave me that experience. I am so glad we went there, and like other soldiers, a while later, that soldier died. That is the kind of sacrifice, and I went over there and looked in the eyes.

Let me tell you another experience. When I was in Afghanistan and I went over there to Afghanistan, at the time when you remember the debate was over that if we had had this kind of body armor, that several thousand marines that have died or got wounded or would have been saved, that story came out. The Pentagon had given that report.

□ 2315

So that was fresh on my mind when I was sitting there with this one unit. And in each one of the squads there is a sniper. There is an armor guy, an artillery guy, but each one has a sniper who the whole troop depends upon. And I started asking about the body armor and they started going around saying, yeah, we have all our armor on, but our sniper here, he will not wear the neck armor to protect himself from a head wound or a neck wound that would be almost fatal. And I asked him, I said why. He said, I won't wear that because it hurts my agility to be able to move my head to protect my troops. We have had many snipers.

That kind of valor, that kind of courage, that is the kind of sacrifice that we are talking about at a time when we have not asked others in this Nation to make that sort of sacrifice.

Mr. SCHIFF. I am sure that both my colleagues have had the experience of visiting our troops in the hospital in Ramstein, Germany, and here in Washington. Their thoughts are with their colleagues they left behind. They want to get back to their troops to make sure they are there for their buddies.

I had one soldier who was so concerned, could I do something about the fact that one of the people in his battalion really deserved recognition for what he had done, and since he wasn't there to make the report this other soldier would not get the recognition they deserved. This is what he was worried about as he lay in the hospital.

I yield to the gentleman from New York.

Mr. ISRAEL. I spent some time this evening with the gentleman and with one of our best generals, and he was telling the story of visiting with a critically wounded soldier in a military hospital and walking out with that soldier's mother. And the mother said, General, my son is not sleeping at night. And the General said, well, of course he is not sleeping at night, look what he has been through. She said, no, General, he is not sleeping because he is up all night thinking about the fact that his unit is still in Iraq and he is worried about them.

That is the sacrifice that we are talking about and the dedication and the professionalism, and we have an obligation to those men and women to protect them.

If the gentleman would allow me to make a concluding point. This front page newspaper tells the story of contrast, and the same contrast is played out on the floor of the House frequently. You have got this front, top of the newspaper that says "Ann the Ripper Brings Campaign Against 9/11 Widows to Long Island," and then you have the rest of the page devoted to the possibility of front-line shortages of critical medical equipment. These guys get less so that Ann Coulter, who writes a book calling 9/11 widows witches and harpies, who will make a lot of money off the proceeds of that book, can get a bigger tax cut.

How is that fair in America today? How is that just? How does that do justice to these people? It doesn't. We can do better. The Democrats will do better. We understand the need to fight and to use hard power around the world to fight totalitarianism and to fight terrorism, but if you are going to take on the fight, you got to take it on with the right supplies. And that is what we are about.

Mr. SCHIFF. I want to thank both my colleagues for joining me this evening and helping to further elucidate the Democratic plan for the way forward in Iraq, for talking about the sacrifice our troops are making, for being there for our troops, and also raising the call that this be a shared sacrifice in the war on terror; that we not force those who have borne the battle to look out for themselves and to pay off our national debt when they get back; that we heed the injunction of Lincoln that we "look after him who has borne the battle and his widow and his orphan."

I want to thank you again for all your leadership.

LONG-TERM CONSEQUENCES OF NAFTA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I wish to especially thank Congressman CARTER for allowing me this special privilege of appearing before he does this evening.

Mr. Speaker, the wonderful time about speaking at this time of day is we get to cover subjects that may not be on the agendas of any committee but are of importance to the American people. Tonight, I want to talk about the long-term consequences of a trade agreement called NAFTA that passed over a decade ago.

We were promised, as the American people, that NAFTA would result in more jobs, trade balances with Mexico and with Canada, and a higher standard of living in all of our countries. Indeed, exactly the opposite has happened. This country has now shipped out over 880,000 jobs, nearly a million jobs and still counting, to Mexico and to Canada, and we have not amassed any trade surpluses but, indeed, have fallen into deep deficit with both countries.

I have a couple of charts here that talk about this. Trade accounts with Mexico prior to NAFTA signing were positive. Every single year since NAFTA's signing, we have gone into deeper and deeper and deeper deficit, now over $50 billion a year, the largest ever, with each billion dollars representing a loss of 20,000 more jobs in this country.

With Canada, the other country with which we were supposed to experience a trade surplus, we have also fallen into deficit. In fact, we have doubled the deficit that we had with Canada. And what is amazing about this is that every year it gets worse. The American people inherently know this because it is happening to them directly.

At the same time in this country we have increasing illegal immigration, much of it from south of our border. What is interesting, most of the debate about immigration doesn't even touch on NAFTA. Yet if you look at what NAFTA has caused inside of Mexico, over 2 million peasant farmers have been displaced and another 500,000 more are coming each year. And why is that? Because the very small farmsteads of Mexico, in the Sinaloa Valley all the way down to Xcalas and Oaxaca are being destroyed.

The agricultural provisions I tried to get into NAFTA back in 1993 were never allowed to be considered on this floor. If we had done that, we would have been able to address the tragedy that is occurring in Mexico, which is the complete elimination of their small holders and their farmers. I call it a continental sacrilege, the heartlessness that is embedded in NAFTA that is costing jobs in our country, costing jobs in Canada, costing the loss of life as people flee to try to feed themselves, as their whole way of life is being totally destroyed in Mexico.

This week something very important happened. In the city of Ottawa, Canada, the capital city of our sister state up north, a major meeting was held between parliamentarians of the United States, Canada, and Mexico to begin to push back a continental effort to reform NAFTA. Both legislators, like myself, and representatives of those two governments, along with civil society groups met in Ottawa to halt NAFTA-plus, the expansion of NAFTA, something being called the Security and Prosperity Partnership.

Instead, at a press conference in Ottawa on Monday, we announced that networks from across Canada, the United States, and Mexico are going to unveil a plan to bring an end to the kind of deep damage that NAFTA is causing in all three countries and replace it with a people-centered trade model. As I said in my remarks in Canada, trade agreements in North America must ensure rising standards of living and increase jobs in all of our countries.

We met this week in Ottawa, and that meeting followed one we held last year in this city of Washington, D.C. This was our second forum. We will have a third in Ottawa a year from now, and likely a meeting in Mexico City in August.

As one of our parliamentarians said, NAFTA has aggravated poverty across our continent. And the new Democratic Party Parliamentarian, Peter Julian of Canada said, "There is no doubt that under NAFTA, most Canadians are poorer. We have been fighting to make adjustments," he said, "and now it is clear that NAFTA has to be replaced." It is not working for the vast majority of the inhabitants of North America. It has failed on the bottom line.

In anticipation of a summit that will be held in Ottawa in March 2007, called the "Three Amigos Summit," our group will create a North American secretariat to prepare for counter information and counterproposals and introduce simultaneous legislation in this chamber in Ottawa and in Mexico City to replace NAFTA. We will build opportunities for public engagement in civil society across this continent on the issue of proper continental integration.

Mr. Speaker, a new charter for the people of the Americas is being drafted, one that will result in more democracy, more cooperation, more development for rising standards of living, not more loss of jobs and greater trade deficits.

NEW IMMIGRATION LAWS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. CARTER) is recognized for the remaining time until midnight as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, I thank you for allowing me to be here tonight and for allowing me to address this House on an issue that I feel is probably a life-changing issue to the United States of America. It is a life-changing issue for what is somewhere estimated to be between 11 and 15 million people who have entered and are living in this country illegally. And it is a life-changing issue, I think, for every American.

As we are in a time of concern about national security and great expenditures on homeland security, we have got a crisis on our border. I am not going to go too much in detail about this crisis, because anybody that turns on the television these days can see pictures of hundreds of people storming past our border patrols on our southern border as they leave Mexico. Most of those pictures come from Arizona.

In the last about 9 months, I have visited the Texas border on three occasions. Twice I went down to Laredo and visited with the border patrol and all those persons involved in immigration in the Laredo section of the Texas border. This past weekend, I went with the deputy whip, ERIC CANTOR, down to El Paso, and with other members of a congressional delegation, to discuss the issue of what is going on in the El Paso sector of the Texas border.

We have got an estimated 16,000 people crossing our border every night or every day coming into the United States. These are 16,000 people most of whom are not caught and most of whom are entering this country, for what purpose we know not, Mr. Speaker. We can't presume that every one of them, as has been just a moment ago described, are poor impoverished workers coming here looking for a job. Many of them are. But we don't know who these people are, and we don't know why these people are here in every instance, because we have done nothing to inquire as to their purpose or who they are or what they are coming up here for because our system has been overwhelmed.

We are now going into conference, the House and Senate, with our colleagues over in the Senate, on two versions of what we think needs to be done to address the issue that is facing this Nation right now on immigration. I want to propose to this House and to the Members of this House that we have already addressed many of the issues in 1986 in a bill, that I am aware the Speaker here tonight was involved in.

Mr. Speaker, I have looked at that. I have actually gone out and pulled up the law and looked at what we are operating under today, and I find it is very curious that there is a lot of very good enforcement procedures in this bill, the 1986 bill. There are things in that bill, if they had been done and done correctly, we would not be addressing this massive intrusion across our southern border.

But what has happened? What reason has this gone on? My whole point of this speech here tonight is to say it is time for us, I think, to slow down and address a life-changing issue in detail and see where the system has been overwhelmed in the past and make sure that we don't make the mistake that I think democracy makes a lot in the legislative process of taking something, sticking a bunch of new patches on it, and hoping it will solve the problem. Patches on an old used tire almost inevitably start to leak at some point in time, and then rupture, and the tire goes flat.

I think when it comes to immigration laws, it is time to buy a new tire, not just put in a patch tube or stick patches on the tire. We need to look at our immigration laws of this country from top to bottom and in a very businesslike and studious manner, come up with solutions for the problems that are going to face the people that I have described here tonight.

There is estimated, as I said, 11 to 15 mile people that have come into this country. The other day we were on the border in a place where there was a triple fence and a ditch at our border.

□ 2330

A very interesting aside, it was explained to us in El Paso, the construction of that fence and ditch, which has been there now quite awhile, but when that was put up, street crime in El Paso dropped so substantially that El Paso went from one of the worst street crime cities in the Nation of a population of over 500,000 and less than a million, to today, after construction of the fence, street crime in El Paso, Texas, has improved so drastically it is now the third safest city of that size in the United States. And that is clearly reflected by everyone in law enforcement in that town as a result of 17 miles of fence in the populated area of El Paso.

So the proposals for fencing that the House bill has, for instance, fencing in the populated areas, have an effect on the lives of the people that live in that city. The people who go to work, take their kids to the park, to school, are safer in El Paso, Texas, because of 17 miles of fence.

Now about 60 people a night still try to cross that fence. They catch most of them.

In the conversation somebody asked: How many didn't you catch? They said that would be speculation, and they weren't going to speculate because that wouldn't be proper. One of the comments behind me was we know somewhere between 11 and 15 million they didn't catch. That is what we have to look at as we look at this thing.

The system we have today has totally failed. It can be blamed on every administration since this bill was passed that they did not either provide the resources or the bureaucrats were overwhelmed by the problem; and when overwhelmed, just did not address it. Or addressed it in a minimum amount.

Now, I think by that experience that we have had, and we learn from experience, we should know that overwhelming the system will cause the system to shut down and not work. The Senate bill, I would propose the things that we have heard, and unfortunately I have not been able to get a copy of what they are proposing yet, but I will be back on this House floor to discuss it when I get it, but some of the things that they are proposing, and with all due respect to the Senate, I would like to say that I do not think they have thought out some of the things that they have done here.

If we have a system that cannot process effectively, that clearly has not processed protection of our borders for people trying to come into this country illegally, how can we take that system and dump between 11 and 15 million people into that system to try to come up with an amnesty for them? How can we process them with the people we have in the immigration department? If it is overwhelmed today, how can we dump that many people in the system and expect it not to be overwhelmed tomorrow?

If the idea that you might get amnesty increases our border crossings from the approximately 2 to 3 million people that were dealt with during the Reagan administration to the 11 to 15 million people that are here today, how can processing those people and the additional waves that will come across without border security, how can the system but be overwhelmed by that process?

The citizenship issue is very interesting. Americans who are qualified to be in this country legally are making application for citizenship, are finding unbelievable delays in the processing that goes on through our immigration department so that they can meet the qualifications of citizenship. In fact, some of that processing is as much as 6 years behind.

In the San Antonio office, those trying to bring people into this country legally are finding delays from 18 months to 10 years to bring people into this country legally. Background checks, which we have about 200 to 250 cases in my office alone, requesting background checks on the process of bringing someone to this country, in the San Antonio office we have been told they are processing 1998, 1999 and 2000 cases. This is 2006. So in the best-case scenario, they are 6 years behind; and in some cases they are 7 and 8 years behind.

How can that system do background checks on 15 million people or 11 million people that are currently in this country to make sure that their background is such that they should be allowed to remain in this country and be American citizens? How can that system even take 2 to 300,000 people in a guest worker program and do the background check processing to make sure that the people coming in as guest workers are safe for our American citizens? Even that number, what will that do to the background checks being required?

And let's not forget that we also require that every person wishing to come into the United States as an immigrant must have a medical exam to make sure that they are not bringing communicable diseases or other illnesses into this country that we want to prevent from coming into this country. Without even going into the possibility of a pandemic if there should become an avian flu pandemic from the avian flu virus, and it is estimated there could be the death of 200 million people as a result, let us just look at the fact that the World Health Organization has told us that there is a strain of tuberculosis in Mexico and South America that right now we can't cure with our existing drugs to stop tuberculosis because it has mutated to a point we cannot cure this form of tuberculosis.

How do we know about the health of these people that are here and those people wanting to come here in the program that the Senate has? We have to know. If we have to know, we have to process them. If we are already overwhelmed, how are we going to be able to meet the demand that is going to come to the system?

What do we know that happens when we overwhelm the system? We know nothing happens when we overwhelm, and we remain with the status quo.

I would argue that is the result of what happened to what was a good bill in 1986. When I go to Texas and I am addressed by many members of the press, they ask me what about making these people's behavior illegal.

You know, Mr. Speaker, maybe I am a little different, but I kind of grew up in a system when you talked about the law, you checked the law to see what is in it. I found, and you will hear that being in the United States illegally, in other words they have caught you after, and they can't identify that you came across the border illegally, that is a civil process and has a process for removal. But what you do not read is if you are caught coming across the border, it is an illegal process. It is illegal to enter the United States in any form or fashion without proper identification.

First crossing carries a possibility of a fine and up to 6 months incarceration. But normally and properly, most of these people are just removed.

Harboring an undocumented alien under the bill we are operating under now carries a fine and imprisonment of up to 5 years.

Alien smuggling carries a fine and imprisonment of up to 10 years. Any crime that causes serious bodily injury or places the life of anybody in jeopardy, and that includes the person being transported, it carries a penalty and fine of up to 20 years' imprisonment.

If criminal smuggling or harboring results in the death of any person, the penalty includes life in prison. This is the law today, right now what is on the books.

Felony charges punishable by fines and imprisonment of not more than 2 years are applicable to reentry. So if you have come in once and you have been caught and documented and you are caught reentering, you can get up to 2 years in prison or jail.

Reentry after a previous nonaggravated felony or three misdemeanor entries or convictions results in a fine and imprisonment of up to 10 years.

So those who say, why is the bill that the House passed wanting to criminalize this activity, we are not criminalizing the activity. It is already criminal. We need to make ourselves very clear. Having evidence that you crossed the border illegally, acceptable, provable evidence, which is basically catching you doing it, can result in the penalties in the various categories that I just read. This is illegal behavior. Let's not kid ourselves about what this is.

What have been some of the solutions we have come up with that are overwhelming the system? One is removal by deportation. You know, one of the things that I think is of most concern to people when they hear about it is what they call in the immigration business, in the border business, OTMs, people from other than Mexico.

Let me stop right here and say this because it is a question that comes from my Hispanic counsel, and I want to say that everything I am saying about the southern border I also agree with on the northern border. Just recently, very recently from the time I am talking right now, we found a major terrorist cell planning major attacks in Ottawa, Canada. There are bad guys to the north of us, and there may be bad guys to the south of us.

When we are talking about this, we are talking about illegal immigration, whether it be from Canada or Mexico, comes in on a ship or airplane. It is anyone who violates the law and overstays their welcome and hides out and is of concern to every American citizen that is here.

Mr. Speaker, we need to realize that putting a patch on a system that already works, and that patch includes the possibility of dumping between

200,000, 300,000 people, or up to 15 million people into an overwhelmed system, is basically going to result in the same results we have had since 1986: nothing is going to get done.

Now I would argue to this House that I believe there is a great degree of experience and intelligence in both the House and Senate; and well-intentioned people on both sides of the aisle, if given the opportunity to study in detail and look where the holes are, without knee-jerk reacting and being in a hurry, we can come up with a plan and the resources necessary to implement that plan so we can actually do what we are setting out to do, and that is protect our Nation from intrusions across our border and protect the sovereignty of the United States and deal fairly and equitably and compassionately with the people who are involved in this behavior.

Mr. Speaker, let me make myself extremely clear. I do not intend to support nor do I support rewarding illegal behavior. I spent 20 years of my life punishing illegal behavior as a district judge in Texas. And those people who know the county I come from, Williamson County, know that Williamson County judges and juries punish severely criminal behavior. Maximum sentences are fairly well the norm in the county that I come from.

So I certainly am not going to change careers to Congress and start rewarding criminal behavior.

□ 2345

And I am very concerned that some of the things that are coming to us in the Senate bill are rewarding criminal behavior, especially as you compare it to those people who are fighting this broken process of coming in here legally, because they are going to get to have sneaked across the border, hid out long enough that they get in line for citizenship, in some form or fashion, whatever delays and punishment or fines or back taxes or whatever you impose upon them, they are still getting a reward for criminal behavior.

So I think as we design a system we need to take that into account and realize that we can do and deal with these families and these people compassionately. We can make commonsense decisions as to how to handle, for instance, the problem of children who are born to a family of illegals who are now American citizens and how we would deal with that. And common sense would say that would take special categories and special dealings. But Mr. Speaker, my experience in Texas, and I think the experience of anyone who has lived in a State where this issue has been for my entire life. This is not something that I have been dealing with, as some States have, for the last 8 or 10 years. In the State of Texas, the issue of illegal aliens coming across our border has been with us since my birth, and so we are very familiar with these people and we know, many of them are great people, God-fearing people who work very hard. And I am proud to say that I have worked side by side building fence with people who I knew were illegal immigrants. And I will tell you they are hard working good people, the ones that I have encountered. This has nothing to do with being against those people. I am against rewarding illegal behavior.

I have talked about some of the things that will overwhelm the system, the processing of amnesty, the processing of this ID card which we can do, and I agree we can do, but the processing in the present system will overwhelm it. The process of the whole guest worker program and what it takes to get the people properly documented so they can do this is going to require a tremendous amount of additional work on those who are in charge of that system. And are we providing for them? Are we going to be ready for that? Can we deal with that? We are not ready for that. We have got to address that more in detail.

The background checks, I can't tell you how far behind that is going to get, but it is going to get 10 or 15 years behind. The health checks should be and necessarily need to be required.

Some of the provisions that really have upset people back in Texas that I have talked to, and let me say, I have not talked to a single person, and I have talked to a bunch of them, that live in Texas that aren't completely overwhelmed by the Senate version that has been passed and just totally against it. One example is, I understand the Senate has a provision for retroactive Social Security payment to illegals.

Now, you tell that to Texas teachers, or for that matter, Federal employees, who don't get their Social Security by the nature of their retirement, that they are going to reward people who broke our laws on multiple occasions by giving them retroactive Social Security. I am telling you, I have got some teachers that are fighting mad about that issue in Texas. And I think if the Federal employees, which make up the vast majority of the people who are in that hole that don't get their Social Security, will also be very concerned about the fact that we are offering to give people who broke our laws Social Security, when people who have abided by the laws, at least in their opinion, feel like they have been deprived of money they paid into the Social Security system.

You know, when you come in here legally, there are some things you have to do. My wife is a legal immigrant to the United States and now an American citizen, so no one should ever accuse me of being anti immigrant. I married one. I have four children with one, four living children with my beautiful wife.

My district director is married to a Canadian. They have two children. It took us 18 months to get his wife from Canada to Texas, doing it legally. Now, she could have hopped in her car, with that blonde haired, blue eyed, almost golf pro from Canada, she was probably one of the top amateur golfers in the country, a scholarship athlete at a university in the United States and went back home and had her children, and now we had to get them out of Canada to be with her husband in Texas. It took us 18 months. And she cannot work at all by agreement for a year. And then she can apply to possibly go to work, but maybe they won't let her work for the next year. She has to register and reapply every year annually to maintain her status in the United States. This is a person whose background check showed she never even had a parking ticket in her life, much less anything. But the background check took forever.

A person who flew from Northern Saskatchewan to Montreal to have her interview with the Immigration Department and flew back. She went through all the hoops to come in here. She is denied employment for a year. She has to register every year. She is required to have a sponsor who will stand up and say they will be responsible for the expenses that she might incur so that she will not be put on the welfare system of our country.

And yet, people who come in here illegally are taking advantage of every program that is out there, including an overwhelming of our hospital system. You know, we all would like to have free medical care in this country, but there are some who have it, and many of those people are not citizens of this country. And there is a something out of whack on that, Mr. Speaker.

And let me say, I want to preface all this by saying, I am compassionate for the people that are here and I care about them. And I think this system so overwhelms our system, what the Senate is proposing, that it is going to overwhelm these shy people. And let me tell you, most of them are very shy and staying in the shadows because they know they are here illegally. And if anything is too much for them, I do not expect them to participate.

I will also tell you, Mr. Speaker, having talked to many illegal immigrants about where they come from, what they are here for, there are many of these people that didn't come here for citizenship and don't care to get it. So citizenship is not going to be a plum that brings them out of the shadows.

The fact that the Senate has put a provision in on prevailing wage shows that they really don't understand why people have hired these folks from Mexico and from Honduras and Guatemala and Nicaragua and all points south. If they needed to hire somebody for prevailing wage to pick fruits in the central valley of California, if they were going to pay, if the pickers intended to pay prevailing wage, which by every interpretation of the 22 Federal contracts that I have worked on as a lawyer in my lifetime, and at least the five cases that I can recall that were before my court, prevailing wage, no matter whether you mention Davis Bacon or not, is presumed to fall under the provisions of Davis Bacon and the rulings made by the Labor Department as to which each region has as prevailing wage.

And believe me, Mr. Speaker, minimum wage is not there. I can tell you that anywhere in the valley. Rio Grande Valley you can pour a slab for minimum wage. But if you are under a Federal contract, you will pay at least three times what you can pour any slab for in the valley, because the Davis-Bacon Act and the prevailing wage provision requires that kind of expense.

So, by putting that in there, right there, there are going to be a lot of people that say I don't want any part of that because I am going to lose my job if my employer is required to pay that kind of wage to me. So I will stay right here. And if they do try to get that wage, I think, unfortunately, there are people, even with employer sanctions, that are still going to be looking for that next wave of illegal immigrants to come across our southern border.

So, with all these problems, I would like to propose to this House that we consider doing this right. All these issues as to the people that are already here illegally, and the people that are coming across every night, and the people who would be willing to come over here as part of a work program, all of these issues need to be, we need to step back and look at all the holes that is in what we are proposing today and try to figure out how we can put together a system that will really work to solve these problems.

So I propose that the House bill and those Senate provisions which enhance border security that are in the Senate provision, Senate bill, should be what we pass out of conference to this floor to be voted into law today. And I would also propose, Mr. Speaker, that in that bill, we give a pledge, you can call it a contract with the immigration community, that we will expedite a study and solution that works, that doesn't overwhelm, that has the resources to make this whole system work over the next 12 to 18 months as a dedication of this House to fix this problem correctly, not 2 weeks debate in the Senate, and put patches on a leaking tire.

Mr. Speaker, if we will calm down, defend our borders and address each of these issues in an appropriate order to come up with sanctions for employers and means to identify these people that have a valid reason to working and a valid card, some kind of biometric thing, if we will create those things, and as we do it, say, and how is this system going to work and maybe we have to do something else to make that system work. Does it take an FBI agent to do every background check? I think that is a question that needs to be addressed.

I think there are a lot of questions that are coming up in what I would consider a rushed decision to judgment on immigration, and we are still leaving the base of what we call legal immigration totally and completely unworkable. And many of our work visa programs that we have in this country that want to bring this some of the technical workers that we really need here are overwhelmed also to the point where they become unmanageable for the people involved.

With this, I propose, Mr. Speaker, that we think hard about giving a pledge to the American people and to the immigrant community that we will work out a workable system fair to Americans and fair to those people that are here. I don't know what it will be. I have ideas. There are many great men and women in this House and in the Senate who have good ideas too. And we can study those ideas, bring in experts, get the real numbers, know what the real problems and the real solutions to these problems, slow down and do it right because, Mr. Speaker, if we don't do it right, nothing will change in the immigration policy of this country, and nothing will change on our borders. And that is a fear that I, quite frankly, do not think the American people are willing to live with.

And finally, Mr. Speaker, with all those thoughts about immigration, you and I know, as I know you well, you are very concerned about the security, the homeland security of this country. And Mr. Speaker, all of that has to be planned in here so we know who is coming and who is not and who we didn't catch and how to hunt them down so the terrorists and the people who would do us harm or just the common criminals who come here to steal, rob, rape, pillage and whatever they plan to do, we know them, we can find them, we can incarcerate them, we can give them a fair trial like we give everybody that is inside the continental United States or subject to our jurisdiction and deal with them properly. But the unknown is intolerable.

So Mr. Speaker, I realize the hour is late, and the reason I am here late is because I think this message is so very important to the American people. Let's pass border security and let's make a proper effort to come up with a solution to these problems, not a patch.

And with that Mr. Speaker, thank you for being here with me tonight and thank you for the late hour.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REYES (at the request of Ms. PELOSI) for today on account of illness in the family.

Mr. CAMPBELL of California (at the request of Mr. BOEHNER) for June 6 and until 5:00 p.m. on June 7 on account of personal business.

Mr. MCHUGH (at the request of Mr. BOEHNER) for today after 8:00 p.m. and June 9 on account of family illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MARKEY) to revise and extend their remarks and include extraneous material:)

Ms. PELOSI, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

Mr. RYAN of Ohio, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, today.

Mr. CONAWAY, for 5 minutes, today.

Mr. BISHOP of Utah, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. SODREL, for 5 minutes, today.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 193. An act to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language.

S. 2803. An act to amend the Federal Mine Safety and Health Act of 1977 to improve the safety of mines and mining.

ADJOURNMENT

Mr. CARTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 59 minutes p.m.) the House adjourned until tomorrow, Friday, June 9, 2006, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7902. A letter from the State Director, Department of Agriculture, transmitting the Department's report entitled, "Community and Business Programs Project List" cumulative through September 30, 2005; to the Committee on Financial Services.

7903. A letter from the Secretary, Department of Housing and Urban Development, transmitting a copy of proposed legislation concerning improvements to the rules designed to reduce lead-based paint in housing; to the Committee on Financial Services.

7904. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's authorization request for fiscal years 2007 and 2008, pursuant to 31 U.S.C. 1110; to the Committee on Financial Services.

7905. A letter from the Secretary, Department of Energy, transmitting a report on the implementation of section 1610(b) of the Energy Policy Act of 1992, as amended by the Energy Policy Act of 2005, which calls for the establishment of a cabinet-level Committee on Climate Change Technology chaired by the Secretary of Energy; to the Committee on Energy and Commerce.

7906. A letter from the Deputy Chief Financial Officer, Department of the Treasury, transmitting a copy of the Department's Fleet Alternative Fuel Vehicle Acquisition Report for Fiscal Year 2005, pursuant to 42 U.S.C. 13211-13219; to the Committee on Energy and Commerce.

7907. A letter from the Architect of the Capitol, transmitting a written statement of actions taken on the Government Accountability Office report, "Architect of the Capitol: Addressing Staffing and Training Issues Is Important for Efficient and Safe West Refrigeration Plant Operations," pursuant to 31 U.S.C.720; to the Committee on House Administration.

7908. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of a report required by Section 202(a)(1)(C) of Pub. L. 107-273, the "21st Century Department of Justice Appropriations Authorization Act," related to certain settlements and injunctive relief; to the Committee on the Judiciary.

7909. A letter from the Staff Director, United States Sentancing Commission, transmitting a copy of the 2004 Annual Report and Sourcebook of Federal Sentancing Statistics, pursuant to 28 U.S.C. 994(w)(3); to the Committee on the Judiciary.

7910. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2006-24252; Directorate Identifier 2006-NM-062-AD; Amendment 39-14528; AD 2006-05-11 R1] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7911. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211 Trent 500, 700, and 800 Series Turbofan Engines; Correction [Docket No. FAA-2006-23604; Directorate Identifier 2005-NE-49-AD; Amendment 39-14498; AD 2006-05-01] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7912. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310-200 and -300 Series Airplanes [Docket No. FAA-2006-23870; Directorate Identifier 2005-NM-022-AD; Amendment 39-14575; AD 2006-09-05] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7913. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Model Falcon 900EX Airplanes [Docket No. FAA-2006-23886; Directorate Identifier 2005-NM-255-AD; Amendment 39-14574; AD 2006-09-04] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7914. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-300, 747-400, 747-400D, 747-400D, and 747SR Series Airplanes [Docket No. FAA-2005-23358; Directorate Identifier 2005-NM-206-AD; Amendment 39-14576; AD 2006-09-06] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7915. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Airplanes [Docket No. FAA-2006-23762; Directorate Identifier 2005-NM-226-AD; Amendment 39-14580; AD 2006-09-09] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7916. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-102, -103, -106, -201, -202, -301, -311, and -315 Airplanes [Docket No. FAA-2006-23820; Directorate Identifier 2005-NM-249-AD; Amendment 39-14578; AD 2004-03-15 R1] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7917. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200, and A340-300 Series Airplanes; and A340-541 and A340-642 Airplanes [Docket No. FAA-2005-22973; Directorate Identifier 2004-NM-67-AD; Amendment 39-14577; AD 2006-09-07] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7918. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes); and Model A310-200 and A310-300 Series Airplanes [Docket No. FAA-2005-22739; Directorate Identifier 2005-NM-098-AD; Amendment 39-14583; AD 2006-09-12] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7919. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319-100 and A320-200 Series Airplanes; and A320-111 Airplanes [Docket No. FAA-2006-23948; Directorate Identifier 2005-NM-246-AD] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7920. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. 2003-NM-233-AD; Amendment 39-14585; AD 2006-10-01] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7921. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No. FAA-2005-22624; Directorate Identifier 2004-NM-81-AD; Amendment 39-14586; AD 2006-10-02] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7922. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MD Helicopters, Inc. Model 600N Helicopters [Docket No. FAA-2006-24518; Directorate Identifier 2006-SW-10-AD; Amendment 39-14569; AD 2006-08-12] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7923. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727, 727C, 727-100, and 727-100C Series Airplanes [Docket No. FAA-2005-23313; Directorate Identifer 2005-NM-111-AD; Amendment 39-14573; AD 2006-09-03] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7924. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2006-24586; Directorate Identifier 2006-NM-100-AD; Amendment 39-14579; AD 2006-09-08] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7925. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200 and -200PF Series Airplanes Equipped with Pratt & Whitney Engines [Docket No. FAA-2006-24557; Directorate Identifier 2006-NM-082-AD; Amendment 39-14572; AD 2006-09-02] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7926. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP Series Airplanes [Docket No. FAA-2005-23441; Directorate Identifier 2005-NM-199-AD; Amendment 39-14571; AD 2006-09-01] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7927. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-

600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes) [Docket No. FAA-2006-24364; Directorate Identifier 2004-NM-272-AD; Amendment 39-14534; AD 2006-07-07] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7928. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model SA-365 N1, AS-365 N2, N3, SA 366 G1, and EC-155B and B1 Helicopters [Docket No. FAA-2006-24588; Directorate Identifier 2006-SW-07-AD; Amendment 39-14581: AD 2006-09-10] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7929. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Models AT-802 and AT-802A Airplanes [Docket No. FAA-2005-20591; Directorate Identifier 2005-CE-14-AD; Amendment 39-14565; AD 2006-08-09] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7930. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Models AT-400, AT-401, AT-401B, AT-402, AT-402A, and AT-402B Airplanes [Docket No. FAA-2006-23646; Directorate Identifier 2006-CE-05-AD; Amendment 39-14563; AD 2006-08-08] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7931. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes [Docket No. FAA-2004-19220; Directorate Identifier 2004-CE-27-AD; Amendment 39-14568; AD 2006-08-11] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7932. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sicma Aero Seat (formerly Farner); Cabin Attendant Seats Series 150 type FN and Series 151 type WN [Docket No. FAA-2005-22109; Directorate Identifier 2005-NE-32-AD; Amendment 39-14557; AD 2006-08-03] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7933. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.28 Mark 0100 Airplanes [Docket No. FAA-2006-24429; Directorate Identifier 2006-NM-003-AD; Amendment 39-14559; AD 2006-08-05] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7934. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Model GIV-X and GV-SP Series Airplanes [Docket No. FAA-2006-24438; Directorate Identifier 2006-NM-061-AD; Amendment 39-14560; AD 2006-04-13 R1] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7935. A letter from the Administrator, FRA, Department of Transportation, transmitting the Department's report entitled, "Pilot Programs for Emergency Notification Systems (ENS) at Highway-Rail Grade Crossings," pursuant to Public Law 103-440, section 301(a); to the Committee on Transportation and Infrastructure.

7936. A letter from the Commissioner, Social Security Administration, transmitting the 2006 Annual Report of the Supplemental Security Income Program, pursuant to Public Law 104-193, section 231 (110 Stat. 2197); to the Committee on Ways and Means.

7937. A letter from the Inspector General, Department of Health and Human Services, transmitting the Department's report entitled, "Determining Average Manufacturer Prices for Prescription Drugs under the Deficit Reducation Act of 2005"; jointly to the Committees on Energy and Commerce and Ways and Means.

7938. A letter from the Director, National Film Preservation Foundation, transmitting the Foundation's Report to the U.S. Congress for the Year Ending December 31, 2005; jointly to the Committees on the Judiciary and House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McKEON: Committee on Education and the Workforce. H.R. 5293. A bill to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2007 through 2011, and for other purposes; with an amendment (Rept. 109–493). Referred to the Committee of the Whole House on the State of the Union.

Mr. LEWIS of California: Committee of Conference. Conference report on H.R. 4939. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109–494). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself and Mr. BERMAN):

H.R. 5553. A bill to amend section 115 of title 17, United States Code, to provide for licensing of digital delivery of musical works, and for other purposes; to the Committee on the Judiciary.

By Mr. NORWOOD (for himself, Mrs. MILLER of Michigan, Mr. WICKER, and Mr. TIAHRT):

H.R. 5554. A bill to amend the Occupational Safety and Health Act of 1970 and the Federal Mine Safety and Health Act of 1977 to prohibit the promulgation of safety and health standards that do not meet certain requirements for national consensus standards; to the Committee on Education and the Workforce.

By Mr. BURGESS (for himself and Mr. GENE GREEN of Texas):

H.R. 5555. A bill to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SHIMKUS (for himself, Mr. WYNN, Mrs. BONO, Mr. ENGLISH of Pennsylvania, and Mr. MELANCON):

H.R. 5556. A bill to establish a unified national hazard alert system, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAYS (for himself and Mr. DEFAZIO):

H.R. 5557. A bill to promote the humane treatment of farm animals; to the Committee on Government Reform, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN (for himself, Mr. YOUNG of Alaska, Mr. MICA, Mr. BAKER, Mr. DEFAZIO, Mr. GARY G. MILLER of California, Ms. BERKLEY, Mr. SHUSTER, Mr. BOOZMAN, Mr. WESTMORELAND, Mr. BOUSTANY, Mr. PETERSON of Minnesota, Mr. AKIN, Mr. DAVIS of Tennessee, Mr. SCOTT of Georgia, Mr. NEUGEBAUER, Mrs. BLACKBURN, Ms. HARRIS, and Mr. SESSIONS):

H.R. 5558. A bill to amend the Federal Water Pollution Control Act to provide more effective permitting and enforcement mechanisms for stormwater discharges associated with residential construction activity; to the Committee on Transportation and Infrastructure.

By Mr. RYAN of Wisconsin (for himself, Mr. SESSIONS, Mr. MOORE of Kansas, and Mr. HERGER):

H.R. 5559. A bill to improve the exchange of health information by encouraging the creation, use, and maintenance of lifetime electronic health records in independent health record banks, by using such records to build a nationwide health information technology infrastructure, and by promoting participation in health information exchanges by consumers through tax incentives; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARNAHAN:

H.R. 5560. A bill to amend title 49, United States Code, to limit fees imposed in connection with background checks for the issuance of licenses to operate a motor vehicle transporting a hazardous material, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS (for himself and Mr. RENZI):

H.R. 5561. A bill to provide housing assistance for very low-income veterans; to the Committee on Financial Services, and in addition to the Committees on Veterans' Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself, Mr. PASCRELL, Mrs. MALONEY, and Mr. MICA):

H.R. 5562. A bill to direct the Joint Committee on the Library to obtain a statue of Constantino Brumidi for display in the Capitol Visitor Center; to the Committee on House Administration.

By Ms. DELAURO (for herself, Mr. BLUMENAUER, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. EMANUEL, Mr. FATTAH, Mr. FILNER, Mr. GRIJALVA, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Ms. LEE, Ms. ZOE LOFGREN of California, Ms. MCCOLLUM of Minnesota, Mr. MCGOVERN, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. OWENS, and Mr. WAXMAN):

H.R. 5563. A bill to amend the Federal Food, Drug, and Cosmetic Act to extend the food labeling requirements of the Nutrition Labeling and Education Act of 1990 to enable customers to make informed choices about the nutritional content of standard menu items in large chain restaurants; to the Committee on Energy and Commerce.

By Ms. HERSETH:

H.R. 5564. A bill to facilitate economic growth and development and to promote Tribal sovereignty, by encouraging a dramatic increase in the number of individuals with higher education degrees working within and for Indian Country; to the Committee on Education and the Workforce.

By Ms. HERSETH:

H.R. 5565. A bill to enhance and provide to the Oglala Sioux Tribe and Angostura Irrigation Project certain benefits of the Pick-Sloan Missouri River basin program; to the Committee on Resources.

By Ms. HERSETH:

H.R. 5566. A bill to facilitate the transfer of Spearfish Hydroelectric Plant Number 1 to the city of Spearfish, South Dakota, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOBIONDO:

H.R. 5567. A bill to clarify the classification of certain high-density fiberboard, and for other purposes; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 5568. A bill to establish a District of Columbia National Guard Educational Assistance Program to encourage the enlistment and retention of persons in the District of Columbia National Guard by providing financial assistance to enable members of the National Guard of the District of Columbia to attend undergraduate, vocational, or technical courses; to the Committee on Armed Services.

By Mr. KIRK (for himself and Mr. ANDREWS):

H. Con. Res. 425. Concurrent resolution expressing the sense of Congress that the crisis regarding Iran's nuclear program should be resolved primarily through diplomatic means; to the Committee on International Relations.

By Ms. ROS-LEHTINEN (for herself, Mrs. CAPPS, Mr. DELAHUNT, Mr. CASE, Mr. FARR, Mr. DAVIS of Florida, Ms. PELOSI, Mr. GILCHREST, Mr. GEORGE MILLER of California, and Ms. ESHOO):

H. Res. 856. A resolution recognizing the national marine sanctuaries program as critical to managing the ocean and Great Lake resources of the United States, and commending local and State partners and volunteers of the program for their contribution; to the Committee on Resources.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

321. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 35 memorializing the Congress of the United States to take such actions as are necessary to continue funding and operation of the United States Department of Agriculture's Agricultural Research Service located in Baton Rouge, Louisiana; to the Committee on Agriculture.

322. Also, a memorial of the Legislature of the State of California, relative to Senate Joint Resolution No. 27 urging the Congress of the United States to protect the rights of all American women to receive equal pay for equal work, and to continue to provide effective remedies to victims of discrimination in the payment of wages on the basis of sex; to the Committee on Education and the Workforce.

323. Also, a memorial of the House of Representatives of the State of Kansas, relative to House Resolution No. 6019 memorializing the Congress of the United States, the Department of Education and the Kansas State Board of Education concerning the No Child Left Behind Act; to the Committee on Education and the Workforce.

324. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 60 urging the Congress of the United States to provide states with the necessary funding to implement the goals of the No. Child Left Behind Act of 2001 and other education-related programs and to offer states waivers or exemptions from related regulations when federal funding for elementary and secondary education is decreased; to the Committee on Education and the Workforce.

325. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 61 urging the Congress of the United States to support changes to the No Child Left Behind Act of 2001; to the Committee on Education and the Workforce.

326. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 103 urging the Congress of the United States and the Department of Education to support the goals of the No Child Left Behind Act (NCLB) by increasing funds for federal education initiatives and affording more flexibility to states in relation to NCLB; to the Committee on Education and the Workforce.

327. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 616 recognizing the month of May 2006 as "Amytrophic Lateral Sclerosis Awareness Month" in Pennsylvania andurging the Congress of the United States to enact legislation to provide additional funding for research in order to find a treatment and a cure for ALS; to the Committee on Energy and Commerce.

328. Also, a memorial of the General Assembly of the State of Vermont, relative to House Joint Resolution No. 76 urging the Congress of the United States to promote and diversify the automocive and machine-tool sectors of our national economy; to the Committee on Energy and Commerce.

329. Also, a memorial of the House of Representatives of the State of New Hampshire, relative to House Resolution No. 13 condemning the genocide in the Darfur region of Sudan and calling upon the President, the State Department and the Congress of the United States to unite the international community to end the genocide in Darfur; to the Committee on International Relations.

330. Also, a memorial of the House of Representatives of the State of Iowa, relative to House Resolution No. 122 requesting the Congress of the United States give due consideration to the readiness of the Republic of China on Taiwan for membership in the United Nations; to the Committee on International Relations.

331. Also, a memorial of the House of Representatives of the Commonwealth of The Mariana Islands, relative to House Resolution No. 15-33 expressing support for the passage of S. 1954, the Insular Possessions Act of 2005; to the Committee on Ways and Means.

332. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 41 memorializing the Congress of the United States to redirect and make available to Louisiana federal contingency funds that were set aside through the Temporary Assistance For Needy Families (TANF) Emergency Response and Recovery Act of 2005 to be drawn by states receiving and hosting residents of Louisiana, Alabama, and Mississippi that were displaced by Hirricane Katrina and Hurricane Rita which remains used; to the Committee on Ways and Means.

333. Also, a memorial of the Legislature of the State of Kansas, relative to House Concurrent Resolution No. 5042 urging support of the "25 x 25" initiative; jointly to the Committees on Agriculture, Energy and Commerce, and Resources.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LOBIONDO:

H.R. 5569. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density laminate panels entered from 1998 through 2000; to the Committee on Ways and Means.

By Mr. LOBIONDO:

H.R. 5570. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density laminate panels entered from 1998 through 2004; to the Committee on Ways and Means.

By Mr. LOBIONDO:

H.R. 5571. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density laminate panels entered from 1997 through 2005; to the Committee on Ways and Means.

By Mr. LOBIONDO:

H.R. 5572. A bill to provide for the liquidation or reliquidation of certain entries relating to high-density laminate panels entered from 2000 through 2005; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. BOUSTANY, Ms. MCKINNEY, Mr. MELANCON, and Mr. HAYWORTH.

H.R. 25: Mrs. DRAKE.

H.R. 180: Mr. FRANKS of Arizona.

H.R. 215: Mr. BISHOP of New York and Mr. BOEHLERT.

H.R. 269: Mr. LOBIONDO.

H.R. 311: Mr. FRANK of Massachusetts.

H.R. 552: Mr. JINDAL.

H.R. 615: Mr. HAYWORTH.

H.R. 697: Mr. KENNEDY of Minnesota.

H.R. 713: Mr. LUCAS.

H.R. 752: Mr. WYNN.

H.R. 817: Mr. POMEROY, Mrs. JONES of Ohio, Ms. HART, and Mr. WELDON of Florida.

H.R. 838: Mr. PAYNE and Mr. BOUCHER.

H.R. 874: Mr. BURGESS and Mr. PEARCE.

H.R. 910: Ms. MCKINNEY.

H.R. 998: Mr. TIAHRT.

H.R. 1002: Ms. WASSERMAN SCHULTZ.

H.R. 1128: Mr. SESSIONS.

H.R. 1188: Mr. WYNN, Mr. FRANK of Massachusetts, Ms. BALDWIN, Mr. LEWIS of Georgia, and Mr. MILLER of North Carolina.

H.R. 1241: Ms. BERKLEY.

H.R. 1245: Mr. GENE GREEN of Texas, Mr. FATTAH, Mr. HAYWORTH, and Mr. BOOZMAN.

H.R. 1248: Mr. HERGER.

H.R. 1351: Mr. BROWN of Ohio.

H.R. 1471: Mr. TURNER.

H.R. 1595: Mr. HOYER.

H.R. 1690: Mr. TOWNS.

H.R. 1816: Mr. PEARCE and Mr. HERGER.

H.R. 1849: Mr. COSTELLO and Mr. BLUMENAUER.

H.R. 2037: Mr. HOLDEN and Mr. BRADLEY of New Hampshire.

H.R. 2177: Mr. FITZPATRICK of Pennsylvania.

H.R. 2357: Mr. FORBES.

H.R. 2369: Mr. WAXMAN and Mr. TERRY.

H.R. 2421: Mr. LEWIS of Georgia and Mr. NEAL of Massachusetts.

H.R. 2646: Mr. CLEAVER.

H.R. 2683: Mr. DOGGETT.

H.R. 2808: Mr. INSLEE, Mr. HIGGINS, Mr. WHITFIELD, Ms. JACKSON-LEE of Texas, Mr. ENGLISH of Pennsylvania, Mr. GERLACH, Mr. SIMMONS, Mr. CARTER, Mr. ALEXANDER, Mr. REHBERG, Mr. TIAHRT, Mr. WELDON of Florida, Mrs. EMERSON, Mr. BONILLA, Mr. LATHAM, Mr. SIMPSON, Mr. BOYD, Mr. SWEENEY, Mr. GOODE, Mr. PETERSON of Pennsylvania, Mr. HOBSON, Mr. WICKER, Mr. LEWIS OF GEORGIA, Mr. HOYER, and Mr. FARR.

H.R. 3006: Ms. VELÁZQUEZ and Mr. BECERRA.

H.R. 3307: Mr. GORDON, Mr. PAYNE, and Mrs. MALONEY.

H.R. 3352: Mr. FERGUSON.

H.R. 3360: Mr. FOLEY.

H.R. 3361: Mr. ENGLISH of Pennsylvania.

H.R. 3413: Mr. NEY.

H.R. 3436: Mrs. DRAKE.

H.R. 3478: Mr. OWENS.

H.R. 3762: Mr. MICHAUD.

H.R. 3986: Mr. MCDERMOTT.

H.R. 4033: Mr. INSLEE, Mr. MILLER of North Carolina, Mr. MCKEON, and Mr. LATHAM.

H.R. 4050: Mr. KENNEDY of Minnesota.

H.R. 4184: Mr. BUTTERFIELD.

H.R. 4212: Mr. VAN HOLLEN, Mr. MCDERMOTT, and Mr. INSLEE.

H.R. 4235: Mr. UDALL of Colorado.

H.R. 4318: Mr. DOYLE and Mr. ROGERS of Michigan.

H.R. 4341: Mr. FRANKS of Arizona.

H.R. 4452: Mr. WELDON of Pennsylvania and Mr. SCHWARZ of Michigan.

H.R. 4547: Mr. HENSARLING.

H.R. 4560: Mr. BOOZMAN.

H.R. 4562: Mr. WAXMAN, Mr. SHAYS, Mr. CUMMINGS, Mr. GALLEGLY, Mr. NADLER, Mr. GORDON, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. SALAZAR, Mr. STRICKLAND, Mrs. TAUSCHER, Mr. TOWNS, Mr. WATT, Mr. WEINER, Mr. MILLER of North Carolina, Mr. SANDERS, Mr. MACK, Mr. BRADLEY of New Hampshire, Mr. PASTOR, Mr. GILCHREST, and Mr. GOODE.

H.R. 4593: Mr. FORD.

H.R. 4594: Mr. FORD.

H.R. 4595: Mr. FORD.

H.R. 4596: Mr. ABERCROMBIE and Mr. JEFFERSON.

H.R. 4725: Mr. MCHENRY, Mr. GINGREY, Mr. PUTNAM, Mrs. DRAKE, Mr. BURGESS, Mr. ENGLISH of Pennsylvania, Mr. LINDER, Mr. SODREL, Mr. FEENEY, Mr. PRICE of Georgia, and Mr. BLUNT.

H.R. 4746: Mr. PASTOR.

H.R. 4751: Mr. MCGOVERN and Mr. DOGGETT.

H.R. 4761: Mr. SHADEGG and Miss MCMORRIS.

H.R. 4857: Mr. REHBERG, Mr. NUNES, and Mrs. CUBIN.

H.R. 4892: Mr. ENGLISH of Pennsylvania.

H.R. 4894: Mr. DENT, Mr. OTTER, and Mr. BACHUS.

H.R. 4914: Mr. GRIJALVA.

H.R. 4962: Mr. WEINER, Mrs. KELLY, and Mr. OWENS.

H.R. 4985: Mr. BOSWELL and Mr. NEUGEBAUER.

H.R. 5005: Mr. DAVIS of Kentucky, Mrs. DRAKE, Mrs. EMERSON, Mr. HENSARLING, and Mr. HOLDEN.

H.R. 5013: Mr. MILLER of Florida, Mr. LINDER, Mr. KENNEDY of Minnesota, Mrs. BLACKBURN, Mr. ROGERS of Michigan, and Mr. BRADLEY of New Hampshire.

H.R. 5053: Mr. SODREL, Mr. WOLF, and Mr. FORD.

H.R. 5088: Ms. MOORE of Wisconsin, Mr. HONDA, and Mr. MCDERMOTT.

H.R. 5092: Mr. GARRETT of New Jersey, Mr. GINGREY, Mr. DAVIS of Tennessee, Mr. MILLER of Florida, Mr. MATHESON, Mr. SCHWARZ of Michigan, Mr. BARRETT of South Carolina, Mr. BARROW, Mr. JENKINS, Mr. BOREN, Mr. ADERHOLT, Mr. WILSON of South Carolina, Mr. DOOLITTLE, Mr. ALEXANDER, Mrs. DRAKE, Mr. BISHOP of Georgia, Mr. EVERETT, Mr. KELLER, Mr. DAVIS of Kentucky, Mr. POE, Mr. BOYD, Mrs. EMERSON, Mr. BERRY, Mr. PLATTS, and Mr. MICHAUD.

H.R. 5099: Mrs. CUBIN.

H.R. 5106: Mr. CARDOZA, Ms. ROYBAL-ALLARD, Mr. PASTOR, Mr. SALAZAR, Ms. WASSERMAN SCHULTZ, Mr. MOLLOHAN, Mr. TIERNEY, and Mr. COSTA.

H.R. 5121: Ms. HART, Ms. BERKLEY, and Mr. DAVIS of Alabama.

H.R. 5159: Ms. CORRINE BROWN of Florida, Mr. SENSENBRENNER, Mr. GILLMOR, Ms. ESHOO, Mr. ETHERIDGE, Mr. CUMMINGS, Mr. MCGOVERN, Mr. KENNEDY of Minnesota, Mr. REGULA, Mr. SHAW, Mr. BOEHLERT, Mr. MOORE of Kansas, and Mr. COSTELLO.

H.R. 5171: Mr. JEFFERSON and Mr. STUPAK.

H.R. 5182: Mr. ROGERS of Alabama, Mr. CARTER, and Mr. AL GREEN of Texas.

H.R. 5189: Mr. MCINTYRE.

H.R. 5200: Mr. LOBIONDO, Mr. BISHOP of New York, and Mr. OTTER.

H.R. 5201: Mr. DAVIS of Alabama.

H.R. 5233: Mr. KILDEE and Mr. PAYNE.

H.R. 5288: Mr. PRICE of North Carolina, Mr. BOSWELL, Mr. SPRATT, and Mr. EMANUEL.

H.R. 5293: Mr. CASTLE, Mr. SAM JOHNSON of Texas, Mrs. DRAKE, Mr. EHLERS, Ms. LEE, Ms. MATSUI, Mr. SIMMONS, Mr. RYAN of Ohio, Mr. DOGGETT, Mr. MCCOTTER, Mrs. BIGGERT, Mrs. MALONEY, Mr. MCHUGH, Mr. WU, Mr. LOBIONDO, Mr. HOLT, Mr. KIND, Mrs. CAPITO, Mr. KUHL of New York, Ms. KILPATRICK of Michigan, Mr. OSBORNE, and Mr. HALL.

H.R. 5317: Ms. FOXX and Mr. MCCOTTER.

H.R. 5321: Mr. RANGEL and Mr. CUMMINGS.

H.R. 5334: Mr. MCHUGH.

H.R. 5337: Ms. CARSON, Mr. ENGLISH of Pennsylvania, Mr. ISRAEL, Ms. MOORE of Wisconsin, and Mr. SHUSTER.

H.R. 5344: Mr. BLUMENAUER.

H.R. 5351: Mr. ISRAEL and Mr. ENGLISH of Pennsylvania.

H.R. 5356: Mr. GORDON, Mr. REICHERT, Mr. WYNN, Mr. BARTLETT of Maryland, and Ms. HOOLEY.

H.R. 5358: Mr. BONNER, Mr. GORDON, Mr. REICHERT, Mr. WYNN, Mr. BARTLETT of Maryland, and Ms. HOOLEY.

H.R. 5382: Mr. INGLIS of South Carolina.

H.R. 5388: Ms. JACKSON-LEE of Texas.

H.R. 5452: Mr. REHBERG.

H.R. 5455: Mr. SPRATT, Mr. BISHOP of New York, Mr. MOORE of Kansas, Ms. LORETTA SANCHEZ of California, Mr. MARSHALL, Mr. DAVIS of Tennessee, Mr. BOREN, Mr. CARDOZA, Mr. WEINER, Mr. EVANS, Mr. COSTELLO, Mr. MILLER of North Carolina, Mr. WAXMAN, Ms. WOOLSEY, Mr. VAN HOLLEN, and Ms. HARMAN.

H.R. 5476: Mr. MILLER of Florida, Mrs. BLACKBURN, Mr. MCCOTTER, and Mr. NEUGEBAUER.

H.R. 5484: Mr. JINDAL, Mr. GARRETT of New Jersey, Mr. GOODE, Mr. WAMP, Mr. AKIN, Mr. BISHOP of Utah, Mr. DOOLITTLE, Mr. SAM JOHNSON of Texas, Mr. WESTMORELAND, Mr. CULBERSON, Mr. NEUGEBAUER, Mr. PENCE, Mr. GARY G. MILLER of California, Mr. SHADEGG, Mrs. MUSGRAVE, Mr. GALLEGLY, and Mrs. MYRICK.

H.R. 5500: Mr. FEENEY, Mrs. BLACKBURN, Ms. FOXX, and Mr. MILLER of Florida.

H.R. 5520: Mr. COBLE, Mr. DANIEL E. LUNGREN of California, Mr. BOUSTANY, Mr. GILCHREST, Mr. POMBO, Mr. DOOLITTLE, Mr. PRICE of Georgia, Mr. ALEXANDER, Mr. RAMSTAD, Mr. PENCE, Mr. BONNER, Mr. CRAMER, Mr. PASTOR, Mr. SMITH of New Jersey, Mr. RAHALL, Mr. ENGLISH of Pennsylvania, and Mrs. MYRICK.

H.R. 5525: Mr. CUMMINGS and Mr. RUPPERSBERGER.

H.R. 5536: Mr. PETERSON of Minnesota.

H.R. 5538: Mr. EHLERS.

H.J. Res. 87: Mrs. CAPPS and Ms. DELAURO.

H. Con. Res. 338: Ms. BERKLEY.

H. Con. Res. 367: Mr. NORWOOD.

H. Con. Res. 402: Mr. BASS.

H. Con. Res. 412: Mr. SHAYS.

H. Con. Res. 419: Mr. TOWNS and Mr. RANGEL.

H. Res. 316: Mr. ENGLISH of Pennsylvania.

H. Res. 723: Mr. MICHAUD, Mr. LEVIN, and Mr. SERRANO.

H. Res. 745: Mr. WILSON of South Carolina.

H. Res. 800: Mr. MCCAUL of Texas, Mrs. BONO, and Mr. COBLE.

H. Res. 825: Mr. FRANK of Massachusetts.

H. Res. 826: Mr. WAXMAN, Mr. MORAN of Kansas, Mr. INGLIS of South Carolina, Mr. TOM DAVIS of Virginia, Mr. SMITH of Washington, Mr. HERGER, Mr. SULLIVAN, Mr. HOLDEN, Mr. RUSH, Mr. COSTA, Mr. DOYLE, and Mr. RYUN of Kansas.

H. Res. 852: Mr. SWEENEY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2048: Ms. BALDWIN, Ms. DEGETTE, Ms. SCHAKOWSKY, and Mr. MARKEY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5522

OFFERED BY: MR. DEAL OF GEORGIA

AMENDMENT NO. 13: Page 138, beginning on line 12, strike "indicted for" and insert "charged with".

Page 138 line 14, strike ", unless" and all that follows through "United States" on line 18.

H.R. 5522

Offered By: Mr. McHenry

Amendment No. 14: Page 137, line 11, strike ", unless" and all that follows through "United States" on line 15.

H.R. 5522

Offered By: Mr. Hefley

Amendment No. 15: At the end of the bill (before the short title), insert the following:

REDUCTION IN APPROPRIATIONS

Sec. 5xx. Appropriations made in this Act are hereby reduced in the amount of $213,000,000.

H.R. 5522

Offered By: Ms. Jackson-Lee of Texas

Amendment No. 16: At the end of the bill (before the short title), insert the following:

Sec. ___. None of the funds made available in this Act may be used to assist any foreign government in enforcing any religious law that has the effect of punishing a victim of sexual assault or rape.

H.R. 5522

Offered By: Ms. Jackson-Lee of Texas

Amendment No. 17: At the end of the bill (before the short title), insert the following:

Sec.   . None of the funds made available in this Act may be used for activities that eliminate security protection for elected officials, particularly female elected officials, of foreign governments.

H.R. 5522

Offered By: Ms. Jackson-Lee of Texas

Amendment No. 18: At the end of the bill (before the short title), insert the following:

Sec. ___. None of the funds made available in this Act under the heading "International Military Education and Training" may be used to provide training to children under the age of 18 in military exercises or military combat initiatives.

EXTENSIONS OF REMARKS

TRIBUTE TO MAJOR GENERAL WALTER E. GASKIN

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a great Georgian and a great American, MG Walter E. Gaskin, who is taking command of the 2nd Marine Division this week, in this, his 32nd year in the United States Marine Corps.

Major General Gaskin was born and raised in Savannah, Georgia, and attended Savannah State University on a Naval ROTC scholarship. He graduated in 1974 and was commissioned a 2nd Lieutenant. Upon completing training, he was assigned to the Second Marines. He served as a Rifle Platoon Commander and Executive Officer of Company K and the 106 Recoilless Rifle Platoon Commander for 3rd Battalion, 2nd Marines.

The young Marine went on to be stationed in Okinawa and at Parris Island, before returning home to Savannah to serve as the Marine Officer Instructor and recruiting officer for Naval ROTC at his alma mater. While in Georgia, he also served as the assistant Officer Selection Officer at the Recruiting Station in Macon.

In 1984, Gaskin joined the 1st Battalion, 2nd Marines where he served as an Operations Officer. From there he was selected to attend the U.S. Army Command and General Staff College. From 1987 until 1990, he served as an action officer at Marine Corps Headquarters and Marine Corps Combat Development Command (MCCDC), in charge of Unit Environmental Training Programs, Jungle, Cold Weather, and Combined Arms Exercises. Next, Gaskin served as Head, Ground Forces Branch in Seoul, South Korea, then as an Operations Officer for the 2nd Marine Expeditionary Force during exercises in Norway.

Gaskin then attended the U.S. Army War College and was subsequently assigned as the Executive Officer, 6th Marines, 2nd Marine Division. In 1995, he assumed command of 2nd Battalion, 2nd Marines, and later he deployed to the Mediterranean Sea as the Commanding Officer of Battalion Landing Team under the 22nd Marine Expeditionary Unit. There he participated in Operation Assured Response and Quick Response in Defense of American Embassies in Liberia and the Central African Republic. In 1998, he returned to Camp Lejeune as Head of Expeditionary Operation for the Second Expeditionary Unit.

In January 1999, Major General Gaskin assumed command of the 22nd Marine Expeditionary Unit. In September of that year, he deployed with them to the Mediterranean Sea as Landing Force Sixth Fleet. While there, the 22nd participated in the Bright Star Exercises in Egypt and the Infinite Moonlight Exercises in Jordan. His unit also served as the Strategic Reserve for operations in Bosnia and Kosovo.

In March 2000, he became the Commanding General, Training Command, Training and Education Command, MCCDC. Major General Gaskin then rose to Chief of Staff, Naval Striking and Support Forces Southern Europe and Deputy Commanding General, Fleet Marine Forces Europe, in Naples, Italy. He took command of Marine Corps Recruiting Command in September 2004. In October 2005, he was promoted to the rank of Major General.

His personal decorations include the Defense Superior Service Medal, Legion of Merit with Gold Star in lieu of 2nd award, Bronze Star with combat "V," Defense Meritorious Service Medal, Meritorious Service Medal, Navy and Marine Corps Commendation Medal with 2 Gold Stars in lieu of 3rd award, Navy and Marine Corps Achievement Medal and the Combat Action Ribbon.

Mr. Speaker, Major General Gaskin is the highest ranking African American in the Marine Corps. He is an inspiration for young men and women, and I stand here to honor him today for his years of service to this Nation.

TRIBUTE TO JONATHAN A. SAIDEL

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor Jonathan A. Saidel, former Controller for the City of Philadelphia.

Jonathan Saidel served as Philadelphia's City Controller for 16 years, winning reelection most recently in 2001 with 87.5 percent of the vote. As Controller, he has won local and national plaudits for reforming and professionalizing the Controller's office, his dedication to fiscal discipline, and proposing innovative ideas to grow Philadelphia. His 1999 book "Philadelphia: A New Urban Direction" continues to be used as a textbook in college level urban studies courses.

Jonathan Saidel has been called "a taxpayer's best friend" for his outspoken advocacy of reducing Philadelphia's crushing tax burden in order to spur economic development and stop the exodus of people and jobs from the city. His work with then Mayor Edward Rendell in the early 1990's helped return Philadelphia from the brink of bankruptcy. His groundbreaking audits and proposed government reforms have saved the taxpayers over 500 million dollars since 1990.

Jonathan Saidel is a great humanitarian involved with political causes and organizations too numerous to mention, serving on the Special Olympics, Boy Scouts, Salvation Army and the Variety Club. He is a Lecturer at the University of Pennsylvania's Fels Center of Government and teaches Government Finance as an Adjunct Professor in the MBA Program at Drexel University.

Mr. Speaker, Jonathan Saidel has long been recognized for his outstanding community and civic involvement, and it is for these reasons that I ask that you and my other distinguished colleagues rise to honor him.

PERSONAL EXPLANATION

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. POMBO. Mr. Speaker, on June 6, 2006 I missed recorded votes. Had I been present, I would have voted "aye" on rollcall votes 226, 225, 224, and 223.

TOM FOX, AN AMERICAN HERO

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. MORAN of Virginia. Mr. Speaker, I rise today to honor the life of Mr. Tom Fox, an American hero who tirelessly gave his life to help bring peace to Iraq but whose life was mercilessly taken from us at the hands of killers on March 9, 2006. I am here to commemorate the life of such a selfless and dedicated individual.

Mr. Fox was born in Chattanooga, Tennessee and graduated with a double degree in music performance and education from George Peabody College for Teachers, which is now part of Vanderbilt University, in Nashville. An accomplished musician, he joined the Marine Band and spent twenty years playing his clarinet for them.

His passion gradually shifted from music toward peace activism and he joined the Quaker Church. His views on non-violent social activism strengthened his resolve to fight against the injustices in the world. In 2002, he joined the Christian Peacemakers Team and traveled to one of the most dangerous and violent parts of the world, Iraq.

For two years, he devoted his time and energy to promoting peace and understanding between Christians and Muslims, Iraqis and Americans. In partnership with local Iraqi human-rights organizations, he committed himself to non-violent forms of intervention, such as accompanying young Iraqi refugee children to the Syrian border, and living in the same conditions as ordinary Iraqis in the downtown quarters of a Baghdad neighborhood—without security or protection around his apartment dwelling.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

His dedication for helping others was always apparent in everything he did. A quiet, good-natured soul, he insisted on understanding the hearts and minds of every person he met, believing that "there is part of God in every person". His complete faith in the goodness and humanity of others allowed him to stand through more violence and hatred than most of us will ever see in our lives.

Despite the roadside bombings that he walked by, despite the mortars that fell above his home, and despite the death threats he received before being kidnapped, Mr. Fox always understood why he was in Iraq. In his own words, he said: "We are here to root out all aspects of dehumanization that exist within us. We are here to stand with those being dehumanized by oppressors and stand firm against that dehumanization. We are here to stop people, including ourselves, from dehumanizing any of God's children, no matter how much they dehumanize their own souls."

His legacy will always serve as a testament that to fight for what you believe in and to understand others is not to use violence or coercion. We preserve the dignity of our humanity and our goodness by each loving action we take on behalf of others.

"Too many are willing to die for war and too few are willing to die for peace."

[From Connection Editorial, Mar. 16, 2006]

TOM FOX

In the pages of The Connection, since the beginning of the war in Iraq, we have periodically been called to write obituaries for men and women who have been killed in the conflict both in Iraq and Afghanistan.

These were people who traveled to Iraq in service to their country. Losing them has been devastating to family and friends; their grief is sometimes tempered by knowing that their loved one died in doing something they believed in.

The war in Iraq also served as a call to service to Tom Fox of Springfield. It was a call of a different kind, but one driven by deep conviction and a sense of duty. Fox, a Quaker and a pacifist, was troubled by the U.S. military response to terrorism, and traveled to Iraq as part of a Christian Peacemaker Team.

Fox and other members of his team were taken hostage in November 2005, and Fox's body was found last week.

The Christian Peacemaker Teams group "embraces the vision of unarmed intervention waged by committed peacemakers ready to risk injury and death in bold attempts to transform lethal conflict through the nonviolent power of God's truth and love."

In a Feb. 16, 2005 interview with the Connection Newspapers, Fox said he believed peace in Iraq could only be achieved through non-violence.

"[The Iraqi] people are not being served by violence," Fox said. "It doesn't help anyone. There is always going to be conflict, but it's a question of how we deal with it. Do we settle problems with words, or do we bring out the clubs and act like cavemen?"

Tom Fox's friends and associates say that he would forgive his kidnappers and his killers, knowing that they acted out of fear. He would reject any anger or any effort at reprisal.

Fox wrote: "We reject violence to punish anyone. We ask that there be no retaliation on relatives or property. We forgive those who consider us their enemies. We hope that in loving both friends and enemies and by intervening nonviolently to aid those who are systematically oppressed, we can contribute in some small way to transforming this volatile situation."

It is remarkable to see fellow human beings who walk in the path of their convictions. It is heartbreaking to see the person die as a result.

But his death was not futile—no more than the death 2,000 years ago of the one he followed.

[From the Springfield Connection, Mar. 23, 2006]

CARRYING THE LIGHT: FRIENDS OF TOM FOX REMEMBER HIS LIFE, URGE PEACEMAKING WORK TO CONTINUE AFTER HIS DEATH

(By Amber Healy)

In the nearly two weeks since news of his death became public, friends of Springfield native Tom Fox have been trying to make peace with their friend's passing.

He was no martyr, they say. Rather, he would most likely be uncomfortable with all the attention focused on his work in Iraq as part of the Christian Peacemaker Teams for the past few years.

"When Tom went to Iraq, we saw a side of him that we weren't aware of before," said Doug Smith, clerk of the Langley Hill Meeting of Friends, a Quaker congregation in McLean.

Fox kept a blog in which he wrote about his struggles and work in Iraq, Smith said, which provided a deeper look into a man who had a "depth of spirit" he didn't reveal to many people.

Smith thinks it was this unassuming nature that helped Fox connect with the Iraqi people, living among them in Baghdad for three- or four-month intervals since 2003 and collecting their stories of loved ones who had been imprisoned or taken hostage.

"He was able to sit and talk with just about anyone," Smith said. "There wasn't anything extraordinary about him."

Fox joined Christian Peacemaker Teams, a non-government organization promoting peace, with headquarters in Chicago and Toronto, as an alternative to impending war after the terrorist attacks of Sept. 11, 2001. He did not join CPT with the intent of going to Iraq, Smith said, but instead because "it was something he wanted to do. He liked that [they were] a group that tried to get into the middle of a conflict, hear all sides and find a way to bring them together."

As a Quaker, Fox was following in "a long history of peace work and social activism," something he ultimately gave his life for, Smith said.

The Rev. Carol Rose, a director at CPT, said she first met Fox when he began the training all volunteers go through before being assigned to one of the eight conflict zones they work in around the world.

While in the middle of one of the most dangerous places in the world, Rose said Fox "always had a peaceful presence. He was very much at home there," despite being well aware that, as a foreigner, especially as an American, it would be best to keep a low profile.

Fox all but refused to "blend in," she said, instead preferring to go to checkpoints around Fallujah, talking with the guards who worked there and the residents who spent hours waiting to cross to the other side.

Fox had a natural curiosity and desire to learn about the people he'd meet, said Rose.

"There was no hope in trying to keep Tom hidden, there was no way to keep him from standing out," she laughed. "He was well-known and well-loved by his Iraqi colleagues."

CPT's continues in Iraq, she said, despite Fox's death and the uncertain fate of Harmeet Sooden, James Looney and Norman Kember, three coworkers who were kidnapped along with Fox back in November. Fox was the first CPT member to be killed in Iraq, she said.

If things had worked out differently, Fox could have been assigned to work in Palestine, or on a Native American reservation in Canada, or in Colombia, where other CPT workers are placed. Instead, he made himself at home in Iraq, said longtime friend Paul Slattery.

"Tom had a quiet self-assurance that this was where he wanted to go, that there were people in Iraq that were hurting and he had to go and do what he could to help them," Slattery said.

Working in Iraq, helping to create a Muslim group based on the CPT practices, was the "high point" of Fox's life, he said.

"If Tom had come back here and lived to retirement age, I can see him sitting in a rocking chair and looking back on his life in Fallujah and Baghdad with a smile on his face," Slattery said.

There have been moments when Slattery said he has questioned himself, wondering if maybe he should have been more assertive of his skepticism.

"But he wanted to do this, and it was my job to support him. I don't feel guilty, but in a way I do feel bad, that maybe in some way I wasn't the advocate for the people who loved him and didn't want him to do it," he said. "But that wasn't my role."

Fox had a strong faith and an equally strong belief that he was "called" to go to Iraq, despite the dangers he knew were there, said friend Pearl Hoover, minister of the Northern Virginia Mennonite Church in Fairfax. Since Fox's death, Hoover said part of the loss people have been feeling is the sense of love that emanated from him.

"Tom knew how to love and let someone be where they are instead of where he thought they should be," she said.

Some people may find it difficult to understand why he felt so compelled to put himself in a war zone in the name of peace, Hoover said, but it is no different than a soldier signing up to serve his or her country.

"It is just as costly to be a peacemaker as it is to be a warrior," she said.

The last time Fox was in Virginia, he met with his support group at the McLean Family Restaurant to catch up, share stories and photographs, said close friend Hoyt Maulden. Something didn't seem quite right when Fox arrived, said Maulden, but he didn't know what it was until Fox pulled out a large, brightly colored gift bag that was "uncharacteristically loud and colorful and flashy."

Fox had brought back a hand-hammered copper plate from a market in Iraq, which he had wrapped in gift bags for the five people he kept in closest contact with while working overseas, Maulden said.

"Tom always went out of his way to do the right thing, and in this case, he wanted to do it up right and make it a special event to give us these gifts," he said.

Memories like that one have been a comfort to Maulden since learning of Fox's death, but he said it has been more comforting talking with people who understand why Fox was working in Iraq, why it was important to him and why it must continue.

"Tom was so ordinary in some ways, but that is what's important to remember," he said. "It doesn't take a superhuman kind of person to do what he did. Tom didn't do anything other than be faithful to what he believed in."

[From the Springfield Connection, Mar. 23, 2006]

A Simple Twist of Fate

(By Amber Healy)

A little over a year ago, I had the opportunity to sit and talk with Tom Fox in the Borders bookstore in Springfield. We spent a little over an hour and a half talking about his work in Iraq, his dedication to peace and the path he felt he was called to take. Neither of us had any way of knowing where that path would take him a few months later, nor could he have imagined the impact that conversation has had on me, both personally and professionally.

Tom spoke about his life and his work with directness that told more about his sense of purpose in life than any article, any movie, or tale ever could. He believed in the life he led, in the work he did, in the people of Iraq so much that he put himself in harm's way for months at a time over the past three years. And while he may not come back to tell us all he learned, all the progress he made, all the stories he heard of suffering and hard work and struggles, his life speaks volumes.

A father of two grown children, Tom left behind a life of respectable hard work as the assistant manager of a department in a Whole Foods, a life of routine and safety, to put himself where he felt needed. He joined the Christian Peacemaker Teams to go into war zones, places by definition rife with danger, where his life would be threatened just by being there. He was trained about the dangers, make no mistake about that. He was warned, he was prepared, he was unwavering in what his mission in life held. He put himself, as CPT members vow, in the way.

Tom was not the first American to die in Iraq. He's not even the first person outside the war to lose his life there, So what makes his loss different? What can we learn from the life and death of a 54-year-old man?

He can teach us about forgiveness. Tom would want us to forgive the person who killed him because his violent death was an act of fear, not an act of terrorism. His capture, along with James Looney, Harmeet Sooden and Norman Kember, his CPT coworkers, was an act of desperation, not one of hatred. The actions of the members of the Swords of Righteousness Brigade have been out of anger at something bigger than these four men. It was retaliation, perhaps, but they picked the wrong people to victimize. He would be quick to point out that thousands of Iraqis have lost loved ones, through kidnapping or death, for decades. He would mention that his death is one of countless others in the name of war. He would not want to be made an example of, he would not want to be seen as anything other than another loss during wartime. He was a soldier for peace.

For the teenagers who knew Tom and spent time with him at Quaker retreats or youth groups, I am so terribly sorry for your loss. Your teacher has brought you to a point where you can follow in his footsteps in whatever way you are meant. His love of life can be found in all of your smiles, the memories you have of him, the stories you share with each other.

For the members of the Langley Hill Friends Meeting, I grieve with you for the loss of your Friend. He was a truly remarkable man who will be missed more than any of us can say. But the life he led was full of light.

For Tom's children, my heart breaks for you. I have no words to help ease your pain or offer you sufficient comfort. Your father belonged to you more than anyone, and you shared him with all of us. We are so grateful for that, and I hope that might bring you some comfort.

Peace is possible. We just have to remember that it still exists, it can be found, in time of turmoil and grief and war and seemingly insurmountable pain and suffering. The light is always there, even in the darkest night, the most frightening storm, the most painful tests. Peace is always within reach if you stretch out your hand to find it.

[From the (Alexandria) Gazette/The Connection Newspapers, Apr. 6, 2006]

Speaking From the Silence of the Friends of Alexandria Meeting: Quaker Friends at Woodlawn Experience the Continuing Revelation of History, Community, Spirituality

(By John Teschner)

A few minutes before 11 a.m., the greetings and conversations in the hallway are petering out and the Friends of the Alexandria Meeting at Woodlawn are slipping into the meeting room to begin worship. Despite the faint hum of voices still audible outside, the silence within the room envelopes each friend as he or she steps through the door into the stillness.

The room is either 155 or 140 years old, depending on which side of the room the question refers to. Its white walls with dark wood paneling are interrupted frequently by windows, and the sunlight streams through the clear panes. A wood stove still sits on one side of the room. but on this clear and cold March morning the warm air is flowing from modern vents. The wooden benches face towards the center, parallel to the walls behind them. They are constructed simply and solidly. Some bear graffiti left by the bored hands of idle men. They are the name of people and places, Union soldiers temporarily hospitalized or picketed on a long patrol, leaving a record that they existed, that they had a home.

The worship meeting has begun, though no one has begun it. The stillness folds inward.

"Quakers believe that they come into worship to wait on God. We believe in continuing revelation, that God directs us. By sitting in this silence and listening we receive that direction and support," said Linda Spitzer, the clerk of Woodlawn Quaker Friends Meeting, a position that, like many aspects. of the Quaker community, resists definition but is essentially an elected executive who serves a three-year term.

"You're there with your own thoughts," said Meghan Evans, a Friend in the meeting.

"Holding things up to the light," added Christine Fernsler, who is a teacher at Sidwell Friends School.

Meeting lasts one hour. It is possible the entire hour may be spent without a word being spoken. More commonly, a Friend will be moved to stand and make a statement, putting into voice thoughts engendered by the meditative silence. These statements are usually brief and infrequent. Even a "talkative" meeting will contain more silence than speaking. But words dropped into stillness are heavy, and the ripples they leave in people's thoughts last long after the speaker has taken a seat again.

"When people speak out of the silence, we often hear that of God in them . . . It's not a canned sermon, what bubbles up is what's on people's mind," said Spitzer.

"What's coming out of meeting—spoken and unspoken—is perspective," said Holly Mason. "It changes your priorities—what's really important or less important. That's what all religion really does . . . Meeting is the format that works for me to worship . . . it puts a lot more responsibility on you, on the individual. The ministry is not the responsibility of some overreaching priest or clergy, but from within and from each person."

The Alexandria Friends Meeting at Woodlawn was founded by a group of Quakers from New Jersey and Pennsylvania. They moved to the area in the late 1840's for two reasons: to find oak timber suitable for selling to Northern builders of clipper ships and to start a plantation that would employ free blacks and prove that it was possible to make money without slave labor. "You see how practical these people were," says Jones.

Quakers find diverse ways of bringing the spirituality of meeting into their lives. During the announcements after the meeting, Mason stood up and offered to teach people how to make soap. "I just want to fill my house with people I make soap as a hobby and I want to invite people over," she explained.

"Most of us Quakers . . . think it's really important to put into action what we believe in any way that we are gifted or led. Even though it is a mystical religion, we get involved in the world . . . the mix of mysticism and practicality is why it appeals to me," said Nancy Jones, the meeting's liaison to Ventures in Community, a coalition of social services and faith-based organizations along Route 1. "If God is in everyone of us—when I say God I mean the spirit, life, there are so many names and they're all inadequate—if that presence is within everyone, that leads to certain ways of relating to other people and the world—animate or inanimate . . . I'm comfortable with one-on-one interactions with people. So I find myself situations where I get to relate in that way . . . That's one of my strengths and gifts." One way Jones expresses her gift is by being a chaplain at Inova Mount Vernon Hospital. She also has volunteered, along with other Friends, with the Hypothermia Project, staying overnight at Rising Hope's temporary shelter for homeless people during the cold months.

Glenn Elvington describes how Quakers view the business and budget decision-making process as a "spiritual exercise." In earlier days, "One of the few reasons to be read out of a meeting was to go bankrupt," he said. "The way Quaker spiritual practice blends into everything we do in interacting with the real world is through business meetings. Business meetings held with a sense of worship." During these meetings the clerk attempts to "get a sense of the meeting" in order to reach a decision. The sense is based more on a spiritual intuition of compromise and agreement rather than on winner-take-all votes or autocratic executive decisions.

"Sometimes people think Quakers are maybe naive," said Fernsler, "but it's a really thought-through seeking to nourish what's good in others. I know it's not so easy sometimes."

Quakers are and have been active in movements for prison reform, abolition, equal rights, and peacemaking. In the 19th century, many Quaker homes were stops on the Underground Railroad that helped escaped slaves reach free states. In the 21st century, Quakers have been prominent in the anti-war movement. Tom Fox, who was taken hostage and ultimately murdered in Baghdad, attended the Woodlawn Meeting until the mid-1980's. Some of his family members still attend the meeting, and many Woodlawn Friends shared strong bonds with Fox.

"That's where the peacemaking is rooted, in building fellowship between people," said John Stephens, who has helped manage a memorial Web site for Fox. He was discussing Quakerism's identity with Christianity and its philosophical roots in the bible. Stephens cites the letters of Paul, which describe the Eucharist as the simple act of sharing a meal and bringing people together. "That is really what Tom [Fox] was most involved in," Stephens said, "sharing meals with people and building civility on frontiers between friend and enemy."

Gordon Roesler describes the meeting's participation in the Friends Committee on National Legislation. "One of their primary goals is increasing peace and opposing war . . . Peacemaking of course is more than just anti-war, much more."

"And more than just legislation," Stephens adds.

"We believe that peacemaking is very local as well as international," Roesler said. He explains that the meeting works closely with United Community Ministries, a local nonprofit. "We view that as peacemaking." Stephens added to this. "What Tom's example reveals to us is that peacemaking is not so much laying demands on the others but enduring sacrifice to serve others . . . Much of peace activism [as practiced by other entities] is making decisions for others." But "Christian peacemaking emphasizes serving rather than dominating . . . With Christian peacemakers, most of the work involves accompaniment, being with groups under attack." But, Stephens said, Fox and his colleagues found that in Iraq their presence often exacerbated violence. So they "had to reinvent" their role. They "trained a Muslim peacemaker task force" and on how to navigate the bureaucracy of the different governing organizations that hold power in the country.

Tom Fox's death brought his work to the attention of the country, but the Friends at Woodlawn remember a life dedicated to small acts of fellowship. Warren Treuer's lasting memory dates from two decades ago, when Fox knew he would be moving to a new meeting. "One of the last things he did was crawl under the building, in the mud, to wrap insulation around the pipes," Treuer said.

As this recollection suggests, maintaining the historical continuity of the Woodlawn Friends community and the building that shelters it is a practical expression of spirituality. This means that the meeting house's location within the grounds of Fort Belvoir has created concern for many Friends.

"It's hard because here we are, a peace activist church, sitting on the edge—surrounded by—a military base," said Spitzer. "We have a lot of members who feel very strongly about peace." In response to Sept. 11, a military checkpoint was built at the intersection with Route 1 that controlled access to the meeting house as well as to the base. Some Friends refused to pass through this entrance because of their pacifist beliefs. Belvoir worked with the Meeting to build an alternate drive. On Sunday mornings, the army allows Friends to pass through without entering the checkpoint.

Jim Nations, clerk of the Trustees Committee (which is comparable to a non-profit organization's board of directors) says that he is appreciative of Fort Belvoir for giving them Sunday access and letting them tap into the fort's water system.

Although Spitzer says some soldiers do attend the meeting, many people on the base, as well as in the wider community, know little or nothing about the small white building tucked in among the trees near Woodlawn Gate. James Cartwright was stationed at Belvoir until he retired in 1992. "The first time I walked in here and sat down for worship I knew this was where I was meant to be," That was 12 years ago. But when he was stationed at Belvoir, "I didn't even know it was here. I drove past the building a whole lot and didn't even know what it was." He said he hopes new signs will make that more clear.

"There's been a lot of disagreement among Quakers" over their relationship with the military, Cartwright said. But Quakerism hasn't changed his perceptions of his own military service. "My perception was changing before that, which is what led me to find them." Cartwright had protested Vietnam, but was drafted. He agreed to join voluntarily only if they would allow him to enter the medical corps. He began as a corpsman and worked his way up to respiratory therapist, the trade he practices today.

Cartwright said the meeting has a lot of appeal for its youngest members. "We have families that come here because their kids bring them back." Children say "this is one place they could always come and feel totally accepted for themselves . . . We treat children with respect. We treat them as equals. We're on a first name basis. They call me James . . . We don't put any conditions on them, on how they look or dress or be or believe . . . It's a very warm, loving community . . . You see the teenagers interacting with the little kids. You see little kids sometimes walk into meeting and instead of sitting with their parents they sit with someone else."

Rachel Messenger brings her daughter to meeting, just as her parents brought her. She has been attending meeting "since I was two years old." She remembers when the building had pit toilets and the Friends met only once a month. "It was a lot smaller then [in the 1960's]. It's really evolved into what it is today," she said. "I find it different than the rest of the world. I find it a lot more loving, more accepting, more tolerant . . . I wanted to raise my daughter in a loving environment."

Like many American communities, the Friends of Woodlawn are confronting the gaping holes that war tears into the fabric of daily life. Tom Fox heard something in the silence that called him across the earth to bring simple acts of fellowship into a war zone. But during the Civil War, Woodlawn itself was a war zone, caught in the no-man's land between North and South.

Chalkley Gillingham, one of the meeting's founders, kept a journal during this period. During the battle of Bull Run, he wrote, "while we sat in meeting we heard the noise of war and roar of battle." Later he recorded that "we continually hear the din of drums and guns." At various times, the meeting house was commandeered as a picket for soldiers, officers' quarters and a field hospital. But throughout these disruptions, and true to his Quaker sense of practicality, Gillingham maintained the workings of the farm as best he could. May 13, 1864: "Nearly done planting corn; also very busy about the nursery and tree planting . . . our milk business changed the first of this month into an ice cream business—the [Union] hospitals [in Alexandria] have got someone else to serve them [milk]. We buy all the cream we can get in the neighborhood, say 20 to 50 gallons, and make ice cream. [We] sell it at one dollar a gallon."

Gillingham's tombstone can be found in the small graveyard behind the meeting house. The names of Union soldiers are carved into the walls and into the benches of the building itself. The Friends of Woodlawn are sitting in the silence.

A friend is moved to speak. He recalls an article in the Washington Post detailing how scientists studying the background radiation of interstellar space hypothesize that 13.7 billion years ago, in one trillionth of a second, our universe sprang into being from the size of a marble. The Friend reads a quotation from the "Tao Te Ching," seeking to understand the deepest origins of science and faith. In this historic, wood-paneled room, with its lantern brackets and iron stove, it is this searching, the silence and the speaking from it, that is the strongest link to Gillingham and the meeting's past.

PERSONAL EXPLANATION

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. GALLEGLY. Mr. Speaker, I was unable to vote on following amendments to H.R. 5441 on June 6, 2006:

King of Iowa Amendment (Roll No. 223): Had I been present, I would have voted "aye."

Kingston of Georgia Amendment (Roll Call No. 224): Had I been present, I would have voted "aye."

Mr. Speaker, I was also unable to vote to Table the Appeal of the Ruling of the Chair (Roll Call No. 225). Had I been present, I would have voted "aye."

And finally, Mr. Speaker, I was unable to vote on passage of H.R. 5441 (Roll Call No. 226). Had I been present, I would have voted "aye."

SUPPORT FOR THE WEAPONS OF MASS DESTRUCTION COMMISSION

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. MARKEY. Mr. Speaker, I rise today to commend the Weapons of Mass Destruction Commission, and its chairman Dr. Hans Blix, on the release of their major report entitled, "Weapons of Terror: Freeing the World of Nuclear, Biological and Chemical Arms." I urge my colleagues to consider and heed the vital recommendations put forward by Dr. Blix and the Commission. At a time when the spread of weapons of mass destruction endangers all of humanity and the international community struggles to find unity in the face of this threat, the Weapons of Mass Destruction Commission shows us a way forward to a WMD-free future.

As the former Director General of the International Atomic Energy Agency (IAEA) and the Executive Chairman of the UN Monitoring, Verification and Inspection Commission (UNMOVIC), Dr. Blix is uniquely well-qualified to speak on the issue of weapons of mass destruction, and we would do well to listen closely.

I would recommend that all of my colleagues read this important and timely report. I ask that a summary of the Report's principal recommendations be inserted into the RECORD at this point.

WEAPONS OF TERROR—FREEING THE WORLD OF NUCLEAR, BIOLOGICAL AND CHEMICAL ARMS

SYNOPSIS

Why Action Is Necessary: Nuclear, biological and chemical arms are the most inhumane of all weapons. Designed to terrify as well as destroy, they can, in the hands of either states or non-state actors, cause destruction on a vastly greater scale than any conventional weapons, and their impact is far more indiscriminate and long-lasting.

So long as any state has such weapons—especially nuclear arms—others will want them. So long as any such weapons remain in any state's arsenal, there is a high risk that they will one day be used, by design or accident. Any such use would be catastrophic.

Notwithstanding the end of the Cold War balance of terror, stocks of such weapons remain extraordinarily and alarmingly high: some 27,000 in the case of nuclear weapons, of which around 12,000 are still actively deployed.

Weapons of mass destruction cannot be uninvented. But they can be outlawed, as biological and chemical weapons already have been, and their use made unthinkable. Compliance, verification and enforcement rules can, with the requisite will, be effectively applied. And with that will, even the eventual elimination of nuclear weapons is not beyond the world's reach.

Over the past decade, there has been a serious, and dangerous, loss of momentum and direction in disarmament and non-proliferation efforts. Treaty making and implementation have stalled and, as a new wave of proliferation has threatened, unilateral enforcement action has been increasingly advocated.

In 2005 there were two loud wake-up calls in the failure of the NPT Review Conference and in the inability of the World Summit to agree on a single line about any WMD issue. It is critical for those calls to be heeded now.

What Must Be Done: The Weapons of Mass Destruction Commission makes many specific and detailed recommendations throughout its report (see Annex 1 for a consolidated list). The most important of them are summarized below.

1. Agree on general principles of action:

Disarmament and non-proliferation are best pursued through a cooperative rule-based international order, applied and enforced through effective multilateral institutions, with the UN Security Council as the ultimate global authority.

There is an urgent need to revive meaningful negotiations, through all available intergovernmental mechanisms, on the three main objectives of reducing the danger of present arsenals, preventing proliferation, and outlawing all weapons of mass destruction once and for all.

States, individually and collectively, should consistently pursue policies designed to ensure that no state feels a need to acquire weapons of mass destruction.

Governments and relevant intergovernmental organizations and nongovernment actors should commence preparations for a World Summit on disarmament, non-proliferation and terrorist use of weapons of mass destruction to generate new momentum for concerted international action.

2. Reduce the danger of present arsenals: no use by states—no access by terrorists:

Secure all weapons of mass destruction and all WMD-related material and equipment from theft or other acquisition by terrorists.

Take nuclear weapons off high-alert status to reduce the risk of launching by error; make deep reductions in strategic nuclear weapons; place all non-strategic nuclear weapons in centralized storage; and withdraw all such weapons from foreign soil.

Prohibit the production of fissile material for nuclear weapons, and phase out the production of highly enriched uranium.

Diminish the role of nuclear weapons by making no-first-use pledges, by giving assurances not to use them against non-nuclear-weapon states, and by not developing nuclear weapons for new tasks.

3. Prevent proliferation: no new weapon systems—no new possessors:

Prohibit any nuclear-weapon tests by bringing the Comprehensive Nuclear-Test-Ban Treaty into force.

Revive the fundamental commitments of all NPT parties: the five nuclear-weapon states to negotiate towards nuclear disarmament and the non-nuclear-weapon states to refrain from developing nuclear weapons.

Recognize that countries that are not party to the NPT also have a duty to participate in the disarmament process.

Continue negotiations with Iran and North Korea to achieve their effective and verified rejection of the nuclear-weapon option, while assuring their security and acknowledging the right of all NPT parties to peaceful uses of nuclear energy.

Explore international arrangements for an assurance of supply of enriched uranium fuel, and for the disposal of spent fuel, to reduce incentives for national facilities and to diminish proliferation risks.

4. Work towards outlawing all weapons of mass destruction once and for all:

Accept the principle that nuclear weapons should be outlawed, as are biological and chemical weapons, and explore the political, legal, technical and procedural options for achieving this within a reasonable time.

Complete the implementation of existing regional nuclear-weapon-free zones and work actively to establish zones free of WMD in other regions, particularly and most urgently in the Middle East.

Achieve universal compliance with, and effective implementation of, the Chemical Weapons Convention, and speed up the destruction of chemical weapon stocks.

Achieve universal compliance with, and effective implementation of, the Biological and Toxin Weapons Convention, and improve cooperation between industry, scientists and governments to reinforce the ban on the development and production of biological weapons and to keep abreast of developments in biotechnology.

Prevent an arms race in space by prohibiting any stationing or use of weapons in outer space.

TRIBUTE TO SENATOR LLOYD BENTSEN

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. GREEN of Texas. Mr. Speaker, today I am honored to extend my deepest regrets as we mourn the loss of one of our nation's most respected statesmen, Senator Lloyd Bentsen. Senator Bentsen's lifelong service to our country was marked by his sharp intellect, skillful coalition building, and deep personal integrity. As a World War II veteran, public servant, and businessman, Senator Bentsen offered strength of character and compassion to his fellow man. His tireless work on behalf of the citizens of the State of Texas and our nation has made an indelible mark on the institutions and communities he served.

Senator Bentsen began serving his country in 1942 when he enlisted in the U.S. Army during World War II. After briefly serving as a private conducting intelligence work in Brazil, he became a pilot and flew combat missions from southern Italy with the 449th Bomb Group. Senator Bentsen quickly ascended the ranks of the military. At age 23, he was promoted to the rank of Major and given command of a squadron of 600 men. In 18 months of combat, he courageously flew 35 missions against highly defended targets that were crucial to the German war effort. In total, he flew 50 missions over Europe. Senator Bentsen was shot down twice during the war and received the Distinguished Flying Cross, the Air Force's highest commendation for valor, among other decorations.

After the war, Senator Bentsen began his long and distinguished political career, returning to his native Rio Grande as a decorated veteran. In 1946, he was elected Hidalgo County judge, and two years later, at age 27, was elected to the U.S. House of Representatives. Mr. Bentsen served the residents of Houston in the House for 8 years, and then returned to Houston to work in the private sector. After having achieved a great deal of corporate success, he decided to return to public life in 1970 as a candidate for the U.S. Senate. He won a bitter primary and went on to defeat then-Congressman George H.W. Bush for the first of four Senate terms. During his tenure in the Senate, Bentsen sought the Democratic nomination for the presidential primary in 1976, and was the vice-presidential nominee in the 1988 presidential election.

Senator Bentsen's political career was marked by his compassion towards those he served, a deep knowledge of economic policy, and a propensity to build bipartisan coalitions. As a Member of the House, he was only a handful of southern congressmen who voted against the poll tax, which was used to prevent blacks from voting. In the Senate, he attained the rank of Senate Finance Committee chairman, and quickly became one of our nation's most respected voices on tax, trade, and economic issues. Throughout his political career, Bentsen earned the reputation as being highly skilled at navigating the legislative process and crafting deals behind the scenes. As the first Treasury Secretary under the Clinton

Administration in 1993, he was one of the architects of the President's deficit-reduction program. In recognition of his service, he was awarded the Presidential Medal of Freedom in 1999.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in honoring the work and accomplishments of Senator Lloyd Bentsen. As a soldier, businessman, elected official, and statesman, Lloyd Bentsen served with honor and distinction. His life-long devotion to public service will serve as an inspiration to future generations of Americans, and his many contributions on behalf of the residents of Texas and the nation will continue to offer guidance to the institutions and communities he served.

HONORING CONGREGATION KODIMOH ON ITS 90TH ANNIVERSARY

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. NEAL of Massachusetts. Mr. Speaker, it gives me great pleasure to pay tribute to the Congregation Kodimoh of Springfield, Massachusetts as it celebrates its 90 Year Anniversary this year.

It is my honor to represent a congregation whose contributions to Springfield and its Jewish community have been so significant over the years. On this special anniversary, I include in the Congressional Record Congregation Kodimoh's complete chronological history and extend my heartfelt congratulations to Rabbi Alex and Dr. Bella Weisfogel who will be honored for their accomplishments at a dinner on June 11, 2006.

Congregation Kodimoh in Springfield, Massachusetts, is proud of its history as a prominent Orthodox synagogue, which has made important contributions to the strength and vitality of the Jewish and general communities. Kodimoh's story reflects the common immigrant's success story and parallels the growth of the city of Springfield.

Kodimoh which means "forward" or "progress" in Hebrew was founded in 1916 by a segment of the Jewish community with a spirit of optimism caught up in the success of the first generation of Jewish immigrants and the boom of Springfield as an important economic urban center. The name further suggests the desire of the founding members for the congregation to fit in to the American way of life. The Jewish community formed in Springfield primarily in the North End section of the city in the mass immigration from Eastern Europe in the last decades of the 19th century and early 20th century. When the first generation of Jewish immigrants prospered and achieved economic success, a segment desired to provide for itself a better standard of living.

The move to the beautiful new neighborhood of Forest Park began, and a synagogue was needed. The first meeting of Kodimoh took place in the home of Moses Ehrlich, the first president of the congregation. Kodimoh was founded to maintain Orthodox standards and practices in modern America. English rather than Yiddish would be the language of sermons, while the synagogue and its members would participate in civic affairs. Tradition would feel at home in a new world.

The first building was completed in 1923 on Oakland St. and an adjacent school building was built in 1937. Through the '50s, as more Jews moved to the Park, Kodimoh took its place as a prominent institution in the Jewish community and in the city. The congregation maintained traditional Jewish practice and effectively educated the new generation. The membership required more space for the burgeoning program of services and activities, and the current modern facility was built in 1963, a short distance away on Sumner Ave. While a large segment of the Jewish community and several synagogues moved to Longmeadow, an adjacent suburb, the leadership of Kodimoh decided to keep the synagogue in Forest Park.

The new building witnessed extensive growth through the '70s as Kodimoh continued to follow its mission of maintaining Orthodox Judaism, involvement in the broader Jewish community, and local affairs. As the economic opportunities in Springfield declined, the synagogue also saw many young people seek jobs elsewhere. However, Kodimoh remains a vibrant and important religious center which makes a vital contribution to the community. We have faith that Springfield will continue to strengthen itself and the synagogue will benefit.

Many important rabbis have served the congregation. Rabbi Isaac Klein continued his prominent career in Buffalo, while Rabbi Norman Lamm became the President of Yeshiva University. Rabbi Alex Weisfogel from 1959–1982 led the synagogue during the construction of the Sumner Avenue building and oversaw the congregation's growth. As Rabbi Emeritus, he has remained in the community with his wife, Dr. Bella Weisfogel. Together they continue their involvement in synagogue and community activities. Not only did Bella support her husband's endeavors, in her own right she contributed in significant ways to the educational and social programming of the synagogue. For all of their accomplishments, Kodimoh honors Rabbi Alex and Dr. Bella Weisfogel at a dinner celebrating the 90th anniversary on June 11, 2006.

TRIBUTE TO JUDGE LEONARD PERRY EDWARDS II

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Ms. ESHOO. Mr. Speaker, I join my colleagues Mr. HONDA and Mr. FARR today to honor a distinguished American, Judge Leonard Perry Edwards II, who is retiring after nearly 25 years as a Judge of the Santa Clara County, California, Superior Court, and who served as Supervising Judge of the Juvenile Dependency Court from 1993 to 2005.

Judge Edwards' excellence in public service mirrors that of his father, Congressman Don Edwards. He was born in Michigan, earned his B.A. from Wesleyan University and his J.D. from the University of Chicago. Before becoming a Judge he registered black voters in Mississippi during the Civil Rights movement, served in the Peace Corps in Malaysia, taught law in Norway, served as a Public Defender and practiced law. In 1981, he was appointed Superior Court Judge of the Santa Clara County Court by Governor Jerry Brown.

Judge Edwards founded Child Advocates of Santa Clara and San Mateo Counties, Kids in Common, Juvenile Court Judges of California, Santa Clara County Domestic Violence Council, the Greenbook Project and the Forensic Human Services Certificate Program. He has held office in more than 25 professional organizations, and most recently served as President of the National Council of Juvenile and Family Court Judges. He has received more than 40 national, state and local awards for his excellence and service, including the William H. Rehnquist Award for Judicial Excellence, given by the National Center for State Courts. He has published more than 40 articles and written two books, one with his wife, Inger J. Sagatun-Edwards. Judge Edwards has lectured in 43 states and eight foreign countries. His next career will be as a consultant for California's judicial system which will enable him to teach his innovative methods to judges around the State.

Judge Edwards has earned the esteem of his colleagues and the admiration of the families to whom he has devoted his career. Because of his tenacity, his creativity, his compassion and his belief in others, thousands of families are now rehabilitated and functioning well.

It is a special privilege for us to honor Judge Leonard Edwards and his extraordinary career, and we are proud to call him our friend. Mr. Speaker, we ask our colleagues to join us in honoring this great American who exemplifies the best in citizenship and whose career in jurisprudence sets the gold standard for our country. As Judge Leonard Edwards retires, he has the gratitude and respect of the entire House of Representatives. He has made our community and our country stronger and better through his leadership and public service.

TRIBUTE TO BUDDY CANNON

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. COOPER. Mr. Speaker, I rise today to recognize the outstanding achievements of one of Nashville's most respected music professionals, Buddy Cannon. Just two nights ago, Buddy was named by his peers as the Producer of the Year at the Academy of Country Music Awards in Las Vegas.

Buddy has worked with a long-list of chart-topping recording artists during his years in Nashville. Kenny Chesney, Chely Wright, Reba McEntire, John Michael Montgomery, Sara Evans and George Jones have all benefited from his work as a producer. In addition, he helped launch the careers of stars such as Shania Twain, Sammy Kershaw and Billy Ray Cyrus while a recording company executive.

While his award this week honors him for his work as a producer, he is also well known and celebrated as a songwriter with songs recorded by artists from Mel Tillis to Alabama, George Strait and Vern Gosdin.

According to those who have worked with Buddy, his gifts extend beyond the world of music. Buddy is known throughout the music community for his generous spirit and his willingness to spend time with young artists who are still in search of their own sound. Kenny Chesney, honored by the ACM as Entertainer of the Year, said recently that "Back before I even had a record deal, Buddy was writing songs with me at Acuff-Rose and he gave me a lot of respect as someone trying to find their way, and he taught me a lot about respecting songs—even before he was part of my team."

Buddy Cannon's passion for music and respect for musicians is well known in Nashville and the music world. I join with so many others in congratulating Buddy on his latest achievement—being named Producer of the Year. But I also join with so many others in thanking Buddy for his many important contributions to the global music community and to my hometown of Nashville.

PERSONAL EXPLANATION

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mrs. MILLER of Michigan. Mr. Speaker, had I been present for votes on June 6, 2006, I would have voted "yes" on roll call votes numbered 223, 224, 225, and 226.

TRIBUTE TO COLONEL JAMIE L. ADAMS, USAF

HON. BOB INGLIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. INGLIS of South Carolina. Mr. Speaker, I rise today to congratulate Colonel Jamie L. Adams on the occasion of his retirement from the United States Air Force after more than 30 years of distinguished service to the Department of Defense and his country.

A native son of South Carolina, Jamie grew up in Greenville, just a stone's throw from my home in Travelers Rest. After graduating from Carolina High School in Greenville, he set out on a military career, heading across the state to Charleston, and enrolling in The Citadel, earning a degree in business administration and a commission as a second lieutenant in the United States Air Force in 1973. Now, some 33 years later, this highly respected Air Force acquisition professional will end his military career while serving as the chief of staff of the Defense Contract Management Agency (DCMA). DCMA is a worldwide organization of 11,000 military and civilian personnel responsible for ensuring that the supplies and materials going to our men and women in uniform are delivered on time and are of the highest quality.

As a newly commissioned officer, Jamie was assigned to the procurement office at Moody Air Force Base in Georgia. It was there that his ascent to the top echelons of the Defense acquisition community began. Displaying a penchant for understanding the intricacies of Federal contracting, he blazed a career path that in the ensuing decade took him to various contracting assignments throughout the United States and saw him rise through the junior-officer ranks.

In the mid-1980s, Jamie was named chief of the contracting division of the 67th Tactical Reconnaissance Wing at Bergstrom AFB, Texas, and promoted to the rank of major. While there, he earned a master's degree in business administration, an academic credential that would serve him well as he took on positions of increasing authority and responsibility within the pressure-packed realm of Air Force acquisition management. In 1999, after having been promoted to the rank of colonel, he was tapped to be the chief of contracting for the Air Mobility Command at Scott AFB, Illinois, a demanding job in which he led a cadre of more than 600 contracting professionals who exercised stewardship of $1.4 billion for procurement in support of America's strategic and tactical airlift mobility network.

But all that was prelude to his capstone assignment for the past two years as DCMA chief of staff, a position that showcased his acquisition knowledge, his human-relations skills, and his results-producing leadership. With Col. Adams in the vanguard, DCMA successfully adopted the principles of performance based management, ensuring effective, outcome-centered support to its customers—principally the military services and National Aeronautics and Space Administration. He consistently demonstrated a blend of technical competence and affability, reconciling divergent points of view and catalyzing the agency's pursuit of acquisition excellence, workforce re-engineering, and customer satisfaction. This past spring, in firm testament to his stature within in the Defense acquisition community, Jamie was a featured presenter at the Institute for Defense and Government Advancement-sponsored Defense Acquisition 2006 forum, where he shared his insights on contingency contracting and the management of contractors on today's battlefield—a challenge of considerable import over the past three years.

Whether he was approving base-level purchase orders, maintaining vigilance over major systems acquisitions, or steering a large Defense agency through the white waters of change, Col. Adams served with unwavering diligence, integrity, and competence. On the occasion of his retirement from the United States Air Force, I offer my congratulations to one of South Carolina's finest sons and wish him and his wife, Sandra, well in their future pursuits.

TRIBUTE TO CHRIS SWECKER

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mrs. MYRICK. Mr. Speaker, I would like to honor and recognize Chris Swecker, the Federal Bureau of Investigation's Assistant Director for the Criminal Investigative Division and Acting Executive Assistant Director for Law Enforcement Services. On July 13, 2006, Agent Swecker will be retiring from the FBI. His years of service to America have been invaluable, and he will be missed.

Assistant Director Chris Swecker has served in the FBI since June 13, 1982. In his early years in the Bureau, he served as a special agent in Charlotte, North Carolina and in Oklahoma City, Oklahoma. Later, he served as a supervisor in the Civil Litigation Unit, Legal Council Division, at FBI Headquarters, as acting Special Agent in charge in Miami and Houston, and as an Inspector with the Inspection Division. He later returned back to Charlotte, North Carolina, to serve as Special Agent in Charge from 1999 to 2004. In 2004, he was promoted to Assistant Director for the Criminal Investigative Division. He has also been serving as Acting Executive Assistant Director for Law Enforcement Services since February of 2006.

Chris has served our country in all these different roles with honor and distinction. His work has made America a safer place. During his time in the FBI, he dismantled a Hezbollah terror cell in Charlotte, served as the commander of FBI operations in Iraq, and captured the top 10 fugitive Eric Rudolph. In addition, he has helped streamline and upgrade the criminal investigation divisions in the FBI so that they are more efficient and effective. He has fought public corruption, violent gangs, has protected America's children, and has even formed special child abduction response teams.

Chris has accomplished all this, while being a loving husband and a father to three daughters. I know I speak for everyone back home when I say thank you Chris, for all your hard work. We are safer because of you. Congratulations on your retirement, and best of luck.

TRIBUTE TO LOUISE McKOWN

HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. WAMP. Mr. Speaker, I rise today to honor Louise McKown of Oak Ridge, Tennessee, who was recently recognized here in Washington by the American Bar Association. She received the Paul G. Hearne Award for dedicating her personal and professional life to improving the lives of people with disabilities in her community.

Thirteen years ago when she began to have trouble walking, Ms. McKown was diagnosed with a rare, degenerative neurological condition. It has grown increasingly worse over time and severely restricted her mobility, but anyone who knows her will tell you nothing can hold this very special woman back.

Paul G. Hearne, for whom the award was named, was born with a connective tissue disorder that limited his growth and restricted his movement. But with hard work and determination, he fought through it and created opportunities for himself and others. Like Hearne, Ms. McKown's life is marked by similar achievements despite daunting physical setbacks.

Since 1996, she has worked at the East Tennessee Technology Access Center in Knoxville as their public awareness coordinator and systems change advocate and analyst. The Access Center is the region's only nonprofit agency that helps people with disabilities gain knowledge of assistive technology. It serves people with disabilities in 24 counties—helping them learn, work, play, and lead more productive, independent lives.

A tireless spokesperson for the rights of people with disabilities—whether they were born with a disability or became disabled through an accident, illness or old age—Ms. McKown has fought for their rights to live with dignity and choice. Her achievements on the behalf of the disabled are too numerous to list, but several deserve mention here on the House floor.

In Anderson County, where she lives, she has served on the County Commissioner's Americans with Disabilities Act Oversight committee since its inception in 1995 and now serves as its chairwoman. Ms. McKown has also provided her expertise to the Tennessee Disability Coalition, the lead agency for 35 disability-related organizations statewide. Through her work with the Coalition's Project Vote, Ms. McKown helped drive improvements to polling stations that increased voting access for disabled citizens of Anderson and Knox Counties.

Ms. McKown's energy and caring touch reached from Anderson County across the State of Tennessee. Because of her involvement with the Coalition, when the State rewrote the code governing the Department of Mental Health and Developmental Disabilities in 1999, she was asked to be one of five independent reviewers of the final draft. Her recommendation that group homes across the State for people with developmental disabilities should be less crowded was accepted. Now instead of eight people, they are only permitted to house half that many, greatly improving the quality of life for these physically challenged Americans.

Ms. McKown's life is an example for other Americans, showing that nothing and no one can hold you back if you put your mind to achieving what you want. In the words of her friends, she is truly a woman on a mission and I am proud to stand here on her behalf today.

BEULAH SPATZ

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. GERLACH. Mr. Speaker, I rise today to honor Beulah Spatz for her 70 years of service to her employer, Campbell's Fitting Company of Boyertown, Pennsylvania. Beulah began with the company, then called Campbell Nipple works, in 1936 with a high school degree and a passion for math and accounting.

Beulah began her career as a receptionist and clerk for the owner, Mr. Louis Campbell. In 1939, Beulah's career dream came true when Mr. Campbell elevated her to the position of controller.

In 1949, Mr. Campbell sold the company to Mr. Frederick Paff, who changed the company's name to Campbell Manufacturing Company and, with this son Thomas D. Paff, expanded and improved business operations and opportunities. Today, under the leadership of Thomas J. Paff, Campbell is a leader in the industry both nationally and internationally.

Beulah has steadfastly stayed with the company through name and ownership changes. In the years she worked at Campbell, she's gone from using a typewriter to main frames to the modern personal computer. Beulah has been the company's foundation and her colleagues remark that she always knew where every penny was coming from and being spent.

Beulah is now looking forward to spending her hard-earned retirement with her daughter Suzie. Mr. Speaker, I ask that my colleagues join me today in honoring Beulah Spatz for her exemplary record of service and dedication to the company, its management and employees. And I wish to extend to her this institution's best wishes for health and happiness in the coming years.

RECOGNIZING THE BUSINESS AND CIVIC ACHIEVEMENTS OF PASQUALE T. DEON, SR.

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise today to recognize the achievements of Pasquale (Pat) T. Deon, Sr. a constituent in my district who will be honored tomorrow at the 2006 annual scholarship luncheon at the Justinian Society of Philadelphia for his contributions to the business community in the Philadelphia region and the community of Bucks County, Pennsylvania where he lives.

Since 1935, the Justinian Society has served as the premier legal organization in the Philadelphia area for Americans of Italian ancestry. Comprised of attorneys, judges and law students, the society has directed itself to maintaining the honor of our legal system and the high ethical standards that distinguish its practice in our society. The Justinian Society accomplishes its mission by promoting continuing legal education programs, offering scholarships to Italian American law students and by promoting civic engagement by the legal community.

Pat Deon is a respected member of the Bucks County community. A successful businessman and entrepreneur, Pat has become a leader in his region, serving on numerous local and statewide boards and commissions. Since 1995, Pat Deon has been a volunteer member of the Board of the Southeastern Pennsylvania Transportation Authority (SEPTA), and has served as Board Chair since 1999. Since being named chairman of SEPTA, Pat Deon has transformed this $3 billion public transportation asset from an organization wracked by inefficiency to a model of progress and competence.

With SEPTA well in hand, Pat turned his attention to our highways in 2002 and was appointed to a four-year term as a member of the Pennsylvania Turnpike Commission. Besides his public works, Pat Deon is also actively involved in community service. He is Vice Chairman of the Board of Directors of Temple Lower Bucks Hospital, board member of the Bucks County Community College Foundation, and the Bucks County Enterprise Zone.

In addition to these endeavors, both Pat and his wife Carlene are strong local supporters of the Special Olympics, the American Red Cross and Race for a Cure. His work with the Special Olympics alone has allowed a delegation of 116 athletes and coaches to attend the first ever USA National Games in Iowa.

For many, this would be enough, but Pat has also excelled in business. Pat Deon has extensive residential and commercial real estate developments in Bucks and Montgomery Counties, and construction services in the Northeast region. He is also the owner of WBCB–AM radio in Bucks County and a successful restaurateur through his ownership of the Temperance House Restaurant and Inn located in Newtown, Bucks County, Pennsylvania.

I can think of no better person deserving the honor of the Justinian Society as Pat Deon. His success is a clear example that the American Dream is indeed alive and well. In addition to serving as a model of success, Pat Deon is also an example of modesty. He never searches for the spotlight, never craves fanfare or publicity for his good works. I am proud to represent him in Congress, and I am proud to acknowledge him today.

HONORING MRS. ELIZABETH R. RUSIN

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. EMANUEL. Mr. Speaker, I rise this evening to recognize Mrs. Elizabeth R. Rusin of Chicago. Mrs. Rusin will be retiring after four decades as an educator and administrator with the Archdiocese of Chicago.

Mrs. Rusin grew up at Maryville Academy in Chicago where she graduated high school. After attending 1 year at Clark College in Dubuque, Iowa, she left college to raise a family. She later returned to college to earn a bachelor of arts in speech therapy and education at Mundelein College in Chicago.

In 1971, Mrs. Rusin taught at St. Viator School in Chicago, where she served as assistant principal from 1974 to 1979, when she left to attend Northern Illinois University, where she earned a master's degree in educational administration. From September 1980 to June 1988, Mrs. Rusin served as principal of St. Francis of Assisi School in Chicago, where she met her husband, Ben Rusin, who was actively involved in the parish. In 1989, Mrs. Rusin returned to the classroom to teach junior high school science for 2 years at St. Edward School in Chicago.

In 1991, Mrs. Rusin came to St. Josaphat School in Chicago, where she has served as principal for the past 15 years. When Mrs.

Rusin began her tenure, St. Josaphat had 85 students and was on the brink of closing. Today, St. Josaphat is flourishing with over 250 students. Through a groundbreaking program with DePaul University, Mrs. Rusin has brought new learning methods to St. Josaphat. Mrs. Rusin and Dr. Akihiko Takahashi joined forces to train St. Josaphat teachers, as well as DePaul student teachers, in the methods of learning and teaching utilized in Japanese schools.

During Mrs. Rusin's time as principal of St. Josaphat, the school has been widely recognized throughout the Archdiocese and the city of Chicago as one of the premiere educational facilities for pre-school through 8th grade. Mrs. Rusin was recently awarded the Sheffield Star Award, presented each year to two individuals who bring distinction and leadership to their profession and make the Sheffield Neighborhood a multi-faceted and desirable place to live.

Under the leadership of Mrs. Rusin, St. Josaphat continues to achieve its mission to educate and challenge its students to see beyond themselves and go beyond the familiar so that they may lead responsible, fulfilling lives. Mrs. Rusin has been devoted to preparing her students for academic excellence in their continuing educations.

Mr. Speaker, on behalf of a deeply grateful community and with enormous appreciation for decades of dedicated service to students, alumni, faculty, staff, and friends, I thank Mrs. Elizabeth Rusin for her extraordinary leadership and selfless commitment to learning and to the city of Chicago. Mrs. Rusin left a mark on each school she was a part of and will not be forgotten. We will remember her countless contributions, and wish her continued success in her retirement.

TRIBUTE TO ROGER S. MEIER

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Ms. ESHOO. Mr. Speaker, I rise today to honor the memory of a distinguished American, Roger S. Meier, who died on June 5, 2006, at the age of 80.

Mr. Meier, a fourth-generation Oregonian who lived most of his life in Portland, was a descendant of the founders of the Meier & Frank Company. He graduated from Yale University and married Laura Schwartz of New York City in 1952. He worked at Meier & Frank as a Director and Vice-President until the store was sold to the May Company in 1965.

Mr. Meier was the President and Chief Executive Officer of AMCO, Inc., a privately owned investment company for more than 30 years. The Governor of Oregon appointed him to the Public Employees' Retirement Board in 1970, and he also served through appointment on the Oregon Investment Council from 1973 to 1986 as Chairman. The Oregonian observed that unpaid public service has rarely, if ever, generated such a profound financial benefit for Oregonians.

Mr. Meier served with distinction as Chairman of the Board of Trustees for the Portland Art Museum, and as Director of Pacific Western Bank, PacWest Bancorp, NI Industries, Fred Meyer, Inc., Key Bank of Oregon, Red Lion Inns, Key Trust Company of the Northwest, and The Acorn Family of Funds. Mr. Meier also gave generously of his time and talents through his service on the boards of the Catlin Gabel School, University of Oregon Health Sciences Center, Good Samaritan Hospital, the Oregon Historical Society and the Legacy Health Systems Retirement Trust.

Mr. Meier is survived by his wife, Laura; his daughters, Alix Goodman and Jill Garvey; his sons-in-law, Tom Goodman and Tony Garvey; and four grandchildren, Laura and Caroline Garvey, and Andrew and Reid Goodman. He is also survived by his nieces Muffie Meier, Mary Meier Ryan and Lynn Novelli, and his grand-nephew J. Allen Meier Ryan.

Mr. Speaker, I ask my colleagues to join me in extending our sympathy to the entire Meier family. Roger Meier was a national treasure, who loved his community and his country and served them exceedingly well. He will always be missed and never forgotten.

TRIBUTE TO MR. ORLANDO MARIN

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. SERRANO. Mr. Speaker, as New York City prepares to host the 48th Annual Puerto Rican Day Parade, a celebration or Puerto Rican culture and heritage, I would like to rise to pay tribute to Mr. Orlando Marin. A great Puerto Rican musician, Orlando continues to excite audiences with his masterful play that has earned him the title: the Last Mambo King.

Mambo was exploding in the early 50s when a young Orlando, captivated by its rhythms, developed a keen interest in Latin percussions. At the age of 16, while preparing for a career as a cartoon illustrator at New York's prestigious High School of Industrial Arts, he formed a small band. The band quickly evolved into a ten-piece orchestra and was the first of the Bronx-born Latin Dance ensembles to achieve solid commercial success, appearing in such renowned venues as New York's fabled Palladium Ballroom. The youthful ensemble, appropriately nicknamed La Orquesta de la Juventud (the Orchestra of Youth), included 14 year old Eddie Palmieri on piano and 15 year old Joe Quijano on vocals, both of whom were destined to become Latin Music greats in their own right.

Orlando soon began to emerge as a Mambo star, recording "Mi Mambo" with the Plus label and "Arriba Cha Cha Cha", and "Let's Go Latin" with Fiesta Records. However, in 1958 his quick assent to stardom was interrupted as he was drafted by the U.S. Army to patrol Korea's DMZ as part of the U.N. occupation forces. Although stationed in Korea, Orlando was determined to keep his music alive. He entered the All Army Talent Competition, winning first prize in the Pacific Command. A musical tour of Korea and Japan followed, with a trip to Washington DC for the finals, capped by a performance on The Ed Sullivan Show. " While still in uniform and stationed in California, Orlando once sat in for Tito Puente on timbales at the Hollywood Palladium. Years later he appeared with Tito at the Palladium, this time each leading his own orchestra, and dueling on timbales.

Following his military service, Orlando returned to New York and was featured at various New York dance venues, including the Limbo Lounge and the Bronx's renowned Hunts Point Palace.

Orlando's maturation as an artist became evident with the release of the albums: "Se Te Quemo La Casa" "Que Chevere" and "Esta en Algo" which included his smash hit "Aprende a Querer", hailed by his peers to be his best. However, Orlando demonstrated his true musical genius when he began to move outside of the familiar Mambo box, releasing "Out of My Mind", the first Boogaloo album ever recorded, and "Saxaphobia", which contained arrangements for five saxophones but none of the traditionally Latin trumpets.

Orlando's music is appreciated not only by the denizens of New York's traditional Latin dance venues, but also by non-Latin fans throughout the five boroughs and beyond. In 1999, the Governor of New York presented Orlando with the Bobby Capo Lifetime Achievement Award in recognition of his dedication to Latin music and his fans for nearly a half century.

Perhaps what is most impressive about this remarkable musician is his willingness to devote time and energy in order to help those who are less fortunate than he. Orlando has served as an employment counselor for community based organizations, including the National Puerto Rican Forum, thereby helping countless young men and women find the road to success. In addition, he spends a great deal of his time performing for those who cannot come to see him, such as hospital patients, inmates of correctional facilities, and nursing home residents throughout the New York area.

Mr. Speaker, for his masterful play, innovative genius, and devotion to his fellow man, I ask that my colleagues join me in honoring Mr. Orlando Marin, the Last Mambo King.

HONORING KEVIN M. McCANN

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. EMANUEL. Mr. Speaker, I rise to honor Kevin M. McCann of Chicago for his many years of service and dedication to education. After 32 years in elementary education. Kevin is retiring from his position as principal of Jamieson Elementary School in the 5th District's Lincoln Park neighborhood.

A lifelong Chicagoan, Kevin attended St. Patrick High School on the City's west side. He graduated in 1969 and went on to earn a degree in Liberal Arts and Sciences from DePaul University in 1973.

While earning his Masters in School Administration at DePaul, Kevin began teaching General Education at Bell Elementary School in 1974. In 1977 Kevin moved to LaSalle Language Academy, where he taught Upper

Grade Mathematics. During his tenure at LaSalle, Kevin earned many distinguished awards including Teacher of the Year in 1979, the Kate Maremont Dedicated Teacher Award in 1989, and the Milken Family Foundation Illinois Distinguished Educator Award in 1990.

In 1991, Kevin moved into school administration when he was named the principal at Jamieson Elementary School. As principal of Jamieson, Kevin immediately challenged his teachers and students to help make Jamieson one of the premier schools in the Chicago Public School system. Under his leadership, Jamieson earned awards in the Academic Bowl, Athletics, Oratory, Robotics, the History Fair, the Science Fair, and the Math Competition. In 1999, Kevin qualified as a finalist for the Outstanding Leadership Award given by the Chicago Principals Association and the Chicago Public Schools.

In addition to teaching, one of Kevin's other passions has been his love for his alma mater, DePaul University, the place his father called home professionally for many years. Our educational community will continue to be served by Kevin as he begins his new job next fall at DePaul, coordinating the student teaching program.

The same year Kevin began his position as principal of Jamieson Elementary School, he married his wife, Carol. Together they are the proud parents of three daughters, Maggie, Rachel, and Bridget. Kevin's family has always been a priority in his life, and Kevin plans to spend much time with them as he begins the next phase of his life.

Mr. Speaker, I join with all of those Kevin has influenced throughout his career as an educator in recognizing Kevin M. McCann for his years of devotion to education and service to our community while at Jamieson School, and wish him continued happiness in the future.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Ms. ESHOO. Mr. Speaker, due to reasons beyond my control, I was unable to cast votes on rollcall votes 211 through 222 on the evening of May 25th of this year. I would like the record to reflect how I would have voted on the following rollcall votes.

On rollcall vote No. 211, I would have voted "yes"; On rollcall vote No. 212, I would have voted "no"; On rollcall vote No. 213, I would have voted "yes"; On rollcall vote No. 214, I would have voted "yes"; On rollcall vote No. 215, I would have voted "yes"; On rollcall vote No. 216, I would have voted "yes"; On rollcall vote No. 217, I would have voted "yes"; On rollcall vote No. 218, I would have voted "yes"; On rollcall vote No. 219, I would have voted "yes"; On rollcall vote No. 220, I would have voted "yes"; On rollcall vote No. 221, I would have voted "yes"; On rollcall vote No. 222, I would have voted "no."

TRIBUTE TO THE NATIONAL PUERTO RICAN DAY PARADE

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the 48th Annual National Puerto Rican Day Parade, which will be held on June 11, 2006 in New York City. This parade, which celebrates the heritage of the Puerto Rican people, is one of the largest outdoor events in the United States.

The first New York Puerto Rican Day parade, held on Sunday, April 12, 1958 in "El Barrio" in Manhattan, was a wonderful event in the heart of the city's Puerto Rican community.

In 1995, the overwhelming success of the parade prompted organizers to increase its size, and transform it into a national affair now known as the National Puerto Rican Day Parade. This magnificent New York institution now includes participation from delegates representing over 30 states, including Alaska and Hawaii and attracts over 3 million parade goers every year.

The great success that this parade has enjoyed over the years is a result of the tireless efforts of many individuals from all walks of life who are dedicated to preserving and celebrating Puerto Rican heritage and culture. Leading this effort is the National Puerto Rican Day Parade, Inc. a non-profit organization founded in 1995 with the mission of increasing the self-awareness and pride of the Puerto Rican people as a way of addressing issues of economic development, education, cultural recognition, and social advancement.

The parade up New York's Fifth Avenue, while certainly the most visible aspect of the celebration of the Puerto Rican people, is not the only event associated with the National Puerto Rican Day Parade, Inc.'s activities. Each year more than 10,000 people attend a variety of award ceremonies, banquets and cultural events which not only help to highlight, but also strengthen the special relationship shared by Puerto Ricans and the City of New York. Over the years, the two have developed a symbiotic relationship—Puerto Ricans sharing a vibrant and beautiful culture that has helped turn New York into a bilingual city and the City of New York helping Puerto Ricans to flourish economically, politically and culturally. The annual parade captures the spirit of this special relationship and celebrates its success.

Mr. Speaker, as a Puerto Rican, a New Yorker, and a Member of Congress, it is an honor to participate in this national event in which thousands of individuals march along Fifth Avenue in celebration. The National Puerto Rican Day Parade is a communal cultural treasure, national in scope and impact, which unites all New Yorkers. I ask my colleagues to join me in paying tribute to the Puerto Rican people and to all who have worked to ensure that the upcoming parade is a success.

HONORING HIS MAJESTY KING BHUMIBOL ADULYADEJ OF THAILAND

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. EMANUEL. Mr. Speaker, I rise today in support of H. Con. Res. 409, commemorating the 60th anniversary of the ascension to the throne of His Majesty King Bhumibol Adulyadej of Thailand. His Majesty King Bhumibol Adulyadej ascended the throne on June 9, 1946 and is the longest-serving monarch in the world.

His Majesty King Bhumibol will receive a special Human Development Lifetime Achievement Award from the United Nations Development Agency for his dedication to social justice, growth with equity, human security, democratic governance, and sustainability.

During his reign, Thailand has become a constitutional democracy in which Thai citizens enjoy the right to change their government through periodic free and fair elections held on the basis of universal suffrage.

His Majesty King Bhumibol has always enjoyed a special relationship with the United States, having been born in Cambridge, Massachusetts, where his father, Prince Mahidol of Songkla was studying medicine.

The United States and Thailand have enjoyed over 170 years of friendship since the signing of the Treaty of Amity and Commerce in 1833, the first such treaty signed between the United States and any Asian country, and on December 30, 2003, President George W. Bush designated the Kingdom of Thailand as a major non-NATO ally.

Mr. Speaker, His Majesty King Bhumibol Adulyadej has proudly led the people of Thailand for 60 years. I rise today to offer congratulations to His Majesty King Bhumibol and best wishes for continued health and prosperity to his Majesty and the Kingdom of Thailand as we continue the historic friendship between the Thai and American people.

RECOGNIZING DR. SAMUEL L. SELINGER

HON. CATHY McMORRIS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Miss McMORRIS. Mr. Speaker, I rise today to recognize Dr. Samuel L. Selinger for his unwavering dedication to provide access to affordable health care in the Inland Northwest. After a long and prestigious career as a heart surgeon, Dr. Selinger retired and began to volunteer his time and services at a free health clinic. There he experienced first hand the frustrations associated with caring for disadvantaged citizens and took it upon himself to find a better way to provide them with access to health care.

The effort led by Dr. Selinger contributed to the development of a program in Spokane that caters to the health care needs of the low-income population. As a result of his diligent work, in the fall of 2003, Dr. Selinger witnessed the creation of Spokane's own Project Access. Project Access is a national movement of volunteer physicians that organizes free medical care to individuals that have a low income. After starting more than 10 years ago in Buncombe County, North Carolina there are now over 50 Project Access programs across the country that serve the health care needs of people who would normally be unable to obtain such care.

In addition, Dr. Selinger has made it his responsibility to educate the community's medical professionals on the struggles that low income people face in accessing quality health care. Dr. Selinger has made it a priority to help numerous physicians understand how they can be part of the solution by organizing and contributing their services to chartable medical programs for disadvantaged people.

Project Access continues to grow in the Spokane area. Because of its success, largely due to Dr. Selinger's commitment, the Spokane County Medical Society has agreed to sponsor Project Access and help expand the network of physicians in the Inland Northwest. Not only has Dr. Selinger and his tireless work been recognized by Spokane County, but it has also been recognized by distinguished community members, physicians, and private businesses. The impact of Project Access on our community would not be at the level it is today if it were not for the leadership of Dr. Samuel L. Selinger.

Mr. Speaker, I rise today to acknowledge Dr. Samuel L. Selinger for his exceptional service to the city of Spokane, and to thank him for the role he has played in providing free or low cost health care to the disadvantaged citizens of Spokane.

PERSONAL EXPLANATION

HON. MARK R. KENNEDY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. KENNEDY of Minnesota. Mr. Speaker, had I been in Washington yesterday, June 6, 2006, my votes on the following Rollcalls would have been as follows:

Roll No. 223, King/Campbell—"yes."

Roll No. 224, Kingston—"yes."

Roll No. 225, Table the Appeal of the Ruling of the Chair—"yes."

Roll No. 226, On Passage—"yes."

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE CITY OF LIGHTHOUSE POINT

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. SHAW. Mr. Speaker, I rise today to celebrate the 50th Anniversary of the wonderful City of Lighthouse Point, Florida. I am proud to have represented the residents of this city for the 26 years I have served in Congress.

Incorporated on June 13, 1956, Lighthouse Point derived its name from its location under the beam of the famed Hillsboro Lighthouse. Armed with a petition signed by over 100 residents favoring incorporation, community leaders traveled to Tallahassee to seek approval. Story has it that 77 names on the petition were Republicans and they were required to re-register before incorporation approval would be given by the state's Democrat leaders. All 77 agreed to re-register as Independents and incorporation of Lighthouse Point was approved.

In 1956, approximately 150 people resided in the newly incorporated area. Most of these residents had grown up in other parts of the country during the 1920's and 1930's and many had served in WWII. What had originally been farm land was now a network of canals and residential lots providing residents with waterfront living and easy access to the Intracoastal Waterway and the ocean beyond. It was an idyllic place to make a new life for yourself and your family. In 1956, Dwight Eisenhower was elected President and Leroy Collins was elected Governor of Florida, both for second terms, a first class postage stamp was three cents and Elvis Presley's "Don't Be Cruel" was the number one record.

Today, Lighthouse Point is a thriving community of approximately 10,767 residents. It has moved from services provided by volunteers to a full service city with its own police, fire, and public works departments. Although it has grown dramatically, as has all of South Florida, it has retained its feeling of a small town community. Eighteen miles of canals, parks and numerous recreational activities and special annual events such as Keeper Days and Lighthouse "A" Glow all contribute to the hometown feel of Lighthouse Point. It continues to maintain its heritage and its standard of striving to be the best place to live and raise a family.

Mr. Speaker, Lighthouse Point is a jewel in the landscape of South Florida. I am honored to represent the city and her residents in the U.S. House of Representatives. I am also pleased to take this opportunity to recognize and congratulate Lighthouse Point on the occasion of its 50th Anniversary.

INTRODUCTION OF THE SAFE COMMISSION (SECURING AMERICA'S FUTURE ECONOMY)

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. WOLF. Mr. Speaker, few are willing to admit—much less discuss—the looming financial crisis facing our country.

However, the longer we put off fixing the problem, the worse the medicine will be and the greater the number of Americans who will be hurt. We need to begin this conversation with the American people today.

That is why I am introducing legislation to establish a national commission that will put everything—entitlement benefits and all other federal programs as well as our tax policies—on the table and require Congress to vote up or down on its recommendations in their entirety, similar to the Base Realignment and Closure Commission (BRAC) first created by former Rep. Dick Armey in 1988.

This commission would be called the SAFE Commission, to secure America's future economy.

Many will say the problem is too big to be fixed. Some will view the proposal as too risky, particularly in an election year. Others will say it is an abdication of congressional responsibility.

My response to such comments is that the problem is so great we can no longer look for excuses not to act. Nothing, I believe, is too big to undertake.

Abraham Lincoln, one of our Nation's greatest presidents, once said, "You cannot escape the responsibility of tomorrow by evading it today."

Yet that is precisely what we have been doing—avoiding our responsibility to future generations of Americans by passing on a broken system in the form of unfunded Social Security, Medicare and Medicaid obligations. And it's been both sides of the aisle and in both Republican and Democrat administrations.

The growing gap between money that has been promised to future generations in various entitlement programs and that which is available to pay these promised benefits is staggering.

To meet the government's current unfunded promises for future spending, every American—including multimillionaires like Bill Gates and Warren Buffett—would have to hand over 90 percent of their personal net worth in today's dollars. This is unacceptable.

I deeply believe there is a moral component that goes to the heart of who we are as Americans. By that I mean, I wonder if we have lost the national will to make tough decisions that may require sacrifice? Moreover, have we lost the political courage to reject the partisan and special interest demands and do what is best for our country?

If we remember the legacy we have inherited, the debt we owe to previous generations—our grandparents and our parents and the sacrifices they made to make our country what it is today—we all will be moved to do our duty.

The SAFE commission should be embraced by both sides of the aisle. I am open to suggestions about the legislation from members of both parties. This is a national issue; not a Republican issue or a Democrat issue.

A month ago I took a trip to Antietam National Battlefield. As I walked along "Bloody Lane," the site of one of the most vicious battles of the Civil War, I was struck by how many individuals made the ultimate sacrifice.

September 18, 1862 was the bloodiest single day in American history. There were more than 23,000 casualties, nine times as many Americans killed or wounded than in World War II's D–Day on June 6, 1944. More soldiers were killed and wounded at the Battle of Antietam than the deaths of all Americans in the Revolutionary War, the War of 1812, the Mexican War and Spanish-American War combined.

I also recently visited the site of George Washington's crossing of the Delaware River in anticipation of the Battle of Trenton. Washington was down to only 3,000 soldiers and the war was almost lost. Yet, with great courage—and sacrifice—Washington and his forces were successful in changing the direction of the American Revolution.

And with Memorial Day's recent passing, I think of the tremendous sacrifice being made by the thousands of men and women serving today not only in Iraq and Afghanistan, but around the globe. Their families here at home are also making great sacrifices.

These examples of sacrifice for country are what led me to ask just what are we passing on to those who are coming after us?

In two short years, the baby boom generation will begin trickling into retirement. Five years later, that trickle will become a flood that within five more years will become a tsunami that will begin to wreak havoc on our Social Security and Medicare systems.

As we tragically learned the lesson of Katrina in New Orleans, the best time to deal with a damaged flood wall is before the rains begin. Make no mistake; the levies that are our country's entitlement systems can only be plugged for so long. Without major repair and a long-term fix, we are facing a financial disaster like never before.

There is near unanimous agreement by all who have looked at this issue: Social Security and Medicare are amassing huge deficits and are ill-prepared for the coming flood of new baby boom retirees.

When our retirement security programs like Social Security and Medicare were established, the ratio of workers supporting each retiree was more than 10 times the number supporting retirees today. In 1945, there were 42 workers for each retiree. Last year, the ratio dropped to 3 workers for each retiree and is expected to drop to just 2 workers for each retiree by 2030.

The 2006 Social Security Trustees Report paints a grim picture with projections that the Social Security Trust Funds will begin running cash flow deficits in 2017 and be exhausted in 2040—one year sooner than last year's projection. That means that by the year 2040, the projected federal income will only be sufficient to pay 74 percent of scheduled benefits.

Perhaps even more troubling than the Social Security projections are those for Medicare.

By 2010, the trust fund expenditures are projected to exceed annual income from all sources and the reserves will be depleted by 2018, 12 short years from now. According to the trustees, "Medicare's financial outlook has deteriorated dramatically over the past five years and is now much worse than Social Security's."

As a father of five and grandfather of 11—soon to be 12—the challenge posed by the pending retirement of baby boomers strikes me as much more than a routine policy discussion.

Without action, just what kind of future are we leaving to our children and grandchildren?

My youngest grandchild is just two months old. By the time she is 15 years old, 29 cents out of every dollar paid in income taxes will be required to cover the needs of Social Security and Medicare to pay for my retirement. That's not including payroll taxes of almost 15 percent.

By the time she completes her undergraduate degree, more than 45 cents out of every dollar of income taxes then will be needed to cover the shortfall of Social Security and Medicare, rising to 62 cents out of every dollar if she decides to get her doctorate 10 years later. Again, this is on top of payroll taxes.

Sadly, before she retires—and looks into the eyes of her own grandchildren—retired baby boomers will be consuming 88 percent of every income tax dollar. With the baby boomers consuming so much, there will be little money left to meet the needs and challenges of her generation. Not only is this unacceptable, it raises serious moral questions. Is it right for one generation to live very well knowing that its debts will be left to be paid for by their children and grandchildren?

Before he left the Federal Reserve, Alan Greenspan gave a speech in Jackson Hole, Wyoming, where he echoed the significance of the coming baby boom retirement on our budget and economy. In stark language, he noted that because of lower fertility rates and longer life expectancies, we are faced with dramatic elderly dependency ratios that will pose "substantial challenges to Social Security," which he noted is already in "chronic deficit."

This coming crisis demands our immediate attention. While there is never a convenient time to make hard decisions, the longer we wait, the more dramatic the required remedy will be.

According to the Government Accountability Office (GAO), balancing the budget in 2040 necessitates one of two alternatives: cutting total federal spending by 60 percent or raising federal taxes by two and half times today's level.

Either of these options would devastate our economy. But if we can summon the resolve to begin these difficult conversations now—and make some hard choices on the front end—we can change our current course.

Basic economics underscore the dangers inherent in our current national trends. America is living on borrowed dollars and borrowed time. U.S. spending is outpacing income growth and personal savings rates have dropped to negative 1.3 percent in the first quarter, meaning that U.S. consumers are spending more than 100 percent of their monthly after-tax income. In spite of this, our economy has remained strong, in large part because other countries have been willing to buy our debt. In fact, we have benefitted greatly from low long-term interest rates that have been kept low largely because of continued foreign purchases of our national debt. As our fiscal deficit grows, we can finance it in one of three ways: through foreign-held debt, through reduced domestic spending, or by selling U.S. goods abroad. In 2004, foreigners bought $900 billion of U.S. long-term bonds. I am told that we now need more than $2.6 billion a day of capital inflows to fund our savings shortfall.

As our fiscal deficit balloons, our current account deficit is projected to hit historically unprecedented highs, and our country's net investment position abroad is eroding rapidly.

While the Asian Central Banks and petrodollar countries like those in the Middle East have no doubt contributed to our country's growth (the housing boom and the ability of U.S. consumers to spend), the purchase of U.S. securities by foreigners has, at the same time, enabled us to live way beyond our means.

This makes our country—and our children and grandchildren—much more vulnerable in the future. Will a geopolitical dispute with a major oil exporter cause it to stop funding our deficit, resulting in a sharp drop in the dollar, a spike in interest rates and a market meltdown?

If foreigners lose faith in the U.S. and our ability to put our own fiscal house in order, their investment decisions could send shock waves through our financial markets and even result in a collapse of U.S. real estate prices.

Our children and grandchildren deserve a future that will allow them to respond to the challenges of their generation.

Who could have predicted, even 10 years ago, that today our Nation would be engaged in a global war on terror.

Each generation faces its own international threats, and we have an obligation to ensure that future generations have the flexibility to respond to the challenges of their time.

In addition to international considerations there are domestic factors. Getting our financial house in order will allow us to prioritize spending in areas such as cutting edge medical research for cancer, Alzheimer's and autism, and for education, particularly in mathematics and science, which are critically important to America's remaining the world's leader in innovation and technology.

It is with the hope of building consensus on this very difficult issue that I am introducing legislation to establish a bipartisan commission charged with evaluating the scope of our fiscal problem and recommending tangible solutions. One of the most critical responsibilities of this panel will be explaining the crisis we face and listening to the American people about how to get the country back on sound financial footing. It will also develop a strategic plan for the future. It will look beyond the Beltway for solutions, holding at least 12 town meetings—one in each of the Nation's Federal Reserve districts—over the span of six months in order to hear directly from the American people.

The SAFE commission will be comprised of 15 voting members, three of which will be appointed by the president, three by the Senate Majority Leader, three by the Senate Minority Leader, three by the Speaker of the House, and three by the House Minority Leader. The director of the Congressional Budget Office and the Comptroller General of the United States will be appointed as non-voting ex-officio members of the commission to lend their expertise. The president will have the ability to appoint the chair from among the 15 voting members.

To be successful, I believe the commission must include men and women who are more committed to their country than they are to their political party and committed to working in a bipartisan manner. Names such as former U.S. Treasury secretaries James Baker and Robert Rubin, former Federal Reserve Chairmen Alan Greenspan and Paul Volker, former Senators Phil Gramm and Bob Kerrey and former Congressmen John Kasich and Charlie Stenholm come to mind. Leading economists from both the public and private sectors must also be included on the panel. Bipartisanship is critical to the commission's success.

I have heard criticism that such weighty decisions on the Nation's financial future are the responsibility of Congress. Because of the ever-increasing politically charged atmosphere that has come to characterize dealings in our capital city, I fear that partisan rather than national interest has become the order of the day. Congress is paralyzed. Our political system is polarized. Many now only think about "red" or "blue" ideology, which has led to paralysis and disregard of the common good. The American people deserve an honest assessment about the federal government's future saving's account and checkbook—a discussion driven not by politics, but by statesmanship and one which elevates the Nation's sights.

Working together to find common ground, this group will comprehensively review entitlement benefits, patterns in savings and insurance for retirement, tax policies and the long-term implications of increasing foreign ownership of the U.S. Treasury.

Everything must be on the table. As a fiscal conservative, I believe that the economy grows when people keep more of their hard-earned money, and my voting record reflects this belief. But given the enormity of the challenge, the commission needs to be able to look at every component of our fiscal policy to fairly assess where we stand and how we can best move toward a sound fiscal future. In looking at revenues, I believe any changes in the tax code must help simplify the system and stimulate increased economic growth and thereby tax revenue. The late William Simon, who served as Treasury secretary under presidents Nixon and Ford, believed "the United States should have a tax system, which looks like someone designed it on purpose."

The IRS estimates Americans spend 6.6 billion hours per year filling out tax forms—including 1.6 billion hours on the 1040 form alone and nearly $200 billion on tax compliance. That amounts to 20 cents of compliance cost for every dollar collected by the tax system.

Shouldn't we have a system that people understand? One that encourages faster growth in business formation, jobs, family income and tax revenue? A simplified tax code also could help increase the personal savings rate, which went negative for the first time since the Great Depression earlier this year.

After spending six months conducting town meetings around the country to determine the scope of the problem and consider solutions, the commission will present to Congress a report describing the long-term fiscal problems, public suggestions and views expressed during the town meetings and policy options available to ensure federal programs and entitlements are available for future generations.

With a bipartisan two-thirds majority vote, the commission will send to Congress a legislative package to implement the commission recommendations no later than 60 days after the interim report. The administration and Congress will have 60 additional days to develop actuarially equivalent proposals to achieve the same cost savings. Essentially, no later than 10 months from the organization of the commission, Congress would be required to vote—up or down—on each proposal.

For example, if the interim report is delivered on January 1, then the commission's legislative package would be due by March 1 and any alternative developed by Congress or the Administration would have to be presented by May 1.

All proposals must include a 50-year CBO score in addition to disclosing any impact on future federal liabilities. If more than one proposal receives a majority, the one garnering the greatest number of votes would prevail.

I have put in the legislation procedures for expedited consideration of the commission's legislation to ensure that the Congress acts. I do not want this to simply be another blue-ribbon commission whose findings end up on a bookshelf somewhere only to collect dust and never be acted upon.

I look forward to working with my colleagues to enact this legislation.

I also welcome a forthright national dialogue. Only by working together in a truly bipartisan manner will we be able to secure America's future economy.

I believe most Americans will welcome it as well, especially considering we all want what is best for our children and grandchildren.

I will close with the cautionary words of George Washington's 1796 farewell address:

"We should avoid ungenerously throwing upon posterity the burden of which we ourselves ought to bear."

CALL TO ACTION FOR THE CHILDREN OF KATRINA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD "Witness for Justice #269" entitled Invisible People, published May 22, 2006 by the United Church of Christ of Cleveland, Ohio. The statement, one of a series of observations on the state of justice in the U.S. today, eloquently written by Carl P. Wallace, Executive Associate of this Church on 700 Prospect Ave. in Cleveland, criticizes the ineffectiveness of the current administration in contending with the devastating impacts of Hurricane Katrina. Mr. Wallace warns us, "Right before our eyes we are losing our children" as they continue to remain invisible in the eyes of the relief and aid workers in the Gulf Coast. Katrina orphaned thousands of children whose ordeal is prolonged due to inadequate health care, public education and housing services. "One in three sheltered children in the Gulf Coast region has some type of chronic illness." Almost none of them have health care coverage. Highlighting the fact that one-fourth to one-fifth of the children in America are growing up in poverty, Mr. Wallace suggests, and I concur, that the 1.9 trillion dollars of tax cuts would be better employed to provide health care for 9 million uninsured children and mitigate child poverty.

I also join Mr. Wallace in questioning the reason behind this invisibility of our children. Are they invisible because "they do not vote, lobby or pay taxes?" Is it acceptable to allow these children to be neglected, even abused? What happened to compassion and human kindness? Mr. Wallace ends on the hopeful note that through prayer and action "the invisible can be made visible." The Children's Defense fund has already released a "Call to Action for Katrina's Children," that focuses on providing immediate health and health services and quality public education, as well as, creating an enduring support base for such endeavors.

I join Mr. Wallace in all his concerns and call upon my colleagues in the Congress to alleviate the suffering of children affected by Hurricane Katrina.

[From Witness for Justice #269,
May 22, 2006.]

INVISIBLE PEOPLE

(By Carl P. Wallace)

Ever wonder what it would be like to be invisible? You could go around and nobody would see you. Nobody would know you existed. Do you remember playing hide and seek? Wow. If you were invisible you could always win the game because no one would be able to find you. "Ollie Ollie ump fee. I'm coming to find you." What a game. Those who could hide the best always won the game. It was great being invisible until you discovered that if no one cared to find you, you really did not win. Regrettably, there is a similar game being played in the Gulf Coast. Our children appear to be invisible. But it is no game. It is a situation of life and death. And right before our eyes we are witnessing the most devastating reality of what it means to be invisible in the richest country in the world. Right before our eyes we are losing our children.

We are literally losing our children due to the lack of adequate health care, public education and housing. There are over 125,000 displaced families in the Gulf Coast. In a Red Cross shelter north of Birmingham, Alabama there are over 2,000 children who have lost their parents. In a FEMA trailer park outside of Baton Rouge 700 of the 1,670 residents are children. In the richest nation in the world one-fifth to one-fourth of our children are growing up in poverty. Of the 1.9 trillion dollars of tax cuts, which will give the richest 1 percent of all tax payers $57 billion each year, we could instead provide health care for all 9 million uninsured children and end child poverty in America. Wow! Centuries ago Jesus said, "Let the little children come to me, and do nothing to hinder them, for the kingdom of heaven belongs to such as these." (Matthew 19:14). Maybe we missed Jesus' request.

Sometimes I wonder where our priorities are. A wise man once said: "Where your heart is there also is your treasure." Are our children our treasure? It is extremely painful to note that one-in-three sheltered children in the Gulf Coast region has some type of chronic illness. Are our children our treasure? In the Gulf Coast region one-half of the children who had some level of health coverage do not have any now. Are our children our treasure? Did the need for health care coverage just disappear? Have a heart. I guess invisible people don't need health care.

Let's think about it. Perhaps our children are invisible because they do not vote, lobby or pay taxes. Let's think about another point. Can you imagine what it must be like to be undocumented and in this situation? Is there such a thing as double invisibility?

The Children's Defense fund released a "Call to Action for Katrina's Children." It calls in part for: immediate emergency mental health and health services for children and their families; quality public education and after-school and summer education; as much attention focused on constructing levees of support for strong health care, family and public education as they will for the construction of the physical levies that will hold back the water in future storms; and, prayer for Katrina children and families and for leaders who work for justice. Prayer and action will make a difference. Our children must be made visible.

Maybe, just maybe, if we lift our voices to make their needs known our children will not disappear right before our eyes. Maybe, just maybe if we take action we will not lose the least of these. Maybe, just maybe we will find our treasure. The invisible can be made visible.

"Ollie, Ollie ump fee. We're coming to find you!"

URGING TOLERANCE AND PEACEFUL CHANGE

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Ms. SOLIS. Mr. Speaker, today I rise to express concern about the sharp rise in hate crimes and racial intolerance, and to urge acceptance in our Nation.

A recent report from the Southern Poverty Law Center stated that there were 803 hate groups in the USA last year. This is up from 762 in 2004 and is a 33 percent increase since 2000. The Center's report stated the national debate that has focused on immigration has been "the single most important factor" in spurring activity among hate groups and has given them "an issue with real resonance."

Hundreds of thousands of people marched peacefully throughout the Nation to give a voice for immigrants in this country. Half a million in Los Angeles, 300,000 people in Chicago, 40,000 in Washington, DC, and 20,000 in Milwaukee and Phoenix marched to defend the hopes and dreams of immigrant families. Nearly 40,000 students across Southern California, including students at several schools in my district, marched for the rights of immigrants.

Those who marched did so peacefully. I encourage everyone to remember the great history of change driven by nonviolent action, which is such a vibrant part of our Nation's fabric. Everyone is entitled to their own opinion, but I urge that such expression be done in a peaceful and non-threatening manner.

HONORING DR. ALLAN ROSENFIELD

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mrs. LOWEY. Mr. Speaker, I rise today to honor Dr. Allan Rosenfield on his 20th anniversary as Dean of the Mailman School of Public Health at Columbia University.

As Dean of the Mailman School of Public Health and professor of obstetrics and gynecology, Dr. Rosenfield is a true giant in the fields of population, reproductive rights, health policy and human rights.

Throughout his career, he has fought against the global gag rule; worked around the world on issues of family planning and maternal and children's health, and been recognized as a pioneer for his work on maternal mortality.

During his distinguished career, one common denominator is found throughout his work—he embraces the needs of the people least likely to receive care. Dr. Rosenfield is a man who sees need and steps up to the plate to enact change.

Dr. Rosenfield is an extraordinary man whose courage and dedication have inspired all who know him. Among his many admirable traits, there is one I am particularly happy to share with him—his strong belief in the power of humankind kind to change the world for the better.

I am honored to not only know Dr. Rosenfield, the highly respected and dedicated academic, but to call him my good friend.

Mr. Speaker, I urge my colleagues to join me today in recognizing the tremendous career of Dr. Allan Rosenfield and to congratulate him on his 20th year as Dean of the Mailman School of Public Health.

TRIBUTE TO TARA ELIZABETH CONNER, MISS USA 2006

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. ROGERS of Kentucky. Mr. Speaker, I rise today to honor Tara Elizabeth Connor, a native of Russell Springs, Kentucky, who was recently crowned Miss USA 2006.

The entire Bluegrass State celebrated on April 21, when Tara not only captured the Miss USA title but also became the first Kentuckian in the pageant's 54-year history to do so. Although she is only 20 years old, Tara showed remarkable composure during the week-long Miss USA competition, which culminated in the nationally televised pageant on NBC.

A 2004 graduate of Russell County High School, Tara was able to realize her dream of becoming Miss USA through the tried and true formula of hard work, determination and pure talent that has marked generations of accomplished Kentuckians. As the reigning Miss USA, Tara intends to use her celebrity platform to raise awareness about breast cancer. I have no doubt that she will perform her newfound responsibilities with the same mix of energy and enthusiasm that she used to capture the Miss USA title.

While millions of Americans now know her as a "beauty" queen, those that know Tara best see her for what she really is—a down-to-earth Kentucky girl who is dedicated to her family and friends.

Mr. Speaker, I want to congratulate Tara Connor on her honor as Miss USA 2006. Tara has made all of Kentucky proud, and I wish her the very best as she pursues her bright future.

HOMELAND SECURITY APPROPRIATIONS H.R. 5441

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. HOLT. Mr. Speaker, yesterday I supported the Fiscal Year 2007 Department of Homeland Security Appropriations Bill (H.R. 5441). The bill provided $33.1 billion for our Nation's homeland security. These funds will help our Federal, State and local first responders react to both natural disasters and terrorist events. Yet, funds appropriated in this bill represent only a 5 percent increase from the funds we appropriated last year and do not fully meet the homeland security needs of our country. Even though I supported the bill, I believe that we can and we should do more.

I am disappointed that Ranking Member OBEY's amendment to add $3.5 billion to the bill for transit security, border security, port security, first responders, and preparedness programs was rejected along party lines by the Homeland Security Appropriations Committee and was prohibited from being offered. These programs are essential to strong and robust hometown security. This indispensable funding would have been easily paid for by rolling back the tax savings that taxpayers with incomes over $1 million today received under the 2001 and 2003 tax cuts.

I am glad that this bill provides $19.6 billion for border security. This represents a 9 percent increase from current funding and shows that the House takes seriously the challenges we face in securing our Nation's borders. Yet it still falls short of the request made by President Bush.

This bill also includes $4.2 billion for port and cargo security, which is a 12 percent increase over last year. After the controversy over the D.P. World's attempt to acquire operating control of a number of U.S. ports earlier this year, Congress finally recognized the need to invest in container inspection and radiological detection. This bill also includes increased funding for grants to State and local governments to improve port security. But more needs to be done.

I was troubled that for the third year in a row DHS's rail and transit security grant program was flat funded at $150 million. This bill already provided $200 million for port security and $4.7 billion for aviation security. That is why I joined my colleagues Mr. CASTLE and Mr. LYNCH in offering an amendment to increase funding for this essential grant program by $50 million. A clear majority of Congress agreed with us and voted to ensure that rail security received an increase in funding. I am glad to have led this effort to make a small but important step to ensuring that our nation's rail and transit providers have the resources they need to ensure the safety of millions of Americans daily.

I remain troubled that nothing has been done in this bill to significantly reform the Federal Emergency Management Agency (FEMA). I have long argued that FEMA should be removed from the Department of Homeland Security and be reestablished as an independent agency that reports directly to the President.

Unfortunately, the House again has missed an opportunity to put FEMA on the road to reform. As we begin hurricane season, I cannot forget the destruction and deaths caused by Hurricanes Katrina and Rita. It is time to remove FEMA from the Department of Homeland Security, where it never belonged.

Despite the lessons learned in the aftermath of Hurricane Katrina, this bill also cuts funding for firefighter grants by 17 percent. It also provides $7 million less than last year for the office of Grants and Training, formerly known as the Office of Domestic Preparedness. Unbelievably, this bill cuts by 65 percent from a DHS program that helps Federal, State, local, and private organizations implement protection strategies and to provide training to State homeland security advisors.

Congress has a duty to provide the American people with the best security possible in the wake of a natural disaster or a terrorist attack. While this bill does not fully provide the funding our Federal, State and local homeland security officials have said they need, it does begin to meet their needs. I will continue to work with my colleague in Congress to ensure that we increase our Nation's investment in our homeland security.

COMMENDING THE LAWRENCE-EAGLE TRIBUNE FOR ITS SERIES ON GAMBLING

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. MEEHAN. Mr. Speaker, recently a paper in my district ran a series of columns on the problem of gambling addiction, and its effect on society, and individual families. I commend the Lawrence Eagle Tribune, its editor-in-chief, William Ketter, and the series' author, Denise Jewell, for their hard work and attention to this serious issue.

One piece in the series focused on the federal role in help for gambling addiction—and in some cases, where there is no federal role. Gambling addiction can be as destructive as addiction to alcohol or drugs, and destroys countless families every year.

Mr. Speaker, I ask unanimous consent to include these articles in the Congressional Record, and once again, offer my gratitude to the staff of the Eagle Tribune for their fine work.

[From the Lawrence Eagle Tribune, June 4, 2006]

Gambling Series Shows Value of Public Service Journalism

(By William B. Ketter)

The gravitational pull of state-sponsored gambling to stave off traditional tax increases, pay for public services and drive economic development has created a split-screen social condition in America: a lucky few people and the hapless many.

Sadly, that is the message that underlies much of the economic as well as cultural conclusions of our three-part Sunday Forum series on the causes, costs and consequences associated with the rapid spread of legal gambling across the country.

The state-by-state study—which concludes with today's installment—was conducted by the Community Newspaper Holdings Inc. News Service, the editorial arm of our parent corporation, under this editor's oversight. It was ambitious, public service journalism that encountered numerous obstacles, including uncooperative casino operators, tribal leaders and state officials.

It was a measure of reporter Denise Jewell's persistence that she got around the roadblocks and produced the first national statistical picture of the canyon between sums gambled and money spent on the prevention and treatment of problem gambling.

Nobody in state or tribal government or the gaming industry wants to say or do anything that might derail the full steam ahead gambling locomotive and the billions of dollars it generates from casinos, racinos, video poker terminals, lotteries and other sanctioned games of chance.

That's an understandable, though myopic, attitude when you consider the primary benefactors are the states that authorize, promote and regulate gambling; and the gaming companies that manage the Indian and commercial casinos. In their universe, frequent gamblers are not only prized, they are essential to success.

"It is like putting Dracula in charge of the blood bank," remarked State Sen. Susan Tucker, D–Andover in the first part of our series. Only the blood is dollars, Tucker points out, "and for the states to get their few hundred million their constituents have to lose a few billion."

A lot of those losses come from problem gamblers, many of whom are already poor and desperately in need of professional help to overcome their addiction. Yet their plight goes unlamented under the logic that gambling is a voluntary act.

Who should care? The federal and state governments. They hold responsibility for the general welfare, and compulsive gambling is a national public health issue—for the same reason drinking, smoking, and drug abuse are treated as public health matters. It is destructive, anti-social behavior. The difference is the latter receive billions for research, prevention and treatment and problem gambling gets a pittance.

In fact, Dr. Howard Shaffer of Andover, director of Harvard University's Addiction Center, identified pathological gambling as a public health problem 4 years ago in a national study, and still nothing has been done to expand federal programs to deal with it. He compares it to government inaction during the early stages of the AIDS crisis.

Ignoring the people who impulsively gamble beyond their means—causing serious financial, criminal, family and psychiatric problems—is a counterproductive approach that social experts predict will cost more over time than the money the states reap from gambling.

To grasp the wide disparity between taxes and treatment you need to reflect on the numbers.

States now receive $21 billion in taxes from the $136 billion spent annually on legal gambling in the United States. In turn, they spend only $36 million on programs to assist problem gamblers. That's less than one-fifth of 1 percent of the profit.

Yes, gambling taxes help finance schools, teachers, fire engines, roads, parks and other core public services. And the infusion of revenue has allowed many states to avoid raising income, sales and property taxes. Even lower them, in some instances.

There are, however, related consequences. Evidence in our series showed problem gamblers commit forgery, credit card fraud and embezzlement at a higher rate than the general population. They also exceed the norm on bankruptcy, homelessness, divorce, substance and spousal abuse, and suicide.

No government or private agency has done a current analysis of the actual social cost of legal gambling. But the now-defunct National Gambling Impact Study Commission pegged the annual toll at $5 billion 7 years ago. It estimated the cost to society of each addict at $13,200 per year.

"There are undeniably many millions of problem and pathological gamblers causing severe harm to themselves, their families and many others," concluded the commission after a two-year study. Greater public understanding of this, it added, "is crucial to the health and stability of these families, their communities and many businesses."

The outlook is even darker today. More states have come to rely on gambling revenue to balance their budgets. Those without slot machines at race tracks, including Massachusetts, are talking seriously about adding them. And states without commercial or Indian casinos are seen as fertile possibilities for both.

Congress and state legislatures need to slow down the locomotive, and require that the casinos and the states appropriate serious dollars to research, prevention and treatment of problem gambling. They should also review how they're spending current public health dollars on compulsive behaviors, and appropriate some of that money to addictive gambling. It is growing faster than other social dysfunctions.

There's another thing federal lawmakers can do to do help. The Americans With Disabilities Act should be amended to add compulsive gambling to the list of mental disorders covered by the law. Because it is excluded, addictive gamblers can be denied insurance payments for medical expenses and short-changed on other benefits available to alcohol and drug abusers.

Gambling taxes and money spent to deter compulsive wagering are going in opposite directions on the economic chart. There is little chance the two curves will ever cross, given the acceptance of gambling as an all-American pastime. But the CNHI News Service "Hooked on Gambling" series made a powerful case for narrowing the gap, and bringing the multiplying victims side of this split social screen into sharper focus.

By so doing, it served the purpose of public service journalism—something we need more of in this era of flash news reports that often lack context and meaning.

[From the Lawrence Eagle Tribune, May 21, 2006]

Legal Gambling Begets Millions of Neglected Addicts

(By Denise Jewell)

Twenty-year-old Bryant Northern had the world at his fingertips as a walk-on guard who won a coveted scholarship at basketball powerhouse University of Louisville. He dreamed of deadeye jump shots, March Madness, even a pro career.

But the 6-foot-tall Northern also had a hidden problem: an addiction to gambling. Caesars Indiana, the riverboat casino across the Ohio from Louisville, had been his secret hangout since high school—and also his scourge. A run of lousy luck found him short of money and in trouble with the police.

Now 23, Northern was sentenced March 6 to five years probation for trying to cash stolen checks in Kentucky to pay for his gambling habit. He still faces burglary charges in Indiana, and a possible jail term.

Northern's plight is not uncommon today in a nation where legal gambling has spread like wildfire—from three states 25 years ago to every state in the union, save Utah and Hawaii.

The promise of easy, new gambling money to build schools, pay teachers, pave roads and finance other public services has triggered an explosion of casinos, racinos (race tracks with slot machines) and lottery games. Gambling has become one of the biggest, and most politically powerful, special interests in the country.

It is no secret that America is hooked on gambling, with its payoff of more than $20.5 billion a year to state governments. What's been overlooked is the unintended human cost: the large and growing class of people addicted to gambling and whose lives often end up in ruin.

They are called pathological bettors, and critics of gambling say they get little attention because government and the gambling industry depend on habitual players to drive revenue.

"I don't think it is conspiratorial in nature," said state Sen. Susan C. Tucker, D-Andover, who opposes the plan for racinos in Massachusetts. "It's more that most government leaders understand the truth and simply close their eyes and look away. As for the gambling industry, it is in its self-interest to keep up the gambling."

An in-depth study by Community Newspaper Holdings Inc. News Service into the cost, causes and consequences of problem gambling and what's being done about it determined that:

Legal gambling in the United States is a $135.9 billion-per-year business, based on revenue figures provided by the states that allow it. That's close to triple the combined revenues of $50 billion annually from box office movies, recorded music, spectator sports, and live entertainment. And it does not include popular online betting, which is still in legal limbo.

About 70 percent of gambling profits come from 30 percent of the people who gamble, according to research by professor Earl Grinols, an economist at Baylor University. Frequency, Grinols found, is a crucial characteristic of profit.

Poor people are disproportionately addicted to gambling, a study by the National Institute of Mental Health concluded. They are pulled by the lure to get rich quick but they are also the people who can least afford to lose money.

Gambling addiction has swelled the homeless rolls in America. One in five street people says he or she ended up homeless because of money problems tied to compulsive gambling, homeless-shelter officials say.

The federal government, which spends liberally on public-health studies and treatment programs for alcohol and drug addiction, has a passive approach toward problem gambling. Federal officials say it is the responsibility of the states even though addicts move freely between states and add to the cost of federal health-care programs.

Compulsive gambling is not one of the several mental diseases defined in the Americans With Disabilities Act and thus treatment for addiction does not qualify for health-insurance coverage. Alcoholism and drug abuse are covered.

Social costs of problem gambling across the nation are estimated at a minimum of $5 billion per year, according to a federal study commission. The annual cost to society of each pathological gambler is pegged at $13,200.

A pittance, or $35.5 million per year, of the gambling revenue is spent by government and the industry to educate people about the trapdoors of gambling and treat addicted gamblers. Residential rehabilitation centers for gambling addicts are rare.

No government study has documented the precise prevalence of the addiction problem in the United States. Academic studies project the figure at anywhere from 2 percent to 5 percent of adults exposed to gambling, and even higher for adolescents and teenagers.

By almost any measure, however, the numbers are in the millions and have been multiplying with the furious spread of legalized gambling from state to state since the 1980s.

Dr. Howard Shaffer of Andover, the director of Harvard Medical School's Division on Addictions, said three primary forces stimulated the growth of gambling: desire by the states to identify new sources of revenue; development of new entertainment and leisure destinations; and new technologies and forms of gambling such as electronic slot machines, video poker and multistate lotteries with large jackpots.

The most recent study of the psycho-economics of gambling showed that between 1975 and 1999, adult gambling increased from 67 percent to 85 percent, according to Shaffer. Higher numbers were recorded in almost every demographic group, including women.

"It's everywhere, and it's only going to get worse," said Jim Chesser, a 55-year-old former Kentucky bus driver who said he's overcome his addiction and now helps others recover through Gamblers Anonymous. "That's because of the politicians. All they see is generating dollars from gambling dollars. They don't care who it hurts."

Casino companies, lottery commissions and public officials say they do care, and point to warnings and hot lines on the back of lottery tickets, TV ads that urge "responsible gaming," and Web pages that feature addiction tests and educational information to help gamblers detect problems and deal with them.

"We've done what the experts have told us to do, what seems to work for alcohol and tobacco and other addictive issues," said Judy Patterson, executive director of the American Gaming Association, the industry's lobbying arm. "But we haven't had any certainty that what we do as an industry has really met any kind of scientific test as to whether it works or not."

Advocates for problem gamblers contend even well-intentioned efforts to prevent and treat addiction suffer from lack of money and the will of state governments to do anything about it. They also criticize the cozy relationship between politicians and the gambling industry, and the millions appropriated for advertising state-sanctioned gambling.

"State government is the promoter, the regulator and the beneficiary all in one," said Tucker, the Andover lawmaker. "It's like putting Dracula in charge of the blood bank."

Congressman Frank Wolf, R-Va., also a foe of gambling, said that "20 years ago, no politician at any level wanted to be seen with the gambling-industry people. Now, we go out and hold fundraisers with them." Or, in some instances, accept largess from them, as witnessed by the admissions of Jack Abramoff, the disgraced gambling lobbyist.

Still, Tucker said, the problem of gambling addiction goes largely unnoticed and untreated.

Statistics bear her out. While 48 states have some form of legalized gambling, only 26 of them appropriate money for treatment, the CNHI News Service survey showed. And those that do commit funds spend only a tiny fraction of the revenue they get from gamblers on programs to help them. Yet most states spend millions on slick advertising and promotion campaigns to entice people to gamble.

A national gambling study financed by Congress in the late 1990s estimated that states spend about one-tenth of 1 percent of their gambling revenues on treatment and education programs for addicts.

Tucker said this is "both inadequate and wrongheaded" because the people who can't afford treatment are the same people contributing heavily to gambling revenues. That's why, she said, paying for government with gambling dollars is bad economics and bad public policy.

"For the states to get their few hundred million, their constituents have to lose a few billion," Tucker said. "It comes right from their pockets. This isn't magic money that falls from the sky."

Casinos and racinos are the fastest-growing segment of the gambling industry. And small wonder. They boast row after row of slot machines, which Tucker calls the "crack cocaine" of gambling. There are more than 700,000 slot machines in the United States, state regulators report.

State lotteries offer their own opiate. It is called scratch tickets, and Massachusetts, with a variety of such games, is the national leader. It generates $4.5 billion a year in lottery sales, with 70 percent of the total from scratch tickets. Another 15 percent comes from keno, the fast-play numbers game. Only 15 percent comes from delayed reward games such as Megabucks.

But state lotteries, which got their modern-day start in New Hampshire in 1963 and now raise money in 40 states, were only a Trojan horse for casinos. Today there are 445 commercial casinos in 11 states, and 405 Indian casinos in 28 states on land owned by America Indian tribes.

Massachusetts and New Hampshire are still casino-free states. But the Mashpee Wampanoags on Cape Cod have won preliminary federal approval as a recognized Indian tribe and could eventually force Massachusetts to negotiate a compact for casino gambling on a site acquired by the tribe.

In anticipation of that development, City Councilor George Rotondo of Revere has urged that city to pave the way with zoning regulations that allow construction of a casino resort complex, possibly at Suffolk Downs or Wonderland race track. He contends it would create hundreds of local jobs and boost Revere's economy.

So far, Rotondo's proposal has fallen on deaf ears. But casinos have helped revive some economically depressed communities around the country, providing jobs and contributing to local property taxes.

How did legal gambling as an economic engine get its impetus in America? Congressional approval of the Indian Gaming Regulatory Act in 1988 set off the gold rush. The law was born of the U.S. Supreme Court decision forcing California to negotiate with American Indian tribes to establish casinos on tribal lands.

As Indian casinos proliferated, a handful of states joined Nevada and New Jersey in allowing commercial casinos. The payoff came from high license fees and contracts that included a handsome bite of the revenue pie. That caused other states too timid for full-fledged casinos to expand their lottery games, add video poker parlors and install slot machines at racetracks.

It didn't take long for gambling to move up the nation's business leader board.

Casinos thrive on customer knowledge. They maintain a database of gamblers through credit-card systems like "Wampum cards" at Foxwoods Casino in Connecticut. Players earn points for money gambled on slot machines and other games. They can also earn free meals, show tickets, iPods and high-definition televisions. The idea is to keep gamblers happy and active.

But Joe Barrett, a vice president at Caesars Indiana, said casinos also monitor their database to ensure that patrons don't get carried away.

"We look at gaming as a form of recreation and a place for people to have fun," said Barrett. "We understand the responsible gaming part of it, and we take it very seriously, and we always have."

Yet Caesars Indiana was recently fined $38,500 by the Indiana Gaming Commission for sending marketing materials to nine addicts who had asked to be banned from gambling. The casino was fined $80,000 last year for similar violations. And other casinos in other states have also been fined for targeting gamblers who have admitted the problem and want to quit.

"There will be, I'm sure, in any system, those occasional slip-ups, because it's humans putting the information in," said Judy Hess, a Caesars Indiana spokeswoman. "But we try very, very, very hard to have it just absolutely 100 percent correct. There's no upside to marketing to people who shouldn't be gaming."

That's not the way Wolf, Tucker and other critics of gambling see it. They claim the industry thrives on seducing gamblers of all means to return again and again.

Tucker said gambling companies are masterful at using public relations to show concern for compulsive gambling while masking its devastating social impact.

She said it is also a clever way to avoid the type of grief the tobacco industry faced from public-health regulators in the 1980s and 1990s. They accused cigarette companies of not caring about the medical implications of smoking, triggering endless lawsuits by individuals and the states.

"The gambling industry has shrewdly learned from the experiences of the tobacco industry," Tucker said. "It was the public-health community that drove the anti-smoking movement. The gambling interests want to head off a similar experience."

What's more, Tucker added, they are succeeding.

"Their PR is brilliant," said Tucker. "That was clear when they got people to talk about gaming instead of gambling. They have changed the nomenclature."

[From the Lawrence Eagle Tribune, May 28, 2006]

GAMBLING COMMISSION DEALT DEAD MAN'S HAND

(By Denise Jewell)

A federal commission's study of legal gambling in the late 1990s produced several significant recommendations, but they ended up like poker's dead man's hand.

Dead man's hand is a term to describe the cards Wild Bill Hickock held—a pair of black aces and eights—when he was shot dead in a saloon in South Dakota in 1876.

The commission spent two years and $5 million investigating the social and economic implications of lotteries, casinos and other gaming activities only to have its suggestion for a temporary freeze on further expansion of gambling shot down.

President Clinton urged creation of the National Gambling Impact Study Commission, and Congress passed a law establishing the body. The mix of nine members included the chairman and chief executive officer of MGM Grand Inc. and the founder of Focus on Family.

The law required the commission to study the effects of problem gambling on individuals, families, businesses and social institutions, and to assess the state and local economic value of gambling facilities such as casinos, race tracks and video poker parlors.

In addition to a moratorium, the commission came up with dozens of other recommendations, including curtailing the growth of new lottery games, reducing lottery advertising and limiting lottery outlets in low-income neighborhoods.

The group's final report, released in June 1999, expressed concern that the rush to raise government revenue through gambling was creating a generation of young people who give little thought to gambling's down side.

"The commission recommends that all legal gambling should be restricted to those who are at least 21 years of age and that those who are under 21 should not be allowed to loiter in areas where gambling activity occurs," the report said.

Commissioners traveled throughout the country and held hearings that detailed dozens of hardship stories.

In Illinois, for instance, they heard about a Joliet couple who committed suicide after the wife accumulated $200,000 in casino debt. In other places, they listened to testimony about embezzlement and other white collar crime to finance gambling habits.

But they also found some economically depressed locations were revived by the construction dollars and jobs associated with casinos, and that public services like roads and schools were improved from fees and taxes on gambling revenues.

"In Tunica, Miss., the advent of legalized gambling provided jobs for an area of extreme poverty," the commission found. "Many citizens of Tunica have undoubtedly benefited by the increase in the wage base and increased ability of its citizens to purchase homes and other amenities."

In addition to hearings, the commission's staff of researchers telephoned 2,417 adults and 534 adolescents across America and interviewed 530 people in gaming facilities.

The National Opinion Research Center at the University of Chicago, hired by the commission to conduct the survey, estimated that 15 percent of total gambling revenue in the United States stems from problem or pathological gamblers.

More research on pathological gambling was recommended, but the commission also made it clear the states need to do more to help people addicted to games of chance.

"A major responsibility for addressing the problem of pathological gambling must be borne by the states that sponsor gambling," the commission concluded.

Furthermore, it said, "industry funds earmarked for treatment for pathological gambling are miniscule compared to that industry's total revenue."

[From the Lawrence Eagle Tribune, June 4, 2006]

FEW TREATMENT DOLLARS FOR GAMBLERS WHO NEED HELP

(By Denise Jewell)

Kathy Bassett, 49, a registered nurse from Topeka, Kan., didn't blink when Harrah's opened a casino 15 miles from her front door. She had zero interest in gambling. Nor did she worry about its social consequences.

That was before 2003, a nightmarish year that Bassett said opened her eyes wide to the problems associated with addictive gambling. In sequential order:

Her son, a casino pit boss, was arrested and sent to prison for stealing to support his gambling habit.

Her mother, retired and in her 70s, filed for bankruptcy after losing her life savings to the slot machines.

Her 37-year-old brother, David, in despair and shame over his inability to quit gambling, put a shotgun barrel to his mouth, pulled the trigger and ended his life.

This trilogy of shocks scared Bassett into researching the impact of compulsive gambling on ordinary families such as hers. She soon discovered plenty of others undergoing similar grief. Now, she's an anti-gambling crusader determined to expand and improve prevention and treatment programs.

"I just got so angry," Bassett said. "This in an industry worth hundreds and hundreds of millions of dollars and . . . it means nothing to them" when people's lives are shattered.

Bassett said her research showed that help for problem gamblers in the United States is sporadic, inconsistent and badly underfunded. Especially when compared with tobacco, alcohol and drugs—addictions that states spend $2.5 billion a year to treat, according to the National Center on Addiction and Substance Abuse at Columbia University.

The evidence supports Bassett's analysis, a nationwide review of the issue by Community Newspaper Holdings Inc. News Service showed.

Not one federal dollar has been spent directly for treatment or prevention of problem gambling even though a Harvard University addiction expert, Professor Howard Shaffer of Andover, framed it as a national public health issue for the first time in a 2002 study.

"Excessive gambling, drinking, drugging are different expressions of a common underlying disorder," said Shaffer of his study. "But pathological gambling is being viewed (by the government) like some rare disease—much like AIDS was in its early stages. It doesn't get the attention it should as a public health issue."

Few federal dollars have been allocated for medical and other research that might help detect the problem before it gets out of hand, or provide guideposts for prevention. Congress did pay for a $5 million, two-year study of the social and economic implications of gambling in the late 1990s, but little came of the short-lived effort.

American Indian tribes that own 405 casinos on sovereign tribal lands and the 48 states with some form of legal gambling are similarly stingy with spending on programs that could diminish the volume of high rollers.

Twenty-two states offer no programs at all, CNHI News Service found. And the 26 states that provide treatment don't put a lot of money into it, operate in isolation from others despite the wideranging mobility of problem gamblers and appear to accept the claim that sufficient community programs exist to help the truly addicted.

Across the country, the CNHI New Service survey found, state governments spend only $35.5 million per year on helping problem gamblers even though the states rake in $20.9 billion in gambling taxes annually.

The gambling industry does no better. It spends a small fraction of its billions in profits on research, prevention and treatment. And no where close to the many millions it shovels out to influence lawmakers through lobbying, and gamblers through TV, Internet, direct mail and billboard advertising.

The industry has established the National Center on Responsible Gaming, a small nonprofit in Washington, D.C., that says it is "committed to funding research that some day will identify the risk factors for gambling disorders and determine methods for not only treating the disorder but preventing it, much like physicians can identify patients at risk from cardiovascular disease long before a heart attack."

But the center operates on a shoestring compared with the huge outlays spent by government, private agencies, foundations and others on heart disease research. Its proudest achievement: a $2.4 million startup grant and $1.1 million annual appropriation to Harvard's Medical School to fund the Institute for Research on Pathological Gambling and Related Disorders.

Integrity in Science Project, a group that monitors scientific research for conflicts of interest, has indicated concern over Harvard accepting research money from an industry that benefits from the very problem under study. The unstated worry is research skewed to reflect a desired outcome—specifically, that addiction has been overstated by critics of legal gambling.

Christine Reilly, executive director of the Harvard institute, rejects any notion the gambling industry could manipulate the research. She said it funds the institute but has no say in how the research is conducted or the results—which, she added, are subject to rigorous peer review by scientific journals.

Two unaffiliated nonprofits are making independent efforts to help problem and compulsive gamblers, although both suffer from lack of resources. They are Gamblers Anonymous, which has more than 1,400 chapters in the United States, and the National Council on Problem Gambling, which has 34 state affiliates.

Gamblers Anonymous is modeled after the 12-step program of Alcoholics Anonymous. A state-by-state directory of local meetings is posted on its Web site (gamblersanonymous.org/mtgdirTOP.html). Financial support comes from private contributions.

The Council on Problem Gambling is an advocacy group that increases public awareness and encourages treatment programs for troubled gamblers and their families. Funds for the group's $500,000-a-year budget come from private and foundation contributions and at least two casino companies. It operates a national hotline (1-800-522-4700) for problem gamblers, and more than 200,000 problem gamblers call it over the course of a year.

Keith S. Whyte is the council's executive director and once worked for the American Gaming Association, the industry's lobbying arm. He said the council is neutral on the debate over legalized gambling, focusing its efforts on helping addicts overcome their problem.

Whyte said the federal government has been unhelpful in the effort to get mental health care for problem gamblers. For example, he said, the Americans With Disabilities Act doesn't classify compulsive gambling as a mental disorder and thus insurance companies can refuse to pay for treatment programs.

"Addictive gambling is a rare and stigmatized sort of behavioral health disorder because there's no physical or outward signs," Whyte said. "It has slipped through the legislative cracks."

Congress, he added, could easily fix the issue by expanding the definition of the disabilities law to include compulsive gambling as a public health problem, along with alcohol and drug abuse.

Medical researchers say compulsive gambling is not as visible as alcoholism and drug overdosing, but it can be equally devastating to social behavior. They also say some of the brain receptors in gambling addicts appear to be different.

Magnetic Resonance Imaging studies have found abnormal signs of attention deficit disorder in pathological gamblers. Neurobiology research has indicated their brain chemistry is not the same as that in problem alcohol and drug users. This has led to experiments with the drugs Nalmefene and Revia to try to curb gambling cravings.

"If you look at the MRI of a gambler, his brain looks different," said Whyte, who tracks the research. "But it is very hard to get that across to the admitting nurse that's going to say, 'Why don't you just stop gambling? Why don't you go home? You shouldn't have been gambling in the first place.'"

But self-discipline is not a characteristic of compulsive gamblers. Few of them put their names on "exclusion lists" required to be kept by casinos for problem gamblers who want to quit on their own. Gamblers who sign up are banned from receiving credit or gambling. Casinos can also add problem gamblers to the list and arrest violators for trespass.

There are other ways the industry says it tries to discourage gambling by people who shouldn't do it or can't afford it. They include posted warnings in casinos, race tracks and video poker parlors about overdoing it, cautionary wording on the back of lottery tickets, public service announcements about the consequences of addictive gambling and Web sites that test for symptoms of compulsive behavior.

Ken Davie, a vice president at Foxwoods Casino in Connecticut, said the Mashantucket Pequot Tribal Nation donates $200,000 a year to that state's council on problem gambling and also distributes warning pamphlets. But he said it is hard to detect problem gamblers in a state that features 7,000 slot machines at Foxwoods and another 6,000 at nearby Mohegan Sun Casino.

"You have 13,000 opportunities to be hidden," Davie said. "Some of these machines are sitting in the comer. You can be hidden away. You could come in and feed $100 bills all day and we wouldn't know you're gambling away your life fortune."

The American Psychiatric Association describes impulse playing of slots and other instant response games as "persistent and recurrent maladaptive gambling behavior" personified by symptoms such as obsession with risk, lack of self-control and lying.

"Pathological gambling is a condition where the person's out of control," said Jon Welte, a researcher at the University at Buffalo's Research Institute on Addictions. "They can't stop gambling and they can't moderate the amount they do. Gambling has kind of taken over their life."

Welte said researchers are struggling to understand why some people develop problems gambling while others can do it recreationally for years without becoming addicted.

"We're 20 or 30 years behind the research that's been done on alcohol and drugs," he said. "There's been a lot of (gambling) research done about prevalence. We need more research that gets closer at examining the causes."

A local judge in the western New York town of Amherst isn't into medical research, but he presides over the nation's first and only "gambling court" to treat the addiction problem when it is related to crime. Sentences can include psychiatric evaluation and counseling.

Judge Mark G. Farrell created the court five years ago after several unlikely defendants in a string of theft and embezzlement cases admitted they were addicted to gambling at casinos a half-hour away in Canada. Since then, two American Indian casinos have opened nearby in the United States.

Farrell said the public perception that reckless gambling is a "character flaw" rather than a disease or addiction has contributed to the slow development of programs to treat problem gamblers.

"They are more likely to admit they're a heroin addict than they would be to admit they're a compulsive gambler," he said. "And yet they've gone through their own money, their family's money, their kids" money. There could be a divorce action going on. They've had DWIs. A whole range of things."

Some states earmark gambling revenue for treatment services, but even they have not kept pace with the rapid expansion of gambling within their borders and nearby states.

Nevada, where gambling has been legal since 1931, did not set aside money for treatment until last year. New Hampshire, birthplace of the modern lottery, still spends nothing. And Massachusetts spends only $655,000 of its $742 million annual gambling take on prevention and treatment.

Furthermore, there are only two residential treatment centers specifically for problem gamblers, places where addicts can go for several days or weeks to overcome their compulsion. One is in Baltimore and the other in Louisiana.

Tim Christensen, treatment administrator for the Arizona Office of Problem Gambling, said the gambling industry and the states that rely on it will be forced to change as public awareness grows.

"Look at the tobacco issues that our country has gone through," said Christensen. "You went from a vast majority of people that smoked to a vast minority. That happened over time and with tons of resources put into it."

For advocates like Bassett, the nurse from Topeka who lost her brother to suicide, the time of enlightenment can't come soon enough. Prevention, she said, is also more complex than hotlines, self-exclusion lists, warning pamphlets.

She said her brother, a social worker who once manned a crisis hotline, had sought help from a private counselor and had even banned himself from the casino near his home. But the day before he died, she said, he drove right past it to another and proceeded to spend most of the day losing money he was holding for his mother.

"There are no clocks. There are no windows," said Bassett. "It's an unreal existence in there. It's not like playing with real money. It gives you the delusion of not really losing."

[From the Lawrence Eagle Tribune, June 4, 2006]

PROBING THE MIND TO UNLOCK GAMBLING ADDICTION

(By Denise Jewell)

Piecing together the information doctors know about the biology of pathological gambling is like solving a difficult jigsaw puzzle for researchers like Dr. Jon Grant. "This is not simply an issue with people with poor or weak moral character as some myths portray it," Grant said. "This is an addiction. It is complex."

Grant is a medical doctor and a psychiatrist at the University of Minnesota who specializes in studying compulsive gambling. For eight years, he has been searching for a medical solution to curb cravings associated with problem gambling. He and his research team have done brain scans and other tests that indicate chemicals and receptors react differently when compulsive gamblers are calm and when they're revved up to bet.

The most recent results of that work—published in February's edition of the American Journal of Psychiatry—advances evidence that pathological gamblers are physically different from other types of gamblers. Compulsive gamblers who took the experimental drug Nalmefene, for instance, were less impulsive than those given a placebo. "For the last 10 years, there have been rumblings that it's a biological problem," Grant said. "This gives a lot more support to that theory."

While researchers have only recently started to record results for drugs that help overcome the urge to gamble, doctors have been working on the neurobiology aspects of gambling for more than two decades. The late Dr. Robert L. Custer, a pioneer in compulsive gambling research, convinced the American Psychiatric Association in 1980 to classify the impulses of addicts as a disease much like Tourette's syndrome and pyromania. Custer categorized gamblers as professional, antisocial, casual, serious, escape and compulsive. Professional gamblers, he said, were not compulsive even though they took risks and gambled frequently. He said they used gambling as a job, showing clear-headed money skills, reasoned strategies and the ability to walk away without losing their bankroll. Custer characterized antisocial gamblers as withdrawn but not compulsive, casual gamblers as infrequent players, serious gamblers as those who use counting or tracking techniques to beat the odds at card tables, and escape gamblers as those who occasionally get away from reality through gambling.

Grant said gambling addiction could become a "huge social problem" as legal gambling grows in popularity through such things as televised poker tournaments and the greater availability of instant impulse games like slot machines. "We're seeing different demographics—people from all walks of life—involved," he said. "It suggests that this is going to be a bigger and bigger problem as time goes on." At the University at Buffalo's Research Institute on Addictions, John Welte has been working to quantify the scope of the problem through research that involved interviewing 2,631 people. He said the survey showed that compulsive gambling and the related social costs can be traced in concentric circles around a gambling facility. The closer in you get, the more severe the issue, he said. And, he added, people living in poorer neighborhoods reported higher rates of problem gambling.

IN RECOGNITION OF THE CITY OF HOPE'S TRI-STATE LABOR AND MANAGEMENT COUNCIL HONORING MR. JOSEPH SELLERS WITH ITS SPIRIT OF LIFE AWARD

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 7, 2006

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise today to highlight the accomplishments of Mr. Joseph Sellers. Joe Sellers is the President and Business Manager for Local Union 19 of the Sheet Metal Workers in the Philadelphia area, Central Pennsylvania, Southern New Jersey, and Delaware.

This week, The City of Hope's Tri-State Labor and Management Council will honor Mr. Sellers with its Spirit of Life Award.

City of Hope National Medical Center is one of the world's leading research and treatment centers for cancer, diabetes, HIV/AIDS, and bone marrow transplantation. City of Hope's Tri-state Labor and Management Council Award has for many years increased public awareness and support for its research efforts. The Council's efforts are vital to City of Hope's battle against killer diseases. Additionally, the Labor and Management Council provides opportunities to union and management leaders to work together for a common cause—to assist the City of Hope in its vital research and patient care, no matter how long the hospital stay or complex the therapy.

Mr. Sellers began as an apprentice in 1980. Since then Mr. Sellers has made great contributions to his union and his community. Mr. Sellers has served as a union Executive Board Member, Training Coordinator, and Business Agent.

Mr. Sellers has held numerous positions within his union's International Association and currently holds executive positions with the Pennsylvania State Council of Sheet Metal Workers' International Association, New Jersey State Council of Sheet Metal Workers, Mechanical Trades District Council of Delaware Valley, Metropolitan Association of Presidents and Business Representatives, and the National Energy Management Institute.

If these positions were not enough, Mr. Sellers is the Vice-President of the Philadelphia Building and Construction Trades Council and the Philadelphia AFL-CIO. He is the Secretary-Treasurer of the Mechanical and Allied Crafts Council of New Jersey.

Additionally, Mr. Sellers is an Executive Board Member of the Pennsylvania Building and Construction Trades Council and the Pennsylvania AFL-CIO and a Member of the Pennsylvania State Apprentice and Training Council.

In addition to his commitment to supporting working men and women throughout the Delaware Valley, Mr. Sellers is active in civic, charitable, and government affairs. In the aftermath of Hurricane Katrina, he gathered monetary donations as well as clothing and food for the storm ravaged communities along the Gulf Coast. Recognizing the Gulf Coast's need for strong backs, hard workers, raw manpower, he dispatched union workers to aid in hurricane recovery.

In his local community, Mr. Sellers has spent countless hours working with the Piney Grove Baptist Church and Community Center and The Potter House Mission. For these honors Mr. Sellers selected as Labor Leader of the Year 2004 for the Boy Scouts of America, and the 2004 Labor Leader award from the American Veterans Association.

Mr. Speaker, it is an honor for me to draw this Chamber's attention to the accomplishments of Mr. Sellers. He has made a great contribution to his community. Our nation would be greatly improved if we all made a fraction of the contribution as Mr. Sellers.

RECOGNIZING BRIAN GEORGE KNOP FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Brian George Knop, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 376, and in earning the most prestigious award of Eagle Scout.

Brian has been very active with his troop, participating in many Scout activities. Over the many years Brian has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Brian has served in the leadership positions of Chaplains Aide and Quartermaster, among others. He is a Brotherhood member of Order of the Arrow and a Warrior in the Tribe of Mic-O-Say. For his Eagle Scout project, Brian planned and supervised the landscaping of the front side of the Liberty United Methodist Church in Liberty, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Brian George Knop for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN MEMORY OF HUGH C. REYNOLDS

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. ROSS. Mr. Speaker, I rise today to honor the memory of Hugh C. Reynolds of Fordyce, Arkansas. Strong leadership, vision, concern for others, and philanthropy were enduring legacies left by H.C. Reynolds. He passed away on Saturday, May 6, 2006 at the age of 85, after having served his nation, state, and the city of Fordyce with distinction. I would like to recognize Mr. Reynolds' contributions to Arkansas and our Nation.

H.C. Reynolds was born August 5, 1920 to the late Hugh Cleveland and Ruth Sisson Reynolds in Fordyce. He was a dedicated member of Fordyce First Baptist Church and a Shriner.

Mr. Reynolds will forever be remembered for his bravery, leadership, and compassion. He served his nation as an Army Veteran of World War II and was a lifelong member of the Democratic Party. He also recently resigned as Chairman of the Dallas County Democratic Committee.

He was preceded in death by his wife, Frances Keenum Reynolds and a brother, William Reynolds. My deepest condolences go out to his sister, Mary Ruth Creech of Camden; his son, Collins Reynolds and wife Janie of Bismark; his daughters, Linda Hankins and husband Troy of Pine Bluff, Vickie Gray and husband Paul of Hot Springs; his five grandchildren, and six great-grandchildren. Mr. Reynolds' legacy and spirit will live on in those who lives he touches.

INDIAN COUNTRY EDUCATIONAL EMPOWERMENT ACT

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. HERSETH. Mr. Speaker, I am introducing the Indian Country Educational Empowerment Act. This Act will facilitate economic growth and development in Indian Country by dramatically increasing the incentives for individuals with advanced degrees to work within and for Indian Country.

I am deeply concerned by the fact that Native Americans continue to rank at the bottom of every indicator of social and economic well-being in America. Unemployment continues to average near 50 percent in Indian Country and hovers well over 90 percent on many Reservations. Indian Country continues to have some of the highest rates of poverty, poorest health, highest mortality rates, and lowest levels of educational achievement in the United States.

A unique legal and political relationship exists between the United States and Indian tribes that is reflected in the Constitution, various treaties, Federal statutes, Supreme Court decisions, and executive agreements. This creates a responsibility for the federal government to facilitate and complement tribal governments' efforts to improve the quality of life for Native Americans and encourage economic development in Indian Country. This bill does just that.

Numerous external efforts at economic development in Indian Country have proven unsuccessful. The most successful efforts have been initiated from within native communities themselves. Economic development efforts that empower native communities and give them the tools to make their own decisions should be encouraged and pursued.

I believe that education and economic development go hand-in-hand in Indian Country. Indeed, higher education is a fundamental form of economic development. Yet, an uneducated workforce continues to be a cyclical obstacle to economic growth in Indian Country.

The cycle is vicious. Businesses are often unwilling to locate into Indian Country because of the lack of an educated workforce and Native American youth see little value in an advanced degree because there are no jobs on the Reservation that would reward one. Those native youth that do obtain a higher education often do not return to their communities because there are no jobs.

Higher education is costly to attain. As college and graduate school costs continue to swell, students are increasingly shouldering high levels of debt to pay for a college education. In fact, thirty-nine percent of student borrowers now graduate with levels of debt that require monthly payments in excess of eight percent of their total monthly incomes.

Loan repayment assistance for higher education graduates choosing to work in Indian Country will help break this cycle of poverty and promote economic development. I urge my colleagues to support this important legislation.

RECOGNIZING REN DICKSON FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Ren Dickson, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 337, and in earning the most prestigious award of Eagle Scout.

Ren has been very active with his troop, participating in many scout activities. Over the many years Ren has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Ren Dickson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRESS SALUTES LANCE CORPORAL JASON KEITH BURNETT

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. WELDON of Florida. Mr. Speaker, I rise to commemorate the life and service of Jason Keith Burnett, a lance corporal with the United States Marine Corps—who lost his life in Iraq while conducting combat operations on May 11, 2006 in the Al Anbar Province.

Burnett drowned with three other Marines when their tank plunged off a bridge during a combat patrol. The others killed in the accident were Lance Corporal David J. Grames Sanchez of Fort Wayne, Indiana, 2nd Lt. Michael L. Licaizi of Garden City, New York and Corporal Steve Vahaviolos of Airmont, New York.

At the time of his death, Lance Corporal Burnett was a member of Company A, 2nd Tank Battalion, 2nd Marine Division, Camp Lejeune, North Carolina.

His parents, Ronald and Michele Burnett and his brother, Ryan, a Marine stationed in Hawaii, survive him. Several hundred people attended the funeral at First Baptist Church of Poinciana on May 25, 2006 to honor our fallen hero.

He served his country honorably—with courage, inspiring initiative and distinction.

A devoted Marine and true patriot, it has been said of Lance Corporal Burnett that he knew how to make people laugh and he knew when it was time to be serious—either by helping the poor through his church or playing soccer.

He will be long remembered for his love of outdoors, his successful mission trips with his church and his ultimate sacrifice for his country. We've lost another great American. We will all miss him. Jason Burnett is a true hero. Our thoughts and prayers are with his family and friends.

RECOGNIZING ANTHONY WARREN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Anthony Warren, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 337, and in earning the most prestigious award of Eagle Scout.

Anthony has been very active with his troop, participating in many scout activities. Over the many years Anthony has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Anthony Warren for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TRIBUTE TO U.S. ARMED FORCES AND INTELLIGENCE COMMUNITY

HON. THELMA D. DRAKE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mrs. DRAKE. Mr. Speaker, this morning we woke up to the news that Abu Musab al-Zarqawi, the vicious terrorist who has beheaded innocent civilians and murdered women and children in furtherance of his perverted view of peaceful religion, was killed by a U.S. precision guided air-strike.

I would like to take this moment to thank the men and women of our Armed Forces and the intelligence community for their tireless efforts in striking the sword of justice deep into the heart of the terrorist threat. I want them to know that their work has saved the lives of Americans and Iraqis.

While there is the possibility that someone will attempt to rise and take Zarqawi's place, I am hopeful that confusion and fear will now reign supreme amongst the terrorists and that Iraq's newly formed government can use this to their advantage and continue moving Iraq forward. There is still work to do, and we must remain vigilant. The global war on terror is not about an individual, but about combating a perverted ideology that hates freedom, democracy, justice and equal rights for all.

Again, I congratulate our military and the Iraqi people for this success and hope that Zarqawi's death will lead to peace and stability in Iraq.

IN LASTING MEMORY OF SAM PIERSON

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. ROSS. Mr. Speaker, I rise today to commemorate the life and accomplishments of Sam Pierson, who passed away on the 25th of January. Sam was an admired and cherished member of the Lewisville, AR, community, and I would like to take a few moments to recognize his achievements.

Mr. Pierson was born on February 10, 1931, in Bebee, OK. As a dedicated law enforcement officer, Sam served as the Lewisville city marshall in 1968 and the Lafayette County deputy in 1980. Sam then served as the Lewisville chief of police from 1985 to 1998 and most recently as the Lafayette County sheriff from 2001 to 2002. He was extremely respected among his colleagues, and was a member of the Arkansas Sheriff's Association and the National Association of Chiefs of Police.

In addition to his remarkable achievements in public service, Sam Pierson also served his country. He was a veteran of the Korean war, where he was wounded and received a Purple Heart. He was also a member of the Oklahoma National Guard 45th Division and a member of the American Legion.

I am deeply saddened by the death of Sam Pierson. His passing will leave a void in Lafayette County, the city of Lewisville, and in the lives of his family and many friends. While Mr. Pierson may no longer be with us, his spirit and legacy will live on forever in the lives he touched.

My most heartfelt condolences go out to his wife, Maebell Pierson; their 3 sons, George and wife Mary Ann Pierson, John and wife Billie Joe Pierson, and Joe and wife Sheila Pierson; their 3 daughters, Kay and husband Hoppy Higgins, Linda and husband Wayne Etue, and Samantha and husband Michael Henry; his 3 brothers, Jimmy Milligan, Doug Milligan, and Charles Milligan; his 4 sisters, Daisy Neff, Georgia Cox, Vadia Ross, and Barbara Muntz; his 15 grandchildren, 14 great grandchildren, and a host of other relatives and friends.

OGLALA SIOUX TRIBE ANGOSTURA IRRIGATION PROJECT REHABILITATION AND DEVELOPMENT ACT

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. HERSETH. Mr. Speaker, today I am pleased to introduce the Oglala Sioux Tribe Angostura Irrigation Project Rehabilitation and Development Act. This legislation authorizes much-needed efficiency improvements to the irrigation facilities at the Angostura Unit, a Federal Bureau of Reclamation dam on the Cheyenne River in South Dakota. These improvements will restore critical water resources and promote economic development on the nearby Pine Ridge Indian Reservation.

This bill provides important resources to the citizens of South Dakota and the Lakota people of the Pine Ridge Indian Reservation. It authorizes funds to carry out the Bureau of Reclamation's recommended improvements to the irrigation facilities at the Angostura dam. The dam provides substantial economic benefits to many South Dakotans. It provides irrigation to 12,218 acres of land which benefits ranchers and agricultural producers in the area, and it supports an important recreational boating and fishing industry which is enjoyed by many of our citizens.

Until now, however, the Angostura dam has failed to provide any of these economic benefits to the members of the Oglala Sioux Tribe who live just 20 miles downstream of the dam on the Pine Ridge Indian Reservation. The Oglala Sioux Tribe has long relied on the resources provided by the Cheyenne River, which forms part of the northern boundary of its reservation. Long before the dam was constructed as part of the Pick-Sloan Missouri River Basin Project, the tribe relied on the river as an important economic resource. Since it was completed, however, the dam has taken an enormous toll on the tribe. The dam curbed the Cheyenne River's natural flow, reducing water quality on the reservation, diminishing natural riparian habitats, adversely impacting fish and wildlife and forcing important tribal agricultural enterprises to shut their doors.

The bill implements the Bureau of Reclamation's preferred alternative in its revised water management plan for the Angostura Unit, which calls for improved efficiencies in irrigation operations that will free up additional water resources for both existing water users and the tribe. In addition, the legislation would authorize the creation of a trust fund to compensate the tribe for the devastating economic impacts and loss of natural resources caused by the operation of the dam. The fund will be used to promote economic and infrastructure development on the Pine Ridge Indian Reservation and enhance the education, health and general welfare of the Oglala Lakota people.

I hope that my distinguished colleagues will take up and pass this legislation quickly. It will allow all of us in South Dakota to better use our natural resources, while keeping our solemn commitment to deal fairly and honorably with the Oglala Sioux Tribe and the Lakota people of the Pine Ridge Indian Reservation. I ask for your help and support in moving it forward.

RECOGNIZING JOSEPH OLVERA FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Joseph Olvera, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 337, and in earning the most prestigious award of Eagle Scout.

Joseph has been very active with his troop, participating in many scout activities. Over the many years Joseph has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Joseph Olvera for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRESS SALUTES BRIGADIER GENERAL MARK H. OWEN

HON. DAVE WELDON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. WELDON of Florida. Mr. Speaker, I rise to recognize Brigadier General Mark H. Owen, Commander of the 45th Space Wing in Florida and Deputy Department of Defense Manager for Manned Space Flight Support to NASA. I congratulate him on his new assignment as Deputy Director, Strategic Security, Deputy Chief of Staff, Air, Space and Information Operations, Plans and Requirements, Headquarters United States Air Force, Pentagon, Washington, DC.

For the past 2 years, Brigadier General Owen has served as the Director of the Eastern Range, responsible for the safe and secure access to space of America's manned and unmanned space vehicles.

During this time, he was responsible for the processing and launch of U.S. Government and commercial satellites from Cape Canaveral Air Force Station.

The Eastern Range encompasses a 15 million square mile area, that includes a network of radar, telemetry tracking and telecommunication hardware operating at sites up the East Coast and in the Atlantic Ocean including detachments at Antigua Air Station and Ascension Island.

General Owen earned his commission upon graduation from the U.S. Air Force Academy in 1979. To date, he has received seven promotions and served in a variety of space and missile assignments involving missile combat crew operations, satellite command and control, space lift and test range operations and major space systems acquisitions.

During the early years of his service, his assignments included the Phillips Laboratory at Kirtland Air Force Base, New Mexico; the Space and Missile Systems Center at Los Angeles Air Force Base, California; the National Reconnaissance Office and the Office for the Assistant Secretary of the Air Force for Acquisition in Washington, D.C.

General Owen has also served in staff positions at Headquarters Air Force Space Command and in the Office of the Assistant Secretary of the Air Force for Space, as well as the Office of Secretary of the Air Force.

His command experience includes leading a squadron in Colorado and California, and serving as commander of the 91st Space Wing, Minot Air Force Base, North Dakota and the 45th Space Wing, Florida.

Brigadier General Owen's education accomplishments include two undergraduate degrees, one in biology/pre-med from the U.S. Air Force Academy and the other in electrical engineering from the University of New Mexico. He earned two Master degrees, one in systems management from the University of Southern California and the other in national security strategy from the National Defense University, National War College. Other education accomplishments include Squadron Officer School, Marine Corps Command and Staff from the Marine Corps Institute, Defense Systems Management College, Program Management, distinguished graduate from Air Command and Staff College and National Security Management Fellow from Syracuse University.

Brigadier General Owen's awards and decorations include the Legion of Merit with oak leaf cluster, Meritorious Service Medal with three oak clusters, Air Force Commendation Medal, Air Force Achievement Medal with oak leaf cluster, Combat Readiness Medal, and the Global War on Terrorism Service Medal.

I am honored to rise in support of General Owen's service to our Nation and I am proud of his commitment to the cause of liberty and freedom. I wish him every success as he continues to serve this great Nation in the United States Air Force.

TRIBUTE TO EMIL EISDORFER

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. CROWLEY. Mr. Speaker, I rise today to recognize Emil Eisdorfer, a constituent of mine as well as a friend to the Bronx community for his years of public service.

On June 8, 2006, Mr. Eisdorfer will be honored by the Beth Jacob-Beth Miriam School in recognition of all the hard work and his dedication to the Bronx community. He has taken the word community service above and beyond in an effort to serve not only his community but my constituents as well.

Mr. Eisdorfer was born in a small town in Ukraine called Mukachevo, known for its rich Jewish history up until World War II when the Nazi's genocide machine took the lives of many of his relatives, including his grandparents.

Mr. Eisdorfer's life is a real example of the American Dream. Immigrating to the United States with his wife in 1974, Mr. Eisdorfer, using his knowledge of watch making opened a small business in the Pelham Parkway neighborhood of the Bronx. While he worked to provide for his wife Elena and his two kids Jacob and Sharon, he never forgot where he came from and how he got to America. He used his standing in the Bronx community and knowledge to assist arriving immigrants from the former Soviet Union in job placement and counseling.

In addition to helping immigrants here in the United States, Emil also used his 30 years of experience in business, economic development, and retail sales to help create the Business Improvement District, in the Bronx. Emil was always willing to help around the community.

Additionally, Emil served on numerous community boards including Vice Chairman of Community board 11 and President of the Jewish Community Council of Pelham Parkway. Under this role he helped expand the council's membership, funding, and improving its services to the community.

Emil currently works as a staff-member in the New York City Council, while his two children finish up their advance degrees.

Needless to say, the work of this man has no boundaries. I am pleased that Beth Jacob-Beth Miriam School is honoring Emil, and I join with them in extending my appreciation to him for his service to his community.

HONORING THE LIFE OF MAYOR EMERITUS VINCE WHIBBS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. MILLER of Florida. Mr. Speaker, it is with a heavy heart but also with a tremendous sense of pride that I rise today to recognize and remember a beacon for civil service, Mr. Vince Whibbs. Vince left us Tuesday, May 30th. He was 86 years old. Vince was an incredible man and his absence will leave a void in Pensacola that will not soon be filled. Vicki and I grieve with the rest of the area at the passing of such a pillar of society. Our thoughts and prayers remain with Anna, his wife of 63 years, their seven children, 26 grandchildren, and 22 great grandchildren.

Mr. Whibbs was a native of Buffalo, New York and attended the University of Buffalo before becoming an "office boy" for the Pontiac Motor Division of General Motors in 1940. As the Nation was in the grips of World War II, Vince left Pontiac to attend the Army Air Force Pilot Training where he became a fighter pilot and eventually became a flight instructor for the Army Air Corps.

He left the military as a captain in 1946 and returned to the Pontiac Motor Division, rising to the position of zone manager. In 1958, Pensacola was unknowingly blessed when Vince moved his family to the area to take over a local Pontiac dealership.

Friendly, outgoing, and charming, Vince had a love for Pensacola that was overshadowed only by his love of God, country, and family. He was constantly giving back to the community through his involvement in local organizations including the Chamber of Commerce, the Pensacola chapter of the Navy League, the Fiesta of Five Flags, the United Way, Rotary Club International, Junior Achievement and Project Alert.

Mr. Whibbs also gave generously of his time, serving the community in multiple leadership roles, earnestly working to make Pensacola an even better place to live. In 1963, he was elected to the City Council where he served for two years. In 1974, he was selected to head the Pensacola Chamber of Commerce.

In 1978, he was appointed to a two-year term as mayor of Pensacola but did such a great job that he ended up serving through June of 1991. Mayor Whibbs was Pensacola's longest-serving mayor and even after he left the position in 1991, maintained the title of mayor emeritus. During his tenure, Pensacola experienced tremendous growth including the building of the current City Hall, the expansion and revitalization of the Pensacola Regional Airport, and the building of the new Pensacola Police Department.

In 1991, Mayor Whibbs was honored on the House floor by Congressman Earl Hutto, who accurately described him by saying, "Vince's real strengths lie in his basic. personality and his never-ending promotion of the city's goodwill. Vince Whibbs is known nationwide, and everyone who knows him breaks into a spontaneous smile when his name is mentioned. In other words, no one doesn't like Vince Whibbs."

The Pensacola News Journal stated that "his mind worked so rapidly that his words tumbled out at you to the point that you'd want to call for backup. He spoke from a golden throat with a silver tongue, ever the diplomat representing Pensacola."

Vince was well known for a rapid-fire delivery of this speech he recited for visiting dignitaries:

> On behalf of our elected City Council, those 10 masterful men who manage our magnificent municipality; and on behalf of the chairman of our county commission and his four commissioners who constantly deal with the changing, challenging conditions of our county; and on behalf of our wonderful people who populate the Northwest Florida area, it is my privilege and pleasure as mayor to welcome you to Pensacola, the western gate to the Sunshine State, where thousands live the way millions wish they could, where the warmth of our community comes not only from God's good sunshine, but from the hearts of the people who live here. Welcome to Pensacola, America's first place city and the place where America began.

Vince remained a champion for the Pensacola Bay Area all of the way up to his last moments. He passed after dressing for a television appearance to promote a proposed Community Maritime Park on the waterfront of downtown Pensacola. Vince campaigned endlessly for downtown redevelopment and was a staunch believer in making a good city a great place to work and live. His son Mark Whibbs put it best when he said about his father, "He loved this city, and he became a big part of it from the moment he moved here. And he never stopped."

He was a friend of Pensacola, a friend of the military and a personal friend of mine. His enthusiasm was contagious, his integrity inspiring. Pensacola has lost a great man. Vince Whibbs will be sorely missed.

RECOGNIZING JIM WEIDINGER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jim Weidinger. Jim is retiring after over 30 years of service to the United States Department of Agriculture in Rural Development. A lifelong Missourian, Jim was born and raised on a farm in Vienna, Missouri, then after the completion of high school attended the University of Missouri in Columbia, Missouri.

Jim began his career with Rural Development on February 11, 1975 as an Assistant Emergency Loan Supervisor in the Union, Missouri, office. His career spanned 30 years at various offices and levels within the Rural Development Department. Toward the end of his tenure, Jim was crucial in the process of obtaining grants that have been critical to the growth and development of northwest Missouri.

Mr. Speaker, I proudly ask you to join me in recognizing Jim Weidinger of St. Joseph, Missouri. Jim's commitment to excellence is remarkable, and I am honored to represent him in the United States Congress.

IN LASTING RECOGNITION OF CHARLES RICHARD LIPPARD

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. ROSS. Mr. Speaker, I rise today to honor the life of Charles Richard "Rick" Lippard of Booneville, AR, who passed away on March 9, 2006. Rick was born on May 31, 1946, and I wish to recognize his life and achievements.

A graduate of Bauxite High School, the University of Arkansas, and the University of Arkansas School of Law, Rick started a law practice in Booneville in 1970. Throughout his legal career, he served as Booneville City Attorney, Logan County Deputy Prosecutor, Public Defender, and Booneville Municipal Judge. He was also a member of the American Bar Association and the Arkansas Bar Association.

Rick was also extremely active in the Booneville community where he was President and member of the Booneville Chamber of Commerce, a member of the Booneville Parks and Recreation Commission, a Member of the USDA Committee, President, Paul Harris Fellow, and member of the Booneville Rotary Club, Booneville Little League Coach and board member of First Western Bank.

In 2003, Rick was diagnosed with Amyotrophic Lateral Sclerosis, ALS, and true to his nature, passionately volunteered in whatever capacity possible. He volunteered tirelessly for the Fort Smith Chamber of Muscular Dystrophy Association, MDA, and the Memphis and Arkansas Chapters of the ALS Association.

As a man of faith, Rick taught the McLean Bible Study Class at First United Methodist Church and was a devoted member of the Walnut Grove Cumberland Presbyterian Church.

Rick spent a lifetime dedicated to the community of Booneville and will be deeply missed. My deepest sympathies go to his wife, Elaine; his three daughters, Lisa, Laura and Lesley; his three sons, Billy, Justin and Kyle; and his sister, Sharon. While Rick may no longer be with us, his legacy will live on in the lives he touched.

TRIBUTE TO BETH ASHLEY ON HER 80TH BIRTHDAY

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. WOOLSEY. Mr. Speaker, I rise with great pleasure to celebrate my friend Beth Ashley on the occasion of her 80th birthday. Beth has enriched so many lives in Marin County, CA, through her years of accomplished writing for the Marin Independent Journal as well as for her passionate immersion in varied aspects of life in the community and around the globe.

Born in Massachusetts, Beth moved many times in her early years as the family sought financial stability during the Depression. With the help of her supportive family, she developed an interest in writing and worked on school newspapers. They moved to Marin in 1942, and, after finishing her junior year in high school, Beth entered Stanford University where she became editor of the Stanford Daily. She graduated in 1947 with majors in journalism and political science.

Beth's journalism career began in Marin at KTIM radio and included stints in southern California and Europe before her first job at the Independent Journal, IJ, as a copy editor in 1953. She soon became news editor, one of only two women with such a position in California at that time. Except for a 12-year break to raise her children and a brief foray into a public relations business, Beth has been an important fixture in several different roles at the IJ. She currently shines as a feature writer.

Raising her five sons—including two from the previous marriage of her second husband, Ross Ashley—was a role Beth also relished. She loved her years as a homemaker but retuned to work when her husband died of cancer in 1971.

Another constant in Beth's life has been travel, which feeds her curiosity as well as nourishing her compassion for others. She has written movingly on topics such as the food shortages in Moscow in the early years of Glasnost to the struggles of women in Afghanistan trying to recover from years of repressive Taliban rule, and she is currently involved in Iran and its people on the ground, as well as in Darfur.

Beth has been a positive force on nonprofit boards in Marin County including the Marin Aids Political Action Committee, Love is the Answer, the Marin Education Fund, and the Red Cross. She has won numerous awards for her community service, awards which reflect her caring and commitment. She also published a book, entitled, of course, Marin, which captures the same essence of the area that is reflected in her features.

Readers of the IJ look forward eagerly to Beth's columns which illuminate all aspects of life in Marin County as well as capturing deeper feelings about our global world and our shared humanity. Reflecting on the life of a young girl who is working in Darfur, Sudan, with Doctors Without Borders, Beth mused, "Young people today do remarkable things—eschewing personal comfort, risking their lives—to help humanity in the rest of the world.... And I felt stirrings of regret that I had never fulfilled a long-ago urge to change the work with unselfish service of my own."

Fortunately, she adds to these ruminations, "My life has been happier than I could ever have dreamed." Her happiness, caring, and concern shine through both in person and in the newspaper. Beth's writings have been a remarkable and unselfish service to the people of her community and beyond, but to Beth, her children are one of the most important legacies anyone could have.

Mr. Speaker, today it is my privilege to thank Beth Ashley for what she has given to us and to join with thousands of others in wishing her a happy 80th birthday.

HONORING THE CONSECRATION OF ELIZABETH CHAPEL UNITED METHODIST CHURCH

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. MILLER of Florida. Mr. Speaker, it is with tremendous joy and celebration that I rise today to honor the consecration of the Elizabeth Chapel United Methodist Church in Chumuckla, FL, where my wife Vicki and I have been members since 2001.

Elizabeth Chapel has been a home for me; a place of solace where I can go to be closer to God and get back in tune with what is really important in my life. Likewise, the church family has acted as a true family to my wife and me, continuously offering us their support, encouragement, and kindness.

Elizabeth Chapel United Methodist Church has served a vital role in the community of Chumuckla since 1937. Originating from the marriage of two smaller churches in the late 1930s, the church has remained a quaint group of adamant believers whose moral fiber and strength is unwavering.

On September 16, 2004, Hurricane Ivan tore through the area, leaving damage, destruction, and heartbreak in its wake. The hurricane left the church building irreparable and it was soon leveled to begin new construction. Though many members of the congregation lost their homes or had significant damage to their own property in the storm, in the week that followed the hurricane, members of the church and others in the community came together descending on the church grounds to help FEMA distribute over 60,000 MRE's as well as ice and water to those in need.

In the months that followed with the glorification of God's work in their hearts, the community, congregation and other churches in the surrounding area came together to begin rebuilding Elizabeth Chapel. It has been nearly two years since Ivan devastated the Gulf Coast, and the reconstruction is complete. On Sunday, June 10, 2006, I will join in the fellowship and celebration of the consecration of the Elizabeth Chapel United Methodist Church.

Mr. Speaker, I truly represent an incredible group of people. It warms my heart that the community, congregation, and other churches have come together, through the hardships and heartache that have been prevalent since hurricane Ivan, to once again provide a house of worship to the amazingly resilient members of Elizabeth Chapel United Methodist Church.

RECOGNIZING KYLE AUSTIN SPANGLER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Kyle Austin Spangler, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Kyle has been very active with his troop, participating in many scout activities. Over the many years Kyle has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Kyle Austin Spangler for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN MEMORY OF REVEREND B.J. JACKSON

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. ROSS. Mr. Speaker, I rise today to honor the memory of Reverend Brisco James "B.J." Jackson of Crossett, Arkansas. Reverend Jackson dedicated his life to serving others through ministry. He passed on an enduring legacy with his strong leadership, vision, and concern for others. Reverend Jackson passed away on Saturday, May 6, 2006 at the age of 83.

Rev. Jackson was born in Shelton, LA to James and Mittie Jackson and raised in Oak Ridge, LA, by his grandmother, Maggie Lewis. In 1943 he moved to Crossett, where he was employed by Crossett Lumber Co. Throughout his impressive career, Rev. Jackson joined New Bethel Missionary Baptist Church, where he served on the usher and deacon boards. He became a minister in 1949 and served as pastor at Ivory Chapel Baptist Church in Bastrop, LA, Mt. Zion Baptist Church in Monroe, LA, Rose Hill Baptist Church in Dermott, and Holly Springs Baptist Church in Pine Hill. In 1950, he became pastor of New Bethel and became full-time pastor in 1966.

Rev. Jackson's commitment went far beyond his activities as pastor; he was passionate about giving back through other community service as well. In addition to serving as pastor of New Bethel, he was moderator of the Southeast District Baptist Association for 29 years, second vice president of the Regular Arkansas Baptist Association, and instructor of the ministers' seminar in the association for over 20 years. Reverend Jackson was also president of the Williams Daycare Center board of directors, a 32nd degree Mason, a member of Exodus Lodge 403 of Crossett and Scottish Rites Angerona Lodge 78 in Pine Bluff, and a member of Eastern Star of Silver Star Lodge 306 in Crossett.

A man of great character, he returned to high school at the age of 31 and graduated from T. W. Daniel in 1959. He was also a graduate of United Theological Seminary in Monroe.

While Rev. Jackson may no longer be with us, his spirit and legacy will live on forever in the lives he touched. My heartfelt condolences go out to his wife of 62 years, Sallie Lee Jackson; their daughters Hazel Hill, Betty Levy, Bobbie Hendrix and husband John; their son Charles Jackson and wife Mary; his sister Leola Coleman; his fifteen grandchildren; twenty-eight great-grandchildren, and three great-great-grandchildren.

TRIBUTE TO JOSEPH VERDU

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Joseph Verdu, a man who was loved and admired by many people in my hometown of Petaluma, California. Joe passed away on November 5, 2003, at the age of 69. On May 20, 2006, friends and family gathered for the dedication and renaming of McDowell Field to the Joseph F. Verdu Athletic Field.

Joe deserved this honor. He was active in youth sports in Petaluma, inspiring many young people with his warmth and commitment. He helped organize the Petaluma Youth Soccer League and served as its president for three years. He was also vice president of the California Youth Soccer Association for two years and on the board of the Petaluma Valley Little League. The City honored him with a Community Recognition Award in 1978 and the State of California with the Parks and Recreation Department Outstanding Service Award in 1979.

Born in San Francisco in 1934, Joe graduated from Lowell High School, attended UC Berkeley, and served in the United States Air Force from 1954–1958. He married his sweetheart Sylvia Magnani in 1957. The couple lived in Santa Clara until his job with Kimberly-Clark brought him to Petaluma in 1970.

Joe is survived by his wife Sylvia and their eight sons: Joseph, William, Stephen, Thomas, Mark, David, Paul, and Michael. When he died, he had 16 grandchildren; now there are 17.

Mr. Speaker, Sylvia describes her husband as "a wonderful family man" with a "magnetic personality that made him popular with everyone who knew him." I know that description rings true for me and my family. We miss Joseph Verdu's humor and spirit, and I am proud to honor him for his service to the youth of Petaluma.

RECOGNIZING TREVOR DON ROTH FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Trevor Don Roth, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Trevor has been very active with his troop, participating in many scout activities. Over the many years Trevor has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Trevor Don Roth for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF CHARRE TODD

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. ROSS. Mr. Speaker, I rise today to recognize Charre Todd of Crossett, Arkansas who was recently awarded the 2005 Presidential Award for Excellence in Mathematics and Science Teaching. This award is the Nation's highest honor for teaching in the fields of math and science.

This annual presidential award was established by Congress in 1983. It provides special recognition to outstanding educators in the fields of mathematics and science for all 50 states, the District of Columbia, Puerto Rico, the U.S. Territories, and the U.S. Department of Defense Schools.

I have always held education in the highest regard. As parents, educators, and public officials, we have an obligation, a moral duty, to ensure that students, from pre-school to high school and beyond receive the highest quality education possible. By properly educating our students and providing them with the tools they need in order to become successful adults, they will thrive in today's fast-paced and technological world.

The most important component to our children's education is our teachers. Today, more than ever, our educators face new obstacles and challenges. As the son of public school educators, I have a deep respect and gratitude for all educators and their personal commitment to our children.

America is deeply indebted to top-notch educators, such as Charre Todd, for their continued excellence in the classroom and commitment to our students. Today's teachers shape the very foundation of America's future. I am honored to recognize Mrs. Todd for her outstanding work, and extend my sincere gratitude for her dedication to educating our young people. Mrs. Todd is an inspiration to us all, and I consider it a privilege to serve as her United States Congressman in the House of Representatives.

PERSONAL EXPLANATION

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. BISHOP of New York. Mr. Speaker, due to illness, I was not present in the Chamber to cast my vote on rollcalls 227 through 234 on Wednesday, June 7.

Had I been present, I would have voted "yea" on rollcalls 229, 230, 231, 233, and 234.

I would have voted "nay" on rollcalls 227, 228, and 232.

REMEMBERING THE LIFE OF WORLD WAR II NAVAJO CODE TALKER, ROBERT YAZZIE

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. COOPER. Mr. Speaker, I rise today to honor the life of Robert Yazzie, a remarkable American who served his Nation with great courage and honor as a code talker during World War II. We lost a great Tennessean, veteran and patriot when Mr. Yazzie passed away on Memorial Day—Monday, May 31, 2006—at the age of 81.

Robert H. Yazzie was born on June 1, 1924 in Arizona and grew up in an Episcopal orphanage on a Navajo Indian reservation. At the age of 17, he enlisted in the Marines to serve as a code talker in World War II. Yazzie and the other code talkers developed a code based on their native language for military communications in battles with Japan. They used the code in telephone and radio messages to transmit commands, tactics and troop movements. The Navajo code was used in every Marine assault in the Pacific and played a large role in the U.S. victories at Guadalcanal, Peleliu, Iwo Jima and other major battles in the Pacific between 1942 and 1945. It was never once decoded by the Japanese.

After the war, Mr. Yazzie was discharged as a Private First Class in 1945. He married Carrie A. Yazzie of Gainsboro, TN and moved to Nashville in the early 1950's. He raised a family while earning an honest living as a welder. Mr. Yazzie battled diabetes for the last 35 years of his life and suffered heart problems and a blood infection. He passed away peacefully at his home in Madison, TN.

Mr. Yazzie was always very humble about his contributions to the war effort, "We just sent messages," he said in 2003. "We were sending codes on the radio, and we would just talk on the radio using my language."

Because the code talkers were considered such valuable assets to the military after the war, they never received public recognition for their contributions in the Pacific. Finally, in 1992, Mr. Yazzie was among 35 Navajo code talkers to receive official recognition for their service from the Pentagon outside of Washington, D.C. In addition, I had the great honor of awarding Mr. Yazzie a Congressional Silver Medal for Distinguished Service at a special ceremony in Nashville on July 4, 2003.

I am proud to salute the remarkable life and contributions of Mr. Robert Yazzie and his legacy of courage and patriotism that will live on. On behalf of the Fifth District of Tennessee, I offer my most sincere condolences to his family—Bruce M. Yazzie, Martha Prater, Marjorie Lowe, Charlie Burris and Harvey Lee Burris—and the loved ones he leaves behind.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GRAVES. Mr. Speaker, on Monday, May 22, 2006 I was unavoidably delayed and thus missed rollcall votes Nos. 177 and 178. Had I been present, I would have voted "yea" on both votes.

TRIBUTE TO JACK AND EVON KECK

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. WELLER. Mr. Speaker, I rise today to honor Jack and Evon Keck who recently pledged $1 Million to assist in the funding of Silver Cross Hospital's Emergency Department expansion. Jack and Evon Keck are constituents in my 11th Congressional District.

The newly expanded Silver Cross Emergency Department will have the capacity to care for 60,000 patients annually. A new waiting area will also be added for children, with amenities like video games, flat screen TVs with VCR/DVDs and an aquarium that will catch the attention of the children and make the wait a little bit easier for parents.

The Kecks are longtime residents and business leaders in Joliet, Illinois. Jack and Evon attended and met one another at Joliet Township High School. In 1942, only three months after marrying Evon, Jack joined the Seabees and served as a 1st Class Electrician in the South Pacific during WWII for three years. During this time, Evon worked for the phone company. Jack is a former partner of William Keck and Sons Electric Company and the original founder of the Joliet Equipment Corporation, which today is one of the largest motor repair and sales companies in the Midwest.

As a business man, Jack was successful in selling the largest motors ever build to Pacific Steel. It took two railroad cars to transport each motor. He also purchased all the superchargers in existence that were used in B–29 airplanes. General Henry "Hap" Arnold, commander of the Army Air Forces in World War II and the only air commander ever to attain the five-star rank of General of the Army, ordered the purchase of nine car loads to be used in the planes supplying the Berlin Aircraft. At the age of 65, Jack bought the Wisconsin Steel Mill, dismantled it in the middle of winter, and moved it to Joliet to be cleaned and sold.

The Ked's are the proud parents of two children, Ricky and Cynthia. Today, they enjoy spending time with their children, grandchildren and great-grandchildren.

Mr. Speaker, I urge this body to identify and recognize other individuals in their own districts whose actions have so greatly benefited and strengthened America's families and communities.

ONCOLOGY NURSING

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. KIND. Mr. Speaker, I rise today to call attention to the important and essential role oncology nurses play in providing quality cancer care. These nurses are principally involved in the administration and monitoring of chemotherapy and the associated side-effects patients experience. As anyone ever treated for cancer will tell you, oncology nurses are intelligent, well-trained, highly skilled and kind-hearted providers of quality clinical, psychosocial and supportive care to patients and their families. In short, they are integral to our nation's cancer care delivery system.

On behalf of the people with cancer and their families in Wisconsin's 3rd Congressional District, I would like to specifically acknowledge Diane Otte from Onalaska, Wisconsin for her service on the Oncology Nursing Society Board of Directors and her role as Director of the Cancer Center at Franciscan Skemp Healthcare.

The Oncology Nursing Society has five chapters in my home state of Wisconsin. Located in Edgar, Green Bay, Oak Creek, Pewaukee, and Madison these chapters serve the oncology nurses in the state and support them in their efforts to provide high quality cancer care to patients and their families throughout Wisconsin.

Since 1975, the Oncology Nursing Society has been dedicated to excellence in patient care, teaching, research, administration, and education in the field of oncology. The Oncology Nursing Society is the largest organization of oncology health professionals in the world, with more than 33,000 registered nurses and other health care professionals. The Society's mission is to promote excellence in oncology nursing and quality cancer care. I commend Diane and her organization for all that they do in the field of oncology.

Cancer is a complex, multifaceted and chronic disease, and people with cancer are best served by a multidisciplinary health care team specializing in oncology care, including nurses who are certified in that specialty. According to the American Cancer Society, one in three women and one in two men will receive a diagnosis of cancer at some point in their lives, and one out of every four deaths in the United States results from cancer. This year approximately 26,390 people in Wisconsin will be diagnosed with cancer, and another 10,650 will lose their battles with this terrible disease. Every day, oncology nurses see the pain and suffering caused by cancer and understand the physical, emotional, and financial challenges people with cancer face throughout their diagnosis and treatment.

I would like to once again acknowledge and thank Diane Otte for her hard work and leadership on the Oncology Nursing Society Board of Directors. As a nurse and leader in the field, Diane has made it her life's mission to help others and she should be applauded for all she has done.

RECOGNIZING ALEXANDER STEVEN ORTEGA FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Alexander Steven Ortega, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Alexander has been very active with his troop, participating in many scout activities. Over the many years Alexander has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Alexander Steven Ortega for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN HONOR AND RECOGNITION OF THE STRONGSVILLE MUSTANGS BASEBALL TEAM—STATE CHAMPS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the Strongsville Mustangs Baseball Team, for their spectacular victory as winners of the State of Ohio, 2006 Division I High School Championship.

This well-deserved triumph reflects a committed coaching staff and dedicated players who maintained a steady focus on their collective dream. The individual athleticism, enthusiasm and discipline that reflected from every player also reflected the soul of a team whose faith in themselves and passion for the game proved mightier than the odds of winning.

The sheer talent, drive and ultimate victory that frames the 2006 season of the Strongsville Mustangs, a team once described as the "underdog," stands as a monument to the collective resilience and spirit of our nation itself, and reflects the heart and soul of our greatest American pastime—baseball.

Mr. Speaker and colleagues, please join me in honor and recognition of the coaches and players of the Strongsville High School Mustangs as we join in congratulating them on their outstanding victory as State Champions. The individual and collective achievements of the Strongsville Mustangs Baseball Team underscores the meaning of the words "True Champion," and serves to inspire us all with the joy of the game and the knowledge anything is possible, even in the bottom of the ninth, two down, full count—batter up.

ABBAS' ULTIMATUM TO HAMAS

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GARRETT of New Jersey. Mr. Speaker, I rise today to comment on Hamas' refusal to even come to the table to answer Palestinian President Mahmoud Abbas' recent ultimatum.

Eleven days ago, President Abbas demanded that Hamas government recognize the 1967 borders with Israel threatening to take the plan to a public referendum. President Abbas' plan would establish a Palestinian State and allow for all Palestinian refuges to return to their homes within Israel. Hamas' refusal to even consider this plan shows just how extreme Hamas is.

Hamas is responsible for the tragic deaths of thousands of innocent Israelis and Americans, including women and children. It has refused to take part in any peace talks, including the Oslo Accords. It has refused to participate in previous, formal governmental operations that have worked with Israel. And it has actively recruited children to accomplish their malevolent and homicidal agenda.

I commend President Abbas for attempting to bridge the gap between the Hamas government and Middle East peace. I stand steadfast in support of our ally, Israel. And I urge the world to recognize Hamas for what it truly is—an organization bent on extremism and hate and a roadblock on the path to peace in the Middle East.

RECOGNIZING NORTHWEST MISSOURI STATE UNIVERSITY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Northwest Missouri State University. Established in the year 1905, Northwest Missouri State University has just marked 100 years of outstanding service in higher education.

Beginning as a two-year Normal School for teacher education, Northwest Missouri State University now is a nationally and internationally recognized university offering bachelor and master degree programs. Beginning in 1984, Northwest Missouri State University established a culture of quality and has won the Missouri Quality Award three times.

An innovative leader, the first electronic campus at a public university in the United States was founded at Northwest Missouri State University in 1987. Northwest Missouri State University is a national leader in alternative fuels, having put in place a wood pellet system that has produced the University's own heating and cooling for more than 20 years, and providing a significant savings to the University and the State of Missouri.

Among public colleges and universities, Northwest Missouri State University maintains one of the highest graduation rates at more than 60 percent. Students at Northwest Missouri State University consistently rank the university at the top of student satisfaction measurements. Realizing the need for more accessible education to all, Northwest Missouri State University established the American Dream Grant in 2004, the only program of its kind in the United States that provides students who qualify with free tuition, room and board, computer and textbooks.

Mr. Speaker, I proudly ask you to join me in recognizing Northwest Missouri State University, an exceptional institution in Missouri's Sixth Congressional District. The Northwest Missouri State University's commitment to excellence is inspiring, and I am honored to represent so many of its fine employees, students, and alumni in the United States Congress.

TRIBUTE TO THE 30TH ANNIVERSARY OF COMMUNITY RESOURCES FOR INDEPENDENCE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. THOMPSON of California. Mr. Speaker, I rise today to pay tribute to Community Resources for Independence (CRI) as this organization celebrates 30 years of assisting people with disabilities in Napa, Sonoma, Lake and Mendocino Counties.

CRI was founded as a non-profit organization in 1976 to advance the rights of people with disabilities to equal justice, access, opportunity and participation. From its humble beginnings with a single office in one county, it has grown to an organization with three offices serving more than 2,500 people in four counties with an annual operating budget of $1.5 million.

CRI has enriched the lives of its clients by working with individuals, cities and counties to improve access for persons with disabilities in their work, study, play, housing and worship and received national recognition for its work in 2000.

The organization's Transition Project assists people with disabilities in moving from institutional to independent living. It is the only program successfully serving homeless disabled individuals in Sonoma County.

The Deaf Services Program provides advocacy, communication assistance, community education, independent living skills, peer counseling and accessibility equipment resources.

The Disability Law Clinic has been instrumental in raising disability awareness in the community by working with employers to support reasonable accommodations in the workplace and by protecting the rights of its clients to be participating members in the community.

2006 is also a milestone year as it marked the inauguration of CRI's first wheelchair basketball team, The Redwood Rollers. Naturally they won their first game.

In work and in play, Community Resources for Independence has become an invaluable organization in my Congressional District and it is therefore appropriate that we acknowledge and honor them as they celebrate 30 years of service.

IN RECOGNITION OF LE MOYNE COLLEGE MEN'S LACROSSE TEAM

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. WALSH. Mr. Speaker, I rise today to praise the Le Moyne College Men's Lacrosse team on winning the 2006 Division II National Championship. Their 12–5 victory over Dowling College capped off an 18–0 campaign for the Le Moyne Dolphins, and earned them their second Division II national title in 3 years. Le Moyne's national title efforts were spurred by the best D-II defense in the Nation. The Dolphins also had a total of 8 players earning All-America honors from the United States Intercollegiate Lacrosse Association.

On behalf of the people of the 25th District of New York, I congratulate Head Coach Dan Sheehan, Assistant Coaches Brian Datellas, Kevin Michaud, Eric MacCaull, and the players of the Le Moyne College Men's Lacrosse team:

Jared Corcoran, Travis Tarr, Alex Bily, Markus Fallico, Brian Cost, Jason Longo, Chris Doran, Brian Griffin, Nate Evans, Chris Moore, Matt Juriga, Matt Emerson, Mike Recor, Jordan Witt, Tim MacLean;

Brian Welch, Ted Rund, Ed Street, Mike McDonald, Doug McIve, Pete Gibbons, Blake Gale, Ryan Lewis, Tom Donahue, Kevin Kohl, Brad Wolken, Jim Fiacco, Matt Crandall, Marc Cizenski, Mike McLaughlin;

Dan Brown, Jeff Lewis, Craig Rosecrans, Tyler Hill, Russ Oechsle, Andrew Carducci, Rob Poole, Mike Lindstrom, Mike Malone, Matt Cassalia, Dan Ziegler, Pat O'Donnell, Pat McPartlin, and Matt Foster.

HONORING EUGENIA BULNES

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to take this opportunity to recognize Ms. Eugenia Maria Bulnes, the Principal of the Sister Carolyn Learning Center. Principal Bulnes is retiring on June 9, 2006 after 8 years as principal and over 40 years as an educator and mentor to the youth of South Florida.

Eugenia, arrived in our great country in 1961 after fleeing the Castro regime. Since then, she found her life's calling working with children. In fact, Eugenia has spent the majority of her life, mentoring and guiding youth.

Throughout her career she has established herself as a selfless leader, and her dedication to her field is unquestionable. It is the perseverance and compassion of people like Eugenia that enables our country to continue to prosper and grow.

I am grateful for the tremendous diligence and dedication Eugenia exhibited on behalf of the student body at Carolyn Learning Center. Eugenia's dedication to enriching the lives of others is truly admirable. The passion she exerted towards her profession is not only commendable, but inspirational as well.

Once again, I commend Eugenia for her distinguished career as an educator and I applaud her for all the tremendous successes you have accomplished throughout the years.

PERSONAL EXPLANATION

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. ROGERS of Michigan. Mr. Speaker, on the legislative day of May 19, 2006 the House voted on a procedural motion to H.R. 5385, the Fiscal 2007 Military Construction-VA Appropriations Act. On House rollcall vote No. 173, I was unavoidably detained. Had I been present, I would have voted "aye."

RECOGNITION FOR REV. BOB RUSSELL

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mrs. NORTHUP. Mr. Speaker, I would like to recognize the career and service of the Reverend Bob Russell, who is retiring this month after forty years of ministry at Southeast Christian Church in Louisville, Kentucky. Throughout his time at Southeast, Rev. Russell has worked diligently to follow his faith in God wherever it might lead him. His contribution to the Louisville community is unparalleled and his impact on individual lives is immeasurable.

As a young man in Pennsylvania, Rev. Russell dreamed of coaching high school basketball. However, life would hold a different plan for him. During his senior year of high school, he felt a call into ministry. He enrolled in a seminary, graduating from Cincinnati Bible Seminary in 1965.

On June 12, 1966, Rev. Russell delivered his first sermon as pastor of a nascent Southeast Christian Church. Only four years prior, Southeast was founded with seventy-seven charter members. At the time of Rev. Russell's arrival, the church had reached a membership of 120. Within two years of his first sermon, the church had more than doubled to nearly 300 members. On Easter Sunday 1976, the church hosted 1,000 worshippers for the first time. Fourteen years later in 1990, 10,000 people worshipped at Southeast on Easter Sunday. And the church set its current record of 29,424 on Easter weekend 2004 over the course of five services.

Rev. Russell's career is not, measured solely by explosive church growth, but by the many ways the church under his leadership has expanded to meet the needs of our community. The church reaches its community through ministries in counseling, disaster relief, and prison support, among others. The Southeast Outlook newspaper began publication in 1995. Rev. Russell can also be heard nationally on his syndicated radio program, The Living Word.

Throughout his career of four decades in ministry, Rev. Bob Russell has strived to follow his faith in God and live a life of service to the Louisville community. We as a city have been blessed to have Rev. Russell among us for so many years. His loyalty to God, his family, his church, and our city has not gone unnoticed. Mr. Speaker, I would like to express my gratitude for Rev. Russell and congratulate him on a lifetime in ministry and service that will continue to touch Louisville even after his retirement.

TRIPLE CROWN WINNER WHIRLAWAY AND THE ARMED SERVICES

HON. HOWARD P. "BUCK" McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. MCKEON. Mr. Speaker, I rise today to acknowledge the outstanding civilian support of our Armed Services that was embodied by the Triple Crown winning-horse, Whirlaway, during the beginning of World War II. As a direct result of the fundraising enabled by the popularity and talent of Whirlaway, many USO Clubs around the country were established. As a congressionally chartered, nonprofit organization, that support U.S. troops and their families wherever they serve, the USO has also recognized the contribution that Whirlaway aided in the early 1940s.

Whirlaway accomplished some impressive feats as a sports figure, including the still-unbroken record for the fastest furlong ever run in the Kentucky Derby. As a war hero, Whirlaway was an irreplaceable symbol of unity and mutual support between our civilian population and the men and women who serve our country.

As we remember the brave soldiers who have served our country in uniform this Memorial Day, we should also remember the inspiring stories of those civilians who have demonstrated extraordinary support in the past.

May God bless our men and women in uniform and all civilians who remember them on this Memorial Day.

TRIBUTE TO MINISINK HOOK & LADDER COMPANY #1 ON 100 YEARS OF SERVICE

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. KELLY. Mr. Speaker, volunteer service is vital in the basic framework of our nation. Without those sacrificing their time, energy, and efforts for the benefit of others we could not advance as a society.

It is in this notion of service that those in need are given opportunity. It is because of people who dedicate their life to helping others that our communities flourish and lives are changed.

The spirit of volunteerism is alive and well in thousands of communities with the dedicated service provided by volunteer firefighters. Their reward is not monetary, but is in the lives they change, people they save and those they protect day in and day out.

On June 10, 2006, the Minisink Hook & Ladder Company #1 will celebrate 100 years of courageous service to the people of Orange County, New York. On behalf of the people of the 19th Congressional District, in recognition of a century of service I proudly commemorate this momentous achievement. I congratulate and wish the Minisink Hook & Ladder Company continued success in serving the public and keeping people safe.

AMENDING TITLE 49, UNITED STATES CODE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 6, 2006

Mr. PAUL. Mr. Speaker, H.R. 5449 changes the rules under which the Federal Aviation Administration (FAA) negotiates with Federal employees unions, such as the National Air Traffic Controllers Association (NATCA), to make the FAA abide by the exact same process that other government agencies do when they negotiate with Federal employees unions. Contrary to the claims of its opponents, H.R. 5449 does not allow NATCA to indefinitely prolong negotiations. H.R. 5449 allows the FAA to act to end negotiations and bring their case before a Federal mediation board who has power to resolve the dispute. H.R. 5449 would prevent the FAA from unilaterally imposing a contract on the air traffic controllers. In contrast, the current system may provide the FAA with the opportunity to drag out negotiations, so it can ultimately declare an impasse and impose a contract. Thus, the changes made in H.R. 5449 seem reasonable.

Some people, including many House of Representatives members with whom I usually agree, are claiming that H.R. 5449 will cost American taxpayers billions of dollars. This claim is based on an assumption that the final result of the mediation process established by H.R. 5449 will be significantly more costly to the taxpayer then the contract the FAA will impose on the controllers if H.R. 5449 fails to pass. However, under H.R. 5449, the dispute will be resolved by a Federal mediation panel whose members are appointed by the president. I am skeptical that a presidentially appointed mediation board will give an exorbitant package to NATCA, especially since the difference between the FAA's current proposal and the NATCA's last offer is less than a billion dollars. It is true that a future mediation panel may be populated by people appointed by an administration more friendly to the air traffic controllers than the current administration, but it is also possible that a future Congress would use its leverage in the current process to force the FAA to accept contracts tilted in favor of the NATCA. We should not judge procedural issues based on uncertain predictions about results.

Some opponents of H.R. 5449 complain that the air traffic controllers are overpaid. However, since the air traffic control system is government controlled and government financed, the wages of air traffic controllers are not set by the market. Instead, these wages are set by political and bureaucratic fiat. Absent a market, it is imposable to say the air traffic controllers' wages are too high or too low. In fact, given the importance of air traffic control, it is possible that, in a free market, some air traffic controllers may have higher incomes than they do now. One thing I can say for sure is that air traffic controllers would still have their jobs if the Federal government were limited to its constitutional functions since air traffic controllers perform a function that would be necessary in a free market.

In conclusion, Mr. Speaker, H.R. 5449 reasonably changes the process under which the FAA negotiates with Federal employees unions. H.R. 5449 does not favor one party over another, and, contrary to the claims of its opponents, H.R. 5449 does not preordain the conclusion of the negotiations between the FAA and NATCA.

MEMORIAL DAY SPEECH BY STAFF SERGEANT JOSEPH M. DIMOND

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. WELDON of Pennsylvania. Mr. Speaker, I would like to enter the following Memorial Day speech into the RECORD. It was made by Staff Sergeant Joseph M. Dimond. I am sure that you, and all who hear these words, will be moved by this unforgettable tribute to those who have fallen in the service of their country:

MEMORIAL DAY

Good morning and happy Memorial Day!

Memorial Day means many different things to many different people. To some it means BBQ's and beer, to some its just another long weekend to relax, to some it's the beginning of summer, but to people like me, and I'm guessing people like you since you are here, it means a lot more!

Since I was a boy, Memorial Day has always had a special meaning to me. I remember at 8 and 9 years old following my father, a Korean War Vet, around East Lansdowne and Upper Darby while he and his fellow American Legion brothers fired off 21 gun salutes at all the memorials. I would run around collecting all the shells from the rifles and save them as my own little memorial. Afterwards, we would put flags on the graves of all the Veterans in Fernwood Cemetary. I'm not even sure if I understood completely what we were honoring. I just knew it was very important! I knew, that for some reason, every time I heard TAPS or the National Anthem played, I would get teary eyed, but I don't think I ever really grasped the importance of it all.

Unfortunately, over the past year I had the chance to find out first hand what it all meant, why I would cry, why I felt the way I've been feeling for my entire life. I have experienced many difficult times in my life, but nothing could prepare me for the last year! You see, I was in charge of security for the bomb squad for the entire city of Fallujah. While over there, we dismantled 362 roadside bombs and, unfortunately, got hit by some too.

One of the many downfalls of being with the bomb squad in the most violent city in Iraq is that whenever an American or Iraqi soldier is killed by a roadside bomb or suicide bomber, we have to go and make sure all of the ordnance that is in the vehicles when they blow up are stabilized, and removed before the mortuary affairs people can come in and remove the bodies, so long story short, we were forced to work around the bodies of every ally killed by a bomb in Fallujah and the surrounding area. While doing this, my team had to remain calm, keep our heads and not get tied up in what we were seeing, because the bomb squad was a huge target, and I needed to do my best to keep them safe while they focused on their jobs. We were successful most of the time, but did have some bad luck too. Since October 15th, six of my very good friends were killed on the streets of Fallujah, five of which happened while I was there, all in separate incidents. One happened a week after I left Iraq, while my friend John was finishing his last week of a 9 month tour.

These men were all heroes! Whatever your politics, whether you believe we should be in this war or not, whether you are Republican or Democrat, we are all Americans! And I want to make sure you all know this: every single soldier, sailor, airman, and marine over there is there for you! They all feel they are doing what they have to do to make life better for you, our kids and me. I'm not a politician, and this isn't the time or place for politics, but the #1 question I've been asked in the past 2 months since I've been home is "Do I think we should be there?" Well, my answer to that is very simple, I don't know if we should have gone over there, but I, like these men we honor today, was asked to go so I went. I'm an enlisted man, and leave that to the people that sit behind their desks and make the big decisions.

What I do know as a grunt on the ground, looking these people in the eye, day after day, is that I've never seen or imagined the hate, evil or torture that man is capable of until now! I also have no doubt that these people that I was fighting hate you, they hate all of us because we believe in a different God, they hate us because we allow our daughters and sisters to walk around malls in belly shirts, they hate us because we are different from them, they hate us because we are free!

In an America filled with violent movies, video games and violent everything else, we've all become a little desensitized. I can't tell you how many times I've been asked by naïve people, "How many people have you killed?" Like it is a cool thing or something. Only someone who hasn't seen or done the things I have would ask such a question with a smile on their face. And I try to be understanding of the fact that they haven't seen it, but at the same time I feel a responsibility to let them know that there is nothing cool about people losing their lives. Whether they are wrong or deserved it or not, there will be a family mourning, somewhere.

More importantly I feel the responsibility to explain to those people who may not know better, that regardless of what Hollywood may want you to believe, there is no glory in a twenty-something year old man dying violently in the dirt thousands of miles away from his home, away from family, and the people he loves. It is important to me that people recognize and understand how devastating it is when an American, a friend, dies in such a violent way. The hurt and grief one feels when witnessing a twenty-year-old kid, who you personally trained, die in a hellhole thousands of miles away from his home is indescribable! Promising to tell a man's unborn child that her daddy loved her while he bleeds to death because it is too dangerous for a helicopter to come into the city to medivac him is something no human being should have to ever experience. Listening to a friend ask as he is dying if you think God will forgive him for all the things he had to do over here is not glamorous in any way, shape or form.

But most importantly, I feel a responsibility to explain that these men that we honor today were not looking for Glory or medals or memorials! They were all just doing what they felt was right, they were men doing the job that nobody wants! Living in misery, so the people they love could live in happiness! Dying horrible deaths, so the ones they love can live on in peace! That is why they are heroes, and that is why they deserve our thoughts, time and respect at least for this one day of the year!

There is a saying in the war fighting community that says:

"We are the unwanted, doing the impossible, for the ungrateful." Well, now that I'm moving on to the civilian sector again, I'm here to say that not everyone is ungrateful my brothers!

I've seen enough bloodshed for twenty lifetimes! And I pray for peace just as every true warrior prays for peace!

For me, every day is Memorial Day, and it is because of men like these:

Mark Adams, killed by a roadside bomb at age 24, on October 15th 2005.

Joel Dameron, killed by a roadside bomb at age 27 on 30 Oct 2005, his wife has since had their baby girl.

Michael Presley, killed by a suicide bomber at age 21 on Dec 14th 2005.

Ryan McCurdey, killed at age 20 by a sniper while dragging a wounded Marine to safety on 5 Jan 2006.

Nick Wilson, killed at age 25 by a secondary bomb while dismantling another bomb on 12 Feb 2006. He had 4 days left in the country.

John Fry, killed at age 28 by a roadside bomb on 8 March 2006,8 days after I left the country, and 6 before he was leaving.

So, today, when you are barbequing or spending time relaxing with your family, please take a minute and remember these men who sacrificed so much, and remember their families who are living without husbands, fathers, sons and brothers. And if you see someone who doesn't take that time, remind them of all that is done for them!

I'm not much of a speaker, and I'm not sure if I did these men justice, but when I was asked to speak I felt like it was the least I could do to remind people that these men aren't just numbers to follow on the news, but men with families and lives that they gave up for you and me. I have no doubt that I will see these men's faces in my sleep every night, and think of them at least once a day for the rest of my life. I'm just asking you to take a moment out of one day a year to remember them and the many other Americans that died before them.

God Bless, and have a great Memorial Day!

KIRSTEN SHORTRIDGE—GATORADE NATIONAL GIRLS SOFTBALL PLAYER OF THE YEAR

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Ms. Kirsten Shortridge for being selected as the 2006 Gatorade National Girls Softball Player of the Year.

Of the more than three-hundred and fifty-thousand student girl athletes across the country, only one person is chosen to receive this award. The honor, which also factors in academic achievements and overall character, has been awarded for 20 years to athletes in ten different sports.

Kirsten is batting .554 with two home runs, eight triples and twenty-five RBIs. In 181 innings she has pitched 365 strikeouts, 21 shutouts and eight no-hitters, including three perfect games.

She maintains a 3.5 grade point average, is a member of the Circle of Friends, and is a lunch buddy, library buddy, peer mentor, volunteers at Northwood Church with the Revive program, and also volunteers for Special Olympics.

I extend my sincere congratulations to Ms. Kirsten Shortridge for her efforts and for her success in softball and her academics. Her dedication and commitment serve as an inspiration to all.

IN RECOGNITION OF THE LIFE AND SERVICE OF MAYOR LORIN GRISET

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to honor the life of a great man.

Mr. Lorin Griset was a much-beloved mayor of Santa Ana, California. Elected in 1969, he presided over the city during a period of great transition and strove to promote tolerance and understanding between racial groups, despite the tensions of the time.

Lorin Griset's commitment to his fellow man was born out of his experiences as a young soldier. He served valiantly during World War II, and despite suffering great hardship as a POW in Poland, he returned home and dedicated his life to service.

Whether he was organizing an appearance by the Reverend Billy Graham at Anaheim Stadium or serving as a trustee of Biola University, he always remained true to his faith and values that defined his character.

Even after leaving politics, Mr. Griset remained dedicated to faith and public service, teaching Sunday school and serving as a deacon of Calvary Church. His lifelong dedication was recently been recognized by the Santa Ana Unified School District, which has decided to name a local school after him.

Lorin Griset has been an inspiration to the people he loved and served so well. He will truly be missed.

ZARQAWI IS DEAD

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. STEARNS. Mr. Speaker, last night, at 6:15 p.m local time, our special operation forces, using Iraqi tips and intelligence, executed the most wanted terrorist in Iraq, Abu Musab al-Zarqawi.

Mary Anne Weaver, a reporter for Atlantic magazine, traveled to Zarqawi's hometown and spoke with the people who watched him grow up. "Everyone that I spoke with readily acknowledged that as a teenager al-Zarqawi had been a bully and a thug, a bootlegger and a heavy drinker, and even, allegedly, a pimp in Zarqa's underworld. He was disruptive, constantly involved in brawls. When he was fifteen, . . . he participated in a robbery of a relative's home, during which the relative was killed."

Moving from street thug with an arrest record for violence and imprisonment for sexual assault into a profession, Zarqawi obtained a job as a video-store clerk, from which he was quickly fired. After losing this job, he undertook his first of many trips into Afghanistan, where he found justification and an outlet for his violent nature through Islamic jihad. In 1994, Zarqawi was imprisoned for possession of grenades in the basement of his home. It was during his fifteen year imprisonment that he built his following, and after his release he commenced his litany of terror acts.

To see the most compelling evidence of this man's evil, look at the record of his actions.

Beginning in 2003:

October 28th, Lawrence Foley, United States diplomat and administrator of aid programs in Jordan, is gunned down outside his home; August 19th, top U.N. envoy Sergio Vieira de Mello and 23 others are killed in a truck bombing of the U.N. headquarters in Iraq;

And then in 2004:

March 2nd, He orders coordinated explosions at Shiite mosques in Karbala and Baghdad, killing 181 people; May 11th, Zarqawi beheads Nicholas Berg, a Pennsylvania engineer; June 22nd, South Korean hostage Kim Sun-il is beheaded; June 29th, Georgi Lazov, 30 years old, and Ivaylo Kepov, 32 years old, are kidnapped and beheaded; August 2nd, Murat Yuce of Turkey is executed on video; September 13th, Durmus Kumdereli is beheaded; September 14th, 47 Iraqis waiting in lines for jobs are killed by a Zarqawi car bomb attack; September 16th, Kenneth Bigley, Jack Hensley, and Eugene Armstrong are kidnapped and beheaded; September 30th, 35 children and seven adults are murdered by Zarqawi's bombs as U.S. soldiers hand out candy at the opening of a new sewage treatment plant in Baghdad; October 30th, Shosei Koda, 24 years old, is beheaded.

In 2005:

February 28th, 125 Iraqi National Guard recruits are murdered by a Zarqawi follower in a suicide attack; November 9th, Zarqawi coordinates three suicide bombings of hotels in Amman, Jordan, killing 60 people, including a wedding party.

Zarqawi received judgment for his actions last night, and his reign of terror and violence is over. Yet, while we are pleased that this man's murderous influence in Iraq is over, we must not view his death as a moment to rest in our efforts, or as a sign that our job in Iraq is finished. According to the article in Atlantic magazine this week, Mary Weaver's contact, a high level Jordanian intelligence official, "If Zarqawi is captured or killed, the Iraq insurgency will go on." Mary Weaver also interviewed a man who had witnessed the fervor of support among a radical fringe in Iraq. "He [a young boy] was from Saudi Arabia and had just turned thirteen. I noticed him in the crowd at a recruiting center near the Syrian-Iraqi frontier. People would come and register in the morning, then cross the border in the afternoon by bus. I first saw him at the registration desk. The recruiters refused to take him because he was so young, and he started to cry. I went back later in the day, and this same small guy had sneaked aboard the bus. When they discovered him, he started to shout 'Allahu Akhbar!'—'God is most great!' They carried, him off. He had $12,000 in his pocket—expense money his family had given him before he set off. 'Take it all,' he pleaded. 'Please, just let me do jihad.'"

In this war on terror, unlike a traditional state to state war, we must accept that the death of a leader does not end the conflict. On the contrary, the death of such a high profile figure could provoke isolated terror cells to increase violent attacks. We may well see a rise in insurgent attacks in the coming weeks, and we must continue our intelligence efforts in the area to locate and put pressure on these cells, and support our military as they pursue and eliminate them. Persistent hearts will achieve this victory, and I encourage the American people to steel themselves for this continued battle with evil, and to support our military as they bring about a free and stable Iraq.

RECOGNIZING WILLIAM A. EAGAN UPON BEING NAMED SOUTHTOWNS "DEMOCRAT OF THE YEAR"

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. HIGGINS. Mr. Speaker, I stand here today to recognize William "Bill" Eagan, who is recognized as Western New York's Southtowns "Democrat of the Year" for his selfless dedication to his community and commitment to public service.

Bill was born and raised in the City of Lackawanna into a family that has deep roots in the Democratic Party. His father was the Democratic Chairman in Lackawanna for 16 years. Following in the traditions that his father established, Bill became an active member of the Democratic Party at a young age. Bill was involved in many elections and proudly participated in the Presidential Election of John F. Kennedy.

Bill and his wife Patty moved to the Town of Boston in 1982. Just three years later, Bill Eagan became a leader in the Democratic Party when Former Erie County Democratic Chairman Joseph Crangle recruited him to become Democratic Chairman in the Town of Boston. Bill proudly accepted this responsibility and effectively served in this capacity from 1985 to 1990 and again from 1994 to present. Under Mr. Eagan's leadership as Chairman, the Democratic enrollment in the Town of Boston has increased by over fifty percent since 1985.

In 2002, Mr. Eagan was elected Town of Boston Supervisor. During his first term he earned the trust and respect of the town residents and was re-elected to the position in 2005. Mr. Eagan is the first Democratic Supervisor to be elected in over 40 years and then re-elected to another term. Mr. Eagan's success is a testament to his tireless efforts on behalf of the community that he serves.

As Town of Boston's Supervisor, Democratic Chairman, and member of the Erie County Democratic Executive Committee, Mr. Eagan has set an example of leadership for his fellow Democrats to emulate. For the first time in 12 years, the Democratic Party holds the majority of the Boston Town Board. Additionally, Bill was instrumental in electing the first Town of Boston Democratic Highway Superintendent and two Councilmen.

Thank you Mr. Speaker, for this opportunity to recognize Bill Eagan, a man I am proud to have as a colleague in Western New York government, a friend and a public servant deserving of the title "Democrat of the Year."

TRIBUTE TO LAWRENCE P. FORD

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. KILDEE. Mr. Speaker, today I would like to pay tribute to a man of monumental significance in my hometown of Flint Michigan, Lawrence P. Ford. Larry is retiring as the President of the Flint Area Chamber of Commerce after 30 years of service and will be feted at a dinner on June 16 in Grand Blan, Michigan.

When Larry Ford became the Chief Executive Officer of the Flint Area Chamber of Commerce the organization had 435 members. During his tenure the membership has grown to 1900. He was instrumental in starting several organizations entrusted with the advancement of business interests and economic growth in Genesee County. These organizations include the Women's Business Council, the Powerlink Program, the ATHENA Program, Business Education Council, Leadership Flint, Visitors and Convention Bureau, Economic Growth Alliance, Inventor's Council, Young Inventor's Program, the SCORE program, the Small Business Development Center, Katherine Stevens Foundation, the first business Trade Show, and the Business Awards Program including the C.S. Mott Citizen of the Year Award and the Mass Mutual Blue Chip A ward.

Interspersed with these activities, Larry guided the Chamber and business community to take action on significant events that occurred in the community over the past 30 years. Larry has been a true visionary for the mid-Michigan area. He has been at the forefront to develop partnerships between the business, government, education, labor, and consumer sectors of Flint and illuminating our common stake in our community's future development. Through his hard work the Flint area has made an in depth examination of its potential and scrutinized ways to build on its existing strengths. Among the many successes he has helped achieve over the years, the growth and modernization of Flint Bishop International Airport stand out.

The article written by Larry titled "Don't just survive—thrive!" appearing in the Winter 2004 Execlink, outlines a program for success as the President/CEO of a Chamber of Commerce. His advice includes learning from others, never coasting, always look for a way to accomplish the goal, do not believe your press clippings, and enjoy what you do. Larry Ford lives his own philosophy. His wisdom can be applied to life in general and is essential for anyone seeking to succeed.

Mr. Speaker, please join me in paying tribute to one of the giants of the Flint community. His influence and impact on my hometown is enormous. During the many years I have known Larry he is always civil, patient, analytical and incisive. I value his counsel, and his commitment to the people of Flint. As a lifelong resident and business leader, his insight has helped me over the years. I hope that he has as much joy from his retirement as he has had from his work and I wish him the best for the future.

TRIBUTE TO WEST SALEM HIGH SCHOOL STUDENTS

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. HOOLEY. Mr. Speaker, I rise today to recognize four students from West Salem High

School in Salem, Oregon. These four students—Stefanie Gille, Amy Hafer, Tyler Klarr, and John Mai—won the Toshiba/National Science Teachers Association ExploraVision program, Grades 10–12 category. Their winning project, "The Human Touch," is a prosthetic limb that integrates e-skin, skin-grafting techniques and nerve regeneration tubes to allow amputees to sense the world through artificial skin. Microprocessors translate texture, pressure, temperature, and vibration into sensations detected by the patient.

The inspiration for these students was Jim Henry, a special education teacher at West Salem who is an amputee. He challenged them to develop a design that would allow him and other amputees to regain the ability to feel objects with their prosthesis. With this as their focus, these students embarked on a year-long research project that culminated with them being recognized by the ExploraVision program as having the best project in a nationwide competition.

ExploraVision is a competition for students in grades K–12 from the United States and Canada. The purpose of the competition is to encourage students to combine their imaginations with the tools of science to create and explore a vision of a future technology. Students work in groups, along with a team coach, and select a technology or an aspect of a technology that is relevant to their lives. They explore what the technology does, how it works, and how, when, and why it was invented. The students must then project into the future what the technology could be like 20 years from now. Examples of projects from this year's winners include boots that convert electrical energy to heat to keep feet warm in cold weather and an asthma sensor monitoring system.

Earlier this week in the Science Committee, we wrestled with how to get more students interested in math, science, engineering, and technology. These students and their fellow award winners suggest to me that the cause is not lost, that it is possible to get today's students to love math and science. Today's students are tomorrow's scientists, mathematicians, and engineers and with students like Stefanie, Amy, Tyler, and John, the United States will continue to lead the world in technology and innovation.

CONGRATULATING DR. ALLAN ALSON FOR HIS DISTINGUISHED RECORD OF SERVICE AS SUPERINTENDENT OF SCHOOL DISTRICT 202 IN EVANSTON, ILLINOIS

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. SCHAKOWSKY. Mr. Speaker, on behalf of the people of the 9th Congressional District of Illinois, I am proud to pay tribute to Dr. Allan Alson upon his retirement as Superintendent of Evanston Township High School (ETHS). Over the past 16 years at ETHS, two as Assistant Superintendent for Curriculum and Instruction and 14 as Superintendent, Dr. Alson has served the Evanston community with honor and distinction.

Dr. Alson's vision, courage, and commitment to give each young person the gift of a quality education has helped make Evanston a more unified, respectful, and tolerant community. Under Dr. Alson's leadership, Evanston Township High School has advanced its reputation as one of the very best high schools in America. In addition to promoting academic success, Dr. Alson's long list of accomplishments also includes improvements in the arts, athletics and extracurricular programs.

Dr. Alson has helped unite community resources and build diverse partnerships to solve community problems and enhance the educational experience of ETHS students. During Dr. Alson's service, Evanston Township High School has forged partnerships with the city of Evanston, its business and healthcare communities, and Northwestern and National-Louis Universities. Examples of effective collaborations spearheaded by Dr. Alson's administration include an award-winning School Based Health Center, student workforce training, and an interagency consortium for youth advocacy.

Throughout his tenure as Superintendent of Evanston Township High School, Dr. Alson has made the achievement of students of color an essential goal. In 1999, Dr. Alson founded the Minority Student Achievement Network, a national consortium of 25 urban-suburban districts devoted to improving the academic achievement of students of color. Dr. Alson has helped foster a culture of excellence and a climate of high expectations for all students. While more work remains to be done, Evanston Township High School has seen the rate of college attendance for students of color rise from 65 percent to almost 80 percent.

Dr. Alson will long be remembered with gratitude for his tireless efforts to promote academic excellence and social justice. However, most importantly, he can look about the community and see a legacy made of the thousands of young people, parents, teachers, administrators and community members whose lives he has touched. It is a legacy for which he can be immensely proud.

In honor of his legacy of service, I offer Dr. Alson this United States flag as a symbol of appreciation, esteem and good wishes. This flag was flown over the United States Capitol building in Washington, DC in honor of an outstanding educator, advocate, true public servant, and my valued personal friend.

On behalf of the community to which he has given so much, I congratulate Dr. Alson and offer him my best wishes for many years of health, happiness, and continued success.

TRIBUTE TO KANSAS CITY, KANSAS, POLICE CHIEF RON MILLER

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. MOORE of Kansas. Mr. Speaker, I rise to pay tribute to Kansas City, Kansas, Police Chief Ron Miller, who recently announced his retirement after 34 years of service with the department, including the last six years as chief.

Throughout his tenure, Chief Miller has focused the police department's crime fighting efforts on—in his words—"guns, drugs and violent crime." Under his command, the department maintained its national accreditation with the Commission on Accreditation for Law Enforcement Agencies, where it first achieved that status in 1993 and was designated a flagship agency by them in 2004.

A Kansas City, Kansas, native who attended Central Missouri State University, Chief Miller focused his department's efforts on community policing and expanded community partnerships. As City Administrator, Dennis Hays said upon announcing Chief Miller's retirement, "Ron has been a great leader for the Police Department and the community has benefited from his knowledge and ability. Ron is a dedicated professional . . ."

As U.S. Representative for the Third Congressional District, I have had numerous opportunities to work closely with Chief Miller during his tenure and I wholeheartedly endorse Dennis Hays' tribute to him. Chief Ron Miller was a dedicated, professional, public servant who served his community with distinction. His presence in the Chief's office will be sorely missed in the months ahead, I am sure, but I join with all Kansas Citians in wishing him well in his richly-deserved retirement.

THE HOMESTATE HYDROELECTRIC PROJECT NUMBER 1 LEGISLATION

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. HERSETH. Mr. Speaker, I rise today to introduce legislation that will facilitate the timely and seamless transfer of the Homestake Hydroelectric Project Number 1 from the Barrick Gold Corporation to the City of Spearfish, South Dakota.

This hydroelectric facility, originally constructed to provide electricity for a gold mine in the Black Hills of South Dakota, has operated continuously since 1912. The mine recently closed and the city of Spearfish acquired the project with plans to operate it to both generate power and benefit downstream water users.

When the city acquired the project, the Federal Energy Regulatory Commission asserted jurisdiction, based on a finding that a pre-1920 federal right-of-way grant which authorized the occupancy of federal lands by the project, had expired. This project has been operating for more than 90 years under a 1909 right-of-way allowing the project to occupy U.S. Forest Service land in the Black Hills National Forest. The project had never previously been subject to FERC jurisdiction under the Federal Power Act and the U.S. Forest Service maintains that the right-of-way continues to be valid.

The legislation accomplishes three goals. First, the legislation strikes a balance between the various and important water uses of Spearfish Creek—agricultural irrigation use, power generation, recreation, aesthetic and to protect a unique and historic trout fishery.

Second, it authorizes the United States Geological Study to examine the hydrology of the watershed to ensure that future management of the stream is based on sound science.

Third, it enables the City of Spearfish, South Dakota, to assume operation of the facility without having to undertake the lengthy and complex federal hydroelectric licensing process operated by the Federal Energy Regulatory Commission,

This legislation would enable the facility to continue operating as it has since its construction. It also recognizes that the City of Spearfish and the State of South Dakota are well equipped—as they have been for the past century—to appropriately manage the flows of Spearfish Creek.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. WOOLSEY. Mr. Speaker, I was unavoidably detained on June 6 and June 7 and as a result I missed rollcall votes Nos. 223, 224, 225, 226, 227, 228, 229 and 230. Had I been present, I would have voted "aye" on rollcall votes Nos. 226 and 229, and "nay" on rollcall votes Nos. 223, 224, 225, 227, 228, and 230.

A CALL FOR SHARED SACRIFICE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD, an op-ed piece, entitled Consider the Living, published May 29, 2006 by Bob Herbert of the New York Times. Herbert eloquently points out the hypocrisy of the Bush administration on the issue of the war in Iraq. Herbert declares that the fastest way to end this war is to "start sending the children of the well-to-do to Baghdad, and start raising taxes to pay of the many hundreds of billions that the war is costing." The claim that chaos would ensue if we pull out of Iraq is just an excuse to continue the reckless actions of the current administration. Recalling President Bush's challenge to the insurgents to "bring 'em on," Herbert counters that we have lost nearly 2,500 Americans in the war and tens of thousands of Iraqis, and they are still "bringing 'em on." The ones suffering the most in the war are the non-combatants, Iraqi residents who are "like sheep in a slaughter farm." Even after three years parts of Western Iraq are not under U.S. control. Is this what we are to looking forward to? Is the next three years going to cost us 2,500 more American lives as well as billions more of taxpayers money? Not to mention that casualties on the Iraqi side and the atrocities that are byproducts of war.

My colleagues, I join Mr. Herbert in urging you to take decisive measures to bring a swift end to this fiasco. Let us stop this needless waste of lives.

[From the New York Times, May 29, 2006]

CONSIDER THE LIVING

(By Bob Herbert)

Pretty soon this war in Iraq will have lasted as long as our involvement in World War II, with absolutely no evidence of any sort of conclusion in sight.

The point of Memorial Day is to honor the service and the sacrifice of those who have given their lives in the nation's wars. But I suggest that we take a little time today to consider the living.

Look around and ask yourself if you believe that stability or democracy in Iraq—or whatever goal you choose to assert as the reason for this war—is worth the life of your son or your daughter, or your husband or your wife, or the co-worker who rides to the office with you in the morning, or your friendly neighbor next door.

Before you gather up the hot dogs and head out to the barbecue this afternoon. look in a mirror and ask yourself honestly if Iraq is something you would be willing to die for.

There is no shortage of weaselly politicians and misguided commentators ready to tell us that we can't leave Iraq—we just can't. Chaos will ensue. Maybe even a civil war. But what they really mean is that we can't leave as long as the war can continue to be fought by other people's children, and as long as we can continue to put this George W. Bush-inspired madness on a credit card.

Start sending the children of the well-to-do to Baghdad, and start raising taxes to payoff the many hundreds of billions that the war is costing, and watch how quickly this tragic fiasco is brought to an end.

At an embarrassing press conference last week, President Bush and Prime Minister Tony Blair of Britain looked for all the world like a couple of hapless schoolboys who, while playing with fire, had set off a conflagration that is still raging out of control. Their recklessness has so far cost the lives of nearly 2,500 Americans and tens of thousands of innocent Iraqis, many of them children.

Among the regrets voiced by the president at the press conference was his absurd challenge to the insurgents in 2003 to "bring 'em on." But Mr. Bush gave no hint as to when the madness might end.

How many more healthy young people will we shovel into the fires of Iraq before finally deciding it's time to stop?

How many dead are enough?

There is no good news coming out of Iraq. Sabrina Tavernise of The Times recently wrote: "In the latest indication of the crushing hardships weighing on the lives of Iraqis, increasing portions of the middle class seem to be doing everything they can to leave the country."

The middle class is all but panicked at the inability of the Iraqi government or American forces to quell the relentless violence. Ms. Tavernise quoted a businessman who is planning to move to Jordan: "We're like sheep at a slaughter farm."

Iraqis continue to be terrorized by kidnappers, roving death squads and, in a term perhaps coined by Mr. Bush, "suiciders."

The American ambassador, Zalmay Khalilzad, acknowledged last week that even at this late date, there are parts of western Iraq that are not controlled by American forces, but rather "are under the control of terrorists and insurgents."

Now we get word that U.S. marines may have murdered two dozen Iraqis in cold blood last November.

No one should be surprised that such an atrocity could occur. That's what happens in war. The killing gets out of control, which is yet another reason why it's important to have mature leaders who will do everything possible to avoid war, rather than cavalierly sending the young and the healthy off to combat as if it were no more serious an enterprise than a big-time sporting event.

Nothing new came out of the Bush-Blair press conference. After more than three years these two men are as clueless as ever about what to do in Iraq. Are we doomed to follow the same pointless script for the next three years? And for three years after that?

Leadership does not get more pathetic than this. Once there was F.D.R. and Churchill. Now there's Bush and Blair.

Reacting to the allegations about the murder of civilians, the commandant of the Marine Corps, Gen. Michael Hagee, went to Iraq last week to warn his troops about the danger of becoming "indifferent to the loss of a human life."

Somehow that message needs to be conveyed to the top leaders of this country, and to the public at large. There is no better day than Memorial Day to reflect on it. As we remember the dead, we should consider the living, and stop sending people by the thousands to pointless, unnecessary deaths.

SUPPORT FOR THE 1ST ANNUAL NATIONAL WOMEN'S CONFIDENCE DAY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. BORDALLO. Mr. Speaker, I rise today in support of the 1st Annual National Women's Confidence Day. I join the Young Women's Christian Association (YWCA) in their effort to raise awareness for and development of confidence in the personal and professional lives of women everywhere. Supporting the development and improvement of women not only in this country but around the world is of critical importance. Establishing and celebrating the 1st Annual National Women's Confidence Day has gone far to achieve this objective.

The impacts that women make in our workplaces, in our communities, and in our homes are many and commendable. The influence of women today is at a highpoint in history. Women serve in leadership roles in private sector businesses, in government, in the field of education, in the arts and sciences, and in virtually every sector of our society.

Eighty-two females proudly and ably serve as Member of Congress in the 109th Congress. I, and my female colleagues, know firsthand not only the barriers to overcome and the rigors to endure, but also the satisfaction of achieving the personal and professional goals that we have set for ourselves. Having the confidence to meet these challenges and best them makes the rewards of doing so that much more enjoyable. Having the confidence in yourself to set ambitious goals, to work towards them, and to attain them is crucial to success in both personal and professional aspects of one's life.

The 1st Annual National Women's Confidence Day will carry the message that self-confidence and self-esteem in women—old and young—are important tools not only for success in the workplace but also for living healthy, happy, and meaningful lives.

It is my pleasure to support the YWCA in promoting the far-reaching objectives of this program. Their work will improve the lives of women and girls in the United States. I commend them for their leadership on this issue.

CELEBRATING THE 50TH BIRTHDAY OF DR. TIMOTHY G. BAKER

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. COSTA. Mr. Speaker, I rise today to celebrate Dr. Timothy G. Baker of Fresno, California on the occasion of his 50th birthday.

Dr. Baker has been a committed political advocate and a valued member of our community for as long as many of us can remember; it is for these reasons we honor him for his accomplishment and his character.

An advocate even in grade-school, Dr. Baker's interest in politics began long ago when he ran for President and Vice President of his class while attending Tenaya Junior High School and Bullard High School in Fresno. While his legislative agenda has progressed from leading student council meetings in grade school to managing key components of state political campaigns in his professional life, Tim Baker's energy never waned in community fundraising efforts to improve the quality of life for citizens in our Valley.

After graduation from high school in 1973, he continued his education at California State University, Fresno where he pursued a Bachelor's of Arts in Zoology. It was during this time that Dr. Baker became drawn to California State politics. He was involved in the campaign for Senator George Zenovich, now retired from the California State Legislature. Having acquired the taste for political campaigns, Tim became a valued asset in Congressman Rick Lehman's first California State Assembly campaign and my own first campaign for the California State Assembly.

The community has truly benefited from Dr. Baker's hard work and distinctive character. He eventually earned his Doctorates of Dental Surgery from the University of Pacific in 1982 and went on to serve as a resident in general practice dentistry at Valley Medical Center. Dr. Baker continues to practice dentistry in Fresno and also serves as the 6 County Dental Education Director for the University of California in San Francisco, headquartered in Fresno. In honor of his hard work and commitment to the community, Dr. Baker was awarded the University of California, San Francisco Outstanding Achievement Award.

Dr. Baker is a shining example of what it means to constantly strive for perfection. He is a political consultant, a practicing dentist and a valued member of our community. On behalf of all who know him, I would like to thank Dr. Tim Baker for his many contributions to our community and wish him continued success.

HONORING CHARLOTTE MARIE PETERSON QUANN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. PELOSI. Mr. Speaker, I rise today to pay tribute to a great civic and community advocate, Charlotte Marie Peterson Quann, who died on May 17, 2006. I join my constituents in honoring her lifetime of service to San Francisco's most vulnerable and in recognizing her leadership as one of the earliest African American professional women.

Charlotte called many places her home, but she devoted more than three decades of her life to improving the lives of those less fortunate in the San Francisco Bay Area. She served as the Chair of the Board for La Casa de Las Madres, an emergency shelter for battered women and their children, and as Chair of the Glide Church Board of Trustees in the Tenderloin neighborhood of San Francisco. At Glide she ministered to the poor and infirm and took special delight in the children's programs. Charlotte was an active participant in the Cal-Nevada United Methodist conference Board of Higher Education and Campus Ministry. When she died at age 72, she was the Chair of the Board of Center Point drug treatment programs and of the Mary Elizabeth Inn, a shelter for women in transition.

Charlotte began her leadership activities early in life. In high school she joined numerous clubs where she ran for office. She graduated from the Detroit Public School System and graduated from Northwestern High School at age 16. She was active in the Urban League, YMCA speech and debate, and her photo is in Northwestern's Hall of fame. At age 16 she went to the U.S. Capitol and served as one of the first and youngest female Congressional pages. Her father, at whose side she learned, organizing Detroit's factory workers, inspired her political activism.

In 1959, Charlotte became the first African American to work for Capital Airlines (the predecessor of United Airlines). She held many positions there and also served as President, Vice President, and Secretary of the United Airlines Black Professional Organization.

Charlotte will be missed by all who cherished her warm smile and infectious humor and who were touched by her selfless leadership and advocacy. I extend my deepest sympathy to her sons, Steven and Warren, her daughter Carla, her grandson, Carl, her granddaughters Catherine, Sade, and Iman, her sisters Gloria Patton, Scheryl Peterson, and Gail Peterson, her brothers Willie Jr. and George Peterson, sisters-in-law and many nieces and nephews. Thank you for sharing Charlotte with us; her life was a gift to us all.

ECONOMIC DEVELOPMENT AND GLOBALIZATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. RANGEL. Mr. Speaker, I rise today to address the issue of third world debt relief for the RECORD. In the article, Can Developing Countries Be Financial Saviors of Rich Nations?, published in Volume XXIV No. 1230 (May 24–30, 2006) issue of The New York CaribNews, Mr. Tony Best cites Dr. Jeremy Siegel, a professor of the Wharton School of Business. Addressing the possibility that the baby boomers' selling their savings stocks and bonds would lead to a weakening of the assets of the rich nations, Dr. Siegel claims that the best solution is to allow investors from developing countries to buy up these excess stocks to maintain the market prices. Mr. Best asserts that some of "the highest growth rates in dollar terms in market capitalization was in the emerging markets" of Macedonia, West Bank and Gaza, Fiji, Nigeria, Jamaica, Botswana, Trinidad and Tobago, India, Kenya, Bermuda and Tanzania. As Mr. Best claims, if the global market is integrated so that "the selling of assets from the old in the rich world to the young in the developing world is no more difficult than today's sales of assets by elderly folks" America's trade deficits in the developing world would not be a cause for concern. The increasing investments in America from the growing markets would be balanced by the existing trade deficits and debts owed by the developing countries to the U.S.

[From the New York CaribNews,
May 24, 2006]

CAN DEVELOPING COUNTRIES BE FINANCIAL SAVIORS OF RICH NATIONS?

(By Tony Best)

It may not be a case of reverse Robin Hood, meaning stealing from the poor and giving it to the rich. But investors and stock markets in relatively poor nations of the Caribbean and Africa may in the long run be the next financial saviors of future prosperity in the world's wealthiest nations. Add Asia, Latin America and the Middle East to that list and the prospects would become clear, very clear.

So, while people in G–8 nations and their affluent neighbors may not steal from such developing and relatively poor nations as Jamaica, Thailand, Trinidad and Tobago, Barbados, Uzbekistan, Nigeria, Botswana, Pakistan, Swaziland, Bermuda, Jordan and at least 40 other emerging markets, some economists in the U.S., Britain and elsewhere in the developed world are offering a bit of advice: keep your eyes on these economies because they are poised to help make up the shortfall of buyers of assets in the rich world. One such economist is Dr. Jeremy Siegel, a professor at the prestigious Wharton School of Business in the U.S. He believes that with many baby boomers in North America and Europe, persons born between 1946-64, getting ready or planning their retirement, they may sell off their stocks and bonds in large quantities to finance their retirement and that in turn can create a huge gap in the assets of rich nations.

"The sale of these assets will lead to a sharp fall in prices, because there are too few people in the smaller generations that followed the boomers to buy all of those assets at today's prices," stated The Economist as it explained Siegel's theory.

The upshot: unless the baby-boomers delay their retirement, they could "see their standard of living in retirement halved, relative to their final year of work," the Economist added. Siegel warns a huge sell-off of stocks and bonds by the baby-boomers can trigger a 40–50 percent fall in stock prices with a smaller pool of investors coming along in the rich countries to take up the financial slack. That's where the developing countries may come in, goes the argument. Some figures tell an interesting story.

Although the top 10 stock markets in terms of capitalization are in the U.S., Japan, U.K., France, Germany, Canada, Spain, Switzerland, Hong Kong and China in that order, some of the highest growth rates in market capitalization in dollar terms between 1983–2003 were in emerging markets. Macedonia, West Bank and Gaza, Fiji, Nigeria, Jamaica, Botswana, Trinidad and Tobago, India, Kenya, Bermuda and Tanzania are on that list. For instance, Fiji's growth was put at 760 percent; Jamaica's 297 percent; Trinidad and Tobago's 170 percent and Bermuda 92 percent.

When it came to the highest growth in value traded between 1998–2003, Zimbabwe, Jordan, Jamaica, Israel, Trinidad and Tobago, United Arab Emirates, Barbados, Malaysia, South Africa, and Sri Lanka were listed among the 44 nations with the best performance. For instance while Zimbabwe had growth of 623 percent; Jamaica 507 percent, Trinidad and Tobago 128 percent; Barbados, 121 percent; and South Africa 76 percent. Germany's pace of expansion was 51 percent and Canada's 42 percent.

Of course, it would take decades before those countries have the financial power to fill the financial gap but then who would have predicted in 1980 that China, India and Dubai would have become such economic giants as to drive fear in the hearts of protectionist lawmakers on Capitol Hill in Washington who worry about their ability to buy U.S. companies. Dr. Siegel is writing a new book called, "The Global Solution," and in it he is insisting that by the middle of the 21st century most multinational companies must find new investors outside of North America, Europe and Japan.

"The challenge is to integrate global markets so that selling assets from the old in the rich world to the young in developing countries is no harder, no more unusual, than today's sales of assets by elderly folks," stated The Economist. "From this perspective, America's external deficits, particularly with some developing countries may be both long-lasting and nothing to worry about." It goes without saying that investors in developing countries shouldn't forget that protectionist tendencies in the rich nations are alive and well and can retard growth.

INTRODUCTION OF THE DISTRICT OF COLUMBIA NATIONAL GUARD RETENTION AND COLLEGE ACCESS ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Ms. NORTON. Mr. Speaker, today I introduce the District of Columbia National Guard Retention and College Access Act, a bill to authorize funding for the College Access program, which provides grants for secondary education tuition to the members of the D.C. National Guard. This bill is the eighth in the "Free and Equal D.C." series of bills to remedy obsolete or inappropriate intervention into the local affairs of the District of Columbia or denials of federal benefits or recognition routinely granted to other jurisdictions. I decided on this bill to authorize an education incentive program after meeting with Major General David Wherley, the Commanding General of the D.C. National Guard (DCNG), who suggested that education grants would be useful in stemming the troublesome loss of members of the DCNG to Guard units in surrounding states that offer such benefits. I am grateful that last Congress, Representative David Hobson understood the importance of educational benefits in retaining appropriate D.C. National Guard levels in our nation's capital and was instrumental in getting a D.C. National Guard educational grant program included in the House version of the Defense Authorization bill. Unfortunately, the program was dropped in conference.

However, this bill is necessary now more than before because the D.C. National Guard has been experiencing a disproportionate decline in force as compared to the Guards of neighboring jurisdictions, particularly Maryland and Virginia. For example, although National Guards throughout the United States have had difficulty maintaining and increasing their numbers, the decline of the D.C. National Guard has been precipitous. Since 1994, even before the war on terror, statistics show that the D.C. Army Guard has declined 34 percent, as compared to a 26 percent decline for Maryland and Virginia's 16 percent decline. Between 2002 and 2005, the D.C. Air Guard experienced a 6 percent decline, as compared to Maryland's 5 percent decline and Virginia's 2 percent increase.

The declining D.C. National Guard enrollment is especially serious given the unique mission of the D.C. National Guard to protect the federal presence. This responsibility distinguishes the D.C. National Guard from any other National Guard. The D.C. National Guard is specially and specifically trained to meet its unique mission.

The D.C. National Guard, a federal instrument, is losing personnel to other guards because it is not able to offer the same level of benefits that adjacent National Guards provide. The DCNG is severely under-competing for members from the pool of regional residents, who find membership in the MD and VA Guards much more attractive. A competitive tuition assistance program for the D.C. National Guard will provide significant incentive and leverage to help counteract declining enrollment and level the field of competition.

The small education incentives in my bill would not only encourage high quality recruits; this benefit would have the important benefit of helping the DCNG to maintain the force necessary to protect federal presence, including Members of Congress, the Supreme Court, and visitors if an attack on the Nation's capital should occur. I am pleased to introduce this bill on advice of Guard personnel who know best what is necessary.

I urge my colleagues to support this bill.

HONORING THE RETIREMENT OF SUPERINTENDENT SUSAN BACKMAN

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to Mrs. Susan Backman on the occasion of her retirement as Superintendent of Schools for Dearborn Heights District #7. She has served the community and its students with distinction for more than 30 years.

Mrs. Backman graduated from Western Michigan University in 1971 with a degree in home economics and distributive education. In 1979, she earned her Master of Education degree from Wayne State University. She then earned advanced certification as an education specialist and completed post-graduate credits at Wayne State University in 1988 and 1992 respectively.

In 1971, Mrs. Backman began her career as a teacher in District #7, a job she would keep for the next 13 years. In 1986, she became the Special Education Supervisor, and she earned the position of Director of Student Services in 1994. She then served as Interim Superintendent from 1996 until 1997, when she was hired as Superintendent of Schools. Since that time, Mrs. Backman has worked tirelessly to provide all that she can for the students and staff of District #7.

There is no question that Mrs. Backman's nine years as Superintendent greatly benefited the students of Dearborn Heights. She spent countless hours fostering better relationships with the staff, the community and the Board of Education. Mrs. Backman led a dedicated team of administrators and facilitated the passage of many ballot initiatives to secure additional resources. Furthermore, she oversaw the dramatic reversal of the District's finances from budget deficits and mismanagement to one of growth and responsibility. Throughout her career, Mrs. Backman has been an innovator and a pioneer in researching and implementing the new policies, procedures and programs that have helped District #7 succeed and excel. Mrs. Backman's 2005 nomination for National Superintendent of the Year reflects her undying efforts as an advocate for public education.

Susan Backman's retirement is a bittersweet moment for District #7, and I would ask that my colleagues rise and join me in wishing her the very best of luck, health and happiness in the future. I join the community in thanking her for her dedicated service to the students of Dearborn Heights over the last 35 years. While her leadership and guidance will be missed, her work and achievements will not be forgotten.

CIVIL RIGHTS, IMMIGRANT RIGHTS, AND SOCIAL JUSTICE: A UNIFIED MOVEMENT

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD, an editorial, entitled From Civil Rights to Immigrant Rights, published in the May 16, 2006 edition of the New York Carib News, by Basil Wilson on the CaribOpinion page. Mr. Wilson raises some pertinent issues and questions about the highly polarized immigration debate. The Republican immigration bill wants to criminalize illegal immigrants and individuals and organizations that support them. Claiming that illegal immigrants are a costly burden on legitimate taxpayers, legislation is being discussed to deny medical services to undocumented workers. Fearing that "Latinization of America" is a threat to American values, the conservatives plan to militarize the southwestern border but policing 1,900 miles border is very difficult, not to mention costly.

The shocking revelation is that this anti-immigrant sentiment is not only backed by economic concerns but also by academic ideology. Samuel P. Huntington and the like are "for immigration provided the dominant culture of white Protestantism is preserved." Recalling the Know Nothing Party of the 1840's whose goal was to expunge the "foreign and unassimilatable Irish Catholics," Mr. Wilson deplores the generalization of the supremacists that Mexican immigrants are unwilling to be integrated into American society. Even if that were the case, the history of Black America proves that assimilation alone is not the answer. The civil rights movement abolished the institutionalized segregation but racism has not disappeared from America. More importantly the power relation with white America has not changed. "The black commitment to integration did not ease the white backlash and the immigrant assimilation will not mitigate the resistance to the browning of America." The struggle of today's immigrants is about first class citizenship. The 11.5 million immigrant workers who are an integral part of the American society deserve their rightful place.

I join Mr. Wilson in urging that the movements for civil rights, immigrant rights and social justice should join forces to free America from the grip of its historical racism.

[From the New York CaribNews, May 16, 2006]

FROM CIVIL RIGHTS TO IMMIGRANT RIGHTS

(By Basil Wilson)

The mass demonstrations on May 1, 2006, dramatized the rights of immigrants and their capacity to mobilize on the part of Hispanic Americans. Mass numbers took to the streets in New York, Chicago, Los Angeles, Phoenix, etc. The mass mobilization has unsurprisingly triggered a white backlash from segments of white civil society who were opposed to any form of legalization of undocumented workers. Like the civil rights movement of the 1960s, the immigrant rights movement that has been launched in 2006, seeks legislation in Congress to redress their grievances.

Paradoxically, it was the proposed bill passed in the House of Representatives on December 17, 2005 which precipitated the immigrant rights movement. The Republican Bill sought to criminalize visitors staying beyond their stay or crossing the borders illegally. The proposed legislation seeks to criminalize individuals and organizations that provide support for illegal immigrants. This extreme legislation reveal the high state of polarization in the country regarding what is to be done with 11.5 million illegal immigrants who take part in the day to day life of American society. The immigration debate like the civil rights debate evokes deep emotions among white Americans who view the Latinization of America as constituting a threat to Protestant hegemony.

Republican conservatives have somewhat sanitized their position since immigrants have taken to the streets. Representatives in the House like Tancredo and Sensenbrenner insist that they are for legal immigration but vehemently oppose amnesty as that would undermine the rule of law in the country. The salient issue for the conservative wing of the Republican Party is the sealing of the borders. Since the 1996 immigration legislation, the United States Congress has allocated billions of dollars to protect the 1,900 mile border between Mexico and America. The Immigration and Custom Enforcement division under the rubric of Homeland Security has been using state of the art technology, helicopters, and increased patrols to stem the tidal wave of immigrants streaming across the unsealed border. There is strong sentiment among conservatives to build a wall and to militarize the border to thwart illegal aliens from crossing the southwest border. The truth of the matter is that the policing of 1,900 mile border is a trying task. That situation becomes even more challenging when so many Mexican and Central American workers find themselves succumbing to an increasingly immiserated state.

Republican conservatives make the case that illegal immigrants are a costly burden on the backs of legitimate taxpayers. The accusation is that illegal aliens are overcrowding the public school system and clogging the emergency wards of hospitals. There is even legislation underway in the House of Representatives to prevent hospitals from providing emerging service to undocumented workers.

The level of polarization is not driven just by economics. Economics provide a respectable cover for the debate. The recent study authored by the Harvard scholar, Samuel Huntington, Who Are We? The Challenge to America's National Identity unmasks the true roots of the national hysteria. Huntington in 1996 wrote. For the Harvard scholar, the new danger was the clash of civilization between Islam and the West. Those fault lines were particularly volcanic and the war in the Middle East is manifestation of that collision between Islamic civilization and the encroaching military arm of western civilization. The Huntingtons of the world are preoccupied with the preserving of American military hegemony and the only way that the hegemony can be sustained is for America to pursue policies aimed at the subjugation of peoples committed to the post-colonial principle of self-determination.

Huntington's point of departure vis-à-vis migration is identical to his position on world civilization. He is for immigration provided the dominant culture of white protestantism is preserved. Huntington's position is that the volume and cultural distinctiveness of the new immigration poses a threat to American civilization. His wrath is aimed not just at immigrants but Mexican immigrants in particular. In his view, the former epochs of mass migration were unthreatening because the Irish wave of the 1840s and the Southern Europe phase of 1890-1920s were assimilatable unlike the present wave of Mexicans.

The previous immigrant waves generated the same histrionics. In the 1840s, the Know Nothing Party was created to purge the country of the foreign ad unassimilatable Irish Catholics. White Anglo-Saxon Protestants argued that Italians and Jews were not assimilatable. Italians and Jews were not seen as white and were not given that status until after Hitler's genocide in World War II.

Huntington sees the Mexicans as constituting a threat to values that made America great—the values of hard work, love of family, and a unitary cultural system. According to Huntington's weltanschauung, the concentration of Mexicans in the southwest constitutes a threat to American loyalty. He perceives that the loyalty to Mexico, the difference in culture, the language clash will invariably lead to two Americas. He throws data into the mix and argues that Mexicans have not shown a propensity to learn the language or a willingness to show loyalty to America. In the 2004 Presidential election, a majority of the Hispanic community supported the war in Iraq. In contrast blacks overwhelmingly opposed the war.

The response to the mass mobilization on the part of the Hispanic community on May 1, 2006 and previous demonstrations reflects the deep asundering in the American society. The detractors have been critical of Mexican or other foreign flags. The singing of the national anthem in Spanish sparked vehement emotions and brought to the fore issues of patriotism and dual loyalties.

White America likes to be flattered. Martin Luther King and the civil rights leadership understood the importance of flattery to persuade a majority of Americans to the correctness of toppling Jim Crow. Black people sought to be assimilated into America. The civil rights movement was about building an integrated society consolidating the cultural system. The immigrant movement is about Mexicans and others taking their rightful position in American society. Immigrants have taken great risk to enter America's borders to become American. One sees the magnetic force of American culture and by the second generation of immigrants, they become indistinguishable from indigenous Americans.

The black commitment to integration did not ease the white backlash and the immigrants to assimilation will not mitigate the resistance to the browning of America. There is a convergence of the civil rights movement, the immigrant rights movement and the movement for social justice. Although the civil rights movement accomplished the abolition of de jure segregation with the passage of the Civil Rights Bill in 1964, the Voting Rights Act in 1965, the Housing Rights Act of 1968 and the Immigration Legislation of 1965, institutionalized racism has not disappeared.

Racism persists but in a less truculent form. In the post civil rights era, the black community finds itself in a far more variegated state. There has been some expansion in the ranks of the black middle class. The working class has become more precarious and even though there is a reduction in poverty, there has been a sharp rise in the ranks of the incarcerated. Nonetheless, there has been no change in the power relationships with white America. Power is far from being variegated.

There is increased black representation in politics but the black community finds itself still in a state of powerlessness. Black people are not catching hell in America because of the massive influx of legal and illegal immigrants. There are sectors of the economy where illegal immigrants occupy niches such as in construction that black workers could fill that void. There are black spokespersons who see illegal immigrants as the reason why black men are being left behind.

The immigrant struggle is synonymous with the black struggle. The struggle of the immigrants is about first class citizenship. In American society, like so many other societies, there is a need to have someone beneath to stomp on perennially. That is what whites sought to do with blacks from the genesis of the society until now. That is what poor whites relished in the Jim Crow years and continue to sustain that asymmetrical relationship. If black labor is degraded, then all labor is degraded. The immigrant movement is about worker's rights and the recognition that illegal workers who have been for decades are entitled to emancipation from deportation, to live in human dignity. That is a condition that black people and all people of color in American society can identify. The caricaturizing of Mexicans is no different from age-old dehumanization of black people. Huntington and others of his ilk are oblivious to their supremacist worldview which is so entangled with America's view of military hegemony.

This other worldview is possible but the possibility for this other world is enhanced if white supremacy on the national stage and on the world stage is obliterated. It will only come about when America recognizes the pluralistic state of the world and that America's role is not about the building of walls or engaging in inhumane forms of mass deportation. America has had to adapt to the millions of Africans who came ashore beginning in 1619 and now constitute an integral part of America's multi-racial society.

The 12 million immigrants must become an integral part of America. The change in status from their undocumented precarious position will enable them to have access to higher education and social programs to improve the conditions of their existence. America is split down the middle on the rights of immigrants. This is a difficult time for America. It is confused about its role in the world. Frederick Douglass, the great abolitionist recognized that no entity gives up power willingly. The significance of the black and brown movement is the capacity to forge links with the other America to force America from the trappings of white supremacy. The test of the immigrant movement will be its staying power. The battle for immigrant rights has only just begun.

DESIGNATING JULY AS SMART IRRIGATION MONTH

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. COSTA. Mr. Speaker, I rise today to join with the Irrigation Association in designating July as Smart Irrigation Month.

Since 1949, the Irrigation Association has been charged with and has been successful in leading the advancement of water-use efficiencies to create smarter solutions for agricultural, residential and commercial landscape irrigation. The Irrigation Association is dedicated to developing the irrigation industry and effectively utilizing our most vital resource.

With such charge in mind, the Irrigation Association has named July Smart Irrigation Month to raise awareness about the importance of using efficient watering practices, technologically advanced irrigation products and water conservation. In addition, Smart Irrigation Month is a great opportunity to educate constituents and consumers, including homeowners, garden clubs, growers and farm irrigation managers, with valuable watersaving irrigation information, products and services.

Additionally, Smart Irrigation Month serves to recognize advances in irrigation technology and practices that produce not only more but also higher quality plants with less water. Given that July is a peak month for the use of water irrigation; this designation also stands to encourage the adoption of smart irrigation for substantial water savings. Consequently appropriate irrigation technology combined with efficient practices can significantly reduce water usage and runoff while creating healthy lawns, landscaping, sports turf and increasing agricultural production.

Water is a finite resource that is essential in the advancement of agriculture, and is vital to human life. Smart Irrigation Month will showcase the importance of smart irrigation practices to the health and well being of communities and individuals. I would like to commend the Irrigation Association for its continued promotion and advancement of efficient water and irrigation use and therefore ask that you join me, together with the Irrigation Association, in designating July as Smart Irrigation Month to be recognized annually from July 2006 forward. Water is the lifeblood of resources that gives sustenance to life. We must wisely use this resource for the future of mankind. Therefore, smart irrigation technologies allows us to do just that.

OPPOSING THE REPEAL OF THE ESTATE TAX

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. RANGEL. Mr. Speaker, I rise in opposition to repealing the estate tax. It is fiscally irresponsible and would drive higher an already swelling deficit. Repealing the estate tax lacks rigidity that is desperately needed to reduce the national deficit and balance the budget. On the heels of passing consecutive tax cuts for the wealthy, repealing the estate tax would grant further tax relief to the most affluent in our country while the poor and the working class continue to struggle to make ends meet. Contrarily, estate tax repeal would save the estate of Vice President DICK CHENEY between $13 million and $61 million. It would save the estate of Defense Secretary Donald Rumsfeld between $32 million and $101 million. The estate of retired Exxon Mobil chairman Lee Raymond would save a comfortable $164 million. Additionally, tax relief for the wealthy does not materialize in gains for the poorest in America.

I urge my colleague in the Senate, JON KYL, to abandon the pursuit of legislation that would permanently repeal the estate tax for the wealthiest Americans. If adopted, Sen. KYL's bill would plunge the government into another trillion dollars into the red during the first decade (2011–2021) that the legislation would be in effect.

As boomers are retiring from the market place, Congress should mount a concerted effort to preserve Social Security and Medicare rather than giving tax cuts to the wealthy who are not demanding them. Health care needs are not being met by employers and a growing number of Americans are without adequate access to vital care. Repealing the estate tax will not bring these services and other needs to the most disadvantaged in our nation. Repealing the estate tax is misguided public policy. Democrats and Republicans should focus on strengthening education, Social Security, Medicare and restoring discipline to budget spending.

Mr. Speaker, I would like to introduce an oped article written by Harold Meyerson, titled "Estate Tax Lunacy" in the Washington Post on May 31, 2006.

[From the Washington Post, May 31, 2006]

ESTATE TAX LUNACY

(By Harold Meyerson)

Spring has given way to summer's full-furnace heat in Washington, apparently taking with it any scintilla of sense that Congress may yet possess.

In the House, Republicans who could not even raise an eyebrow at reports that the National Security Agency has been conducting warrantless wiretaps of Americans became instant civil libertarians when the FBI conducted a search of a congressman's office.

The Senate, meanwhile, is scheduled next week to take up legislation by Arizona Republican Jon Kyl that would permanently repeal the estate tax on the wealthiest Americans. If enacted, Kyl's bill would plunge the government another trillion dollars into the red during the first decade (2011–2021) that it would be in effect.

Behind the scenes, the action has been on the Democratic side in the Senate, as the party's leadership has sought to dissuade Montana's Max Baucus, ranking Democrat on the Finance Committee, from forging a halfway-house compromise with Kyl that would deplete revenue by only $500 billion to $600 billion during that decade. The Republicans would need Baucus to bring roughly a half-dozen Democrats along with him to reach the magic number of 60 votes required to overcome any filibuster that the vast majority of Democrats would mount to block any such measure.

Even a paltry $500 billion, of course, is a lot of money to drain from public coffers just when boomers are going onto Social Security and Medicare and the number of employers providing health insurance, if present trends continue, might have dropped to a virtuous handful. To cover those and other needs, Congress will either plunge us deeper into debt or increase some other levies—payroll taxes, say—that will come out of the pockets of the 99 percent of Americans whom the estate tax doesn't touch.

A decades-long campaign by right-wing activists (brilliantly documented by Yale professors Michael Graetz and Ian Shapiro in their book "Death by a Thousand Cuts") has convinced many Americans that the estate tax poses a threat to countless hardworking families. That was always nonsense, and under the estate tax revisions that almost all Democrats support—raising the threshold for eligibility to $3.5 million for an individual and $7 million for a couple—it becomes more nonsensical still. Under the $3.5 million exemption, the number of family-owned small businesses required to pay any taxes in the year 2000 would have been just 94, according to a study by the Congressional Budget Office. The number of family farms that would have had to sell any assets to pay that tax would have been 13.

On the other hand, an estate tax repeal would save the estate of Vice President Cheney between $13 million and $61 million, according to the publicly available data on his net worth. It would save the estate of Defense Secretary Donald Rumsfeld between $32 million and $101 million. The estate of retired Exxon Mobil chairman Lee Raymond would pocket a cozy $164 million. As for the late Sam Walton's kids, whose company already makes taxpayers foot the bill for the medical expenses of thousands of its employees, the cost to the government for not taxing their estates would run into the multiple billions.

The Baucus split-the-difference measure wouldn't repeal the estate tax, but it would still cut the tax rates on the estates of the super-rich by 15 percent. The Montana senator spent much of last week trying to line up a handful of his Senate Democratic colleagues to support his proposal, in the hope of being able to announce an unshakable 60 votes favoring this folly when the debate begins next week.

Why any Democrat would back such a measure, however, is a deep mystery. From the policy standpoint, it would make it vastly more difficult both to shore up programs that Democrats believe need shoring up—better educating the nation's children, for one—and to get the nation's fiscal house in order. Politically, backing the measure is even wackier. The Democrats are running this year as the party of comparative fiscal sanity and greater economic equity and security. Baucus's compromise would undermine all those premises. Republicans might very well attack Democratic senators up for reelection this year for failing to repeal this hideous death tax, as they call it, but any Democratic senator who can't rebut that charge in what is shaping up as a very Democratic year should probably be in another line of work.

Last Friday Baucus's staffers assured the Democratic Senate leadership's staff that their boss would back off his compromise campaign. Still, given Baucus's penchant for mischief (it was largely he who rounded up enough Democratic votes to enact Medicare Part D and its Big Pharma giveaway), those assurances have met with some skepticism on Capitol Hill. The Democrats' capacity to undermine themselves has not vanished with the final days of spring.

MILL RUN ELEMENTARY D.A.R.E. PROGRAM

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. WOLF. Mr. Speaker, it is an honor for me today to recognize the recent D.A.R.E. graduates from Mill Run Elementary School in Ashburn, Virginia. D.A.R.E.—Drug Abuse Resistance Education—has a long history of providing children with the information and skills they need to live drug-and-violence-free lives and I was pleased to recently visit the fifth graders at Mill Run as they completed this program.

I would like to recognize Mill Run principal, Paul Vickers, and fifth grade teachers, Ms. Garofalo, Ms. Neely, Ms. Page, Ms. Sovereign, Ms. Williams, Ms. Wolff, and Mr. Wolslayer. Special acknowledgment also goes to D.A.R.E. officer, Deputy Lynette Ridgley, who is specially trained to work with students, answer their questions, and establish a positive relationship between students, law enforcement, and the community. The D.A.R.E. program, supported by dedicated school faculty, has helped to address the critical need to educate our youth on the consequences of involvement in drugs, gangs, and violence, and how to avoid risky behavior.

Several students at Mill Run Elementary received special awards for poster and essay submissions. Poster winners include Krista Sanders-Mason, Manik Dayal, William Kim, Ryan Orr, Rob Kramer, Renato Mazzei, Ellie Ferguson, and Brigitte Ganzer. Essay winners include Rachael Williams, Brandon Greer, Francesca Beller, TJ Soroka, Nick Carroll, Emily Ready, and Colin Ceresa. I have inserted for the record these students' essays because I feel it is important to hear from the students themselves about how much of an impact the D.A.R.E program has made.

One student, TJ Soroka, says it plain and simple, "The information taught in the D.A.R.E. program has given me the knowledge to make good decisions in my life."

(By T.J. Soroka)

When you go to school, you take many subjects, but this year I took one program unlike any other. That was DARE which stands for Drug Abuse Resistance Education. It's not taught by any ordinary teacher, in fact, DARE is taught by a Deputy Sheriff who works in Loudoun County. When we started DARE, I thought it would only be about smoking and drugs. But we also learned about inhalants, making good decisions, friendship qualities, being confident, and much more. But I gained the most knowledge in DARE while learning about tobacco and the qualities of a good friend.

Before you smoke a cigarette, think of all the bad things you're doing, such as putting 200 poisons in your body. Also, you aren't just hurting yourself, you're hurting the environment and the people around you. If you're under 18, it's against the law to smoke. I hope you don't smoke a cigarette, now knowing the affects of it.

Do you think your friends have good traits? Do they treat you like a friend? True friends have these qualities. They are loyal to you and you can trust them. Also, they have a bright personality so they can cheer you up. Last, if your friend asks you to smoke, you should have a second thought about them being your friend, after making a bad decision.

The Information taught In the DARE program has given me knowledge to make good decisions. DARE also teaches you how to say no to drugs and other substances. Next, DARE has taught me affects of drugs and everything else. DARE has gave me the knowledge to make good decisions in my life.

(By Francesca Beller)

What exactly is D.A.R.E.? D.A.R.E. means Drug Abuse Resistance Education. It teaches kids to make smart decisions and teaches them about drugs and alcohol Our teacher was Deputy Ridgley. She taught us several interesting facts about tobacco, marijuana, peer pressure, and other things that may or may not scare you.

Tobacco, the killer of over 400,000 peoples a year. It is illegal to anyone under the age of 18, but even though it is, children still do it!

Tobacco affects your body development, so it really affects kids! There are also many diseases that tobacco can cause, such as heart disease, lung cancer, and mouth cancer. So, tobacco is very dangerous to people young and old with its 200 known poisons.

Inhalants, something that can cause sudden death is not what anyone wants. Inhalants have become a big problem now. Teens are using inhalants a lot. They use super glue, paint thinner, and other things. Inhalants can suffocate you and cause diarrhea. They also starve the body of oxygen and force the heart to beat irregularly. Some chronic users may have reduced muscle tone of strength. So if inhalants are so bad, why do it?

Advertisements, they trick people into buying bad products. Some tobacco commercials or advertisements may have you knocking on the wrong door. If tobacco turns your teeth yellow, then why do people in the ads have such white teeth? Beer ads do the same thing. They do not tell you the consequences most of the time. All they care about is you buying the product! Also, a tobacco company gave a ton of money to a charity, then spent more money than what they gave to charity telling people about it! Don't be fooled by advertisements, it may cut your life short.

I think D.A.R.E. has really made an impact on my life. Now I know everything I need to know about things from drugs to alcohol to peer pressure. I really think that everyone should take D.A.R.E. because it will probably lead most people down the right path for their lives. D.A.R.E. is very fun and Is just a great program!

(By Brandon Greer)

"Click, click." The teenager was just handcuffed for smoking marijuana in a bathroom. I will never make this decision because of D.A.R.E. D.A.R.E is a program that teaches you about drugs. The D.A.R.E decision-making model, advertising, friendship qualities, peer pressure, personal pressure, ways to say no, and being confident. Our D.A.R.E. teacher was Deputy Ridgley. She was truly kind and comical. She told our class interesting stories in relation to her experiences about drugs.

One main drug we talked about was tobacco. Tobacco is found in cigarettes and in chewing tobacco. Tobacco is responsible for more than 400,000 deaths in America each year. Tobacco shoots your body right in the foot because it causes some major health problems. One is you could suffer shortness of breath and dizziness. It also hurts the people around you, because approximately 3,000 nonsmokers die each year from lung cancer. If you want to be beautiful, don't smoke. The 200 known poisons in the cigarette's smoke can affect your appearance. One way smoking affects your appearance is it dries your skin out and causes wrinkles. Smoking also causes yellow teeth and gives you terrible breath. Yuck!

Another major issue we spoke about was being confident. You need to be confident when a friend asks you a question, such as "Do you want to smoke?" Do not speak in a weak voice or have poor posture while you tell your friend you are not interested. Your friend will just keep nagging at you to smoke because he knows that you are unsure. To show your confidence, you must have excellent posture by standing up straight with shoulders back and chin up. Look your friend right in the eye and maintain eye contact. You then must speak clearly and respectfully. Remember to stay calm and say no thank you. If you are confident your friend will stop asking you to smoke. Hopefully, your friend will ask you if you want to do some other activity.

I really loved D.A.R.E. I think that D.A.R.E. will actually help me in the future by knowing how to say no to drugs. I believe that it is extremely important to be drug free. If you take drugs you are basically throwing away your life because you might become addicted and think you must have drugs. I also think it is important that my friends and family do not do drugs. If you are drug free you can enjoy sports like, skiing, soccer, football, basketball, hockey, and other activities. You will also live a longer and have a better life if you don't do drugs. I have truthfully enjoyed learning about drugs and other D.A.R.E. topics. I will always continue to be 100% drug free.

(By Rachael T. Williams)

D.A.R.E. is something everybody can listen to, Drug Abuse Resistance Education. D.A.R.E. helps kids understand the cautions of drugs and alcohol from the start, and that nothing is real on advertising. Those are only two of the millions of things that D.A.R.E. teaches you!

Alcohol isn't something that helps you grow or something to play with. Alcohol is loss of self-control or even coma and death! Yes, you can drink once you're over twenty-one, but that doesn't give you the right to go party until four in the morning! Alcohol is a very dangerous thing. It is something you should never drink if you're under age, not even if someone calls you chicken. Even if they try to act tougher than you are, they're not. They're not stronger than you are, or cooler, or smarter than you are. It may seem like they're cooler but truly they're not.

You may look into a magazine and flip a few pages and then see an advertisement, and you will see people smoking cigarettes and having a great time. Well guess what, that is not reality. Reality is yellow teeth and sickness and your lungs turning black and failing. Cigarettes or cigars aren't a pool filled with fun. It causes breathing problems or heart disease and even cancer in your lungs, mouth, throat, bladder, and kidney! Smoking is just a big black hole of emptiness! So, don't listen to advertisements.

Peer pressure happens to everybody. It can happen on the bus, at recess, or even walking home from school. Sometimes people will be pressuring you about drugs or sometimes alcohol. They will make it seem fun and make it look like the answer to your prayers. Well, it's not. There are a lot of ways to say no like using humor or standing up for yourself. Those are just two ways to say no. D.A.R.E. will teach you many other ways.

D.A.R.E. is an awesome place to learn about drugs and how they can hurt you. I love going to D.A.R.E. Before D.A.R.E., I didn't even know half of the cautions of drugs and alcohol and how risky it is to drink or smoke. I know now that one day I'm going to be offered a cigarette or some alcohol, and I know exactly what to say: "NO!" I'll walk away and never trust a person like that again. Now I'll remember that no is the way to go.

(By Colin Ceresa)

In fifth grade we take a special class called D.A.R.E. D.A.R.E. stands for Drug Abuse Resistance Education. My D.A.R.E. teacher, Deputy Ridgley, teaches us the dangers of drugs and alcohol, how to say no, and how to avoid dangerous situations.

Smoking can do horrible things to your body. Did you know smoking can turn your lungs black? Smoking makes it hard to breathe and makes you dizzy. It makes your breath smell, turns your teeth yellow, dries your skin out and causes wrinkles. There are 200 known poisons in cigarette smoke. Smoking is the most common cause of lung cancer. I feel that smoking is very wrong. My Pop-Pop started smoking during the Viet Nam War and then smoked for 40 years. Luckily he quit a few years ago and is doing fine.

If you want to avoid all these bad things you need to be able to say no!!! Saying no can help you avoid many dangerous situations. You can say no in many ways. You could ignore the person offering you drugs. You could give a reason or fact to the person who is offering you drugs and tell them why they are bad for you, or you could walk away from the person who is offering you drugs. Saying no can change your life in so many ways. Saying no could even save your life.

I feel that all of the information that I learned in D.A.R.E. will help me a lot in the future. I know how bad alcohol, drugs and tobacco are for you. I also learned that you need to be confident and not let your friends pressure you into doing something that is illegal or will hurt you. D.A.R.E. has helped show me the importance of just saying NO!

(By Emily Ready)

"Good afternoon, guys. Today we're going to talk about..." Every single year, fifth graders in Loudon County take a class called D.A.R.E. D.A.R.E. stands for Drug Abuse Resistance Education. A deputy from Loudon County Sheriff's office comes and teaches you. Some of my favorite things that we learned about were tobacco, alcohol, and peer pressure.

Coughing, yellow teeth, cancer? These are just some of the things tobacco does to you. Cigarettes contain tobacco, and smoking is the main cause of heart disease. More than 400,000 people die every year from smoking. It can also turn your lungs from natural pink to sickening black. My thoughts on tobacco are tobacco is a horrible thing, and if you use it, you are ruining your life!

Jail, comas, and possible death are only a few of the things too much alcohol can get you. Alcohol is in beer, wine, and liquor. It slows down your brain and your body. In case you're wondering, most teenagers DON'T drink alcohol. I think if people were more responsible with alcohol, it wouldn't be a problem.

Peer pressure is when other people, friends or not, try to get you to do something you may or may not wish to do. Some people can be mean about it, or some will be nice and it can be something good for you. If it's bad, just say NO! I think if it's mean or bad peer pressure, we don't need it! It can hurt people's feelings and make them do something dangerous or awful that can hurt them or other people.

I really enjoyed the D.A.R.E. program this year. It showed me just how dangerous smoking and underage drinking really are. I believe it is important to stay drug-free because you can destroy yourself, your family, and your future. So, I, Emily Ready, promise to stay drug-free and stay a non-tobacco user and a nonunderage drinker.

(By Nick Carroll)

"Lost another one to drugs because of over use of alcohol," sighed Dr. Smith. That won't happen to me because I took D.A.R.E class. D.A.R.E. stands for Drug Abuse Resistance Education. During D.A.R.E. we learned about alcohol, inhalants, marijuana, and tobacco. We learned about more than just drugs. We learned how to say no and about the D.A.R.E. decision making model. We also learned about how dangerous inhalants can be and the tricks of advertisement.

Inhalants can be used as a type of drug. It can be made using household products concentrated in a certain place (like in a paper bag). They are very dangerous! It can kill you instantly even if you're doing it for the first time. Inhalants can damage your brain and liver. You might suffer from a loss of smell, depression, and can cause a heart attack! It can also suffocate you. It will starve your body of oxygen and force your heart to beat irregularly and more rapidly. You could get sores in the mouth and nose. Chronic users can have muscle wasting and reduced muscle tone and strength. Inhalants can cause nausea and nosebleeds. Inhalants are one of the things that kill many children each year. Inhalants can cause most of these problems without you knowing it until it's too late.

Advertising is one of the ways drug companies get people to buy their stuff. One of the ways they do it is to show famous celebrities drinking beer or smoking a cigarette. They also show happy people with beer, wine, or a cigarette. They put advertisements almost everywhere you could look. They put them on TV commercials, in magazines, billboards, and many other places. They think that by putting them in a lot of places they are getting more custumers and it works, people go for the advertisements.

I think D.A.R.E. was an exciting subject. We learned many things from our instructor, Deputy Ridgley. She made it enjoyable to learn about drugs and how to stay drug free. Deputy Ridgley told us many stories, which made it exciting. I think that it is important to stay drug free to keep from getting sick or hurt from different drugs. I will stay drug free to keep from getting sick or hurt by drugs!

INTRODUCTION OF IRAN GAS QUARANTINE RESOLUTION

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

· Mr. KIRK. Mr. Speaker, today, I am reintroducing a resolution with Congressman ROBERT ANDREWS (D–NJ) which emphasizes that the crisis regarding Iran's nuclear program should be resolved primarily through diplomatic means. I choose diplomacy over conflict; and I believe the United States and our allies can achieve our ends to the Iranian nuclear program without firing a shot. By focusing on Iran's reliance on gasoline imports, this concurrent resolution suggests a thoughtful and effective approach to diplomacy with Iran.

The resolution I introduce today states that as part of the diplomatic effort, the United States should consider a gasoline quarantine, organized and enforced by a multilateral coalition of nations. This action would be a strong yet prudent action to dissuade Iran from joining the nuclear club.

Despite its wealth of crude oil, Iran imports nearly 40 percent of its refined gasoline. For years, the Iranian regime has subsidized this imported gasoline by $3 billion a year to keep prices artificially low in order to maintain economic and political stability. A quarantine, and the resulting spike in prices, would be catastrophic to the regime's stability.

The Iranian economy is nearly at its breaking point due to crushing unemployment, inflation, and the rush of foreign investors leaving the Islamic Republic. A quarantine would push the government's ability to spend to the breaking point, forcing them to consider compromise.

Congressman ANDREWS and I introduced a similar resolution, House Concurrent Resolution 177, on June 14, 2005. Since that time, Iran selected an unpredictable and belligerent new leader. Iran has restarted uranium enrichment and paraded missiles through the street with banners saying "Death to America" and "Wipe Israel off the Map." This resolution reflects the current situation with respect to Iran, and suggests an innovative solution to the nuclear impasse.

I want to thank my good friend Congressman ROBERT ANDREWS for being the lead cosponsor of this legislation. I look forward to working with him and my other colleagues on this important foreign policy initiative.

SUPPORTING THE MUSLIMS CARE PROGRAM OF COMMUNITY SERVICES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD, my heartfelt support for the "Muslims Care" campaign, launched by the Council on American-Islamic Relations, CAIR, to promote volunteerism in the Islamic community. CAIR is asking Muslims across the country to volunteer their time for raising health awareness, helping the needy and supporting activities for youth. Using verses from the Qur'an and Hadith, the "Muslims Care" tool kit (available in www.muslims-care.org), is encouraging local mosques to participate and promote volunteering programs such as blood drives, health awareness, student tutoring, etc.

First of all, the "Muslims Care" program has a community benefits focus, which can potentially bring together people from a multitude of backgrounds and interests. Moreover, it offers an opportunity to weave Muslims and Islamic identity into the American sociocultural fabric, a viable approach to counter the misinformation that is out there about Islam and Muslims. Lastly, a recent survey, conducted by CAIR, showed that the majority of Americans promised to change their views about Islam if Muslims are seen to be concerned about healthcare, education, economy, issues that plague the average American. The "Muslims Care" campaign is an excellent way to overcome this us/them mentality and the prejudices about Islam and Muslims.

I heartily support this undertaking by CAIR, as well as their other programs that promote cross-cultural dialogue to enhance the understanding of Islam.

U.S. MUSLIMS LAUNCH ANNUAL VOLUNTEERISM CAMPAIGN

WASHINGTON, DC., May 25, 2006.—A prominent national Islamic civil rights and advocacy group today called on American Muslims to support its second annual campaign, called "Muslims Care," designed to promote volunteerism in the Islamic community.

In its summer-long initiative, the Council on American-Islamic Relations (CAIR) will offer Muslims the resources and information they need to help improve the communities in which they live. This year, CAIR will again ask Muslims across the country to focus on health awareness, helping the needy and activities for youth.

Visitors to CAIR's campaign website, www.muslims-care.org, will be able to download a toolkit containing information about how to become a volunteer and suggesting volunteer activities such as blood drives, health awareness fairs and student tutoring. CAIR is suggesting that community members visit the website to submit local volunteer opportunities and see what activities are available in their state.

The "Muslims Care" kit also offers advice to Islamic religious leaders about how they can promote volunteerism in local mosques and suggests partnering with established volunteer groups such as the American Cancer Society and Big Brother/Big Sisters.

Local Islamic leaders and imams (prayer leaders) are being encouraged to give Friday sermons on the importance of volunteerism. The "Muslims Care" toolkit has sample verses from the Quran, Islam's revered text, and hadith (Islamic traditions) to incorporate in the sermons. One tradition quotes Islam's Prophet Muhammad as saying, "The upper hand (of giving) is better than the lower hand (at receiving)," as an encouragement to provide for those less fortunate.

"As Muslims, we are encouraged to work to improve the communities in which we live," said CAIR Communication Coordinator Rabiah Ahmed.

Ahmed cited a recently-conducted CAIR opinion survey showing that a majority of Americans said they would change their views about Islam and Muslims if they perceived that Muslims were more concerned about issues such as healthcare, education and the economy.

CAIR, America's largest Islamic civil liberties group, has 32 offices and chapters nationwide and in Canada. Its mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding.

TRIBUTE TO DICK LAWLER

HON. SHERWOOD BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. BOEHLERT. Mr. Speaker, I rise today to honor Dick Lawler, a long-time friend, who after dedicating 35 years of his heart and soul to the field of journalism has reached one of life's greatest milestones, and will finally take his well-deserved retirement.

Dick is known by his peers as someone with an invigorating ability to reach people in a way that leaves a lasting positive impression. Evidence of such can be found in one of Dick's classic euphemisms, "If it were easy, everyone would do it." Those words speak volume to the character of this great man.

That said Mr. Speaker, if it were easy, everyone would have a loving wife, devoted children, and adoring grandchildren. Everyone would raise a family worthy of respect from their friends and peers.

If it were easy, everyone would devote themselves to their community. We would all find the time to help children, serve our neighbors, and make the community that raised us a better place to grow up in.

If it were easy we would all be passionate about our jobs and our professions. Our work would exhibit the enthusiasm we feel every day, and our patrons would recognize the joy we feel from serving them. We would become legends in our own time, and admired for our skills.

If it were easy, everyone would do it.

For over 35 years, Dick has been a consummate journalistic professional who has sought to further hone and craft his skills every day. He is a man who was dedicated to the pursuit of both truth and a good story. A man who sat with Henry Kissinger, Robert F. Kennedy, school children, and shopkeepers equally.

In his private life he has dedicated countless hours to raising funds for children's hospitals and improving our community. It is these good works that have truly endeared him to us. For many years, my wife and I have often been privileged to share the company of his family. From backyard barbeques to cheering on our hometown Utica Blue Sox with our fellow "bleacher bums," Dick and his wife Jackie have always been a treasured part of our lives.

Very little in life is easy, but Dick has always managed to approach life with a grace and simplicity that makes it seem effortless. As a journalist, a father, and a friend, Dick has spent the last 35 years tantalizing us with how easy life can seem when you work hard to reach your goals.

I wish him tremendous success in his retirement from journalism, I know all too well that it is never easy to leave your passion. And if it truly were that easy, everyone would do it.

INTRODUCTION OF THE STORMWATER ENFORCEMENT AND PERMITTING ACT OF 2006

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. GARY G. MILLER of California. Mr. Speaker, as a homebuilder for over 35 years, I rise today in support of the Stormwater Enforcement and Permitting Act of 2006, a bill introduced by Water Resources and Environment Subcommittee Chairman DUNCAN to streamline the Clean Water Act stormwater permitting process for residential construction sites.

The Environmental Protection Agency's (EPA) costly, excessive, and inconsistent stormwater regulations need to be reformed to ensure affordable homes can be constructed without burdensome regulations that do little to protect the environment. More effective environmental protection will come from simple, straightforward rules that encourage compliance.

Stormwater is different from the industrial pollutants that are the focus of EPA's National Pollutant Discharge Elimination System. Rainfall events that generate stormwater runoff on residential construction sites cannot be controlled in the same way a manufacturing plant can control the flow of its industrial processes. The inflexible requirements imposed by the EPA do not acknowledge these differences. A more consistent and sensible enforcement approach would better protect our water resources without increasing housing costs.

I believe stormwater regulations must be reasonable, which is why I am an original cosponsor of the Stormwater Enforcement and Permitting Act of 2006. This bill creates an outreach program to ensure all homebuilders know of EPA's regulations, gives builders an opportunity to correct benign stormwater permit deficiencies that do not result in environmental damage, and clarifies, codifies, and streamlines EPA's stormwater regulations for residential construction sites.

At a time when housing prices have hit record highs, burdensome regulations are pushing up the costs of housing, squeezing working families out of the market. I look forward to working with my colleagues to move this bill forward to streamline EPA's stormwater regulations to ensure all Americans can realize the dream of homeownership.

COLUMNIST DAVID IGNATIUS: IT'S TIME TO CONNECT GLOBALLY, ESPECIALLY WITH IRAN

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. RANGEL. Mr. Speaker, I rise to introduce into the RECORD the commentary entitled "It's Time To Engage With Iran" written by David Ignatius and published in the May 25, 2006 issue of the Washington Post.

Much of the diplomacy of the last 5 years has been confrontational, characterized by threats, ultimatums and labeling or "name calling" of leaders or countries perceived as threats by the Bush administration.

With this threat diplomacy in mind, Mr. Ignatius offers some literary and policy advice. Quoting the last line of E.M. Forester's novel Howards End, Mr. Ignatius suggests "Only connect" as a good foreign policy for the United States.

Ignatius suggests only connect is a useful injection in thinking "about U.S. strategy toward Iran and the wider conflicts between the West and the Muslim world." I agree.

The U.S. could certainly have benefited from connections with our traditional allies before we invaded Iraq. Instead President Bush and Vice President CHENEY unhelpfully labeled France, Germany and our other long-time and steadfast allies as "the old Europe." Unbelievably, for a time, otherwise reasonable and sane members of Congress and of the administration insisted on calling french fries, freedom fries.

The Bush administration's arrogance and hubris led the President and Vice President not merely to rebuff the countries who refused to let America lead them into war with Iraq but took every opportunity to disconnect from them. At every opportunity the Bush administration let our long-time friends know our connection with them did not matter. If they were not with us, they were against us. I believe there are those in Congress who regret the attitude represented by these words. Our "coalition of the willing" has few member countries left and those that are left have few soldiers fighting in Iraq.

During the first days of the Bush administration, the U.S. refused to meet with Iran at all. China finally convinced the U.S. to meet with Iran but when we did, our representatives sat in the conference room and announced the U.S. would not deal with Iran and then spoke no more. During the 1½ years we did not deal with Iran it forged ahead on its nuclear research and perhaps produced enriched plutonium. We just don't know.

Ignatius writes that "we are in the early stages of what the Centcom commander, Gen. John Abizaid, calls 'the first war of globalization, between openness and closed societies.'" General Abizaid's advice was to "expand openness and connection." According to Ignatius, General Abizaid called al-Qaeda "the military arm of the closed order." The extremist mullahs in Tehran are leaders of a closed order.

Ignatius writes that America's best strategy is connection and to play to its strengths, which he believes are the open exchange of ideas, backed up by unmatched military power.

I believe we have nothing to fear from connecting with Iran, North Korea, China and Russia. We have much to fear from antagonizing these countries. Vice President CHENEY recently called Russia "irresponsible," which angered President Putin of Russia. Name calling and labeling should not be used by any member of the administration. It is a backward, undiplomatic form of communications employed by schoolyard bullies not by high officials of a country like ours which must learn to live in peace with the other great powers in the world.

We connected, engaged, with the Soviet Union in 1973 through the Conference for Security and Cooperation in Europe, CSCE, even while conservatives warned that it was a dangerous concession that the Soviets might interpret as weakness. Instead the CSCE helped speed the fall of the Soviet Union. President Nixon was warned by conservatives not to go to China and yet an era of great diplomacy with China followed his trip.

The column by David Ignatius points out that Ahmadinejad's letter to President Bush "clearly had the backing of Iran's supreme leader, Ayatollah Ali Khameini." In the words of Ignatius "that's like having the support of Vice President CHENEY for a peace feeler."

According to Karim Sadjadpour, an Iranian analyst with the International Crisis Group, opinion polls show that 75 percent of Iranians favor relations with the United States.

There is no guarantee that a policy of engagement will work. But there are no other good options. We can have engagement with Iran and hope they will accept a package we can offer with our allies that will keep them from developing nuclear weapons, or we can learn to live with Iran as a nuclear power, or we can go to war with Iran. War with Iran would have unintended consequences we cannot imagine. It should be obvious that the first of these is the best option.

IT'S TIME TO ENGAGE WITH IRAN

(By David Ignatius)

"Only connect." That was the trademark line of E.M. Forster's great novel "Howards End." And it's a useful injunction in thinking about U.S. strategy toward Iran and the wider conflicts between the West and the Muslim world.

We are in the early stages of what the Centcom commander, Gen. John Abizaid, calls "the first war of globalization, between openness and closed societies." One key to winning that war, Abizaid told a small group of reporters at the Pentagon yesterday, is to expand openness and connection. He called al-Qaeda "the military arm of the closed order." The same could be said of the extremist mullahs in Tehran who are pushing for nuclear weapons.

America's best strategy is to play to its strengths—which are the open exchange of ideas, backed up by unmatched military power. The need for connection is especially clear in the case of Iran, which in isolation has remained frozen in revolutionary zealotry like an exotic fruit in aspic. Yet some in the Bush administration cling to the idea that isolation is a good thing and that connectivity will somehow weaken the West's position. That ignores the obvious lesson of the past 40 years, which is that isolation has usually failed (as in the cases of Cuba and North Korea), while connectivity has usually succeeded (as in the cases of the Soviet Union and China).

A telling example was the decision to engage the Soviet Union in 1973 through the Conference for Security and Cooperation in Europe. At the time, some conservatives argued that it was a dangerous concession that the Soviets might interpret as a symbol of weakness. But the CSCE provided a crucial forum for dissidents in Russia and Eastern Europe, and with astonishing speed the mighty edifice of Soviet power began to crumble. Similar warnings about showing weakness in the face of an aggressive adversary were voiced when President Richard Nixon went to China in February 1972.

I cite this Cold War history because the moment has come for America to attempt to engage revolutionary Iran. The invitation for such a dialogue came this month in a letter to President Bush from Iranian President Mahmoud Ahmadinejad—a man whose rabble-rousing, Israel-baiting career gave him the credentials, if that's the right word, to break a 27–year Iranian taboo on contacts with the Great Satan.

Ahmadinejad's letter clearly had the backing of Iran's supreme leader, Ayatollah Ali Khamenei. In the American context, that's like having the support of Vice President

Cheney for a peace feeler. My own Iranian sources say there is broad consensus in Tehran that it is time for talks with the United States. "Iran wants to start discussions the same way the Chinese wanted discussions" with Nixon, an Iranian businessman named Ali Ettefagh told me in an e-mail this week. "Great Satan doesn't sell anymore. More than half the population was not born 27 years ago, and the broken record does not play well." The Iranian offer of dialogue, he says, "ought to be taken as an opportunity, if only to air out grievances and amplify differences."

I suspect Iran wants dialogue now partly because it perceives America's position in Iraq as weak and its own as strong. That may be true, but so what? Washington should still take yes for an answer. The United States and its European allies this week are crafting a package that, one hopes, will include everything the Iranian people could want—except nuclear weapons. The bundle of goodies should stress connectivity—more air travel to Iran, more scholarships for students, more exchanges, Iranian membership in the World Trade Organization. The mullahs may well reject these incentives as threatening, but that's the point. Their retrograde theocracy can't last long in an open world. This very week, about 40 police officers were injured in a clash with demonstrators at two Tehran universities. One of the hand-lettered protest signs captured in an Iranian photo said: "This is not a seminary, it is a university. "

Karim Sadjadpour, an Iranian analyst with the International Crisis Group, noted in Senate testimony last week that opinion polls show 75 percent of Iranians favor relations with the United States. "Embarking on a comprehensive dialogue with Iran would provide the U.S. with the opportunity to match its rhetorical commitment to Iranian democracy and human rights with action," Sadjadpour said. He's right.

There's no guarantee that a policy of engagement will work. The Iranian regime's desire to acquire nuclear weapons may be so unyielding that Tehran and Washington will remain on a collision course. But America and its allies will be in a stronger position for responding to Iranian calls for dialogue. Openness isn't a concession by America, it's a strategic weapon.

TRIBUTE TO CANDY SCHNEIDER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor my dear friend Candy Schneider who is retiring after 33 years of service in the Clark County School District.

Candy has been a teacher of art, humanities and the academically talented at the junior school level as well as a Visual Arts Administrative Specialist for grades K–12 for over three decades. During her career as an educator, Candy has served as the Assistant Director for the School-Community Partnership Program, Chairwoman of the Nevada Arts Council, and Chair of the Arts in Education. Among Candy's many achievements, she has been honored with the Nevada Educator of the Year award, the Excellence in Education Award and a National Gallery of Art State Scholarship. She is also a member of the Arts Council of Henderson and an honorary member of the Henderson Art Association. In addition, Candy has done a tremendous service to my office by coordinating the Congressional Art Contest for the Third Congressional District of Nevada.

Through the years, Candy has served on a variety of local, regional, and national boards and committees including the National Art Educators Association, the National Endowment for the Arts, Nevada School for the Arts, and a host of Clark County School District committees. It is through her work with these institutions that she and I have become good friends. Candy is a lovely woman who pours all her heart and energy into expanding and enriching humanities and art-oriented programs for the children of Clark County.

Mr. Speaker, I am proud to honor Candy Schneider for her years of dedicated service to the students in the Clark County School District. Her passion for arts education has truly enriched the lives of the students, colleagues and community members who have been inspired by her over the years. I wish her the best in her retirement.

BEST WISHES FOR A SUCCESSFUL TAIWAN SYMPOSIUM

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. PAYNE. Mr. Speaker, the Taiwan Chapter of the Democratic Pacific Union will sponsor a symposium this summer (August 12–14) in Taipei, Taiwan. The symposium will include topics such as legislative and democracy, legislature and the electoral process, legislative procedures and rules, legislature and campaign finance. All these topics are very timely and relevant to the legislative process.

Taiwan's efforts in promoting democracy throughout the Pacific regions are laudatory. In addition to the upcoming symposium, the Taiwan Chapter of the Democratic Pacific Union has sponsored other worthy programs such as a training program on hazard mitigation with emphasis on typhoon-related disasters and fellowships for students from Democratic Pacific Union member states to study in Taiwan as well as invitations to distinguished women throughout the Pacific regions to come to Taiwan to discuss women's issues.

Best wishes to the Taiwan chapter of the Democratic Pacific Union on their upcoming conference.

PERSONAL EXPLANATION

HON. HAROLD E. FORD, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. FORD. Mr. Speaker, on yesterday, June 7, 2006, I was unavoidably detained and was unable to cast votes. On rollcall No. 227, I would have voted "yes"; on rollcall No. 228, I would have voted "no"; on rollcall No. 229, I would have voted "yes"; on rollcall No. 230, I would have voted "yes"; on rollcall No. 231, I would have voted "yes"; on rollcall No. 232, I would have voted "yes"; on rollcall No. 233, I would have voted "yes"; on rollcall No. 234, I would have voted "yes."

HONORING THE LIFE OF DR. HERBERT E. SMITH OF BLOOMINGTON, INDIANA

HON. MICHAEL E. SODREL

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 8, 2006

Mr. SODREL. Mr. Speaker, it is with deep sympathy I announce the passing of Dr. Herbert E. Smith on June 2, 2006 at the age of 76. Dr. Smith was an educator and spent most of his life in the teaching profession to help young people build the foundation for future success. He was also a dedicated Hoosier who gave back much to his community.

Dr. Smith was born in Sterling Township in Crawford County, Indiana on July 12, 1929. He graduated from English High School in 1947. He went on to earn a Bachelor, Masters and Doctorate Degrees from Indiana University in Bloomington. Following completion of his own studies, he taught at all different levels ranging from Junior High through the college level in Indiana, Nebraska and Iowa,

Many Universities were honored to have Dr. Smith as an educator. He was an instructor at the University of Nebraska, Indiana University, I.U. Kokomo, I.U. Southeast at New Albany, and IUPUI in Indianapolis. He spent an astounding 34 years at Indiana University and 20 of those years serving as Assistant Dean of Students.

Besides his dedication to teaching, Dr. Smith was an active member of the community. He was a long time member of many local organizations. Dr. Smith was a 50–year member of Crawford Lodge #470 at English, Indiana, the Scottish Rite Valley of Indianapolis, and the Shrine of North America.

Dr. Smith never stopped trying to help his community. In 2000, he created a Public Radio Station, WBRO in Marengo, Indiana, to provide the best Public Radio programming available. WBRO broadcasts many public affairs, news, and discussion programs along with local sporting events.

The work put forth during his life did not go unnoticed. Dr. Smith was recognized by many for his contributions including the Key to the City of Indianapolis, "Distinguished Hoosier" award and the highest honor in Indiana, the "Sagamore of the Wabash." In addition, Dr. Smith was appointed a "Kentucky Colonel" by the Commonwealth of Kentucky, "Aide De-Camp, Governor's Staff' by Tennessee and "Admiral, Great Navy of Nebraska".

Indiana lost a hardworking and honorable man. Dr. Smith's dedication and commitment to helping others should be an example for others to follow. He led a successful life personally and professionally. I know he will be missed by those around him and the people he touched.

SENATE—*Friday, June 9, 2006*

The Senate met at 9:30 a.m. and was called to order by the Honorable WAYNE ALLARD, a Senator from the State of Colorado.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Loving King of the universe, thank You that nothing can separate us from Your love. Remind us that we are surrounded by Your unconditional, positive regard, regardless of our faults and failures. Help us to see that our anxieties and fears, our doubts and disappointments cannot diminish Your affection for us.

Today, bless the Members of this legislative body. Give them wisdom to see what needs to be done and the courage to do it. Help them to persevere in doing Your will, knowing that a productive harvest is certain.

We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable WAYNE ALLARD led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 9, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable WAYNE ALLARD, a Senator from the State of Colorado, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. ALLARD thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, with Senators permitted to speak up to 10 minutes each.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today we will be in for a period of morning business. We do not expect a lengthy session over the course of this morning for today.

Last night, we reached an agreement to begin consideration of the Department of Defense authorization bill on Monday at 3 o'clock. Chairman WARNER and Senator LEVIN will be in the Senate inviting Members to deliver their opening remarks. We expect amendments to be offered later in the day on Monday. There will be no rollcall votes on Monday. I anticipate debating amendments and setting votes to occur on Tuesday morning. Therefore, we expect at least one vote to occur Tuesday prior to the policy meetings.

As a reminder to our colleagues, we will have the official photograph taken in the Senate Chamber at 2:15 on Tuesday. Senators should be seated at their desk promptly at 2:15 to avoid missing that photograph.

Following that, we have a debate period set aside prior to a cloture vote on a mine safety and health nomination reported out of the HELP committee back in March.

Early next week, we will be considering the supplemental appropriations conference report when it arrives from the House. We hope to dispose of that conference report in a reasonable amount of time in order to return to the Defense authorization bill.

Clearly, there is much to do next week. We will need everyone's assistance as we schedule these items.

We currently have a lot of things going on in addition to what is going on in the Senate Chamber. The supplemental conference bill, as most people have heard, is coming along and has come along very well. We will be doing that next week. There is a pensions bill in conference. There is real progress being made on that particular bill as well.

ALLIGATOR ALLEY CAR ACCIDENT

Mr. FRIST. Mr. President, I take a few moments to share an account of an event that occurred nearly 3½ years ago. The story I tell is a very tragic story. At the time, it received a lot of media coverage, but because of a recent fortuitous occurrence, it has again become relevant.

Each year around Christmas, some time before, usually afterwards, my family, Karyn and our three boys, and my extended family, have a tradition of going to Fort Lauderdale, FL, a tradition that began well over 40 years ago by my parents and my own brothers and sisters—I have two brothers and two sisters—and their children, and usually, almost always, several friends from a number of those individuals spend time together enjoying the occasion, being together as a family, reliving old memories and, along the way, creating new ones.

On New Year's Day in 2003, I had taken my sons, Jonathan and Bryan, two of my three sons, on a trip to the Everglades. It was to spend the day in the Everglades, showing them the beauty of that wonderful area and the rich tradition that is reflected by the beauty there and by nature. We had a wonderful day.

On the way back—and this is west of Fort Lauderdale—on the way back in, we were heading down what is Interstate 75 west in that part of Florida. It runs directly east back to Fort Lauderdale. That whole track is known as Alligator Alley. It was an ordinary day. We had a wonderful day together as a family. It was a great start to a new year—again, it was New Year's Day—an opportunity to share with family the beauty of that environment, the gorgeous, wonderful, magnificent part of this country.

As we were talking about events of the day as we were driving, suddenly traffic came to a halt. Just ahead, I saw red lights flashing. We pulled onto the median. I came out of the car because something clearly had happened, and it had just happened several moments earlier.

Walking down the median, I approached a horrific scene. It was a little bit in the distance, 100 yards away. There was a crumpled red car on its side, an SUV. There were men, women, and children who clearly had been thrown, hurled from that vehicle, a distance of 25, 50, even 75 yards. I remember looking out—again, it was a beautiful day, a sunny day—and as with any event such as this that occurs so quickly, so unexpectedly, we saw the streaming smoke coming from an overturned vehicle with an open door. We saw a crushed car. We did not see another car near it. Clearly, the car had flipped.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Then we saw these bodies that were hurled, thrown, from this vehicle a great distance in this beautiful green median. It was a surreal environment.

It was not immediately clear to me how many people had been injured, but the fact you could tell there were several people around the car, and there were at least four people in the median over this distance, I knew that what I was witnessing was clearly devastating. It was serious.

At that time, there were no other health personnel on the scene. As a doctor, and as one who has spent days and years in emergency rooms and in operating rooms, in terms of the immediate response, it comes pretty natural in terms of evaluation, triage, and resuscitation. The real challenge was being out there, and you saw over a distance of 75 yards four people who had such a traumatic accident. Two adults had climbed out of the vehicle itself. There were four individuals—four, what appeared to be lifeless, motionless bodies, women and children, two children and two adults—who lay in the median.

Lara Spalding, whom I did not know at the time—I will come back to Lara in just a little bit—then was a nursing student at Nashville—this is the irony of it—Nashville's Belmont University, and actually worked in the emergency room there with some of my colleagues back at Vanderbilt, where I worked for 10 years as a cardio surgeon, heart surgeon, trauma surgeon.

She later described the scene that day:

> It was awful. It looked like someone had dropped six people from a 5-story building.

At that point in time when I was there—and I didn't know Lara at the time—she was there either at the same time or a few seconds afterwards, there were no other doctors on the scene. Alligator Alley being so far out at that time—although it has changed, thank goodness—the emergency personnel had to come from within Fort Lauderdale to come out along one stretch of highway. It was probably 25, 30 miles, so health personnel were not yet on the scene.

When that sort of thing happens, you know your immediate responsibility needs to be to assess the situation, triage their care, and to initiate resuscitation appropriately, but the problem is people were scattered over a 75-yard distance.

I did what I could: that was, rapidly assess the ABCs in terms of resuscitation, in getting airways, and when the medical personnel started to arrive, both by helicopter, trauma teams, relief teams and ambulances started coming in, help them triage and direct them to the people who needed the care the most. And then for individuals conducting the appropriate resuscitation, of establishing an airway, making sure they were breathing and receiving CPR.

In that sort of event, it is important to get someone on the telephone to coordinate overall, so I spent a lot of time talking to 911 and the hospitals that coordinated the personnel, and as the paramedics arrived by helicopter, was able to say: You are on the ground now. Don't waste your time here; that is taken care of. And they were able to go to another patient.

I mentioned all that because I do think it is important for people to participate. Lara, at the time, was with one of the patients, cradling them, giving appropriate encouragement and instruction to personnel who were arriving who very much appreciate her heroism in stopping along the side of the road and assisting.

In addition to Ms. Spalding, there was an off-duty paramedic and five others who also stopped to help. Ms. Spalding, Lara Spalding—I will come back to her again shortly—at that time was a nursing student but before had been an Army medic who had worked at Vanderbilt University Trauma Center. She was of huge assistance in terms of the triage, assisting the paramedics.

I remember her going over to one boy who had a mangled leg. She cradled his head and tried to keep him comfortable. She later said:

> You're prepared for this when you're in a trauma center . . . but not when you're driving down the road.

I also want to comment on the men and women of the Broward County Sheriff's Office Division of Fire Rescue, particularly Incident Commander Chris Koski and his firefighters who also came on the scene and were so professional, so experienced. They deserve tremendous credit.

As far as the rescue operators, the first responders out there do not get enough credit. They are out there 24 hours a day responding to these incidents. They responded in such a quiet, humble, and heroic way. They all deserve our gratitude. They are heroes, not just for this particular day but for the work they do every day. That is what they do every single day and night.

I do remember the people whom we could not help: Felicienne Kali, a beautiful 11-year-old girl whom we were unable to resuscitate, died at the scene. Her 14-year-old brother, Felix Kali, unfortunately, died later that day. Shadia Rene, a 20-year-old half-sister of the two, we were able to resuscitate but died 3 days later at the hospital. The two parents lived. A family friend who was in the automobile also lived.

After the tragic events of that day, I went back to see them the next day at the hospital, to console and to comfort them as much as one can in that time of tragedy.

There is little anyone can say directly to a family or to people involved to address such grief, but I do pray for their family to this day.

I clearly wish there was more that could have been done in response, despite the heroic actions of so many of the paramedical personnel, first responders, and Lara Spalding. I keep mentioning Lara Spalding because it was 2 years ago that my staff ran into her and talked to her. She was at that time working as a nurse at the Johns Hopkins University Hospital. In May, she took a new job. Today, she works here in the Nation's Capitol. I didn't know this until just a few days ago. She works in the Office of the Attending Physician. I was unaware of that and then had the opportunity to learn about that last week. I am delighted that she is here in the Nation's Capitol. I know she will be of great service to the U.S. Congress and to our Nation. While I would have gladly recommended her based specifically on her actions that day, I clearly had no role in her actually being hired but do appreciate her service.

SUPPLEMENTAL SPENDING

Mr. FRIST. Mr. President, I rise to discuss the issue of spending in Washington, DC. None of us, as elected representatives, Democrat or Republican, in the House or the Senate, can go home without people saying: Washington seems to be spending too much. I mention that only because we are going to be addressing the supplemental bill.

As many people saw on the news last night, agreement was reached on the limit and content of the supplemental spending bill which we have been working on for well over 2 months. What we will talk about next week but what was demonstrated and what was released by the conference last night is that we are on the right track today. The level and the substance of that bill does adhere to our calls for a conference report that limited its total amount to the President's request for true emergency spending—no fat, no excessive spending. Those criteria have been met. It focuses resources on important priorities, priorities such as funding border security, which we spent well over a month on this floor talking about, on conducting the war on terror, and aiding hurricane recovery—all while exercising tight fiscal restraint and responsibility.

Also of note, the bill contains a fiscally prudent spending level for this year's regular appropriations bills. This bill sets a discretionary spending level at the President's request of $873 billion—another very important point of maintaining fiscal discipline.

I applaud the leadership of Senator COCHRAN and Congressman LEWIS in the House to control Federal spending and to ensure effective and appropriate Government use of taxpayer dollars so that our deficit can continue to decline and our economy can continue to grow and prosper.

This adherence to keeping spending low, coupled with our Republican tax policy, has ushered in record economic growth: 5.3 million jobs have been created over the last 3 years; unemployment is down to 4.6, 4.7 percent, lower than the average of the 1990s, lower than the average of the 1970s—again, a huge success.

There is a lot more we have to do, but this supplemental bill is an important step, following through on Republican principles of fiscal restraint.

I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Montana is recognized.

IMMIGRATION

Mr. BURNS. Mr. President, I rise to comment on the events of the past week. We have received word that the leading terrorist in Iraq, Abu Musab al-Zarqawi, who was the mastermind of countless brutal attacks and taking lives of members of the U.S. Armed Forces and thousands of innocent Iraqis, was killed. This has been a long time coming. I commend those who worked tirelessly over the past year to finally see the fruits of their labors. Their dedication has saved countless lives. But that does not mean the war on terror is over. We still have a lot of work to do. We know the terrorists never give up. The greatest weapon they have is, of course, fear.

Last weekend, we also heard of a terrorist plot uncovered in Canada. Fortunately, those behind that plot were arrested before they could carry out their plans to murder the Canadian Prime Minister.

We are getting better at our intelligence. We are stopping these attacks. Of course, this will continue to be our mission, and for the people who are in the business of short-circuiting these plots, their job may never end. Terrorists will stop at nothing to incite fear in the minds and hearts of Americans and free-loving people all over the world.

We will fight as long as it takes to defeat them. Part of that fight is ensuring our security at home. My State of Montana borders Canada. In our part of the country, I like to say there is a lot of dirt between light bulbs. That makes it difficult to effectively patrol the border between my State and our friends to the north. Next time, will terrorists enter somewhere along that 550-mile border that my State shares with Canada? What makes it even more difficult is we are used to going back and forth between my State and Canada. We have farmers who farm on both sides of the border. They own farms in Canada, and they also own farms in Montana. Of course, we like the freedom of that movement.

The arrests last weekend have proven that illegal activity happens on our northern border, just like the problems we have on our southern border. I have said many times during the discussion of the immigration bill that we must know who is coming in this country and what for, and we also cannot have any credibility with the American people until we secure the border.

The Senate recently passed a massive immigration bill. There were a number of border security measures in the legislation—recommendations for a security fence, using the National Guard as backup and technical support, and other features. There were also provisions to enhance the security of our northern border, although I think even those could be stronger.

Most notably, however, this legislation did something else with which the American people do not agree: this legislation gave a pathway to citizenship for millions of illegal aliens. For this reason, I simply could not support the bill. Not only is it bad policy, but it sends the message that entering this country illegally is somehow OK.

Folks in my State have said: No amnesty for illegal aliens. They have been saying that until they are blue in the face. They feel strongly about it, so strongly that I received bricks in the mail with big letters on them: Secure the border and build the wall. I am not a big fan of walls. They have never had a history of success. But nonetheless, it sends a strong message on the things we should be doing.

It is a plain fact that illegal activity happens every day on our borders. We are in a great project in the State of Montana called the Montana Meth Project. We are finding out that meth houses have been shut down. Law enforcement has done their job in our State. What we are finding now is meth coming in from outside our borders. Crystal meth is one of the worst fights we have in our State. Other criminal activities pose a threat to the safety of local communities and to our national security as a whole. I know folks in my State have seen this happen firsthand.

Up on the hi-line, border agents in Havre, MT, have arrested illegal immigrants from as many as 35 different countries. Many of these illegal immigrants are found hiding on trains as they pass through Havre and several other towns on the hi-line of Montana. In February, a fugitive thought to be armed and dangerous led the Montana Highway Patrol on two high-speed chases near Kalispell, MT, before being apprehended. He was trying to escape to Canada. Last October, Border Patrol agents spotted a man driving in a stolen pickup toward the Canadian border outside of Cut Bank, MT. After a standoff, the man was shot by officers acting in self-defense.

I know my colleagues from States that share international borders, northern and southern, have stories like this. They can go on forever. We have illegal aliens still flooding into this country through our southern border every day and, yes, some through the northern border. It is not too much to ask for our law enforcement agencies to find, detain, and deport those who have broken the law. It is overwhelming.

It is amazing to me that we can so diligently pursue terrorists as dangerous and as murderous as al-Zarqawi in Iraq and be successful, yet we do not meet with the same success here in this country. When it comes to our own borders, our own immigration policies, mistakes continue to be made both on the ground and here in this Congress.

More importantly, when we allow illegal aliens to stay, what kind of a message does that send to the rest of the world about our immigration policy? If you come here illegally, just wait it out. That is the message we are sending now. We will give you amnesty eventually. It seems that 20 years from now, it will be amnesty once again for even more of those who would enter this country illegally. The 1986 immigration reform act didn't work. Basically, the bill that recently passed the Senate—not with my support—almost mirrors the 1986 act. What good is history if we don't learn the lesson?

As the House and Senate come together to conference on this legislation, I advise taking into account what the American people are telling us. They are telling us what they want, and they are very clear with the message. Just as we continue our efforts in Iraq and our fight in this war on terrorism abroad, we must also ensure a secure border and sound immigration policy at home. There is no way we can skirt the issue. It burns in the hearts of everybody in my State. They are very clear about the message. You do first things first and second things second.

The first thing we have to do to gain any credibility with the American people is to secure the border, knowing what the cost will be and knowing the job that is ahead of us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

WAR ON TERROR

Mr. ALLARD. Mr. President, I rise to discuss recent events that are positive steps in the war on terror for the United States and our allies abroad. The first is the announcement that the United States and foreign counterterrorism officials have worked together to make a series of arrests that appear to be linked to a web of Islamic extremists in Canada, the United States, and Europe. The recent death of Iraqi insurgent leader and al-Qaida member Abu Mus'ab al-Zarqawi is another. These are significant victories against those who wish our country harm.

Last week, Canadian officials arrested 17 people for allegedly plotting to carry out a campaign of bombings, kidnappings and other terrorist acts in Ottawa and Toronto. The arrests were made possible by the monitoring of Internet chat rooms and e-mail accounts tied to suspected Islamic extremists. The arrests came after three tons of ammonium nitrate—common garden fertilizer that is easily transformed into an explosive—was allegedly purchased from undercover officers. Two of 17 suspected terrorists were caught trying to smuggle guns and ammunition from the United States into Canada via the Peace Bridge last summer.

These individuals were allegedly using the Internet to communicate with terrorist facilitators abroad, such as a 22-year-old Web site operator with direct links to al-Qaida who was arrested by British police last October on charges of financing and supporting terrorist activities. Authorities believe the Web site operator was in contact with the individuals in the Canadian arrests, as well as two men in the U.S., sharing surveillance videos and other information for potential terrorist attacks. Included in the surveillance videos were many Washington, DC, landmarks.

Also, just last Tuesday British police arrested an American student in London as he prepared to board a flight to Pakistan. He was wanted in New York for allegedly providing military equipment to people who took it to members of Osama bin Laden's terrorist organization in Pakistan. Authorities have not ruled out a connection to the Canadian arrests.

Here in the U.S., the New York and Atlanta joint terrorism task forces recently arrested two men in connection with an alleged terrorist plot. The plot included discussions about blowing up oil refineries and disabling navigational aids on airplanes. The investigation began when California police arrested two men for a gas station robbery. A subsequent search of their home turned up documents listing the addresses of U.S. military recruiting stations, the Israeli Consulate, and synagogues in the Los Angeles area. The investigation eventually revealed the existence of a terrorist cell that had been spawned by a small radical group operating in Folsom Prison who considered themselves the "al-Qaida of California."

American counterterrorism officials are joining forces with their colleagues around the world to unravel intricate webs of terrorist organizations that would do us great harm if not for the efforts of these countterror experts. I commend them for their efforts to discover terrorist plots and bring them to a stop before they are carried out.

Much further from home, but still close to our hearts are the brave men and women of our Armed Forces deployed in the Middle East and Afghanistan.

I thank our servicemen and servicewomen in the U.S. Armed Forces for their on-going service to their country, their commitment to American ideals, and their determination to win the global war on terror. We need to continually express our gratitude to the families of the U.S. military personnel, especially those families who have lost loved ones during our most recent deployments to Iraq and Afghanistan.

Most important, our Armed Forces continue to seek out terrorists to disrupt their plans both in the Middle East and abroad. They also continue to provide support and guidance to the Iraqi and Afghani people in their newborn democracies. With their steadfast courage, our citizens in uniform have taken the battle to the enemy and achieved success.

Their most recent victory was the elimination of insurgent leader and al-Qaida member Abu Musab al-Zarqawi. His death is an enormous blow to those who continue to terrorize the Iraqi people. Zarqawi, whom Osama Bin Laden has heaped praise upon, has lead a horrific campaign against our troops in Iraq and against the Iraqi people. I am thankful to say that this mass murderer will no longer be able to carry on attempts at undermining the Iraqi national government and the coalition.

Of note in his demise is the international cooperation that spearheaded the operation. After receiving tips and intelligence of his location from Jordanian sources, Coalition forces killed Zarqawi and many of his lieutenants yesterday in an airstrike. It was this exchange of intelligence information between the United States and Jordan that helped to permanently end Zarqawi's operations. I should also note that the Iraqi police were first on the scene after the air strike to help identify our success.

Also, perhaps lost among this news yesterday was another announcement made by Prime Minister Al-Maliki of Iraq that candidates have been named for important cabinet posts in the Iraqi government. After much negotiation, consensus picks were made to fill the defense and interior ministries—both key to a more secure and stable Iraq. Much of our success depends on the men and women forming the Iraqi government, and these are important steps to meeting the security challenges.

The recent announcements in Iraq and our international counterterrorism efforts, while significant, are only small victories in the overall global war on terror. There are more extremists who will line up to preach against democracy and freedom. There are still those that will attack the free people of this world and want to do us much harm.

After news of Zarqawi's death, the forces of al-Qaida in Iraq vowed publicly to continue their so-called "holy war" on innocent civilians. They have stated:

> The death of our leaders is life for us. It will only increase our persistence in continuing holy war so that the word of God will be supreme.

In fact, only two hours after the Zarqawi announcement a bomb blew up in Baghdad killing at least nineteen people. It is clear that our success in Iraq against this enemy depends greatly on our continual cooperation with the Iraqi government and the new ministers in charge of security there.

The global war on terror has been a great challenge for our Nation. Yet while the cost has been high, the cost of doing nothing would be even greater. And we cannot do this alone. Only with help of our neighbors, countrymen, and allies throughout the world can we assure that our democratic ideals defeat those of the terrorist extremists. I thank all of them for a job well done.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THOMAS). Without objection, it is so ordered.

Mr. CORNYN. Mr. President, I ask unanimous consent to speak for up to 20 minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. I thank the Chair.

FIGHTING TERRORISM

Mr. CORNYN. Mr. President, there are two things on my mind today that I wanted to share with our colleagues.

First of all, I wanted to come to the floor to take issue with something that I view as a disturbing trend that I have seen develop over the last few days when it comes to our ongoing efforts to liberate the Iraqi people and to fight the global war on terror.

Yesterday, during a 9 a.m. press conference with MG Bill Caldwell, the military spokesman in Baghdad, regarding the mission that killed terrorist Abu Mus'ab al-Zarqawi, one reporter asked:

> Were you going for Zarqawi? We've heard that you have been going for some other people and then there was some luck involved.

To which Major General Caldwell replied:

> We knew exactly who was there. We knew it was Zarqawi. And that was the deliberate target that we went to get.

An AP story yesterday said:

> What may have changed the Americans' luck was U.S. Ambassador Zalmay Khalilzad's efforts to mend relations with Iraq's minority Sunni Arabs, alienated by the U.S. invasion and the new Shiite-dominated government.

And a story yesterday in Time Magazine entitled "How They Got Zarqawi; the Manhunt That Snared Him."

In part I quote that story:

> The fact that intelligence agencies were able to close in on a man who had eluded capture for three years, during which his terror operations left thousands of Iraqis dead, suggests that some of those close enough to know Zarqawi's whereabouts and connections may have been ready to shop him to his enemies. Not necessarily, of course.

The story goes on to say:

> The intel services could have simply gotten a lucky break through the slow but steady gathering of information, or Zarqawi could have made a mistake. Either way, a key agent in the chaos gripping Iraq has now been taken out of the equation.

Also, as we know, recently there were arrests of 12 men and 5 youths in Canada last weekend, foiling a major terrorist plot to attack targets in southern Ontario. The assistant director of operations of the Canadian Security Intelligence Service said the men arrested are followers of a "violent ideology inspired by al-Qaida."

In reporting on this story, CBS News also had this to say with regard to recent terror arrests:

> Police in Toledo, Ohio busted another cell in February. This one consisted of three men training to attack U.S. forces overseas. Once again, luck played a role.

So, Mr. President, I got to thinking about this word, this four-letter word "luck." It is certainly a loaded term, and in the context of yesterday's operation, I think it is a pretty dismissive term as well.

Instead of luck, I would suggest that the elimination of Abu Mus'ab al-Zarqawi was a combination of professionalism, patience, persistence, and precision munitions, not luck. Professionalism, patience, persistence, and precision munitions, not luck.

To me, attributing all of this somehow to luck devalues the preparation of our men and women in uniform as well as our intelligence services and our coalition forces. It doesn't give adequate credit to the heightened awareness that we have exercised since September 11, 2001, and it certainly doesn't do justice to patient, relentless execution of the war on terror by our fighting forces and allies. So I think it is time we get a little perspective.

Was it luck when officials were conducting an investigation that foiled a plot the impact of which had the potential to rival the bombing of the Oklahoma City Federal Building? Was it luck that motivated the Iraqis to tip U.S. forces to Zarqawi's whereabouts? Was it luck that trained our forces to execute that critical mission? And while we are on the subject, was it luck that our men and women in uniform executed the invasion and liberation of Iraq successfully and in a miraculously short period of time? Was it luck that Saddam Hussein was removed from his position as head of a terrible, tortuous regime and found cowering in a spider hole and brought to justice? Was it luck when CIA forces joined with Pakistani authorities to capture top al-Qaida operative Khalid Shaikh Mohammed?

I can't help but find it interesting that, as the old adage goes, the harder our military and intelligence forces work, the luckier they seem to get. Or it could be more apt to say it this way, in the words of the old adage, luck is when preparation meets opportunity.

All of these achievements were hard won, and all of the victories in this global war are bought with a dear price—and we should never forget that or try to dismiss that hard work and those efforts, the determination and sacrifice as merely luck.

It is not luck that is bringing the fight to the terrorists' doorstep. It is not luck that our country and our allies are hunting down those who would threaten our freedom and perhaps even our very way of life. September 11, 2001, was a dark day in our Nation's history. But let's not forget the meaning of our actions as we fight and win the war on terror is inextricably linked to the events on that day, the day the world mourned with us, the day our friends said, "Today we are all Americans."

Since that day we have worked to bring terrorists to justice, and we are succeeding. We are succeeding because of commitment, dedication, hard work, patience, and sacrifice. We are going to continue doing all that we can and all that we must to defend the cause of freedom.

I caution those who would dismiss these efforts in a world that in this context has little meaning. Let's recognize these accomplishments for what they are and be thankful for the protection provided by our men and women in uniform, our intelligence communities, our friends, and our allies.

IMMIGRATION

Mr. CORNYN. Mr. President, I note that today the Department of Homeland Security is announcing the publication of a regulation that addresses a deficiency in the work verification process to make sure that only people who can legally work in the United States are capable of doing so. Of course, this is long overdue.

The Senate and the House have both passed immigration bills that would overhaul employment verification laws. Restricting the employment of undocumented workers as a means of reducing illegal immigration is not a new concept. For decades, policymakers have recognized that eliminating the magnet of illegal employment is the key, some might even say the linchpin, to controlling illegal immigration.

In 1981, the bipartisan Select Commission on Immigration and Refugee Policy recommended legislation making it illegal to hire undocumented workers. In 1997, the bipartisan U.S. Commission on Immigration Reform stated that eliminating the employment magnet is the linchpin of a comprehensive strategy to deter unlawful immigration.

The U.S. Commission on Immigration Reform went on to conclude that "the most promising option for verifying work authorization is a computerized registry based on the Social Security number."

Despite 25 years of consensus, current employment verification laws are unworkable and unenforceable. An employer must review some combination of up to 29 different documents to determine whether a new worker is legal. Document fraud and identity theft have contributed to the problem, making it easier for unscrupulous employers to look the other way and hire unauthorized workers. The employer sanctions provisions that were passed in 1986, which were supposed to be the tradeoff for the amnesty provided to 3 million people—those employer sanctions have been completely ineffective. So while the amnesty was a success in the sense that 3 million people got a pass, the enforcement necessary to avoid another buildup of illegal aliens was never delivered.

As I said at the outset, the Department of Homeland Security is issuing the publication of a regulation today that addresses this deficiency. It is proposing a rule that will help responsible employers ensure that they are not employing individuals who cannot legally work in the United States. When hired, employees in the United States must present documents to their employers to show that they can work here legally. Many people use their Social Security card as one of those documents.

When unauthorized aliens try to defraud their employers by presenting fraudulent identification or Social Security cards, the employers will often receive a "no match" letter from the Social Security administration. This "no match" letter informs the employer that the name associated with the Social Security number does not match.

Until now, many employers have not known what steps to take upon receiving such a mismatch notice. Many mistakenly believe that they must immediately fire the employee. The absence of clear guidance has frustrated employers and, all too often, legal employees end up losing their jobs because of this confusion. The proposed rule outlines clear steps that employers can take in reaction to receiving "no match" letters.

The proposed rule contains a safe harbor for employers. If businesses follow these procedures in good faith, they can be assured they will not be subject to sanctions.

While the vast majority of employers seek to comply with the law, too many employers turn a blind eye to obvious violations of the law. In fact, a small percentage of employers are responsible for a large percentage of "no match" letters. The General Accounting Office reported that between 1985 and the year 2000, only 8,900 employers were responsible for 30 percent of "no match" reports.

Some of the other statistics in the General Accounting Office report are even more troubling. Several employers used one Social Security number for more than 100 different employees—the same Social Security number for more than 100 different employees. One employer used a single Social Security number for 2,580 different wage reports. Mr. President, 8.9 million wage reports had all zeros for the Social Security number. In other words, there was no attempt made whatsoever to come up with the correct and accurate number, so zeros were offered as a Social Security number in 8.9 million wage reports.

Mr. President, 43 different employers used the same Social Security number for more than one employee—for 16 years in a row.

The Department of Homeland Security recently conducted the largest worksite enforcement raid to date against a company known as IFCO Systems, arresting more than 1,000 illegal aliens and charging several managers with criminal violations.

Approximately 53.4 percent of the Social Security numbers for IFCO systems were invalid—half—and Social Security had notified the company more than 13 times regarding these discrepancies before it finally acted.

This regulation will therefore provide guidance to employers who seek to comply with the law and will allow the Government to prosecute those who turn a blind eye. But this action by the Department of Homeland Security is only a Band-Aid for the underlying problem. Employers do not have a reliable method to ascertain whether employees are eligible to work in the United States. A paper-based system such as we have now, where you can use up to 29 different documents, will always be vulnerable to fraud and abuse.

Electronic verification is the way. It has been tested for more than 10 years, and an independent review of the program, the so-called basic pilot program, found that 96 percent of participating employers believe the electronic verification system is an effective tool for employment verification. The Senate immigration bill improves upon the current paper-based system and requires an expansion of the electronic verification system. But the Department of Homeland Security Secretary Chertoff told me personally that he has problems with some of the provisions in the Senate bill and that, as drafted, he considers it unworkable.

In my capacity as chairman of the Immigration, Border Security and Citizenship Subcommittee of the Senate Judiciary Committee, I intend to hold a hearing in the coming weeks on this critical issue of employment verification to make sure we get it right.

Twenty years ago Congress sold Americans a bill of goods. They said if you will accept the amnesty, then we will have workable worksite verifications and sanctions against employers who cheat. Yet today, here we are wrestling with the problem, not of 3 million undocumented workers but 12 million. Obviously, the amnesty without worksite verification and employer sanctions is merely a magnet for future illegal immigration.

I believe Americans are a forgiving people. If someone makes a mistake and repents, asks forgiveness and says; I'll try better next time, they are pretty forgiving. But if we are viewed as merely repeating the same mistakes and attempting to trick the American people into accepting another amnesty without actually trying to solve the problem, the consequences for our society and for our national security and for our economy will be too great.

I will, therefore, continue to work with my colleagues diligently during the conference with the House to develop an employment verification system, along with a temporary worker program, that reduces employer burdens and protects workers' rights, but which will allow us finally, once and for all, to come to grips with our broken immigration system.

RECOGNITION FOR LINK PIAZZO

Mr. REID. Mr. President, I rise today to honor one of Nevada's true patriots, Lincoln Piazzo: a Reno native, veteran, businessman, and philanthropist.

Link Piazzo is the son of proud Italian immigrants who came to Reno in the early 1900s. Link was born in Reno on December 11, 1918. His father was committed to realizing the good life in America and passed this motivation on to his children. Link inherited his father's great commitment to honesty, vision, helping friends, and the belief that there is no country like the United States of America.

Link attended Mary S. Doten Elementary School, Northside Junior High School, and Reno High School. During World War II, he served as a pilot in the U.S. Army Air Corps and flew B–25 bombers on 67 combat missions. He is an honored war veteran and a recipient of the Distinguished Flying Cross for significant war efforts and achievements.

Community involvement has always been a major part of Link Piazzo's life. He has spent a significant time giving to others and contributing to his community. He has donated his energy and resources to a number of civic and fraternal organizations and is a well-respected citizen of the community. Link volunteered his services as official scorer and timer for high school zone and State basketball tournaments for 33 years. He was a sports broadcaster for the University of Nevada games from 1945 to 1950 and was co-organizer of the first Reno Little League. He is cofounder of the Reno Junior Ski Program that still continues to benefit local junior skiers.

As a northern Nevada community leader, Link has been a member of many civic and social organizations. He has served on the Reno YMCA Board, the Reno Rodeo Association Executive Committee, Sierra Nevada Sportswriters and Broadcasters Association, National Sporting Goods Association, the Local United Way Chapter Board, the Board for Hidden Valley Properties, the Reno Rodeo Association Executive Committee, and the Reno Rotary Club. Link has been honored by the National Sporting Goods Association—National Sporting Goods Hall of Fame, and the Washoe County School District's Outstanding Graduate Award for Outstanding Community Service.

Link has also played a significant role in his community's development. In 1938, he cofounded the Sportsman Store with his brother. He was also co-developer of the Hidden Valley Country Club and Golf Course properties. He has supported the Reno Rotary Club, construction projects for the Reno High School Alumni Center, the Nevada Humane Society's Regional Animal Shelter, and the Reno YMCA Youth Center.

Link's positive outlook on life serves as motivation for all who meet him. He weathered the Great Depression, fought in World War II, and helped to build and then nurture his community and country. Link is a very successful man when success means helping others and helping others achieve. He works hard and has persevered. Link Piazzo is a true American patriot and humanitarian.

DISCUSSING TAX CUTS

Mrs. CLINTON. Mr. President, in the wake of yet another contentious debate over the size and scope of the Republican tax cuts, I believe that it is high time that this Chamber engages in a serious discussion about the fiscal condition of our Nation and that Senators make an objective assessment of what the economic policies of the last 5 years have wrought on our Nation's long-term economic security. It is critically important that we realize that every tax cut we debate or enact today, will have a cost for workers and future generations down the road. Despite the best wishes of some Senators, there is no such thing as a tax cut that pays for itself and the fiscal profligacy of the last few years will have a dramatic effect on the economic opportunities for the next generation of Americans. Indeed, what has made this Nation great is only the result of the commitment of each generation of Americans to leave a country for their children and grandchildren that was a little better than they found it. We need to ask whether our economic choices today will enable us to fulfill that commitment.

A recent article in U.S. News and World Report magazine has clearly laid out what is at stake with the fiscal decisions that we have made and will continue to make in the months and years to come. Therefore, I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From U.S. News and World Report, May 1, 2006]

PLAYING FAIR ON TAXES

(By Mortimer B. Zuckerman)

Millions of Americans breathe relief at having filed their tax returns. Once again they were face to face with the complexities of compliance, which is why the average American family spends about 26 hours on the task. Every administration promises it will simplify the tax codes, but 60 percent of Americans still need professional help, at a cost of $150 billion a year. They are not dummies. They are busy, honest people who have to cope with grotesquely swollen federal tax regulations. The number of rules has risen by over 40 percent in the past four years, from 46,900 in 2000 to 66,498 last year. Is there anyone, really, who can figure out the complicated and tricky alternative minimum tax? Designed to stop rich people from claiming too many deductions, it now ensnares millions of middle-class families.

There is no point in expecting Congress to simplify the tax code. Why? Because congressmen need lobbyists to get elected, which means they need millions of dollars, and the lobbyists are intent on inventing new complexities to give tax breaks to well-connected companies and individuals or for fashionable public crusades.

Even more lamentably, Congress, over the past five years, has diminished the progressivity of our tax system, which has always required richer people to pay a higher rate than poorer ones. A progressive tax has long supported an expanding middle class and should provide the greatest rewards for the people who work hardest. But the Bush tax cuts have made it less so.

The 2001 income tax rate cuts and the 2003 capital-gains and dividends cuts have lowered the average tax rate for the richest one tenth of 1 percent of Americans by 3.8 percent but reduced taxes just .03 percent for the bottom 20 percent. Of the tax savings on investment, the lion's share—more than 70 percent—went to the top 2 percent. Of the 90 percent of taxpayers who make less than $100,000, only 14 percent benefited from the dividend-tax cut and only 5 percent from the capital-gains-tax cut. People who own stocks hold them in retirement accounts, which are ineligible for investment relief, and when withdrawn, the profits are reduced by the higher rate applied to wage earnings.

In this way, the tax burden on the richest has been reduced to where those who earn $10 million or more pay at a lesser rate than those who earn between $500,000 and $1 million. (And the top 400 pay at an even lower rate!) In part, that's why the share of income going to the top 1 percent of Americans has jumped from 9 percent to 14 percent of our national income, an increase of 50 percent. It is inequitable, reprehensible, absurd, and unfair. Is it any wonder that an NBC News/Wall Street Journal poll last year found that most Americans, 54 percent, believed the Bush tax cuts weren't worth it?

Class warfare? Yes, these cuts have helped stimulate the economy. But they have also turned the impressive fiscal surplus when President Clinton left office into a long-term budget deficit now trillions of dollars, of which about 60 percent can be attributed to the "Bush effect." These deficits are mortgaging workers'' future pay gains to fund baby boomers' retirement payments.

And they're being financed with borrowed money, which will have to be repaid, with interest, by taxpayers of the future. All of this as we face an aging population that will drive up the cost of government retirement programs with serious consequences for our future living standards in the form of higher taxes or lower benefits. Social Security will provide less of a safety net; Medicare will not be able to guarantee healthcare to older Americans; and Medicaid will no longer be able to help the poor.

The tax cuts on investment income should not be extended after they expire in 2010. One argument in favor of keeping the cuts in place is that eliminating them would hurt economic growth. Yet, when President Clinton raised the marginal rate on high incomes, the opposite occurred: Unemployment dropped without causing inflation; productivity and growth accelerated to levels not seen since the 1960s, and the budget deficit was converted to an impressive surplus. Government borrowing stopped draining the capital markets, freeing up money for private investment.

Nor can it be said that taking these new tax cuts from the wealthy would amount to class warfare. It is hardly class warfare to suggest that some of the $750 billion a year that the top 10 percent of income earners are taking in now should go to sustain the fiscal health of the country and the expansion of our middle class and to maintain America as a true land of opportunity.

Remember that job security, private pensions, and employer-provided healthcare coverage are being cut back. Remember that there is significant erosion in public services such as schools, colleges, transportation, health, recreation, and job training. Understand why large numbers of people in our society are feeling increasingly vulnerable. It is time to redress the balance.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE SPANGLER CANDY COMPANY

• Mr. DEWINE. Mr. President, today I recognize an outstanding achievement resulting from a century of hard work and perseverance. This August, the Spangler Candy Company, a family-owned business based in Bryan, OH, will be celebrating its 100th birthday. This is quite a milestone—a testament to Spangler's commitment to its customers and community.

On August 20, 1906, Arthur Spangler purchased the Gold Leaf Baking Company in Defiance, OH, for $450 and moved the operations to Bryan. The Spangler Manufacturing Company was born, originally producing baking soda, baking powder, corn starch, laundry starch, spices, and flavorings. Arthur's brother, Ernest, joined the company 2 years later and suggested adding candy to the production line. This proved to be an excellent idea. In 1920, the name changed from the Spangler Manufacturing Company to the Spangler Candy Company. Since that time, the Spangler Candy Company has remained a family-owned and operated business and maintains the values that made it so successful—hard work and innovation.

In 2001, an outside warehouse fire at Oberhaus Enterprises in Archibold, OH, destroyed 110,000 cases of Spangler products at a value of $6.5 million. This disaster could very easily have destroyed the Spangler spirit, but instead, it only made the organization stronger. Today, the Spangler Candy Company employs about 400 people in the United States and is a global leader in confectionary production and sales. The company has helped many Ohioans build their dreams, while at the same time, the Spangler Corporation has achieved the American dream.

So today I salute the Spangler Corporation for a century of demanding work, inspiration, and commitment to the northwest Ohio area. I wish them all the best for the next 100 years.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on the Judiciary.

(The nominations received today are printed at the end of the Senate proceedings.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. COBURN (for himself, Mr. DEMINT, Mr. INHOFE, Mr. CORNYN, and Mr. VITTER):

S. 3488. A bill to amend the Internal Revenue code of 1986 to expand the permissible use of health savings accounts to include health insurance payments, to increase the dollar limitation for contributions to health savings accounts, to allow the rollover of unused funds from health reimbursement arrangements to health savings accounts, and for other purposes; to the Committee on Finance.

By Mr. DODD (for himself and Mr. BURR):

S. 3489. A bill to provide loans and grants for fire sprinkler retrofitting in nursing facilities; to the Committee on Banking, Housing, and Urban Affairs.

ADDITIONAL COSPONSORS

S. 635

At the request of Mr. SANTORUM, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 635, a bill to amend title XVIII of the Social Security Act to improve the benefits under the medicare program for beneficiaries with kidney disease, and for other purposes.

S. 2278

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2278, a bill to amend the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 2599

At the request of Mr. VITTER, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. 2635

At the request of Mr. WYDEN, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 2635, a bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters.

S. 2658

At the request of Mr. LEAHY, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 2658, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 2831

At the request of Mr. LUGAR, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2831, a bill to guarantee the free flow of information to the public through a free and active press while protecting the right of the public to effective law enforcement and the fair administration of justice.

S. 3114

At the request of Mr. NELSON of Florida, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 3114, a bill to establish a bipartisan commission on insurance reform.

S. 3486

At the request of Mr. ROCKEFELLER, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 3486, a bill to protect the privacy of veterans, spouses of veterans, and other persons affected by the security breach at the Department of Veterans Affairs on May 3, 2006, and for other purposes.

S. RES. 494

At the request of Mr. SANTORUM, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. Res. 494, a resolution expressing the sense of the Senate regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DODD (for himself and Mr. BURR):

S. 3489. A bill to provide loans and grants for fire sprinkler retrofitting in nursing facilities; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DODD. Mr. President, I rise to introduce bipartisan legislation with my colleague from North Carolina, Senator BURR, that seeks to protect nursing home residents, staff, and visitors from the dangers associated with fire.

In February, 2003, a multialarm fire at a nursing home in Hartford, CT, took the lives of 16 residents. It was the worst nursing home fire in Connecticut's history. The tragic loss of life was made worse by the fact that the nursing home lacked an automatic sprinkler system—a defect disturbingly present in many nursing homes across the country.

I believe many Americans—especially those with a loved one in a nursing home facility—would be shocked to learn that, according to the Government Accountability Office, GAO, between 20 and 30 percent of the country's 17,000 nursing homes lack an automatic sprinkler system. In its 2004 report, the GAO found that "the substantial loss of life in the [Hartford fire] could have been reduced or eliminated by the presence of properly functioning automatic sprinkler systems." Furthermore, the report concluded that "the Federal oversight of nursing home compliance with fire safety standards is inadequate."

Responding to the fire in Hartford and a similar tragedy in Nashville, TN, the Center for Medicare and Medicaid Services, CMS, required that nursing homes without automatic sprinkler systems install battery-operated smoke detectors. While this new requirement was viewed as a positive step, it was largely criticized by fire and patient-safety advocates because smoke detectors are often not wired to a central alarm system or a fire department.

I believe it is safe to assume that nursing home directors do not choose freely to operate their facilities without automatic sprinkler systems. According to the GAO and American Health Care Association, most nursing homes simply cannot afford the cost incurred by installing an automatic sprinkler system. Furthermore, almost all of these facilities cannot afford the cost because of forces beyond their control. Today, nursing homes—including many in Connecticut—are financially strained by inadequate reimbursement rates from Medicare and Medicaid, rising insurance premiums, rising energy costs, and the general cost of care for some of our country's sickest patients.

That is why Senator BURR and I are introducing this legislation. The Nursing Home Fire Safety Act of 2006 contains two principal components.

First, the legislation includes a resolution expressing the sense of Congress that, within 5 years, every nursing home facility in the United States should be equipped with an automatic sprinkler system. The resolution also urges CMS to adopt the National Fire Protection Association's Life Safety Code, a nationally-renowned set of criteria addressing "construction, protection, and occupancy features necessary to minimize danger to life from fire, including smoke, fumes, or panic."

Second, the legislation provides low-interest loans and grants to nursing homes in proven need of financial assistance. The larger loan initiative assists nursing homes that cannot afford the upfront costs of installing automatic sprinkler systems but can afford to pay back a low-interest Government loan. The smaller grant initiative would assist qualified nursing homes that lack any ability to pay for the installation of an automatic sprinkler system. Together, these initiatives would provide critical resources to prevent tragedies like those seen in Hartford and Nashville from occurring again.

I thank my colleague from North Carolina, Senator BURR, for introducing this bipartisan measure with me. I also thank Congressmen JOHN LARSON from Connecticut and PETER KING from New York for spearheading companion legislation in the House. I look forward to working with all of my colleagues to protect nursing home residents, staff, and visitors from the dangers associated with fire.

I ask unanimous consent that the full text of the legislation be printed in the CONGRESSIONAL RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3489

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE .

This Act may be cited as the "Nursing Home Fire Safety Act of 2006".

SEC. 2. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) An estimated 1,500,000 Americans reside in approximately 16,300 nursing facilities nationwide, an estimated 20 to 30 percent of which lack an automatic fire sprinkler system.

(2) In a July 2004 report, the Government Accountability Office found that "the substantial loss of life in [recent nursing home] fires could have been reduced or eliminated by the presence of properly functioning automatic sprinkler systems" and that "Federal oversight of nursing home compliance with fire safety standards is inadequate".

(3) Many nursing facilities lack the financial capital to install sprinklers on their own and must consider closure as an alternative to taking on large loans or other financing options in order to install sprinklers.

(4) Recognizing that automatic fire sprinkler systems greatly improve the chances of survival for older adults in the event of a fire, the National Fire Protection Association, with the support of the American Health Care Association, the fire safety community, and the nursing facility profession, recently issued the 2006 edition of the Life Safety Code which requires automatic sprinklers in all existing nursing facilities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) within 5 years, every nursing facility in America should be equipped with automatic fire sprinklers in order to ensure patient, resident, and staff safety;

(2) the Centers for Medicare & Medicaid Services (CMS) should quickly adopt the 2006 edition of the Life Safety Code, recently issued by the National Fire Protection Association with the support of the nursing home industry, which includes the requirement that all nursing facilities be fully sprinklered; and

(3) the Centers for Medicare & Medicaid Services, in collaboration with Congress, should take into consideration the costs of retrofitting existing nursing home facilities and commit itself to providing facilities with the critical financial resources necessary to ensure the speedy and full installation of life saving sprinkler systems.

SEC. 3. DIRECT LOANS FOR FIRE SPRINKLERS RETROFITS.

(a) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall establish a program of direct loans to existing nursing facilities to finance retrofitting the facilities with an automatic fire sprinkler system. Such loans shall be made under terms and conditions specified by the Secretary.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2007 through 2011.

SEC. 4. SPRINKLER RETROFIT ASSISTANCE GRANTS.

(a) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall establish a program to award grants to nursing facilities for the purposes of retrofitting them with an automatic fire sprinkler system. Such grants shall be awarded under terms and conditions specified by the Secretary.

(b) PRIORITY.—In awarding grants under this section, the Secretary shall give a priority to applications that demonstrate a need or hardship. In determining hardship, the Secretary may take into account factors such as the number of residents who are entitled to or enrolled in the medicare program under title 18 of the Social Security Act (42 U.S.C. 1395 et seq.) or receiving assistance under the medicaid program under title 19 of such Act (42 U.S.C. 1396 et seq.), the age and condition of the facility, and the need for nursing facility beds in the community involved.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2007 through 2011.

EXPRESSING CONDOLENCES TO FAMILIES OF VICTIMS OF INDONESIAN EARTHQUAKE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate Foreign Relations Committee be discharged from further consideration of S. Res. 503, and the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 503) mourning the loss of life caused by the earthquake that occurred on May 27, 2006, in Indonesia, expressing condolences of the American people to the families of the victims, and urging assistance to those affected.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 503) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 503

Whereas, on May 27, 2006, a powerful earthquake measuring 6.2 on the Richter scale occurred in Indonesia, centered near the City of Yogyakarta;

Whereas the earthquake and continuing aftershocks have caused more than 5,000 deaths, resulted in serious injuries to additional tens of thousands of people, and left hundreds of thousands of people with damaged or destroyed homes;

Whereas thousands of people in the affected region are living in temporary shelter or lack basic services, such as clean water and sanitation, thereby increasing the risk of additional suffering and death; and

Whereas the United States and donors from at least 20 other countries have, to date, pledged several millions of dollars in emergency and long-term reconstruction assistance, and have begun to deliver humanitarian supplies to survivors of the earthquake: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the tragic loss of life and horrendous suffering caused by the earthquake that occurred on May 27, 2006, in Indonesia;

(2) expresses the deepest condolences of the people of the United States to the families, communities, and government of the thousands of individuals who lost their lives in the earthquake;

(3) expresses sympathy and compassion for the hundreds of thousands of people who have been left with destroyed or damaged homes or have been seriously affected by this earthquake;

(4) welcomes and commends the prompt international humanitarian response to the earthquake by the governments of many countries, the United Nations and other international organizations, and nongovernmental organizations;

(5) expresses gratitude and respect for the courageous and committed work of all individuals providing aid, relief, and assistance, including civilian and military personnel of the United States, who are working to save lives and provide relief in the devastated areas;

(6) urges the President and the Government of the United States to provide all appropriate assistance to the Government of Indonesia and people of the affected region; and

(7) recognizes the lead role of the Government of Indonesia in providing assistance and promoting recovery for the affected population.

ORDERS FOR MONDAY, JUNE 12, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2 p.m. on Monday, June 12; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each until 3 p.m., when the Senate will proceed to consideration of S. 2766, the Defense authorization bill, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, on Monday, the Senate will be considering the Defense authorization bill. Following opening remarks and recognition of Chairman WARNER and Senator LEVIN, amendments may be debated and offered. The first vote of next week will occur on Tuesday morning before the Senate recesses for the weekly policy luncheons. This vote could be on a Defense amendment or a nomination. We will alert Members when that vote is scheduled. The Senate will also have a cloture vote at 3:30 on Tuesday afternoon on the nomination of Richard

Stickler to be Assistant Secretary of Labor for Mine Safety and Health. The conference report to the emergency supplemental appropriations bill has been filed, and we expect to vote on that early in the week. Senators are reminded that the official photograph of the 109th Congress will occur at 2:15 on Tuesday. Senators should be seated at their desks no later than 2:15.

FAREWELL AND EXPRESSION OF THANKS TO SENATE PAGES

Mr. FRIST. Mr. President, finally, let me say thank you to our spring semester pages. Today is their final day in the Senate. I join all of my colleagues in praising them for their hard work and effort throughout this year.

I ask unanimous consent that a list of their names be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Bradford Black, Deloreon Burton, Jamie Catron, Logan Copley, Joseph Curtsinger, Mark Douglass, Sarah Drake, Megan Faulkner, Bobby Fraser, Amy Furcron, Eric Goldstein, Karen Goodheart, Ben Green, Sarah Graybill, Juliana Ho, Benjamin Hovies, Sara Jarman, Bolton Kirchner, Annie Middleton, Lea Moser, Hayley Panasiuk, Kim Pitney, Michael Schoenleber, Aysia Shumway, Cory Sprunger, Parker von Sternberg, Cheryl Walton, Justin Whaley.

ADJOURNMENT UNTIL MONDAY, JUNE 12, 2006, AT 2 P.M.

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 11:42 a.m., adjourned until Monday, June 12, 2006, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate June 9, 2006:

DEPARTMENT OF JUSTICE

BRETT L. TOLMAN, OF UTAH, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF UTAH FOR THE TERM OF FOUR YEARS, VICE PAUL MICHAEL WARNER, RESIGNED.

SHARON LYNN POTTER, OF WEST VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS, VICE THOMAS E. JOHNSTON, RESIGNED.

GEORGE E.B. HOLDING, OF NORTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS, VICE FRANK DEARMON WHITNEY.

PHILLIP J. GREEN, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE RONALD J. TENPAS, RESIGNED.

TROY A. EID, OF COLORADO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF COLORADO FOR THE TERM OF FOUR YEARS, VICE JOHN W. SUTHERS, RESIGNED.

R. ALEXANDER ACOSTA, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE MARCOS D. JIMENEZ, RESIGNED.

HOUSE OF REPRESENTATIVES—*Friday, June 9, 2006*

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. REHBERG).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 9, 2006.

I hereby appoint the Honorable DENNIS R. REHBERG to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

"Love justice, you rulers of the earth. Set your mind upon the Lord, as is your duty. Seek the Lord with simplicity of heart."

Given in the Book of Wisdom, You command those who govern to love, but to love as none of the others, to love above all else, to love justice. Such a love, always seeking the ways of justice, will put everything and every relationship in proper perspective.

Lord, You follow this command to those who govern with the directive on how to achieve and how to maintain this love of justice. "Set your mind upon the Lord. Seek the Lord with your whole heart."

For the rulers You call into being, Lord, You alone are the source, the guarantee and the regulator of justice. Because You are love, infinite and universal, You hold all peoples in the balance of justice. And You teach the ways of loving justly.

So in and through You, rulers of the earth can govern without ever failing their people. Because their hearts are fixed on You, transformative love can hold them and change everything, now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. GINGREY) come forward and lead the House in the Pledge of Allegiance.

Mr. GINGREY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 7, 2006.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Capitol Building, Washington, DC.

DEAR MR. SPEAKER: This letter is to inform you that I have sent a letter to Texas Governor Rick Perry dated June 7, 2006, informing him that I am resigning my House seat, the 22nd District of Texas, effective at the close of business on June 9, 2006.

Sincerely,

TOM DELAY,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 7, 2006.

Hon. RICK PERRY,
Governor of the State of Texas,
Austin, Texas.

DEAR GOVERNOR PERRY: For more than twenty one years I have been honored to serve the people of the 22nd Congressional District of Texas in the great institution of the U.S. House of Representatives. I am deeply appreciative of the voters and constituents for the opportunity to serve.

During my career in public service, I am proud to have worked with an extraordinary number of dedicated people in the district, the state and the nation to ensure that America is set on a course toward achieving her brightest days.

I have recently made the decision to pursue new opportunities to engage in the important cultural and political battles of our day from outside the arena of the U.S. House of Representatives. As a result, I hereby wish to tender my resignation as Texas' 22nd Congressional District Representative effective at the close of business on June 9, 2006.

May God continue to bless you and the people of the Great State of Texas.

Sincerely,

TOM DELAY,
Member of Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five 1-minute speeches from each side.

REPUBLICANS ARE WORKING TO ADDRESS ENERGY NEEDS

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, House Republicans are continuing to work to lower the cost of gasoline over the mid and long-term.

On Wednesday, House Republicans passed the Refinery Permit Process Schedule Act to help reduce America's dependence on foreign oil. Despite our country's increasing demand for fuel, the United States has not built an oil refinery in over 30 years. Total capacity of current refineries is roughly 17 million barrels per day, while demand is nearly 21 million barrels per day.

We cannot continue this trend of using more refined petroleum products than we produce. It is vital that we move away from our dependence on foreign sources to fill this gap. I am pleased that this week's long overdue legislation helps remove red tape preventing construction of new refineries.

House Republicans have also taken other actions to ban price gouging, promote conservation efforts, reduce the cost of energy, encourage the use of alternative power sources and improve our electricity transmission capability.

Republicans have also repeatedly supported legislation to open up the Arctic National Wildlife Refuge to oil and gas exploration.

And the Democrats? They have voted "no" on nearly every measure that would offer relief to hardworking Americans.

THE CASE FOR LEAVING IRAQ

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Hussein is in jail. Zarqawi is dead. Now we should leave Iraq.

Zarqawi represented a small portion of a large and growing anti-American insurgency in Iraq, a sliver of the non-Baathist insurgency while Baathists make up a majority of armed insurgents. So his killing is unlikely to end the violence in Iraq.

. Those who say we must prevail until victory are not themselves paying the price. Nearly 2,500 Americans dead, over 10,000 innocent Iraqis dead, our national honor tainted by a false case for war, Abu Ghraib, Guantanamo, Haditha. When will we understand that

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☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

you can bomb the world to pieces, but you can't bomb the world to peace?

DESERT OUTLAW

(Mr. POE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE. Mr. Speaker, this morning, freedom has found a victory. Like the days of the Old West, an outlaw has been eliminated and we can take down the wanted posters.

We weren't looking for a bank robber, a railroad bandit or even a horse thief. We were tracking a terrorist, a war criminal. High-tech helped find his hideout.

Abu Musab al-Zarqawi, militant mastermind who planned and ordered hundreds of bombings, kidnappings and beheadings of Iraqis and Americans, is dead. The prince of the forces of evil, the most wanted man in the desert of destruction, died like the outlaw that he was. He wasn't hung at the courthouse square like the days of the Old West, but he was the recipient of a U.S. military air strike, a strike that all but wiped out his desert gang of bad men, cutthroats and outlaws.

But like the days of the Old West, there are more outlaws in hideouts in the hot hills of Iraq, and they, too, will be brought to a fitting end. Their reign of terror will be brought to justice.

Freedom must always fight to survive, but freedom will prevail when the desert dust settles.

And that's just the way it is.

VA MUST RESPOND APPROPRIATELY TO ID THEFT

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, this body and the American public should be outraged by the continuing reports of the theft of personal identification of America's finest, our veterans and our brave men and women who are serving in uniform today here at home and abroad.

As a result of the Department of Veterans Affairs incompetence, the well-being of millions of our military families has been compromised today.

Congress must act now to provide appropriate oversight. I have worked with my colleagues to demand accountability and full disclosure of the VA. I support my friend Congressman SALAZAR's legislation to provide veterans credit monitoring services. I have joined with those who demand that not one penny of the funding to pay for the VA's debacle be diverted from veterans health care or other sorely needed services.

The House must demand more of the Veterans Administration than its unacceptable response of hand-wringing and wrist-slapping. We owe our veterans and our active military personnel nothing less than to respond appropriately.

FUND THE BYRNE-JAG GRANTS

(Mr. KENNEDY of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY of Minnesota. Mr. Speaker, at a time when 80 percent or more of the meth in this country is pouring in from international superlabs like those in Mexico, the Federal Government has a duty to help local law enforcement to keep this poison off our streets. That is why I cannot understand why some, including the administration, would propose to eliminate the Byrne-JAG program.

For those of us that represent highly rural and exurban districts, these vital grants and the police officers that they support are critical to efforts to keep drugs out of our communities and away from our children.

Last year, the Byrne-JAG program took a significant hit, despite our best efforts. The effect was predictable. Many States had to cut or eliminate their drug task force.

We cannot afford these cuts again. We must fund the Byrne-JAG program at no less than $900 million in FY 07.

QUESTIONING THE STRENGTH OF THE ECONOMY

(Mr. EMANUEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EMANUEL. Mr. Speaker, my Republican colleagues like to say the economy is "robust." But for middle-class families it's the best of times, it's the worst of times. While the gross domestic product increases, Americans are drowning in a sea of debt in this wageless recovery.

New data released by the Federal Reserve today indicated that household debt grew at a faster rate in the first quarter of this year than in the previous quarter. Why is it increasing? Because middle-class families are taking on more debt just to make ends meet.

Wages in 2006 were actually lower than they were in November of 2001 when the recovery began. Monthly job growth is a measly 0.4 percent since March 2001, the weakest of any business cycle since World War II. At the same time, the cost for gasoline is up, tuition is up 38 percent, health care premiums have increased 73 percent.

What is the end result? America has a negative savings rate.

Mr. Speaker, my Republican colleagues like to say the economy is booming, and that is certainly true for the credit card companies. But for middle-class families, these are hardly the best of times.

It is time for a change. It is time for a new direction.

AL-ZARQAWI IS DEAD

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today to congratulate our United States military for eliminating a ruthless and brutal terrorist in Iraq.

Late Wednesday night, it was announced that Abu Musab al-Zarqawi, al Qaeda's leader in Iraq, had been killed in an air raid. This is a tremendous victory in our war on terrorism and a tremendous day for the Iraqi people. In fact, the air strike resulted from tips given to Iraqi Security Forces by residents in Diyala.

Mr. Speaker, al-Zarqawi was responsible for an untold number of bombings and kidnappings. He is even believed to have personally beheaded two American hostages. His death lets our enemies know we will not bow to their ruthless tactics.

America, our allies and the Iraqi people are committed to the triumph of liberty over terrorism.

Mr. Speaker, our military is doing an outstanding job protecting our Nation from those who wish us harm. I ask that you join me in thanking our servicemen and women for their selfless courage and congratulate them on their most recent victory, the elimination of the brutal terrorist leader, al-Zarqawi.

☐ 0915

REPUBLICAN HYPOCRISY

(Mr. OBEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBEY. Mr. Speaker, some of the things that happen in this place are enough to give hypocrisy a bad name. Example: I got a letter just 3 days ago from about 30 Republican Members of the House demanding that we add funding back for the Corporation For Public Broadcasting.

All but one of those Republican Members voted for a budget resolution that makes it impossible for us to do what they ask us to do in that letter. That is what I call posing for political holy pictures in the most cynical way.

Mr. Speaker, the second thing I would say is for any Member to come to the floor and ask that we fully fund programs like the Byrne Grant or any other grant, I would simply say this: Those who voted against the budget resolution have a perfect right to do that. Those who voted for the budget resolution need to simply look in the mirror to see why we do not have the money to do what they have just come to the floor and asked us to do.

HOUSE DEMOCRATS FORECAST ECONOMIC DOOM AND GLOOM

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON. Mr. Speaker, I continue to be amazed that House Democrats always manage to find doom and gloom in the face of success on the battlefield and at home. Last week, the Department of Labor announced that over 75,000 Americans had achieved jobs, created in May, and that the unemployment rate dropped to 4.6 percent.

Mr. Speaker, while most people would celebrate this economic growth, Minority Leader PELOSI actually said this was proof that the Bush economic policies continue to go in the wrong direction. Can she seriously believe that over 33 consecutive months of economic growth, and the creation of 5.2 million American jobs hurts our country?

Additionally, PELOSI promised that House Democrats have a plan to take America in a new direction. After witnessing 181 House Democrats vote against tax reductions, I am confident they will rely upon their old same tax-and-spend strategies to chart their course.

American voters recognize that Democrats impose higher taxes and have demonstrated their trust in Republican economic policies this week by electing Republican BRIAN BILBRAY to Congress.

In conclusion, God bless our troops and we will never forget September 11.

GENERAL LEAVE

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5522, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 851 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5522.

☐ 0918

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes, with Mr. THORNBERRY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Thursday, June 8, 2006, the amendment by the gentleman from Wisconsin (Mr. OBEY) had been disposed of and the bill had been read through page 14, line 3.

Pursuant to the order of House of that day, no further amendment to the bill may be offered except those specified in the previous order of the House of that day, which is at the desk.

The Clerk will read.

The Clerk read as follows:

TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, $40,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance: *Provided further*, That if the President determines that it is important to the national interests of the United States to provide transition assistance in excess of the amount appropriated under this heading, up to $15,000,000 of the funds appropriated by this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961 may be used for purposes of this heading and under the authorities applicable to funds appropriated under this heading: *Provided further*, That funds made available pursuant to the previous proviso shall be made available subject to prior consultation with the Committees on Appropriations.

DEVELOPMENT CREDIT AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans and loan guarantees provided by the United States Agency for International Development, as authorized by sections 256 and 635 of the Foreign Assistance Act of 1961, up to $21,000,000 may be derived by transfer from funds appropriated by this Act to carry out part I of such Act and under the heading "Assistance for Eastern Europe and the Baltic States": *Provided*, That such funds shall be made available only for micro and small enterprise programs, urban programs, and other programs which further the purposes of part I of the Act: *Provided further*, That such costs, including the cost of modifying such direct and guaranteed loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That funds made available by this paragraph may be used for the cost of modifying any such guaranteed loans under this Act or prior Acts, and funds used for such costs shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the provisions of section 107A(d) (relating to general provisions applicable to the Development Credit Authority) of the Foreign Assistance Act of 1961, as contained in section 306 of H.R. 1486 as reported by the House Committee on International Relations on May 9, 1997, shall be applicable to direct loans and loan guarantees provided under this heading: *Provided further*, That these funds are available to subsidize total loan principal, any portion of which is to be guaranteed, of up to $700,000,000.

In addition, for administrative expenses to carry out credit programs administered by the United States Agency for International Development, $8,400,000, which may be transferred to and merged with the appropriation for Operating Expenses of the United States Agency for International Development: *Provided*, That funds made available under this heading shall remain available until September 30, 2009.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the "Foreign Service Retirement and Disability Fund", as authorized by the Foreign Service Act of 1980, $38,700,000.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $646,000,000, of which up to $25,000,000 may remain available until September 30, 2008: *Provided*, That none of the funds appropriated under this heading and under the heading "Capital Investment Fund" may be made available to finance the construction (including architect and engineering services), purchase, or long-term lease of offices for use by the United States Agency for International Development, unless the Administrator has identified such proposed construction (including architect and engineering services), purchase, or long-term lease of offices in a report submitted to the Committees on Appropriations at least 15 days prior to the obligation of these funds for such purposes: *Provided further*, That the previous proviso shall not apply where the total cost of construction (including architect and engineering services), purchase, or long-term lease of offices does not exceed $1,000,000: *Provided further*, That contracts or agreements entered into with funds appropriated under this heading may entail commitments for the expenditure of such funds through fiscal year 2008: *Provided further*, That none of the funds in this Act may be used to open a new overseas mission of the United States Agency for International Development without the prior written notification to the Committees on Appropriations: *Provided further*, That the authority of sections 610 and 109 of the Foreign Assistance Act of 1961 may be exercised by the Secretary of State to transfer funds appropriated to carry out chapter 1 of part I of such Act to "Operating Expenses of the United States Agency for International Development" in accordance with the provisions of those sections: *Provided further*, That none of the funds appropriated by this Act or any prior Act making appropriations for foreign operations, export financing, or related programs may be used by the United States Agency for International Development for the rent of buildings and space in buildings in the United States pursuant to the authority of section 636(a)(1) of the Foreign Assistance Act of 1961: *Provided further*, That the previous proviso shall not apply to any lease, agreement, or other instrument executed for the purpose of maintaining United States Agency for International Development continuity of operations and to the cost of terminating the domestic lease executed on September 30, 2005.

Capital Investment Fund of the United States Agency for International Development

For necessary expenses for overseas construction and related costs, and for the procurement and enhancement of information technology and related capital investments, pursuant to section 667 of the Foreign Assistance Act of 1961, $105,300,000, to remain available until expended: *Provided*, That this amount is in addition to funds otherwise available for such purposes: *Provided further*, That funds appropriated under this heading shall be available for obligation only pursuant to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds appropriated under this heading, not to exceed $89,000,000 may be made available for the purposes of implementing the Capital Security Cost Sharing Program.

United States Agency for International Development Office of Inspector General

For necessary expenses to carry out the provisions of section 667 of the Foreign Assistance Act of 1961, $39,000,000, to remain available until September 30, 2008, which sum shall be available for the Office of the Inspector General of the United States Agency for International Development.

Other Bilateral Economic Assistance

Economic Support Fund

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of chapter 4 of part II, $2,650,740,000, to remain available until September 30, 2008: *Provided*, That of the funds appropriated under this heading, not less than $120,000,000 shall be available only for Israel, which sum shall be available on a grant basis as a cash transfer and shall be disbursed within 30 days of the enactment of this Act: *Provided further*, That not less than $455,000,000 shall be available only for Egypt, which sum shall be provided on a grant basis, and of which sum cash transfer assistance shall be provided with the understanding that Egypt will undertake significant economic and political reforms which are additional to those which were undertaken in previous fiscal years: *Provided further*, That with respect to the provision of assistance for Egypt for democracy and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the Government of Egypt: *Provided further*, That of the funds appropriated under this heading for assistance for Egypt, not less than $135,000,000 shall be made available for project assistance, of which not less than $50,000,000 shall be made available for democracy, human rights and governance programs and not less than $50,000,000 shall be used for education programs: *Provided further*, That of the funds appropriated under this heading for assistance for Egypt for economic reform activities, $200,000,000 shall be withheld from obligation until the Secretary of State determines and reports to the Committees on Appropriations that Egypt has met the calendar year 2005 benchmarks accompanying the "Financial Sector Reform Memorandum of Understanding" dated March 20, 2005: *Provided further*, That of the funds appropriated under this heading, $135,000,000 is available only to carry out programs in Colombia and may be transferred to "Development Assistance" to continue programs administered by the United States Agency for International Development: *Provided further*, That $15,000,000 of the funds appropriated under this heading should be made available for Cyprus to be used only for scholarships, administrative support of the scholarship program, bicommunal projects, and measures aimed at reunification of the island and designed to reduce tensions and promote peace and cooperation between the two communities on Cyprus: *Provided further*, That in exercising the authority to provide cash transfer assistance for Israel, the President shall ensure that the level of such assistance does not cause an adverse impact on the total level of nonmilitary exports from the United States to such country and that Israel enters into a side letter agreement in an amount proportional to the fiscal year 1999 agreement: *Provided further*, That of the funds appropriated under this heading, not less than $250,500,000 should be made available only for assistance for Jordan: *Provided further*, That none of the funds appropriated under this heading may be made available for assistance for the West Bank and Gaza: *Provided further*, That $35,500,000 of the funds appropriated under this heading shall be made available for assistance for Lebanon, of which not less than $6,000,000 should be made available for scholarships and direct support of American educational institutions in Lebanon: *Provided further*, That not more than $225,000,000 of the funds made available for assistance for Afghanistan under this heading may be obligated for such assistance until the Secretary of State certifies to the Committees on Appropriations that the Government of Afghanistan at both the national and local level is cooperating fully with United States funded poppy eradication and interdiction efforts in Afghanistan: *Provided further*, That such report shall include an analysis of the steps being taken by the Government of Afghanistan, at the national and local level, to cooperate fully with United States funded poppy eradication and interdiction efforts in Afghanistan: *Provided further*, That of the funds appropriated under this heading that are available for assistance for the Democratic Republic of Timor-Leste, up to $1,000,000 may be available for administrative expenses of the United States Agency for International Development: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading may be made available for programs and activities for the Central Highlands of Vietnam: *Provided further*, That funds appropriated under this heading that are made available for a Middle East Financing Facility, Middle East Enterprise Fund, or any other similar entity in the Middle East shall be subject to the regular notification procedures of the Committees on Appropriations.

Mr. KOLBE (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 23, line 7 be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

International Fund for Ireland

For necessary expenses to carry out the provisions of chapter 4 of part II of teh Foreign Assistance Act of 1961, $10,800,000, which shall be available for the United States contribution to the International Fund for Ireland and shall be made available in accordance with the provisions of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415): *Provided*, That such amount shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided further*, That funds made available under this heading shall remain available until September 30, 2008.

AMENDMENT NO. 2 OFFERED BY MS. GINNY BROWN-WAITE OF FLORIDA

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. Ginny Brown-Waite of Florida:

Page 23, line 11, after the dollar amount, insert the following: "(reduced to $0)".

Mr. KOLBE. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman reserves a point of order against the amendment.

Pursuant to the order of the House of June 8, 2006, the gentlewoman from Florida (Ms. Ginny Brown-Waite) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, Ronald Reagan had a wonderful statement, and that was, if you want to live forever become a Government program because they never, ever go away.

When the British and Iraq governments established the International Fund for Ireland in 1986, as part of the Anglo-Irish Accord, Ireland's per capita gross domestic product was relatively low. It certainly was a very good program.

Since then, Ireland has grown at a pace more rapid even than ours, and is known as the Celtic Tiger. Today, Ireland's GDP is on par with the United States, and its unemployment rate is 4.7 percent. Yet we still continue want to appropriate $10 million for the International Fund for Ireland.

In a decade of increasing deficits, the United States must stop sending money to programs that are not necessary. Actually, most recently they used some of our money for the Chef Development Program and the construction of a 3,000 foot cafe, and also to help fund the World Toilet Summit. So obviously we have got to stop flushing away some of this money.

I have spoken to several individuals who were very, very involved in establishing this fund and feel very, very strongly about the fund. And I have assurances from the Representative from New York (Mr. WALSH) along with several others that the funding for this is going to be reduced in further appropriations.

I had thought that one of them would be here for a colloquy. And I had told the great Mr. WALSH from New York, as well as others, that I would withdraw this amendment with the assurance that future funding would be reduced and eliminated over the next few years.

Mr. Chairman, I ask for unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Florida?

Mr. CROWLEY. Mr. Chairman, I object for the purposes of claiming the time in opposition.

The CHAIRMAN. Objection is heard. The gentlewoman reserves the balance of her time.

Mr. KOLBE. Mr. Chairman, I withdraw my point of order on the amendment and I would allow Mr. CROWLEY to claim the time in opposition.

The CHAIRMAN. The gentleman withdraws his reservation of a point of order.

The gentleman from New York claims the time in opposition to the amendment and is recognized for 5 minutes.

Mr. CROWLEY. Mr. Chairman, I thank my friend from Arizona (Mr. KOLBE) for withdrawing the point and allowing for this discussion.

Mr. Chairman, I appreciate that gentlewoman from Florida has the right to bring this amendment to the floor. But what I am concerned about is possibly, and I do not know enough about the gentlewoman's involvement in the peace process as it pertains to Northern Ireland.

And, yes, it is quite true that the Republic of Ireland is having an incredibly strong economy and it is the Celtic Tiger, it is doing remarkably well. But this is not about the south of Ireland, or the Republic of Ireland, this is about the Northern Irish peace process.

As you so point out, created in 1986, under the Irish Peace Agreement, the IFI has been a fund that has helped develop businesses within Northern Ireland and attract business to Northern Ireland that is supported by both Unionists and Nationalists in the north of Ireland.

Because Ireland is doing well, it does not mean that all parts of Ireland are doing well. In particular, in those areas where the communities are interfaced, amongst the Protestant and Catholics, Nationalists and Unionists communities where there is still tremendous strife, a lack of opportunity for growth, for young people within the north of Ireland.

And symbolically this is America's involvement in this peace process, one of the most successful peace processes in modern history. This is still an ongoing process, though. The government has not devolved back to the north of Ireland. People are not involved in a real Democratic society there.

To withdrew this money with the understanding that this money is in a phase-out program right now, I think is unfair. And to point to one particular aspect of this as the reason or the cause to do that, the World Toilet Summit, well, quite frankly, I think are people who may be interested in purchasing toilets, the creation of toilets.

If that is something that is drawing tourism and is drawing industry to the north of Ireland, who are we to criticize? So be it. Using it as a catch phrase, I think is unfortunate, because it trivializes what has been taking place over the last decade in both Republican and Democratic administrations, and that is the advancement of opportunities for peace in the north of Ireland.

So with that, I am happy that the gentlewoman is going to withdraw this amendment. I hope that she learns more about even the toilet summit. I am not so sure she is all that familiar with that. I know I am not. Nor do I have the authority to speak on it.

But I am glad that she is going to withdraw this, and I hope in the future that we have the opportunity for more discussion prior to such amendments coming to the floor.

Mr. Chairman, I reserve the balance of my time.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I certainly thank the gentleman from New York for this opportunity to exchange views. I would encourage him to look into the World Toilet Summit.

Americans are tired of money being flushing down the toilet. I am delighted that the program is going to be phased out, and also very happy that the economy of Ireland has improved. There is no better way to have peace than to have prosperity.

The fact that general economy of Ireland has improved certainly is a very great benefit to that part of the world. Mr. Chairman, I withdrew this with the information that the program is being phased out in future years.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Florida?

Mr. CROWLEY. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. CROWLEY. Mr. Chairman, I yield the gentleman from Massachusetts the balance of my time.

The CHAIRMAN. The gentleman from Massachusetts is recognized for 30 seconds.

Mr. NEAL of Massachusetts. Mr. Chairman, I thank the gentleman from New York for yielding me time.

Mr. Chairman, this discussion is ill-considered and ill-advised. At a time when America foreign policy is under question everywhere across the globe, this is a remarkable achievement for our State Department and for Members of Congress.

In fact, the American role has been indefensible in bringing about a new day. This has had brought support cross Congress and across America, reminding ourselves that the European Union participates, Australia participates, and sectarian murders have almost been gone. We are down to a couple of small issues.

But the Good Friday Agreement is the way forward, and America and Members of this Congress can take great satisfaction in this achievement. It has worked extraordinarily well.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I ask for unanimous consent to withdraw this amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Florida?

Mr. SMITH of New Jersey. Mr. Chairman, I reserve the right to object.

The CHAIRMAN. The gentleman from New Jersey reserves the right to object.

Mr. SMITH of New Jersey. Mr. Chairman, will the gentlewoman from Florida yield?

The CHAIRMAN. The gentlewoman from Florida withdraws her unanimous consent request, and is recognized.

Ms. GINNY BROWN-WAITE of Florida. I yield 1 minute to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Chairman, let me just say, I appreciate the gentlewoman's willingness to withdraw this amendment.

I, like many of my colleagues on both sides of the aisle, have worked for years going back to the creation of the International Fund for Ireland in the 1980s on providing funding and direction for the IFI. I have visited its projects and witnessed the cross community cooperation. As a direct result of the IFI and U.S. support for the fund, we have seen tremendous job creation. I would agree, in the Republic of Ireland there has been a significant growth, economic recovery, particularly in the Dublin area, not necessarily in western Ireland, but certainly in the Dublin area.

But in Northern Ireland, in Belfast, and in the counties in the north, there remains serious problems, problems that fuel social unrest. One of the things that I find so encouraging is that, we have worked well with the leaders of the IFI. They are on a glide path to ending foreign support for this program. But they are doing so in a way that encourages police corporation and sustains good programs. They did it frankly directly at our request.

□ 0930

The remaining problem is that the Catholics and the Protestants still haven't collaborated enough where prejudices have broken down. There are 5,700 projects that have been funded under the IFI, and I am glad the gentlewoman is withdrawing her amendment.

Mr. SMITH of New Jersey. Mr. Chairman, I rise to speak on behalf of the International Fund for Ireland (IFI) and I am pleased that the gentlelady from Florida has withdrawn the amendment to eliminate it's funding.

The International Fund for Ireland is widely recognized for creating comprehensive programs that have helped promote peace and reconciliation in the north of Ireland and the border counties in the Republic of Ireland.

Twenty years ago the U.S. Congress, with overwhelming bi-partisan support, passed the Anglo-Irish Support Act of 1986. This landmark legislation created the means for the U.S. to contribute to the IFI—a Fund established by the Irish and British governments to promote economic development and peace in Northern Ireland. The Fund receives support from the United States, EU, Canada, Australia, and New Zealand. it's been a most effective way for the international community to help end the terrible war raging in Northern Ireland.

Four U.S. Presidents and 10 Congresses have endorsed the efforts of the IFI. At the joint hearing I held this March—the eleventh I have convened on the peace process in Northern Ireland—U.S. Special Envoy for Northern Ireland Ambassador Mitchell Reiss strongly praised the outstanding work being done by the IFI, and urged continued support for it.

Since the inception of the IFI, the United States has contributed nearly $460 million and the results have been remarkable. As of 2004, the IFI has created nearly 38,000 direct jobs, and 18,000 indirect ones. In the 1990s Northern Ireland's GDP increased 53 percent, employment increased 17 percent and unemployment fell by 40 percent. Eighty percent of these investments have been in disadvantaged areas. The IFI has contributed to over 5,700 projects in Northern Ireland and the bordering counties of the Republic of Ireland and has provided 17,000 young people from cross-community areas with jobs. This is a tangible success in our struggle to end the conditions of despair and hopelessness which are the breeding grounds for terrorism.

Earlier in this Congress, and also in the 108th Congress, the House passed my legislation (H.R. 2601 and H.R. 1208 respectively) reauthorizing the program at more than $20 million and urging the Fund to shift its focus from primarily economic programs to those that have a greater emphasis on peace and reconciliation.

I am pleased to say, the Fund has responded. This year they released a Strategic Framework of Action 2006–2010 which strongly emphasizes cross community and reconciliation programs. The strategic plan also puts in place an exit strategy in which the Fund will wind down its reliance on international support. With this strategic plan in place, we cannot falter on our commitment. We are near to lasting peace in Ireland, but this is no time to falter in our efforts or rest on our laurels.

Much remains to be done as Irish Foreign Minister Dermot Ahem has said, "The next five years will be vital to ensure a lasting legacy for the Fund and for 25 years of international engagement with the peace process. . . . Once again the United States has demonstrated the importance of its relationship with Ireland and of our efforts to bring the peace process to a conclusion." Among the most important work it is doing now, in response to urgent requests from this Congress, are programs that enhance relations between the police and the communities they serve and promote human rights training for police. Without our continued funding, it will be near impossible for the IFI to do this vital work for lasting peace and finish the work it has begun.

As IFI Chairman Rooney has stated, "(The Appropriation Committee's) recommendation is a real vote of confidence in the young people and communities which benefit from the programs of the IFI. These programs address the root causes of conflict in our society: economic and social disadvantage, sectarianism and marginalisation. With a contribution of this level (i.e., $10.8 million) we can continue to target the areas of greatest need and ensure the goals we set ourselves. . . . The goodwill and support of the American people will be critical to our efforts. I would like to thank the many friends of Ireland in Congress for their continued generosity."

Now is not the time for the United States to pull the plug on our support for this successful peace and reconciliation program; such a move would have a dramatic impact on programs that emphasize reconciliation among school children and young adults. The IFI has developed its own exist strategy enabling a thoughtful transition to self-reliant cross-community and social advancement. It is a good strategy and one that deserves our support until the end.

Mrs. MCCARTHY. Mr. Chairman, I oppose this amendment which would eliminate funding for the IFI.

The violence in Ireland has devastated families and too many men, women and children have lost their lives.

The road to peace has been a long one with many bumps in that road.

But, Mr. Chairman, we are making progress. By all indications we are on the verge of peace, which is nice for a change.

Now is not the time to cut this important funding, as it has been critical in the peace efforts and it is still needed particularly in places like Belfast.

Cutting U.S. funding now would send a message that the IFI is not internationally supported.

It is important that the people in Ireland who are working toward peace know that they have the support of the United States in these efforts.

I understand that my colleague will offer and withdraw this amendment.

Having said that, I strongly oppose this amendment and will oppose any future similar efforts.

Mr. HIGGINS. Mr. Chairman, I rise today in opposition to an amendment offered by Representative GINNY BROWN-WAITE to H.R. 5522, the Foreign Operations Appropriations Act. The proposed amendment would effectively cut $10.8 million in funding for the International Fund for Ireland from the Foreign Operations Appropriations Bill for FY 2007.

The Fund was created by the Irish and British governments 20 years ago to foster economic and social advancement and to encourage dialogue, contact, and reconciliation between unionists and nationalists throughout Ireland. The Fund appropriates its money to address the root causes of deprivation in the most vulnerable regions by using shared economic concerns as a platform for regeneration and cross-community activity.

If the Fund was dissolved, its pioneering work with children and youth throughout the North and border counties would end just as there is progress towards the implementation of the Good Friday Accords. A termination of U.S. funding would undermine the perception of the IFI as an internationally supported body and may impede its ability to secure funding elsewhere.

The IFI has been integral in the progress towards peace and prosperity throughout Ireland, acting in good faith to employ successful measures to alleviate areas of disadvantage. It is with our help that the IFI can continue to achieve these praiseworthy goals in the future.

I hope my colleagues join me in opposition to this amendment so that together, we can move towards peace and prosperity for all of Ireland.

Ms. GINNY BROWN-WAITE of Florida. Again, Mr. Chairman, I ask unanimous consent to withdraw this amendment with the proviso that future amounts for this program will be reduced. It is obviously a great success, and at this point we want to make sure Ronald Reagan's prediction wasn't right and that future funding will be reduced.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

(a) For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 and the Support for East European Democracy (SEED) Act of 1989, $227,900,000, to remain available until September 30, 2008, which shall be available, notwithstanding any other provision of law, for assistance and for related programs for Eastern Europe and the Baltic States.

Mrs. LOWEY. Mr. Chairman, I rise to strike the last word, and yield to my distinguished member of the subcommittee, Mr. FATTAH.

Mr. FATTAH. I want to thank the gentlewoman from New York, and I want to thank and congratulate the chairman. I wanted to submit for the RECORD letters from the Secretary General of the U.N., the Ambassador for the European Union, and from Prime Minister Tony Blair in support of a Safe Blood for Africa Initiative that the chairman and the ranking woman from New York have agreed to insert into the report that will accompany this bill which has to do with an initiative to make healthier the blood supply throughout sub-Saharan Africa. It has the potential of saving millions of lives, and these letters illustrate international support for it. So for Secretary Kofi Annan and Tony Blair and the European Union, I want to submit these letters for the RECORD.

THE SECRETARY-GENERAL,
May 30, 2006.

Hon. CHAKA FATTAH,
Congressman, House of Representatives,
Washington, DC.

DEAR CONGRESSMAN FATTAH, Thank you for your important efforts in support of improving the blood supply in Africa. The HIV/AIDS pandemic poses an unprecedented threat to human security and development in the continent. The epidemic demands an exceptional response and your Initiative on Safe Blood will play an invaluable role in benefiting the lives of millions of Africans.

I commend your leadership on this issue and look forward to hearing more about it in the weeks and months ahead.

Yours sincerely,

KOFI A. ANNAN.

EUROPEAN UNION, DELEGATION OF
THE EUROPEAN COMMISSION,
Washington, DC, May 15, 2006.

Hon. CHAKA FATTAH,
Member of Congress,
Washington, DC.

DEAR MR. FATTAH, I very much enjoyed the discussion we had on 9th March in your offices on various issues of common concern and in particular on how best to help Africa reach the Millennium Development Goals in the Health Sector. I consider that your Safe Blood Initiative is a very timely and important effort towards these goals, and I would be glad to support you in this.

The European Commission, as you know, is committed to working in partnership with the United States and the international community to reach the Millennium Development Goals, three of which relate directly or indirectly to health. In external action, our policy tackles the three infectious diseases related to poverty, namely, HIV/AIDS, Malaria and Tuberculosis.

The Commission's Action plan in this area emphasizes the need to strengthen country health systems and to support country led strategies. At global level, the Action Plan focuses on affordability, strengthening regulatory capacity, and the need to work in partnership. We support and work closely with other private partners such as the Global Initiative for Vaccines and Immunization (GAVI).

We are partners with the United States in the fight against contagious diseases and participate in the Global Fund for AIDS, Tuberculosis and Malaria (GFHTM). To date, the Commission has pledged a total of €522 million for the Fund, covering the period of 2001-2006 of which €432 million have already been disbursed.

We see your Initiative to protect the safety of blood in Africa as closely related to the fight of contagious diseases. In fact, we advocate that blood safety should be an integral part of any national strategy for HIV/AIDS prevention, as well as a standard component of national health policies. We believe that blood safety should be addressed as part of efforts to strengthen the national health systems, and that specific action to reduce the risk of HIV transmission should include financing for strengthening systems for blood safety.

I trust that you will receive congressional support for your very crucial Initiative. It is my hope that this will raise awareness of the wider health system issues and that Africa—and the world as a whole—will be a safer place as a result.

Sincerely yours,

JOHN BRUTON
Ambassador.

THE PRIME MINISTER,
London, March 31, 2006.

DEAR MR. FATTAH, Thank you for your letter of 1 March about the Fattah initiative on Safe Blood.

During 2005, G8 leaders agreed to a set of commitments which should have a real impact on poverty in Africa and across the world. I believe it is vital to assist African countries to strengthen their health services—and this includes the provision of safe blood, integrated with comprehensive national HIV prevention strategies. We are committed to playing our part and have committed £1.5 billion over the next three years to tackling HIV and AIDS across the world.

The Department for International Development (DFID) takes the lead on this and other overseas development issues. I have asked the Secretary of State for International Development to ensure DFID officials follow up with you to discuss further and gain a better understanding of your initiative.

I wish you well with your efforts.

Yours sincerely,

TONY BLAIR.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 32, line 20 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The text of the remainder of the bill through page 32, line 20 is as follows:

(b) Funds appropriated under this heading shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act for the use of economic assistance.

(c) The provisions of section 529 of this Act shall apply to funds appropriated under this heading: *Provided*, That notwithstanding any provision of this or any other Act, including provisions in this subsection regarding the application of section 529 of this Act, local currencies generated by, or converted from, funds appropriated by this Act and by previous appropriations Acts and made available for the economic revitalization program in Bosnia may be used in Eastern Europe and the Baltic States to carry out the provisions of the Foreign Assistance Act of 1961 and the SEED Act.

(d) The President is authorized to withhold funds appropriated under this heading made available for economic revitalization programs in Bosnia and Herzegovina, if he determines and certifies to the Committees on Appropriations that the Federation of Bosnia and Herzegovina has not complied with article III of annex 1-A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces, and that intelligence cooperation on training, investigations, and related activities between state sponsors of terrorism and terrorist organizations and Bosnian officials has not been terminated.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

(a) For necessary expenses to carry out the provisions of chapters 11 and 12 of part I of the Foreign Assistance Act of 1961 and the FREEDOM Support Act, for assistance for the Independent States of the former Soviet Union and for related programs, $371,280,000, to remain available until September 30, 2008: *Provided*, That the provisions of such chapters shall apply to funds appropriated by this paragraph: *Provided further*, That funds made available for the Southern Caucasus region may be used, notwithstanding any other provision of law, for confidence-building measures and other activities in furtherance of the peaceful resolution of the regional conflicts, especially those in the vicinity of Abkhazia and Nagorno-Karabagh: *Provided further*, That notwithstanding any other provision of law, funds appropriated under this heading in this Act or prior Acts making appropriations for foreign operations, export financing, and related programs, that are made available pursuant to the provisions of section 807 of Public Law 102-511 shall be subject to a 6 percent ceiling on administrative expenses.

(b) Of the funds appropriated under this heading, not less than $41,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat HIV/AIDS, tuberculosis and other infectious diseases, and for related activities.

(c)(1) Of the funds appropriated under this heading that are allocated for assistance for the Government of the Russian Federation, 60 percent shall be withheld from obligation until the President determines and certifies in writing to the Committees on Appropriations that the Government of the Russian Federation—

(A) has terminated implementation of arrangements to provide Iran with technical expertise, training, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases, child survival activities, or assistance for victims of trafficking in persons; and

(B) activities authorized under title V (Nonproliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(d) Section 907 of the FREEDOM Support Act shall not apply to—

(1) activities to support democracy or assistance under title V of the FREEDOM Support Act and section 1424 of Public Law 104-201 or non-proliferation assistance;

(2) any assistance provided by the Trade and Development Agency under section 661 of the Foreign Assistance Act of 1961;

(3) any activity carried out by a member of the United States and Foreign Commercial Service while acting within his or her official capacity;

(4) any insurance, reinsurance, guarantee or other assistance provided by the Overseas Private Investment Corporation under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961;

(5) any financing provided under the Export-Import Bank Act of 1945; or

(6) humanitarian assistance.

TRADE CAPACITY ENHANCEMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the enhancement of trade capacity in foreign countries, $522,000,000, to remain available until September 30, 2008: *Provided*, That these funds shall be available to the Director of Trade Capacity Enhancement to be used only for enhancing trade capacity, most especially to assist a country in efforts to qualify for, implement and benefit from free trade agreements with the United States: *Provided further*, That in order to accomplish the purposes provided herein, funds appropriated under this heading may be transferred to and merged with funds appropriated by this Act under the headings "Development Assistance", "Economic Support Fund", "Assistance for Eastern Europe and the Baltic States", "Assistance to Independent States of the Former Soviet Union", and "Andean Counterdrug Initiative": *Provided further*, That any such transfers shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated under this heading are in addition to funds otherwise available for such purposes.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

For necessary expenses to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, $19,268,000, to remain available until September 30, 2008.

AFRICAN DEVELOPMENT FOUNDATION

For necessary expenses to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96–533, $22,726,000, to remain available until September 30, 2008: *Provided*, That funds made available to grantees may be invested pending expenditure for project purposes when authorized by the Board of Directors of the Foundation: *Provided further*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, (1) in exceptional circumstances the Board of Directors of the Foundation may waive the $250,000 limitation contained in that section with respect to a project and (2) a project may exceed the limitation by up to $10,000 if the increase is due solely to foreign currency fluctuation: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations after each time such authority is exercised.

PEACE CORPS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States, $324,587,000, to remain available until September 30, 2008: *Provided*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That the Director may transfer to the Foreign Currency Fluctuations Account, as authorized by 22 U.S.C. 2515, an amount not to exceed $2,000,000: *Provided further*, That funds transferred pursuant to the previous proviso may not be derived from amounts made available for Peace Corps overseas operations.

MILLENNIUM CHALLENGE CORPORATION

For necessary expenses for the "Millennium Challenge Corporation", $2,000,000,000, to remain available until expended: *Provided*, That of the funds appropriated under this heading, up to $95,000,000 may be available for administrative expenses of the Millennium Challenge Corporation: *Provided further*, That up to 10 percent of the funds appropriated under this heading may be made available to carry out the purposes of section 616 of the Millennium Challenge Act of 2003 for candidate countries for fiscal year 2007: *Provided further*, That none of the funds available to carry out section 616 of such Act may be made available until the Chief Executive Officer of the Millennium Challenge Corporation provides a report to the Committees on Appropriations listing the candidate countries that will be receiving assistance under section 616 of such Act, the level of assistance proposed for each such country, a description of the proposed programs, projects and activities, and the implementing agency or agencies of the United States Government: *Provided further*, That section 605(e)(4) of the Millennium Challenge Act of 2003 shall apply to funds appropriated under this heading: *Provided further*, That funds appropriated under this heading may be made available for a Millennium Challenge Compact entered into pursuant to section 609 of the Millennium Challenge Act of 2003 only if such Compact obligates, or contains a commitment to obligate subject to the availability of funds and the mutual agreement of the parties to the Compact to proceed, the entire amount of the United States Government funding anticipated for the duration of the Compact.

DEPARTMENT OF STATE

GLOBAL HIV/AIDS INITIATIVE

For necessary expenses to carry out the provisions of the Foreign Assistance Act of 1961 for the prevention, treatment, and control of, and research on, HIV/AIDS, including administrative expenses of the Office of the Global AIDS Coordinator, $2,772,500,000, to remain available until expended, of which $244,500,000 shall be made available, notwithstanding any other provision of law, except for the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003 (Public Law 108–25) for a United States contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria, and shall be expended at the minimum rate necessary to make timely payment for projects and activities: *Provided*, That up to 5 percent of the aggregate amount of funds made available to the Global Fund in fiscal year 2007 may be made available to the Office of the United States Global AIDS Coordinator for technical assistance related to the activities of the Global Fund.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961, $703,600,000, to remain available until September 30, 2009: *Provided*, That during fiscal year 2007, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the Secretary of State shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: *Provided further*, That of the funds appropriated under this heading, not less than $16,250,000 shall be made available for training programs and activities of the International Law Enforcement Academies: *Provided further*, That of the funds appropriated under this heading, $26,100,000 shall be made available to carry out programs in Colombia: *Provided further*, That $10,000,000 of the funds appropriated under this heading shall be made available for demand reduction programs: *Provided further*, That of the funds appropriated under this heading, not more than $33,484,000 may be available for administrative expenses.

AMENDMENT OFFERED BY MS. HOOLEY

Ms. HOOLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HOOLEY:

Page 32, line 24, after the dollar amount, insert the following: "(increased by $10,000,000) (reduced by $10,000,000)".

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. HOOLEY. Mr. Chairman, members of the Committee, communities across this country are facing an increasing problem with methamphetamine, a drug that is cheap, easy to make, and gives addicts an intense longlasting high, but one that destroys their brains, causes them to abuse and neglect their children, and can lead to paranoid acts of violence. And while we have taken action to cut off pseudoephedrine sales to the mom and pop meth labs, the vast majority of meth consumed in this country is made in Mexico and smuggled into the U.S. by Mexican drug cartels. My amendment would help address this issue by designating $10 million in the international narcotics control and law enforcement for counter-methamphetamine efforts in Mexico.

International narcotics control and law enforcement is funded in this bill at $703 million, a $231 million increase over last year's funding. While the overall account is adequately funded within this program, the committee report designates only $40 million for Mexico, with the money being spread among a number of narcotic control and law enforcement efforts, including strengthening the northern border infrastructure and fighting drug and weapons smuggling.

The amendment simply increases funding for international narcotics control and law enforcement by $10 million and immediately reduces it again. The intent of the amendment is to redirect these funds to the designation for Mexico, devoting the $10 million specifically toward the counter of methamphetamine efforts. The money should not come from any other already designated account within international narcotics and law enforcement, but from those funds which have not yet been allocated either through the legislative language or committee report. We must provide the State Department with additional resources so they can better stem the rising influx of methamphetamines produced by these Mexican drug cartels. My amendment would ensure that the State Department devotes its resources specifically toward stemming the rising influx of methamphetamine produced by these Mexican drug cartels.

Mr. KOLBE. Mr. Chairman, will the gentlewoman yield?

Ms. HOOLEY. I yield to the gentleman from Arizona.

Mr. KOLBE. The gentlewoman from Oregon has described this precisely. We all recognize that methamphetamine is a terrible problem. I represent a border district in a border State; we have a terrible problem with that with Mexico. The gentlewoman has described this amendment accurately, in that while it increases and decreases the same time, it does not change the structure of any of the accounts or any of the programs; and, therefore, I am willing to accept this amendment.

Ms. HOOLEY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ANDEAN COUNTERDRUG INITIATIVE

For necessary expenses to carry out section 481 of the Foreign Assistance Act of 1961 to support counterdrug activities in the Andean region of South America, $506,850,000, to remain available until September 30, 2009: *Provided*, That in fiscal year 2007, funds available to the Department of State for assistance to the Government of Colombia shall be available to support a unified campaign against narcotics trafficking, against activities by organizations designated as terrorist organizations such as the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), and the United Self-Defense Forces of Colombia (AUC), and to take actions to protect human health and welfare in emergency circumstances, including undertaking rescue operations: *Provided further*, That this authority shall cease to be effective if the Secretary of State has credible evidence that the Colombian Armed Forces are not conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations: *Provided further*, That the President shall ensure that if any helicopter procured with funds under this heading is used to aid or abet the operations of any illegal self-defense group or illegal security cooperative, such helicopter shall be immediately returned to the United States: *Provided further*, That the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall provide to the Committees on Appropriations not later than 45 days after the date of the enactment of this Act and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of all funds under this heading on a country-by-country basis for each proposed program, project, or activity: *Provided further*, That funds made available in this Act for demobilization/reintegration of members of foreign terrorist organizations in Colombia shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations: *Provided further*, That section 482(b) of the Foreign Assistance Act of 1961 shall not apply to funds appropriated under this heading: *Provided further*, That assistance provided with funds appropriated under this heading that is made available notwithstanding section 482(b) of the Foreign Assistance Act of 1961 shall be made available subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds appropriated under this heading that are available for alternative development/institution building, not less than $85,400,000 shall be apportioned directly to the United States Agency for International Development: *Provided further*, That with respect to funds apportioned to the United States Agency for International Development under the previous proviso, the responsibility for policy decisions for the use of such funds, including what activities will be funded and the amount of funds that will be provided for each of those activities, shall be the responsibility of the Director of Foreign Assistance in consultation with the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs: *Provided further*, That no United States Armed Forces personnel or United States civilian contractor employed by the United States will participate in any combat operation in connection with assistance made available by this Act for Colombia: *Provided further*, That funds appropriated under this heading that are made available for assistance for the Bolivian military may be made available for such purposes only if the Secretary of State certifies that the Bolivian military is respecting human rights, and civilian judicial authorities are investigating and prosecuting, with the military's cooperation, military personnel who have been implicated in gross violations of human rights: *Provided further*, That of the funds appropriated under this heading, not more than $18,060,000 may be available for administrative expenses of the Department of State, and not more than $7,800,000 may be available, in addition to amounts otherwise available for such purposes, for administrative expenses of the United States Agency for International Development.

AMENDMENT NO. 7 OFFERED BY MR. MCGOVERN

Mr. McGOVERN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. MCGOVERN:

In the item relating to "ANDEAN COUNTERDRUG INITIATIVE" (page ____, line), after the aggregate dollar amount, insert the following: "(reduced by $30,000,000)".

In the item relating to "UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND" (page , line), after the dollar amount, insert the following: "(increased by $30,000,000)".

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from Massachusetts (Mr. MCGOVERN) and a Member opposed each will control 30 minutes.

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman from Arizona will control the time in opposition.

The Chair recognizes the gentleman from Massachusetts.

Mr. McGOVERN. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, this is a very straightforward amendment. It increases funding by $30 million for the U.S. Emergency Refugee and Migration Assistance Fund, and it decreases the Andean Counter Drug Initiative by the same amount. The reduction in the ACI account should come from eradication and military related aid above the President's request level. It is my understanding from figures provided by the Foreign Operations Subcommittee that, under the ACI, the President requested $506.2 million for Colombia; the committee provided $545.2 million for all these categories of aid. So even after this amount is reduced by $30 million, aid for Colombia requested by the President would still total $515.2 million, or $9 million above the President's fiscal year 2007 request.

Mr. Chairman, I have been on this House floor before expressing my concerns about our policy in Colombia. The drug eradication policy, to be blunt, has been a miserable failure. The Colombian military continues to commit heinous acts with impunity.

Now, I know that some of my esteemed colleagues who oppose this amendment will once again come to the House floor with their charts and graphs and arrows pointing this way and that, but no matter how you slice and dice it, the bottom line is that after 6 years and $4.7 billion for Colombia, we are exactly where we started out as far as drug cultivation is concerned. The same amount of coca is being grown today in Colombia as in 1999. And this isn't JIM MCGOVERN just saying this; this fact comes from our own Office of Narcotics Control and Drug Policy. It is their figures, their findings, their conclusion; the State Department backs them up on this. $4.7 billion.

As the committee report accompanying this bill states so eloquently on page 62: after a massive increase in fumigation from 47,000 hectares at the start of Plan Colombia to today when we fumigated 138,775 hectares last year, we have accomplished zilch, Mr. Chairman. Coca cultivation in Columbia is at the same level or maybe slightly above from where it was when we started.

On Monday, Mr. Chairman, headlines in the newspapers informed us that a Colombian military unit murdered in a deliberate cold-blooded ambush one of the most successful U.S.-trained anti-drug units in Colombia. Yesterday the U.S. Senate Appropriations Committee froze $30 million in military aid because it was so enraged over these murders and the State Department's recent human rights certification.

Mr. Chairman, we have to respond to this. This House has to respond, and this is the moment to do so. We are not undermining President Uribe by adopting this amendment. Colombia will still receive more than what the President of the United States of America asked for in fiscal year 2007. But we can send a powerful message to the Colombian Armed Forces that we won't keep writing blank checks, we won't keep turning a blind eye, we aren't a cheap date you can take advantage of.

Mr. Chairman, we have the opportunity to do some real good with this amendment. We can fund the President's request for U.S. Emergency Refugee and Migration Assistance fund. The fund currently stands at its lowest balance in over a decade. The State Department generally draws down between $60 million and $70 million in ERMA funds each year. There are just too many unexpected emergencies happening around the world. Without the increase provided by the amendment, we could be threatening the life-saving assistance that can mean the difference of life and death to persons caught in tragic violence or natural disaster. Whether we are looking at an increasingly explosive border between Chad and Sudan to preventing food aid pipeline breaks in Kenya and Uganda, to being able to respond quickly to victims of earthquakes or volcanoes, this fund is one of the President's most effective tools. With this amendment we can give the President what he has requested and needs for Colombia and ACI, and we can give him what he asked for and needs to meet emergency refugee crises. And at the same time, Mr. Chairman, and for the first time, we can send a powerful message to the Colombian military that our pockets and our patience are wearing thin.

Mr. KOLBE. Mr. Chairman, I rise in the strongest possible opposition to this amendment offered by the gentleman. There are few things in this hemisphere that are more important for us than the Andean Counterdrug Initiative. In our effort to try and fight drugs abroad we can fight drugs here at home.

The gentleman has suggested this money would go to the International Refugee and Migration account, and we believe we have funded that in a fair and reasonable way and will have accounted for the needs of that account.

Let me tell you why my concern is more not that we couldn't use more money in ERMA; my concern here is taking this money out of the Andean Counterdrug Initiative. Let me tell you why I think this is the wrong thing to do at this time.

We have rewarded in this bill good performers and taken action against those who have not done so well. As I described in my opening statement, we have restructured the accounts that go to Colombia. They are an important strategic partner in the region, and our bill recognizes that by normalizing how we fund Colombia. We move funds for the Colombia Alternative Development programs to the ESF account and to the other accounts; we have moved funds for Colombia rule of law to the INCLE account, the narcotics account. These are the accounts we use to fund similar activities for all of our other strategic partners.

So we have basically said to Colombia, you have graduated. It is time for you to become a strategic partner and for our funding of foreign assistance to fall into normal categories.

I firmly believe that, contrary to what the gentleman said, that Colombia stands as the most successful model of democracy in this region. It is not without its problems, but I think it has made enormous and positive strides in recent years. With our support it has been transformed into a much more secure democratic and economically prosperous country.

So why do I say that? How do I measure the success that we have had? Well, we have got more than 200,000 acres of legal crops that have been planted, 64,000 farm families provided legal farming options, coca eradication through spraying has gone from 47,000 hectares of the first year of Plan Colombian to 138,000 last year, and manual eradication also increased substantially. An additional 1,600 hectares of poppies were eradicated in the year 2005. We have regained Colombian sovereignty over most of the air space, and that has led to a 56 percent decrease in suspected trafficker flights. The drug flow by air to the United States has dropped by about 7 percent. Kidnappings are down 51 percent. Homicides are down 13 percent. All 1,098 Colombian municipalities have a permanent government presence. These are just some of the measures of the things that we have done that I think are very significant.

The bill from which this would take funds also rewards Peru by increasing the funds allocated it by $10.5 million. And I did this because we have decreased over the years the funds to Peru and we have experienced the balloon effect of having drug production move from one part of the region to another part, and that is why we have proposed a $7 million increase to Peru's interdiction and eradication program. The last thing in the world we should be doing right now is making a reduction in these overall accounts.

On the other hand, we have reduced some of the funds provided to Bolivia. We have reduced the President's request by 44 percent. Of course, that request was drafted very early in this year before the problems that we are seeing with the current government in Bolivia have occurred. There, the eradication efforts have gone absolutely the wrong direction, from an historic high in 1999 of 17,000 hectares of coca eradicated, to a goal in 2006 of only 5,000; and they are not on track to even meet that very reduced goal in Bolivia.

And so those are just some of the reasons why we are, as I said, trying to reward those who are doing the right thing in the region, but also make sure that our money is not used inappropriately in countries that are not doing the right thing.

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So these are just some of the reasons why I think that this amendment would be absolutely the wrong signal at the wrong time and could be the best possible message that we could send to drug traffickers to reduce this Andean counterdrug initiative by the amount that the amendment calls for. I urge my colleagues to vote against this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. McGOVERN. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, my colleague is absolutely right, eradication has dramatically increased in Colombia, but it has achieved absolutely nothing. There is even more coca in Colombia today than there was in Plan Colombia's first year. We have gone from 336,000 acres in 2000 to 355,000 acres, and that is actually a 6 percent increase. How is that success?

When Plan Colombia started, it was supposed to decrease coca growing by 50 percent over 5 years. That is what we were promised. Well, $4.7 billion later, we have a 6 percent increase over 5 years the amount of coca being grown in Colombia.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FARR) who is a Colombian expert and who was also a Peace Corps volunteer in Colombia.

Mr. FARR. Mr. Chairman, thank you very much for yielding.

I rise in strong support of the McGovern amendment and in incredibly strong appreciation for the great job that Chairman KOLBE does on this committee. I do not think there is anybody that knows these issues better than he does, but I am just in disagreement with the approach here, and I do not think it is Mr. KOLBE's approach. It is the administration's approach and it comes under Plan Colombia.

The problem that we have, and as I say, I am speaking from some experience having lived in Colombia several years as a Peace Corps volunteer in the 1960s, is if you do not deal with people on the ground, who are struggling with the culture of poverty, you cannot wipe out an agricultural crop by just bombing it. You wipe it out by creating economic opportunities that are alternatives to coca growing. You do not have to retain as much money as you can get from growing coca, because what you do is you build infrastructure, school and health care, and just like this community, most people will do things as long as people will have a better life, as long as there are resources there.

I think what America fails to look at, whether it is in Iraq or other areas, is how poorly we do at developing post-country capacity, and that is what this amendment is all about. It is the use of money to better build host country capacity to sustain themselves other than having to grow illicit crops.

Alternative development programs have enabled Colombians to move to alternatives, and when they did, they were very successful with it, but we are not putting enough effort into it.

Colombia is a huge country. It is the second most biodiverse country in the planet. It can grow just about anything. You just have to put energy and get people access to places to grow, and in this case, because we are not doing enough in the alternative, they are going to go into growing more coca, as Mr. MCGOVERN's pointed out.

After 6 years of sustained, robust U.S. assistance, 40 percent of the Colombians still remain underemployed in a formal Colombian economy.

So I rise in strong support because I think this is moving money to what we really need to invest in which is investing in host country capacity.

Mr. KOLBE. Mr. Chairman, I am pleased to yield 4 minutes to the gentleman from Florida (Mr. MICA), one of the members of the Drug Task Force.

Mr. MICA. Mr. Chairman, thank you for yielding me time on this.

I have worked on this issue for a number of years in Congress. I have seen failed policies and I have seen successful policies. The worst thing we could do today would be to cut the funds to Colombia. What a horrible message we would send. Let me just describe what is taking place, the policy of failure, the policy of success.

I chaired the Criminal Justice, Drug Policy Subcommittee. That was one of the responsibilities Speaker HASTERT had before I inherited it from him. He chaired the National Security Subcommittee that had that responsibility. We did everything we could during the Clinton administration to get resources to Colombia. The liberals did everything they could to keep resources going to Colombia. The policy was a policy of failure. It was a policy of death and destruction. Thousands of people were slaughtered while the liberals in Congress and the administration denied aid to Colombia. Policemen were killed by the thousands. Members of the legislature, members of the Cabinet, people on the street, villages were wiped out because they did not want to send the necessary aid to Colombia.

President Bush, thank God for President Bush and his action and his policy of success. He took a policy of success. He put the resources there. The murders are down dramatically. The last speaker spoke about creating economic opportunity. How can you create economic opportunity or economic activity when there is slaughter and chaos in the streets?

I went down with President Pastrana, and he wanted to sing Kumbayah with the terrorists and the leftists, and that approach did not work. People continued to get slaughtered, and the drugs came into this country in unprecedented amounts.

Ask DEA about drugs, about heroin. At the beginning of the Clinton administration, you know how much heroin was produced in Colombia? Zero. Look at it now, and look at it over the past years. It flooded into our streets and killed our children and our most productive citizens and those with potential in this country by the thousands and has left thousands being destroyed in Colombia.

This is a horrible amendment. It would be a horrible step backwards to bring drugs into this country to stop a policy, and now we have been blessed not only with a President with strong determination and a good, successful policy in this country, but one in that country who just got reelected, and to cut his legs out from under him at this juncture, when he has experienced success, not only have we stopped the killings and the murders and the slaughters there and stopped people from dying in our streets, the economy has dramatically increased, almost doubled in Colombia since Presidents Bush and Uribe's policies have taken place.

This would be a step backward. This is a step towards death, destruction and drugs coming into our country. I have had it with the liberals who allowed this to happen and let thousands of people go to their deaths in Colombia, who allowed drugs to proliferate in that country and create and finance narco-terrorism which destroyed some of that region and thousands of lives there and thousands of lives here.

If we pass that amendment, it is a horrible step back. I cannot tell you how important this amendment is, not only to the lives in Colombia, but to the lives of the young men and women and those in this country that have been victims. I urge people to vote this down in huge numbers.

Mr. MCGOVERN. Mr. Chairman, I yield myself such time as I may consume.

I will insert in the RECORD at this point an article that recently appeared in the Financial Times entitled, "Colombia 'most dangerous' place for trade unionists" in the world.

[From the Financial Times, June 6, 2006]

COLOMBIA "MOST DANGEROUS" PLACE FOR TRADE UNIONISTS

(By Frances Williams)

Colombia remains the most dangerous place on earth to be a trade unionist, with 70 people killed there last year for union activities.

In addition, 260 Colombian trade unionists received death threats "in a climate of continuing impunity for the assassins, according to the annual survey released today by the International Confederation of Free Trade Unions.

Right-wing paramilitary groups and the state security forces have been blamed for most of the violence in Colombia. The ICFTU also records slayings in Brazil and Honduras, and a "pervasive climate of violence and fear" in Guatemala.

Worldwide, a total of 115 people were murdered for defending workers' rights in 2005, more than 1,600 were subjected to violent assaults and some 9,000 were arrested. Apart from Colombia, the report highlights violence and repression in Iraq, Iran, El Salvador, Djibouti, China, Cambodia, Guatemala, Zimbabwe and Burma.

Though the death toll was down from 145 in 2004, almost entirely due to fewer killings in Colombia, "we are nevertheless witnessing increasingly severe violence and hostility against working people who stand up for their rights," said Guy Ryder, ICFTU general secretary.

Even in the industrialised world workers' rights are frequently violated or eroded, the report says. The Bush administration is accused of encouraging "union-busting" through measures via its National Labour Relations Board to reduce the influence of trade unions.

The ICFTU also notes aggressive publicity campaigns in the US aimed at weakening workers' trust in trade unions.

Australia is criticised for a wave of anti-union laws that it said would deprive most workers of protection from unfair dismissal.

Publication of the report by Brussels-based ICFTU, whose 233 affiliated organisations represent 145m workers, is timed to coincide with the annual conference of the International Labour Organisation now underway in Geneva.

The conference is expected to condemn Belarus for persistent interference in trade union affairs and to consider action against Burma for its refusal to end forced labour.

In Asia, violence against trade unionists by police and security forces was documented last year in Burma, South Korea, India, Cambodia and China, where dozens of trade union activists continue to be incarcerated.

In the Middle East, 13 union representatives were assassinated in Iraq and there were reports of torture and violence against strikers in Iran. In several other countries trade unions are outlawed or severely restricted.

In Africa, the report singles out Djibouti and Zimbabwe, where the trade union movements suffer constant harassment by the government of President Robert Mugabe.

Mr. Chairman, I would also insert in the RECORD an article that I referred to earlier that appeared in the Boston Globe about how "Colombia says soldiers killed antidrug police." That Colombia's military unit assassinated a U.S.-trained, elite antinarcotics team at the bidding of the drug mafia 2 weeks ago. And what is the response of this House? Nothing. The United States Senate froze $30 million in military aid because they were so outraged that the Colombian military, who we finance, went out and killed in cold blood this anti-drug police unit.

Mr. Chairman, we need to send a strong signal that we are not a cheap date, that we are watching, that we care and we demand accountability.

[From the Boston Globe, June 6, 2006]

COLOMBIA SAYS SOLDIERS KILLED ANTIDRUG POLICE

AUTHORITIES PROBE COLONEL FOR LINK TO MAJOR TRAFFICKER

(By Indira A.R. Lakshmanan)

BOGOTA.—Suspicions that a Colombian military unit assassinated a US-trained, elite antinarcotics team at the bidding of the drug mafia two weeks ago have proven true, officials say, in a case that has badly shaken public confidence in the military.

On May 22, 10 of the country's most successful antidrug police were killed by a military platoon in the outskirts of Jamundí, an area under the influence of narco-traffickers 195 miles southwest of the capital, near Cali.

Two military officers and six soldiers were arrested Thursday on the basis of incriminating cellphone text messages and crimescene evidence that investigators say prove the eight men planned the killings. The suspects insist the shootings were a "friendly fire" mistake.

"This was not a mistake, this was a crime; this was a deliberate decision, a criminal decision," Attorney General Mario Iguarán said last week. "They were doing the bidding of a drug trafficker."

Authorities are investigating bank accounts allegedly containing $44,000 belonging to Army Colonel Bayron Carvajal, the most senior officer arrested, as well as his alleged links to Omar García Varela, according to Colombian newspaper El Tiempo. Varela is accused of being right-hand man of drug boss Diego Montoya, one of the United States' 10 most-wanted narcotraffickers, who is believed to control properties and drug laboratories near the site of fatal attack. The United States has offered $5 million for information leading to Montoya's capture.

Questions remain in the Jamundí case about the extent of alleged collusion with drug traffickers within the armed forces, and how high up it may go. The arrests came days after the US State Department certified Colombia's human rights record, ensuring the flow of most US military aid to this country. Last year, Congress withheld some military assistance on worries that the Colombian government, which has waged a nearly decade-long campaign against drug corruption, was ignoring extrajudicial killings or cooperation between the military and right-wing death squads.

The Jamundí case has sparked a national outcry that has reached up to President Álvaro Uribe, but Uribe on Friday said he was not ready to oust generals to hold them responsible for the killings. The best way to restore military credibility, he said, would be to clarify events and impose sanctions on the guilty.

Among the most damning evidence against the arrested soldiers are text messages allegedly sent by Carvajal on the day of the killing to the lieutenant and sergeant in charge of the platoon.

"Pull back the ambush. . . . Everything is set for tonight," read one message leaked by authorities to El Tiempo and the newsmagazine Semana.

That afternoon, Carvajal sent another message, the media reported: "Get ready for the group to come with the chicken so you can get it."

"Chicken" was the nickname of civilian informant Luis Eduardo Betancur, who was leading police to a suspected 440-pound stash of cocaine. Betancur was also a registered informant of Carvajal, authorities say. He was found shot in the neck, with his balaclava removed, investigators say.

Eight of the 10 police killed were shot in the back, and "the crime scene was contaminated before investigators arrived," said an investigative official yesterday who spoke on condition of anonymity. Investigators suspect soldiers may have fired shots from the police officers' weapons after they died, in an effort to make it look like there was a confrontation, El Tiempo reported.

Fewer than half of the soldiers in the 28-man platoon fired at the police. Witnesses interviewed by telephone from Jamundí say the police identified themselves during the attack and begged the soldiers not to shoot.

More than half of the shots fired originated from a military sniper who was hidden from view, said an investigative official.

When colleagues of the slain police arrived at the scene to investigate, another text message allegedly demanded to know why they had been allowed to pass a military roadblock.

The police unit had been trained by the Drug Enforcement Administration and was responsible for more than 200 arrests of drug traffickers, including 23 wanted for extradition to the United States.

Mr. Chairman, I yield 4 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who is an expert on Colombian's eradication policy.

Ms. SCHAKOWSKY. Mr. Chairman, I rise in strong support of the bipartisan McGovern amendment which I am also proud to cosponsor.

That passionate speech against liberals and against this piece of legislation might be interesting, but it is absolutely wrong. The fact that we have spent billions and billions of dollars in Colombia, and the gentleman talked about success and failure, and all of the evidence, the objective evidence, shows that this policy of fumigation and drug eradication unfortunately has been an abject failure. As far as ending violence in Colombia, I want to just give a couple of facts that the gentleman from Massachusetts mentioned.

On May 22 of this year, soldiers of the Army's Third Brigade killed 10 members of Colombia's most elite police unit against narco-trafficking, trained by the DEA, in what evidence shows was a premeditated ambush. The police unit members who were killed had captured 205 drug traffickers, 23 of whom had been sent to the United States for trial. Armed Forces chief Mario Montoya initially called the killings a case of friendly fire.

On June 1, two officers and six soldiers were arrested for the massacre. Colombian Attorney General Mario Iguaran said in announcing the arrests: "It was not a mistake. It was an ambush planned as a favor to the drug traffickers." The Army officers apparently were working for the mafia.

The International Committee of the Red Cross found that 13.6 percent increase in forced disappearances between 2004 and 2005. According to CODHES, the Colombian nongovernment organization that maintains data on forced displacement, the number of people forced from their homes by violence increased by 8 percent from 2004 to 2005.

But you know what, we are not really having a debate about that because the modest offsets that we are talking about still leaves the accounts for drug eradication at $9 million above the President's request, but let us look at how that money has been spent.

In Colombia and in the Andean region, as I said, the U.S. has invested billions of dollars, hundreds of millions year after year of our taxpayers dollars, and what have we gotten? Plan Colombia was supposed to reduce Colombia's cultivation and distribution of drugs by 50 percent, but 6 years and $4.7 billion later, the drug control results are meager at best. If you look at the U.S. government data, our own data, there is as much coca today in Colombia and as much cocaine in the United States as there was 6 years ago.

But I want to get back to the point. What we are trying to do is to have a commonsense and compassionate effort to produce modest additional resources to help President Bush alleviate some of the world's most dire humanitarian crises. There is a lot that happens around the world we cannot control. We cannot stop earthquakes, we cannot prevent droughts, and we cannot prevent all conflict, but when we know where the hungry, the homeless and the sick exist, then we can help. That is what this is about.

I have travelled to places like Colombia and places where people are suffering. We are asking for a modest amount of money to be transferred out of this account, and the simple choice is should we overfund our efforts in Colombia by a lot or a little or should we do all we can to maximize the President's power to help the powerless suffering as a result of genocide and other crises.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume to respond to what the gentlewoman from Illinois said.

□ 1000

First of all, with regard to the accounts. It is true that the total amount in here for Colombia is above where the President requested. But in the ACI, that is absolutely not true.

I would just remind the gentlewoman from Illinois that the amount we have in this bill is $384 million. If you cut another $30 million, you would be at $354. The President requested $506 million for the ACI account. So the gentlewoman is absolutely incorrect in stating the amount that goes for the ACI. She just had her figures incorrect because she wasn't aware, I think, of the restructuring that we have done of this account.

Now, I want to just respond to what she was saying about the failures that we have had. I would stipulate to the gentlewoman from Illinois that our eradication programs have not been as good as we would like. She is wrong about the interdiction. We are having success with the interdiction. And we are having success with the interdiction because we have a president down there that is committed to making it work, committed to making Colombians more secure, and committed to providing people with economic well-being in the country.

Now, do bad things happen still? Yes. There are still too many homicides and there are still too many kidnappings. Sadly, we know our own troops have sometimes strayed and done things wrong. We know in our own cities that police departments sometimes stray and do things that are not right. But things are getting better in Colombia. There is more security in Colombia. There are fewer homicides. There are fewer kidnappings. The presence of the government in municipalities, of police in municipalities has increased. Roads are open and commerce is moving again in the country.

What a time to send a signal to them that we are going to cut them; that we are going to say you are not successful. What we have done in this bill is to restructure the accounts so that much of the aid now flows through traditional accounts of the Economic Support Fund, the Development Assistance, the INCLE funds, and those kinds of accounts. And we are saying to Colombia, you are a strategic partner. We believe that you are succeeding and we are going to put the aid, as we do with other countries, in these kinds of categories.

But this is not the time to be cutting the funding for drug interdiction. And I hope this body will reject this amendment very soundly.

Mr. Chairman, I reserve the balance of my time.

Mr. McGOVERN. Mr. Chairman, we are very much committed to Colombia and committed to success, but the fact of the matter is that after $4.7 billion there is even more coca in Colombia today than there was in Plan Colombia's first year. We want success. We want to achieve results. We just don't want to go along because we don't want to admit that maybe we can improve this policy.

Mr. Chairman, I yield 2½ minutes to the distinguished ranking Democrat on the House Committee on Armed Services (Mr. SKELTON).

Mr. SKELTON. I thank the gentleman for yielding. I might point out, Mr. Chairman, that I take a back seat to no one regarding fighting the scourge of illegal drugs. And being a former prosecuting attorney, I know full well the scourge of that problem.

However, Mr. Chairman, the American taxpayers have spent over $4.7 billion on the Andean Counterdrug Initiative since the year 2000. Despite that commitment, the production in that country is higher now than ever. We need to ensure we are spending money wisely. We must ensure we are addressing the root causes of the drug problem in Colombia.

Let me point out that the committee provides $545 million for this program and we are diverting, by way of this amendment, a very good amendment, only $30 million, which, by the way, if you subtract carefully, still leaves more than the President recommended for this program.

I am glad that we have been able to support President Uribe and the Colombian military against guerrilla groups, but I still question the stability of our military efforts in that country. And I think we are also working our special operation forces very, very hard during this time of war elsewhere.

It has been a long time since the House Armed Services Committee has seriously focused any attention on the security changes in Latin America. We ought to take our congressional oversight role seriously. We should hold hearings, give full consideration to American policy in this critical part of the world. If we are not careful, the gathering storm in Latin America could come back to bite us in years to come.

This amendment, which I support, sends a clear message to Colombian and other Andean countries that while the American people will support their governments to a point, the financial assistance is not unlimited and should not go unchecked. Colombia must decrease coca production and better account for human rights concerns.

This amendment transfers $30 million out of the Andean Counterdrug Initiative account to humanitarian assistance in the Sudan and in Darfur, which is highly needed and necessary, in my opinion, and it still leaves more money than what the President recommended for this antidrug program in the Andean area.

Mr. KOLBE. Mr. Chairman, what is the time remaining on both sides?

The CHAIRMAN. The gentleman from Arizona has 18½ minutes remaining, the gentleman from Massachusetts has 16 minutes remaining.

Mr. KOLBE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise in opposition to any attempts to cut funding for the Andean Counterdrug Initiative. President Uribe's reelection to a historic second term reaffirms the Colombian people's commitment to his program of democratic security and the war on drugs. His popularity among Colombians illustrates how important the struggle against narcoterrorism is and it helps measure success over the last few years.

Under Uribe's leadership, Colombians finally have the courage to fight back against the FARC and the drug traffickers. And as the rest of the continent is moving away from the United States, Colombia remains our staunchest ally in South America. We need to reaffirm, not dismantle, our commitment to this program, to the people of Colombia, and to American citizens who want illegal drugs off their streets.

I have led several congressional delegations to Colombia during my time as chairman of the Government Reform Committee, and I can say firsthand that our significant investment is paying dividends. Together, with the strong commitments of the Uribe administration and historic levels of support from the Colombian people, U.S. involvement in Colombia is beginning to hit narcoterrorism where it hurts.

Mr. Chairman, how can we cut funding when we are seeing tremendous results in illegal crop eradication and record reductions in coca productions and the destruction of drug labs? Coca eradication through spraying have gone from 47,000 hectares the first year of Plan Colombia to 138,000 last year. As a result of ACI funding, we are seeing unprecedented levels of drug interdictions. Drug flow to the U.S. has dropped by 7 percent, making American streets safer for our youth. Progress like this would not be possible under the amendment.

The Colombian Government is reestablishing state presence in areas of the country that for decades have lacked it. All 1,098 Colombian municipalities now have a permanent presence thanks to President Uribe's fearless efforts. Criminals who have remained at bay for years are being captured and extradited to the U.S. for prosecution. Colombia has extradited over 300 Colombian citizens to the U.S. since August of 2002, mostly on narcotics-related charges. How can we justify pulling the plug on the ACI funding when we are seeing record numbers of extraditions to the U.S. of FARC and drug cartel members?

Over 30,000 paramilitaries have now been demobilized since President Uribe took office. Thousands of weapons and rounds of ammunition have been surrendered. The demobilization and reincorporation of illegal armed groups is part of a peace process that is providing stability to the entire Andean region. Colombians are finally beginning to feel safe and secure in their own country. Kidnappings are down by 51 percent and the murder rate has dropped to 13 percent.

Mr. Chairman, Plan Colombia is working. I have seen firsthand the devastation that drug production and trafficking has on Colombia. To those who question our investment, I would ask them to visit, as I have, Colombian soldiers who have lost their limbs or eyesight or sustained permanent disability in their battle to return peace to their nation and to keep drugs off American streets.

I would also ask them to visit Barrio Nelson Mandela, a USAID-sponsored facility for internally displaced people who have been forced from their homes by drug traffickers and guerrillas. This facility showed me how work on behalf of Colombia's millions of internally displaced people is offering suffering men, women, and children a second chance at a violence-free and productive life.

On a trip to Colombia last year, I accompanied the Colombian National Police to a manual eradication site in the Andean mountains and helped them pull the coca crop from the mountainous terrain that helicopters can't reach. These are dedicated people who literally risk their lives to destroy the drug trade and rid their country of drugs and violence.

My travels to Colombia have shown me just how critical U.S. assistance is to their government. With such promising results over the last 5 years, we have to sustain this momentum, not wipe it out. Of course obstacles remain. The progress is slower than we would like it to be. But now is not the time to turn our backs on this battle that is so intrinsically tied to the war on terrorism and the scourge of illegal drug use.

The Uribe administration, reelected with 62 percent of the vote last week, needs U.S. assistance to improve mobility, intelligence, and training. Make no mistake, Colombia today is doing its share. Spending on security forces has increased under President Uribe and continues in his second term. We simply cannot afford for President Uribe to fail in this heroic effort to rid his country of the narcoterrorist threat, nor would Colombians understand such a step if this amendment prevails. Full funding of the Andean Counterdrug Initiative for FY 2007 is critical to sustaining our success in Colombia.

It is simple, Mr. Chairman. Now is not the time to turn our backs on the progress we are making against narcoterrorism in Colombia. We can't win this war on drugs and drug-supported terrorism without the proper tools and resources. And the message this sends to our allies would be devastating.

I ask my colleagues to vote "no" on the McGovern amendment.

Mr. McGOVERN. Mr. Chairman, I think it is important to put this debate in perspective. Nobody is talking about the dismantling our support for Colombia. Nobody is talking about withdrawing all of our support to Colombia. What we are talking about is sending the appropriate message at this appropriate time.

I will agree with the gentleman that fumigation has never been higher. But the problem is that there is even more coca in Colombia today than there was in Plan Colombia's first year. So maybe we need to rethink our strategy. Maybe it is not working. I think any reasonable person who looks at the statistics, provided by our own government, would come to that conclusion.

I will agree with the gentleman that President Uribe deserves credit for lowering the number of kidnappings in Colombia. But I am not prepared to give him a pat on the back in the face of what just happened, where U.S.-funded Colombian military soldiers went out and killed in cold blood antinarcotic policemen who are dedicated to combating drugs in Colombia.

What kind of message are we sending when we respond to that by doing nothing, by saying you have to continue to get everything that you expect? The United States Senate understands what is at stake. They froze $30 million in military aid in response to that. We need to send a signal too: We are not a cheap date. We want to support you, but we want there to be accountability. We want an end to the violence. We want the military not to be above the law.

Having said that, Mr. Chairman, I yield at this time 2½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, let me thank the gentleman for yielding and also just thank you for your strong advocacy for human rights, global refugees on so many fronts.

I am pleased to be a cosponsor of this effort. This amendment simply provides an additional $30 million to the Emergency Refugee and Migration Assistance Account, and it still includes, and I have to reiterate, it still includes $515 million for Colombia, and it is still $9 million more than the President's 2007 request for Colombia.

To my colleague Mr. MICA and his comments with regard to liberals, and I do not know if you said you were tired of liberals or fed up with liberals, but let me just say to you that if helping our country respond quickly and flexibly to humanitarian disasters, if rethinking a policy and making sure that we are trying to really reduce the kidnappings and violence in Colombia, if that is what we are trying to do, then I am very proud, I am very proud to be a liberal.

In recent years, ERMA was used to help drought-ridden Somalis and provide refugee aid to Burundi and the Democratic Republic of the Congo. In Sudan, where more than 3.4 million people are displaced, urgent needs are there for ERMA funding. The funding need is very clear.

After Sudan, Colombia has the largest number of internally displaced persons. Estimates range from 2 to 3.6 million individuals. Less than a third of Colombia's IDPs receive emergency assistance, and many, many have to wait months to receive that emergency aid. And let me tell you, of those traditionally marginalized Afro Colombians and indigenous communities, these individuals, these communities have been disproportionately affected.

In Burundi, 2.2 million people, including refugees and returnees, need immediate aid to cope with malnourishment and disease. In Northern Uganda, there are more than 1.8 million internally displaced persons desperately in need of assistance.

□ 1015

These statistics just really touch the surface of an expanding global refugee crisis.

Due to the critical need, the account reached its lowest point in a decade. We can and we must do more to help global victims of violence cope with the loss of everything that they know and love. Even if the additional $30 million that this amendment provides only allows ERMA to ensure food deliveries to helpless refugees, countless lives will be saved. Innumerable people will feel the goodwill and support of the United States.

This is about helping persons who have been stripped of family, friends, homes, and their basic protections. Today we need to stand by the victims of violence by supporting this amendment.

Mr. KOLBE. Mr. Chairman, I yield 3 minutes to the very distinguished gentleman from Indiana (Mr. BURTON) who has certainly been at the forefront of this issue.

Mr. BURTON of Indiana. Mr. Chairman, I want to thank the gentleman for yielding.

I cannot understand why anybody would want to start cutting funding to Colombia for the war against terror. It would be a terrible mistake to do that right now. President Uribe was just reelected. He is doing everything possible to stop the drug cartels from sending drugs to the United States and other parts of the world. After just being reelected and meeting with many of us in Costa Rica a few weeks ago, for us to start cutting funding when they need more resources to fight the war against drugs is absolutely insane, in my opinion.

The Speaker of the House is very aware of this issue. He just worked with me to get three additional platform aircraft to police the drugs coming through the Caribbean. If we didn't have those resources, the drug cartels would have a free rein to go through the Caribbean. We need additional helicopters and there is additional money in there for that. And for us to start cutting that right now would give the drug cartels all kinds of reasons to invest more money to start expanding the drug operation down there.

In addition, let me say that we have talked about these 11 policemen who were murdered by the Colombian military. I am confident, and I have talked to President Uribe about this, they are going to investigate this thoroughly. And if there are military personnel that actually did the killing, and we believe that is the case, they will be brought to justice. And no money, none of this money is going to go to any military unit that is involved in any activity like this.

So the bottom line is it is extremely important if we believe in keeping drugs off the streets of America that this fight continue. And to start cutting back dramatically and sending this money someplace else because of budgetary constraints is the wrong thing to do.

Visitors from across this country will tell you the number one issue facing this country is the drug problem, and the drugs which are killing our kids and ruining their lives.

This is a very important issue, and it must not take a back seat to any other issue. We must make sure that the resources to continue the war against drugs are given to the people that need it. Colombia is in the forefront, and President Uribe has done an outstanding job, and he needs all of the help he can get and we need to give it to him.

I rise in very strong opposition to the proposed cut in narco-terrorism fighting assistance to our good friend and ally Colombia, especially so, at this critical point in the global war on terror.

While the amendment's author wants to talk about more and more coca, he doesn't want to talk about the more than a half dozen helicopters the Committee has wisely provided the new means for the world renowned Colombian National Police (CNP) anti-drug unit to use to take on the increased coca we have now discovered. The committee also wisely freed up at least 10 more helicopters to be used by the Colombian Army for drug interdiction and additional eradication to take on the new coca challenge as well. That is a total of 16 more helicopters for the drug fight.

We found the coca in more remote areas of Colombia where the narco-terrorists flee our joint aerial eradication. This new helicopter allocation will permit us to go after that new crop. They may well soon run out of places to hide if we do our job right. We cannot cut and run now.

In addition, I note also little reference by the gentleman from Massachusetts to opium and heroin and the progress and lives saved from our eradication and other efforts against that even more deadly and addictive drug (14 percent more addictive) from nearby Colombia. Until we went after the heroin at the source in Colombia, South American heroin was spreading rapidly across America from New York, Baltimore, Boston and other areas on the East Coast, on into places like Chicago in the Midwest, and further west.

There was a major breakup in December 2005 of a Colombian heroin ring in the Boston, Lawrence, Lynn, and Everett, Massachusetts area by our DEA and local police with the cooperation of the Colombian National Police (CNP), who benefit from Plan Colombia aid. We cannot and ought not end those law enforcement efforts as well in places like the Boston area.

Prices have risen by 30 percent and purity has fallen 22 percent from 2003 to 2004 in the once deadly heroin from Colombia according to ONDCP data released this past November.

Young lives have been saved and many overdoses avoided here because of our eradication and other Plan Colombia efforts against South American heroin.

Unlike cocaine, which you can interdict in the multiton loads, heroin comes in concealed, one deadly kilo at a time in shoes, cloths, or baggage, and is nearly impossible to interdict after it leaves Colombia. Either spray it, or you will find it on the streets and communities of America taking lives and creating havoc. We have done this with South American heroin. The critics are silent on that part of Plan Colombia and the success we have witnessed.

"Just say no" to this ill-advised and unproductive cut in aid for Colombia, a key strategic partner in the global war on terrorism in our own backyard and around the globe, including in Afghanistan where the Colombian National Police will soon be helping train the Afghan anti-drug units.

We owe them, and our kids as well, a Stay-the-Course Approach. Vote "no."

Mr. McGOVERN. Mr. Chairman, I yield myself such time as I may consume.

Facts are stubborn things, and maybe I haven't been clear in this debate, but when the opposition here talks about we are cutting aid to Colombia, that is not true.

The bottom line is we are providing Colombia everything that the President of the United States has requested, plus $9 million more. That is not cutting Colombia. That is not walking away from the drug war.

What we are frustrated with is the billions that we are spending are not accomplishing the goals we were promised. We are concerned there could continue to be gross human rights violations by the Colombian military. We want to send a signal and strengthen President Uribe's hands in helping to bring those military men to justice who committed those terrible murders against those police officers. We also want to call attention to the fact that all of this money that we have been sending down there has done nothing to reduce the amount of coca cultivation and growth in that country.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. ZOE LOFGREN), the co-chair of the Refugee Caucus.

Ms. ZOE LOFGREN of California. Mr. Chairman, not only as the co-chair of the Refugee Caucus, but as a member of the Immigration Border Security and Claims Subcommittee, which has oversight over U.S. refugee programs, I am a strong supporter and, indeed, cosponsor of this amendment.

Members have said they would like to give a message to Colombia. Well, I would like to send a message to the refugees who are sitting in camps in Darfur who have been notified that their pathetic rations have been cut in half to the point where they do not have enough food to actually survive. I would like to focus in on where the funds are going.

The ERMA account is authorized, has a permanent level of authorization of $100 million. So this amendment, which would put ERMA at $60 million, would only bring ERMA to 60 percent of the authorized level. It is worth noting that we are at $24 million today in the ERMA account. That is the lowest level at this point in the fiscal year over a decade, and because a drawdown is in the works, our refugee program is going to start the new fiscal year with close to zero funds.

It has been noted by others that the funds to Colombia are not being slashed, they are being authorized at above what the President has requested. But we need to take a look at what not funding refugee programs does not only for the people who are suffering, but for stability in the world.

We know if refugee situations completely get out of control, that we create little pockets of instability around the world that can then form areas where al Qaeda can move in and organize terrorist training camps. So to form an argument that somehow funding our moral obligation to the refugees of the world is also adverse to our security interests is a false analysis.

I was struck about 2 years ago when the Darfur crisis really hit the public consciousness. We had an ad hoc meeting, and it was liberals and conservatives. And I thought this is a unique situation where Members of this body who ordinarily do not agree on anything have come together out of a sense of moral obligation to refugees around the world. I would hope that that morality that led us to stand together facing the Darfur situation will join us once again when this vote comes up, to take a stand for morality and to help those who are helpless around the world who are refugees that we, as moral people, owe a debt to.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

I just want to respond to one thing that the gentlewoman said before I yield 2 minutes to the gentleman from Arkansas. I just want to respond to what she said about the Migration and Refugee account and Darfur. She made a reference to the fact that food rations in Darfur might be cut in half. We have provided in the fiscal year 2006, the current year's bill, we have $320 million for Darfur for food programs. When the United Nations said they might still have to cut the rations in half, the President, out of Public Law 480, pledged another $200 million. That is $520 million that the United States has pledged for food in Darfur. You know what the next largest country is? Libya at $4 million.

So I hardly think the United States has been delinquent in the amount of money that we have provided in Darfur.

Meanwhile, we have problems in our own hemisphere and we have problems on our own streets. We have problems in our schools and in our families with drugs that run rampant in our society. We do have an obligation to ourselves to try to prevent that from happening. We have a partner in Colombia that is attempting to do that.

This amendment is a signal to that partner that we do not believe his country should be a partner in our attack on drugs in this country. This would be the wrong thing for us to do at this time.

Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Chairman, I am a member of the Committee on International Relations Subcommittee on Africa and Global Human Rights, and I have great sympathy for what you are trying to accomplish in the sense that I think the Emergency Refugee Migration Assistance fund does a great job.

On the other hand, as a member of the Speaker's drug task force, and very active in the war against drugs, this is not the vehicle to do this in. I have had an opportunity to go to Colombia and see the progress that is being made. I very strongly oppose the McGovern amendment. I have had an opportunity to visit with the police and the armed services in Colombia, and they are doing a good job and tremendous progress is being made.

We had an opportunity to go out on a mock drug expedition where we went out in the cigar boats and saw firsthand how they go after the drug traffickers. Probably 2 hours after we left, they actually captured a boat that had several hundred pounds of illegal drugs on it. So they are doing a good job.

Again, I very strongly disagree that the money needs to be reduced.

In regard to the Colombian police situation, as we know on May 22, 2006, 10 members of the Colombian Judicial Police force, known as the DIJIN, were murdered by members of the Colombian army. These brave police officers were investigating a drug trafficking incident when they were captured and shot execution-style by army soldiers.

Since the incident, the Uribe government has moved quickly to launch an aggressive independent inquiry by the attorney general's office in Colombia. Because of these actions and because of the fact that Colombians are doing the right thing in this instance, we need to vote "no" on this amendment.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to put in perspective what this amendment is trying to do. As I understand the situation, this bill raises the eradication funds in Colombia by $30 million. It also cuts $103 million from refugees.

All Mr. McGOVERN is trying to do is to take that $30 million increase that the committee has provided for eradication in Colombia and move it back into an account that has already been cut by almost three times as much as the amount of money he is trying to put back in the refugee account.

I remember when Bill Lehman from Florida used to take this floor every year. There was no better human being I have ever met in this place than Bill Lehman, and he used to routinely remind us that there is no more miserable person in the world than a refugee. They live in often abominable conditions, and they have nowhere to turn.

We have Members in this House who will engage in all kinds of meaningless gestures when it comes to Darfur. They will sign onto a letter to the President, and they will sign onto a bill that they know is going nowhere, and then they will put out their press releases posing for political holy pictures on how much they care about refugees and how much they care about Darfur. And yet what they do doesn't produce one plugged nickel.

If you want to do something real for those wretched creatures, you will do what Mr. McGOVERN is trying to do: You will add this tiny little dollop of money back to the refugee account.

I mean, if you want a perfect example of money that isn't working, it's money that is spent on eradication.

□ 1030

I remember when we had a huge fight under the Reagan administration about how we were going to pull money into eradication and interdiction. And then I had one of the people in charge of the program come to me silently and say, "Don't believe what we are saying. We only interdict 2 percent of the drugs."

I thought conservatives routinely gave liberals lectures about looking at the effectiveness of programs. Well, I can tell you right now, we are not being effective when you have to cut half the food rations for refugees in Darfur. We are not being very effective in meeting our obligations there.

So I would suggest if anybody thinks we are harming the program in Colombia, all we are doing is saying return that budget request to the same level that was requested by that well-known liberal leftist, George W. Bush. That is all this amendment is doing. I would urge its adoption.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

I want to just correct, for the record, a couple of comments that the gentleman from Wisconsin made for whom I have the greatest respect. He talked about a $107 million cut in these accounts. Let me just make it clear what we are really talking about. There is an $82 million reduction in the migration refugee assistance account. That $82 million, however, has nothing to do with refugees abroad. That is for admissions to the United States. And the numbers, 55,000 persons that are coming in, are exactly the same as last year. So we are continuing the program exactly as we have it.

I yield to the gentleman from Wisconsin.

Mr. OBEY. I thank the gentleman, and he is my good friend. But the fact is that the refugee count is being cut.

Mr. KOLBE. I am trying to explain what it is.

Mr. OBEY. I understand you are saying it is in a different pocket, but the overall account is being cut, right?

Mr. KOLBE. It is not the money, however, that goes to assist refugees overseas. It is admissions.

Mr. OBEY. This House thought of it yesterday that we wouldn't do anything about them, didn't they? This House denied the funds for fixing that problem yesterday, didn't they?

Mr. KOLBE. Mr. Chairman, reclaiming my time, the point that I am trying to make is that it is the processing of refugees inside of United States. We are not talking about people who are in camps overseas, who might not have food, might not have sanitation. That is not what is being cut.

The other account that is being cut $25 million is the ERMA account. And that is because they have a carryover of about 15 million. The 30 million that we have provided here brings them up to 45 million, and that is the average of what they have spent. It is an emergency drawdown account and they have spent that amount each year. So we are adequately covering the migration, the refugee and migration issues in our bill.

I yield once more to the gentleman.

Mr. OBEY. I thank the gentleman. I would simply say the fact is, you don't just have to look at what this bill does today on this amendment. You have to look at the whole and what it did yesterday on the Egypt amendment, coupled with what it is doing here today, and that means we have shortchanged those refugees.

Mr. KOLBE. And reclaiming my time, Mr. Chairman, I would say that yes, we are looking at it on the whole, and I believe that on the whole we are adequately covering these accounts.

I reserve the balance of my time.

Mr. McGOVERN. Mr. Chairman, I yield myself such time as I may consume.

I just want to alert the Members that there is broad support for this amendment. The support ranges from the American Refugee Committee to Amnesty International to the International Crisis Group, International Rescue Committee, the Jesuit Conference, Mercy Corps, Refugees International, the Steel Workers, the United Methodist Church. I could go on and on and on.

Support for this amendment ranges from—The American Refugee Committee, Amnesty International, The International Crisis Group, International Rescue Committee, The Jesuit Conference, Mercy Corps,

To—Refugees International, The Steelworkers, The United Methodist Church.

DEAR CONGRESSMAN MCGOVERN: We are writing to express our strong support for your efforts to increase funding for the Emergency Refugee and Migration Assistance (ERMA) account during floor consideration of the Fiscal Year 2007 Foreign Operations Appropriations bill.

The ERMA account, managed by the State Department's Bureau of Population, Refugees, and Migration (PRM), is one of two refugee assistance accounts that help the United States meet its national interests by protecting and assisting refugees and internally displaced persons who have been victims of persecution and conflict. ERMA funding supports programs that relieve explosive international tensions and set an example for the rest of the world. In addition to helping address unexpected refugee and displacement crises, ERMA supports humanitarian agencies on the front lines of both new and longstanding crises around the world—stretching from Iraq and Sudan to Colombia and Haiti. Recent ERMA drawdowns have responded to the Pakistan earthquake; refugee repatriation in Burundi and the Democratic Republic of Congo; the humanitarian crises in Somalia; and breakdowns in the food pipeline for refugees in Africa and elsewhere.

The ERMA balance currently stands at $24 million—the lowest level in a decade. PRM generally draws down between $60 million and $70 million in ERMA funding annually and requires a beginning-year balance of between $70 million and $100 million to have the flexibility needed to respond quickly to emergencies.

It is therefore difficult for us to understand the severe cuts in the ERMA, as well as other humanitarian accounts, being recommended by the House Appropriations Committee. The Committee's reduction of ERMA funding—to a level of 28 percent below the President's FY 07 request—comes at a time when PRM is struggling to cope with serious budgetary constraints. These cuts, which also have impacted the Migration and Refugee Assistance (MRA) account, threaten the life-saving assistance provided to persons caught in the tragic violence of Sudan, Colombia, and other conflict-affected areas.

We urge the House of Representatives to restore funding for these critical humanitarian programs and strongly support your efforts on the House floor to address the cuts in the ERMA account.

Sincerely,

Air Serv International.
American Jewish World Service.
American Refugee Committee.
Catholic Relief Services.
Episcopal Migration Ministries.
Ethiopian Community Development Council.
Evangelical Lutheran Church in America.
Hebrew Immigrant Aid Society.
International Catholic Migration Commission.
International Rescue Committee.
Jesuit Refugee Service/USA.
Kurdish Human Rights Watch. Inc.
Lutheran Immigration and Refugee Service.
Mercy Corps.
National Peace Corps Association.
Oxfam America.
Refugees International.
Southeast Asia Resource Action Center.
U.S. Committee for Refugees and Immigrants.
Women's Commission for Refugee Women and Children.
World Relief.

Mr. McGOVERN. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Iowa (Mr. LEACH).

Mr. LEACH. Mr. Chairman, at issue in this case are Colombia priorities, but in a different sense than is usually assumed. The priority debate today is not about whether stemming the drug trade is appropriate, but the methodology of going about it.

Quasi-military approaches fit war scenarios. Civil war is more problematic; criminal activities even more so. My concern is that when America becomes intertwined in internal conflicts, we change the nature of the ongoing struggle, as well as the motivation of various combatants. We become implicitly accountable for a panoply of policies of any side we back and, accordingly, answerable to the people for that side's allegiance or lack thereof to social fairness and sometimes the rule of law itself.

In this context, wouldn't it be better to limit our military involvement in this struggling, divided country and focus efforts on replenishing the Emergency Refugee and Migration Assistance program? This assistance program allows the President to respond quickly to urgent, often unexpected, crises throughout the world. For instance, it is this program that the President tapped last year to provide assistance to the victims of the Pakistani earthquake.

Mr. Chairman, I support this amendment and I respect very much the gentleman from Massachusetts (Mr. McGOVERN) for enlightened leadership on a whole host of issues. But I don't support the amendment out of a conviction it is an answer to a real dilemma between both the Colombian and American people, but out of a belief that a military emphasis of this kind carries many counterproductive consequences.

There is no track record that this program has been particularly helpful, and some indications that the results have been disadvantageous to the United States. So I would argue that there are better uses for these very scarce resources.

And I would suggest again that when we think about realism in world affairs, the test is effectiveness. Here the effectiveness that the United States has exhibited in compassion for refugees is far more apparent than the tests that might be applied to this particular program based on any past record.

Mr. McGOVERN. Mr. Chairman, I am the last remaining speaker on my side. I don't know whether you have any other speakers.

Mr. KOLBE. Mr. Chairman, if you will close on your side and yield back, I will close on our side.

Mr. McGOVERN. Mr. Chairman, let me just kind of go over a few things here. First of all, on the issue that somehow we are withdrawing from our support for Colombia, let me remind my colleagues that the President of the United States asked for $506.2 million. The committee provided $545.2 million. My amendment would reduce that to $515.2 million, or $9 million above the President's request for Colombia. So we are not doing anything here to walk away from Colombia.

Secondly, on the issue of human rights, the United Nations High Commissioner for Human Rights reported this year that more grave violations of human rights were committed directly by Colombia's military forces than in the past. The ICRC has recorded a 13.6 percent increase in disappearances. The number of people forced from their homes by violence increased by 8 percent over the past year.

I introduced into the RECORD earlier, and I will remind my colleagues about an article that appeared in the Financial Times. The headlines, Colombia, The Most Dangerous Place For Trade Unionists. And I also inserted into the RECORD, and I will remind my colleagues about this article that appeared in a number of newspapers that the Colombian military units assassinated U.S. trained antinarcotics teams at the bidding of the drug mafia. So in some areas, there is improvement, but Colombia is still near the top of any human rights watch list.

Let me, again, make one other point that I have made repeatedly here. We have invested $4.7 million in Colombia. We were promised that coca cultivation would be cut by 50 percent by the proponents of this. The bottom line is, according to this chart, that has not happened. In fact, coca cultivation has actually increased in Colombia.

I agree with my friend from Wisconsin (Mr. OBEY) when he says the conservatives are supposed to, they don't want to eliminate waste and demand more efficiency in government. Well, by any measure, this has not been an efficient use of taxpayer dollars.

So, Mr. Chairman, in conclusion, let me just say that we have heard the arguments on the other side. Massive increases in fumigation, overwhelming support for President Uribe, kidnappings down, cities and highways safer. Well, Mr. Chairman, that is all true. But massive increases in fumigation have not led to any reduction in coca cultivation. Overwhelming popular support for President Uribe has not resulted in even a dent in the impunity enjoyed by military officers tied to drug lords, mafia kings, paramilitaries and who carry out violent human rights crimes and other criminal acts. Kidnappings are down, but assassinations, disappearances and death threats against labor, religious indigenous Afro-Colombian and other community leaders is skyrocketing according to the United Nations High Commissioner on Human Rights, the International Committee of the Red Cross and every other reputable human rights organization in the world. And if cities and highways are safer, the rural country side is as dangerous, violent, bloody and as perilous as ever.

We can do something good with this amendment. We can do something right. We can provide the President with a little more than he asked for, both for refugee emergencies and for Colombia. So I would urge my colleagues to support the McGovern-Leach-Payne-Lofgren-McCollum-Grijalva-Schakowsky-Lee amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Arizona has 4 minutes remaining.

Mr. KOLBE. Mr. Chairman, I won't take the time, but I yield myself the balance of my time.

Mr. Chairman, I think we have had a thorough debate on this. I will be very quick in my close here simply to say this is the wrong policy and the wrong message at the wrong time. This is not what we need to be doing with Colombia. This is not what we need to be doing on drug interdiction. We need to be saying to this country which has stood strong, to this country which has been courageous in its efforts to provide security for its own citizens, to provide for drug eradication, to provide for drug interdiction, we need to say to this country, to its leadership, to its president who was just elected by the largest margin in modern history in Colombia, we need to say to them, we stand with you. We support you in your efforts, because what you are doing in Colombia is on behalf also of the American citizens in the United States that we can save our children from drugs. This is not the time to send the signal that we do not believe that Colombia is doing what it needs to be doing.

Mr. SOUDER. Mr. Chairman, I rise in opposition to the McGovern amendment. Not only will this amendment hurt kids and families in the United States, but it makes the futures of kids and families in Colombia less secure.

Drug trafficking is a tough problem. I am not going to admit that it is not a tough problem. Rape is a tough problem. Child abuse is a tough problem. Spouse abuse is a tough problem, but we do not give up our efforts; we do not give in because we have not seen a drop in spouse abuse or child abuse.

Just like the others, the drug trafficking problem is difficult. Our policies, however, have pushed the narcoterrorists out into the jungle, away from the streets of Bogota where they used to assassinate elected officials. Because of the steadfast assistance provided by the American people to the people of Colombia, we have seen a tremendous drop in kidnappings (down 51 percent last year) and a dramatic drop in murders (down 13 percent). Overall terrorist attacks were down by 21 percent. The number of Internally Displaced Persons (IDPs) was down by 15 percent.

The fact is that now, for the first time in modern history, every one of the 1,098 municipalities has an elected official. Why? Because they are not worried about being murdered anymore.

Due to the improved security situation in Colombia, law enforcement and military personnel are able to broaden their reach in the country. This puts pressure on the operations of the narcotraffickers, exposing their operations and coca fields.

Increasing the reach of law enforcement is part of the reason why we have a better understanding this year on the extent of coca cultivation. Cultivation declined 8 percent in those areas surveyed both in 2004 and 2005, from 114,100 hectares in 2004 to 105,400 in 2005. Cultivation fell in nearly all growing areas where aerial eradication was employed, Putumayo being a key exception. But in those areas where no spraying takes place, cultivation increased. Growers are reacting to intense spray operations and are moving to non-sprayed on low-spray areas.

Critics of our drug policies in Colombia are correct in stating that the coca crop estimate is 26 percent higher than it was last year. True enough. But this was due to a substantial expansion of the survey area by 81 percent. As we expected, more fields were discovered in remote areas uncontrolled by the government or areas where spraying is prohibited (e.g. buffer zone along Ecuador border or national parks). The lesson, however, is that spraying works. Where there was not spraying there was an increase in coca; where spraying occurs, cultivation is declining.

Let me conclude with this. This is not a Colombian problem; it is our problem. It is our addictions and Europe's addictions that have terrorized this 200-year-old democracy. Because drug abuse continues in America, Colombia has had 30,000 police killed. As our colleague JOE CROWLEY wrote to us earlier this year, "Plan Colombia has been a foreign policy success for the USA and a domestic security success for Colombia. Started by President Clinton and continued by President Bush, Plan Colombia has made measurable progress in Colombia's security, as seen through decreases in violence, murders and kidnappings, as well as the eradication of drug crops."

We need to stand behind the Colombia people. I ask, my colleagues to vote down the McGovern amendment.

Mr. DAVIS of Illinois. Mr. Chairman, I rise today in support of the McGovern, Leach, Payne, Lofgren, McCollum Amendment that increases funding by $30 million for the U.S. Emergency Refugee & Migration Assistance Fund (ERMA). It will meet this additional expense by reducing funding for Plan Colombia by $30 million.

ERMA helps the United States respond rapidly to humanitarian disasters around the world. Unfortunately, as we have seen a number of humanitarian disasters recently such as the ongoing genocide in the Darfur region of the Sudan this funding is desperately needed. ERMA funds have been used to meet the needs of victims of the October 2005 earthquake in Pakistan, address the humanitarian crisis in the West Bank and Gaza, help stave off widespread starvation in drought-stricken Somalia, and aid refugee repatriation and reintegration in Burundi and the Democratic Republic of the Congo. A $30 million increase in ERMA funding will greatly assist some of the poorest and most vulnerable individuals in the world today—displaced refugees.

In contrast, we have spent nearly $5 billion since 2000 on coca eradication in the Andes. This year we will over $800 million on the Colombia government's coca eradication efforts with 80 percent of this funding going to the Colombian military. Despite this enormous outlay of money, coca cultivation in the Andes has only increased over the last six years. Furthermore, the Colombian government and military have the dubious distinction of having among the worst human rights records in the world.

I am proud to support the McGovern, Leach, Payne, Lofgren, McCollum Amendment and encourage a "yes" vote.

Mr. FARR. Mr. Chairman, I rise in strong support of the McGovern amendment. I was a Peace Corps Volunteer in Colombia. I know first hand that Colombians, if given the skills and opportunities, can develop a sustainable economy in rural areas. They don't need a continual hand-out.

That is why I am very appreciative to the Chairman for increasing funding for alternative development and institution building in Colombia. These tools will help Colombians help themselves. Alternative development programs lay the ground work for sustainable development and an economy based on legal crops.

Alternative development programs have enabled Colombian farmers to grow more specialty coffee, supported the growth of agricultural cooperatives, increased market access and taught marketing promotion to small growers. For the last six years under Plan Colombia I, and now with this installment of Plan Colombia: II, over 80 percent of US assistance goes toward military/police and aerial fumigation and only 20 percent goes toward economic and social assistance.

This is not a winning solution for peace and sustainable development in Colombia. After 6 years of sustained and robust US assistance, 40 percent of Colombians remained underemployed in the Colombian formal economy. I suggest we need a new paradigm for Colombia, one that brings greater parity between economic and military assistance that will enable a legal economy to flourish in rural Colombia.

The McGovern amendment recognizes this gross imbalance and shifts $30 million from, the Andean Counterdrug Initiative to the Emergency Migration and Refugee Account.

Data from the ONDCP proves that our drug fumigation policy is not working. If Plan Colombia I had been successful, the street price of cocaine would have skyrocketed, and purity would have decreased. The opposite has happened.

The McGovern amendment recognizes this flawed policy, and redirects a modest amount—$30 million out of a $384 million allocation—to an account that is desperately underfunded. ERMA provides funding for emergency humanitarian needs such as water, shelter and medical care for refugees under siege in places like Darfur, Congo, and Northern Uganda. The McGovern rights an egregious wrong on both accounts. I urge my colleagues to support the McGovern amendment.

Mr. CROWLEY. Mr. Chairman, I rise in opposition to the amendment offered by my friend and colleague from Massachusetts, Mr. McGOVERN. While he means well, and I too strongly support greater funding for the Emergency Refugee and Migration Account, their offset is problematic.

There has been a dramatic change in Colombia since President Clinton introduced Plan Colombia with his former colleague, and now Colombian Ambassador to the United States, Andreas Pastrana. And this change can be summed up into one phrase: Safety, Security, and Confidence are back.

Colombia is the oldest democracy in South America, and its strongest. In 1990, during some of the darkest hours of this democracy, when their leading Presidential candidate was assassinated on television, and the country was afflicted by almost daily bombing campaigns by the FARC and the drug lords, like Pablo Escobar, their democracy continued to function and they conducted fair and free elections and the country continued to move on.

But the 1990s were not good to the people of Colombia. It was during this time, President Bill Clinton working with his Colombian counterpart, President Andreas Pastrana, created Plan Colombia—an investment of U.S. resources, both military and economic, to help restore peace and stability to this democracy.

President Bush continued and built upon this successful program with his counterpart, current President Alvaro Uribe, who was just re-elected less then 2 weeks ago to another term overwhelmingly by his citizens in an election all consider to have been fair and free. The election was independently confirmed by the well respected Human Rights Watch.

We need to continue to build upon this relationship.

President Uribe will be visiting the United States next week, and we should welcome him as a friend of our country—because he is.

If one reviewed the committee report from this subcommittee, one would see that it actually starts with a statement highlighting that USAID needs greater emphasis in Latin America, as U.S. influence and interests in the region are waning—cutting funds from our strongest ally and a country in need does not send the right message. In fact, this bill rejiggers our aid appropriations to Colombia, reflecting a nonnalization of relations and the massive progress Colombia has made in the past 5 years. Colombia continues to build strong democratic institutions, while curbing violence and drug trafficking.

Plan Colombia has been working, including limiting the drug trade in the U.S. We will hear occasional statistics on the drug war—the detractors will ignore the demand side of the cocaine issue, and solely focus on the supply side

On the supply side there have been numerous victories—not as big as hoped but victories none the less. We will not achieve full victory until we curb the demand and that involves an active role in the bane of drugs here in the U.S. We can all rattle off data, but the facts show the path is moving towards progress.

Is fumigation the best approach? That can be debated, but not in a way that we strip funding from an ally who is working with the United States of America to end the flow of drugs to the United States of America.

Additionally, Colombia has complied with 433 extradition requests from the U.S. since August 1998; no country has cooperated more than Colombia with extradition requests. Some of the biggest drug dealers, and some of the biggest terrorists, including 2 FARC leaders are in jail today in the DC area—too bad we cant say the same thing about Osama bin laden.

And Plan Colombia has worked domestically in Colombia as well. In the Department of Public Safety, Colombia provides protection to labor leaders, human rights workers, and journalists. There has been an 80 percent decrease in kidnappings since the initiative of Plan Colombia in 2000; there has also been a 63 percent decrease in terrorist attacks.

Last year, one journalist was killed in Colombia and 21 since 2002 according to the State Department. While sad, this death toll has steadily decreased every year since that time. While still too high, the facts prove that the democratically elected government of President Alvaro Uribe is fighting a winning battle against terrorism in Colombia, making his country safer for all of its citizens. In 2000, the Colombian government created the Journalists Protection Program to protect journalists from attack. During 2005, the Direction of Human Rights of the Ministry of Interior and Justice provided direct protection to 113 journalists. The situation in Colombia for journalists has vastly improved over the past 4 years. This success is owed both to the security initiatives implemented by their democratically elected President, as well as the support provided by the United States under Plan Colombia.

Plan Colombia has been a foreign policy success for the United States of America and a domestic security success for Colombia. Started by President Clinton and continued by President Bush, Plan Colombia has made measurable progress in Colombia's security, as seen through decreases in violence, murders and kidnappings as well as the eradication of drug crops.

The streets of Colombia are safer—some will argue that the victories achieved by Plan Colombia have only effected the cities so far—but that's where 75 percent of the people live—and they are living safer, better lives today.

It isn't a complete victory, I agree, but we cannot cut Colombia, our ally, off at the knees as they approach victory.

I urge a "no" vote on the McGovern amendment.

Mr. KOLBE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. McGOVERN).

The question was taken; and the chairman announced that the noes appeared to have it.

Mr. McGOVERN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 60, line 18 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The text of the remainder of the bill through page 60. line 18 is as follows:

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as authorized by the Foreign Service Act of 1980; allowances as authorized by sections 5921 through 5925 of title 5, United States Code; purchase and hire of passenger motor vehicles; and services as authorized by section 3109 of title 5, United States Code, $750,206,000, to remain available until expended: *Provided*, That not more than $23,000,000 may be available for administrative expenses: *Provided further*, That not less than $40,000,000 of the funds made available under this heading shall be made available for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel: *Provided further*, That funds appropriated under this heading may be made available for a headquarters contribution to the International Committee of the Red Cross only if the Secretary of State determines (and so reports to the appropriate committees of Congress) that the Magen David Adom Society of Israel is not being denied participation in the activities of the

International Red Cross and Red Crescent Movement.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For necessary expenses to carry out the provisions of section 2(c) of the Migration and Refugee Assistance Act of 1962, as amended (22 U.S.C. 2601(c)), $30,000,000, to remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For necessary expenses for nonproliferation, anti-terrorism, demining and related programs and activities, $425,010,000, to carry out the provisions of chapter 8 of part II of the Foreign Assistance Act of 1961 for anti-terrorism assistance, chapter 9 of part II of the Foreign Assistance Act of 1961, section 504 of the FREEDOM Support Act, section 23 of the Arms Export Control Act or the Foreign Assistance Act of 1961 for demining activities, the clearance of unexploded ordnance, the destruction of small arms, and related activities, notwithstanding any other provision of law, including activities implemented through nongovernmental and international organizations, and section 301 of the Foreign Assistance Act of 1961 for a voluntary contribution to the International Atomic Energy Agency (IAEA), and for a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission: *Provided*, That of this amount not to exceed $38,000,000, to remain available until expended, may be made available for the Nonproliferation and Disarmament Fund, notwithstanding any other provision of law, to promote bilateral and multilateral activities relating to nonproliferation and disarmament: *Provided further*, That such funds may also be used for such countries other than the Independent States of the former Soviet Union and international organizations when it is in the national security interest of the United States to do so: *Provided further*, That funds appropriated under this heading may be made available for the International Atomic Energy Agency only if the Secretary of State determines (and so reports to the Congress) that Israel is not being denied its right to participate in the activities of that Agency: *Provided further*, That of the funds made available for demining and related activities, not to exceed $700,000, in addition to funds otherwise available for such purposes, may be used for administrative expenses related to the operation and management of the demining program: *Provided further*, That funds appropriated under this heading that are available for "Anti-terrorism Assistance" and "Export Control and Border Security" shall remain available until September 30, 2008.

DEPARTMENT OF THE TREASURY

INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

For necessary expenses to carry out the provisions of section 129 of the Foreign Assistance Act of 1961, $23,700,000, to remain available until September 30, 2009, which shall be available notwithstanding any other provision of law that restricts assistance to foreign countries.

DEBT RESTRUCTURING

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of modifying loans and loan guarantees, as the President may determine, for which funds have been appropriated or otherwise made available for programs within the International Affairs Budget Function 150, including the cost of selling, reducing, or canceling amounts owed to the United States as a result of concessional loans made to eligible countries, pursuant to parts IV and V of the Foreign Assistance Act of 1961, of modifying concessional credit agreements with least developed countries, as authorized under section 411 of the Agricultural Trade Development and Assistance Act of 1954, as amended, of concessional loans, guarantees and credit agreements, as authorized under section 572 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100–461), and of canceling amounts owed, as a result of loans or guarantees made pursuant to the Export-Import Bank Act of 1945, by countries that are eligible for debt reduction pursuant to title V of H.R. 3425 as enacted into law by section 1000(a)(5) of Public Law 106–113, $20,000,000, to remain available until September 30, 2009: *Provided*, That not less than $20,000,000 of the funds appropriated under this heading shall be made available to carry out the provisions of part V of the Foreign Assistance Act of 1961: *Provided further*, That amounts paid to the HIPC Trust Fund may be used only to fund debt reduction under the enhanced HIPC initiative by—

(1) the Inter-American Development Bank;

(2) the African Development Fund;

(3) the African Development Bank; and

(4) the Central American Bank for Economic Integration:

Provided further, That funds may not be paid to the HIPC Trust Fund for the benefit of any country if the Secretary of State has credible evidence that the government of such country is engaged in a consistent pattern of gross violations of internationally recognized human rights or in military or civil conflict that undermines its ability to develop and implement measures to alleviate poverty and to devote adequate human and financial resources to that end: *Provided further*, That on the basis of final appropriations, the Secretary of the Treasury shall consult with the Committees on Appropriations concerning which countries and international financial institutions are expected to benefit from a United States contribution to the HIPC Trust Fund during the fiscal year: *Provided further*, That the Secretary of the Treasury shall inform the Committees on Appropriations not less than 15 days in advance of the signature of an agreement by the United States to make payments to the HIPC Trust Fund of amounts for such countries and institutions: *Provided further*, That the Secretary of the Treasury may disburse funds designated for debt reduction through the HIPC Trust Fund only for the benefit of countries that—

(1) have committed, for a period of 24 months, not to accept new market-rate loans from the international financial institution receiving debt repayment as a result of such disbursement, other than loans made by such institutions to export-oriented commercial projects that generate foreign exchange which are generally referred to as "enclave" loans; and

(2) have documented and demonstrated their commitment to redirect their budgetary resources from international debt repayments to programs to alleviate poverty and promote economic growth that are additional to or expand upon those previously available for such purposes:

Provided further, That any limitation of subsection (e) of section 411 of the Agricultural Trade Development and Assistance Act of 1954 shall not apply to funds appropriated under this heading: *Provided further*, That none of the funds made available under this heading in this or any other appropriations Act shall be made available for Sudan or Burma unless the Secretary of the Treasury determines and notifies the Committees on Appropriations that a democratically elected government has taken office.

TITLE III—MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL MILITARY EDUCATION AND TRAINING

For necessary expenses to carry out the provisions of section 541 of the Foreign Assistance Act of 1961, $88,000,000, of which up to $3,000,000 may remain available until expended: *Provided*, That the civilian personnel for whom military education and training may be provided under this heading may include civilians who are not members of a government whose participation would contribute to improved civil-military relations, civilian control of the military, or respect for human rights.

FOREIGN MILITARY FINANCING PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for grants to enable the President to carry out the provisions of section 23 of the Arms Export Control Act, $4,454,900,000: *Provided*, That of the funds appropriated under this heading, not less than $2,340,000,000 shall be available for grants only for Israel, and not less than $1,300,000,000 shall be made available for grants only for Egypt: *Provided further*, That the funds appropriated by this paragraph for Israel shall be disbursed within 30 days of the enactment of this Act: *Provided further*, That to the extent that the Government of Israel requests that funds be used for such purposes, grants made available for Israel by this paragraph shall, as agreed by Israel and the United States, be available for advanced weapons systems, of which not less than $610,000,000 shall be available for the procurement in Israel of defense articles and defense services, including research and development: *Provided further*, That of the funds appropriated by this paragraph, $216,000,000 shall be made available for assistance for Jordan: *Provided further*, That funds appropriated or otherwise made available by this paragraph shall be nonrepayable notwithstanding any requirement in section 23 of the Arms Export Control Act: *Provided further*, That funds made available under this paragraph shall be obligated upon apportionment in accordance with paragraph (5)(C) of title 31, United States Code, section 1501(a).

None of the funds made available under this heading shall be available to finance the procurement of defense articles, defense services, or design and construction services that are not sold by the United States Government under the Arms Export Control Act unless the foreign country proposing to make such procurements has first signed an agreement with the United States Government specifying the conditions under which such procurements may be financed with such funds: *Provided*, That all country and funding level increases in allocations shall be submitted through the regular notification procedures of section 515 of this Act: *Provided further*, That none of the funds appropriated under this heading shall be available for assistance for Sudan and Guatemala: *Provided further*, That none of the funds appropriated under this heading may be made available for assistance for Haiti except pursuant to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds made available under this heading may be used, notwithstanding any other provision of law, for demining, the clearance of unexploded ordnance, and related activities, and may include activities implemented through nongovernmental and international organizations: *Provided further*, That only those countries for which assistance was justified for the "Foreign Military Sales Financing Program" in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate necessary to make timely payment for defense articles and services: *Provided further*, That of the funds appropriated under this heading, $90,000,000 shall be available for Colombia and that within these funds, the Department of Defense should ensure sufficient resources are provided for the acquisition of additional aircraft for the Colombian Navy's maritime surveillance mission: *Provided further*, That not more than $42,500,000 of the funds appropriated under this heading may be obligated for necessary expenses, including the purchase of passenger motor vehicles for replacement only for use outside of the United States, for the general costs of administering military assistance and sales: *Provided further*, That not more than $359,000,000 of funds realized pursuant to section 21(e)(1)(A) of the Arms Export Control Act may be obligated for expenses incurred by the Department of Defense during fiscal year 2007 pursuant to section 43(b) of the Arms Export Control Act, except that this limitation may be exceeded only through the regular notification procedures of the Committees on Appropriations: *Provided further*, That foreign military financing program funds estimated to be outlayed for Egypt during fiscal year 2007 shall be transferred to an interest bearing account for Egypt in the Federal Reserve Bank of New York within 30 days of enactment of this Act.

PEACEKEEPING OPERATIONS

For necessary expenses to carry out the provisions of section 551 of the Foreign Assistance Act of 1961, $170,000,000: *Provided*, That none of the funds appropriated under this heading shall be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

For the United States contribution for the Global Environment Facility, $56,250,000 to the International Bank for Reconstruction and Development as trustee for the Global Environment Facility (GEF), by the Secretary of the Treasury, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

For payment to the International Development Association by the Secretary of the Treasury, $950,000,000, to remain available until expended.

CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND

For payment to the Enterprise for the Americas Multilateral Investment Fund by the Secretary of the Treasury, for the United States contribution to the fund, $23,000,000, to remain available until expended.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, $115,250,000, to remain available until expended.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

For payment to the African Development Bank by the Secretary of the Treasury, $5,018,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

The United States Governor of the African Development Bank may subscribe without fiscal year limitation for the callable capital portion of the United States share of such capital stock in an amount not to exceed $78,622,000.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

For the United States contribution by the Secretary of the Treasury to the increase in resources of the African Development Fund, $135,700,000, to remain available until expended.

CONTRIBUTION TO THE INTERNATIONAL FUND FOR AGRICULTURAL DEVELOPMENT

For the United States contribution by the Secretary of the Treasury to increase the resources of the International Fund for Agricultural Development, $18,000,000, to remain available until expended.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

For necessary expenses to carry out the provisions of section 301 of the Foreign Assistance Act of 1961, and of section 2 of the United Nations Environment Program Participation Act of 1973, $327,570,000: *Provided*, That none of the funds appropriated under this heading may be made available to the International Atomic Energy Agency (IAEA): *Provided further*, That section 307(a) of the Foreign Assistance Act shall not apply to contributions to the United Nations Democracy Fund.

TITLE V—GENERAL PROVISIONS

COMPENSATION FOR UNITED STATES EXECUTIVE DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

SEC. 501. (a) No funds appropriated by this Act may be made as payment to any international financial institution while the United States Executive Director to such institution is compensated by the institution at a rate which, together with whatever compensation such Director receives from the United States, is in excess of the rate provided for an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, or while any alternate United States Director to such institution is compensated by the institution at a rate in excess of the rate provided for an individual occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) For purposes of this section "international financial institutions" are: the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the Asian Development Fund, the African Development Bank, the African Development Fund, the International Monetary Fund, the North American Development Bank, and the European Bank for Reconstruction and Development.

RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS AGENCIES

SEC. 502. None of the funds appropriated by this Act may be made available to pay any voluntary contribution of the United States to the United Nations (including the United Nations Development Program) if the United Nations implements or imposes any taxation on any United States persons.

LIMITATION ON RESIDENCE EXPENSES

SEC. 503. Of the funds appropriated or made available pursuant to this Act, not to exceed $100,500 shall be for official residence expenses of the United States Agency for International Development during the current fiscal year: *Provided*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars.

UNOBLIGATED BALANCES REPORT

SEC. 504. Any Department or Agency to which funds are appropriated or otherwise made available by this Act shall provide to the Committees on Appropriations a quarterly accounting by program, project, and activity of the funds received by such Department or Agency in this fiscal year or any previous fiscal year that remain unobligated and unexpended.

LIMITATION ON REPRESENTATIONAL ALLOWANCES

SEC. 505. Of the funds appropriated or made available pursuant to this Act, not to exceed $250,000 shall be available for representation and entertainment allowances, of which not to exceed $2,500 shall be available for entertainment allowances, for the United States Agency for International Development during the current fiscal year: *Provided*, That no such entertainment funds may be used for the purposes listed in section 548 of this Act: *Provided further*, That appropriate steps shall be taken to assure that, to the maximum extent possible, United States-owned foreign currencies are utilized in lieu of dollars: *Provided further*, That of the funds made available by this Act for general costs of administering military assistance and sales under the heading "Foreign Military Financing Program", not to exceed $4,000 shall be available for entertainment expenses and not to exceed $130,000 shall be available for representation allowances: *Provided further*, That of the funds made available by this Act under the heading "International Military Education and Training", not to exceed $55,000 shall be available for entertainment allowances: *Provided further*, That of the funds made available by this Act for the Inter-American Foundation, not to exceed $2,000 shall be available for entertainment and representation allowances: *Provided further*, That of the funds made available by this Act for the Peace Corps, not to exceed a total of $4,000 shall be available for entertainment expenses: *Provided further*, That of the funds made available by this Act under the heading "Trade and Development Agency", not to exceed $4,000 shall be available for representation and entertainment allowances: *Provided further*, That of the funds made available by this Act under the heading "Millennium Challenge Corporation", not to exceed $115,000 shall be available for representation and entertainment allowances.

PROHIBITION ON TAXATION OF UNITED STATES ASSISTANCE

SEC. 506. (a) PROHIBITION ON TAXATION.—None of the funds appropriated by this Act may be made available to provide assistance for a foreign country under a new bilateral agreement governing the terms and conditions under which such assistance is to be provided unless such agreement includes a provision stating that assistance provided by the United States shall be exempt from taxation, or reimbursed, by the foreign government, and the Secretary of State shall expeditiously seek to negotiate amendments to existing bilateral agreements, as necessary, to conform with this requirement.

(b) REIMBURSEMENT OF FOREIGN TAXES.—An amount equivalent to 200 percent of the total taxes assessed during fiscal year 2007 on funds appropriated by this Act by a foreign government or entity against commodities financed under United States assistance programs for which funds are appropriated by this Act, either directly or through grantees, contractors and subcontractors shall be withheld from obligation from funds appropriated for assistance for fiscal year 2008 and allocated for the central government of such country and for the West Bank and Gaza Program to the extent that the Secretary of State certifies and reports in writing to the Committees on Appropriations that such taxes have not been reimbursed to the Government of the United States.

(c) DE MINIMIS EXCEPTION.—Foreign taxes of a de minimis nature shall not be subject to the provisions of subsection (b).

(d) REPROGRAMMING OF FUNDS.—Funds withheld from obligation for each country or entity pursuant to subsection (b) shall be reprogrammed for assistance to countries which do not assess taxes on United States assistance or which have an effective arrangement that is providing substantial reimbursement of such taxes.

(e) DETERMINATIONS.—

(1) The provisions of this section shall not apply to any country or entity the Secretary of State determines—

(A) does not assess taxes on United States assistance or which has an effective arrangement that is providing substantial reimbursement of such taxes; or

(B) the foreign policy interests of the United States outweigh the policy of this section to ensure that United States assistance is not subject to taxation.

(2) The Secretary of State shall consult with the Committees on Appropriations at least 15 days prior to exercising the authority of this subsection with regard to any country or entity.

(f) IMPLEMENTATION.—The Secretary of State shall issue rules, regulations, or policy guidance, as appropriate, to implement the prohibition against the taxation of assistance contained in this section.

(g) DEFINITIONS.—As used in this section—

(1) the terms "taxes" and "taxation" refer to value added taxes and customs duties imposed on commodities financed with United States assistance for programs for which funds are appropriated by this Act; and

(2) the term "bilateral agreement" refers to a framework bilateral agreement between the Government of the United States and the government of the country receiving assistance that describes the privileges and immunities applicable to United States foreign assistance for such country generally, or an individual agreement between the Government of the United States and such government that describes, among other things, the treatment for tax purposes that will be accorded the United States assistance provided under that agreement.

PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN COUNTRIES

SEC. 507. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance or reparations to Cuba, Libya, North Korea, Iran, or Syria: *Provided*, That for purposes of this section, the prohibition on obligations or expenditures shall include direct loans, credits, insurance and guarantees of the Export-Import Bank or its agents: *Provided further*, That for purposes of this section, the prohibition shall not include activities of the Overseas Private Investment Corporation in Libya: *Provided further*, That the prohibition shall not include direct loans, credits, insurance and guarantees made available by the Export-Import Bank or its agents for or in Libya.

MILITARY COUPS

SEC. 508. None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to finance directly any assistance to the government of any country whose duly elected head of government is deposed by military coup or decree: *Provided*, That assistance may be resumed to such government if the President determines and certifies to the Committees on Appropriations that subsequent to the termination of assistance a democratically elected government has taken office: *Provided further*, That the provisions of this section shall not apply to assistance to promote democratic elections or public participation in democratic processes: *Provided further*, That funds made available pursuant to the previous provisos shall be subject to the regular notification procedures of the Committees on Appropriations.

TRANSFERS

SEC. 509. (a)(1) LIMITATION ON TRANSFERS BETWEEN AGENCIES.—None of the funds made available by this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

(2) Notwithstanding paragraph (1), in addition to transfers made by, or authorized elsewhere in, this Act, funds appropriated by this Act to carry out the purposes of the Foreign Assistance Act of 1961 may be allocated or transferred to agencies of the United States Government pursuant to the provisions of sections 109, 610, and 632 of the Foreign Assistance Act of 1961.

(b) TRANSFERS BETWEEN ACCOUNTS.—None of the funds made available by this Act may be obligated under an appropriation account to which they were not appropriated, except for transfers specifically provided for in this Act, unless the President, not less than 5 days prior to the exercise of any authority contained in the Foreign Assistance Act of 1961 to transfer funds, consults with and provides a written policy justification to the Committees on Appropriations of the House of Representatives and the Senate

(c) AUDIT OF INTER-AGENCY TRANSFERS.—Any agreement for the transfer or allocation of funds appropriated by this Act, or prior Acts, entered into between the United States Agency for International Development and another agency of the United States Government under the authority of section 632(a) of the Foreign Assistance Act of 1961 or any comparable provision of law, shall expressly provide that the Office of the Inspector General for the agency receiving the transfer or allocation of such funds shall perform periodic program and financial audits of the use of such funds: *Provided*, That funds transferred under such authority may be made available for the cost of such audits.

COMMERCIAL LEASING OF DEFENSE ARTICLES

SEC. 510. Notwithstanding any other provision of law, and subject to the regular notification procedures of the Committees on Appropriations, the authority of section 23(a) of the Arms Export Control Act may be used to provide financing to Israel, Egypt and NATO and major non-NATO allies for the procurement by leasing (including leasing with an option to purchase) of defense articles from United States commercial suppliers, not including Major Defense Equipment (other than helicopters and other types of aircraft having possible civilian application), if the President determines that there are compelling foreign policy or national security reasons for those defense articles being provided by commercial lease rather than by government-to-government sale under such Act.

AVAILABILITY OF FUNDS

SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: *Provided*, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 667, chapters 4, 5, 6, 8, and 9 of part II of the Foreign Assistance Act of 1961, section 23 of the Arms Export Control Act, and funds provided under the heading "Assistance for Eastern Europe and the Baltic States", shall remain available for an additional 4 years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: *Provided further*, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for cash disbursements in order to address balance of payments or economic policy reform objectives, shall remain available until expended.

POINT OF ORDER

Mr. BOOZMAN. Mr. Chairman, I make the point of order that the number "5" on page 60, line 4 is not in order because it violates clause 2 of rule XXI which prohibits legislation in an appropriations bill.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, regrettably, I would concede the point of order.

The CHAIRMAN. The gentleman concedes the point of order, the point of order is sustained, and that provision of the bill is stricken.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 74, line 11 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The text of the remainder of the bill through page 74, line 11 is as follows:

LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

SEC. 512. No part of any appropriation contained in this Act shall be used to furnish assistance to the government of any country which is in default during a period in excess of 1 calendar year in payment to the United States of principal or interest on any loan made to the government of such country by the United States pursuant to a program for which funds are appropriated under this Act unless the President determines, following consultations with the Committees on Appropriations, that assistance to such country is in the national interest of the United States.

COMMERCE AND TRADE

SEC. 513. (a) None of the funds appropriated or made available pursuant to this Act for direct assistance and none of the funds otherwise made available pursuant to this Act to the Export-Import Bank and the Overseas Private Investment Corporation shall be obligated or expended to finance any loan, any assistance or any other financial commitments for establishing or expanding production of any commodity for export by any country other than the United States, if the commodity is likely to be in surplus on world markets at the time the resulting productive capacity is expected to become operative and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity: *Provided*, That such prohibition shall not apply to the Export-Import Bank if in the judgment of its Board of Directors the benefits to industry and employment in the United States are likely to outweigh the injury to United States producers of the same, similar, or competing commodity, and the Chairman of the Board so notifies the Committees on Appropriations.

(b) None of the funds appropriated by this or any other Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 shall be available for any testing or breeding feasibility study, variety improvement or introduction, consultancy, publication, conference, or training in connection with the growth or production in a foreign country of an agricultural commodity for export which would compete with a similar commodity grown or produced in the United States: *Provided*, That this subsection shall not prohibit—

(1) activities designed to increase food security in developing countries where such activities will not have a significant impact on the export of agricultural commodities of the United States; or

(2) research activities intended primarily to benefit American producers.

SURPLUS COMMODITIES

SEC. 514. The Secretary of the Treasury shall instruct the United States Executive Directors of the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Inter-American Development Bank, the International Monetary Fund, the Asian Development Bank, the Inter-American Investment Corporation, the North American Development Bank, the European Bank for Reconstruction and Development, the African Development Bank, and the African Development Fund to use the voice and vote of the United States to oppose any assistance by these institutions, using funds appropriated or made available pursuant to this Act, for the production or extraction of any commodity or mineral for export, if it is in surplus on world markets and if the assistance will cause substantial injury to United States producers of the same, similar, or competing commodity.

REPROGRAMMING NOTIFICATIONS AND TRANSFER GUIDELINES

SEC. 515. (a) None of the funds made available in this Act or in prior Acts making appropriations for foreign operations, export financing, and related programs, from any accounts in the Treasury of the United States derived by the collection of currency reflows or other offsetting collections, or made available by transfer, may be used to finance an activity, program, or project specifically denied funding by Congress in this Act.

(b) None of the funds made available in this Act or in prior Acts making appropriations for foreign operations, export financing, and related programs, from any accounts in the Treasury of the United States derived by the collection of currency reflows or other offsetting collections, or made available by transfer, may be used to initiate a new or terminate an existing activity, program, or project not previously justified without prior notification of the Committees on Appropriations.

(c) For the purposes of providing the executive branch with the necessary administrative flexibility, none of the funds made available under this Act for "Child Survival and Health Programs Fund", "Development Assistance", "International Organizations and Programs", "Trade and Development Agency", "International Narcotics Control and Law Enforcement", "Andean Counterdrug Initiative", "Assistance for Eastern Europe and the Baltic States", "Assistance for the Independent States of the Former Soviet Union", "Economic Support Fund", "Global HIV/AIDS Initiative", "Peacekeeping Operations", "Capital Investment Fund", "Operating Expenses of the United States Agency for International Development", "Operating Expenses of the United States Agency for International Development Office of Inspector General", "Nonproliferation, Anti-terrorism, Demining and Related Programs", "Millennium Challenge Corporation" (by country only), "Foreign Military Financing Program", "International Military Education and Training", "Peace Corps", and "Migration and Refugee Assistance", shall be available for obligation for activities, programs, projects, type of materiel assistance, countries, or other operations not justified or in excess of the amount justified to the Committees on Appropriations for obligation under any of these specific headings unless the Committees on Appropriations of both Houses of Congress are notified 15 days in advance: *Provided*, That the President shall not enter into any commitment of funds appropriated for the purposes of section 23 of the Arms Export Control Act for the provision of major defense equipment, other than conventional ammunition, or other major defense items defined to be aircraft, ships, missiles, or combat vehicles, not previously justified to Congress or 20 percent in excess of the quantities justified to Congress unless the Committees on Appropriations are notified 15 days in advance of such commitment: *Provided further*, That this paragraph shall not apply to any reprogramming for an activity, program, or project for which funds are appropriated under title II or title III of this Act of less than 10 percent of the amount previously justified to the Congress for obligation for such activity, program, or project for the current fiscal year.

(d) The requirements of this section or any similar provision of this Act or any other Act, including any prior Act requiring notification in accordance with the regular notification procedures of the Committees on Appropriations, may be waived if failure to do so would pose a substantial risk to human health or welfare: *Provided*, That in case of any such waiver, notification to the Congress, or the appropriate congressional committees, shall be provided as early as practicable, but in no event later than 3 days after taking the action to which such notification requirement was applicable, in the context of the circumstances necessitating such waiver: *Provided further*, That any notification provided pursuant to such a waiver shall contain an explanation of the emergency circumstances.

LIMITATION ON AVAILABILITY OF FUNDS FOR INTERNATIONAL ORGANIZATIONS AND PROGRAMS

SEC. 516. Subject to the regular notification procedures of the Committees on Appropriations, funds appropriated under this Act or any previously enacted Act making appropriations for foreign operations, export financing, and related programs, which are returned or not made available for organizations and programs because of the implementation of section 307(a) of the Foreign Assistance Act of 1961, shall remain available for obligation until September 30, 2008.

INDEPENDENT STATES OF THE FORMER SOVIET UNION

SEC. 517. (a) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for assistance for a government of an Independent State of the former Soviet Union if that government directs any action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union, such as those violations included in the Helsinki Final Act: *Provided*, That such funds may be made available without regard to the restriction in this subsection if the President determines that to do so is in the national security interest of the United States.

(b) None of the funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" shall be made available for any state to enhance its military capability: *Provided*, That this restriction does not apply to demilitarization, demining or nonproliferation programs.

(c) Funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" for the Russian Federation, Armenia, and Uzbekistan shall be subject to the regular notification procedures of the Committees on Appropriations.

(d) Funds made available in this Act for assistance for the Independent States of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

(e) In issuing new task orders, entering into contracts, or making grants, with funds appropriated in this Act or prior appropriations Acts under the heading "Assistance for the Independent States of the Former Soviet Union" and under comparable headings in prior appropriations Acts, for projects or activities that have as one of their primary purposes the fostering of private sector development, the Coordinator for United States Assistance to Europe and Eurasia and the implementing agency shall encourage the participation of and give significant weight to contractors and grantees who propose investing a significant amount of their own resources (including volunteer services and in-kind contributions) in such projects and activities.

PROHIBITION ON FUNDING FOR ABORTIONS AND INVOLUNTARY STERILIZATION

SEC. 518. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of abortions as a method of family planning or to motivate or coerce any person to practice abortions. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for the performance of involuntary sterilization as a method of family planning or to coerce or provide any financial incentive to any person to undergo sterilizations. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be used to pay for any biomedical research which relates in whole or in part, to methods of, or the performance of, abortions or involuntary sterilization as a means of family planning. None of the funds made available to carry out part I of the Foreign Assistance Act of 1961, as amended, may be obligated or expended for any country or organization if the President certifies that the use of these funds by any such country or organization would violate any of the above provisions related to abortions and involuntary sterilizations.

EXPORT FINANCING TRANSFER AUTHORITIES

SEC. 519. Not to exceed 5 percent of any appropriation other than for administrative expenses made available for fiscal year 2007, for programs under title I of this Act may be transferred between such appropriations for use for any of the purposes, programs, and activities for which the funds in such receiving account may be used, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 25 percent by any such transfer: *Provided*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

SPECIAL NOTIFICATION REQUIREMENTS

SEC. 520. None of the funds appropriated by this Act shall be obligated or expended for assistance for Liberia, Serbia, Sudan, Zimbabwe, Pakistan, or Cambodia except as provided through the regular notification procedures of the Committees on Appropriations.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

SEC. 521. For the purpose of this Act "program, project, and activity" shall be defined at the appropriations Act account level and shall include all appropriations and authorizations Acts earmarks, ceilings, and limitations with the exception that for the following accounts: Economic Support Fund and Foreign Military Financing Program, "program, project, and activity" shall also be considered to include country, regional, and central program level funding within each such account; for the development assistance accounts of the United States Agency for International Development "program, project, and activity" shall also be considered to include central, country, regional, and program level funding, either as: (1) justified to the Congress; or (2) allocated by the executive branch in accordance with a report, to be provided to the Committees on Appropriations within 30 days of the enactment of this Act, as required by section 653(a) of the Foreign Assistance Act of 1961.

CHILD SURVIVAL AND HEALTH ACTIVITIES

SEC. 522. Up to $13,500,000 of the funds made available by this Act for assistance under the heading "Child Survival and Health Programs Fund", may be used to reimburse United States Government agencies, agencies of State governments, institutions of higher learning, and private and voluntary organizations for the full cost of individuals (including for the personal services of such individuals) detailed or assigned to, or contracted by, as the case may be, the United States Agency for International Development for the purpose of carrying out activities under that heading: *Provided*, That up to $3,500,000 of the funds made available by this Act for assistance under the heading "Development Assistance" may be used to reimburse such agencies, institutions, and organizations for such costs of such individuals carrying out other development assistance activities: *Provided further*, That funds appropriated by titles II and III of this Act that are made available for assistance for child survival activities or disease programs including activities relating to research on, and the prevention, treatment and control of, HIV/AIDS may be made available notwithstanding any other provision of law except for the provisions under the heading "Child Survival and Health Programs Fund" and the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amended.

AFGHANISTAN

SEC. 523. Of the funds appropriated by titles II and III of this Act, not less than $931,400,000 should be made available for humanitarian, reconstruction, and related assistance for Afghanistan: *Provided*, That of the funds made available pursuant to this section, $3,000,000 should be made available for reforestation activities: *Provided further*, That funds made available pursuant to the previous proviso should be matched, to the maximum extent possible, with contributions from American and Afghan businesses: *Provided further*, That of the funds allocated for assistance for Afghanistan from this Act and other Acts making appropriations for foreign operations, export financing, and related programs for fiscal year 2007, not less than $50,000,000 should be made available to support programs that directly address the needs of Afghan women and girls.

NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

SEC. 524. Prior to providing excess Department of Defense articles in accordance with section 516(a) of the Foreign Assistance Act of 1961, the Department of Defense shall notify the Committees on Appropriations to the same extent and under the same conditions as are other committees pursuant to subsection (f) of that section: *Provided*, That before issuing a letter of offer to sell excess defense articles under the Arms Export Control Act, the Department of Defense shall notify the Committees on Appropriations in accordance with the regular notification procedures of such Committees if such defense articles are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or are valued (in terms of original acquisition cost) at $7,000,000 or more, or if notification is required elsewhere in this Act for the use of appropriated funds for specific countries that would receive such excess defense articles: *Provided further*, That such Committees shall also be informed of the original acquisition cost of such defense articles.

GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS, AND MALARIA

SEC. 525. (a) Notwithstanding any other provision of this Act, 25 percent of the funds that are appropriated by this Act for a contribution to support the Global Fund to Fight AIDS, Tuberculosis and Malaria (the "Global Fund") shall be withheld from obligation to the Global Fund until the Secretary of State certifies to the Committees on Appropriations that the Global Fund—

(1) has clear progress indicators upon which to determine the release of incremental disbursements;

(2) is releasing such incremental disbursements only if progress is being made based on those indicators; and

(3) is providing support and oversight to country-level entities, such as country coordinating mechanisms, principal recipients, and local Fund agents, to enable them to fulfill their mandates.

(b) The Secretary of State may waive subsection (a) if the Secretary determines and reports to the Committees on Appropriations that such waiver is important to the national interest of the United States.

HUMAN RIGHTS AND DEMOCRACY

SEC. 526. (a) Not less than $27,000,000 of the funds appropriated by this Act under the heading "Economic Support Fund" should be allocated for the Human Rights and Democracy Fund: *Provided*, That up to $1,200,000 of such funds may be used for the Reagan/Fascell Democracy Fellows program.

POINT OF ORDER

Mr. BOOZMAN. Mr. Chairman, I make a point of order that the language on page 74, line 6 through 11 is not in order because it violates clause 2 of rule XXI which prohibits legislation in an appropriations bill.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, I regret to say that I would concede the point of order and that these funds for the Reagan/Fascell Democracy fellows program would be stricken.

The CHAIRMAN. The point of order is conceded and is sustained and section 526 of the bill is stricken.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 87, line 13 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The text of the remainder of the bill through page 87, line 13 is as follows:

PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST COUNTRIES

SEC. 527. (a) Funds appropriated for bilateral assistance under any heading of this Act and funds appropriated under any such heading in a provision of law enacted prior to the enactment of this Act, shall not be made available to any country which the President determines—

(1) grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism; or

(2) otherwise supports international terrorism.

(b) The President may waive the application of subsection (a) to a country if the President determines that national security or humanitarian reasons justify such waiver. The President shall publish each waiver in the Federal Register and, at least 15 days before the waiver takes effect, shall notify the

Committees on Appropriations of the waiver (including the justification for the waiver) in accordance with the regular notification procedures of the Committees on Appropriations.

DEBT-FOR-DEVELOPMENT

SEC. 528. In order to enhance the continued participation of nongovernmental organizations in debt-for-development and debt-for-nature exchanges, a nongovernmental organization which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and, subject to the regular notification procedures of the Committees on Appropriations, any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

SEPARATE ACCOUNTS

SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—

(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

(A) require that local currencies be deposited in a separate account established by that government;

(B) enter into an agreement with that government which sets forth—

(i) the amount of the local currencies to be generated; and

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

(C) establish by agreement with that government the responsibilities of the United States Agency for International Development and that government to monitor and account for deposits into and disbursements from the separate account.

(2) USES OF LOCAL CURRENCIES.—As may be agreed upon with the foreign government, local currencies deposited in a separate account pursuant to subsection (a), or an equivalent amount of local currencies, shall be used only—

(A) to carry out chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), for such purposes as—

(i) project and sector assistance activities; or

(ii) debt and deficit financing; or

(B) for the administrative requirements of the United States Government.

(3) PROGRAMMING ACCOUNTABILITY.—The United States Agency for International Development shall take all necessary steps to ensure that the equivalent of the local currencies disbursed pursuant to subsection (a)(2)(A) from the separate account established pursuant to subsection (a)(1) are used for the purposes agreed upon pursuant to subsection (a)(2).

(4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon termination of assistance to a country under chapter 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) REPORTING REQUIREMENT.—The Administrator of the United States Agency for International Development shall report on an annual basis as part of the justification documents submitted to the Committees on Appropriations on the use of local currencies for the administrative requirements of the United States Government as authorized in subsection (a)(2)(B), and such report shall include the amount of local currency (and United States dollar equivalent) used and/or to be used for such purpose in each applicable country.

(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

(1) If assistance is made available to the government of a foreign country, under chapter 1 or 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961, as cash transfer assistance or as nonproject sector assistance, that country shall be required to maintain such funds in a separate account and not commingle them with any other funds.

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which are referenced in the Joint Explanatory Statement of the Committee of Conference accompanying House Joint Resolution 648 (House Report No. 98–1159).

(3) NOTIFICATION.—At least 15 days prior to obligating any such cash transfer or nonproject sector assistance, the President shall submit a notification through the regular notification procedures of the Committees on Appropriations, which shall include a detailed description of how the funds proposed to be made available will be used, with a discussion of the United States interests that will be served by the assistance (including, as appropriate, a description of the economic policy reforms that will be promoted by such assistance).

(4) EXEMPTION.—Nonproject sector assistance funds may be exempt from the requirements of subsection (b)(1) only through the notification procedures of the Committees on Appropriations.

ENTERPRISE FUND RESTRICTIONS

SEC. 530. (a) Prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit to the Committees on Appropriations, in accordance with the regular notification procedures of the Committees on Appropriations, a plan for the distribution of the assets of the Enterprise Fund.

(b) Funds made available by this Act for Enterprise Funds shall be expended at the minimum rate necessary to make timely payment for projects and activities.

FINANCIAL MARKET ASSISTANCE IN TRANSITION COUNTRIES

SEC. 531. Of the funds appropriated in Title II of this Act, not less than $40,000,000 should be made available for building capital markets and financial systems in countries in transistion, of which not less than $20,000,000 should be designated for not-for-profit organizations that mobilize volunteers with experience in the financial sector.

AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

SEC. 532. Unless expressly provided to the contrary, provisions of this or any other Act, including provisions contained in prior Acts authorizing or making appropriations for foreign operations, export financing, and related programs, shall not be construed to prohibit activities authorized by or conducted under the Peace Corps Act, the Inter-American Foundation Act or the African Development Foundation Act. The agency shall promptly report to the Committees on Appropriations whenever it is conducting activities or is proposing to conduct activities in a country for which assistance is prohibited.

IMPACT ON JOBS IN THE UNITED STATES

SEC. 533. None of the funds appropriated by this Act may be obligated or expended to provide—

(1) any financial incentive to a business enterprise currently located in the United States for the purpose of inducing such an enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of employees of such business enterprise in the United States because United States production is being replaced by such enterprise outside the United States; or

(2) assistance for any program, project, or activity that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the Trade Act of 1974, of workers in the recipient country, including any designated zone or area in that country: *Provided*, That the application of section 507(4)(D) and (E) of such Act should be commensurate with the level of development of the recipient country and sector, and shall not preclude assistance for the informal sector in such country, micro and small-scale enterprise, and smallholder agriculture.

SPECIAL AUTHORITIES

SEC. 534. (a) AFGHANISTAN, IRAQ, PAKISTAN, LEBANON, MONTENEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED BURMESE.—Funds appropriated by this Act that are made available for assistance for Afghanistan may be made available notwithstanding section 512 of this Act or any similar provision of law and section 660 of the Foreign Assistance Act of 1961, and funds appropriated in titles I and II of this Act that are made available for Iraq, Lebanon, Montenegro, Pakistan, and for victims of war, displaced children, and displaced Burmese, and to assist victims of trafficking in persons and, subject to the regular notification procedures of the Committees on Appropriations, to combat such trafficking, may be made available notwithstanding any other provision of law.

(b) TROPICAL FORESTRY AND BIODIVERSITY CONSERVATION ACTIVITIES.—Funds appropriated by this Act to carry out the provisions of sections 103 through 106, and chapter 4 of part II, of the Foreign Assistance Act of 1961 may be used, notwithstanding any other provision of law, for the purpose of supporting tropical forestry and biodiversity conservation activities and energy programs aimed at reducing greenhouse gas emissions: *Provided*, That such assistance shall be subject to sections 116, 502B, and 620A of the Foreign Assistance Act of 1961.

(c) PERSONAL SERVICES CONTRACTORS.—Funds appropriated by this Act to carry out chapter 1 of part I, chapter 4 of part II, and section 667 of the Foreign Assistance Act of 1961, and title II of the Agricultural Trade Development and Assistance Act of 1954, may be used by the United States Agency for International Development to employ up to 25 personal services contractors in the United States, notwithstanding any other provision of law, for the purpose of providing direct, interim support for new or expanded overseas programs and activities managed by the agency until permanent direct hire personnel are hired and trained: *Provided*, That not more than 10 of such contractors shall be assigned to any bureau or office: *Provided further*, That such funds appropriated to carry out title II of the Agricultural Trade Development and Assistance Act of 1954, may be made available only for personal services contractors assigned to the Office of Food for Peace.

(d)(1) WAIVER.—The President may waive the provisions of section 1003 of Public Law 100-204 if the President determines and certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that it is important to the national security interests of the United States.

(2) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to paragraph (1) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(e) SMALL BUSINESS.—In entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, the United States Agency for International Development may provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(f) RECONSTITUTING CIVILIAN POLICE AUTHORITY.—In providing assistance with funds appropriated by this Act under section 660(b)(6) of the Foreign Assistance Act of 1961, support for a nation emerging from instability may be deemed to mean support for regional, district, municipal, or other subnational entity emerging from instability, as well as a nation emerging from instability.

(g) WORLD FOOD PROGRAM.—Of the funds managed by the Bureau for Democracy, Conflict, and Humanitarian Assistance of the United States Agency for International Development, from this or any other Act, not less than $10,000,000 shall be made available as a general contribution to the World Food Program, notwithstanding any other provision of law.

(h) UNIFIED CAMPAIGN.—Funds transferred pursuant to the authority contained in the fifth proviso under the heading "Foreign Military Financing Program" in division E of Public Law 108–7 may be made available for helicopters, training, and other assistance for the Colombian Armed Forces for such things as pipeline security and interdiction, notwithstanding the limitation to security for the Cano Limon pipeline in such proviso.

(i) EXTENSION OF AUTHORITY.—

(1) With respect to funds appropriated by this Act that are available for assistance for Pakistan, the President may waive the prohibition on assistance contained in section 508 of this Act subject to the requirements contained in section 1(b) of Public Law 107–57, as amended, for a determination and certification, and consultation, by the President prior to the exercise of such waiver authority.

(2) Section 512 of this Act and section 620(q) of the Foreign Assistance Act of 1961 shall not apply with respect to assistance for Pakistan from funds appropriated by this Act.

(3) Notwithstanding the date contained in section 6 of Public Law 107–57, as amended, the provisions of sections 2 and 4 of that Act shall remain in effect through the current fiscal year.

(j) MIDDLE EAST FOUNDATION.—Of the funds appropriated by this Act under the heading "Economic Support Fund" that are available for the Middle East Partnership Initiative, up to $35,000,000 may be made available, including as an endowment, notwithstanding any other provision of law and following consultations with the Committees on Appropriations, to establish and operate a Middle East Foundation, or any other similar entity, whose purposes include to support democracy, governance, human rights, and the rule of law, as well as private enterprise development in the Middle East region: *Provided*, That such funds may be made available to the Foundation only to the extent that the Foundation has commitments from sources other than the United States Government to at least match the funds provided under the authority of this subsection: *Provided further*, That provisions contained in section 201 of the Support for East European Democracy (SEED) Act of 1989 (excluding the authorizations of appropriations provided in subsection (b) of that section) shall be deemed to apply to any such foundation or similar entity referred to under this subsection, and to funds made available to such entity, in order to enable it to provide assistance for purposes of this section: *Provided further*, That prior to the initial obligation of funds for any such foundation or similar entity pursuant to the authorities of this subsection, other than for administrative support, the Secretary of State shall take steps to ensure, on an ongoing basis, that any such funds made available pursuant to such authorities are not provided to or through any individual or group that the management of the foundation or similar entity knows or has reason to believe, advocates, plans, sponsors, or otherwise engages in terrorist activities: *Provided further*, That section 530 of this Act shall apply to any such foundation or similar entity established pursuant to this subsection: *Provided further*, That the authority of the Foundation, or any similar entity, to provide assistance shall cease to be effective on September 30, 2010.

POINT OF ORDER

Mr. BOOZMAN. Mr. Chairman, I make a point of order that the language on page 86, line 10 after "law," through the word "region" on line 11, is not in order because it violates clause 2 of rule XXI which prohibits legislation in an appropriations bill.

The CHAIRMAN. Does the gentleman from Arizona wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, regrettably, I concede the point of order with regard to the private enterprise development fund in the Middle East.

The CHAIRMAN. The gentleman concedes the point of order. The point of order is sustained. That portion of the bill is stricken.

□ 1045

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 91, line 17 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The text of the remainder of the bill through page 91, line 17 is as follows:

ARAB LEAGUE BOYCOTT OF ISRAEL

SEC. 535. It is the sense of the Congress that—

(1) the Arab League boycott of Israel, and the secondary boycott of American firms that have commercial ties with Israel, is an impediment to peace in the region and to United States investment and trade in the Middle East and North Africa;

(2) the Arab League boycott, which was regrettably reinstated in 1997, should be immediately and publicly terminated, and the Central Office for the Boycott of Israel immediately disbanded;

(3) all Arab League states should normalize relations with their neighbor Israel;

(4) the President and the Secretary of State should continue to vigorously oppose the Arab League boycott of Israel and find concrete steps to demonstrate that opposition by, for example, taking into consideration the participation of any recipient country in the boycott when determining to sell weapons to said country; and

(5) the President should report to Congress annually on specific steps being taken by the United States to encourage Arab League states to normalize their relations with Israel to bring about the termination of the Arab League boycott of Israel, including those to encourage allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

ELIGIBILITY FOR ASSISTANCE

SEC. 536. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds appropriated by this Act to carry out the provisions of chapters 1, 10, 11, and 12 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, and from funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States": *Provided*, That before using the authority of this subsection to furnish assistance in support of programs of nongovernmental organizations, the President shall notify the Committees on Appropriations under the regular notification procedures of those committees, including a description of the program to be assisted, the assistance to be provided, and the reasons for furnishing such assistance: *Provided further*, That nothing in this subsection shall be construed to alter any existing statutory prohibitions against abortion or involuntary sterilizations contained in this or any other Act.

(b) PUBLIC LAW 480.—During fiscal year 2007, restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance under the Agricultural Trade Development and Assistance Act of 1954: *Provided*, That none of the funds appropriated to carry out title I of such Act and made available pursuant to this subsection may be obligated or expended except as provided through the regular notification procedures of the Committees on Appropriations.

(c) EXCEPTION.—This section shall not apply—

(1) with respect to section 620A of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to countries that support international terrorism; or

(2) with respect to section 116 of the Foreign Assistance Act of 1961 or any comparable provision of law prohibiting assistance to the government of a country that violates internationally recognized human rights.

RESERVATIONS OF FUNDS

SEC. 537. (a) Funds appropriated by this Act which are specifically designated may be reprogrammed for other programs within the same account notwithstanding the designation if compliance with the designation is made impossible by operation of any provision of this or any other Act: *Provided*, That any such reprogramming shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That assistance that is reprogrammed pursuant to this subsection shall be made available under the same terms and conditions as originally provided.

(b) In addition to the authority contained in subsection (a), the original period of availability of funds appropriated by this Act and administered by the United States Agency for International Development that are specifically designated for particular programs or activities by this or any other Act shall be extended for an additional fiscal year if the Administrator of such agency determines and reports promptly to the Committees on Appropriations that the termination of assistance to a country or a significant change in circumstances makes it unlikely that such designated funds can be obligated during the original period of availability: *Provided*, That such designated funds that are continued available for an additional fiscal year shall be obligated only for the purpose of such designation.

CEILINGS AND DESIGNATED FUNDING LEVELS

SEC. 538. Ceilings and specifically designated funding levels contained in this Act shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs: *Provided*, That specifically designated funding levels or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this Act.

POINT OF ORDER

Mr. BOOZMAN. Mr. Chairman, I make a point of order that the language on page 91, line 14 after the word "directs" through line 17 is not in order because it violates clause 2 of rule XXI which prohibits legislation in an appropriations bill.

The CHAIRMAN. Does the gentleman from Arizona wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is conceded and sustained. That portion of the bill is therefore stricken.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent the remainder of the bill through page 121, line 15 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The text of the remainder of the bill through page 121, line 15 is as follows:

PROHIBITION ON PUBLICITY OR PROPAGANDA

SEC. 539. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not authorized before the date of the enactment of this Act by the Congress: *Provided*, That not to exceed $25,000 may be made available to carry out the provisions of section 316 of Public Law 96–533.

PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS

SEC. 540. None of the funds appropriated or made available pursuant to this Act for carrying out the Foreign Assistance Act of 1961, may be used to pay in whole or in part any assessments, arrearages, or dues of any member of the United Nations or, from funds appropriated by this Act to carry out chapter 1 of part I of the Foreign Assistance Act of 1961, the costs for participation of another country's delegation at international conferences held under the auspices of multilateral or international organizations.

NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

SEC. 541. None of the funds appropriated or made available pursuant to this Act shall be available to a nongovernmental organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

SEC. 542. (a) None of the funds appropriated or otherwise made available by this Act may be available to any foreign government which provides lethal military equipment to a country the government of which the Secretary of State has determined is a terrorist government for purposes of section 6(j) of the Export Administration Act of 1979. The prohibition under this section with respect to a foreign government shall terminate 12 months after that government ceases to provide such military equipment. This section applies with respect to lethal military equipment provided under a contract entered into after October 1, 1997.

(b) Assistance restricted by subsection (a) or any other similar provision of law, may be furnished if the President determines that furnishing such assistance is important to the national interests of the United States.

(c) Whenever the waiver authority of subsection (b) is exercised, the President shall submit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Any such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers United States national interests.

WITHHOLDING OF ASSISTANCE FOR PARKING FINES AND REAL PROPERTY TAXES OWED BY FOREIGN COUNTRIES

SEC. 543. (a) Subject to subsection (c), of the funds appropriated by this Act that are made available for assistance for a foreign country, an amount equal to 110 percent of the total amount of the unpaid fully adjudicated parking fines and penalties and unpaid property taxes owed by the central government of such country shall be withheld from obligation for assistance for the central government of such country until the Secretary of State submits a certification to the appropriate congressional committees stating that such parking fines and penalties and unpaid property taxes are fully paid.

(b) Funds withheld from obligation pursuant to subsection (a) may be made available for other programs or activities funded by this Act, after consultation with and subject to the regular notification procedures of the appropriate congressional committees, provided that no such funds shall be made available for assistance for the central government of a foreign country that has not paid the total amount of the fully adjudicated parking fines and penalties and unpaid property taxes owed by such country.

(c) Subsection (a) shall not include amounts that have been withheld under any other provision of law.

(d)(1) The Secretary of State may waive the requirements set forth in subsection (a) with respect to parking fines and penalties no sooner than 60 days from the date of enactment of this Act, or at any time with respect to a particular country, if the Secretary determines that it is in the national interests of the United States to do so.

(2) The Secretary of State may waive the requirements set forth in subsection (a) with respect to the unpaid property taxes if the Secretary of State determines that it is in the national interests of the United States to do so.

(e) Not later than 6 months after the initial exercise of the waiver authority in subsection (d), the Secretary of State, after consultations with the City of New York, shall submit a report to the Committees on Appropriations describing a strategy, including a timetable and steps currently being taken, to collect the parking fines and penalties and unpaid property taxes and interest owed by nations receiving foreign assistance under this Act.

(f) In this section:

(1) The term "appropriate congressional committees" means the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives.

(2) The term "fully adjudicated" includes circumstances in which the person to whom the vehicle is registered—

(A)(i) has not responded to the parking violation summons; or

(ii) has not followed the appropriate adjudication procedure to challenge the summons; and

(B) the period of time for payment of or challenge to the summons has lapsed.

(3) The term "parking fines and penalties" means parking fines and penalties—

(A) owed to—

(i) the District of Columbia; or

(ii) New York, New York; and

(B) incurred during the period April 1, 1997, through September 30, 2006.

(4) The term "unpaid property taxes" means the amount of unpaid taxes and interest determined to be owed by a foreign country on real property in the District of Columbia or New York, New York in a court order or judgment entered against such country by a court of the United States or any State or subdivision thereof.

LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST BANK AND GAZA

SEC. 544. None of the funds appropriated by this Act may be obligated for assistance for the Palestine Liberation Organization (PLO) for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided*, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 545. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961 of up to $30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish or authorize to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this section shall be in lieu of any determinations otherwise required under section 552(c): *Provided further*, That the drawdown made under this section for any tribunal shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court: *Provided further*, That funds made available for tribunals other than Yugoslavia, Rwanda, or the Special Court for Sierra Leone shall be made available subject to the regular notification procedures of the Committees on Appropriations.

LANDMINES

SEC. 546. Notwithstanding any other provision of law, demining equipment available to the United States Agency for International Development and the Department of State and used in support of the clearance of landmines and unexploded ordnance for humanitarian purposes may be disposed of on a grant basis in foreign countries, subject to such terms and conditions as the President may prescribe.

RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY

SEC. 547. None of the funds appropriated by this Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States Government for the purpose of conducting official United States Government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles: *Provided*, That this restriction shall not apply to the acquisition of additional space for the existing Consulate General in Jerusalem: *Provided further*, That meetings between officers and employees of the United States and officials of the Palestinian Authority, or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles, for the purpose of conducting official United States Government business with such authority should continue to take place in locations other than Jerusalem. As has been true in the past, officers and employees of the United States Government may continue to meet in Jerusalem on other subjects with Palestinians (including those who now occupy positions in the Palestinian Authority), have social contacts, and have incidental discussions.

PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

SEC. 548. None of the funds appropriated or otherwise made available by this Act under the heading "International Military Education and Training" or "Foreign Military Financing Program" for Informational Program activities or under the headings "Child Survival and Health Programs Fund", "Development Assistance", and "Economic Support Fund" may be obligated or expended to pay for—

(1) alcoholic beverages; or

(2) entertainment expenses for activities that are substantially of a recreational character, including but not limited to entrance fees at sporting events, theatrical and musical productions, and amusement parks.

HAITI

SEC. 549. (a) The Government of Haiti shall be eligible to purchase defense articles and services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), for the Coast Guard.

(b) None of the funds made available in this Act under the heading "International Narcotics Control and Law Enforcement" may be used to transfer excess weapons, ammunition or other lethal property of an agency of the United States Government to the Government of Haiti for use by the Haitian National Police until the Secretary of State certifies to the Committees on Appropriations that: (1) the United Nations Mission in Haiti (MINUSTAH) has carried out the vetting of the senior levels of the Haitian National Police and has ensured that those credibly alleged to have committed serious crimes, including drug trafficking and human rights violations, have been suspended; and (2) the Haitian National Government is cooperating in a reform and restructuring plan for the Haitian National Police and the reform of the judicial system as called for in United Nations Security Council Resolution 1608 adopted on June 22, 2005.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY

SEC. 550. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

(b) WAIVER.—The prohibition included in subsection (a) shall not apply if the President certifies in writing to the Speaker of the House of Representatives and the President pro tempore of the Senate that waiving such prohibition is important to the national security interests of the United States.

(c) PERIOD OF APPLICATION OF WAIVER.—Any waiver pursuant to subsection (b) shall be effective for no more than a period of 6 months at a time and shall not apply beyond 12 months after the enactment of this Act.

(d) REPORT.—Whenever the waiver authority pursuant to subsection (b) is exercised, the President shall submit a report to the Committees on Appropriations detailing the steps the Palestinian Authority has taken to arrest terrorists, confiscate weapons and dismantle the terrorist infrastructure. The report shall also include a description of how funds will be spent and the accounting procedures in place to ensure that they are properly disbursed.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 551. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: *Provided*, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: *Provided further*, That in the event that funds are withheld from any unit pursuant to this section, the Secretary of State shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

FOREIGN MILITARY TRAINING REPORT

SEC. 552. The annual foreign military training report required by section 656 of the Foreign Assistance Act of 1961 shall be submitted by the Secretary of Defense and the Secretary of State to the Committees on Appropriations of the House of Representatives and the Senate by the date specified in that section.

AUTHORIZATION REQUIREMENT

SEC. 553. Funds appropriated by this Act, except funds appropriated under the headings "Trade and Development Agency", "Overseas Private Investment Corporation", and "Global HIV/AIDS Initiative", may be obligated and expended notwithstanding section 10 of Public Law 91–672 and section 15 of the State Department Basic Authorities Act of 1956.

CAMBODIA

SEC. 554. The Secretary of the Treasury should instruct the United States executive directors of the international financial institutions to use the voice and vote of the United States to oppose loans to the Central Government of Cambodia, except loans to meet basic human needs.

PALESTINIAN STATEHOOD

SEC. 555. (a) LIMITATION ON ASSISTANCE.—None of the funds appropriated by this Act may be provided to support a Palestinian state unless the Secretary of State determines and certifies to the appropriate congressional committees that—

(1) a new leadership of a Palestinian governing entity has been democratically elected through credible and competitive elections;

(2) the elected governing entity of a new Palestinian state—

(A) has demonstrated a firm commitment to peaceful co-existence with the State of Israel;

(B) is taking appropriate measures to counter terrorism and terrorist financing in the West Bank and Gaza, including the dismantling of terrorist infrastructures;

(C) is establishing a new Palestinian security entity that is cooperative with appropriate Israeli and other appropriate security organizations; and

(3) the Palestinian Authority (or the governing body of a new Palestinian state) is working with other countries in the region to vigorously pursue efforts to establish a just, lasting, and comprehensive peace in the Middle East that will enable Israel and an independent Palestinian state to exist within the context of full and normal relationships, which should include—

(A) termination of all claims or states of belligerency;

(B) respect for and acknowledgement of the sovereignty, territorial integrity, and political independence of every state in the area through measures including the establishment of demilitarized zones;

(C) their right to live in peace within secure and recognized boundaries free from threats or acts of force;

(D) freedom of navigation through international waterways in the area; and

(E) a framework for achieving a just settlement of the refugee problem.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the newly-elected governing entity should enact a constitution assuring the rule of law, an independent judiciary, and respect for human rights for its citizens, and should enact other laws and regulations assuring transparent and accountable governance.

(c) WAIVER.—The President may waive subsection (a) if he determines that it is vital to the national security interests of the United States to do so.

(d) EXEMPTION.—The restriction in subsection (a) shall not apply to assistance intended to help reform the Palestinian Authority and affiliated institutions, or a newly-elected governing entity, in order to help meet the requirements of subsection (a), consistent with the provisions of section 550 of this Act ("Limitation on Assistance to the Palestinian Authority").

COLOMBIA

SEC. 556. (a) DETERMINATION AND CERTIFICATION REQUIRED.—Funds appropriated by this Act that are available for assistance for the Colombian Armed Forces, may be made available as follows:

(1) Up to 75 percent of such funds may be obligated prior to a determination and certification by the Secretary of State pursuant to paragraph (2).

(2) Up to 12.5 percent of such funds may be obligated only after the Secretary of State certifies and reports to the appropriate congressional committees that:

(A) The Commander General of the Colombian Armed Forces is suspending from the Armed Forces those members, of whatever rank who, according to the Minister of Defense or the Procuraduria General de la Nacion, have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations.

(B) The Colombian Government is vigorously investigating and prosecuting those members of the Colombian Armed Forces, of whatever rank, who have been credibly alleged to have committed gross violations of human rights, including extra-judicial killings, or to have aided or abetted paramilitary organizations, and is promptly punishing those members of the Colombian Armed Forces found to have committed such violations of human rights or to have aided or abetted paramilitary organizations.

(C) The Colombian Armed Forces have made substantial progress in cooperating with civilian prosecutors and judicial authorities in such cases (including providing requested information, such as the identity of persons suspended from the Armed Forces and the nature and cause of the suspension, and access to witnesses, relevant military documents, and other requested information).

(D) The Colombian Armed Forces have made substantial progress in severing links (including denying access to military intelligence, vehicles, and other equipment or supplies, and ceasing other forms of active or tacit cooperation) at the command, battalion, and brigade levels, with paramilitary organizations, especially in regions where these organizations have a significant presence.

(E) The Colombian Government is dismantling paramilitary leadership and financial networks by arresting commanders and financial backers, especially in regions where these networks have a significant presence.

(F) The Colombian Government is taking effective steps to ensure that the Colombian Armed Forces are not violating the land and property rights of Colombia's indigenous communities.

(3) The balance of such funds may be obligated after July 31, 2007, if the Secretary of State certifies and reports to the appropriate congressional committees, after such date, that the Colombian Armed Forces are continuing to meet the conditions contained in paragraph (2) and are conducting vigorous operations to restore government authority and respect for human rights in areas under the effective control of paramilitary and guerrilla organizations.

(b) CONGRESSIONAL NOTIFICATION.—Funds made available by this Act for the Colombian Armed Forces shall be subject to the regular notification procedures of the Committees on Appropriations.

(c) CONSULTATIVE PROCESS.—Not later than 60 days after the date of enactment of this Act, and every 90 days thereafter until September 30, 2008, the Secretary of State shall consult with internationally recognized human rights organizations regarding progress in meeting the conditions contained in subsection (a).

(d) DEFINITIONS.—In this section:

(1) AIDED OR ABETTED.—The term "aided or abetted" means to provide any support to paramilitary groups, including taking actions which allow, facilitate, or otherwise foster the activities of such groups.

(2) PARAMILITARY GROUPS.—The term "paramilitary groups" means illegal self-defense groups and illegal security cooperatives.

ILLEGAL ARMED GROUP

SEC. 557. (a) DENIAL OF VISAS TO SUPPORTERS OF COLOMBIAN ILLEGAL ARMED GROUPS.—Subject to subsection (b), the Secretary of State shall not issue a visa to any alien who the Secretary determines, based on credible evidence—

(1) has willfully provided any support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC), including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups; or

(2) has committed, ordered, incited, assisted, or otherwise participated in the commission of gross violations of human rights, including extra-judicial killings, in Colombia.

(b) WAIVER.—Subsection (a) shall not apply if the Secretary of State determines and certifies to the appropriate congressional committees, on a case-by-case basis, that the issuance of a visa to the alien is necessary to support the peace process in Colombia or for urgent humanitarian reasons.

PROHIBITION ON ASSISTANCE TO THE PALESTINIAN BROADCASTING CORPORATION

SEC. 558. None of the funds appropriated or otherwise made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

WEST BANK AND GAZA PROGRAM

SEC. 559. (a) PROHIBITION.—None of the funds appropriated by this Act for assistance under the West Bank and Gaza program may be made available for the purpose of recognizing or otherwise honoring individuals who commit, or have committed, acts of terrorism.

(b) AUDITS.—

(1) The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grantees, and significant subcontractors and subgrantees, under the West Bank and Gaza Program, are conducted at least on an annual basis to ensure, among other things, compliance with this section.

(2) Of the funds appropriated by this Act up to $1,000,000 may be used by the Office of the Inspector General of the United States Agency for International Development for audits, inspections, and other activities in furtherance of the requirements of this subsection.

(c) The Comptroller General of the United States shall conduct an audit and an investigation of the treatment, handling, and uses of all funds for the bilateral West Bank and Gaza Program in fiscal year 2006 under the heading "Economic Support Fund". The audit shall address—

(1) the extent to which such Program complies with the requirements of subsection (a), and

(2) an examination of all programs, projects, and activities carried out under such Program, including both obligations and expenditures.

(d) Not later than 180 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations updating the report contained in section 2106 of chapter 2 of title II of Public Law 109-13.

CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

SEC. 560. (a) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under "International Organizations and Programs" and "Child Survival and Health Programs Fund" for fiscal year 2007, $34,000,000 shall be made available for the United Nations Population Fund (hereafter in this section referred to as the "UNFPA"): *Provided*, That of this amount, not less than $22,275,000 shall be derived from funds appropriated under the heading "International Organizations and Programs".

(b) AVAILABILITY OF FUNDS.—Funds appropriated under the heading "International Organizations and Programs" in this Act that are available for UNFPA, that are not made available for UNFPA because of the operation of any provision of law, shall be transferred to "Child Survival and Health Programs Fund" and shall be made available for family planning, maternal, and reproductive health activities, subject to the regular notification procedures of the Committees on Appropriations.

(c) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under "International Organizations and Programs" may be made available for the UNFPA for a country program in the People's Republic of China.

(d) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under "International Organizations and Programs" for fiscal year 2007 for the UNFPA may not be made available to UNFPA unless—

(1) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(2) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(3) the UNFPA does not fund abortions.

WAR CRIMINALS

SEC. 561. (a)(1) None of the funds appropriated or otherwise made available pursuant to this Act may be made available for assistance, and the Secretary of the Treasury shall instruct the United States executive directors to the international financial institutions to vote against any new project involving the extension by such institutions of any financial or technical assistance, to any country, entity, or municipality whose competent authorities have failed, as determined by the Secretary of State, to take necessary and significant steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the former Yugoslavia (the "Tribunal") all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with the Tribunal.

(2) The provisions of this subsection shall not apply to humanitarian assistance or assistance for democratization.

(b) The provisions of subsection (a) shall apply unless the Secretary of State determines and reports to the appropriate congressional committees that the competent authorities of such country, entity, or municipality are—

(1) cooperating with the Tribunal, including access for investigators to archives and witnesses, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension; and

(2) are acting consistently with the Dayton Accords.

(c) Not less than 10 days before any vote in an international financial institution regarding the extension of any new project involving financial or technical assistance or grants to any country or entity described in subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall provide to the Committees on Appropriations a written justification for the proposed assistance, including an explanation of the United States position regarding any such vote, as well as a description of the location of the proposed assistance by municipality, its purpose, and its intended beneficiaries.

(d) In carrying out this section, the Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of the Treasury shall consult with representatives of human rights organizations and all government agencies with relevant information to help prevent indicted war criminals from benefiting from any financial or technical assistance or grants provided to any country or entity described in subsection (a).

(e) The Secretary of State may waive the application of subsection (a) with respect to projects within a country, entity, or municipality upon a written determination to the Committees on Appropriations that such assistance directly supports the implementation of the Dayton Accords.

(f) DEFINITIONS.—As used in this section:

(1) COUNTRY.—The term "country" means Bosnia and Herzegovina, Croatia and Serbia.

(2) ENTITY.—The term "entity" refers to the Federation of Bosnia and Herzegovina, Kosovo, Montenegro and the Republika Srpska.

(3) MUNICIPALITY.—The term "municipality" means a city, town or other subdivision within a country or entity as defined herein.

(4) DAYTON ACCORDS.—The term "Dayton Accords" means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

USER FEES

SEC. 562. The Secretary of the Treasury shall instruct the United States Executive Director at each international financial institution (as defined in section 1701(c)(2) of the International Financial Institutions Act) and the International Monetary Fund to oppose any loan, grant, strategy or policy of these institutions that would require user fees or service charges on poor people for primary education or primary healthcare, including prevention and treatment efforts for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institutions' financing programs.

FUNDING FOR SERBIA

SEC. 563. (a) Funds appropriated by this Act may be made available for assistance for the central Government of Serbia after May 31, 2007, if the President has made the determination and certification contained in subsection (c).

(b) After May 31, 2007, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of Serbia and Montenegro subject to the conditions in subsection (c): *Provided*, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans and assistance to the Government of Serbia and Montenegro through international financial institutions.

(c) The determination and certification referred to in subsection (a) is a determination by the President and a certification to the Committees on Appropriations that the Government of Serbia and Montenegro is—

(1) cooperating with the International Criminal Tribunal for the former Yugoslavia including access for investigators, the provision of documents, and the surrender and transfer of indictees or assistance in their apprehension, including Ratko Mladic;

(2) taking steps that are consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and

(3) taking steps to implement policies which reflect a respect for minority rights and the rule of law.

(d) This section shall not apply to Montenegro, Kosovo, humanitarian assistance or assistance to promote democracy.

COMMUNITY-BASED POLICE ASSISTANCE

SEC. 564. (a) AUTHORITY.—Funds made available by this Act to carry out the provisions of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961, may be used, notwithstanding section 660 of that Act, to enhance the effectiveness and accountability of civilian police authority through training and technical assistance in human rights, the rule of law, strategic planning, and through assistance to foster civilian police roles that support democratic governance including assistance for programs to prevent conflict, respond to disasters, address gender-based violence, and foster improved police relations with the communities they serve.

(b) NOTIFICATION.—Assistance provided under subsection (a) shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

SPECIAL DEBT RELIEF FOR THE POOREST

SEC. 565. (a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States (or any agency of the United States) by an eligible country as a result of—

(1) guarantees issued under sections 221 and 222 of the Foreign Assistance Act of 1961;

(2) credits extended or guarantees issued under the Arms Export Control Act; or

(3) any obligation or portion of such obligation, to pay for purchases of United States agricultural commodities guaranteed by the Commodity Credit Corporation under export credit guarantee programs authorized pursuant to section 5(f) of the Commodity Credit Corporation Charter Act of June 29, 1948, as amended, section 4(b) of the Food for Peace Act of 1966, as amended (Public Law 89-808), or section 202 of the Agricultural Trade Act of 1978, as amended (Public Law 95-501).

(b) LIMITATIONS.—

(1) The authority provided by subsection (a) may be exercised only to implement multilateral official debt relief and referendum agreements, commonly referred to as "Paris Club Agreed Minutes".

(2) The authority provided by subsection (a) may be exercised only in such amounts or to such extent as is provided in advance by appropriations Acts.

(3) The authority provided by subsection (a) may be exercised only with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association, but not from the International Bank for Reconstruction and Development, commonly referred to as "IDA-only" countries.

(c) CONDITIONS.—The authority provided by subsection (a) may be exercised only with respect to a country whose government—

(1) does not have an excessive level of military expenditures;

(2) has not repeatedly provided support for acts of international terrorism;

(3) is not failing to cooperate on international narcotics control matters;

(4) (including its military or other security forces) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

(5) is not ineligible for assistance because of the application of section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

(d) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to the funds appropriated by this Act under the heading "Debt Restructuring".

(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to subsection (a) shall not be considered assistance for the purposes of any provision of law limiting assistance to a country. The authority provided by subsection (a) may be exercised notwithstanding section 620(r) of the Foreign Assistance Act of 1961 or section 321 of the International Development and Food Assistance Act of 1975.

POINT OF ORDER

Mr. GOODLATTE. Mr. Chairman, I raise a point of order against section 565(a)(3) because it violates rule XXI, clause 2, which prohibits legislative language in a general appropriations bill.

The CHAIRMAN. Does the gentleman from Arizona wish to be heard?

Mr. KOLBE. Mr. Chairman, I concede the point of order against this language requested by the administration.

The CHAIRMAN. The point of order is conceded and sustained. That portion of the bill is therefore stricken.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 127, line 24 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The text of the remainder of the bill through page 127, line 24 is as follows:

AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

SEC. 566. (a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, pursuant to the Foreign Assistance Act of 1961, to the government of any eligible country as defined in section 702(6) of that Act or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710 of the Foreign Assistance Act of 1961, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

(3) ADMINISTRATION.—The Facility, as defined in section 702(8) of the Foreign Assistance Act of 1961, shall notify the administrator of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make adjustment in its accounts to reflect the sale, reduction, or cancellation.

(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in the United States Government account or accounts established for the repayment of such loan.

(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(d) DEBTOR CONSULTATIONS.—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President should consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

(e) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading "Debt Restructuring".

BASIC EDUCATION

SEC. 567. Of the funds appropriated by title II of this Act, not less than $550,000,000 shall be made available for basic education.

RECONCILIATION PROGRAMS

SEC. 568. Of the funds appropriated under the heading "Economic Support Fund", not less than $15,000,000 should be made available to support reconciliation programs and activities which bring together individuals of different ethnic, religious, and political backgrounds from areas of civil conflict and war.

SUDAN

SEC. 569. (a) LIMITATION ON ASSISTANCE.—Subject to subsection (b):

(1) Notwithstanding section 501(a) of the International Malaria Control Act of 2000 (Public Law 106-570) or any other provision of law, none of the funds appropriated by this Act may be made available for assistance for the Government of Sudan.

(2) None of the funds appropriated by this Act may be made available for the cost, as defined in section 502, of the Congressional Budget Act of 1974, of modifying loans and loan guarantees held by the Government of Sudan, including the cost of selling, reducing, or canceling amounts owed to the United States, and modifying concessional loans, guarantees, and credit agreements.

(b) Subsection (a) shall not apply if the Secretary of State determines and certifies to the Committees on Appropriations that—

(1) the Government of Sudan has taken significant steps to disarm and disband government-supported militia groups in the Darfur region;

(2) the Government of Sudan and all government-supported militia groups are honoring their ceasefire commitments made in the Darfur Peace Agreement; and

(3) the Government of Sudan is allowing unimpeded access to Darfur to humanitarian aid organizations, the human rights investigation and humanitarian teams of the United Nations, including protection officers, and an international monitoring team that is based in Darfur and that has the support of the United States.

(c) EXCEPTIONS.—The provisions of subsection (b) shall not apply to—

(1) humanitarian assistance;

(2) assistance for Darfur and for areas outside the control of the Government of Sudan; and

(3) assistance to support implementation of the Comprehensive Peace Agreement or the Darfur Peace Agreement.

(d) DEFINITIONS.—For the purposes of this Act and section 501 of Public Law 106-570, the terms "Government of Sudan", "areas outside of control of the Government of Sudan", and "area in Sudan outside of control of the Government of Sudan" shall have the same meaning and application as was the case immediately prior to June 5, 2004, and, Southern Kordofan/Nuba Mountains State, Blue Nile State and Abyei shall be deemed "areas outside of control of the Government of Sudan".

PEACE CORPS PERSONAL SERVICES CONTRACTORS SEPARATION PAY

SEC. 570. (a) ESTABLISHMENT.—There is established in the Treasury of the United States a fund for the Peace Corps to provide separation pay for host country resident personal services contractors of the Peace Corps.

(b) FUNDING.—The Director of the Peace Corps may deposit in such fund—

(1) amounts previously obligated and not canceled for separation pay of host country resident personal services contractors of the Peace Corps; and

(2) amounts obligated for fiscal years after 2006 for the current and future costs of separation pay for host country resident personal services contractors of the Peace Corps.

(c) AVAILABILITY.—Beginning in fiscal year 2007 and thereafter, amounts in the fund are available without fiscal year limitation for severance, retirement, or other separation payments to host country resident personal services contractors of the Peace Corps in countries where such pay is legally authorized.

POINT OF ORDER

Mr. BOOZMAN. Mr. Chairman, I make a point of order that the language on page 127, line 5 through line 24 is not in order because it violates clause 2 of rule XXI which prohibits legislation in an appropriations bill.

The CHAIRMAN. Does the gentleman from Arizona wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, I concede the point of order against that language dealing with separation pay for the Peace Corps.

The CHAIRMAN. The gentleman concedes the point of order. It is therefore sustained, and section 570 of the bill is stricken.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 136, line 5 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The text of the remainder of the bill through page 136, line 5 is as follows:

EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTH EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES

SEC. 571. Notwithstanding section 516(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during fiscal year 2007, funds available to the Department of Defense may be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of section 516 of such Act to Albania, Afghanistan, Bulgaria, Croatia, Estonia, Former Yugoslavian Republic of Macedonia, Georgia, India, Iraq, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Tajikistan, Turkmenistan, and Ukraine.

CUBA

SEC. 572. None of the funds appropriated by this Act under the heading "International Narcotics Control and Law Enforcement" may be made available for assistance to the Government of Cuba.

GENDER-BASED VIOLENCE

SEC. 573. Programs funded under titles II and III of this Act that provide training for foreign police, judicial, and military officials, shall include, where appropriate, programs and activities that address gender-based violence.

LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE FOR CERTAIN FOREIGN GOVERNMENTS THAT ARE PARTIES TO THE INTERNATIONAL CRIMINAL COURT

SEC. 574. (a) None of the funds made available in this Act in title II under the heading "Economic Support Fund" may be used to provide assistance to the government of a country that is a party to the International Criminal Court and has not entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(b) The President may, with prior notice to Congress, waive the prohibition of subsection (a) with respect to a North Atlantic Treaty Organization ("NATO") member country, a major non-NATO ally (including Australia, Egypt, Israel, Japan, Jordan, Argentina, the Republic of Korea, and New Zealand), Taiwan, or such other country as he may determine if he determines and reports to the appropriate congressional committees that it is important to the national interests of the United States to waive such prohibition.

(c) The President may, with prior notice to Congress, waive the prohibition of subsection (a) with respect to a particular country if he determines and reports to the appropriate congressional committees that such country has entered into an agreement with the United States pursuant to Article 98 of the Rome Statute preventing the International Criminal Court from proceeding against United States personnel present in such country.

(d) The prohibition of this section shall not apply to countries otherwise eligible for assistance under the Millennium Challenge Act of 2003, notwithstanding section 606(a)(2)(B) of such Act.

TIBET

SEC. 575. (a) The Secretary of the Treasury should instruct the United States executive director to each international financial institution to use the voice and vote of the United States to support projects in Tibet if such projects do not provide incentives for the migration and settlement of non-Tibetans into Tibet or facilitate the transfer of ownership of Tibetan land and natural resources to non-Tibetans; are based on a thorough needs-assessment; foster self-sufficiency of the Tibetan people and respect Tibetan culture and traditions; and are subject to effective monitoring.

(b) Notwithstanding any other provision of law, not less than $4,000,000 of the funds appropriated by this Act under the heading "Economic Support Fund" should be made available to nongovernmental organizations to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in the Tibetan Autonomous Region and in other Tibetan communities in China, and not less than $250,000 should be made available to the National Endowment for Democracy for human rights and democracy programs relating to Tibet.

WESTERN HEMISPHERE

SEC. 576. (a) Of the funds appropriated by this Act under the headings "Child Survival and Health Programs Fund" and "Development Assistance", not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2006 should be made available for El Salvador, Guatemala, Nicaragua and Honduras.

(b) In addition to the amounts requested under the heading "Economic Support Fund" for assistance for Nicaragua and Guatemala in fiscal year 2007, not less than $1,500,000 should be made available for electoral assistance, media and civil society programs, and activities to combat corruption and strengthen democracy in Nicaragua, and not less than $1,500,000 should be made available for programs and activities to combat organized crime, crimes of violence specifically targeting women, and corruption in Guatemala.

(c) Funds made available pursuant to subsection (b) shall be subject to prior consultation with the Committees on Appropriations.

(d) Of the funds appropriated in title II of this Act, not less than the amount of funds initially allocated pursuant to section 653(a) of the Foreign Assistance Act of 1961 for fiscal year 2006 in the aggregate for countries of the Western Hemisphere should be made available for such puposes in this bill.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

SEC. 577. (a) AUTHORITY.—Up to $81,000,000 of the funds made available in this Act to carry out the provisions of part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", may be used by the United States Agency for International Development (USAID) to hire and employ individuals in the United States and overseas on a limited appointment basis pursuant to the authority of sections 308 and 309 of the Foreign Service Act of 1980.

(b) RESTRICTIONS.—

(1) The number of individuals hired in any fiscal year pursuant to the authority contained in subsection (a) may not exceed 175.

(2) The authority to hire individuals contained in subsection (a) shall expire on September 30, 2008.

(c) CONDITIONS.—The authority of subsection (a) may only be used to the extent that an equivalent number of positions that are filled by personal services contractors or other nondirect-hire employees of USAID, who are compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", are eliminated.

(d) PRIORITY SECTORS.—In exercising the authority of this section, primary emphasis shall be placed on enabling USAID to meet personnel positions in technical skill areas currently encumbered by contractor or other nondirect-hire personnel.

(e) CONSULTATIONS.—The USAID Administrator shall consult with the Committees on Appropriations at least on a quarterly basis concerning the implementation of this section.

(f) PROGRAM ACCOUNT CHARGED.—The account charged for the cost of an individual hired and employed under the authority of this section shall be the account to which such individual's responsibilities primarily relate. Funds made available to carry out this section may be transferred to and merged and consolidated with funds appropriated for "Operating Expenses of the United States Agency for International Development".

(g) MANAGEMENT REFORM PILOT.—Of the funds made available in subsection (a), USAID may use, in addition to funds otherwise available for such purposes, up to $10,000,000 to fund overseas support costs of members of the Foreign Service with a Foreign Service rank of four or below: *Provided*, That such authority is only used to reduce USAID's reliance on overseas personal services contractors or other nondirect-hire employees compensated with funds appropriated to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States".

(h) DISASTER SURGE CAPACITY.—Funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, including funds appropriated under the heading "Assistance for Eastern Europe and the Baltic States", may be used, in addition to funds otherwise available for such purposes, for the cost (including the support costs) of individuals detailed to or employed by the United States Agency for International Development whose primary responsibility is to carry out programs in response to natural disasters.

RESCISSIONS

SEC. 578. (a) Of the funds provided in title IV of Public Law 109-102, under the heading "Funds Appropriated to the President, International Financial Institutions, Contribution to the International Development Association", $188,100,000 is hereby rescinded.

(b) Of the funds appropriated in Public Law 109-102 under the heading "Economic Support Fund" that are available for assistance and under such heading in prior Acts making appropriations for foreign operations, export financing, and related programs, $200,000,000 are hereby rescinded: *Provided*, That such amount shall be derived only from funds not yet expended for cash transfer assistance.

OPIC TRANSFER AUTHORITY

(INCLUDING TRANSFER OF FUNDS)

SEC. 579. Whenever the President determines that it is in furtherance of the purposes of the Foreign Assistance Act of 1961, up to a total of $30,000,000 of the funds appropriated for programs in Iraq under title II of this Act may be transferred to and merged with funds appropriated by this Act for the Overseas Private Investment Corporation Program Account, to be subject to the terms and conditions of that account: *Provided*, That such funds shall not be available for administrative expenses of the Overseas Private Investment Corporation: *Provided further*, That funds specially designated by this Act shall not be transferred pursuant to this section: *Provided further*, That the exercise of such authority shall be subject to the regular notification procedures of the Committees on Appropriations.

POINT OF ORDER

Mr. BOOZMAN. Mr. Chairman, I make a point of order that the language on page 135, line 17 through page 136, line 5 is not in order because it violates clause 2 of rule XXI which prohibits legislation in an appropriations bill.

The CHAIRMAN. Does the gentleman from Arizona wish to be heard on the point of order?

Mr. KOLBE. Mr. Chairman, I concede the point of order against this legislation, strongly desired by the administration regarding OPIC and Iraq.

The CHAIRMAN. The gentleman concedes the point of order. It is therefore sustained, and that portion of the bill is stricken.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I would like to begin by thanking the gentleman from Arizona (Mr. KOLBE) and the gentlewoman from New York (Mrs. LOWEY) for all of their hard work on this bill. I deeply appreciate their concern and their attention and responsiveness to my concerns about the need for U.S. assistance to Haiti.

I had planned early on to offer an amendment that would have added $20 million for Haiti in fiscal year 2007 in order to restore the funds that were cut from the supplemental appropriations bill for fiscal year 2006. However, I decided not to offer this amendment because I sincerely believe that the chairman and the ranking member have made a tremendous effort to protect funding for Haiti as much as possible in both the supplemental appropriations bill and the bill before us today.

Mr. Chairman, I have paid attention to Haiti, this very small, poor country in our hemisphere, because I think they have been the stepchild of foreign aid and foreign consideration by our own government and other governments in this hemisphere.

The people of Haiti have suffered a lot. The Republic of Haiti held elections on February 7, 2006, and many Haitians walked miles on election day to reach a polling station and waited for hours in line to exercise their right to vote. An overwhelming 2.2 million Haitians, more than 60 percent of registered voters, participated in these elections and demonstrated their commitment to democracy. Rene Preval was declared the winner of the presidential election after receiving over 51 percent of the vote in a crowded field of candidates.

Now, the challenges facing President Preval and the newly elected government are enormous. The people of Haiti have suffered tremendously in past years as a result of this poverty, political violence and natural disaster, and the newly elected government will need the support and assistance of the United States to ensure national reconciliation and sustainable development and to improve the lives of the Haitian people.

So I come today not only to congratulate and thank my friends and my colleagues, but to say that we have an opportunity to really reach out and help this small, poor country, a country where we have sided with dictators in the past, Papa Doc and Baby Doc and others who kept their foot on the necks of the poor, who sided with the elite and who have sided with outside interests to control the economics of Haiti. They have driven this country into the ground.

My greatest desire, I would say to Ranking Member LOWEY, is that they will get a water system. They don't have potable water in Haiti. My greatest desire is that we will have education for the kids and health centers. My greatest desire is that we will support a government with a justice system, with trained judges and a supreme court and courts that will be able to deal with the problems of violence and crime, et cetera. This will help so much.

I think what you have done here is sent a message to other potential funding sources. You are saying to IMF and to the World Bank and others that we really do care and we really do want to lend a hand and that we really believe in the possibilities for Haiti. I want to thank you.

Mrs. LOWEY. Mr. Chairman, reclaiming my time, I thank the gentlewoman for her commitment for so many years to Haiti, and I certainly share her views and that commitment. I do hope with the leadership of Haiti that the people, the families, especially the children, can have the opportunities that all deserve. I look forward to continuing to work with you, with the chairman, to ensure that the United States is a strong partner, and working together we can reach the goals which you have expressed so eloquently.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

LIMITATION ON FUNDS RELATING TO ATTENDANCE OF FEDERAL EMPLOYEES AT CONFERENCES OCCURRING OUTSIDE THE UNITED STATES

SEC. 580. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State determines that such attendance is in the national interest: *Provided*, That for purposes of this section the term "international conference" shall mean a conference attended by representatives of the United States Government and representatives of foreign governments, international organizations, or nongovernmental organizations.

LIMITATION ON ASSISTANCE TO FOREIGN COUNTRIES THAT REFUSE TO EXTRADITE TO THE UNITED STATES ANY INDIVIDUAL ACCUSED IN THE UNITED STATES OF KILLING A LAW ENFORCEMENT OFFICER

SEC. 581. None of the funds made available in this Act for the Department of State may be used to provide assistance to the central government of a country which has notified the Department of State of its refusal to extradite to the United States any individual indicted in the United States for killing a law enforcement officer, as specified in a United States extradition request, unless the Secretary of State certifies to the Committees on Appropriations in writing that the application of the restriction to a country or countries is contrary to the national interest of the United States.

AMENDMENT NO. 14 OFFERED BY MR. MCHENRY

Mr. MCHENRY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Mr. MCHENRY:

Page 137, line 11, strike ", unless" and all that follows through "United States" on line 15.

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from North Carolina (Mr. MCHENRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MCHENRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all I would like to commend Chairman KOLBE for his dedication and steadfast leadership here in the United States House of Representatives, and in particular his leadership on this very important appropriations subcommittee. Chairman, you are going to be sorely missed here in Congress, but we know that you are going to continue to fight the good fight for the right issues and the right values going forward. Thank you for your service to your constituents and your Nation.

Mr. Chairman, I rise to speak today and I offer an amendment to this end to speak to a growing problem in our Nation where criminals who commit violent crimes, including murdering law enforcement officers, these criminals are illegal immigrants, some of them. Some are immigrants. These folks sometimes flee the Nation and they flee to nations that refuse to extradite them back to the United States of America so they can be dealt with in our justice system, and those nations have been refusing to extradite these criminals because of our tough laws on criminals, including life imprisonment.

There is language in this bill that addresses these concerns, but there is one big problem: it gives the State Department the power to issue waivers to foreign countries which allow these countries to continue receiving taxpayer funding even if they refuse to extradite these criminals to the United States.

My amendment strikes the State Department's ability to issue waivers to foreign countries that refuse to extradite cop killers so they will stand trial here in the United States where their crime was committed or allegedly committed.

I offered the original amendment last year with Congressman BEAUPREZ of Colorado without this waiver provision. It passed by a vote of 327-98 on this House floor. The amendment would return section 581 to its original intent: no funds should go to a foreign country refusing to extradite to the United States any individual accused in the United States of killing a law enforcement officer.

In 2002, Mr. Chairman, a convicted felon who had been deported three times allegedly shot and killed a Los Angeles County sheriff following a routine traffic stop before fleeing to Mexico, where he remains today. That police officer was murdered, and that criminal, that man accused, is free today in Mexico.

The U.S. should not be forced to plea bargain with other countries in order to try criminals, especially cop killers, in our courts. As a good neighbor and a country built on respect for law, Mexico should fully understand and comply with their obligations to return cop killers to the United States to stand trial. Killing a police officer is one of the most egregious crimes, and we should have the right to seek justice for the families of the slain officers.

Mr. Chairman, when countries do not extradite violent criminals, it actually creates a perverse and twisted incentive to even commit greater violent crimes here and run back to their countries. The more violent the crime, the tougher the sentence here in the United States, which is right, that is good; and the tougher the sentence, the less likely they are going to be extradited. That is a very perverse and twisted incentive for violent crimes.

So the U.S. should not be obliged to give foreign aid to these countries refusing to extradite these violent criminals back to the United States where they justly should be given the trial they deserve, and foreign aid money should not go to these countries that will not abide by reasonable laws that we have on the books.

I ask my colleagues to vote for this amendment. It is a commonsense amendment that puts teeth back into the original legislation and will put pressure on countries who gladly take our money while protecting the most vile criminals from prosecution.

Mr. Chairman, I yield back the balance of my time.

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition, though I do not intend to oppose this.

The CHAIRMAN. Without objection, the gentleman from Arizona may control the time in opposition and is recognized for 5 minutes.

There was no objection.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as the gentleman from North Carolina has explained, his amendment seeks to strike the waiver provision that we have in section 581 of this bill. That section limits the availability, as he has described, of assistance to foreign countries that refuse to extradite to the United States any individual accused in the United States of killing a law enforcement officer. Certainly, as he has said, we want to pursue to the farthest ends of this Earth anybody that is accused of killing a law enforcement officer here in the United States.

The provision does also include authority for the Secretary to provide assistance if she certifies to the Committee on Appropriations that the application of the restriction to a country or countries is contrary to the national interests of the United States.

Now, I acknowledge that that language was not in the bill when we passed it last year. It was added in conference. So what we brought to the floor this year is exactly the language that was enacted into law last year, but the provision that he seeks to strike was language that was not included in the House-passed bill last year.

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And given that understanding, that what his amendment would do is to simply return the language in this bill to that that we passed on the floor of the House last year, given that understanding, I am prepared to accept this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. McHenry).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL MONETARY FUND BUDGET AND HIRING CEILINGS

Sec. 582. The Secretary of the Treasury shall instruct the United States Executive Director at the International Monetary Fund to use the voice of the United States to ensure that any loan, project, agreement, memorandum, instrument, plan or other program of the Intenational Monetary Fund does not penalize countries for increased government spending on healthcare or education by exempting such increases from national budget caps or restraints, hiring or wage bill celings or other limits imposed by the International Monetary Fund.

GOVERNMENTS THAT HAVE FAILED TO PERMIT CERTAIN EXTRADITIONS

Sec. 583. None of the funds made available in this Act for the Department of State, other than funds provided under the heading "International Narcotics Control and Law Enforcement", may be used to provide assistance to the central government of a country with which the United States has an extradition treaty and which government has notified the Department of State of its refusal to extradite to the United States any individual indicted for a criminal offense for which the maximum penalty is life imprisonment without the possibility of parole, unless the Secretary of State certifies to the Committees on Appropriations in writing that the application of this restriction to a country or countries is contrary to the national interest of the United States.

AMENDMENT NO. 13 OFFERED BY MR. DEAL OF GEORGIA

Mr. DEAL of GEORGIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. Deal of Georgia:

Page 138, beginning on line 12, strike "indicted for" and insert "charged with".

Page 138 line 14, strike ", unless" and all that follows through "United States" on line 18.

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from Georgia (Mr. Deal) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. DEAL of Georgia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is similar to the one we have just discussed that Mr. McHenry was talking about, except that it is broader in the context of dealing with not just those who would kill cops, but those who would kill other citizens in our country, who would rape our children and our women, who would sell and deal in distributing major drugs in our country, in other words major criminals who commit these crimes within our borders and then flee back across the border.

Mr. Chairman, I would suggest that this is similar also in that what the chairman has done, and I commend him for this, is that he has put into the base bill the language that was adopted in the conference committee last year.

As in the similar situation previously, it contains a waiver provision for the Secretary of State to waive the provisions for a country that refuses to extradite under the terms of this language.

The only other exception from that variation is that it uses the words that an individual must be indicted. The language we have used, and the language that is consistent in most extradition treaties is charged.

There is a legal difference between the two. My amendment would change the language back to the way it was when it passed the House last year, to an individual who is charged rather than having to be indicted, and then strikes the language that allows the State Department to waive the provisions of this part of the Act.

Now, I believe the chairman probably is going to receive this favorably, and I would thank him in advance for that. But I would say to him that I had a second amendment that I will not offer, but I would call it to his attention and ask that he consider the merits of it, because it deals with some more of the technicalities of extraditions.

It deals with a country that would, rather than dealing with a specific individual extradition, just simply issues a broad statement that we will not extradite anyone if they face punishment of 20 years or 25 years.

And the language that we have is tailored to individuals, not blanket-type waivers. The other part is, that if they simply do not respond to an extradition request, we think those are technical areas that ought to be examined. I do commend the chairman not only for his willingness to insert and agree to this kind of language, but also for his long service in the interest in this year.

Mr. Chairman, I yield to the chairman at this time.

Mr. KOLBE. Mr. Chairman, I thank the gentleman from Georgia for yielding.

Mr. Chairman, as he has explained what his amendment would do, and as we did with the previous amendment offered by the gentleman from Carolina we would return this particular provision back to the same as the House adopted last year.

And with that understanding, I am certainly willing to accept this. The gentleman has also said that he will not offer the other amendment which does expand the authorities. He has asked us to consider that. We certainly can consider that in the conference committee.

But, as long as we are returning this to the provisions added last year, I would certainly ask that we leave it as it was last year, and not expand the authority either here on the floor.

With that understanding, I accept the gentleman's amendment.

Mr. DEAL of Georgia. Mr. Chairman, reclaiming my time.

Mr. Chairman, I thank the gentleman for that. I would say in conclusion that I hope that the State Department will deal in better faith in dealing with issues such as waivers. I know the chairman and others in the conference are going to be under extreme pressure from the State Department to reinsert waiver language.

But I would say when we give the State Department discretion in the nature of a waiver, they owe it to this Congress, out of respect for what we think is important about extraditing people who have committed the most heinous crimes against our citizens, and for whom those countries are receiving taxpayer dollars and assistance, to do more than they did last year in a one-sentence waiver that made no distinction between those countries that were trying and those countries that were not.

I thank again the chairman. I urge him to stand firm on this issue.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. DEAL).

The amendment was agreed to.

Mr. KOLBE. Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 146, line 21 be considered as read, printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The text of the remainder of the bill through page 146, line 21 is as follows:

REPORTING REQUIREMENT

SEC. 584. The Secretary of State shall provide the Committees on Appropriations, not later than April 1, 2007, and for each fiscal quarter, a report in writing on the uses of funds made available under the headings "Foreign Military Financing Program", "International Military Education and Training", and "Peacekeeping Operations": *Provided*, That such report shall include a description of the obligation and expenditure of funds, and the specific country in receipt of, and the use or purpose of the assistance provided by such funds.

ASSISTANCE FOR DEMOBILIZATION AND DISARMAMENT OF FORMER IRREGULAR COMBATANTS IN COLOMBIA

SEC. 585. (a) AVAILABLITY OF FUNDS.—Of the funds appropriated in this Act, up to $20,000,000 may be made available in fiscal year 2007 for assistance for the demobilization and disarmament of former members of foreign terrorist organizations (FTOs) in Colombia, specifically the United Self-Defense Forces of Colombia (AUC), the Revolutionary Armed Forces of Colombia (FARC) and the National Liberation Army (ELN), if the Secretary of State makes a certification described in subsection (b) to the appropriate congressional committees prior to the intial obligation of amounts for such assistance for the fiscal year involved.

(b) CERTIFICATION.—A certification described in this subsection is a certification that—

(1) assistance for the fiscal year will be provided only for individuals who have: (A) verifiably renounced and terminated any affiliation or involvement with FTOs or other illegal armed groups; and (B) are meeting all the requirements of the Colombia Demobilization Program, including having disclosed their involvement in past crimes and their knowledge of the FTO's structure, financing sources, illegal assets, and the location of kidnapping victims and bodies of the disappeared;

(2) the Government of Colombia is providing full cooperation to the Government of the United States to extradite the leaders and members of the FTOs who have been indicted in the United States for murder, kidnapping, narcotics trafficking, and other violations of United States law;

(3) the Government of Colombia is implementing a concrete and workable framework for dismantling the organizational structures of foreign terrorist organizations; and

(4) funds shall not be made available as cash payments to individuals and are available only for activities under the following categories: verification, reintegration (including training and education), vetting, recovery of assets for reparations for victims, and investigations and prosecutions.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Appropriations and the Committee on International Relations of the House of Representatives; and

(B) the Committee on Appropriations and the Committee on Foreign Relations of the Senate.

(2) FOREIGN TERRORIST ORGANIZATION.—The term "foreign terrorist organization" means an organization designated as a terrorist organization under section 219 of the Immigration and Nationality Act.

OFFICE OF THE DIRECTOR OF TRADE CAPACITY ENHANCEMENT

SEC. 586. The Administrator of the United States Agency for International Development (USAID) shall create within USAID a new office of Trade Capacity Enhancement and designate a Director of that office: *Provided*, That this office shall be responsible for USAID's trade capacity building programs, coordinating the implementation of all programs developed by the State Department for trade capacity building and coordinating government-wide trade capacity building efforts of United States agencies: *Provided further*, That this office shall be responsible for ensuring that country strategic plans, as appropriate, include a trade capacity enhancement strategic goal and monitor the implemenation plan for achieving this goal.

ENHANCING WOMEN'S ECONOMIC OPPORTUNITIES

SEC. 587. (a) SUPPORT FOR WOMEN'S SMALL- AND MEDIUM-SIZED ENTERPRISES IN DEVELOPING COUNTRIES.

(1) IN GENERAL.—When carrying out enterprise development programs with funds appropriated in "Development Assistance", "Economic Support Funds", or otherwise made available in the Act for "Development Assistance", the Director of Foreign Assistance shall ensure that, where appropriate, such programs, projects, and activities meet the requirements of paragraph (2) of this subsection.

(2) REQUIREMENTS.—The requirements referred to in paragraph (1) are the following:

(A) In coordination with developing country governments and interested individuals and organizations, create or enhance laws, regulations, enforcement, and other practices that promote access to banking and financial services for women-owned small- and medium-sized enterprises, and eliminate or reduce regulatory barriers that may exist in this regard.

(B) Promote access to information and communication technologies (ICT) with training in ICT for women-owned small- and medium-sized enterprises.

(C) Provide training, through local associations of women-owned enterprises in record keeping, financial and personnel management, international trade, business planning, marketing, policy advocacy, and other relevant areas.

(D) Provide resources to establish and enhance local, national, and international networks and associations of women-owned small- and medium-sized enterprises.

(E) Provide incentives for nongovernmental organizations and regulated financial intermediaries to develop products, services, and marketing and outreach strategies specifically designed to facilitate and promote women's participation in small and medium-sized business development programs by addressing women's assets, needs, and the barriers they face to participation in enterprise and financial services.

(F) Seek to award contracts to qualified indigenous women-owned small and medium-sized enterprises, including for post-conflict reconstruction and to facilitate employment of indigenous women, including during post-conflict reconstruction in jobs not traditionally undertaken by women.

(b) TRADE BENEFITS FOR WOMEN IN DEVELOPING COUNTRIES.—The enterprise development and trade capacity promotion programs administered by the Department of State and the United States Agency for International Development shall incorporate the following objectives:

(1) Provide training and education to women's civil society, including those organizations representing poor women, and to women-owned enterprises and associations of such enterprises, on how to respond to economic opportunities created by trade preference programs, trade agreements, or other policies creating market access, including training on United States market access requirements and procedures.

(2) Provide capacity building for women entrepreneurs, including microentrepreneurs, on production strategies, quality standards, formation of cooperatives, market research, and market development.

(3) Provide capacity building to women, including poor women, to promote diversification of products and value-added processing.

(4) Provide training to official government negotiators representing developing countries in order to enhance the ability of such negotiators to formulate trade policy and negotiate agreements that take into account the needs and priorities of a country's poor, including poor women.

(5) Provide training to local women's groups in developing countries in order to enhance their ability to collect information and data, formulate proposals, and inform and impact official government negotiators representing their country in international trade negotiations of the needs and priorities of a country's poor, including poor women.

(c) REPORT TO CONGRESS.—Not later than 180 days after the enactment of this Act, the Director of Foreign Assistance shall report to the Committees on Appropriations on the implementation of the provisions of subsections (a) and (b) of this section.

AUTHORIZATION

SEC. 588. To authorize United States participation in, and appropriations for, the United States contribution to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund, the Inter-American Development Bank Act (22 U.S.C. 283 et seq.) is amended by adding at the end the following:

"SEC. 39. FIRST REPLENISHMENT OF THE RESOURCES OF THE ENTERPRISE FOR THE AMERICAS MULTILATERAL INVESTMENT FUND.

"(a) CONTRIBUTION AUTHORITY.—

"(1) IN GENERAL.—The Secretary of the Treasury may contribute on behalf of the United States $150,000,000 to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund.

"(2) SUBJECT TO APPROPRIATIONS.—The authority provided by paragraph (1) may be exercised only to the extent and in the amounts provided for in advance in appropriations Acts.

"(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—For the United States contribution authorized by subsection (a), there are authorized to be appropriated not more than $150,000,000, without fiscal year limitation, for payment by the Secretary of the Treasury.".

AMENDMENT NO. 12 OFFERED BY MR. TERRY

Mr. TERRY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. TERRY:

At the end of the bill (before the short title), insert the following:

LIMITATION ON FUNDS

SEC. 5xx. None of the funds made available in this Act may be used in contravention of section 2320(a) of title 18, United States Code.

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from Nebraska (Mr. TERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nebraska.

Mr. TERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment tries to protect one of America's greatest assets, and that is its intellectual properties, its creativity that has been trademarked.

Unfortunately, there have been incidents where U.S. tax dollars have been provided to various agencies outside of the borders who have used those taxpayer dollars to solicit the help from organizations or companies that have usurped America's trademarks or intellectual properties.

This amendment is simple. It ensures that the foreign assistance dollars are not used to support the importation of counterfeit goods and services. This amendment is a modification of a bill of which Mr. TIAHRT and I have authored, which has bipartisan support of 29 of my colleagues.

By the way, I will say that the major impetus of this bill is with the Gallup Organization, partly headquartered in my district, whose pooling is world renowned, but yet its trade name has been usurped for various purposes in parts of the world of which U.S. tax dollars unfortunately have gone to support.

So this is our effort.

Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from Nebraska for his leadership on this issue. We have the number one economy in the world. And since we took over that position, we have never looked back.

But today, we had better be looking over our shoulder. Other countries are rapidly gaining ground, and part of the problem is in our trade policy.

Mr. Chairman over the last generation, Congress has created barriers to keeping and creating jobs in America. The Economic Competitive Caucus has listed eight categories of these barriers that restrict the growth in our economy and restrict more American jobs.

One of these categories is securing trade policy, more trade agreements and opening markets to help create jobs. But we must also enforce the trade policy and the trade agreements that we have made, because if we do not, we will lose jobs.

Mr. Chairman, the gentleman from Nebraska (Mr. TERRY) has identified an unenforced portion of our statutes. His amendment closes a loophole, and protects the creative talents in America and saves American jobs.

We must protect against infringement of American ideas to protect these jobs and we do that by enforcing our trade agreements. This amendment will do just that. Please support the gentleman from Nebraska's amendment.

Mr. TERRY. Mr. Chairman, I thank the gentleman from Kansas.

Mr. Chairman, I yield to the gentleman from Arizona, the great chairman.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding.

This is a longstanding and actually a very complex trademark dispute between Gallup Organization and Gallup International. It has been the subject of legal action in a number of countries, the courts of a number of foreign countries.

USAID says that they are complying with the law, that they are following the law. In fact, Ambassador Tobias recently instructed his staff to take numerous steps to ensure that they are in compliance with the law.

He asked that, first, they develop contracting and procurement procedures to ensure the strict adherence to intellectual property rights be integral when evaluating prospective contractors and grantees.

Second, that they review current contracts and grants in question, which will be terminated if violations are discovered. And, third, for any product or material that is found to bear a counterfeit Gallup trademark, review it for proper disposition under relevant laws and regulations.

Mr. Chairman, they are very much involved in this, and are taking very direct and concrete steps to deal with that. However, having said that, I support certainly the concept that is behind this amendment. I would urge that we accept this.

Mr. TERRY. Reclaiming my time, I want to thank the chairman for those comments and pointing out the steps that have been taken. Those are reassuring. I thank you for accepting the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska (Mr. TERRY).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. MCGOVERN

Mr. MCGOVERN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. MCGOVERN:

At the end of the bill (before the short title), insert the following:

LIMITATION ON ASSISTANCE FOR THE WESTERN HEMISPHERE INSTITUTE FOR SECURITY COOPERATION

SEC. 5xx. None of the funds made available in this Act may be used for programs at the

Western Hemisphere Institute for Security Cooperation located at Fort Benning, Georgia.

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from Massachusetts (Mr. MCGOVERN) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, it has been many years since we last debated this issue. In 1999 the Republican-controlled House of Representatives voted to stop funding the U.S. Army School of the Americas. That vote so shook the Department of Defense that the following year, they brought a proposal to the Congress to close the SOA and organize a new school, the Western Hemisphere Institute for Security Cooperation.

In the past 5 years, we have continued to see the notorious legacy of the School of the Americas live on. To this day, human rights violation and criminal acts continue to be committed by its graduates. But what about the Western Hemisphere Institute itself?

While it is still in its early years, already we have seen the Institute welcome to its courses well known, well documented human rights violators. This has happened with the 2003 admittance of a Salvadorian colonel responsible for the 1983 massacre at Las Hojas. This case, and his name, were cited in the United Nations Truth Commission report in 1993, and even in our own State Department Country Reports.

The Institute accepted and trained in 2002 a major from Bolivia responsible for kidnapping and torture of Waldo Albarracin, who today serves as Bolivia's human rights ombudsman. This is a case that was presented to the OAS Human Rights Commission.

And three Colombian officers under investigation for personal use of counternarcotics funds, and let me add under investigation at the insistence of the United States Justice Department, were admitted to the Institute in 2003.

What possible kind of pre-vetting program could possibly let such notorious figures into its classes? Why are our tax dollars being spent on giving these guys a junket in Georgia? And if the WHINSEC cannot even screen out well known murderers and criminals, what about those who are less well known?

Mr. Chairman, Latin America is already walking away from the WHINSEC. Argentina and Uruguay recently announced they will no longer send any of its military or police to the school.

Enrollment from Latin America has been steadily falling over the past 3 years. In 2003, there were 1,190 students at the WHINSEC. This year there will only be 668. 77 percent of the students come from just five countries, mainly the Andean nations.

But while enrollment has declined by 40 percent, funding for the school has remained steady or slightly increased. U.S. soldiers are now attending the WHINSEC to fill up the classrooms.

Mr. Chairman, what are we doing here? I will tell you one thing that we are doing, we are sending the wrong signal to Latin America. We are telling them that we will not shut down the school that is anathema to civil society and human rights organizations throughout the hemisphere.

And if you wonder what the old School of the Americas has to do with all of this, well, let me just tell you. Every time someone gets murdered in Latin America today by someone trained at the School of the Americas, their family, friends and colleagues, they remember that the U.S. trained this guy at that notorious school. That school still exists for them.

It is at the same military base, in the same buildings with much of the same curriculum and the same teachers as the old school. Excuse me if they do not get the difference.

If you do not think this is happening, let me go back to the article that I referred to in the earlier debate, in Monday's Boston Globe about the military commander who orchestrated the ambush and murder of U.S.-trained antidrug police, a U.S. trained antidrug police unit in Colombia.

□ 1115

That Colombian commander was trained at the School of the Americas. So we have a U.S.-trained Army officer murdering U.S.-trained antidrug police. It makes no sense. We can let Latin America know that we get at our human rights by stopping some of the funding for this school which remains to this day a powerful symbol of U.S. fixation on the military to the detriment of military rights.

Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from Arizona is recognized for 15 minutes.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

Well, here we go. This is an old debate. It is an old amendment. Times have changed, but for some people things do not change. The school that is being described here, the Western Hemisphere Institute for Security Cooperation, we call it WHINSEC, is a Department of Defense education facility that Congress established in the year 2001. It replaces, as the gentleman has correctly pointed out, it replaces the School of Americas at Fort Benning, Georgia.

Now, WHINSEC provides future civilian as well as military and law enforcement, that is police officers, including U.S. military officers, professional education that helps support our democratic principles in this hemisphere. WHINSEC does that, promotes those democratic values and the respect for human rights and the knowledge and understanding of U.S. customs and tradition through the time that the officers spend there and through the curriculum that is developed there. The courses build strong relationships between the participating nations, helping to ensure peace and stability throughout the hemisphere.

This is a school that is open. Anyone can visit the campus, tour the building where the courses are taught, sit in classes, talk to the students and faculty. People are invited in as lecturers from outside. A large part of the curriculum in this program is devoted to human rights and to values. It seems to me that if what we really want in this hemisphere is a military in different countries that shares those values that we hold, that are dear to us, that we should be doing more, not less, of this, more training of these people.

Has anybody ever graduated from the School of the Americas in the past that turned out to be bad? Yes, of course. But I can tell you that far more have turned out to be people, honorable officers, who have upheld democracy, upheld democratic values, upheld the civil rights of the citizens in their countries than vice versa.

So what we are doing now with WHINSEC as it is revised and restructured, the curriculum for the program, we are doing a great deal more to help to train officers who share our values and who have a contact, a relationship with U.S. military officers so that when there is a problem that occurs in these countries, somebody that is a colonel in the Pentagon and served at WHINSEC with some colonel in a Latin American country, they can get on the phone and discuss and describe the problems that exist there. These kinds of relationships are important, and they cannot be done if you do not have face-to-face contact, if you do not have time the people spend together getting to know each other and talking about issues and learning about values, and that is the importance of WHINSEC.

This is a program like IMET that I believe in very strongly that ought to be expanded, not a program that we should be talking about cutting.

There is not an example that the gentleman I believe can cite of anybody at WHINSEC who has committed any crimes back in their country. It has two important missions, to teach future leaders and to foster cooperation between our country and those of Latin America. It offers 24 discrete courses. They are from 3 to 49 weeks long, and all are teaching U.S. military doctrine according to U.S. laws and our values. In fact, in every single one of the courses, at least 10 percent of the instruction is devoted directly to democracy and human rights issues. Students come from throughout the Western Hemisphere, even from Canada, as well as the United States; and it is the relationships that are developed there that are so important in the future, in years that pass, that come later when we need to have the contacts with these countries.

So, Mr. Chairman, while I understand the concerns that the gentleman from Massachusetts has expressed, I simply do not believe that the evidence bears it out. I simply do not believe that what this organization is doing is wrong. In fact, it is doing everything that we would want an organization to do in terms of training military officers of the future in Latin America to share the values that we have in this United States. I urge my colleagues to defeat this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Chairman, the following is a list of individuals that I cited in my opening remarks who are graduates of WHINSEC who have committed gross human rights violations against civilians:

Supporters of the WHINSEC consistently argue that nothing associated with the U.S. Army School of the Americas (SOA) should be taken into consideration when debating the merits of the WHINSEC. However, even at these early stages, the WHINSEC is repeating the mistakes of its predecessor organization.

Latin American nominees are supposed to be thoroughly vetted, but pre-screening of applicants remains inadequate. Amnesty International detailed in a 2002 report, Unmatched Power, Unmet Principles, the many loopholes and gaps that exist in the current screening process. Already a number of students with previously well-known, well-documented histories of human rights abuses have been awarded scholarships to attend the WHINSEC, including:

Colonel Francisco del Cid Diaz (El Salvador) attended the WHINSEC in 2003. In 1983, he commanded a unit responsible for a very notorious massacre of indigenous peoples at the Las Hojas Cooperative in Sonsonate, El Salvador. This was a high-profile human rights case, included in the list of cases congressionally mandated for investigation during that period, and cited annually in the State Department's Human Rights Country Reports throughout the 1980s. The United Nations Truth Commission on El Salvador, established under the terms of the 1992 Peace Accords, identified Col. Cid Diaz as the commander who ordered and led the massacre and recommended he be brought to justice. Ironically, he returned to attend the SOA in 1988 and 1991, even after the U.S. State Department had identified the unit most likely responsible for the Las Hojas massacre. He then returned to attend the WHINSEC in 2003.

Major Fillmann Urzagaste Rodriguez (Bolivia) attended the WHINSEC in 2002. In 1997, then Captain Fillmann Urzagaste Rodriguez was one of those responsible for the kidnapping and torture of Waldo Albarracin, who was then the director of the Popular Assembly for Human Rights in Bolivia; Mr. Albarracin is now the official Human Rights Ombudsman for the Government of Bolivia. At the time, the Bolivian Chamber of Deputies Commission undertook an investigation of the case and determined that it needed to be sent to the courts for further investigation and prosecution, where unfortunately it languished given the military impunity during that period. This same case is also the subject of a high-profile petition to the OAS Inter-American Commission on Human Rights. In 2002, Urzagaste Rodriguez, now a major, took a 49-week officer training course at the WHINSEC.

Captain Dario Sierro Chapeta, Lieutenant Colonel Francisco Patino Fonseca, and Captain Luis Benavides Guancha (Colombia) are all Colombian police officers under investigation for personal use of counter-narcotics funds. In June 2002, the Colombian Attorney General's office, at the request of the U.S. government, opened a "disciplinary" investigation into alleged activities of corruption by members of the Colombian National Police, including these three officers. The first two officers, namely Captain Sierro Chapeta and Lt. Col. Patino Fonseca, attended the WHINSEC in 2002 (it isn't clear whether the charges against the 3 were brought before, during or after their acceptance to the WHINSEC, but it was well known that their unit was under investigation). Captain Benavides Guancha attended the WHINSEC for 18 weeks in 2003, well after the targets he investigation were known to the Colombian and U.S. governments.

Mr. Chairman, I yield 2½ minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, let me thank the gentleman again for yielding me time and for this amendment, once again, to restrict all funding to the Western Hemisphere Institute for Security Cooperation, formerly known as the School of the Americas. And, quite frankly, people in Latin America are not fooled by this name change.

WHINSEC is a military training facility for Latin American security personnel located in Fort Benning, Georgia. For decades, WHINSEC has damaged our reputation in Latin America. In 1996, the Pentagon released reports explaining how the United States trained these students to participate and to lead torture, extortions, and executions in Latin America. And now many countries in the region are struggling to recover from decades of dictatorship, corruption, and human rights abuses.

We heard many gruesome stories this morning when I co-hosted a Congressional Human Rights Caucus breakfast for the Argentine and the Guatemalan forensic teams who helped solve many of these outstanding murders. Just mentioning the School of the Americas, quite frankly, is traumatic to the survivors and the family members of those who have been victimized by these graduates. And the victims are not just in Latin America.

On October 22, 2003, the Texas Brownsville Herald reported that the notorious Gulf Drug Cartel had hired 31 former Mexican soldiers to be part of its hired assassin force, the Zetas. The Zetas have been implicated in murders throughout Texas, Arizona and New Mexico. According to the Mexican Minister of Defense, at least one-third of these ex-soldiers were trained at the School of the Americas as part of the elite Special Air Mobile Force Group.

And since there is no way for Congress to properly track or vet WHINSEC enrollees, who knows how many more victims there are? As more information is publicized about the action of these graduates, enrollment has steadily declined. There are 40 percent fewer enrollees since 2003. In March 2006, Argentina and Uruguay joined Venezuela and Bolivia in announcing that they no longer send students, military or police, for WHINSEC training. So please do not be fooled by the other side's rhetoric on the causes for the enrollment decline because these decisions were not made by political activists.

Some of these decision-makers have personally suffered family losses at the hands of military personnel who were trained at the School of the Americas. These leaders want to try to restore human rights protections and not taint the training of their police and military forces.

Despite the clear move of many Latin American leaders to distance themselves from this school, for some reason this budget continues to be increased. So a positive step to improve relations with Latin America would be to simply eliminate this institute.

Mr. KOLBE. Mr. Chairman, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Chairman, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Chairman, I rise in strong support of the McGovern-Lewis amendment to cut funds for the Western Hemisphere Institute for Security Cooperation, WHINSEC, the successor organization to the U.S. Army School of the Americas.

Sadly, despite a shameful history of training and support from some of our hemisphere's worst known human rights abusers, the only thing that has changed is the name. Funding an institution that has been directly responsible for the training of foreign soldiers who have perpetrated horrific atrocities against civilian populations is not the way to accomplish our foreign policy goals or more security in the region. Besides, enrollment has declined by 40 percent at WHINSEC, yet our funding for it remains constant, and the cost to maintain operations at the institute have gone up year after year.

I traveled with Mr. MCGOVERN to Colombia in 2001. We visited the Peace Community of San Jose de Apartado. We talked to community leaders, the families and children. They just wanted to live in peace, free from conflict and arms. We also met with military forces in the area, and they denied any involvement in past atrocities.

On February 21 and 22, eight members of the San Jose de Apartado Peace Community, including three young children, were brutally massacred. Witnesses identified the killers as members of the Colombian military. And peace community members saw the army's 17th Brigade in the area at the time of the murders.

General Hector Jaime Fandino Rincon is the commander of the 17th Brigade of the Colombian Army, the unit implicated in the massacre. This man received training and planning in conducting what they call "small unit tactical operations" at the institute, at WHINSEC.

In December of 2004, he was promoted to the rank of brigadier general. Since the massacre, the Colombian administration of Alvaro Uribe has done little to investigate the murders. Sadly, this is not an isolated matter. It is an unacceptable record at WHINSEC, an unacceptable legacy, and a shameful policy. We should all support this amendment.

Mr. KOLBE. Mr. Chairman, I yield 2½ minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, once again I think the well-intended but misinformed would like to cut the Western Hemisphere Institute for Security Cooperation funding.

Now, what the cafe latte crowd has in mind is that these terrorists are only misunderstood individuals, that they probably need counseling. Maybe we should send them some social assistance to straighten them out, but certainly we should not train military.

In fact, we found with narcoterrorists, narcoterrorists have better training and better equipment than the native military population that is trying to stabilize some of these countries like in Colombia. Not only do they have better equipment and training and do more destruction, but they also have the money because they mostly finance their operations through narcoterrorism.

What they want to do is tie the hands of those countries that are helping us to stabilize those countries, to bring some peace there, to bring narcoterrorism under control. So if we want to tie hands and put them right behind our back, cut the funds; and we will have poorly trained individuals who do not know the difference between human rights violations. In fact, we do insist on the very highest standards.

We have the opportunities to train these individuals and influence them to do the right thing and to conduct military exercises that are honest and open and well directed.

Again, these folks are very well intended, but I think if we just check the record of those who are trained by United States forces, you will see they are far better in executing their responsibilities. Tough enforcement does work. If you want to use examples, Mayor Giuliani down to Officer Thompson who is out here, you won't jaywalk at the corner of C street because we have tough enforcement with well-trained individuals.

Mr. MCGOVERN. Mr. Chairman, let me point out to the gentleman from Florida, we are not against the training of Latin American soldiers. We train over 20,000 Latin American soldiers each year, but only a fraction of them, fewer than 600, are actually trained at the School of the Americas. We want to shut the School of the Americas down because we believe it is anathema to America's commitments and America's human rights.

Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

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Mr. KUCINICH. Mr. Chairman, I rise in support of the amendment to prohibit funding for the Western Hemisphere Institute for Security Cooperation, otherwise known as the School of the Americas.

This combat-training facility for security personnel in Latin America is notorious for graduating human rights offenders. In its 59 years of existence, the School of the Americas has trained over 60,000 Latin American soldiers in counterinsurgency techniques, sniper training, commando and psychological warfare, military intelligence and interrogation tactics. These graduates have consistently targeted educators, union organizers, religious workers, student leaders, and others who work for the rights of the poor. Hundreds of thousands of Latin Americans have been victims of School of the Americas graduates.

For example, on February 21–22, 2005, eight members of the San Jose de Apartado Peace Community in Uraba, Colombia, were brutally massacred. Witnesses identified the killers as members of the Colombian military's 17th Brigade, commanded by a School of the Americas graduate.

In April of 2002, two School of the Americas graduates helped lead a failed coup in Venezuela against democratically elected President Hugo Chavez.

In 1980, two of the three killers of Archbishop Oscar Romero of El Salvador were graduates of the School of the Americas. Also in 1980, 10 of the 12 officers responsible for the murder of 900 civilians in the Salvadoran village, El Mozote, were School of the Americas graduates.

The abuses by School of the Americas graduates have local resonance with me as well. In Cleveland, Ohio, in 1980, our Clevelanders Sisters Dorothy Hazel and Jean Donovan, along with two other churchwomen from the United States, Sister Maura Clarke and Sister Ita Forde, were raped and murdered by members of the armed forces of El Salvador. Three of the five officers involved were graduates of the School of the Americas.

In the words of former Panamanian President Jorge Illueca, the School of the Americas is the "biggest base for destabilization in Latin Americas." It is time to close it.

Mr. KOLBE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. GINGREY) where the school at Fort Benning is located.

Mr. GINGREY. Mr. Chairman, I thank the chairman for yielding.

WHINSEC is a Department of Defense institute that instructs current and future civilian, military and law enforcement leaders from Nations in the Western Hemisphere.

It was created in 2001 to replace the School of the Americas. The School of the Americas, as a Cold War legacy program, was not meeting the needs and standards required to operate in the world's new security environment.

Its goals, which were set by Congress, explicitly include strengthening democracy, instilling a respect for the rule of law, and honoring human rights.

WHINSEC's curriculum, and I have been there, I am on the board of visitors, WHINSEC's curriculum includes instruction in leadership development, peace support, counterdrug operations, disaster preparedness and relief planning.

As mandated by Congress, WHINSEC formulated and implemented a human rights training program that, Mr. Chairman, is among the best offered by military educational institutions in this hemisphere. All students and instructors, without exception, receive comprehensive human rights instruction and training.

So I strongly disagree with this impression created by the School of the Americas/WHINSEC critics that somehow all or most of the WHINSEC graduates are brutal and murderous thugs. In fact, more than 61,000 officers, noncommissioned officers and soldiers have graduated from or attended courses at these U.S. Army schools. They have helped foster a spirit of cooperation and interoperability among militaries throughout Central and South Americas.

The vast majority, Mr. Chairman, of graduates have contributed positively to the region's transition to democracy, while helping to avoid interstate conflict in the hemisphere. While credible accusations of human rights abuses have been leveled against some graduates, most have served their Nation with honor and distinction.

In the interest of full disclosure, Mr. Chairman, I am a Catholic and I was educated by the Jesuits, and I understand the opposition that is coming from that direction of some abuses and torture, yes, that occurred 30 years ago, but this is a classic example, this amendment, of throwing the baby out with the bathwater. It would be equivalent to saying that we should shut down Fort Benning because of the My Lai massacre, and Lieutenant Calley that occurred in the Vietnam War.

It just does not make sense, and I am totally opposed to my good friend Mr. McGOVERN's amendment, and I respectfully ask my colleagues to vote "no."

Mr. McGOVERN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me tell my good friend from Georgia, maybe he did not hear my opening speech, but I cited a case that happened 2 weeks ago where a graduate of the School of the Americas was involved in killing counternarcotics police in Colombia.

The other thing is, I have heard from the gentleman from Georgia and the gentleman from Arizona that the vast majority of graduates from this school go on to serve their countries honorably. How do we know? There is no follow-up done by this school and the Department of Defense. The only reason we know about the notorious cases is because of the hard work that goes on by human rights organizations on the ground and people in our own State Department. That is how we know, but there is no follow-up. There is no basis to say that the majority go on to serve their countries honorably. We do not know that.

Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Chairman, I rise today in strong support of the amendment offered by my friend from Massachusetts (Mr. McGOVERN).

Not long into my first term in Congress back in 1993, an article was published in Newsweek titled, "Running a School for Dictators," about the School of the Americas. The School of the Americas was supposed to instill democratic values in foreign military officers, and it was exposed as being a breeding ground for murderers, thieves and common thugs.

I said at the time that "if the School of the Americas held an alumni reunion association meeting, it would bring together some of the most unsavory thugs in the Western Hemisphere." Thankfully, the School of the Americas was closed in 1999, but soon after WHINSEC opened in the same building, with much of the same faculty that had been part of the School of the Americas.

WHINSEC's record has been little better than the School of the Americas. Many of its graduates have returned to their home countries to repress, abuse and kill fellow citizens.

There can be no doubt that our own recent record on human rights leaves something to be desired. We have operated secret prisons, propped up corrupt regimes, and overlooked human rights abuses in others. The administration has done little to hide its contempt for international convictions on human rights, notably the Geneva Convention and the protections that it contains for enemy combatants.

Our own recent record has been bad enough, but we certainly do not need to be exporting techniques overseas by teaching them at WHINSEC. Our credibility in the world is at its lowest point in memory. The road back to respectability will be long and slow. Cutting funding to WHINSEC is a small step in the right direction.

The CHAIRMAN. The gentleman from Arizona (Mr. KOLBE) has 4½ minutes remaining. The gentleman from Massachusetts (Mr. McGOVERN) has ½ minute remaining.

Mrs. LOWEY. Mr. Chairman, I move to strike the last word.

I rise in support of this amendment. I am a cosponsor of a bill sponsored by the gentleman from Massachusetts that would accomplish a similar goal, and I appreciate the opportunity to discuss the issue of WHINSEC on the floor today.

What we are witnessing with regard to WHINSEC is a classic case of history repeating itself. For years, many Members of Congress and activists, including Maryknoll nuns based in my congressional district, fought to shut down the notorious School of the Americas. The school's very existence was undermining U.S. efforts to promote civilian control of the military and respect for human rights in Latin America. So the army closed the SOA and reopened it a few weeks later with a new name.

To quote William Shakespeare, "A rose by any other name would still smell as sweet." Indeed, WHINSEC is just another name for the School of the Americas, and neither of them passes the smell test. The same moral issues still plague the institution, and the U.S. military still refuses to take common-sense steps to fix the problem.

As my colleague from Massachusetts has pointed out, the vetting process for students at WHINSEC is still broken, resulting in known human rights abusers attending the school. DOD still refuses to monitor the careers of WHINSEC graduates, preferring to be kept in the dark about how U.S. military education is applied in Latin American countries. And past questions about the School of the Americas have still not been answered, giving us no basis on which to build a better, more credible and more effective program at WHINSEC.

I understand that the majority of WHINSEC's funding does not come from this bill, but I believe the amendment before us today provides an excellent opportunity to send the message that we still cannot stomach the continued reckless use of our military training dollars.

I urge my colleagues to support this amendment.

Mr. McGOVERN. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, if we want to let Latin America know that we get it on human rights, then let us shut down this notorious school. If we genuinely want to show Latin America that our priorities are not the military, but development and democracy, then let us establish a western hemisphere institute for judicial reform, for civil engineering, for local governance, for rural development, for human rights.

Let us show Latin America we get it on human rights, and by closing down this school, we also send a powerful signal to the rest of the world that human rights remains our highest priority.

I urge my colleague to support the McGovern-Lewis amendment to prohibit funds in this bill for WHINSEC.

Mr. KOLBE. Mr. Chairman, I yield myself the remaining time. Let me just close. I think we have had a thorough debate on this.

As I said, this is an issue that we have debated over and over again, and I think time and time again it has been shown that this program of training military and police officers in Latin America is one that is good, good for democracy, good for human rights, good for U.S. relationships with these countries in Latin America and Central America.

This is a program that is good for the United States. It is a program that is good for the countries that are involved. This is a program that, if anything, ought to be expanded. We should be doing more of this, more transfer of values from the United States to the people of these countries of the law enforcement and military of these countries is what we ought to want to be doing.

Bad things can happen either way. In 1992, Hugo Chavez conducted, he was not graduate of this, conducted a coup against the democratically-elected government in Venezuela. Are we to conclude from that, that if only he had gone to the School of the Americas, that everything would have been well? Probably not, but by the same token, one can hardly conclude that because somebody has gone to the School of the Americas and still ends up doing something that is bad, that overall it is bad for the United States or for their country or for the human rights or the citizens of that country because it is not.

It is a good program. It is a program that spreads democracy in the Western hemisphere. It is the kind of program we should be supporting, not the kind of program that we should be opposing, and I hope that my colleagues will soundly defeat this amendment as they have done in the past.

Mr. FARR. Mr. Chairman, I rise in strong support of the McGovern-Lewis Amendment that would eliminate funding to the Western Hemisphere Institute for Security Cooperation (WHINSEC), the successor institution to the School of Americas (SOA). I believe U.S. training of international military and police forces can further U.S. national security interest particularly in the field of civilian control of the military and promoting human rights. But WHINSEC has gone about training and educating Latin American military in exactly the wrong way.

The egregious human rights abusive by WHINSEC graduates in the 1980s and 1990s compelled the Defense Department to revise the curriculum and change the name of the school. But WHINSEC continues to fail the grade for adherence to human rights and the rule of law by its students. I support the McGovern amendment to send a message to our U.S. military leadership that Americans demand that their tax dollars be spent to uphold accepted norms of human rights behavior, much like Americans rejected U.S. torture practices abroad.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise today in opposition to the amendment offered by my good friend from Massachusetts.

I understand the concerns that prompted this amendment.

Nevertheless, I believe that prohibiting funds to WHINSEC would be wrong-headed and shortsighted.

As a member of the WHINSEC Board of Visitors, I've had the opportunity to see first-hand the training that takes place there. Respect for human rights is a fundamental component of the curriculum, and it is a top priority for the Commandant and the faculty.

WHINSEC has made significant and sustained efforts over the last several years to reach out to human rights groups—to show them the human rights training that is taking place, and to have them take an active role in that training through lectures, discussions, and other interactions with the students. Some groups choose to participate, others do not. But WHINSEC is making a serious effort to include them.

I've heard critics of WHINSEC say that "Latin America is walking away" from the Institute, but from what I've seen, nothing could be further from the truth. Enrollment is down only because many countries lack the funding to send their students. Why is that? Because we prohibit IMET funding for countries who haven't signed Article 98 agreements. That's an important issue—something we've been working on in the House Armed Services Committee—but it has nothing to do with other countries' interest or willingness to send students to WHINSEC.

On the Armed Services Committee, we've worked very hard over the years to promote regional security cooperation and military-to-military relationships with our allies around the world.

Nowhere is this effort more important than in Latin America. We must maintain strong ties with our partners in the region, or else we will wake up to find that our competitors—or even our enemies—have taken our place.

We cannot afford to let those relationships falter. And WHINSEC is a vital tool for strengthening security cooperation in the region.

I urge my colleagues to oppose this amendment.

Mr. KOLBE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MCGOVERN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MCGOVERN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 3 OFFERED BY MS. GINNY BROWN-WAITE OF FLORIDA

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. GINNY BROWN-WAITE of Florida:

At the end of the bill (before the short title), insert the following:

LIMITATION ON INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT ASSISTANCE FOR MEXICO

SEC. 5xx. Of the funds appropriated in this Act under the heading "INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT", not more than $39,000,000 may be available for assistance for Mexico.

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) and a Member opposed each will control 5 minutes.

Mr. KOLBE. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman will control the time in opposition.

The Chair recognizes the gentlewoman from Florida.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I yield myself such time as I may consume.

I thank the Chair for the opportunity to speak about this amendment on the Foreign Operations appropriations bill before us.

Let me remind my colleagues that the Mexican government publishes manuals giving advice to migrants on how to illegally enter and live in the United States without being detected. They are encouraging breaking our laws. Moreover, recently, if we recall, the Mexican government actually threatened to sue the United States if our government acts to strengthen and defend our southern border.

Imagine how surprised I was when the committee added another $1 million increase that Mexico will ostensibly use to strengthen its northern border.

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This increase is over the budget request in the International Narcotics Control and Law Enforcement section. My amendment will actually leave the $39 million included in the budget request for narcotics control and law enforcement untouched. Instead, my amendment eliminates that $1 million that the committee recommended to be used to help Mexico's northern border infrastructure.

Let's face it, they are not interested in defending and protecting their northern border, which is our southern border. In past years, Mexico actually spent the money appropriated for narcotics control and law enforcement in even a questionable manner. However, sending extra money to the Mexican Government to strengthen their borders is, I believe, as insane as it is unconscionable.

Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I do rise in opposition to the amendment offered by the gentlewoman. She proposes, as she said, to reduce the funding to Mexico for the International Narcotics Control Law Enforcement account that we call INCLE, from $40 million to $39 million. It is only a $1 million reduction, but it is symbolic, and I understand that; but as a symbol I think it runs counter to what we have been asking the Mexican Government to do, and that is to help us seal the border with regard to drug trafficking coming across the border.

I have the privilege of chairing the U.S.-Mexico Interparliamentary Group, and we met this year in Mexico, legislators, Members of Congress from both the United States and Mexico meeting there. We were struck, I think every member of the U.S. delegation was struck, by the degree of cooperation that we are seeing now from Mexico, particularly the Mexican policymakers, the congress, in struggling against the drug trafficking, and, actually, they have been very good on that for several years; but now the efforts they are making to help try and seal the border, it is certainly the most cooperation that we have seen in the last 20 years.

In fact, the Mexican congress has adopted unanimously a joint resolution expressing their commitment to helping resolve and expressing their acknowledgment that they have a responsibility for helping to control the problems of migration, illegal migration coming into the United States.

The bill that we brought before you is a very modest increase, the $1 million increase, over the previous year to Mexico to help to try and control the border. The majority of this goes to sustain border and port security by improving the ports of entry, improving the inspections at the ports of entry, more secure traffic laws, mobile interdiction teams, and national crime databases. These are all good things. These are the kinds of things we should want to support in criminal justice and institution-building in Mexico, and including the Office of the Attorney General and anticorruption programs. So I think it is a good program, and I think it is one that deserves to have support.

Let me be clear about one fact: the funds in this account are used by Mexico to help stop narcotics from entering the United States. Cutting funding in this area doesn't really hurt Mexico, because it isn't anything that has to do with their own law enforcement per se. It hurts our efforts to keep drugs off our streets and out of our schools.

I think this amendment won't have a huge effect, but as a symbol I think it is the wrong kind of symbol that we should be sending to Mexico, and I do oppose the amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, a week ago today I was actually on the Mexican border. I was in Texas, in El Paso. The sheriffs along the border, the ones on our side, are the ones doing the interdiction of the drugs. This amount, while it is $1 million, and I guess in Washington everybody says it is only a million, a million here, a million there starts to add up, but I would certainly encourage support for this amendment.

If we are going to spend that extra million dollars, I would rather give it to the sheriffs at the border patrol on our side of the border, where I know the money is well spent, and so I ask for the support of my colleagues for this amendment.

I yield back the balance of my time.

Mr. KOLBE. Mr. Chairman, I would just say again I think this is an ill-advised amendment, but, with that, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WEINER

Mr. WEINER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WEINER:

At the end of the bill (before the short title), insert the following:

PROHIBITION AGAINST DIRECT FUNDING FOR SAUDI ARABIA

SEC. 5xx. None of the funds made available in this Act may be obligated or expended to finance any assistance to Saudi Arabia.

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from New York (Mr. WEINER) and a Member opposed each will control 10 minutes.

Does the gentleman from Arizona seek to control the time in opposition?

Mr. KOLBE. I do, Mr. Chairman.

The CHAIRMAN. The gentleman will be recognized.

The Chair recognizes the gentleman from New York.

Mr. WEINER. Mr. Chairman, I yield myself such time as I may consume, and I rise to offer the Weiner-Burton-Crowley-Ferguson-Berkley amendment to prohibit all aid in this bill from going to the Saudi Arabians.

You might be asking a couple of questions. First, you might be asking why we would be offering any aid at all to the wealthiest nation on Earth; why we would be offering any aid at all to a nation that exports Wahabism, exports terrorism, has done nothing to help us in Iraq, and has, frankly, not been constructive. And on top of all that, why are we offering it when consistently, every single year, this House says we are not going to support it.

Well, we are back here again because we here in this House did not heed the admonition of President Bush after September 11 when he said, you know, nowadays, we have to not look at what nations say, we have to start looking at what they actually do. And the fact is that despite the great rhetoric of the people of Saudi Arabia and their government, they continue to be a force of hate in the world and continue to be a force that exports terrorism in the world.

Let me give you an example, just since we passed this bill last time. This is a quotation from the Saudi Ambassador from an ad in the New Republic on the back cover of September 12, 2005. It says: "Modernizing our school curricula to better prepare our children for the challenges of tomorrow, Saudi Arabia has vowed to fight evil with justice and challenge extremism with moderation and tolerance." That is what they say.

I am holding in my hand the government-sponsored textbook of the people of Saudi Arabia, Mr. Chairman. I am holding a book that is in classrooms today. Let me tell you some of the things they are teaching in the eighth grade from their textbooks today: "The apes are Jews, the keepers of the Sabbath, while the swine are the Christian infidels of the communion of Jesus."

That is what this textbook says the children in the eighth grade in Saudi Arabia are being taught today. And if we are to pass this bill as is, we are going to pass funding for Saudi Arabia from the U.S. taxpayers.

Let me show you what they are teaching in the ninth grade. This is the Saudi Ministry. This is the textbook that is issued by the government of Saudi Arabia: "The hour of judgment will not come until the Muslims fight the Jews and kill them." This is in a part of the world where we in this House, we in this country are trying to seek moderation and trying to seek tolerance. This is what they are teaching this year.

You know, I could read some other quotes, and among the quotes I can read are yours, Mr. KOLBE, Mr. Chairman, who has done a terrific job with this bill by and large and have served this House with great distinction. Every single year we say, well, the reason we are putting money in this bill is the Saudis are getting better.

Sure, 15 of the 19 homicide bombers on my city were Saudis; sure, 70 percent of the most wanted international terrorists are Saudis; sure, according to the State Department, 60 percent of all the funding exported is coming from the Saudis. But, still, they are getting better. They are getting better.

Mr. Chairman, this is what they are saying today.

I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I do rise in strong opposition to this amendment, and I yield myself such time as I may consume.

In this bill there is a total of $420,000 for Saudi Arabia. Now, just so we understand where these accounts are, the $20,000 we have heard about before, last year that is what we were arguing about, $20,000 in this entire bill when this amendment came up. And why do we have that in there? That is for providing a classroom space for the IMET, the International Military Education Training program, for IMET students.

Why do we have to provide one space? Because by giving them a grant for one space, they are then eligible to buy seats in the classes that they pay for at the somewhat reduced rate. So that is just simply a kind of a dues that are required in order to have them eligible for this program.

We have talked about IMET before. Again, it is similar to what we were just talking about a moment ago with regard to the WHINSEC program in Latin America. If we want to have American values of democracy and civil rights and justice transmitted to these countries, to these people, then we need to have that kind of program.

Now, the other $400,000 is new this year. Not a heck of a lot of money, but it is for nonproliferation, antiterrorism, and demining programs. This pays for American experts, bomb detection experts, criminal investigation experts to go and help train antiterrorism police in Saudi Arabia.

For heaven sakes, is this not something we want to do? Do we not want to train the Saudis to help the Saudis become better at detecting antiterrorism, at detecting terrorist attacks? Do we not want to help them try to deter those kinds of attacks against us and against their own society?

This is about the war on terror. And this amendment is about saying, no, we don't want Saudi Arabia involved in the war on terror; we don't believe they should be on our side in the war on terror, because we want to cut out the money that allows us to help the little bit that we have that allows us to help train those people.

So I understand the sentiment that is behind this. It is an easy kind of sentiment to scratch the surface and get to this kind of emotion, but it is not the right thing to do. It is clearly not the right thing to do. If we desire that the people of Saudi Arabia embrace a more Western tolerance and a value system, how do we expect them to learn to do that? If we want them to be a better partner in the war on terror, how do we expect them to do that if we are not willing to help train them?

This is absolutely the wrong signal for us to send, and I oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. WEINER. Mr. Chairman, I yield 2 minutes to one of the sponsors of this amendment, Mr. BURTON.

Mr. BURTON of Indiana. First of all, the Saudis don't need our money. They are one of the biggest oil producers in the world. And so why are we giving them $400,000 or $500,000 or a million, or whatever it happens to be?

I understand this is symbolic, but the fact of the matter is we want to send a message today to the Saudis. And the message is that we don't want them supporting Wahabism, which teaches hatred and teaches people to want to hate to the degree they would kill Christians and Jews and anybody that doesn't agree with them.

They are not only giving money to teach Wahabism in Saudi Arabia, but they are doing it in countries around the world. They are doing it in Canada, where 17 people were just captured the other day from a mosque up there that was teaching Wahabism and who were going to behead the Prime Minister of Canada.

Now, they should be very careful about where they are spending their money. And the way to let them know that is not to give them any of our money, which they don't need anyhow. They are also giving money to terrorist organizations like Hamas, and they are giving money to the families of people who blow themselves up, killing innocent women and children.

The Saudis should be responsible in using their money and teaching brotherly love and human rights and dignity of man instead of teaching Wahabism, which teaches just the opposite, hatred, murder, killing of people who don't agree with them and trying to spread in a prolific way the hatred of Wahabism.

I understand the concern of my colleague, but this is a signal that we are sending today. It is not going to amount to very much money, but it is a signal that needs to be sent to the Saudis that the world, not just the United States but the world, does not want organizations teaching hatred of Christians and Jews and anybody that doesn't agree with them. And that is being taught, as my colleague Mr. WEINER just pointed out very vividly on the floor.

In their textbooks, in their teaching they are teaching hatred, and that is not a thing we should be supporting in any way. And although this isn't much money, it is a message that should be sent, and I agree very strongly and hope everybody supports this amendment, as they did last year.

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Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume to respond very briefly to what the gentleman just said. I think what he just said demonstrates what this issue is all about: Are we talking about something that scratches the surface of emotions, or are we talking about something that is real.

The money is not symbolic. It is real. The $20,000 allows them to buy a seat at the IMET table. It allows them to send their students to the United States to be trained in western values, in democracy and justice.

The $400,000 is to pay for American experts to go over and train them in bomb detections and in criminal investigations. Is the gentleman saying we do not want them to be trained, we do not want them to participate? What does this have to do with Wahabism? Nothing. This has to do with whether or not they are going to be a partner in the war on terror.

But yes, you can reach beyond that to the emotion and you can do the wrong thing, which this amendment would do, which is to cut the money which enables them to participate in a significant way in the war on terror.

Mr. Chairman, I reserve the balance of my time.

Mr. WEINER. Mr. Chairman, I yield myself such time as I may consume.

But, Mr. Chairman, that is not what they are traveling around the world to do. They are traveling around the world, in the words of our own Department of Treasury, with the World Association of Muslim Youth. What are they doing? They are exporting Wahabism. They are setting up madrasahs all around the world. They are exploiting the kind of teaching that you and I do not agree with them, and we are giving them in this bill a 2,000 percent increase from what they got last year when this House said we had had enough.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. FERGUSON).

Mr. FERGUSON. Mr. Chairman, I want to thank the gentleman from New York for yielding me this time and his leadership on this issue.

I also want to thank and recognize the chairman of the subcommittee for his years of distinguished work in this House. I am a supporter of the bill on the floor today, but I am also deeply disappointed that it provides money for the Kingdom of Saudi Arabia.

Our own government continues to chronicle Saudi Arabia's continuing human rights abuses, their lack of religious freedom, and lack of rights for women. In 2005, the Department of State Report on Human Rights Practices called Saudi Arabia's human rights record "poor overall with continuing serious problems." Reported human rights violations include beatings, denial of fair trials, political prisoners, restrictions on civil liberties and discrimination against women, religions, and other minorities.

In December 2005, Saudi Arabia officially became a member of the World Trade Organization, despite the significant objections of a number of us here in this body. A key condition of their membership was that they would not longer participate in the Arab boycott of Israel, which is one of our key allies in the Middle East. But there are still credible reports that this condition even today has not been met.

The fact that their continued reassurances to our own diplomats prove to be all talk and no action is an affront to the United States and every other country in the WTO.

Saudi Arabia continues to be one of the biggest financial supporters of the Hamas-led Palestinian government, despite appeals by the United States to cut funding to this terrorist organization. How can the House of Representatives continue to send American taxpayer dollars to a country which supports a government led by a terrorist organization?

Last year, this House overwhelmingly passed this amendment in this same appropriations bill. Things have not changed for the Kingdom of Saudi Arabia.. We cannot continue to reward a country that has a poor human rights record, terrorist connections, and has continued to break promises made to the United States and the international community. We need to continue to hold them accountable for their actions. I urge my colleagues to join me in supporting this amendment.

Mr. KOLBE. Mr. Chairman, if we were sending, millions of dollars to support economic development in Saudi Arabia, as the gentleman from Indiana pointed out, they are a rich country, so as you pointed out, they are doing some bad things, I would agree with them. If we were sending millions of dollars for various projects in Saudi Arabia, I would agree with them.

But we are talking about training a police officer to have the tools to detect a terrorist attack. We are talking about fighting terrorism. This is so narrow and so focused. It is on counterterrorism, and that surely is what we want the Saudis to do, to have the skills to detect a terrorist attack in advance, to head it off, to investigate terrorist attacks and to be able to prosecute those people. Surely that is what we want to do.

We do not agree with the policies of Saudi Arabia. I do not agree with them, but I certainly want their police officers, I want their detectives to have the kinds of skills they need to go after terrorists, and that is what this amendment is about. This tiny amount of money is about that. We ought not to be taking this kind of step. It is more than symbolic. It has to do with very specific kinds of training that combats terrorism.

Mr. Chairman, I reserve the balance of my time.

Mrs. LOWEY. Mr. Chairman, I rise to strike the last word, and I yield to the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Mr. Chairman, I thank the gentlewoman for striking the last word and yielding me this time.

I have tremendous respect for my colleague, Mr. KOLBE, and his efforts, but I do rise in support of this amendment.

It's sad we are here today debating this, and I was tempted, quite frankly, to submit once again my testimony from last year because things have not changed in this year that has gone by. I have not seen a discernible change in the attitude of the Saudis towards their education system. They say there are changes made, but in reading The Washington Post and other publications, and as Mr. WEINER has demonstrated on the floor today, in reality, there has been no significant change.

There is still the teaching of the next generation of Saudis hatred towards Jews and towards Christians. That needs to change. You cannot just say you are our ally, and all is well; you have to show by deeds and actions that you are as well. You cannot say you are our ally and at the same time export that hatred to other countries like Bangladesh and Pakistan and Indonesia where unrest is fomenting towards the United States. You cannot be our ally and not show by deeds.

I do not think the amount of money that we are striking from this bill will make a difference to the Saudis in terms of their training of anti-terrorism. It is in their interest to fight the war on terror. It is in their interest to combat terrorism in their own country. But it is also in their interest, I believe, if they want a strong relationship with this country is to own up to what has been responsible for much of the terrorism that has been exported around the world: It is coming from Saudi Arabia.

Much of the money that has being exported around the world to madrasahs that are teaching fundamentalism is coming from Saudi Arabia. You can't have your cake and eat it, too. That is the message we are sending today. That is why I, once again, stand in strong support of the Weiner amendment, and I hope my colleagues send a strong message symbolically to Saudi Arabia that enough is enough. If you are on our side, then act like you are and prove it to us.

Mr. Chairman, I rise today in strong support of the amendment offered by my friend from New York, Mr. WEINER.

It's a sad state of affairs that we have to have this debate every year.

I felt the urge to use the same exact statement I made last year about all of the failings of Saudi Arabia because nothing has changed.

How long is the Administration going to ignore the Saudi support of terrorism?

The Saudis claim to be our allies, but at the same time they offer assistance in our war on terrorism, their people fund the terrorists who desire to attack us.

Nineteen of the 22 hijackers on 9/11 were Saudi.

Saudi blood money threatens those who support freedom and democracy.

They continue to export their repressive brand of Islam around the world, creating a new group of angry young men and women.

We must take a stand in this House and let the Saudis know that their time of extremism is over because we will not stand for it anymore.

Mrs. LOWEY. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from New York has 2½ minutes remaining.

Mr. WEINER. I have no further speakers, so I will use this time to wrap up.

The chairman of the subcommittee deserves an enormous amount of credit for through the years crafting excellent bills that have unified this House. Three hundred of us said last year, enough is enough, we are not going to provide aid to Saudi Arabia.

The fact that we still have it back this year makes you wonder why it is. But he posits the wrong question. He says what is so bad about having a 2,000 percent increase in the amount of funds we are going to provide Saudi Arabia? My colleagues, we should be asking a different question when we provide foreign aid. The question should be: Why should we? Why should we provide aid to a country that has systematically exported terrorism?

When Osama bin Laden left Saudi Arabia for the caves of Afghanistan, he did so with what some people think was close to $1 billion of cash in his pocket, Saudi blood money.

When Wahabism is spread worldwide, this virulent form of Islamic teaching that is outside anyone's realm of understanding about why you would teach young people to hate, as I showed from this textbook from this year, the Saudi government is doing that.

When we look at the numbers of Saudi citizens that are being exported around the world and committing acts of terror, when we look at the fact that the Saudis said again and again we are going to shut down these bank accounts that fund terrorism, and again and again it has been proven that they haven't done it, the question should be: Why are we providing any aid to them? Never mind a 2,000 percent increase from last year, why provide any aid?

And this legislation is very simple. It says let us have a good foreign aid bill, but not a 2,000 percent increase to the Saudis when they have lied to us. They said they were going to close down "Account 98" used to fund terrorism. As of today, it is open.

They said they were going to change their teachings to make them more tolerant. As of today, they have not.

They said they were going to stop exporting Wahabism. As of today, the World Association of Muslim Youth is still being funded by them and exporting the worst type of terrorism.

My colleagues, I urge you to support the Weiner-Burton-Crowley-Ferguson-Berkley amendment. Let's make this a good foreign aid bill that doesn't include foreign aid to people who have lied to us and exported terrorism. Let's not provide a 2,000 percent increase in aid to the Saudis. I urge a "yes" vote.

Mr. KOLBE. Mr. Chairman, I yield myself the balance of my time and just say very quickly that a 2,000 percent increase is a bogus argument. There was $20,000 last year. There is $420,000 this year because we have $400,000 for terrorist training specifically to pay for the salaries of American experts who go over there to train their police. It is not the percentage amount that we are talking about here. It is, should we be doing this kind of work at all; and the answer, I think, if you believe we should be fighting the war on terror and that we should be fighting it where we can find it, wherever we can find police forces that need to be trained, we ought to be doing it with the Saudis, and that is all this is about. I urge defeat of the amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WEINER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. KING of Iowa:

At the end of the bill (before the short title), insert the following:

LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE FOR MEXICO

SEC. 5xx. None of the funds made available in this Act under the heading "ECONOMIC SUPPORT FUND" may be used to provide assistance for Mexico.

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

Mr. KOLBE. I rise to claim the time in opposition.

The CHAIRMAN. The gentleman from Arizona will control the time in opposition.

The Chair recognizes the gentleman from Iowa for 5 minutes.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

The amendment that I offer today is an amendment that supports the continuing philosophy of the Nethercutt amendment of 2004 that removes funds that go to the economic support fund in Mexico if they do not comply with an Article 98 order, which says that they would not send an American citizen to the International Criminal Court.

Mexico is slated to cash in big on foreign aid contained in H.R. 5522. The House report would allocate $40 million in assistance to Mexico while the President's fiscal year 2007 budget request estimates that they will receive $62.9 million in various forms of aid through this bill.

My amendment would prohibit sending economic support funds to Mexico, and that is about $9 million. And despite spending over $31 million in economic support funds since 2004, the Mexican government has not show any progress towards real reform.

Mexico is rife with corruption. Their politicians can steal, bribe, and commit fraud and avoid jail time since crimes are not always treated seriously, especially these crimes of fraud, regardless of the amount of money stolen. A case in point would be $90 million that was diverted, and that is U.S. dollars, diverted from PEMEX, which is Mexico's nationally-owned oil company, to illegally finance the 2000 presidential campaign by the PRI. And yet even though they have been fined, they can pay their payments in installments, and there has been no jail time. This is indicative with what we are faced with down there. And with all of the money that has gone in under this fund, I cannot measure that there has been any kind of significant results.

Now they are prohibited from advancing these funds, even though they have been appropriated, unless Mexico agrees under an Article 98 agreement that even though they have joined the International Criminal Court, they would not send a United States citizen to that court. Mexico refuses to do so; and, in fact, a statement in February from a spokesman for President Fox said that the United States is within its rights in suspending military aid, but this would not persuade Mexico to change its stance on, as he said, full adhesion to the ICC at whatever cost.

Mr. Chairman, this is one of those costs. And if they are determined to send American citizens, maybe American military, maybe CIA, maybe FBI, maybe American soldiers or American Marines to the International Criminal Court as our southern border, they have missed the point, Mr. Chairman, in all of this, and I intend to make that point with this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. FILNER) who represents a border State and a border district.

Mr. FILNER. Mr. Chairman, I do represent the total California-Mexico border.

Mr. KOLBE, I want to thank you for your leadership during your time in Congress on many of these issues. You have chaired with distinction the Interparliamentary with Mexico, as was noted earlier.

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You have been a spokesman for rationality in dealing with Mexican issues. We are going to miss that voice. As you can see, the irrationality seems to be taking hold. So I am sorry you are going to go, and we are going to miss your leadership on this. So thank you again.

Mr. Chairman, these amendments which aim at taking money from Mexico are going to do the exact opposite as what the makers of the motion have in mind.

We have a long border with Mexico. It is a friendly nation. We have a real problem with immigration. How do we solve that problem, by punishing them? I don't know if that helps any. These monies that are the subject of this amendment, the Economic Support Fund, are to promote economic and political stability, to strengthen judicial systems, increase transparency in government, help create jobs. How is reform going to take place unless we are engaging with them, unless we are seen as an ally? And as we say, we are friendly with them.

And I will tell Mr. KING, my friend, who I often mix up with Mr. TANCREDO in more ways than one, that the immigration issue will be compounded by these efforts to stop assistance to Mexico. We know that people come here for jobs. If there were jobs in Mexico, they would not come here. They don't want to leave their country. They are just trying to find a way for their families to have a future. We need to do everything we can to help Mexico create jobs. And that is the quickest, most cost-effective, cheapest way to deal with the illegal immigration problem. This is not going to help create jobs. This will hurt and hurt your efforts to stop illegal immigration. Let's vote down this amendment.

Mr. KING of Iowa. Mr. Chairman, I yield a minute to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Speaker, the government of Mexico has not been friendly to the United States, and the Republican majority in this House is representing the people of America who are flat fed up with the Mexican Government's refusal to control the flow of criminals and illegal aliens to the United States. Let's talk about facts. Mr. FILNER is ignoring the fact, and the Democrats are ignoring the fact the Mexican Government is permitting armed training camps for narcoterrorists in northern Mexico. This is a photograph of a Guatemalan Kaibiles militia member training. There is a camp run by the Kaibiles, by the Zetas and just outside of Matamoros, Mexico, across the river from Texas. The weapons these individuals are using, and we will talk more about this in the leadership hour at the end of the day, here is just a sample of some of the weapons these narcoterrorists are using on the border. 40 millimeter grenade launchers. There is open warfare in the Nuevo Laredo areas. These are some photographs of some of the results of some of the gun fights that are taking place there. There are even armed Mexican militia spotters on hill tops in Arizona on U.S. soil who are protecting the smuggling routes.

Mexico has not been acting like a friend. They have encouraged illegal immigration to this country. They have encouraged and turned a blind eye to the corruption and the criminals pouring across our border, and it is time the House cut off money to Mexico to send the message we are sick and tired of them not protecting our border and discouraging illegal immigration.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

First I would state that the information that has been provided here by the gentleman from Texas is a chilling thing to see. And if this Chamber had the ability to look at these pictures and understand the topography and know what is going on in the north side of our border and that is with the full knowledge of the government of Mexico and understand also that the corruption is replete on the other side of the border and in an even more significant way.

These people have an unlimited amount of funds. There are $60 billion worth of illegal drugs that come into the United States across our southern border every single year, eleven million illegal people every day coming across that border. And this fund, this is a $9 million fund that is supposed to be teaching freedom and democracy and proper forms of government. We don't have an ounce of evidence that demonstrates that they have moved anything in that direction. In fact, I suspect that it has gone the other way. The American people know this. People that live on the border know this. Members of Congress who represent these pictures that you have seen here ought to know this, and they ought to support my amendment. This amendment simply supports the Nethercutt amendment which has been renewed each year since it has been brought before this Congress. But there is no reason for us to appropriate $9 million when the Mexican Government has said that they are not going to comply or agree with an article 98 agreement, which again, is the agreement that would state that they would not send an American to the International Criminal Court. In fact, the representative of President Vicente Fox has said the exact opposite, that they are going to comply with their entire agreement with the International Criminal Court and they would not enter an article 98 agreement. Therefore, we must support this amendment.

Mr. KOLBE. Mr. Chairman, let me just say once again I think this would be a very wrong-headed amendment, the wrong thing for us to do. This is not symbolic. This cuts all the ESF funds that we provide to the country of Mexico, which is, relative to most of our programs around the world, very, very small because Mexico is a country that is beyond the least developed; it is now rapidly developing.

The money that we provide here is important money. It is money that helps promote democracy. It is money that helps promote such things as property rights. It is money that helps promote such things as microfinance. It is the kinds of things that we do that help provide economic livelihood for the people in Mexico. This is about job creation. It is about allowing people to live and work in Mexico and not have to come to the United States. If you want less migration from Mexico to the United States, we have got to give them a hand, a hand up to prevent them from having to come to the United States because they have no way of taking care of their families. So this would be the wrong thing for us to do in terms of cutting the economic support funds for Mexico.

It is also the wrong thing to do to a neighbor with whom we have a very good relationship. Do we have problems? Of course we have problems. Are there times when we disagree? Of course we disagree. Would we like to have more help on some of the migration problems and the drug interdiction problems? Yes, we want more help. But I remember, I have been here in this Congress for 22 years, and I remember going to the inter-American, the U.S.-Mexico parliamentary meetings 22 years ago when we were told by our State Department, our law enforcement officials, there was no cooperation with Mexico. Today, that is very much changed. There is cooperation. We have significant cooperation. This is the wrong thing to do to a country like Mexico that is doing its best to try and cooperate with the United States, both on migration and on drug interdiction. These are small programs, but they are programs that make a difference in terms of economic livelihood in Mexico, and I hope we will defeat this amendment.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KING of Iowa. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Iowa will be postponed.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

At the end of the bill (before the short title), insert the following:

LIMITATION ON MILLENNIUM CHALLENGE CORPORATION ASSISTANCE

SEC. 5xx. None of the funds made available in this Act under the heading "MILLENNIUM CHALLENGE CORPORATION" may be used to implement the Northern Zone Investment Plan in El Salvador with respect to the Northern Transnational Highway.

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from Ohio (Mr. KUCINICH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. KUCINICH. Mr. Chairman, my amendment will prohibit the Millennium Challenge Corporation funds from being used to construct a highway in El Salvador to help gold mining companies. The construction of this highway which constitutes a majority of El Salvador's MCC funding will mostly benefit two gold mining companies. Meanwhile, productive development priorities which are desperately needed by El Salvador's poor will be shortchanged.

In fall of 2005, the two largest Canadian mining companies received permits from the government of El Salvador to conduct initial surveying of the northern region where gold had been discovered. These companies made it known to the government they intended to mine for gold. Later, El Salvador's president announced that he intended to use MCC funding for construction of a large highway that, guess what, would go right through that same gold mine region.

Only weeks ago the Salvadoran Government committed a majority of its MCC funding for construction of this golden highway. You can clearly see the connection between the highway and the future mines on this map. All the red and yellow blocks are sites of potential mines, and the green lines where the highway is to be built. As you can see, every potential mine will be linked up to a road with construction of this highway. This highway will link up to other roads in neighboring countries so the wealth of this poor region can be extracted and easily shipped out.

The mining companies are accustomed to building their own roads to facilitate mining operations, but they are not going to have to build any roads in El Salvador. This a huge financial incentive for these mining companies and a subsidy to their operation. Here we are, America's going broke, and we are building highways in El Salvador for Canadian gold mining corporations. You know, we give these gold mine companies about $200 million for a road while the price of gold could go up to $800 an ounce. They should just use two truckloads of gold and use that to pay for the highway.

I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I appreciate what the gentleman from Ohio is trying to do to look out for the interests of the people of El Salvador, but I think he has got some misinformation. Now, there is one thing he is right about and we can certainly agree on and that is that the Millennium Challenge Corporation proposed compact for El Salvador does have a major roads component. But we are not talking about a superhighway that is blowing through the fields of some poor farmers in El Salvador. It is not about a road that is going to allow building profits for the multinational mining firms that are somehow earning it on the backs of the peasants. And the proposal certainly wasn't developed by the central government at the expense of the opinions of those at the local level.

This proposal was developed over 7 years as part of a consultative process, a process which is developing as part of a regional development plan with the other countries in the region, which have identified the lack of transportation infrastructure as a significant impediment for development. If anyone wants proof and reads Spanish, you can go to the Web site for the government of El Salvador where reports about the consultations have been put online, where they are actually online about all the kind of town meetings and the other consultations that have taken place. And why is that? Because for one thing, that is one of the core requirements of the Millennium Challenge

Corporation, that this kind of transparency absolutely must be included in the development of the MCC proposal for the partner countries.

I was recently in Nicaragua and Honduras, and there too we have roads as a major component of what we are trying to do with the Millennium Challenge Corporation. And why is that important? Because that is how, in a country that is heavily reliant on agriculture, that is how you get products to market. You can't get the products from the farms up in the hills and in the valleys if you don't have roads, secondary roads and main roads, to bring those things to market. So that is why it is an important part of this. But it is not about taking things away from peasants, and this is certainly not about multinational mining companies. It is not about building a superhighway. This is not a four-lane or six-lane. It is a two-lane road, a two-lane paved road that will be good for trucks to carry things on for products to go to market. And importantly, there are 150 miles of tertiary farm to road markets that spread out from this central highway that bring the products in from the little villages and the farms to this highway and then bring it to the markets where it can either be sold in the major cities of El Salvador, or it can be shipped into international commerce, not just to the United States, but regionally, where it can travel on the highways in the region and help to develop the economy of this region. This is the kind of thing that we ought to be trying to encourage.

I reserve the balance of my time.

☐ 1230

With all due respect to my good friend, this road is about helping a poor gold mining company more than it is about helping the people. We know what the stated purpose is: to connect small farmers to a larger market. Yet gold mining, a process that releases cyanide into the environment, is going to result in serious environmental damage, and it is going to displace the farming communities that depend on clean water and land.

So you help the gold mining operations move forward and you effectively eradicate farming in that area, which is exactly the opposite of what we are being told. And if the purpose of the highway is to help the poor in the northern region, then why are those same poor and those who work with the poor opposed to the construction of the highway?

I have here a photo from a newspaper in the area that shows a huge protest against construction of the highway, among other things, by people in the Chalatenango area, a poor area in the north which will be affected by the highway. The Catholic Diocese of Chalatenango, as well as Caritas, El Salvador, a Catholic relief organization that works with the poor and oppressed, they are marching in protest to this road that is supposed to be being built for them. There are so many other groups that are opposed to this. I submit the following list for the RECORD.

Other groups opposed to construction of the highway include the SHARE Foundation; Committee in Solidarity with the People of El Salvador (CISPES); Unidad Ecologica Salvadoreña, an umbrella group of 32 environmental organizations in El Salvador; the Association of Communities for the Development of Chalatenango, an association of 100 villages and 22 municipalities; the Sustainable Energy & Economy Network (SEEN); among others.

Furthermore, not only is the northern region of El Salvador home to half of El Salvador's poorest areas, but it also contains the main source of water and biodiversity in this Lempa River Basin.

So you have got the degrading environmental impact of gold mining, and it is going to have a negative consequence for the whole area; and El Salvador is going to end up having to borrow other money to complete the highway. They will end up getting loans from the World Bank and Inter-American Development Bank to finance the rest of the project, get into worse debt and have that debt paid off by the poor. This is a nightmare.

I repeat: the people of the United States are building a highway in El Salvador for the benefit of two gold mining companies while gold is about $800 an ounce and these companies could build their own road with a couple of truckloads of gold. Why in the world, when we have bridges falling apart in America, when we have chuckholes all over our highways, when we can't even repair our own infrastructure, are we ready to fork over a couple hundred million dollars, principally to help gold mine companies from Canada? This is insane.

So friends, Republicans, and budget hawks, lend me your ears. Reject this plan to fund a road for gold miners, and support the Kucinich amendment.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I will close very quickly. Let me just say that the gentleman may be right that there are some groups that oppose this; but every single mayor, every single elected mayor in those villages and those towns shown on the map that he just showed there of El Salvador has voted in favor of this during the consultative process. Every single elected mayor has come out in favor of this.

The economic analysis of this has shown that it has about a 20 percent return on the rate of investment. This is the kind of thing that is going to help farmers and businessmen and others who have been too long isolated in this region. In addition to markets, the project connects people with better education, better health care, and better futures for themselves and for their children.

So I struggle to see how this amendment is against the people of El Salvador. It is not for mining companies. It is for the farmers; it is for the poor people. It is about not only their livelihood, but it is about their education, it is about their health care.

Mr. Chairman, I hope this amendment would be defeated.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. KUCINICH. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 9 OFFERED BY MRS. MUSGRAVE

Mrs. MUSGRAVE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mrs. MUSGRAVE:

At the end of the bill (before the short title), insert the following:

LIMITATION ON ASSISTANCE TO COUNTRIES THAT PROHIBIT THE IMPORTATION OF UNITED STATES BEEF

SEC. 5xx. None of the funds made available in this Act may be used to provide assistance to any country identified by the Department of Agriculture as a country that prohibits the importation of United States beef from animals less than 30 months of age.

Mr. KOLBE. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of June 8, 2006, the gentlewoman from Colorado (Mrs. MUSGRAVE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Mrs. MUSGRAVE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is designed to highlight the seriousness of the Japanese beef embargo. My amendment would state that none of the funds available in this act could be used to provide assistance to any country identified by the Department of Agriculture as a country that prohibits the importation of United States beef from animals less than 30 months of age.

We have a wonderful product that comes from this Nation. When we look at the firewalls that we have for bovine spongiform encephalopathy, our beef is truly the safest in the world. And this ongoing trade ban against the United States has caused billions of dollars in loss of trade for our American ranchers, packers, and shippers. In Colorado alone, at least 1,000 job losses can be directly related to this beef embargo.

Some countries such as Japan are using the guise of health and safety protocols for an excuse for protectionist policies. I believe that this needs to stop immediately. Since the USDA testing procedures were put into place in 2004, only two cows have been tested positive for bovine spongiform encephalopathy, and neither of those cattle made it into the food chain.

The United States has the highest quality, safest beef in the world. I believe that our science is very sound, and we have met all of the requirements that the Japanese Government requires.

I hope that this highlights the concern that we have with the beef embargo with Japan, and I don't believe that our tax dollars should go to nations that act in this unreasonable way.

Mr. Chairman, I yield such time as he may consume to the gentleman from Colorado (Mr. BEAUPREZ).

Mr. BEAUPREZ. Mr. Chairman, I want to thank my distinguished colleague from Colorado for bringing this amendment to the floor, and as a former cattleman myself, I am very proud and pleased to be able to support it. I have been working here in this House with her and Members of the House Beef Caucus to reopen some of our markets to American beef throughout the world. What frustrates me most about the remaining bans on U.S. beef is that they are blatantly political. These bans are not based on scientific evidence, evidence which overwhelmingly shows that U.S. beef is among the safest in the world.

We have worked hard to demonstrate the safety of U.S. beef, and we have waited patiently for our trading partners to resume imports. Now it is time for us to do more.

I support this amendment because it sends a strong, clear signal to our trading partners that we are tired of waiting, and waiting needlessly. Now it is time to end the ban on U.S. beef.

Mrs. MUSGRAVE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the USDA's enhanced BSE surveillance program continues to test targeted animals identified as most likely to have the disease. Since June 1 of 2004, the program has tested almost 726,000 cattle and has found again only two confirmed cases, evidence to show that our safeguards are working. Testing 268,500 animals can detect BSE at a rate of one in 10 million adult cattle at a 99 percent confidence level.

I would ask the respected chairman if he would work with me and the Members of the Agriculture Committee to resolve this problem.

Mr. KOLBE. Mr. Chairman, if the gentlewoman would yield, I certainly would intend to try to work to resolve this problem within the degree to which the foreign operations appropriation can do that with foreign countries. But coming from a ranching background and being a rancher myself, I would certainly agree this is a problem that is important.

If I might, I understand that you are prepared to withdraw the amendment. If that is the case, then I will not need to insist on my point of order.

I appreciate the exchange with the gentlewoman from Colorado.

Mrs. MUSGRAVE. Mr. Chairman, I appreciate your ranching background and your awareness of how this beef embargo affects our ranchers, shippers and packers; and I thank you for your consideration.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Colorado?

There was no objection.

AMENDMENT OFFERED BY MR. BROWN OF OHIO

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. BROWN of Ohio:

At the end of the bill (before the short title), insert the following:

ASSISTANCE TO COMBAT TUBERCULOSIS

SEC. 5xx. The amounts otherwise provided by this Act are revised by increasing the amount made available for "CHILD SURVIVAL AND HEALTH PROGRAMS FUND" for programs for the prevention, treatment, control of, and research on tuberculosis, as authorized by section 104B of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-3), by reducing the amount made available for "OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT", and by reducing the amount made available for "CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND", by $10,000,000, $5,000,000, and $5,000,000, respectively.

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from Ohio (Mr. BROWN) and a Member opposed each will control 5 minutes.

Mr. KOLBE. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Arizona will control the time in opposition.

The Chair recognizes the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I yield myself such time as I may consume. I will use significantly less than 5 minutes.

Mr. Chairman, I thank Chairman KOLBE and Ranking Member LOWEY. They deserve tremendous credit for recognizing long ago for many years the domestic and global benefits of tuberculosis control. They have been leaders in this body, and I thank them for that.

There are three compelling reasons to do this amendment: additional dollars will save lives; additional dollars will serve the purpose of fighting not just TB, but contributing to a public health infrastructure and preparedness for a potential bird flu pandemic; and additional TB control dollars now will result in a net reduction of outlays later because of better preparation.

This past March, the CDC reported a 13 percent increase in multidrug-resistant TB in our country, the largest single increase since the early 90s when in Mrs. LOWEY's State of New York there was a serious outbreak. When worldwide travel is an everyday affair, we can't afford to ignore this airborne infectious killer that can be spread by a cough or sneeze.

Research published in last September's New England Journal of Medicine showed that U.S. investment in TB control abroad saves U.S. tax dollars and protects health here at home. For example, $35 million invested in TB efforts abroad could save the U.S. over $100 million and prevent nearly 2,600 cases of TB here and over 300 related TB deaths. Even one outbreak of MDR, drug resistant TB, can result in a very costly and deadly resurgence.

Again, what this does is help us with an infrastructure that will help us stop bird flu or any other epidemic. It is essential that we fortify our public health infrastructure.

I again thank Chairman KOLBE and Ranking Member LOWEY for their outstanding leadership in helping this Congress fight tuberculosis here and abroad.

Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, certainly the thrust of this amendment is a good one and what he is attempting to do with this is very good. I have some concerns about the cuts, continuing to cut in what is a very limited increase for the O&E for USAID. But having said that, at this time I am prepared to accept this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. BROWN of Ohio. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. BROWN).

The amendment was agreed to.

Mr. KOLBE. Mr. Chairman, I move to strike the last word for the purpose of entering into a colloquy with the gentlewoman from Texas (Ms. JACKSON-LEE).

Mr. Chairman, I yield to the gentlewoman from Texas. I understand she has some comments she would like to make.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman, and I thank the ranking member for her support on this issue.

Mr. KOLBE. Mr. Chairman, I had an amendment that would focus on not having any funds be made available in this act to be used to assist any foreign government in enforcing any religious law that has the effect of punishing a victim of sexual assault or rape.

This is an area and an issue that has a heavy burden in many of our Muslim populations, including Indonesia, Bangladesh, Pakistan, the Middle East and North Africa, and as well incidents that have occurred in Nigeria, Libya, Afghanistan, Saudi Arabia, Sudan, and Turkey.

Of course, many of these are our strong allies. However, I think it is befitting and important for this Congress to make a very strong statement.

For example, in South Africa, a woman is raped every 26 seconds. In South Africa, a woman is killed every 6 days. Bangladesh shows vigilantism against women for a perceived moral transgression. In Pakistan, a woman by the name of Dr. Shazia, a 32-year-old Pakistani physician, is no longer in that country after being raped because of some problems with the judicial system, although the government has expressed support for her and I hope that she will be able to come back to testify against the particular culprit. Because of the religious codes that surround these incidences, women are not protected.

☐ 1245

My amendment will simply go on record, Mr. Chairman, to say that we are paying attention to this issue, we are concerned about it, and, of course, we want to be able to address it.

I would hope that in the statement of managers, as we move toward the Senate, we would be able to express our concern, in particular, about this unique issue

And, Mr. Chairman, if I might add, as you well know, I have just recently returned from Afghanistan, and had many, many women surround me, many of them elected officials, the newly elected parliament which we are excited about, has a high percentage of women.

These women said to me directly in general Chambers, we are afraid to go back to our provinces. I want to make sure that the security funds for Afghanistan have a particular sensitivity to the security of women elected officials after returning to their provinces and are fearful for their lives.

Mr. KOLBE. Mr. Chairman, I thank the gentlewoman for her comments. Let me just say gentlewoman has been a leader in this field. I appreciate the fact that she has brought this issue to the attention of this subcommittee and to this body.

There is no question that the treatment of women, as it relates to reproductive rights and their treatment in their relationships with their husbands and with others is horrific in many countries, and certainly violates all of the standards that we would consider minimal in this country.

Clearly there needs to be, in our appropriations, and in the money that we spend on foreign assistance programs, there needs to be an understanding of this issue. There needs to be a sensitivity to it.

And I appreciate the fact that the gentlewoman has brought this to our attention. I think by having this dialogue here today, we emphasize to USAID and to all of our mission directors around the world, that this is something that we believe they should be very much focused on, to be sure that the treatment of women in their respective countries, balancing, balancing the secular rights with the religious law that exists in some of these countries, balancing that, that we protect the rights of women, the basic human rights of women in these countries.

Mr. Chairman, I certainly believe that this subcommittee should work to that end. I know that my colleague, the ranking member, Mrs. LOWEY, has been very dedicated to doing this. And so together, as we move into conference, we will continue to do that.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me thank the distinguished gentleman. I might add that I think we are all aware of an incident that occurred with a gang rape in a country that has been very much an ally of the United States, Pakistan.

The government, however, took a firm stand against it. I think the remarks you have made, Mr. Chairman, on the floor today and the support of Mrs. LOWEY, if we can work toward a form of language, I would greatly appreciate it, as we move toward conference.

Mr. KOLBE. Mr. Chairman, I thank the gentlewoman, for her commitment to this issue here.

AMENDMENT NO. 18 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 18 offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available in this Act under the heading "INTERNATIONAL MILITARY EDUCATION AND TRAINING" may be used to provide training to children under the age of 18 in military exercises or military combat initiatives.

Mr. KOLBE. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. The gentleman from Arizona reserves a point of order.

Pursuant to the order of the House of June 8, 2006, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. As I begin this debate, Mr. Chairman, I do want to acknowledge again the hard work of Mr. KOLBE and Mrs. LOWEY in working together on probably one of the more different foreign operations bills in the appropriations process.

I would also offer to say in good humor and with a sense of caring, I really wish the point of order could be waived. But I hope this issue again gains the attention of the chairman and the ranking member, that we could, in fact, have report language on this.

Mr. Chairman, I have worked on this issue for a number of years. I am the co-chair of the Congressional Children's Caucus. This has to do with child soldiers. In 2002, the U.S. Senate gave unanimous consent to the U.S. ratification of the Child Soldiers Protocol which was the optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

I believe we have a moral imperative in the United States to make our views known, but to speak forcefully, if you will, to countries that insist on using children as soldiers. Uganda, for example, abduction rates reached their record level in late 2002, 2003, over 8,000 boys and girls were forced by the Lord's Resistance Army to become child soldiers.

We see this in the Democratic of the Congo. We see this in Burma, Burundi, the DRC, Liberia, Sudan, and Uganda. We see that Burma's national army alone includes an estimated 70.000 child soldiers. It is of course a burden on the children and there is no hope.

As I speak about the child soldiers, the most glaring example was heard from the eloquent presentation of the president of Liberia that talked about almost every child in Liberia was used as a child soldier during the vicious war headed by Charles Taylor.

I am hoping that we can continue to make our moral point, assert our moral point as the appropriations process moves forward, and that this too would engender or incur report language, if you will, the management statement that occurs as we move toward the Senate.

I would like, as I discuss this before I yield to the distinguished gentleman, is to mention my recent trip to Chad, and to indicate, in addition to I am sure the impact of the issue of child soldiers, the impact of refugees from Sudan.

Even though the Chad receives international military education training dollars, which I wanted to limit, my real focus is to have those dollars go toward humanitarian aid to take the burden off of the government of Chad, as it works to be a welcome refuge for our refugees coming out of Sudan and to protect them, providing security for them.

Mr. Chairman, I hope that all of these issues will receive the attention of the committee.

Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, if the gentlewoman would yield, I appreciate again the good work that she has done in this area, and certainly in our subcommittee, she has asked for some consideration in the conference for language, and certainly we will want to consider that. I do appreciate that.

If the gentlewoman is prepared to withdraw the amendment, I would not have to insist on my point of order.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished chairman. I am prepared to withdraw it. As I said, my earlier thoughts are that would not it be great to have had the point of order waived, because I think children are dying as we speak and the refugees in Chad need our help.

I want to thank you, Mr. Chairman. I want to thank Mrs. LOWEY for her support. I do want to acknowledge Rebecca Singer Cohen in my office who worked diligently on these amendments. With that, I look forward to working with you for language as we move toward the Senate.

Mr. Chairman, I rise today to support my Amendment to this Foreign Operations Appropriation bill, which states that none of the funds made available in this Act under the heading "INTERNATIONAL MILITARY EDUCATION AND TRAINING" or "FOREIGN MILITARY FINANCING PROGRAM" may be used in contravention of the child soldiers protocol to the Convention on the Rights of the Child. The nations known to use child soldiers do not deserve military assistance from our Nation.

On June 18, 2002 the U.S. Senate gave unanimous consent to U.S. ratification of the child soldiers protocol, which was the optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. This decision meant that the United States would not put anyone under the age of eighteen in combat. However, despite that fact that many nations throughout the world signed and ratified the protocol, the problem of children being put into combat situations is still prevalent in many regions of the world. Despite gains in awareness and better understanding of practical policies that can help reduce the use of children in war, the practice persists and globally, the number of child soldiers—about 300,000—is believed to have remained fairly constant. In some continuing armed conflicts, child recruitment increased alarmingly. In Northern Uganda, abduction rates reached record levels in late 2002 and 2003 as over 8,000 boys and girls were forced by the Lord's Resistance Army to become soldiers, laborers, and sexual slaves. In the neighboring Democratic Republic of Congo (DRC), where all parties to the armed conflict recruit and use children, some as young as seven, the forced recruitment of children increased so dramatically in late 2002 and early 2003 that observers described the fighting forces as "armies of children."

However, it is not just non-governmental armed opposition groups who continue to use children to fight wars. Governments including those in Burma, Burundi, the DRC, Liberia, Sudan, and Ugandan have continued to recruit and use children in armed conflict. Burma's national army alone includes an estimated 70,000 child soldiers, which is nearly one-quarter of world's total and routinely sends children as young as twelve into battle gainst armed ethnic opposition groups. Both Uganda and the DRC have ratified the optional protocol, but flout their obligations by using child soldiers. The Ugandan People's Defense Force has recruited children who escaped or were captured from the rebel Lord's Resistance Army, and has trained and deployed children recruited into local defense units. The government of DRC maintains children in its ranks despite a 2000 presidential decree calling for the demobilization of child soldiers.

While none of these nations are specifically targeted to receive any military assistance in this Appropriation, it is important that this amendment is passed so that a message against the use of child soldiers is sent throughout the world. Regardless of how unlikely it is that such funding may ever take place, we as a nation can not allow even the slightest possibility that taxpayer money may go to pay for military assistance to other nations who continue to use child soldiers. It is also important to note that these military assistance funds do not cover any humanitarian assistance, only funds under the International Military Education and Training and Foreign Military Financing Programs. It's a travesty that here in America we talk of holding our children above all else, but around the world children are being used as tools for war. I urge support for the Jackson-Lee Amendment to prohibit military assistance to nations that continue to use child soldiers.

We originally had this amendment include the words "not against their will." The reason, Mr. Chairman, is that in the time that I spent in Chad with the refugees that have been resettled in Chad, I saw that the crisis in Darfur and the surrounding border areas between Sudan and Chad still exist.

We have made great strides in providing resources to the region; but as I traveled to Chad and met with the leadership of Chad, they talked about the enormous challenges that they are presently having with their refugees and the refugees from Sudan and the need for resources. At the same time as I talked one on one to the refugees that were there, they expressed to me that the brutality was still going on.

Of course, in Chad we find that there is a lack of sufficient water, adequate medical supplies, and, of course, the possibility that the Janjaweed will come across the border and raid them at will. But at the same time, these refugees were frightened about the possibility of being returned to Sudan because the Government of Chad may be overwhelmed with the resources needed to protect them.

I believe, of course, that we can help provide the resources to Chad needed to protect those refugees, and the United Nations refugee resettlement effort was very much in force and very much an effective tool.

But as we know, the genocidal regime in Sudan has left 2.5 million people displaced and at least 380,000 people dead in Darfur. We also know that there is a continuing number of refugees that have come across the border.

Due to increasing violence, 15,000 innocent civilians continue to die each month. Genocide cannot continue on our watch. The United States must move forward towards an effective action against this terrible crime.

We are gratified that this Congress voted on a genocide initiative and declared that genocide was occurring. The United Nations, of course, has had a more difficult time dealing with that question. But we know that genocide has occurred. We know that these refugees are fleeing for a very important reason. The United Nations Secretary General has described the situation in Darfur as "a little short of hell on Earth," and expert John Prendergast calls it "Rwanda in slow motion."

Under cover of a decade-long civil war that has claimed 2 million Sudanese lives, the government-backed Janjaweed continues their campaign to wipe out communities of African tribal farmers who live in the region.

I understand that there have been changes in the Sudanese Government. In Chad, I met with the Sudanese ambassador. I have met with the Sudanese ambassador, to the dismay of many here in the United States, trying to find common ground.

I want to applaud the work of the gentleman from New Jersey (Mr. PAYNE) and the Committee on International Relations and the Committee on Appropriations Subcommittee on Foreign Operations, Export Financing, and Related Programs, that has looked at this question and has fought it with great, great perseverance. The gentleman from Illinois (Mr. JACKSON) provided additional dollars.

But I want to make sure that any Darfurian refugee that is in Chad is not forced to leave for any economic reason. Of course, we need more dollars to help Chad, more support of the United Nations Commissioner on Human Rights and Refugees. But we also need to ensure that resources here by this appropriation do not force anyone to go back to a place where they do not want to go.

Some refugees may want to go back. When I met with them one on one, they talked about their cattle being destroyed, they talked about there being no place for them, their villages had been destroyed. We looked and spoke with the African Union at the aerial footage that would show how large villages had been destroyed, so there is not much for them to return to.

I want to be able to say that we are working at all ends, the declaration of genocide, the negotiations with Sudan to stop the violence and stop the devastating destruction of these individuals in Sudan and stop the fleeing from Sudan.

But now that we are in the predicament that we are in, which is 380,000, up to 400,000 and growing, refugees in Chad, we want to make sure that there is no fear, no, if you will, requirement, no demand, no shuttling. Refugees who do not want to go back, they should not have to go.

Let me say this as well: if you speak to the women and the children that I had a chance to speak to, I can only say that tears would come to your eyes, the raping, the brutalization, the fear, the apprehension. I would ask my colleagues to consider an amendment that simply wants to give to those who are in fear of their lives the opportunity not to return if they desire not to return.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to withdraw this amendment.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

AMENDMENT NO. 10 OFFERED BY MR. POE

Mr. POE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. POE:

At the end of the bill (before the short title), insert the following:

REDUCTION IN APPROPRIATIONS

SEC. 5xx. Appropriations made in this Act are hereby reduced in the amount of $597,000,000.

Mr. KOLBE. Mr. Chairman, I rise in opposition to this amendment.

The CHAIRMAN. The gentleman will control the time in opposition.

Pursuant to the order of the House of June 8, 2006, the gentleman from Texas (Mr. POE) and the gentleman from Arizona (Mr. KOLBE) each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE. Mr. Chairman, I appreciate the work that the committee has done on this foreign ops appropriations bill.

Mr. Chairman, my amendment resets the spending of this bill, however, to the 2006 foreign ops appropriation bill. Considering the ballooning size of the government, this would seem to be a modest gesture. Some say that $597 million is just a small drop in the bucket. That may seem true to some people who write checks for a living, but I disagree.

You tell that to the people down in Sabine Pass, Texas which was leveled during Hurricane Rita, that $597 million is not a lot of money. These good folks are wondering why we are spending money all over the world when 40,000 of them still have blue tarps on their roofs. It would seems to me that charity certainly begins at home before we raise spending to many third world countries.

I'm not asking for a massive cut in foreign programs, I am asking that Congress consider aid that we spend all over the world. I receive letters and phone calls every day from people asking us to take care of their money. It is an important to these individuals, especially people who have recently been hurt by Wilma, Rita and Katrina.

We can keep asking Americans to trust us with their money as we send it all over the world, but some day, after we have gone well too far, the American people will tell us that they have probably had enough. We cannot continue to be the guns, bread and butter to the world. We must hold the line on money we give away to other nations and take care of our people first.

So this amendment reduces overall spending. But because it would be up to the bureaucrats to decide where those actual cuts would be, and that aid that is in the interests of the United States, like aid to Israel, aid that probably ought to be increased, and they may remove that aid and continue wasteful aid that we spend, for example, the $4 million we give to Tibet so that they keep their culture, maybe even aid to Egypt, and that gives them too much discretion, I think it is in the best interest that I withdraw this amendment.

Mr. POE. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT NO. 11 OFFERED BY MR. POE

Mr. POE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. POE:

At the end of the bill (before the short title), insert the following:

LIMITATION ON ASSISTANCE TO CERTAIN COUNTRIES

SEC. 5xx. None of the funds made available in this Act may be used to provide assistance to any country the government of which does not accept the transfer from the United States of citizens or nationals of such country who have been issued a final removal order by U.S. Immigration and Customs Enforcement.

Mr. KOLBE. Mr. Chairman, I reserve a point of order on this amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of June 8, 2006, the gentleman from Texas (Mr. POE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE. Mr. Chairman, many Americans have joined Congress in the illegal immigration debate over the past several months. Important questions on guest worker programs, detention space, and the so-called catch and release programs have been discussed numerous times.

However, one overlooked aspect of illegal immigration is the delay or the refusal of foreign countries that we give aid to to accept the ordered deportation of citizens from the United States. Many of these ordered deported have been convicted of felonies, gone to prison and U.S. penitentiaries, and illegally entered the United States initially.

A report issued in April of 2006 by the Department of Homeland Security Inspector General states, that ICE's Office of Detention and Removal is being forced to devote a significant percentage of its funded detention beds, 14 percent, to illegals whose countries are either slow or unwilling to take those people back after they have been ordered deported.

The report also states that thousands of these individuals end up then being released in America as our government continues to get stonewalled by so-called friends, but turn out to be uncooperative foreign nations.

The cost incurred in fiscal year 2003 by the U.S. due to the delay or refusal of the top eight nations, including India, was $83 million to American taxpayers.

In June of 2004, America had 136,241 illegals from those top eight nations with orders to be departed, but those governments refused to take those individuals. So what happened? Of that 136,241 illegals, 98 percent of those were released and are walking free on American streets because we cannot detain them.

These costs are sure to increase along with illegal immigration from offending countries. What do illegal immigrants have to lose if they know their own country will not take them back after they have been deported?

They make their way to America, they come here illegally, they break our laws, and they know their country will refuse to take them back. The United States should not have to foot the bill for illegal immigrants because their home Nations are constructing roadblocks.

It is time we offer a proper incentive to these uncooperative nations, our so called friends. This amendment would require recipients of foreign aid to accept and repatriate nationals who have been deported from this country.

Those nations that do not accept the transfer of their nationals would not be eligible to receive American aid. These nations cannot have it both ways. This is not about punishing any particular nation, it is about asking these countries to work with us and accept our assistance, also to respect our sovereignty and sanctity of our borders and take back their lawfully-deported citizens.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from Arizona wish to make a point of order or continue to reserve?

Mr. KOLBE. I would make the point of order unless the gentleman would like to say anything further before I make my point of order.

Mr. POE. I understand there is a point of order and with that I will withdraw my amendment.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Texas is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SANDERS:

At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

PROHIBITION ON USE OF FUNDS BY THE EXPORT-IMPORT BANK OF THE UNITED STATES TO APPROVE AN APPLICATION FOR A LONG-TERM LOAN OR LOAN GUARANTEE WITH RESPECT TO AN OIL AND GAS FIELD DEVELOPMENT PROJECT

SEC. .

None of the funds made available in this Act may be used by the Export-Import Bank of the United States to approve an application for a long-term loan or loan guarantee with respect to an oil and gas field development project.

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from Vermont (Mr. SANDERS) and a Member opposed each will control 10 minutes.

Mr. KOLBE. Mr. Chairman, I would claim the time in opposition.

The CHAIRMAN. The gentleman will control the time in opposition.

The Chair recognizes the gentleman from Vermont.

Mr. SANDERS. Mr. Chairman, this tripartisan amendment has wide support across the political spectrum. It has been cosponsored by RON PAUL of Texas, Mr. HINCHEY of New York, Mr. KUCINICH of Ohio, and has been endorsed by a number of leading national organizations, including the U.S. Business and Industry Council, the Taxpayers for Common Sense, the Green Scissors Coalition, Public Citizen, Friends of the Earth, and the U.S. Public Interest Research Group.

☐ 1300

This amendment is simple and it is straightforward. At a time when this Nation has an $8.2 trillion national debt, this amendment would simply prohibit the Export-Import Bank from providing corporate welfare to large oil companies for the development of oil and gas projects overseas.

Mr. Chairman, in America today there are proposals coming from the White House and the leadership of this institution to cut back on health care, to cut back on Medicare, to cut back on Medicaid, to cut back on financial aid for college middle class students. And yet if we do not have enough money to take care of the middle class and their needs, working families, lower-income families, I wonder why we have billions of dollars available to provide corporate welfare for the largest oil companies in the United States of America, companies that are receiving today billions and billions of dollars in profits.

It is beyond comprehension that anybody in this institution could come forward with a straight face and say that the taxpayers of America should be providing loan guarantees and subsidies to corporations like ExxonMobil, which last year earned $36 billion in profits, more profits than any corporation in the history of the world. Companies like ExxonMobil which had enough money to pay out $398 million for a retirement package for their former CEO. That the taxpayers of this country, that middle-class families, that working families should be subsidizing the largest oil companies in the world who are receiving record-breaking profits, who are paying their CEOs huge compensation packages is literally insane.

We have real needs in this country. We have needs for our veterans, needs for education, needs for health care. If oil companies in America cannot make a buck today without coming for corporate welfare to the taxpayers of this country, they are never going to make a buck.

Since 1996 the Export-Import Bank has given more than $7 billion in loans and loan guarantees for oil and gas projects all over this world, including $1.3 billion to ExxonMobil and nearly $2 billion to our old friends in Halliburton, another company that is obviously in desperate need of taxpayer funds.

Mr. Chairman, to add insult to injury, the top recipient, and I hope you hear this, of this corporate welfare is not even an American company. It is not even a privately owned company. I didn't know that my Republican friends were so supportive of state-owned nationalized industries. I learn something new every day. But the top recipient of this corporate welfare is PEMEX, a wholly owned oil company of Mexico. Well, isn't that great that the taxpayers of America are subsidizing a wholly owned oil company of Mexico. Well, how about paying attention to some small businesses in America?

Mr. Chairman, I reserve the balance of my time.

Mr. KOLBE. Mr. Chairman, as I have the right to close and I am the only speaker on my side, I reserve the balance of my time.

Mr. SANDERS. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Chairman, I want to thank my friend and colleague, the gentleman from Vermont, for offering this amendment which I think is very appropriate and very much to the point these days. But before I begin with that, I also want to express my deep appreciation to my friend and colleague on the other side of the aisle, Mr. KOLBE, the gentleman from Arizona who is the chairman of the committee which is overseeing this bill.

I want to just thank him for the good sound solid work that he has done, and I want to also tell him that I have very much appreciated having the opportunity to be associated with him in his work. I think he has done an extraordinary job in chairing this subcommittee on appropriations, and I think he has set an excellent example for his successor, whoever that may be. Of course, we hope that successor will be from this side of the aisle, but we will await and see what happens. Whoever it is, the example that Mr. KOLBE has set is one that is important for all of us, and I thank him very much.

Last year, the world's five biggest oil companies recorded a staggering $111 billion in profits. And for the first quarter of this year, these same companies have racked up about $28 billion in profits which puts them right on track for even exceeding the record profits that they established last year. The contrast between Big Oil's prosperity and the economic conditions of the vast majority of Americans is very, very obvious and deeply divided. People all across this country are finding it more and more difficult to heat their homes, and they are finding it true that each week a bigger chunk out of their paycheck is going to pay for the gasoline that they need just to get back and forth to work. So Americans are getting gouged twice. They are getting gouged at the pump and they are getting gouged in their tax bills.

So what this amendment does is begin to focus attention on this situation where we are subsidizing American oil companies that are making record profits to go off and spend the taxpayers' dollar to develop energy sources in some other part of the world. It just does not make any sense. They have more cash on hand right now than they know what to do with, and now we are providing them with additional subsidies.

So I thank the gentleman from Vermont for giving us the opportunity to vote on this amendment, to establish some clarity here with regard to how we use these funds. The kind of corporate welfare that is exemplified here in this particular example of taxpayers' dollars going to the richest companies in the world making the biggest profits in the world is just another example of how we have misallocated the taxpayers' dollars in this country, denying them the things they need in order to subsidize the coffers of people who do not need it. Let's pass this amendment.

Last year, the world's five biggest oil companies—ExxonMobil, Royal Dutch Shell, BP, ConocoPhillips and Chevron Texaco—recorded a staggering $111 billion in profits.

For the first quarter of 2006, these same companies recorded almost $28 billion in profits.

The contrast between Big Oil's prosperity and the struggles of ordinary families to pay for the high cost of energy has never been clearer.

Americans are getting gouged twice: once at the pump when they pay high prices and twice, when they pay taxes that end up in the pockets of some of the most profitable energy companies in the world.

Yet, despite these record profits, the oil industry continues to benefit from billions in giveaways—courtesy of the American taxpayer. This amendment would put an end to one such egregious subsidy.

As my good friend from Vermont has explained, since 1995, the Export-Import Bank has provided more than 7 billion US taxdollars for loans and loan guarantees for oil and gas projects all over the world—all funded by Uncle Sam, or should I say, by taxpayers?

And look where our tax dollars are going: $1.3 billion to Exxon-Mobil; $162 million to BP; $300 million to Chevron; and nearly $2 billion to Halliburton.

Can anybody tell us without laughing up their sleeve that these corporate giants need more help from the very people who are having a difficult time affording to heat or cool their homes or put gasoline in their cars?

And what's more, should we ever be subsidizing a foreign firm? As the gentleman from Vermont has already pointed out, the top recipient of this corporate welfare is Pemex, which is wholly-owned by the government of Mexico.

Since 1996, Pemex has benefited from over $4 billion in financing from the Export-Import Bank.

In fact, roughly 70 percent of total Export-Import Bank financing for oil and gas projects since 1996 has gone to Pemex.

So why can't we see the absurdity of American taxpayers who are already $8.3 trillion in debt, subsidizing the Mexican government's oil and gas operations?

American tax dollars should not be publicly financing oil and gas projects for a company that is a wholly-owned subsidiary of the Mexican government. We should be embarrassed to ask that of our constituents.

This amendment would simply provide a time-out for more of this corporate welfare benefitting the most profitable companies in the country when they want to develop energy overseas, at the expense of ordinary Americans.

This amendment would acknowledge that we are finished with putting American taxpayers at risk when we guarantee Export Import loans for risky oil and gas ventures overseas.

It would end the bilking the public trough for private gain.

Mr. Chairman, this amendment is again about fairness.

Why should the US taxpayer prop up the oil and gas industry in times like these? I can see no good reason, nor should my colleagues.

These companies can afford to do their risky business with no assist from the public.

They can get loans from banks. They are not strapped for cash to invest overseas.

They have told us loud and clear that they do not need our subsidies, so let's take them at their word.

Unfortunately, every time we do take them at their word, these same companies come back begging to Washington for more corporate welfare and taxpayer dollars. This simply has to stop.

If American companies want to invest in energy resources overseas, have at it, and good luck to you. Just don't expect hard-working, underpaid Americans to foot the bill.

Support your taxpayers. End corporate welfare. Support this amendment.

The CHAIRMAN. The gentleman from Vermont has 3 minutes remaining.

Mr. SANDERS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I gather many of my friends here are strong proponents of the free enterprise system. They like the idea of risk, venture taking, and I wonder why it is that when the Export-Import Bank is supposed to be the place of last resort when large oil companies like ExxonMobil are supposed to go to the banks, I wonder why ExxonMobil is not going to Citibank or other large banks to get any assistance they might need. It is beyond comprehension to me that ExxonMobil and Halliburton cannot get a loan from the private sector. Beyond belief.

Furthermore, I find it unbelievable, to be honest with you, as to why the taxpayers of this country are subsidizing a state-owned industry in Mexico, PEMEX, they are a state-owned oil company, when certainly my friends over there would never think of in a million years of subsidizing a state-owned oil company in the United States of America.

Here is the bottom line: historically the Ex-Im, the Export-Import Bank, has been a major provider of corporate welfare to the largest corporations in America. There are corporations that have received huge amounts of help from Export-Import and then they say, oh, thank you very much, taxpayers of America. By the way, we are shutting down plants in this country and we are moving to China. And now what we are looking at is one segment of their loans and loan guarantees to the oil industry.

Thank you, taxpayers of America, for subsidizing us, and now we are going to charge you $3 for a gallon of gas while we earn record-breaking profits.

Mr. Chairman, this amendment should in fact be passed unanimously. It is beyond belief; it would be beyond belief to the people of this country that there is anyone here who thinks the taxpayer money should go to the oil industry which is enjoying record-breaking profits while they rip off the American people.

I would hope we have widespread support for this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. KOLBE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in fact, I think this amendment would be defeated unanimously if people understood what it is really about. It is not about big oil companies. It is not about supporting big oil companies. It is about supporting usually small suppliers, small U.S. manufacturers that work in the large, huge energy industry around the world. So I rise in very strong opposition to this amendment.

We are looking at one of the largest projects, in fact it is the largest infrastructure project in the world today at Saklan Island. The reserves there are larger than the North Slope. They are larger than the Gulf of Mexico. These are huge possible reserves.

Now, if we are concerned about energy in this country, if we are concerned about oil and gas in this country and having enough gasoline to run our cars, we ought to be concerned about developing this. And if we are concerned about making sure we have environmental protections for a project like this, we want to have some participation in this project, and that is exactly what the funding from OPEC and Ex-Im Bank allows us to do to have that kind of participation.

The gentleman made some comment about even though it is not the Saklan project about PEMEX, but there again PEMEX in Mexico, that is the state-owned oil industry in Mexico. There is nothing in here about supporting PEMEX. It is about supporting American business contractors, American manufacturers that export to PEMEX, that sell pipe, that sell drill equipment, that sell rigs, that sell all kinds of things. It is about keeping jobs here in the United States. That is what this is about and that is what it is about with the Saklan Island project as well.

This is absolutely not the right way to go. And, again, if we want to have some participation in this, if we want to make sure that this project is done the right way, we want to be sure that Export-Import Bank is involved with supporting those small suppliers that he was not talking about, supporting those contractors, those business people, because that helps us to participate in this.

It is really not so much about the big company, the ExxonMobil and the Kelloggs. It is about companies like Solar Turbines Incorporated, about S & P Steel Products. This is why we have the Ex-Im Bank to support these kinds of exports to other countries, to support jobs here in the United States. That is exactly what the Export-Import Bank is about, jobs here in the United States.

Mr. Chairman, this amendment is not the right way to proceed, and I hope that my colleagues will soundly defeated this amendment. If you are concerned about energy, if you are concerned about gas prices, and you want to develop in a reasonable way reserves of energy overseas and if you want to support American manufacturers and American jobs, defeat this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SANDERS. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Vermont will be postponed.

AMENDMENT NO. 15 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Mr. HEFLEY:

At the end of the bill (before the short title), insert the following:

REDUCTION IN APPROPRIATIONS

SEC. 5xx. Appropriations made in this Act are hereby reduced in the amount of $213,000,000.

□ 1315

The CHAIRMAN. Pursuant to the order of the House of June 8, 2006, the gentleman from Colorado (Mr. HEFLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I would like to echo the comments of Mr. HINCHEY on the prior amendment concerning the chairman, and I have enormous respect for the work that you have done and wish you well in whatever you do after this, but you are a conscientious legislator, and we are to be proud of you for that.

Mr. Chairman, I rise again today to offer an amendment to cut the level of funding in this appropriation bill by 1 percent. This amount equals $213 million. It is only one penny off of every dollar spent.

I have several pages here of brilliant explanation of why. I am not going to go through all of that because I do not think I am going to change any minds, and yes, I know this will not balance the budget. It is symbolic, but at least it shows that we are thinking about it and that we are serious about it. In my budget at home and your budget at home or any department's budget, if they cannot find one penny out of a dollar, then I think something is very, very wrong.

Mr. Chairman, I would move the amendment.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from Arizona seek to control time in opposition?

Mr. KOLBE. Mr. Chairman, I take the time in opposition, and I will spend even less time than the gentleman from Colorado did as we both go out the door here, and we will follow each other out the door of this distinguished body.

I want to say to him that I would say the same thing about him, the kind words he said about me. He has had very distinguished service here in this body, and he is a person that is known for his integrity and his commitment to principles. One of those commitments is the holding down spending, and it is something that all of us could heed from time to time.

However, having said that, I would oppose this amendment for the obvious reasons, but I think that we have a carefully crafted bill and a $213 million across-the-board cut from every account would have some devastating impacts in certain areas.

For that reason, as much as I respect the gentleman from Colorado, I would oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. HEFLEY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HEFLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

I rise in the closing moments of the legislative work on the Foreign Operations subcommittee report almost entirely to remind the Members that this is perhaps one of the most difficult bills of all those that we take through the appropriations process, not because it is the largest bill, not because there are not problems solving the bill, but because, generally speaking across the country, Americans tend to say if we are going to spend money, we ought to spend money at home first and forget about spending money anywhere else, except perhaps for national defense.

Ofttimes my constituents say why are we spending so much money on foreign aid, not recognizing that we are spending such a very, very fractional piece of our total dollar available in this arena, but it is through this vehicle that our voice is effectively heard around the world on behalf of freedom, of opportunity and, indeed, on behalf of American interests.

There is little doubt that this bill has done so well over the years because we have had the kind of leadership in this subcommittee that truly recognizes the importance of this. We have all talked about the fact that Mrs. LOWEY and our chairman, JIM KOLBE, have worked so well together, but this is JIM KOLBE's last bill on the floor where he is formally presenting his thought and his leadership relative to that role in the world. He has done a fabulous job for us. We are going to miss him in the House. I must say that if any regret regarding these remarks at all, it is to say that I only wish JIM KOLBE would be back next year working with us on this and many other projects for years to come.

So thank you, Mr. KOLBE, very much.

Mr. SHAYS. Mr. Chairman, I strongly support the Foreign Operations Appropriations Act and want to thank Chairman KOLBE and Ranking Member LOWEY for their hard work, thoughtfulness and dedication to bringing such a well-crafted bill to the floor.

There are so many important issues this bill addresses and so many ways in which it positively demonstrates the United States' values as a leader and a responsible member of the family of nations. I am grateful for the full funding of the President's request for aid to Israel and for humanitarian assistance to Sudan, and am thrilled it goes above and beyond the President's request for the global HIV/AIDS pandemic.

I appreciate the inclusion of reporting requirements for the protection of children affected by humanitarian emergencies, an issue I've worked with Representative LOWEY on, as well as the inclusion of $45 million to support research and development of microbicides as a means of combating HIV/AIDS.

I appreciate the chairman and ranking member's support of the Community Action Program in Iraq—known as CAP. The CAP program directly engages Iraqis in reconstructing their own communities, while building a nationwide grassroots constituency for democracy. Typical CAP projects use both U.S. and Iraqi funds and resources to rebuild schools, repair water and sewage lines, build health clinics, as well as a host of other infrastructure and development projects.

I have traveled to Iraq 12 times—4 times outside the umbrella of the military—and have seen first-hand how the CAP program improves the lives of Iraqis and, most importantly, how it helps us accomplish our mission of creating a secure environment for the Iraqi people so democracy can prosper.

This legislation provides $50 million for the CAP program, and I would urge the chairman to consider, as the bill moves forward, that a higher funding level would certainly be money well spent.

Regarding the Peace Corps, I am grateful for the inclusion of $325 million for the Peace Corps, which is an increase of $5 million above the fiscal year 2006 level, but is unfortunately $12 million below the President's request. I wish we could have done better. As the U.S. strives to create a better understanding of America in the world, the 7,800 Peace Corps volunteers serving from Armenia to Zambia are tangible evidence that America cares about its global neighbors.

Peace Corps volunteers have worked in every corner of the world, including the Middle East, and demonstrated the "human side" of American assistance: promoting friendship, cross cultural understanding along with sustainable international development.

Again, I appreciate the hard work that went into this bill and urge all my colleagues to support its passage.

Mr. STARK. Mr. Chairman, I rise in opposition to the Foreign Operations Appropriations Act for fiscal year 2007.

The United States should plant seeds of peace, not seeds of war. Tragically, however, this legislation appropriates nearly $5 billion—or about 25 percent of total spending—for direct military assistance. H.R. 5522 also includes more than $2.5 billion for so-called "Economic Support Funds" that recipient countries often direct toward security budgets. This spending subsidizes armed conflict, encouraging violence rather than diplomacy around the world.

At the same time, the legislation includes several provisions I would have loved to support as a stand-alone bill. For example, it provides $450 million for humanitarian relief efforts in Sudan. Significant financing is included for much-needed disaster and famine assistance, temporary resettlement of refugees, development aid, and peacekeeping operations. I hope that this assistance will help ameliorate the consequences of the genocide in Darfur. Similarly, I support bipartisan efforts to combat global AIDS.

But in the end, the bad outweighs the good and I must vote against this bill, which encourages billions in counterproductive military assistance.

Ms. FOXX. Mr. Chairman, one of the hardest jobs Members of Congress face while in office is deciding whether to support or oppose a bill that is half good and half bad. Too often, we are forced to vote in favor of issues we strongly oppose while supporting goals with which we agree because our viewpoint was not the prevailing view. That is exactly what I faced today with H.R. 5522, the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 2007.

Mr. Chairman, I am on the record today as voting "aye" on the Foreign Operations Appropriations Act. I voted "aye" because the bill contains many worthwhile and effective provisions. Most importantly, the bill offers financial support to Israel and many other of our partners in democracy. Without backing from the United States, countries that uphold democracy and freedom could suffer, and I, for one, will always support countries that cherish and promote freedom and democratic ideals.

Another important provision that I strongly support in this bill is the withholding of 60 percent of the funds allocated for Russia until its president certifies that they have terminated any arrangements to provide nuclear assistance to Iran.

I am also extremely pleased with the many pro-life provisions maintained in the bill. These pro-life provisions send a clear message to foreign governments that if you engage in population control and abortion practices, you will not receive assistance from the United States.

These measures, along with other provisions designed to keep jobs in America are examples of why I chose to support this piece of legislation.

However, Mr. Chairman, there were numerous provisions within the bill that I have serious reservations about and that did not have enough support to be removed from the bill. I would like to go on record highlighting the portions of the bill I do not support.

Mr. Chairman, I am deeply concerned about the International Export and Investment Agencies funding included in the bill. This provision requires the Federal Government to provide insurance to private companies investing in foreign countries. I cannot for the life of me understand why taxpayer dollars should fund this agency. If private companies wish to insure their investments overseas, they should use private insurance companies to do so, not the Federal Government.

Mr. Chairman, I am also very concerned about the economic aid for Egypt contained in the bill. To be giving such economic assistance to Egypt at a time when it has been cracking down on top political dissidents and opponents within and without its borders is unwise. Many of my constituents who follow international affairs have contacted me abhorring the actions in the Sudan and wondering why Egypt continues to support the government in Khartoum. We need to send a message that we will not tolerate human rights abuses or support for such abuses, especially from one of our important strategic allies.

Mr. Chairman, the bill provides $4.1 billion for the Agency for International Development, USAID, which provides funds for development related projects in developing countries. I am not opposed to helping out those countries in need, but this program has not proven effective enough over the course of its existence to warrant this level of funding.

Additionally, I want to express my opposition to the $522 million for the Trade Capacity Enhancement Fund.

Mr. Chairman, this bill tested my beliefs and forced me to make a very difficult decision. In the end, I believe the good outweighs the bad, but I want my colleagues to know that I will continue working to remove these disturbing provisions. I was voted into this office to reduce Federal spending and bring common sense back to the legislative process. That is exactly what I will do.

Mrs. MALONEY. Mr. Chairman, I rise today in support of H.R. 5522, the FY07 Foreign Operations Appropriations Act.

I am pleased that the bill includes $50 million in funding for Afghan women, including $2 million for the Afghan Independent Human Rights Commission.

This funding builds upon funding for Afghan women and girls included in an amendment that I offered to the FY04 Emergency Supplemental Appropriations bill.

Over the past few years, the United States has invested in the reconstruction and development of Afghanistan both because it is the right thing to do and because it is critical to our security.

However, I, like many of my colleagues, am troubled about the recent acts of violence that have been occurring in Afghanistan.

Clearly, we have more work to do.

Afghan women were brutally oppressed by the Taliban regime, but they have been working to reclaim their role in society, in part because of critical U.S. assistance provided to Afghanistan.

Millions of girls have attended primary schools and equal rights for women are guaranteed in the constitution.

However, while women are vastly better off than they were, many continue to endure hardships including targeted violence, limited mobility, illiteracy, and a high rate of maternal mortality.

I also am very concerned about reports that schools continue to be targeted for violence, including dozens in the past year.

By giving women access to the skills and opportunities that they need to become partners in creating Afghanistan's future, we will ensure that women will no longer be second-class citizens.

I particularly want to note the $2 million that is directed for the Afghan Independent Human Rights Commission.

I recently met with Dr. Sima Samar, chair of the Afghan Independent Human Rights Commission, who discussed the valuable work of the Commission and the challenges that remain.

Dr. Samar is a courageous advocate for the rights of Afghan citizens, including women and children.

Her work is invaluable in ensuring that human rights are protected and respected in Afghanistan.

While I hope that all the aid for Afghanistan will help women, I commend the Appropriations Committee for continuing to recognize the needs of Afghan women.

I also am pleased that the bill includes $34 million for the life saving work of UNFPA, the United Nations Population Fund.

UNFPA is a global leader in providing reproductive health care, including family planning services to the world's poorest women.

UNFPA helps women undergo pregnancy and childbirth safely and helps women and men to plan their families and avoid unintended pregnancies and protect themselves from HIV/AIDS infections.

Despite the unequalled and vital work that UNFPA provides, for the past four years, President Bush has denied them funding by refusing to release the $34 million that Congress has appropriated.

Claiming unproven and unsubstantiated assertions regarding UNFPA's work in China, this Administration is turning its back on those most in need.

It has been estimated that the loss of each year's funding could prevent 2 million unintended pregnancies; nearly 800,000 abortions, 4,700 maternal deaths, nearly 60,000 cases of serious maternal illness; and more than 77,000 infant and child deaths.

The Bush administration's refusal to release these funds puts at risk the very lives and health of women and children in the world's poorest regions.

In anticipation of the president cancelling the FY07 funding again this year, I was grateful to Representative CAROLYN KILPATRICK for offering an amendment during full committee mark-up to ensure that the appropriated funds are released for the UNFPA's campaign to end obstetric fistula, a devastating and completely preventable condition that afflicts young women whose bodies are not mature enough to deliver healthy babies.

Unfortunately, the committee rejected the amendment.

I am very concerned that this amendment failed and hope that a solution to release the funds will be provided in Conference.

Most importantly, it is my hope that this year, President Bush reconsiders the impact of his decision and releases the life-saving funding that this chamber is wisely approving today.

This important bill will provide critical funding for organizations doing important work on the ground in countries all over the world.

One of those organizations is located in my congressional district.

CARE is currently in 72 countries worldwide helping to educate children, provide health care, give food to the hungry, and fight poverty.

And they do so much more.

I urge my colleagues to support this bill so that we can continue to fund these valuable initiatives.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise in strong support of this amendment by my friend from California. Human trafficking is slavery, plain and simple, and we are morally bound to do everything we can to put an end to it.

The sad truth is that human trafficking is one of the fastest growing types of transnational criminal activity. And yet, resources to combat it remain scarce.

My district, Orange County, is home to many victims of human trafficking, and I've had the opportunity to meet with some of them and also with some of the community groups who are providing these survivors with the support services they desperately need.

Orange County is also home to a Counter-Trafficking Task Force working to develop strong partnerships between local, state and federal law enforcement agencies. The Task Force trains first responders to identify and rescue trafficking victims, disrupt and apprehend traffickers and make subsequent referral of victims to needed support services.

We're very fortunate to have programs like these in the United States, but many other countries lack the resources or the expertise to combat human trafficking on their own. Without coordinated international efforts, we have little hope of defeating the traffickers.

That's why we need to dedicate many more of our foreign assistance dollars to helping our friends around the world in their anti-trafficking efforts. This amendment is a good first step, and I am pleased that the Chairman has agreed to accept it.

Ms. LEE. Mr. Chairman, I come to the floor today in support of the fiscal year 2007 Foreign Operations Appropriations bill.

I would like to commend the chairman, the gentleman from Arizona, Mr. KOLBE and the ranking member, the gentlewoman from New York, Mrs. LOWEY for their hard work and leadership on this legislation.

As this will be his last time chairing the subcommittee on foreign operations, I especially want to thank you Mr. KOLBE for your commitment to the issue of foreign aid and for consistently working in a bipartisan manner over the years with Ms. LOWEY, myself, and others.

With respect to the legislation before us, Mr. Chairman, I'd like to take a moment to highlight three particular provisions.

First, I am pleased that this bill includes $450 million for humanitarian assistance in Sudan. Of this, $138 million is specifically for the war-torn Darfur region. The release of the rest is contingent on the certification that hostilities by the Government of Sudan and its Janjaweed militas have ended in Darfur and that humanitarian assistance can flow unimpeded.

Mr. Chairman, as we all know, a terrible genocide has been taking place in Darfur since February 2003.

Unfortunately, Mr. Chairman, the international community has been slow to respond this as a humanitarian disaster.

I traveled to the Darfur region twice and have witnessed first-hand the life and death situation of the refugees. They lack even the most basic needs. For example, because of limited funds the WFP has reduced the food ration for refugees to a mere 1050 calories per day. This is not enough to live on.

That's why, I am pleased that the funds allocated in this bill will help support efforts by the U.N. and the African Union to bring food, clean water, and other basic humanitarian assistance.

Second, I am pleased that this legislation includes funds to support the post-conflict democracy in Haiti.

As you know, Mr. Chairman, the first democratically elected president of Haiti, Jean Bertrand Aristide was ousted from office in 1994 and again in 2004. For the last dozen years, Haiti has struggled in an economic and humanitarian crisis.

This February's election of Rene Preval is a significant milestone for our hemisphere's most fragile democracy.

We must do everything we can to allow peace and security to return. That's why this legislation's inclusion of $164 million is so important.

And finally, Mr. Chairman, I am pleased that this bill includes $3.4 billion to fight the global AIDS pandemic, including $445 million for the Global Fund to Fight AIDS, TB, and Malaria.

In the 25 years since the CDC reported the first cases of a rare form of pneumonia among 5 gay men in Los Angeles, HIV/AIDS has infected nearly 70 million throughout the world and killed more than 25 million.

We have made significant steps in the last few years to bring relief and hope to millions of infected and vulnerable individuals in the developing world, and with this increase in funding we acknowledge the work that still remains to be done.

Although I am disappointed that we could not match the need based figure of $7.54 billion to combat AIDS, TB and Malaria, I hope that in conference we can at least support the Senate in seeking a funding level of $4.826 billion.

Mr. Chairman, with our Nation embroiled in an unnecessary war in Iraq, and our international credibility and standing at it's lowest in history, this bill helps us showcase what it best about American humanitarian efforts.

I thank the committee for it's just consideration of many competing priorities within a limited allocation and for bringing to the floor a bill that will provide a meaningful contribution to international aid.

I urge my colleagues to support this bill.

Mr. FORTENBERRY. Mr. Chairman, the purpose of United States foreign assistance is to strengthen the foundation for international stability by fostering civil society, supporting the development of free markets and institutions that foster self-determination, and helping the vulnerable by bringing healing, hope, and sustainable basic sustenance to those in need. As the leading provider of foreign assistance worldwide, the United States has made extraordinary strides toward alleviating suffering throughout the world. I would like to thank Chairman KOLBE for his hard work on this legislation to further this mission. He has shown great leadership and outstanding commitment to promoting our international initiatives.

I also wish to bring attention to the fact that this year's report on the Foreign Operations, Export Financing, and Related Programs Appropriations Bill confirms violations of the Tiahrt Amendment by an organization funded by the United States in Guatemala.

In passing the Tiahrt Amendment, which sets out clear criteria for voluntarism in family planning, the United States Congress worked to protect families throughout the world from the humiliation and indignity of coercion. I commend my colleague, Congressman TIAHRT, for his foresight in developing this amendment, which serves the important purpose of preventing the imposition of procedures under duress and without an explanation to participants of the potential risks involved.

Apparently the organization referenced in the report aggressively targeted women for sterilization, setting out numerical targets and offering financial incentives contrary to U.S. law. Although the system of financial incentives that occasioned the violations discovered in June 2005 has been terminated, we must work to ensure that this type of episode is not repeated and that investigations of such potential violations are vigorously thorough and unquestionably objective.

I believe that U.S. foreign assistance should not be used as a vehicle for imposing programs which potentially compromise the health of recipients, violate their consciences, or break laws of recipient nations which aim to affirm human dignity. On behalf of those we strive to assist, I urge my colleagues in Congress, the Administration, and the United States Agency for International Development, as well as the constituents we serve, to work earnestly to uphold this purpose.

And thank you again, Congressman KOLBE, for your leadership in international affairs, and for your selfless dedication to leveraging the gifts of our great country for the betterment of the international community.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 7 by Mr. McGOVERN of Massachusetts.

Amendment No. 8 by Mr. McGOVERN of Massachusetts.

Amendment by Mr. WEINER of New York.

Amendment No. 5 by Mr. KING of Iowa.

Amendment by Mr. KUCINICH of Ohio.

Amendment by Mr. SANDERS of Vermont.

Amendment No. 15 by Mr. HEFLEY of Colorado.

Amendment No. 1 by Mr. BLUMENAUER of Oregon.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 7 OFFERED BY MR. McGOVERN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. McGOVERN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 174, noes 229, not voting 29, as follows:

[Roll No. 242]

AYES—174

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Berkley
Berman
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Doggett
Doyle
Ehlers
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Frank (MA)
Gonzalez
Gordon
Green, Al
Grijalva
Gutknecht
Hall
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pitts
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—229

Aderholt
Akin
Alexander
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Boehner
Bonilla
Bonner
Boozman
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Cardoza
Carter
Case
Castle
Chabot
Chocola
Coble
Cole (OK)
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Delahunt
DeLay
Dent
Diaz-Balart, L.
Dicks
Dingell
Doolittle
Drake
Dreier
Duncan
Edwards
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Holden
Hostettler
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McMorris
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Ortiz
Osborne
Oxley
Pearce
Pence
Peterson (MN)
Petri
Pickering
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—29

Baker
Becerra
Blunt
Boehlert
Bono
Brady (PA)
Cannon
Conaway
Costello
Davis (FL)
Diaz-Balart, M.
Engel
Evans
Ford
Gibbons
Gilchrest
Gutierrez
Jones (OH)
Kaptur
Kingston
Manzullo
McHugh
McKeon
Nussle
Peterson (PA)
Reyes
Walsh
Watson
Wicker

□ 1344

Messrs. TIAHRT, GOODE, ORTIZ, KNOLLENBERG, BURGESS, and COSTA changed their vote from "aye" to "no."

Ms. LORETTA SANCHEZ of California and Mr. KENNEDY of Rhode Island changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. McGOVERN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. McGOVERN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 188, noes 218, not voting 26, as follows:

[Roll No. 243]

AYES—188

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Berkley
Berman
Berry
Biggert
Bishop (NY)
Blúmenauer
Boucher
Brown (OH)
Brown, Corrine
Butterfield
Camp (MI)
Capps
Capuano
Cardin
Carnahan
Carson
Chabot
Chandler
Clay
Cleaver
Clyburn
Coble
Conyers
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Doyle
Duncan
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Feeney
Filner
Fitzpatrick (PA)
Flake
Foley
Ford
Frank (MA)
Gilchrest
Goode
Gordon
Green, Al
Green, Gene
Grijalva
Gutknecht
Harman
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.

Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Solis
Stark
Strickland
Stupak
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Woolsey
Wu
Wynn

NOES—218

Aderholt
Akin
Alexander
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Campbell (CA)
Cantor
Capito
Cardoza
Carter
Case
Castle
Chocola
Cole (OK)
Cooper
Costa
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Dingell
Doolittle
Drake
Dreier
Edwards
Emerson
English (PA)
Everett
Ferguson
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Granger
Graves
Green (WI)
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Hostettler
Hunter
Hyde
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McIntyre
McMorris
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Ortiz
Osborne
Otter
Oxley
Pearce
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Sanchez, Loretta
Saxton
Schmidt
Schwarz (MI)
Scott (GA)
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—26

Baker
Becerra
Blunt
Boehlert
Bono
Brady (PA)
Cannon
Conaway
Costello
Davis (FL)
Diaz-Balart, M.
Evans
Gibbons
Gutierrez
Kaptur
Kingston
Manzullo
McHugh
McKeon
Nussle
Pence
Peterson (PA)
Reyes
Walsh
Watson
Wicker

☐ 1350

Mr. INGLIS of South Carolina and Mr. DICKS changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, on rollcall Nos. 242 and 243 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. WEINER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. WEINER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 312, noes 97, not voting 23, as follows:

[Roll No. 244]

AYES—312

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Bonner
Boozman
Boren
Boswell
Boucher
Boyd
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Conyers
Cooper
Costa
Cramer
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Doggett
Doyle
Drake
Duncan
Edwards
Emanuel
Emerson
Engel
Eshoo
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fossella
Foxx
Frank (MA)
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutknecht
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herseth
Higgins
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Inslee
Israel
Jefferson
Jenkins
Jindal
Johnson (IL)
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kennedy (MN)
Kennedy (RI)
Kind
King (IA)
King (NY)
Kirk
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McIntyre
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Pryce (OH)
Ramstad
Rangel
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Shimkus
Shuster
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wamp
Wasserman Schultz
Waters
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Westmoreland
Wexler
Whitfield
Wicker
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOES—97

Aderholt
Akin
Alexander
Barton (TX)
Biggert
Bishop (UT)
Boehner
Bonilla
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Buyer
Calvert
Campbell (CA)
Carter
Case
Castle

Cole (OK)
Crenshaw
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Dreier
Ehlers
English (PA)
Etheridge
Fortenberry
Frelinghuysen
Gilchrest
Gohmert
Granger
Hall
Hensarling
Herger
Hobson
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Kelly
Kildee
Kilpatrick (MI)
Kline
Knollenberg
Kolbe
LaHood
Latham
Leach
Lewis (CA)
Lucas
Lynch
Mack
McCrery
Miller (NC)
Northup
Nunes
Oxley
Pastor
Pearce
Pombo
Price (NC)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Reynolds
Ruppersberger
Ryan (WI)
Saxton
Schwarz (MI)
Sessions
Shadegg
Sherwood
Simpson
Skelton
Smith (TX)
Snyder
Sweeney
Thomas
Thornberry
Tiahrt
Watt
Weller
Wilson (NM)
Wilson (SC)
Young (FL)

NOT VOTING—23

Baker
Becerra
Blunt
Boehlert
Bono
Brady (PA)
Cannon
Conaway
Costello
Davis (FL)
Evans
Gibbons
Gutierrez
Kaptur
Kingston
Manzullo
McHugh
McKeon
Nussle
Peterson (PA)
Reyes
Walsh
Watson

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 1357

Messrs. DANIEL E. LUNGREN of California, SHUSTER, TURNER, HAYES, COSTA, Ms. McKINNEY and Miss McMORRIS changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. KING OF IOWA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. KING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 93, noes 311, not voting 28, as follows:

[Roll No. 245]

AYES—93

Abercrombie
Akin
Bachus
Barrett (SC)
Barrow
Bartlett (MD)
Beauprez
Blackburn
Bradley (NH)
Brown-Waite, Ginny
Burton (IN)
Cantor
Chabot
Chandler
Chocola
Coble
Cubin
Culberson
Davis, Jo Ann
Deal (GA)
Duncan
Everett
Feeney
Fitzpatrick (PA)
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gohmert
Goode
Graves
Gutknecht
Hayes
Hayworth
Hefley
Hostettler
Issa
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
King (IA)
Lewis (KY)
Linder
LoBiondo
Lynch
McCotter
McHenry
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Ney
Norwood
Nunes
Otter
Paul
Petri
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Rahall
Ramstad
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Rush
Ryun (KS)
Schmidt
Sensenbrenner
Sessions
Shuster
Tancredo
Tanner
Taylor (MS)
Wamp
Weldon (PA)
Westmoreland
Whitfield

NOES—311

Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Barton (TX)
Bass
Bean
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Clay
Cleaver
Clyburn
Cole (OK)
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Flake
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gilchrest
Gingrey
Gonzalez
Goodlatte
Gordon
Granger
Green (WI)
Green, Al
Green, Gene
Grijalva
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McIntyre
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Northup
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Radanovich
Rangel
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—28

Baker
Becerra
Blunt
Boehlert
Bono
Brady (PA)
Cannon
Conaway
Costello
Davis (FL)
Evans
Gibbons
Gutierrez
Istook
Kaptur
Kingston
Manzullo
McHugh
McKeon
Nussle
Oxley
Pence
Peterson (PA)
Pickering
Reyes
Stearns
Walsh
Watson

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded 1 minute remains in this vote.

□ 1400

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. STEARNS. Mr. Chairman, on rollcall No. 245 I was inadvertently detained. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. KUCINICH

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. KUCINICH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 118, noes 288, not voting 26, as follows:

[Roll No. 246]

AYES—118

Abercrombie
Allen
Andrews
Baird
Baldwin
Bartlett (MD)
Berry
Bishop (NY)
Boucher
Boyd
Brown (OH)
Capps
Capuano
Cardin
Carson
Chandler
Clay
Cleaver
Clyburn
Coble
Conyers
Cummings
Davis (CA)
Davis (IL)
DeFazio
Dicks
Doggett
Doyle
Duncan
Engel
Eshoo
Farr
Filner
Fitzpatrick (PA)
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hastings (FL)
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hostettler
Inslee
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (NC)
Kanjorski
Kildee
Kucinich
Lantos
Larsen (WA)
Lee
Lewis (GA)
LoBiondo
Lofgren, Zoe
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Miller, George
Moore (WI)
Moran (VA)
Nadler
Neal (MA)
Oberstar
Obey
Olver
Otter
Owens
Pallone
Paul
Payne
Pelosi
Rahall
Rangel
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Slaughter
Solis
Spratt
Stark
Strickland
Tancredo
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Waxman
Weiner
Woolsey
Wu

NOES—288

Ackerman
Aderholt
Akin
Alexander
Bachus
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chocola
Cole (OK)
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Etheridge
Everett
Fattah
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinojosa
Hobson
Hoekstra
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (OH)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McIntyre
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neugebauer
Ney
Northup
Norwood
Nunes
Ortiz
Osborne
Pascrell
Pastor
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schiff
Schmidt
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Stearns
Stupak
Sullivan
Sweeney
Tanner
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Van Hollen
Walden (OR)
Wamp
Wasserman Schultz
Watt
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—26

Baca
Baker
Becerra
Blunt
Boehlert
Bono
Brady (PA)
Cannon
Conaway
Costello
Davis (FL)
Evans
Gibbons
Gutierrez
Kaptur
Kingston
Manzullo
McHugh
McKeon
Nussle
Oxley
Peterson (PA)
Reyes
Walsh
Waters
Watson

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded 1 minute remains in this vote.

☐ 1405

Ms. WASSERMAN SCHULTZ changed her vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SANDERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Vermont (Mr. SANDERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 228, not voting 26, as follows:

[Roll No. 247]

AYES—178

Abercrombie
Ackerman
Allen
Andrews
Bachus
Baird
Baldwin
Bartlett (MD)
Bass
Bean
Berkley
Berman
Berry
Bilirakis
Bishop (NY)
Boswell
Bradley (NH)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Capps
Capuano
Cardin
Carnahan
Carson
Chabot
Chandler
Clay
Cleaver
Clyburn
Cramer
Cummings
Davis (IL)
Davis (TN)
DeFazio
DeGette
DeLauro
Dent
Doyle
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick (PA)
Flake
Foley
Ford
Garrett (NJ)
Gerlach
Gordon
Grijalva
Harman
Hastings (FL)
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Jackson (IL)
Johnson (CT)
Jones (NC)
Jones (OH)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
LaHood
Langevin
Lantos
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Michaud
Millender-McDonald
Miller (MI)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Rohrabacher
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schwartz (PA)
Scott (VA)
Serrano
Shays
Simmons
Slaughter
Smith (NJ)
Solis
Stark
Stearns
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Young (FL)

NOES—228

Aderholt
Akin
Alexander
Barrett (SC)
Barrow
Barton (TX)
Beauprez
Biggert
Bishop (GA)
Bishop (UT)
Blackburn
Boehner
Bonilla
Bonner
Boozman
Boren
Boucher
Boustany
Boyd
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Cardoza
Carter
Case
Castle
Chocola
Coble
Cole (OK)
Conyers
Cooper
Costa
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Delahunt
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Etheridge
Everett
Feeney
Ferguson
Forbes
Fortenberry
Fossella
Foxx

Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hyde
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Lynch
Mack
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McIntyre
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Ortiz
Osborne
Pearce
Pence
Petri
Pickering
Pitts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Salazar
Schiff
Schmidt
Schwarz (MI)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Sullivan
Sweeney
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Upton
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)

NOT VOTING—26

Baca
Baker
Becerra
Blumenauer
Blunt
Boehlert
Bono
Brady (PA)
Cannon
Conaway
Costello
Davis (FL)
Evans
Gibbons
Gutierrez
Kaptur
Kingston
Manzullo
McHugh
McKeon
Nussle
Oxley
Peterson (PA)
Reyes
Walsh
Watson

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded 1 minute remains in this vote.

☐ 1409

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 15 OFFERED BY MR. HEFLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 107, noes 300, not voting 25, as follows:

[Roll No. 248]

AYES—107

Akin
Bachus
Barrett (SC)
Bartlett (MD)
Bass
Bean
Beauprez
Bilirakis
Blackburn
Bonner
Brady (TX)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Campbell (CA)
Chabot
Chocola
Coble
Cooper
Cubin
Davis (KY)
Davis (TN)
Davis, Jo Ann
Deal (GA)
Diaz-Balart, M.
Duncan
Everett
Feeney
Flake
Forbes
Ford
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Goode
Goodlatte
Graves
Gutknecht
Harris
Hart
Hayes
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Hunter
Inglis (SC)
Issa
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
King (IA)
Larson (CT)
Lewis (KY)
Linder
LoBiondo
Mack
McCotter
McHenry
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Poe
Price (GA)
Rahall
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Stearns
Sullivan
Tancredo
Tanner
Taylor (MS)
Terry
Tiberi
Walden (OR)
Wamp
Weldon (PA)
Westmoreland
Wilson (SC)
Young (FL)

NOES—300

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baird
Baldwin
Barrow
Barton (TX)
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boehner
Bonilla
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brown (OH)
Brown (SC)
Brown, Corrine
Butterfield
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conyers
Costa
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gonzalez
Gordon
Granger
Green (WI)
Green, Al
Green, Gene
Grijalva
Hall
Harman
Hastings (FL)
Hastings (WA)
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCrery
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—25

Baca
Baker
Becerra
Blunt
Boehlert
Bono
Brady (PA)
Cannon
Conaway
Costello
Davis (FL)
Evans
Gibbons
Gutierrez
Kaptur
Kingston
Manzullo
McHugh
McKeon
Nussle
Oxley
Peterson (PA)
Reyes
Walsh
Watson

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are reminded 1 minute remains in this vote.

☐ 1413

Mr. TAYLOR of Mississippi changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 1 OFFERED BY MR. BLUMENAUER

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. BLUMENAUER:

In the item relating to "DEVELOPMENT ASSISTANCE", after the aggregate dollar amount, insert the following: "(increased by $250,000,000)".

In the item relating to "FOREIGN MILITARY FINANCING PROGRAM", after the aggregate dollar amount, insert the following: "(reduced by $250,000,000)".

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 224, not voting 26, as follows:

[Roll No. 249]

AYES—182

Abercrombie
Ackerman
Allen
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Berman
Berry
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Doggett
Doyle
Duncan
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gerlach
Gohmert
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Hall
Herseth
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inglis (SC)
Inslee
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kildee
Kilpatrick (MI)
Kind
Kucinich
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pascrell
Pastor
Paul
Payne
Pelosi
Petri
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Rothman
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (NJ)
Smith (WA)
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weldon (PA)
Woolsey
Wu
Wynn

NOES—224

Aderholt
Akin
Alexander
Andrews
Bachus
Barrett (SC)
Barton (TX)
Bass
Beauprez
Berkley
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Drake
Dreier
Edwards
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Higgins
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Israel
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McMorris
Meek (FL)
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Ortiz
Osborne
Otter
Pallone
Pearce
Pence
Peterson (MN)
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (TX)
Snyder
Sodrel
Souder
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Wamp
Weiner
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—26

Baca
Baker
Becerra
Blunt
Boehlert
Bono
Brady (PA)
Buyer
Cannon
Conaway
Costello
Davis (FL)
Evans
Gibbons
Gutierrez
Kaptur
Kingston
Manzullo
McHugh
McKeon
Nussle
Oxley
Peterson (PA)
Reyes
Walsh
Watson

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 1417

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

I know people want to get out of here. This is my wedding anniversary; I do, too. This will take just a moment. Yes, my wife is a saint. Yes.

I know people want to catch their airplanes. But the gentleman from Arizona has served 22 years in this House, and this is the last time that he will be handling a bill on the floor of the House, and I think that we owe him to take note of that fact.

Mr. Chairman, for 10 years I chaired this subcommittee, and I know how easy it is to demagogue this subcommittee and the bill that it handles. And on behalf of every Member on both sides of the aisle, I want to tell the gentleman that he has done honor to this House and to each and every Member, because at every moment that I can recall, he has dealt with the subject matter at hand on the basis of substance, not politics; he has brought an intellectual quality to his argument that is very seldom matched. We don't always agree on everything, as was evidenced by the debate yesterday; but as Will Rogers said, when two people agree on everything, one of them is unnecessary.

But I just want to say, JIM, good luck in whatever you do, and we appreciate what you have done for the House and for the country and for the world in the way you have handled this bill.

Mr. Chairman, I yield to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. For me, it has been a great privilege to work with JIM KOLBE. And since this is probably the 10th retirement speech that we have given for JIM KOLBE, I just want to add that he is probably a person that all of us would agree has the most integrity, wisdom, and compassion, and for me it is a real, real privilege. But, above all, JIM KOLBE is the most punctual person I know, so I won't give my 10-page speech today. Good luck. Congratulations. We love you. And let us go on.

The CHAIRMAN. The Clerk will read the last three lines.

The Clerk read as follows:

This Act may be cited as the "Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2007".

Mr. KOLBE. Mr. Chairman, I was going to move to strike the last word and give a 5-minute speech, but I sense a sense of urgency here. So, Mr. Chairman, I simply move the committee do now rise and report the bill. And I thank the Members for their comments.

But let me say, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DANIEL E. LUNGREN of California) having assumed the chair, Mr. THORNBERRY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5522) making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 851, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 373, nays 34, not voting 25, as follows:

[Roll No. 250]

YEAS—373

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehner
Bonilla
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McIntyre
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—34

Bartlett (MD)
Berry
Davis, Jo Ann
Duncan
Flake
Franks (AZ)
Goode
Goodlatte
Graves
Green (WI)
Hefley
Hostettler
Jenkins
Jones (NC)
Keller
King (IA)
Kucinich
Lucas
Miller (FL)
Moran (KS)
Norwood
Otter
Paul
Peterson (MN)
Petri
Pombo
Rahall
Rohrabacher
Ryun (KS)
Sensenbrenner
Stark
Tancredo
Tanner
Taylor (MS)

NOT VOTING—25

Baca
Baker
Becerra
Blunt
Boehlert
Bono
Brady (PA)
Cannon
Conaway
Costello
Davis (FL)
Evans
Gibbons
Gutierrez
Kaptur
Kingston
Manzullo
McHugh
McKeon
Nussle
Oxley
Peterson (PA)
Reyes
Walsh
Watson

□ 1439

Mr. FRANKS of Arizona changed his vote from "yea" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. Had I been present, I would have voted "yea" on rollcall votes 242, 243, 244, 246, 247, 249 and 250 and "no" on rollcall votes 245 and 248.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5522, FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2007

Mr. KOLBE. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 5522, the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

REPORT ON H.R. 5576, TRANSPORTATION, TREASURY, AND HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS BILL, 2007

Mr. LEWIS of California, from the Committee on Appropriations, submitted a privileged report (Rept. No. 109–495) on the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

PERSONAL EXPLANATION

(Ms. WASSERMAN SCHULTZ of Florida asked and was given permission to address the House for 1 minute.)

Ms. WASSERMAN SCHULTZ of Florida. Mr. Speaker, I rise today to express my support for a safe and secure homeland, and for providing local governments and our first responders with the tools and resources they need.

Mr. Speaker, I support H.R. 5441, the Homeland Security Appropriations Act for fiscal year 2007, which passed the House on Tuesday, June 6. Had I been present, I would have voted in favor of this legislation.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. COLE of Oklahoma, from the Committee on Rules, submitted a privileged report (Rept. No. 109–496) on the resolution (H. Res. 857) waiving points of order against the conference report to accompany the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM

(Mr. CROWLEY asked and was given permission to address the House for 1 minute.)

Mr. CROWLEY. Mr. Speaker, I rise for the purpose of addressing the schedule with the majority leader for next week. I yield to the gentleman.

Mr. BOEHNER. I thank my colleague for yielding.

Mr. Speaker, next week the House will convene on Monday at 12:30 for morning hour, and 2 p.m. for legislative business. We will have a number of measures considered under suspension of the rules. A final list of those bills will be sent to Members' offices this afternoon.

Any votes called on those measures will be rolled until 6:30 on Monday evening. Also on Monday, we will consider the rule to H.R. 4939, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery.

We will likely debate the bill Monday night with final passage on Tuesday. For the balance of the week, we will do the Transportation, Treasury, and Housing and Urban Development appropriations bill on Tuesday and Wednesday. And the resolution on the Global War on Terror and Iraq we expect to be considered on Thursday and probably spilling into Friday morning.

And so I would expect that there will be votes next Friday.

Mr. CROWLEY. I thank the gentleman. I would ask the gentleman, is it 100 percent certain that we will have votes on Friday, or it is still up in the air?

Mr. BOEHNER. It is likely at this point that we will, in fact, have votes on Friday.

Mr. CROWLEY. And if I could ask for further clarification of the schedule for next week, if the majority leader could clarify the sequence of business for next week, we will debate the supplemental conference report on Monday, roll the vote on that measure until Tuesday, and then take up the Transportation, Treasury, HUD bill Tuesday.

Do you expect that bill to be completed on Tuesday? And will the Iraq resolution then be debated on Thursday?

Mr. BOEHNER. I do not expect that the Treasury, Transportation and HUD appropriation bill will be finished on Tuesday. It could be finished on Wednesday, but that will even be a push, especially considering the commitments that Members have on Tuesday evening.

Mr. CROWLEY. How much total time do you expect will be allotted for debate on the Iraq resolution you referenced previously? And which days are you anticipating the debate will take place? And will ranking members and leadership be included in negotiating the text of that resolution?

☐ 1445

Mr. BOEHNER. The resolution is coming together. The Committees on International Relations, Armed Services, and Intelligence, all three of those committees were consulted and worked to put the resolution together. That debate will begin on Thursday morning. And I expect that there will be blocks of time available assigned to all three committees. What the length of that debate is is still uncertain. I would expect it will be at least all day Thursday, and, as I said earlier, could likely consume Friday morning as well.

Mr. CROWLEY. If I can, I just have one last question. In reference to the work that is being engaged on right now on developing the language for the resolution on Iraq, is that being done in a bipartisan way? Are ranking members on those committees also participating in that?

Mr. BOEHNER. We consult with the committees. How the chairmen and ranking members relate to each other is above my pay grade.

Mr. CROWLEY. I thank the gentleman for his clarification and for his honesty.

ADJOURNMENT TO MONDAY, JUNE 12, 2006, AND HOUR OF MEETING ON TUESDAY, JUNE 13, 2006

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debate; and further, when the House adjourns on that day, it adjourn to meet at 9:30 a.m. on Tuesday, June 13, 2006, for morning hour debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

HONORING THE HOUSE PAGES

(Mr. SHIMKUS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I would like the pages to come on down and join me in the well of the Chamber, please. If you could fill in the seats in these first two rows and try to stay in the central part if you can.

Well, I have had the great privilege over many years, some people would say a great curse, but I would say great privilege, to be chairman of the page board for now a good handful of number of years. And so I have been able to experience this time in thanking the pages a couple times now and it is never easy. It is never the thing you want to do, but it is the thing that we all learn in life, that life goes on.

We as Members of the House want to thank you for your service first and foremost. You are an integral part of what we do here, and as we have said to many of you when we welcomed you here months ago, you have a unique opportunity to see the inner workings of the House of Representatives, an opportunity that I am sure many people would pay to do, but you do it as a service rendered to your country.

Hopefully, we at the Federal level continue to support this program, not just so you at this moment and this time of your life see how we operate and what we do, but then we do believe that somewhere in the future you will continue in this public service part of your experience to help make the world and our country a better place. And whether that is involved in partisan politics, which I think is an honorable cause, or that is running for office yourself or being a good voter, being somewhat involved in the process, being concerned about your local community, it really takes individuals to step up to be leaders. And you really cannot be a member involved in the page program and not experience all those aspects about commitment to the government, to your country and as service to other people.

So thank you for what you have done. To highlight that for future generations, I am going to submit the list of the page program for the year 2005 to the Clerk so that it gets placed into the official CONGRESSIONAL RECORD from now on so when you have children or grandchildren and they ask you what you did as juniors in high school, you can say, oh, I was a page. And they would say, no, you were not. And you say, check the RECORD, there is my name.

Mr. Speaker, the following is the list of the page program for 2005–2006:

U.S. HOUSE OF REPRESENTATIVES, 2005–2006
PAGES

1. Stephen Archer (NY)
2. Arielle Askren (OR)
3. John Atsalis (NH)
4. Katelyn Baird (FL)
5. Jack Barnhill (MI)
6. John Bell (SC)
7. Katie Bellantone (IL)
8. Vitaliy Benz (AL)
9. Adam Brault (MA)
10. Elizabeth Breen (CA)
11. Phoebe Brosnan (VA)
12. Sarah Brehm (MN)
13. Susan Carr (PA)
14. Sara Dillion (CT)
15. Rachel Douglas (PA)
16. Michelle Elkins (CA)
17. Linwood Fields (TX)
18. Stephanie Fleming (MO)
19. Robert Forsythe (WI)
20. William French, Jr. (VA)
21. Kelly Freund (PA)
22. Richard Frohlichstein (MO)
23. Jeanette Garcia (NY)
24. Elizabeth Gartzke (FL)
25. Chelsea Goldstein (MD)
26. Jorge Granillo (TX)
27. Christopher Guizlo (KS)
28. Travis Hargett (OH)
29. Shataya Hawley (NJ)
30. John Hayes (KY)
31. Steven Henderson (NC)
32. Sieglinde Hindrichs (VA)
33. Nathaniel Hutcheson (FL)
34. Lap Huynh (CA)
35. Eric Imhof (VA)
36. Sergio Jimenez (AZ)
37. Ellen Johnson (WI)
38. Taylor Krebs (OH)
39. Henna Mahmood (NY)
40. Hannah Marrs (CA)
41. Jenna Matecki (IL)
42. Emily Medcalf (CA)
43. Ryan McHenry (WI)
44. Frank Moran (MA)
45. Mary Ellen Nocero (NY)
46. Elliot Osgood (CT)
47. Jody Owens (NC)
48. Liliana Pereira (NJ)
49. Mary Jo Pham (MA)
50. Michelle Ramirez (AZ)
51. Ivvette Rios (AZ)
52. Alixe Ryan (LA)
53. Joseph Schmitz (NE)
54. Matthew Sheppard (FL)
55. Stephanie Shifalo (MS)
56. Saul Spady (WA)
57. Andrea Spencer (AZ)
58. Christopher Stergalas (MI)
59. Travis Trawick (TX)
60. Nancy Waters (WA)
61. John Vance (TX)
62. Michaela Wilkes Klein (MD)

Mr. Speaker, with every farewell there is always the good times of telling stories and remembering friendships.

Mr. DAVIS of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SHIMKUS. I yield to the gentleman from Illinois.

Mr. DAVIS of Illinois. Let me just add some accolades. But first of all, I want to commend first my friend and colleague from Illinois, Representative SHIMKUS, for the tremendous dedication and service and leadership that he has provided to the page program as its chairman. But let me also commend and congratulate all of you for the tremendous service that you have provided. Many of us make use of your skills, make use of your energy, of your legs, your ability to go from one place to the other and bring things, but I am amazed at the number of people that I have met here who are now Members of this body who at one time served as pages.

So I suspect that in the future we will see some of you here as Members from the community where you live and perhaps we will even see one of you sitting in the big chair up in the White House.

Congratulations to all of you. Thank you so much for your service.

Mr. SHIMKUS. Mr. Speaker, I thank my friend, Mr. DAVIS from Chicago, but I am a legislator and I believe that the big chair is the Speaker's chair. So I am an article I guy, not an article II guy.

But having said that, with living and working and sweating and being together for all these opportunities, there are some very important historical events that have occurred here and I said that when you came in. I am not sure what they will be, but here in Washington there is always something that happens that is unexpected. Like surviving the Page Plague I, where it was hard for us to find a page because you were all sick. And then we had at the second semester, mini-Page Plague which affected a good number of folks. I see my friend JIM KOLBE here, but maybe we can take some lessons here on bird flu and epidemics based upon studying the page class and how they survived the illnesses.

You got to attend a State of the Union address, and probably it is historical in the fact that we had so many, four, joint sessions of Congress with leaders from around the world, just most recently the President of Latvia, but the President of Liberia, the Prime Minister of Italy and the Prime Minister of Israel. All very momentous occasions.

You all really being in tune to the current cultural climate have been able to observe and participate in many of the celebrity sightings that occur here which is always a challenge as we work around here because we really do not want you trying to seek out these celebrities but somehow you know where they are at and where they are going. Like Dave Chappell or Chuck Norris, Queen Latifa, Glenn Close, George Lucas, Bono, I pronounced it right, Jessica Simpson, and of course we cannot forget Brangelina. I read this and I said, Brangelina? And they followed up as they knew I was going to say this. For those of you who do not know, like me, that is Brad Pitt and Angelina Jolie.

Some of you had the opportunity to see numerous cities, New York, Baltimore, Philadelphia, to name a few; and then there was the black-out in the Capitol. Always momentous. And then I still cannot get true clarification of what occurred, but there was something about being locked out of the page cage for some reason. But Ms. Ivester and Miss Sampson, they are around here keeping an eye on you, would not elaborate on it any further, protecting you. All I could get from them was some mumbling and shaking their heads and walking away without comment.

I know you all had a great time on your prom. I didn't know I was that powerful, but I was able to make sure that we had no votes that day so all you young ladies could spend all the hours you needed to get prepared for the prom event.

Being a page is a special program. We love having you here. We know you are going to do great things in the future. It is a great investment that we make. But we also understand that you are high school juniors, and that balance between adulthood and adolescence, there are trials and tribulations, but you all have performed well.

One of the worst things that I have to do as the head of the page board is the disciplinary actions, and it is great for me to say that you all have stuck together and I haven't been able to exercise the full force of my authority and that you are to be commended for that.

Mr. Speaker, I yield to my friend, the gentleman from Arizona, Mr. JIM KOLBE, who has always had a great relationship with the page program. I appreciate his mentorship and this will be his last farewell also.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from Illinois for yielding. And I get the chance tonight at your quasi-graduation, your finishing exercise, tonight to say a few more words to you so I will save most of the thoughts I have, which probably are not terribly profound anyhow, until this evening.

I did want to be here on the floor. I think it is appropriate, as a matter of fact, that this is the last time I will speak to you and the last vote that you got to see was on Congressman KOLBE's appropriations bill for foreign operations. So you can say the last set of votes the last day was spent on the floor with Congressman KOLBE in the debate on the bill that he was responsible for.

It has been a great pleasure. It gives me an added sentimental value to this occasion.

I think most of you know that I have a special relationship with the page program that stems from the fact that I started as a page. Albeit as some of you know it was over on that other side in that other body over there, but you will forgive me for that. At that time it was really run as one single program.

I have to say that the page experience, as you can probably tell from where I am standing today, is one of those things, those experiences that had a profound change on my life. But having started here as a page, I promised Peggy and Miss Ivester and the others that I would not tell you all the stories about the things that I did, that we did as a page. So I promised not to tell you the story about how we hauled the English teacher's Volkswagon bug up the steps of the Library of Congress and planted it in the middle of the platform up there. And I promised not to tell you about the story of how we faked the suicide of one of the pages jumping from the balcony and there was a page spread out down below.

Mr. SHIMKUS. If the gentleman would yield, you would not have survived my mentorship as the chairman of the page board.

Mr. KOLBE. There was no question that almost all of us in the page program would not have survived the mentorship.

I promised not to tell you those kinds of things. Fortunately, it is on your last day anyhow, so you are probably not going to find time to do too many of those things today.

The gentleman from Illinois was talking about the celebrity sightings. Some people would think there are celebrities enough here in the House of Representatives and in the Senate and with all the joint sessions that we have. But I remember not too long ago when I had that actor. What's his name? Oh, Brad Pitt and Angelina Jolie down in my office down below here on the first floor just below the Chamber here.

☐ 1500

When I finished the meeting and came out, there were a bunch of secretaries and few pages there with their cameras, and I thought, wonderful, they want pictures of me. But no, none of them were interested at all in having a picture with me. It was this actor and actress that were there.

So I guess we know that really Members of Congress are pretty second-rate when it comes to celebrity sightings, and sometimes maybe we are just a little bit of chopped liver.

But I do want to say to you that this experience obviously is one that you may not realize it now, but you are going to carry away with you some very important things, some things that will change your life in ways that you probably cannot even imagine right now.

It does not mean that all of you are going into politics, because probably only a handful of you might. As a matter of fact, in my graduating class at the page school, we went all the way through high school in those days. In my graduating class, I am the only one that ultimately stayed in elective politics.

But there, it does not matter. This experience will make a difference to you. It will make a difference not only in your school and make a difference not only in the way you look on things and events in the world, but hopefully will make you more of a citizen of the world and a citizen of the United States, and I think this is the important thing.

Many people ask us why do we continue this program. Let us face it. We could do this a lot easier with a lot less expense if we just contracted out and hired some people to serve as messengers, but year after year, the Congress of the United States supports this program for young men and women, and through the course of the more than 150, or really almost 200 years, several thousand young men and women like you have come through this program and had this experience because we think it makes a difference, and we think that your experience becomes the experience of the future leaders of the United States.

So I hope that whatever you do when you go back, you will think about this program, and, of course, you will think about your friends, the friendships you have made here and you will maintain those friendships and you will come back for your reunions. You always come back for the first year reunion, 5-year reunion, 10-year reunion. It is wonderful to have these friendships, but you will also remember what you learned here and you will incorporate into your daily lives and into the thinking of whatever you do, if you are in business, if you become a physician, if you become a lawyer, if you become a teacher. All of these things will be valuable to you.

So you have had a rare, rare experience, and I hope that you can appreciate that. But I want to say now in closing how much we appreciate what you do. You make our lives just a little bit easier every day. You are the grease that makes the wheel go round without squeaking quite so much, and sometimes we take it for granted and we do not realize how much of a difference that you make in our lives and the work of this body.

So it is my great privilege to be here to say thank you to you for the wonderful job that you have done for us, and I hope that I will see many of you in the years ahead, that we will stay in touch and I will follow your career, your successful careers in business, but most important, in your lives with your families and with the people that you interact with. God bless you all and God bless America.

Mr. SHIMKUS. Mr. Speaker, I would like to thank my colleague for his comments, and every time JIM KOLBE speaks, as you have heard in the last comments at the end of the appropriation bill, the Foreign Ops bill in which Members from both sides, especially the Democrats, talked about his integrity, his commitment, his honesty, and those are comments from the heart, and you will get to hear him one more time at the graduation ceremony.

I bring you thanks from all the folks who you have worked with, the dorm staff, the school staff and of course, the floor staff here who are always well represented in keeping track of where you are.

Thank you for keeping track of each other during this time. Thank you for keeping each other safe and being friends to those who needed friends at that time, and thanks for keeping each other out of trouble. Those things that you have learned during this time, let us hope that you carry them on with you, that you will just make this world a better place.

So thank you. God bless you, and God bless the United States of America. We appreciate your service.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

HONORING CONSTABLE DALE GEDDIE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, I come to the floor today with a heavy heart. A constituent of mine, Smith County Constable Dale Geddie, was shot to death in Smith County and Deputy Daniel Leon was injured Wednesday morning as they responded to a domestic disturbance dispute call just outside Tyler, Texas.

Tyler deputies called for backup that morning, and Dale responded the same way he had his whole life, by getting to the scene as quickly as possible, without regard for his personal safety or what might be waiting for him at the scene.

Having known Constable Geddie well and understanding what a crucial role he played in his community, it is understandable, Mr. Speaker, that the community, the county, the State and so many around the country, including law enforcement, have extended condolences to his family during this tragic time. It is, indeed, a sad day for East Texas and the United States.

Born in 1960, the son of a Smith County sheriff's deputy, Dale Geddie attended Rice Elementary School and Whitehouse Elementary School before his parents bought a ranch in Winona. Constable Geddie graduated from Winona High School in 1979 and began his law enforcement career as a jailer with the Smith County sheriff's office on August 23, 1985.

To further expand his expertise and intellect in the law enforcement arena, our fine constable attended the East Texas Police Academy at Kilgore College in 1986 and graduated at the top of his class.

Following graduation from the academy, Dale transferred to the criminal investigation division as a deputy investigator, and during his time as a detective, Dale also served for a time as an undercover narcotics officer.

Our friend Dale left the sheriff's department in 1996, and he spent some time as a freight driver and even as a farrier before opening Lovelady-Geddie Private Investigators and Polygraph Service.

Dale signed up to be a reserve deputy for the Smith County Sheriff's Department in July of 2004 as he was gearing up for his first political race. Many in the community encouraged Dale to run for constable, which he won, garnering around 58 percent of the vote.

Constable Dale Geddie's personal life, as well as his professional life, was shaped by his integrity. Many friends who knew him best cited his deep faith and his commitment to his family. Whether for family, friends, community or Nation, Dale truly did strive to serve and to protect.

In closing, Mr. Speaker, let me read a short quote that Mr. Geddie's neighbor, Justice Sam Griffith, gave when hearing of the constable's death: "When I heard he had been killed, I immediately thought of the scripture, 'Well done, good and faithful servant,' " Justice Griffith said.

Mr. Speaker, God be with the Geddie family, his loved ones, as well as the Daniel Leon family and Daniel Leon as well.

THE DEATH OF AL-ZARQAWI

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, Americans woke up yesterday morning to the news that Abu Musab al-Zarqawi was killed in an air raid in Iraq. Even though he was a vicious man, who had contempt for every single thing America represents, I do not believe his death signals a particular turning point in the Iraq War.

There have been other supposed watershed moments that were loudly trumpeted by enthusiasts for this war, but none of those turned out to have long-term significance, and I do not believe this to be any different. It will disrupt the operational capability of al-Zarqawi's organization, but most certainly will not end the civil strife that has engulfed Iraq.

Although Zarqawi was the leader of a group called al Qaeda in Iraq, it is important to note that he was not closely allied to Osama bin Laden. In fact, the two men had something of a long-standing rivalry. Zarqawi's death is not in any way a blow to bin Laden and the al Qaeda that is responsible for 9/11.

Mr. Speaker, the insurgency is a decentralized force that extends well beyond the influence of a single man. As foreign policy scholar Ivo Daalder points out, the anarchy that has taken hold in Iraq cannot be attributed to just one terrorist. Iraq has mushroomed into what Daalder calls a "large-scale sectarian conflict" and what I would call a full-blown civil war.

Dueling militias, fueled by ethnic hostilities that are centuries old, are fighting for control of the streets of Iraq and leaving a trail of carnage and bloodshed in their wake. It is difficult to see how the elimination of one man changes that tragic dynamic.

To the extent that Zarqawi's death has any impact, it will probably further animate the insurgency and lead to even more violence.

We can never forget what Lieutenant Colonel Frederick Wellman said last year about the insurgents, and I will quote him. He said, "We can't kill them all. When I kill one, I create three." So if killing one insurgent creates three more, what happens when you kill one of the most visible insurgent leaders?

And here is an interesting twist. If killing Zarqawi was a primary goal of the Bush administration, why did they not act when they had an opportunity 4 years ago? According to NBC News, on three separate occasions in 2002 and early 2004, Zarqawi was within our sights, but all three times, the plan for attack was vetoed at the White House and the National Security Council. Why the hesitation on the part of this famously trigger happy administration? According to NBC sources, it was all about selling the Iraq War.

At the time, the administration was furiously trying to build public support for the preemptive invasion of Iraq, resorting to all kinds of misinformation if necessary. And they did not want to lose the public relations value of keeping Zarqawi alive and dangerous, which just goes to show that this misadventure in Iraq seems to have always been more important to the administration than actually stopping terrorists.

Remember when the President made the reference to: "Wanted, Dead or Alive"? Maybe the real motto should have been: "Wanted, Dead or Alive, Unless You Might Be a Useful Propaganda Tool."

Mr. Speaker, conditions in Iraq are unspeakable. According to the BBC, the morgues in Baghdad alone have reported more than 6,000 violent deaths so far this year, an average of 40 a day in a single city.

The administration lit the match that ignited this inferno. The death of al-Zarqawi will not extinguish it. We must remove the one thing that gave rise to the violence in the first place, the very appearance of American occupation.

For the safety of our Nation and the long-term stability of Iraq, there is only one answer: Bring our troops home.

□ 1515

PANDEMIC PREPAREDNESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

Mr. DEFAZIO. Colleagues, I have tremendous concern about the lack of preparedness in our Nation for the potential of a flu pandemic. Now, it is not certain that the current H5N1 bird flu is going to become a human-to-human type pandemic, but all the experts say we are overdue for a pandemic in the United States so it is prudent that we look at our preparedness or lack thereof.

Recently, in the Homeland Security Committee on which I serve, as does the gentleman in the chair, we held a hearing called "Are We Ready: Implementing The National Strategy For Pandemic Influenza." There were a number of disturbing things that came out during that hearing, and one in particular has been highlighted a number of times by GAO reports and recently by press reports. I asked some questions regarding that during the hearing, and that is the lack of ventilators in the United States.

Basically, experts say that medical professionals will be triaging ventilators because we have such a severe shortage of ventilators in this country. It is the one way to help take someone through an acute phase of the H5N1 virus. The very few survivors that are known have been on ventilators and received intensive antiviral drugs and others. So were this to be a pandemic, as opposed to a few isolated cases, we are woefully short.

In fact, the estimates are that we would be 637,500 ventilators short. That is, people would be dying unnecessarily because they wouldn't be able to get near a ventilator, and that number assumes that none of the existing ventilators are being used for any other purpose in the United States.

Now, when I raised this issue with Dr. John Agwunobi, who is the Assistant Secretary For Health, he is a recent Bush appointee, his expertise was being Health and Human Services Director for President Bush's brother in Florida, so he brings tremendous expertise to this job and great professionalism, as do many of the political appointees we have seen with this administration, but when I asked Dr. Agwunobi about the ventilator shortage, he said, well, that is not our job.

I said, well, what about the national stockpile? He said, oh, yeah, we'll get some for the national stockpile. How many? Oh, well, 4,000 or 5,000 ventilators. Remember, we need another 640,000 or so in the case of a pandemic.

So I said, well, whose duty do you think it is to enhance the stockpile? How are we going to enhance the stockpile? He says, oh, no, that is the job of the States and the hospitals. He said, in fact, you know, hospitals or some county somewhere might not build a swimming pool; instead, they should be investigating in preparedness for pandemics.

Well, he doesn't live in the world that most of us live in. My counties are pretty short of money for essentials. They are not out building swimming pools. We don't have public hospitals in my State. The other hospitals that are there can't get reimbursed. You can't work it into a Medicare reimbursement schedule to buy a bunch of ventilators to stockpile for a pandemic. They have to justify the current clientele needing the ventilators, otherwise they are not allowed to put that into their rate base.

So I raised these issues with Dr. Agwunobi, and he just basically blew it off. He is really not too concerned. Now, this is the Assistant Secretary For Health, political appointee of George Bush. He started to kind of remind me of another famous appointee, Michael Brown. But this time it is before the fact. We need action to prepare for a pandemic.

I am writing to the Appropriations Committee recommending that they deal with this in the Labor-HHS-Education appropriation bill; that we mandate some purchases for the national stockpile, minimally of ventilators. We should also be doing a much better job of stockpiling the antivirals; and we should also be, with more urgency, instead of waiting for the private sector or the pharmaceutical companies, who aren't much interested in vaccines or other things they can't make a bunch of money on, to give us some new installed capacity in this country, modern capacity, to develop vaccines. I mean, this pandemic will come in waves. And between the waves, if it goes on for 6 months or a year, you could develop and deploy vaccines once the specifics are known. Unfortunately, there are no modern facilities in the United States of America capable of manufacturing vaccines.

But, again, Dr. Agwunobi and the Bush appointees don't look at this as a particular problem. We need to better prepare to protect the American people for the possibility of a flu pandemic.

SALUTE TO THE LEADERSHIP COUNCIL FOR METROPOLITAN OPEN HOUSING

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, this year marks the 40th anniversary of Reverend Martin Luther King's northern campaign. In January of 1966, Dr. King and his family moved to Chicago's west side, not far from where I was living and working at the time. Chicago was one of the most segregated cities in the Nation, and real estate agents were deeply engaged in racial steering and block busting. Beginning in July of 1966, Dr. King organized a series of marches demanding open housing. To the shame of Chicago and the Nation, marches were met by shouts of "White Power," bricks, and even bombs.

Mr. Speaker, those who have been reading the Taylor Branch three-volume biography of Dr. King will be reminded of one of the great ironies of our time. We know less about Dr. King's stay in Chicago than almost any other period of his life because, for some reason, the FBI was relatively unsuccessful in bugging Dr. King's communications in Chicago. One of the things we do know for certain was that although the northern campaign was deemed a failure by many, it gave birth to one of America's great fair housing organizations, the Leadership Council for Metropolitan Open Communities.

For 40 years, the Leadership Council has fought the good fight, seeking equality and justice for families who just wanted equal access to the housing market, just wanted a fair shot at finding a decent, affordable place to stay of their own choosing. The Leadership Council made it possible for more than 10,000 public housing families to improve their housing situation as a result of a Federal court settlement with the Chicago Housing Authority.

They relentlessly pursued housing discrimination in the courts through a program of testing. They trained tens of thousands of real estate agents in fair housing law. And though much remains to be done in the arena of fair housing, the Leadership Council is now preparing to close its doors due to lack of funding. These are indeed hard times for nonprofits in general, but fair housing advocates tell us that they have been hit particularly hard.

Mr. Speaker, the Leadership Council left a little of their vision wherever they ventured, even here in the people's House, where they helped to lead the grass-roots movement which led to passage of the Federal Fair Housing Act.

Mr. Speaker, the Leadership Council will be missed but not forgotten. They leave a proud legacy and can retire with their heads held high. Their resolve and their work will live on as other organizations and individuals pick up where they left off. And although they are closing their doors and going out of business, I say to them and all of those who were associated, A job well done.

CIVIL RIGHTS AND IRAQ

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, as always, I appreciate the honor and the privilege of addressing the Speaker and, in doing so, addressing this Chamber as well. I know that the voices that come to this floor to make these addresses echo across America, as our Founding Fathers envisioned.

Before I pick up the issue I came to this floor to speak about, I would say a few words in support of the remarks made by my colleague, the gentleman from Illinois (Mr. DAVIS), with regard to Dr. Martin Luther King, Jr. Sometimes we lose perspective of that time in America, back in the 1960s, when there was the institutionalization of segregation, particularly in the South.

Those were glorious days when there were civil rights marches for civil rights reasons and the rights that everyone has in this country that are guaranteed by our Constitution. These are individual rights. They are rights without regard to what group you might think you are aligned with. They belong to men and they belong to women, and they are rights that preclude group rights. They are individual rights, the rights to life, liberty, and the pursuit of happiness, but more specifically freedom of speech, freedom of press, freedom of religion, freedom of assembly, freedom to keep and bear arms, and the right to property ownership, which has been eroded by the Kelo decision here in these last few months, I might add for your benefit particularly, Mr. Speaker, and for mine.

In those days, when there was a peaceful civil rights movement in this country that stood on solid philosophical ground that all people that are citizens of this country, that live here, have equal rights. That is a different kind of a civil rights call than we have heard sometimes across this country today.

There is the argument that there is a civil right to marry anyone that you choose, say, for example, a same-sex marriage civil right they claim. Or a civil right that people claim because they are illegally in this country and they say I have a global civil right to come to the United States of America and the Americans do not have a civil right to set immigration policies. Those are not civil rights, Mr. Speaker. There is not any civil right to come to America and demand the rights of citizenship; and there is no civil right to marriage, even for opposite sex couples that are madly in love, that traditionally have and will hopefully continue to be joined together in holy matrimony. That is not a civil right.

In fact, we give a license for marriage. And a license is, by definition, a permit to do that which is otherwise illegal. So the State, meaning the government, the Federal Government, there are State governments and some of our local governments, take an interest in that sacred institution of marriage when a man and a woman are joined together in holy matrimony. Because we know that the value of this entire society and civilization is poured through into the next generation of our children through that relationship of holy matrimony between a man and a woman.

We teach our children in that relationship everything that we know and everything that we believe about our values. We pass our religious values along through that marriage relationship. Children are our projects for our life. There is nothing more important that we can do in our lifetime than raise children. So we make them projects. And our first and most important thing is to be able to teach them our religious values and our moral values and our work ethic. And all the things that flow from our culture flow from a father and a mother and a family.

Now, that is the ideal circumstance. And it doesn't mean that there aren't millions of children in America that aren't raised in that kind of an environment. It doesn't mean that they will not have opportunities. They will. And they will pick up their values sometimes from a single mother or a single father. But they need extra nurturing from their pastors and teachers in the neighborhood. We know that statistically most of society's pathologies can be solved by two people joined together in marriage raising children in that marriage and having them also keep a job.

But the fact that there is a marriage license that is granted precludes the idea that there is a civil right to marriage, just like there is not a civil right to someone who lives in another country to come into the United States. Those are not civil rights. Civil rights are specified in title VII of the Civil Rights Act, and those are defined characteristics. There will be no discrimination against people based upon race, creed, religion, ethnicity, skin color, or national origin. And I am not sure that is exactly the quote, but it is exactly the theme, Mr. Speaker.

I know that behind that some of the States have added also age or marital status. But those are all immutable rights or immutable characteristics, characteristics that can be independently identified and can't be willfully changed. Those are the reality. It is not something that I decide I am going to be a man or a woman or a person of a certain other country or color. You can't change that, Mr. Speaker.

The immutable characteristics are those that are real, they are distinct, they can't be changed, and they can be independently identified. And what we say in title VII of the Civil Rights Act is it shall be unlawful to discriminate against people for that list of immutable characteristics that I have given.

□ 1530

That is what gives the Civil Rights Act the dignity and respect and sets it apart for many of the claims for civil rights that come out today. There is always looking to be another successor to the civil rights movement, and there will never be another need for the civil rights that were demanded in the 1960s, and provided by peaceful demonstrations done in the right way for the right reasons with the right ideals, and those were glorious days for America to go through that change and emerge. I will say we are very sensitive to these issues of race and ethnicity, and we are very respectful of the issues of race and ethnicity, and the work that was done in the 1960s, the benefits flow to us today.

The legacy is with us today. We look across our public life and see successes in people from all avenues, from people that have come from any origin. They have overcome many obstacles, and we applaud that as Americans. As Americans, we are for the underdog. We are for the one who pull themselves up by their bootstraps. We are for the ones who had the least opportunity and made the most from the least opportunity.

The reason that we are is because that embodies the American spirit, the American spirit which is embodied by the massive number of immigrants that have come to this country legally.

Mr. Speaker, 66.1 million Americans have come to the United States legally, many of them through Ellis Island starting when we first began keeping records in 1820 until the year 2000 is the last time I can get the numbers added up and be firm on them. So 66.1 million self-selected individuals that brought their vitality to the United States because of the clarion call of freedom and liberty, and that liberty that was ensured and enhanced during the civil rights era.

I applaud Mr. DAVIS for his remarks, and I am a great fan of the contribution of Martin Luther King, Jr.

But, Mr. Speaker, I came to speak on an issue which has significant impact on the destiny of the United States of America. That is some of us found out very early yesterday morning, it came to my information about 3:30 yesterday morning here, that perhaps the worst, most horrible murderer on the face of the earth had been brought to justice by Coalition Forces and Iraqi intelligence as well as Task Force 145 of the United States military, and I will say, all of the Coalition Forces together, and that would be the end of the very tyrannical career of Abu Musab al-Zarqawi.

We know they had followed him to a safe house where he was having a meeting with six of his other colleagues, some of them high level. Our surveillance had tracked him there. As they watched that safe house, they thought about different ways that they might be able to take action against Zarqawi, the person who was responsible for thousands of murders in Iraq.

Zarqawi was the inspiration, was the person that led the recruitment of al Qaeda fighters to come into Iraq and take on Coalition Forces and try to foment an insurrection, tried to foment a civil war. One who argued and promoted and schemed and planned and strategized to attack Shiites within Iraq for the specific and stated purpose of fomenting civil war in Iraq.

It was not just to fight Americans, which was bad enough, but it was to get Iraqis to fight Iraqis. And al Qaeda knew that if they lost a base of operations in Iraq, they didn't have another place to go to.

When our military went into Afghanistan in the fall of 2001 and won the significant victories there, that took out a base of operations for al Qaeda. They had operations that were beginning to take place down to Mogadishu, and when they moved some of those operations up to Afghanistan, they had a base of operations that would allow them to penetrate anywhere in the world and mount their terrorist operations against the United States embassies in Africa, the USS Cole, and bombings across the globe against other countries as well as the United States.

But when they had a base of operations, then they could raise funds, control those funds, bring in military supplies and munitions. They could train and recruit and send people out around the world. We picked out a lot of Taliban fighters during the Afghan operation, and many of them were brought to Guantanamo Bay. As we began to interrogate them, we found out that they had been going into Afghanistan to train. They came from different places in the world. And there was a handful of Americans that went to Afghanistan to train with al Qaeda to come back and fight somewhere in the world against the United States of

America. Certainly we know that is the case for other countries as well.

Well, that base of operations in Afghanistan was wiped out in the fall of 2001. Justifiably so. And then the base of operations shifted over to Iraq. Now we know that there was an al Qaeda training camp in northern Iraq up in the Kurdistan region. We know that Saddam was working and strategizing with al Qaeda. Some would say Saddam was secular; and, therefore, he would not have collaborated with Osama bin Laden. We know better than that.

The thing that is in history that we know the enemy of one's enemy is their friend. But Stalin and Hitler teamed together in World War II and converged in their battles over on Germany's eastern front until such time they met and clashed, and then Hitler turned around and attacked Stalin. The enemy of my enemy is my friend.

So we joined up with Stalin at that point and began to engage in that war that turned it into a two-front war for Germany. The idea that someone like Hitler could not have collaborated with Emperor Hirohito in Japan because they didn't match the same ideology doesn't matter throughout history. That is an erroneous assumption. That does not matter. It is an erroneous assumption throughout history that people will not cooperate and collaboration because they do not match the same goals or ideology. It is the enemy of my enemy is my friend. That is what was going on over between bin Laden and Saddam.

We know that Zarqawi went to Iraq and established himself as the leader of al Qaeda in Iraq. He said that he pledged his allegiance to Osama bin Laden. We have watched on television the horrible beheading of at least one American at the hand of al-Zarqawi. We know how bad this evil individual was.

I believe it was a year ago last April that he produced a letter. And the letter stated what the circumstances were like in Iraq. It should have been given us great heart. All Members in this Chamber should have read the letter and understood what it was Zarqawi was writing about.

Many people on the other side of the aisle denied the reality of what Zarqawi knew last April when he wrote this letter. If I remember right, it was about a 17-page letter. I remember some of the things that were in the letter, and it followed along these lines of now we are here in Iraq and we have to find a place where we can hide because if we are going to operate out of this country, it is a very dangerous place to do it because we have coalition forces and U.S. military that are breathing down our neck at every turn.

He said there is a difference between some countries where they have been successful in their guerrilla warfare and Iraq. And these are the reasons why Iraq will never be a Vietnam. He said there are no mountains or forests to hide in, we must hide in the homes of the Iraqi people who are willing to take us into their homes, and Iraqis willing to do so are as rare as red sulfur. That was a quote from the letter. Iraqis who are willing to receive al Qaeda and harbor and protect them are as rare as red sulfur.

Now I don't know how rare red sulfur is. I don't know if I have ever actually seen red sulfur. I have seen quite a lot of yellow sulfur. I am going to assume it might be an expression like as rare as frog's hair or as rare as hen's teeth. But as rare as red sulfur.

So there weren't many places for al Qaeda to hide in Iraq even last April. They had to take over communities, and then we would go in and break up those cells. So they kept reforming again, kind of like flies do. We would scatter them and swat some and arrest some and kill some, and it was going along at a very brisk pace.

In fact, as recently ago as last summer the Coalition Forces, and this includes the Iraqi military of which there are at least 245,000 that are in uniform defending Iraqis today with those numbers going up 70,000 to 90,000 within a year, but these Coalition Forces were taking out between killed and captured 3,000 a month.

So as those numbers diminished within Iraq, so did Zarqawi's supporters. And the stronger the opposition to Zarqawi and the terrorist was, and the more confidence the Iraqi people got, the more tips that they handed over then to the Coalition Forces that we could act on.

We know that Uday and Qusay, Saddam Hussein's two sons, and actually one of his grandsons that were taken out in Mosul a couple of years ago, that was as a result of a tip.

Our 101st Airborne reacted and took them out. In the end the house that they were in, they demolished the house and hauled the rubble away and graded the lot empty. There will not be a martyr's shrine on that location, Mr. Speaker.

It was intelligence that did that, and it was intelligence that took out Saddam Hussein some months later, to find him and track him and find him in his spider hole. This is another high level of intelligence to be able to close in on Zarqawi.

We know they were close to him a number of times in the last few months. We have heard different people in the news state that eventually they would get Zarqawi. This should not be a surprise to us. Sometimes it is a surprise that a person can stay on the run and last as long as they did, but he stayed on the run until a little more than a day ago when our task force people put the laser on the safe house that he was in and then directed two 500-pound bombs into that house. We have seen the pictures of it. The house, made of cement blocks, is just a jumbled pile of broken up cement blocks.

Of the people who were in there, Zarqawi was the only one that was alive by the time our forces arrived there. I understand he expired not too long after they closed in, but he had at least enough left to recognize that it was Americans that had closed in and put an end to his terrible reign as the leader of al Qaeda in Iraq.

Now, I believe that Zarqawi got his just desserts. I believe he has been sent to his eternal reward, or his eternal punishment is a more precise way to speak of that. I am grateful to the Coalition Forces, to the Iraqis, and especially to the United States military for the job they are doing over there in that country and in all of the theaters that we have in operations now in this global war on terror.

We know that things have heated up some in Afghanistan and the intensity that is there in Iraq, and the futility of the people on the other side who believe they can keep blowing up women and children and noncombatants.

The other day they pulled a bus over and sorted out the Sunnis and gave them a pass and executed the Shiias and the Kurds on the bus. It is a horrible thing to create that kind of violence.

This man, Zarqawi, there was no level, no depth he would not stoop to. We know he has done the beheadings. He initiated the beheadings. Even today there were heads that were found in banana boxes in Iraq. They were put there to drive fear into the hearts of the people who would oppose al Qaeda.

We know also there are retribution killings, revenge killings on the other side. But the truth of it is there is progress being made in Iraq, and the progress that has been made in the last 3½ years while we have been in those operations has been slower than many of us would have liked. But compared to any other similar operation in history, it is going along pretty good.

Mr. Speaker, we need to keep in mind that the Iraqis have established themselves as a sovereign nation. That is no small task in a nation of 25 million people torn by violence and strife and torn by an al Qaeda parasite that came into that society that was determined to tear them apart, that was attacking and fomenting the kind of violence that was designed to produce a civil war.

With all of those forces inside, with Iran providing resources to try to incent a civil war within Iraq, Iran not wanting to see free people in Iraq, for obvious reasons, the clerics, the mullahs that run the country of Iran, they want to stay in power.

□ 1545

And we know that there is a significant amount of unrest within Iran. The people in Iran have memories of a more modern, open society under the Shah, and they want to join the world community of nations and they want to move into the future. And they understand that if they are held back into the Dark Ages by a clerical group of leaders who are determined to hold them there and tell them what they can wear and what they can say and how they are going to live, to hold women back, to not allow elections, at least legitimate elections, that they will not be able to move Iran into the 21st century. And they want their opportunity. But the leaders in Iran want to hang on to the power.

That is all the way it is, Mr. Speaker. The leaders want to hang onto the power, and so they are promoting the violence also in Iraq. Some of that violence has been supported out of Syria the same way and the infiltrators that come in that are the fighters for the insurgents come across the border from Iran into Iraq and from Syria into Iraq in the greatest numbers from those two countries. There is support in both of those countries for an insurgency that had we had the cooperation of Iran, had we had the cooperation of Syria, this operation in Iraq would have been over a long time ago.

And, Mr. Speaker, I would point out for the edification of the folks that don't think about this very much that a war is never over until the losing side realizes that they have lost. It isn't a function of how many people are killed, or a function of how much land is occupied, or a function of how many battles are fought and won. They are all factors. But those are all factors that are designed to influence and convince the other side that they will eventually lose, in fact, may have lost the war. And so every operation that we have, military operation, any kind of a sanction that is there, any kind of a blockade, any kind of psyops, any psychological operations that are going on, media message that is going out there, the voice of the President, the Secretary of Defense, the voices on this floor of Congress, Mr. Speaker, should all be designed to promote the idea that America will not blink, that we will not back out, that we will stand up for freedom and stand up for liberty. And if that consistent message goes across the ocean into the Middle East, those people that are sitting in those huts making bombs and deciding that they are going to plant them and detonate them on American troops or coalition troops or Iraqi troops, or Iraqi women and children, at some point they will understand, we will not blink. We will not flag. We will not fail. We will carry out our efforts on this war on terror globally, and Iraq is a battle field in the global war on terror.

This country cannot fail in our resolve. We will be resolved and we will finish this task. And the task will be over when the enemy realizes that they have lost. That is the very definition of winning a war, Mr. Speaker. In fact, Von Clausewitz wrote in his book on war that the object of war is to destroy the enemy's will and ability to conduct war. Destroy the enemy's will and ability. And Von Clausewitz understood that if you could destroy the enemy's will, they would not have the ability to conduct war. And if you take away the enemy's ability to conduct war, part of that ability is having the will. Without the will, no amount of weapons, no amount of resources would even be used at all because there would be a lack of will to ever use them.

So to destroy the enemy's will and ability to conduct war boils down in the Steve King version to make the enemy realize that they have lost. Once they reach that realization, then they will give up their arms, they will give up their efforts and there will be peace and there be a peaceful reconciliation that resolves things hopefully for the better so that people can live free. That is the effort that is going on in Iraq. And we lose sight of the reason that we want to see the Iraqi people with peace and freedom and, in fact, I would say freedom first and peace second. And the reason for that is because, after all, we have an obligation to promote freedom throughout the world, but we also can't be denying this freedom to anyone.

And we need peace in the Middle East. It is a critical part of the world. It puts a threat on everyone in the world when we don't have peace in the Middle East. One of those things would be to look to the freest people that are in the Middle East today, and that would be the citizens of Israel. And where they sit with enemies surrounding them all around, the threat to them, the pressure on them is a threat and the pressure that threatens to annihilate an entire people. They have a right to be there. That is their sovereign nation. And they are a lamp of liberty in the Middle East. The people that live around them don't have the freedom that Israel has.

But soon, I believe they will. I believe they will because Iraq is emerging as a free Arab nation. And Afghanistan has emerged as a free Arab nation. Not without trouble, not without strife, not without violence, not without some more outbreaks of Taliban violence, not without some more battles with al Qaeda over in Afghanistan, certainly not without more battles with al Qaeda within Iraq. But if Afghanistan, a nation of 25 million people, and Iraq, a nation of 25 million people, can emerge a free people, Afghanistan has, Iraq is poised to do so. They become the lode star for all the Arab people in the world. And the people that have lived the least under freedom now have an opportunity to live under freedom.

And I don't believe that the force of freedom can be held back, because the march of history is always, Mr. Speaker, a march towards freedom. And it has been a gradual progression throughout the ages, but in our age, in our lifetime, and this past half a century and peripherally in this next half a century, we will see more progress towards freedom than ever in the history of the world and, in fact, in all the rest of the history of the world put together, I believe we will look back on this time and say this was the time that freedom emerged on the globe. And it emerged in the aftermath of World War II and it burst out when the Berlin Wall came down, November 9, 1989, and we saw freedom echo across Eastern Europe, almost bloodlessly, in a historical miracle of people that now live and breathe free. Five hundred million people at least freed in that echo of freedom when the Berlin Wall went tumbling down and families were reunited.

And as I watched that on the news, I noticed that the national news media missed it. They thought it was about reuniting families and breaking champagne bottles on the Berlin Wall. They didn't realize it was the crashing down of the Iron Curtain. They didn't realize that that era was over. And even for 2½ years after that, as nation after nation emerged free, as they stood in the square in Prague and people stood there and shook their keys by the tens of thousands and just rattled their keys, Mr. Speaker, in a chorus, in a din that said we will be free, and that country is free today. They had their Velvet Revolution and separated again and they seem to be happy between the Czech Republic and the Slovak Republic and their neighbors are free.

And as I look at the coalition troops that are there in Iraq today, the ones that I have met as I have been over there in my several trips over to the Iraq region and into Iraq, I recognize that the participation in this effort is greater within the countries that lived under tyranny up until the fall of the Wall and the end of the Cold War on November 9, 1989. That participation of those countries is greater in percentage than the countries that have lived under freedom longer. Those that got their freedom back from the Third Reich at the end of World War II, some of those countries forgot what it was that they achieved 60 years ago. But those countries that just achieved their freedom less than 15 years before sent their troops to fight for freedom in Afghanistan and in Iraq because they have an institutional memory within the people in the government and within their leaders on what it is like to live under tyranny.

But here in this country, we have a better memory than that. We have not ever lived under tyranny here in the United States of America. We have lived free from July 4, 1776, even though we had to fight a few wars to keep it, all the way up until today. Some of us would argue that our freedom gets diminished and we argue, here, Mr. Speaker, rather than going to the streets to clash in the streets, we have our debates here. We have an outlet for our desire to make change. And this is that outlet. And there are outlets in the State legislatures all across this land and in the county supervisors and the city halls. We take our disagreements to the public forum, and we have a civilized debate. And as the former majority leader and my friend and colleague, TOM DELAY, said on this floor, this very podium about this same time yesterday, you show me a nation that doesn't have partisanship and I will show you a tyranny.

If there is not a forum for debate and for disagreement and dialogue, then that means a tyrant will be in control and be denying that forum. Well, a tyrant was in control in Iraq and he is now under trial, Saddam Hussein. And there were tyrants in control of the lawless regions in Afghanistan. And now they are free and there are people who have a future. And now, Iraq has a brighter future because the tyrant, the murderer, the baby slaughterer, the person who beheaded people on television has gone to meet his eternal justice. And I think I know where he will spend eternity, Mr. Speaker, and I can think of no better justice for someone like Zarqawi than that.

Some of the things that he did would be to go take someone off the street and kill them because maybe they had a different viewpoint about what the future of Iraq should be. Kill them, disembowel them, fill their body up with explosives and projectiles such as screws and bolts and ball bearings and then put their body alongside the road and sit back and wait for the family to come and recover the body and then detonate the body and blow it up and kill the rest of the family. I cannot think of anything more horrible than an act like that.

But I can tell you that Abu Musab al-Zarqawi, Mr. Speaker, spent a great deal of his time trying to think of more brutal things that he could do, more shocking things that he could do, more ways that he could try to crack the nerve of the Iraqi people so that somehow, in that conflict, in the confusion into a civil war that he would have like to have created, he could have found a way to take power and turn Iraq not into a sovereign nation, not even into a real tyranny, but to turn it into a terrorist camp so that he could bring funds in, train people and dispatch people around the world to attack civilizations unlike him.

And that is what the hatred is of al Qaeda. That is the kind of enemy that we are up against, Mr. Speaker, and that is that this is a battle and Western Civilization is an element in this battle. And I will submit that al Qaeda, radical Islam is a parasite on the religion of Islam. And this parasite has attached themselves to Islam. And a parasite will attach themselves to the host; Islam is the host. And they will travel on the host. They will feed off the host; they will reproduce on and within the host. And they will attack the host and they will drop off the host and attack other species. That is what a parasite is.

And I will submit that al Qaeda and radical Islam is that parasite that is now riding on the host of Islam. And we need to be asking Islam to rid themselves of this host, with our help, help guide us, but purge yourselves, rid themselves of this parasite. Purge themselves of the parasite radical Islam, al Qaeda, because sometimes parasites are fatal, and they will consume their host and the host will perish. Well, this parasite has caused numerous Muslims to perish because they have turned and attacked the host and, in fact, I believe that there is not really any question about it. When we look across the world and we count the bodies, the bodies of Muslims lie in significantly greater numbers than the bodies of Jews or Christians that are victims of al Qaeda, victims of radical Islam. They turn on their own. Zarqawi was one of those people. He drew a distinction between Shiias and Sunnis. And when he did that, he began attacking Shiias to try to get them infuriated. He blew up their mosque to try to get them to turn around and attack the Sunnis so that they could have a civil war.

□ 1600

And we had leaders within this country and this Congress, Mr. Speaker, that would join together and declare that there was a civil war in Iraq, and their definition of a civil war would be when the unrest in Iraq got to the point where they had lost their level of tolerance to watch it on the news, I guess. And so some came to the floor and said that there was a civil war. Many said so in the news. There was a group of Senators from the other body that did so. A junior Senator from Iowa declared a civil war to be taking place in Iraq. And I contend that you need to define a civil war before you declare there is one, and I will define it this way:

We will know when there is a civil war in Iraq, and I do not believe for a moment there will be one. I think the steps that were taken yesterday and the death of Zarqawi move things closer towards peace and freedom and further away from the threat of a civil war. But a civil war in Iraq will be defined when the Iraqi military that are in uniform protecting Iraqis, and remember we have Kurds and Shiias and Sunnis all wearing the same uniforms, Mr. Speaker, and they all take the same training and they all carry the same weapons, and they answer to officers that are officers, without regard to whether they are Shiias, Kurds, or Sunnis. But if that ecumenical military, if I can use a little license to describe them that way, chooses up sides and starts to shoot at each other, that is how we will know there is a civil war.

But what we have are at least 250,000 Iraqis in uniform protecting Iraqis without regard to whether they are Shiias, Sunnis, or Kurds, wearing the same uniforms, mixed up in roughly proportionate numbers and defending Iraqis against al Qaeda, defending Iraqis against terrorists, defending Iraqis against criminals, and defending Iraqis against former Baathists that are in their last gasps.

Now, there are also some that believe that somehow Saddam Hussein will come back to power. And because he is alive, because he is able to put up a fight in the courtroom, it gives inspiration to those people that have always been intimidated by Saddam and believe that somehow he has, I don't want to call it a supernatural power, but a power that transcends the limits of a mortal human being in a way that they can't be confident that he is out of power forever until he checks into the next life and joins Zarqawi.

For that reason, I am hopeful that we can get the trials over in Iraq. I am hopeful that we can move forward and if Saddam is found guilty, and so in this country we say innocent until proven guilty and I will afford him on this floor, Mr. Speaker, at least that much latitude, he is innocent until proven guilty. But I have seen and the world has seen plenty of evidence to the contrary.

Now, if that evidence is continually presented in court and the Iraqi court finds him guilty, I did meet with the judges over there last August and sat down with the panel of the judges and one of the questions that I asked the judge was, what is the penalty for Saddam? And he said, Well, first I cannot speak about a case that is before the court. That is appropriate. That is the rules we have in this country. And I should probably not have asked him such a direct question, but I did test out apparently his good judgment to not speak about a case that was before the court.

So I asked him the longest convoluted question one could imagine, at least that I could imagine at the time, which is: If there were crimes that were committed or alleged to have been committed which would be of a similar vein, of the murders up in the region in Kurdistan and the killing of the swamp Arabs in the south, I went through the whole list of hundreds of thousands of Iraqis that had died, if that had happened and if hypothetically we had someone who was found responsible for committing those kind of atrocities, if that person were brought before this court and they were faced with a penalty that would be similar to or charges that were similar to a charge that was being faced by Saddam Hussein then, what would the penalty be?

That is how you have to ask the question without him addressing the case. And he said if someone is charged under Iraqi law the charge of crimes against humanity, then there is only one penalty available and it all is in one paragraph in Iraqi law and I have read it, and that one penalty is death. And so that would be I think a suitable punishment for someone who may well be responsible for the deaths of half a million Iraqis.

I have looked at some of the statistics, and under Saddam's reign there are varying numbers, but I am always asking these questions trying to quantify how bad was the violence under Saddam Hussein, and I can come up with some conclusions. The number that I see come up the most often, the annual deaths in Iraq or the total deaths during Saddam's regime, and then divide it by the year and by the day. And, Mr. Speaker, the most common number that came up was that Saddam was killing his own people at the rate of 182 per day; 182 of his own people per day murdered, many of them tortured, many of them raped in rape rooms. Can you imagine an administration that had professional rapists that are on salary to torture and terrorize and rape family members within the presence of other family members in order to extract certain confessions out of them or just simply punish them to watch their loved ones treated in that fashion? Put through shredders, plastic shredders and ground into little pieces, fed to lions. Those are the kinds of things that Saddam Hussein was doing as well as unleashing gas on the Kurds, for example.

This was going on in that country for years and years. And maybe that number is not 182 a day. The lowest number I can find is about 135 a day. But if you add these numbers up and you subtract from it the numbers of Iraqi civilians that have lost their lives in this conflict since the aberrations began in March of 2003, if you add that up, there are at least 100,000 Iraqis alive today in Iraq that would not be if we had not intervened and pulled Saddam Hussein from power and given the Iraqi people their opportunity at freedom. 100,000 lives at least statistically have been saved in this operation that the news media characterizes as so utterly violent that we should sack up our bats and hit the road no matter what the consequences.

I have heard that statement made even in the aftermath of Zarqawi. The gentleman from California (Mr. STARK) made the statement, or at least the news reported that, this is, that we should get out of Iraq. This is a sign that tells us to get out of Iraq.

Well, those that want to get out of Iraq will use any excuse to try to make the argument. But I asked the question sometime back and I have made the statement on this floor, Mr. Speaker, and I will go down this path of making it again. And it is from memory and not some notes, so there could be a decimal point or two that I could be off, but I will be exactly right on the substance and on the theme.

I asked the question, myself: How can the regular Iraqi civilian, people that are living there scattered all over Iraq in random places, some in Baghdad, some in Kirkuk, some in Mosul, some down in Basra, some in smaller towns, Tikrit and wherever, how can those people, those citizens that want to live a peaceful life and raise their families and have a future, how can they tolerate living in a country that has the level of violence that every day shows these bombings on television to the point where we are jaded here in America and hardly look at them anymore. We kind of do a little mental calculation of what kind of casualties there are over there in civilians. Here was a bombing with 10, here is a bomb that killed 20, here is the bus they pulled aside and, by Zarqawi's orders everyone has to assume, when they sorted out the Sunnis and let them go and killed the Kurds and the Shiias, how can one live in a country that has that level of violence? How violent is Iraq?

And I will have to admit that some of the places that I have been in this country and the statistics that I see caused me to pay attention. And not too long ago, Mr. Speaker, I was down in Brazil in Sao Paulo, and some of the briefings as I came into that city from the airport and it is a large city in southern Brazil that they have 10,000 homicides in that city every year. 10,000. A division, a number greater than a division are annihilated in that one city in Brazil by murder.

So I began to simply calculate, statistically what does that mean. And I didn't get good statistics on how large an area that was, so I didn't commit those numbers to where I could repeat them here, Mr. Speaker. But you divide the 10,000 into the population of Sao Paulo to find out how many homicides per 100,000. And internationally that is the way we measure the risk of violence and homicide.

And so I don't have that number, but that is the one that inspired me to look. So we went back and we added up all the deaths, all the deaths that are in Iraq, all the deaths that we can calculate and tabulate. And there are a couple of Web sites that do that, and at least one of those Web sites is designed to be able to add as many numbers as possible to this.

Now, here are the statistics then, Mr. Speaker, on how dangerous it is to be a regular civilian living in an average place in any of these countries that I have laid out here on this graph, and you can see by the chart.

Here is the United States. Out of every 100,000 people, every year annually there are 4.28 Americans that are murdered, that die violently at the hands of someone who willfully wished them harm and acted upon it: 4.28 per 100,000. Mexico's rate is three times greater than ours, a little more than three times greater. Theirs is 13.02 per 100,000.

We move up the line. Here is Iraq down here pretty low in this graph scale, 27.51 per 100,000 people. That is their level of violence. Now, it is possible that the tabulation has missed some murder in Iraq that maybe didn't get reported perhaps out in some of the obscure towns and cities because their bureaucracy is not very efficient at this point. But it is also likely and in fact very probable that they double-counted some of the other homicides; so I can't tell you if this number is maybe a little bit lower than it is in reality or it is a little higher than it is in reality, but I can tell you this, we don't expect this number to be down here. And if we would double this number, we would still not anticipate that is the case, and the reason is because of the United States news media, Mr. Speaker. And I so will take you up the line.

Venezuela, 31.61 violent deaths per 100,000; Jamaica, 32.42 violent deaths per 100,000. I can remember these. Venezuela and Jamaica, I teamed those together. They both average out at 32 deaths per 100,000. That happened to be OJ Simpson's jersey number, so I will never forget that number. You can ask me in 20 years. Thirty-two violent deaths per 100,000 for Venezuela and Jamaica.

And then you go to South Africa, and down in that country, a great welcome when I visited and met good people and they are struggling to move themselves into the 21st century as well, Mr. Speaker, but in reality you look around and you will see that there are fences built around the homes and walls built around the homes. And they will take glass, and when they finish their wall on top of their wall put mortar on top and set broken glass in the top of that mortar, so those people that want to climb across the wall have to get cut up on that glass.

And then I talked to one of our U.S. council employees and asked him what it was like to live in a country that was walled in, that you were shut in in your own little fortress of your home. And he said, Well, it is not so bad for me because we have a good wall around our house and it has got good security on top of it, and we have got cameras and we have got warning devices, and we have got good solid doors and bars across the windows. And, if they get through those doors or through those bars and get into the interior of the house, we have good solid doors there, too, but we have a chamber that we can go into to protect ourselves that is almost impregnable. So we can always retreat into that if someone invades our home.

It kind of sounds like a war. It sounds like an invading army coming into a country the same way one might consider to be an invading terrorist, criminal coming into a home. It is not a lot different when someone comes across our border, especially when they are armed.

South Africa, 49.60 violent deaths per 100,000. Colombia, one of the highest murder rates in the world and it ranks significantly higher than the United States. So of 61.78 violent deaths per 100,000 in Colombia, well over twice as high as the violent deaths in Iraq.

Now I start to ask the question: How can an individual, an average citizen in Colombia, tolerate the level of violence in Colombia? How long has it been since you have seen the mainstream news media run a story on that? And I would say you could do a Lexus-Nexus search, but never wouldn't surprise me, Mr. Speaker. So Colombia is not the highest murder rate in the world, but they are multiple times greater than the United States. Honduras is not on here, but their rate is nine times that of the United States. And Swaziland is out there at 88.61 violent deaths per 100,000. Now, that is a lawless society. But I just about guarantee, Mr. Speaker, that nobody hears a word about that lawless society in Swaziland, but it approaches that number of three times as dangerous to live in Swaziland, in fact it exceeds that of number as three times as dangerous to live in Swaziland as it is to live in Iraq today. And yet people think that civil society has broken down in Iraq and that there is not a way to operate in that country because it has been taken over by violence.

Well, we had a little violence there for al Zarqawi and lots of people were dancing in the street and firing their weapons in the air like they did when Saddam Hussein was collared, and it is a significant moment in the history of this war on terror, and it is an indicator of what will happen to the next person that emerges to take the head of the operation of al Qaeda and the enemy operations within Iraq. We will always be targeting those people at the top, those people that are second tier, third tier, grabbing them wherever we can. And we have an individual here on the floor with us who has, as I know, been to a very intense and detailed and informative briefing on the operations that were able to take Zarqawi out.

Mr. Speaker, I am very pleased to yield so much time as he may consume to the gentleman from New Mexico (Mr. PEARCE).

□ 1615

Mr. PEARCE. I thank the gentleman from Iowa, and I appreciate his dealing with this subject. It is important right now, while we are talking about Mr. Zarqawi and his timely departure, that we consider why it has taken so long to find him.

Under President Clinton, we began to see the budget cut for our intelligence services by up to 30 percent. But one of the most damaging things that happened during that time was that the intelligence services, under Presidential order, began to refuse to pay or refused to use the services of anyone who had a criminal background or anyone who had an association with unsavory elements.

It was an attempt to bring purity into a system that frankly cannot work on purity. Many times people with information are insiders, and they are insiders because they are willing to cooperate with the officials.

So what we did when we eliminated all intelligence sources with any crimes in their background, we eliminated in Iraq, for instance, all of the people who had fought with the Ba'athists, either willingly or unwillingly.

Because we eliminated them, we eliminated any capability to really get information from them. So we dismantled in the 1990s, we began to dismantle our overseas operations, especially in North Africa, we said we do not need information anymore. I do not if the President looked at the falling of the Berlin Wall and assumed that the American threats were finished.

But President Clinton severely hindered our capability to find information from human sources, and instead said we will accomplish all of our intelligence operations through electronic means.

Well, electronic means do not tell you the heart and soul and plans of what people want to do. And so 9/11 had many indicators and in the period leading up to it, but we were not able to capitalize on those, because we did not know future plans.

The entire operation that nabbed Mr. Zarqawi was, in fact, a very strong indicator that our intelligence system is beginning to work again. President Bush reinstated our security, our using of human intelligence in other countries.

We began to search for information. And because of that, we began to reestablish intelligence that, in the end, began to tell us where Zarqawi was. Then we watched him for several days. We saw the places where he went, and a coordinated attack took out not only Mr. Zarqawi, we took out several of the people that he was with.

But we hit 17 different sites on the same day. Now we did not damage or completely take out of all of those sites, we simply hit the sites, cleared everybody up and then we went in and captured all of the hard drives, the computers, all of the intelligence.

Now the important thing about what our opponents are saying these days in the streets of America, that we should not be listening to any of the conversations of al-Qaeda on the telephone, is that in the aftermath of those 17 sites being captured, we have access to computer records, phone numbers, that tell us who the terrorists are talking to every day.

And we do not have the time, if we want to get timely information, to go through the laborious process of filing all of the documents, building the case, taking them in, getting the warrants under the FISA provisions. Instead, the President has said, we are in a time of war. The Constitution says that the President can use means to monitor the enemy in times of war. And, in fact, we are doing that at this point.

We have got good, well-meaning people in America who would dismantle that program and hinder our capability to even capture or kill more of the terrorist, but I think that President Bush is on the right track, and the fact that we cannot not only hit the leader of al-Qaeda, Mr. Zarqawi, but in addition to that, hit 17 different spots in the same day and take out other people and capture important hard drives, computer-generated information, is an exceptional thing.

I have more comments, but I would yield back to the gentleman from Iowa for him to make his comments.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from New Mexico. In the interim I was able to come up with this picture that I think is important to have posted here for us to remember this individual.

Remember, Zarqawi was an inspiration to our enemy. And I do not believe that Zarqawi is going to end up being the inspiration in the form of a martyr as we often consider them to be.

You know, when you think about what a martyr is, that would be one person who committed and dedicated their lives to a cause selflessly, in an inspirational way, and perhaps one who might have died in that cause.

Can you think of two martyrs for the same cause, Mr. Speaker? And I think back, I cannot think of two martyrs for the same cause. But I would point that out. Maybe there are.

But if I cannot think of two, I am convinced I cannot think of three, or four or five or six or ten martyrs for the same cause, or 100 or 1,000 or 10,000. Martyrs come along in groups of 1, not groups of 2, 5, 10, 20 or 1,000.

I would submit this, Mr. Speaker, that the more of these alleged martyrs that there are, the less they are martyrs and the more they become statistics, and the less anyone is inspired by someone who is full of murder and hatred and brutality.

They do not stand for anything except murder, hatred and brutality. I would be happy to yield to Mr. PEARCE.

Mr. PEARCE. Mr. Speaker, I would make a short comment, Mr. Speaker, that we, in essence, have helped the message. Mr. Bin Laden and Mr. Zarqawi have been telling all of their peers that it is better to die for your beliefs, that you should go out and die for your beliefs.

Please, go out and through yourself into the enemy, sacrifice your life. And so Mr. Bin Laden and Mr. Zarqawi, up to this point, have been unwilling to do that. They have been willing to preach it, but not to do it. So either unwilling or willingly, Mr. Zarqawi has been given over to his fate.

So I would just say that we are beginning to see the dismantling of the leadership. I will tell you that the Civil War failed for the South because they could never keep enough generals in the field. The Union had more generals and more depth. And as the Confederacy began to lose generals, then the decisions that were made became not so sound, the military maneuvers, the military battlefields were not commanded with the same professionalism, and that is where the South began to really have its difficulties.

I think we are going to see al-Qaeda have the same difficulties. I think we are going to continue until we ultimately tap Mr. Bin Laden, allow him to find his glory in this great struggle also.

Mr. KING of Iowa. I thank the gentleman. I point out also to key into that point, that Stonewall Jackson may have been the most inspiring general in the South, but you cannot inspire people from the grave. Well, you can do that, but you cannot recruit military to fight underneath you from the grave.

This fellow, Abu Musab al-Zarqawi is done recruiting for al-Qaeda. They are not going to come here to fight in his memory, because they are going to meet the same kind of end as Zarqawi.

But I want to point out his statement here, Mr. Speaker, because I think it is important for Americans to burn into their mind his attitude towards Americans. He said, "Americans are the most cowardly of God's creatures. They are an easy quarry, praise be to God. We ask God to enable us to kill and capture them."

That was his letter to al-Qaeda, February 2004. Americans, the most cowardly of creatures? You know, in this entire conflict, the battle in the global war on terror, in the breadth of Afghanistan and Iraq and all points in between and the periphery of all of those, I have yet to hear of a single incident of an cowardly American soldier.

I mean, it may have happened. But I have not heard of a single incident. I have only heard of bravery and courage and sacrifice. And each quarter, I never let it be longer than that, I go to visit our wounded Americans in places like Bethesda, Walter Reed and Landstuhl there in Germany. And when I go in to visit those wounded soldiers, they give me strength, they give me inspiration. They believe in this cause, and we must not let them down.

And most of them feel guilty that they were wounded, because now they are not with their men. Most of them want to go back to their unit. In fact, we have had amputees that have gone back to their unit and engaged in combat again. That is the kind of inspiration, that is what Americans are about.

Zarqawi could not be more wrong. I am happy to say today he could not be more dead. I yield to the gentleman from New Mexico.

Mr. PEARCE. Mr. Speaker, I thank the gentleman from Iowa. I would remind the body that we had warning signs. Just because Mr. Zarqawi is no longer part of the conspiracy of al-Qaeda, the war of terrorism, just because of that, that does not mean this struggle is over.

Again, the war on terror started in 1972 with the Munich Olympics. At that point, the world negotiators gave the terrorists center stage. They allowed them to come to the table. That was a mistake that we continued all of the way up through President Bush, almost 30 years of giving them credibility instead of trying to dismantle the operation.

So I would remind our viewers that this is not going to be an easy task, even with this significant loss this week. And I would yield back to the gentleman from Iowa to close the discussion.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from New Mexico for joining me and raising his voice and standing up for United States of America.

Mr. Speaker, I have this one quick chart that I am going to run through quickly. That is, the Iraq numbers again for civilians, 27.51 for 100,000.

Where is the place most comparable to that in the United States today? Oakland, California. If you are safe in Oakland, that is about how safe they feel in Iraq today with the exception of the national news media's exceptions.

God bless our troops. I yield back.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEEK of Florida. Mr. Speaker, it is an honor being before the House once again. As you know, the 30-something Working Group, we come to the floor as often as possible to not only share with the Members what is going on as it relates to legislation here in Washington, D.C., but also what is not going on on behalf of the American people.

And hopefully we can put forth ideas and extending the arm to work in a bipartisan way on behalf of the American people. So we are glad to come to the floor week after week. Also, Mr. Speaker, I would like to thank the Democratic Leader for allowing us to have this hour, and also our Democratic Whip, Mr. STENY HOYER, and Mr. JAMES CLYBURN, who is our chairman of our Democratic Caucus, and Mr. LARSON, who is our vice-chair.

I think it is important that we come to the floor to share a unified message from this side, that we are willing and able. We have the will and the desire to work on behalf of the American people in general. Not just Democrats, not just Republicans or independents, but the American people in general, to make sure the people of good will prevail in their everyday lives.

If they are a veteran, if they are an individual that has fallen on hard times, if they run a small business in this country, if they have a mid-sized business that they want to turn into a big business, we want to be able to be of some assistance as it relates to legislating here on behalf of the American people.

Also, I think it is important that we do not leave our children behind. Even though they cannot vote, many of them are under the age of 18 years old, not eligible to vote, I think it is important that we stand for them.

There are a number of things that I am going to try to touch on today, Mr. Speaker, to make sure that we can cover all of, just about all of what is happening and what is not happening here in Washington, D.C.

Mr. Speaker, I took the time when we were on break last week to really look closely at some of the comparisons, because when you are trying to figure out what is happening to the issues that we all came to Washington to work so hard on, you have to compare, it is almost like you have to have, Mr. Speaker, a side-by-side what we call it here in Washington, D.C. to compare.

It is almost like for someone who goes to the grocery store to buy an orange, I am from Florida, nine times out of ten, you are going to pick up those two oranges if they are from two different orange groves and kind of compare, to see if it is an orange.

You are not going to grab an apple and grab an orange and start saying, well, which one looks like an orange. But I must say here in Washington, D.C., it is almost like an orange and an apple experience, because we are so far apart as it relates to working together on many of these issues that are facing our constituents back home, and the American men and women that are overseas fighting on our behalf.

Mr. Speaker, I looked at the issue of fiscal responsibility, and I could not help but notice, within the House GOP budget, that the budget calls for deficits as far as the eye can see, never achieving a balance. And adding another $2.3 trillion to the national debt over 5 years, compared to the Democratic alternative and the Democratic philosophy, if we can work in a bipartisan way to be able to balance this budget, balance the budget over the next 5 years, making sure that we can balance it over the next 6 years on a pay-as-you-go philosophy.

□ 1630

Mr. Speaker, I will talk a little bit about that as I continue to go down this chart. We believe that we can balance this budget because we have done it before, unlike the Republican conference or the Republican side of the House which has not.

There was a surplus when the Republicans took control of this House or when the President went into office and President Bush went into office. Now we are into record deficits, and I think it is important that we point this out. And I have charts to be able to break that down for the Members.

I think it is also important to think about making America safer here at home. I looked at the Republican budget, and I could not help but notice that it made homeland security cuts by $488 million this year, and it is up to $6.1 billion over the next 5 years of cuts to homeland security. And it is not much better than the President's budget that came out of this House. It estimated that port security grants and rail transit security grants will all be rolled into a smaller program. And I think that that is something that is going to hurt a lot of local communities.

On the Democratic side in our budget and our motion to recommit of our philosophy as it relates to what we should be doing by the homeland is to provide $6.5 billion more over the next 5 years for homeland security here by guaranteeing funding for border security, port security, and first responders which are so important to so many counties and local governments that are out there on the frontline that have to respond to the American people in their time of need.

Adequate funding for veterans. This is another point, Mr. Speaker, I will elaborate a little bit more during this hour of the facts. Like we always say during the 30-something Working Group, this is not what we came up with. These are the facts and they are backed up by the CONGRESSIONAL RECORD or either a very credible third-party validator. We start looking at that and we look at the Republican budget that passed off this floor. It cuts funding to veterans health care by $6 billion over the next 5 years. The Democratic alternative budget provides $8.6 billion more over the next 5 years for veterans health care.

Then there is the GOP budget. It also rejects an increase in TRICARE, which is a health care program for veterans for more than 3 million military retirees and their families. These are increased costs that the Republican budget has put on them, and I am going to talk about that a little further. It targets, as it relates to tax cuts for the middle class, the Republican budget follows the President's budget. That goes back to the rubber-stamp Congress, the rubber-stamp Republican Congress that I talked so much about, Mr. Speaker, and it also happens to be a reality.

When you look at this issue, you have to look at it from the standpoint of the President's budget which provides $2.5 trillion in tax cuts over the next 10 years targeted for the very wealthiest Americans, the wealthiest taxpayers versus the Democratic alternative that provides $105 billion for the middle class tax relief such as child tax credit, marriage penalty relief and the 10 percent individual bracket.

I think it is also important for me to point out here as it relates to the issue of college, making college more affordable, and I had to look at this part of the budget and this is another area, Mr. Speaker, that I am going to talk a little bit more about because we have so many people and some middle-aged people. In America, we do know that we have some Americans that do not go from high school straight into college because they have to, nine times out of ten, get a job to be able to build up the money to go to college, to be able to maybe take care of a family member that is up in age and they need that kind of assistance. Or they cannot go off to college or they have to go to a community college before they can go to a 4-year institution. Everyone does not have a turn-key life. So we have to look at policy that is going to be able to help all Americans, not just some.

When we look at the Republican majority budget, what it had in it, this is straight from the budget, this is not anything that I have put together to have some sort of lean towards making our proposals look better than the Republican majority. These are just the facts here in the House. When you look at it, it is identical. Once again, Mr. Speaker, and I think it is important, the reason why I have this rubber stamp back here, that I will proudly bring out in just a few moments, is the fact that the President hands down what he would like to, the policies that he would like to have here in this Congress, he would like for us to rubber-stamp. And the Republican majority honors him in rubber-stamping exactly the way it was written.

I think it is important, Mr. Speaker, in America, in the people's House, the only House that you have to be elected to, that you cannot be appointed to, over in the Senate you can be appointed by a Governor, that the people should have an opportunity to be heard. Once again, not just Democrats, not just Republicans, not just Independents, not just folks who vote, but the American people should be represented. And for them to be represented appropriately, I think it is important that we have the kind of conversation and dialogue here that is going to benefit all Americans. And in this case it is identical to the President's budget.

It freezes Pell Grants for colleges and denies more than 460,000 students low-cost loans. This also is on the top of $12 billion cuts in the student loan funding that Republicans just enacted. It is already there. So what we are trying to do is, I believe, to turn that around. And I am going to talk about legislation that we have to turn that around. But as it relates to our alternative budget, it rejects the GOP cuts and higher education programs. It also lowers the costs of student loans by cutting the interest rate per student loan in the fall of 2007. I think that is important.

There are a lot of folks that are sending their kids off to college right now. There are a lot of folks that are writing letters for just $1,000 scholarships for local organizations because the costs of college have gone up. When we make these cuts here in Washington, DC, the State government has to make their cuts to the students and to the families that live down in those States, and I think it is important that we look at this. And I will talk about that a little further, explaining educational opportunities.

I think it is important when you look at this part of the budget, identical to the Bush budget, well, that seems to be a common theme here, which underfunds No Child Left Behind by 39 percent, denies extra math and reading help to 3.7 million children and shutting 2 million children out of afterschool programs.

On the Democratic side, our alternative provides 4.6 billion more dollars in 2007 and $35.3 billion over the next 5 years for education and training programs, more than the GOP budget. I think this is important for families and parents like myself who know what it means that when your kids go to school you have to pay for aftercare. And nine times out of ten that aftercare is like $150 to sometimes $200 a week. Some of you parents know what I am talking about.

Unfortunately, Members of the Republican side of this House do not understand what you are talking about and opt to invest $87.000 in tax cuts to millionaires. So I think it is important that we look at this as it relates to a comparison. One other thing that I think is important and justified here in this case, Mr. Speaker, that we roll right into what this means as it relates to the dollars and cents before we get into some of the policy issues that are called out here. We can get right down to the nitty-gritty by saying over the last 5 years President Bush and also the Republican majority here came in and had a projected surplus in the next 10 years when the President took office of $5.6 trillion. $5.6 trillion; and that has now turned into a $3.3 trillion deficit.

Now, it would be kind of hard to say, well, the Democrats took us down that line and they made us do this and they made us do that. I can tell you that is not true. That is not true. We have tried to substitute a number of policies that would save this country in the future and would save our future for our children so they are not paying exorbitant tax and fees that this Republican Congress has put on them and have put on the American people. It affects everything. It affects Social Security. It affects education. It affects our way of being able to come up with alternative fuels. It affects the way our troops are treated when they come back. It affects our veterans. It affects everyday families.

The decisions that are made here on this floor as it relates to the budget and as it relates to the spending affects everyone, all Americans. It affects everyone that depends on this government to govern, not to follow, not to rubber-stamp but to govern. And, Mr. Speaker, I think that is very, very important. When you look at the tax bill that, obviously, the President wanted and the Republican majority rubber-stamped, I think it is important that you look at the fact that we have now mortgaged our children's future.

The Republicans have passed this tax cut which has sunken us deeper, $80 billion deeper into debt over the next 10 years and will benefit the few, the wealthy. I think it is also important for us to understand that we have to have fiscal discipline.

Let's just talk a little bit about that because I want to make sure that everyone understands what we are talking about here. Well, here is a chart again, Mr. Speaker. It is so self-explanatory. We just continue to use it and use it and use it. The unfortunate part, Mr. Speaker, is that the numbers will change soon. It will not change in the way of saying we are doing better. No, it will change in that we are doing worse. When I say "we," I am saying led by the Republican majority here in the House. Two hundred twenty-four years, $1.01 trillion borrowed from foreign nations since the President has been President, President Bush and the Republican majority has been in control.

Over the last 4 years, 2001 to 2005, President Bush and the Republican Congress, that is under his picture, have borrowed $1.05 trillion. I do not care, there is no way you can explain how this is good. No Member, need it be Republican, the one Independent or Democrat on this floor, can explain how this can be good for the American people.

Now, time after time I have asked for an explanation from Republicans during their time when they are on the floor to explain this. All I hear is cricket sounds. I look down the hall, no one is there. I am wondering where the fiscal conservatives in this House are as it relates to the Republican majority. I wonder where the leadership is as it relates to being able to turn this around.

There has been, Mr. Speaker, no attempt and I mean no documented attempt to be able to turn this around. This is unprecedented, the first time in the history of the country. Now, this is not the first time in this century or the first time in the last 20 years or the first time in the last 200 years. This is the first time in the history of the Republic that any Congress and any President has borrowed $1.05 trillion from foreign nations. The first time. The first time. I mean, it is not like, well, this happened a couple years ago. No. The first time in the history of this country.

Should you be alarmed? You doggone right you should be alarmed. Forty-two Presidents could not do it; 224 years of a country with all of its challenges could not do it. But when you get President Bush in the White House and you get a rubber-stamp Republican majority here in the House of Representatives, they can do it. Unfortunately, if we continue with the same team that we have leading in this House and in the White House, this is going to continue to grow. And it is going to be very, very unfortunate because countries are going to start to disrespect this country because we do not have, not "we," the Republican majority here in this House does not have the ability to govern and to govern in a way that it should following the President, unfortunately, on this issue where we could show clearly that this is not a winner.

Did this chart come from the Democratic Caucus? I think not. These numbers came from the U.S. Department of the Treasury. So you can get on whatever Web site you want to get on and you can find this. You can definitely find it on www.HouseDemocrats.gov/30Something. All of these charts will be there. I suggest you download the chart and print it and show it to your friends because they need to know.

□ 1645

What does it mean when I say folks start to disrespect this country? We get Members coming in this chamber and people giving speeches throughout the country, burning all kinds of Federal jet fuel, talking about terror, talking about what you should be scared of.

I can tell you right now, we need to be dealing with terror and we need to be dealing with it in a smart way and protect the homeland, and that is not happening right now. Take it from me, I am the ranking member on the Homeland Security Subcommittee on Oversight, and I can tell you, it is not happening right now. We have not issued one subpoena to be able to rein in individuals that are stealing from this government, contractors and individuals within the department, that is allowing it to happen. That is another Special Order that I will not get into right now.

But if you want to talk about disrespecting the United States of America, this is not something that is foreign born or someone that released an audiotape or a videotape here. This is what happened right here on the floor.

The borrowing that I talked about over the last 4 years, how did it happen? Japan, $882.8 billion, bought our debt. Japan did not say, hey, we want y'all to overspend; we want you to give tax cuts to millionaires and billionaires; we want you to do things that you cannot afford to do just because you can. Japan did not say, well, just because the President said we should do it that you should rubber stamp it. No, that is what the Republican Congress did, and we do need a change and we need alternatives. We have talked about those alternatives.

China, $249.8 billion, they bought our debt, China, red China, Communist China.

The U.K., want to talk about our ally and friend, yeah, they are our friends all right. They bought $223.2 billion of our debt. We did have the prime minister here. He addressed a joint session. I did not hear him, and I was reading his speech as he was up here, Mr. Speaker, giving his speech. He did not say, hey, keep spending in an irresponsible way so we can buy your debt and own a piece of the American apple pie. He did not say that, but the Republican Congress continues to rubber stamp President's Bush's policies to say that we are being fiscally responsible, meanwhile there is $1.05 trillion that we borrowed from foreign nations.

Caribbean countries, $115.3 billion, bought our debt.

Taiwan, $71.3 billion, little Taiwan. They are even in the game of getting part of this American apple pie. With the Republican Congress giving it away, they are willing to buy it up.

Guess who we owe? We owe every last one of these countries that I have ripped off this chart so far. Canada, just north of us, $53.8 billion; Korea, $66.5 billion; Germany, $65.7 billion.

OPEC Nations, well, you know. Mr. Speaker, OPEC Nations, who are they? Oil producing countries whether it be Saudi Arabia, Iran, Iraq, you name it, these countries are in this OPEC Nation, and they are even in the game of buying a piece of the American apple pie at $67.8 billion.

Well, I have this kind of flag here that is kind of draped over the United States of America, and I said we want to get back there, Mr. Speaker. I would urge the Members to do one of two things. One, work in a bipartisan way and pick up pay-as-you-go policies, as we have talked about and have put on this floor here in this House time after time again and saying that if you are going to give $1 billion to a contractor to do whatever he wants to do with it, without any little oversight, then doggone it, you better figure out how you are going to pay for it. If you are going to give tax cuts to folks who are not asking for them, you better show how you are going to pay for it, not just saying we will borrow from these foreign nations.

We continue to borrow because we can borrow and make history in 4 years that was not accomplished in over 224 years. No, we are going to make history. The Republican majority is going to make history in 4 years at $1.05 trillion. That is a lot of money with a big T. 224 years, $1.01 trillion. Forty-two Presidents could not even muster up that. If you want to get back to a balanced budget that I talked about earlier, that I am going to continue to pound on, then have a Democratic majority or work in a bipartisan way, one of the two.

I have more faith in the fact of the Democratic majority getting the job done than the Republicans allowing us to work in a bipartisan way towards having a balanced budget.

You want to talk about partisanship, partisanship over the budget is at the highest level that it could be, because you have one side with the will and the desire to balance the budget, and you have the other side, Republican majority, that says they want to balance the budget but do not have the will and the desire to do it. That is the side-by-side on that. You have to have the will and the desire to do it.

I cannot go to my daughter and say, Lauren, I want you to go out and play softball. Well, she may not have the will and the desire to play softball, but just because I have the will and desire does not necessarily mean that she has to have it.

Well, guess what, on this side of the ball, we have the will and the desire to balance the budget. Not only do we have the will and the desire, history is on our side. History is on our side because we balanced the budget. We actually did it. The Democratic House did it without one Republican vote, not one. Maybe I could say maybe two, three, four—not one Republican vote. We balanced the budget and put this country in surplus. We could have dealt with Social Security, could have took it beyond the time it is supposed to have issues, could have made sure that veterans did not have to pay copayments, could have made sure that we could have been ahead as it relates, not to below the 39 percent in funding Leave No Child Behind, could have provided more tax cuts for the middle class. It is what it is.

And I would tell you, if folks want to get back to a balanced budget and not have these countries, in all due respect, in our pocket—these countries have their hand in our pocket, not because of the folks that are running around here trying to make a living every day. It is because of the Republican majority, what they have done.

OPEC Nations got their hands straight in our pocket. Germany has their hand in our pocket at $6.7 billion, the U.S. taxpayers pocket. Korea $66.5 billion, they have their hands in our pocket. Taiwan, $71.3 billion, have their hands in our pocket. Canada, $53.8 billion, have their hands in the American taxpayers' pocket. Caribbean countries, $115.3 billion, have their hands in the American taxpayers' pocket. The U.K., $223.2 billion, have their hands in the American taxpayers' pocket. And China have a hand-and-a-half in the American taxpayers' pocket and reaching for their credit card while they are at it at $249.8 billion.

Japan has just outright snatched the wallet out of the back of the taxpayers pocket and grabbed someone's pocketbook and have their hand in the pocket of the U.S. taxpayers at $682.8 billion. Not because the American people went out there and said let us make sure that we spend money that we do not have and let us make records in 4 years in borrowing money from foreign nations. The Republican majority, they have rubber stamped the Bush administration policy and here we are.

So what do we do? What we do is we make changes, and what we have tried to do on this side is do exactly that. It would be hard for me, Mr. Speaker, as a member of the Republican Conference to come to this floor and speak with a straight face about the issue on the budget. I do not know. I would have to go into the bathroom and look in the mirror and practice because it would be hard for me to keep a straight face when I come to the floor to talk about the fact that I am a fiscal conservative and I care about the budget and responsible spending and making sure that we do not overspend and we are not like the others, we do not spend.

Well, let me tell you something. The congressional record says that you spend. The American people are noticing that you spend and borrow, and spend and borrow, and spend, and when you cannot borrow anymore, you go to foreign Nations and you borrow.

Well, this is what we have tried to do. Mr. SPRATT's substitute amendment to House Concurrent Resolution 95, 2006 budget resolution, failed, 228 Republican votes against it. Not one voted for it. This is pay-as-you-go. Once again, if you are going to spend $1 million, where are you going to get the $1 million from? That is all we ask. It was identified, and this opportunity for the Republican majority to vote for fiscal opportunity, no. They said no.

Mr. SPRATT again, amendment to House Concurrent Resolution 393, 2005 budget resolution, failed. Republicans, 224 voted no. Zero voted for it. Reminds me, Mr. Speaker, of when we balanced the budget, zero. It is almost like the old saying, put your money where your mouth is. Well, put your vote where your mouth is. That is what I am saying and that is what the American people are going to say hopefully in November.

Bottom line is folks can come to the floor, we can have these big floor debates and come close to making each other mad, but in the final analysis, when the budget is printed and the deficit continues to go up, the fact is that the Democrats are for fiscal responsibility and the Republican majority, rubber stamping President Bush's policy, is for continuing to borrow from foreign Nations and putting them in the pockets of the American people.

Now, I think it is important that we continue to talk about this issue as it relates to veterans. Veterans of all people, despite the serious problem in military recruiting, the President's budget will increase health care costs and deny health care for millions of veterans and military retirees. I think it is important that we look at these increases that have happened for a million veterans for the fourth year in a row, the budget rises, health care costs for 1 million veterans, by imposing new fees.

For most of them, veterans' cost will rise some $2.6 billion over the next 5 years and also drive at least 200,000 veterans out of assistance. It will double the copayments for prescription drugs from $8 to $15 and impose an enrollment fee of $250 a year for a Category 7 or 8 veteran, who makes very little, makes $26,000 a year.

I think it is also important for us to look at the increases in health care costs for military retirees. The budget increased TRICARE health care premiums, which is the health care provided to the military for $3.1 million, for the Nation's military retirees under 65. I think it is important that we look at these premiums and look at what they are costing the folks that signed up to defend this country and allow us to salute one flag. I think it is also important for us to look at what we are talking about on this side of the aisle Mr. Speaker.

The GI Bill of Rights for the 21st Century that has been offered here on the Democratic side will just do the reverse as it relates to what I just mentioned. It makes health care accessible and affordable for our veterans and improves veterans' health care. It improves mental health for returning soldiers.

A number of the IEDs, improvised explosive devices, I think is going to affect a number of our troops, those that have fallen victim to it and survived, injured, those that have witnessed IEDs going off, those that have to worry every day when they drive down one of the streets in Iraq, will they be hit by an IED.

☐ 1700

Some of that stuff is going to come back home, and it is home, and we need to be able to deal with it on a psychological standpoint because it affects many of our families. These are individuals that have signed up and said they wanted to serve our country, and they are serving.

It also blocks the increase in prescription drug copayments and the enrollment fee for veterans. I think it is important that we do that. And on this side of the aisle, we have that legislation that has been put forth through our frustration of the fact that we can't work in a bipartisan way. The only way we can work in a bipartisan way, Mr. Speaker, is if the Republican leadership allows bipartisanship to work in the House.

Now, how does that happen? Well, when you have a conference committee, how about inviting the Democratic members to that conference committee, or at least letting us know where the meeting is? We have day after day, especially this time of year, when we have a number of pieces of legislation stacked up on top of one another. And I just want to make sure that I break this down so everyone understands. When we pass a bill here in the House, and the Senate passes a similar bill, they have what they call a conference committee, and that conference committee sits down and works out the differences between those bills. Well, that is not a common thing here in the House. Yes, it would be a majority of Republicans that will be on that conference committee, but there are some Democrats on that conference committee. And we have a number of Democrats, when the meeting is set and the decision is made, that are not even told about it.

That is not working in a bipartisan way, and that is why our Democratic leader has said that when Democrats take control of this House, we will work in a bipartisan way and we will make sure that the American people are represented. If they have a Republican representing them here, then they will be represented. Because, guess what? It will not be a stonewall. It will be a democracy in the way that we are supposed to carry out business here in this House, of making sure that everyone benefits. That is true bipartisanship.

It also provides benefits to veterans who have earned and deserve respect. It ends the disability veterans tax. It reduces waiting time on disability claimants and also expands outreach to veterans.

Now, this is very, very important. We are talking about individuals coming back and moving back into their community, going to church or synagogue, or what have you, to mosque, what have you, and when they come back home to their families, we are saying that we want a government, and the Department of Veterans Affairs that will work with that veteran, will work with that family in making sure that because they signed up, he or she signed up to go out on behalf of this country and fight on behalf of this country, that we have their back. That is the least that we can do.

That is what this GI Bill of Rights of the 21st Century will do, and I would urge the Members to go on Housedemocrats.gov and get a copy of that piece of legislation so that you can take a look at it and hopefully endorse it and hopefully help us pass it. We will need that very much.

I said I would talk about the student loans, Mr. Speaker, and I think it is important. We have a piece of legislation, and when I say "we," the Democratic side, we have a piece of legislation that reverses what the Republican majority has done with the endorsement of the Bush administration. Of course, whatever the President wants, the Republican majority in this House will give it to him.

Earlier this year, the Congress cut $12 billion out of the Federal student loan program in order to help finance tax breaks for the wealthiest Americans. I think it is also important that most of the savings generated from the cuts to student loans continues the practice of forcing students and parents to borrow, in many cases to pay for the expensive increase in the rates as relates to student loans. By increasing college loans, parents have to go out and borrow.

Well, now, the Republican majority is pushing their philosophy on the American people. Because the Republican majority has decided to take away from the student aid and student loan program to give special interest tax breaks to wealthy individuals here in the United States of America, the American people are now forced to go to the credit union. They are forced to put their house up even a little bit more to pay for college because this majority, coupled with the President's policies, has done this.

We are going to reverse that. We are going to reduce and replenish the dollars that were taken out of the budget and were placed in special interest projects that the Republican majority did, and it is called Reversing the Raid on Student Aid Act. It is H.R. 5150. It would help make college more affordable. It would cut interest rates in half as relates to the borrowers, those that are borrowing money; and also it would subsidize student loans from a fixed rate of 6.8 to a fixed rate of 3.4. It also cuts the rates on parent loans for undergraduate students from a fixed rate of 8.5 to a fixed rate of 4.25.

I think it is important for us to look at those numbers, because that is a drastic cut, taking us back to families being able to afford to send their kids to college. Under the bill, a typical undergraduate student has something like $17,500 in debt and would save $5,600 over the life of his or her loan. I think it is important for us to look at that, Mr. Speaker. And that is the complete opposite of what has been put forth thus far.

Now, Mr. Speaker, I think it is important for us to look at the issue on energy, but I wanted to make sure I went through my list here that I said I would go through. We talked about fiscal responsibility, we have talked about veterans, we have also talked about making college more affordable; and, yes, Mr. Speaker, we are on the issue of energy.

I think when you start looking at energy, you can't look at investing in the Middle East. We want to invest in the Midwest. When we invest in the Midwest, it is investing in America and not just investing in special interests. The Republican majority way of doing things, and also the Bush White House way of doing things is to sit down with oil companies and cut secret deals, to have them write the energy policy in this country, to trust oil companies to make the decisions and run the energy policy here in the United States of America.

Well, the folks didn't sign up for oil companies to have a vote here on this floor. The American people didn't go vote one early Tuesday morning to allow someone from ExxonMobil to come in here and vote on the floor.

Case in point: again, Washington Post, third-party validator, November 16, 2005, front page: "White House documents showed executives from big oil companies met with Vice President Cheney's energy task force in 2001, something long suspected by environmentalists but denied as recently as November of 2005 last week by industry officials testifying before Congress. The document obtained this week by The Washington Post shows that officials from ExxonMobil Corp., and Phillips, Shell Oil Company, and B.P. of America met in the White House complex with Cheney aides who were developing a national energy policy, part of which became law, part of which is still being debated here in Congress."

I think it is important that we look at it from that standpoint. And while I am on the individuals who are saying that they want to help so much in alternative fuels, take a look at this. Nothing like third-party validators. I love them. I really do, Mr. Speaker. I love third-party validators because the reason you have to have them is that some of this stuff is just hard to believe.

Someone may be in their office saying, I do not know what that Member from Florida is talking about right now. Well, I want to show them as many third-party validators as possible, because it is truly unbelievable. When I was elected to Congress some 4 years ago, I didn't think we would even be in the posture we are in now because I thought maybe bipartisanship would prevail, or common sense on behalf of the country would prevail. But what has happened is that because special interests, through the K Street Project, where special interests had an opportunity to have access into this process that was so-called no longer going on, we are where we are now. That article I just read.

And here is a picture of a gas pump. We talk about alternative fuels, and we have CEOs going on the "Today Show" and all these other little shows and all talking about, oh, we believe in alternative fuels. Well, as you can see, you have your Regular, Special, and then you have your Super Plus, then you have this thing called E–85, which is ethanol, which is an alternative fuel. Right here in the United States of America.

Well, I want you to pay very close attention to what these two stickers are saying here. Basically, it is saying that you cannot use your ExxonMobil card to buy E–85. That is interesting. You can walk in that ExxonMobil place and buy, what, a bag of chips with your card? You can go in there and buy a case of soda, if you want to. Some individuals even go in and buy a pack of cigarettes with their ExxonMobil card. But you can't buy E–85, which is an alternative fuel.

Now, I mean, yes, they are a company and all, and they can do what they want to do. But you know what is different about ExxonMobil and everyone else, not just that company, but oil companies in general? Man, they are backed and certified by this Republican majority here. They are getting record-breaking tax breaks and gifts from this House. Man, they can't give the oil companies enough. I mean, goodness gracious, access in the White House, they get to sit down with the administration and talk about how it should be written: on this line, this is what we want. No, we shouldn't do that because, you know, I don't know.

Now, I am not a Member of Congress with a conspiracy theory, but record-breaking profits, record-breaking subsidies and gifts given to the oil industry? Some may say on behalf of innovation. I say it has a lot to do with the record-breaking profits, especially when they do not have to spend their money, spend the taxpayers' money, and the shareholders run away and laugh, going to the bank, but they are not willing to allow people who come to their station to use their ExxonMobil card to buy E–85, which is an alternative fuel. These are the individuals who have access into this Republican majority and into the White House.

Let's talk about the profits. Wow, let's look at this. We said that meeting happened in 2001 in the White House complex. In 2002, these are the oil companies' record profits: $34 billion in profits. I think their policy is working, for them. $59 billion in profits. I think it is getting better. I think that was a good meeting. $84 billion in 2004. $84 billion in profits. Man, I am glad I went to that meeting, that task force in the Republican Congress with the rubber-stamp that made that happen. $113 billion. Wow. I can't wait until the 2006 numbers when they come in. I think we can go out and get about eight more Lear jets and I will take that home that I've been dreaming about.

You know what it means? It is on the backs of the taxpayers. And I want to make sure everyone sees this chart and understands what is going on, because I am also hopping mad, Mr. Speaker. I can tell you that for those of us who serve in public service, we wish we would have a retirement like this after going to all those town hall meetings, going out talking to all those American people and coming here early in the morning, leaving late at night, working every day, and then here we are.

Now, I am not going to identify him as an individual, I am just saying it is what it is, and this is what is happening: $398 million in a retirement package and $2 million in tax breaks. A $2 million tax break. That is how you get rewarded.

Now, it goes against logic, Mr. Speaker, for someone to say, you know, we are for finding alternative fuels and we are for saving the taxpayers money, but meanwhile they are making record-breaking profits. I wonder what the speech that they give not on the "Today Show" or not on one of the news shows, I wonder what the speech is that they give before their shareholders.

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The speech that they are giving is saying thanks to the Republican majority in the House, thanks to the President of the United States, the future looks good. We are going to have a great year.

I think it is important for us to look at investing in the Midwest versus the Middle East, and E–85 is a big part of the plan. I want to bring Members' attention to this document that they can find on HouseDemocrats.gov and how we can start making ourselves energy independent in a matter of years. It's not just a philosophy and not just a speech. It is not someone just saying maybe one day we could, but saying we can.

In this document it says we are looking to increase production of American-made biofuels, using things like corn and sugarcane, sugar beets, things that we have right here, coal. Alternative fuels that we have here in the United States. We do not need to go to foreign countries and hear from people from South America and the Middle East, and having the President say it's not us, it is the fact that the American people are addicted to oil. I mean, that is a statement that I think you need to let sink in.

It also will make sure that the biodiesel, that we have a way to be able to increase that, expand tax credits for ethanol and biodiesel through 2015, and increase tax benefits to small biofuel producers. It expands also the market for distribution of biofuels. That is going to be important, Mr. Speaker.

Oil companies are just not going to do it because it is the right thing to do. We are going to have to make them do it so we can wean ourselves off of this addiction to oil. We want to give them an alternative. We do not just want to talk about it, we want to give the American people an alternative so they can move in that direction.

We talk about increasing the number of gas stations offering E–85 through new initiatives and requirements to make sure that we get the oil companies to do so.

In 7 years, 75 percent of all cars made in America would be flex fuel cars. Those are cars that can take the E–85 and can take regular gas. I think it is important for us to head in that direction. I think it is important for the future of our country, and I think it is important to have a true debate and a true philosophy towards alternative fuels and saving money.

Now, Mr. Speaker, I think it is important for us to be able to do the things that we talk about and we preach about. The Republican majority is going to have to drop this stamp. It is going to have to give it up. You are going to have to go to group and say "We can no longer rubber stamp whatever the President of the United States sends to the Congress." The President wants tax cuts for wealthy Americans, they have to say Mr. President, we cannot do it.

Now for the Republican majority to have group, it is going to have to make a change in philosophy. They may have to work in a bipartisan way. They may even have to take a Democratic proposal, the pay-as-you-go philosophy, and make a change. I personally feel the Republican majority is not capable of doing that.

I have been on this floor going on 3 years. If I thought it made a difference in the Republican majority and encouraging them to work in a bipartisan way, then I would feel a little more encouraged, but I do not. I think the Republican majority knows exactly what the 30-something Working Group talks about when we come to the floor. We talk about fiscal responsibility and respecting hardworking Americans. We talk about making sure that we do right by our children and that we educate our children at all levels, whether it be K–12 experience, higher education, postgraduate, making sure that we have the workforce to compete with other countries that are competing against us.

I am not talking about competing against the school down the street or the school in the other county. We are competing against other countries as it relates to math and the sciences. That is talk for the Republican majority. We have a true mission. We have the will and desire on this side, through our innovation agenda which is on HouseDemocrats.gov, the Republican majority has to stop rubber stamping.

And I can tell you right now, they can't help it. They just continue to hit the rubber stamp. Let's not even have a committee hearing, let us just get this bill to the floor and get it out because that is what the President wants. We have a number of issues that the Republican Congress has rubber stamped. One was $1.05 trillion in record-breaking borrowing from foreign nations, rubber stamped, no problem. Deficits as far as the eye can see. Yes, you can have all of the study groups and all of the folks that write documents, and you can have all of the Republican Members come to this floor, but the reality is that this Congress has overseen the largest increase in the deficit in the history of the Republic, period.

Go to CONGRESSIONAL RECORD, pick up the newspaper, it's there. The Republican Congress, the only way I think that the Republican Congress is going to change its ways is when we have real leadership in this House. And the only way we do that is when the Democratic Caucus becomes the majority caucus in this House on this floor to put in the policies that need to be placed in the statute books, in the budget, in committee and making sure that we put this country back on the fiscal track it should be on.

How can I say that with boldness? Because we have done. It's almost like a job application. Someone tells you they can do something and you don't see it on their résumé that they have actually done it, it is hard to believe they can do it. It is on our résumé without one Republican vote balancing the budget.

I think it is also important to get the Republican Congress of the rubber stamp so you're making sure that they don't have the ability to rubber stamp. When you have the ability to rubber stamp, you are in the majority and that is what the American people are going to have to speak to, Mr. Speaker.

I am hoping we are able to see some change in philosophy here in the House. And we encourage the Members, if you want to share your thoughts or comments or you have other alternative ideas, we want to hear them because we believe in working in a bipartisan way. House_Democrats.gov/30somethingworkinggroup.

Mr. Speaker, with that, I would like to thank our working group that met earlier this week a couple of days ago, and I would also like to thank the staff and thank everyone that takes part in what we do and why we come to the floor. I would like to thank the Democratic leader for the time.

Mr. Speaker, it was an honor addressing the House of Representatives.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Ms. PELOSI) for today after 11:00 a.m.

Mr. COSTELLO (at the request of Ms. PELOSI) for today on account of attending the funeral of a relative.

Mr. REYES (at the request of Ms. PELOSI) for today on account of family illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. DAVIS of Illinois) to revise and extend their remarks and include extraneous material:

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

The following Members (at the request of Mr. GOHMERT) to revise and extend their remarks and include extraneous material:

Mr. GOHMERT, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, June 15 and 16.

Mr. MORAN of Kansas, for 5 minutes, June 12.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on June 8, 2006, she presented to the President of the United States, for his approval, the following bills.

H.R. 1953. To require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the "Granite Lady", and for other purposes.

H.R. 3829. To designate the Department of Veterans Affairs Medical Center in Muskogee, Oklahoma, as the Jack C. Montgomery Department of Veterans Affairs Medical Center.

H.R. 5401. To amend section 308 of the Lewis and Clark Expedition Bicentennial Commemorative Coin Act to make certain clarifying and technical amendments.

ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until Monday, June 12, 2006, at 12:30 p.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7939. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule—Standby Support for Certain Nuclear Plant Delays (RIN: 1901-AB17) Receievd May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7940. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule—Energy Conservation Program: Test Procedures for Distribution Transformers [Docket No. EE-TP-98-550] (RIN: 1904-AA85) received May 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7941. A letter from the Regulations Coordinator, HRSA, Department of Health and Human Services, transmitting the Department's final rule—Smallpox Vaccine Injury Copensation Program: Smallpox (Vaccinia) Vaccine Injury Table (RIN: 0906-AA60) received May 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7942. A letter from the Regulations Coordinator, HRSA, Department of Health and Human Services, transmitting the Department's final rule—Smallpox Vaccine Injury Compensation Program: Administrative Implementation (RIN: 0906–AA61) received May 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7943. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program: Inpatient Psychiatric Facilities Prospective Payment System Payment Update for Rate Year Beginning July 1, 2006 (RY 2007) [CMS–1306–F] (RIN: 0938-AN82) received May 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7944. A letter from the Regulations Officer, CMS, Department of Health and Human Services, transmitting the Department's final rule—Amendment to the Interim Final Regulation for Mental Health Parity [CMS-4094-F4] (RIN: 0938-AN80) received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7945. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—New Animal Drugs: Removal of Obsolete and Redundant Regulations [Docket No. 2003N–0324] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7946. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: NUHOMS HD Addition (RIN: 3150–AH93) received May 23, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7947. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Revision of Fee Schedules; Fee Recovery for FY 2006 (RIN: 3150–AH83) received May 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7948. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Revision of Fee Schedules; Fee Recovery for FY 2006 (RIN: 3150–AH83) received May 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7949. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule—Change to Vintage Date Requirements (2005R–212P) [T.D. TTB-45; RE: Notice No. 49] (RIN: 1513–AB11) received May 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7950. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Coordinated Issue: All Industries Credit for Increasing Research Activities—Extraordinary Expenditures for Utilities [UIL 41.51–01] received May 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7951. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Sample Amendment for Roth Elective Deferrals [Notice 2006–44] received May 11, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7952. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Exempt Facility Bonds for Qualified Highway or Surface Freight Transfer Facilities [Notice 2006–45] received May 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7953. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Last-in; First-out Inventories (Rev. Rul. 2006–28) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7954. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2006–29) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7955. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2006–24) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7956. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Announcement of Rules to be Included in Final Regulations Under Sections 897(d) and (e) of the Code [Notice 2006–46] received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7957. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Computer Software Under Section 199(c)(5)(B) [TD 9262] (RIN: 1545–BF57) received May 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7958. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Administrative, Procedural, and Miscellaneous (Rev. Proc. 2006–21) received May 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7959. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Methods of Determining W-2 Wages for Purposes of the section 199(b)(1) Limitation on the section 199 Deduction for Income Attributable to Domestic Production Activities (Rev. Proc. 2006–22) received May 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7960. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Qualified NMWHFIT Exception Extension [Notice 2006–30] received May 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7961. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Guidance Necessary to Facilitate Business Electronic Filing and Burden Reduction [TD 9264] (RIN: 1545–BF26) received May 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7962. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Income Attributable to Domestic Production Activities [TD 9263] (RIN: 1545–BE33) received May 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7963. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Administrative Review Process for Adjudicating Initial Disability Claims (RIN: 0960–AG31) received April 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7964. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Rules for Helping Blind and Disabled Individuals Achieve Self-Support (RIN: 0960–AG00) received May 23, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7965. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Civil Monetary Penalties, Assessments and Recommended Exclusions (RIN: 0960–AG08) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

7966. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; State Health Insurance Assistance Program (SHIP) [CMS–4005–F] (RIN: 0938–AJ67) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

7967. A letter from the Regulations Officer, CMS, Department of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs; Conditions for Coverage for Organ Procurement Organizations (OPOs) [CMS–3064–F] (RIN: 0938–AK81) received May 31, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

7968. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's final rule—Medicaid Program; State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2006 [CMS–2231–IFC] (RIN: 0938–AO31) received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1595. A bill to implement the recommendations of the Guam War Claims Review Commission; with an amendment (Rept. 109–437 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. KNOLLENBERG: Committee on Appropriations. H.R. 5576. A bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109–495). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLE of Oklahoma: Committee on Rules. House Resolution 857. Resolution waiving points of order against the conference report to accompany the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109–496). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. DEAL of Georgia (for himself, Mr. GENE GREEN of Texas, Mr. BILIRAKIS, Mr. MARKEY, Ms. BALDWIN, Mr. BROWN of Ohio, Mr. WHITFIELD, Mr. RUSH, Mrs. WILSON of New Mexico, Mr. RADANOVICH, Mr. SHIMKUS, Mr. BURGESS, Mr. NORWOOD, Mr. BASS, Mrs. CAPPS, Mr. MURPHY, Mr. PALLONE, Mr. GILLMOR, Mrs. BONO, Mr. UPTON, Mr. WALDEN of Oregon, Mr. HALL, Mr. PICKERING, Mr. WAXMAN, Mr. WYNN, and Mrs. MYRICK):

H.R. 5573. A bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act; to the Committee on Energy and Commerce.

By Mr. DEAL of Georgia (for himself, Mr. BROWN of Ohio, Mr. MARKEY, Mr. GENE GREEN of Texas, Ms. BALDWIN, Mr. PITTS, Mr. RUSH, Mr. RADANOVICH, Mr. SHIMKUS, Mr. BURGESS, Mr. BASS, Mrs. CAPPS, Mr. MURPHY, Mr. INSLEE, Mr. PALLONE, Mr. GILLMOR, Mrs. BONO, Mr. UPTON, Mr. HALL, Mr. WAXMAN, and Mr. WYNN):

H.R. 5574. A bill to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals; to the Committee on Energy and Commerce.

By Mr. CHABOT (for himself, Mr. SCOTT of Virginia, Mr. SENSENBRENNER, Mr. BACHUS, Ms. JACKSON-LEE of Texas, Mr. WATT, and Mr. THOMPSON of Mississippi):

H.R. 5575. A bill to provide a mechanism for the determination on the merits of the claims of claimants who met the class criteria in a civil action relating to racial discrimination by the Department of Agriculture but who were denied that determination; to the Committee on the Judiciary.

By Mrs. CAPITO:

H.R. 5577. A bill to enhance protection of records of the Department of Veterans Affairs containing personal identifying information that is required by law to be confidential and privileged from disclosure except as authorized by law; to the Committee on Veterans' Affairs.

By Ms. DEGETTE (for herself and Mr. GILLMOR):

H.R. 5578. A bill to amend the Public Health Service Act with respect to the protection of human subjects in research; to the Committee on Energy and Commerce.

By Mr. MARKEY (for himself, Ms. ESHOO, Mr. GRIJALVA, Ms. LEE, Mr. STARK, Mr. OBERSTAR, Mrs. CAPPS, Mr. MCGOVERN, Ms. MCCOLLUM of Minnesota, Mr. DELAHUNT, Mr. SANDERS, Mr. INSLEE, Mr. OLVER, Mr. MORAN of Virginia, Mr. FARR, and Mr. GEORGE MILLER of California):

H.R. 5579. A bill to amend the Internal Revenue Code of 1986 to include heavier vehicles and sport utility vehicles in the limitation on the depreciation of certain luxury automobiles and to impose the gas guzzler tax on such vehicles; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 5580. A bill to promote global energy security through increased cooperation between the United States and India in diversifying sources of energy, stimulating development of alternative fuels, developing and deploying technologies that promote the clean and efficient use of coal, and improving energy efficiency; to the Committee on International Relations.

By Mr. WILSON of South Carolina:

H.R. 5581. A bill to prevent abuse of Government credit cards; to the Committee on Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIGGINS (for himself, Mr. PENCE, Mr. LANTOS, Mr. WAXMAN, Mr. GENE GREEN of Texas, Mr. HASTINGS of Florida, Mr. BURTON of Indiana, Mr. SOUDER, Mr. GARRETT of New Jersey, Mr. ACKERMAN, Mr. NORWOOD, Mr. MCNULTY, Mr. CROWLEY, Mrs. MALONEY, Mrs. MCCARTHY, Mr. ROTHMAN, Ms. ROS-LEHTINEN, Mr. ENGEL, Mr. SESSIONS, Mr. LYNCH, Mrs. NORTHUP, Mr. NADLER, Mr. ISRAEL, Mr. BERMAN, Mr. MARKEY, and Mr. KIRK):

H. Res. 858. A resolution condemning the recent vote by the British National Association of Teachers in Further and Higher Education (NATFHE) to boycott Israeli academia; to the Committee on International Relations.

By Mr. RANGEL (for himself, Ms. CORRINE BROWN of Florida, Mr. TOWNS, Ms. NORTON, Ms. JACKSON-LEE of Texas, Ms. LEE, Mr. WYNN, Mr. JEFFERSON, Mr. OWENS, Mr. PAYNE, and Mr. DAVIS of Alabama):

H. Res. 859. A resolution honoring the life and accomplishments of Katherine Dunham and extending condolences to her family on her death; to the Committee on Education and the Workforce.

By Mr. SMITH of New Jersey:

H. Res. 860. A resolution calling on the Government of Germany to take immediate action to combat sex trafficking in connection with the 2006 FIFA World Cup, and for other purposes; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mr. PAYNE and Mrs. JO ANN DAVIS of Virginia.

H.R. 198: Mr. SCHIFF.

H.R. 239: Mr. PICKERING.

H.R. 303: Ms. MILLENDER-MCDONALD and Mr. WELDON of Pennsylvania.

H.R. 427: Mr. MCNULTY.

H.R. 475: Mr. KUCINICH and Mr. HOLT.

H.R. 559: Mr. STARK.

H.R. 713: Mrs. EMERSON.

H.R. 807: Mr. HINCHEY.

H.R. 910: Mr. ETHERIDGE, Mr. FARR, Ms. MOORE of Wisconsin, Mr. LEWIS of Georgia, and Ms. LORETTA SANCHEZ of California.

H.R. 1106: Mr. EMANUEL.

H.R. 1248: Mr. HALL.

H.R. 1370: Mr. GALLEGLY.

H.R. 1384: Mrs. BLACKBURN, Mr. STRICKLAND, and Mr. DAVIS of Tennessee.

H.R. 1545: Mr. BROWN of Ohio, Mr. BOREN, Mr. FILNER, and Mr. RAHALL.

H.R. 1595: Mr. SERRANO.

H.R. 1648: Mrs. MALONEY.

H.R. 1704: Mr. BROWN of Ohio.

H.R. 1898: Mr. CAMPBELL of California.

H.R. 2088: Mr. JENKINS, Mr. DOOLITTLE, Mr. CANTOR, Mr. ALEXANDER, Mr. RAHALL, Mr. DAVIS of Kentucky, Mr. BOYD, Mr. BERRY, Mrs. DRAKE, Mr. HENSARLING, and Mr. DAVIS of Tennessee.

H.R. 2178: Mr. STARK.

H.R. 2456: Mr. JACKSON of Illinois.

H.R. 2629: Mr. FRANK of Massachusetts, Mr. DAVIS of Illinois, Ms. ZOE LOFGREN of California, and Mr. BROWN of Ohio.

H.R. 2861: Mr. MCCOTTER and Mr. SAXTON.

H.R. 3137: Mr. GREEN of Wisconsin.

H.R. 3145: Mr. SHAYS.

H.R. 3147: Mr. PLATTS.

H.R. 3159: Mr. LARSEN of Washington.

H.R. 3248: Mr. KIRK and Ms. ZOE LOFGREN of California.

H.R. 3361: Mr. TIERNEY.

H.R. 3427: Mr. FATTAH, Mr. PLATTS, and Mr. WELDON of Pennsylvania.

H.R. 3478: Mr. RANGEL.

H.R. 3795: Mr. PAUL.

H.R. 3948: Mr. PLATTS.

H.R. 3986: Mrs. TAUSCHER.

H.R. 4005: Mr. CONYERS and Mr. MEEKS of New York.

H.R. 4025: Mr. PLATTS.

H.R. 4042: Mr. BONNER and Mr. LATHAM.

H.R. 4045: Mr. SHAW.

H.R. 4144: Mr. PAUL.

H.R. 4222: Mr. CARNAHAN.

H.R. 4403: Mr. LATHAM.

H.R. 4416: Mr. GONZALEZ, Mr. MARSHALL, and Mr. BURTON of Indiana.

H.R. 4434: Mr. PAYNE.

H.R. 4620: Ms. JACKSON-LEE of Texas and Mr. PAUL.

H.R. 4622: Mr. EHLERS.

H.R. 4710: Ms. HERSETH.

H.R. 4760: Mr. RYAN of Ohio, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. BROWN of Ohio.

H.R. 4772: Mr. WILSON of South Carolina.

H.R. 4790: Mr. HASTINGS of Washington.

H.R. 4829: Ms. DELAURO.

H.R. 4834: Mr. FOSSELLA.

H.R. 4894: Mr. TIBERI and Mr. BEAUPREZ.

H.R. 4960: Mr. MILLER of Florida.

H.R. 4970: Mr. HERGER.

H.R. 4992: Ms. HOOLEY.

H.R. 5013: Mr. CRAMER and Mr. STRICKLAND.

H.R. 5023: Ms. JACKSON-LEE of Texas, Mr. GUTIERREZ, and Mr. STARK.

H.R. 5024: Mr. FEENEY.

H.R. 5092: Mr. HENSARLING, Mrs. BLACKBURN, Mr. KENNEDY of Minnesota, Mr. HOLDEN, and Mr. CRAMER.

H.R. 5113: Mr. RYAN of Ohio.

H.R. 5139: Mr. UDALL of Colorado.

H.R. 5140: Mr. UDALL of Colorado.

H.R. 5148: Mr. LEWIS of Georgia.

H.R. 5166: Mr. FRANK of Massachusetts.

H.R. 5177: Mr. FATTAH and Mr. BACHUS.

H.R. 5182: Mr. COOPER, Mr. CAPUANO, Mr. EDWARDS, and Mr. PAUL.

H.R. 5185: Mr. PRICE of North Carolina.

H.R. 5195: Mr. GERLACH, Mr. VAN HOLLEN, Mr. GILCHREST, and Ms. CORRINE BROWN of Florida.

H.R. 5198: Mr. SOUDER, Mr. BARTLETT of Maryland, and Ms. HART.

H.R. 5201: Mr. BOREN, Mr. NUNES, Mrs. JO ANN DAVIS of Virginia, Mr. BEAUPREZ, and Mr. BECERRA.

H.R. 5206: Mr. KILDEE.

H.R. 5223: Mr. SERRANO.

H.R. 5225: Mr. MEEKS of New York, Mr. MCNULTY, Mr. LARSEN of Washington, Ms. NORTON, Mr. PETERSON of Minnesota, Mr. SERRANO, and Mr. TOWNS.

H.R. 5280: Mr. WYNN and Mr. JEFFERSON.

H.R. 5314: Mrs. BLACKBURN, Mr. ENGLISH of Pennsylvania, and Mr. BEAUPREZ.

H.R. 5316: Mr. MURPHY, Mr. ORTIZ, and Mr. COBLE.

H.R. 5337: Mr. CAMPBELL of California, Mr. OWENS, Mr. MCHENRY, Mr. RANGEL, Mr. TIAHRT, Mr. TIBERI, Ms. VELÁZQUEZ, and Mr. WATT.

H.R. 5356: Mr. LIPINSKI, Mr. MILLER of North Carolina, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BAIRD, Mr. JOHNSON of Illinois, Mr. DAVIS of Tennessee, Mr. COSTA, and Ms. MATSUI.

H.R. 5358: Mr. LIPINSKI, Mr. MILLER of North Carolina, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BAIRD, Mr. JOHNSON of Illinois, Mr. DAVIS of Tennessee, Mr. COSTA, and Ms. MATSUI.

H.R. 5365: Mr. LEVIN, Mr. STUPAK, and Ms. SCHAKOWSKY.

H.R. 5388: Mr. BERMAN.

H.R. 5390: Mr. RAHALL.

H.R. 5391: Mr. NUNES.

H.R. 5442: Mr. HINOJOSA, Mr. SAM JOHNSON of Texas, and Mr. PAYNE.

H.R. 5450: Mr. CALVERT.

H.R. 5452: Ms. CORRINE BROWN of Florida.

H.R. 5453: Mrs. WILSON of New Mexico, Mrs. CAPITO, Mrs. DRAKE, and Mr. MORAN of Virginia.

H.R. 5455: Mr. CRAMER.

H.R. 5463: Mr. MILLER of Florida.

H.R. 5496: Mr. FRELINGHUYSEN.

H.R. 5500: Mr. CHABOT.

H.R. 5519: Mr. MCINTYRE, Mr. HINOJOSA, Mr. MCCOTTER, and Mr. MOORE of Kansas.

H.R. 5520: Mr. NUNES, Mr. BURTON of Indiana, Mr. WALDEN of Oregon, Mr. BACHUS, Mr. SMITH of Texas, Mrs. JO ANN DAVIS of Virginia, Mr. POE, Mr. FORBES, Mr. RANGEL, Mr. BOSWELL, Mr. MURTHA, Mr. BOUCHER, Mr. HERGER, and Mr. SAXTON.

H.R. 5526: Mr. GUTKNECHT, Mr. GARY G. MILLER of California, Mrs. MUSGRAVE, Mr. CONAWAY, Mr. MARCHANT, and Mr. GREEN of Wisconsin.

H.R. 5529: Mr. BISHOP of Georgia.

H.R. 5536: Mr. BRADLEY of New Hampshire, Mrs. MALONEY, and Mr. DOGGETT.

H.R. 5558: Mr. OSBORNE.

H.J. Res. 88: Mr. HULSHOF, Mr. PUTNAM, and Mr. ROGERS of Kentucky.

H. Con. Res. 57: Ms. WATSON.

H. Con. Res. 222: Mr. SIMMONS.

H. Con. Res. 390: Mr. WELLER and Mr. MCCOTTER.

H. Con. Res. 391: Mr. OWENS.

H. Con. Res. 415: Mr. MCNULTY and Mr. WAXMAN.

H. Con. Res. 419: Mr. KING of New York.

H. Res. 79: Mr. SALAZAR.

H. Res. 782: Mr. SMITH of New Jersey.

H. Res. 804: Mrs. BLACKBURN and Mr. PETRI.

H. Res. 825: Mr. GRIJALVA.

H. Res. 838: Mr. SIMMONS, Mr. MCCOTTER, Mr. FRELINGHUYSEN, Mr. GARRETT of New Jersey, Mr. MURPHY, and Ms. ROS-LEHTINEN.

H. Res. 852: Mr. CASTLE.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 3 by Mr. EDWARDS on House Resolution 271: Allyson Y. Schwartz.

Petition 6 by Mr. ABERCROMBIE on House Resolution 543: Bill Pascrell, Jr., and Melvin L. Watt.

Petition 13 by Mr. COSTELLO on House Resolution 814: Patrick J. Kennedy and Lane Evans.

EXTENSIONS OF REMARKS

RECOGNIZING AARON SCOTT McRUER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Aaron Scott McRuer, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Aaron has been very active with his troop, participating in many scout activities. Over the many years Aaron has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Aaron Scott McRuer for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

THE ROLE OF DEVELOPING COUNTRIES IN GLOBAL ECONOMICS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. RANGEL. Mr. Speaker, I rise today to address the issue of third world debt relief for the RECORD. In the article, Can Developing Countries Be Financial Saviors of Rich Nations?, published in Volume XXIV No. 1230 (May 24–30, 2006) issue of The New York CaribNews, Mr. Tony Best cites Dr. Jeremy Siegel, a professor of the Wharton School of Business. Addressing the possibility that the baby boomers' selling their savings stock and bonds would lead to a weakening of the assets of the rich nations, Dr. Siegel claims that the best solution is to allow investors from developing countries to buy up these excess stocks to maintain the market prices. Mr. Best asserts that some of "the highest growth rates in dollar terms in market capitalization was in the emerging markets" of Macedonia, West Bank and Gaza, Fiji, Nigeria, Jamaica, Botswana, Trinidad and Tobago, India, Kenya, Bermuda and Tanzania. As Mr. Best claims, if the global market is integrated so that "the selling of assets from the old in the rich world to the young in the developing world is no more difficult than today's sales of assets by elderly folks," America's trade deficits in the developing world would not be a cause for concern. The increasing investments in American from the growing markets would be balanced by the existing trade deficits and debts owed by the developing countries to the U.S.

[From the New York CaribNews, May 24–30, 2006]

CAN DEVELOPING COUNTRIES BE FINANCIAL SAVIORS OF RICH NATIONS?

(By Tony Best)

It may not be a case of reverse Robin Hood, meaning stealing from the poor and giving it to the rich. But investors and stock markets in relatively poor nations of the Caribbean and Africa may in the long run be the next financial saviors of future prosperity in the world's wealthiest nations. Add Asia, Latin America and the Middle East to that list and the prospects would become clear, very clear.

So, while people in G–8 nations and their affluent neighbors may not steal from such developing and relatively poor nations as Jamaica, Thailand, Trinidad and Tobago, Barbados, Uzbekistan, Nigeria, Botswana, Pakistan, Swaziland, Bermuda, Jordan and at least 40 other emerging markets, some economists in the U.S., Britain and elsewhere in the developed world are offering a bit of advice: keep your eyes on these economies because they are poised to help make up the shortfall of buyers of assets in the rich world.

One such economist is Dr. Jeremy Siegel, a professor at the prestigious Wharton School of Business in the U.S. He believes that with many baby boomers in North America and Europe, persons born between 1946–64, getting ready or planning their retirement, they may sell off their stocks and bonds in large quantities to finance their retirement and that in turn can create a huge gap in the assets of rich nations.

"The sale of these assets will lead to a sharp fall in prices, because there are too few people in the smaller generations that followed the boomers to buy all of those assets at today's prices," stated The Economist as it explained Siegel's theory.

The upshot: unless the baby-boomers delay their retirement, they could "see their standard of living in retirement halved, relative to their final year of work," the Economist added. Siegel warns a huge sell-off of stocks and bonds by the baby-boomers can trigger a 40–50 percent fall in stock prices with a smaller pool of investors coming along in the rich countries to take up the financial slack. That's where the developing countries may come in, goes the argument. Some figures tell an interesting story.

Although the top 10 stock markets in terms of capitalization are in the U.S., Japan, U.K., France, Germany, Canada, Spain, Switzerland, Hong Kong and China in that order, some of the highest growth rates in market capitalization in dollar terms between 1983–2003 were in emerging market. Macedonia, West Bank and Gaza, Fiji, Nigeria, Jamaica, Botswana, Trinidad and Tobago, India, Kenya, Bermuda and Tanzania are on that list. For instance, Fiji's growth was put at 760 percent; Jamaica's 297 percent; Trinidad and Tobago's 170 percent and Bermuda 92 percent.

When it came to the highest growth in value traded between 1998–2003, Zimbabwe, Jordan, Jamaica, Israel, Trinidad and Tobago, United Arab Emirates, Barbados, Malaysia, South Africa, and Sri Lanka were listed among the 44 nations with the best performance. For instance while Zimbabwe had growth of 623 percent; Jamaica 507; percent Trinidad and Tobago 128 percent; Barbados 121 percent; and South Africa 76 percent; Germany's pace of expansion was 51 percent and Canada's 42 percent.

Of course, it would take decades before those countries have the financial power to fill the financial gap but then who would have predicted in 1980 that China, India and Dubai would have become such economic giants as to drive fear in the hearts of protectionist lawmakers on Capitol Hill in Washington who worry about their ability to buy U.S. companies. Dr. Siegel is writing a new book called, "The Global Solution," and in it he is insisting that by the middle of the 21st century most multinational companies must find new investors outside of North America, Europe and Japan.

"The challenge is to integrate global markets so that selling assets from the old in the rich world to the young in developing countries is no harder, no more unusual, than today's sales of assets by elderly folks," stated The Economist. "From this perspective, America's external deficits, particularly with some developing countries may be both long-lasting and nothing to worry about." It goes without saying that investors in developing countries shouldn't forget that protectionist tendencies in the rich nations are alive and well and can retard growth.

TRIBUTE TO MR. BEN F. PARMER

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mrs. MUSGRAVE. Mr. Speaker, I rise today to pay tribute to Mr. Ben F. Parmer. Mr. Parmer was a dear man who I admired greatly, and I am proud to stand before you today to honor his memory and deeds. "Uncle Ben," as he was fondly known, was a lifelong resident of Burlington, Colorado, and throughout his lifetime the people of Kit Carson County were truly blessed to have known him.

Ben married his lovely wife Mildred in 1937. Both he and Mildred had a strong faith and deep love for each other. Through hard times and raising children they never lost sight of their faith. Ben and Mildred had three beautiful children: Paul who preceded Ben in death, and his beautiful daughters Tony and Judy. Their devoted children were always extremely proud of their parents. Ben and Mildred celebrated their 50th wedding anniversary just a few months before Mildred's passing.

During their marriage, Ben was a farmer, rancher, and a man of strong conviction. As a

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

farmer Ben was successful, and as a rancher he was well known for the excellence of his white-faced Herefords. He also raised hogs and on occasion, sheep. Every success that Ben had from his family to his business dealings showed the conviction to do what was right and to do it right the first time.

Ben's philanthropic efforts did not go unnoticed by his community. The park in the city of Burlington hosts his name and the "Golden Wheat Award" that was given in recognition for his service and involvement with the Kit Carson County Memorial Hospital. It is said that Ben spent many hours comforting the patients and sharing the Word of the Lord. The Kit Carson Memorial Hospital was not the only place that Ben was able to minister; it is quite notable that the only State he did not minister in was the State of Vermont.

Ben was a man of courage and strength and admired by those around him. He was undaunted by doubt and his faith always prevailed. Ben F. Parmer was a loving husband, wonderful father, a man of incredible faith and integrity. He is deeply missed by his family and community. It was an honor to not only know him and attend his church and receive his teaching, but to have represented him in the U.S. Congress.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT OF 2007 (H.R. 5386)

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Ms. McCOLLUM of Minnesota. Mr. Speaker, I rise today in opposition to the Department of the Interior, Environment, and Related Agencies Appropriations Act of 2007, H.R. 5386. As a vigorous supporter of our national parks and natural resources, I object to this bill's dangerous cuts and I regret the message of waning support for our natural treasures that it sends to the youngest generation of Americans.

H.R. 5386 provides $25.9 billion for federal agencies including the Environmental Protection Agency, the U.S. Forest Service, the National Park Service and the U.S. Fish and Wildlife Service. This bill represents a $145 million cut from the funding level enacted for fiscal year 2006. It eliminates the successful and popular state matching grants, which are delivered through the Land and Water Conservation Fund. It cuts $200 million in federal assistance to the clean water activities of states—over the last 3 years, the Clean Water Fund has been cut by 50 percent, or over $660 million.

H.R. 5386 also cuts $100 million from the National Park Service's budget at a time when parks are struggling to cope with past reductions. The number of rangers in Yosemite National Park has fallen from 45 to 8 over the past 5 years. These dramatic reductions make it impossible for the remaining rangers to fulfill their vital and far reaching duties, which include educational programming, ensuring safety and security and management of historical, cultural and natural resources. Visitors to America's National Parks this summer are saddened to see that Congress has made America's cherished park ranger the most recent addition to the endangered species list. ABC news reports that the number of rangers has dwindled to a point where visitors are now seen photographing them.

In reality, these cuts represent a pattern of calculated disinvestment in the agencies and programs that exist to protect the health of our communities and safeguard our natural resources for future generations. Year after year of cuts to environmental and natural resource spending are seriously eroding the ability of these agencies to improve our air and water quality and to protect and restore our wildlife and natural spaces.

The Bush administration and the Republican leadership in Congress are choosing to mortgage America's natural resource legacy to pay for the spiraling costs of the Iraq war and the unconscionable tax cuts to the wealthiest in our society. These decisions do not reflect my priorities or the priorities of my constituents in Minnesota.

I join the National Audubon Society, National Parks Conservation Association and many other conservation organizations in opposing H.R. 5386 as insufficient, unsustainable and unacceptable.

RECOGNIZING BOBBY MORROW

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. ORTIZ. Mr. Speaker, I rise today to recognize Mr. Bobby Morrow, of South Texas, and to celebrate the 50th anniversary of his shattering Jesse Owens' 20-year-old record in the 200-meter dash to gain the title of world's fastest person in 1956. Mr. Morrow is a legendary athlete and hero to people all over South Texas and the country.

As a native of South Texas, Bobby Morrow began his long and distinguished track career at San Benito High School in San Benito, Texas. There Mr. Morrow won a state championship in the 100-meter dash. His high school success soon brought many offers from universities to run track in college. Bobby Morrow chose Abilene Christian College (now University) to pursue his dreams of racing.

Bobby Morrow honed his lightning starts and sharpened his skills to dominate the 100- and 200-meter dashes in the 1950s. In 1955, Mr. Morrow won the AAU national title in the 100-meter dash. The next year, in 1956, he successfully defended his 200-meter title and added an AAU championship in the 200-meter dash.

Bobby Morrow continued his excellence at the amateur level, capped off by qualifying for the 1956 Melbourne Olympics, joining an American team with an established pedigree. During those 1956 Olympic Games, Morrow achieved legendary status, becoming the first person since Jesse Owens to win gold in the 100- and 200-meter races. He then won a third gold medal while anchoring the United States' worldrecord-setting 400-meter relay team.

During the 1956 Olympic games, Morrow not only won gold medals, but he won them in record breaking fashion. Morrow gained the title of "world's fastest person" by breaking Jesse Owens' 200-meter world-record time that had stood for 20 years.

Morrow's accomplishments were widely celebrated in South Texas and all across the United States. Mr. Morrow appeared on the cover of Life Magazine; and Sports Illustrated named him the "Sportsman of the Year." Morrow also received the Sullivan Award, given each year to honor the nation's top athlete.

Throughout the years, Bobby Morrow has continued to accumulate honors and accolades that celebrate his incredible athletic career. In 1975, Morrow was inducted to the USA Track & Field Hall of Fame. He was honored by his alma mater when Abilene Christian University placed him the school's Sports Hall of Fame in 1988. In 1989, Morrow was also elected into the Olympic Hall of Fame.

Bobby Morrow has been an inspiration to thousands of people in South Texas and across America. His accomplishments on the track have been celebrated and will be celebrated for many years to come. I ask the House of Representatives to join me today in celebrating Mr. Bobby Morrow on the 50th anniversary of his world-record-setting race.

RECOGNIZING BRETT JAMES MAIN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Brett James Main, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Brett has been very active with his troop, participating in many scout activities. Over the many years Brett has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Brett James Main for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

MIGRATION. BENEFICIAL? YES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD an article by Mr. Warren Hoge, titled Nations Benefit From Migration, U.N. Study Says, published in the New York Times on June 7, 2006.

Mr. Hoge cites Mr. Kofi Annan in calling for broad international cooperation in order to ensure rapid growth in global migration. A recent

United Nations study has shown that migrants provide strong socio-economic support for their country of origin as well as their new home nation. "The alarm over the growing number of migrants has cast the issue in a negative light." The aging populations in developing countries are offset by the influx of immigrants. Currently in developed countries there is an average of 142 entrants into the labor force for every 100 people about to retire but the report predicts that in 10 years the number of entrants will become as low as 87. This deficit can easily be filled by immigrants since on average the developing countries have 342 entrants for every 100 retirements.

Mr. Annan calls for "tightening law enforcement to curb smuggling and trafficking, easing visa and naturalization rules, and establishing reliable financial services" to better the conditions of the immigrant. The U.N. study clearly shows the advantages of immigration. In light of such evidence, how can the United States, the leading nation of the world, choose to impose harsh measures that curb immigration?

My colleagues, let us create an open immigration policy for our national borders and ease the integration of immigrants into the U.S. rather than build a wall to keep everyone out.

[From the New York Times, June 7, 2006]

NATIONS BENEFIT FROM MIGRATION, U.N. STUDY SAYS

(By Warren Hoge)

UNITED NATIONS, June 6.—Secretary General Kofi Annan said Tuesday that the rapid growth in global migration should help, not harm, all countries but that broad international cooperation would be necessary to ensure it.

"We now understand better than ever before that migration is not a zero-sum game," Mr. Annan said. "In the best cases, it benefits the receiving country, the country of origin and migrants themselves."

He made his comments in a report he delivered to the General Assembly on migration and development, subjects that will be a focus of the annual gathering of heads of state at the United Nations in September.

The report noted that alarm over the growing numbers of migrants had cast the issue in a negative light but asserted that the emphasis was misplaced, citing the aging of populations in developed countries that it said could be offset only by migration.

"We think that societies don't ask themselves enough what they would do without migrants," said Hania Zlotnik, director of the United Nations Population Division.

Mr. Annan said he hoped the September meeting would take up measures to better conditions for migrants, including tightening law enforcement to curb smuggling and trafficking, easing visa and naturalization rules, and establishing reliable financial services to enable money to be sent home.

From 1990 to 2005, the numbers of migrants in the world rose to 191 million from 155 million, the report said. It estimated that migrants sent $232 billion home in 2005. Of that, $167 billion went to developing countries, Mr. Annan said.

The report said that migration sometimes reduced the wages of low-skilled workers in advanced economies, but that it more often freed citizens to perform high-paying jobs.

Listing demographic statistics that will make a continued rise in migration inevitable, the report said that in developed countries there is an average of 142 young entrants to the labor force for every 100 people about to retire, but that in 10 years, the ratio will be 87 young entrants for every 100 who leave the labor force.

This trend, it argued, creates a deficit that only migrants can close. At the same time, developing countries will have 342 candidates for every 100 jobs that open up.

TRIBUTE TO MASTER SERGEANT HENRY JOSEPH CORNELLISSON

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mrs. MUSGRAVE. Mr. Speaker, I rise today to pay tribute to the patriotism and self sacrifice of Master Sergeant Henry Joseph Cornellisson of Greeley, Colorado because of his service to our country during World War II.

Mr. Cornellisson was born on February 27, 1920 and was raised in central Kansas. A year after he graduated from high school, in May 1938, he joined the U.S. Army Air Corps and was sent to the Philippines several months later. By July of 1941, he had been promoted to Sergeant. On May 10, 1945, he was captured by the Japanese on the Philippine island of Mindanao and spent the next 1,218 days as a prisoner of war in Japan.

He was finally liberated from prison on September 6, 1945, exactly six years to the day from when he joined the Army Air Corps. After returning home to the United States, he decided to reenlist in the Air Force after only a few months. After getting married to Ruth Jordan, he served in the Air Force for three years in Brazil and was eventually promoted to Master Sergeant. After 21 years of service in the Air Force, Mr. Cornellisson retired in 1960 and went into the inactive Air Force Reserves. By this time he and his wife had three sons.

From 1961 through 1967, he worked overhauling missiles and missile guidance systems for the Army. After that Mr. Cornellisson worked for the Air Force as an electrician until he retired in 1978. His wife Ruth, of 48 years, passed away in 1995 and he married Genie Payne a few years ago.

Mr. Speaker, I am honored to represent Mr. Cornellisson and the other men and women who have given so much for our freedom. Like so many other members of the "Greatest Generation," Mr. Cornellisson set aside his ambitions in service to our Nation. I urge my colleagues to join me in expressing my heartfelt gratitude and sincere appreciation for the patriotic service of Mr. Henry Joseph Cornellisson.

RECOGNIZING SHRINERS HOSPITAL FOR CHILDREN

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. EMANUEL. Mr. Speaker, I rise today to recognize and honor the Shriners Hospital for Children in Chicago on the occasion of its 80th Anniversary. Shriners Hospitals provide excellent specialized care in pediatric orthopedics without cost to the patient, parent, or any third party and without regard to race, color, creed, sex or sect.

Shriners in Chicago is an outstanding resource for our community. To commemorate its 80th anniversary, Shriners held a large celebration at the hospital. Hundreds of former patients returned to celebrate the important role Shriners played in their lives. Without the hospital's generosity, many children would have struggled to receive treatment.

Shriners hospitals also conduct research and provide for the education of physicians and other health care professionals. The hospitals treat children with congenital orthopedic deformities, problems resulting from orthopedic injuries, and diseases of the musculoskeletal system. They are also a large provider of rehabilitation therapy and plastic surgery.

The first Shriners Hospital was opened in Shreveport, Louisiana in 1922 by the Shriners of North America, a group affiliated with freemasonry. This international fraternity has approximately 400,000 men belonging to 191 Shrine centers throughout North America. Since 1922, the number of hospitals has grown to 22 including hospitals in Canada and Mexico. Their selfless dedication to children's health has made them the leading researchers in burn treatment.

The hospitals are fully funded by gifts, bequests, income from an endowment fund, hospital fund-raising events, and the annual assessment paid by every Shriner. The Shriners are proud to call the system of hospitals "The World's Greatest Philanthropy."

Since its foundation in 1926, the Chicago branch has treated over 57,000 patients. Originally founded to treat polio victims, many hospital stays lasted over a year. Today, the average stay is four days. The hospital specializes in treating children with spinal cord injuries. Chicago greatly appreciates Shriners service and generosity.

Mr. Speaker, I commend Shriners Hospital for Children for its history of dedication and service to the children of Chicago. I congratulate the staff and supporters of this important institution on its 80th Anniversary, and wish them every future success in their continuing efforts to meet the needs of Chicago's children.

HONORING BRUCE LEIBY IN RETIREMENT

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to honor Bruce Leiby, who is retiring after twenty-nine years of service to Prince William County Public Schools.

Mr. Leiby, the principal of Prince William County's Bel Air Elementary School since 2003, received a Bachelor of Arts degree in history from Gettysburg College, Pennsylvania, and a Master of Arts degree in Education from Temple University in Philadelphia. He began his career in Mechanicsburg, Pennsylvania before moving to Prince William

County. In 1977, he began teaching at Stonewall Middle School in Manassas and continued teaching at Potomac High School in Dumfries. Throughout his career, he has been an assistant principal at Fred Lynn Middle School, Occoquan Elementary in Woodbridge, and Rockledge Elementary in Lake Ridge. In 1985, Leiby accepted his first position as principal of Occoquan Elementary School. In 1998, he became Bristow Elementary's first principal, guiding the school through its initial years and leading it to receive recognition as a fully-accredited institution. In 2000, due to Principal Leiby's leadership, Bristow Elementary School won its first School of Excellence Award. After a short stint as Prince William County's curriculum supervisor for social studies of all grades, Leiby returned to school to become Bel Air Elementary's principal in 2003.

While principal of Bel Air Elementary, SOL passing scores have risen substantially. Mr. Leiby has shown himself to be an innovative educator, who inspires students and teachers alike in a nurturing and supportive environment. His leadership style is highly admired throughout the county, whether as a principal or curriculum coordinator. He has been nominated three times for the Distinguished Teacher of the Year and Principal of the Year awards. He is truly an asset to the Prince William County Public School system and will be greatly missed.

Our students are our number one resource. Mr. Leiby has dedicated his life to ensuring that they are given the opportunity to achieve success. Over the past 29 years in Prince William County, he has made a lasting impact on thousands of students.

Mr. Speaker, in closing, I ask my colleagues to join me in applauding Bruce Leiby and congratulating him on his retirement after a distinguished career.

RECOGNIZING JAMES CAMERON JONES FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize James Cameron Jones, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the many years James has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending James Cameron Jones for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATIONS TO PRESIDENT LEONEL FERNÁNDEZ

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD, an announcement for the Pan American Development Foundation's Inter-American Leadership award awarded to President Leonel Fernández of the Dominican Republic on April 28, 2006. The award is bestowed on "an individual who has demonstrated outstanding leadership in strengthening democracy in the hemisphere and promoting economic and social development in the Americas." Undoubtedly President Fernández, known for his forward and original thinking, is such a person. At a time of economic turmoil, he has spearheaded numerous reforms and innovations in the economy of the Dominican Republic, promising to reduce inflation, to stabilize the exchange rate and to restore investor confidence. He has largely succeeded in increasing employment opportunities and has "demonstrated a clear vision for a vibrant future for the Dominican Republic." He has worked with the PADF in promoting cross-border programs with Haiti with the goal of economic development, as well as, mitigating the hostile attitudes of the two people who share the island of Hispaniola. I praise the accomplishments of President Fernández and congratulate him on receiving this award honoring his work. I hope that he will continue his effective leadership of his nation and I wish him every success.

PRESIDENT LEONEL FERNÁNDEZ RECEIVES PADF'S INTER-AMERICAN LEADERSHIP AWARD

Santo Domingo, Dominican Republic, Apr. 28.—The Pan American Development Foundation (PADF) presented Dr. Leonel Fernandez, President of the Dominican Republic, its 2006 Inter-American Leadership Award this evening in a ceremony at the Hotel Hilton Santo Domingo attended by business, diplomatic, and governmental leaders. The PADF Inter-American Leadership Award is bestowed upon an individual who has demonstrated outstanding leadership in strengthening democracy in the hemisphere and promoting economic and social development in the Americas. Corporate support for the ceremony and dinner was provided by PADF's longtime corporate partners Stanford Financial Group, Citigroup, and Caterpillar, Inc.

PADF's President of the Board of Trustees, Ruth Espey-Romero, stated, "President Fernández's dynamic leadership and vision for his countrymen has strengthened Dominican society. He is committed to advancing his country's economic condition. The President has a clear vision for a vibrant future for the Dominican Republic and how the border can serve as an engine of growth for the entire region. His record has demonstrated his commitment to PADF's vision of 'Creating a Hemisphere of Opportunity for All.'"

PADF also presented awards to several key corporate partners whose support has enabled PADF to accomplish its work throughout Latin America and the Caribbean. Representatives of Stanford Financial Group, Altria Group (including Philip Morris International and Grupo León Jimenes), and the American Chamber of Commerce in Haiti each received recognition for their support of projects throughout the Caribbean and Latin America.

The Pan American Development Foundation (PADF) is an international nonprofit organization established in 1962 through a unique partnership between the Organization of American States and private enterprise to promote, facilitate, and implement social and economic development in Latin America and the Caribbean through innovative partnerships and integrated involvement of the private and public sectors. PADF currently has offices in Bolivia, Colombia, the Dominican Republic, El Salvador, and Haiti, and has operated in every country throughout Latin America and the Caribbean.

In the Dominican Republic, PADF is working with over 80 local organizations to strengthen to the border region and encourage private sector participation in development. Funding for the programs comes from the U.S. Agency for International Development (USAID), with additional support from other public and corporate donors.

TRIBUTE TO WILLIAM GAYNOR

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mrs. MUSGRAVE. Mr. Speaker, I rise to pay tribute to William (Bill) Gaynor whose deep patriotism and compassionate heart has brought strength and comfort to numerous military families in Logan County, Colorado.

Bill is a proud Marine who proudly served from 1958–1962. As a Vietnam vet, he went on to serve in the American Legion. Bill was Post Commander for two consecutive terms, Vice-Commander for the State of Colorado, and Vice Chairman of the Foreign Relations Committee of the National American Legion for three consecutive terms.

Bill was involved in Marine recruiting for 28 years. When a young Marine that Bill helped to recruit became seriously wounded in Iraq in 2004, Bill found a new purpose for his knowledge and background. As he helped this local family react to the crisis caused by an improvised explosive device (IED) in Iraq, Bill discovered that most local military families had limited knowledge of military procedures and processes. Bill, his wife Denise, and friend LuAnn Travis reacted to this need and formed the Military Family Support Group. This group has been able to locate and reach out to all of the families in the county with children or family members serving in the military. This group has met once or twice a month for almost 2 years, giving families the chance to share news, information, and concerns with each other about their loved ones.

Bill is always willing to make himself available on a moment's notice to any family—in times of celebration as well as times of crisis. Members of the military from Logan County have received hundreds of cards from local citizens, boxes of goodies and supplies, as well as cards made by school students for Thanksgiving, Christmas and other holidays through the efforts of the Military Family Support Group.

Marines such as Bill are trained to think independently and act aggressively with speed and initiative. Bill demonstrates this by his constant willingness to react swiftly to the needs of the local families. They turn to him because they know his heart is with his family, the American people, and the young men who serve to protect them. Bill never passes up an opportunity to honor or speak on behalf of veterans or members of the military. The United States Marines are the world's finest warriors and they are devoted to each other and the cause of freedom. Bill is in his heart and soul a United States Marine and lives the motto—'Semper Fidelis'—always faithful.

Mr. Speaker, our precious veterans are heroes who have left their homes to defend our Nation, and then returned to be valued members of their communities, showing their children and grandchildren how to live meaningful lives of service. I want to take this brief moment to honor Bill Gaynor for the sacrifices that he made and his continued commitment to all of those who serve our great Nation in the profession of arms. May God bless his family, may God bless our precious veterans, and may God bless America.

FOREST EMERGENCY RECOVERY AND RESEARCH ACT (H.R. 4200)

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise today in opposition to the Forest Emergency Recovery and Research Act (H.R. 4200). This legislation rolls back responsible forest management practices and threatens to undermine vital environmental protections.

Proponents of H.R. 4200 claim that the bill would ensure prompt implementation of recovery measures in Federal forests following weather events such as wildfires and hurricanes by expediting the evaluation of forest conditions and accelerating the recovery of downed and damaged timber. But in reality, the legislation aggressively auctions off public resources to private interests in the name of responsible stewardship. It goes too far in promoting the economic value of harvesting timber over the ecological benefits of preserving trees.

Proponents of H.R. 4200 use the words "recovery" and "restoration" to excuse logging practices that will slow the recovery of forests, streams and wildlife. Forest scientists from 169 universities across the country oppose this bill, arguing that no reliable evidence exists to support the assertion that fire-adapted forests might be improved by logging after a fire. These experts point to a series of studies that concluded just the opposite—that post-disturbance logging impedes the process of regeneration by compacting soils, spreading invasive species, causing erosion and degrading water quality.

Most outrageously, H.R. 4200 would degrade forest ecosystems by exempting "salvage logging" activities from the environmental protections guaranteed in the National Environmental Policy Act, the Endangered Species Act and the Clean Water Act. Through exemptions and waivers, H.R. 4200 offers a blank check to pollute waters and harm endangered wildlife.

H.R. 4200 is both unwise and unnecessary. The success of the timber salvage effort following Hurricane Katrina demonstrates that existing Federal laws do not prevent land managers from implementing timber recovery. Using their existing authority, the Forest Service and Bureau of Land Management quickly and effectively completed one of the largest timber salvage projects ever, recovering 676 million board feet of timber from the national forests in Mississippi impacted by the hurricane.

When properly managed, timber harvesting is a necessary and appropriate use of our Federal forests. But careful environmental stewardship of our forest resources is needed today to ensure that genuinely healthy forests—with all the benefits they offer—will be available to future generations. H.R. 4200 falls dangerously short of this standard.

NIDHARSHAN ANANDASIVAM, 2006 NATIONAL SPELLING BEE, 8TH PLACE WINNER

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. ORTIZ. Mr. Speaker, I rise today to recognize Nidharshan Anandasivam, the young Brownsville scholar who came painstakingly close to victory in the 2006 Scripps Howard National Spelling Bee, placing eighth to beat his personal best during the four years he competed in the national spelling bee contest.

As a student from Saint Joseph Academy in Brownsville, Texas, Nidharshan loves learning the origins of words and the way words change through different languages. This hobby helped him qualify through nine intense rounds, correctly spelling difficult words such as "physis," "festucine," and "wehrmacht."

All South Texans are proud of this native son. It is one thing to be a great speller; it is another thing to have the ability to compete on live national TV—at such a young age.

Nidharshan's success comes from his diligent studying, completing internet spelling courses and spelling study guides daily. In the weeks leading up to the competition, he studied over three hours each day. To be a young teen and have an exceptionally committed resolve for his academic pursuits demonstrate Nidharshan's maturity and hardworking nature.

This year's spelling bee featured 275 spellers, which is the most participants in the history of the spelling bee. To place eighth out of 275 participants is an incredible experience that Nidharshan can cherish for the rest of his life.

I congratulate Nidharshan Anandasivam on his achievement of placing eighth in the Scripps Howard National Spelling Bee. I ask the House of Representatives to join me today in commending this outstanding scholar for his unwavering determination and dedication. Mr. Speaker, this young teen has inspired us and made us exceptionally proud.

RECOGNIZING NOAH BRANDT EBER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Noah Brandt Eber, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Noah has been very active with his troop, participating in many scout activities. Over the many years Noah has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Noah Brandt Eber for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

COLOMBIANS REDISCOVER THEIR AFRICAN ROOTS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. RANGEL. Mr. Speaker, I rise today in praise of an article written by Howard Dodson in Africana Heritage, a periodical from the Schomburg Center for Research in Black Culture, in New York City. I praise the piece because it touches on a very little known subject, that being the lives of Afro-Colombians in the Americas, a people with a rich and radiant culture who are so often ignored by mainstream Colombia.

Their presence in the region dates back to the age of European exploration of the Americas and, in particular, the transatlantic slave trade. Dodson pointed out in his article that, "the Afro-Colombian population had become so marginalized that for the overwhelming majority of Colombians as well as the world's people they were invisible." With over a quarter of the population being of African descent, there is no way this society should have been treated the way they were for so many years.

He also describes how the system might now be changing: "presence of Afro-Colombians as part of the Colombian nation may be at an all time high." The Afro-Colombian people understand their history, their identity and national heritage and the need to keep it alive for the generations to come. For such a rich and vibrant culture to dissolve with time would be a detriment to an entire race of people.

What makes these people so unique is the one thing that may have kept them in isolation for so many years, their African ancestry. For years, the nation has been in denial about its connection to the people of Africa. However, the connection is so strong that, "what makes Colombia's culture distinctly Colombian is likely the African presence in it," as noted by

Dodson. The people of African descent in the Americas have carried with them over the Atlantic aged traditions and concepts unknown to the western hemisphere prior to their arrival.

The plight of Afro-Descendent populations in Latin America and the Caribbean is one that I take special interest in, for their struggles have long gone on ignored for so many years. That was why I sponsored the bipartisan historic resolution H. Con. Res. 175 recognizing, for the first time ever, the struggles of African-descendent populations in Latin America and the Caribbean. This in turn urged the United States and the international community to support social development and economic programs targeting these groups.

Usually denied the most basic necessities, African-Descendent populations, particularly in Latin America, are among the poorest, least educated, and most marginalized groups in the region. In terms of the Afro-Colombian population, they have the shortest life expectancies and the lowest literacy rates of any group in Colombia. Displacement, guerilla and military violence, and fragile economics make the struggle of these groups even more difficult.

I enter into the RECORD the article by Howard Dodson for his continuing effort to give a face to the often ignored Afro-Descendent population in Latin America. Dodson took it upon himself to research and get a first hand account about the situation below our borders. I believe that this is an ideal opportunity for African Americans to reach out to their brothers and sisters in Haiti, Cuba, Brazil, Colombia and the rest of the hemisphere, for they are experiencing the same second-class treatment African Americans received in this country forty years ago. We need to come together to safeguard access to healthcare, education and basic human rights.

[From the Schomburg Center for Research in Black Culture, 2006]

COLOMBIANS REDISCOVER THEIR AFRICAN ROOTS

(By Howard Dodson)

I returned to Colombia after a 40-year hiatus this past November. What was new there that I did not see during my visits from decades ago was the emergence of the consciousness of the Afro-Colombian population within the nation and an Afro-Colombian consciousness among Afro descendants. Forty years ago, indeed 10 years ago, the Afro-Colombian population had become so marginalized that for the overwhelming majority of Colombians as well as the world's people they were invisible. This is no longer the case. Consciousness of the presence of Afro-Colombians as a part of the Colombian nation may be at an all time high. And Afro-Colombians' consciousness of themselves as a critical but neglected segment of the Colombian national identity, heritage, and future is also at an all time high.

When I visited Colombia in the 1960s, I was a Peace Corps volunteer in Ecuador. All of my travels in Latin America during my two-and-a-half-year tour of duty were partially a mission of discovery. As an African American living and traveling in South America for the first time, I was especially interested in meeting and learning more about people of African descent who lived in Latin America. In Colombia, I traveled to the Caribbean and Pacific Coasts and visited Cartagena, Barranquilla, Santa Marta, Cali, Medellín, Manizales, etc. I also spent some time in Bogotá where I met a lot of Afro-Colombians, but at the time even they were reluctant to discuss their Africanness.

While my most recent visit was limited to Bogotá and Quibdó in the Chocó region, the context in which it occurred announced for me the existence of a new era in Afro-Colombian history and culture. The Universidad Technologicá del Chocó, the country's major black university, has launched an initiative to establish a National Center for Documenting Afro-Colombian Cultural Expressions. I was invited, in my capacity as Director of the Schomburg Center for Research in Black Culture, to participate in a two-day planning symposium to continue to develop the concept and program for this new national initiative. I have devoted over 20 of the last 40 years of my life developing the Schomburg Center into the world's leading research library devoted exclusively to documenting the global black experience. Organizers of the planning symposium thought the Center's and my experiences might be helpful in developing the Center in Quibdo. Over the last decade, we've placed a special emphasis on the Afro Latino or Afro descendant populations in South and Central America.

One recent collaborative effort took place in Colombia. The staff of the National Archives of Colombia in Bogotá unearthed a plethora of historic documents on slavery and black people in Colombia during the colonial period. With funding from the Schomburg Center and York University in Toronto, Canada the Archives staff was able to digitize these records. A grant from UNESCO made it possible to develop these digitized resources into a robust website and now these historic documents on AfroColombians' colonial past are accessible to the world on the Internet. This project was an important beginning, but documenting the centrality of the African presence in the development of Colombia's national history and culture will require much more research and documentation. This is what the Universidad Technologica del Choco proposes to spearhead through its National Center for Documenting Afro-Colombian Cultural Expressions.

Why is such an effort warranted at this time? First of all, recent scholarship on the African presence in the Americas has unearthed a startling demographic fact that is forcing scholars to rethink their understanding of the African presence in the Americas as well as the historical and cultural development of the Americas themselves. Between 1492 and 1776, or roughly the first 300 years of what is commonly referred to as the European colonization of the Americas, 6.5 million people survived the crossing of the Atlantic and settled in the Americas-North, Central and South America, and the Caribbean. Of those original 6.5 million settler pioneers, only 1 million were Europeans.

The other 5.5 million were African. This simple demographic fact challenges all of our conventional notions about who were the principle history-and-culture-makers in the Americas during the colonial period.

Cartagena, Colombia was the principle entrepot for the Africans who would eventually populate the Pacific Coast of South America and Colombia (or New Grenada as it was called). Two hundred plus years later, Colombia's Caribbean and Pacific Coast provinces still have the overwhelming majority of the nation's African descended population. Their marginalized and seemingly invisible state notwithstanding, they still constitute over 25 percent of the nation's 40 million people.

Of equal importance, over the last decade and a half, thanks to the Constitution of 1991 and Law 70 of 1993, the nation has committed itself to ending black marginalization, integrating the African descended population into the national body politic. While fulfilling those commitments has been fraught with difficulty, the Afro-Colombian population has developed a new sense of entitlement and consciousness of its rights and is actively seeking to have the nation correct the consequences of centuries of neglect, discrimination, and invisibility.

While the nation has been in a state of denial about the African roots of its past, the African presence in the national culture has been undeniable. Indeed, in the realm of culture—be it art, music, religion, dance, language, cuisine, etc.—what makes Colombia's culture distinctly Colombian is likely the African presence in it. Recent scholarship has begun this process of documentation, but more, much more needs to be done if the total integration of the society is to be realized.

Finally, Afro-Colombians themselves have been in denial about their African heritages. As a consequence, they frequently know little or nothing about it. Their historical and cultural heritage are not included in the textbooks or taught in the schools. Stereotypical representations of African descended Colombians have all too frequently dominated the public media. And Afro-Colombians' unique cultural heritages have all too frequently been mocked or denigrated.

The National Center proposes to foster the development of new scholarship that will reveal the true nature of the Afro-Colombian historical and cultural legacy. The project is off to an excellent start. During the two-day planning symposium, representatives of the National Library, The Colombian Institute of Anthropology and History, the National Archives and the Ministry of Culture were in attendance as were some of the country's leading scholars in the field of Afro-Colombian Studies. All have gone on record in support of this effort. Eduardo Garcia Vega, Director of the Universidad Technologicá del Chocó, has made a major commitment to the effort. There is already an academic program in Afro-Colombian Studies and plans are underway to offer a Masters Degree in the field. A full floor of the new technology building that is currently under construction has been designated to house the Center. It is scheduled for completion and occupancy in June 2006. Members of the faculty and staff of the University are already working with the Rector to make the Center a reality. Finally, Georgetown University's (Washington, D.C.) Colombia Program and the U.S. Embassy in Bogotá have thrown their full support behind this effort.

Among the unique features of the Center is that it will house a 21st century archive. The Center will conduct oral histories and document through film, audio, and audiovisual media contemporary Afro-Colombian cultural expressions. And it will collect and preserve some printed records. But the central archive of the Center will be a virtual one. Using the 21st century Internet technology, the Center will assemble a comprehensive virtual archive of print, audio, and audiovisual resources documenting Afro-Colombian history and culture. Developing a virtual resource will allow libraries, museums and archives that currently house Afro-Colombian materials to participate in the development of this national program without having to give up their original materials. Once online, the materials will be accessible throughout the country as well as throughout the world. Researchers and scholars will be able to conduct their research without having to leave their homes or their institutions. This national digital archive on Afro-Colombian cultural expressions will be the centerpiece of the Center's larger program of research, education, and celebration.

I cannot begin to underscore the importance of this initiative. While we at the Schomburg Center attempt to document the global black experience, we are clear that no single institution can carry out such an ambitious agenda. Every country in the world that has large African descended populations needs a Center that is focused on preserving the records of their past. We have done an extraordinary job of documenting the African-American experience in the United States and our collections contain representative documentation of black people around the world. A national documentation center such as the one contemplated in Colombia will go a long way toward preserving the Afro-Colombian heritage for the Colombian people as well as filling this important gap in the documentation of the global black experience.

TRIBUTE TO LEILANI SPERBER

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mrs. MUSGRAVE. Mr. Speaker, I rise to pay tribute to the memory of Leilani Sperber whose sunny disposition and compassionate heart touched many lives in northeast Colorado. Leilani was born in Holyoke, CO and spent most of her life in Phillips County. She and her husband Gary taught school for a few years before settling in Holyoke where Leilani was a full-time mother and homemaker. Together they raised a daughter, Shawn and two sons, Eric and Mark.

Leilani always had time to nurture friendships and gently encourage those she encountered each day. Her generosity and deep faith led to her involvement in numerous church activities including serving on the Missions Committee, teaching Sunday School, sponsoring the youth group, helping with the Fellowship of Christian Athletes High School Huddle group, and participating in two mission trips to Mexico.

Leilani always followed wherever her strong convictions led her, but she did it with a kind heart and was always respectful of the needs and concerns of people around her. She worked on numerous community projects. She was actively involved in the Friends of the Library and served as president. She worked to get the Heginbotham Library in Holyoke in the register of historical places. She was also part of the effort to raise funds and help restore the Peerless Center in Holyoke. She was a huge supporter of local sports, especially when her husband was coaching or her children were participating. Leilani also was actively involved in the Republican Party and served as precinct chairman and delegate to the State Conventions.

When her children were out of the home, Leilani's eagerness to learn and grow led her to return to school and earn her Master's degree in agency counseling. She worked for Centennial Mental Health as a counselor before taking a position with the Haxtun Hospital as a Social Service director. While in this position, Leilani organized a cancer survivors support group.

Leilani's life was a lesson in how to enjoy life, honor God, care for others, face difficulties with courage, and make a positive impact on the world. I am proud to honor Leilani who is the embodiment of all the values that have molded America into the great Nation it is today. "Strength and honor are her clothing; she shall rejoice in time to come. She opens her mouth with wisdom, and on her tongue is the law of kindness. She watches over the way of her household, and does not eat the bread of idleness. Her children rise up and call her blessed; her husband also, and he praises her: Many daughters have done well, but you exceed them all. Charm is deceitful and beauty is passing, but a woman who fears the Lord, she shall be praised" (Proverbs 31:25–30) Leilani was a precious, beautiful woman.

HONORING MICHAEL SCOTT

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. EMANUEL. Mr. Speaker, I rise today to recognize the distinguished tenure of Michael Scott, president of the Chicago Board of Education. Michael recently announced that he will retire from the board on July 21, 2006. Chicago's public school students and parents will miss the dedication and professionalism he has brought to the public schools and his service to the city.

Michael was raised on the west side of Chicago, attended St. Philip's High School and later earned a B.A. in urban planning from Fordham University. He first became involved in local government after spending many years as a developer. His early dedication to the betterment of Chicago's communities drew attention from the late Mayor Harold Washington. Michael went on to serve in the administrations of Mayor Washington and Mayor Richard Daley.

In June 2001, Michael Scott was appointed to the Chicago Board of Education, and elected president of the board that same month. For the past 5 years, Michael has dedicated his energy and talents to this challenging and time consuming position, working on a voluntary basis. Under his direction, the Chicago Public Schools have thrived. One of Michael's key initiatives, in partnership with Mayor Daley, was Renaissance 2010, a program that closed underperforming schools and reached out to private donors to build new ones. Together they built the first new Chicago public school in 29 years.

Michael has combined strong managerial skills with an ability to bring students, parents, and teachers together to solve problems and create opportunities. He has worked very hard for the students of Chicago and cares about them deeply. His engaging personality has also helped him build strong relationships with parents and teachers.

Michael's success can be seen in the students' improved math and reading test scores. The schools have also worked hard to reduce truancy. Michael's creativity and innovation have also resulted in new programs such as ballroom dancing and other opportunities for student creativity.

Mr. Speaker, I ask my colleagues to join me in recognizing a true public servant on the successful completion of his tenure. On behalf of all of Chicago's families, I thank Michael Scott for his dedication and wish him the best of luck in the future.

HONORING ELIZABETH LODAL IN RETIREMENT

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to honor Elizabeth Lodal, who is retiring after 40 years of service to Fairfax County Public Schools.

Mrs. Lodal, the principal of Thomas Jefferson High School for Science and Technology, studied math and physics at Rice University. She began her career as an english and history teacher; later, she was the principal of Joyce Kilmer Middle School and Langston Hughes Middle School. After her tenure in the middle school system, she served as the principal of McLean High School for 10 years. She will be retiring this August, which comes 6 years after she came out of retirement to lead Thomas Jefferson High School at the behest of Daniel Domenech, the former supervisor of Fairfax County Public Schools.

Mrs. Lodal has received numerous accolades, which are all testaments to her dedication to this community. In 1998, she received the Distinguished Alumni Award from her alma mater, Rice University. In addition, she has received the McLean Chamber of Commerce President's Award as the Outstanding Chamber Member and she was awarded the Rabbi Richard Sternberger Social Justice Award for combating racism, bigotry and prejudice in Northern Virginia.

Mrs. Lodal is dedicated to all aspects of the county. She serves on the Board of Trustees of the Washington Opera and she is active in the American Boychoir School and Vinson Hall, a Navy, Marine, and Coast Guard retirement community. She lobbied for the renovation of McLean High School in the 1980s. She maintains a strong sense of duty to all students, as she will continue to fight for women's involvement in the math and sciences during her retirement.

Our students are our number one resource. Mrs: Lodal has dedicated her life to ensuring that they are given the opportunity to achieve success. Over the past 40 years in Fairfax County, she has made a lasting impact on thousands of students. She will continue her remarkable career by representing Virginia as a delegate to the Education Commission of the States.

Mr. Speaker, in closing, I ask my colleagues to join me in applauding Elizabeth Lodal and congratulating her retirement after a distinguished career.

RECOGNIZING BLAINE EVAN STECK FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Blaine Evan Steck, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Blaine has been very active with his troop, participating in many scout activities. Over the many years Blaine has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Blaine Evan Steck for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

TWENTY-FIFTH ANNIVERSARY OF THE DISCOVERY OF AIDS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. RANGEL. Mr. Speaker, I rise today to address the issue of HIV/AIDS which remains a matter of global concern, even twenty-five years after the first case was diagnosed. June 5, 2006, as the world recognized the anniversary of AIDS, I am reminded that our duty as a world power is to ensure that this epidemic does not continue to devastate lives.

Present day AIDS education is lacking the appropriate resources to spread the message that this disease is preventable. Without these resources and advocates to stand for the cause, HIV/AIDS will continue to infect millions of people worldwide. It is critical that this country and its leaders begin to increase awareness nationwide so that our constituents will understand the causes as well as effects of AIDS while we continue to be outspoken in the fight to find a cure.

Furthermore, AIDS continues to ravage our communities due to the fact that there is not enough federal or state money placed into health initiatives to treat current patients or to find a cure. With the desperately needed funding for medical programs and treatment centers, many new cases can be prevented and persons who have the virus will receive affordable quality medication.

We all have a calling to service our communities by making policies that increase awareness and target funding towards HIV/AIDS. I will maintain my stance that HIV/AIDS affects us all regardless of class, race or sex. Therefore, we must present a united front in the effort to prevent this disease from spreading and remain committed to increasing appropriations for HIV/AIDS, education and treatment.

[From the Washington Post, June 2, 2006]

ANOTHER $10 BILLION

The Generals in the global battle against HIV-AIDS are meeting at the United Nations this week, five years after another U.N. summit promised an intensified push against the crisis. The target of mobilizing $7 billion to $10 billion per year has been met: Last year low- and middle-income countries spent $2.5 billion of their own money and an additional $5.8 billion from donors on AIDS treatment and prevention and the care of orphans. But that money has bought less than expected. Rather than hitting the "three by five" target of getting medicines to 3 million people by 2005, the world has put only about 1.4 million people on treatment—a big improvement on the 240,000 who were receiving drugs in 2001 but still well less than half of the number who need medicines immediately. Equally, better-financed prevention efforts have succeeded in driving down infection rates among young adults, notably in Kenya, Uganda, Zimbabwe and Haiti. But last year there were 4.1 million new infections worldwide. The plague is still advancing.

The summiteers in New York therefore confront a daunting problem. The latest U.N. estimate, which may prove as optimistic as the last one, is that fighting the disease will soon require $20 billion to $23 billion a year, more than twice the current spending. What's more, this is not a temporary commitment: Once people go on antiretroviral treatment, they need medicines for years; caring for orphans is also a long-term proposition. Assuming that some of the extra resources will be provided by middle-income countries, the rich world may need to reach into its taxpayers' pockets for an extra $10 billion a year. Official development assistance, which has already jumped by more than two-thirds in real terms between 2000 and 2005, would have to grow by a tenth or so.

Moreover, the effect of that money will be limited unless the world expands its commitment to other development efforts. Donor-financed AIDS programs can suck nurses and doctors out of the rest of the health system, so an increase in AIDS spending requires a parallel increase in general health investment. AIDS flourishes in poor societies because illiteracy and penury make people vulnerable; success against the virus depends partly on broader progress. As President Paul Kagame of Rwanda told The Post on Wednesday, there's no use in giving someone antiretroviral drugs if he has no food.

The imperative to raise extra money for AIDS and other development objectives raises an institutional issue. To carry out its commitments of five years ago, the world created the Global Fund to Fight AIDS, Tuberculosis and Malaria, which has raised and spent an impressive $5 billion; the question is whether this venture should be the vehicle for the next step-up in AIDS funding. The fund's critics, notably the Bush administration, rightly say that it has suffered from poor management, that it has occasionally given money on the basis of poor grant proposals and that it has indulged grantees whose performance should have led to a suspension of disbursements. But rather than snipe at the fund, the critics should work to improve it. The fund's structure provides a way of sharing the financial burden globally. The quality of its grants has recently gone up. And centralizing AIDS finance simplifies the administrative burden on stressed officials from poor countries. The fund's entrepreneurial leader, Richard Feachem, has announced that he will leave when his term expires this year. The priority should be to find a replacement who is pushy enough to raise extra money and savvy enough to solidify the institution's management.

THE APPRECIATION OF JOSE CORONADO

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. ORTIZ. Mr. Speaker, I ask the House to join me in recognizing Mr. Jose Coronado, Director of the South Texas Veterans Health Care System to show our appreciation for his life long career in public service, culminating in ensuring the best possible health care to the veterans of South Texas.

Mr. Coronado, a U.S. Army veteran who served as Battalion Operations Sergeant in the 11th Armored Calvary Division, was awarded both the Military Order of the Purple Heart and the Veterans of Foreign Wars Outstanding Service Award.

After his service in the Army, Jose received his B.S. in Chemistry and Zoology from Texas A&I-Kingsville, and went on to earn an M.S. in Education Administration there before receiving a M.H.A. in Hospital Administration from Baylor University.

Jose Coronado then began his career in Veterans Administration to improve the care given to the thousands of Americans who risked their lives for this country. In 1962, he started with the Veterans Administration Medical Center in Houston, continuing his work in Kerrville, Texas.

In 1973, Mr. Coronado became Assistant Director of the Audie L. Murphy Memorial Veterans Hospital in San Antonio, Texas; two years later, he was appointed Hospital Director. There, he served America's veterans for 20 years, ensuring the efforts and sacrifices of America's warriors would not be forgotten. He contributed to saving the lives of countless veterans through improved services.

When the Kerrville and Audie L. Murphy Veterans Hospitals merged in 1995, Jose Coronado directed the new South Texas Veterans Health Care System. He has overseen an extensive network of health care delivers and operated an intricate health care system with many varying divisions of expertise.

As Director, Jose Coronado was recognized many times for the outstanding service he provided to America's veterans. He was awarded the Presidential Rank Award for Meritorious Executives by both Ronald Reagan and George Bush. In 1999, President Bill Clinton presented Mr. Coronado with the Presidential Rank Award for Distinguished Executives.

While Jose received countless awards over the years, his distinguished character and his quiet ability to find solutions for our veterans were central to his dedicated service to the South Texas Veterans Health Care System.

I ask the House of Representatives to join me today in celebrating Mr. Jose Coronado's commitment to those veterans who dedicated their lives for American freedom. His tireless efforts have provided the medical assistance that South Texas veterans earned from uniformed service to our country.

RECOGNIZING JOHN ANTHONY CLIZER FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize John Anthony Clizer, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

John has been very active with his troop, participating in many scout activities. Over the many years John has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending John Anthony Clizer for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PULITZER PRIZE WINNER NICHOLAS KRISTOF: INTRODUCING AMERICANS TO AFRICA—ONE ASPIRING JOURNALIST AT A TIME

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. RANGEL. Mr. Speaker, I rise to enter into the RECORD a column by Nicholas Kristof: "The Drumroll, Please" in the May 23, 2006 edition of The New York Times and his column of March 26, 2006 entitled "A Woman Without Importance."

Mr. Kristof uses his New York Times column to bring to our attention important, little known and neglected human rights causes. In the past 12 months many of these causes have come from Mr. Kristofs observations during his many trips to countries in Africa. As a persistent, compassionate journalist advocating for women's rights in Africa, Mr. Kristof has no peer. To me, he is a quiet but powerful voice forcing our recognition that women and girls are without basic human rights in many countries in Africa and other countries as well such as Vietnam, Thailand, and Pakistan.

In a column of March 26, 2006, Mr. Kristoff wrote about Aisha Parveen who at the age of 14 was living in northwest Pakistan when she was hit over the head while walking to school. She awoke to find herself imprisoned in a brothel where she was tortured and imprisoned for 6 years. When she escaped she married a man who helped her. The brothel owner sued the couple claiming he had married the 14-year-old Aisha Parveen. She was accused of adultery and was ordered to go back to the brothel owner.

Girls in Africa are often sold as sex slaves or servants. In some countries girls are inherited or used to payoff debts. Marriages are arranged for them when they are as young as 12 years. They have babies before their bodies are able to deliver a child vaginally. With no medical help most labor for days to deliver a dead baby and are left with terrible birth injuries. If the mother is incontinent because of an injury called a fistula she is shunned by her family and her husband forced to live away from the village.

Mr. Kristof won the Pulitzer Prize for risking his life returning to the Darfur region of southern Sudan again and again to tell the stories of the people suffering from the remaining victims of a concerted effort by the Arab government in Khartoum to eliminate every last one of them. Kristof has chronicled genocide in Darfur as it has continued unabated for three years and goes on now in spite of a newly signed peace accord brokered in part by the United States.

Kristof has told the personal stories of people who have suffered from the rampages of the Janjaweed, the proxy murderers of the Government of Sudan in Khartoum. He has personalized the murders, the maiming, the rapes, the killing of children, by telling the heart breaking stories of people who have lost their homes, their children and parents, husbands and wives, their livestock, their lands and their freedom.

Perhaps because so little print had been spent on Darfur, Mr. Kristoff, decided people were not familiar enough with Africa to become sympathetic to the plight of people who are targets of a ruthless, cruel genocide.

Maybe Mr. Kristof had the idea that more students should make travel to other countries part of their college education and more universities should offer such trips. As he announced in his video a "win a trip" contest in March he felt he got a great education from his trips when he was a student that he was sponsoring a "win a trip" competition because he had learned so much from his trips to other countries while he was a student that he felt more students needed to experience life in other countries. Kristof's idea of visiting other countries is visiting places where the people of the country live, not visiting tourist places like Paris and London.

In Mr. Kristof's video announcing the "win a trip" contest, the camera views him from above as he appears to be standing on a wide sand beach. Mr. Kristof begins by talking about spring breaks and how many American college students spend their spring breaks and summers reveling beaches. But as the camera closes in, it become clear Mr. Kristof is not on a beach and not near an American city or village recognizable to most Americans until the camera broadens its view to take in a skinny donkey with a rider and a few people wearing the long draped clothes and hoods common to desert peoples who are always needing protection from a brutal, relentless sun.

For years Mr. Kristof has used his column in the Times to chronicle the continuing slow genocide in Darfur with the individual stories of people who have been maimed, raped and had children killed in front of them and to stop the genocide in Darfur. He has told the stories of the individuals who have lost everything they had; families, homes, livestock and parents. He has traveled to places in Africa where women are the least of the least and has chronicled stories of women who are shunned by their families if they are raped or worse go to jail even though they are the victims of crime.

The fact that 3,800 aspiring journalists from universities around the country applied to accompany Mr. Kristof on an admittedly "rough" reporting trip to "a neglected area in Africa" speaks volumes about the esteem in which these students hold Mr. Kristof. The number of applicants wanting to go to Africa gives me enormous hope for Africa and our country. There is no better way for Americans to know Africa than to go there. And for those who will not be able to go themselves they will benefit from the journalists like Casey Parks the winner of the first "win a trip" contest who is accompanying Mr. Kristof this summer to Equatorial Guinea, Cameroon and the Central African Republic.

My wish for Ms. Parks is that she has a long career as a journalist who will write so intimately and well of her journey, that the people of Africa will be seen as individual human beings to her readers. My hope for Mr. Kristof is that is he is able to take a different aspiring journalist every year and convince Universities and colleges around the country of the value of establishing programs for students to live in countries they will not visit as tourists to see how the people of these countries live their lives.

[From the New York Times, May 23, 2006]

THE DRUMROLL, PLEASE

(By Nicholas D. Kristof)

In March I opened a "win a trip" contest, offering to take a university student with me on a rough reporting trip to a neglected area in Africa.

Some 3,800 applications poured in, accompanied by boxes of supplementary materials, ranging from senior theses to nude photos. After weeks of sifting through the applications, I finally have a winner.

She is Casey Parks of Jackson, Miss.—an aspiring journalist who has never traveled abroad. We'll get her a passport and a bunch of vaccinations—ah, the glamour of overseas travel—and start planning our trip.

Casey, who turned 23 on Friday, attended Millsaps College in Jackson and is now a graduate student in journalism at the University of Missouri. She has won a string of awards for her essays and other writing.

In her essay, Casey wrote about growing up poor: "I saw my mother skip meals. I saw my father pawn everything he loved. I saw our cars repossessed. I never saw France or London." (The essays by Casey and a dozen finalists are posted at nytimes.com/winatrip.)

"I so desperately want to leave this country and know more," she wrote. Now she'll have the chance.

We'll most likely start in Equatorial Guinea, bounce over to Cameroon and travel through a jungle with Pygmy villages to end up in the Central African Republic—one of the most neglected countries in the world. We'll visit schools, clinics and aid programs, probably traveling in September for 10 days. Casey will write a blog about it for nytimes.com and will also do a video blog for MTV–U.

But the point of this contest wasn't to give one lucky student the chance to get malaria and hookworms. It's to try to stir up a broader interest in the developing world among young people.

One of our country's basic strategic weaknesses is that Americans don't understand the rest of the world. We got in trouble in Vietnam and again in Iraq partly because we couldn't put ourselves in other people's shoes and appreciate their nationalism.

According to Foreign Policy magazine, 92 percent of U.S. college students don't take a foreign language class. Goucher College in Baltimore bills itself as the first American college to require all students to study abroad, and the rest should follow that example.

So for all the rest of you who applied for my contest, see if you can't work out your own trips. Or take a year off before heading to college or into ajob. You'll have to pay for your travel, but you can often find "hotels" for $5 a night per person in countries like India, Pakistan, Cambodia, Laos, Indonesia, Morocco, Bolivia and Peru—and in rural areas, people may invite you to stay free in their huts. To get around, you can jump on local buses.

Is it safe? Not entirely, for the developing world has more than its share of pickpockets, drunken soldiers, scorpions, thugs, diseases, parasites and other risks.

Twenty-two years ago, as a backpacking student, I traveled with a vivacious young American woman who, like me, was living in Cairo. She got off my train in northern Sudan; that evening, the truck she had hitched a ride in hit another truck. Maybe if there had been an ambulance or a doctor nearby, she could have been saved. Instead, she bled to death.

So, yes, be aware of the risks, travel with a buddy or two, and carry an international cellphone. But remember that young Aussies, Kiwis and Europeans take such a year of travel all the time—women included—and usually come through not only intact, but also with a much richer understanding of how most of humanity lives.

There are also terrific service options. Mukhtar Mai, the Pakistani anti-rape activist I've often written about, told me she would welcome American volunteers to teach English in the schools she has started. You would have to commit to staying six weeks or more, but would get free housing in her village. You can apply by contacting *www.4anaa.org*.

Then there's New Light, a terrific anti-trafficking organization in Calcutta. Urmi Basu, who runs it, said she would welcome American volunteers to teach English classes to the children of prostitutes. You would have to stay at least six weeks and budget $15 a day for food and lodging; for more information go to *www.uddami.org/newlight*.

In the 21st century, you can't call yourself educated if you don't understand how the other half lives—and you don't get that understanding in a classroom. So do something about your educational shortcomings: fly to Bangkok.

[From the New York Times, Mar. 26, 2006]

A WOMAN WITHOUT IMPORTANCE

(By Nicholas D. Kristof)

KHANPUR, PAKISTAN.—Aisha Parveen doesn't matter. She's simply one more impoverished girl from the countryside, and if her brothel's owner goes ahead and kills her, almost no one will care.

Ms. Parveen, an outspoken 20-year-old woman with flashing eyes, is steeling herself for a state administered horror. Just two months after she escaped from the brothel in which she was tortured and imprisoned for six years, the courts are poised to hand her back to the brothel owner.

Sex trafficking, nurtured by globalization and increased mobility, is becoming worse. The U.N. estimates that one million children are held in conditions of slavery in Asia alone. Yet it never gets much attention, because the victims tend to be the least powerful people in these societies: poor and uneducated rural girls.

Ms. Parveen was a 14-year-old Pashtun living in the northwest of Pakistan when she was hit on the head while walking to school. She says she awoke to find herself imprisoned in a brothel hundreds of miles away, in this remote southeastern Pakistani town of Khanpur.

A person of unbelievable strength, Ms. Parveen fought back and refused to sleep with customers. So, she says, the brothel owner—Mian Sher, the violent sadist who had kidnapped her—beat and sexually tortured her, and regularly drugged her so that she would fall unconscious and customers could do with her as they liked.

This went on for six years, during which she says she was beaten every day. The girls in the brothel were forced to sleep naked at night, so that they would be too embarrassed to try to escape. Ms. Parveen says she believes that two of them, Malo Jan and Suwa Tai, were killed after they repeatedly refused to sleep with customers. In any case condoms were never available, so all the girls may eventually die of AIDS.

I wanted to look into the eyes of a man who could do these things. So I barged into Mian Sher's brothel, identified myself and interviewed him.

He warily offered me tea, pleasantries and flashes of violent temper. He denied kidnapping Ms. Parveen, saying that he had married her six years earlier. He also denied that he pimped the girls—a claim undermined by a customer who was walking out of his brothel as I arrived. Others working in the area said that Mian Sher unquestionably ran a brothel, and that Ms. Parveen had been imprisoned in it.

In January, Ms. Parveen got a break. A metalworker, Mohamed Akram, had been doing work in the brothel, and he pitied her. "She laid her scarf down on my feet and begged me, in the name of the Holy Koran, to rescue her," he remembers, and soon he felt not only pity but also love.

So on Jan. 5, Ms. Parveen stealthily arose in the middle of the night, crept past Mian Sher and padlocked the door with him inside. Then she ran to a car that Mr. Akram had sent. The next day, they were married.

Then the judicial nightmare began. Mian Sher brought charges against the couple, claiming that Ms. Parveen is his wife and must return to him.

"The police have taken money from him," Ms. Parveen said. "They say, 'You're married to him, so you should go back to him.' Well, I would rather die than go back to the brothel."

The police are now prosecuting Ms. Parveen for adultery. She is free on bail, but thugs have attacked her home and tried to kidnap her.

Mian Sher told me his plan: if Ms. Parveen is jailed for adultery, then as her supposed husband he will bail her out and take her away. Ms. Parveen says she believes he will then rape and torture her, and finally kill her.

So the judicial system, while ignoring the sex trafficking of children, may now, in the name of morality, hand a young woman over to a brothel owner to do with her as he wants.

The new abolitionism, against sex trafficking, is being pushed in America by an unlikely coalition of religious conservatives and liberal feminists; leaders include the Coalition Against Trafficking in Women, Ecpat, Equality Now and International Justice Mission. But progress is slow because the victims tend to be voiceless young people like Ms. Parveen.

Whether Ms. Parveen is returned to her brothel owner and killed may be, in terms of global issues, a small matter. But after spending a couple of days with this smart and lovely young woman, after seeing her in moments of giddy laughter and terrified weeping, I can't help thinking that slavery should be just as outrageous in the 21st century as it was in the 19th.

A court hearing to decide Ms. Parveen's fate is scheduled for tomorrow here in Khanpur. I'll let you know what happens.

IN SPECIAL RECOGNITION OF JOEL M. CARP

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today in honor and recognition of Joel M. Carp upon the occasion of his retirement after 28 years of service with the Jewish Federation of Metropolitan Chicago. Throughout his distinguished career, Mr. Carp has supported continued social work, social planning and advocacy in the City of Chicago, the State of Illinois, and the country as a whole.

For over 30 years, Mr. Carp has dedicated his professional and personal life as an advocate for numerous social policy efforts serving on a number of government task forces and advisory boards, including the City of Chicago Mayor's Task Force on Hunger, the Cook County Task Force on Welfare Reform, and the Governor's Task Force on Services for the Homeless to name just a few. Additionally, Mr. Carp has served as a member of numerous local, state, and national professional and community service organizations as an advocate for the welfare of the Jewish community.

As an effective leader and tireless advocate, Mr. Carp has received several awards in recognition of his work, including the Melvin A. Block Award for Professional Distinction from the Associated YM–YWHAs of Greater New York, the City of Chicago's Commission on Human Relations Award, and a special award from the YMCA of the USA for helping to restore Agency for International Development funding for human services in Lebanon.

Upon his retirement as the Senior Vice President for Community Services and Government Relations of the Jewish Federation/Jewish United Fund of Metropolitan Chicago, Mr. Carp leaves behind a long legacy of social advocacy within the Jewish community. Mr. Carp is an inspiration to all for his dedication and leadership in shaping and improving social policy.

Mr. Speaker, I ask my colleagues to join me in honoring Joel M. Carp in recognition of his distinguished and tireless work and service to his community.

RECOGNIZING TAYLOR MICHAEL WALLACE FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Taylor Michael Wallace, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Taylor has been very active with his troop, participating in many scout activities. Over the many years Taylor has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Taylor Michael Wallace for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

FORMER PENTAGON LAWYER ALBERTO J. MORA: AN EXEMPLAR OF AMERICAN VALUES WITH A WARNING: DO NOT LET FEAR OVERCOME THE DISCIPLINE OF LAW AND AMERICAN VALUES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. RANGEL. Mr. Speaker, I rise to introduce into the RECORD an opinion piece by former Navy lawyer Alberto J. Mora entitled "An Affront to American Values" which appeared in the Washington Post on May 27, 2006, as well as an Op-Ed of February 20, 2006 in The New York Times entitled "Senior Lawyer at Pentagon Broke Ranks on Detainees."

The Times pointed out in its Op-Ed that Alberto Mora in his position as one of the Pentagon's top civilian lawyers "repeatedly challenged the Bush administration's policy on the coercive interrogation of terror suspects, arguing that such practices violated the law, verged on torture, and could ultimately expose senior officials to prosecution . . ." The information came from a then newly disclosed document, a memorandum Mr. Mora wrote in July 2004 and made public in an article in The New Yorker magazine on February 19, 2006.

I have repeatedly spoken out against the "torture policies" directly traced to Secretary of Defense Rumsfeld, Vice President CHENEY (who remains a champion of torture) and President Bush who two weeks after the Congress passed a law banning all torture of any person in the custody of the U.S. issued a signing letter stating he was not bound by that law when in his judgment he needs to use torture in his war on terror.

I am immensely gratified to know Mr. Mora challenged the opinions of Secretary Rumsfeld, who is not a lawyer and appears to have a low regard for the law, regarding the legal parameters of the treatment of detainees. But I am most proud and grateful for two excellent questions Mr. Mora asked his clients at the Pentagon which The Times reported: "Defense Department officials found striking and out of character for a loyal Republican, a supporter of President Bush, Secretary Rumsfeld and the fight against terrorism."

He asked the questions every one in the Pentagon and the Military of good character should have asked regardless of his or her party affiliation or loyalty to the President. According to the memo printed in The New Yorker Mr. Mora asked the Pentagon's chief lawyer, William J. Haynes II:

> "Even if one wanted to authorize the U.S. Military to conduct coercive interrogations, as was the case in Guantanamo, how could one do so without profoundly altering its core values and character?"

According to the Times article after trying to rally other senior officials to his position, Mr. Mora met again with Mr. Hayes on January 10, 2003. His question to Mr. Hayes that day is another every person of good moral character should be asking:

> "Had we jettisoned our human rights policies?"

I will here answer both of Mr. Mora's questions: NO. The U.S. Military can not adopt coercive tactics as were used at Guantánamo without profoundly altering its core values and character. Look at what occurred at Haditha, Iraq.

YES. As to prisoners in our custody with President Bush, Vice President Cheney and Secretary Rumsfeld in full charge of the Iraq war, the Military has abandoned its 200 year history and jettisoned its human rights policies.

Mr. Mora retired on December 31, 2005. I am pleased he is still speaking out for American values and still asking very good questions. In his opinion piece in The Washington Post he asks the American people to consider some very good questions about the continued detention and treatment of "unlawful combatants" at Abu Ghraib and the treatment of detainees at Guantánamo.

In naming his piece "An Affront to American Values" I knew immediately Mr. Mora has not changed his mind about the way the President Bush and Secretary Rumsfeld are directing the military to treat prisoners in military custody no matter how they are named; unlawful combatants, detainees or high-value targets. Perhaps he is now making his arguments to the American people because his opinions were heard but clearly disregarded by the Pentagon's Chief Lawyer. And Mr. Mora believes he was right. I believe he was right. I believe Bush-Cheney-Rumsfeld, Attorneys (the President can do anything he wants) John Wu, David Addington Cheney's Attorney, and now Chief of Staff, and Attorney General Alberto Gonzalez were very wrong on the treatment and labeling of prisoners and remain wrong. I agree with Representative JOHN MURTHA; we lost the hearts and minds of the Iraqi people at Abu Ghraib.

We also lost American support of the war in part because of what Americans did at Abu Ghraib. We lost more Americans because of treatment of detainees at Guantánamo. We will lose still more with incidents like the massacre of innocent men, women. Have we had turned our marines into murderers who shot two-year old babies? They are in a war based on lies, run by a Secretary of Defense who has no idea of how to get them out, who doesn't give them what they need to protect themselves, enough help to hold territory they fight for and stays in the hanger where he plane lands when he visits the troops.

In the Post opinion piece Mr. Mora reminds us of how we treated Japanese Americans during World War II and just how we came to treat these innocent people as if they were criminals and spies because of their ancestry. He reminds us how we did this crime in violation of the United States Constitution and how the U.S. Supreme Court abdicated its judicial responsibility in the famous Korematsu decision, in which it endorsed the patently unconstitutional detention of American citizens.

Americans unconstitutionally detained Japanese Americans because Mr. Mora writes; "in our quest for security" when the Japanese attacked Pearl Harbor, "in what will always be regarded as an act of national shame, military authorities rounded up 120,000 American citizens and incarcerated them on the presumption of disloyalty. . . ."

Korematsu reminds us that when threats and fear converge, our laws and principles can become fragile. They are fragile today.

Mr. Mora writes that in the summer of 2002, U.S. authorities held in detention at Guantanamo and elsewhere people President Bush, Vice President CHENEY Secretary Rumsfeld and perhaps others believed had information needed to prevent further terrorist attacks. These same people believed the detainees could be called "unlawful combatants" and "interrogation methods" constituting cruel, inhuman and degrading treatment could be applied at Abu Ghraib, Guantánamo and other locations. We know the treatment may have reached the level of torture in some instances.

The American public knows torture occurred as do the members of the Congress who supported JOHN MCCAIN's anti torture amendment which became law and is now the Detainee Treatment Act of 2005. The American people have read the testimony and perhaps heard the testimony of some of the innocent people who suffered U.S. "rendition" to another country like Syria and have returned after being tortured and attempted to sue the U.S. government for their treatment. There is not an iota of fact showing that torture yields good evidence. Senator JOHN MCCAIN who was tortured for more than five years testified to that. Experts in torture all agree people who are tortured will say anything to make the pain stop.

I am ashamed for my country because The Detainee Treatment Act had to be introduced and voted on because this proud country has always had a policy of acknowledging the basic human rights of prisoners of war. The United States does not execute prisoners of war and does not torture, humiliate, starve, degrade or otherwise treat prisoners of war in a way that is inhuman.

Our military has always been bound by the Uniform Military Code, the Geneva Conventions and the Laws of War. In addition, as Mr. Mora writes:

"It is astonishing to me, still, that I should be here today addressing the issue of American cruelty—or that anyone would ever have to. Our forefather, who permanently defined our civic values, drafted our Constitution inspired by the belief that law could not create but only recognize certain inalienable rights granted by God—to every person, not just citizens, not just here but everywhere. Those rights are a shield that protects core human dignity. Because this is so, the Eighth Amendment prohibits cruel punishment. The constitutional jurisprudence of the Fifth and Fourteenth Amendments outlaws cruel treatment that shocks the conscience. The Geneva Conventions forbid the application of cruel, inhuman and degrading treatment of all captives, as do all of the major or human rights treaties adopted and ratified by our country during the last century."

I find it shocking as well. What I also find shocking and disheartening is an answer Secretary Rumsfeld gave the other day when asked if the prohibition against torture had been put into the field manual and into practice; his answer was "not yet." The reason that it was not yet in the field manual for the military in Iraq and Afghanistan? The Pentagon was still arguing about certain terms like "unlawful combatant." The Secretary of Defense doesn't get it. The anti-torture law applies to any person in the custody of Americans wherever they are. The fact that Rumsfeld is holding up the implementation of the anti-torture act and the implementation of human rights military policy of the past 200 years, the conduct we agreed to when we signed treaties and the treatment of prisoners we agreed to when we signed and then ratified the Geneva Conventions, leaves our men and women fighting Mr. Bush's Iraq war in great danger of being charged with criminal offenses. In fact, it is happening now.

The American people must fight back. They must let this Administration know how much they object to what is happening to our proud military's moral character. American's must know this President relies on a Secretary of Defense that has no regard for Generals that have served in combat and understands the Uniform Code of Military Justice and the rules governing how our military treats prisoners of war. Our men and women in combat are at grave risk when such crucial decisions are made by men who have never served in the military and will not take the advice of those who have.

Mr. Mora asks: " In this war, we have come to a crossroads—much as we did in the events that led to Korematsu: Will we continue to regard the protection and promotion of human dignity as the essence of our national character and purpose or will we bargain away human and national dignity in return for an additional possible measure of physical security?"

Mr. Mora tells us as he attempted to tell his boss at the Pentagon why it matters for us to care about the human rights of prisoners and our national dignity. He writes:

"We should care because the issues raised by a policy of cruelty are too fundamental to be left unaddressed, unanswered or ambiguous. We should care because a tolerance of cruelty will corrode our values and our rights and degrade the world in which we live. It will corrupt our heritage, cheapen the valor of the soldiers upon whose past and present sacrifices our freedoms depend, and debase the legacy we will leave to our sons and daughters. We should care because it is intolerable to us that anyone should believe for a second that our nation is tolerant of cruelty. And we should care because each of us knows that this issue has not gone away."

AN AFFRONT TO AMERICAN VALUES

(By Alberto J. Mora)

In response to the 3,000 murders on Sept. 11, 2001, our nation went to war. In Afghanistan, our targets were the al-Qaeda perpetrators and the Taliban regime that aided and abetted them. In Iraq, the target was an unstable tyrant who had a history of using chemical weapons and who could be trusted to cheat on and retreat from his international commitments. I supported both engagements as Navy general counsel. I support them still as a private citizen. I regard each as a prudent and even necessary use of force. The terrorist threat, and the threat posed by weapons of mass destruction in reckless hands, can never be underestimated.

And yet, there have been times in our nation's history when, in our quest for security, our fear momentarily overcomes our judgment and our power slips the discipline of the law and our national values.

One such moment occurred in 1942, after the Japanese attack on Pearl Harbor. In what will always be regarded as an act of national shame, military authorities rounded up 120,000 American citizens of Japanese ancestry and incarcerated them on the presumption of disloyalty. These citizens were stripped of their rights and held in detention camps for the duration of the war. Many lost businesses and property. When we recall this event—and it is relevant to our current situation—we also recall with shame the Supreme Court's abdication of its judicial responsibilities in the notorious Korematsu decision, in which it endorsed the legality of the patently unconstitutional detention.

Korematsu reminds us that when threats and fear converge, our laws and principles can become fragile. They are fragile today. In the summer of 2002, at Guantánamo and elsewhere, U.S. authorities held in detention individuals thought to have information on other impending attacks against the United States. Unless this information was obtained, it was believed, more Americans—perhaps many more—would die. In this context, our government issued legal and policy documents providing, in effect, that for some detainees labeled as "unlawful combatants," interrogation methods constituting cruel, inhuman and degrading treatment could be applied under the president's constitutional commander in chief authorities. Although there is debate as to the details of how, when and why, we know such cruel treatment was applied at Abu Ghraib, Guantánamo and other locations. We know the treatment may have reached the level of torture in some instances. And there are still questions as to whether these policies were related, if at all, to the deaths of several dozen detainees in custody.

It is astonishing to me, still, that I should be here today addressing the issue of American cruelty—or that anyone would ever have to. Our forefathers, who permanently defined our civic values, drafted our Constitution inspired by the belief that law could not create but only recognize certain inalienable rights granted by God—to every person, not just citizens, and not just here but everywhere. Those rights form a shield that protects core human dignity. Because this is so, the Eighth Amendment prohibits cruel punishment. The constitutional jurisprudence of the Fifth and Fourteenth Amendments outlaws cruel treatment that shocks the conscience. The Geneva Conventions forbid the application of cruel, inhuman and degrading treatment to all captives, as do all of the major human rights treaties adopted and ratified by our country during the last century.

Despite this, there was abuse. Not all were mistreated, but some were. For those mistreated, history will ultimately judge what the precise quantum of abuse inflicted was—whether it was torture or some lesser cruelty—and whether it resulted from official commission or omission, or occurred despite every reasonable effort to prevent the abuse. Whatever the ultimate historical judgment, it is established fact that documents justifying and authorizing the abusive treatment of detainees during interrogation were approved and distributed. These authorizations rested on three beliefs: that no law prohibited the application of cruelty; that no law should be adopted that would do so; and that our government could choose to apply the cruelty—or not—as a matter of policy depending on the dictates of perceived military necessity.

The fact that we adopted this policy demonstrates that this war has tested more than our nation's ability to defend itself. It has tested our response to our fears and the measure of our courage. It has tested our commitment to our most fundamental values and our constitutional principles.

In this war, we have come to a crossroads—much as we did in the events that led to Korematsu: Will we continue to regard the protection and promotion of human dignity as the essence of our national character and purpose, or will we bargain away human and national dignity in return for an additional possible measure of physical security?

Why should we still care about these issues? The Abu Ghraib abuses have been exposed; Justice Department memoranda justifying cruelty and even torture have been ridiculed and rescinded; the authorizations for the application of extreme interrogation techniques have been withdrawn; and, perhaps most critically, the Detainee Treatment Act of 2005, which prohibits cruel, inhuman and degrading treatment, has been enacted, thanks to the courage and leadership of Sen. John McCain.

We should care because the issues raised by a policy of cruelty are too fundamental to be left unaddressed, unanswered or ambiguous. We should care because a tolerance of cruelty will corrode our values and our rights and degrade the world in which we live. It will corrupt our heritage, cheapen the valor of the soldiers upon whose past and present sacrifices our freedoms depend, and debase the legacy we will leave to our sons and daughters. We should care because it is intolerable to us that anyone should believe for a second that our nation is tolerant of cruelty. And we should care because each of us knows that this issue has not gone away.

The writer, who retired as Navy general counsel last year, wrote a memo to Pentagon officials two years before the Abu Ghraib scandal that warned against circumventing international agreements on torture and detainee treatment. This article is excerpted from remarks he made upon receiving a 2006 John F. Kennedy Profile in Courage Award.

SENIOR LAWYER AT PENTAGON BROKE RANKS ON DETAINEES

(By Tim Golden)

One of the Pentagon's top civilian lawyers repeatedly challenged the Bush administration's policy on the coercive interrogation of terror suspects, arguing that such practices violated the law, verged on torture and could ultimately expose senior officials to prosecution, a newly disclosed document shows.

The lawyer, Alberto J. Mora, a political appointee who retired Dec. 31 after more than four years as general counsel of the Navy, was one of many dissenters inside the Pentagon. Senior uniformed lawyers in all the military services also objected sharply to the interrogation policy, according to internal documents declassified last year.

But Mr. Mora's campaign against what he viewed as an official policy of cruel treatment, detailed in a memorandum he wrote in July 2004 and recounted in an article in the Feb. 27 issue of The New Yorker magazine, made public yesterday, underscored again how contrary views were often brushed aside in administration debates on the subject.

"Even if one wanted to authorize the U.S. military to conduct coercive interrogations, as was the case in Guantanamo, how could one do so without profoundly altering its core values and character?" Mr. Mora asked the Pentagon's chief lawyer, William J. Haynes II, according to the memorandum.

A Pentagon spokeswoman, Lt. Col. Tracy O'Grady-Walsh, declined to comment late yesterday on specific assertions in Mr. Mora's memorandum. "Detainee operations and interrogation policies have been scrutinized under a microscope, from all different angles," she said. "It was found that it was not a Department of Defense policy to encourage or condone torture."

In interviews, current and former Defense Department officials said that part of what was striking about Mr. Mora's forceful role in the internal debates was how out of character it seemed: a loyal Republican, he was known as a supporter of President Bush, Defense Secretary Donald H. Rumsfeld and the fight against terrorism.

"He's an extremely well-spoken, almost elegant guy," the former director of the Naval Criminal Investigative Service, David L. Brandt, who first came to Mr. Mora with concerns about the interrogation methods, said in an interview last week. "He's not a door-kicker."

Mr. Mora is also known for generally avoiding public attention. Reached by telephone yesterday, he declined to comment further on his memorandum.

Mr. Mora prepared the 22-page memorandum for a Defense Department review of interrogation operations that was conducted by Vice Adm. Albert T. Church III, after the scandal involving treatment of prisoners at the Abu Ghraib prison in Iraq.

The document focused on Mr. Mora's, successful opposition to the coercive techniques that Mr. Rumsfeld approved for interrogators at Guantánamo Bay on Dec. 2, 2002, and Mr. Mora's subsequent, failed effort to influence the legal discussions that led to new methods approved by Mr. Rumsfeld the following April.

Mr. Mora took up the issue after Mr. Brandt came to him on Dec. 17, 2002, to relay the concerns of Navy criminal agents at Guantánamo that some detainees there were being subjected to "physical abuse and degrading treatment" by interrogators.

Acting with the support of Gordon R. England, who was then secretary of the Navy and is now Mr. Rumsfeld's deputy, Mr. Mora took his concerns to Mr. Haynes, the Defense Department's general counsel.

"In my view, some of the authorized interrogation techniques could rise to the level of torture, although the intent surely had not been to do so," Mr. Mora wrote.

After trying to rally other senior officials to his position, Mr. Mora met again with Mr. Haynes on Jan. 10, 2003. He argued his case even more forcefully, raising the possibility that senior officials could be prosecuted for authorizing abusive conduct, and asking: "Had we jettisoned our human rights policies?"

Still, Mr. Mora wrote, it was only when he warned Mr. Haynes on Jan. 15 that he was planning to issue a formal memorandum on his opposition to the methods—delivering a draft to Mr. Haynes's office—that Mr. Rumsfeld suddenly retracted the techniques.

In a break from standard practice, former Pentagon lawyers said, the final draft of the report on interrogation techniques was not circulated to most of the lawyers, including Mr. Mora, who had contributed to it. Several of them said they learned that a final version had been issued only after the Abu Ghraib scandal broke.

BYRNE JUSTICE ASSISTANCE GRANT PROGRAM

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. TERRY. Mr. Speaker, I rise today to highlight the importance of the Byrne Justice Assistance Grant program.

The White House again proposed eliminating this critical asset in the war on drugs. That would be a tremendous mistake. Congress must protect this funding to address the clear and present danger of meth in our communities.

In my home state of Nebraska, 60 percent of prison inmates are serving time for meth-related crimes. State social services programs are overwhelmed by the rising number of children coming from meth homes. The number of babies born addicted to meth is an unspeakable tragedy.

Each day, our dedicated law enforcement officers put their lives on the line to rescue families and communities from the scourge of meth. Anything less than full funding of Byrne–JAG would break faith with those who risk their lives to keep meth off our streets and away from our children.

In Nebraska, Byrne task forces were responsible for 5,500 drug arrests last year. Nationwide, Byrne task forces seized 5,600 meth labs, 55,000 weapons, and massive quantities of narcotics, including 2.7 million grams of meth.

The results of Byrne task forces are real, they are quantifiable, they are defensible, and they demonstrate the power of using federal dollars to leverage state and local investment in public safety.

RECOGNIZING KORY BENJAMIN ROTH FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Kory Benjamin Roth, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and in earning the most prestigious award of Eagle Scout.

Kory has been very active with his troop, participating in many scout activities. Over the many years Kory has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Kory Benjamin Roth for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF THE 50TH ANNIVERSARY OF THE OLD SAYBROOK REPUBLICAN WOMEN'S CLUB

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. SIMMONS. Mr. Speaker, I rise today to recognize the Old Saybrook, Connecticut Republican Women's Club in celebration of their 50th anniversary this month. The Old Saybrook Republican Women's Club's primary function has always been to support local and State Republican candidates and they have the distinction of being the oldest continuous Republican Women's Club in Connecticut.

But while their energy and enthusiasm for Republican candidates is as welcome as it has been effective, there is far more to the group than a political agenda.

For example, in conjunction with the Town Committee, the Club participates in the Washington Intern Program by sponsoring high school students and the group also gives awards to high school honor students. Clearly, the members of the organization are dedicated to helping engage young people intellectually and in matters of civic activism. Surely, part of our job as public servants should be to encourage young people to become involved in the political process.

Mr. Speaker, our communities do not operate by means of government alone. The Old Saybrook Republican Women's Club exemplifies a group of "citizens in action". Our quality of life is greatly influenced by individuals who join hands to set and accomplish goals that make our communities better places in which to live, work and raise a family. For half a century the members of the Old Saybrook Republican Women's Club have dedicated themselves to both party and public service.

I congratulate them on their dedication and commitment to the Grand Old Party and to their community.

IN RECOGNITION OF OUTSTANDING EFFORTS ON MEDICARE PART D AWARDED TO ONONDAGA COUNTY DEPARTMENT OF AGING & YOUTH, NEW YORK

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. WALSH. Mr. Speaker, I rise today in recognition of the Certificate of Appreciation presented to the Syracuse partnership, headed by the Onondaga County Department of Aging, from the Centers of Medicare and Medicaid Services in acknowledgment of the key role they played in establishing and maintaining this highly effective coalition.

The Onondaga County Office for the Aging is the federally designated Area Agency on Aging for Syracuse and Onondaga County. The agency plans, develops and coordinates programs and services for approximately 83,000 county residents age 60 and older.

The Onondaga County Office for the Aging was one of the most active and successful in the region. Their strong commitment to Part D outreach and enrollment, their creativity, perseverance and hard work could serve as a model for the rest of the region. They emphasized targeted outreach and always stressed the positives of the Part D program. They recognized the importance of working with local, State and Federal agencies and elected officials and actively sought out those partnerships. The level of success that they achieved would not have been possible without their excellent planning and organization.

It is my honor to recognize and congratulate the Onondaga County Office of the Aging for their tireless work in assisting seniors through the Medicare Part D enrollment process. I wish them continued success on the care that they provide to seniors.

HONORING THE LIFE OF LANCE CORPORAL ROBERT G. POSIVIO III

HON. GIL GUTKNECHT

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GUTKNECHT. Mr. Speaker, I rise today to recognize the life of LCpl Robert G. Posivio III, who died a hero in a roadside bomb attack on May 23, 2006, while protecting his country and fighting for freedom in the al Anbar province of Iraq. As a devoted son, brother, and Marine, Lance Corporal Posivio will be missed by many.

Lance Corporal Posivio was born on October 4, 1983, in Mankato, MN, to Robert M. Posivio, Jr. and Patricia A. Posivio. He enlisted in the United States Marines while attending Martin County West Senior High School in Sherburn, MN, where he graduated in 2002.

Lance Corporal Posivio was assigned to the 1st Battalion, 1st Marine Regiment, 1st Marine Division, based at Camp Pendleton, CA. He is preceded in death by his grandmother, Ardis Posivio; his uncle, Don Wood; his brother, Daniel L. Posivio; and other relatives.

Lance Corporal Posivio was on his third tour of duty in Iraq and was scheduled to be honorably discharged on July 28. He returned to combat on April 30 after suffering injuries in a mortar attack on April 13 in which two members of his unit were killed. Lance Corporal Posivio told his family that if he died, he wanted the following quote placed on his tombstone: "Freedom comes at a price that the free will never know." We owe Lance Corporal Posivio and all the brave men and women serving in our Armed Forces a great debt of gratitude. We ask them to defend our Nation; we need to let them know they are not forgotten.

Mr. Speaker, I offer my condolences to Lance Corporal Posivio's parents, Robert, Jr. and Patti; his sister, Sarah Peltier, and her husband, Colin; his grandparents, Robert F. Posivio and Eugene and Evelyn McDonald; and the many other friends and family who loved him and miss him. In this time of sorrow, may our thoughts and prayers comfort them, and may his memory bring them peace.

PERSONAL EXPLANATION

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. PENCE. Mr. Speaker, I was detained the evening of June 6, 2006 and wish to clarify any confusion as to how I intended to vote, most notably on rollcall 225, the motion to table the appeal of the ruling of the Chair. Had I been present, I would have voted in the following manner: Rollcall 223, King Amendment to H.R. 5441—"aye"; rollcall 224, Kingston Amendment to H.R. 5441—"aye"; rollcall 225, motion to table the appeal of the ruling of the chair—"aye"; rollcall 226, on passage of H.R. 5441—"aye."

INTRODUCTION OF "NO SPECIAL TAX SUBSIDIES FOR GAS GUZZLERS ACT"

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. MARKEY. Mr. Speaker, today I am joined by Reps. Anna Eshoo, Raul Grijalva, Barbara Lee, Pete Stark, Jim Oberstar, Bernie Sanders, Sam Farr, Lois Capps, Jim McGovern, Betty McCollum, Bill Delahunt, Jay Inslee, John Olver and Jim Moran in introducing a bill entitled, "No Special Tax Subsidies for Gas Guzzlers Act." With our budget deficit running at near record levels the federal tax incentives, it seems odd that we would find it fiscally responsible to provide incentives to purchase automobiles which are especially inefficient. In fact, this runs directly contrary to other public policy initiatives, such as the fuel economy standards and the gas guzzler tax, which were adopted to try to keep the fleet of cars on the road from using more gasoline than is necessary. Now that we have troops in the Middle East, these odd, counterproductive incentives can also be viewed as directly undermining our need to break the national addiction to imported oil.

This legislation corrects two incentives which are out-of-step with the times—the SUV Tax Loophole and the Gas Guzzler Tax loophole.

Some estimate suggest that if we reform either of these perverse incentives so that SUVs receive the same tax treatment as they would if they were classified as passenger vehicles, the savings would be at least $1 billion over 10 years.

The federal tax code affects the purchase of heavy-duty SUVs through preferential tax treatment of depreciation for motor vehicles and passenger cars. Recently, the Congressional Research Service reviewed this situation and concluded that for a hypothetical purchase made in 2005, a businessman would realize a much higher after tax return on investment by purchasing an SUV instead of a similarly priced passenger car—$3,000 higher in the example given. "In this treatment lies the most important tax subsidy for the purchase of these SUVs for business use." ("Tax Preferences for Sport Utility Vehicles," Guenther, Gary, Congressional Research Service, (RL32173), April 4, 2006, p. 5.) The report notes that "there is no question that current depreciation rules favor the purchase of heavy-duty SUVs over lighter SUVs or passenger cars of comparable value. Supporting evidence can be found in the greater tax benefit to business taxpayers from buying an SUV exempt from the depreciation caps on luxury passenger cars than from buying a vehicle subject to those caps. This added benefit stems from the accelerated depreciation for heavy-duty SUVs available under IRC section 179." Ibid, p. 11.

The Report goes on to note that when Congress moved in 2004 to reduce the expensing allowance for SUVs from $100,000 to $25,000, it may have thought it was significantly reducing the tax tilt to SUVs, but in fact "it did little to curtail the tax preference for buying these vehicles under current depreciation rules." Ibid, p. 13.

The legislation we are introducing today will eliminate the tax tilt so that a businessman is not led to buy the heavier vehicle by virtue of a perverse tax incentive. There may be other reasons to buy the larger vehicle, but a tax preference should not be one of them.

Cars which consume excessive quantities of gas are subject to a 'gas guzzler' tax which is intended to encourage automakers to produce and develop more fuel efficient vehicles. This tax has been highly effective. During the model year (MY) 2003, fewer than 100,000 (or 1.3%) of cars purchased were gas guzzlers. However, the tax is only subject to passenger vehicles, which means that SUV's escape the gas guzzler tax entirely!

This bill would incorporate SUV's into the gas guzzler tax schedule that applies to other passenger vehicles.

The gas guzzler tax originated with the Energy Tax Act of 1978 (P.L. 95–618), and the IRS issued the first regulations to implement it in 1980. It applies to domestic sales of automobiles by manufacturers and importers, who are required to pay the tax. IRC section 4064(b) defines an automobile as any "four-wheeled vehicle propelled by fuel which is manufactured primarily for use on public streets, roads, and highways." Until the passage of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, P.L. 109–59) in August 2005, the definition of automobiles also stipulated that such vehicles have an unloaded gross vehicle weight of 6,000 pounds or less; the act repealed this weight limitation, subjecting all vehicles meeting the remaining criteria for an automobile to the tax, irrespective of their weight. Certain vehicles are exempt from the tax: namely, emergency vehicles such as ambulances and police cars, cars with a gas mileage rating of 22.5 miles per gallon (mpg) and over, and all "light trucks" including SUVs of all weights. Whether a gas guzzler tax is owed—and if so, the amount of the tax—depends on an automobile's combined city and highway fuel economy rating, which is defined as the average number of miles traveled by an automobile per gallon of gasoline as determined by the Environmental Protection Agency. The current tax ranges from $1,000 for cars with a fuel economy rating of at least 21.5 miles per gallon but less than 22.5 miles per gallon to $7,700 for cars with a rating of less than 12.5 miles per gallon. These amounts have been in effect since the enactment of the Omnibus Budget Reconciliation Act of 1990 (P.L. 101–508). In FY2004, the tax raised $141 million in revenue, up from $71 million in FY2000.

Again, the Congressional Research Service analyzed the SUV exemption from the gas guzzler tax, noting that by exempting SUVs, demand for heavy-duty SUVs is likely to be greater than it would be if they were subject to the tax and buyers were forced to bear its burden. Since most heavy-duty SUVs get relatively low gas mileage, retail prices could be as much as $4,500 to $7,700 higher for many models if current law were changed to subject them to the tax and importers, manufacturers, and dealers were to pass the full amount of the tax on to buyers.

In applying the gas guzzler tax to SUVs, the legislation makes certain exceptions for vehicles clearly intended for carrying heavy loads, pick up trucks with open beds, and so forth.

For years we have stood idly by while watching our energy dependence soar as consumers responded to these perverse loopholes and upside-down tax incentives. The health of our environment and the safety of those purchasing small vehicles is affected adversely by giving preferences to inefficient SUVs. While we complain that China is now affecting demand for world oil, we continue to tolerate a tax code which artificially skews in favor of the purchase of the least efficient vehicles.

We no longer have the luxury of ignoring this ridiculous situation. Please join us in supporting efforts to reform this self-inflicted source of wasted gasoline and oil.

BYRNE-JAG FUNDING

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. CARDOZA. Mr. Speaker, I rise today in strong support of Byrne-JAG funding for state and local anti-drug task forces. This program is critical to supporting the dedicated police officers combating the meth epidemic sweeping our nation.

Methamphetamine is an extremely dangerous drug. In San Joaquin County, California, part of my congressional district, meth has been the most deadly drug for four years running. Even worse, the impact of meth spreads far beyond just the self destructive behavior of the meth addict. In the Central Valley, meth has resulted in higher crime rates, child abuse and neglect, and toxic waste released into the environment.

The Byrne-JAG program should be an important part of any effective strategy to stop the devastating impact that methamphetamine use is having on our communities. Byrne funding supports anti-drug task forces that bring together federal, state, and local law enforcement and that have proven very effective in disrupting meth production and trafficking. In 2004 alone, Byrne-funded task forces seized 5,646 meth labs.

The Administration's meth strategy released last week sets a goal of reducing the number of domestic meth labs by 25% by 2008. Now is not the time to eliminate a program that provides our local and state law enforcement with the resources to achieve this goal.

I urge my colleagues in the Appropriations Committee to fully fund the Byrne-JAG program.

IN HONOR OF WILLIAM E. REICHMUTH

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. FARR. Mr. Speaker, I rise today to honor a true public servant and transportation visionary. William E. Reichmuth is retiring from his three year tenure as the executive director of the Transportation Agency of Monterey County, known locally as TAMC. This position tops a thirty-eight year career of public service that began with the United States Navy's Civil Engineer Corps where he reached the rank of Captain and received the Navy Commendation Medal. Bill later held public works and engineering posts with both the U.S. Army and the City of Monterey. Throughout this career, Bill has been both a model to his profession and a leader in his community.

Bill has overseen numerous key public works projects and innovations. As the City of Monterey's public works director, Bill oversaw the redevelopment of the City's two commercial wharfs that are at the heart of its fishing and tourism industries. He also helped craft Monterey's contract to manage the Defense Language Institute's base operations, saving the Army millions of dollars and thereby helping to ward off efforts to close or relocate the Institute in the latest base closure round.

On the transportation front, Bill has been on innovation's cutting edge. He has shepherded the design of the Monterey County portions of a coastal trail project that will one day link Monterey and Santa Cruz in a continuous bike and pedestrian path. Though neither of us could be mistaken for Lance Armstrong, I share every bit of Bill's contagious enthusiasm for the bike trail's recreational and economic development potential. Bill also played a key role in facilitating TAMC's purchase of the Monterey Branch Line from Southern Pacific Railroad. This will give our region new transportation options. And while Bill has set the pace on alternative transportation, he has paid great attention to road and highway needs that are crucial to a rural community such as Monterey County. Under his leadership, TAMC has advanced projects to ease the highway congestion that affects the region's agricultural produce, many visitors, and residents alike. He has made a special focus of safety; for example, improving the entrance into Monterey's Ryan Ranch office park.

Bill has been an active member of his professional community, serving in a variety of leadership posts with the American Public Works Association and the California Society of Professional Engineers. He also serves as a lector at the Carmel Mission Basilica. Finally, no description of Bill's life and work is complete without reference to his other transportation passions, namely an addiction to cars. Bill loves sports cars; especially new sports cars. I am told that something as little as a needed oil change is enough to prompt Bill to trade up to the latest model of Porsche. Bill is an amateur racer and has served as the president of the Sports Car Racing Association of the Monterey Peninsula.

Mr. Speaker, I know that I speak for my colleagues when I applaud Bill Reichmuth's career of public service and wish him a happy and speedy retirement.

A TRIBUTE TO RABBI BRAD BLOOM

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Ms. MATSUI. Mr. Speaker, it gives me great pleasure to honor Rabbi Brad Bloom, the Senior Rabbi at B'nai Israel since 1995, who is leaving this week for a new pulpit after a distinguished professional career here in Sacramento. As his friends, family and coworkers all gather to celebrate his farewell, I ask all my colleagues to join in honoring his community leadership and many remarkable accomplishments.

After Rabbi Bloom completed his BA in History from the University of Wisconsin and his Master's in Social Work from the University of Maryland, he realized his calling in life: the rabbinate. He began his career by serving as the Associate Rabbi at Congregation Beth Am in Los Altos Hills.

Following his service with the Congregation, Rabbi Bloom was Associate Rabbi at the Sinai

Temple of Champaign-Urbana in Illinois. In 1995 he became the Senior Rabbi at Congregation B'nai Israel, where he has served with distinction for the past 11 years.

Rabbi Bloom has been a strong leader for B'nai Israel. He guided a devastated congregation and the greater Sacramento community through one of its darkest hours in June of 1999, when arsonists attacked three of Sacramento's synagogues, including his own.

Rabbi Bloom's calm, uniting voice emerged from the dense fog of hate and fear in the weeks and months following the attacks. He revived the community's spirits and helped bring forward a united front against hate. In order to build a dialogue, he helped create the Children of Abraham group, which brings together clergy and congregants of Muslim, Jewish and Christian faiths. And under his leadership, the synagogue opened its door to gay and lesbian Jews to perform commitment ceremonies inside the sanctuary.

Through it all Rabbi Bloom has been dedicated to cultivating a strong and thriving Jewish community. With his gifts as a teacher, he has shown a commitment to life-long learning and instilling that value in others. He has led adult education groups, including Talmud classes, Kabbalah courses and a women's book group. These unique programs have helped educate and unite the Jewish community.

Since 1995, Rabbi Bloom has been a strong voice for B'nai Israel, and helped foster compassion and understanding throughout our community. On behalf of the people of Sacramento and the Fifth Congressional District of California, I ask all my colleagues to join me in thanking Rabbi Brad Bloom for his public service as we wish him success in his future endeavors.

PAYING TRIBUTE TO MRS. BEVERLY GARRETT

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. CLEAVER. Mr. Speaker, I rise today to pay tribute to Mrs. Beverly Garrett, a remarkable and compassionate woman whose life has touched so many Kansas Citizens. Mrs. Garrett passed away on June 1, 2006. Her passing is a deep loss felt by her family, her community, and all who have been touched by her tireless dedication and service to helping others.

Beverly was employed by the federal government in the Social Security Administration for more than thirty years. Motivated by her dedication to her work environment and fellow employees, she became active in the American Federation of Government Employees, Local 1336, in the 1980s. Her leadership, character, and determination grew with each year, eventually garnering the position of president. In addition Beverly was a member of the local AFL–CIO's Labor Council, where she proved to be a mentor and trusted friend. Beverly's commitment went beyond the work place as she found great satisfaction serving on the board of the Heart of America United Way Campaign. For two years she provided leadership and direction as Co-chair and most recently as Board Secretary.

Though she achieved positions of great trust and honor, she maintained an admirable and inspiring humility. With a touch of kindness and a touch of toughness she always found a way to create a positive impact.

Beverly's trademark was her optimistic, jovial spirit that uplifted everyone she met. Her sense of humor and quiet grace brought people together even when they were in conflict. Beverly's attitude toward life was inspiring. Always smiling, she never hesitated to go out of her way to help someone in need. Because she was devoutly religious, she always found meaning and an opportunity to learn through each experience.

Mr. Speaker, please join me in expressing our heartfelt sympathy to her sons, James and Jason, and her daughter, Kim; and all of her other relatives, loved ones, and friends. I urge my colleagues to please join me in conveying our gratitude to her family for sharing this great woman with us, and to accept our condolences for their tremendous loss. She was an inspiration to so many, and she will be missed.

STATEMENT HONORING LINWOOD FIELDS AND THE PAGE CLASS OF 2006

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize the Page Class of 2006 and in particular the page from the 30th District of Texas, Linwood Fields. You have served the United States House of Representatives with honor and dignity, and should be proud of your accomplishments.

Dr. Martin Luther King Jr. once said, "An individual has not started living until he can rise above the narrow confines of his individualistic concerns to the broader concerns of all humanity." It is my hope that during your time here you were able to expand your perspectives on the world, and will continue to utilize this knowledge in the years ahead.

I am particularly proud of Linwood Fields. He has honorably represented his family, my office, and the Dallas community. He successfully served this House through his outstanding work and extraordinary spirit. I know that this is merely the first step of a very bright future. I am confident that Linwood will go onto to become a fine and successful man, and I look forward to seeing his accomplishments in the years to come.

I commend Linwood and the Page Class of 2006 for their outstanding service. Myself and my colleagues are grateful for all you have done.

PERSONAL EXPLANATION

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. UDALL of New Mexico. Mr. Speaker, on rollcall No. 223, had I been present, I would have voted "no."

On rollcall No. 224, had I been present, I would have voted "no."

On rollcall No. 225, had I been present, I would have voted "no."

On rollcall No. 226, had I been present, I would have voted "yes."

CONGRATULATIONS TROY McCURRY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. WILSON of South Carolina. Mr. Speaker, I would like to recognize Troy McCurry, a native of Augusta, GA, and a graduate of the University of Georgia. Throughout the past 3 years, Troy has helped me serve the Second Congressional District. From working with legislative aides on special projects to helping communicate with citizens throughout South Carolina, he has been an important part of our team. I have truly appreciated his service and his commitment.

A graduate of Catholic University Law School, Troy recently accepted a position with the Republican Governors Association. I am confident that he will bring the same level of professionalism and commitment to his new job. As Troy begins the next stage of his career, I would like to sincerely thank him for his efforts.

RETIREMENT OF TOM DeLAY

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. CULBERSON. Mr. Speaker, today marks the final day in Congress for one of the greatest leaders the House of Representatives has ever seen. In his 22 years of public service to the residents of the 22nd District of Texas, TOM DELAY has always been a tireless and indispensable warrior for the Republican party and the causes of individual freedom, family values, and limited government.

Tom's years of service have been marked by devoted adherence to core conservative principles. His effectiveness can be measured in the countless advances made under his leadership strengthening our national security, restoring individual freedoms, and reigning in a runaway federal government. Tom never backed down from his beliefs and principles, and ultimately his tremendous success made him a target. There is no doubt that the Republican Party, the conservative movement, the state of Texas, and especially the Houston area have lost the services of a great friend and leader.

I will miss having TOM DELAY serving with me in the House, but I am grateful that he has chosen to remain active in the fight to restore the American Republic. I look forward to continuing to benefit from his invaluable counsel and wisdom.

On behalf of the Houston area and on behalf of my fellow Republican House members, congratulations to a fine leader, a great friend, and a devoted husband and father on a job well done.

FREEDOM FOR ARMANDO BETANCOURT REINA

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Armando Betancourt Reina, a political prisoner in totalitarian Cuba.

Mr. Betancourt Reina is an independent journalist and has been a chronicler of truth amid the lies and deceit of Castor's villainous regime. Mr. Betancourt Reina works and writes to inform the world about the nightmare that is the Castro regime. Unfortunately, writing and reporting the truth is not allowed under Castro's tyrannical dictatorship. All attempts to portray the absolute lack of freedom in totalitarian Cuba are viciously attacked and their authors are imprisoned and harassed.

According to Directorio and the Committee to Protect Journalists, Mr. Betancourt Reina was detained on May 23, 2006, in the city of Camagüey where the police were carrying out violent evictions. He was covering yet another atrocity committed by the regime against the Cuban people. In an attempt to suppress the truth about these violent evictions from the world, Castro's thugs arrested and imprisoned Mr. Betancourt Reina. Mr. Betancourt is locked in the totalitarian gulag, but he has not yet been charged with a "crime."

I remind my colleagues that, under Castro's totalitarian regime, any freedom of the press, any effort to display the atrocities of the regime under the spotlight of truth, is met with swift and violent repression.

Let me be very clear, Mr. Betancourt Reina is currently languishing in the depraved conditions of the totalitarian gulag for his truthful articles. The U.S. State Department describes the conditions in the gulag as, "harsh and life threatening." The State Department also reports that police and prison officials beat, neglect, isolate, and deny medical treatment to detainees and prisoners. It is a crime of the highest order that people are imprisoned in these nightmarish conditions simply for reporting the facts.

Mr. Betancourt Reina is a brilliant example of the heroism of the Cuban people. Despite incessant repression, harassment, incarceration and abuse, he remains committed to the conviction that freedom of the press and democracy are the inalienable right of the Cuban people. Let us never forget and always support those who are struggling to liberate people from the grip of tyranny.

Mr. Speaker, it is as inconceivable as it is unacceptable that, while the world stands by in silence and acquiescence, independent journalists who write the truth about totalitarian regimes are systematically tortured. My colleagues, we must demand the immediate and unconditional release of Armando Betancourt Reina and every political prisoner in totalitarian Cuba.

IN RECOGNITION OF MR. JAMES "JIMMY" AYCOCK

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. JONES of North Carolina. Mr. Speaker, I rise today to recognize Mr. James "Jimmy" Aycock, a native of Fremont, North Carolina, for his dedicated service to his community.

A man of strong faith, Jimmy has been blessed by God with outstanding musical talent. For years, he has shared his talent with others in his community and helped young people develop their own musical talents.

Jimmy began his expansive musical career at the age of 14 and has been a presence on the Carolina scene for more than 50 years as an accomplished pianist, composer, and musical arranger.

In May of this year, the town board of Fremont, North Carolina honored Jimmy with a resolution of appreciation for his 40 years of dedicated service to the community. The resolution expressed gratitude for Jimmy's unselfish contributions of his time and energy.

As a teacher in the North Carolina public school system for more than three decades, Jimmy has made tireless contributions to the musical education of the state's young people. Appointed by Governors Jim Martin and Jim Hunt to serve on the North Carolina Arts Council, he has also volunteered his time and talent by playing at cancer benefits and performing for the Governor of North Carolina.

In an upcoming documentary intended for national broadcast, Jimmy will be the first artist honored in a program by November Entertainment entitled "Carolina Icons." The program aims to exemplify the best of North Carolina's artistic culture. The documentary will feature interviews with Jimmy and those who know him, as well as video of his work in the classroom and in concert.

For Jimmy's long-time service to his community and generous contributions of his time and musical talent, recognition and praise are long overdue.

Jimmy Aycock is a man who has given so much of himself to God and to his fellow man, and I consider it an honor and a privilege to call him a friend.

HONORING THE SILVER CRESCENT FOUNDATION AND WINNERS OF THE 2006 SILVER CRESCENT AWARD

HON. BOB INGLIS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. INGLIS of South Carolina. Mr. Speaker, I rise today to recognize the Silver Crescent Foundation and the winners of the 2006 Silver Crescent Award.

The prestigious Silver Crescent Award for Manufacturing Excellence is a salute to manufacturers in the State of South Carolina. This award is intended to promote wealth, innovation, and job creation in the State, and to recognize companies in South Carolina who excel in manufacturing.

I am pleased to announce the winners of this year's Silver Crescent Award for Manufacturing Excellence. The three award winners are Jarden Plastic Solutions, Westminster's U.S. Engine Valve, and Bridgestone Firestone's Graniteville plant. Jarden Plastic Solutions is located in my district in Greer, and they are an industry innovator specializing in high-volume precision injection molding. The company designs, engineers, and manufactures everything from recreational equipment to advanced healthcare tools. Bridgestone Firestone is one of the world's top tire producing plants. They are no strangers to success. In 2003, Bridgestone Firestone's Graniteville plant was also named one of the top 10 plants in North America by Industry Week. Finally, Westminster's U.S. Engine Valve is a first class provider of automotive engine components. This is the second time they have received the Silver Crescent Award. These three manufacturers know the keys to success, and I am proud that they call South Carolina home.

To build the next generation of manufacturers and engineers, the Silver Crescent Foundation organizes Camp Success. The goal of Camp Success is to get middle school and high school kids excited about engineering, math, and science. The camp uses state of the art technology to give kids the firm foundation they will need to become highly skilled professionals. By investing time, effort, and money in our kids, Camp Success ensures that South Carolina and our Nation will have the tools necessary to compete in tomorrow's global economy.

I am extremely proud of the Silver Crescent Foundation's efforts in the State of South Carolina. Under the leadership of President Tony Smith along with excellent award sponsors like the South Carolina Research Authority and the Advanced Technology Institute, the Silver Crescent Foundation is leading the way toward a bright future for South Carolina's manufacturers and a new generation of engineers and manufacturers.

Mr. Speaker, please join me as I commend this year's winners, the Silver Crescent Foundation, and everyone involved in the success of South Carolina manufacturing.

PERSONAL EXPLANATION

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. UDALL of Colorado. Mr. Speaker, I was inadvertently detained and missed the rollcall vote No. 237. Had I been present I would have voted "no."

IN COMMEMORATION OF THE OFFICIAL NAMING OF THE JOHN H. BRADLEY DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GREEN of Wisconsin. Mr. Speaker, it is my honor to submit this statement in commemoration of the official renaming of the Department of Veterans Affairs Outpatient Clinic in Appleton after an extraordinary man, John H. Bradley.

For many years, the Appleton Veterans Clinic has helped administer life-saving medical services to Wisconsin's retired servicemen and women. Now it will bear the name of a man who administered life-saving medical care to his comrades on the battlefield—Pharmacist Mate Second Class John "Jack" Bradley. Not only was Jack one of the six men who participated in raising the American flag at Iwo Jima, he also received our country's second highest award for heroism during combat, the Navy Cross, for his extraordinary efforts in aiding a wounded Marine under intense enemy fire. Jack suffered severe shrapnel wounds a few days after his heroic act, and returned home to Antigo, Wisconsin with his wife Betty after his recovery. He avoided any recognition of his participation in the flag raising, and never told his family he had been awarded the Navy Cross.

I'd also like to take this opportunity to thank Betty Bradley and the entire Bradley family for their support throughout the naming process. It is an honor to take part in the dedication of the John H. Bradley Department of Veterans Affairs Outpatient Clinic; a fitting tribute to such an extraordinary man. On behalf of Wisconsin's 8th district and the United States Congress, we thank Jack Bradley, and hope the veteran's clinic in his name stands as a lasting tribute to his dedicated service and cherished memory.

HONORING COLONEL RUSSELL D. GOLD

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to pay public tribute to Colonel Russell D. Gold, an exemplary soldier and citizen from my congressional district. Colonel Gold recently announced his retirement as Chief of Staff at the U.S. Army Armor Center, Fort Knox, Kentucky.

A native of West Palm Beach, Florida, Colonel Gold was first commissioned through ROTC as a Distinguished Military Student from The Citadel, beginning his military career as a Tank Platoon Leader, then Executive Officer with the 82d Airborne Division at Fort Bragg, North Carolina. After completion of the Armor Officer Advance Course, he commanded Company B, 2d Battalion, 72d Armor, 2d Infantry Division, at Camp Casey, Korea. Upon completion of command, he served as a Small Group Instructor in the Armor Officer Advance Course, then, Executive Officer of the U.S. Army Armor School at Fort Knox, Kentucky.

From 1993 through 1995, Colonel Gold was assigned to the First Armored Division in Germany, where he served as the Battalion S–3 and Battalion Executive Officer with the 2d Battalion, 67th Armor, then as the Brigade S–3 for the First Brigade, 1st Armor Division. From 1995–1997, Colonel Gold was assigned to the Joint Chiefs of Staff in Washington, DC, where he served in the J–8 as Chief, War-Game Exercise Branch. Colonel Gold then commanded the 1st Battalion, 67th Armor, 4th Infantry Division, at Fort Hood, Texas. Following battalion command, Colonel Gold served as the III Corps Secretary of the General Staff, then after graduating from the Army War College, became the Director of Combat Developments at Fort Knox.

Colonel Gold commanded the 3d Brigade Combat Team (Iraq), 1st Armored Division, of Fort Riley, Kansas, from June 2002 to June 2004 before being assigned as Chief of Staff of the Armor Center on July 30, 2004.

Colonel Gold's awards and decorations include the Legion of Merit award, Bronze Star Medal, Defense Meritorious Service Medal, Meritorious Service Medal, Army Commendation Medal, Army Achievement Medal, Joint Meritorious Unit Award, Valorous Unit Award, Iraqi Campaign Medal, Global War on Terrorism Service Medal, Korean Defense Service Medal, Army Superior Unit Award, National Defense Service Medal, Combat Action Badge, Master Parachutist Badge, and the Joint Chiefs of Staff Identification Badge. Colonel Gold will also be awarded the Distinguished Service Medal during his retirement ceremony.

It is my great privilege to recognize Colonel Gold today, before the entire U.S. House of Representatives, for his lifelong example of leadership and service. His unique achievements and dedication to the men and women of the U.S. Army make him an outstanding American worthy of our collective honor and respect.

TRIBUTE TO WANDA GARNER CASH

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to honor a great friend and a great journalist. After more than thirty years working in journalism, Wanda Garner Cash, will be leaving her post as Publisher and Editor of the Baytown Sun this June as she becomes a senior lecturer and fellow at the University of Texas School of Journalism. She will be serving as the first fellow to the S. Griffin Singer Professorship, a fellowship created to honor a former University of Texas professor.

Since receiving her bachelor's degree in journalism in 1971 from the University of Texas, she has served in a variety of capacities for a variety of organizations. Mrs. Cash worked as the assistant managing editor of The Galveston County Daily News, editor of the Kerrville Daily News, executive editor of the Brazosport Facts, and most recently as publisher and editor of the Baytown Sun.

Her success in the realm of journalism spans further than prestigious job titles. In addition to being an accomplished print journalist, Mrs. Cash has served as a member of the Legislative Advisory Committee where she has been a staunch advocate of open government and has testified before the Texas Legislature on numerous occasions. She has also been a mentor for young journalists and is recognized for always taking time to help young journalists develop their own talents. This quality will serve her students well as she enters the college arena this June.

The city of Baytown will miss Mrs. Cash and her dedication to the Baytown community. She has served as the vice-chair and chair of the Baytown West Chambers County Economic Development Foundation, chaired a variety of fundraising events such as the annual Baytown Area United Way fund-raising campaign.

Her dedication to the community and her commitment to journalistic integrity will be missed in the city of Baytown, but I wish her well as she begins her tenure at the University of Texas. A loss for the City of Baytown is a gain for the students, the University of Texas and the journalism profession.

IN SUPPORT OF A CONFLICT RESPONSE FUND AND A COMPREHENSIVE USG APPROACH TO ADDRESSING THE THREAT OF FAILED STATES

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. FARR. Mr. Speaker, in my opinion, the most significant threat to our national security in the 21st Century is from failed countries. Nearly 2 billion people live in countries that are in danger of collapse. According to the 2002 U.S. National Security Strategy, the United States is now threatened less by conquering states than we are by failing ones.

Stop and think about our recent defense and foreign policy obligations—Somalia, Haiti, Bosnia, and Kosovo—and our current engagement in Iraq, Afghanistan, and Sudan. These are all failed states and their instability imperils U.S. national security.

The U.S. defense and foreign policy apparatus formally acknowledged the threat of failed states when the National Security Council directed the State Department to establish a Coordinator for Stabilization and Reconstruction to incorporate "lessons learned" from previous stabilization operations so that future U.S. engagements will save lives—both U.S. and indigenous and use U.S. resources judiciously so that failed states don't deteriorate.

In December 2005, the Defense Department issued a directive, 3000.05, that places Stability Operations on par with Combat Operations. These are significant first steps and I commend the Administration, however, much more needs to be done. The first improvement I would recommend is that the State Department not Defense Department be the lead agency for planning and implementing the overall strategy for rebuilding a failed state.

I commend my colleagues on the Subcommittee who have done the best they can with an allocation this year that is $2.4 billion lower than the President's request. Those budget constraints prohibited them from funding the Conflict Response Fund, which would allow State Department reconstruction officials to immediately draw down such resources as necessary to rapidly initiate programs like democratic and electoral reform economic and infrastructure development so that the indigenous population sees tangible improvements.

The second improvement I would recommend is stronger support from the State and Defense Departments for the Master's degree in Stabilization and Reconstruction, being offered by the Naval Postgraduate School in my district. This is the only school in the country where U.S. military and foreign officers are being educated with U.S. civilian agency personnel and the NGO community so they can better understand their respective roles in the classroom rather than the battlefield.

I am glad we are gaining a better understanding of the threat of failed states, so that we can confront the challenges of these threats to U.S. national security.

PERSONAL EXPLANATION

HON. RALPH REGULA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. REGULA. Mr. Speaker, I was present and voting during the series of rolled votes that included rollcall No. 233, for passage of a bill introduced by my colleague Representative LATOURETTE. The bill, I believe reasonably addressed the impasse in labor contract negotiations between our Nation's air traffic controllers and the Federal Aviation Administration by creating procedural fairness and encouraging good faith bargaining for both parties. While I attempted to vote "yea" on the bill, the electronic voting system did not record the vote I intended to cast. I ask that the record reflect that had my vote been recorded, it would have been "yea" on rollcall No. 233.

RECOGNIZING QUAKERTOWN HOOK AND LADDER COMPANY, STATION 17 IN CELEBRATING THEIR 130TH ANNIVERSARY

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise today to congratulate the men and women of Quakertown Fire Company No. 1 which celebrates its one hundred and thirtieth anniversary this year.

Since its humble beginnings in 1876 as the Quakertown Hook and Ladder Company, station 17 has protected the residents of the Quakertown area with distinction and pride.

One hundred and thirty years ago, Quakertown Pennsylvania, which is located in the northern portion of my district, was a small and quiet farming community. And in its early years, I doubt the fire company needed to answer many calls. However, the Quakertown of today is a vibrant suburban area and station 17 has seen an increase of nearly 400 calls a year in the past 40 years. The need to expand and recruit on such a large scale would likely hinder the performance of the department, but the fire company has continued to grow and enlist generation after generation of fire fighters.

Firefighters have always been an integral part of American history. The safety of the citizens of Bucks County has been the top priority of the Quakertown Fire Company, and they have at all times served selflessly to that end.

Mr. Speaker, volunteerism is an American institution. Station 17 has always operated with volunteer firefighters, and I wish to congratulate and thank the current 50 volunteer members, who do an exceptional job. It is a special group of people that would voluntarily dedicate so much of their own time and effort towards the common good, and Quakertown is fortunate to have such a large and committed team of volunteers working for them.

How many people, Mr. Speaker, would jump out of bed in the middle of night at the sound of their alarm with no questions asked and go to a complete stranger's house only to battle a blazing inferno for hours upon hours, and still go to work the next morning? Well I am proud to say that Quakertown has at least 50 of these extraordinary men and women, and we thank them all.

To these heroic men and women of station 17; thank you for your work, your time, your dedication, and your sacrifice.

RESOLUTION HONORING THE URSULINE SISTERS OF LAREDO, TEXAS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. CUELLAR. Mr. Speaker,

Whereas, the Ursulines, an order founded in Italy by Saint Angela Merici in 1535, were the first religious women to come to the New World. The sisters, who had been in New Orleans since 1727, were the first order to volunteer for service in the new State of Texas, establishing a long-held presence in the communities of Galveston, San Antonio, Dallas, Pecos, and Laredo.

Whereas, Mother Saint Joseph Aubert, one of the esteemed Ursuline sisters, at the request of Bishop Claude Dubuis, went to Laredo in the State of Texas with Sister Teresa Pereida to establish a convent and a school for the education of the young women in the City of Laredo in May 15th, 1868.

Whereas, the convent for the Ursuline Sisters was built on January 15th 1869, and the Sisters began to educate girls of every age and condition. This was the beginning of their contribution to the education of the youth of the City of Laredo, Texas, for over a hundred and thirty-eight years.

Whereas, the Ursuline Sisters established St. Peter's Memorial School in 1989, Ursuline Academy in 1940, and were a part of the faculty at Our Lady of Guadalupe Elementary School, and Blessed Sacrament School.

Whereas, the new era of Ursuline education was begun through Ursuline Academy, which became a well-recognized center of education, serving as a college preparatory high school. Many graduates of Ursuline Academy went onto higher education, obtaining advanced degrees due to their excellent education provided them by the Ursuline Sisters.

Whereas, loyal to their Ursuline calling and tradition, despite all the difficulties and challenges of their journey, the Ursulines remained committed to their ministerial call in the City of Laredo in providing education to the youth of the City of Laredo until their departure from the City of Laredo this spring.

Whereas, at the end of their service in the City of Laredo for a hundred and forty years, the Ursuline Sisters of Laredo will be forever remembered for their educational commitment to the youth of Laredo, and their religious service to the City of Laredo. In the Spirit of Saint Angela, their founder, they will continue to be women of peace and reconciliation in our world today, living and working for peace through justice in all their relationships toward all peoples and cultures, and towards the earth and all creation.

Be it hereby resolved, That Congressman Henry Cuellar commends the Ursuline Sisters for their religious service to the community of Laredo, and their remarkable history of providing quality education for the youth of Laredo, Texas.

TRIBUTE TO MR. AND MRS. EDGAR AND MAGALI FERNANDEZ: 36 YEARS ENSURING EXCELLENCE IN EARLY CHILDHOOD EDUCATION

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Mr. MEEK of Florida. Mr. Speaker, I rise to honor Mr. and Mrs. Edgar and Magali Fernandez. For nearly four decades, they have been pioneers and leaders in the field of early childhood care and education, which is of crucial importance to our society and to every parent of young children.

Their careers have culminated in the establishment of the South Florida Association for Child Care Management (SFACCM), a nonprofit professional organization which was established in 2000. On Saturday, June 10, 2006, SFACCM will hold its first summer institute, a one-day seminar for those seeking to become early childhood education professionals.

SFACCM, which is an affiliate of the Florida Association for Child Care Management, is a professional organization of education providers dedicated to ensuring quality in early learning through advocacy, education, and accreditation. Mr. and Mrs. Fernandez's leadership of SFACCM has served as an inspiration to countless other educators and has helped set high standards in early childhood care. Those helped by SFACCM's programs number in the thousands.

Mr. and Mrs. Fernandez have long realized the importance of early childhood education as key to success in adulthood; it creates a strong foundation for our society and helps families and businesses to thrive. Edgar and Magali Fernandez truly value the need for the quality care and learning that our children deserve.

I know that my colleagues join with me in expressing our sincere appreciation for the contributions of Mr. and Mrs. Fernandez to our community and to our state. Their endeavors to ensure the quality and affordability of early childhood care and education are having a huge, positive impact on the lives of countless children—our most important national resource. Congratulations to them both on 36 years of caring.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 9, 2006

Ms. LEE. Mr. Speaker, on Tuesday, June 6, 2006 I missed rollcall votes Nos. 223, 224, 225, and 226. Had I been present, I would have voted "nay" on the King (IA) amendment, the Kingston amendment, and the motion to table the appeal of the ruling of the chair. I would have voted "aye" on final passage of H.R. 5441, the FY07 Homeland Security appropriations bill.

SENATE—*Monday, June 12, 2006*

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

We praise You, O God, for the good Earth out of which sustenance comes. Thank You for the fertile fields, for the productive seeds, for the Sun and the rain, for the strength for our tasks, and for the harvest that comes from our labors.

Sustain our Senators today in their legislative work of sowing and reaping. May they faithfully plant and water the seeds of truth in our laws. Help them to cultivate the soil of debate with kind words and courteous actions. Lord, whatever they do in word or deed, may they do all in and for Your honor.

Continue to sustain our military men and women who sacrifice daily for freedom.

We pray in Your mighty Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today, we are opening with a period of morning business to allow Senators to make statements. At 3 this afternoon we will begin consideration of the Department of Defense authorization bill. Chairman WARNER will be here at 3 to begin debate on this important measure. Later this afternoon, following the opening remarks of the ranking member, we expect our first amendment to be offered. Although we have stated that no votes will occur today, we hope to debate an amendment and then set a vote at a time certain tomorrow morning.

Tomorrow morning we have set aside another period of morning business. Following that time, we will return to the Defense bill with the expectation of a rollcall vote prior to the policy meetings.

I remind my colleagues that we have scheduled our official Chamber photograph for 2:15 tomorrow afternoon, and Senators should be seated at their desks at that time.

Following the photograph, we have debate on the nomination of Richard Stickler to be Assistant Secretary of Labor for Mine Safety and Health. A cloture vote will occur on that nomination around 3:30 or so on Tuesday.

I also announce that the House will take action on the supplemental appropriations conference report Tuesday, and, therefore, we expect to begin consideration of that measure on Tuesday as well. We will try to reach an agreement for debate and a time certain for a vote on that emergency spending bill.

TRIBUTE TO SENATOR ROBERT C. BYRD

Mr. FRIST. Mr. President, today marks an extraordinary—extraordinary—milestone in the history of the Senate and in the life of one of our most distinguished colleagues.

Today, ROBERT C. BYRD, the senior Senator from West Virginia, becomes the longest serving Senator in the history of the United States.

Today, he will have served 17,327 days in office, and outlasted 1,885 Senators who have graced this Chamber since 1789. He has cast more votes than any other Senator. And this year, Senator BYRD is running for an unprecedented ninth term.

Our distinguished colleague has amassed an astonishing record of service, and it is my privilege and honor to pay tribute to the Dean of the Senate—one of the greatest orators in the grand tradition of this august institution.

Senator BYRD won his first election to the Senate back in 1958. Lyndon Johnson was the majority leader. Dwight Eisenhower was President. And the Soviets had won the space race with the launch of Sputnik.

Senator BYRD joined the Appropriations Committee and quickly got to work learning the ins and outs of parliamentary procedure.

Senator BYRD has been called a walking encyclopedia of Congress. Indeed, in his career he has authored a four-volume history of the U.S. Senate.

In 1971, Senator BYRD was chosen Senate Democratic whip. In 1977, he was elected Democratic leader, a position held for six consecutive terms.

He led the Senate as majority leader for 6 years, and served as minority leader for another 6.

Senator BYRD has twice been elected President pro tempore.

All told, ROBERT C. BYRD has held more leadership positions in the Senate than any other Senator in history.

But even having attained this extraordinary influence, Senator BYRD has never forgotten where he came from or who sent him here.

From early on in his career, he demonstrated his deep commitment to the people of West Virginia. His loyalty, closeness, and respect have been rewarded. Senator BYRD has won overwhelming majorities in each of his reelection campaigns, winning with 78 percent in 2000.

He is known across his State for his unflagging support for his constituents and the future and welfare of those people of West Virginia. In 2001, he was named by his State "West Virginian of the 20th Century."

Today marks a great achievement for the senior Senator, but in some ways it is also bittersweet.

Today, Erma Byrd, the Senator's wife of nearly 7 decades, would have turned 89 years old. The Senator has said that his love for Erma was greater than anything in his life. Without her, he could not have reached such great heights, nor could he have endured the inevitable rough patches of political life.

On the occasion of their 65th wedding anniversary, the Senator paid an eloquent tribute to his high school sweetheart. His words:

> Erma and I are complete and whole, a total that is more than the sum of its parts. In my life, Erma Byrd is the diamond. She is the priceless treasure, a multifaceted woman of great insight and wisdom, of quiet humor and common sense.

Senator BYRD has said that, for him, today's achievement will pass with little fanfare or pride. Today, he will do what he has always done on June 12. He will honor his dear wife Erma, remember her and pray for her.

So we will celebrate on his behalf and pay honor to them both—Senator BYRD for his lifelong service to his country, and Erma for her quiet and steady support for the country gentleman from West Virginia.

When history is written, I am certain that Senator BYRD will hold a prominent place as a Senate legend—and in no small part because of the love of a kind and gentle lady, Erma Ora Byrd.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The minority leader is recognized.

TRIBUTE TO SENATOR ROBERT C. BYRD

Mr. REID. Mr. President, it is Monday. The Galleries do not have many people in them. We have a new batch of pages. Others graduated recently. But everyone here—pages and those in the Gallery—should recognize that today is a day of history in America.

> Public service is about personal sacrifice for the greater good. It is about reaching for the better angels of our human nature.

That quote is a great quote for today, but that quote is from ROBERT BYRD, which should come as no surprise because the description fits him to a tee.

As we have heard from the distinguished majority leader, Senator BYRD passes Strom Thurmond, who I had the good fortune to serve with, and becomes the longest serving Senator in American history, with 17,327 days—17,327 days—of service in the Senate.

You add that to his 6 years in the House of Representatives, and ROBERT BYRD has served in the Congress 25 percent of the time we have been a nation. Seventy-five percent of the time other people served in the Congress. But this one man has served 25 percent of the time we have been a country. This gives us some perspective of what a significant day this actually is. The U.S. Senate first met in New York City in 1789.

ROBERT C. BYRD has served a distinguished career. His career in the Senate is significant, important, and impressive. But his life is impressive.

America is a place where everyone has a chance. It does not matter that you are an orphan at age 1. It does not matter that you are raised with an aunt and uncle. It does not matter that your new parents work very, very hard in the coal mines of West Virginia. Because, you see, in America people can succeed no matter what the status of their parents.

ROBERT BYRD is testimony to that. He graduated valedictorian of his high school class. He went to work in the depths of the Great Depression because he had no way of paying to go to college. He worked at a number of different jobs. He worked odd jobs wherever he could find them, pumping gas, selling produce, working as a meat cutter, a butcher, and even during World War II doing some welding on "Liberty" and "Victory" ships.

After the war, he returned to West Virginia and began his distinguished career of public service.

The West Virginia House of Delegates was his first elected position. Then he was elected to the West Virginia Senate. Then he was elected to the U.S. House of Representatives in the early 1950s. In 1958, he was elected to the U.S. Senate.

His career of leadership is unsurpassed and will always be unsurpassed. He has been a mentor to me for all these many years and a leader for whom all of us in this body have the highest respect.

But as we have already heard, for all of his accolades—and there have been many—Senator BYRD himself will tell you his greatest success truly came on a late day in May, 1937, when he put on his best suit, traveled to the nearby town of Sophia, WV, and married his high school sweetheart, Erma. Today is her birthday.

Now, I had the good fortune to travel, on a couple of occasions, with Erma Byrd and the Senator. We had work to do around the world. What a wonderful, wonderful woman. She was kind, thoughtful, and quiet, but with a great presence about her. I remember having the honor, really—and it was that—of Senator BYRD asking me to go to West Virginia. We had a parliamentary exchange with the British Parliament.

I had heard this song, "West Virginia Hills," but it never meant anything to me until that occasion in a mesa in West Virginia where we gathered with those British parliamentarians for an evening event to listen to some bluegrass music, to watch the Sun go down in those West Virginia hills. That is something I will always remember of ROBERT BYRD and his lovely wife Erma.

There has been no greater advocate in the almost 18,000 days this man has served in the Senate, and the more than 18,000 days he has served in the Congress, no greater advocate for the State of West Virginia than Senator ROBERT BYRD.

He has fought to improve access to education and health care. The things he has done for transportation in West Virginia are legend. He has brought jobs there. He has done things to protect pensioners.

We just passed on May 24 an example of what Senator BYRD does for West Virginia. The Mine Improvement and New Emergency Response Act of 2006 was passed on May 24. President Bush will sign this into law. Again, it is important legislation for miners across the country. It means a lot to me. I have spoken to Senator BYRD about miners. My father was a miner. And I am proud of the work Senator BYRD has done for West Virginia because it helps all miners.

I asked, as I was coming here, my long-serving personal assistant Janice Shelton: What do you want me to say about Senator BYRD? She has worked with me all the time I have been in the Senate.

She said: No Senator comes and talks to the country like Senator BYRD.

The Fourth of July you prepare your own speech; you read your own speech about the Fourth of July. Thanksgiving, if we are here, you give a speech on Thanksgiving. Christmas, Mother's Day, wonderful—I can still remember your speeches on Mother's Day. The reason those speeches are so important to every one of us—of course, they are important to you; they reflect upon your mother, the woman who raised you—is because it causes us to reflect on our own mothers. Every time you gave one of those speeches, I thought of my red-haired mother working so hard, taking in wash so that I could have clothes like the other kids. So every speech you give is not only for the people of West Virginia. It is for the country. It is for the people who work here with you.

I have had the good fortune—in fact, I visited with one of my friends who I practiced law with for 12 years. A brilliant man, he is so smart. He reads books, has from the time he was a boy until now, many books each week. I have always admired Rex Jemison and how smart he is. But Senator BYRD, to those of us who have worked with you, you have no peer.

I can remember as if it were yesterday when you decided you were going to take over the Appropriations Committee and no longer have a leadership position. We had an event in the Russell Building, the caucus room. There was no press, Senators, very limited staff. You stood and talked to us a little bit. You told us things we thought we always knew, and I have retold this story so many times. I am going to retell it again. You told us you could get in your car in Virginia, drive to West Virginia and back—and it takes about 8 hours—reciting poetry over and back without stopping and never recite the same poem twice. Think about that. Calculate it for a minute. How many people have read the Encyclopedia Brittanica from cover to cover? Senator ROBERT BYRD. How many people have sat down when we have a break and read the dictionary? This man has done this. How many people can recite poetry as he did? I have just talked about this. How many people can recite Shakespeare verse after verse, passages out of Scripture?

Senator BYRD gave a series of speeches here, 10 speeches, each lasting for 1 hour. The subject was the line-item veto was going to ruin the Senate. The comparison was to the Roman Empire, the rise and fall of the Roman Empire. Senator BYRD gave 10 speeches. When I was not able to listen personally, I listened to the recording. So tremendous were those speeches that the head of the political science department at UNV–LV, Dr. Randy Tuttle, taught a course on ROBERT BYRD based on these 10 speeches.

I asked Senator BYRD: You gave those speeches, you quit right on time, you had an hour set aside. How did you know when to stop?

He said: It was easy. I memorized all 10 of them.

When we met with the British parliamentarians, as I just recounted, in West Virginia, the blue grass music stopped, and Senator BYRD had staff pass out a little tablet and pencil to everybody. He said: If I make a mistake, write it down. And he proceeded to give us a demonstration of memory that I have never seen before, starting with the first ruler in Great Britain, the years the person served, the name, how to spell it, and very briefly what was accomplished during that period of time, from the beginning to the present Queen Elizabeth. Those parliamentarians were dumbfounded. How could an American do something they had never even thought about without a note?

There are some professors, I am sure, who are experts on ancient Rome, but I would tell all those academics, they don't have anything on the Senator from West Virginia as far as knowledge of the Roman Empire.

I consider myself so fortunate to have been able to serve in the Senate with ROBERT BYRD. And not only serve in the Senate with ROBERT BYRD, but all the time I have been here, I had the good fortune of serving on his Appropriations Committee.

The great Senator Daniel Webster said that ours:

> . . . is a Senate of equals, of men of individual honor and personal character, and of absolute independence. We know no masters, we acknowledge no dictators. This is a hall for mutual consultation and discussion; not an arena for the exhibition of champions.

The prayer that was uttered today by Reverend Black, our Chaplain, says exactly what Daniel Webster said. That was a wonderful prayer, tremendously well done for this occasion. But I would say in response to the great Daniel Webster, there are champions among us. There are giants as well. I have served in public office a long time, but no one can dispute the fact, as far as I am concerned, that ROBERT BYRD is a giant.

I want him to know how much I appreciate all he has done for me. I care a great deal about this man. I love ROBERT BYRD. I love ROBERT BYRD. He is a person who sets a standard for all of us.

MORNING BUSINESS

The PRESIDING OFFICER (Mr. THOMAS). Under the previous order, there will be a period for the transaction of morning business until 3 p.m., with each Senator permitted to speak for up to 10 minutes each.

The Senator from Kentucky.

TRIBUTE TO SENATOR ROBERT C. BYRD

Mr. MCCONNELL. Mr. President, I come to the floor today to pay tribute to our distinguished colleague from West Virginia who, as the majority leader and the Democratic leader pointed out, celebrates today truly a momentous occasion, becoming the longest serving U.S. Senator in the history of our country.

Senator BYRD's record and achievements have been covered by the majority leader and the Democratic leader. I would like to make a few different observations.

When Senator BYRD came to this body in 1959, he was a member of a very large Democratic class. His party had had a very good day. It was the second term of President Eisenhower. In his class were such people as Eugene McCarthy and Tom Dodd and Phil Hart. Lyndon Baines Johnson was the leader of his party in the Senate at the time. In fact, Senator BYRD was accompanied to the well on his first day in office not by the senior Senator from his State, as is tradition, but by Majority Leader Johnson, his future mentor.

Shortly before the distinguished Senator from West Virginia got here, Majority Leader Johnson had appointed a committee to pick out the five greatest United States Senators in history. John F. Kennedy was appointed to be the head of that committee. After due deliberation, they picked out five Senators: Henry Clay from my State of Kentucky, Daniel Webster, John C. Calhoun, Robert La Follette, and Robert Taft. Those five Senators, who were designated as the five greatest Senators of all time, are depicted out here off the Senate Chamber in the waiting room.

Six or 8 years ago, we decided to consider adding two more to the list. I had the opportunity to be on a committee that reviewed the possibility of adding two more. We concluded there were two more who should be added, one Democrat and one Republican.

Our colleagues on the Democratic side picked Robert Wagner of New York, who was the author of most of President Roosevelt's New Deal legislation. After due deliberation, the Republicans on the committee, of which I was one, concluded that Arthur Vandenberg was the appropriate selection for us, based upon his willingness in the late 1940s to make the Truman containment policy, the Marshall plan, and other initiatives at the beginning of the Cold War that basically set out the strategy that we followed until the Berlin Wall came down in 1989. We thought that Arthur Vandenberg would be the appropriate one for us. So two more Senators were added—Arthur Vandenberg and Robert Wagner.

Today I think it is safe to predict that some day in the future, some Senate will decide to revisit the issue of what other great Senators might be added to this pantheon off the Senate floor that now includes seven United States Senators in our history. I think I can confidently predict that near the top of the list, if not at the top of the list, some day down the road will be the distinguished Senator from West Virginia.

Mr. President, today, June 12, 2006, is our good friend from West Virginia's 17,327th day in the Senate, making him the longest-serving Senator ever.

Senator ROBERT C. BYRD's first day as a Senator was January 3, 1959, when he was 41 years old. He is the 1,579th Senator. Some of his contemporaries were John Sherman Cooper, Hubert Humphrey, Everett Dirksen, John F. Kennedy, and Richard Russell.

Over his nearly 50 years of service here—he has been elected to eight full terms—Senator BYRD has served with 405 Senators, out of a total of 1,885 Senators who ever served. That is 21.5 percent of the total number. Over a fifth of all Senators who ever served can say they served with Senator BYRD.

And I add that Senator BYRD is only the second Senator ever to be elected to eight full terms.

As the Senators from two coal-producing States, Senator BYRD and I have worked together on a number of issues over the years to ensure that coal remains a safe, cheap, and plentiful source of energy, and that coal miners and their families can continue in this industry. Together we ensured that the Capitol complex would continue to be heated by coal. And we work together as members of the Appropriations Committee. I thank the Senator for his friendship over the years.

As astounding as the Senator from West Virginia's service in this body is, I must point out that he has even more experience representing the people of West Virginia. Senator BYRD served in the West Virginia House of Delegates from 1947 to 1950, the West Virginia Senate from 1951 to 1952, and the U.S. House of Representatives from 1953 to 1959. He was elected to his first office in 1946.

He was also elected assistant majority whip here in the Senate in 1965. In 1971, he was elected majority whip. I have heard that can be a tough job.

In 1977, Senator BYRD succeeded Senator Mike Mansfield as majority leader. He has also served as minority leader and Senate President pro tempore, meaning he has held every major position in the Senate.

After serving as majority and minority leader, Senator BYRD became chairman of the Appropriations Committee in 1989, and has been chairman or ranking member ever since. Our colleague from Alaska, the current Senate President pro tempore, has served with him on that committee since 1973.

Senator BYRD set the record for number of Senate votes cast at 12,134 on April 27, 1990, breaking a record set by Senator William Proxmire. He cast his 17,000th vote in March 2004, and continues to set the record every time he votes. As of the opening of the Senate today, he has cast 17,666 votes.

As his constituents in West Virginia know so well, Senator BYRD is the son of a coal miner. Before government service, he worked as a welder in wartime shipyards and as a meat cutter in a coal company town.

Senator BYRD is also an expert on Senate history. He wrote, with the assistance of Senate historian Richard Baker, a four-volume collection of history, speeches and statistics titled "The Senate" 1789–1989. He also wrote a history called "The Senate of the Roman Republic," and a 2005 autobiography titled "Child of the Appalachian Coalfields."

And my good friend from West Virginia is an accomplished fiddle player as well. He has performed on the television variety show "Hee Haw," at the Grand Ole Opry, and at the John F. Kennedy Center for the Performing Arts. He even recorded an album called "Mountain Fiddler."

Senator BYRD earned his law degree from American University in 1963, while serving in the Senate. He attended night school while doing a full day's work here. President Kennedy presented him with his diploma and gave the commencement address.

President Kennedy received an honorary degree from American University at the ceremony. So he began his commencement address with these words:

> President Anderson, members of the faculty, Board of Trustees, distinguished guests, my old colleague Senator Bob Byrd, who has earned his degree through many years of attending night law school while I am earning mine in the next thirty minutes, ladies and gentlemen . . .

In 1994, Senator BYRD was awarded his B.A. summa cum laude by Marshall University, which he had attended for one semester in 1951. He had earned A's in all his classes, but could not afford to continue. So he actually received his law degree before his bachelor's.

Senator BYRD is the first West Virginian in history to win all 55 of that State's counties in a statewide race. I am sure many of his fellow West Virginians know of his knowledge and reverence for the Constitution, and that he always carries a copy in his left breast pocket.

Senator BYRD's legacy in this body is felt every day. Martin Gold, author of "Senate Procedure and Practice," wrote:

> Senator Robert Byrd (D-WV) is a giant in the field of parliamentary history and law. No Senator has had a greater impact on Senate rules and precedents.

And Michael Barone, in The Almanac of American Politics, said this of Senator BYRD:

> Robert Byrd, the senior member of the United States Senate, may come closer to the kind of senator the Founding Fathers had in mind than any other.

Now, these comments from scholars are certainly to be respected. But I think Senator BYRD said it best at a spirited rally near the end of one of his recent campaigns for office. Senator BYRD said:

> West Virginia has always had four friends: God Almighty, Sears Roebuck, Carter's Liver Pills and Robert C. Byrd.

Mr. President, Senator BYRD would be the first to tell us he could not have accomplished all he has without the love of his life, his partner, and his best friend—his wife, Erma Ora James Byrd. Erma passed away this March, 2 months shy of what would have been their 69th wedding anniversary.

The daughter of a coal miner, today would have been her 89th birthday. I am sure she is watching down on us from Heaven today as we honor her husband, the Senator from West Virginia.

Stories of enduring love are part of the history of any nation. ROBERT and Erma were made for each other, and were together for nearly 69 years. Mr. President, I believe they are one of our Nation's great love stories.

I say to my friend and colleague from West Virginia, no one has had a greater career here. Your service is of great distinction. We all admire you very much, and we are here today to honor you on this most important occasion.

I yield the floor.

The PRESIDING OFFICER. Who seeks time?

The President pro tempore.

Mr. STEVENS. Mr. President, I join those who honor my great friend, our great friend, the Senator from West Virginia. This has been a tradition. Each time a Senator has reached the position where he has served longer than anyone else before, we have had tributes such as this. It is my honor to be here with my good friend today.

Having known Carl Hayden and Strom Thurmond, both of whom have the distinction that Senator BYRD has had in my lifetime and my service in the Senate, I believe he joins a small but distinguished group of dedicated public servants, people who have devoted their lives to serving our country.

I had the honor of being the whip for 8 years, 4 years in the minority and 4 years in the majority. I remember so well what I called the Byrd history lessons. Maybe Senator BYRD didn't call them that, but each evening in those days Senator BYRD would come to the floor and give another statement about the history of the Senate. I believe those became the framework for the volumes he has written on the history of the Senate. I didn't need to read them; I listened to them. As a matter of fact, I think I listened to every one the Senator made because the then majority leader, Howard Baker, would say to me: Teddy, it is your turn. I would be in the chair listening to Senator BYRD.

Winston Churchill once said:

> We make a living by what we get, but we make a life by what we give.

I don't know anyone in my lifetime that I would say has given so much as Senator BYRD.

Others have talked about what he did before he came into public life. I know he attended college while he was in the West Virginia House of Delegates and State Senate and finished law school as a working Member of the Senate.

He has truly given more than he ever received. But, really, I would say of my friend from West Virginia that I know of no man who has done so much to make the Senate a family. When I first came here, that was one of the first things that Senator Mike Mansfield said to me—that you have to realize you are living in a family. This is a family. Senator BYRD has made that his sort of mantra, and to be the person who represents the family, reminding us that we are part of a family.

I remember so well, Senator BYRD, when you made such kind remarks about my wife Ann after she passed away in an aircraft accident. I also recall the days that you congratulated me on getting remarried, and then on the birth of our daughter Lily when, again, Senator BYRD took the floor. I will never forget the time you came to the floor and talked about the fact that my first grandchild had been born. Senator BYRD told me at that time that I had my first taste of immortality. Now that I have become the grandfather of 11 children, I have touched immortality a little bit more than most people perhaps. I stand in awe of the honor of being a grandfather. I will never forget what he said. That means you are going to go one generation beyond the generation you helped bring into the world. You have seen your children produce children, and that really matches your love for the Senate family.

I don't know of anybody here who has had a sorrow or an achievement when Senator BYRD hasn't taken the time to seek us out and either commiserate with us in our sorrow or tell us what a great achievement it was. It is a great achievement to be part of the Senate family and to be nurturing our own families.

Others have spoken about your dear wife Erma. I know how close the two of you were. I know that because of conversations we have had about Erma. We were all saddened when she passed away earlier this year, but I know she is looking down on you today, Senator BYRD. I know she is proud of your service and, if she were here, she would be right up there in the gallery. But she is up there somewhere looking at all of us.

Actually, many of you may not know this, but I met Senator BYRD during the Eisenhower administration. I remember sitting in the gallery the day you were sworn into the Senate in 1959.

You were already in the House. When I got to the Senate, I was talking to the wife of Bob Bartlett, my predecessor, the Senator's good friend. I was told that the one person in the Senate I could trust would be BOB BYRD. Coming from her, that meant a great deal to me personally. We have worked together for 35 years now on the Appropriations Committee. I wish I could count the days when we were chairmen; when Senator BYRD was chairman, I would wander over to his room, and when I was chairman, he would come to my room. I remember one day—and he will not like this—he came over and said someone had given him some cigars, and he suggested that we ought to smoke a cigar. I had not smoked a cigar in 20 years, but I said it would be a good idea. When Senator BYRD makes a suggestion, it is a good idea. I joined him then. About 6 months later, I had somebody give me a couple of cigars, and I wandered over to Senator BYRD's office and said, "Let's share a cigar again." Senator BYRD said, "I have quit."

I was on that trip to London, too, at the British Parliamentary Conference, and in West Virginia when Senator BYRD was the host. I don't know if you know this, Senator.

I have a video of you when we were in London when we sat around, those Members of the American Senate who were there, after meeting with our colleagues from Britain, and we talked and you told us about your own history. I remember that so well. I remember asking you to recite the poem about your dog. We talk about this prodigious memory of Senator BYRD. I have never known anything that I could ask him to recite that he didn't have the ability to recite.

Having been here so long together, I come back to where I started. You have kept alive the spirit of family in this Senate. I think without the spirit of family, we would lose the essence of what it is to be here. I tell people that sometimes I sort of pinch myself to realize that I really am a Member of the Senate. Others can talk about their backgrounds. I don't talk about mine very much, but I certainly never had any reason to believe I would ever be standing here, and I think Senator BYRD could say the same thing.

We are here to honor the son of West Virginia, the patriarch of our Senate family. He is, as Senator MCCONNELL said, a symbol of our history. I am here to thank you, Senator, for being a good friend. I think you have been one of the best friends I have had in the Senate, and you have really sustained me in times of sorrow and encouraged me in times of joy. I am here to honor you for your service; it is a great service. But mostly I am here because I am honored to be able to call you my friend.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. SPECTER. Mr. President, this is truly a unique day in the life of the Senate, with the spotlight shining on Senator ROBERT BYRD in recognition of an enormous achievement, being the longest serving Senator in the history of the body. It is a remarkable achievement.

Senator BYRD started his political career with an election in 1946, 60 years ago, and is still going strong. He served in the Senate at the same time that Harry S. Truman was President of the United States.

Just think about that for moment. This is a man whose service has spanned the Presidencies of President Truman, President Eisenhower, President Kennedy, President Johnson, President Nixon, President Ford, President Carter, President Reagan, President Bush, President Clinton, and President Bush. It is quite an accolade. And Senator BYRD accurately states that he hasn't served under any President, however, he has served with Presidents. He is a scholar and devotee of the doctrine of separation of powers, something which seems to have been forgotten lately. But when the issue arose as to the line-item veto and the constitutional amendment for the balanced budget, Senator BYRD has been vociferous in defending the prerogatives of the Congress of the United States. He even goes so far from time to time to remind people that article I of the Constitution is for the Congress. You don't get to the executive branch until you get to article II. You don't get to the judicial branch until article III. In many ways the Supreme Court has rewritten the sequence of the Constitution taking primacy. There is an effort on the expansion of Executive power, but Senator BYRD is the bulwark for separation of powers. To think that he was here when Jack Kennedy was here, as well as when Lyndon Baines Johnson was here—about whom so much has been written as the master of the Senate. There will be a sequel to that, and it will be about BOB BYRD. Senator BYRD was here when great men like Lyndon Johnson and Jack Kennedy strode these corridors for so many years. It is an enormous slice of history.

As a newcomer to the Senate, I watched Senator BYRD very closely. There is a lot to be learned from Senator BYRD. Senator BYRD was chairman of the Appropriations Committee when I was one of the younger members of the Appropriations Committee. One day, I thought Senator BYRD's allocations didn't match the budget resolution and I told him. It is sort of untoward to disagree with the chairman. I saw a magnanimity in Senator BYRD to listen to one of the younger Senators. I even called for a vote. The vote was 26 to 3. People said it was a great accomplishment to get two other Senators to join me, Alfonse D'Amato and Bob Kasten. We only lost 26 to 3, but it was considered a victory, which is a testament to Senator BYRD's power.

Senator BYRD said to me on that day: Some day, you will be chairman of the Appropriations Committee and you can make the allocations. I thought it entirely farfetched at that time that I would ever be chairman of the Appropriations Committee, but it may happen. I am next in line behind Senator THAD COCHRAN. It will be quite a formidable challenge because Senator BYRD continues to be ranking Democrat on the committee. To come up against this titan, this legend, he will probably do more to make the allocations if, as, and when I become chairman.

Senator BYRD has been a master tactician. I recall one early morning, about 3 a.m., when we Republicans were carrying on a filibuster. I believe it was on campaign finance reform. Senator Dole gathered us all together in a remote spot and said: Guys, don't show up on the Senate floor. Make Senator BYRD maintain a quorum.

For those who don't know the Senate rules, they are sufficiently complicated and we would not expect C–SPAN II watchers to know, if anybody is watching on C–SPAN II. But you have to have a quorum on the floor to conduct business, or somebody can suggest the absence of a quorum, and it just stops. So Senator BYRD had this idea about having some Republicans on the floor. Knowing the rules as he did, he directed the Sergeant at Arms to execute warrants of arrest for absent Senators. I have never seen this in my long tenure. Remember that, Senator BYRD?

Mr. BYRD. Yes, I do.

Mr. SPECTER. Now we have confirmation. I have called a witness here. The Sergeant at Arms was a little fellow, Henry Giugni. He started to patrol the halls. He came upon Senator Lowell Weicker. Now, Henry was about 5-foot-4, and Lowell Weicker was 6-foot-4. Lowell was at his fighting weight of about 240 at the time. It was about 3:30 in the morning. Do you know what happens with Senators at 3:30 in the morning? I won't say on the Senate floor. The Sergeant at Arms decided not to arrest Lowell Weicker. He made a very wise judgment. Instead, he went knocking on Senate doors. Senator Robert Packwood made the mistake of answering the door. Senator Packwood compelled them to carry him out of his office. He agreed to walk here, but he insisted on being carried into the Senate Chamber. I don't think Senator BYRD got his quorum, but he got his man, Senator Packwood.

I once had the temerity to engage Senator BYRD in a debate. I have watched Senator BYRD very closely when he would control the floor with the parliamentary maneuver of getting unanimous consent before yielding the floor, which gave him the right to the floor.

I had read the rule book, and Senator BYRD contended that he could do that without unanimous consent if there had been no objection. I thought I had watched him with the rules to the contrary and engage him in a lengthy debate. I did not win that debate, but it was a great learning experience.

Senator BYRD commanded the floor with great authority. In the old days, we used to have sessions that went all night. Senator BYRD was sitting in that chair, and he rose at about 12:18 a.m.—this is another true story; you get very few true stories out of Washington. We were all enervated. Some of us were even tired, but not BOB BYRD. He rose from his chair and he said: I ask unanimous consent that I may speak as long as I choose.

A Senator in this chair, whom I will not identify, rose as if to object. Senator BYRD looked at him as if his eyes like were laser beams, and the Senator sat down. Past midnight, Senator BYRD had unanimous consent to speak as long as he chose. It wasn't too long, but it was a great display of fortitude and authority.

My final comment about Senator BYRD is about the debates we have had on constitutional law. His scholarship on the institution is unparalleled, and that is a record which will never be broken. It is pretty hard to say "never," but when one looks at the volumes of his work, when one looks at the magnitude of his speeches—he used to speak every Friday afternoon for as long as he liked. He spoke to an empty Chamber, but he spoke to a full history book.

Senator BYRD once said to me that if he became President, he would make me his Attorney General. May the RECORD show that Senator BYRD is nodding in the affirmative, and Senator BYRD, if you become President, I expect you to live up to that promise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I rise to congratulate my good friend, Senator ROBERT BYRD, on becoming the longest serving Senator in the history of our great Nation. Senator BYRD has now served as Senator for 17,327 days. That is almost as long as I have been alive. I fully expect to continue serving with him for many more days.

I know that during those 17,000-plus days in the Senate, Senator BYRD has inspired many. I also know that as we continue to witness his service in the days ahead in the Senate, he will continue to provide inspiration to this body and to all of my colleagues and to me. I am sure that in those days, just as he has in the past, Senator BYRD will continue to implore our colleagues to respect the wisdom of the Founders and the brilliance of our Constitution, which he so proudly carries as a symbol on his lapel every day, and during those days in the future, he will continue to remind us all in the Senate of how much we can and should learn from the history of our great country and the experience of this democracy.

He will continue, as he always has, fighting for the hard-working people of his beloved West Virginia, and he will, as he always has, continue to provide generous counsel to those of us who have far less experience than he does, for Senator BYRD truly has been and continues to be a mentor to all of us, and always, with his grace and with his dignity, setting an example for all Senators to act with that dignity, with that courtesy, and with that eloquence which is truly a legacy of ROBERT BYRD in the Senate. For me, as the No. 99 Senator and as one of the most junior in this body today, I am personally inspired and grateful to Senator BYRD for his achievements and for his example.

Just as my family has given me strength in my life, I know Senator BYRD's remarkable service would not have been possible without the love and support of his own family. I have often been moved by Senator BYRD's words about the power of the love and the bond he and his late wife Erma shared for decades. So as we honor Senator BYRD today, as we honor this institution, we also honor the memory of Erma, and we honor the rest of Senator BYRD's family as well.

It is a great privilege for me to represent the people of Colorado in this great Chamber. It is also a true honor to be a colleague to a historic figure in the name of Senator ROBERT C. BYRD of West Virginia.

Once again, I congratulate him.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I rise to join my colleagues who came to the floor earlier today to mark a historic milestone. It isn't just a milestone for one man, it is a milestone for our Senate and our Nation.

Today our colleague, ROBERT C. BYRD of West Virginia, who just left the Chamber, becomes the longest serving Senator in the history of the United States of America. Today marks Senator BYRD's 17,327th day in office; that is 47 years, 5 months, 1 week, and 2 days spent in service in the Senate on behalf of his beloved people of the State of West Virginia.

Many of us know Senator BYRD's impressive official biography. He has held more leadership positions in the Senate than any other Senator in our history, including 6 years as Senate majority leader, 6 years as minority leader, twice Senator BYRD has served as chairman of the Senate Appropriations Committee, and twice he has been elected by his colleagues as President pro tempore, a position that places him third in line to the Presidency of the United States.

In many ways, Senator BYRD's life is the story of the 20th century of America. He started from the most humble origins and has risen to the greatest heights, and he has done this not on the backs of others but by the sweat of his brow and the power of his massive intellect.

To me, one of the most impressive facts about Senator BYRD is that he studied for his law degree while he was serving as a Member of Congress. He would make law by day and study it at night. True to form, Senator BYRD not only earned his doctorate of jurisprudence from American University in 1963, it was awarded cum laude.

Senator BYRD may also be one of the last great orators in the U.S. Senate, and whether the topic is the war in Iraq or the Peloponnesian War, the basic ingredients of a great speech are always present in Senator BYRD's address: clear, substantive thinking and the rhetorical skills to effectively express it.

For Senator BYRD, noble purposes are foremost as his motive and objective. He doesn't take the easy road, and he doesn't pander. When President Bill Clinton signed the line-item veto into law in 1996, it was immediately challenged in court by a group of six Senators, the first of whom, of course, was Senator ROBERT C. BYRD. Senator BYRD, though loyal to his party and loyal to his President, was loyal first to his view of the Constitution. He believed the law was unconstitutional and concentrated too much power in the executive branch of Government. Ultimately, the Supreme Court agreed with Senator BYRD and disagreed with the Congress and the President who enacted the law.

Almost 10 years later, Senator BYRD took to the floor of the Senate, speaking out and facing the wrath of popular sentiment in opposing the invasion of Iraq. At the time, it wasn't easy for him to vote no, nor was it a comfortable decision to defend at home, but Senator BYRD didn't shrink from the challenge—he never has—and he did something which has become quite rare in American politics: He stood up and led. He said that of all the thousands of votes he has cast—more than 17,000 to be exact—that vote opposing the war in Iraq is the one in which he takes the greatest pride.

I might add just parenthetically, I share that sentiment. In this case, too, I believe ultimately history will prove all of us right who voted no on the use of force in Iraq.

Senator BYRD has an unquenchable willingness to serve, a willingness to lead and carry the burdens and responsibilities of leadership. Above all else, he has done these things while continuing to be a truly honorable man. When all is said and done, the most important words that will be spoken about ROBERT C. BYRD will not be that he was a great speaker or great statesman or great U.S. Senator—he is certainly all of that—the true measure of this man will not be found in recounting the number of days he has served in this body; rather, it will be found in his strength of character and in his integrity.

That character and integrity are evidenced in so many ways: his love of his beloved late wife Erma. He was such a devoted husband and partner. Even as she suffered serious illness in the last years and months of her life, he never left her side. To his children and grandchildren, he remains a loving father, a caring grandfather, and a wise teacher. To his friends, he is a man whose word can always be counted on. To his country, he is a leader who found power only in the commitment to service. And to his State, he is a shining example of the very best that is in all of us.

I am honored to be counted as one of those who call ROBERT C. BYRD a friend, and I know this about my friend: Today he marks a milestone that no other Senator in the history of the United States has marked, but his success will be measured in terms of his faithfulness to the people who placed him here and the trust of the people of West Virginia. They have never been betrayed by this great man.

Although he has risen to the highest levels of power, he has never forgotten where he comes from, who sent him, and what his mission is.

If my colleagues will allow me two personal observations about Senator BYRD and to tell two stories that I think really are symbols of his view of the world and the great power of his intellect. One of the first involved a debate on the floor of the U.S. Senate about the National Endowment for the Arts. It occurred a few years ago. A Senator on the other side of the aisle offered an amendment to eliminate the National Endowment for the Arts with the argument that there were art displays or exhibits that were being funded with Federal dollars that were embarrassing. This Senator went on to argue that it really made no sense for us to subsidize the arts in America because they were out of the reach of the common man and we should allow the patrons of the arts, those private benefactors, to take care and not our Government.

I came to the floor to argue against that position, telling the story of how my immigrant mother used to take me in the car across the bridge to the art museum in St. Louis, this woman with an eighth grade education, to show me works of art and talk about artists she knew very little about but wanted to learn more about. As I was telling my story, I saw Senator BYRD come on to the floor, and I assumed he was coming to talk about some other issue, but he asked for recognition. He stood here at his desk, as he has so many times, and completely enthralled this Chamber as he told the story of his simple life in West Virginia where he was orphaned and raised by other members of the family and how one fine day, his new stepfather took him out and bought him a fiddle. With that fiddle, he started taking music lessons and developed a passion for music. He talked about what music and the arts meant to him growing up as a poor boy in a small town in West Virginia. It was a classic ROBERT C. BYRD moment, taking a chapter in his life from many years ago and bringing it to application today.

The second experience I recall is one that I have told over and over to friends in Illinois. If I hadn't been there to see it, I would not have believed it. It goes back to the days when I was a Member of the House of Representatives on the Appropriations Committee. Senator BYRD, a leader in the Senate, had a Transportation appropriations bill that passed the Senate that had several noteworthy projects for his State of West Virginia. A Republican Senator across the Rotunda took exception to these earmarks for the State of West Virginia and vowed that when he came to conference between the Senate and the House, he would take out these projects for the State of West Virginia. They were excessive, in his view. He was interviewed by several news media, including The Washington Post.

The day of the great confrontation took place just a couple floors—one floor below us in the appropriations conference room. It is a long room with a huge table. The Senate conferees sit on one side of the table. Senator Mark Hatfield was then chairman of the Senate Appropriations Committee, of which Senator BYRD was a member, and I sat on the other side of the table with House Appropriations Committee members, waiting for this classic, historic confrontation between Senator ROBERT C. BYRD and his critic from the House of Representatives. It was interesting because as we all sat down, there was one chair that was left empty. Directly across the table from his House critic was the empty chair Senator BYRD would occupy. The moment came when finally the House member was recognized, and he stood up and with a lengthy speech took exception to the fact that Senator BYRD was putting these projects in for the State of West Virginia. When he finished and had exhausted himself—no one interrupted him—and sat down, Senator BYRD asked for recognition in this appropriations conference room.

I am going to get a few of these facts wrong because I didn't write them down. Senator BYRD would never get them wrong. But I trust that at the end of the story, you will understand what happened that day.

Senator BYRD reflected for a moment, as he often does, looking to the ceiling, and then he spoke. He said: In 1830, Daniel Webster wrote his famous letter to Mr. Hayne. And then he paused, and Senator BYRD said: If my memory serves me, it was January that he wrote the letter. January the 28th, Senator BYRD said. And if I am not mistaken, he said, it was a Thursday. And he went on to explain how Webster wrote the letter to Hayne explaining the basics of our Constitution, explaining that in the House of Representatives, a State as small as West Virginia doesn't stand a chance with a limited population and very little political power to get things done; the State of West Virginia has to rely on the Senate, where every State has two Senators. And if he, ROBERT C. BYRD, didn't stand up for his small State of West Virginia in the Senate, who would? What chance would a small State have?

It was the classic argument that really was the foundation for the creation of Congress. Senator BYRD that day won the argument, won his case before the conference committee.

I thought at the time, years before I was elected to the Senate, I wish I had a videotape of that moment. That was one of those great moments which I have seen here in the Congress. So when I came to the Senate a few years later, I went up to Senator BYRD and I said to him: I will never forget that day when you had the debate in the appropriations conference committee about the projects for West Virginia and how you not only recalled the exchange between Daniel Webster and Mr. Hayne and the historical and constitutional significance, you not only recalled the year and the day, but you recalled the day of the week it occurred. I said: When you said, "I believe it was a Thursday," I was just absolutely amazed. Senator BYRD reflected for a moment, and he said: Well, I believe it was a Thursday. I said: I am not questioning you; no, I am not questioning you; I am just telling you that I thought that detail brought more to that debate than anyone could imagine.

So as luck would have it, 2 hours later, we had a vote on the floor here, and Senator BYRD at this desk called me over. I came over to his desk, and he said: Senator DURBIN, I was almost certain it was a Thursday, and I asked my staff to pull out a perpetual calendar, and if you will look here, January 28, 1820, was, in fact, a Thursday. I said: I never doubted you for a moment.

I have heard him stand on the floor reciting poetry at length. I have heard him recount the debates of this Senate and the history of this Nation in the type of detail that puts all the rest of us to shame. He is truly not just an institution of West Virginia, not just an institution of the Senate; he is a national treasure. He brings to debate in this Chamber—what little debate we have anymore—a certain gravity, a certain importance that reminds us why we are here, that we have been fortunate enough to be called by the people who vote in our States to be one of the few men and women to serve in this great Chamber, and in serving, we not only represent them, we represent a long line of history, of great men and women who have had this opportunity to serve in the U.S. Senate.

Today, of course, is recognition of his special place in the history of our Nation and in the history of the Senate: 17,327 days in office—47 years, 5 months, 1 week, and 2 days—not only witnessing the parade of history but being such a major part of it.

Senator BYRD, I salute you and your service to the people of West Virginia and this Nation.

Mr. President, I yield the floor.

Mr. WARNER. Mr. President, I have been very much looking forward to this moment.

First, I ask unanimous consent that an article which appeared in the Charleston Gazette on June 12, 2006, be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WARNER. Mr. President, this article embraces the comments of many dear friends of the Senator, and I say with some humility, a few of my own comments as well.

I think back to reminisce on the 28 years that I have been privileged to have represented the Commonwealth of Virginia in this Chamber.

There is no single individual for whom I have greater reverence or respect than my dear friend, the senior Senator from West Virginia. We were bonded together early on. When I arrived here, he sought me out, and I sought him out because our two great States at one time, were one State, the State of Virginia. But now, even though we are two States, our states have so many issues in common.

How many times Senator BYRD and I have come to this floor with regard to the subject of the coal miners, their safety, their ability to operate and provide that essential component to America's energy needs, coal; how dangerous is the profession, how much we respect their families and other ones who share the risk that the miners take every day.

Then, more specifically, I remember so well how we have worked together all of these many years in support of clean-coal-burning technology.

Coal is the largest single reserve of energy that this Nation possesses—the largest, far beyond petroleum, far beyond natural gas, far beyond the other renewables, and so forth. Coal is there. Our research and industrial base works year after year to try to see how we can consume these vast coal reserves and thereby become less and less dependent on importing our energy needs, but burning it in such a way that it does the least possible harm to the environment, be it the air we breathe or the problems associated with acid rain, and so forth.

I commend my dear friend for all the work that he has done and will continue to do for years on clean coal technology.

Virginia and West Virginia also share a common border that is basically established by the Appalachian Mountains. This part of Virginia and West Virginia has its own magnificent qualities, particularly the sturdy lifestyle of the people who choose purposefully to live in those hills and valleys and those mountains which are so often ravaged by heavy floods and so often ravaged by other natural disasters, such as snowstorms.

Senator BYRD and I many times have gone to visit those regions in the aftermath of a natural disaster. We find no desire on the part of those people to leave those regions, only to remain.

Senator BYRD was instrumental in passing legislation which provides recognition for those geographic areas of the Appalachian range that are deserving of financial assistance and other forms of assistance because of the rigorous, challenging lifestyle in these regions. He has seen that funding has remained these many years equitably allocated between the several States.

I think of him foremost as one who is a family man. How often he has reminisced about the members of his family. He speaks with a great sense of pride and humility on how his family, much like every Member of this Senate, is closely involved in the life of the Senate, closely involved because of the commitments the families make: the many long hours Senators are required to either be in the Chamber or traveling throughout their States, traveling throughout the 50 States, or, indeed, around the world. It is a challenge for the families, and BOB BYRD is a family man, along with his beloved wife Erma.

I remember so well early on in my career, I had the privilege to be invited by Senator BYRD, to join him on a number of codels to various parts of the world. We served together on the Senate Committee on Armed Services these many years. So often we would visit the troops and others throughout the world.

One trip I remember ever so vividly, he took the first congressional codel to the then-Soviet Union to visit with Gorbachev, who had risen to a powerful position in the Soviet Union after a lot of strife and turmoil. That man exhibited extraordinary courage. I so looked forward to our important visit, as did every member of that codel—I think there were about a dozen of us who joined Senator BYRD to go over to the Soviet Union.

Senator Strom Thurmond, whose record Senator BYRD, with a sense of humility, passes today, was on that codel. And as we flew to the Soviet Union, I had the privilege—and maybe with one or two others—of working with BOB BYRD on remarks he wanted to make. That was an important set of remarks. Strom Thurmond represented the Republican side of that delegation. We were basically equally divided. I remember working through that statement well into the wee hours of the night as that plane was traversing that long distance.

The following day, Gorbachev announced he was going to allocate an hour and a half time to meet this delegation. The time was carefully allocated by Senator BYRD and Senator Thurmond to members of the delegation.

I recall that I was the junior man on that delegation. When he got to me, I had 2 minutes. I was proud to get 2 minutes. Our dear colleague and friend, the retiring Senator this year, Senator SARBANES, senior, of course, to me at that time, turned to me and said: I will give you my 3 minutes so you can have 5 minutes because you are on that Committee on Armed Services, and there is nothing more important to be covered today than the issues relating to national defense. I will never forget that act of courtesy by Senator SARBANES.

Senator BYRD delivered his remarks flawlessly. Gorbachev listened very carefully. Gorbachev made a few notes on a pad. He was followed, then, by Strom Thurmond, who delivered one of his thunderous, heartfelt remarks, beginning with how he stormed the shore on D-Day and how the Soviet Army was pressing on Germany from another direction. It was a confluence of primarily those two forces and Great Britain and, of course, their allies and the free French who brought a conclusion to the war. Gorbachev's father had been in the war. Strom reminisced, jokingly saying that he hoped he had not hurt his father. I recall Gorbachev very much was moved by that comment.

That was the type of thing for which Senator BYRD was so famous: putting together those delegations, going to those places in the world around which the axle of history was evolving at that time, or the spokes of history around that axle. What a privilege it was to travel with this great man.

I think of him as a historian. This Senator does not have the temerity, and I don't know of anyone who would challenge BOB BYRD on the history of this great institution. No man hath greater love for this Senate than ROBERT BYRD. He has expressed that with a sense of humility many times in speeches in the Senate.

When he reaches into his pocket and pulls out a copy of the Constitution—he almost knows it by heart—he always opens that little book. He can, as quickly as anyone in this Senate, find those passages that are relevant to the debate at hand or the issues at hand. Those are things we remember about him with such great respect.

He is a humorist. He can be tough. He can be firm. But, oh, can he bring a chuckle about in the hearts of all of us. Sometimes in this Senate when things hit the high point of stress, I have seen BOB BYRD take to the floor with his very soft voice, dispel tension, dispel some of the rancor, and inject a note of humor.

BOB BYRD is also, it might surprise Members, an artist. One painting he did many years ago, some of us through the years have been privileged to get a copy of that painting. He has an eye for art. He also has an eye for music. I do recall the times when he played the fiddle, the music that he loved and still loves. I think he composed a little bit on the side from time to time.

I can recount so many things where he is far more capable than I. I have never considered myself a poet, but BOB BYRD can recall from memory hundreds of poems and recite them at times when it seems most appropriate.

He is a family man, historian, humorous, artist, musician, composer, poet, and then we think back always to his respect for the Bible, and second only to the Bible, his respect and love for the United States Constitution.

I went back and checked a little history. This Chamber honored me the other night after I cast my 10,000th vote, a very modest accomplishment in the face of BOB BYRD's accomplishment, my 28 years. He has been here just short of twice as long.

Also, someone thoughtfully said that I was the second longest serving Senator from Virginia. Lo and behold, who was the longest serving Senator from Virginia? None other than BOB BYRD's close friend of years past, Harry F. Byrd, Sr. I repeat, senior, because when I came to the Senate, Harry F. Byrd, Jr., was the Member of the Senate with whom I was privileged to serve as his junior Senator. But it is interesting, Harry F. Byrd, Sr., was born in Martinsburg, Berkeley County, WV. There you have it. He was the longest serving Senator and remains with that record at 32 years and 8 months for the Commonwealth of Virginia. Now BOB BYRD takes it not only for the State but for the whole of the history of the Senate.

There has to be something, I say most respectfully, in the water down in West Virginia, or the lifestyle, the hardiness, or the courage of the people that enabled these two distinguished Virginians, ROBERT C. BYRD and Harry Flood Byrd, Sr., to become the longest serving in their respective States.

EXHIBIT 1

[From the Charleston (WV) Gazette, June 12, 2006]

THE PILLAR OF THE SENATE: 10 PRESIDENTS LATER, BYRD LONGEST-SERVING SENATOR

(By Paul J. Nyden)

Sen. Robert C. Byrd becomes the longest-serving member of the U.S. Senate today, having represented West Virginians for 17,327 days in the chamber.

Byrd began serving in the Senate more than 47 years ago, on Jan. 3, 1959, after spending six years in the House of Representatives and six years in the West Virginia Legislature.

He also has cast more votes by far than any member of the Senate: 17,662 times, as of last Friday.

"I consider him to be the pillar of the Senate," says Sen. Paul Sarbanes, D–Md. "His commitment to the United States Senate and its history, customs and procedures is equaled only by his commitment to the state of West Virginia, our nation and our Constitution."

Byrd's impact on fellow senators personally rivals his institutional role, some of his colleagues said.

"Senator Byrd has been a very, very important figure in my life," said Sen. John Warner, a Virginia Republican. "He is such a magnificent teacher of the history the Senate."

Warner recalls a conversation he had with Byrd when Warner was new to the Senate. "He said, 'At one time, our states were together. I don't want to put them back together, but I want to work together as full and equal partners,'" Warner said.

"I enjoy the man, "Warner said. "He is wonderful."

Up to now, the Senate's longest-serving member had been the late Strom Thurmond, R–S.C. The third- and fourth-longest-serving members are Ted Kennedy, D–Mass., and Daniel K. Inouye, D–Hawaii, both of whom have been there more than 43 years.

"Byrd epitomizes the role that the framers of our Constittion envisioned for the legislative branch," Sarbanes said.

In fact, The Almanac of American Politics, a widely consulted volume on federal politics, describes Byrd as the politician who "may come closer to the kind of senator the Founding Fathers had in mind than any other."

Since President Bush took office, Byrd has been one of the Senate's leading voices on challenging the war in Iraq, preserving Social Security and protecting workers' jobs and safety.

Despite his strong positions, however, Byrd said he regrets the increasing animosity in both legislative bodies. He said he has always worked to be bipartisan.

"I thank the people of West Virginia for having repeatedly expressed their faith in me," Byrd said. "I never lose sight of that. Every morning of every day of my life, my first thought is, 'What can I do today for West Virginia?'"

Byrd's contribution to the state has been immense, said Gov. Joe Manchin and members of West Virginia's congressional delegation.

"I don't know of a person in West Virginia who has not been touched, or benefited in a most positive way, by Senator Byrd's service," Manchin said. "I mean, Democrats, Republicans, independents and people who don't vote—they all benefit."

Byrd has long been known as a "legend" in West Virginia, said Jay Rockefeller, Byrd's junior Democratic colleague for the state. "But now he has surpassed even the great legends of the Senate to become the longest serving senator in U.S. history."

He can take credit for "highways, dams, bridges, federal facilities and jobs, health centers and educational institutions," Rockefeller said. "And the best part is, he's not finished."

"What do you get when you multiply the power of the beacon by the strength of a workhorse by the steadiness of an anchor? Robert C. Byrd," said Rep. Nick J. Rahall, D–W.Va.

Byrd's "ability to deliver for our state" is awe-inspiring, said David Hardesty, the president of West Virginia University. "His votes are guided by his understanding of the Constitution and by his dedication to the people of this state."

Manchin also emphasized Byrd's future.

"People also need to know that Senator Byrd has a lot of years of service left in him," he said. "When people ask about what he has done, he says, 'I want to talk about people who can help me do what we still need to do.'"

Born in Wilkesboro, N.C., in 1917, Byrd grew up in a coal mining family in Sophia, Raleigh County.

Nearly 20 years later, he married Erma Ora James, who passed away on March 25 of this year. Today, Mrs. Byrd would have turned 89.

Mr. KENNEDY. Mr. President, it is an extraordinary honor to be able to speak a few words about my friend, the senior Senator from the State of West Virginia, as he makes history yet again.

There are precious few opportunities in life to recognize greatness in our midst, but today we have that opportunity. We honor our friend not simply because he's become the longest-serving Senator in our history, but also because there's no doubt that he's earned his rightful place besides Henry Clay, Daniel Webster, John Calhoun, and other giants in Senate history.

BOB BYRD's life is a tribute to the power of the American dream—rising from humble beginnings, this son of the Appalachian coal fields reached the pinnacle of power and accomplishment through decades of hard work and unwavering dedication.

His life is also a tribute to the power of love and commitment. BOB BYRD's commitment and love for the Senate and the country is total and complete, just as they are for the people of West Virginia and his beloved Erma, with whom he shared one of America's great love stories.

Erma and BOB would have celebrated her birthday today—and we're saddened that she could not be here to share this extraordinary moment. But we know she's looking down from heaven with a smile for the young boy who once shared his chewing gum with her more than 70 years ago.

This is a special day for me as well, because it's a time to tell my friend how much he means to me, and how much I believe his service means to our Nation.

For longer than I've been in public life, I've known ROBERT C. BYRD. I first came to know him during the famed West Virginia Presidential primary of 1960.

BOB was a new Senator and moving up through the ranks as a protege of Senate Majority Leader Lyndon Johnson. My brother Jack and BOB were colleagues in the Senate, but Jack knew it was inevitable that BOB would be looking out for LBJ in the Mountain State, and hoping to deny us the victory we needed.

Jack had won the Wisconsin primary, and the stakes were high in West Virginia.

It was a spirited campaign in which all of us in the Kennedy family got to see the extraordinary qualities of the people of West Virginia—kindness, compassion for their fellow citizens, and perseverance even in the face of enormous obstacles—the qualities that BOB BYRD knew and loved. Jack campaigned extremely well in the state and came love the people too, and he never forgot the boost they gave him during that hard-fought campaign.

President Kennedy and ROBERT C. BYRD formed a powerful partnership, and one of Jack's first official acts in office was to authorize the shipment of emergency rations to help the people of Appalachia recover from a disaster.

They worked together to create the Appalachian Regional Commission, which lifted thousands out of poverty, and eliminated many of the barriers that had isolated the region from the economic mainstream of the Nation. They invested in the people, and it worked. President Kennedy and Senator ROBERT C. BYRD understood that if you give Americans opportunity and hope, there is no limit to what they can accomplish.

For me personally, it's impossible to imagine the Senate without Senator BYRD. He defeated me for Majority Whip in 1971. We both thought we had the votes lined up to win, and it was BOB who taught me how to count votes as he went on to become an outstanding Whip and later an outstanding Majority Leader. My consolation prize was being set free to focus on the legislative issues I care most about.

Over the years in the Senate together, we've all come to rely on Senator BYRD as the great defender of this institution and the champion of the Constitution.

He doesn't defend the Constitution simply when it's in fashion to do so. He doesn't yield when political convenience suggests that the Legislative Branch should demur for the sake of comity or to accomplish a popular goal.

BOB BYRD understands that the founders intended each branch of government to have powers that could place them in conflict, and that the powers Congress cedes to the executive today may have dire consequences for the Nation tomorrow.

In this role, he is the guardian of the Senate and the ideals that Washington, Adams, Jefferson, Madison, and Hamilton fought to enshrine when they created our government.

I have many warm memories of BOB BYRD as leader, as friend, and as scholar. One that comes to mind now is our barnstorming trip through West Virginia during the 2004 Presidential campaign.

We traveled by bus around the state from Charleston to Mingo and Logan counties and wherever we stopped, you could feel the love and respect that the people of West Virginia had for BOB BYRD. At one stop, he even jumped up onto the back of a flatbed truck to deliver a stemwinder. I was committed to the campaign as well, but that was a tactic I thought best be left to BOB.

In the end we came up short in the West Virginia on election day, but I'll never forget the fun we had those last few weeks of October, and I'm eternally grateful to BOB for inviting me. I'll cherish the memory forever.

Of all the remarkable attributes of Senator BYRD, few have impressed more than his ability to memorize and recite poetry. As a child, this was always one of my greatest challenges at school and I'm awed by BOB's extraordinary talent.

His mind must hold hundreds of verses that he can recite at a moment's notice. One of my favorites describes the responsibilities we have as public servants to address the causes of the problems that confront us, not just the consequences of those problems.

It's about whether it's better to build a fence around the edge of a cliff, or keep an ambulance ready in the valley below.

I can't recite it from memory like he can, but this is how it goes. It was written by Joseph Malins in 1895:

Twas a dangerous cliff, as they freely confessed,
Though to walk near its crest was so pleasant;
But over its terrible edge there had slipped
A duke, and full many a peasant.
The people said something would have to be done,
But their projects did not at all tally.
Some said "Put a fence 'round the edge of the cliff,"
Some, "An ambulance down in the valley."
The lament of the crowd was profound and was loud,
As the tears overflowed with their pity;
But the cry for the ambulance carried the day
As it spread through the neighbouring city.
A collection was made, to accumulate aid,
And the dwellers in highway and alley
Gave dollars or cents—not to furnish a fence—
But an ambulance down in the valley.
"For the cliff is all right if you're careful," they said;
"And if folks ever slip and are dropping,
It isn't the slipping that hurts them so much
As the shock down below—when they're stopping."
So for years (we have heard), as these mishaps
occurred Quick forth would the rescuers sally,
To pick up the victims who fell from the cliff,
With the ambulance down in the valley.
Said one, to his pleas, "It's marvel to me
That you'd give so much greater attention
To repairing results than to curing the cause;
You had much better aim at prevention.
For the mischief, of course, should be stopped at its source;
Come, neighbours and friends, let us rally.
It is far better sense to rely on a fence
Than an ambulance down in the valley."
"He is wrong in his head," the majority said;
"He would end all our earnest endeavour.
He's a man who would shirk this responsible work,
But we will support it forever.
Aren't we picking up all, just as fast as they fall,
And giving them care liberally?
A superfluous fence is of no consequence,
If the ambulance works in the valley."
The story looks queer as we've written it here,
But things oft occur that are stranger.
More humane, we assert, than to succour the hurt
Is the plan of removing the danger.
The best possible course is to safeguard the source
By attending to things rationally.
Yes, build up the fence and let us dispense
With the ambulance down in the valley.

That's the principle BOB BYRD has followed throughout his brilliant career in the Senate. He's a Senator for the ages, and it's an extraordinary honor and privilege to know him, to serve with him, and to learn from him.

Mr. DOMENICI. Mr. President, I will soon have been here 34 years. That is not very long compared to the man about whom I rise to say a few words. I understand this was the day. I was in my office and, having heard the eloquence that was spoken today to my good friend, Senator BYRD, I figured that I couldn't do him justice just coming down at this very moment, as I am. But everybody knows why we speak today when we attempt to honor him for his devotion to his colleagues, to the institution, to the Constitution, and to the United States of America.

The distinguished Senator knows what each of us thinks of him. He knows, better than we each do, what we think of him. He could tell me what PETE DOMENICI thinks about BOB BYRD, and probably be close to right. And vice versa. He has occasionally spoken about what he thinks of me. I don't think he takes it lightly. I think what he says he means. He has been far too generous in what he has said. But I will choose, among all the things, for just a moment, to say what I think mostly about him, as I think about his time here and revere it.

First, there is something about learning to appreciate what the Senate is as a place, as a house, as an institution. Woe be it any man or woman who is elected to this place and who serves for any length of time and doesn't feel it, doesn't understand it, doesn't quite grasp what a rare place this Senate is. It is hard to say why it is. One could talk about the men and women who made it like this. We could talk about the rules of the Senate that made it like this. We could talk about the two or three great qualities, the fact that you can offer amendments freely—which has been known as one of those real attributes of this place. You can come down here on an afternoon while something is being debated on health, and if you can get the floor you can offer an amendment about Iraq. Somehow or another, you get the feel of the place, the limitation on trying to get things done that this threat to filibuster offers, and how that plays, and the minority and majority and what it means in this place.

You know at some point in time if you have ever had to make a decision on the floor of the Senate that was important just because it was important to the Senate, then ROBERT BYRD would be there to stand up and congratulate you. That is, if as chairman of the Budget Committee I had to get up and say to the Senate: I want to admonish you that if you do this or that you are challenging the rules of the Senate—if I would look around and expect some help, the walls would give me help. And it would be ROBERT BYRD saying: Listen carefully, if you are talking about the Senate.

That is why I came here because, of all the qualities, I think he will best be known as a man of the Senate, as a man who understood the Senate—what made it great and different, unique. He is noted for his great ability to manifest so many great historic concepts, of modern times and ancient times, and today debate them, deliver them, state them from memory, and truly inform us what they mean.

His understanding of freedom is legendary, what American freedom is. But today I chose to congratulate him for not letting up, in all his years—never letting up on the proposition that the Senate is a special place. He will go down in history because he has regularly, habitually, without hesitance informed us of what a special place the Senate is by virtue of what we have been given, what was bestowed upon us in the Constitution, how our Founding Fathers have accredited this place, what its rules have become through its leaders of the past, and how the halls just reek with all of that past and just keep making it the Senate.

That is what he is; that is what he has done. He is the Senate. The longer he is here, the more he is that. I don't know how many years it took him to become it, to know it, to relish it as he has passed it on to each of us. Certainly, by the time I came in 1972, and I have been here 33 going on 34 years, he already was there and was preaching that to all of us. Some of us began to understand it to where we could stand up and say: Hey, don't forget, fellow Senators, this is the Senate. Let's not do an injustice to it. Let's not violate it.

I won't state names, but I remember very young Senators who wouldn't think of talking that way. But 10 years later, that is the way they talked, that is the way they behaved. I venture to say each and every one who comes to my mind, if you ask them where they got that feeling, that rapture for this place, probably among the very few things they would mention, they would mention ROBERT C. BYRD.

Congratulations for all the times spent in breaking all the records for the time, but most of all congratulations from me, to a Senate man, a man who makes the Senate what it is and likes to tell everybody else around what it is, and in particular likes to make sure Senators grow up and begin to relish it as he has, and never forgets what it is.

I yield the floor.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I first came to the U.S. Senate 40 years ago next year, not as a Senator but as a legislative assistant. Senator KENNEDY was here then in his second term. Senator BYRD had been in the Congress since 1953. I was working for Howard Baker, the first Republican Senator to be elected from Tennessee.

I noticed over the years how he and Senator BYRD became good friends. The strength of that friendship was demonstrated in 1980 when the Republicans gained control of the Senate—which surprised virtually everyone, gaining 12 seats. Among the shocks that would occur is that Howard Baker, who was then the Republican leader—he refused to call himself the minority leader, but the Republican leader—was to become majority leader and ROBERT BYRD, who was the Democratic leader, would have to be the minority leader.

I remember two stories Senator Baker tells about that incident which had a lot to do with shaping what happened in the Senate shortly after that.

Senator Baker went to see Senator BYRD, and as I have been told, he said: BOB, I wonder if you would be willing to keep your office. Well, that got him off to a good start with BOB BYRD. I am sure that incident must have caused the Senate to work much more smoothly over the next few years. Senator Baker kept the minority leader's office and expanded it, and Senator BYRD kept the majority leader's office even though he was the minority leader.

But the second thing that happened was this: The new majority leader, Howard Baker, said to the stepping down majority leader, BOB BYRD: BOB, I would like to make an arrangement with you. Senator BYRD said to Senator Baker: What is that, Howard? He said: I would like to make an arrangement about surprises. I will not surprise you if you won't surprise me. According to Senator Baker, Senator BYRD replied: Let me think about it. They got back together the next day, and BOB BYRD gave Howard Baker his word: No surprises. According to Senator Baker, that word was never broken during the entire time Senator Baker was the majority leader and Senator BYRD was the minority leader. I am sure the Senate and this country benefitted greatly because of the trust those two men, who usually had very different opinions on issues, had with one another.

The other thing I would like to say about Senator BYRD is this: I came to the U.S. Senate as a Senator many years later, the same year the Presiding Officer came from Texas. It was in 2003 when we were sworn in, and that was exactly a half century after BOB BYRD came to the Congress. Each of us in our class made what I believe we still call maiden speeches—our first speech on the subject that was most important to us. The subject that was most important to me—and still is—is what it means to be an American, concepts that unify our country. I find it absolutely remarkable how our country, among all others, has accumulated this magnificent diversity but has found a way to bind it into a single country based on a few fragile principles that are found in our founding documents and by our common language and by our saga of American history.

There is no one in the Senate—even though many of us try—no one in the Senate who understands and expresses that better than Senator ROBERT C. BYRD. He understands what it means to be an American. He votes that way. For example, when the No Child Left Behind Act came up in the Senate before I was elected to this body, the legislation focused on reading and math. Senator BYRD insisted that the Senate bill include a $100 million authorization for the teaching of what he called traditional American history. Our seniors in high school are scoring lower on U.S. history than on any other subject. In other words, our high school seniors don't score lowest on math or science; they score lowest on U.S. history. Those are the worst scores our seniors have. In focusing on the need to do a better job of teaching history to young Americans, Senator BYRD is making an effort to make sure we remember where our country came from.

When I made my maiden speech and then introduced a modest bill to try to create summer academies for outstanding teachers and students of American history in 2003. Senator BYRD came to the floor. Senator BYRD cosponsored the bill, and then he showed the great compliment to me of showing up at the hearing before the Health, Education, Labor and Pensions Committee to testify for the bill. As I said, it was my first year in the Senate; it was his 50th year in Congress.

So I congratulate him for his service. I congratulate him for his relationship with other Senators, his word being his bond, as it was in the example with Senator Baker, and I admire his work in helping to remind us in this body and all of us in this country of what it means to be an American. That will be one of his lasting legacies.

Mr. President, I yield the floor.

Mr. CHAMBLISS. Mr. President, I cannot be in the Chamber on this somewhat historic day without recognizing the fact that one of our colleagues today becomes the longest serving Member of the U.S. Senate. Senator BOB BYRD is a special Member of this body and has been a good friend to all 99 current Members, as well as all the previous Members of the Senate who have had the pleasure of serving with him.

I will never forget the first week I was here making my rounds of the other Senators I did not know. When I came to Senator BYRD, he, of course, knew immediately who I was and engaged in a conversation about some facts regarding my service in the House and some other issues that were personal that let me know how much he cared about the Senate by taking the time to research the background of individuals who become Members of the Senate.

I will always cherish the fact that during that conversation and in subsequent conversations I have had with him, he shared with me the fact that his favorite Member of the Senate has always been Senator Richard B. Russell of my home State. Senator Russell served in this body for 34 years, and I happen to hold the class of the seat of Senator Russell. I have an office in the Senate Russell Building. So I have a number of ties to Senator Russell, and I also have such great respect and admiration for him. To hear Senator BYRD talk in such glowing terms about a man from my State for whom I have such respect gave me a warm feeling about this man with whom I was about to engage in service in the Senate.

He is a remarkable man. He is a man who, without question, believes in the Constitution of the United States and thinks we ought to be more bold in our adherence to that Constitution.

In that respect, again, in that same first week I was here, I received in my office mail a copy of the U.S. Constitution from Senator BYRD, along with a letter from him saying that as a Member of the Senate, I should always remember that this has been our guiding light and has served us well during every single day that our country has been free and democratic.

As we help share and celebrate with him on this historic day, I extend my congratulations to him on his service to our country and his service in the Senate.

I yield the floor.

Mr. WARNER. Mr. President, before the distinguished Senator departs, I thank him for his kind remarks and thank him for his service on the Armed Services Committee.

He mentioned Richard Russell. Indeed, he had many years of service on the Armed Services Committee. I know he would be very proud of what Senator CHAMBLISS has done to carry on the traditions which he instituted.

I earlier shared my respect for ROBERT BYRD and that great class of Senators with whom he worked in this institution, among them Harry F. Byrd, Sr., Richard B. Russell, and John Stennis. They were quite a team, and we have all learned from them. I must say, Senator CHAMBLISS carries on those traditions with his great State.

Mr. LEVIN. Mr. President, I congratulate my good friend, ROBERT C. BYRD, on becoming the longest serving Senator in American history. Senator BYRD is an institution within this institution that we all dearly love. For more than 47 years in the Senate, he has served America and his beloved West Virginia with firm purpose, confident that his work is to do their work. He has done it extraordinarily well.

Senator BYRD's place in history was assured long before this milestone. He is distinguished more by his love for the Senate than by the length of his service. Senator BYRD knows the history and rules of the Senate better than any of us serving today—perhaps better than anyone who has ever served this body. He has defended the traditions and prerogatives of the Senate as strongly as any Senator ever has. Senator BYRD reveres our Constitution, a copy of which he always carries in his pocket, and is as firmly committed to our Constitution as any American ever has been.

To just give one example, I saw that commitment in our work together against the line-item veto, which Congress passed and President Clinton signed into law in 1996. In the floor consideration of that bill, Senator BYRD illuminated the debate, as he so often does, by reaching back into history. He quoted the 18th century English jurist, Sir William Blackstone, who wrote:

> In all tyrannical governments, the supreme magistery, or the right of both making and enforcing the laws, is vested in one and the same man, or one and the same body of men. And wherever these two powers are united together, there can be no public liberty.

After the bill became law, despite that opposition, I joined Senator BYRD and Senator Moynihan in filing an amicus brief at the Supreme Court, arguing that the line-item veto was an unconstitutional surrender of legislative power to the executive branch. In June 1998, the Supreme Court agreed in a 6-to-3 decision. Senator BYRD came to the Senate floor, and he declared:

> This is a great day for the United States of America, a great day for the Constitution of the United States. Today we feel that the liberties of the American people have been assured. God save this honorable Court.

Well, we are honored to have this giant in the Senate—a true living legend—among us and guiding us in our daily work.

The determination with which Senator BYRD approaches his work in Washington is born of his devotion to the people of West Virginia.

Through his arduous work, he has brought needed infrastructure to an area that has lacked for economic development. He has fought, first and foremost, for the working people and particularly the coal miners of West Virginia. Just last week—I guess the week before now—the Senate passed the mine safety bill that he championed along with his colleague, Senator ROCKEFELLER. West Virginia has had no finer advocate in its history than ROBERT BYRD, a fact the State recognized when it selected him "West Virginian of the 20th century."

In addition to his service in the Senate, Senator BYRD has lived, and hopefully will continue to lead for many years, an amazing and an amazingly full life. He is a man of great abilities and many passions. He plays the fiddle, he reads the classics, he is a master orator, he has worked as a butcher and welder, he is a writer and historian, he has lived in a shack with no electricity, and now keeps the company of Presidents and of Kings.

He has known true and deep love with his cherished wife Erma whose birthday they would have celebrated today. His life and his love for the Senate and for the Constitution is exceeded only by his love for Erma.

When I was elected to the Senate in 1978, ROBERT BYRD was majority leader. The first vote I cast was on a Robert Byrd motion. And since that day, I have learned more about this institution from ROBERT BYRD than I have from anyone or from anywhere else. The greatest tribute we can pay to ROBERT BYRD is to stand firm for Senate procedures which have made the Senate the most notable place in the world of democratic institutions where the protection of minority rights to debate and to amend legislation are the most protected. There is no other place like the Senate in the world. It is here where the right to debate is given a privileged position, a protected position so that minority views can be aired fully and so that, hopefully, consensus can be arrived at rather than just simply adopted by prompt majority votes.

So that is the tribute we can all pay to ROBERT BYRD: to defend this institution, to stand for its procedures, and to carry, as he does, at least in our hearts, the Constitution, as he carries the Constitution on his body.

Congratulations to Senator BYRD on this historic milestone in his lifetime of service to our Nation and his now record length of service to the Senate of the United States.

Mr. ISAKSON. Mr. President, I am pleased to come to the floor today to pay my personal tribute and the tribute of all Georgians to the service of ROBERT BYRD in the U.S. Senate. Today marks the 48th year of his service, and now, today, he is the longest serving U.S. Senator in history.

I am distinctly honored to be in Senate and to have been elected here, and there are many reasons why I am honored. But one of the most wonderful experiences since my election has been the chance to come to know ROBERT BYRD. He, obviously, is a legend. He, obviously, is a great orator. But he is also a wonderful human being.

On Fridays it is my occasion to preside over the U.S. Senate for 3 hours. As the other Members of the Senate know, on Friday mornings we are not always in business. Therefore, Friday is the day where a lot of Members come to make speeches about issues of importance to them and their constituents.

On occasion, I have had the chance to hear ROBERT BYRD make one of his famous Friday morning speeches, probably the most enjoyable of which took place three Fridays ago when I was presiding over the Senate. Senator BYRD arrived in the Chamber, asked for recognition, and then spoke, basically without notes, for 48 minutes. I remember counting the minutes because I did not want it to be over because he gave his famous Mother's Day speech. He paid tribute to his mom and all moms in the United States of America.

ROBERT BYRD is a wonderful, unique institution, a man of great honor, great intellect, and great capacity.

One of my other great experiences since coming to the Senate has been to work with him on the bill we recently passed and is now on the President's desk, the mine safety bill. As chairman of the Subcommittee on Occupational Safety, it fell my lot to deal with the tragedies of the Sago mine disaster and subsequent disasters that took place in Kentucky.

Obviously, the Sago mine is in West Virginia, and I traveled to West Virginia and met with those mine families. But I also met with ROBERT BYRD on numerous occasions, talking about what we as the U.S. Senate could do to try to see to it that we reacted to where there might be shortcomings in the mine safety laws and to help institutionalize better practices not only in our inspections but in the operations of those mines.

With all the energy of a teenager, love and compassion for those widows, and with great effort on his own part, Senator BYRD worked closely with us over the last 6 months since that disaster, and a couple weeks ago we passed in this body—and the House passed last week—the mine safety bill.

Today, mining is a safer profession because of ROBERT BYRD and his compassionate love for the people of West Virginia and the coal miners who work there.

I could go on and on telling personal stories, but I will not do that. I simply close by saying, of all the great distinctions and honors I have had to serve in this body, none is greater than to get to know the great man of great capacity and great compassion, the honorable ROBERT BYRD from the State of West Virginia—now the longest serving Senator in the history of the U.S. Senate.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD).

• Mr. ROCKEFELLER. Mr. President, on January 3, 1959, ROBERT CARLYLE BYRD entered his first term as West Virginia's junior Senator. Today, June 12, 2006, after serving 17,327 days representing West Virginians, ROBERT C. BYRD is now the longest serving U.S. Senator in our Nation's great history. He has surpassed giants and legends of the Senate to be in a class by himself. Although his 47 plus years and 17,666 votes are what we celebrate today, we also know that he is just as much West Virginia's future as he has been part of its past.

During his tenure, Senator BYRD has brought over $1 billion to West Virginia's highways, dams, educational institutions, and more—earning him the moniker of West Virginia's billion-dollar industry. Senator BYRD has also created a number of other health care and educational opportunities across the State such as the Robert C. Byrd Center for Rural Health, based at Marshall University, the Robert C. Byrd Health Sciences Center at West Virginia University, and the Scholastic Recognition Award for West Virginia's public and private school valedictorians. Senator BYRD's projects are so numerous it would take me hours to name them all; however, the improvements he has brought to West Virginia are immeasurable. And West Virginia's future is much brighter as a result of his years of service and his continued desire to work for our State.

His dedication to the people of West Virginia is unmatched, and in the years to come, we all look to Senator BYRD to continue to fight for a State that would have much less without him. Today he is working to secure a Federal prison in McDowell County, continuing to improve our State's highways, updating the safety laws for our miners, protecting the checks and balances in our government structure, securing our borders, and creating opportunities for the youth of West Virginia.

Sadly, this year, Senator BYRD lost a pillar of strength and the most beloved person in his life—his wife Erma Ora Byrd. When Senator BYRD earned his law degree while serving in Congress, Erma and his children sacrificed time with him for the betterment of our Nation. Erma served as a spiritual companion and as an emotional support for him. When elected as Majority Leader, many said that his life was the Senate, but those who know him, know that the love of his life and his eternal companion truly was Erma. Her values and strengths are those of all West Virginians. She was a coal miner's daughter and a daughter of Appalachia. She provided Senator BYRD with everything he needed throughout his life, and provided unfailing support during his lifetime of public service.

Senator BYRD's love for West Virginia and its people is extraordinary. Throughout his unprecedented public service in the West Virginia House of Delegates, the U.S. House of Representatives, and the U.S. Senate, ROBERT C. BYRD has never lost an election—a tribute to his resounding support in our State of West Virginia and something very few of his colleagues can say. One reason for this perfect record is that he never fails to work for the future of our State—he is on the cutting edge of West Virginia's needs, and he is fast to respond to new problems, such as border security, and homeland security, with new solutions.

Senator BYRD's contributions to this country extend far past West Virginia's mountains. He has served as a leader on the Senate Appropriations Committee, worked to create a Federal compensation system for black lung victims, worked to secure passage of the Panama Canal treaties, led the effort to pass legislation keeping the Social Security system solvent, worked to ratify the INF treaty with the Soviet Union, went to court to block the recently passed line-item veto, among many other historic pieces of legislation, treaties, nominations, and resolutions. Most recently, Senator BYRD has worked tirelessly to help pass the MINER Act in light of the tragedies at the Sago and Alma mines.

In addition to his stellar legislative record, Senator BYRD has been a proven leader in the Senate, holding more leadership positions in the Senate than any other Senator of any party in Senate history. He has held leadership positions including secretary of the

Democratic Conference, chairman of the Senate Appropriations Committee, Senate Democratic whip, Democratic leader, majority leader, and minority leader. On three occasions Senator ROBERT C. BYRD has served as President Pro Tempore of the Senate, demonstrating the tremendous amount of respect that the Senator has from his colleagues and placing him in direct line of succession to the Presidency.

Throughout his career, Senator ROBERT C. BYRD has remained a dedicated husband, father, grandfather, great-grandfather, and friend. A man of deep faith, his dedication to our country and our State is exceeded only by his dedication to his family. I ask my colleagues to join me in congratulating Senator ROBERT C. BYRD for the incredible amount of time and effort he has given to our Nation and to the State of West Virginia. I know my colleagues join me in hoping that he will continue to serve West Virginia for many more years to come.●

Mr. HATCH. Mr. President, I want to add my voice in tribute and recognition of the continuing service of our distinguished colleague, the senior Senator from West Virginia, Senator ROBERT C. BYRD. Today he becomes the real dean of the Senate, the longest serving of all the 1,855 men and women who have served in this body.

It will not surprise any of my colleagues that others will make more of this remarkable milestone than the Senator from West Virginia himself. For him, Day 17,327 is just another day serving the people of West Virginia and the United States here in the Senate. But for the rest of us, this milestone recognizes not simply the length of Senator BYRD's tenure, but what he has done with that tenure.

The Senator from West Virginia brings a sense of history and perspective to the politics of the moment. He is as determined as anyone here to achieve his political goals, but his emphasis on the institution's history and prerogatives helps us place the immediate in a larger context. In that sense, he is not just a Senator, not just a colleague, but he is a teacher for the many Senators who have walked on this floor for the first time since he came here so long ago.

The Senator from West Virginia is truly an original. I ask my colleagues: do you know anyone else who feels equally comfortable, giving a discourse on the Roman Senate and appearing on the television show "Hee Haw"?

Many Senators, for example, receive academic degrees during their service in this body. Most, however, are honorary degrees. The Senator from West Virginia received a law degree from American University in 1963, but he earned it after taking night classes for a decade.

Senators have written books during their service in this body. The Senator from West Virginia, however, has written books about this body. He is widely known as the author of a four-volume work on the history of the U.S. Senate, published in 1987 for the Senate's bicentennial. Those are not simply history books. The project began as a series of speeches about this institution and its history, delivered right here on this Senate floor. A book about Senate history arising while participating in that history.

They say a picture is worth a thousand words. Inside the front cover of volume two of his work on the Senate is a photograph of the Senator from West Virginia and his wife, whom he has so often simply called "my dear Erma," standing on a staircase in the Senate. We all mourned Erma Byrd's passing just a few months ago and today would have been her birthday. That photograph was on the occasion of their 50th anniversary in 1987. I do not doubt that in his left breast pocket was that familiar copy of the U.S. Constitution which, I might add, was celebrating its own bicentennial that same year. How fitting that one photograph would capture these loves of his life, the institutions to which he was so committed: his marriage, the Constitution, and the Senate.

So much more could be said, but I just want to pay tribute and honor to my colleague of nearly 30 years, a man of character and integrity, a caring man passionately devoted to his faith, his family, and his country, a good man, a great Senator.

Mr. JOHNSON. Mr. President, I rise today to honor the Senate's most enduring figure, Senator ROBERT BYRD, of West Virginia. Today marks the day that Senator BYRD becomes the longest serving member in the history of the U.S. Senate, with almost 50 years of senatorial experience. I extend to Senator BYRD my congratulations on this momentous occasion.

Born in 1917, Senator BYRD had a hardscrabble childhood. After the death of his parents when Senator BYRD was just 1 year old, he was raised by his aunt and uncle in various communities in West Virginia. He graduated at the top of his high school class in the 1930s, in the midst of the Great Depression. Taking work wherever he was able to find it, Senator BYRD pumped gas, sold produce, and cut meat. These jobs grounded Senator BYRD in the realities of the working world. During World War II, he became a welder and worked on the Liberty and Victory ships.

After the war, Senator BYRD began his political life with a successful run for the West Virginia House of Delegates. After serving two terms, Senator BYRD was elected to the West Virginia Senate, then to the U.S. House of Representatives. Finally, in 1958, Senator BYRD was elected to the U.S. Senate. He has subsequently been reelected by large margins again and again. In numerous elections, he has carried all 55 counties in West Virginia and in 2000 carried nearly every precinct in the State, an unheard of achievement. Additionally, Senator BYRD has held more positions in the Senate leadership than any other Senator in the history of the institution, including 12 years as Democratic Leader.

While outside of the Senate Chamber, Senator BYRD became the first member to initiate and complete the courses needed for a law degree while simultaneously serving in Congress by taking night classes from American University over the course of 10 years. In May 2001, Senator BYRD was named "West Virginian of the 20th Century" by Gov. Bob Wise and both houses of the West Virginia Legisature. He is also blessed with two daughters, six grandchildren, and five-great granddaughters.

I am pleased to recognize my colleague, Senator BYRD, on this historic day. The work he has done throughout his life has bestowed countless benefits to the people of West Virginia and to the Nation. It is a pleasure to work with such a creative and dedicated lawmaker, and I once again congratulate Senator BYRD on reaching this milestone.

Ms. MIKULSKI. Mr. President, I rise today to congratulate my longtime friend and colleague, Senator ROBERT C. BYRD, on his landmark accomplishment of becoming the longest serving member of the U.S. Senate. Today is Senator BYRD's 17,327th day in office—that is 48 years. And he is still going strong—gearing up for his race for a ninth term this fall.

Senator BYRD's life shows the power of America's unique opportunity structure. His mother died when he was a baby. He was raised by his aunt and uncle, a coal miner, during the Great Depression. In his early life, he worked pumping gas, cutting meat, and even welding war ships in various ports—including in my own hometown of Baltimore. Yet Senator BYRD never forgot his roots, and he never forgot those miners. In fact, his new mine safety legislation—the MINER Act—just passed the Senate last week. Like me, he stands up for the little guy.

Senator BYRD and I have a long history together. When I first came to the Senate in 1986, one of the people who was most welcoming to me was Senator BYRD. I reached out to him. I told him I not only wanted to be a fighter—I wanted to be an effective player. I wanted to be there not only to change the law books. I wanted to be sure there was money in the Federal checkbook for my State and for the national priorities that would help ordinary families. ROBERT BYRD said to me, "You should come on my Appropriations Committee."

Senator BYRD helped me become the first woman on the Appropriations

Committee and one of the first freshman members of the Senate on the Appropriations Committee. With Senator BYRD as the ranking member of the Appropriations Committee and I as a member, we have been working together ever since to build coalitions to get things done.

Senator BYRD's home State of West Virginia is right next door to Maryland. We share a common border—with Allegheny, Garret, and parts of Washington Counties just across the State line in Western Maryland. But we share more than a common border. We share a common set of values—rooted in faith, family commitment and patriotism.

Senator BYRD is no stranger to breaking records. He has done this before. He has already cast more votes and held more leadership positions—including serving as minority leader for 6 years and serving two stints as President pro tempore—than any other U.S. Senator in history. Today's record is further evidence of Senator BYRD's unwavering dedication to his State. When asked about this accomplishment, Senator BYRD told the press: "Records are fine. But what's important is what I do for the people of West Virginia. They are the ones who sent me here 48 years ago." It is this dedication that keeps the people of West Virginia voting for Senator BYRD. I like to say that I am the "Senator from Maryland and for Maryland," and it is this kind of shared value that makes me feel so close to Senator BYRD.

So today—June 12, 2006—we congratulate Senator ROBERT C. BYRD for his historic contributions to his State and to our Nation.

Mrs. CLINTON. Mr. President, I rise today to honor a longtime friend and colleague, the esteemed senior Senator from West Virginia, Senator ROBERT BYRD. This is a historic day in his career and a historic day in the history of the Senate. Today Senator BYRD adds to his many accomplishments and honors the distinction of becoming the longest-serving Member in Senate history.

Senator BYRD's years of service to this country are an inspiration to all of us. His lifelong devotion to the institution of the Senate sets an example that we can only try to emulate. For almost half a century, he has been a tireless advocate for the people of West Virginia and the Nation. He believes that government can improve the lives of the citizens that it serves, and that we can all be advocates for justice. We are better Senators and better citizens when we attempt to live up to the legacy that he has established.

I first worked with Senator BYRD during the early days of my husband's administration. At the time, he had already served in the Senate for 34 years. I remember him being stately and silver-haired when we met. He was already the unofficial historian of the Senate, famous for standing in the well of the Chamber and dazzling his colleagues with quotations from the classics. I also learned then that he was a strict disciplinarian when it came to procedural rules and decorum, a quality that he retains to this day.

It is his devotion to the institution of the Senate that has made him a mentor to so many of us, and I am honored to include myself among the ranks of those who he has counseled.

When I was elected to the Senate, it took me only a minute to conclude that I should start my preparation by going to see the great sage and historian of the Senate, Senator BYRD.

To this day I still very fondly remember the visit that I paid to Senator BYRD's office in the Capitol in late November of 2000. I will be forever indebted to him for the guidance that he provided when I first came to the Senate.

Of course, I am not the only recipient of his kind advice and guidance. In fact, Senator BYRD has codified his vast knowledge of the history of the Senate into a multi-volume book. The four volumes published in 1989, 1991, 1993 and finally in 1995 were a labor of love for Senator BYRD. They will continue to be a resource and a treasure for many generations to come.

And let me tell you what Senator ROBERT BYRD did for the people of New York in the aftermath of the attack on lower Manhattan in 2001.

After that terrible day, the White House sent up a supplemental spending bill to finance the war, and there was not a single penny in it for New York. I told the President of the United States in the Oval Office that we were going to need at least $20 billion to rebuild Ground Zero.

And thanks to the leadership and dedication of Senator BYRD, who chaired the Appropriations Committee at that time, we got that funding for New York. Thanks to his commitment, our firefighters, police officers, first responders, and volunteers who came to the rescue that day will have some help as they continue to cope with the health effects of exposure to the site.

Because of Senator BYRD's efforts, where once a pile of rubble stood, one day a tower will stand.

Because of Senator BYRD, our businesses and homeowners who lost everything are on the road to recovery.

As Senator BYRD has himself said, New York gained a third Senator on that day, and we are unquestionably better off for it.

ROBERT BYRD was born in North Wilkesboro, NC, and raised in West Virginia by his aunt and uncle. He is an avid fiddler, steeped in the rich musical traditions of the Appalachian folk life. He grew up in the coal mining community that he proudly defends today. As a member of the HELP Committee, I continue to be impressed by his vigilance on behalf of the coal miners of West Virginia and elsewhere in the Nation.

He was first elected to this Senate in 1958. He became a member of the Senate leadership in 1967, when he was selected to be secretary of the Democratic Conference. He was chosen to be Senate Democratic whip in 1971 and Democratic leader in 1977. He has held more leadership positions in the Senate than any other Member in Senate history.

Through all of his years of Senate service, there was one person who was always by his side, as his partner, friend, and as he said on many occasions, his teacher.

Erma Ora James was born in Floyd County, VA, and moved from there to the coal mines of West Virginia with her family. It was there that she met ROBERT BYRD at Mark Twain High School over 70 years ago. He first tried to woo her with gifts of bubble gum that he took from a classmate and stored up for her. And apparently it worked, because they became high school sweethearts and were married on May 29, 1937. Over the years, their family grew to include two daughters, six grandchildren and six great-grandchildren.

It is a tradition of Senator BYRD's to go to the floor of the Senate each Mother's Day and pay tribute to the Nation's mothers. When he does that he has often mentioned Erma and the joy that they shared together for so many years.

They had been married nearly 69 years when she passed away 3 months ago on March 15, 2006, after a long illness. Theirs has been called one of the great American love stories.

On his 63rd wedding anniversary he went to the Senate floor and said of her, "I have to frankly say that what little I have amounted, if it is anything much, I owe for the most part to [Erma.]" I know that today, as his colleagues who respect and admire him so very much come to the floor to praise his service in the Senate, Erma is looking down on us as well.

It is truly an honor to serve in the Senate with Senator BYRD. I wish him all the best on this day and I look forward to continuing our work together on behalf of the American people.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. BOND). Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The PRESIDING OFFICER. Under the previous order, the hour of 3 o'clock having arrived, the Senate will proceed to the consideration of S. 2766, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2766) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Mr. DURBIN. Mr. President, if there is no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, we are now on the bill. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. WARNER. Mr. President, I ask unanimous consent if I may depart from the bill to speak as if in morning business regarding our distinguished colleague, Senator ROBERT BYRD of West Virginia.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. WARNER are printed in the RECORD under "Morning Business.")

Mr. WARNER. Mr. President, to accommodate Members, we will be on the bill for some period of time. I will be joined by the distinguished ranking member, Mr. LEVIN, shortly after 5 o'clock today. In the meantime, we are open for statements.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I appreciate this.

I rise today to discuss several noteworthy provisions in the fiscal year 2007 Defense authorization bill. I will provide an overview of a couple of amendments I will offer.

First, I commend the managers of this bill, Senators JOHN WARNER and CARL LEVIN, for the work they have put into this legislation. I also recognize in a public way the fine work Chairman WARNER has done. I have had an opportunity to work with the chairman both as a member of the Committee on Armed Services, and after leaving that committee to serve on the Committee on Appropriations. I found Senator WARNER certainly has been very gracious and helpful on many issues and has certainly kept the men and women of the Armed Forces primary in his mind.

It is comprehensive and addresses many of the issues important to our Armed Forces. Indeed, many of the provisions in this bill are essential to the health and well being of our soldiers and are needed in order to defeat terrorism and defend our Nation from future attacks.

In the missile defense arena, for example, the Senate Armed Services Committee took several steps to encourage the Department of Defense to focus on near-term missile defense systems over longer-term next generation systems. I support this direction and agree that MDA is not investing enough time and money in those systems that may be able to provide limited defense capability in the near term.

I personally believe we need to be conducting more tests within the missile defense mid-course intercept program. Although the Missile Defense Agency will be conducting two flight intercepts later this year, the agency only requested funding for one intercept in fiscal year 2007. This test plan is insufficient in my eyes and should be greatly expanded.

We need to conduct many more flight intercepts, much more often. We need to be challenging the system with our tests and working on the areas we need improve upon. I do not expect perfection. In fact, I expect some failures. But, in the context of several missile defense intercepts tests per year, one or two failures only means that we are pushing to find out the real capabilities of the system. They do not mean missile defense is not possible.

The bottom line here is that I do expect for the Missile Defense Agency to try. We all know that hit-to-kill technology works. We have used it successfully in the Patriot and Aegis Programs. We now need to further develop the mid-course system and introduce greater capability to that system.

Let me turn to another provision in the Senate version of the defense authorization bill that I thought was appropriate and deserved mention. That provision pertained to the Department's request for $127 million for the development and procurement of Trident conventional submarine launched ballistic missiles. Under the Pentagon's proposal, the Navy would equip several of its Ohio-class ballistic missile submarines with Trident missiles tipped with conventional warheads.

These missiles are intended to give the President a real option for a responsive, global strike capability in the short term.

I support the concept of developing a conventional ballistic missile capable of reaching almost any target in the world in under an hour. In an era when targets of opportunity shift rapidly, there is a real need for systems that can reach these targets within narrow time frames. A conventional ballistic missile is perhaps the best option for this purpose in the near term.

That being said, this is still a very new concept, and the Department of Defense has yet to work out all the details. Of particular concern is the fact that the Department is still developing a variety of transparency, confidence building, and operational measures to ensure, there is no confusion about our intentions. The last thing we want is for Russia or China to think we are launching a nuclear strike when we use one of these submarine-launched conventional missiles.

To address this concern, the Senate Armed Services Committee included a provision in this bill that prohibits the expenditure of this funding until the Secretary of Defense and the Secretary of State submit a joint report that discusses potential alternatives, describes the discrimination capabilities of other nations, and states how the United States would work with other nations to prevent an inadvertent nuclear attack by another country.

I believe this provision is a reasonable approach to this issue and still allows the Department of Defense to go forward with the development and procurement of this system. I think there might be other less challenging global strike options available, such as land-based conventional ballistic missiles in California or Guam, so I look forward to the Department's discussion about possible alternatives.

I next wish to address the Senate Armed Services Committee's decision to increase by $30 million the Department of Defense buffer zone conservation projects account. These projects help military bases around the country address the growing problem of encroachment from residential and industrial development. At Fort Carson, CO, we have seen the fruits of conservation projects such as those funded under this account.

Fort Carson's southeastern and southern borders are now protected with money from this account. I believe as more conservation projects come on line, competition for the funding in this account will grow exponentially. We needed extra money to meet this demand, and the funding provided by this bill is a step in the right direction.

Now let me turn to another provision in the bill that I think should be highlighted. Section 372 provides the Secretary of Defense with authority to include incentivized clauses in contracts for the destruction of chemical weapons within the U.S. stockpile.

To my extreme disappointment, the Department of Defense announced last April that it most likely would not be able to comply with our treaty obligations under the 1997 Chemical Weapons Convention. I was displeased by this announcement because the way the Department had managed its chemical demilitarization program virtually assured our Nation's noncompliance.

Nevertheless, I still believe if we use the incentivized contracts this section provides, we might be able to complete the destruction of our chemical weapons stockpile earlier than what is currently expected. Those contractors who can meet a more aggressive schedule should be rewarded for their effort. At the same time, I believe that the penalties for safety or environmental violations should also be increased.

At Rocky Flats, a former Department of Energy plutonium pit production facility located just outside of Denver, we have seen the value of these contracts. This facility was initially expected to cost as much as $70 billion and take over 30 years to clean up. The Department of Energy was able to find a contractor who was willing to accelerate the contract in return for a huge incentive. I am pleased to tell you today that the contractor safely completed the cleanup of Rocky Flats last December, over a year ahead of schedule and several hundred million dollars under budget.

This incentive provision puts the Department of Defense in position to use similar contracts to encourage contractors to finish earlier and cheaper than expected while protecting the environment and ensuring safety. I strongly support it and commend the managers of the bill for including it in the bill before us.

The last provision I would like to discuss is section 911. This provision creates an office for the management and acquisition of operationally responsive space capabilities. I support this provision because the Department of Defense has not done enough to investigate the value of operationally responsive space.

One of the reasons why this has occurred is because of the absence of a dedicated office to manage our operationally responsive space, known as ORS, efforts. The GAO recently reported that the absence of a strategic direction within the Department on operationally responsive space activities was hindering the program. This provision solves that problem and should encourage the Department to move forward with ORS types of systems.

Over the next couple of days, I plan to offer several amendments which I hope will be accepted by the managers of this bill. Most of these amendments should be noncontroversial and helpful but are important to the global war against terror and to helping the families of our servicemembers. I look forward to working with Chairman WARNER and Senator LEVIN so we can get these amendments cleared as quickly as possible.

Again, I thank the chairman of the Armed Services Committee for his exceptionally good work on this bill. I know he has put in hours of thought and deliberation on this bill, and his committee, working with him, has done a good job.

So, I say to the Senator, I want to recognize that I believe this is your last year as the chairman of the Armed Services Committee because of our term limits, and I am sorry to see you have to step down because I think you have done a tremendous job as chairman. Again, I appreciate the opportunity to work with you as chairman of the Armed Services Committee.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Virginia.

Mr. WARNER. Mr. President, before the Senator parts the floor, I say thank you for your kind remarks.

Yes, I do graciously and willingly step down. It is the rules of our caucus, and I respect that. But it has been a marvelous opportunity for me to have this 6 years, and, indeed, a year or 2 before that as chairman. But I want to particularly comment on the long association and continued association of the senior Senator from Colorado with respect to issues of national security. The Senator has served on our committee, I think, about 8 years.

How many years?

Mr. ALLARD. Six years, I believe, yes.

Mr. WARNER. That is correct. And you are distinguished in your steadfastness on the subject of missile defense and how to protect this country. How many times have you taken the floor and asked and received silence from the Senate: Do we have one—one—system that can knock down an intercontinental ballistic missile should we have the misfortune, be it accidental or otherwise, to have it targeted against our country? There has been silence in this Chamber until we started the missile defense program, and you steadfastly fought for that.

I say to the Senator, I also commend you for Rocky Flats. Year after year after year, you shepherded through the Senate, in the appropriations cycle, the funds to do that because of not just the importance of Rocky Flats but the importance of the overall program, what we call the cleanup program, the environmental program, in the Department of Defense to clean up a lot of the former military installations and particularly those associated with the production of fissionable material.

So I commend the Senator.

Mr. ALLARD. I thank the chairman. We do these things by working together as a team, and the Senator is a great team leader. I appreciate all the support of my efforts in trying to get some of these things done. The Chairman has always set a good example for the rest of us by way of his diligence and working through legislation. So I want to thank him publicly for a job well done.

Mr. WARNER. Mr. President, I thank my distinguished colleague.

Mr. President, it is my privilege to bring forward on behalf of the Armed Services Committee, and now on behalf of all of our colleagues, the annual Defense authorization bill. I do so with my longtime colleague and dear friend of 28 years serving on this committee, the senior Senator from Michigan, Mr. CARL LEVIN, who is currently the ranking member of the committee. He has been a working partner of mine, and I have been a working partner of his. He was once chairman of this committee. We have always been able to put aside such differences that we may have. I respect his difference of views, and he respects mine. We work as a team on behalf of our committee and all of our colleagues in producing this annual bill, and in all of these 28 years we have been together.

I thank all members of the Armed Services Committee. We have one of the larger committees. I thank our senior staff, particularly Mr. Charles Abell, my current chief of staff, and Rick DeBobes, the current chief of staff of the minority, and each and every one of their team, because it is a team effort. Our committee, I think almost more so than any others I know of, relies on this professional staff. It is really a professional staff that we have, in many respects, to put together this bill.

The bill before the Senate was unanimously reported out of the committee on May 9 after holding 36 hearings and receiving numerous policy and operational briefings on the President's budget request for fiscal year 2007 and related Defense issues. I commend my colleagues for their hard work and the swift manner in which they contributed to developing and writing this important legislation, not only at the hearings we had but in the subcommittee structure that worked so effectively to produce this bill.

Since the Armed Services Committee reported out this legislation, the United States remains engaged in the global war on terrorism, now in its fifth year.

Currently, the central battlegrounds in the war on terrorism are in Iraq and Afghanistan. But there are many, many other areas throughout the world where quietly, yet no less effectively, the men and women of the Armed Forces are stationed and joining in this collective effort of all uniformed personnel to perform the duties necessary to let this country remain free and those of our allies in the face of this terrorist threat.

It is so important, as we go through this bill, to pay our respects collectively to the men and women in uniform and their many civilian counterparts. There is an enormous cadre of civilians in the Department of Defense and serving elsewhere who are alongside the uniformed men and women throughout the world. But I want to pay particular respect to the Guard and Reserve who have risen to the call far beyond expectations in these conflicts of terrorism and have done their duties time and time again with great honor and distinction.

For each of the countries, the road to peace and stability and democracy has been marked by historical milestones, including a referendum in both Iraq and Afghanistan that adopted a constitution, elections that chose a democratically elected representative government, the formation of a unity government, and progress in building security forces capable of protecting their nation's freedom. Those are landmark and historical accomplishments in the course of world history, and they would not have been achievable without the sacrifices—regrettably, the loss of life, the loss of limb—by so many men and women in the Armed Forces and the support their families, by their side, have given them.

These accomplishments in Iraq, Afghanistan, and the global war on terrorism are a tribute to the dedication and skills of our uniformed men and women who are willing to respond to the call of duty, and to the military leaders who lead them.

The successes achieved in Iraq and Afghanistan have come at a great sacrifice, as I said, in life and limb. These sacrifices and service of our men and women in uniform have also removed obstacles to freedom and democracy in regions of the Middle East and elsewhere in Asia.

Throughout my many years of service I have never seen—and I repeat, I go back some 60 years, to the closing year of World War II, when I was a young 17, 18-year-old sailor—but I have had the privilege of being associated with the men and women in uniform in these 60-plus years, and we have never as a nation witnessed a finer, more dedicated professional force, both Active and Guard and Reserve, than we have today.

As I look back over the history of the U.S. Armed Forces, the challenges and responsibilities have never been greater than those that rest upon the shoulders of today's generation of the military—their leaders, their civilian leaders in the Department of Defense, with the Secretary of Defense and others, the Secretary of State, the Secretary of Energy—all of this team that puts together our national security.

As such, we must take our responsibilities equally as serious to ensure that those who serve have the resources and authorities they need to win the global war on terrorism.

Again, drawing on my modest contribution in active service during World War II and again in Korea and time in the Reserve, I must say, it is so different, in this span of over a half century that I have had the privilege to be associated with these men and women, the challenges that face them today. In World War II we knew precisely who the enemy was. We knew the nations that sponsored the aggression. We knew generally the capabilities of their military, and we knew with greater specificity what we needed to do in America to arm ourselves, first and foremost, with the finest trained men and women—16 million responded in World War II to serve in uniform—and the equipment that they needed.

But today's war on terrorism is largely nonstate-sponsored. We do not know the origins of the hatred that is in the minds of those people who proudly claim the role of terrorist, what it is that engenders that hate such that they wish to strike out, often sacrificing their own life to do harm to those who love and cherish freedom. That is a particular challenge that our young men and women face today, unlike any other conflict of the magnitude we are now engaged in in Afghanistan and Iraq principally, unlike any other conflict in the history of our country. Therefore, we ask much of that individual in uniform today.

It is our privilege as Members of this venerable and distinguished Senate to, at least once each time every year, and then, of course, in the subsequent appropriations process, provide nothing but the finest equipment obtainable, fair pay and allowances and health care and other requirements that the young men and women and their families of the Armed Forces so richly deserve. What a privilege it is to do that.

With our Armed Forces deployed in distant battlefields and countless others standing watch at home, we are committed to providing the necessary resources and authorities for each of them and their families.

Accordingly, this bill provides $467.7 billion overall in budget authority for fiscal year 2007—that is an enormous sum of money—an increase of $26.2 billion or 4.1 percent in real terms over the amount authorized by Congress for fiscal year 2006; additionally, $50 billion in emergency supplemental funding for fiscal year 2007 for activities in support of operations in Iraq and Afghanistan and elsewhere in the global war on terrorism.

That is a new concept unlike any I have experienced in the early years in this Chamber, where we literally put in a block sum of money. Since we cannot anticipate with full specificity the needs and special requirements that flow from these operations in Iraq and Afghanistan, it is prudent and a necessary plan.

The bill further includes many important legislative provisions that would set forth critical policies for the Department of Defense. I would like to highlight a few provisions that would continue to support the modernization and transformation of the Armed Forces and highlight other provisions that would strengthen interagency operations abroad and at home.

The Secretary of Defense, Mr. Rumsfeld, is to be commended. When he first came to office we had no way of envisioning the magnitude of the war on terrorism. But he set in place the transformation, particularly of the United States Army but other areas of the Department of Defense. And that same transformation and modernization has gone ahead largely parallel to the efforts that we have undertaken in the actual combat of the world war on terrorism.

First of all, my colleagues and I on the committee and others in the Senate remain particularly concerned about the size of the Navy's fleet. In the past 15 years, there has been a declining trend in shipbuilding and a diminishing capacity in the shipbuilding industrial base. The fleet has been reduced to its smallest size since before World War II in terms of number of ships. There are fewer ships today than before World War II. That is an accurate statistic. But it would be incorrect if I didn't say that the smaller number of ships that we have today far exceeds the capabilities of the ships that we had when we entered World War II. So it is not just a numbers game. But it is interesting to point out that statistic in terms of the numbers.

The fleet has been reduced as a result of budget necessities and the extraordinary cost of the individual ships. That has dictated fewer ships, regrettably. But the current Chief of Naval Operations and the current Secretary of the Navy are determined to try, together with the support of the Congress, to turn that curve around and begin to increase the number of ships in the Navy. The time has come to reverse that current trend, and I commend the Secretary of Defense, the Secretary of the Navy, Chief of Naval Operations, and all others working to try to reverse the trend. Indeed, the Deputy Secretary of Defense, Gordon England, former Secretary of the Navy, has been at the helm in trying to increase the size and number of the United States Navy. Each of those individuals is mindful of what the Constitution says. It is the duty of the Congress to maintain—I repeat, maintain—at all times a United States Navy, and then an Army and the size of the Army in accordance with what the needs are. We raise that Army depending upon the threats facing the country. But it is interesting that the Framers clearly recognized the importance of this Nation having maritime supremacy, which we do have today.

In many respects, we are an island nation—yes, bordered by our friends to the north, Canada, and our neighbors to the south. But nevertheless, with two mighty oceans on either side, it is imperative that this country maintain maritime superiority. So we worked diligently to strengthen the shipbuilding program and the industrial base which provides us those ships.

We fund the construction this year of eight warships, one above the President's request, and two new warship classes, the DDX destroyer and LHA(R) amphibious assault ship. We implement a long-range plan for the procurement of three ships of the future aircraft carrier class CVN–21 to improve the affordability of the future aircraft carrier class by authorizing multiple ship material procurements over 4-year increments. So that ship, indeed, is coming to life. The parts are being brought together to build that mighty warship of the future, the CVN–21.

We lay the groundwork to increase the submarine build rate to ensure our continued underseas superiority and increase our investment in the National Shipbuilding Research Program. The bill also includes a provision that would increase investment in unmanned systems to provide more flexible capabilities to the warfighter by requiring the Secretary of Defense to develop a departmentwide policy for development and operation of unmanned systems.

I am very proud of the record of our committee in encouraging the use here year after year of great numbers of unmanned platforms and to provide the research and development to achieve more new platforms. The recent extraordinary military accomplishment of, at long last, putting to rest the threat from Zarqawi was made possible by the use of an unmanned system in part, together with all elements of our intelligence collection, both military and civilian, and, indeed, finally the execution of a plan with great professionalism by those flying aircraft and those manning ground responsibilities. We will have further to say about that operation as this bill proceeds.

The bill further includes a provision that would continue the development and sustainment of the Joint Strike Fighter Program. After holding 2 days of hearings, I remain concerned that relying on a sole engine supplier for single-engine aircraft to do multiple missions for multiple services and multiple nations presents, indeed, a very serious challenge to the industrial base, the designers, and the manufacturers and all involved. I felt that we could not take the risk of this important program by limiting the engine base to but one single consortium of companies; rather, that we should have the two.

This concern is not a new one that I share, nor is it a concern of mine alone. Ten years ago, a decade ago, I and other colleagues on the Armed Services Committee expressed concern regarding the lack of engine competition for aircraft. In response to that concern, the committee included a provision in the National Defense Authorization Act for fiscal year 1996 that directed the Secretary of Defense to "evaluate at least two propulsion concepts from competing engine companies." Now a decade later, my colleagues and I on the committee continue to have that same concern, and we want to have competition for this engine, in the development of this engine and eventually in the manufacture, because competition historically has produced a better product.

Competition requires both competitors to constantly try to improve the technology of the engine, constantly to try to find means to reduce the cost of the engine. This is an enormously expensive program. Hopefully, we will procure more than several thousand airframes of different types, some to operate on carriers, some from land, some a mix, some with destall capabilities.

It is essential that the magnitude and complexity of this program rest on a solid foundation of propulsion, propulsion provided by two very competent and capable industrial base consortiums competing not only in cost but the continuing competition of design to perfect the best engine man and woman can make for this complicated aircraft. I am proud of what the committee has achieved on this program.

Therefore, the bill includes a provision that would add $400.8 million—that is not in the President's budget but in the committee's mark, now the bill before the Senate—for the development of the interchangeable engine during fiscal year 2007. Two models will continue to strongly compete, one by one consortium, another by a second consortium of manufacturers. Indeed, I think by doing that we better serve those nations which have signed up and committed their dollars to the development of this aircraft, nations that are dependent upon this aircraft being designed and built and at a cost that they can afford.

We direct the Secretary of Defense to continue the development and sustainment of the Joint Strike Fighter Program with two competitive propulsion systems throughout the life of the aircraft or enter into a one-time, firm-fixed price contract for a single propulsion system throughout the life of the aircraft.

In addition to modernizing and transforming the Armed Forces to meet current and future threats, we must also strengthen interagency operations abroad and at home. The challenges posed by the Second World War led to increasingly more joint and combined operations within the U.S. military.

Now operations have become more interagency and coalition in nature and will be for the foreseeable future. The success of the U.S. efforts in Iraq, Afghanistan, and elsewhere in the global war on terrorism will depend on coordinating all instruments of our national power to achieve peace and security in troubled regions around the world.

This will include deploying civilian personnel of each agency of our Government with expertise in the areas of rule of law and administration of justice, economic development, and civil administration to partner with U.S. military forces in Iraq, Afghanistan, and other locations to secure hard-won military successes and to preserve peace and freedom.

To strengthen interagency operations and to provide greater flexibility in the U.S. Government's ability to partner with nations in fighting terrorism, the bill includes provisions that would require the President to develop a plan to establish interagency operating procedures for Federal agencies to plan and conduct stabilization and reconstruction operations; provide to the heads of all executive branch agencies the same authorities the Secretary of State has with respect to providing allowances, benefits, and death gratuities for Foreign Service or civilian personnel serving in Iraq and Afghanistan; expand authorities for geographic combatant commanders to train and equip foreign military forces, and to provide urgent humanitarian relief and reconstruction assistance to foreign nations; expand authority to the Department to lease or lend equipment for personnel protection and survivability to our allies and coalition partners; and expand authority to provide logistics support, supplies, and services to our allies and coalition partners.

With the increased role of the Armed Forces in homeland security, I also remain concerned about whether current authorities on the use of the Armed Forces are adequate to deal with a serious or widespread breakdown in public order caused by a terrorist attack or natural disaster. The bill includes a provision that would update the provision in title 10 known as the Insurrection Act to clarify the President's authority to use the Armed Forces to restore order and enforce Federal laws in cases where, as a result of a terrorist attack, epidemic, or natural disaster, public order has broken down beyond the ability of local law enforcement or the State Guard, or a combination thereof, to effectively bring about law and order.

To more effectively support local, state, Federal agencies in response to manmade or natural disasters, the bill includes provisions that would authorize the Secretary of Defense to approve the deployment of Weapons of Mass Destruction Civil Support Teams to Canada and Mexico, if requested.

We have perfectly equipped teams—at least one for each State—to deal with these problems. We should share them with our neighbors to the north and to the south, if so requested.

It would expand the types of emergencies for which the Secretary of Defense may prepare or employ Weapons of Mass Destruction Civil Support Teams; and add $13.5 million to provide for the training and equipment of the Weapons of Mass Destruction Civil Support Teams.

They were a concept developed in the Armed Services Committee, and I am very proud. It has taken us many years to get the funding stream to provide these teams so they cover adequately the best we can equally all 50 States.

These are just a few of the essential authorities among the more than 300 provisions included in this year's bill. I believe the National Defense Authorization Bill for Fiscal Year 2007 sustains the advances made in recent years, and provides the necessary investments to prepare for the security of our Nation in the future.

I urge my colleagues to debate this bill in a constructive manner and to bring forth those amendments which you believe would further strengthen this bill. They will be fairly considered, I assure you. Therefore, I am anxious that this bill be established and passed by the Senate, having been amended where it is necessary. It has been the tradition of the Senate for 45 years to pass this bill each year.

Mr. WARNER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I rise today to offer opening remarks on the 2007 National Defense Authorization bill. Chairman WARNER and Ranking Member LEVIN, as well as the entire committee, worked very hard during the markup process to produce a bill that would support our troops and would provide what our military needs to fight and win the global war on terrorism, and I am pleased to say this bill does just that. This bill provides our service men and women with the resources necessary to continue the war on terrorism, keep our country safe, and will greatly improve the quality of life for our soldiers, sailors, airmen, and marines, as well as their families.

Despite what one reads or hears in the news sometimes, it is absolutely clear to me that we are winning this war on terrorism; specifically, that we are winning the war in Iraq. I have heard recently from soldiers of the Third Infantry Division at Fort Benning, GA, about the great progress they made during their recent deployment to Diyala Province in Iraq. Over the course of their year there, the security situation in Diyala Province improved dramatically, as did the rule of law and the presence and capability of Iraqi security forces and police.

As we all know today, Diyala Province was where U.S. forces found and killed the leader of the anti-Iraqi insurgence, Abu Musab al-Zarqawi, and I believe it was the hard work that the Third ID did in improving the security and developing relationships with the Iraqis in Diyala Province that allowed for the intelligence and network of information that allowed our forces to track Zarqawi down. I am very proud of the situation of the members of the Third ID in that effort.

We need to realize this is hard work that all of our troops are doing in Iraq and that successes often take a long time. But if we stick with it and follow the course we are on, that success will come, and this operation against Zarqawi proves this is the case.

Mr. President, having been briefed in the Intelligence Committee at the end of last week on the takedown of Zarqawi, I think it is one of the great successes, without question, we have seen in this war. Military operations are often sophisticated. The planning is very detailed, and that was exactly the case in this situation. It was a perfectly executed plan that was carried out by our military that allowed Zarqawi—one of the meanest, nastiest killers ever to inhabit this Earth—to be taken down.

We absolutely must stay the course and finish the job because the future of the Middle East, as well as our own future security, lies in the balance. I believe there might be some amendments filed to this bill that seek to immediately withdraw troops or set a timetable for troop withdrawal. Clearly, both these approaches are extremely unwise, and I hope my colleagues will join me in voting down those amendments overwhelmingly.

Related to some specific issues in the bill, I have received numerous letters and phone calls from both Active-Duty soldiers and retirees who are concerned with the proposed increases in TRICARE premiums. So I am pleased to see that the Senate bill does not approve DOD's proposed increases in TRICARE Prime enrollment fees. In my home State of Georgia, there are a large number of military personnel and retirees living in rural areas where quality health care is often not as readily available as in more urban areas. This bill will help to improve health care access for those individuals by authorizing incentive payments for civilian health care providers who provide services to TRICARE beneficiaries in rural and medically underserved areas. This is a good provision, and I commend the chairman and ranking member for its inclusion.

This legislation will authorize $45 million in supplemental education funding for local school districts that are heavily impacted by the presence of military personnel and families, including $30 million for impact aid, $5 million for educational services to severely disabled children, and an additional $10 million for districts experiencing rapid increases in the number of students due to rebasing, activation of new military units, or base realignment and closure.

This provision is of particular importance to my State. As a result of the 2005 base closure and realignment round, Fort Benning and the school systems in the surrounding area will experience an influx of approximately 10,000 students into their school systems over the next several years as new troops arrive.

This funding will ensure that areas such as Fort Benning have the facilities and teachers in place to provide the children of our Armed Forces members with a top-notch education when they do arrive.

This bill also requires DOD to report to Congress on their plan for working with other Federal agencies and local school districts to accommodate this growth. Unfortunately, DOD has been slow to recognize the burden that such unprecedented growth places on small communities, and it is important that DOD do the necessary planning and coordination in advance to ensure that military families are taken care of when they move to a new installation.

During the war in Iraq, our intra- and inter-theater airlift assets have gone above and beyond the call of duty and have been used at a much greater rate than we ever planned to use them. These airplanes played the critical role of airlifting supplies, vehicles, and other equipment to our troops. In order to recapitalize some of the losses and overuse of these airlift assets, this bill authorizes $2.6 billion for strategic airlift capability, including an increase of two C–17 aircraft above the budget request and advance procurement for continued C–17 production. These are superb airplanes and have proven to be extremely reliable and, along with the C–130, have become the backbone of the airlift fleet.

This bill also provides a well-deserved pay raise of 2.2 percent for all military personnel effective January 1, 2007, and approves targeted pay raises for midcareer and senior enlisted personnel and warrant officers effective April 1, 2007. I have heard directly from troops in the field and personnel at Georgia military installations about how important these targeted pay raises are to retaining our men and women in uniform in the service and taking advantage of their hard-to-replace skills. So I commend the chairman and ranking member for including this provision in the bill.

In order to clarify the role and use of the Armed Forces for domestic use during natural disasters or other events, the bill also includes a provision that would update the Insurrection Act to make explicit the President's authority to use the Armed Forces to restore order and enforce Federal law in cases where public order has been broken. In light of Hurricane Katrina and other hurricanes along the gulf coast last year, this provision is especially important in clarifying the role that Federal troops have in these situations.

I am also pleased that the committee adds $1.4 billion for the F–22A aircraft in order to fully fund procurement of 20 aircraft, as well as fully fund the C–130J multiyear contract which this committee has worked so hard to support, even as the contract is restructured from a commercial to a traditional contract.

This is a good bill that the Chairman and ranking member have crafted with the needs of our troops and the national security of our Nation foremost in their minds. I hope my colleagues will join me in expeditiously considering this legislation so that our men and women in uniform can get the equipment, the benefits, and the support they need and deserve.

(The remarks of Mr. CHAMBLISS and Mr. WARNER are printed in today's RECORD under "Morning Business.")

Mr. WARNER. Mr. President, I wish to comment on the F–22. It is a magnificent aircraft. It is absolutely essential for our inventory of weapons.

Stop to think that any use of our Armed Forces, wherever they may be in the world, is dependent on air superiority. The United States has that air superiority, but there are nations night and day trying to fashion airplanes or instruments that could take away that air superiority. This Nation is banking its future on that aircraft.

I am very pleased that our committee has marked up a strong bill on that issue. The Senator from Georgia may have some additional thoughts on it, which we will turn to in the course of the deliberations on this bill.

I salute the Senator from Georgia, Mr. CHAMBLISS, for doing everything he can to ensure that the United States of America maintains its air superiority so that the men and women of the other Armed Forces, be they at sea, on the land—wherever they may be—have the sense of confidence that the skies above will not become some instrument of war in harm's way to them.

Mr. CHAMBLISS. Mr. President, I thank the chairman for his comments and for his leadership. It is a pleasure to serve with him in this body. It is a pleasure to serve with him as a member of the Armed Services Committee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, we have before the Senate the extremely important Defense authorization bill, led in the Armed Services Committee by my friend, the Senator from Virginia, Mr. WARNER, and the Senator from Michigan, Mr. LEVIN. I look forward to these next several days debating this issue. I commend them, as we begin this debate, for the way they considered the various recommendations and suggestions that have been made by the members of the committee in developing this bill.

I ask unanimous consent to proceed for a few minutes in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. KENNEDY are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Parliamentary inquiry, Mr. President: Is it appropriate that I ask for 5 minutes as in morning business?

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. DOMENICI are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. I am pleased, once again, to join the chairman of the Senate Armed Services Committee, Senator WARNER, in bringing the National Defense Authorization Act to the Senate floor. This bipartisan bill was favorably reported by unanimous vote of the Senate Armed Services Committee on May 4, 2006, as our distinguished Presiding Officer is well aware, since he had an important role bringing this bill to the floor.

This is the sixth Defense authorization bill that Senator WARNER has brought to the Senate floor as chairman of our committee. Under the 6-year term limitation imposed on committee chairmen under the Republican Conference, it will also be his last.

Senator WARNER served this country as an enlisted man in the Navy in World War II, as an officer in the Marine Corps in the Korean war, and as Secretary of the Navy during the Vietnam war. He has continued that service as a member of the Senate Armed Services Committee since his election to the Senate in 1978.

As Senator WARNER has pointed out on many occasions, he and I came to the Senate together. We have now served side by side on the Senate Armed Services Committee for more than 27 years.

As chairman of our committee, Senator WARNER is unfailingly patient, courteous, and thoughtful. He has always been willing to listen. He has always tried to work out constructive solutions to even the most difficult problems. And when he is unable to work out those solutions, he is always up front and is always protecting the opposition's procedural rights. Senator WARNER has consistently shown his dedication to providing the resources that are needed for our national defense and meeting the needs of our men and women in uniform.

Senator WARNER has served in the finest tradition of our committee, a tradition of bipartisan dedication to the national defense established by previous giants such as Richard Russell, John Stennis, and Sam Nunn, and we thank him for it. He is now and will, hopefully for a long time, be on that list of giants—but after this year and after this bill, not as chairman of our committee.

Every Senator in this body trusts JOHN WARNER. Perhaps this is the highest of all the tributes that one can pay. The unanimous vote of the committee on the bill we bring before the Senate today is a fitting statement about Senator WARNER's chairmanship.

This bill contains many important provisions that will improve the quality of life of our men and women in uniform.

Mr. WARNER. Mr. President, if the Senator will yield, I wish to say with a deep sense of humility how much I appreciate his comments. To the extent I have had achievements as chairman of this committee, and before that as ranking member, it was largely due to the long-term friendship and confidence we share in each other's decisions.

Mr. LEVIN. Again, we all thank the Senator. His service on the committee is not over, and his service as chairman is not over. We still have a long way to go, through the floor of the Senate and through conference, but we have no doubt about the outcome of either the floor debate or the conference. He will pull this bill through again, as he invariably has.

This bill contains many important provisions that will improve the quality of life of our men and women in uniform. It will provide needed support and assistance to our troops in Iraq, Afghanistan, and around the world, and make the investments that we need to meet the challenges of the 21st century.

First and foremost, the bill before us continues the increases in compensation and in quality of life that our service men and women and their families deserve as they face the hardships that are imposed by continuing military operations. For example, the bill contains provisions that would prohibit increases proposed by the administration in TRICARE Prime enrollment fees and require the Comptroller General to conduct a comprehensive analysis of Department of Defense health care costs and savings proposals.

The bill rejects cuts proposed by the administration for the National Guard budget, ensuring that National Guard end strength will be fully funded.

The bill would repeal provisions of the Survivor Benefit Plan that reduces military retirement payments by amounts received for dependency and indemnity compensation, and the bill would require an audit of pay accounts of wounded soldiers and actions to correct erroneous payments, including a toll-free hotline for military personnel and next-of-kin who are experiencing pay problems.

The bill also includes important funding authorities needed for our continuing operations in Iraq and Afghanistan and our efforts to secure our Nation against terrorism.

For example, the bill contains provisions that would authorize over $2 billion for the Joint Improvised Explosive Device Defeat Fund to facilitate the rapid development of new technology and tactics and the rapid redeployment of equipment to counter the IED threat.

The bill authorizes an additional $950.5 million for force protection equipment including $559.8 million for up-armored High Mobility Multi-purpose wheeled vehicles and $100.0 million for counter-IED engineer vehicles:

The bill provides $115.2 million over the President's budget request for combating terrorism and enhancing domestic preparedness:

The bill authorizes $50.0 billion supplemental to cover the cost of ongoing military operations in Iraq, Afghanistan and the global war on terrorism in fiscal year 2007, and it provides expanded authorities for regional combatant commanders to train and equip foreign military forces, provide logistics support, supplies and services to allies and coalition partners, and lease or lend equipment for personnel protection and survivability to foreign forces participating in combined military operations with U.S. forces.

I am pleased that the bill contains a provision requiring that Congress be provided a coordinated U.S. Government legal opinion on whether certain specified interrogation techniques would constitute cruel, inhuman or degrading treatment under the Detainee Treatment Act of 2005 and other applicable provisions of law. This provision is necessary because the administration has refused to provide Congress existing legal opinions on the conduct of interrogations and detainee operations and failed to live up to its responsibility to provide clear guidance to our troops in the field on these issues.

Finally, the bill contains a number of provisions that will help improve the management of the Department of Defense and other Federal agencies. For example, the bill contains provisions that would improve the management of major defense acquisition programs by increasing the authority and responsibility of program managers and linking the payment of award and incentive fees directly to program outcomes; help identify and address problems with major information technology programs by establishing cost, schedule and performance requirements similar to those applicable to the acquisition of major weapon systems; ensure that the public receive accurate information on the department's budget requirements by prohibiting the "parking" of funds in one budget account when the funds are intended for a different purpose; continue the committee's oversight of interagency contracting by extending the current series of joint DOD inspector general audits to include interagency contracts managed by the National Institutes of Health and the Veterans' Administration; and address abusive contracting practices by requiring the Secretary of Defense to prescribe regulations prohibiting excessive pass-through fees charged on contracts and subcontracts:

For example, recent press articles have described a process in which work was passed down from the Army Corps of Engineers to a prime contractor, then to a subcontractor, then to another subcontractor—with each company charging the government for profit and overhead before finally reaching the company that would actually do the work.

In one such case, the Army Corps reportedly paid a prime contractor $1.75 per square foot to nail plastic tarps onto damaged roofs in Louisiana. The prime contractor paid another company 75 cents per square foot to do the work: that subcontractor paid a third company 35 cents per square foot to do the work; and that subcontractor paid yet another company 10 cents per square foot to do the work.

In other words, we paid the prime contractor $1.75 per square foot for their work. He used a sub, who used a sub, who used a sub, who ended up paying the people who actually did the work 10 cents per square foot to do the work that we and the taxpayers paid $1.75 per square foot to accomplish.

In a second such case, the Army Corps reportedly paid prime contractors $28 to $30 per cubic yard to remove debris. The companies that actually performed the work were paid only $6 to $10 per cubic yard. A representative of one of the companies was quoted as saying:

> Every time it passes through another layer, $4 of $5 is taken off the top. These others are taking out money, and some of them aren't doing anything.

We have many important issues to address as we consider this bill over the next few days. For example, I am sure that we will deal with amendments addressing the way forward for our forces in Iraq. My own view, consistent with the long-held advice of our senior military commanders, is that there will be no military solution to the violence in Iraq and no way to defeat the insurgency until a political solution is achieved and accepted by the Iraqis themselves.

And we must find ways to press the Iraqis to make those political accommodations.

The good news that we received about the death of Abu Musab al-Zarqawi, and perhaps the more important news that the Iraqi parliament had approved the nominees for ministers of defense, national security, and the interior will hopefully foster greater cooperation among the various Iraqi parties.

The Iraqis must now turn to the difficult but critical task of making their constitution a unifying and inclusive document. The administration needs to be pressing the Iraqis to complete this essential task within the timeline which is provided by the constitution itself. Only the Iraqis can reach a political settlement that unifies their country.

Among the amendments that we will deal with in the coming days is one I intend to offer to reduce funding provided in the bill for ballistic missile interceptors and related deployment sites for the Ground-based Midcourse Defense—GMD—program. The GMD system has yet to have a single successful intercept test, yet this bill would provide funding for the final 10 operational interceptors requested by the Department of Defense. The flight tests that have occurred to date have shown the program to be immature and developmental in the test failures and numerous problems remaining to be solved. The Department's proposal to complete the acquisition of operational missiles before these missiles have been successfully tested puts us at risk of spending hundreds of millions of dollars on the deployment of a system that may not work.

I look forward to debating these and other issues as we move forward with this bill over the next few days.

As of today, more than 130,000 U.S. soldiers, sailors, airmen and marines are engaged in taking on an aggressive insurgency and helping the Iraqi security forces to prevent civil war in Iraq, almost 20,000 remain in harm's way in Afghanistan, and tens of thousands more are supporting the war effort through deployments thousands of miles from home. Our Armed Forces have also played a critical role in responding to the devastation left by Hurricane Katrina and other disasters both at home and overseas.

Senate action on this bill will improve the quality of life of our men and women in uniform. It will give them the tools that they need to remain the most effective fighting force in the world. Most important of all, it will send an important message that we, as a nation, stand behind them and appreciate their service—and that is true regardless of one's position on the wisdom of our Iraq policy.

I again congratulate our chairman, Senator WARNER, for bringing forth this bill in a unanimous way, as he has and always does. I look forward to working with our colleagues to pass this important legislation as promptly as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I again thank my long-time friend, the ranking member of this committee.

We shall now be available for amendments. The bill is open for amendment. I intend to remain here for a while this evening. I think there is a strong likelihood that I will have an amendment to be offered on behalf of colleagues on our side very shortly relating to the military operation which resulted in the extinguishing of the life of al-Zarqawi.

Mr. LEVIN. We look forward to that amendment. I am sure there will be a lot of support for that operation on both sides of the aisle. We haven't seen the language, but I am sure we will support it.

Mr. WARNER. I anticipate that. The Senator from Michigan will have it as soon as it is in final form.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VOINOVICH). Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. ISAKSON are printed in today's RECORD under "Morning Business.")

Mr. ISAKSON. Mr. President, I suggest the absence of a quorum.

Mr. CORNYN addressed the Chair.

The PRESIDING OFFICER. Will the Senator from Georgia withdraw his suggestion of the absence of a quorum?

Mr. ISAKSON. I withdraw my suggestion of the absence of a quorum.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, thank you.

Mr. President, I express my gratitude to the Senator from Georgia for his remarks.

Mr. President, I rise to speak on the National Defense Authorization Act for 2007, the bill that is on the floor. Passage of the bill is critical to ensuring that our military has the resources necessary to accomplish the demanding missions we have asked them to undertake around the globe.

I am privileged to chair, on the Senate Armed Services Committee, the Subcommittee on Emerging Threats and Capabilities, and to work closely with my colleague on the other side of the aisle, the ranking member, Senator JACK REED. Together, we ensured that this year's National Defense Authorization Act would make a number of important contributions in the areas of combating terrorism, homeland defense, nonproliferation, and investments in defense science and technology.

I want to spend a few minutes highlighting the subcommittee's work as part of this larger Defense authorization bill. But before addressing those specifics, I commend Chairman WARNER for his outstanding leadership of the Armed Services Committee in the time I have been in the Senate.

This markup, as has already been noted, is his last markup as chairman of the committee. But I am confident that Senator WARNER will continue to contribute in many ways and play a key role in the work of the committee, even after he no longer is chairman. We are fortunate to have his expertise in the Senate, particularly on the Senate Armed Services Committee. And I congratulate him for a job well done.

This bill builds on the President's budget request of $11.1 billion for science and technology by adding $362 million in authorization language to these important programs. This year's additional science and technology investment is focused on unmanned systems, energy and power, information assurance, combat medicine, force protection, transformational technologies, and basic research.

The bill sustains the committee's investment in research and technology to defeat improvised explosive devices, otherwise known as IEDs, that are having such a devastating effect on our troops and civilians in Afghanistan and Iraq.

Reflecting a focus on transformational technologies, the bill directs the Secretary of Defense to develop a Department-wide unmanned systems policy, and to give preference to unmanned systems and vehicles in development of these new systems. The bill also directs the Secretary of Defense to establish a joint technology office to coordinate, integrate, and manage hypersonic research, development and demonstration projects and budgets.

To support the Department's commitment to combat terrorism and to protect our homeland, this bill authorizes nearly $150 million above the President's budget request in this area. The bill adds $13.5 million for homeland defense research, equipment and operations, and $17.3 million to meet unfunded priorities of the Northern Command responsible for the area, including the continental United States.

The bill provides additional resources and authorities for the Weapons of Mass Destruction—Civil Support Teams, including adding $8.5 million for the development of a sustainment training program for the 55 congressionally authorized WMD-CSTs—Weapons of Mass Destruction—Civil Support Teams—and an additional $5 million to address equipment upgrades for the first 32 of those teams to ensure standardization of equipment for all teams.

The bill authorizes the Secretary of Defense to approve the deployment of these teams to Canada and Mexico, with the consent of appropriate authorities in each of those countries, and expands the types of emergencies for which the Secretary may prepare or employ these civil support teams.

The recent arrests of terrorists in Canada make it all too easy to imagine a circumstance in which we might want to employ these Weapons of Mass Destruction—Civil Support Teams beyond our borders when requested by our neighbors either to the north or to the south.

Reflecting the importance the committee places on information assurance and cyber-security, the bill requires the Department to report to Congress on progress in addressing a list of identified deficiencies in the area of cyber-security, information assurance, and network protection.

In recognition of the critical and growing role of Special Operations Forces in the global war on terrorism, this bill adds $102.4 million for Special Operations Command to address unfunded priorities, and includes a provision to enhance acquisition oversight for the Special Operations Command to make sure the dollars it does spend are spent well.

Our troops must be prepared for the possibility of a chemical or biological attack by terrorists at home or on the battlefield. Accordingly, the bill adds $68 million for chemical-biological defense, including $30 million to procure equipment to address shortfalls in National Guard units for chemical agent detection equipment and monitors, and $38 million for chemical and biological defense research, development, test, and evaluation programs to counter the threat of chemical and biological weapons.

In the area of nonproliferation and weapons of mass destruction threat reduction, this bill fully supports the President's budget request, authorizing $1.7 billion for the Department of Energy nuclear nonproliferation programs and more than $372 million for the Department of Defense Cooperative Threat Reduction Program. These important programs are preventing weapons of mass destruction from getting into the hands of terrorists.

Finally, the bill includes several provisions to extend and expand the Department of Defense counterdrug authorities, including those relating to support of Colombian efforts against terrorist organizations involved in narcotics activity; DOD support of the counterdrug activities of other U.S. Government agencies; and Department of Defense support of the counterdrug activities of other countries.

Before I conclude, I would like to spend just a couple minutes on a section of the bill with which I strongly disagree. The committee bill recommends a 1-year delay in the production of the Joint Strike Fighter. I share my colleagues' concerns and commitment to acquisition reform, and I am pleased that the committee bill contains many provisions to improve our acquisition process. We have to get acquisition costs under control if we are going to be able to procure the weapons systems our Nation needs to meet the threats of the 21st century. But I am deeply concerned that the committee's recommendation will undermine the Joint Strike Fighter Program in terms of cost increases and schedule slips.

The Joint Strike Fighter Program is the largest acquisition program in the history of the Department of Defense. There are legitimate questions regarding the level of concurrency between research and development and procurement in this program that have been subject to criticism by the General Accounting Office. The committee recommendations closely follow those recent GAO reports on the Joint Strike Fighter. But I would note that the GAO recommendations have not been subject to a business-case analysis. In fact, implementation of the General Accounting Office recommendations could likely cost more and result in further delays of the program.

In short, I am concerned that the committee recommendation of a 1-year production delay may be penny-wise and pound-foolish. For example, do we know how the proposed 1-year delay in production will affect the overall cost of the Joint Strike Fighter program? Do we know how the proposed 1-year delay in production will affect the Initial Operational Capability of the Joint Strike Fighter? And, finally, do we know how the proposed 1-year delay in production will affect our international partners?

These are questions raised at the committee level and I think still are deserving of good, solid answers. I strongly believe we need the answers to these questions before undertaking major changes in this important program. I am hopeful that as we move forward we can get the answers Congress needs in order to help, and not hurt, this important program.

I have highlighted those elements of the fiscal year 2007 national Defense authorization bill that were developed by the Subcommittee on Emerging Threats and Capabilities. There are, of course, many other important provisions in this bill which my colleagues on the committee will have the opportunity to describe.

I urge all Senators to support the legislation and, in doing so, send a resounding signal of support to our men and women in uniform.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, before I begin talking about the legislation before us today, I would like to thank Chairman WARNER and Ranking Member LEVIN who have continued their tradition of strong bipartisan leadership of the Senate Armed Services Committee. In particular, I want to commend my dear friend and colleague, Senator JOHN WARNER, for his service to this distinguished committee. As chair, he has been a true statesman and shown how Congress should work. He understands the issues that come before this committee are ones that should not be caught in party bickering. It has truly been an honor to work with him to ensure that our men and women in the armed services have the tools necessary to successfully meet the challenges of today and into the future. While this will be the last Defense Authorization bill that he will oversee as the chairman of the committee, it surely will not be the last one where his expertise will be felt. Again, I thank him and look forward to working with him in the future on issues before this committee.

This bill exemplifies what can be achieved through the spirit of bipartisan cooperation to address a number of important defense priorities. For example, this bill makes sure the Department of Defense has the resources it needs to combat terrorism by authorizing an additional $115.2 million over the President's budget request. And it includes a number of provisions designed to protect the quality of life of our service members.

But I have several concerns related to this bill. First and foremost, I am concerned that the administration continues to fund this war through emergency supplemental appropriations. While I support our soldiers currently serving overseas in Iraq and Afghanistan and I am pleased that this committee has authorized an additional $81.9 billion for ongoing operations, I believe that the administration's current policy is fiscally irresponsible. Unlike true national emergencies and natural disasters such as Hurricane Katrina, the funds required for these ongoing operations can be assessed, identified and included in the regular budget process. It is time for this administration to make the true cost of war transparent to both the Congress and the American public.

Just today, I returned from Iraq where I had an opportunity to meet and speak with our brave men and women in the Armed Forces in Iraq. They are truly doing an excellent job in a difficult and often dangerous environment. Thanks to the efforts of our soldiers, the people of Iraq are better equipped to begin the task of self-governance. During this trip, I spoke to the new Iraqi Minister of Defense and Iraq's National Security Advisor who are both optimistic about Iraq's progress toward democracy. I, myself, witnessed the advances made by the Iraqi people who are building a strong democratic foundation for the future of their nation. However, more needs to be done. While I do not believe that we should leave before the Iraqi people are equipped with the tools necessary to support a stable democratic society, we must ensure that the progress already started with the recent election of the Iraqi Minister of Defense and the Minister of Interior continues. At the same time, whether we leave Iraq tomorrow, or in 6 months, or longer, it is important for the President to inform Congress and the American people as to when and how our troops will be coming home.

I am also disappointed that this year's authorization bill reduced the amount of funding for corrosion prevention and control programs. Corrosion is a costly problem. In fact, it is one of the largest costs in the life cycle of weapons systems. In addition, corrosion reduces military readiness as the need to repair or replace corrosion damage increases the downtime of critical military assets. Consequently, I firmly believe that cohesive corrosion control programs are integral to maintaining military readiness. This critical maintenance activity increases the life of multimillion dollar weapons systems and ensures their availability during times of crisis. Effective corrosion control should be made a key component of the Department of Defense's resetting strategy and funds should be allocated accordingly.

Despite these concerns, I feel that this year's authorization includes a number of significant provisions that will greatly benefit our military personnel. I am particularly pleased to see provisions that address issues related to the quality of life of military members and their families. I believe that it is our responsibility, as Government leaders, to guarantee that our men and women in uniform are appropriately compensated. Consequently, I support the committee's approval of a 2.2 percent pay raise for all military personnel and targeted pay raises for mid-career and senior enlisted personnel and warrant officers. I am also encouraged that the committee prohibited increases in TRICARE Prime enrollment fees in fiscal year 2007 and authorized $10 million for pilot projects related to the treatment of post traumatic stress disorder. In addition, I am glad to see a number of provisions that directly benefit the children of our Nation's soldiers such as the authorized $45 million in supplemental education aid to local school districts that are affected by a large increase of students due to base realignments or the activation of new military units. I also support a 3-year pilot education program on parent education to promote early childhood education for military children who have been affected by their parent's deployment or relocation.

As the ranking member of the Readiness Subcommittee, my colleagues and I included a number of provisions in the bill that are vital to the near-term readiness of our Armed Forces. Most notably, this bill includes several provisions designed to address problems related to the DOD's acquisitions policies. One key provision would give DOD program managers more authority while at the same time holding them accountable for results—a best practice currently employed in the private sector. A provision requiring DOD officials to certify that the cost estimate for programs are reasonable and funding is available prior to initiating a major defense acquisition program was included as well. This bill also makes provisions that address DOD contracting policies and practices. For example, the DOD would be required to track and report cost overruns and schedule delays on major information technology purchases.

I am also encouraged by our ability to provide support for programs and projects funded through the operation and maintenance account which directly impact the readiness of our troops. These include an additional $52.9 million for force protection, including combat clothing and field medical equipment and $97.3 million for training resources. In addition, the Readiness Subcommittee included an increase of $400 million for critical military construction projects that were identified by military installation commanders as top priorities.

I am pleased that the bill also contains my legislation to establish a National Language Council to develop a long-term and comprehensive language strategy and oversee the implementation of that strategy. In 2004 the Department of Defense hosted a conference on foreign language education and the development of such a council and strategy was the number one recommendation of those in attendance—including administration officials. Without a comprehensive strategy addressing all of our language needs, combined with a real investment in language education, the strength and security of the United States remains at risk. It is imperative that our education system produce individuals in a broad spectrum of occupations who are able to effectively communicate and understand the cultures of the people with whom they interact. This includes scientists, lawyers, doctors, and educators, in addition to diplomats, law enforcement officers, and intelligence analysts. Moreover, I believe that we must focus on more than just the languages deemed "critical" today. Rather, we should learn all languages in order to develop long-term relationships with people all across the world. To do this, we need a cross-cutting and comprehensive plan that states where we are today, where we want to be, and how we are going to get there. My legislation that establishes a National Language Council goes a long way toward providing a national language strategy that reflects the views of all stakeholders—academia, industry, language associations, heritage communities, and governments at all levels—because this is an issue that impacts every segment of society and is too big for only one sector to handle.

I believe that the Senate Armed Services Committee has created a bill that will provide the necessary funds required to support our servicemen and women and that allows the military to continue to meet our Nation's future defense needs.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, by previous agreement between the distinguished majority leader and the Democratic leader, the chairman and ranking member of the committee will, for the remainder of this evening, as well as tomorrow morning, follow this protocol.

I will put forth an amendment momentarily on behalf of myself, Mr. FRIST, Mr. REID, and Mr. LEVIN, and it is a joint, hopefully bipartisan, acceptable amendment to be debated further in the morning.

The military operation that resulted in the death of Zarqawi was a stunning accomplishment for U.S. forces. It displayed the precision, perseverance and professionalism of our Armed Forces supported by a sophisticated and superb intelligence apparatus that included U.S, Iraqi, and Coalition intelligence organizations. Behind the details that were made public, I can tell you, were months of coordinated, hard work by analysts, human intelligence operatives, and military planners.

The death of Zarqawi will hopefully lessen, but not end the violence in Iraq, but it is certainly a significant blow to the terrorist network in Iraq, to Osama bin Laden, and the al-Qaida organization.

Zarqawi was the most prominent insurgent in Iraq and the most active of bin Laden's affiliates. While bin Laden hides in mountain caves, capable of making occasional audio tapes, Zarqawi was working to trigger a civil war, disrupt the democratic process of the new unity government in Iraq, and then use Iraq as a base to launch attacks throughout the region. There is proof of that intent.

He had eluded capture for 3 years, he was indeed cruel, cunning, and cagey—and now gone.

I proudly salute the brave and professional work of our military forces as well as the formidable efforts of our military, civilian, and allied intelligence operations. This success is one that the entire intelligence community should find very satisfying. The combined efforts of the Directorate of National Intelligence, the Central Intelligence Agency, and all of our defense intelligence capabilities, and our military forces in Iraq, collaborated on this effort. I believe this success displays that reforms are working.

AMENDMENT NO. 4208

Mr. WARNER. Mr. President, this amendment is regarding the successful operation by our military forces, the coalition forces, the civilian and military intelligence both abroad in Iraq, as well as those teams here in the United States, in the successful elimination of what is regarded as the No. 1 terrorist in all Iraq, Zarqawi. He is no longer able to operate as he once did.

At this time, I send this amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. FRIST, for himself, Mr. REID, Mr. WARNER, and Mr. LEVIN, proposes an amendment numbered 4208.

Mr. WARNER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of Congress that the Armed Forces, the intelligence community, and other agencies, as well as the coalition partners of the United States and the Security Forces of Iraq should be commended for their actions that resulted in the death of Abu Musab al-Zarqawi, the leader of the al-Qaeda terrorist organization in Iraq and the most wanted terrorist in Iraq)

At the end of subtitle I of title X, insert the following:

SEC. 1084. SENSE OF CONGRESS ON THE COMMENDABLE ACTIONS OF THE ARMED FORCES.

(a) FINDINGS.—Congress finds that—

(1) on June 7, 2006, the United States Armed Forces conducted an air raid near the City of Baquba, northeast of Baghdad, Iraq, that resulted in the death of Ahmad Fadeel al-Nazal al-Khalayleh, better known as Abu Musab al-Zarqawi, the leader of the al-Qaeda in Iraq terrorist organization and the most wanted terrorist in Iraq;

(2) Zarqawi, as the operational commander of al-Qaeda in Iraq, led a brutal campaign of suicide bombings, car bombings, assassinations, and abductions that caused the deaths of many members of the United States Armed Forces, civilian officials of the United

States Government, thousands of innocent Iraqi civilians, and innocent civilians of other nations;

(3) Zarqawi publicly swore his allegiance to Osama bin Laden and al-Qaeda in 2004, and changed the name of his terrorist organization from the "Monotheism and Holy War Group" to "al-Qaeda in Iraq";

(4) in an audiotape broadcast in December 2004, Osama bin Laden, the leader of al-Qaeda's worldwide terrorist organization, called Zarqawi "the prince of al-Qaeda in Iraq";

(5) 3 perpetrators confessed to being paid by Zarqawi to carry out the October 2002 assassination of the United States diplomat, Lawrence Foley, in Amman, Jordan;

(6) the Monotheism and Holy War Group claimed responsibility for—

(A) the August 2003 suicide attack that destroyed the United Nations headquarters in Baghdad and killed the United Nations envoy to Iraq Sergio Vieira de Mello along with 21 other people; and

(B) the suicide attack on the Imam Ali Mosque in Najaf that occurred less than 2 weeks later, which killed at least 85 people, including the Ayatollah Sayed Mohammed Baqr al-Hakim, and wounded dozens more;

(7) Zarqawi is believed to have personally beheaded American hostage Nicholas Berg in May 2004;

(8) in May 2004, Zarqawi was implicated in a car bombing that killed Izzadine Salim, the rotating president of the Iraqi Governing Council;

(9) in November 2005, al-Qaeda in Iraq attacked 3 hotels in Amman, Jordan, killing at least 67 innocent civilians;

(10) Zarqawi and his terrorist organization were directly responsible for numerous other brutal terrorist attacks against the American and coalition troops, Iraqi security forces and recruits, and innocent Iraqi civilians;

(11) Zarqawi sought to turn Iraq into a safe haven for al-Qaeda;

(12) to achieve that end, Zarqawi stated his opposition to the democratically elected government of Iraq and worked to divide the Iraqi people, foment sectarian violence, and incite a civil war in Iraq; and

(13) the men and women of the United States Armed Forces, the intelligence community, and other agencies, along with coalition partners and the Iraqi Security Forces, should be commended for their courage and extraordinary efforts to track down the most wanted terrorist in Iraq and to secure a free and prosperous future for the people of Iraq.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress—

(1) commends the United States Armed Forces, the intelligence community, and other agencies, along with coalition partners, for the actions taken through June 7, 2006, that resulted in the death of Abu Musab al-Zarqawi, the leader of the al-Qaeda in Iraq terrorist organization and the most wanted terrorist in Iraq;

(2) commends the United States Armed Forces, the intelligence community, and other agencies for this action and their exemplary performance in striving to bring freedom, democracy, and security to the people of Iraq;

(3) commends the coalition partners of the United States, the new government of Iraq, and members of the Iraqi Security Forces for their invaluable assistance in that operation and their extraordinary efforts to secure a free and prosperous Iraq;

(4) commends our civilian and military leadership for their continuing efforts to eliminate the leadership of al-Qaeda in Iraq, and also commends the new government of Iraq, led by Prime Minister Jawad al-Maliki, for its contribution to that achievement;

(5) recognizes that the death of Abu Musab al-Zarqawi is a victory for American and coalition forces in the global war on terror and a blow to the al-Qaeda terrorist organization;

(6) commends the Iraqi Prime Minister Jawad al-Maliki on the finalization of the new Iraqi cabinet;

(7) urges the democratically elected government in Iraq to use this opportunity to defeat the terrorist enemy, to put an end to ethnic and sectarian violence, and to achieve a free, prosperous, and secure future for Iraq; and

(8) affirms that the Senate will continue to support the United States Armed Forces, the democratically elected unity government of Iraq, and the people of Iraq in their quest to secure a free, prosperous, and democratic Iraq.

Mr. WARNER. Mr. President, I ask unanimous consent that this be the pending business, with the understanding that it be laid aside tomorrow, in the morning, for such time as the distinguished ranking member seeks to gain recognition for the purpose of introducing an amendment from his side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that when the Senate resumes debate on the Defense authorization bill on Tuesday, the time between then and 12:15 be equally divided between the chairman and ranking member or their designees; provided further, that at 12:15, the Senate proceed to vote on amendment No. 4208, with no amendments in order to the amendment. That is the amendment I just introduced.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, the matters with regard to this bill are concluded for tonight. I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

(The remarks of Mr. LEVIN are printed in today's RECORD under "Morning Business.")

Mr. LEVIN. Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

STAFF SERGEANT RICHARD A. BLAKLEY

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave man from Avon. Richard Blakley, 34-years-old, was killed on June 6 from small arms fire while on patrol near Al Khalidiyah, Iraq. With so much of his life before him, Richard risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Richard was killed while serving his country in Operation Iraqi Freedom. He was a member of Company E, 38th Main Support Battalion, Indianapolis. This brave soldier leaves behind his wife Patricia and two children, Whitney, 11, and Richard Jr., 9. He also leaves behind his mother, Janice Schauwecker, and father, James Blakley.

A medic in the Indiana National Guard, Richard's devotion to duty had been commemorated just months before his death, when he was presented with a Purple Heart following a wound from an enemy sniper in January. Because of his injury, Richard was offered a trip home and was urged to take time off to recuperate. Instead, he chose to return to active duty the same day.

Richard joined the Indiana Guard out of high school in 1989 and volunteered to serve in the Persian Gulf war and at U.S. ports in 2003 and 2004. In civilian life, Richard was a journeyman millwright, putting together machinery and heavy equipment. An avid Colts fan, Richard always wore a team shirt on game days, even if he was on patrol. He was wearing one on the day he was shot in January, and the Colts had planned to sign the bloodstained shirt and return it to him. Richard was also known for being a devoted father who was driven by a desire to help others! A friend and fellow Indiana National Guard member recalled to the Indianapolis Star Richard's dedication to those around him, saying "It was just who he was. He wanted to be where the action was. He wanted to help people . . . " His wife called her husband "the strongest person I've ever known in my life."

Today, I join Richard's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Richard, a memory that will burn brightly during these continuing days of conflict and grief.

Richard was known for his dedication to his family and his love of country. Today and always, Richard will be remembered by family members, friends, and fellow Hoosiers as a true American hero and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Richard's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: "We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here." This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Richard's actions will live on far longer that any record of these words.

It is my sad duty to enter the name of Richard Blakley in the official RECORD of the Senate for his service to this country and for his profound commitment to freedom, democracy, and peace. When I think about this just cause in which we are engaged and the unfortunate pain that comes with the loss of our heroes, I hope that families like Richard's can find comfort in the words of the prophet Isaiah, who said, "He will swallow up death in victory; and the Lord God will wipe away tears from off all faces."

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Richard.

50TH ANNIVERSARY OF THE HUNGARIAN REVOLUTION

Mr. DEWINE. Mr. President, today I honor the 50th anniversary of the Hungarian Revolution. In 1956, the people of Hungary stood in the face of adversity and expressed their passion for democracy and independence. They had a vision of what a free and democratic Hungary would look like—a vision that finally came to fruition after nearly 35 years. Only 10 years prior the revolution, Hungarians participated in free elections. Through those elections, the people felt the hope and promise of democracy. The perseverance of these strong people can be seen in their remarkable journey toward freedom.

On October 23, 1956, tens of thousands of Hungarians stood in the streets, demanding independence from the Soviets. The revolt began as a peaceful gathering of student protesters that spread to the general population, and the first day ended with clashes between the police and the demonstrators. Those on the streets were advocating for basic principles of liberty—free elections, freedom of the press, withdrawal of Soviet troops from Hungary, and the return of their Prime Minister Imre Nagy, who had been forced out of office because of his democratic policies.

In an attempt to calm the uprising, on October 26, 1956, the Central Committee of the Communist Party reinstated Nagy as Prime Minister. He promised the people of Hungary political freedom and vowed to revive the democratic process. He began by vowing to withdraw Hungary from the Warsaw Pact and declaring neutrality on November 1, 1956. As Nagy was working to satisfy those revolting, the Soviets were working on a plan to counter the revolution. Even though some members of the Hungarian Army defected and worked against the Soviets, ultimately it was not enough to fight off the ever-powerful Soviet regime.

Only 12 days after the revolution began, the Soviet Air Force started a counterrevolution, bombing parts of Budapest on November 4, 1956. The hope of the Hungarian people for freedom quickly slipped away. In the days and weeks following the revolution, many of those involved fled to other countries. Prime Minister Nagy tragically, however, was tried in secret and executed in June 1958, paying the ultimate price for his involvement in the revolution.

Today, we reflect with Hungarians around the world, including many proud Hungarian Americans, 50 years after this significant time period and celebrate the promise it held for the future of Eastern Europe.

DECOMMISSIONING OF THE UNITED STATES COAST GUARD CUTTER "MACKINAW"

Ms. STABENOW. Mr. President, I rise today to recognize the U.S. Coast Guard cutter *Mackinaw*—WAGB 83—and her crew for their years of service to the United States, the State of Michigan, and the Great Lakes. Today, after 62 years of service, the *Mackinaw*'s commissioning pennant will be lowered, and the Coast Guard will pass the honor of keeping the Great Lake's shipping lanes open to her namesake and legacy, the new U.S. Coast Guard cutter *Mackinaw*—WLBB-30.

On March 20, 1943, construction of the *Mackinaw* began at the Toledo Ship Building Company. When commissioned on December 20, 1944, the *Mackinaw* was the most powerful icebreaker in the world. The ship measures 269 feet from bow to stern, and it is still the largest cutter in the Great Lakes. The "Big Mac," as it is affectionately known, set the standard for other icebreakers to live up to.

The *Mackinaw* began her service at the end of 1944 breaking ice and keeping the shipping lanes open to ensure the flow of steel during World War II. The cutter's design was state of the art and gave her the ability to break channels 70 feet wide through 4 feet of ice. The *Mackinaw* once broke through an astonishing 37 feet of ice. During her first season she made 17 passes through the Straits of Mackinac.

While the Big Mac's primary mission was to keep the shipping lanes open during the winter months, she also conducted search and rescue, aid to navigation, law enforcement, and public relations missions. On a tragic day in 1965, the U.S. *Cedarville* and Norwegian *Topdalsfjord* collided in Lake Huron, and the *Mackinaw* rushed to aid survivors and take on casualties. When performing its primary mission from December to April, the *Mackinaw*'s motto is "we move ships when no one else will." In 1948, the *Mackinaw* freed 12 ice-locked ships in Buffalo, N.Y., and in 1984 opened a channel through the St. Clair River Ice Jam freeing 13 vessels stuck in the ice and opening a passage for 75 other freighters waiting for passage. For these and other feats, the *Mackinaw* also became know as the "Great White Mother."

Today, I also pay tribute to the men and women, past and present, who have served on the *Mackinaw*. The Big Mac and its crew spent many months away from home from home in the bitter cold navigating the frigid waters of the Great Lakes. This was often lonely duty for her crew, but the Big Mac's efforts were crucial to keep Great Lakes commerce moving during the winter months.

The "Big Mac" is being replaced but not forgotten. I am pleased that the Big Mac will remain in Michigan as an attraction and educational experience so that everyone can enjoy the wonders of this legendary ice breaker. The new *Mackinaw* will perform as an icebreaker and will also maintain navigational aids. I am sad to see the Big Mac retired but am excited the torch will pass on to such a fine ship.

The U.S. Coast Guard cutter *Mackinaw* and its crew have done a remarkable job over the years. I thank them for their service to their country, Michigan and the Great Lakes. Finally, I say thank you and goodbye to the Big Mac.

ADDITIONAL STATEMENTS

RECOGNIZING JAMES D. DARNELL

• Mr. ALLEN. Mr. President, I am pleased today to recognize the Honorable James D. Darnell of Orange, VA, who has served as a member of the Orange town council for 14 years. For 2 of those years, Mr. Darnell also held the position of vice mayor.

As a member of the town council, Mr. Darnell has helped the town of Orange live up to its motto, "Sweet Living, Steady Progress." In part because of Mr. Darnell's dedicated leadership, the town of Orange has witnessed positive growth. Mr. Darnell helped implement such developments as the design and completion of a raw water storage basin, the improvement of the town's infrastructure, the completion of a public works facility and meeting room, the launch of the town's first public transit system, and the construction of a road to the new middle school.

Mr. Darnell, who is a respected businessman and farmer, brought a spirit of innovation and commitment to the town of Orange. I am grateful for his contributions to the town and to the Commonwealth of Virginia.•

RECOGNIZING MAYOR RAYMOND C. LONICK

• Mr. ALLEN. Mr. President, I am pleased today to recognize the Honorable Raymond C. Lonick of Orange, VA, who has served as mayor of Orange for 10 years and as a member of the Orange town council for 16 years.

Since 1990, when he was first elected to the town council, Mayor Lonick has brought innovative and motivated leadership to the town of Orange. He has made countless contributions, and as a result the town has thrived. It was during Mayor Lonick's tenure as mayor that the town adopted the motto, "Sweet Living, Steady Progress," demonstrating Orange's commitment to finding a balance between maintaining the town's charm and history while encouraging its growth. Mayor Lonick and the town of Orange have celebrated many other achievements during the past 16 years, including improvements to the town's infrastructure, the completion of a new public works facility and meeting room, and the launch of the town's first public transit system. One of Mayor Lonick's most notable accomplishments as mayor was helping the town acquire a $300,000 grant in 2002 that will be used for the design and completion of a raw water storage basin.

In addition to playing a significant role in the governance of the town, Mayor Lonick has served Orange in many other capacities. He is a dedicated member of St. Isidore the Farmer Catholic Church, a substitute teacher with the Orange County Public Schools, and a loyal supporter of the Orange Downtown Alliance. I am grateful for his contributions to the town of Orange and to the Commonwealth of Virginia.•

HONORING DENNIS MANSFIELD—AN OUTSTANDING HOOSIER DAD

• Mr. BAYH. Mr. President, I am proud to have the opportunity today to honor Dennis Mansfield, an outstanding Hoosier dad, whose dedication to his 11-year-old daughter, Alison, was demonstrated in a heart-warming essay that she wrote recently.

Last month, in anticipation of Father's Day, I asked young people from across Indiana to write essays about their own outstanding fathers as a way of recognizing Hoosier men who working hard to be good fathers. Alison wrote a touching essay illustrating her father's commitment to helping her achieve her God-given potential, by encouraging her to excel in school and teaching her how to be a good citizen.

As a nation, we have far to go to reverse the trend of absentee fathers, but there are millions of men, including Dennis, who are already going the extra mile for their children, and they deserve our thanks this Father's Day. By holding men like Dennis up as responsible fathers, I also hope to encourage other men to play a bigger role in their children's lives.

Despite holding a demanding job in a hospital emergency room, Dennis always makes time for his daughter and has instilled in her the value of helping others. There is no question that the world would be a far better place if every child was able to have the support of a father like Dennis. By building strong family bonds, he has earned not only his daughter's love but serves as a role model for the community as well.

Today, I thank Dennis for his devotion to his daughter and for setting an example for all of us of what it means to be an outstanding dad. It is my honor to read Alison's essay into the CONGRESSIONAL RECORD of the United States:

> I think my dad is outstanding for three reasons. First, he is always there for me. Even when he is busy, Dad can always find time to do something fun with me.
>
> Second, Dad has taught me many important things. He has been a great teacher from riding a bike, to being a good citizen, to medical terminology and good character.
>
> Third, Dad is also a good role model. He works in the emergency room and sometimes has to work at night and sleep during the day. I think it would be very stressful to handle emergencies and keep a calm demeanor, but he always does. Dad does this because he wants to help people. I admire him for that.
>
> Dad is outstanding because he is there for me, has fun with me, teaches me, helps others and because he is simply a great dad!—Alison R. Mansfield, age 11.•

HONORING AMITAV THAMBA—AN OUTSTANDING HOOSIER DAD

• Mr. BAYH. Mr. President, I am proud to have the opportunity today to honor Amitav Thamba, an outstanding Hoosier dad, whose dedication to his 9-year-old daughter, Aish, was demonstrated in a heart-warming essay that she wrote recently.

Last month, in anticipation of Father's Day, I asked young people from across Indiana to write essays about their own outstanding fathers as a way of recognizing Hoosier men who working hard to be good fathers. Aish wrote a touching essay illustrating her father's commitment to helping her achieve her God-given potential, by encouraging her to excel in school and become a good citizen.

As a nation, we have far to go to reverse the trend of absentee fathers, but there are millions of men, including Amitav, who are already going the extra mile for their children, and they deserve our thanks this Father's Day. By holding men like Amitav up as responsible fathers, I also hope to encourage other men to play a bigger role in their children's lives.

I echo Aish's concluding sentence about her father, which reads, "He is the kind of Dad I wish every kid in the world had." There is no question that the world would be a far better place if every child was able to have the support of a father like Amitav. By building strong family bonds, he has earned not only his daughter's love, but he serves as a role model for the community as well.

Today, I thank Amitav for his devotion to his daughter and for setting an example for all of us of what it means to be an outstanding dad. It is my honor to read Aish's essay into the CONGRESSIONAL RECORD of the United States.

> I was 3 years when my Dad first read to me "The Lion King." Today, I still enjoy the story!
>
> In school, there is a program where we read books and take tests on them. My Dad, in spite of his heavy work schedule, has never missed any Reading Night or school function and has motivated me to do my best. Thanks to Dad, I am an avid reader and read more than 2,000 books in 3 years and the Top Star Reader in my school since 2nd Grade.
>
> My father a hard worker has taught me to be truthful, kind, and respectful. My Dad has inspired me to donate supplies and food to the Wheeler Mission and at the Marion County Juvenile Center.
>
> My father is a very important factor in all my success. He is the kind of Dad I wish every kid in the world had.—Aish Thamba, age 9.•

HONORING FREDERICK RICHARDS—AN OUTSTANDING HOOSIER DAD

• Mr. BAYH. Mr. President, I am proud to have the opportunity today to honor Frederick Richards, an outstanding Hoosier dad, whose dedication to his 16-year-old son, Corey, was demonstrated in an inspiring essay his son wrote recently.

Last month, in anticipation of Father's Day, I asked young people from across Indiana to write essays about their own outstanding fathers as a way of recognizing Hoosier men who are working hard to be good fathers. Corey wrote a touching essay illustrating his father's commitment to his country and his family.

Despite being overseas while serving our country in Camp Phoenix, Afghanistan, as an inspector general, Frederick worked hard to stay in touch with his son and let him know how much he cares. A hero to our country and his son, Frederick has taught Corey to understand the difference between right and wrong and instilled in him the importance of helping people in need.

As a nation, we have far to go to reverse the trend of absentee fathers, but there are millions of men, including Frederick, who are already going the extra mile for their children, and they deserve our thanks this Father's Day. By holding men like Frederick up as responsible fathers, I also hope to encourage other men to play a bigger role in their children's lives.

There is no question that the world would be a far better place if every child was able to have the support of a father like Frederick. By building strong family bonds, he has earned not only his son's love but serves as a role model for the community as well.

Today, I want to thank Frederick for his devotion to his son and for setting an example for all of us of what it means to be an outstanding dad. It is my honor to read Corey's essay into the CONGRESSIONAL RECORD of the United States:

> "My dad is an 'Outstanding Dad' because he is a great role model. He is caring, loving, and helpful. My dad is always open for a conversation and always willing to listen. He is a hard worker and looks out for people in need.
>
> "My dad is an 'Outstanding Dad' because he has served in the war. He was located in Afghanistan at Camp Phoenix and was Inspector General. Even though my dad wasn't here, he was still extremely supportive of me. Not only is he my dad, but he is my hero too.
>
> "My dad is an 'Outstanding Dad' because he knows right from wrong. He doesn't just give me whatever I want, he makes me work for it. If I do something wrong, he will help correct me. I look up to my dad everyday and he truly is an 'Outstanding Dad.' "—Corey Richards, age 16.●

25TH ANNIVERSARY OF THE BROOKINGS CHAPTER OF DISABLED AMERICAN VETERANS

● Mr. JOHNSON. Mr. President, it is with great honor that I rise today to congratulate the Brookings chapter of Disabled American Veterans on their 25th anniversary, which will be celebrated on July 1, 2006.

Disabled American Veterans, an organization with over 1.2 million members, is focused on building better lives for disabled veterans and their families. The organization strives to meet this goal by providing free assistance to veterans in an attempt to obtain benefits and services earned through their military service. Because it is not a governmental agency, Disabled American Veterans is fully funded by membership dues and public contributions.

At the conclusion of World War I, Disabled American Veterans was created to help ease the suffering caused by the effects of World War I. Since the beginning, Disabled American Veterans has continually grown and adapted to the needs of disabled veterans. Today, Disabled American Veterans is committed to making sure the veterans of Iraq and Afghanistan are well cared for upon their return from service.

In 1986, the Disabled American Veterans transportation program was initiated in South Dakota. The following year, this program quickly expanded to become nationwide. This program is designed to provide free rides for all veterans to VA facilities so that they may attend scheduled appointments. In 2005, the South Dakota program alone transported over 20,000 veterans to VA hospitals.

On July 1, 2006, the Brookings chapter of Disabled American Veterans will celebrate their 25th anniversary. This celebration, which will be held at the Brookings Pizza Ranch, is designed to honor the 11 surviving charter members. Mr. President, I am proud to have the opportunity to honor these members and their committed service. I strongly commend their years of hard work and dedication and am very pleased that their extensive efforts are being publicly honored and celebrated.●

RECOGNIZING THE 100TH ANNIVERSARY OF THE DETROIT SALT MINE

● Mr. LEVIN. Mr. President, this year we celebrate the 100th anniversary of the Detroit Salt Mine, and I would like to take this opportunity to congratulate them on reaching this important milestone.

In 1906, the Detroit Salt and Manufacturing Company began constructing the Detroit Salt Mine. The first few years were tumultuous, as the construction itself was so challenging and costly that the company went bankrupt before it began to mine salt. Fortunately, the company quickly rebounded and completed its first mining shaft in 1910. The mine has passed through many hands over the years but is currently operated by the Detroit Salt Company, which has owned it since 1997.

Today, the Detroit Salt Company solely produces highway deicing salt, the salt that is used to melt the ice that covers roadways during the winter. It provides this salt not only for Michigan roadways but for other roads throughout the Midwest. Without this valuable product, our roadways would be repeatedly crippled during the winter months, causing massive and regular shutdowns of schools and businesses.

It is also important to recognize the Detroit Salt Company's efforts to keep its mine safe for its many workers. The Mine Health and Safety Administration has recognized the Detroit Salt Company for its excellent safety standards with the Sentinel of Safety Award for 3 of the last 6 years. Additionally, the company is part of the Detroit Local Emergency Planning Committee, taking an active role in keeping not only its employees, but also the citizens of its community safe and secure.

I know my colleagues join me in recognizing the historical significance of the Detroit Salt Mine and congratulate all of those who have contributed to its success.●

HONORING ALABAMA'S PRESIDENTIAL SCHOLARS

● Mr. SESSIONS. Mr. President, I commend four students from my home State of Alabama who have been named members of the 42nd class of Presidential scholars. Since its creation in 1964, the Presidential Scholars Program has honored over 5,000 graduating high school seniors for academic excellence, artistic accomplishments, and civic contributions. These remarkable young people have proven to meet rigorous standards of academic excellence and leadership. This year, I am proud to announce that Alabama has three Presidential scholars and one Presidential scholar in the arts.

Students designated as Presidential scholars are among only 121 selected for this high honor out of over 2,700 applicants invited to apply. Alabama students selected this year include Amanda R. Long of Oxford High School in Anniston, AL; Adam M. Trettel of Briarwood Christian School in Birmingham, AL; and, Kelly M. McConnaughey of Virgil I. Grissom High School in Huntsville, AL.

I am also very pleased to share that Sarah C. Campbell, of the Alabama School of Fine Arts in Birmingham, AL, has been named one of only 20 Presidential scholars in the arts. These recipients are selected from a pool of over 6,500 students for accomplishments in the visual, literary, and performing arts, in addition to their scholarship, leadership, and public service.

The Presidential Scholars Program not only seeks to honor Our Nation's finest students but also recognizes the teachers who have been influential in these students' lives. Each student had the opportunity to nominate one exceptional teacher to receive the program's Teacher Recognition Award. Teachers play an essential role in our society and give of themselves selflessly in aiding the development of their students. I applaud the work of these fine teachers: Mrs. Angela L. Dickert, nominated by Amanda R. Long; Mr. Barry Walker, nominated by Adam M. Trettel; Ms. Suzanne Bailey, nominated by Kelly M. McConnaughey; and, Mr. D. Bradford Hill, nominated by Sarah C. Campbell.

It is fitting and appropriate that we recognize these fine students for their accomplishments and to recognize the teachers that have meant so much to their success.•

HONORING MARY HAND AND PHILIP HOLLEY

• Mr. SESSIONS. Mr. President, I would like to make some remarks today about two remarkable educators, Mary Hand and Philip Holley, recipients of the 2005 Presidential Award for Excellence in Mathematics and Science Teaching. This is the Nation's highest honor for teaching in mathematics and science. Only 100 7th to 12th grade teachers across the Nation are chosen for this remarkable award, which was established by Congress in 1983.

Ms. Mary Hand, mathematics teacher at Liberty Middle School in Madison, AL, aims to make students comfortable in her classroom and encourages them to work in groups. Ms. Hand establishes a classroom environment that is optimal for student learning, and she aims to equip her students with teamwork skills that are essential in the workplace.

Mr. Philip Holley, science teacher at Mountain Brook Junior High School in Birmingham, AL, strives to let students experience science and apply what they learn. He uses real-world examples to bring science to life in his classroom, which undoubtedly motivates his students and enhances their understanding of the importance of science.

As a former educator and the father of three children, I realize the important role teachers play in our society. I am proud to know that teachers such as Ms. Hand and Mr. Holley are striving to develop students' math and science abilities. These skills will surely take students far in the workplace where math and science are increasingly in demand.

I commend Ms. Hand and Mr. Holley for their leadership and professional excellence in education. Their work has impacted the lives of many students, and their influence will surely spread for years to come.•

HONORING MARK LEVIN

• Mr. SMITH. Mr. President, I rise today to pay tribute to Mark Levin, who is celebrating his 25th year with the NCSJ.

In his time with NCSJ, Mark Levin has accomplished a great deal. A consummate professional, Mark has spent 25 years moving through the ranks from a professional staffer all the way to executive director.

As the mandated central coordinating agency of the organized Jewish community on behalf of the estimated 1.5 million Jews of the former Soviet Union, the NCSJ comprises nearly 50 national organizations and over 300 local federations, community councils, and committees.

Mark has represented NCSJ at conventions, summits, and also here in the Halls of Congress.

A distinguished scholar and policy expert, Mark is unmatched in his knowledge of the Soviet Jewry, and he was instrumental in restructuring NCSJ's tactics following the breakup of the Soviet Union.

But while Mark's résumé is overflowing with remarkable accomplishments, it is the relationships that he has forged over the years that are his finest achievements.

For 25 years, Mark has been more than an advocate—he has been a friend.

It is those friendships that have made his time with NCSJ special. They are what have taken him from merely influencing policy to significantly impacting people's lives.

And it is those friendships that have brought us all together to honor Mark for 25 outstanding years of service.

With that, I would like to thank NCSJ for an opportunity to speak on behalf of Mark, and I would like to offer my thanks and my congratulations to an outstanding colleague and an even better friend, Mark Levin.•

RECOGNIZING HOWARD E. LEFEVRE

• Mr. VOINOVICH. Mr. President, I rise today to recognize the life and achievements of Howard E. LeFevre, entrepreneur, philanthropist, and the founder of The Works: Ohio Center for History Art & Technology in Newark, Ohio.

Founded in 1996, The Works is a remarkable center of discovery that helped introduce an appreciation for industry, innovation, and the creative process for students and learners of all ages, including the 45,000 who visited the facilities last year alone. Through a unique blend of traditional museum programs, computer labs, art galleries, craft demonstration areas, and interactive classrooms, The Works strives to stimulate analytical thinking and enhance the quality life in Licking County and beyond.

Through Mr. LeFevre's leadership, The Works has been a catalyst for restoration of downtown Newark, rescuing in its first decade four historic buildings that formed the heart of Newark's oldest manufacturing area. The Works has been an invaluable resource for students of Licking County and the community as a whole.

Mr. LeFevre has been an exemplary leader in his community. He is a past president of Newark Area and Licking County Chamber of Commerce, past president of the Newark Rotary Club, past chairman of the United Way Annual Campaign, and past president of the board of directors of the Licking County United Way. Mr. LeFevre is trustee emeritus of and past chairman of Governing Committee of Licking County Foundation. He is director of the Ohio Chamber of Commerce and a former member of the Ohio State Development Advisory Council.

He was honored by a Distinguished Service Award at the Ohio State university in 1976 for his efforts in connection with establishing the Newark campus of the university. He was also honored by Licking Memorial Hospital with their Lifetime Achievement Award in 1990. In 2002, Mr. LeFevre was awarded the "Man of the Century" by the city of Newark during its 2002–2003 bicentennial summer festivities.

Mr. President, thanks to LeFevre's dedication, The Works will celebrate its 10th anniversary on June 17, 2006.

I ask my colleagues to join me in recognizing and commending Howard E. LeFevre on his lifetime of commitment to the residents of Licking County as well as people all over the State of Ohio.•

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5252. An act to promote the deployment of broadband networks and services.

H.R. 5522. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5252. An act to promote the deployment of broadband networks and services; to the Committee on Commerce, Science, and Transportation.

H.R. 5522. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes; to the Committee on Appropriations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7051. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Income Attributable to Domestic Production Activities" ((RIN1545-BE33) (TD 9263)) received on May 31, 2006; to the Committee on Finance.

EC-7052. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Computer Software Under Section 199(c)(5)(B)" ((RIN1545-BF57) (TD 9262)) received on May 31, 2006; to the Committee on Finance.

EC-7053. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Necessary to Facilitate Electronic Filing and Burden Reduction" ((RIN1545-BF26) (TD 9264)) received on May 31, 2006; to the Committee on Finance.

EC-7054. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Bureau of Labor Statistics Price Indexes for Department Stores—March 2006" (Rev. Rul. 2006-28) received on May 31, 2006; to the Committee on Finance.

EC-7055. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualified NMWHFIT Exception Extension" (Notice 2006-30) received on May 31, 2006; to the Committee on Finance.

EC-7056. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement of Rules to be Included in Final Regulations Under Sections 897(d) and (e) of the Code" (Notice 2006-46) received on May 31, 2006; to the Committee on Finance.

EC-7057. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure to Eliminate Impediments to e-filing Consolidated Returns and Reduce Reporting Requirements" (Rev. Proc. 2006-21) received on May 31, 2006; to the Committee on Finance.

EC-7058. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Methods of Determining W-2 Wages for Purposes of the Section 199(b)(1) Limitation on the Section 199 Deduction for Income Attributable to Domestic Production Activities" (Rev. Proc. 2006-22) received on May 31, 2006; to the Committee on Finance.

EC-7059. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report relative to information for 2005 on the country of origin and the sellers of uranium and uranium enrichment services purchased by owners and operators of U.S. civilian nuclear power reactors; to the Committee on Energy and Natural Resources.

EC-7060. A communication from the Secretary of the Interior, transmitting, pursuant to law, the 2005 Annual Report for the Department of the Interior's Office of Surface Mining Reclamation and Enforcement; to the Committee on Energy and Natural Resources.

EC-7061. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, the Sixteenth Annual Report to Congress relative to the health and safety activities relating to the Department of Energy's defense nuclear facilitates during calendar year 2005; to the Committee on Energy and Natural Resources.

EC-7062. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department of Energy's annual report to Congress concerning operations at Naval Petroleum Reserves; to the Committee on Energy and Natural Resources.

EC-7063. A communication from the Deputy CHCO/Director, OHCM, Department of Energy, transmitting, pursuant to law, (2) reports relative to vacancy announcements within the Department, received on May 31, 2006; to the Committee on Energy and Natural Resources.

EC-7064. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Standards for Business Practices and Communication Protocols for Public Utilities" (Order No. 676) received on May 31, 2006; to the Committee on Energy and Natural Resources.

EC-7065. A communication from the Assistant Secretary, Fish, Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination of Status for 12 Species of Picture Wing Flies From the Hawaiian Islands" (RIN1018-AG23) received on May 31, 2006; to the Committee on Energy and Natural Resources.

EC-7066. A communication from the Acting Assistant Secretary of the Interior, transmitting, pursuant to law, the report of a rule entitled "Preparation for Sale" (RIN1004-AD70) received on May 31, 2006; to the Committee on Energy and Natural Resources.

EC-7067. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Utah Regulatory Program" (UT-043-FOR) received on June 5, 2006; to the Committee on Energy and Natural Resources.

EC-7068. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Missouri Regulatory Program" (MO-038-FOR) received on June 5, 2006; to the Committee on Energy and Natural Resources.

EC-7069. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a nomination for the position of Director, Office of Federal Housing Enterprise Oversight, received on May 31, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-7070. A communication from the Senior Vice President for Resource Management, Export-Import Bank of the United States, transmitting, pursuant to law, the Bank's Buy American Act Report for fiscal year 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-7071. A communication from the Deputy Chief Financial Officer, Department of the Treasury, transmitting, pursuant to law, the U.S. Department of the Treasury Fleet Alternative Fuel Vehicle Acquisition Report for Fiscal Year 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-7072. A communication from the Acting Chairman, Appraisal Subcommittee, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the 2005 Annual Report of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council; to the Committee on Banking, Housing, and Urban Affairs.

EC-7073. A communication from the Acting Under Secretary for Management, Department of Homeland Security, transmitting, pursuant to law, a report relative to obligations and allocations for the Disaster Relief Fund (DRF); to the Committee on Banking, Housing, and Urban Affairs.

EC-7074. A communication from the Secretary, Department of Housing and Urban Development, transmitting, the report of proposed legislation entitled "Community Development Block Grant Reform Act of 2006" received on May 31, 2006; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 687. A bill to regulate the unauthorized installation of computer software, to require clear disclosure to computer users of certain computer software features that may pose a threat to user privacy, and for other purposes (Rept. No. 109-262).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. SANTORUM:

S. 3490. A bill to direct the Secretary of the Interior to initiate and complete an evaluation of land and water located in northeastern Pennsylvania for future acquisition and inclusion in a potential Cherry Valley National Wildlife Refuge, and for other purposes; to the Committee on Environment and Public Works.

By Mr. VOINOVICH:

S. 3491. A bill to establish a commission to develop legislation designed to reform tax policy and entitlement benefit programs and to ensure a sound fiscal future for the United States, and for other purposes; to the Committee on the Budget.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read. and referred (or acted upon), as indicated:

By Ms. SNOWE (for herself, Ms. CANTWELL, Mr. KERRY, Mrs. DOLE, Mrs.

BOXER, Mr. FEINGOLD, Mr. REED, Mr. LAUTENBERG, Mr. MCCAIN, Mr. LIEBERMAN, Ms. COLLINS, Mr. WYDEN, Mr. DODD, Mrs. FEINSTEIN, Mr. MENENDEZ, Mr. LEVIN, Mr. BIDEN, Mr. DAYTON, Mr. JEFFORDS, Ms. LANDRIEU, and Mr. KENNEDY):

S. Con. Res. 99. A concurrent resolution expressing the sense of the Congress regarding the policy of the United States at the 58th Annual Meeting of the International Whaling Commission; to the Committee on Foreign Relations.

By Mr. ALLARD:

S. Con. Res. 100. A concurrent resolution expressing the sense of Congress that an artistic tribute to commemorate the speech given by President Ronald Reagan at the Brandenburg Gate on June 12, 1987, should be placed within the United States Capitol; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. REID, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 20, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce the number of abortions, and improve access to women's health care.

S. 1046

At the request of Mr. KYL, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 1046, a bill to amend title 28, United States Code, with respect to the jurisdiction of Federal courts over certain cases and controversies involving the Pledge of Allegiance.

S. 1353

At the request of Mr. REID, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1353, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1376

At the request of Mr. COCHRAN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1376, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 1537

At the request of Mr. AKAKA, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1537, a bill to amend title 38, United States Code, to provide for the establishment of Parkinson's Disease Research Education and Clinical Centers in the Veterans Health Administration of the Department of Veterans Affairs and Multiple Sclerosis Centers of Excellence.

S. 1840

At the request of Mr. THUNE, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1840, a bill to amend section 340B of the Public Health Service Act to increase the affordability of inpatient drugs for Medicaid and safety net hospitals.

S. 1862

At the request of Mr. SMITH, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1862, a bill to establish a joint energy cooperation program within the Department of Energy to fund eligible ventures between United States and Israeli businesses and academic persons in the national interest, and for other purposes.

S. 1896

At the request of Mr. SANTORUM, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1896, a bill to permit access to Federal crime information databases by educational agencies for certain purposes.

S. 1934

At the request of Mr. SPECTER, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 1934, a bill to reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes.

S. 2010

At the request of Mr. HATCH, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2010, a bill to amend the Social Security Act to enhance the Social Security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 2292

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 2292, a bill to provide relief for the Federal judiciary from excessive rent charges.

S. 2321

At the request of Mr. SANTORUM, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 2321, a bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille.

S. 2423

At the request of Mr. SANTORUM, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2423, a bill to improve science, technology, engineering, and mathematics education.

S. 2424

At the request of Mr. ALLEN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2424, a bill to amend the Internal Revenue Code of 1986 to increase the contribution limits for health savings accounts, and for other purposes.

S. 2465

At the request of Mrs. BOXER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2465, a bill to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

S. 2467

At the request of Mr. GRASSLEY, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2467, a bill to enhance and improve the trade relations of the United States by strengthening United States trade enforcement efforts and encouraging United States trading partners to adhere to the rules and norms of international trade, and for other purposes.

S. 2554

At the request of Mr. ENSIGN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2554, a bill to amend the Internal Revenue Code of 1986 to expand the permissible use of health savings accounts to include premiums for non-group high deductible health plan coverage.

S. 2566

At the request of Mr. LUGAR, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 2566, a bill to provide for coordination of proliferation interdiction activities and conventional arms disarmament, and for other purposes.

S. 2592

At the request of Mr. HARKIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2592, a bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren by updating the definition of "food of minimal nutritional value" to conform to current nutrition science and to protect the Federal investment in the national school lunch and breakfast programs.

S. 2599

At the request of Mr. VITTER, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. 2635

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2635, a bill to amend the Internal Revenue Code of 1986 to extend the transportation fringe benefit to bicycle commuters.

S. 2659

At the request of Mr. AKAKA, the name of the Senator from Washington

(Mrs. MURRAY) was added as a cosponsor of S. 2659, a bill to amend title 38, United States Code, to provide for the eligibility of Indian tribal organizations for grants for the establishment of veterans cemeteries on trust lands.

S. 2707

At the request of Mr. SUNUNU, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2707, a bill to amend the United States Housing Act of 1937 to exempt qualified public housing agencies from the requirement of preparing an annual public housing agency plan.

S. 2810

At the request of Mr. GRASSLEY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2810, a bill to amend title XVIII of the Social Security Act to eliminate months in 2006 from the calculation of any late enrollment penalty under the Medicare part D prescription drug program and to provide for additional funding for State health insurance counseling program and area agencies on aging, and for other purposes.

S. 2822

At the request of Mr. GRAHAM, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 2822, a bill to authorize the Marion Park Project and Committee of the Palmetto Conservation Foundation to establish a commemorative work on Federal land in the District of Columbia and its environs to honor Brigadier General Francis Marion.

S. 3122

At the request of Ms. SNOWE, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 3122, a bill to amend the Small Business Act to improve loans for members of the Guard and Reserve, and for other purposes.

S. 3238

At the request of Mr. CORNYN, the names of the Senator from Ohio (Mr. DEWINE), the Senator from California (Mrs. BOXER), the Senator from Alabama (Mr. SESSIONS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 3238, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration and the Jet Propulsion Laboratory.

S. 3275

At the request of Mr. ALLEN, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 3275, a bill to amend title 18, United States code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 3481

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 3481, a bill to require the Government Accountability Office to submit a report to Congress on the compliance of the Postal Service with procedural requirements in the closing of the postal sorting facility in Aberdeen, South Dakota, and for other purposes.

S. 3487

At the request of Mr. KERRY, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 3487, a bill to amend the Small Business Act to reauthorize and improve the disaster loan program, and for other purposes.

S.J. RES. 12

At the request of Mr. HATCH, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S.J. Res. 12, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S.J. RES. 38

At the request of Mr. MCCONNELL, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S.J. Res. 38, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. CON. RES. 96

At the request of Mr. BROWNBACK, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. Con. Res. 96, a concurrent resolution to commemorate, celebrate, and reaffirm the national motto of the United States on the 50th anniversary of its formal adoption.

S. RES. 303

At the request of Mr. LEAHY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 303, a resolution calling for the Government of Nigeria to conduct a thorough judicial review of the Ken Saro-Wiwa case, and for other purposes.

S. RES. 503

At the request of Mr. FEINGOLD, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. Res. 503, a resolution mourning the loss of life caused by the earthquake that occurred on May 27, 2006, in Indonesia, expressing the condolences of the American people to the families of the victims, and urging assistance to those affected.

AMENDMENT NO. 4192

At the request of Mr. FEINGOLD, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 4192 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SANTORUM:

S. 3490. A bill to direct the Secretary of the Interior to initiate and complete an evaluation of land and water located in northeastern Pennsylvania for future acquisition and inclusion in a potential Cherry Valley National Wildlife Refuge, and for other purposes; to the Committee on Environment and Public Works.

Mr. SANTORUM. Mr. President, I rise today to introduce legislation requiring the Secretary of the Department of the Interior to conduct a study evaluating a pristine area in the northeastern part of Pennsylvania, called Cherry Valley, for its potential designation as a national wildlife refuge. Known for its unspoiled wetlands and riparian forests, Cherry Valley provides an important habitat for one of the largest known populations of the threatened bog turtle, as well as for a plethora of endangered and rare species. Also, due to its location along the Kittatinny Ridge Migration Corridor, Cherry Valley is centrally located along an important migration route for eagles and the broad-winged hawk.

Recognized as an environmental treasure by local officials and residents, there is widespread support for Cherry Valley's designation as a wildlife refuge. Some landowners have, however, expressed private property concerns with the proposed designation. It is my hope that by requiring a study, during which the Secretary must consult with landowners and other interested parties, we can fully understand the value of the Cherry Valley area, as well as address any concerns landowners may have.

Representative PAUL KANJORSKI introduced similar legislation in the House. I ask for the support of my colleagues in authorizing this study to determine whether beautiful Cherry Valley should be preserved and designated a national wildlife refuge.

By Mr. VOINOVICH:

S. 3491. A bill to establish a commission to develop legislation designed to reform tax policy and entitlement benefit programs and to ensure a sound fiscal future for the United States, and for other purposes; to the Committee on the Budget.

Mr. VOINOVICH. Mr. President, I rise to speak on the Securing America's Future Economy Commission Act, which I am introducing today. I ask unanimous consent that my statement and bill be printed in the RECORD.

This legislation stems from the need to address our Nation's current and future fiscal health. The fact is, we are in dire straits. In the simplest terms, the Federal Government continues to spend more than it takes in. In case anyone has forgotten, the deficit for fiscal year 2005 was $318 billion—the third largest deficit in our Nation's history. If we were to take out the Social Security surplus, the deficit would be nearly $500 billion. And if we were to use accrual accounting, the accounting method used by American businesses, the deficit would be approximately $760 billion.

These deficits only continue to add to our national debt. When I came to the Senate in 1999, the national debt stood at $5.6 trillion. Since then, it has increased 50 percent to $8.4 trillion. As a percentage of Gross Domestic Product, GDP, our national debt has grown from being 58 percent of GDP at the end of 2000 to an estimated 66.1 percent of GDP by the end of 2006.

In fact, the debt continues to grow so quickly that the House of Representative's fiscal year 2007 budget resolution raises the Federal debt ceiling to nearly $10 trillion. This is only a few months after Congress was forced to raise the debt ceiling.

These ongoing deficits, coupled with the expected tidal wave of entitlement spending, will soon put our Nation in a very unenviable position if thoughtful action is not taken. Moreover, the trust funds for Medicare and Social Security will be exhausted even earlier than previously thought. According to the most recent trustees' report, the cost of Social Security and Medicare will grow from nearly 7.4 percent of the economy today to 12.7 percent by 2030, consuming approximately 70 percent of all Federal revenues, crowding out all other discretionary spending and some other mandatory programs.

While entitlements are a major component of our Nation's future fiscal health, it is not the only portion. Just as we must look at how we must reform our entitlement programs to maintain our nation's competitiveness, we must also review our arcane Tax Code.

What we should be doing is spending our time on tax reform. We all know that fundamental tax reform is critical. Just as we know the entitlement tidal wave is coming, we know that more and more middle class American families are being swept up in the AMT. So I simply cannot understand why some of my colleagues want to make so many provisions of the current Tax Code permanent or add new tax cuts when we very well may be eliminating precisely the same provisions as part of fundamental tax reform. No homeowner would remodel their kitchen and bathroom right before tearing down the house to build a newer and better one.

Simplifying the code to make it more fair and honest could, by some estimates, save taxpayers over $265 billion in costs associated with preparing their taxes. That would be a real tax reduction, and it would not cost the Treasury one dime. It would be a tax cut that would guarantee that people are paying their fair share and would bring more money into the Federal Treasury.

Anyone in the know who is watching us has got to wonder about our character, our intellectual honesty, our concern about our national security, our Nation's competitiveness in the global marketplace now and in the future, and last but not least, our "don't-give-a-dam" attitude about the standard of living and quality of life of our children and grandchildren. We know the long-term fiscal challenges that are facing our nation. We know that if we continue to move forward blindly, we will walk off a cliff.

The simple fact is that we can't have it all—we need to set priorities and make hard choices—otherwise our children will end up paying for it. Last week I voted against the repeal of the estate tax and called on Congress to heed Americans' demand for fundamental tax and entitlement reform. The SAFE Act shows that I am serious about making this a priority for Congress.

The legislation will establish a commission comprised of 15 voting members, 3 of which will be appointed by the President, 3 by the Senate majority leader, 3 by the Senate minority leader, 3 by the Speaker of the House and 3 by the House minority leader. The Director of the Congressional Budget Office and the Comptroller General of the United States will be appointed as non-voting ex-officio members of the Commission to lend their expertise.

The Commission will bring together the best minds associated with budget and economic policies to examine the long-term fiscal challenges facing the United States and recommend reforms. A minimum of six public town hall meetings will be held throughout the country within year to determine the scope of the problem and consider solutions.

At the conclusion of the town meetings, the Commission will present a report to Congress detailing the fiscal problems facing future generations as well as a framework of long-term solutions. Within 60 days of the presentation of their report to Congress, the Commission will transmit to Congress a legislative proposal designed to: address the imbalance between long-term Federal spending commitments and projected revenues; increase net national savings to spur domestic investment and economic growth; and improve the budget process to place greater emphasis on long-term fiscal issues.

The administration and Congress will each have 120 days to review the proposal and develop equivalent proposals if they deem necessary. Congress would then be required to vote on the proposals.

America's fiscal situation is dire. Nothing is off the table when it comes to ensuring our longterm prosperity and increasing our competitiveness in the global marketplace. The task is daunting, but now is the time to act. I am thinking not only about the present, but about our children and grandchildren and the legacy—or burden—we will leave them.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3491

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Securing America's Future Economy Commission Act" or "SAFE Commission Act".

SEC. 2. ESTABLISHMENT.

There is established a commission to be known as the "Securing America's Future Economy Commission" (hereinafter in this Act referred to as the "Commission").

SEC. 3. DUTIES OF COMMISSION.

(a) MANDATORY LEGISLATION DEVELOPMENT.—

(1) ISSUES TO ADDRESS.—The Commission shall examine the long-term fiscal challenges facing the United States and develop legislation designed to address the following issues:

(A) The unsustainable imbalance between long-term Federal spending commitments and projected revenues.

(B) Increasing net national savings to provide for domestic investment and economic growth.

(C) Improving the budget process to place greater emphasis on long-term fiscal issues.

(2) POLICY SOLUTIONS.—Legislation developed to address the issues described in paragraph (1) may include the following:

(A) Reforms that limit the growth of entitlement spending to ensure that the programs are fiscally sustainable.

(B) Reforms that strengthen the safety net functions of entitlement programs.

(C) Reforms that make United States tax laws more efficient and more conducive to encouraging economic growth.

(D) Incentives to increase private savings.

(E) Automatic stabilizers or triggers to enforce spending and revenue targets.

(F) Any other reforms designed to address the issues described in paragraph (1).

(b) OPTIONAL DEVELOPMENT OF COST ESTIMATE ALTERNATIVES.—The Commission shall by an affirmative vote of 5 members develop not more than 2 methods for estimating the cost of legislation as an alternative to the method currently used by the Congressional Budget Office. Any such alternative method must be designed to address any shortcomings in the method currently used with regard to estimating the positive economic effects of legislation.

SEC. 4. INITIAL TOWN-HALL STYLE PUBLIC HEARINGS.

(a) IN GENERAL.—The Commission shall hold at least 1 town-hall style public hearing within each Federal reserve district, and shall, to the extent feasible, ensure that there is broad public participation in the hearings.

(b) HEARING FORMAT.—During each hearing, the Commission shall present to the public, and generate comments and suggestions regarding, the issues described in section 3, policies designed to address those issues, and tradeoffs between such policies.

SEC. 5. REPORT.

The Commission shall, not later than 1 year after the date of enactment of this Act, submit a report to Congress and the President containing the following:

(1) A detailed description of the long-term fiscal problems faced by the United States.

(2) A list of policy options for addressing those problems.

(3) A summary of comments and suggestions generated from the town-hall style public hearings.

(4) A detailed statement of any findings of the Commission as to public preferences regarding the issues, policies, and tradeoffs presented in the town-hall style public hearings.

(5) Criteria for the legislative proposal to be developed by the Commission.

(6) A detailed description of the other activities of the Commission.

SEC. 6. LEGISLATIVE PROPOSAL.

(a) IN GENERAL.—Not later than 60 days after the date the report is submitted under section 5 and by a vote of ⅔ of the members, the Commission shall submit a legislative proposal to Congress and the President designed to address the issues described section 3.

(b) PROPOSAL REQUIREMENTS.—The proposal must, to the extent feasible, be designed—

(1) to achieve generational equity and long-term economic stability;

(2) to address the comments and suggestions of the public; and

(3) to meet the criteria set forth in the Commission report.

(c) INCLUSION OF COST ESTIMATE.—The Commission shall submit with the proposal—

(1) a long-term CBO cost estimate prepared under section 14 for the proposal; and

(2) if an alternative cost estimate method is developed by the Commission, a 50-year cost estimate using such method.

SEC. 7. MEMBERSHIP AND MEETINGS.

(a) IN GENERAL.—The Commission shall be composed of 15 voting members appointed pursuant to paragraph (1) and 2 nonvoting members described in paragraph (2).

(1) VOTING MEMBERS.—The 15 voting members of the Commission shall be appointed as follows:

(A) The President shall appoint 3 members, one of whom the President shall appoint as chairperson of the Commission.

(B) The Majority Leader of the Senate shall appoint 3 members.

(C) The Minority Leader of the Senate shall appoint 3 members.

(D) The Speaker of the House of Representatives shall appoint 3 members.

(E) The Minority Leader of the House of Representatives shall appoint 3 members.

(2) NONVOTING MEMBERS.—The Comptroller General of the United States and the Director of the Congressional Budget Office shall each be nonvoting members of the Commission and shall advise and assist at the request of the Commission.

(b) LIMITATION AS TO MEMBERS OF CONGRESS.—Each appointing authority described in subsection (a)(1) who is a Member of Congress may appoint not more than 1 Member of Congress to the Commission.

(c) DATE FOR ORIGINAL APPOINTMENT.—The appointing authorities described in subsection (a)(1) shall appoint the initial members of the Commission not later than 30 days after the date of enactment of this Act.

(d) TERMS.—

(1) IN GENERAL.—The term of each member is for the life of the Commission.

(2) VACANCIES.—A vacancy in the Commission shall be filled not later than 30 days after the date on which the vacancy occurs and in the manner in which the original appointment was made.

(e) PAY AND REIMBURSEMENT.—

(1) NO COMPENSATION FOR MEMBERS OF COMMISSION.—Except as provided in paragraph (2), a member of the Commission may not receive pay, allowances, or benefits by reason of their service on the Commission.

(2) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence under subchapter I of chapter 57 of title 5, United States Code.

(f) MEETINGS.—The Commission shall meet upon the call of the chairperson or a majority of its voting members.

(g) QUORUM.—Six voting members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

SEC. 8. DIRECTOR AND STAFF OF COMMISSION.

(a) DIRECTOR.—

(1) IN GENERAL.—Subject to subsection (c) and to the extent provided in advance in appropriation Acts, the Commission shall appoint and fix the pay of a director.

(2) DUTIES.—The director of the Commission shall be responsible for the administration and coordination of the duties of the Commission and shall perform other such duties as the Commission may require.

(b) STAFF.—In accordance with rules agreed upon by the Commission, subject to subsection (c), and to the extent provided in advance in appropriation Acts, the director may appoint and fix the pay of additional personnel.

(c) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The director and staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that pay fixed under subsection (a) may not exceed $150,000 per year and pay fixed under subsection (b) may not exceed a rate equal to the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of their regular employment without interruption.

(e) EXPERTS AND CONSULTANTS.—

(1) IN GENERAL.—Subject to paragraph (2), in accordance with rules agreed upon by the Commission and to the extent provided in advance in appropriation Acts, the director may procure the services of experts and consultants under section 3109(b) of title 5, United States Code, but at rates not to exceed the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) EXCLUSION OF LOBBYISTS AND AGENTS OF FOREIGN GOVERNMENTS.—In no case may any individual who is a registered lobbyist or an agent of a foreign government serve as an expert or a consultant under this subsection.

(f) RESOURCES.—The Commission shall have reasonable access to materials, resources, statistical data, and other information the Commission determines to be necessary to carry out its duties from the Commissioner of the Social Security Administration, the Administrator of the Centers for Medicare & Medicaid Services, the Secretary of the Treasury, and other agencies and representatives of the executive and legislative branches of the Federal Government. The Chairperson shall make requests for such access in writing when necessary.

SEC. 9. POWERS OF COMMISSION.

(a) HEARINGS AND EVIDENCE.—The Commission may, for the purpose of carrying out this Act, hold such hearings in addition to the town-hall style public hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take under this section.

(c) MAILS.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

(d) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

(e) CONTRACT AUTHORITY.—To the extent provided in advance in appropriation Acts, the Commission may enter into contracts to enable the Commission to discharge its duties under this Act.

(f) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 10. TERMINATION.

The Commission shall terminate 60 days after submitting its legislative proposal.

SEC. 11. ALTERNATIVE LEGISLATIVE PROPOSAL OF THE PRESIDENT.

The President may, not later than 120 days after the Commission submits its legislative proposal, submit to Congress an alternative to the legislative proposal submitted by the Commission.

SEC. 12. ALTERNATIVE LEGISLATIVE PROPOSAL OF THE COMMITTEE ON THE BUDGET.

The Committee on the Budget of either House may, in consultation with the relevant committees of their respective House and not later than 120 days after the Commission submits its legislative proposal, have published in the Congressional Record an alternative to the legislative proposal submitted by the Commission.

SEC. 13. CONSIDERATION OF LEGISLATION.

(a) INTRODUCTION.—On the first legislative day after the Commission submits its legislative proposal, the Speaker of the House of Representatives and the Majority Leader of the Senate shall introduce (by request) the legislation submitted by the Commission.

(b) IN THE HOUSE OF REPRESENTATIVES.—

(1) PRIVILEGED CONSIDERATION.—In the House of Representatives, if a committee to which the legislation has been referred has not reported the legislation before the expiration of the 120-day period described in section 12, then—

(A) that committee shall be discharged from consideration of the legislation;

(B) the legislation shall be placed on the appropriate calendar; and

(C) a motion to proceed to the consideration of the legislation is highly privileged and is not debatable.

(2) AMENDMENTS LIMITED.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an amendment to the legislation may not be offered in the House of Representatives.

(B) PERMITTED AMENDMENTS.—(i) Any Member may offer, as an amendment in the nature of a substitute, the alternative legislative proposal submitted by the President.

(ii) Any Member may offer, as an amendment in the nature of a substitute, the legislative proposal submitted by the Commission.

(iii) The chairman of the House Committee on the Budget may offer, as an amendment in the nature of a substitute, the alternative legislative proposal published in the Congressional Record by the House Committee on the Budget.

(C) POINT OF ORDER.—

(i) IN GENERAL.—An amendment offered under subparagraph (B) is subject to a point of order if—

(I) the amendment is not accompanied by a long-term CBO cost estimate of the amendment or a long-term revenue estimate of the amendment by the Joint Committee of Taxation (including the information described in paragraph (1) and (2) of section 14(b)); or

(II) the long-term CBO cost estimate of the amendment is greater than the long-term CBO cost estimate of the legislative proposal submitted by the Commission.

(ii) WAIVER OF POINT OF ORDER.—A point of order raised in accordance with clause (i) may only be waived or suspended in the House of Representatives by a resolution devoted solely to the subject of waiving that point of order.

(D) MULTIPLE AMENDMENTS.—If more than one amendment is offered under this paragraph, then each amendment shall be considered separately, and the amendment receiving both a majority and the highest number of votes shall be the amendment adopted.

(3) TRANSMITTAL TO THE SENATE.—If legislation passes the House pursuant to subsection (b), the Clerk of the House of Representatives shall cause the legislation to be engrossed, certified, and transmitted to the Senate within one calendar day of the day on which the legislation is passed. The legislation shall be referred to the Senate Committee on the Budget.

(c) IN THE SENATE.—

(1) AUTOMATIC DISCHARGE OF SENATE BUDGET COMMITTEE.—If the Senate Committee on the Budget has not reported the legislation before the expiration of the 120-day period described in section 12, then—

(A) the committee shall be discharged from consideration of the legislation; and

(B) a motion to proceed to the consideration of the legislation is highly privileged and is not debatable.

(2) CONSIDERATION.—Consideration of such legislation shall be pursuant to the procedures set forth in section 305 of the Congressional Budget Act of 1974.

(3) AMENDMENTS LIMITED.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an amendment to the legislation may not be offered in the Senate.

(B) PERMITTED AMENDMENTS.—(i) Any Member may offer, as an amendment in the nature of a substitute, the alternative legislative proposal submitted by the President.

(ii) Any Member may offer, as an amendment in the nature of a substitute, the legislative proposal submitted by the Commission.

(iii) The chairman of the Senate Committee on the Budget may offer, as an amendment in the nature of a substitute, the alternative legislative proposal published in the Congressional Record by the Senate Committee on the Budget.

(C) POINT OF ORDER.—

(i) IN GENERAL.—An amendment offered under subparagraph (B) is subject to a point of order if—

(I) the amendment is not accompanied by a long-term CBO cost estimate of the amendment or a long-term revenue estimate of the amendment by the Joint Committee of Taxation (including the information described in paragraph (1) and (2) of section 14(b)); or

(II) the long-term CBO cost estimate of the amendment is greater than the long-term CBO cost estimate of the legislative proposal submitted by the Commission.

(ii) WAIVER OF POINT OF ORDER.—A point of order raised in accordance with clause (i) may only be waived or suspended in the Senate by an affirmative vote of ⅗ of the Members duly chosen and sworn.

(D) MULTIPLE AMENDMENTS.—If more than one amendment is offered under this paragraph, then each amendment shall be considered separately, and the amendment receiving both a majority and the highest number of votes shall be the amendment adopted.

(d) APPLICATION OF CONGRESSIONAL BUDGET ACT.—To the extent that they are relevant and not inconsistent with this Act, the provisions of title III of the Congressional Budget Act of 1974 shall apply in the House of Representatives and the Senate to legislation considered under this section.

(e) RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a bill introduced pursuant to this section, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 14. LONG-TERM CBO COST ESTIMATE.

(a) PREPARATION AND SUBMISSION.—When the Commission, the President, or the chairman of the Committee on the Budget of either House submits a written request to the Director of the Congressional Budget Office for a long-term cost estimate by the Congressional Budget Office (referred to in this Act as a "long-term CBO cost estimate") of legislation proposed under this Act or an amendment referred to in section 13(b)(2)(B), the Director shall prepare the estimate and have it published in the Congressional Record as expeditiously as possible.

(b) CONTENT.—A long-term CBO cost estimate shall include—

(1) an estimate of the cost of each provision of the legislation or amendment for the first fiscal year it would take effect and for each of the 50 fiscal years thereafter; and

(2) a statement of any estimated future costs not reflected by the estimate described in paragraph (1).

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 99—EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE POLICY OF THE UNITED STATES AT THE 58TH ANNUAL MEETING OF THE INTERNATIONAL WHALING COMMISSION

Ms. SNOWE (for herself, Ms. CANTWELL, Mr. KERRY, Mrs. DOLE, Mrs. BOXER, Mr. FEINGOLD, Mr. REED, Mr. LAUTENBERG, Mr. MCCAIN, Mr. LIEBERMAN, Ms. COLLINS, Mr. WYDEN, Mr. DODD, Mrs. FEINSTEIN, Mr. MENENDEZ, Mr. LEVIN, Mr. BIDEN, Mr. DAYTON, Mr. JEFFORDS, Ms. LANDRIEU, and Mr. KENNEDY) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 99

Whereas whales have very low reproductive rates, making many whale populations extremely vulnerable to pressure from commercial whaling;

Whereas whales migrate throughout the world's oceans and international cooperation is required to successfully conserve and protect whale stocks;

Whereas in 1946 a significant number of the nations of the world adopted the International Convention for the Regulation of Whaling, which established the International Whaling Commission to provide for the proper conservation of whale stocks;

Whereas in 2003 the Commission established a Conservation Committee, open to all members of the Commission, for the purpose of facilitating efficient and effective coordination and development of conservation recommendations and activities, which are fully consistent with the conservation objectives stated in the 1946 Convention;

Whereas the Commission adopted a moratorium on commercial whaling in 1982 in order to conserve and promote the recovery of whale stocks, many of which had been hunted to near extinction by the commercial whaling industry;

Whereas the rights of indigenous people to whale for subsistence purposes has been specifically recognized under the 1946 Convention;

Whereas the Commission has designated the Indian Ocean and part of the ocean around Antarctica as whale sanctuaries to further enhance the recovery of whale stocks;

Whereas many nations of the world have designated waters under their jurisdiction as whale sanctuaries where commercial whaling is prohibited, and additional regional whale sanctuaries have been proposed by nations that are members of the Commission;

Whereas two member nations that lodged objections to the Commission's moratorium on commercial whaling when it was adopted continue to hold such objections, a third member nation asserted a reservation to the moratorium on rejoining the Commission, and one member nation is currently conducting commercial whaling operations in spite of the moratorium and the protests of other nations;

Whereas the Commission has adopted several resolutions at recent meetings asking member nations to halt commercial whaling activities conducted under reservation to the moratorium and to refrain from issuing special permits for research involving the killing of whales;

Whereas one member nation of the Commission has taken a reservation to the Commission's Southern Ocean Sanctuary and also continues to conduct unnecessary lethal scientific whaling in the Southern Ocean and in the North Pacific Ocean;

Whereas one member nation is conducting unnecessary lethal scientific whaling in the Atlantic;

Whereas whale meat and blubber is being sold commercially from whales killed pursuant to such unnecessary lethal scientific whaling, further undermining the moratorium on commercial whaling;

Whereas the Commission has repeatedly expressed serious concerns about the scientific need for such lethal research and recognizes the importance of demonstrating and expanding the use of non-lethal scientific research methods;

Whereas more than 9,150 whales have been killed in lethal scientific whaling programs since the adoption of the commercial whaling moratorium and the lethal take of whales under scientific permits has increased both in quantity and species, and a new program would take minke, Bryde's, sei, fin, humpback, and sperm whales;

Whereas, one member nation is harvesting whales on an unprecedented scale in the name of scientific research, and plans to take up to 935 minke whales, 50 humpback whales, and 50 fin whales in the Antarctic, and 220 minke whales, 50 Bryde's whales, 100 sei whales and 10 sperm whales in the North Pacific. Sei, sperm, humpback, and fin whales are all endangered species;

Whereas engaging in commercial whaling under reservation and lethal scientific whaling undermines the conservation program of the Commission;

Whereas discussions are taking place within the Commission on a Revised Management Scheme (RMS) that would regulate any possible future commercial whaling;

Whereas any decision to lift the moratorium against commercial whaling, or to allow commercial whaling in any other form, must be taken independently from negotiations and adoption of an RMS;

Whereas any RMS must include or be conditioned on the concurrent adoption of provisions similar to those in other international agreements related to fisheries and marine mammals, including transparent and neutral observer mechanisms, and effective compliance and dispute settlement mechanisms;

Whereas to be effective, if an RMS is adopted, any future commercial whaling must take place pursuant to the RMS, and without reservation to any of its substantive provisions; and

Whereas any decision to lift the moratorium against commercial whaling must be conditioned on the immediate cessation of lethal scientific whaling: Now, therefore, be it

Resolved, by the Senate (the House of Representatives concurring) That it is the sense of the Congress that—

(1) at the 58th Annual Meeting of the International Whaling Commission the United States should—

(A) remain firmly opposed to commercial whaling and any linking of adoption of a Revised Management Scheme (RMS) to the lifting of the commercial whaling moratorium or allowing commercial whaling in any other form;

(B) initiate and support efforts to ensure that all activities conducted under reservations to the Commission's moratorium or sanctuaries are ceased;

(C) seek to ensure that any RMS includes, or is conditioned on the concurrent adoption of provisions similar to those in other international agreements related to fisheries and marine mammals, including transparent and neutral observer mechanisms, and effective compliance and dispute settlement mechanisms;

(D) insist that any future commercial whaling must take place pursuant to the RMS without reservations to any of its substantive provisions, and that lethal scientific whaling must immediately cease upon the commencement of any commercial whaling;

(E) uphold the rights of indigenous people to whale for subsistence purposes, and firmly reject any attempts to compromise such rights or to equate commercial whaling with such rights;

(F) initiate or support efforts to end the lethal taking of whales for scientific purposes, seek support for expanding the use of non-lethal research methods, and seek to end the sale of whale meat and blubber from whales killed for unnecessary lethal scientific research;

(G) support proposals for the permanent protection of whale populations through the establishment of whale sanctuaries and other zones of protection in which commercial whaling is prohibited;

(H) support efforts to expand data collection on whale populations, monitor and reduce whale bycatch and other incidental impacts, and otherwise expand whale conservation efforts;

(I) support the adoption of an active program of work by the Conservation Committee to address the full range of threats to whales, and otherwise expand whale conservation efforts;

(J) call upon the Contracting Parties to the Convention to submit to the Commission for discussion within the Conservation Committee national approaches, including laws, regulations and other initiatives, that further the conservation of cetaceans; and

(2) the United States should make full use of all appropriate diplomatic mechanisms, Federal law, relevant international laws and agreements, and other appropriate mechanisms to implement the goals set forth in paragraph (1).

Ms. SNOWE. Mr. President, I rise today to introduce a resolution that is vital to the protection of our oceans' large whale populations. Representatives from 69 nations will gather this month in St. Kitt's for the 58th meeting of the International Whaling Commission. The debates in which they will engage will address the future of the moratorium on commercial whaling and other limitations on worldwide whale hunting. For many years, the United States and our allies in the fight to conserve whales have held a majority position in this body, but indications suggest that this year our majority may be lost. In light of this, it is more imperative than ever that the United States clearly expresses its adamant opposition to any resumption of commercial whaling and continues to set an example as a leader in the fight to uphold whale conservation policies.

Before the current commercial ban was instituted in 1982, member states attempted to manage whaling with a quota system. Due to ineffective reporting of catches by whaling nations, this program was an abject failure, and it directly necessitated implementation of the commercial ban. Yet over the past year, countries that favor lifting the ban on commercial whaling have continued their efforts to convince nations with no inherent interest in whaling to join the IWC and support measures to reduce whaling restrictions. The ultimate goal of these member states is to lift the moratorium on commercial whaling. While it appears that the prowhaling states may have a majority at this year's meeting, they likely lack the three-quarters majority required to lift the ban. However, a majority would enable these states to make procedural changes that could facilitate their efforts in years to come. Any efforts to remove or weaken the prohibition would set whale conservation efforts back decades and fly in the face of the United States and other like-minded countries' well-established position in support of sound, effective whale conservation.

My colleagues and I introduce this resolution to express our ardent support for the U.S. negotiators as they work to prevent prowhaling states from lifting the ban, and as our delegates attempt to enhance existing conservation methods. Even now, with commercial whaling prohibited, certain IWC member states plan to continue to expand their killing of large numbers of whales—including some endangered species—for so-called scientific purposes. However, the IWC and leading marine mammal scientists have found that lethal whaling is no longer necessary to advance scientific research. In addition, some member states continue to whale commercially, harvesting an increasing number of whales with every passing year, by taking reservations to the moratorium. Such activities directly undermine the effectiveness of the IWC as a whole and weaken our hard-fought conservation efforts.

Although opponents of the commercial whaling ban are unlikely to overturn the moratorium this year, we understand that such a ban is unlikely to last forever. To this end, the IWC may again consider a movement towards a revised management scheme, or RMS, to govern future whaling conservation and management decisions, including a framework for a sustainable harvest. But certain provisions must be part of any RMS if the United States is to support such an action. We must ensure that any RMS contains an increased reliance on sustainability of populations and legitimate scientific knowledge and research. It must also close any existing loopholes—such as the scientific exception—that allow take of whales outside the scheme, had include appropriate compliance, enforcement, and transparency measures.

I thank my colleagues who have signed on as cosponsors of this resolution for their ongoing support of marine conservation: Senators CANTWELL, KERRY, DOLE, BOXER, FEINGOLD, REED, LAUTENBERG, MCCAIN, LIEBERMAN, COLLINS, WYDEN, DODD, FEINSTEIN, MENENDEZ, LEVIN, BIDEN, DAYTON, JEFFORDS, and LANDRIEU. Their actions will help ensure that whale populations, so critical to our marine ecosystems, continue to grace our oceans for generations to come.

We must continue to support and strengthen the international agreements that govern activities detrimental to the well-being of some of the world's most threatened large mammals. Changes in the political climate have made our commitment to the protection of these species more vital than ever before, and I urge my colleagues to support swift passage of this resolution.

Ms. CANTWELL. Mr. President, as ranking member of the Fisheries and Coast Guard Subcommittee of the Committee on Commerce, Science, and Transportation, I am pleased to join the chairwoman of the subcommittee, Senator SNOWE, in submitting a resolution regarding the policy of the United States at the upcoming 58th Annual Meeting of the International Whaling Commission, IWC. I wish to also thank my Senate colleagues Mr. KERRY, Mrs. DOLE, Ms. BOXER, Mr. FEINGOLD, Mr. REED, Mr. LAUTENBERG, Mr. MCCAIN, Mr. LIEBERMAN, Ms. COLLINS, Mr. WYDEN, Mr. DODD, Ms. FEINSTEIN, Mr. MENENDEZ, Mr. LEVIN, Mr. BIDEN, Mr. DAYTON, Mr. JEFFORDS, Ms. LANDRIEU, and Mr. KENNEDY for cosponsoring as well.

The resolution we introduce today comes at a time when the United States and other like-minded nations are facing new and intensifying challenges within the IWC to adopt policies detrimental to our stated opposition to commercial and lethal scientific whaling.

In 1982, due to the severe impacts of whaling on the populations of large whale species, the IWC adopted an indefinite moratorium on all commercial whaling. Although Japan, Iceland, Norway, and other countries in favor of commercial whaling do not yet have the necessary three-quarters majority on the IWC to lift the moratorium, for the first time they may have the simple majority needed to control procedure and to adopt resolutions contrary to the longstanding positions of the IWC. Policies that the United States has opposed in the past, such as secret ballots and statements supporting lethal scientific whaling, could be adopted under a simple majority.

As Japan and Iceland have gained support for their prowhaling position within the IWC, they have become even more aggressive in their utilization of a provision in the convention that allows countries to issue themselves permits for "scientific whaling". These permits are currently being used to justify killing whales in the name of science and then later selling the meat commercially. More than 9,150 whales have been killed in lethal scientific whaling programs since the adoption of the commercial whaling moratorium, and Japan has plans for a major new program that would more than double its takes of minke whales and expand such whaling to Byrde's, sei, fin, sperm and humpback whales. Furthermore, Japan plans to hunt in the commission's designated Southern Ocean Sanctuary, an area set aside off Antarctica to facilitate whale conservation and recovery.

The IWC has repeatedly stated that such lethal takes are not necessary for scientific research. Sei, sperm, humpback, and fin whales are all endangered species, and hunting these species undermines the IWC's whale conservation program.

As was the case last year, discussions are ongoing in the IWC to establish a framework, or "revised management scheme," RMS, for any future commercial whaling, should it ever occur. In this resolution, we urge the U.S. delegation to the IWC to insist that any RMS negotiations are distinct from decisions on whether to lift the moratorium on commercial whaling and that an RMS contain provisions on accountability, transparency, and compliance. As part of any RMS language, lethal scientific whaling must immediately cease upon the commencement of any commercial whaling. The resolution also recognizes the rights of indigenous people to whale for subsistence purposes and directs the U.S. delegation to reject any attempts to compromise or equate such rights to commercial whaling.

I thank Chairwoman SNOWE for her collaboration on this resolution. I will continue to work with my colleagues on this issue to ensure that whales are protected under the International Whaling Commission.

SENATE CONCURRENT RESOLUTION 100—EXPRESSING THE SENSE OF CONGRESS THAT AN ARTISTIC TRIBUTE TO COMMEMORATE THE SPEECH GIVEN BY PRESIDENT RONALD REAGAN AT THE BRANDENBURG GATE ON JUNE 12, 1987, SHOULD BE PLACED WITHIN THE UNITED STATES CAPITOL

Mr. ALLARD submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 100

Whereas the people of the United States successfully defended freedom and democracy for over 40 years in a global Cold War against an aggressive Communist tyranny;

Whereas President Ronald Wilson Reagan's demonstration of unwavering personal conviction during this conflict served to inspire millions of people throughout the United States and around the world to seek democracy, freedom, and greater individual liberty; and

Whereas Ronald Wilson Reagan's determined stand against the Soviet empire during his eight years as President served as the catalyst for the end of that regime: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that an artistic tribute to commemorate the speech given by President Ronald Reagan at the Brandenburg Gate on June 12, 1987, during which he uttered the immortal lines "Mr. Gorbachev, tear down this wall!", should be placed within the United States Capitol.

Mr. ALLARD. Mr. President, last Monday was a somber anniversary for our Nation—it marked the second anniversary of President Ronald Reagan's passing. I did not come to the floor last Monday, because I knew that today, just a week later, would be another important anniversary in Reagan's life, and one I would rather note.

Nineteen years ago, on this day in 1987, President Ronald Reagan stood at the Berlin Wall, at the Brandenburg Gate and issued his—issued liberty's—famous challenge to Soviet tyranny:

> General Secretary Gorbachev, if you seek peace, if you seek prosperity for the Soviet Union and Eastern Europe, if you seek liberalization: Come here to this gate! Mr. Gorbachev, open this gate! Mr. Gorbachev, tear down this wall!

I believe the power and significance of this quote has been acknowledged. I believe history recognizes what President Reagan's steadfast determination to resist communist expansion and even the communist status quo meant to that great struggle. Many spoke on this floor 2 years ago on his contributions, and most have acknowledged the significance of those contributions.

I am submitting legislation today because President Reagan's contributions to winning the cold war, defending liberty, strengthening America and brightening our future can, in my mind, be adequately summarized by the moment he went to Berlin, stood in the shadow of a communist tyranny, summoned up the force of the American spirit, and called for the removal of the infamous wall.

My resolution calls for an artistic rendering of that moment in time to be painted into the Capitol, along with the other significant scenes of our Nation's past. As we walk through the building today, we can see scenes from the Nation's founding, from the Civil War, our westward expansion, even the Moon landing and *Challenger* astronauts. I would like to also see Reagan at the Brandenburg Gate. I think it would be entirely appropriate to have this image added. It would be an important reminder of the struggle this Nation undertook. It would stand for the millions of Americans who did their part for nearly half a century in that struggle, military and civilian. And it would testify to the greatness of our Nation, and the greatness of our 40th President.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4196. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 4197. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4198. Mr. WARNER (for himself and Mr. Levin) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4199. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4200. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4201. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4202. Ms. CANTWELL (for herself, Mr. Biden, and Mr. Leahy) submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4203. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4204. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4205. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4206. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4207. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4208. Mr. WARNER (for Mr. Frist (for himself, Mr. Reid, Mr. Warner, and Mr. Levin)) proposed an amendment to the bill S. 2766, supra.

TEXT OF AMENDMENTS

SA 4196. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 648. EXPANSION OF COMBAT-RELATED SPECIAL COMPENSATION ELIGIBILITY FOR CHAPTER 61 MILITARY RETIREES.

(a) Eligibility.—Subsection (c) of section 1413a of title 10, United States Code, is amended by striking "entitled to retired pay who—" and all that follows and inserting "who—

"(1) is entitled to retired pay (other than by reason of section 12731b of this title); and

"(2) has a combat-related disability.".

(b) Computation.—Paragraph (3) of subsection (b) of such section is amended—

(1) by designating the text of that paragraph as subparagraph (A), realigning that text so as to be indented 4 ems from the left margin, and inserting before "In the case of" the following heading: "In general.—"; and

(2) by adding at the end the following new subparagraph:

"(B) Special rule for retirees with fewer than 20 years of service.—In the case of an eligible combat-related disabled uniformed services retiree who is retired under chapter 61 of this title with fewer than 20 years of creditable service, the amount of the payment under paragraph (1) for any month shall be reduced by the amount (if any) by which the amount of the member's retired pay under chapter 61 of this title exceeds the amount equal to 2½ percent of the member's years of creditable service multiplied by the member's retired pay base under section 1406(b)(1) or 1407 of this title, whichever is applicable to the member.".

(c) Effective Date.—The amendments made by this section shall take effect on January 1, 2006, and shall apply to payments for months beginning on or after that date.

SA 4197. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 648. EFFECTIVE DATE OF TERMINATION OF PHASE-IN OF CONCURRENT RECEIPT FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES RATED AS TOTAL BY VIRTUE OF UNEMPLOYABILITY.

(a) In General.—Section 1414(a)(1) of title 10, United States Code, is amended by striking "100 percent" the first place it appears and all that follows and inserting "100 percent and in the case of a qualified retiree receiving veterans' disability compensation at the rate payable for a 100 percent disability by reason of a determination of individual unemployability, payment of retired pay to such veteran is subject to subsection (c) only during the period beginning on January 1, 2004, and ending on December 31, 2004.".

(b) Effective Date.—The amendment made by subsection (a) shall take effect on December 31, 2004.

SA 4198. Mr. WARNER (for himself and Mr. Levin) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On 51, between lines 16 and 17, insert the following:

(a) Reports on Certain Determinations To Proceed Beyond Low-Rate Initial Production.—Section 2399(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

"(5) If, before a final decision is made within the Department of Defense to proceed with a major defense acquisition program beyond low-rate initial production, a decision is made within the Department to proceed to operational use of the program or allocate funds available for procurement for the program, the Director shall submit to the Secretary of Defense and the congressional defense committees the report with respect to the program under paragraph (2) as soon as practicable after the decision under this paragraph is made.".

On page 51, line 17, strike "(a)" and insert "(b)".

On page 51, line 20, insert "and the Director of Operational Test and Evaluation" after "Logistics".

On page 51, beginning on line 22, strike "in light" and all that follows through line 23 and insert "in order to—

(A) reaffirm the test and evaluation principles that guide traditional acquisition programs; and

(B) determine how best to apply such principles to emerging acquisition approaches.

On page 52, line 4, strike "shall issue" and insert "and the Director shall jointly issue".

On page 52, strike lines 7 through 11.

On page 52, line 12, strike "(b)" and insert "(c)".

On page 52, line 13, strike "subsection (a)" and insert "subsection (b)".

On page 53, line 18, strike "(c)" and insert "(d)".

On page 53, line 25, strike "subsection (a)" and insert "subsection (b)".

On page 54, line 4, strike "(d)" and insert "(e)".

On page 54, line 8, strike "subsection (a)" and insert "subsection (b)".

On page 54, line 11, strike "(e)" and insert "(f)".

On page 54, line 15, insert before the period the following ", which length of time may be not more than 6 years from milestone B to initial operational capability".

SA 4199. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 874. PILOT PROGRAM ON EXPANDED USE OF MENTOR-PROTEGE AUTHORITY.

(a) Pilot Program Authorized.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of treating small business concerns described in subsection (b) as disadvantaged small business concerns under the Mentor-Protege Program under section 831 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note).

(b) Covered Small Business Concerns.—The small business concerns described in this subsection are small business concerns that—

(1) are participants in the Small Business Innovative Research Program of the Department of Defense established pursuant to section 9 of the Small Business Act (15 U.S.C. 638); and

(2) as determined by the Secretary, are developing technologies that will assist in detecting or defeating Improvised Explosive Devices (IEDs) or other critical force protection measures.

(c) Treatment as Disadvantaged Small Business Concerns.—

(1) In general.—For purposes of the pilot program, the Secretary may treat a small business concern described in subsection (b) as a disadvantaged small business concern under the Mentor-Protege Program.

(2) Mentor-protege agreement.—Any eligible business concerned approved for participation in the Mentor-Protege Program as a mentor firm may enter into a mentor-protege agreement and provide assistance described in section 831 of the National Defense Authorization Act for Fiscal Year 1991 with respect to a small business concern treated under paragraph (1) as a disadvantaged small business concern under the Mentor-Protege Program.

(d) Funding.—Funds for any reimbursement provided to a mentor firm under section 831(g) of the National Defense Authorization Act for Fiscal Year 1991 with respect to a small business concern described in subsection (b) under the pilot program shall be derived from funds available for the Small Business Innovative Research Program of the Department of Defense.

(e) Sunset.—

(1) Agreements.—No mentor-protege agreement may be entered into under the pilot program after September 30, 2010.

(2) Other matters.—No reimbursement may be paid, and no credit toward the attainment of a subcontracting goal may be granted, under the pilot program after September 30, 2013.

(f) Report.—Not later than March 1, 2009, the Secretary shall submit to the congressional defense committees a report on the pilot program. The report shall—

(1) describe the extent to which mentor-protege agreements have been entered under the pilot program; and

(2) describe and assess the technological benefits arising under such agreements.

(g) Small Business Concern Defined.—In this section, the term "small business concern" has the meaning given that term in section 831(m)(1) of the National Defense Authorization Act for Fiscal Year 1991.

SA 4200. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 358, strike lines 18 and 19 and insert the following:

SEC. 864. DEPARTMENT OF DEFENSE PLAN FOR CONTINGENCY PROGRAM MANAGEMENT.

On page 358, beginning on line 21, strike "Secretary of Defense" and all that follows through "interagency plan" and insert "Secretary of Defense shall develop a plan for the Department of Defense".

On page 359, beginning on line 1, strike "interagency plan" and insert "plan of the Department of Defense".

On page 359, line 17, strike "United States Government" and insert "Department".

On page 360, line 20, strike "government procedures" and insert "procedures for the Department".

On page 361, between lines 6 and 7, insert the following:

(c) Utilization in Plan for Interagency Procedures for Stabilization and Reconstruction Operations.—To the extent practicable, the elements of the plan of the Department of Defense for contingency program management required by subsection (a) shall be taken into account in the development of the plan for the establishment of interagency operating procedures for stabilization and reconstruction operations required by section 1222.

SA 4201. Mr. WARNER submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 362, line 1, strike "by striking" and insert "by inserting".

SA 4202. Ms. CANTWELL (for herself, Mr. BIDEN, and Mr. LEAHY) submitted an amendment intended to be proposed by her to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 352. REPORTS ON WITHDRAWAL OR DIVERSION OF EQUIPMENT FROM RESERVE UNITS FOR SUPPORT OF RESERVE UNITS BEING MOBILIZED AND OTHER UNITS.

(a) Findings.—Congress makes the following findings:

(1) The National Guard continues to provide invaluable resources to meet national security, homeland defense, and civil emergency mission requirements.

(2) Current military operations, transnational threats, and domestic emergencies will increase the use of the National Guard for both military support to civilian authorities and to execute the military strategy of the United States.

(3) To meet the demand for certain types of equipment for continuing United States military operations, the Army has required Army National Guard Units to leave behind many items for use by follow-on forces.

(4) The Governors of every State and 2 Territories expressed concern in February 2006 that units returning from deployment overseas without adequate equipment would have trouble carrying out their homeland security and domestic disaster duties.

(5) The Department of Defense estimates that it has directed the Army National Guard to leave overseas more than 75,000 items valued at approximately $1,760,000,000 to support Operation Enduring Freedom and Operation Iraqi Freedom.

(6) Department of Defense Directive 1225.6 requires a replacement and tracking plan be developed within 90 days for equipment of the reserve components of the Armed Forces that is transferred to the active components of the Armed Forces.

(7) In October 2005, the Government Accountability Office found that the Department of Defense can only account for about 45 percent of such equipment and has not developed a plan to replace such equipment.

(8) The Government Accountability Office also found that without a completed and implemented plan to replace all National Guard equipment left overseas, Army National Guard units will likely face growing equipment shortages and challenges in regaining readiness for future missions.

(b) Reports on Withdrawal or Diversion of Equipment From Reserve Units for Support of Reserve Units Being Mobilized and Other Units.—

(1) In general.—Chapter 1007 of title 10, United States Code, is amended by inserting after section 10208 the following new section:

"§ 10208a. Mobilization: reports on withdrawal or diversion of equipment from Reserve units for support of Reserve units being mobilized and other units

"(a) Report Required on Withdrawal or Diversion of Equipment.—Not later than 90 days after withdrawing or diverting equipment from a unit of the Reserve to a unit of the Reserve being ordered to active duty under section 12301, 12302, or 12304 of this title, or to a unit or units of a regular component of the armed forces, for purposes of the discharge of the mission of such unit or units, the Secretary concerned shall submit to the Secretary of Defense a report on the withdrawal or diversion of equipment.

"(b) Elements.—Each report under subsection (a) on equipment withdrawn or diverted shall include the following:

"(1) A plan to replace such equipment within the unit from which withdrawn or diverted.

"(2) If such equipment is to remain in a theater of operations while the unit from which withdrawn or diverted returns to the United States, a plan to provide such unit with replacement equipment appropriate to ensure the continuation of the readiness training of such unit.

"(3) A signed memorandum of understanding between the active or reserve component to which withdrawn or diverted and the reserve component from which withdrawn or diverted that specifies—

"(A) how such equipment will be tracked by the unit or units to which withdrawn or diverted; and

"(B) when such equipment will be returned to the unit from which withdrawn or diverted.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1007 of such title is amended by inserting after the item relating to section 10208 the following new item:

"10208a. Mobilization: reports on withdrawal or diversion of equipment from Reserve units for support of Reserve units being mobilized and other units.".

SA 4203. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 437, between lines 2 and 3, insert the following:

SEC. 1084. UNITED STATES POLICY ON IRAQ.

(a) WITHDRAWAL OF TROOPS FROM IRAQ.—

(1) SCHEDULE FOR WITHDRAWAL.—The President shall reach an agreement as soon as possible with the Government of Iraq on a schedule for the withdrawal of United States combat troops from Iraq by December 31, 2006, leaving only forces that are critical to completing the mission of standing up Iraqi security forces.

(2) CONSULTATION WITH CONGRESS REQUIRED.—The President shall consult with Congress regarding such schedule and shall present such withdrawal agreement to Congress immediately upon the completion of the agreement.

(3) MAINTENANCE OF OVER-THE-HORIZON TROOP PRESENCE.—The President should maintain an over-the-horizon troop presence to prosecute the war on terror and protect regional security interests.

(b) IRAQ SUMMIT.—The President should convene a summit as soon as possible that includes the leaders of the Government of Iraq, leaders of the governments of each country bordering Iraq, representatives of the Arab League, the Secretary General of the North Atlantic Treaty Organization, representatives of the European Union, and leaders of the governments of each permanent member of the United Nations Security Council, for the purpose of reaching a comprehensive political agreement for Iraq that addresses fundamental issues including federalism, oil revenues, the militias, security guarantees, reconstruction, economic assistance, and border security.

SA 4204. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 437, between lines 2 and 3, insert the following:

SEC. 1084. SENSE OF CONGRESS ON IRAQ SUMMIT.

(a) FINDINGS.—Congress makes the following findings:

(1) Iraq is destabilized by an ongoing insurgency and increasing sectarian violence.

(2) General John P. Abizaid, the head of the United States Central Command, said in March 2006 that "sectarian violence is a greater concern for us security-wise right now than the insurgency".

(3) General George Casey, the senior United States military commander in Iraq, and Zalmay Khalilzad, the United States Ambassador to Iraq, have stated that "the principal threat to stability is shifting from an insurgency grounded in rejection of the new political order to sectarian violence grounded in mutual fears and recriminations".

(4) A national unity government and a comprehensive political agreement among Shias, Sunnis, and Kurds are essential to end sectarian violence, undermine the insurgency, and bring stability to Iraq.

(5) On May 20, 2006, the Iraqi National Assembly swore in a national unity government under the leadership of Prime Minister Nuri Kamal al-Maliki.

(6) A comprehensive political agreement must resolve fundamental issues dividing Iraqis and undermining stability, including federalism, oil revenues, the militias, security guarantees, reconstruction, and border security.

(7) Reaching a comprehensive agreement that will help bring stability to Iraq is in the best interests of Iraq's neighbors, the region, and the international community.

(8) Iraq's neighbors, representatives of the Arab League, and the international community as represented by NATO, the European Union, and the permanent members of the United Nations Security Council can assist in the process of bringing about such a comprehensive agreement.

(9) The President should expedite this process by bringing together these parties and the leaders of the new Government of Iraq.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the President should convene a summit as soon as possible that includes the leaders of the Government of Iraq, leaders of the governments of each country bordering Iraq, representatives of the Arab League, the Secretary General of the North Atlantic Treaty Organization, representatives of the European Union, and leaders of the governments of each permanent member of the United Nations Security Council, for the purpose of reaching a comprehensive political agreement for Iraq that addresses fundamental issues including federalism, oil revenues, the militias, security guarantees, reconstruction, economic assistance, and border security.

SA 4205. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 707. TEMPORARY PROHIBITION ON INCREASE IN COPAYMENTS UNDER RETAIL PHARMACY SYSTEM OF PHARMACY BENEFITS PROGRAM.

Subsection (a)(6) of section 1074g of title 10, United States Code, as amended by section 702(b) of this Act, is further amended by adding at the end the following new subparagraph:

"(D) During the period beginning on April 1, 2006, and ending on December 31, 2007, the cost sharing requirements established under this paragraph for pharmaceutical agents available through retail pharmacies covered by paragraph (2)(E)(ii) may not exceed amounts as follows:

"(i) In the case of generic agents, $3.

"(ii) In the case of formulary agents, $9.

"(iii) In the case of nonformulary agents, $22.".

SA 4206. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 480, between lines 4 and 5, insert the following:

SEC. 1304. REMOVAL OF CERTAIN RESTRICTIONS ON PROVISION OF COOPERATIVE THREAT REDUCTION ASSISTANCE.

(a) REPEAL OF RESTRICTIONS.—

(1) SOVIET NUCLEAR THREAT REDUCTION ACT OF 1991.—Section 211(b) of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102–228; 22 U.S.C. 2551 note) is repealed.

(2) COOPERATIVE THREAT REDUCTION ACT OF 1993.—Section 1203(d) of the Cooperative Threat Reduction Act of 1993 (title XII of Public Law 103–160; 22 U.S.C. 5952(d)) is repealed.

(3) RUSSIAN CHEMICAL WEAPONS DESTRUCTION FACILITIES.—Section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 22 U.S.C. 5952 note) is repealed.

(b) INAPPLICABILITY OF OTHER RESTRICTIONS.—

Section 502 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (Public Law 102–511; 106 Stat. 3338; 22 U.S.C. 5852) shall not apply to any Cooperative Threat Reduction program.

SA 4207. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, insert the following:

SEC. 1084. SENSE OF CONGRESS ON REDEPLOYMENT OF ARMED FORCES FROM IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States Policy in Iraq Act (section 1227 of Public Law 109–163) states that "calendar year 2006 should be a period of significant transition to full Iraqi sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq".

(2) Congress, through such Act, declared its policy that "United States military forces should not stay in Iraq any longer than required" and the people of Iraq should be so advised.

(3) In such Act, Congress also stated that "the Administration should tell the leaders of all groups and political parties in Iraq that they need to make the compromises necessary to achieve the broad-based and sustainable political settlement that is essential for defeating the insurgency in Iraq, within the schedule they set for themselves".

(4) Congress also said, the Executive Branch needs to explain to Congress and to the people of the United States the strategy of the United States for the successful completion of its mission in Iraq.

(5) Since March 2003, Congress has appropriated approximately $300,000,000,000 for combat operations in Iraq.

(6) The nature of violence in Iraq has changed in the last 6 months from insurgent and terrorist conducted attacks to sectarian and ethnic killings, increasing the prospect of a broader civil war and the involuntary involvement of the Armed Forces of the United States in this internal conflict.

(7) Trained and equipped security forces of Iraq have increased in number to roughly 250,000 troops, and there are now more than 70 battalions capable of taking the lead in some form.

(8) Moqtada al-Sadr and other radical religious leaders control and direct death squads and militia forces, fomenting internecine warfare and the expansion of religious and ethnic tensions that are a major destabilizing factor in Iraq.

(9) Iraq has now completed historic elections resulting in the creation of a permanent 275 member assembly and a Constitution, and the recent selection of Prime Minister-designate Nuri al-Maliki will further solidify a governing structure for the country.

(10) The establishment of a Parliament and a working government signals an opportunity for the people of Iraq to take control of their own destiny.

(11) An open-ended major military presence of the United States in Iraq will continue to inspire efforts by Al Qaeda, Iran, and other state sponsors of terrorism to target directly soldiers of the United States throughout Iraq.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) following 3 years of military operations in Iraq, the United States should transition its missions to a mission that focuses on logistical suppo; and training of the military and police forces of Iraq;

(2) the United States should begin to downsize the Armed Forces of the United States in Iraq with the goal of ending the presence of the Armed Forces of the United States in Iraq within 18 months from the date of the enactment of this Act, except for logistical and training personnel;

(3) a plan to redeploy the Armed Forces of the United States either to the United States or to other critical areas of potential terrorist conflict such as Afghanistan should be prepared immediately; and

(4) a schedule and timeline for the downsizing and deployment of the Armed Forces of the United States in Iraq should be prepared and sent to Congress for review within 60 days from the date of the enactment of this Act.

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and once every 3 months thereafter, until all members of the Armed Forces of the United States have redeployed from Iraq, the President shall submit to Congress an unclassified report on the policy of the United States regarding Iraq and the strategic downsizing of the structure of the Armed Forces of the United States in Iraq.

(2) CONTENTS.—Each report shall include, to the extent practicable, the following unclassified information:

(A) The diplomatic, military, and economic steps being taken to commence the immediate, phased redeployment of Armed Forces from Iraq.

(B) Actions being taken by the United States to strengthen the capacity of the Interior, Defense, and other related ministries of Iraq to provide for nationwide security and a stable living environment for all of the people of Iraq.

(C) Efforts of the United States to train and logistically support the military, police and other security units of Iraq for purposes of completing the transfer of the duties and responsibility for maintaining peace in Iraq, and providing for a civil and just society in Iraq.

(D) Activities of the United States designed to sustain and strengthen a broad-based political settlement among all ethnic and religious groups in Iraq that is essential for defeating the insurgency, successfully combating death squads and militia groups, and restoring law and order across the country.

(E) A detailed, substantive overview of implementation plans for a balanced, strategic downsizing and repositioning of Armed Forces in Iraq at the earliest possible date.

SA 4208. Mr. WARNER (for Mr. FRIST (for himself, Mr. REID, Mr. WARNER, and Mr. LEVIN)) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle I of title X, insert the following:

SEC. 1084. SENSE OF CONGRESS ON THE COMMENDABLE ACTIONS OF THE ARMED FORCES.

(a) FINDINGS.—Congress finds that—

(1) on June 7, 2006, the United States Armed Forces conducted an air raid near the City of Baquba, northeast of Baghdad, Iraq, that resulted in the death of Ahmad Fadeel al-Nazal al-Khalayleh, better known as Abu Musab al-Zarqawi, the leader of the al-Qaeda in Iraq terrorist organization and the most wanted terrorist in Iraq;

(2) Zarqawi, as the operational commander of al-Qaeda in Iraq, led a brutal campaign of suicide bombings, car bombings, assassinations, and abductions that caused the deaths of many members of the United States Armed Forces, civilian officials of the United States Government, thousands of innocent Iraqi civilians, and innocent civilians of other nations;

(3) Zarqawi publicly swore his allegiance to Osama bin Laden and al-Qaeda in 2004, and changed the name of his terrorist organization from the "Monotheism and Holy War Group" to "al-Qaeda in Iraq";

(4) in an audiotape broadcast in December 2004, Osama bin Laden, the leader of al-Qaeda's worldwide terrorist organization, called Zarqawi "the prince of al-Qaeda in Iraq";

(5) 3 perpetrators confessed to being paid by Zarqawi to carry out the October 2002 assassination of the United States diplomat, Lawrence Foley, in Amman, Jordan;

(6) the Monotheism and Holy War Group claimed responsibility for—

(A) the August 2003 suicide attack that destroyed the United Nations headquarters in Baghdad and killed the United Nations envoy to Iraq Sergio Vieira de Mello along with 21 other people; and

(B) the suicide attack on the Imam Ali Mosque in Najaf that occurred less than 2 weeks later, which killed at least 85 people, including the Ayatollah Sayed Mohammed Baqr al-Hakim, and wounded dozens more;

(7) Zarqawi is believed to have personally beheaded American hostage Nicholas Berg in May 2004;

(8) in May 2004, Zarqawi was implicated in a car bombing that killed Izzadine Salim, the rotating president of the Iraqi Governing Council;

(9) in November 2005, al-Qaeda in Iraq attacked 3 hotels in Amman, Jordan, killing at least 67 innocent civilians;

(10) Zarqawi and his terrorist organization were directly responsible for numerous other brutal terrorist attacks against the American and coalition troops, Iraqi security forces and recruits, and innocent Iraqi civilians;

(11) Zarqawi sought to turn Iraq into a safe haven for al-Qaeda;

(12) to achieve that end, Zarqawi stated his opposition to the democratically elected government of Iraq and worked to divide the Iraqi people, foment sectarian violence, and incite a civil war in Iraq; and

(13) the men and women of the United States Armed Forces, the intelligence community, and other agencies, along with coalition partners and the Iraqi Security Forces, should be commended for their courage and extraordinary efforts to track down the most wanted terrorist in Iraq and to secure a free and prosperous future for the people of Iraq.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress—

(1) commends the United States Armed Forces, the intelligence community, and other agencies, along with coalition partners, for the actions taken through June 7, 2006, that resulted in the death of Abu Musab al-Zarqawi, the leader of the al-Qaeda in Iraq terrorist organization and the most wanted terrorist in Iraq;

(2) commends the United States Armed Forces, the intelligence community, and other agencies for this action and their exemplary performance in striving to bring freedom, democracy, and security to the people of Iraq;

(3) commends the coalition partners of the United States, the new government of Iraq, and members of the Iraqi Security Forces for their invaluable assistance in that operation and their extraordinary efforts to secure a free and prosperous Iraq;

(4) commends our civilian and military leadership for their continuing efforts to

eliminate the leadership of al-Qaeda in Iraq, and also commends the new government of Iraq, led by Prime Minister Jawad al-Maliki, for its contribution to that achievement;

(5) recognizes that the death of Abu Musab al-Zarqawi is a victory for American and coalition forces in the global war on terror and a blow to the al-Qaeda terrorist organization;

(6) commends the Iraqi Prime Minister Jawad al-Maliki on the finalization of the new Iraqi cabinet;

(7) urges the democratically elected government in Iraq to use this opportunity to defeat the terrorist enemy, to put an end to ethnic and sectarian violence, and to achieve a free, prosperous, and secure future for Iraq; and

(8) affirms that the Senate will continue to support the United States Armed Forces, the democratically elected unity government of Iraq, and the people of Iraq in their quest to secure a free, prosperous, and democratic Iraq.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Monday, June 19, 2006, at 2:30 p.m., in room SD-366 of the Dirksen Building

The purpose of the hearing is to receive testimony regarding implementation of the Renewable Fuel Standard in the 2005 Energy Bill and the future potential of biofuels such as biodiesel, cellulosic ethanol, and E85.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact John Peschke at (202) 224-4797, or Shannon Ewan at (202) 224-7555.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the hearing previously scheduled before the Subcommittee on National Parks of the Committee on Energy and Natural Resources for Thursday, June 15, 2006, at 2:30 p.m. has been rescheduled for Tuesday, June 20, 2006 at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the National Park Service's Revised Draft Management Policies, including potential impact of the policies on park operations, park resources, wilderness areas, recreation, and interaction with gateway communities.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Tom Lillie at (202) 224-5161, David Szymanski at (202) 224-6293, or Sara Zecher at (202) 224-8276.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks of the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, June 22, 2006, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills: S. 574, a bill to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act; S. 1387, a bill to provide for an update of the Cultural Heritage and Land Management Plan for the John H. Chafee Blackstone River Valley National Heritage Corridor, to extend the authority of the John H. Chafee Blackstone River Valley National Heritage Corridor Commission, to authorize the undertaking of a special resource study of sites and landscape features within the Corridor, and to authorize additional appropriations for the Corridor; S. 1721, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, and for other purposes; S. 2037, a bill to establish the Sangre de Cristo National Heritage Area in the State of Colorado, and for other purposes; and S. 2645, a bill to establish the Journey Through Hallowed Ground National Heritage Area, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Tom Lillie at (202) 224-5161, David Szymanski at (202) 224-6293, or Sara Zecher at (202) 224-8276.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Monday, June 12, 2006, at 2:30 p.m. The purpose of this hearing is to receive testimony regarding the implementation of sections 641 through 645 of The Energy Policy Act of 2005, the next generation nuclear plant project within the Department of Energy.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Monday, June 12, 2006, at 3 p.m. to hold a hearing on the U.S.-Uruguay Bilateral Investment Treaty.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that the staff members of the Committee on Armed Services—both Republican and Democrat—appearing on the list that I send to the desk be extended the privileges of the floor during the consideration of S. 2766, the National Defense Authorization Act for fiscal year 2007.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list is as follows:

Charles S. Abell
Richard D. DeBobes
June M. Borawski
Leah C. Brewer
William M. Caniano
Jonathan D. Clark
Fletcher L. Cork
Christine E. Cowart
Daniel J. Cox, Jr.
Madelyn R. Creedon
Marie Fabrizio Dickinson
Regina A. Dubey
Gabriella Eisen
Evelyn N. Farkas
Richard W. Fieldhouse
Creighton Greene
Micah H. Harris
Bridget W. Higgins
Ambrose R. Hock
Gary J. Howard
Gregory T. Kiley
Jessica L. Kingston
Michael J. Kuiken
Gerald J. Leeling
Peter K. Levine
Sandra E. Luff
Derek J. Maurer
Michael J. McCord
Elaine A. McCusker
William G.P. Monahan
David M. Morriss
Lucian L. Niemeyer
Stanley R. O'Connor, Jr.
Cindy Pearson
John H. Quirk V

Benjamin L. Rubin
Lynn F. Rusten
Catherine E. Sendak
Arun A. Seraphin
Jill L. Simodejka
Robert M. Soofer
Sean G. Stackley
Scott W. Stucky
Kristine L. Svinicki
Diana G. Tabler
Mary Louise Wagner
Richard F. Walsh
Pendred K. Wilson

Mr. DURBIN. Mr. President, on behalf of Senator Reid, I ask unanimous consent that Robin Tibaduiza, a Defense Fellow in his office, be granted the privilege of the floor during consideration of the National Defense Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that Senator McCain's legislative fellow, Navy LCDR Damien Christopher, be granted floor privileges during the debate on this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that privilege of the floor be granted to Mark Brunner, a military fellow in my office, for the duration of the Senate's debate on S. 2766, National Defense Authorization Act for fiscal year 2007.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. That having been done, I ask unanimous consent for privileges of the floor for Mark Brunner, a military fellow in my office, for the duration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR TUESDAY, JUNE 13, 2006

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m., Tuesday, June 13. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period for the transaction of morning business for up to an hour, with the first 30 minutes under the control of the majority leader or his designee and the final 30 minutes under the control of the Democratic leader or his designee; further, that following morning business, the Senate then resume consideration of S. 2766, the Defense authorization bill, as under the order. I further ask that the Senate stand in recess following the vote on the previously ordered amendment until 2:30 p.m. to accommodate the weekly policy luncheons and the official photograph for the 109th Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. McCONNELL. Mr. President, the official Senate photograph of the 109th Congress will be tomorrow. We need to encourage everyone to be prompt and to be in their seats at the appropriate time right after the policy luncheons.

Today, the Senate turned to the Department of Defense authorization bill. Senators who have amendments should be consulting the bill managers so they can get in the queue to offer their amendments. We can expect the first vote of the day tomorrow afternoon at 12:15. This vote will be on the Zarqawi amendment to the Defense authorization bill.

Senators are reminded that tomorrow at 3:30 p.m., we will have a cloture vote on the Stickler nomination; that is, to head the Mine Safety and Health Administration. This week we also will address an emergency supplemental appropriations conference report. And, finally, for the third time I reiterate, the photograph for the 109th Congress, for the Senate, will be tomorrow at 2:15 p.m., and we ask that all Senators be seated in the Chamber no later than 2:15, right after the policy lunches.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:54 p.m., adjourned until Tuesday, June 13, 2006, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate June 12, 2006:

DEPARTMENT OF AGRICULTURE

MARGO M. MCKAY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE, VICE VERNON BERNARD PARKER.

DEPARTMENT OF ENERGY

MARC SPITZER, OF ARIZONA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2011, VICE NORA MEAD BROWNELL, RESIGNED.

DEPARTMENT OF STATE

RANDALL M. FORT, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (INTELLIGENCE AND RESEARCH), VICE THOMAS FINGAR, RESIGNED.

THE JUDICIARY

LISA GODBEY WOOD, OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF GEORGIA, VICE DUDLEY H. BOWEN, JR., RETIRING.

EXECUTIVE OFFICE OF THE PRESIDENT

STEPHEN S. MCMILLIN, OF TEXAS, TO BE DEPUTY DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, VICE JOEL DAVID KAPLAN.

FEDERAL ENERGY REGULATORY COMMISSION

DRUE PEARCE, OF ALASKA, TO BE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS FOR THE TERM PRESCRIBED BY LAW. (NEW POSITION)

HOUSE OF REPRESENTATIVES—*Monday, June 12, 2006*

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. ADERHOLT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 12, 2006.

I hereby appoint the Honorable ROBERT B. ADERHOLT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. DEFAZIO) for 5 minutes.

TRADE DEFICIT AND ENERGY INDEPENDENCE

Mr. DEFAZIO. Mr. Speaker, I rise this morning to talk about a statistic that came out last week that says a lot about the direction of the United States of America, and that was the trade deficit for April. That is the deficit between what the United States exported and what we imported from overseas. Essentially, when we run a deficit, we are borrowing money to buy things that are made overseas. That has long-term implications in terms of U.S. indebtedness to foreign nations, particularly China which is growing more rapidly than our debt to any other nation, and the loss of the jobs that comes from that. The trade deficit for April was 63.4 billion jobs.

Now, the Commerce Department, the Bush Commerce Department likes to tout our trade policy and talk about how it creates jobs, and they say for every billion dollars of trade, you create 20,000 jobs. Well, if you are running a deficit, then that must mean you are running a negative number in terms of the creation of jobs. In this case, that would be about 12 million jobs lost in 1 month's trade deficit. Three million of those are manufacturing jobs. We are outsourcing all of the United States industrial base to China. That also has national security along with economic implications in the future. But down at the Bush White House and at the Bush Commerce Department and the Bush appointees at the Federal Reserve, they say this is great. It shows how strong our economy is that the world is willing to finance our borrowing to buy things that they make that we used to make that we don't make anymore.

Now, what world do they live in? Americans are losing jobs. Wages are being driven down. They think that is good actually. The President did have an economic adviser last year who said the exported jobs was just the greatest new manifestation of the benefits of trade, outsourcing of jobs. So they are totally sanguine about a $63.4 billion trade deficit, about the fact that we are borrowing $2 billion a day from foreign countries to buy things made elsewhere in the world. That is not a sustainable model. It now exceeds over 6 percent of our total gross domestic product. That is worse than Argentina before they collapsed in a heap a few years ago. This is not sustainable. It is ultimately going to lead to a crash in the dollar and a huge run-up in interest rates here in the United States that make the Jimmy Carter interest rates of 16 and 17 percent look like a bargain.

But the Bush administration says, no, it is working just fine. It is working just fine for a bunch of corporate CEOs and a few boards of directors and other preferred people in this country. It is not working well for American workers, and the American consumers are getting a Faustian bargain here. We may see some cheaper prices in the short term, but long term things are going to get much more expensive.

It also reflects a failed or, let us say, a lack of any energy policy on the part of the United States of America. $24 billion of the April deficit was due to oil imports. So while we fund Saudi Arabia and other countries that harbor and have harbored and created terrorists that attack the United States of America with billions of dollars every month, the Bush administration, totally enthralled to Big Oil, wants to continue to just say, no, let the markets, let Big Oil solve our energy problems. After all, they are making a pile of money. ExxonMobil made $100 million a day last year. Things are working really well in the energy markets.

Yet, if we look a little south to Brazil, 30 years ago when there was an oil crisis, Brazil said they were going to become energy independent, and they have. If the people of Brazil can become energy independent, I believe the people of America could if we were well led, if we had an energy policy that determined to lead us toward energy independence instead of being in hock to Big Oil and OPEC and Saudi Arabia and other hostile interests around the world.

We could do much better for ourselves and we could have long-term stable and more affordable energy, but it is going to require an investment. It is also going to require standing up to Big Oil. Short term, we have got to take on the price gouging and the profits and the manipulation of markets by Big Oil and bring the price down while we transition to a more sustainable model, and then we have got to invest in the new technologies that will lead us to energy independence and efficiency.

But, sadly, the Republican majority and the Bush White House have no interest in taking America in that direction. The petroleum industry is a very, very generous campaign contributor. Eighty-five percent of their massive contributions out of that obscene profit flowed to the Republican Party and the Bush White House last year, and they are not going to take them on. Well, we should take them on for the interest of America and the American people. And I tell you, this is one Member, and I believe there are other Members on this side and even a few on that side who are willing to take them on. We have to deal with the trade deficit, and part of that is getting a sustainable energy policy.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 37 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CULBERSON) at 2 p.m.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

PRAYER

The Reverend Dr. Alan N. Keiran, Chief of Staff, Office of the Senate Chaplain, offered the following prayer:

Eternal Father, creator of the universe, we come to You today believing that You hear our prayers and are concerned about the details of our lives. We thank You, O God, for the right to lift up Your holy name in this setting.

Today we not only seek blessings from Your omnipotent hands, we seek to honor You in thought, word and deed.

As we open this legislative week, we ask that Your sovereign presence fill this Chamber and equip the Members of this august body with wisdom beyond their years, courage to do great things, and a deep sense of satisfaction in honorably serving our Nation.

Grant each Member good health, vibrant faith and hope that their tireless labors will one day achieve a grand purpose.

Bless their families, especially those battling illness. Bless their staff members as they labor long hours far from home. Bless those who so willingly protect and support all who serve on Capitol Hill. And, Dear Lord, bless our Nation's noble warriors and their leaders at home and abroad, on land, at sea, and in the air.

I pray in the name that is above all names. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Texas (Mr. DELAY), the whole number of the House is adjusted to 432.

MATRICULA CONSULAR CARD

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, when Generalissimo Fox leaves office this year, the illegal Mexican citizens in America better hope they find someone who cares as much about them as he does. Since the Sly Fox cannot take care of his own people, he makes his problem our problem.

He has encouraged their careers by sending them north to the United States so they can have a career; and when they had no ID in our foreign land, his answer: the matricula consular card, a Mexican ID card for illegals in the United States.

Then this Fox of Mexico started creating a vast network of American businesses and banks that will accept these cards so his illegals can open up a U.S. bank account and wire money home. That is right, back to Mexico.

Ironically, even Mexican banks do not accept this matricula card. But U.S. banks do. And they help illegal immigrants send home. More than $12 billion every year. Money that the United States Government ought to consider charging a 10 percent fee on. Keep some of that money in America.

Mr. Speaker, be that as it may, the banks and businesses that do this are doing nothing more than encouraging illegal entry into the United States.

The Mexican Government may be controlling the United States immigration policy. In fact, since they are issuing IDs for people in our country from their country and making sure it is accepted, it is just like American Express. "The matricula card is everywhere you want to be, without that yearly fee."

That's just the way it is.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

AMENDING RECLAMATION PROJECTS AUTHORIZATION AND ADJUSTMENT ACT OF 1992

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4013) to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah.

The Clerk read as follows:

H.R. 4013

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONJUNCTIVE USE OF SURFACE AND GROUNDWATER IN JUAB COUNTY, UTAH.

Section 202(a)(2) of the Reclamation Projects Authorization and Adjustment Act of 1992 (Public Law 102–575) is amended by inserting "Juab," after "Davis,".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4013, introduced by Congressman CHRIS CANNON, allows Juab County in Utah to become eligible for specific water supply funding under the Central Utah Project.

Currently, there are five counties in the State that are eligible to receive such funding, and this legislation adds Juab to this list. Water is scarce in southern Utah, and allowing Juab County to receive these funds will help maximize surface water flows and groundwater sources through what is known in the water arena as conjunctive use.

This practice is commonly used in our parched Western States, and its popularity increases each year. I commend Mr. CANNON of Utah for introducing this legislation. I urge my colleagues to support this noncontroversial and timely bill.

Mr. Speaker, I reserve the balance of my time.

Ms. HERSETH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we on this side of the aisle support passage of H.R. 4013. This bill would provide the opportunity for conjunctive use of surface and groundwater in Juab County, Utah. The Central Utah Project, as it was originally planned, would have provided Juab County with sufficient water supplies.

However, this project has evolved over time; and under current plans, Central Utah Project water would not be available to east Juab County. The pending legislation resolves this issue and would provide the county with an opportunity to develop needed water resources.

Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr.

RENZI) that the House suspend the rules and pass the bill, H.R. 4013.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

LOS PADRES NATIONAL FOREST LAND EXCHANGE ACT OF 2005

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4162) to provide for an exchange of lands between the Secretary of Agriculture and the United Water Conservation District of California to eliminate certain private inholdings in the Los Padres National Forest, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4162

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Los Padres National Forest Land Exchange Act of 2005".

SEC. 2. LAND EXCHANGE, LOS PADRES NATIONAL FOREST, CALIFORNIA.

(a) EXCHANGE REQUIRED.—If the United Water Conservation District of California (in this section referred to as the "District") conveys to the Secretary of Agriculture all right, title, and interest of the District in and to the lands described in subsection (b), the Secretary shall convey to the District, in exchange for such lands, all right, title, and interest of the United States in and to the National Forest System lands described in subsection (c). The conveyance of National Forest System lands under this section shall be subject to valid existing rights and to such terms, conditions, and reservations as may be required by this section or considered necessary by the Secretary.

(b) LANDS TO BE CONVEYED BY DISTRICT.—The lands to be conveyed by the District under subsection (a) consist of approximately 340 acres located within township 5 north, range 18 west, San Bernardino base and meridian and are more fully described as follows:

(1) "Tract A"—SE1/4NE1/4 of section 16 (approximately 40 acres).

(2) "Tract B"—NE1/4SE1/4 of section 16 (approximately 40 acres).

(3) "Tract C"—S1/2SE1/4 of section 16 (approximately 80 acres).

(4) "Tract D"—NE1/4 of section 21 (approximately 160 acres).

(5) "Tract E"—N1/2SW1/4SW1/4 of section 15 (approximately 20 acres).

(c) LANDS TO BE CONVEYED BY SECRETARY.—The National Forest System lands to be conveyed by the Secretary under subsection (a) consist of approximately 440 acres located within township 5 north, range 18 west, San Bernardino base and meridian and are more fully described as follows:

(1) "Tract 1"—E1/2SW1/4 of section 10 (approximately 80 acres).

(2) "Tract 2"—NE1/4NW1/4 of section 15 (approximately 40 acres).

(3) "Tract 3"—S1/2SW1/4SW1/4SE1/4 of section 15 (approximately 5 acres).

(4) "Tract 4"—N1/2S1/2S1/2SE1/4 of section 15 (approximately 20 acres).

(5) "Tract 5"—S1/2N1/2SW1/4SE1/4 of section 15 (approximately 10 acres).

(6) "Tract 6"—N1/2NW1/4SW1/4SE1/4 of section 15 (approximately 5 acres).

(7) "Tract 7"—SW1/4SE1/4 of section 15 (approximately 2.5 acres).

(8) "Tract 8"—S1/2NW1/4SE1/4SE1/4 of section 15 (approximately 5 acres).

(9) "Tract 9"—SW1/4NE1/4SE1/4SE1/4 of section 15 (approximately 2.5 acres).

(10) "Tract 10"—W1/2W1/2NW1/4SE1/4 of section 15 (approximately 10 acres).

(11) "Tract 11"—SE1/4SW1/4NW1/4SE1/4 of section 15 (approximately 2.5 acres).

(12) "Tract 12"—SW1/4SE1/4NW1/4SE1/4 of section 15 (approximately 2.5 acres).

(13) "Tract 13"—W1/2W1/2SW1/4NE1/4 of section 15 (approximately 10 acres).

(14) "Tract 14"—SW1/4SW1/4NE1/4 of section 22 (approximately 10 acres).

(15) "Tract 15"—NW1/4NW1/4NW1/4NE1/4 of section 22 (approximately 2.5 acres).

(16) "Tract 16"—SW1/4NW1/4SW1/4NE1/4 of section 22 (approximately 2.5 acres).

(17) "Tract 17"—W1/2NW1/4SE1/4 of section 22 (approximately 20 acres).

(18) "Tract 18"—SW1/4SE1/4 of section 22 (approximately 40 acres).

(19) "Tract 19"—E1/2SW1/4 of section 22 (approximately 80 acres).

(20) "Tract 20"—N1/2NW1/4SW1/4 of section 22 (approximately 20 acres).

(21) "Tract 21"—W1/2NE1/4 of section 27 (approximately 60 acres).

(22) "Tract 22"—NE1/4SW1/4NW1/4 of section 27 (approximately 10 acres).

(d) MAPS AND CORRECTIONS AUTHORITY.—The lands to be exchanged under this section are depicted on maps entitled "Los Padres National Forest Land Exchange" and dated June 1, 2005. The maps shall be on file and available for public inspection in appropriate offices of the Forest Service until completion of the land exchange. By mutual agreement, the Secretary and the District may adjust the legal descriptions specified in subsections (b) and (c) and the boundaries depicted on the maps based upon survey or a determination that a modification would be in the public interest to correct errors or make minor adjustments in the lands to be exchanged under this section.

(e) PROCESSING OF LAND EXCHANGE.—

(1) EQUAL VALUE EXCHANGE.—The land exchange under this section shall be conducted on an equal value basis, as determined by the appraisal done in conformity with the Uniform Appraisal Standards for Federal Lands Standards for Acquisition and Forest Service appraisal instructions.

(2) TITLE STANDARDS.—The Secretary shall require that title to the District lands to be acquired by the Secretary under this section is in conformity with the title standards of the Attorney General.

(3) COMPLETION.—The Secretary shall endeavor to complete the land exchange under this section within one year after the date of the enactment of this Act.

(f) EASEMENTS AND ACCESS.—

(1) RESERVATION.—In the conveyance of the National Forest System lands under this section, the Secretary shall reserve easements for all roads and trails that the Secretary considers to be necessary or desirable to provide for administrative purposes and to ensure public access to National Forest System lands. In particular, the Secretary shall reserve perpetual unrestricted rights of pedestrian and equestrian access over all existing roads and trails.

(2) CONSTRUCTION OF PARKING LOT.—As a condition on the receipt of National Forest System lands under this section, the District shall agree to construct a gravel parking area upon District lands to provide access to the Potholes trail of the Los Padres National Forest. The site design for the parking area shall be subject to the approval by the Secretary. The District may reasonably regulate vehicular access to the parking area in accordance with rules and regulations promulgated in accordance with applicable law.

(g) PARTIAL REVOCATION OF WITHDRAWALS.—The public lands withdrawals provided by the Act of May 29, 1928 (Chapter 868; 45 Stat. 956), Power Site Classification No. 414–USGS, June 22, 1951, FERC Power Project No. 2153, January 15, 1957, and Forest Service Land Order No. 3338, February 28, 1964, are hereby revoked insofar as they effect the National Forest System lands conveyed under this section.

(h) WATER RIGHTS.—The land exchange under this section does not include any water rights owned by the District or the United States.

(i) CASH EQUALIZATION.—

(1) LIMITS WAIVED.—The values of the lands to be exchanged under this section may be equalized through the payment of a cash equalization payment in an amount in excess of the statutory limit specified in section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(2) DISPOSITION AND USE OF FUNDS.—Any cash equalization payment received by the Secretary under this section shall be deposited into the fund established by Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a). The payment shall be available to the Secretary for expenditure, without further appropriation and until expended, for the acquisition, construction, or improvement of administrative or recreational facilities for the Los Padres National Forest in Ventura County, Santa Barbara County, and San Luis Obispo County, California, or for the acquisition of land or interests in land in such counties.

(j) ADMINISTRATIVE COSTS.—The costs of conducting the land exchange under this section shall be shared equally by the District and the Secretary. The costs to be shared include expenditures incurred for survey, mapping, appraisals, closing costs, recording fees, and similar expenditures, but do not include staff salaries, administrative overhead, attorney fees, the cost of construction required by subsection (f)(2), or the costs to cure any title defects.

(k) EFFECT OF EXCHANGE; MANAGEMENT OF ACQUIRED LANDS.—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of the Los Padres National Forest, as adjusted as a result of the land exchange under this section, shall be considered to be the boundaries of that national forest as of January 1, 1965. The District lands acquired by the Secretary under this section shall be added to and administered as part of the Los Padres National Forest in accordance with the laws and regulations applicable to that national forest.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4162 would provide for the exchange of lands between the Los Padres National Forest in the State of California and the United Water Conservation District of California.

Mr. Speaker, the land exchange will eliminate some private inholdings within the national forest and would also aid the local water district by consolidating land it needs to more easily deliver water to its users.

More specifically, the conservation district would receive approximately 440 acres and the Los Padres National Forest would receive approximately 340 acres. The lands to be exchanged are of approximate equal value.

The amendment proposed deletes a portion of the bill concerning environmental analysis objected to by the minority. With this change there is no objection to the bill.

Mr. Speaker, I urge passage of this important noncontroversial legislation, which was considered by the House of Representatives during the 108th Congress.

Mr. Speaker, I reserve the balance of my time.

Ms. HERSETH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Arizona (Mr. RENZI) explained, H.R. 4162, the Los Padres National Forest Land Exchange Act, provides for the exchange of lands between the Secretary of Agriculture and the United Water Conservation District of California.

The legislation consolidates the land ownership surrounding Lake Piru in Congressman GALLEGLY's district.

We note with appreciation that the bill, as amended, does not include language that would have exempted this land exchange from the requirements of the National Environmental Policy Act of 1969.

Mr. Speaker, we have no objection to the bill.

Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 4162, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PACTOLA RESERVOIR REALLOCATION AUTHORIZATION ACT OF 2006

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3967) to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes, as amended.

The Clerk read as follows:

H.R. 3967

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pactola Reservoir Reallocation Authorization Act of 2006".

SEC. 2. FINDINGS.

Congress finds that—

(1) it is appropriate to reallocate the costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes; and

(2) section 302 of the Department of Energy Organization Act (42 U.S.C. 7152) prohibits such a reallocation of costs without congressional approval.

SEC. 3. REALLOCATION OF COSTS OF PACTOLA DAM AND RESERVOIR, SOUTH DAKOTA.

The Secretary of the Interior may, as provided in the contract of August 2001 entered into between Rapid City, South Dakota, and the Rapid Valley Conservancy District, reallocate, in a manner consistent with Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)), the construction costs of Pactola Dam and Reservoir, Rapid Valley Unit, Pick-Sloan Missouri Basin Program, South Dakota, from irrigation purposes to municipal, industrial, and fish and wildlife purposes.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from South Dakota (Ms. HERSETH) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

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GENERAL LEAVE

Mr. RENZI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RENZI. Mr. Speaker, I yield myself such time as I may consume.

H.R. 3967, introduced by my colleague, Congresswoman STEPHANIE HERSETH of South Dakota, reallocates costs to the Pactola Dam and Reservoir to reflect growing municipal needs for water. As Rapid City, South Dakota's municipal water needs continue to grow and demand for local irrigation water continues to decrease, this legislation appropriately reallocates the costs associated with the change in water deliveries.

This bill is a win for the citizens of Rapid City and a win for the American taxpayer. I urge my colleagues to support this commonsense legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. HERSETH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a very important bill for the district I represent. I certainly thank Mr. RENZI and the committee and subcommittee leadership on both sides of the aisle for their support of this important legislation.

H.R. 3967 shifts Pactola Reservoir water from declining irrigation use to municipal and industrial use where it is sorely needed. This legislation reflects an agreement reached by the Bureau of Reclamation, the local irrigation users and local municipal and industrial water users to adapt to the changing water needs of the larger Rapid City community.

I would like to thank Director Jabloski of the Rapid City Public Works and Rapid City Mayor Jim Shaw for their hard work on this issue. I am proud to sponsor and to support this legislation that will help satisfy the water needs of Rapid City's growing population.

Mr. Speaker, I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I also want to commend my colleague from South Dakota for her leadership on this issue, particularly as water out in the West is such a valuable commodity.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 3967, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECOGNIZING THE 17TH ANNIVERSARY OF THE MASSACRE IN TIANANMEN SQUARE

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 794) recognizing the 17th anniversary of the massacre in Tiananmen Square, Beijing, in the People's Republic of China, and for other purposes, as amended.

The Clerk read as follows:

H. RES. 794

Whereas freedom of expression, assembly, association, and religion are fundamental human rights that belong to all people and are recognized as such under the United Nations Declaration of Human Rights and the International Covenant on Civil and Political Rights;

Whereas the demonstrations in Tiananmen Square were the manifestation of a peaceful democratic movement throughout China calling for the establishment of a dialogue with government and party leaders on democratic reforms, including freedom of expression, freedom of assembly, and the elimination of corruption;

Whereas on June 3-4, 1989, Chinese authorities ordered the People's Liberation Army and other security forces to use lethal force to disperse demonstrators in Beijing, especially around Tiananmen Square;

Whereas independent observers report that hundreds, perhaps thousands, were killed and wounded in 1989 by the People's Liberation Army soldiers and other security forces;

Whereas 20,000 people throughout China suspected of taking part in the democracy movement were arrested and sentenced without trial to prison or reeducation through labor, and many were reportedly tortured;

Whereas credible sources estimate that the Communist Government of China continues to imprison hundreds, and perhaps thousands, of Tiananmen Square activists, such as United States permanent resident Yang Jianli, and denies such activists their basic human rights;

Whereas the Communist Government of China undertakes active measures to deny its citizens the truth about the Tiananmen Square massacre, including the blocking of uncensored Internet sites and weblogs, and the placement of misleading information on the events of June 3–4, 1989 on Internet sites available in China, often with the collusion and cooperation of United States Internet companies such as Yahoo, Google, Microsoft, and Cisco;

Whereas the Communist Government of China continues to suppress dissent by imprisoning pro-democracy activists, lawyers, journalists, labor union leaders, religious believers, members of ethnic minority rights organizations, and other individuals in China and Tibet who seek to express their political or religious views in a peaceful manner;

Whereas the Communist Government of China kidnapped long-time democracy activist Dr. Wang Bingzhang, a United States permanent resident, and sentenced him to life imprisonment for espionage and terrorism;

Whereas the Communist Government of China continues its extraordinarily brutal persecution of the peaceful spiritual movement of Falun Gong;

Whereas the Communist Government of China continues its reprehensible policies of organ harvesting of executed prisoners; maintenance of hundreds, perhaps thousands of slave labor camps; coercive sterilization and forced abortions resulting in sex-selective abortions, female infanticide, and trafficking in persons; and forcible repatriation of thousands of refugees to North Korea to face persecution, imprisonment, and death in violation of its international commitments; and

Whereas June 4, 2006, is the 17th anniversary of the Tiananmen Square massacre: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses sympathy to the families of those killed, tortured, and imprisoned as a result of their participation in the democracy protests of June 3–4, 1989, in Tiananmen Square, Beijing, in the People's Republic of China, and to all those persons who have suffered for their efforts to keep that struggle alive during the past 17 years, and to all the people of China who lack fundamental human rights;

(2) commends all peaceful advocates for democracy and human rights in China;

(3) calls upon those nations planning to participate in the 2008 Olympic Games in Beijing to insist that China comply with the United Nations Declaration on Human Rights; and

(4) condemns the ongoing and egregious human rights abuses by the Communist Government of China and calls on that Government to—

(A) release all prisoners of conscience, including those persons still in prison as a result of their participation in the peaceful pro-democracy protests of 1989 and put an immediate end to the harassment, detention, and imprisonment of all Chinese citizens exercising their legitimate freedoms of expression, association, and religion;

(B) end its censorship of legitimate free speech on the Internet, and its persecution of Internet dissidents;

(C) end its persecution of Falun Gong;

(D) end organ harvesting and ensure that its organ donor programs proceed only on a purely voluntary and non-commercial basis;

(E) end its coercive one-child policy;

(F) grant the United Nations High Commission on Refugees access to all refugees, and end forcible repatriations of refugees, particularly to North Korea;

(G) close its "re-education through labor" camps, respect the rights of workers, and end police detention without trial;

(H) release United States permanent resident Dr. Yang Jianli, a participant in the Tiananmen Square protests of 1989, who has been illegally detained by the Communist Government of China since April 26, 2002, and whose wife and two children are United States citizens; and

(I) release United States permanent resident Dr. Wang Bingzhang, long-time peaceful democracy activist, who was abducted in June 2002, and illegally imprisoned for life on false charges of espionage and terrorism, and whose sister, son, and daughter are United States citizens.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I believe that every one of us remembers the events that occurred in Tiananmen Square on June 3 and June 4, 1989. We may be hazy on the dates, but the images are as fresh today as they were then. We all remember the Chinese version of the Statue of Liberty being erected by thousands of peaceful, well-behaved demonstrators, mostly students.

□ 1430

We remember peaceful protests in Beijing and throughout China calling for the establishment of a dialogue with the government and party leaders on democratic reforms, including freedom of expression, freedom of assembly, and respect for workers' rights and the elimination of corruption by government officials.

All over the Communist world, from Berlin to Beijing, there was a tremendous outpouring of hope that year, hope that freedom and democracy would soon triumph. Exhausted, obsolete, and morally bankrupt Communist regimes were turning on the people in the last desperate effort to retain their control and the enormous privileges such control gave them and to the party elites.

Later that year, the Berlin Wall, symbol of the physical, mental, and moral prisons that held over a billion people in chains, fell. We all remember the incredible joy felt throughout the world when this happened.

Also burned for all time in our memory is the image of the lone protestor on Tiananmen Square who held up the tanks sent to crush the demonstrators. Yet we also remember that the police grabbed that heroic figure and swept him away, like so many others, to an unknown fate. Those tanks, under orders of the Communist government of China, then crushed under their treads the movement for democracy in China. The Communist government killed, tortured and imprisoned thousands for daring to question its illegal monopoly on power. Hundreds, perhaps thousands, are still imprisoned and persecuted for exercising the rights guaranteed to them by their Constitution and the rules of all civilized societies. While millions in Europe now enjoy freedom, that right is still denied to Chinese people.

Right after Tiananmen Square, Mr. Speaker, FRANK WOLF and I went to Beijing and visited Beijing Prison No. 1, a prison where some 40 Tiananmen Square prisoners were being held. They were like modern-day Nazi concentration camps, and these victims with their heads shaved were asking peacefully that the government allow some basic liberties that we all take for granted in the U.S. and in many other nations of the world. They were hunted down, tortured and jailed.

China declared war not only on the protestors but on history itself. The Communist government undertakes active measures to deny its citizens the truth even today about what happened in Tiananmen Square. In December of 1996, Mr. Speaker, here in Washington at the invitation of President Bill Clinton, General Chi Haotian, the defense minister of the People's Republic of China, the general who was the operational commander of the soldiers who slaughtered pro-democracy demonstrators in and around Tiananmen Square in June 1989, said, "Not a single person lost his life in Tiananmen Square." According to General Chi, the Chinese Army did nothing more violent than the "pushing of people."

To counter that big lie, I quickly put together and chaired a hearing of eyewitnesses to Tiananmen who definitively refuted General Chi's brazen lies, but then again, what did he care? General Chi got the red carpet treatment at the Clinton White House and full military honors. I believe he should have been charged with crimes against humanity.

Most Chinese today, Mr. Speaker, unfortunately have no accurate knowledge of what happened in Tiananmen Square. China blocks even today uncensored Internet sites and Web logs and places misleading information on Internet sites available in China, often with the collusion and cooperation of U.S. Internet companies such as Yahoo and Google. As part and parcel of its Tiananmen Square cover-up, the Communist government sentenced journalist Shi Tao to 10 years in prison, using information provided by Yahoo, for using his Yahoo e-mail account to send foreigners a copy of a Chinese Government memo warning of possible trouble during the 15th anniversary of the Tiananmen Square massacre.

We all know that torture does not stop with those who demand political freedoms. It is appropriate on this occasion to remember and seek freedom for all prisoners of conscience, all believers, democrats, and human rights activists who will one day triumph in China, but who now suffer grievously. There is ongoing aggressive repression of those who want to practice their faith as they see fit.

Matter of fact, it has gotten worse in the last few years. Falun Gong practitioners, for example, are routinely rounded up and beaten and abused, and hundreds have been tortured to death while held in captivity. Catholics loyal to the Pope and members of the Protestant house church movements are harassed, tortured and imprisoned. The Communist government of China subjects Buddhist Tibetans and Muslim Uighurs to cultural and physical genocide.

China also makes brothers and sisters illegal. China's coercive one-child-per-couple policy not only subjects millions of women to forced abortions and sterilizations; it has encouraged a massive increase in sex-selective abortions and female infanticide. The result is up to 100 million missing girls or women and one of the worst human trafficking problems now in the world. Matter of fact, it has been said by one China demographer that by the year 2020 as many as 40 million men will be looking for wives in China and will not be able to find them as a direct result of the one-child-per-couple policy.

Mr. Speaker, Mrs. Mao Hengfeng, a long-time activist to end this evil policy, was rearrested just a few days ago as part of a new crackdown on pro-democracy protests related to the Tiananmen Square anniversary. The Chinese Communists know, even if many Westerners still do not understand it, that democracy and the right to life are intrinsically connected. I held a hearing a year and a half ago on Mrs. Mao, and I continue to admire her incredible courage. Today, I pray for her and her family and will work again for her early release.

Two other prisoners, Madam Speaker, especially Dr. Yang Jianli and Dr. Wang Bingzhang, deserve special recognition as well today. They are both American permanent residents. Their families are U.S. citizens, and they have for many years peacefully worked for freedom and democracy in the People's Republic of China. In a country with thousands of prisoners, their cases are particularly egregious examples of China's human rights violations. This bill calls for their immediate release, as well as the immediate release of all prisoners of conscience.

Madam Speaker, we cannot forget these people. Had the hopes of the Tiananmen Square been realized, we would not need to pass such a resolution as we do today. The more than 25 hearings that I have held on this subject would not have been needed and many resolutions, including two more that will follow this one to make a record three resolutions on China's egregious human rights abuse being considered on the House floor today.

Alas, all of this is necessary until China agrees to observe the fundamental human rights that belong to all people and are recognized as such under the United Nations Declaration of Human Rights. We must not collaborate with the Chinese Communists to erase history. We must honor the memory of those who protested and did so so valiantly.

This amendment in the nature of a substitute that we offer today has been updated to more tightly focus on the denial of fundamental human rights in China symbolized by the Tiananmen Square massacre.

Madam Speaker, I reserve the balance our time.

Mr. LANTOS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of this resolution. May I express my deep respect for my friend and colleague from New Jersey (Mr. SMITH) for his indefatigable fight for human rights in China.

I hope, Madam Speaker, you will have occasion to visit my office, because in the reception room you will find a large poster of a young unarmed Chinese student facing down a row of Chinese tanks on Tiananmen Square. This poster and this image is the indelible record of what happened at Tiananmen Square 17 years ago.

That day, China's senior leaders huddled behind the walls of their compound near the Forbidden City. They had a critically important decision to make, whether to reach out to the students, like the one who is depicted in my poster, to the students and to the workers gathered in Tiananmen Square and address their concerns about party corruption and the lack of democracy, or whether they would seek to quash the movement with violent and vicious force if necessary.

Sadly for the cause of freedom and justice, and for the lives of thousands of young Chinese citizens, the leadership of China made the wrong choice. Instead of entering into a meaningful dialogue with those gathered in the square, they launched a brutal crackdown on the democracy movement, killing thousands and imprisoning many more.

The Chinese leadership hoped that the world would soon forget the Tiananmen Square massacre. Our job in Congress is to ensure that we never forget those who lost their lives in Tiananmen Square that day or the pro-democracy cause for which they fought.

While the list of ongoing human rights violations in China is long, today I would like to focus on the Chinese Government control of the Internet.

Despite its enormous power and wealth, China's ruling elite remains absolutely petrified that the free flow of information will undermine its political legitimacy, particularly among China's younger generation. The rulers in Beijing reason that if an average Chinese person can find out the truth about the Tiananmen massacre or the repression of the Falun Gong with a few key strokes on the computer, it is only a matter of time before the Chinese public will demand fundamental change in China.

So rather than face the bitter truth, China has placed severe restrictions on the Internet and enlisted America's high-tech companies as their Internet police.

In America's open and democratic system, based on our constitutional guarantee of freedom of expression, these high-tech firms have thrived and their founders have amassed enormous wealth, running into the billions, great influence and prestige.

But instead of using their power and creativity to bring greater openness and democracy to China, they have yielded to Beijing's outrageous demands simply for the sake of profits. Google, Microsoft and Yahoo should be developing new technologies to bypass government sensors and barriers to the Internet; but instead, they agreed to guard the gates themselves.

Let me start with Yahoo. As we meet today, a Chinese citizen who had the courage to speak his mind on the Internet is in prison because Yahoo chose to share his name and address with the Chinese Government. It is bad enough that Beijing is so petrified of dissent that it throws dissidents behind bars for years on end and blacklists their families; but it is simply beyond comprehension, Madam Speaker, that an American company would play an active role in the Chinese suppression apparatus.

Yahoo insists that it has no choice but to follow national laws and cites its adherence to modern German laws that prohibit neo-Nazi propaganda. This argument literally sickens me. Germany is a mature democracy, and its freely elected leaders have determined that they wish to prohibit the most severe forms of hate-mongering.

China has a rubber-stamp parliament; and the Chinese Government places severe, far-reaching restrictions on freedom of speech and religious liberty. For an American firm such as Yahoo to comply willingly with laws that send someone to jail for simply expressing his views is unconscionable.

□ 1445

Google and Microsoft similarly argue that they must comply with Chinese laws that prohibit on-line discussions and searching of certain "sensitive" subjects. So they have elected to become surrogate government censors, removing content and blocking information that offends the political sensitivities of the ruling elite in Beijing.

They apparently have no moral problems with censoring the Tibetans and Falun Gong, both persecuted minorities in China. Do these companies have any standards at all? If Iran demands that Google block all information related to Jews except anti-Semitic propaganda, will it comply? What about a Sudanese request to censor information on the ongoing genocide in Darfur?

Madam Speaker, several pieces of legislation have been introduced to stop American complicity with China's crackdown on the Internet. We must move forward with these bills expeditiously not only because it is good policy but because it would honor the memory of those who died in Tiananmen Square 17 years ago today, Madam Speaker, and I urge my colleagues to support this resolution.

I yield back the balance of my time.

GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution now under consideration.

The SPEAKER pro tempore (Miss MCMORRIS). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mrs. NAPOLITANO. Madam Speaker, I rise today in support of H. Res. 794, recognizing the 17th anniversary of the massacre in Tiananmen Square.

I would like to thank Chairman HENRY HYDE, Ranking Member TOM LANTOS and Congressman CHRIS SMITH of the House International Relations Committee, as well as the International Relations Committee staff, for their work on this bill.

House Resolution 794 rightfully commends all persons who are peacefully advocating for democracy and human rights in China. The resolution condemns the ongoing human rights abuses by the government of the People's Republic of China, and calls on that government to cease the inhumane treatment of pro-democracy activists, prisoners of conscience, minorities, and religious groups.

The resolution includes language regarding Dr. Wang Bingzhang, a family member of constituents from the great city of La Puente, CA. In June of 2002, Dr. Wang was abducted in Vietnam by Chinese authorities and held in solitary confinement in China for six months, during which time the Chinese government denied any knowledge of his whereabouts. In December of the same year, the Chinese government reversed itself and acknowledged he had been in their custody. Dr. Wang was then issued a life sentence after a closed, half-day trial.

Dr. Wang has been refused a fair trial, and the Chinese government has refused to release any evidence to substantiate Dr. Wang's alleged crimes. Dr. Wang is currently being held in Shaoguan prison in Guangdong Province, where he is on a hunger strike. Prison authorities continue to deny Dr. Wang access to Western medicine which he needs for his serious health issues.

I thank the Members of the International Relations Committee who supported this bipartisan resolution. I look forward to the committee's continued work to end the deplorable, appalling and unjust treatment of dissidents by Chinese authorities.

My staff and I will continue to work on this critical issue, and I look forward to Dr. Wang's release and return to his family.

Ms. PELOSI. Madam Speaker, it has been 17 years since the Chinese government unleashed the People's Liberation Army on its own defenseless people in Tiananmen Square. Today, the House of Representatives pays tribute to the brave souls who stood up for freedom, only to be met with a hail of bullets and a new era of repression.

The forward march of freedom has often been advanced by people who defied the powers of their day to demand the liberties and human rights to which all people everywhere are entitled.

We remember how Chinese students, workers, and citizens marched in peace; how they raised a Goddess of Democracy in the image of our own Statue of Liberty; how they quoted our own Founding Fathers.

Seventeen years later, almost every independent organization monitoring human rights believes the situation in China has not significantly improved.

In fact, we know the Chinese government is becoming even more sophisticated, using new technology to monitor and apprehend those who criticize the regime or worship freely. Web service providers are required to censor information. Sadly, they are complying instead of using their leverage to push for change.

Religious believers continue to be a target of the Chinese government, subjected to harassment and detention for only practicing their faith.

Chinese authorities require Tibetans to denounce the Dalai Lama as their spiritual leader and imprison individuals for simply owning pictures of the Dalai Lama.

Bush Administration officials say they hope China will become a "responsible stakeholder" in world affairs. We should avoid wishful thinking about the intentions of the Chinese government.

In addition to the deplorable human rights conditions, the Chinese government is providing military technology to countries that threaten international security including Iran and North Korea, threatening Taiwan with a military attack, and violating its trade agreements.

Certainly we need to engage China, but it should be sustainable engagement that enables us to sustain our values, sustain our economic growth, and sustain our national security.

Today, we once again call on Beijing to release the thousands of prisoners whose only crime is to demand their basic human rights.

We call on the Chinese government to open up the Laogai prison system to the International Red Cross so the world can see what really is going on.

The spirit of Tiananmen endures and inspires. Tanks and troops may crush a protest, but they can never extinguish the flame of freedom that burns in every human heart.

Ms. BORDALLO. Madam Speaker, I rise today in support of H. Res. 794, Recognizing the 17th anniversary of the massacre in Tiananmen Square, Beijing, the People's Republic of China, and for other purposes. The People's Republic of China has a long record of human rights violations. By supporting H. Res. 794, we call upon the People's Republic of China to adopt desperately needed democratic reforms. In addition, by supporting this resolution, we honor individuals who have endured imprisonment, torture, and sometimes even death to advance the cause of democracy in China.

The United States is a country founded on the principle that each individual is entitled to basic human rights. We must pressure China to improve its human rights record and to abide by internationally agreed upon standards for human rights. Additionally, we must pressure China to adopt democratic reforms.

The United States has an obligation to aid in the progressive struggle to topple oppression and to sow the seeds of democracy worldwide. The disturbing events of June 3–4, 1989 in Tiananmen Square revealed the opposition of the Communist regime to political expression by the people of China, a most basic human freedom. The People's Republic of China's denial of universal suffrage in Hong Kong, despite the massive protests in 2003, its imprisonment of perhaps thousands of pro-democracy activists like Yang Jianli, and its brutal persecution of peaceful Falun Gong practitioners are further representative of the regime's oppression of its people.

H. Res. 794 calls upon the People's Republic of China to refrain from oppressing its people. Additionally, the United States reaffirms its commitment to the promotion and advancement of democratic principles in China by recognizing the 17th anniversary of the massacre in Tiananmen Square.

I strongly support this resolution. I urge my colleagues' support.

Mr. SMITH of New Jersey. Madam Speaker, I urge support of the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 794, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

CONDEMNING THE UNAUTHORIZED, INAPPROPRIATE, AND COERCED ORDINATION OF CATHOLIC BISHOPS BY THE PEOPLE'S REPUBLIC OF CHINA

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 804) condemning the unauthorized, inappropriate, and coerced ordination of Catholic bishops by the People's Republic of China, as amended.

The Clerk read as follows:

H. RES. 804

Whereas the Catholic Patriotic Association of China is a government-sanctioned organization that does not represent the majority of Chinese Catholics, and has been used by the Government of the People's Republic of China to oppress Catholics who choose to remain loyal to the Pope as their spiritual leader;

Whereas on April 30, 2006, the Chinese Government-sanctioned Catholic Patriotic Association of China conducted an unauthorized episcopal ordination of the priest Joseph Ma Yinglin, elevating him to the office of bishop without the approval and against the wishes of the Holy Father Pope Benedict XVI;

Whereas on May 3, 2006, the Chinese Government-sanctioned Catholic Patriotic Association of China conducted an unauthorized episcopal ordination of the priest Joseph Liu Xinhong, elevating him to the office of bishop without the approval and against the wishes of the Holy Father Pope Benedict XVI;

Whereas on May 14, 2006, the Chinese Government-sanctioned Catholic Patriotic Association of China installed Bishop Vincent Zhan Silu as Bishop of Mindong Diocese without the approval and against the wishes of the Holy Father Pope Benedict XVI;

Whereas, according to information reported by the Vatican, bishops and priests in the People's Republic of China have been subjected to strong pressures and threats to take part in the episcopal ordinations which, being without pontifical mandate, are illicit and, besides, contrary to their conscience;

Whereas the entire world follows with attention the progress of religious freedom in China and had hoped that such deplorable episodes by now would belong to the past;

Whereas, following a trip to China in August 2005, the United States Commission on International Religious Freedom reported that the Chinese Government continues to systematically violate the right to freedom of thought, conscience, and religion or belief, contravening both the Chinese Constitution and international human rights norms;

Whereas on May 3, 2006, the United States Commission on International Religious Freedom announced its 2006 recommendations to Secretary of State Condoleezza Rice and continued to identify China as one of ten "Countries of Particular Concern";

Whereas Chinese law and policy restrict religious activities to those activities associated with the five officially-sanctioned "patriotic" religious organizations;

Whereas all other collective religious activities in China are illegal, and individuals from "unregistered" religious groups are subject to harassment, detention, and arrest;

Whereas freedom of religious expression is a fundamental right enshrined in the United States Constitution and recognized by all civilized nations; and

Whereas China, like all members of the United Nations, is bound by Article 18 of the Uniform Declaration of Human Rights which states: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance": Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns, in the strongest possible terms, the actions of the Government of the People's Republic of China to coerce Catholic bishops in China, both those in the Catholic Patriotic Association of China and those who remain loyal to the Pope, to violate their consciences and consecrate bishops in defiance of Rome;

(2) extends its deepest sympathy and condolences to the Catholic population of China and the Catholic Church for this insult to their beliefs and religious practices;

(3) reaffirms the right of all religious organizations to choose their leaders in a manner that is free of intimidation, terror, or coercion in accordance with Article 18 of the Uniform Declaration of Human Rights;

(4) urges the Government of China to end its repression of religious organizations, recognize the ecclesiastical authority of religious leaders to provide spiritual leadership to their followers, and end the practice of only allowing religious worship through state-sanctioned patriotic religious associations; and

(5) encourages the Government of China to refrain from additional ordination of Catholic bishops while the Vatican and the Catholic Patriotic Association of China resolve their differences and adopt a mutually acceptable process for approving the elevation of bishops.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. SMITH of New Jersey. Madam Speaker, I yield such time as he may consume to the chief sponsor of this resolution, Mr. ENGLISH of Pennsylvania.

Mr. ENGLISH of Pennsylvania. Madam Speaker, I need to start my remarks with an acknowledgment of the extraordinary leadership that the gentleman from New Jersey has provided long in the House as a defender of religious freedom, and the topic before us with this resolution is one that I know is very dear to his heart, and so I am grateful for his leadership on this topic.

Madam Speaker, this resolution is simple and self-explanatory. Any truly free society must, by definition, accord its citizens freedom to seek a relationship with God according to the dictates of their conscience and choose spiritual leaders whom the worshipers believe are best suited to guide in establishing that relationship.

Recently, the People's Republic of China violated the religious freedom of its Roman Catholic citizens by imposing Beijing's choices for bishops rather than allowing the Vatican to make these appointments. This resolution condemns that action and calls upon the Chinese government to refrain from any further unauthorized ordinations.

There are few actions, Madam Speaker, more central to religious practice than choosing the spiritual leaders of a congregation. Each Sunday, Catholics throughout the world celebrate Mass and communally recite the Apostles' Creed, which includes a statement of belief in the holy Catholic church. As an intimate part of that belief, Catholics acknowledge the supreme leadership of the Pope of Rome in all spiritual matters and as the chief administrator of the church.

I am sure none of us would tolerate government coercion of any type in choosing the leaders of our churches, synagogues, temples, and religious organizations. Nevertheless, the Chinese government does not allow Catholics to run schools or recognize openly the authority of the papacy in many fundamental matters of faith and morals. The Chinese government also continues to insist as a precondition for establishing diplomatic relations that the Vatican cede its role in the selection of bishops to the government-controlled Catholic Patriotic Association. A government that purports not to believe in God at all has no business choosing religious leaders.

Madam Speaker, the leaders of China consistently seek to position their country as one of the leading nations of the world. The Chinese people make no secret of their goal to establish their nation as an equal to the United States. Well, leadership brings responsibility. Religious repression is wrong wherever it occurs, and civilized nations rightfully deplore the lack of tolerance found in many backward and regressive societies. China, however, claims to aspire to a higher standard, which is why their recent actions are so disturbing.

China is an ancient nation with a proud history. They are the fountainhead of Eastern philosophy, the birthplace of Confucius, possibly the greatest secular thinker the world has ever known. Analects 15:23 of the teaching of Confucius states: "What you do not want done to yourself, do not do to others."

The early Chinese emperors embraced this teaching, and China was providing shelter and refuge to Nestorian Christians when Europeans were still burning heretics at the stake. Unfortunately, while religious freedom has been moving forward in Western democracies, it appears to be on the retreat in China.

Nevertheless, China became a signatory to the Uniform Declaration Human Rights when they joined the United Nations. The ordinations that we today condemn are a direct violation of Article 18 of the Uniform Declaration of Human Rights, which states, and I quote, "Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest this religion or belief in teaching, practice, worship, and observance."

No one forced China to join the United Nations or to ratify the Uniform Declaration of Human Rights. They did so freely and without coercion. Indeed, the government in Beijing worked diligently for many years to displace Taiwan as the recognized government of China. Consequently, they now have a responsibility to live up to their standards and their great history, proud traditions, and U.N. obligations. My resolution calls upon them to do just that.

Madam Speaker, I hope that my resolution will focus attention on the advancement of religious freedom not just in China but throughout the world and particularly in our own country. Thomas Jefferson taught us that, "God who gave us life gave us liberty. Can the liberties of a nation be secure when we have removed a conviction that these liberties are the gift of God? Indeed, I tremble for my country when I reflect that God is just, that his justice cannot sleep forever."

Whatever liberties we may possess, whatever privileges we may earn, whatever prosperity we may enjoy as individuals or as a nation, the most fundamental freedom of all is the right to establish our own relationship with God. This is the seminal freedom of all other freedoms that we cherish.

Whenever, wherever this core freedom is under assault, free people everywhere have a fundamental responsibility to defend it. We cannot ignore the suppression of religious freedom in China and expect it to endure in the United States.

Now, while we can, Congress must intrusively and decisively take a stand on behalf of Chinese Catholics and all others who wish to worship God in a manner and through a confession of their own choosing. We must insist that all members of the community of nations respect individual religious freedoms as the condition for mutual respect. Any nation that interferes with individual religious freedom and the freedom of spiritual communities to order their own affairs to the degree that the Chinese government has intervened in Catholicism cannot aspire to a place of leadership in the modern world.

Repression, Madam Speaker, is like a cancer. Left untreated, it will grow in size and power until it overwhelms the entire body. Only by vigorous early intervention can a doctor stop the spread of infection or a free nation prevent the spread of repression. If we do not stand with the Catholics of China now, who will stand with us in the future? And if we don't stand with Chinese Catholics, how can we aspire to be a symbol and defender of freedom throughout the world?

Madam Speaker, I call on my colleagues to pass this resolution.

Mr. LANTOS. Madam Speaker, I yield myself such time as I may consume, and I want to commend my good friend from Pennsylvania for his authorship of this most important resolution as I rise in strong support of it.

Sometimes what is self-evident to civilized democratic governments is sadly lost on the Chinese leadership in Beijing. Such was the case in early May when a government-sponsored committee in Beijing elevated two Catholic priests to the level of bishop without the approval of the Vatican.

Madam Speaker, I firmly believe that it is up to the Catholic Church to determine its leadership. Everywhere else in the world Pope Benedict the XVI selects the bishops, not communist atheists in some government politburo.

But we should not be surprised by this latest intrusion into religious life by the Chinese government. Eleven years ago, this same government abducted a 6-year-old Tibetan boy who had been selected by the Dalai Lama as the next Panchen Lama, a title conferred on the second leader of Tibet. The boy and his family have never been seen again. He is believed to be the world's youngest political prisoner. Soon after the abduction of this little boy, Beijing selected its own Panchen Lama, without seeking approval from the spiritual head of Tibetan Buddhists, the Dalai Lama.

Madam Speaker, whether it is Catholics or Tibetan Buddhists, China has an obligation under its own constitution and the international conventions to which it is a party to ensure religious freedom. It has failed miserably to live up to this sacred obligation. Our resolution highlights the latest outrage in China's systematic denial of religious liberty to its own citizens. I urge all of my colleagues to support this resolution.

I yield back the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume, and I thank my good friend and colleague from Pennsylvania, as Mr. LANTOS said, for authoring this very important resolution, but also for his very eloquent statement moments ago regarding the historical context of this resolution and the ongoing issue of religious persecution in China, meaning the lack of freedom there. I appreciate his focus on the Uniform Declaration of Human Rights which so clearly establishes the right of conscience and the right of all persons to practice their faith as they see fit.

As he so aptly pointed out, the Chinese have freely acceded to the Uniform Declaration, and to so many other human rights accords that have been promulgated by the U.N. Sometimes for international consumption and for PR purposes, and regrettably they do not live up to either the letter or the spirit of these agreements to which they have given their solemn word.

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Madam Speaker, this resolution which condemns the People's Republic of China for its continued interference into the international efforts of the Catholic Church and its persecution of Catholics loyal to the Vatican is certainly a very timely resolution.

The state-controlled Catholic Church in China, which does not represent the majority of Chinese Catholics, continues to ignore the Vatican's wishes by consecrating new bishops without the consent of the Pope. In April and May of this year, the Chinese Government-sanctioned Catholic Patriotic Association of China conducted two unauthorized ordinations of priests to the office of bishop, and the unauthorized installation of another bishop, despite requests from the Vatican to delay these actions.

According to the Vatican, bishops and priests in China are subject to strong pressures and threats to take part in ordinations which have not been approved of by the Pope and are contrary to their faith. While I am saddened by these reports, I am not surprised. The United States Commission on International Religious Freedom reports that the China Government continues to systematically violate the freedom of thought, conscience, and religion or belief and the testimonies of so many persecuted individuals. For example, Bishop Su of Baoding Province, is a gentle and kind man who I met in the 1990s. I point out to my colleagues that soon after our visit, he was rearrested on false charges, released and rearrested again. He spent 30 years of his life, this brave Catholic bishop, for loving God. Even today, we do not know about his whereabouts, although there have been sightings from time to time.

As my colleague pointed out, in defiance of the U.N. article 18 of the Uniform Declaration of Human Rights, the PRC continues to restrict religious activities to those not associated with the five officially sanctioned religious organizations. Men and women that attempt to practice their faith outside of these five approved religions, such as the more than 10 million Roman Catholics, face harassment, imprisonment, torture and death.

We have no wish to sanction the worshipers in the Catholic Patriotic Association in China; rather, we wish to offer our support to the Catholic population of China that is persecuted by its government for their faith. We condemn the Chinese Government's persecution of the Catholics and its refusal to permit a Vatican-sponsored Catholic church to operate legally in China. This is a great resolution, and I urge my colleagues to support it.

Madam Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. WOLF).

Mr. WOLF. Madam Speaker, I rise in strong support of this resolution. I heard Mr. ENGLISH speaking and wanted to come over to add my support for this resolution.

Frankly, this whole place ought to be packed with people speaking on behalf of this resolution. Today in China, the Catholic Church is being severely persecuted. Why has the administration been silent, and other than this resolution, why has the Congress been relatively silent?

There are a number of Catholic bishops that are in jail today, as stated in the New York Times piece the other day. There is also the issue of what they have done to the Vatican with regard to the Chinese Communist Government. Evangelical church leaders are being persecuted. I just wanted to put my two cents in with regard to support of this.

For Members who just think this is another political thing, this is a moral issue.

Isaiah says, "Learn to do right, seek justice, encourage the oppressed." By passing this resolution, we encourage the oppressed.

Isaiah goes on to say in Isaiah 59, "The Lord looked and was displeased there was no justice." When the Lord looks at China, he has got to be displeased that there is no justice.

Isaiah goes on to say, "He saw that there was no one, he was appalled that there was no one to intervene." Fortunately, Mr. ENGLISH, Mr. SMITH and Mr. LANTOS are intervening.

But this Congress has to do more, and this administration's silence is becoming deafening on this issue. The condition in China with regard to the Catholic Church, the Protestant Church, the Uighurs, the Buddhists is worse today after President Hu left than before President Hu came.

I want to thank the gentlemen for cosponsoring this. We ought to have a roll call vote. Frankly, everybody ought to vote on this issue because this would send a message to the Chinese Communist Government that this Congress will become again like the Congress was during the 1980s during the Reagan administration and will not stand for it.

Ms. BORDALLO. Madam Speaker, I rise today in support of H. Res. 804, Condemning the unauthorized, inappropriate, and coerced ordination of Catholic bishops by the People's Republic of China. I am concerned by reports that on April 30, 2006, and again on May 3, 2006, bishops and priests in the People's Republic of China were subjected to strong pressures and threats to participate in episcopal ordinations against the wishes of the Holy Father Pope Benedict XVI. The ordinations were conducted by the Catholic Patriotic Association of China and without the express approval and sanction of the Holy See. Such ordinations are illegitimate. I urge the People's Republic of China to refrain from pressuring or coercing.Chinese bishops and priests to support these ordinations.

Freedom of religious expression is a fundamental right enshrined in the United States Constitution and is recognized by all civilized nations. Freedom of religion and conscience is also enshrined in Article 18 of the Uniform Declaration of Human Rights, to which the People's Republic of China is a signatory. Chinese law and policy, however, continues to restrict religious activities to those associated with the five officially sanctioned "patriotic" religious organizations. Additionally, the Catholic Patriotic Association of China does not represent the vast majority of Chinese Catholics and has no ecclesiastical authority to choose spiritual leaders for Catholics in the People's Republic of China.

The United States Commission on International Religious Freedom identifies China as one of ten "Countries of Particular Concern." H. Res. 804 sends a strong message to the People's Republic of China to refrain from pressuring and coercing Chinese priests. This resolution also sends a strong message to the Catholic Patriotic Association of China to discontinue the practice of ordaining priests without the express support of the Holy Father, the Pope. Not doing so is an insult to the universal Catholic Church.

I strongly support this resolution. I urge my colleagues' support.

Mr. SMITH of New Jersey. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 804, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. ENGLISH of Pennsylvania. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey.

There was no objection.

CONDEMNING THE ESCALATING LEVELS OF RELIGIOUS PERSECUTION IN THE PEOPLE'S REPUBLIC OF CHINA

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 608) condemning the escalating levels of religious persecution in the People's Republic of China, as amended.

The Clerk read as follows:

H. RES. 608

Whereas the Constitution and laws of the People's Republic of China purport to provide for religious freedom, however, these freedoms are substantively ignored;

Whereas all religious groups and spiritual movements must register with the Chinese Government, which monitors religious services and judges the legitimacy of religious activities;

Whereas unregistered religious groups in China continue to experience official interference and members of religious groups have been subjected to intimidation, harassment, and detention;

Whereas many religious leaders and adherents in China, including those in official churches, have been detained, arrested, or administratively sentenced to prison terms in reeducation-through-labor camps;

Whereas religious believers are denied the ability to hold public office not by law, but by a logical extension of the fact that most government positions go to members of the Chinese Communist Party (CCP) and CCP membership and religious belief are considered incompatible;

Whereas numerous abuses of unofficial Catholic clergy have occurred, including the detentions of Bishop Zhao Zhendong, Bishop Jia Zhiguo, Bishop Yao Liang, Bishop Su Zhimin, Bishop An Shuxin, Bishop Lin Xili, Bishop Han Dingxiang, and Bishop Shi

Enxiang, as well as other Catholic priests and lay leaders who have been beaten or otherwise mistreated;

Whereas the Chinese Government-sanctioned Catholic Patriotic Association of China conducted unauthorized episcopal ordinations of the priests Joseph Ma Yinglin and Joseph Liu Xinhong, elevating them to the office of bishop without the approval and against the wishes of the Holy Father Pope Benedict XVI;

Whereas numerous abuses of Protestant House Church Leaders have occurred, including the detentions of Pastor Gong Shengliang, Pastor Zhang Rongliang, Luo Bingyin, Li Cuiling, Wang Chaoyi, Yang Tianlu, and Zhao Xinlan, as well as other Protestant House Church Leaders who have been beaten or otherwise mistreated;

Whereas the whereabouts of Gendun Choekyi Nyima, the boy identified by the Dalai Lama as the 11th Panchen Lama and detained by Chinese authorities ten years ago, when he was six years old, are still unknown;

Whereas, according to the Department of State, Chinese authorities continue to restrict Muslim religious activity, teaching, and worship in Xinjiang, including reported prohibitions on the participation and religious education of minors;

Whereas the Chinese Government continues its brutal campaign to eradicate the Falun Gong spiritual movement and thousands of its members have been subject to excessive force, abuse, detention, and torture, including Liu Chengjun who died in 2003 after reportedly being abused in custody in Jilin Province and Huang Wei who is currently detained in Hebei Province, among others;

Whereas Cai Zhuohua, a Beijing underground church leader, was sentenced on November 8, 2005, to three years in prison for distributing Bibles and other Christian materials;

Whereas the Haidian Lower People's Court in Beijing also sentenced Mr. Cai's wife, Xiao Yunfei, to two years in prison and her brother, Xiao Gaowen, to 18 months in prison, and

Whereas on November 20, 2005, after attending services at the Gangwashi Church in Beijing, President George W. Bush stated: "A healthy society is a society that welcomes all faiths and gives people a chance to express themselves through worship with the Almighty": Now, therefore, be it

Resolved, That—

(1) the House of Representatives condemns the imprisonment of religious leaders and people of faith in the People's Republic of China and urges their release; and

(2) it is the sense of the House of Representatives that it should be the policy of the Government of the United States to promote and defend religious freedom and freedom of conscience in China.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H. Res. 608 condemning the escalating levels of religious persecution in the People's Republic of China, and I thank my colleague from Michigan, Mr. MCCOTTER, for authoring this important legislation. I am very proud, along with many of my colleagues, to be a cosponsor of the resolution.

Despite China's repression of religion as arguably among the most despotic in the world, despite China's entrance in the world economy, its government refuses to grant its citizens universally recognized rights to freedom of religion and thought.

The People's Republic of China permits religious practice only for government-sanctioned organizations and registered locations of worship. Those who practice other faiths as their consciences demand risk disappearing into one of hundreds of Laogai, the forced education through labor system established by Mao Tse-tung decades ago.

Not only is religious persecution of numerous groups and movements ongoing, but it is actually worsening. In February, the BBC reported that China had warned Hong Kong's newly appointed cardinal, Joseph Zen, a well-known critic of China's suppression of religious freedoms, to remain quiet on political issues.

I have personally known some of the remarkable people that the Chinese Government targets for persecution. In the early 1990s, and I mentioned this earlier when we considered Mr. ENGLISH's resolution, I met with Bishop Su of Baoding Province, a man who celebrated mass for our small delegation. I was amazed by his lack of animosity, by his lack of anything that even comes close to hate. He actually loved those who persecuted him and said he spent a considerable amount of time praying for his persecutors. He has now spent some 30 years of his life in prison and has suffered time and time again the ravages of torture by his persecutors. What kind of barbaric regime hurts a man like this?

Last summer, our Subcommittee on Africa, Global Human Rights and International Operations heard compelling testimony from Mr. Chen Yonglin, formerly a diplomat for the Chinese Government who said, "According to my knowledge, the persecution of the Falun Gong by the Chinese Government is a systematic campaign."

To my horror, we have heard reports of the Chinese government targeting the Falun Gong for organ harvesting. According to the State Department's 2005 International Religious Freedom Report, the China Government's respect for freedom of religion and freedom of conscience remains poor, especially for many unregistered religious groups and spiritual movements.

Members of unregistered groups, including Protestants and Catholics, are subject to restrictions including intimidation, harassment, detention, arrest, and add to that torture.

Those who perhaps read the scathing report that was written by the rapporteur for the United Nations on torture that was released last December cannot help but be repelled by the ongoing systematic use of torture against those who are trying to promote either worker's rights, basic fundamental human rights, but especially those who espouse religious freedom and religious liberty.

Given all of these disturbing facts, Madam Speaker, Mr. MCCOTTER's resolution condemning the government of China's systematic persecution of religious freedom is both appropriate and timely.

Let me also say, Madam Speaker, and I do hope the press takes some notice, today we are considering an unprecedented three resolutions on China. Each and every one of these is bipartisan. Mr. LANTOS, as Mr. WOLF said a moment ago, has been a great champion of human rights all over the world, including in China, has joined with HENRY HYDE, the chairman of the committee, and myself, along with Mr. WOLF and Mr. ENGLISH. This is bipartisan. We talk a lot about bipartisanship or lack of it in recent weeks and months in this Chamber, but when it comes to human rights, especially as it relates to China, we are together.

Now that we know what the problem is, we need to speak more about solutions. Hopefully as we move forward in this congressional session, we will talk more about what we need to be doing to try to get this government to roll back its repression.

President Hu's visit was an opportunity. I would respectfully submit that it was a missed opportunity to raise these issues in a powerful way. He went back home to China thinking he had won over the American people. He has not. His record is deplorable, especially as it relates to religious persecution.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of this resolution. Nearly three decades after the normalization of relations, Beijing and Washington have a mature, evolving relationship. Our two countries are working cooperatively on a broad range of issues facing the world from North Korea to matters before the U.N. Security Council.

But in our effort to maintain this cooperative spirit, we must not sugarcoat the areas of intense disagreement between the United States and China. Beijing's systematic denial of religious liberty to the Chinese people is one of the darkest episodes in modern Chinese history.

Pushing for religious tolerance must remain at the core of our bilateral agenda with Beijing, regardless of China's Government's predictably negative reactions to our entreaties.

The leadership in Beijing must understand that we will never have a fully normal relationship with China until there is measurable progress on a broad range of human rights issues, including religious freedom.

As this resolution notes, an intolerably long list of religions and faiths are squarely in the cross-hairs of the Chinese Government. The treatment of Tibetans, Catholics, and the Falun Gong is emblematic of the broader Chinese campaign against those who worship in an unauthorized manner.

In the case of Tibetan Buddhists, Beijing has a perfect opportunity to demonstrate that it has opened a new chapter in an otherwise tragic story of the Chinese repression and marginalization of the Tibetans in their own land.

□ 1515

While we are pleased that China has held five rounds of discussions with representatives of His Holiness the Dalai Lama regarding the future of Tibet, the talks have not produced any concrete results, and our patience is wearing thin. If Beijing truly cares about preserving Tibet's unique religious and cultural heritage, it should invite the Dalai Lama to visit China and Tibet in the near future. Chinese leaders should also negotiate a deal with the Dalai Lama that allows His Holiness to return permanently to Tibet to manage the religious and cultural and economic affairs of the Tibetan people.

Religious freedom is a right due all Chinese, whether Tibetan, members of the Catholic Church or the Falun Gong spiritual movement. Tens of thousands of Falun Gong adherents have been locked away in psychiatric institutions. They have been tortured and jailed and even killed for refusing to renounce their faith. What a tragedy, Madam Speaker.

The resolution before us shines the spotlight on China's horrendous record of religious freedom. The words in our resolution will cause great discomfort in Beijing. But when dealing with friends, it is far better to lay the facts on the table than to sweep the bitter truth under the rug.

Madam Speaker, I urge all of my colleagues to support this resolution.

I yield back the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield such time as he may consume to the distinguished chairman of the appropriations subcommittee for the State Department, FRANK WOLF of Virginia.

Mr. WOLF. Madam Speaker, I want to just, before I talk on this resolution, mention the one on Tiananmen. I want to be here and have the world know that I stood with the tank man and stood with those who are in prison in Tiananmen.

CHRIS SMITH and I were in Beijing Prison Number 1. I am sure he talked about it. But some of those young men and women are still in prison today, and some of you listening to this are wearing socks or underwear that have been made by them. So I want the world to know, Tiananmen Square demonstrators are still in prison, still in prison.

Now, on this resolution, I want to express grave disappointment with the Bush administration. I wrote every member of the Bush administration after meeting with dissidents in China and over here, who said, please have the Bush administration come to our church services, the way that they did in the Reagan administration with regard to the Soviet Union. They said, please, we will stand with them. We want someone, someone from the Bush administration to come into a house church. We are tired of seeing the Bush administration going into the churches that are recognized by the Chinese government.

So I wrote every high appointee in the Bush administration and I asked them would they call the individuals and stand with them, go to their apartments, as we used to do in the 1980s in Moscow with the Sakharovs and the Scharanksys, and in 3 months, not one Bush administration person has taken the time to pick up the telephone and to call the name and the telephone numbers of the individuals.

What do you get out of the Bush administration? Silence. Silence. We should remember the words of Dr. Martin Luther King, who said, and I quote, "In the end we will remember not the words of our enemies but the silence of our friends." And Dr. King's statement is so poignant. "In times of trouble, the silence of an enemy is expected, but the silence of a friend is devastating." I ask the Bush administration to break the silence. Speak out for Riba Qadiri, speak out for the Catholic Church. Speak out for the Evangelical Church. Speak out for those in Tibet who are being persecuted. The young Buddhist nun who came to my office 2 weeks ago had been in the Drapchi prison for 15 years for doing nothing.

This is a test. I am writing the Bush administration officials again, and I am giving the telephone number to call. I say now, with this opportunity, and I am going to give them the words of Dr. Martin Luther King. Silence should be over. It is now time for the Bush administration to adopt the policies of the Reagan administration, of Ronald Reagan, to stand with the dissidents because by standing next, it is like in government or politics. If somebody says they are really for you, but they don't want to be identified with you, how much are they really for you?

How much is the Bush administration really for the Catholic Church in China? How much is the Bush administration really for the Evangelical house church who are putting their lives on the line? How much are they for those who are being persecuted in Tibet? How much are they for the Uighurs? How much for the Falun Gong? And keep in mind, this government is spying against our government much more aggressively than they did in the Soviet Union.

I close again with the words of Dr. Martin Luther King. "In the end we will remember not the words of our enemies but the silence of our friends." If the Bush administration wants to be the friends of the dissidents, the silence should be broken. And Clark Randt, our Ambassador in China, should be the first one to begin to break the silence.

Ms. BORDALLO. Madam Speaker, I rise today in support of H. Res. 608, Condemning the escalating levels of religious persecution in the People's Republic of China. I am concerned by reports that the People's Republic of China persecutes, coerces, and harasses its citizens based solely on religious beliefs. Freedom of worship is a human right enshrined in Article 18 of the Uniform Declaration of Human Rights, to which the People's Republic of China is a signatory.

The abuses of members of the Catholic clergy by the Chinese government are especially troubling. The people of Guam predominantly follow the teaching and leadership of the Roman Catholic Church. The people of Guam, however, enjoy and indeed benefit from those on the island who practice different faiths. Faith in God and religious tolerance are both celebrated characteristics of the people of Guam.

The Constitution of the People's Republic of China provides for the freedom to worship as an individual chooses. I urge the People's Republic of China to act accordingly.

I strongly support this resolution. I urge my colleagues' support.

Mr. SMITH of New Jersey. Madam Speaker, I want to thank Mr. WOLF for his very powerful statement, as well as Mr. LANTOS, on this resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH,) that the House suspend the rules and agree to the resolution, H. Res. 608, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SMITH of New Jersey. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

EXPRESSING THE SENSE OF CONGRESS REGARDING THE ACTIVITIES OF ISLAMIST TERRORIST ORGANIZATIONS IN THE WESTERN HEMISPHERE

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 338) expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere.

The Clerk read as follows:

H. Con. Res. 338

Whereas the brutal attacks of September 11, 2001, demonstrated that terrorists can strike anywhere in the world;

Whereas terrorist activity that goes unaddressed is an invitation for terrorist organizations to carry out attacks against the United States, our allies and interests;

Whereas the Department of State has concluded in its most recent Country Reports on Terrorism, which was released in April 2005, that although the threat of international terrorism in the Western Hemisphere remains relatively low as compared to other world regions, international terrorists may seek safe-haven, financing, recruiting, illegal travel documentation, or access to the United States from Latin American and Caribbean countries and thus pose serious threats;

Whereas in recent years, the activities of Islamist terrorist organizations in the Western Hemisphere have focused on financing their criminal and terrorist activities outside of the region rather than carrying out or directly supporting terrorist attacks in the Western Hemisphere;

Whereas, as the 1992 bombing of the Israeli Embassy in Argentina and the 1994 bombing of the AMIA Jewish Community Center in Argentina clearly showed, international terrorist organizations, such as Hezbollah, are ready, willing, and able to carry out attacks in the Western Hemisphere;

Whereas since at least the AMIA bombing in 1994, Hezbollah has maintained networks in the tri-border area of Paraguay, Brazil, and Argentina—primarily focusing on fundraising and recruitment;

Whereas in May 2003, a relative of Assad Ahmad Barakat, the reputed head of Hezbollah in the tri-border area, was arrested at the airport in Asuncion, Paraguay, in what Paraguayan police believe was a scheme to sell drugs in Syria, with proceeds reaching Hezbollah forces in Lebanon;

Whereas Barakat, a Lebanese-born Paraguayan, is himself in custody in Brazil awaiting extradition to Paraguay after raids on his businesses in Paraguay's tri-border area found evidence that he transferred tens of millions of United States dollars to Hezbollah in Lebanon;

Whereas there have been media reports of Hezbollah sympathizers and financiers also conducting black market activities in Iquique, Chile; Maicao, Colombia; Margarita Island, Venezuela; and Colon, Panama;

Whereas the Palestinian terrorist group Hamas has also been known to raise funds in the tri-border area;

Whereas in a 2002 court case, one of two Lebanese men were convicted of financing Hezbollah with $2,000,000 in illegal cigarette sales in the United States;

Whereas earlier this past year, a Lebanese individual from Detroit was charged with supporting Hezbollah financially and was described by the United States Attorney in the case as a "fighter, recruiter, and fundraiser";

Whereas several members of the Egyptian Islamic Group have been arrested in Brazil, Uruguay, and Colombia since 1998;

Whereas Ashref Ahmed Abdallah, an Egyptian national who is one of the most significant human smuggling targets, was arrested by United States authorities at Miami International Airport in July 2004 for using Central America and Brazil as a staging ground for smuggling illegal aliens from countries of the Middle East, including special interest countries that are linked to international terrorism, into the United States;

Whereas the activities of sympathizers and financiers of Islamist terrorist organizations in the Western Hemisphere represent a potential threat to the United States, our allies and interests;

Whereas section 7102 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 22 U.S.C. 2656f note) amends United States law to identify and address emerging and current terrorist sanctuaries and secure international cooperation to combat this threat;

Whereas many countries of the Western Hemisphere have cooperated with the United States and regional organizations to counter the threat of regional and international terrorism, including by participating in joint counterterrorism training and simulations, Counterterrorism Action Group (CTAG) meetings which are hosted by United States embassies, and the Inter-American Committee Against Terrorism (CICTE) of the Organization of American States (OAS); and

Whereas despite these efforts, many factors within the Western Hemisphere contribute to creating an environment which is conducive for future activities by international terrorist organizations: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the potential threat that sympathizers and financiers of Islamist terrorist organizations that operate in the Western Hemisphere pose to the United States, our allies and interests;

(2) acknowledges the commitment and cooperation of some governments of countries of the Western Hemisphere to deny the use of their territory to Islamist terrorist organizations and calls on all governments to intensify their efforts; and

(3) encourages the President to direct the United States Representative to the Organization of American States (OAS) to—

(A) seek support from OAS member countries for the creation of a special task force of the Inter-American Committee Against Terrorism (CICTE) to assist governments in the region in investigating and combatting the proliferation of Islamist terrorist organizations in the Western Hemisphere and to coordinate regional efforts to prevent the spread of this threat; and

(B) urge OAS member countries to designate Hezbollah, Hamas, Palestinian Islamic Jihad, al-Qaeda and its constituent entities, and other such groups as terrorist organizations if they have not already done so.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of this House concurrent resolution regarding the activities of Islamic terrorist organizations in the Western Hemisphere. This is a Ros-Lehtinen/Lantos/Burton/Engel resolution. It pulls together the oversight and investigative efforts of two regional subcommittees of the House International Relations Committee. This resolution also builds upon measures previously adopted by the House related to the Jewish Community Center bombing in Buenos Aires, Argentina.

In addition to outlining the emerging threat of Islamic terrorist organizations in our hemisphere, H. Con. Res. 338:

One, calls on all governments to intensify their efforts against terrorists and their financiers;

Second, calls for establishment of a special task force of the Inter-American Committee Against Terrorism to assist governments in the hemisphere in combating the proliferation of Islamist terrorist organizations from a national and regional perspective; and,

Third, urges the OAS member countries to designate Hezbollah, Hamas, Palestinian Islamic Jihad, al-Qaeda and its constituent elements and other such groups as terrorist organizations if they have not already done so.

In recent years, there has been increasing numbers of reports of a growing presence of Islamic terrorist organizations in the Western Hemisphere. Areas of concern include fundraising and remittance to terrorist cells in Arab countries, material support for terrorist organizations, recruitment of terrorist black market activity and involvement in global narcotrafficking. There has also been an increase in anti-Semitism, not unlike what we have seen in Europe and in the Middle East.

H. Con. Res. 338 recognizes the presence of Islamic terrorist organizations in the Western Hemisphere. It details terrorist activities that have taken place, and the presence of terrorists in many Western Hemisphere countries, including but not limited to the United States, Brazil, Colombia, Uruguay, Paraguay, Argentina and Panama.

Madam Speaker, there is a large Arab community of roughly 30,000, primarily Lebanese and Syrian immigrants, involved in business enterprises in the tri-border area, both illegal and legal. Hezbollah and Hamas have a history of using the tri-border area, TBA, for fundraising and other support. Although the area has been monitored for some time, in 1992 and 1994. bombings in Buenos Aires caused increased scrutiny there.

Madam Speaker, the area has been, and remains, a haven for illicit activities by organized crime and most likely by terrorist groups. These groups use the TBA for smuggling, money laundering, product privacy and drug and arms trafficking. Numerous organized crime groups, including the Lebanese and Chinese mafias, are known to use the area for illicit activities.

The level of financial transactions, Madam Speaker, is staggering. The Paraguayan city of Ciudad del Este generated $12 to $13 billion in cash transactions annually as of 2001, making it the third largest money handler worldwide behind Hong Kong and Miami.

Corruption and weak governance, fragile democratic institutions and weak law enforcement and adherence to the rule in parts of Latin America presents opportunities for terrorists to exploit. There is evidence that terrorists are tapping into drug, arms and human trafficking networks. We need to enhance regional engagement and cooperation, strengthen monitoring efforts, and fight criminal activities. This resolution casts much needed attention on a growing threat in our hemisphere and calls for vigilance among the community of nations which is collectively threatened. Islamic terrorist organizations are skilled at exploiting these weaknesses around the globe and here in our own hemisphere as well.

I urge my colleagues to support this resolution, and reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I yield myself such time as I might consume.

I rise in strong support of this resolution. On July 18, we will mark the 12th anniversary of the senseless loss of 85 lives in the bombing of the Jewish Cultural Center in Buenos Aires, Argentina. We will commemorate with profound pain the loss of the families who forever had their loved ones brutally taken from them. And we will recall the shock felt in Jewish communities across the globe at this ferocious attack on innocent lives in a city where Jews had previously felt totally secure.

Madam Speaker, we would now know that at least seven Iranian government officials, including the former Iranian Ambassador to Argentina, planned and orchestrated this vicious attack. There is little doubt that these Iranian officials called upon their Hezbollah stooges to execute their nefarious plans.

We also know that the Hezbollah terrorist cell that carried out the attack received financial and logistical support from sympathizers in the tri-border region between Paraguay, Argentina and Brazil. The suicide bomber himself probably entered South America and transited to the Argentine capital through this lawless frontier.

The varied nationalities of those who were murdered in the bombing also reflect the international character of this shameful terrorist attack. Among the 85 victims there were six Bolivians, two Poles, and a Chilean.

Although the modus operandi of the terrorists in the bombing has not been replicated since 1994, supporters and facilitators of Islamic terrorist organizations have gathered in scattered outposts throughout the Western Hemisphere. Operating from hard to reach areas in Chile, Colombia, Venezuela and Panama, these individuals lend financial and logistical assistance to terrorists organizations in the Middle East.

□ 1530

Although these isolated communities have yet to metastasize into operational cells of Islamic terrorists, the threat to regional security remains strong and requires our constant vigilance.

We must redouble our efforts to root out the fundraising networks in the Western Hemisphere of Islamic terrorists and to disperse the growing web of links between terrorist financiers and narcotics traffickers.

Our important resolution furthers both of these goals. It promotes the establishment of a special task force in the Organization of American States to assist regional governments in investigating and combating the proliferation of Islamic terrorists within our hemisphere.

Our resolution urges all Latin American and Caribbean countries to designate al Qaeda, Hezbollah, Hamas, and the Palestinian Islamic Jihad as terrorist organizations.

Madam Speaker, international terrorists have demonstrated that they will not rest in pursuit of their villainy. Our resolution once again puts them on notice that they will fail, whether they are in the Middle East or here in the Americas.

I strongly urge all of my colleagues to support this important measure.

Ms. ROS-LEHTINEN. Madam Speaker, because Islamist terrorism anywhere is a threat to free people everywhere, I ask my colleagues to render their strong support of H. Con. Res. 338.

This resolution which I drafted with the distinguished Ranking Member of the House International Relations Committee, and which enjoys the support of both Chairman BURTON and Ranking Member ENGEL of the Subcommittee on the Western Hemisphere, calls for a preventive approach to rising threats in our hemisphere. Islamist terrorist activity in our Hemisphere has been increasing and becoming more prominent for at least 15 years.

Reports document that Hezbollah is active in the triborder area of Paraguay, Brazil and Argentina, raising money to support its murderous acts and recruiting people to carry them out.

Hamas and the Egyptian Islamic Group also reportedly maintain a presence in Latin America, and al-Qaeda is active there, too. Although such activity is dominated by financing and money laundering, these Islamist extremists have not hesitated in launching direct attacks as well.

In 1992, the Israeli Embassy in Argentina was bombed, killing 29 people and wounding almost 250. In 1994, terrorists linked to Hezbollah and the Iranian regime, bombed the MIA Jewish Community Center in Buenos Aires, killing 85 and wounding over 300.

Islamist jihadists often use countries in the Western Hemisphere as staging areas for entry into the United States.

Before Abu Musab al-Zarqawi was eliminated as a threat last week, it has been reported that he instructed members of Al-Qaeda in Iraq to go to Brazil, with the goal of entering the U.S. through Mexico and carrying out acts of terror.

Just 10 days ago, on June 2nd, 14 suspects in an Islamist terror cell in Canada were arrested. The cell possessed 3 tons of ammonium nitrate, 3 times the amount used in the Oklahoma City bombing in 1995. They planned to blow-up buildings and take politicians hostage. Such terrorists, with such explosives, were only two hours away from the U.S. border.

This cell was captured. Others, however, remain free and growing—both to our north and to our south.

Islamist terrorists are ready, willing, and able to strike in this hemisphere. What should our nation and our allies do about this threat?

After September 11th, our Nation has vigorously combated terrorists and their state sponsors. We removed the Taliban in Afghanistan and Saddam Hussein's regime in Iraq, and have captured and eliminated numerous members of al-Qaeda.

We have refused to wait for terrorists to again strike at our homeland by taking the battle to them and denying them sanctuaries throughout the world.

We must proactively identify and address emerging problems before they can threaten our homeland, our allies, and our interests—particularly, in the Western Hemisphere; our neighborhood.

This resolution acknowledges the threat that Islamist terrorist groups and their sympathizers, operating in this hemisphere, pose to America and her allies.

Many governments in the hemisphere have cooperated with us on counterterrorism and have committed to denying the use of their territory for such fundraising, recruitment and operations. Despite these efforts, the Islamist terrorist presence in our hemisphere is growing. We must do more.

This resolution encourages the President to direct the U.S. Representative to the OAS to seek support from OAS member countries to create a special task force of the Inter-American Committee Against Terrorism. This task force would assist governments, and coordinate efforts between nations, in investigating and combating the proliferation of Islamist terrorist activities in this hemisphere.

The measure further calls for the U.S. Representative to the OAS to work with OAS member nations to designate groups such as Hezbollah, Hamas, Palestinian Islamic Jihad and al-Qaeda as terrorist groups, if they have not already done so.

Madam Speaker, if we are to one day realize a more secure and peaceful world, we must address all threats, starting with those closest to our shores.

We see the growth of Islamist terrorist groups in the Western Hemisphere. The resolution before us provides us with a roadmap on efforts we should undertake to begin to eradicate the threat before it festers and strengthens.

I ask for a "yes" vote on this resolution.

Mr. LANTOS. Madam Speaker, I yield back the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 338.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members have 5 days to revise and extend their remarks and include extraneous material on the concurrent resolution, H. Con. Res. 338.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

COMMENDING THE GOVERNMENT OF CANADA FOR ITS RENEWED COMMITMENT TO THE GLOBAL WAR ON TERROR

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res 408) commending the Government of Canada for its renewed commitment to the Global War on Terror, as amended.

The Clerk read as follows:

H. CON. RES. 408

Whereas twenty-four Canadian citizens were killed as a result of the September 11, 2001, terrorist attacks on the United States;

Whereas the people of Gander, Newfoundland, provided food, clothing, and shelter to thousands of stranded passengers and temporary aircraft parking to thirty-nine planes diverted from United States airspace as a result of the September 11, 2001, terrorist attacks on the United States;

Whereas the Government of Canada, as led by former Prime Ministers Jean Jacques Chrétien and Paul Martin and continued by Prime Minister Stephen Harper, has provided humanitarian, diplomatic, and security personnel on the invitation of the Government of Afghanistan since 2001;

Whereas Canada has pledged $650,000,000 in development aid to Afghanistan;

Whereas Afghanistan is Canada's largest recipient of bilateral development aid;

Whereas Canada has stationed approximately 2,300 defense personnel who comprise Task Force Afghanistan, in order to improve security in southern Afghanistan, particularly in the province of Kandahar;

Whereas Canada has over 70 diplomatic officers worldwide who are dedicated to growing democracy and equality in Afghanistan;

Whereas at least seventeen Canadians have given the ultimate sacrifice in the Global War on Terror;

Whereas Canada's commitment to the Government of Afghanistan, under the leadership of Prime Minister Hamid Karzai, was due to expire in February 2007;

Whereas on May 17, 2006, the Canadian Government led by Prime Minister Stephen Harper requested that the Canadian House of Commons extend Canada's commitment in the Global War on Terror;

Whereas on May 17, 2006, the Canadian Parliament voted to extend peace and security operations in Afghanistan until 2009, to increase its development assistance by $310 million, and to build a permanent and secure embassy in Afghanistan to replace its current facility; and

Whereas this was the latest sign of the renewed commitment of numerous United States allies in the Global War on Terror: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) commends the Government of Canada for its renewed and long-term commitment to the Global War on Terror;

(2) commends the leadership of former Canadian Prime Ministers Jean Jacques Chrétien and Paul Martin and current Prime Minister Stephen Harper for their steadfast commitment to democracy, human rights, and freedom throughout the world;

(3) commends the Government of Canada for working to secure a democratic and equal Afghanistan;

(4) commends the Government of Canada's commitment to reducing poverty, aiding the counternarcotics efforts through counterterrorism and counterinsurgency campaigns, and ensuring a peaceful and terror-free Afghanistan;

(5) commends the Government of Canada for its three-pronged commitment to Afghanistan: diplomacy, development, and defense; and

(6) expresses the gratitude and appreciation of the United States for Canada's enduring friendship and leadership in the Global War on Terror in Afghanistan.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this resolution properly recognizes the government of Canada for its commitment to the global war on terror.

As you know, Madam Speaker, we have forged strong relations with our neighbor to the north, and we are united by common ideals and shared interests. Relations between the U.S. and Canada are strong, and our cooperation in the global war on terrorism is productive and robust.

The arrest of 17 alleged homegrown Islamic jihadists in Canada last week was a vivid reminder that we are in this war together. Canadian prosecutors claim the men plotted to storm the Canadian Parliament building in Ottawa, take hostages, and behead Prime Minister Stephen Harper if the Canadian Government refused to withdraw its 2,300 troops now stationed in Afghanistan. The group also considered bombing a nuclear power plant, the Toronto Stock Exchange, and other targets in Toronto or Ottawa. I praise Canadian law enforcement and their security forces for their excellent work in closing down that terror cell.

Last month, Madam Speaker, the Canadian Parliament voted to extend Canada's peace and security mission in Afghanistan for another 2 years, until 2009. Canada is a steadfast partner in the global war on terror. Canada has roughly 2,300 defense personnel in Afghanistan and is leading the efforts against a resurgent Taliban and al Qaeda force in southern Afghanistan and is working to combat narcotics trafficking there.

Canada has also pledged $650 million in developmental aid to Afghanistan; and Afghanistan, as it turns out, is Canada's largest recipient of bilateral development aid.

Madam Speaker, it is worth remembering that 24 Canadian citizens were killed as a result of the September 11, 2001 terrorist attacks on the United States. Seventeen Canadian military personnel have been killed in the line of duty in Afghanistan. Last month Canadian Captain Nichola Goddard was killed in the line of duty in Kandahar, Afghanistan. This is the ultimate sacrifice, and we certainly mourn her loss and the sacrifices made by her fellow soldiers.

We appreciate in America the role Canada plays in hemispheric and global peacekeeping and humanitarian operations in Afghanistan, in Haiti, in Darfur, and in other conflict areas.

Madam Speaker, President Bush met with Prime Minister Stephen Harper of Canada and President Vicente Fox of Mexico 2 months ago to move ahead with new initiatives to promote competitiveness and security. The Security and Prosperity Partnership, or SPP, for North America is a bold set of activities to strengthen our borders, promote free and secure commerce and air transportation, and to harmonize the regulatory process.

Canada is taking actions on flashpoints around the world. After Hamas' election victory and refusal to repudiate violence, Canada was the first nation in the world to cut off contacts and suspend assistance to the Palestinian Authority, while preserving humanitarian support for the Palestinian people. Canada listed in like manner the Liberation Tigers of Tamil Eelam, or the LTTE, as a terrorist group under their criminal code, impeding terrorist financing of the LTTE and other forms of support.

Prime Minister Harper intervened personally with Afghan President Karzai to insist that the religious and civil rights of a Christian convert, Abdul Rahman, be fully protected and to convey Canada's concern that his treatment not undermine Afghanistan's international rehabilitation. At the U.N., Canada is, and hopefully will always be, a steadfast supporter for Israel.

In sum, though we may not always be in lock-step in our policies and our approach, Canada remains a steadfast ally on the war on terrorism and a promoter of democracy and freedom throughout the world.

I urge support for the concurrent resolution.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of this resolution.

Since the Taliban's ouster in Afghanistan, great strides have been made on the path towards democracy in that country. A freely elected president and parliament, a nascent professional national army, and the beginnings of economic development were all accomplished through nearly 5 years of development assistance and military commitments by our country and the international community.

But the future of a stable, peaceful, and democratic Afghanistan is still gravely threatened. A resurgent Taliban with increasing terrorist attacks, the slow pace of reconstruction, and the scourge of opium poppies are reversing the tide of success. We may be nearing the point where we can lose Afghanistan again.

It is in times like these when we learn who our true friends are in our global war against the enemies of democracy and freedom. During these critical moments, we come to appreciate more fully those countries that are willing to place their soldiers in harm's way in the international fight against terrorism, extremism, and tyranny.

In the case of the international efforts in Afghanistan, Canada is one such country. Our neighbor Canada has 2,200 troops serving in Afghanistan. Canada has also assumed responsibility for the Provincial Reconstruction Team in Kandahar, which was originally established by our own military.

In Kandahar, Canadian men and women are at the forefront of the coalition effort to combat the resurgent Taliban and other terrorist forces in the lawless southern portion of the country. Since 2002, the Canadian people have lost 16 soldiers and one diplomat in this struggle. Last month on the same day that the Canadian Parliament voted to extend its mission in Afghanistan, Canada suffered its first-ever female combat death. We honor the ultimate sacrifice that Captain Nichola Goddard made in service to her country and salute the brave efforts of all the men and women in uniform, Canadian and American, who fight shoulder to shoulder in Afghanistan.

Madam Speaker, I urge all NATO members to follow Canada's example and commit troops to even the most violent areas of Afghanistan.

I strongly support our resolution and ask all of my colleagues to do so as well.

Madam Speaker, I yield back the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I have no further requests for time, but I do want to thank Chairman BURTON for sponsoring this very important resolution. We often forget just how important our friend is to the north. Canada is a reliable ally, a good friend in thick and thin; so, again, I want to thank Chairman BURTON for sponsoring this resolution.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 408, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members have 5 days to revise and extend their remarks and include extraneous material on the concurrent resolution, H. Con. Res. 408.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

RECOGNIZING THE 40TH ANNIVERSARY OF INDEPENDENCE OF GUYANA

Mr. SMITH of New Jersey. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 792) recognizing the 40th anniversary of the independence of Guyana and extending best wishes to Guyana for peace and further progress, development, and prosperity.

The Clerk read as follows:

H. RES. 792

Whereas Guyana gained independence from the United Kingdom on May 26, 1966;

Whereas since Guyana became an independent country, the interests of Guyana and the United States have been closely aligned;

Whereas Guyana is a supporter and ally of the United States in the Global War on Terror, and joins the United States in promoting political and economic freedoms, combating poverty, crime, disease, and drugs, and promoting security, stability, and prosperity;

Whereas the bonds of association and friendship between the peoples of the two countries have been strengthened by the large number of Guyanese who have migrated to the United States, where they make significant contributions to both the United States and Guyana; and

Whereas Guyana is an integral member of the Caribbean region and a constructive partner of the United States in fulfilling the agenda of the Western Hemisphere: Now, therefore, be it

Resolved, That the House of Representatives recognizes the 40th anniversary of the independence of Guyana and extends best wishes to Guyana for peace and further progress, development, and prosperity.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of H. Res. 792. The resolution, offered by my good friend from New York, Mr. MEEKS, congratulates the Co-operative Republic of Guyana for reaching its 40th anniversary as an independent nation.

H. Res. 792 is a timely and appropriate measure to let our friends in Guyana know that we support them as they pursue a strong and sustainable democracy. The resolution recognizes the 40th anniversary of Guyana's independence and extends best wishes to that nation for peace and further progress, development, and prosperity.

Guyana has been a real friend, Madam Speaker, to the U.S. and an ally in the fight against terror. The friendship between our two nations has been strengthened by large numbers of folks who have migrated to the United States. Here the Guyanese diaspora makes significant contributions to both the U.S. and Guyana. Guyana Americans are law-abiding people who contribute to American society as good citizens while respecting the values of our society.

Guyana joins the United States in promoting political and economic freedoms; combating poverty, crime, disease, and drugs; and promoting security, regional stability, and prosperity.

The government of Guyana is, as we speak, placing emphasis on every sector of society to ensure improved efficiency, competitiveness, and sustainable development. These policies will therefore focus on strategies for development which expand and promote employment opportunities, increase foreign exchange earnings and private investment into the nation.

Guyana is an integral member of the Caribbean region and constructive partner of the United States in fulfilling the agenda of the Western Hemisphere, that is, promoting peace, security, democracy, and development throughout the hemisphere.

I urge all of our Members to support this resolution.

Madam Speaker, I reserve the balance of my time.

☐ 1545

Mr. LANTOS. Madam Speaker, I rise in support of this resolution and yield myself such time as I may consume.

Madam Speaker, let me first thank the sponsor of the this resolution, my good friend and colleague on the International Relations Committee, Congressman MEEKS. He is a strong advocate, both for the Caribbean Basin and for people of African ancestry. I commend his dedication to these matters.

Madam Speaker, the short but significant history of Guyana illustrates the benefits that accrue to a nation that respects human rights and the rule of law, rejects the empty promises of Marxism-Leninism, and works closely with other democratic nations.

For the first 25 years after independence, successive Guyanese governments attempted to institute a socialist economy and closely coordinated their foreign policies with the so-called Non-Aligned Movement. The political rights of average Guyanese were systematically denied.

And the jungles of Guyana served as the home of the infamous Jonestown cult that took the life of our colleague, Congressman Leo Ryan, my friend and distinguished predecessor.

Spurred by frustration with increasing political repression and poor economic performance, hundreds of thousands of Guyanese sought freedom by immigrating to our shores and to Canada. In the last decade, Guyana has begun to turn itself around. The country has held several free and fair elections, it has generally respected human rights, and it has adopted market-friendly economic policies.

Guyana is becoming one of our trusted allies and is cooperating with us against narcotics trafficking and in the global war on terror.

Madam Speaker, as a result of Guyana's reorientation toward the principles that we hold dear, Guyana was one of only nine threshold countries under the Millennium Challenge Account when the first Millennium Challenge Account beneficiaries were chosen in 2004.

The designation as a threshold country recognizes Guyana's commitment to promoting democratic freedoms, investing in its people, providing economic opportunities for its citizenry.

In January 2003, Guyana was one of only two countries in our hemisphere to be included in the President's Emergency Plan for AIDS Relief.

Inclusion in this program indicates that a country faces grave challenges from HIV/AIDS, a distinction that Guyana no doubt would have preferred to have been spared, but selection for funds under this program also reflects a meaningful improvement in the relationship between Guyana and the United States and our shared commitment to fighting HIV/AIDS.

Madam Speaker, Guyana has come a long way in the last 40 years. On the foundation of this remarkable growth, we and our Guyanese neighbors will have even greater opportunities in the next four decades to strengthen the diplomatic, economic, and social ties that unite us. I urge my colleagues to support this resolution.

Madam Speaker, I yield back the balance of my time.

GENERAL LEAVE

Mr. SMITH of New Jersey. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 792.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

WILFRED EDWARD "COUSIN WILLIE" SIEG, SR. POST OFFICE

Ms. FOXX. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5169) to designate the facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, as the "Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office".

The Clerk read as follows:

H.R. 5169

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WILFRED EDWARD "COUSIN WILLIE" SIEG, SR. POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, shall be known and designated as the "Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from North Carolina (Ms. FOXX) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from North Carolina.

GENERAL LEAVE

Ms. FOXX. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 5169, authored by the distinguished gentleman from Indiana (Mr. SODREL), would designate the post office building in Ramsey, Indiana, as the Wilfred Edward "Cousin Willie" Sieg, Sr. Post Office.

Mr. Sieg was born March 16, 1931, in his life-long home of Ramsey, Indiana. After finishing high school at Corydon High, Cousin Willie went on to graduate from Indiana University in 1953 with a degree in marketing.

Upon graduation, Cousin Willie served our country as a first lieutenant in the United States Air Force. He was a member of both the Air Force and the Air Force Reserve until 1968. After his active duty service, Cousin Willie returned home to help run the family business, Ramsey Popcorn Company, alongside his parents and brothers.

His parents had started Ramsey Popcorn in 1944, going door to door selling raw popcorn kernels out of the back of their truck. The business soon grew, and in the early 1960s, Cousin Willie, along with his three brothers, took over day-to-day operations of the business from his parents and eventually served as president of Ramsey Popcorn Company, Incorporated.

Under his purview, Ramsey Popcorn Company grew to become one of the top four producers of popcorn in the world. The company sells roughly 50 million pounds of popcorn a year and exports to over 20 countries throughout the world. Ramsey also sells to household-name snack food manufacturers and supermarkets, including Kraft, Frito Lay, Campbell's, the Kroger Company, and Target.

Mr. Sieg was truly proud of his small community and felt compelled to become involved in any way that he could. In addition to employing many members of his community, he was also a member of the Ramsey Lion's Club, the Ramsey-Spencer Grange, and local Farm Bureau.

He was a Rotarian and actively involved in local and State politics, as well as the area schools' athletic programs. He also served as a member of two boards, the Ramsey Water Company and the North Harrison Community School Board.

Mr. Sieg passed away on February 2, 2006 at the age of 74 after losing a battle with lung cancer. The town of Ramsey and the State of Indiana lost a proud and prominent member of their community. I urge all Members to come together to honor a man that took pride in serving his community by passing H.R. 5169.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, we have no objections on our side to this body's consideration of this measure, and I yield back the balance of our time.

Ms. FOXX. Madam Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. SODREL).

Mr. SODREL. Madam Speaker, Cousin Willie is not just a bill here on the floor of the House to me. He was a fixture in the community. He was a familiar face. As a matter of fact, he was seen on so many grocery store shelves, he was a familiar face to a whole lot of people.

Madam Speaker, I think it is quite an accomplishment to take a little town in southern Indiana and turn it into one of the fourth largest producers in the world. So it is a great honor to me to be able to rename the post office. It will serve as a constant reminder of his contributions to people there in southern Indiana and his own community of Ramsey.

I urge my colleagues to support H.R. 5169.

Ms. FOXX. Madam Speaker, I urge all Members to support the passage of H.R. 5169, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from North Carolina (Ms. FOXX) that the House suspend the rules and pass the bill, H.R. 5169.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WILLIAM H. EMERY POST OFFICE

Ms. FOXX. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1445) to designate the facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, as the "William H. Emery Post Office".

The Clerk read as follows:

S. 1445

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. WILLIAM H. EMERY POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, shall be known and designated as the "William H. Emery Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "William H. Emery Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from North Carolina (Ms. FOXX) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from North Carolina.

GENERAL LEAVE

Ms. FOXX. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

Ms. FOXX. Madam Speaker I yield myself such time as I may consume.

Madam Speaker, S. 1445, offered by the distinguished gentleman from Colorado, Senator SALAZAR, would designate the post office building in Arriba, Colorado, as the William H. Emery Post Office. Mr. Emery carried the mail in Arriba, Colorado, for 50 years and 6 months, a record for any carrier west of the Mississippi River.

He began his work when he was only 19 years old, delivering the mail on horseback. At different points in his career, he also delivered the mail using a single buggy, a Harley Davidson motorcycle, and a Model T Ford.

Emery was extremely dedicated to his job despite the difficult conditions of eastern Colorado. Often he dug through snow drifts and forded swollen streams in order to complete his route.

William Emery retired at the age of 70, having served the Arriba Post Office his entire life. He was married to Luella Frances Emerson. The couple had three children, six grandchildren, and many great grandchildren, many of whom still reside in Colorado to this day.

The renaming of the Arriba Post Office after William Emery is a fitting tribute to a man who served the people of Colorado for over half a century. For this reason, I urge swift passage of this measure.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, we have no objections on our side to our body's consideration of this measure, and I yield back the balance of our time.

Ms. FOXX. Madam Speaker, I urge all Members to support the passage of S. 1445 and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from North Carolina (Ms. FOXX) that the House suspend the rules and pass the Senate bill, S. 1445.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

EXPRESSING THE SENSE OF CONGRESS WITH RESPECT TO HONORING THE GOALS AND IDEALS OF ALEX'S LEMONADE STAND DAYS

Mr. GERLACH. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res 368) expressing the sense of the Congress with respect to honoring the goals and ideals of Alex's Lemonade Stand Days, June 9 through 11, 2006.

The Clerk read as follows:

H. CON RES. 368

Whereas Alex's Lemonade Stand grew out of the front yard lemonade stand started by Alexandra "Alex" Scott, a pediatric cancer patient;

Whereas in 2000, at the age of four, Alex opened her first annual lemonade stand in hopes of raising money for childhood cancer causes, specifically research for a cure;

Whereas after Alex's untimely death at the age of eight in August of 2004, her parents established the Alex's Lemonade Stand Foundation in her memory and has raised almost $5,000,000 to date;

Whereas Alex's Lemonade Stand as a fundraiser brings charitable giving to communities and neighborhoods, making donating simple and rewarding for everyone;

Whereas Alex's Lemonade Stand Foundation has donated millions of dollars to pediatric cancer care centers across the country and the Foundation works intensively with research and treatment facilities nationwide to identify specific ways in which the Foundation can make a difference for children who need new advances in cancer treatments;

Whereas adults and children alike have been inspired by Alex's innovative idea and, since 2000, 1000 Alex's Lemonade Stands have been organized by a diverse group of devoted volunteers in front yards, schools, law firms, supermarkets, malls, and churches; and

Whereas the Alex's Lemonade Stand Foundation has designated the second weekend in June as the Lemonade Stand Days, the goal of which is to create awareness and raise funds for childhood cancer research: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) honors the goals and ideals of Lemonade Stand Days;

(2) honors Alexandra "Alex" Scott for her hard work and dedication to helping others with childhood cancer;

(3) honors Alex's Lemonade Stand Foundation as a unique organization that has evolved from a young cancer patient's front yard lemonade stand to a nationwide fundraising movement for childhood cancer;

(4) commends the Foundation's fundraising efforts for childhood cancer causes and research into new cures and treatments for childhood cancer;

(5) honors the Foundation's work in encouraging and educating the public on childhood cancer issues and helping individuals start their own lemonade stands; and

(6) commends the Foundation's help in expediting the process of finding new cures for childhood cancer.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GERLACH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 1600

GENERAL LEAVE

Mr. GERLACH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GERLACH. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today to honor the short but incredibly meaningful life of my constituent, Alexandra Scott. Alex, as she was known, was an extraordinary young girl who possessed ideas and a vision far beyond her years. Shortly before Alex's first birthday, she was diagnosed with neuroblastoma, a common and aggressive childhood cancer. Alex fought valiantly against her disease, and at the age of 4, she came up with the idea to set up a lemonade stand to raise money to help her doctors find a cure for other children with cancer. The idea was put into action by Alex and her older brother, Patrick, when they set up the first "Alex's Lemonade Stand for Childhood Cancer" on their front lawn in July of 2000.

For the next 4 years, despite her deteriorating health, Alex continued to hold her annual lemonade stands to raise money to help other children with pediatric cancer. Her drive and enthusiasm did not go unnoticed, as she inspired many to follow her example. Since Alex's first lemonade stand in 2000, thousands of other lemonade stands have been established across the country by children, schools, businesses and community organizations, all to benefit Alex's inspired cause. As of May 2006, her national campaign has raised over $6 million for childhood cancer research.

In recognition of her good work, Alex was honored with numerous awards, including the Good Housekeeping Hero for Health Award, the Philadelphia 76ers Hometown Hero Award in 2002 and 2003, the Philadelphia Foundation's Philanthropist of the Year Award for 2003, the Association for Fundraising Professionals Youth in Philanthropy Award in 2004, a Kellogg's Child Development Award in 2004, and a Volvo for Life Award in 2003.

Alex's Lemonade Stand Foundation has also received the PPRA Gold Medal Award for 2005, the 2006 Ben Appelbaum Advocate for Youth Award, and the Philadelphia Sports Writers Humanitarian Award for 2005.

During the last months of Alex's life, Chuck Zacney, the owner of the racing horse Afleet Alex, saw a story about Alex and her determination to raise money to help children with pediatric cancer. Mr. Zacney first made a donation on his own and then decided he wanted to donate a portion of Afleet Alex's winnings to the foundation.

Not only did a portion of Afleet Alex's winnings go to fight childhood cancer, but lemonade stands were set up at two of the most prestigious horse racing events in the country, the Kentucky Derby and the Preakness.

On August 1, 2004, Alex died peacefully at the age of 8 after battling cancer for most of her life. Alex's spirited determination raised awareness and money for all childhood cancers while she bravely fought her own deadly battle. Alex's parents, Jay and Liz Scott, established the Alex's Lemonade Stand Foundation in her memory and have worked to create awareness and raise funds for childhood cancer research.

Each year the foundation holds "Alex's Lemonade Stand Days" during the second weekend in June where lemonade stands are set up all across the country, all with one single goal, to raise money to help children with childhood cancer and to honor the memory of Alex. During the national "Alex's Lemonade Stand Days" there are nearly 500 separate stands erected across the country. This kind of support speaks volumes about the character, the vision and the inspiration of this young girl.

Mr. Speaker, it is a privilege to stand before you today to support House Concurrent Resolution 368, which honors the goals and ideals of this annual event, and, most importantly, honors the drive, determination and selflessness of this tremendous young lady, Alex Scott.

I urge all of my colleagues to support House Concurrent Resolution 368.

Mr. Speaker, I reserve the balance of my time.

Mr. LANTOS. Mr. Speaker, we on the Democratic side are pleased to support this legislation, with great admiration for a young lady.

Mr. Speaker, I yield back the balance of my time.

Mr. GERLACH. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise today with my colleagues to honor the memory of a brave little girl and the cause she started, to find a cure for childhood cancer. Six years ago, Alexandra Scott opened her first lemonade stand to help stop the spread of childhood and pediatric cancer. She was only 4 years old. Although herself stricken with the disease, Alex held annual lemonade stands every year to raise money for cancer research, inspiring thousands of other Americans to follow suit.

As the father of six young children, I can only imagine the pain that would come with having one of your young children diagnosed with cancer. I cannot fathom the thought of facing such a tremendous fight for the child's future. However, where many adults would falter under the odds, Alexandra found immeasurable strength, perhaps only the strength that a child could muster, to turn something negative into something else entirely, hope.

Alexandra thought not only of herself, but of all the other children in the world experiencing the same illness. Her decision to start her own lemonade stands demonstrates the purity of her spirit, a spirit that made her cause a national phenomenon.

I want to thank Congressman GERLACH for introducing this legislation to honor Alexandra and the good work she started to defeat childhood cancer. Her story is a testament that everyone can do their part to change the world.

Mr. GERLACH. Mr. Speaker, I have no further requests for time and yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEARCE). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GERLACH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 368.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5:15 p.m. today.

Accordingly (at 4 o'clock and 6 minutes p.m.), the House stood in recess until approximately 5:15 p.m.

☐ 1717

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KLINE) at 5 o'clock and 17 minutes p.m.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. COLE of Oklahoma. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 857 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 857

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Oklahoma (Mr. COLE) is recognized for 1 hour.

GENERAL LEAVE

Mr. COLE of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members have 5 days to revise and extend their remarks and insert tabular and extraneous material on the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE of Oklahoma. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, on Friday the Rules Committee met and reported a rule for consideration of the conference report of H.R. 4939, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006. The rule waives all points of order against the conference report and against its consideration. Additionally, it provides that the report shall be considered as read.

Mr. Speaker, H.R. 4939, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006, is intended to fully fund our forces overseas and at home.

Mr. Speaker, at a time when our sons and daughters are deployed overseas in a wartime environment, this legislation provides critical funds that will be used to conduct ongoing operations in the global war on terror.

Unlike other wars, this war is one where terrorists are having a critical impact and one that requires the perpetual vigilance of not only our forces but the American people. To our forces' credit, just last week they were successful in killing Abu Musab al-Zarqawi, one of the critical players among the nonstate terrorist actors. This success required professionalism, perseverance, and tenacity, qualities our military has in abundance.

It is worth noting that if we were not in Iraq we would never have killed al-Zarqawi. However, it is also fair to observe that al-Zarqawi was dedicated to pursuing and killing Americans around the globe. If we had not found him, he surely would have found and attacked us.

Mr. Speaker, the Iraqis also deserve to be commended for their efforts in this struggle. During this war, they have held three elections, written a constitution, and just last week formed a permanent government. They played a key role in locating al-Zarqawi and are assuming an increasing role in defending their own country. They are watching what we do here today. They require and request our continued support as they move forward in their efforts to build a new and better Iraq. The passage of this rule and the underlying legislation is an important sign that this country and this Congress will keep its commitment to Iraq as it strives to create a future of hope and promise.

But, Mr. Speaker, real challenges remain, and it is these challenges that require our action today. Our military, our sons and daughters, need these funds immediately. They require our support and we must give it to them.

Mr. Speaker, I am aware that some may question the cost of the global war on terror. Some may question its worth. But, Mr. Speaker, today is not September 10 of 2001. We know what terrorists are capable of doing. Our enemies have chosen to make Iraq the central theater in the global war on terror. They seek to do to us what their predecessors did to the former Soviet Union in Afghanistan, and that is a triumph which we must deny our enemies for our own sake as well as that of the Iraqi people.

This war is a generational test, one that will affect not only our children and grandchildren but our great grandchildren as well. We cannot fail in our objectives. We chose this path as a Congress in 2002, and now we must stay on the hard road to its completion. We must support our forces now by passing this rule and the underlying legislation.

Mr. Speaker, many may wish to raise extraneous policy issues in this debate. Some may want to discuss issues that, however important, are superfluous to the question at hand. Frankly, I welcome the debate today and later this week; however, now is the time to support our sons and daughters deployed overseas in the field of battle. Now is the time to accept the true challenges we face. We can do so by passing this rule and the underlying legislation.

Before I close, Mr. Speaker, I wish to note that this supplemental has another purpose. It contains funds that are badly needed by our fellow Americans on the gulf coast as they are still recovering from the devastating effects of Hurricanes Katrina and Rita. Our fellow citizens need and deserve our support. I am proud that we are responding as we have twice before. This, like the war on terror, is a national priority. These twin issues, the war on terror and recovery of the gulf coast, demand and will receive resources from the Congress on a bipartisan basis.

However, I am pleased to note that in our negotiation with the other body our conferees have kept their focus on the challenges at hand. They have not allowed the generous impulses that underlay this legislation to be perverted into a reckless spending spree on other items. For that they are to be commended. They have given us a bill that meets the needs at hand, yet remains fiscally responsible. That is no small accomplishment. This legislation deserves support from all Members.

Mr. Speaker, to that end I urge support for the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague for yielding, and I yield myself such time as I may consume.

Mr. Speaker, 3 months have gone by since the House last met to pass new funding for one of the greatest challenges our Nation faces today: the ongoing war in Iraq.

It is clear that so long as our soldiers are in harm's way our financial support for them must continue. But writing checks is not enough. All the money in the world cannot produce a positive change if it is squandered and misappropriated.

What our troops in the field and our citizens at home need is for this body to recommit itself to real oversight of our government and its actions. What we need is the return of accountability to the House, and it is that above all else which has yet to transpire here.

I would ask my friends on the other side of the aisle to focus their gaze half a world away. The past 90 days has seen victories and defeats in Iraq, reasons for hope and reasons for grave concern, and the outcome is still far from certain. And yet the overwhelming majority of our troops routinely carry out acts of most remarkable personal courage. Their very existence is in constant danger, and yet they press onward.

Contrast that courage, Mr. Speaker, with the lack of courage displayed by the majority of the House. It is a lack of courage that has proven as persistent as the problems it has perpetuated. I should first say that the very idea that we are once again funding the conflict through a supplemental spending bill is both dishonest and dishonorable. It is part of a massive effort to hide the true cost of the war from the public because supplemental spending bills are not counted in the budget. They, therefore, do not increase our national deficits on paper even though they do increase them in reality.

If this Congress believes that funding the mission in Iraq is necessary, it should have the courage to fund it through an official appropriations bill. Then the financial cost to the Nation should be clear then for all to see and the American people could better judge for themselves how much we are willing to devote to it.

As important as this is, it pales in comparison to the importance of overseeing how our money is being spent in Iraq. Events move so quickly in that country and every action taken possesses such a great consequence that Members of this body should demand nothing less than full accountability of how the U.S. funds are being spent.

Three months ago I repeated the calls of JOHN TIERNEY for the creation of a congressional commission to oversee the reconstruction efforts abroad, one like the Truman Commission, created during World War II by a Congress with the integrity needed to investigate itself. At the time I cited reports claiming that billions of dollars in funds intended for the Iraqi people had gone missing.

Three months later nothing has changed. In fact, just last week the Special Inspector General for Iraq reconstruction issued a report that documented 7 billion more dollars lost in funds for reconstruction, and he has 72 ongoing investigations into accusations of fraud and corruption among contractors. And what is his reward? They are going to take inspection away from him and give it over to the State Department.

Now, I am thankful that this Inspector General has been working hard in the last 2 years and in keeping track of numbers because that document would never have come from this majority. They do not even want to discuss the war in any detail. This week's debate on this war will be the first of its kind and the September 11 anniversary will be 5 years very shortly.

Where is the courage? Where is the resolve? How can they speak day in and day out about our need to support the troops and then refuse to exercise constitutional responsibility to oversee this, our Nation's greatest foreign project in a generation?

Where there is no oversight, there will be corruption, and in a war zone corruption is not just about money. It is about life and death. If U.S. contractors are not getting what they are supposed to do done, the lives of our troops are put in danger. If reconstruction projects are being hobbled by poor accounting, then the projects will not be completed and Iraqis will continue suffering.

We learned months ago that 80 percent of the Marines who died of upper body wounds would have been saved if only they had not been forced to depend on an unreliable contractor for the body armor. How can we live with that?

I only recently learned that the DOD Inspector General will be looking into these contracts at my request because nobody has looked to see what happened there.

Mr. Speaker, these unjustifiable realities are to a large degree the product of a lack of any real oversight by Congress. And the lack, in turn, has been the province of a majority unwilling to truly reform its ways, even while it lectures people near and far about the importance of reforming theirs.

Mr. Speaker, until this changes, we have no solutions to the self-imposed problems undermining the safety of our citizens here and the success of our troops and their mission abroad, and we cannot afford to waste another moment. Too much is at stake.

Mr. Speaker, I reserve the balance of my time.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

I simply want to note that this supplemental actually addresses many of the gentlewoman's concerns. It includes money for armoring Humvees and truck vehicles. The supplemental makes modifications to requests in order to get the safest, most effective armored vehicles to troops in the field, including the National Guard, in a timely manner. It also adds $726 million to requests to ensure that Army tracked combat vehicles, such as Abrams tanks and Bradley fighting vehicles, are upgraded and available to the National Guard. There is also in this appropriation additional funds to look after the well-being of the troops.

I think that our House Committee on Armed Services has done an excellent job in identifying problems as they have shown themselves and dedicating resources to them throughout this conflict.

□ 1730

Certainly more can be done, and it is being done in this supplemental. But I would also point out for the record, while every loss of life, every loss of life is a tragedy and something that one would prefer not to happen, this is still one of the lowest, if not the lowest, casualty rates in the history of sustained conflict in our country.

So I think, frankly, those in charge of these particular areas have done a commendable job and, frankly, are trying to improve on that job literally on a daily basis. This supplemental is a step in that direction.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from Wisconsin, the ranking member of Appropriations (Mr. OBEY).

Mr. OBEY. Mr. Speaker, this event is a sad day in the history of the House and the country. The fact that this bill is before us today indicates that the President's aim is about as faulty as the Vice-President's.

The fact is that on 9/11 we were attacked by al Qaeda. They were sheltered by the Taliban in Afghanistan. The President correctly responded to that by going after al Qaeda in Afghanistan. But then he slipped off the track and diverted his attention and the country's to an unnecessary war in Iraq against a government that had nothing whatsoever to do with the attack against the United States on 9/11.

We have now spent, in 18 separate actions, we will now have spent $450 billion on this adventure, when you take into account what will be provided in the defense appropriations bill which will be considered by the full Appropriations Committee tomorrow.

Now, my objection to the way this war is being funded is based primarily on my belief that the country and the Congress has a right to know what the cost of this war is and what we think future costs will be. But because, as the gentlewoman from New York has indicated, because the requests to finance this war have come in the form of supplementals outside the regular appropriation process, the actual cost of the war has effectively been hidden because the administration's plan was to reveal that cost to the American people on the installment plan.

So a little bit at a time they get to understand what the cost is going to be. $50 billion here. $50 billion there. As Senator Edward Dirksen said, "Sooner or later that amounts to real money." This is a huge expenditure for a misguided war, in my view.

Mr. Speaker, I would make one other point. My second concern about this bill is not directed at what the bill does contain, but rather what this bill does not contain. The Senate adopted a separate amendment, the Byrd-Gregg amendment, which would have added $2.5 billion in additional funding for border security and port security.

Unfortunately, the conferees chose to eliminate that funding from the bill. That means that they did not provide the $1.9 billion that the Senate had asked us to provide to do things such as replace out-dated aircraft. The P-3 fleet, which serves as border security's primary air surveillance mechanism, is over 40 years old, 20 years beyond the average life of that type of plane. The entire fleet needs to be overhauled to extend the service life. This bill does not measure up to that.

We also have nearly 1,700 vehicles which are unusable due to wear and tear because of the environment, the extreme burden that that environment places on Border Patrol agents' equipment and vehicles. This bill does not provide funding for that.

This bill lacks sufficient patrol aircraft. It lacks sufficient funding for armed helicopters on the border. Also, in addition, I believe the Congress should have provided $648 million in additional port security improvements.

The Coast Guard has only 34 inspectors to review security plans at foreign ports. We should have provided $180 million more for customs and border protection, including $80 million for Border Patrol vehicle replacement, and $100 million more for border infrastructure and technology.

We should have provided $50 million more for an upgrade of law enforcement communications. We should have provided $80 million the Senate requested for Immigration and Customs Enforcement vehicle replacement.

We should have provided the amount that the Senate requested, $227 million, for additional port security grants.

The Senate also asked us to provide $211 million in additional funds for rail and seaport inspection equipment. It asked us to provide $132 million more for radiation portal monitors to accelerate deployment to screen 100 percent of in-bound containers.

Alas, this bill contains none of those items. So I think it is grossly deficient in meeting the needs of border security and port security. I regret that. But unfortunately I cannot do much about it because the majority party was determined to exclude these items.

I was also stunned by the fact that the majority party refused to adopt, or refused to retain, the language that was adopted on the House floor which made clear that the United States had no intention of entering into permanent basing rights agreements in Iraq.

Certainly I recognize that some Members of this House do not want us to leave Iraq anytime soon, but somewhere between leaving immediately and staying forever, we ought to be able to find common ground.

Mr. COLE of Oklahoma. Mr. Speaker, I want to address one of the points that my good friend from Wisconsin made. He used the phrase "unnecessary war in Iraq." I would respectfully disagree with that judgment.

The policy to remove Saddam Hussein was not a policy adopted simply by this administration or this Congress. It was the official policy of the United States under our former President beginning in 1998. Why did we do that? Why did we choose to make the removal of Saddam Hussein a priority in American policy?

You can tick off the reasons. This is the man who launched two regional wars that killed over a million people, and he involved our country in armed conflict in 1991 in Kuwait. This is a man who twice had come close to developing nuclear weapons. First, in 1981, the Israelis took them out. Then he was evidently within 6 months of having nuclear weapons when the Gulf War broke out, according to the United Nations.

You visit Iraq, you can find mass graves everywhere. Tens of thousands, hundreds of thousands of Iraqis killed. This was a person who was financing terrorism up to the moment he was removed from power, offering $25,000 bountics and rewards to families whose children were killed in terrorist activity.

This is a person who was getting out from under U.N. sanctions, who had already despoiled the Oil-for-Food Program, and who step by step was moving himself toward the ability to be a threat in the region again, or to enhance his threat.

So I think when we actually look at this regime, it is fortunate that it is not there, because, frankly, if it were there today, it would be freer and more powerful and I think more threatening than it was when it was removed.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I regard the argument made by my good friend from Oklahoma to be essentially an ad hominem argument. The issue is not whether or not Saddam Hussein was a good guy or a bad guy. He is obviously a bad guy. And it is nice to see that he is gone.

We have other bad guys in the world. We have the guy running Iran right now. We have got the guy running North Korea. I do not see the United States engaging in military action against either of them.

Mr. Speaker, I would also point out, is it not strange that a man who was important enough to remove as head of Iraq by this administration was seen by this President's father and his administration, I am sorry, I got that wrong, was seen by the previous Reagan administration, for instance, as being someone we could do business with, and, in fact, was someone who the United States supported against Iran in a previous military engagement.

So the issue is not whether Saddam is a good man or a bad man. He is obviously a bad man, and it is good that he is gone. I will grant the gentleman that. But I would also say, it came at a hellacious price. We simply did not have to incur 18,000 American soldiers wounded in order to remove him. We did not need to incur more than almost 3,000 dead in order to remove him. Let's not kid ourselves. We were misled into this war on the basis of manipulated and bad intelligence. We were told by the Vice-president we would be welcomed with open arms. The President landed on that carrier and said "Mission Accomplished."

Well, not so. Unfortunately, not so. So we continue to pay the price, bogged down in the same kind of mess that we were stuck in in Vietnam. And let us face it, there is not anybody in this city from the President on down who has a clue about how to get the United States out of this mess. There isn't anybody in this town who has a clue.

And that is the sad fact we are faced with, as we are forced to continually appropriate more and more funds to support our troops. And then we go back home and say, "Well, we know what we are doing." The fact is, this Congress did not know what it was doing when it gave the President the ability to go to war.

The President did not know what he was doing, the Vice-President did not know what he was doing, and Secretary Rumsfeld has demonstrated that he is both the most arrogant Secretary of Defense since Bob McNamara and the most incompetent Secretary of Defense in the post-Cold War period of this country.

Mr. COLE of Oklahoma. Mr. Speaker, I just want to once again disagree with my good friend. I find, frankly, comparisons between Iraq and Vietnam to be incredibly overdrawn and misplaced.

When we look at the scale of the American involvement in Vietnam, the level of casualties, the fact that there were not democratic elections, that there was not the constitution, that there has not been the progress; frankly, when we look at the threat that was constituted by Saddam Hussein as opposed to North Vietnam, they simply are not on a comparable scale. Saddam Hussein was somebody who tried to assassinate a President of the United States, who drew us into war, who was actively seeking weapons of mass destruction throughout his political career.

I would agree with the gentleman, the fact that we had had a relationship with him was an enormous mistake and bad judgment by the American Government. I would actually concede my good friend's point in that regard.

I am glad in the end we understood who and what this person is. I point out again, that recognition began before this administration ever took office. That began with an act of this

Congress and the preceding administration, the Clinton administration, that declared it was in the interest of the United States to remove this tyrant from office.

I would also point out with respect to the intelligence, while undoubtedly mistakes were made, those were mistakes that were made by the entire planet, and, frankly, I can bring quote after quote out by the preceding administration, by Members of this body that would suggest all of us believed there were weapons of mass destruction.

There is no question that at various points in his career, Saddam Hussein pursued weapons of mass destruction, acquired them and used them. And in a post-9/11 world, there is every reason to believe he would do so again and that that technology, that capability, could easily migrate to our opponents.

The world is safer; Iraq has a chance for a better future because Saddam is gone. That is due to the heroism and the professionalism of the American military.

Mr. Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

□ 1745

Mr. DELAHUNT. Mr. Speaker, I thank the gentlewoman for yielding.

I just found it somewhat ironic to listen to our friend from Oklahoma when he talks about the search that was conducted by Saddam Hussein for weapons of mass destruction, because it clearly was this administration during the 1980s that aided him in that pursuit.

There is documentation out there that shows the transfer of dual-use technologies to Saddam Hussein by the Reagan-Bush administration. There is also sufficient evidence, and we can say he is a bad guy now, but maybe he was a good guy back in the 1980s, because he was taken off the terrorist list.

In fact, the current Secretary of Defense, Donald Rumsfeld, was a special envoy of the Reagan administration to Saddam Hussein. When Saddam Hussein unleashed the hell of mustard gas on the Kurds in Halabja, it was that administration who said, no, we are not going to allow the U.N. to condemn our pal, Saddam Hussein. So I am glad he concedes that point because it is right and just that he concedes that point.

I find it interesting now that we are embracing other good guys in this world, like Moammar Gadhafi, a great democrat who was taken off the terrorist list. I wonder sometime if we will regret that. But we are not here to talk about that.

I am here because I was to echo the sentiments expressed by the gentlewoman. I don't think they can be repeated often enough, because the reconstruction of Iraq has been plagued by mismanagement, waste and fraud. The examples are too numerous to list. I would need the entire hour, and I will not burden my colleagues with that.

But let us suffice it to say that the Bush administration cannot account for $9 billion, that is billion with a B, that it purportedly transferred to Iraqi ministries. But we cannot find it, it is missing.

Let me just cite one specific example about the work of a company called Custer Battles, which I think illustrates the order of magnitude of corruption, fraud and abuse that has been perpetrated on the American taxpayer while we have other pressing needs in this country.

They were retained to provide security at Baghdad International Airport, including personnel, equipment, and K-9 teams to process passengers and cargo. They were totally inept, and they were corrupt. They had a K-9 team that consisted of someone's pet that certainly couldn't sniff bombs. I don't know what they were doing, but they were not sniffing bombs there.

But in any event, the director of airport security wrote this about them. Custer Battles has shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows. Now that is the director of the Baghdad International Airport. It is rife over there with mismanagement, with fraud and abuse.

Now, how do we know these problems? We certainly don't know them from the activities of this institution. I am the ranking member on a subcommittee of the International Relations Committee dealing with oversight and investigations. Last week we had our first oversight hearing into the activities of the administration when it came to the reconstruction phase.

But we do know about these problems, because we know them through the work of the Special Inspector General for Iraq Construction, Stuart Bowen, whose reports have been objective, accurate and hard hitting, giving praise when it is due and giving criticism when it is due. They describe in clear, simple, understandable terms how the administration's incompetence, mismanagement and lack of planning have exacerbated our problems there.

But now this bill, as the gentlewoman said, shifts the oversight responsibility for new Iraq reconstruction funds from the Special Inspector General for Iraq to the State Department Inspector General. Since the Department of State Inspector General has a fraction of the resources that were provided to the Special Inspector General of Iraq and clearly limited experience, this means that oversight of Iraq reconstruction will be drastically reduced. We can't afford that now. We can't afford it. We cannot afford it, and yet this bill does it.

The American taxpayer cannot afford that. It is an egregious error in judgment to remove the Inspector General of Iraq, who is appointed by President Bush, from that oversight role.

Well, I would urge because of those reasons that this rule be rejected.

Mr. COLE of Oklahoma. Mr. Speaker, I yield such time as he may consume to the distinguished chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, I want to begin by expressing my appreciation to my good friend from Oklahoma, who has spent so much time and energy focused on our Nation's security, and it is very appropriate that he manage this rule, which is primarily dealing with that issue.

When we think about the developments that have taken place just within the last week in Iraq, the summit, the meeting that was held at Camp David today with President Bush, we all know, as the President said today, that we have difficult, tough days ahead. We know that we are going to likely see retaliatory action taken by those who would be sympathetic with Abu Musab al-Zarqawi, the butcher who was responsible for countless beheadings, the attack on the United Nations meeting, the bombings at the wedding that took place in Jordan. We can go down that litany of heinous acts perpetrated by Abu Musab al-Zarqawi.

But we have to realize that the action that was taken last week was, in fact, a blow to the issue of terrorism, which is one with which we have to deal with on a regular basis, and daily we have to deal with this. I remember in a meeting with President Bush a couple of months ago when he looked over to a few of us and said every single morning when he wakes up the first concern that he has is the threat of a terrorist attack on the United States or our interests in any other part of the world.

I think that this supplemental appropriations bill, which is designed to deal with that issue, is a very, very good and important step. We also know that dealing with the aftermath of Hurricane Katrina, one of the worst natural disasters that our Nation has ever seen, needs to be addressed, and this bill is designed to do that.

The reason that I really wanted to stand here is to say that this kind of leadership could not have taken place were it not for the actions of the distinguished chairman of the Committee on Appropriations, Mr. LEWIS. We have really seen a revolution take place within the Appropriations Committee. That revolution is focused on the need to vigorously pursue fiscal responsibility while at the same time pursuing our Nation's priorities.

Chairman LEWIS has done an absolutely phenomenal job at doing just that. We have seen a reduction in the number of so-called earmarks. We have also seen, and the report just came out today, that as we look at the economic growth that has taken place we are also seeing a slowing in the rate of growth of Federal spending. That is because of this appropriations process.

A lot of people say why isn't George Bush out there exercising his right to veto legislation? Well, we all know where we began with this supplemental appropriations bill, slightly below the $92 billion level. We know that our friends in the other body said it would be $109 billion. We saw President Bush make it clear that he would veto any legislation that went beyond that level that he had requested, and we now have seen, because of the leadership of Chairman LEWIS, the House and the Senate go through this conference process.

I watched some of it last week. It was on television. We were able to see Chairman LEWIS prevail in ensuring that we would pursue a fiscally responsible supplemental appropriations bill.

You know, we don't always win here in the House of Representatives when we are dealing with our friends in the other body. But Chairman LEWIS has done just that. I believe we owe a great debt of thanks to him for the leadership that he has shown there.

We also need to note that right upstairs in the Rules Committee now we have a hearing, as we proceed, with the Transportation, Treasury, HUD, D.C. appropriations bill. We are looking at trying to get as much of our appropriations work done as we approach the July 4th break. We are on a path towards doing that, having passed out of this House a number of important appropriations bills, many of which have seen, as I said, this dramatic slowing in the rate of growth of Federal spending. Time and time again, we see in the media, and we hear reports, people are saying, oh, Republicans are spending huge amounts of money.

I see my friend from Wisconsin here, the distinguished ranking member of the Committee on Appropriations, and his interests were just represented very well upstairs in the Rules Committee when our colleague, Mr. OLVER from Massachusetts, proposed an amendment that was modeled after the amendment that Mr. OBEY has recommended on a regular basis, that being a tax increase for those who are at the highest ends of the economic spectrum and, in turn, expending, and we have figured it roughly, $26.1 billion in total through the appropriations process that we have so far.

Now, one of the things that Chairman LEWIS has done is he has been very insistent on keeping that spending level down, but, again, meeting our priorities.

Mr. Speaker, I simply want to extend congratulations to him. I look forward to seeing passage of this conference report, with strong bipartisan support, so that we can continue winning the war on terror, so that we can continue dealing with those victims of this horrible tragedy of Hurricane Katrina, so that we can, in fact, have that additional $2.3 billion that was provided to ensure that we are taking every step that we possibly can to prevent the threat of avian flu and for the other items that are in there.

So I would simply again extend congratulations to Mr. LEWIS and our colleagues, and I look forward to strong bipartisan support with this measure.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, the gentleman from California, the distinguished chairman of the Rules Committee, has just described what he believes to be fiscally responsible actions taken by the Congress.

Let me simply say that the idea that it is fiscally responsible for this Congress to provide $40 billion or more in tax cuts to persons making $1 million a year, paid for with borrowed money, while at the same time refusing to provide $2.5 billion in essential funding to secure our borders and secure our ports, is, to me, strange logic indeed. I regard that set of priorities to be spectacularly irresponsible.

Mr. COLE of Oklahoma. Mr. Speaker, I yield such time as he may consume to the distinguished majority leader, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, let me thank my colleague from Oklahoma for yielding.

I rise today in strong support of the conference report on the supplemental spending bill. I want to applaud the work of Chairman LEWIS, his cardinals, Mr. OBEY and others, who worked hard to bring this bill together.

They spent countless hours trying to hammer this out, and they did this at the same time when they were also passing seven appropriation bills here on the floor of the House. On behalf of myself and my colleagues, let me just say to Mr. LEWIS, Mr. OBEY, and others, thank you, a job well done.

□ 1800

Mr. Speaker, our support of this conference report boils down to three groups of people: the first and foremost, our troops. It ensures that our fighting men and women have all the equipment and resources necessary to successfully win the global war on terror. Overall, it provides $65.8 billion for Operations Iraqi Freedom and Enduring Freedom, and it also provides some $4.85 billion to train and equip security forces in Afghanistan and Iraq, as well as almost $2 billion to prevent IED attacks.

Second, the conference report helps those most impacted by last year's devastating hurricane season by providing $19.8 billion to rebuild the gulf coast. This is important, and those folks in the gulf coast region that have been devastated by these hurricanes last summer are doing well, they are improving; but they have got a long, long way to go.

Finally, it does all of this by keeping an eye out for the American taxpayer and his or her wallet. At the start of this conference, House Republicans made clear that we would not consider an emergency supplemental package that spends $1 more than what the President requested. We made good on this promise by rejecting some $14 billion in unnecessary, nonemergency spending added by the other body.

So, Mr. Speaker, on behalf of our troops fighting in Afghanistan and Iraq, our fellow citizens working to rebuild the gulf coast, and the American taxpayer, I urge all my colleagues to support this bill.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I will be asking Members to vote "no" on the previous question. If the previous question is defeated, I will offer an amendment to the rule to instruct the enrolling Clerk to make some very important national security additions to the conference report.

Mr. Speaker, I ask unanimous consent that the text of the amendment and extraneous materials be printed in the CONGRESSIONAL RECORD immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, the items contained in the amendment are not new provisions. They were all included in the Senate version of the supplemental appropriations bill and provide greatly needed funds to increase security at our Nation's borders and ports; but, unfortunately, they were stripped from the final version of the report.

I want to stress that a "no" vote on the previous question will not stop consideration of the report. A "no" vote will simply allow the House to add greatly needed funds to protect our Nation's vulnerable borders and ports.

But a "yes" vote on the previous question will prevent the House from adding the funds to improve our border and port security; and representing a border area myself, I appreciate the importance of it.

So, please, again, vote "no" on the previous question.

Mr. Speaker, I yield back the balance of my time.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in closing, I would like to say that I believe we have had a good debate on the rule. I believe the importance and the timeliness of this legislation could not be more self-evident. This bill has been carefully crafted and worked in a way to ensure that our servicemen receive the best equipment when they go to war.

We had an interesting historical discussion and debate here today. It was an interesting debate as to how we got into this war and whether or not Saddam Hussein, it was appropriate to remove him at the time and in the way that we did. I suspect history will vindicate our judgment in that regard. He was a terrorist, he was a tyrant, he was a threat to global peace; and the world is better because he is gone. Iraq has a potential future because he is gone.

However, I would ask Members to remember this is a vote about our willingness to support our service men and women and not about other policy issues. The men and women serving our cause in Iraq ask for nothing more. In good conscience, we should give them nothing less.

It is also a vote about whether or not we will support our fellow Americans on the gulf coast. On that I doubt there is any division in this House.

To close, I would urge my colleagues to support this rule and the underlying legislation.

The material previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION FOR H. RES. 857—RULE ON CONFERENCE REPORT ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Strike all after the resolved clause and insert:

That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

SEC. 2. (a) A concurrent resolution specified in subsection (b) is hereby adopted.

(b) The concurrent resolution referred to in subsection (a) is a concurrent resolution

(1) which has no preamble;

(2) the title of which is as follows: "Providing for Corrections to the Enrollment of the Conference Report on the bill H.R. 4939"; and

(3) the text of which is as follows:

At the end of the conference report, before the short title insert the following:

TITLE ___—ADDITIONAL BORDER AND PORT SECURITY IMPROVEMENTS

DEPARTMENT OF HOMELAND SECURITY

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For an additional amount for the "Office of the Secretary and Executive Management" to provide funds for the Office of Policy, $2,000,000: *Provided*, That the entire amount is solely for a contract with an independent non-Federal entity to conduct a needs assessment for comprehensive border security: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE OF THE CHIEF INFORMATION OFFICER

For an additional amount for the "Office of the Chief Information Officer" to replace and upgrade law enforcement communications, $50,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES VISITOR AND IMMIGRATION STATUS INDICATOR TECHNOLOGY

For an additional amount for "United States Visitor and Immigration Status Indicator Technology" to accelerate biometric database integration and conversion for 10-print enrollment, $60,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the expenditure of such funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $446,050,000, of which $80,000,000 is for border patrol vehicle replacement, $100,000,000 is for sensor and surveillance technology, $211,000,000 is for inspection equipment, $32,000,000 is for supply chain security specialists, and $23,000,000 is for additional container security initiative personnel: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the expenditure of such funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for "Air and Marine Interdiction, Operations, Maintenance, and Procurement" to replace air assets and upgrade air operations facilities, $790,000,000, to remain available until expended, of which $40,000,000 is for helicopter replacement and $750,000,000 is for recapitalization of air assets: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the complete recapitalization of Customs and Border Protection air assets and facilities: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

CONSTRUCTION

For an additional amount for "Construction", $120,000,000, to remain available until expended: *Provided*, That none of the additional appropriations made available under this heading may be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for the expenditure of these funds: *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" to replace vehicles, $80,000,000: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

UNITED STATES COAST GUARD

OPERATING EXPENSES

For an additional amount for "Operating Expenses", $23,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

ACQUISITION, CONSTRUCTION AND IMPROVEMENTS

For an additional amount for "Acquisition, Construction, and Improvements" for acquisition, construction, renovation, and improvement of vessels, aircraft, and equipment, $600,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

OFFICE FOR DOMESTIC PREPAREDNESS

STATE AND LOCAL PROGRAMS

For an additional amount for "State and Local Programs", $227,000,000: *Provided*, That the entire amount shall be for port security grants pursuant to the purposes of 46 United States Code 70107 (a) through (h), which shall be awarded based on risk and threat notwithstanding subsection (a), for eligible costs as defined in subsections (b) (2)–(4): *Provided further*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SCIENCE AND TECHNOLOGY

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For an additional amount for "Research, Development, Acquisition, and Operations" for the Domestic Nuclear Detection Office, $132,000,000, to remain available until expensed for the purchase and deployment of ration portal monitors for United States seaports: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For an additional amount for "Acquisition, Construction, Improvements, and Related Expenses," for construction of the language training facility referenced in the Mater Plan and information technology infrastructure improvements, $18,000,000, to remain available until expended: *Provided*, That the entire amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.''

The Vote on the Previous Question: What It Really Means

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution * * * [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule * * * When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.'

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

Mr. COLE of Oklahoma. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 6 o'clock and 5 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BRADLEY of New Hampshire) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The Speaker pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

H. Res. 794, by the yeas and nays;

H. Res. 804, by the yeas and nays;

H. Res. 608, by the yeas and nays;

H. Con. Res. 338, by the yeas and nays; ordering the previous question on H. Res. 857, by the yeas and nays.

Proceedings on H. Con. Res. 408 will resume tomorrow.

The first electronic vote will be conducted as a 15-minute vote. The other votes in this series will be 5-minute votes.

RECOGNIZING THE 17TH ANNIVERSARY OF THE MASSACRE IN TIANANMEN SQUARE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 794, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 794, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 362, nays 1, not voting 68, as follows:

[Roll No. 251]

YEAS—362

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Carnahan
Carson
Carter
Castle
Chandler
Chocola
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Petri
Pickering
Pitts
Platts

Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Paul

NOT VOTING—68

Ackerman
Bachus
Baird
Barton (TX)
Berkley
Bishop (UT)
Blunt
Brady (PA)
Brown (OH)
Brown, Corrine
Calvert
Capuano
Cardoza
Case
Chabot
Clay
Coble
Costa
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeLauro
Engel
Evans
Ford
Gallegly
Gibbons
Gillmor
Gingrey
Green (WI)
Gutierrez
Hastings (FL)
Hinchey
Istook
Jenkins
Johnson (IL)
Manzullo
Matsui
Meek (FL)
Millender-McDonald
Miller (MI)
Miller, Gary
Moran (VA)
Musgrave
Nussle
Oxley
Payne
Peterson (MN)
Peterson (PA)
Pryce (OH)
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schwarz (MI)
Sessions
Shays
Snyder
Strickland
Sweeney
Taylor (NC)
Waters
Watson
Wexler
Wilson (SC)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1858

Mr. ROTHMAN changed his vote from "nay" to "yea."

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONDEMNING THE UNAUTHORIZED, INAPPROPRIATE, AND COERCED ORDINATION OF CATHOLIC BISHOPS BY THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 804, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH of New Jersey) that the House suspend the rules and agree to the resolution, H. Res. 804, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 362, nays 1, not voting 68, as follows:

[Roll No. 252]

YEAS—362

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Carnahan
Carson
Carter
Castle
Chandler
Chocola
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Paul

NOT VOTING—68

Ackerman
Bachus
Baird
Barton (TX)
Berkley
Bishop (UT)
Blunt
Brady (PA)
Brown (OH)
Brown, Corrine
Calvert
Capuano
Cardoza
Case
Chabot
Clay
Coble
Costa
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeLauro
Engel
Evans
Ford
Gallegly
Gibbons
Gillmor
Gingrey
Green (WI)
Gutierrez
Hastings (FL)
Hinchey
Istook
Jenkins
Johnson (IL)
Manzullo
Matsui
Meek (FL)
Millender-McDonald
Miller (MI)
Miller, Gary
Moran (VA)
Musgrave
Nussle
Oxley
Payne
Peterson (MN)
Peterson (PA)
Pryce (OH)
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schwarz (MI)
Sessions
Shays
Snyder
Strickland
Sweeney
Taylor (NC)
Waters
Watson
Wexler
Wilson (SC)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded that 2 minutes remain in this vote.

□ 1905

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: "Resolution condemning the People's Republic of China for its continued interference in the internal affairs of the Catholic Church and its persecution of Catholics loyal to the Pope.".

A motion to reconsider was laid on the table.

CONDEMNING THE ESCALATING LEVELS OF RELIGIOUS PERSECUTION IN THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 608, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 608, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 363, nays 1, not voting 67, as follows:

[Roll No. 253]

YEAS—363

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Carnahan
Carson
Carter
Castle
Chandler
Chocola
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)
Snyder
Strickland
Sweeney
Taylor (NC)
Waters
Watson
Wexler
Wilson (SC)
Young (AK)

NAYS—1

Paul

NOT VOTING—67

Ackerman
Bachus
Baird
Barton (TX)
Berkley
Bishop (UT)
Blunt
Brady (PA)
Brown (OH)
Brown, Corrine
Calvert
Capuano
Cardoza
Case
Chabot
Clay
Coble
Costa
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Deal (GA)
DeLauro
Engel
Evans
Ford
Gallegly
Gibbons
Gillmor
Gingrey
Green (WI)
Gutierrez
Hinchey
Istook
Jenkins
Johnson (IL)
Manzullo
Matsui
Meek (FL)
Millender-McDonald
Miller (MI)
Miller, Gary
Moran (VA)
Musgrave
Nussle
Oxley
Payne
Peterson (MN)
Peterson (PA)
Pryce (OH)
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schwarz (MI)
Sessions
Shays

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded that 2 minutes remain in this vote.

☐ 1913

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DAVIS of Kentucky. Mr. Speaker, on Monday, June 12, 2006 I was absent from the House due to an airline delay.

Had I been present I would have voted:

Rollcall No. 251—"yea"; rollcall No. 252—"yea"; rollcall No. 253—"yea."

EXPRESSING THE SENSE OF CONGRESS REGARDING THE ACTIVITIES OF ISLAMIST TERRORIST ORGANIZATIONS IN THE WESTERN HEMISPHERE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 338.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 338, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 364, nays 0, not voting 66, as follows:

[Roll No. 254]

YEAS—364

Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell

Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

ANSWERED "PRESENT"—1

Abercrombie

NOT VOTING—66

Ackerman
Bachus
Baird
Barton (TX)
Berkley
Bishop (UT)
Blunt
Brady (PA)
Brown (OH)
Brown, Corrine
Calvert
Capuano
Cardoza
Case
Clay
Coble
Costa
Davis (FL)
Davis (IL)
Davis (TN)
Deal (GA)
DeLauro
Engel
Evans
Ford
Gallegly
Gibbons
Gillmor
Gingrey
Green (WI)
Gutierrez
Hinchey
Istook
Jenkins
Johnson (IL)
Manzullo
Matsui
McKinney
Meek (FL)
Millender-McDonald
Miller (MI)
Miller, Gary
Moore (WI)
Moran (VA)
Musgrave
Nussle
Oxley
Payne
Peterson (MN)
Peterson (PA)
Pryce (OH)
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schwarz (MI)
Sessions
Shays
Snyder
Strickland
Sweeney
Taylor (NC)
Watson
Wexler
Wilson (SC)
Young (AK)

□ 1921

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER pro tempore. The pending business is the vote on ordering the previous question on House Resolution 857, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 204, nays 165, not voting 62, as follows:

[Roll No. 255]

YEAS—204

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Biggert
Bilirakis
Blackburn
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jindal
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Moran (KS)
Murphy
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Scott (VA)
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NAYS—165

Abercrombie
Allen
Andrews
Baca
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Butterfield
Capps
Cardin
Carson
Chandler
Cleaver
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Harman
Hastings (FL)
Herseth
Higgins
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Ruppersberger
Ryan (OH)
Sabo
Salazar
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Serrano

Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Woolsey
Wu
Wynn

NOT VOTING—62

Ackerman
Baird
Barton (TX)
Berkley
Bishop (UT)
Blunt
Brady (PA)
Brown (OH)
Brown, Corrine
Calvert
Capuano
Cardoza
Carnahan
Case
Clay
Coble
Costa
Davis (FL)
Davis (TN)
Deal (GA)
DeLauro
Engel
Evans
Ford
Gallegly
Gibbons
Gillmor
Gingrey
Green (WI)
Gutierrez
Hinchey
Istook
Jenkins
Johnson (IL)
Manzullo
Matsui
Meek (FL)
Millender-McDonald
Miller (MI)
Miller, Gary
Moran (VA)
Musgrave
Nussle
Oxley
Payne
Peterson (MN)
Peterson (PA)
Pryce (OH)
Roybal-Allard
Rush
Sánchez, Linda T.
Sanchez, Loretta
Schwarz (MI)
Sessions
Shays
Snyder
Strickland
Sweeney
Taylor (NC)
Watson
Wexler
Young (AK)

☐ 1928

So the previous question was ordered.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. GREEN of Wisconsin. Mr. Speaker, I was absent from Washington on Monday, June 12, 2006. As a result, I was not recorded for rollcall votes Nos. 251, 252, 253, 254 and 255. Had I been present, I would have voted "aye" on rollcall Nos. 251, 252, 253, 254 and 255.

PERSONAL EXPLANATION

Ms. PRYCE of Ohio. Mr. Speaker, I was unable to vote during the following rollcall votes. Had I been present, I would have voted as indicated below: Rollcall 251, H. Res. 794, Recognizing the 17th anniversary of the massacre in Tiananmen Square, Beijing, in the People's Republic of China, and for other purposes, I would have voted "yea"; rollcall 252, H. Res. 804—Condemning the unauthorized, inappropriate, and coerced ordination of Catholic bishops by the People's Republic of China, I would have voted "yea"; rollcall 253, H. Res. 608—Condemning the escalating levels of religious persecution in the People's Republic of China, I would have voted "yea"; rollcall 254, H. Con. Res. 338—Expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere, I would have voted "yea"; rollcall 255, H.R. 4939—Previous question on the Rule for H.R. 4939, the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006, I would have voted "yea."

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 4939.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

☐ 1930

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. CON. RES. 318

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent to remove my name from H. Con. Res. 318.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

CONFERENCE REPORT ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

Mr. LEWIS of California. Mr. Speaker, pursuant to House Resolution 857, I call up the conference report to accompany the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 857, the conference report is considered read.

(For conference report and statement, see proceedings of the House of June 8, 2006, at page H3587.)

The SPEAKER pro tempore. The gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

The supplemental provides $94.5 billion for the global war on terror, disaster assistance, border security and avian flu preparedness. This measure provides significant funding to fight the global war on terrorism and support the troops. Funding for Operation Iraqi Freedom and Operation Enduring Freedom are provided at $65.8 billion. This includes funding earmarked by Congress for Humvees, Abrams tanks and Bradley fighting vehicles.

Additionally, the conference report includes roughly $2 billion to develop and procure countermeasures to prevent Improvised Explosive Devices attacks on our troops.

Funding for disaster assistance is at the President's request of $19.8 billion. Included in the funding is the following: $6 billion for FEMA disaster relief; $5.2 billion for community and economic development; $3.7 billion for various flood control repairs by the Army Corps of Engineers; as well as $500 million for agriculture disaster assistance for farmers, ranchers and producers affected by the 2005 hurricanes. The total is $3.4 billion below the Senate-passed bill.

Avian flu preparedness is funded at the President's request of $2.3 billion. Border security is funded at $1.9 billion. This funding provides $708 million to deploy National Guard troops along the Southwest border.

Additionally, $1.2 billion is provided to the Department of Homeland Security to enhance border security. This funding also assumes the hiring of 1,000 new Border Patrol agents, 4,000 additional detention beds and various tactical and logistics support activities for the Secure Borders Initiative.

Finally, the border security package also earmarks $20 million to increase judges and attorneys at the Department of Justice to better process violation of immigration laws.

The conferees worked exhaustively to knock out items not related to the global war on terror and disaster assistance, as well as to reduce the overall funding for this package.

You may recall the Senate-passed bill was $108.9 billion. The House-passed bill was $91.9 billion. The House bill was passed on March 16. Remember that, Mr. Speaker, March 16, prior to the President's formally requesting funding for border security, avian flu preparedness or levees. This package is $94.5 billion. The final conference report before us is $14.4 billion below the Senate-passed bill.

The conference report excluded funding for a $700 million railroad relocation project and no language compelling the DOD to cover hurricane damage to shipyard facilities otherwise covered by private insurance.

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006						
TITLE I - THE GLOBAL WAR ON TERROR SUPPLEMENTAL						
CHAPTER 1						
DEPARTMENT OF AGRICULTURE						
Foreign Agricultural Service						
Public Law 480 Title II Grants (emergency)	350,000	350,000	350,000	350,000	---	---
CHAPTER 2						
DEPARTMENT OF DEFENSE - MILITARY						
Military Personnel						
Military Personnel, Army (emergency)	6,506,223	6,506,223	6,665,284	6,587,473	+81,250	-77,811
Military Personnel, Navy (emergency)	761,724	1,061,724	1,071,474	1,321,474	+259,750	+250,000
Military Personnel, Marine Corps (emergency)	834,122	834,122	860,872	840,872	+6,750	-20,000
Military Personnel, Air Force (emergency)	1,145,363	1,145,363	1,195,713	1,155,713	+10,350	-40,000
Reserve Personnel, Army (emergency)	126,070	166,070	150,570	140,570	-25,500	-10,000
Reserve Personnel, Navy (emergency)	110,412	110,412	115,712	110,712	+300	-5,000
Reserve Personnel, Marine Corps (emergency)	10,327	10,327	13,192	10,627	+300	-2,565
Reserve Personnel, Air Force (emergency)	1,940	1,940	3,440	1,940	---	-1,500
National Guard Personnel, Army (emergency)	96,000	96,000	121,550	111,550	+15,550	-10,000
National Guard Personnel, Air Force (emergency)	1,200	1,200	6,200	1,200	---	-5,000
Subtotal	9,593,381	9,933,381	10,204,007	10,282,131	+348,750	+78,124
Operation and Maintenance						
Operation and Maintenance, Army (emergency)	18,050,310	18,380,310	17,594,410	17,744,410	-635,900	+150,000
Operation and Maintenance, Navy (emergency)	2,791,300	2,793,600	2,826,693	2,696,693	-96,907	-130,000
(Transfer to Coast Guard) (emergency)	(-75,020)	(-75,020)	---	---	(+75,020)	---
Operation and Maintenance, Marine Corps (emergency)	1,622,111	1,722,911	1,589,911	1,639,911	-83,000	+50,000
Operation and Maintenance, Air Force (emergency)	6,088,269	5,328,869	6,057,408	5,576,257	+247,388	-481,151
Operation and Maintenance, Defense-Wide (emergency)	3,534,929	3,259,929	2,879,899	2,830,677	-429,252	-49,222
(Transfer to Coast Guard) (emergency)	---	---	(-75,000)	(-75,000)	(-75,000)	---
Operation and Maintenance, Army Reserve (emergency)	100,100	100,100	100,100	100,100	---	---
Operation and Maintenance, Navy Reserve (emergency)	236,509	236,509	236,509	78,509	-158,000	-158,000
Operation and Maintenance, Marine Corps Reserve (emergency)	55,675	55,675	87,875	87,875	+32,200	---
Operation and Maintenance, Air Force Reserve (emergency)	18,563	18,563	18,563	18,563	---	---
Operation and Maintenance, Army National Guard (emergency)	178,600	178,600	178,600	178,600	---	---
Operation and Maintenance, Air National Guard (emergency)	30,400	30,400	30,400	30,400	---	---
Former Soviet Union Threat Reduction Account (emergency)	---	---	---	44,500	+44,500	+44,500
Afghanistan Security Forces Fund (emergency)	2,197,833	1,851,833	1,908,133	1,908,133	+56,300	---
Iraq Security Forces Fund (emergency)	3,703,000	3,007,000	3,703,000	3,007,000	---	-696,000
Iraq Freedom Fund (emergency)	100,000	---	25,000	---	---	-25,000
Joint IED Defeat Fund (emergency)	---	---	1,958,089	1,958,089	+1,958,089	---
Subtotal	38,707,599	36,964,299	39,194,590	37,899,717	+935,418	-1,294,873
Procurement						
Aircraft Procurement, Army (emergency)	345,000	533,200	533,200	345,000	-188,200	-188,200
Missile Procurement, Army (emergency)	203,300	203,300	203,300	203,300	---	---
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	1,127,351	1,983,351	1,592,451	1,767,451	-215,900	+175,000
Procurement of Ammunition, Army (emergency)	829,679	829,679	829,679	829,679	---	---
Other Procurement, Army (emergency)	6,789,791	7,528,657	6,286,145	5,819,645	-1,709,012	-466,500
Aircraft Procurement, Navy (emergency)	151,769	293,980	412,169	516,869	+222,889	+104,700
Weapons Procurement, Navy (emergency)	55,200	90,800	63,351	55,200	-35,600	-8,151
Procurement of Ammunition, Navy and Marine Corps (emergency)	323,256	330,996	327,126	323,256	-7,740	-3,870
Other Procurement, Navy (emergency)	54,640	111,719	140,144	54,640	-57,079	-85,504
Procurement, Marine Corps (emergency)	2,577,467	3,260,582	2,576,467	2,577,467	-683,115	+1,000
Aircraft Procurement, Air Force (emergency)	347,135	663,595	679,515	674,815	+11,220	-4,700
Missile Procurement, Air Force - Rescission	---	---	---	-80,000	-80,000	-80,000
Procurement of Ammunition, Air Force (emergency)	29,047	29,047	29,047	29,047	---	---
Other Procurement, Air Force (emergency)	1,476,991	1,489,192	1,452,651	1,500,591	+11,399	+47,940
Rescission (emergency)	-39,400	---	---	-39,400	-39,400	-39,400
Procurement, Defense-Wide (emergency)	331,353	331,353	331,353	331,353	---	---

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Subtotal	14,602,579	17,679,451	15,456,598	14,908,913	-2,770,538	-547,685
Research, Development, Test and Evaluation						
RDT&E, Army (emergency)	402,177	424,177	54,700	54,700	-369,477	---
RDT&E, Navy (emergency)	124,845	126,845	124,845	124,845	-2,000	---
RDT&E, Air Force (emergency)	62,610	305,110	382,630	382,630	+77,520	---
RDT&E, Defense-Wide (emergency)	145,921	145,921	148,551	148,551	+2,630	---
Subtotal	735,553	1,002,053	710,726	710,726	-291,327	---
Revolving And Management Funds						
Defense Working Capital Funds (emergency)	516,700	502,700	516,700	516,700	+14,000	---
Other Department of Defense Programs						
Defense Health Program (emergency)	1,153,562	1,153,562	1,153,562	1,153,562	---	---
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	192,800	156,800	154,596	150,470	-6,330	-4,126
Office of the Inspector General (emergency)	1,120	6,120	1,815	5,000	-1,120	+3,185
Subtotal	1,347,482	1,316,482	1,309,973	1,309,032	-7,450	-941
Related Agencies						
Intelligence Community Management Account (emergency)	178,875	158,875	158,875	158,875	---	---
General Provisions						
Additional transfer authority (emergency)	(1,250,000)	---	(600,000)	(1,250,000)	(+1,250,000)	(+650,000)
New transfer authority (emergency)	(4,000,000)	(2,000,000)	(2,000,000)	(2,000,000)	---	---
Defense Cooperation Account (emergency)	5,800	---	5,800	5,800	+5,800	---
Reduction for Border Security (emergency)	---	---	-1,908,000	---	---	+1,908,000
Section xxxx Cooperative Threat reduction (emergency)	---	---	8,000	---	---	-8,000
Total, Chapter 2	65,687,969	67,557,241	65,657,269	65,791,894	-1,765,347	+134,625
CHAPTER 3						
BILATERAL ECONOMIC ASSISTANCE						
Funds Appropriated to the President						
United States Agency For International Development						
Child Survival and Health Programs Fund (emergency)	5,300	5,300	10,300	7,800	+2,500	-2,500
Development Assistance (emergency)	10,500	10,500	22,500	16,500	+6,000	-6,000
International Disaster and Famine Assistance (emergency)	136,290	136,290	171,290	161,300	+25,010	-9,990
Transfer to Operating expenses of the USAID (emergency)	(-80)	---	(-80)	(-80)	(-80)	---
Operating Expenses of the USAID (emergency)	141,600	61,600	141,600	101,000	+39,400	-40,600
By transfer, Famine Assistance (emergency)	(80)	---	(80)	(80)	(+80)	---
Subtotal	293,690	213,690	345,690	286,600	+72,910	-59,090
Other Bilateral Economic Assistance						
Economic Support Fund (emergency)	1,637,500	1,584,500	1,757,500	1,686,000	+101,500	-71,500
Transfer to International Broadcasting (emergency)	(-50,000)	---	---	---	---	---
Transfer to IRRF (emergency)	---	---	(-10,000)	(-5,000)	(-5,000)	(+5,000)
Democracy Fund (emergency)	---	10,000	39,750	22,500	+12,500	-17,250
Iraq Relief and Reconsturction Fund (by transfer) (emergency)	---	---	(10,000)	(5,000)	(+5,000)	(-5,000)
Subtotal, Other bilateral assistance	1,637,500	1,594,500	1,797,250	1,708,500	+114,000	-88,750
DEPARTMENT OF STATE						
International Narcotics Control and Law Enforcement (emergency)	107,700	107,700	107,700	107,700	---	---
Transfer to Foreign Military Financing (emergency)	---	---	---	(-13,000)	(-13,000)	(-13,000)
Migration and Refugee Assistance (emergency)	51,200	51,200	110,200	75,700	+24,500	-34,500
United States Emergency Refugee and Migration Assistance Fund (emergency)	---	---	20,000	---	---	-20,000
Subtotal	158,900	158,900	237,900	183,400	+24,500	-54,500

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
DEPARTMENT OF THE TREASURY						
International Affairs Technical Assistance (emergency)	13.000	13,000	13,000	13,000	---	---
MILITARY ASSISTANCE						
Funds Appropriated to the President						
Foreign Military Education and Training						
By transfer, International Narcotics Control and Law Enforcement	---	---	---	(13,000)	(+13,000)	(+13,000)
Peacekeeping Operations (emergency)	123,000	173,000	181,200	178,000	+5,000	-3,200
General Provisions						
Sec. 1303 Peacekeeping operations (Solidarity Coalition) (rescission) (emergency)	---	-17,000	---	-7,000	+10,000	-7,000
Sec. 1405 Export-Import Bank of the United States Subsidy Appropriation (rescission)	---	---	-13,200	-37,000	-37,000	-23,800
Economic Support Fund (rescission)	---	---	-47,000	---	---	+47,000
Total, Chapter 3	2,226.090	2,136,090	2,514,840	2.325,500	+189.410	-189.340
CHAPTER 4						
DEPARTMENT OF HOMELAND SECURITY						
United States Coast Guard						
Operating Expenses (emergency)	26,692	26,692	26,692	26,692	---	---
Transfer from Defense, O&M, Navy (emergency)	(75,020)	(75,020)	(75,000)	(75,000)	(-20)	---
CHAPTER _						
LEGISLATIVE BRANCH						
HOUSE OF REPRESENTATIVES						
Salaries and expenses (emergency)	36,200	---	---	---	---	---
ARCHITECT OF THE CAPITOL						
General administration (emergency)	5,000	---	---	---	---	---
Total, Chapter _	41,200	---	---	---	---	---
CHAPTER 5						
DEPARTMENT OF DEFENSE						
Military Construction						
Military Construction, Army (emergency)	342,600	287,100	214,344	187,100	-100,000	-27,244
Military Construction, Air Force (emergency)	28,200	35,600	28,200	27,700	-7,900	-500
Military Construction, Defense-Wide (emergency)	35,200	---	35,200	20,600	+20,600	-14,600
DEPARTMENT OF VETERANS AFFAIRS						
Veterans medical services (contingent emergency)	---	---	430,000	---	---	-430,000
Total, Chapter 5	406,000	322,700	707,744	235,400	-87,300	-472,344
CHAPTER 6						
DEPARTMENT OF JUSTICE						
Legal Activities						
United States Attorneys						
Salaries and expenses (emergency)	4,000	3,000	3,000	3,000	---	---
United States Marshals Service						
Salaries and expenses (emergency)	1,500	---	1,500	1,000	+1,000	-500
Federal Bureau Of Investigation						
Salaries and Expenses (emergency)	100,720	99,000	82,000	85,700	-13,300	+3,700

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Drug Enforcement Administration						
Salaries and Expenses (emergency)	5,000	14,200	5,000	14,200	---	+9,200
Bureau of Alcohol, Tobacco, Firearms and Explosives						
Salaries and expenses (emergency)	5,000	4,100	4,000	4,000	-100	---
Subtotal	116,220	120,300	95,500	107,900	-12,400	+12,400
DEPARTMENT OF STATE						
Administration of Foreign Affairs						
Diplomatic and Consular Programs (emergency)	1,552,600	1,380,500	1,452,600	1,383,625	+3,125	-68,975
Office of Inspector General (emergency)	25,300	25,300	25,300	25,300	---	---
Education and Cultural Exchange Programs (emergency)	5,000	5,000	5,000	5,000	---	---
Subtotal	1,582,900	1,410,800	1,482,900	1,413,925	+3,125	-68,975
International Organizations						
Contributions for International Peacekeeping Activities (emergency)	69,800	129,800	129,800	129,800	---	---
Subtotal, Dept of State	1,652,700	1,540,600	1,612,700	1,543,725	+3,125	-68,975
RELATED AGENCY						
Broadcasting Board of Governors						
International Broadcasting Operations (emergency)	---	7,800	30,250	10,274	+2,674	-19,976
Transfer from ESF (emergency)	(50,000)	---	---	---	---	---
Broadcasting capital improvements (emergency)	---	28,500	---	25,826	-2,674	+25,826
General Provisions						
Sec 1201: Diplomatic and Consular Programs (reduction of emergency funds in ths Act)	---	---	-60,000	---	---	+60,000
Total, Chapter 6	1,768,920	1,697,000	1,678,450	1,687,725	-9,275	+9,275
CHAPTER 7						
DEPARTMENT OF THE TREASURY						
Departmental Offices						
Salaries and expenses (emergency)	1,800	1,800	1,800	1,800	---	---
Total, Title I	70,508,671	72,091,523	70,936,795	70,419,011	-1,672,512	-517,784
Emergency appropriations	(70,548,071)	(72,108,523)	(70,626,995)	(70,582,411)	(-1,526,112)	(-44,584)
Contingent emergency appropriations	---	---	(430,000)	---	---	(-430,000)
Rescission	---	---	(-60,200)	(-37,000)	(-37,000)	(+23,200)
Rescission of emergency funding	---	(-17,000)	(-60,000)	(-7,000)	(+10,000)	(+53,000)
Transfer out (emergency)	(-125,100)	(-75,020)	(-85,080)	(-93,080)	(-18,060)	(-8,000)
By transfer (emergency)	(125,100)	(75,020)	(85,080)	(93,080)	(+18,060)	(+8,000)
TITLE II - FURTHER HURRICANE DISASTER RELIEF AND RECOVERY						
CHAPTER 1						
DEPARTMENT OF AGRICULTURE						
Executive Operations						
Working Capital Fund (emergency)	25,000	25,000	25,000	25,000	---	---
Office of the Inspector General						
Salaries and expenses (emergency)	---	---	445	445	+445	---
Agricultural Research Service						
Salaries and expenses (emergency)	---	---	15,600	10,000	+10,000	-5,600

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Buildings and Facilities (emergency)	20,000	20,000	20,000	20,000	---	---
Farm Service Agency						
Salaries and expenses (emergency)	---	---	5,000	---	---	-5,000
Emergency conservation Program (emergency)	---	---	32,547	---	---	-32,547
Natural Resources Conservation Services						
Emergency Watershed Protection Program (emergency)	10,000	10,000	165,000	50,955	+40,955	-114,045
Rural Development						
Salaries and Expenses (emergency)	---	---	1,000	1,000	+1,000	---
Rural Community Advancement Program (emergency)	---	---	150,000	25,000	+25,000	-125,000
Subtotal	---	---	151,000	26,000	+26,000	-125,000
GENERAL PROVISIONS						
Sec. 2104 Farm Service Agency (transfer out) (emerg)	---	---	(-38,000)	(-38,000)	(-38,000)	---
Sec. 2106 Rural Development - Rural Housing(emergency)	---	---	35,408	---	---	-35,408
Subtotal	---	---	35,408	---	---	-35,408
Total, Chapter 1	55,000	55,000	450,000	132,400	+77,400	-317,600
CHAPTER 2						
DEPARTMENT OF DEFENSE - MILITARY						
Military Personnel						
Military Personnel, Army (emergency)	2,125	2,125	2,125	2,125	---	---
Military Personnel, Navy (emergency)	22,002	22,002	22,002	22,002	---	---
Military Personnel, Marine Corps (emergency)	3,992	3,992	3,992	3,992	---	---
Military Personnel, Air Force (emergency)	21,610	21,610	21,610	21,610	---	---
Reserve Personnel, Army (emergency)	4,071	4,071	4,071	4,071	---	---
Reserve Personnel, Navy (emergency)	10,200	10,200	10,200	10,200	---	---
Reserve Personnel, Marine Corps (emergency)	2,176	2,176	2,176	2,176	---	---
Reserve Personnel, Air Force (emergency)	94	94	94	94	---	---
National Guard Personnel, Army (emergency)	1,304	1,304	1,304	1,304	---	---
National Guard Personnel, Air Force (emergency)	1,408	1,408	1,408	1,408	---	---
Subtotal	68,982	68,982	68,982	68,982	---	---
Operation and Maintenance						
Operation and Maintenance, Navy (emergency)	29,913	29,913	29,913	29,913	---	---
Operation and Maintenance, Air Force (emergency)	37,359	37,359	37,359	37,359	---	---
Operation and Maintenance, Navy Reserve (emergency)	12,755	12,755	12,755	12,755	---	---
Operation and Maintenance, Air Force Reserve (emergency)	1,277	1,277	1,277	1,277	---	---
Operation and Maintenance, Army National Guard (emergency)	42,307	42,307	42,307	42,307	---	---
Subtotal	123,611	123,611	123,611	123,611	---	---
Procurement						
Procurement of Ammunition, Army (emergency)	700	700	700	700	---	---
Other Procurement, Army (emergency)	9,136	9,136	9,136	9,136	---	---
Aircraft Procurement, Navy (emergency)	579	579	579	579	---	---
Procurement of Ammunition, Navy and Marine Corps (emergency)	899	899	899	899	---	---
Shipbuilding and Conversion, Navy (emergency)	1,025,236	775,236	1,025,236	775,236	---	-250,000
Other Procurement, Navy (emergency)	85,040	85,040	85,040	85,040	---	---
Aircraft Procurement, Air Force (emergency)	13,000	13,000	13,000	13,000	---	---
Procurement, Defense Wide (emergency)	2,797	4,797	2,797	2,797	-2,000	---
Subtotal	1,137,387	889,387	1,137,387	887,387	-2,000	-250,000
Research, Development, Test and Evaluation						
RDT&E, Navy (emergency)	12,000	12,000	12,000	12,000	---	---
RDT&E, Air Force (emergency)	6,250	6,250	6,250	6,250	---	---
RDT&E, Defense-Wide (emergency)	730	730	730	730	---	---
Subtotal	18,980	18,980	18,980	18,980	---	---

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Revolving And Management Funds						
Defense Working Capital Funds (emergency)............	1,222	1,222	1,222	1,222	---	---
National Defense Sealift Fund (emergency)............	10,000	10,000	10,000	10,000	---	---
General fund payment, surcharge collections, sales of commissary stores, Defense (emergency)............	10,530	10,530	10,530	10,530	---	---
Subtotal..	21,752	21,752	21,752	21,752	---	---
Other Department of Defense Programs						
Defense Health Program (emergency)..................	33,881	33,881	33,881	33,881	---	---
Office of Inspector General (emergency).............	---	---	326	326	+326	---
Subtotal..	33,881	33,881	34,207	34,207	+326	---
General Provisions						
New transfer authority (emergency)..................	(300,000)	---	(75,000)	(150,000)	(+150,000)	(+75,000)
Total, Chapter 2................................	1,404,593	1,158,593	1,404,919	1,164,919	-1,674	-250,000
CHAPTER 3						
CORPS OF ENGINEERS - CIVIL						
Investigations (emergency)...........................	---	---	45,000	3,300	+3,300	-41,700
Investigations (contingent emergency)................	---	---	2,500	---	---	-2,500
Construction (emergency).............................	595,300	100,000	595,300	549,400	+449,400	-45,900
(contingent emergency)............................	---	---	39,000	---	---	-39,000
Operation and Maintenance (contingent emergency)......	---	---	3,200	3,200	+3,200	---
Flood Control and Coastal Emergencies (emergency).....	3,099,000	1,360,000	3,299,000	3,145,024	+1,785,024	-153,976
(contingent emergency)............................	---	---	17,500	---	---	-17,500
Rescission (emergency)............................	---	---	---	-15,000	-15,000	-15,000
DEPARTMENT OF THE INTERIOR						
Bureau of Reclamation						
Water and Related Resources (emergency)..............	---	---	---	9,000	+9,000	+9,000
Total, Chapter 3................................	3,694,300	1,460,000	4,001,500	3,694,924	+2,234,924	-306,576
CHAPTER 4						
DEPARTMENT OF HOMELAND SECURITY						
Office of Inspector General						
Salaries and expenses (emergency)....................	13,500	13,500	---	2,000	-11,500	+2,000
Customs and Border Protection						
Salaries and expenses (emergency)....................	---	12,900	12,900	12,900	---	---
Construction (emergency).............................	16,000	4,800	4,800	4,800	---	---
Subtotal..	16,000	17,700	17,700	17,700	---	---
United States Coast Guard						
Operating Expenses (emergency).......................	7,350	14,300	90,571	88,970	+74,670	-1,601
Acquisition, Construction, & Improvements (emergency).	62,160	80,755	191,844	191,730	+110,975	-114
Subtotal..	69,510	95,055	282,415	280,700	+185,645	-1,715
Federal Emergency Management Agency						
Administrative and Regional Operations (emergency)....	70,000	70,000	71,800	71,800	+1,800	---
Preparedness, Mitigation, Response and Recovery (emergency)...	5,000	10,000	10,000	10,000	---	---
Disaster Relief (emergency)..........................	7,165,700	9,548,000	10,400,000	6,000,000	-3,548,000	-4,400,000
Transfer to Disaster Assistance Direct Loan Program (emergency)............................	---	(-150,000)	(-38,000)	---	(+150,000)	(+38,000)
Transfer from SBA Disaster Loans Program Account (emergency)......................................	---	(712,000)	(712,000)	---	(-712,000)	(-712,000)
Disaster Assistance Direct Loan Program Account:						
Cost of direct loans (emergency).................	300,000	150,000	300,000	278,800	+128,800	-21,200
Administrative expenses (emergency)..............	1,000	1,000	1,000	1,000	---	---
Transfer from Disaster Relief Fund (emergency)....	---	(150,000)	---	---	(-150,000)	---

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Subtotal, FEMA	7,541,700	9,779,000	10,782,800	6,361,600	-3,417,400	-4,421,200
Total, Chapter 4	7,640,710	9,905,255	11,082,915	6,662,000	-3,243,255	-4,420,915
CHAPTER 5						
DEPARTMENT OF THE INTERIOR						
United States Fish and Wildlife Service						
Construction (emergency)	132,400	132,400	132,400	132,400	---	---
National Park Service						
Historic Preservation Fund (emergency)	3,000	3,000	83,000	43,000	+40,000	-40,000
Construction (emergency)	55,400	55,400	55,400	55,400	---	---
Subtotal	58,400	58,400	138,400	98,400	+40,000	-40,000
United States Geological Survey						
Surveys, Investigations, and Research (emergency)	10,200	10,200	10,200	10,200	---	---
Mineral Management Service						
Royalty and Offshore Minerals Management (emergency)	15,000	15,000	15,000	15,000	---	---
Subtotal	216,000	216,000	296,000	256,000	+40,000	-40,000
ENVIRONMENTAL PROTECTION AGENCY						
Environmental Programs and Management (emergency)	6,000	6,000	6,000	6,000	---	---
Leaking Underground Storage Tank Program (emergency)	7,000	7,000	7,000	7,000	---	---
Subtotal	13,000	13,000	13,000	13,000	---	---
DEPARTMENT OF AGRICULTURE						
Forest Service						
National Forest System (emergency)	---	20,000	50,000	20,000	---	-30,000
Total, Chapter 5	229,000	249,000	359,000	289,000	+40,000	-70,000
CHAPTER 6						
DEPARTMENT OF LABOR						
Training and Employment Services (emergency)	---	---	32,500	16,000	+16,000	-16,500
Office of Inspector General (emergency)	---	---	2,000	---	---	-2,000
Subtotal	---	---	34,500	16,000	+16,000	-18,500
DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Health Resources and Services Administration						
Community Health Centers (emergency)	---	---	6,000	4,000	+4,000	-2,000
Centers For Disease Control and Prevention						
Disease Control, Research, and Training (emergency)	---	---	20,000	8,000	+8,000	-12,000
Office of the Secretary						
Office of Inspector General (emergency)	---	---	2,670	---	---	-2,670
Subtotal	---	---	28,670	12,000	+12,000	-16,670
DEPARTMENT OF EDUCATION						
Departmental Management						
Office of Inspector General (emergency)	---	---	1,500	---	---	-1,500
Hurricane Education Recovery (emergency)	---	---	880,000	285,000	+285,000	-595,000
Subtotal	---	---	881,500	285,000	+285,000	-596,500

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs House	Conference vs. Senate
Corporation for National and Community Service						
National Civilian Community Corps (emergency).........	---	---	20,000	10,000	+10,000	-10,000
RELATED AGENCIES						
Office of Inspector General (emergency)...............	---	---	277	---	---	-277
Social Security Admin (by transfer) (emergency).......	---	---	(38,000)	---	---	(-38,000)
GENERAL PROVISIONS						
Sec. 2601 Historically Black Colleges and Universities Capital Financing Program (emergency)...............	---	---	15,000	15,000	+15,000	---
Total, Chapter 6..............................	---	---	979,947	338,000	+338,000	-641,947
CHAPTER 7						
DEPARTMENT OF DEFENSE						
Military Construction						
Military Construction, Navy and Marine Corps (emergency)...	53,430	44,770	44,770	44,770	---	---
Military Construction, Air Force (emergency)..........	111,240	97,300	103,500	97,300	---	-6,200
Military Construction, Army National Guard (emergency)	210,071	67,800	210,071	330,071	+262,271	+120,000
Rescission (emergency)............................	---	---	---	-120,000	-120,000	-120,000
Military Construction, Air National Guard (emergency).	5,800	5,800	5,800	5,800	---	---
Military Construction, Navy Reserve (emergency).......	24,270	24,270	24,270	24,270	---	---
Rescission (emergency)............................	---	-49,530	-49,530	-49,530	---	---
Subtotal......................................	404,811	190,410	338,881	332,681	+142,271	-6,200
DEPARTMENT OF VETERANS AFFAIRS						
Departmental Administration						
Construction, Major Projects (emergency)..............	600,000	550,000	623,000	585,919	+35,919	-37,081
Transfer to Medical Services (emergency)..........	---	(-275,000)	---	---	(+275,000)	---
Subtotal......................................	600,000	550,000	623,000	585,919	+35,919	-37,081
RELATED AGENCIES						
OTHER DEFENSE - CIVIL PROGRAMS						
Armed Forces Retirement Home (emergency)..............	---	---	176,000	176,000	+176,000	---
Armed Forces Retirement Home (unobligated balances)...	(75,700)	---	(64,700)	(64,700)	(+64,700)	---
General Provisions						
Sec. 2802 Veterans Health Administration - Medical Services (rescission) (emergency).................	---	---	-198,265	-198,265	-198,265	---
Sec. 2802 Veterans Health Administration - Medical Services (emergency)................................	---	---	198,265	198,265	+198,265	---
Medical Services (emergency)..........................	(122,000)	---	---	---	---	---
Transfer from Construction, Major Projects (emerg)	---	(275,000)	---	---	(-275,000)	---
Subtotal......................................	---	---	---	---	---	---
Total, Chapter 7..............................	1,004,811	740,410	1,137,881	1,094,600	+354,190	-43,281
CHAPTER 8						
DEPARTMENT OF JUSTICE						
Office of Inspector General						
Salaries and expenses (emergency).....................	---	---	500	---	---	-500
Legal Activities						
General legal activities: Salaries & expenses (emerg)	---	2,000	3.200	2,000	---	-1,200
United States Attorneys						
Salaries and expenses (emergency).....................	9.700	5.000	6.500	6,500	+1,500	---
Office of Justice Programs						
State and Local Law Enforcement Assistance (emergency)	---	---	10,000	---	---	-10,000

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Subtotal	9,700	7,000	20,200	8,500	+1,500	-11,700
DEPARTMENT OF COMMERCE						
National Oceanic and Atmospheric Administration						
Operations, Research, and Facilities (emergency)	21,000	---	1,135,000	118,000	+118,000	-1,017,000
(By transfer) (emergency)	---	---	(38,000)	(38,000)	(+38,000)	---
Procurement, Acquisition and Construction (emergency)	11,800	11,800	32,000	32,000	+20,200	---
Subtotal	32,800	11,800	1,167,000	150,000	+138,200	-1,017,000
SCIENCE						
NATIONAL AERONAUTICS AND SPACE ADMINISTRATION						
Exploration capabilities (emergency)	---	30,000	35,000	35,000	+5,000	---
RELATED AGENCY						
SMALL BUSINESS ADMINISTRATION						
Salaries and expenses by transfer from Disaster Loan Program Account (emergency)	(90,000)	(190,000)	(190,000)	(190,000)	---	---
Disaster Loans Program Account (emergency)	1,254,000	1,254,000	1,254,000	542,000	-712,000	-712,000
Transfer to FEMA (emergency)	---	(-712,000)	(-712,000)	---	(+712,000)	(+712,000)
Transfer to SBA salaries and expenses (emergency)	(-90,000)	(-190,000)	(-190,000)	(-190,000)	---	---
Total, Chapter 8	1,296,500	1,302,800	2,476,200	735,500	-587,300	-1,740,700
CHAPTER 9						
DEPARTMENT OF TRANSPORTATION						
Federal Highway Administration						
Emergency Highway Assistance (emergency)	---	---	594,000	702,363	+702,363	+108,363
Resccission of contract authority (Highway Trust Fund)	---	---	---	-702,363	-702,363	-702,363
Federal Transit Administration						
Emergency Assistance for Public Transportation (emergency)	---	---	200,000	---	---	-200,000
Federal Rail Administration						
Capital Grants for Rail Line Relocation Projects (emergency)	---	---	700,000	---	---	-700,000
DEPARTMENT OF THE HOUSING AND URBAN DEVELOPMENT						
Public and Indian Housing						
Tenant-Based Rental Assistance (emergency)	202,000	---	202,000	---	---	-202,000
Community Planning and Development						
Community Development Fund (emergency)	4,200,000	4,200,000	5,200,000	5,200,000	+1,000,000	---
Transfer to OIG and Salaries and Expenses (emerg).	---	(-15,000)	(-12,000)	(-27,000)	(-12,000)	(-15,000)
By transfer, OIG and Salaries and Expenses (emergency)	---	(15,000)	(12,000)	(27,000)	(+12,000)	(+15,000)
INDEPENDENT AGENCY						
Election Assistance Commission						
Election assistance (emergency)	---	---	30,000	---	---	-30,000
GENERAL SERVICES ADMINISTRATION						
Federal Buildings Fund (emergency)	37,000	37,000	37,000	37,000	---	---
Total, Chapter 9	4,439,000	4,237,000	6,963,000	5,237,000	+1,000,000	-1,726,000
Total, Title II	19,763,914	19,106,058	28,855,362	19,338,343	+232,285	-9,517,019
Emergency appropriations	(19,763,914)	(19,155,588)	(29,040,957)	(20,420,301)	(+1,264,713)	(-8,620,656)
Contingent emergency appropriations	---	---	(62,200)	(3,200)	(+3,200)	(-59,000)
Rescission of emergency funding	---	(-49,530)	(-247,795)	(-382,795)	(-333,265)	(-135,000)
Rescission of contract authority	---	---	---	(-702,363)	(-702,363)	(-702,363)

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
By transfer (emergency)	(90,000)	(1,342,000)	(990,000)	(255,000)	(-1,087,000)	(-735,000)
TITLE III - EMERGENCY AGRICULTURAL DISASTER						
DEPARTMENT OF AGRICULTURE						
Corporations						
Commodity Credit Corporation Fund:						
Emergency Agricultural Disaster- FY2006 (emergency)	---	---	3,944,000	409,000	+409,000	-3,535,000
(FY 2007 and future years)	---	---	---	91,000	+91,000	+91,000
Total, Title III	---	---	3,944,000	500,000	+500,000	-3,444,000
Appropriations, FY 2006	---	---	(3,944,000)	(409,000)	(+409,000)	(-3,535,000)
Appropriations, FY 2007 and future years	---	---	---	(91,000)	(+91,000)	(+91,000)
TITLE _ - DROUGHT EMERGENCY ASSISTANCE						
CORPS OF ENGINEERS - CIVIL						
Flood Control and Coastal Emergencies (emergency)	---	---	5,000	---	---	-5,000
DEPARTMENT OF THE INTERIOR						
Water and Related Resources (emergency)	---	---	7,500	---	---	-7,500
Total, Title _	---	---	12,500	---	---	-12,500
TITLE _ - PORT SECURITY ENHANCEMENTS						
DEPARTMENT OF HOMELAND SECURITY						
Customs and Border Protection						
Salaries and expenses	---	---	266,050	---	---	-266,050
United States Coast Guard						
Operating expenses	---	---	23,000	---	---	-23,000
Office For Domestic Preparedness						
State and Local Programs / (Port Security Grants)	---	---	227,000	---	---	-227,000
Science and Technology						
Research, Development, Acquisition, and Operations / (Domestic Nuclear Detection Office)	---	---	132,000	---	---	-132,000
Total, Title _	---	---	648,050	---	---	-648,050
TITLE IV - PANDEMIC INFLUENZA PREPAREDNESS						
DEPARTMENT OF HEALTH AND HUMAN SERVICES						
Office of the Secretary						
Public Health Social Services Emergency Fund (emergency)	---	---	2,300,000	2,300,000	+2,300,000	---
General Provisions						
Sec. 6001: Public Health and Social Services Emergency Fund (vaccine injury compensation) (emergency)	---	---	289,000	---	---	-289,000
Total, Title IV	---	---	2,589,000	2,300,000	+2,300,000	-289,000

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
TITLE V - BORDER SECURITY						
DEPARTMENT OF DEFENSE - MILITARY						
Operations and Maintenance, Defense-wide.............	756,000	---	---	708,000	+708,000	+708,000
DEPARTMENT OF HOMELAND SECURITY						
Office of the Secretary and Executive Management (emergency).......	---	---	2.000	---	---	-2,000
Office of the Chief Information Officer (emergency)...	---	---	50,000	---	---	-50,000
United States Visitor and Immigrant status Indicator technology (emergency).............................	---	---	60,000	---	---	-60,000
Customs and Border Protection						
Salaries and expenses (emergency)....................	410,000	---	180,000	410,000	+410,000	+230,000
Air and Marine Interdiction, Operations, Maintenance and Procurement (emergency).........................	95,000	---	790,000	95,000	+95,000	-695,000
Construction (emergency).............................	300.000	---	120.000	300.000	+300,000	+180.000
Immigration and Customs Enforcement						
Salaries and expenses (emergency)....................	327,000	---	80.000	327,000	+327,000	+247,000
United States Coast Guard						
Acquisition, Construction, and Improvements, and Acquisition, Construction,and Improvements (emergency)	---	---	600.000	---	---	-600,000
Federal Law Enforcement Training Center						
Related Expenses (emergency).........................	25,000	---	18.000	25.000	+25,000	+7,000
Preparedness						
State and Local Programs (emergency).................	15,000	---	---	15.000	+15,000	+15,000
Total, Department of Homeland Security..........	1,172,000	---	1,900,000	1,172,000	+1,172,000	-728,000
DEPARTMENT OF JUSTICE						
General Administration						
Salaries and expenses (emergency)....................	9,000	---	---	---	---	---
Administrative review and appeals (emergency).........	---	---	---	9.000	+9,000	+9,000
Legal Activities						
Salaries and expenses, General Legal Activities(emerg)	9,000	---	---	9.000	+9,000	+9,000
Salaries and expenses, US Attorneys (emergency).......	2.000	---	---	2.000	+2,000	+2,000
Total, Title V..................................	1,948,000	---	1,900,000	1,900,000	+1,900,000	---
TITLE VI						
LEGISLATIVE BRANCH						
ARCHITECT OF THE CAPITOL						
Capitol Power Plant (emergency).......................	---	---	27,600	27.600	+27,600	---
TITLE VII - GENERAL PROVISIONS AND TECHNICAL CORRECTIONS						
Sec. 7004:						
Immigration and Customs Enforcement, Automation modernization (rescission).......................	---	-43,620	---	-20,000	+23,620	-20,000
U.S. Secret Service salaries and expenses.........	---	43,620	---	20,000	-23,620	+20,000
Sec. 7005:						
Office of the Secretary and Executive Management......................................	---	---	3,960	3,960	+3,960	---
Office of Screening Coordination and Operations (rescission).........................	---	---	-3,960	-3,960	-3,960	---
Sec. 9015: US Geological Survey, Dam Assessments (emergency)..	---	---	500	---	---	-500

Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
Sec. 3009: Deficit Reduction Act (P.L. 109-171) (NA) (low income home energy assistance) (emergency).....	---	750,000	---	---	-750,000	---
Sec. 7008: Mine Safety - Department of Labor (emergency)..	---	---	25,600	25,600	+25,600	---
Sec. 7010: Mine Safety - CDC (emergency)..............	---	---	10,000	10,000	+10,000	---
Sec. 7038: EPA, Environmental programs and management (emergency)...............................	---	---	1,000	---	---	-1,000
Sec. 9040: Highway Contract Authority.................	---	---	12,500	---	---	-12,500
Sec. 9040: Highway Contract Authoriy (rescission).....	---	---	-50,000	---	---	+50,000
Sec. 8001: NOAA program limitation....................	---	---	-15,000	---	---	+15,000
	=============	=============	=============	=============	=============	=============
Total, Title VII................................	---	750,000	-15,400	35,600	-714,400	+51,000
Appropriations..............................	---	(43,620)	(3,960)	(23,960)	(-19,660)	(+20,000)
Rescission..................................	---	(-43,620)	(-3,960)	(-23,960)	(+19,660)	(-20,000)
Emergency appropriations....................	---	(750,000)	(22,100)	(35,600)	(-714,400)	(+13,500)
Transfer out (emergency)......................	(-90,000)	(-1,342,000)	(-990,000)	(-255,000)	(+1,087,000)	(+735,000)
By transfer (emergency).......................	(90,000)	(1,342,000)	(990,000)	(255,000)	(-1,087,000)	(-735,000)
	=============	=============	=============	=============	=============	=============
Grand total.....................................	92,220,585	91,947,581	108,897,907	94,520,554	+2,572,973	-14,377,353
Appropriations, FY 2006..........................	---	(43,620)	(652,010)	(23,960)	(-19,660)	(-628,050)
Appropriations, FY 2007 and future years....	---	---	---	(91,000)	(+91,000)	(+91,000)
Contract Authority..........................	---	---	(12,500)	---	---	(-12,500)
Rescission of contract authority............	---	---	(-50,000)	(-702,363)	(-702,363)	(-652,363)
Emergency appropriations....................	(92,259,985)	(92,014,111)	(108,163,152)	(95,674,912)	(+3,660,801)	(-12,488,240)
Contingent emergency appropriations	---	---	(492,200)	(3,200)	(+3,200)	(-489,000)
Rescission..................................	---	(-43,620)	(-64,160)	(-140,960)	(-97,340)	(-76,800)
Rescission of emergency appropriations......	(-39,400)	(-66,530)	(-307,795)	(-429,195)	(-362,665)	(-121,400)
(Transfer authority, emergency)...............	(5,747,700)	(2,000,000)	(2,739,700)	(3,464,700)	(+1,464,700)	(+725,000)
(By transfer emergency).......................	(215,100)	(1,417,020)	(1,075,080)	(348,080)	(-1,068,940)	(-727,000)
(Transfer out emergency)......................	(-215,100)	(-1,417,020)	(-1,075,080)	(-348,080)	(+1,068,940)	(+727,000)
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Emergency Supplemental Appropriations (H.R. 4939)
(Amounts in thousands)

	Request	House	Senate	Conference Agreement	Conference vs. House	Conference vs. Senate
SCOREKEEPING ADJUSTMENTS						
Amounts in this bill	92,220,585	91,947,581	108,897,907	94,520,554	+2,572,973	-14,377,353
Amounts appropriated for future years	---	---	---	-91,000	-91,000	-91,000
Total, Amounts appropriated in FY 2006	92,220,585	91,947,581	108,897,907	94,429,554	+2,481,973	-14,468,353
Scorekeeping adjustments:						
Appropriations, future years	---	---	---	-91,000	-91,000	-91,000
Emergency appropriations	-92,259,985	-92,014,111	-108,163,152	-95,674,912	-3,660,801	+12,488,240
Contingent emergency appropriations	---	---	-492,200	-3,200	-3,200	+489,000
Rescission of emergency appropriations	39,400	66,530	307,795	429,195	+362,665	+121,400
Total Scorekeeping adjustments	-92,220,585	-91,947,581	-108,347,557	-95,339,917	-3,392,336	+13,007,640
Total (including adjustments)	---	---	550,350	-819,363	-819,363	-1,369,713
RECAP BY FUNCTION						
General Purpose Discretionary:						
Defense	68,659,373	69,226,944	67,678,813	68,222,894	-1,004,050	+544,081
International Affairs	4,228,790	4,062,790	8,391,790	4,755,325	+692,535	-3,636,465
Non defense	19,332,422	18,657,847	32,827,304	21,542,335	+2,884,488	-11,284,969
Total discretionary	92,220,585	91,947,581	108,897,907	94,520,554	+2,572,973	-14,377,353

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentleman for yielding and for his very strong leadership on so many issues.

Once again, Mr. Speaker, the Republicans have abused their power. The House and Senate voted to not have an open-ended commitment in Iraq by unanimously passing the Lee-Allen amendment to not allow funding to enter into formal military basing rights.

By eliminating this amendment from this conference report, the Congress and the administration are admitting that they have no intentions of ever bringing our troops home. If there are no plans for a permanent military presence, as the President and the Defense Secretary have repeatedly declared, then why in the world did the Republican leadership strike this provision?

Once again, democracy has been thwarted. The majority of Americans and Iraqis do not want permanent military bases in Iraq. By the end of the year, this war will have cost over $350 billion and climbing.

By eliminating this provision, once again, we have given the administration a blank check to stay in Iraq permanently.

Mr. Speaker, our amendment sent a strong signal that the United States has no designs on Iraq permanently. Removing it behind closed doors says just the opposite. Once again, this administration is misleading the American people. This abuse of power must stop. The House, the Senate, both bodies voted for this amendment. How in the world could it be taken out when the majority of Americans do not want to see a permanent presence in Iraq? It is time to get real about this war, and it is time to ask the hard questions with regard to what our long-term intentions are, and I believe that this would have said just that. I think the American people deserve to know what our long-term plans are.

Mr. LEWIS of California. Mr. Speaker, I am very pleased and proud to yield 5 minutes to the chairman of the Subcommittee on National Security, my permanent chairman of the Appropriations Committee, the gentleman from Florida, BILL YOUNG.

Mr. YOUNG of Florida. Mr. Speaker, I am going to be very brief here and suggest that the chairman has already specified some of the details of the defense part of this bill.

Mr. Speaker, I want to say that it is long past time for the Congress to have completed action on this legislation. The global war on terror is going on every day. It is costing considerable money every day.

I want to remind the Members that the House passed our version of this supplemental emergency supplemental on March 16, 3 months ago. It is high time that we got to conference with the other body and concluded this work.

The defense part of this package is basically what the House adopted 12 weeks ago. So I think it is a good product, and I hope that the Members will find it acceptable and get us a nice, substantial vote.

Mr. Speaker, the conference agreement on the programs under the jurisdiction of the Defense Subcommittee for the global war on terror totals $65.792 billion, which is $1.765 billion below the House-passed level and $103.9 million above the President's request.

The conference agreement provides $708 million for the National Guard's border security support to the Department of Homeland Security.

As the House is aware, the President amended his original supplemental budget submission in order to fund border security activities. This resulted in a cut of almost $1.9 billion in Defense spending for the global war on terror. I sincerely regret that decision. However, the conferees were left with little choice but to reduce the House-passed level in order to accommodate the President's request.

Despite this reduction, we have still been able to meet the urgent needs of our Armed Forces, including:

$805 million to ensure that Army tracked combat vehicles such as Abrams tanks and Bradley fighting vehicles will be upgraded for the units that will be rotating into Iraq in the next year, including $230 million for the Abrams Tank Integrated Management, or AIM program, to support fielding of National Guard brigade combat teams;

$230 million for 3 V–22 aircraft and $126.6 million for 2 KC–130J tanker aircraft, both for the Marine Corps;

$2.577 billion in additional equipment for the Marine Corps, based on an assessment of their most pressing shortfalls;

$227.5 million in advance procurement for seven C–17 aircraft, a down payment on maintaining production of this aircraft in fiscal year 2008;

A total of $37.9 billion in operation and maintenance funding for all the services, in order to maintain war operations in Iraq and Afghanistan; and

Almost $2 billion to procure and develop equipment to counter Improvised Explosive Devices, or IEDs.

Let me also indicate for the record that the statement of the managers incorrectly identifies the dollar level for the Tactical Unmanned Aerial System program under the account, Other Procurement, Army. The correct amount is $150,200,000, not $50,200,000 as specified in the statement of the managers.

Regarding the provision in the Senate bill on Gulf shipyards, we've dropped all the Senate language that would have abrogated existing shipbuilding contracts and that would have required the Federal Government to pay business interruption costs that should properly be covered by private insurance companies. Instead we've provided funding to improve the infrastructure of all Gulf Coast shipyards that have Navy contracts and were affected by Hurricane Katrina. This will assist those yards in recovering from the effects of the Hurricane, and lead to efficiencies in shipbuilding that will help the companies, the shipyard workers, the Navy, and ultimately the taxpayer.

Mr. Speaker, it is far past time the Congress completed action on this legislation. The services need funding immediately, and I urge adoption of the conference report in the House and swift action in the other body.

Mr. OBEY. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, a few months ago this House passed a bill to get tough with illegal immigration. It stiffened sanctions, it increased penalties, and it promulgated a new get-tough approach to illegal immigration.

It lacked, however, one essential, the resources to carry out this new step-up in enforcement that it proposed. The bill took steps to open up the door to State and local law enforcement so that you could have local sheriffs and local law enforcement personnel more involved in criminal alien assistance, but it still left the program proposed woefully underfunded.

Some years ago I called Atlanta, the regional office of the INS, to report what I thought was a serious immigration violation and to ask for an investigation. I was told there were only two investigatory agents in all of South Carolina, and they had to be used for criminal matters, for really serious deportations.

The supplemental that came through this House in March, was passed on March 16 and then went to the Senate, offered a golden opportunity to do something about that shortcoming. The Senate, for its part, seized that opportunity, beefed up enforcement and helped bolt down our borders far better than they are now. The Senate seized the opportunity. Senator GREGG offered an amendment. When the bill was finally finished in the Senate, it added $2.548 billion for border security and for port security in this country, both of which are woefully underresourced at the present time.

The bill, as I said, included $1.9 billion of the $2.5 billion for sealing off and securing our borders far better than they are now. The Bush administration then proposed an additional amendment of $1.9 billion, but insisted that it supplant, not supplement but supplant, the proposal that Senator GREGG had passed by a substantial margin on the Senate floor.

Now, what is in the Bush package we don't oppose. We have, in fact, been proposing more detention beds and more border security agents and more effort there for some time now. So we don't oppose that $1.9 billion. But look at what Senator GREGG put in the bill, which was not pulled out of thin air, basic meat and potatoes, practical requirements that are needed if we are really going to bolt down our borders.

The P3 fleet, which serves as our border security's primary air surveillance, is 40 years old. That is a Lockheed Electra platform, an old turboprop plane, 20 years beyond the average life of even this type of plane.

Two months ago the entire fleet was grounded due to a safety issue uncovered during a routine inspection. Senator GREGG would have put money here, and emphatically we believe it should be put here. Outdated vehicles, this is a harsh environment, this is a border, roadless terrain that vehicles have to travel. There are nearly 1,700 vehicles, virtually unusable due to the wear and tear of the desert, extreme environments and high use. Senator GREGG's amendment would have put money there.

Lack of sufficient patrol aircraft. We currently detect three out of every 10 boats carrying smugglers. Of the boats detected by patrol aircraft, 75 percent are stopped, apprehended. More aircraft obviously are needed to act on actionable intelligence regarding human and drug smuggling activities.

Finally, armed helicopters. You want to get tough? Only nine out of 150 helicopters are armed, allowing human and drug traffickers to cross our maritime border virtually unimpeded. Armed helicopters could stop 100 percent of the illegal smugglers whom they encounter.

This is what is lacking and missing in this bill. It was there, taken out in conference. As a result, this bill leaves security gaps, serious gaps in our national security and our national borders and ports underfunded. This is a real deficiency and a missed opportunity that unfortunately this conference report did not seize.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, I strongly support this measure, not only because it provides important support for our troops overseas, but dramatically accelerates the security of our border here in America.

As importantly, because of the leadership of Chairman LEWIS, because of the leadership here in the House, this bill also includes critical help for people and families and communities in east and southeast Texas devastated by Hurricane Rita. This measure provides much needed help to fund the Katrina students who are in our schools, provides much needed help to reimburse our local governments at the same rate as Louisiana, which will save our taxpayers and our smaller counties tens of millions of very important dollars.

Finally, it provides help to rebuild the homes and roofs and communities in south and east Texas devastated by Rita. Most people don't know, we had almost 75,000 homes damaged or destroyed. Many of them have temporary roofs today. Ten percent of our evacuees have not yet returned due to Hurricane Rita.

Thanks to the leadership of Chairman LEWIS, and subcommittee chairs, Mr. KNOLLENBERG, Mr. ROGERS and Mr. YOUNG, of the support of people like my colleagues in east Texas, Congressmen POE and GOHMERT, freshman legislators who have done a tremendous job representing their district, the House leadership and our Texas appropriators, thanks to all of them, our families and communities in east Texas are going to get the help that they sorely need, truly deserve, and we are all very grateful. Again, on behalf of the families and residents of east Texas, I want to thank our appropriations leaders for their help. This is good news this day for east Texas and southeast Texas.

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Mr. OBEY. Mr. Speaker, if I can borrow this Republican mike, I yield 2 minutes to the distinguished gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I like that bipartisan approach. I thank the distinguished gentleman for yielding.

I represent another component of the disaster impact of Hurricane Katrina and Hurricane Rita, representing the city of Houston, and certainly, we can put on the record the increased funding will go a long way on what is a questionable issue, and that is, the framework that FEMA has in dealing with the aftermath of any disaster, the disaster recovery that continues on and on and that disaster recovery includes the ongoing impact and need for funding for Katrina and Rita survivors who are in the Houston area that are in our schools; the continuing need for funding for senior citizens who are living in the city of Houston who are now without ongoing funding for housing; the questionable elimination of employment benefits that was requested in terms of funding that was cut off just about a week or so ago, and then the reimbursement that is necessary.

So I rise today to acknowledge the hard work of the appropriators in particular on hurricane relief but also to raise the specter of concern that there are still cities who have not benefited with respect to the reimbursement; and in this instance, I would make the inquiry and the request that if this is an emergency supplemental, these funds are going to be disbursed, that we have an immediate response administratively by FEMA to be able to address the reimbursement requests that have already been made by cities such as Houston.

I am grateful that the collaborative work of the Harris County delegation, which included Members from Houston, worked on vast areas like southeast Texas; but I am making a request officially on this floor on behalf of the city of Houston and other cities who have yet to be reimbursed. Mr. Speaker, I would like to see these matters reimbursed.

I simply close by saying that I hope in the supplemental that we will find a way to increase the funding for border security, if necessary, for all of our States.

Mr. Speaker, I rise today to express, once again, my disappointment, and my chagrin, that we are sending forward a bill that so desperately lacks funding for our most urgent national needs.

I appreciate the difficult work that my colleagues have engaged in over the last few months. I acknowledge that at $94.5 billion, this is the largest supplemental appropriations measure ever considered by Congress. However, more than ever, this supplemental bill clearly communicates where our country's priorities are right now, and where they are not. Having just returned from Iraq and Afghanistan, I know our troops and returning veterans need our help, and we will help!

Seventy percent of the funding in this report is for military spending. I support our troops—however, I am disturbed that language that would prohibit permanent borders in Iraq was eliminated. This is outrageous.

This report appropriates $126 million to sustain the African Union peacekeeping missions and eventual transition to an international security force in western Sudan. The report also appropriates $24 million for migration and refugees assistance to respond to the humanitarian crisis for Sudan and Chad.

Conference report includes $1.9 billion for border security needs, 48 million less than requested. This includes $1.2 billion for the Department of Homeland Security and $708 million for the Defense Department for the costs of deploying 6000 National Guard troops to the border.

Appropriates $37.9 billion for activities related to military operations in Iraq and Afghanistan, $808 million LESS than the president's request. This total includes $3 billion to train and equip Iraqi security forces and $1.9 billion for Afghan personnel and the new Afghan Army. The total is roughly $1 million less than requested.

The agreement provides a total of $19.8 billion for hurricane relief and recovery, $6 billion of which is for FEMA. But I need to reaffirm the need for cities such as Houston to be timely reimbursed for expenditures used to help people in need.

The agreement provides $5.2 billion for the Housing and Urban Development Department's Community Development Block Grant program, with $4.2 billion dedicated to Louisiana, and another $1 billion available to other states on a pro-rated basis.

Instead of pulling from a healthy account, such as Defense, appropriators decided to pull money out of Veterans in order to help hurricane recovery. Veterans health was hit by a blow from a measure rescinding the $198 million in supplemental funds provided by the FY 2006 Defense Appropriations law and appropriates the funds instead to the VA Medical Services account for expenses related to hurricane recovery.

Among the provisions dropped from the report completely were measures providing for port security funding, slated by the Senate for $648 million, and House language that blocked the use of funds to prohibit registered and legal, but displaced, residents of the Gulf Coast region from the right to legally vote in any official designated election of the Gulf Coast region. We worked very hard for this lanaguage—this deletion slaps the Voter Rights Act in the face.

The Defense Department's current monthly expense for Iraq is around $8 billion, and $1 billion for Afghanistan. We should be budgeting these expenses, not supplementing them again and again.

I am pleased that so many of the needs of my neighbors in Houston are addressed, such as housing and hurricane recovery funding, but I am saddened by the story that the numbers depict. Someday, I want to say that the Emergency Supplemental bill support unexpected needs of the country in times of crisis, rather than a supplemental and overdue bill of items that should have been debated with the rest of the budget resolution.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I thank the gentleman.

Mass death on the installment plan, that is what this supplemental vote to keep our troops in Iraq is all about.

Today, Iraqi civilian casualties number well over 100,000. Iraqi civilian injuries could be over 1 million, but who is keeping track? Some act as though the Iraqis are not real people with real families, real hopes and real dreams and loves of their own.

We have lost nearly 2,500 of our own brave soldiers. Up to 48,000 troops have suffered physical or emotional injuries, which could scar them and their loved ones for life.

Nobel Prize-winning economist Joseph Steglitz says the war could cost $2 trillion; $2 trillion for war while the American people are told we do not have enough money for job creation, education, health care, and Social Security.

The administration went into Iraq without an exit strategy, not because they are incompetent, but because they have no intention of leaving.

We are spending hundreds of millions building permanent bases in Iraq. The administration recently announced deployment of no less than 50,000 troops far into the future. We are looking at a permanent occupation of Iraq.

And so a long cadence of lies has led to Abu Ghraib, Guantanamo and Haditha, soon to be replaced by more lies and more tragedies.

What can you say when you are watching your Nation descend sleep walking into something like the lower circles of hell in Dante's Inferno?

You can say stop it: enough blood is enough blood. You can say stop it: bring our troops home. You can say no to any more funds for this war and begin a period of truth and reconciliation about 9/11 and Iraq. Begin the healing of the soul of America.

The Bible says: "He who troubleth his own house shall inherit the wind." Our House has been troubled by this war based on lies. What will our inheritance be?

Mr. OBEY. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I intend to vote for this piece of legislation because I think we do need to distinguish between supporting our troops and supporting the war in Iraq. I continue to believe that the war in Iraq is the dumbest war since the War of 1812; but at the same time, we obviously want our troops to be as well-equipped as is humanly possible, and we hope that this bill will take a decent step in that direction.

Having said that, I want to make three points about my concerns about this bill. Number one, it continues a fiction that this war must be financed through "emergency spending." That is simply a gimmick that allows the entire cost of this war, some $450 billion by the time the defense bill, which is going to be considered by the Appropriations Committee tomorrow, is spent. By that time we will have spent $450 billion, and yet we continue to pretend that it is an unexpected contingency which means that it is handled outside of the normal limits of the budget. That does not fool anybody except the American people, unfortunately; and that is what it is designed to do, to mask the full costs of the war.

Secondly, it is outrageous, in my view, that this Congress eliminated both Senate provisions and the single House provision which made it clear that the Congress did not want in any way to allow the impression to continue to exist that we intend to have a permanent presence in Iraq. The fact is over 70 percent of Iraqis continue to believe, despite the protestations of the President and the Secretary of Defense, they continue to believe that America intends to have a long-term permanent presence in Iraq, and we need to disabuse them of that fact in order to take the target off the backs of our soldiers.

Thirdly, as the gentleman from South Carolina has indicated, we will have spent $450 billion on this war by the end of the year, and yet the Congress is refusing to spend an additional $2.5 billion to provide further strengthening and thickening of our efforts at border security and port security.

This bill has a significant increase in funds for personnel as far as border security is concerned; but it shortchanges the equipment, it shortchanges the aircraft, it shortchanges the facilities, it shortchanges the construction efforts, it shortchanges all of the nonpersonnel items that go into providing solid border security on both the northern and southern borders.

There is no excuse whatsoever for this Congress to be providing over $40 billion in tax cuts to people who make over $1 million a year, while refusing to spend adequate amounts of money to secure our borders both the north and the south.

I want to make one other point.

It infuriates me to hear the White House say we will do whatever is necessary to secure the borders of the United States at the same time that the President has consistently refused to support adequate appropriations to do just that.

And I want to tell, I want to close by telling a story that I have told many times because I think the American people need to know about it.

Right after 9/11, when this Capitol Hill was hit by anthrax, this committee was then chaired by the gentleman from Florida (Mr. YOUNG), and when we could not get into our offices, I called BILL and I said, BILL, as long as we cannot do anything useful in our office, why do we not consult each of the security agencies of our government to see what they think we need on an emergency basis to deal with homeland security problems. We talked to the CIA, the FBI, the CDC, the NSA, you name it; and we got from each of them their estimate of what we needed to provide immediately to beef up our homeland security, border security, and port security operations.

We then went down to the White House to talk to the President. The President came in. We were seated around the table. Before we could say a word, he said, well, I understand some of you want to spend more money than I do on homeland security. I just want you to know, if you appropriate $1 more than I have asked for, I will veto the bill. I have got time for four or five comments and I am out of here.

So Senator BYRD made clear what he thought of that attitude. Senator STEVENS pointed out to the President that we had already agreed that if there was any item on the list that the President did not want we would automatically strike it.

And then finally it came my turn to speak, and I said to the President, Mr. President, I have been coming down here for over 30 years. This is the first time any President has ever told me his mind was closed before the subject was even open, and I want you to know since you are being hard nosed on the subject, I am going to be too. I asked him four questions about Federal installations that we had been told by his own security people were gravely at risk of terrorist attack, their words not mine, and I asked the President if he had been briefed; if he had, I wanted to know what he had been told because I know what I had been told and it scared the dickens out of me. And to put it kindly, if he had been briefed, he gave no evidence thereof. I did not expect him to. He is a busy man, but I did expect him to have an open mind.

And we walked out of that room after the President said that, without listening to a single argument, he would veto any money we added for homeland security, and that has been the case ever since.

Each year, whatever strengthening we have had on the border, of ports has come at the insistence of the Congress of the United States, overcoming the objections of the President; and we have tried on both sides of the aisle from time to time, we have tried to add more money than the President asked for for border security and for port security.

This is just the latest chapter in the efforts of some Members of Congress to almost get a double hernia trying to do enough heavy lifting in order to get sufficient money into this budget so we do have a secure border on the south and a secure border on the north, and we still are a long way from being there.

So while I will vote for this bill, I regret very much that it is woefully short in terms of the funding that it needs to truly provide full security on either border. I hope this country does not some day pay a very high price for that, but I worry each day that it will.

With that, I would ask the gentleman if he has any more speakers. If not, I am prepared to yield back.

Mr. LEWIS of California. Mr. Speaker, I have no additional speakers. I would yield back as well except just to make a comment about your comment, and that is to say first and foremost, the gentleman made some very interesting comments that I have a good deal of empathy for, but beyond that, this bill would not be here in this timely fashion, in this form, in a bipartisan spirit if the gentleman had not been very, very cooperative in this effort, and I appreciate that.

Mr. JEFFERSON. Mr. Speaker, I rise in support of the latest supplemental appropriation for hurricane relief.

We cannot move forward with rebuilding our city unless we are sure that such a disaster cannot happen again. For this reason, we must ensure the integrity of our flood control and hurricane protection system, which so disastrously failed during Katrina last year. To date, the Corps of Engineers has been directly appropriated a total of $3.3 billion. This amount not only funds the reconstruction of flood control projects that were damaged by Hurricane Katrina, but also the restoration of these projects to their design specifications of Category Three protection, which had lapsed over the course of time. Over $500 million of this total will go to the construction of previously authorized new projects. The current supplemental provides $3.7 billion, which more than doubles the amount previously given to the Corps. This funding will help to ensure that the city is protected against future storms of Katrina's magnitude.

Our long-term goals for rebuilding and improving the community can only be achieved with significant support from the Federal government. The Community Development Block Grant program has been used with great success in the past when confronting disaster-stricken areas and has proven to be an invaluable tool for recovery. A total of $11.5 billion went to the five states impacted by last year's storms, of which Louisiana received $6.2 billion. The flexibility of this program provides our local government officials with the resources they need to aid businesses and provide services to residents. Over 220,000 homes were damaged as a result of this storm and are in continuing need for relief. In this bill, an additional $5.2 billion in overall CDBG funds is allocated. $4.3 billion tent to fund Louisiana's "Road Home" project enabling our citizens to return to their homes and begin rebuilding their lives. This funding is a welcome addition to the recovery efforts and will assist all those affected by the storms in a very real and profound manner.

This bill provides $285 million for hurricane-related education programs. Funding will focus on direct assistance to displaced elementary and secondary school students, a group that is perhaps the most helpless of all the hurricane's victims. Previously, $1.6 billion was provided in the last supplemental to aid the devastated educational system not only in New Orleans, but in I the entire Gulf South. The relocation of much our city's population into other areas has placed a strain on school systems across the country. This funding bolstered the school systems that were kind enough to take in large numbers of displaced students.

Department of Defense personnel, along with the Coast Guard and other Homeland Security agencies, performed much of the heroic search and rescue operations that saved the lives of thousands of citizens. Because of their sacrifices and hardships, and our appreciation for those actions, we are assuring that their needs will be met. DoD received $4.4 billion in previous supplemental appropriations, covering their storm-related activities as well as repairs to damaged facilities and equipment. This bill gives them an additional $1.5 billion to ensure the presence of the Armed Services in the Gulf South.

The medical community in New Orleans has been decimated by the effects of Hurricane Katrina. The capacity of hospitals in the city is down to less than a thousand beds, a reduction of over 75 percent from its capacity prior to the storm. Today's supplemental provides $550 million for a new VA Hospital in New Orleans. Not only will this assure that New Orleans remains a viable outlet for the health needs of veterans across the Gulf coast states, but it will also serve as a valuable training outlet in conjunction with the Tulane and LSD medical centers. Together with the $550 million previously allocated to the Social Services Block Grant program, the healthcare infrastructure of the city is well on its way back to full strength.

Mr. Speaker, the challenges we face in rebuilding our community demand a great deal of attention. This supplemental appropriation is a welcome addition to the recovery process and an indication that we in Congress are committed to helping those affected in New Orleans and in all other hurricane-affected areas.

But Mr. Speaker before I close I would be remiss if I did not remind my colleagues the challenges remaining after Katrina are still daunting. Moreover there is one aspect in terms of our recovery and rebuilding that has not been addressed fully by this Congress and that is healthcare in New Orleans. According to a recent issue of U.S. News & World Report, the New Orleans area is now home to one million people, just under the pre-Katrina population of 1.3 million. But the healthcare resources necessary to adequately serve that level of population have not returned: only half of the previous 4,000 hospital beds are available; there is no Level I trauma center; there are 34 nursing homes, down from 63; and 19 clinics, down from 90.

The area's only certified Level I trauma unit is still closed (the 35–bed, limited trauma unit opened recently cannot provide full Level I trauma services), and the number of staffed hospital beds in the City of New Orleans was estimated to be about 80 percent less in February 2006 than before Hurricane Katrina. Moreover, to date, many patients are still getting primary care and rudimentary emergency services provided in tents that have now been set up by Charity Hospital in an old department store.

Mr. Speaker we cannot allow for New Orleans's healthcare system to die-on-a-vine. For as the statement goes: "Justice delayed is Justice denied." Healthcare delayed is healthcare denied. Thus, Mr. Speaker I implore my colleagues on the relevant committees to hold hearings and investigate the problems we are facing. Furthermore, I ask that Congress consider one more legislative package that would focus solely on rebuilding our health care system and the associated social services.

Mr. BURTON of Indiana. Mr. Speaker, I rise to offer my strong support for the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery conference report. I especially want to thank Speaker HASTERT, Chairmen LEWIS and Chairman KOLBE for providing critically needed funding in this bill to help the Colombian Navy fight the war against drugs and global terrorism in our own hemisphere.

The bill provides monies to purchase one fully and properly equipped DC–3 Marine Patrol Aircraft (MPA) for maritime interdiction of drugs headed towards the United States. This DC–3 will be flown by the professional and proven Colombian Navy, and it will help better monitor and interdict drugs which are killing our kids and financially supporting internal terrorism in Colombia—often aimed at Americans—and violence along the Mexican border where an estimated 90 percent of the cocaine from Colombia is entering our country.

Unfortunately, because budget limitations are always a major factor in conference, the Conferees were unable to fund the two properly and fully equipped DC–3s added to the House passed War Supplemental on a strong 250 to 172 bi-partisan vote last March 30th. Two aircraft would have enabled the Colombia Navy to cover both their Pacific and Caribbean coasts.

One aircraft is infinitely better than no aircraft, but we know that one MPA is not enough since the drug traffickers move narcotics north to the USA both from the Pacific an Caribbean coasts. If we cover only one coast, they will just move their deadly trade to the other coast. We need two Marine Patrol Aircraft in the region and I appreciate the assurances we have received from both Appropriations and House leadership staff that the Fiscal Year 2007 foreign operations FMF monies for Colombia, in addition to the plus-up of the aid for the Colombian National Police helicopters, will also obligate the monies or the second MPA for the Colombian Navy. Again, I want to thank Speaker HASTERT, Chairman LEWIS and Chairman KOLBE for making this happen.

Two MPAs will get the job done on both the Eastern Pacific and Caribbean coasts and once in place, I am confident these aircraft will help indict these illicit drugs long before they reach the Mexican American border and the street of our communities.

I strongly urge my colleagues to vote in favor of the conference report.

Mrs. NAPOLITANO. Mr. Speaker, I rise today to express my disappointment that the Republican Leadership caved to political pressure and failed to protect critical mental health funds for treatment of our Veterans, as originally provided by the Senate in the emergency supplemental spending bill.

Although this supplemental bill will fund many important priorities, it also includes billions of dollars in wasteful spending while ignoring the very practical, immediate mental health needs of our veterans returning from service in Iraq and Afghanistan.

I commend my colleague, Senator AKAKA, for his leadership in amending the original House passed version to include an additional $430 million to the Department of Veterans Affairs (VA). The $430 million sum was specifically designed to supplement direct health care, mental health care, and transition services at the VA, but was misguidedly removed by conferees and is no longer present in this final conference report.

To assist our veterans in readjusting to civilian life, the amendment would have included $80 million for Vet Centers, a readjustment counseling service provided by the VA. Over the years, Vet Centers have provided services to a total of 118,811 Operation Iraqi Freedom/Operation Enduring Freedom veterans. So far this fiscal year, Vet Centers have provided services to 70,547 of these veterans. Unfortunately, this conference report virtually flat-lines the Vet Center budget.

The Senate amendment also included $168 million for the VA's comprehensive Mental Health Plan. This plan establishes a stronger network of primary and mental health care providers in order to better care for the over one third of our returning veterans who have experienced some sort of readjustment issue.

Finally, the Senate amendment provided $182 million for the shortfall in service at VA hospitals, where new veterans waiting for their first clinic appointment to be scheduled has doubled this year. Over the course of 2 years, the number of new enrollees waiting for veterans' health care has increased by over 400 percent.

Time after time, we have been told by mental health advocates that the VA's capacity is simply inadequate. Recent studies have shown that 35 percent of Iraq veterans have sought mental health services, with 19.1 percent of Iraq veterans and 11.3 percent of Afghanistan veterans reporting a mental health problem. We must be prepared for the VA to handle this demand.

Our returning men and women in uniform deserve adequate healthcare and transition assistance, which our country promised to them when they volunteered to serve, and is our duty as a nation to provide.

Mr. Speaker, this failure to provide comprehensive assistance for veterans' healthcare should be a wake-up call for those in support of our troops who cannot count on this Administration or the Republican leadership to look out for our veterans needs.

Mr. BURTON of Indiana. Mr. Speaker, I am very pleased to support the conference report on the Iraq/Afghanistan War. I welcome this chance to especially thank both Speaker HASTERT, along with Chairmen LEWIS and KOLBE for their strong support to also provide aid to the Colombian Navy to fight yet another war against drugs and global terrorism in our own hemisphere.

The bill provides monies to purchase one fully and properly equipped DC–3 Marine Patrol Aircraft (MPA) for maritime interdiction of drugs headed our way. This asset will be utilized by the professional and proven Colombian Navy. This asset will help better monitor and interdict drugs supporting the internal terrorism in Colombia often aimed at Americans, violence along the Mexican border where an estimated 90 percent of the cocaine from Colombia is entering our country, and in our communities.

While in the original House-passed war Supplemental we provided on a strong 250 to 172 bi-partisan vote last March 30th enough monies for at least two properly and fully equipped DC–3s for the MPA function for the Colombian Navy so that they could cover both their Pacific and Caribbean coasts, we know budget limitations became a major factor at the conference.

We also know that one MPA is not enough since the drug traffickers move narcotics north to the USA both from the Pacific and Caribbean coasts. If we cover only one coasts, they will just move their deadly trade to the other coast. We cannot let that happen. We need two Marine Patrol Aircraft.

However, we have assurances from both Appropriations and House leadership staffs that the FY '07 foreign operations FMF monies for Colombia in addition to the plus-up of the aid to the Colombian National Police helicopters, will also obligate the monies for the second MPA for the Colombian Navy. That is good enough for me.

This will get the job done to promptly fill the MPA gap on both the Eastern Pacific and Caribbean with two MPAs, and help get these illicit drugs long before they reach the Mexican border and our communities here at home.

I urge adoption of the conference report.

Mr. UDALL of Colorado. Mr. Speaker, I will vote for this defense supplemental without hesitation, but with a number of concerns.

As I've said in the past, I opposed the resolution authorizing the use of force in Iraq because I thought President Bush's decision to begin military action in Iraq was premature. I thought it would have been better to allow more time for other measures, including coercive inspections, to accomplish the goal of disarming Saddam Hussein. However, Congress—by adopting the resolution authorizing the use of force—left it to the President to decide if and when military action would begin.

But with our troops still in the field, actively engaged in operations that Congress has authorized, we have an obligation to fund those operations. I won't make our soldiers the victims of my regrets by failing to support this bill to provide them what they need to carry out those operations.

It's too bad the Republican leadership evidently didn't see the urgency in getting this funding to our troops to pay for key equipment and benefits. The president requested this funding back in February, but somehow the Republican leadership couldn't get it done until now. In the interim, the Army was forced to cut back on ordering spare parts and supplies and freeze civilian hires, among other constraints.

So I'm glad we're finally focusing on this legislation today, which includes funding for military operations in Iraq and Afghanistan, as well as funding to train and equip the military and police forces of those countries. I'm pleased that the conference report funds more up-armored Humvees, provides nearly $2 billion to procure and develop countermeasures to prevent improvised explosive device attacks on our troops in Iraq and Afghanistan, and funds the recently enhanced $100,000 death benefit for soldiers' families.

I'm also pleased that—more than 9 months after Hurricane Katrina struck—the conference report includes funding for levee improvements and for Community Development Block Grants for the Gulf Coast States. The report also includes important funding for pandemic flu preparedness and for border security.

I do have strong concerns about some things that are in this conference report and some things that were left out.

I am disappointed that it does not include the additional funds that the Senate approved for work to reduce the increased danger of severe wildfires in Colorado forests caused by prolonged drought and insect infestations.

After the Senate acted, I wrote the House conferees to point out that these factors have raised to emergency levels the risk to our communities. I noted that hazardous-fuel reduction projects can reduce that risk, and our State has hazardous fuels projects waiting to be implemented but lacking adequate funding to do so. Unfortunately, the conferees did not include in the conference report the Senate-passed increase to the National Forest System to reduce the risk of catastrophic fires and mitigate the effects of widespread insect infestation.

I am also disappointed that the conference report does not include language prohibiting permanent military bases in Iraq. The House-passed bill contained a provision that I supported—H. Amdt. 750—which would ensure that no funds in the bill would be used to enter into a base agreement with the government of Iraq. The Senate-passed bill also contained a similar amendment—S. Amdt. 3855—which would prohibit funds to establish permanent military bases in Iraq or to exercise control over the oil infrastructure or oil resources of Iraq.

But the conference report includes neither version of this language, which I find baffling, since the clear will of both bodies was expressed through the passage of these amendments. Policymakers and experts across the political spectrum agree that the U.S. should make clear that it does not seek a permanent military presence in Iraq. GEN. George Casey has testified that gradually lowering the visibility of U.S. troops will remove one of the elements fueling the insurgency. And Defense Secretary Donald Rumsfeld has testified that, "We have no desire to have our forces permanently in that country. We have no plans or no discussions under way to have permanent bases in that country." I believe that Congress should have joined the administration in affirming this principle to send a clear signal to the Iraqi people that we fully support their efforts to establish democracy and exercise sovereignty.

Finally, I believe the administration must begin to take responsibility for the full cost of the war in Iraq and consider these costs through the regular appropriations process. With the enactment of this supplemental, Defense Department spending for operations in Afghanistan and Iraq will reach $400 billion, with the majority of that provided for Iraq. Even though we are now more than 3 years into the conflict, virtually all of this money has been provided for Iraq as "emergency" funding and has not been offset. But there is no "emergency" here. So much of the costs are predictable. Instead, by funding this war through supplementals, the Bush administration avoids having to make tough choices—like raising taxes or making deep spending cuts. The American people deserve greater candor from the administration about both the predictable costs as well as the anticipated benefits of our undertakings in Iraq. I've attached a May editorial from the Rocky Mountain News that amplifies this point.

Nonetheless, as I said, I will vote for this bill without hesitation because its prompt passage is needed not just to support our men and women in uniform as they fight, but also to continue to lay the foundation for the harder mission of stabilizing Iraq.

[From the Rocky Mountain News, May 4, 2006]

A Crazy Way to Fund the Wars: Iraq Spending is No longer an 'Emergency'

A congressional emergency spending measure is meant to be a quick response to sudden, unexpected and generally one-time events, the Gulf Coast hurricanes being an excellent example. The emergency bills are handled outside the regular budget process and under much looser rules.

The wars in Iraq and Afghanistan, although obviously serious, hardly qualify as emergencies in the normal sense. Yet that is how the Bush administration and Congress insist on funding them, even though we're in our fifth year on one and fourth year on the other.

The result is that Congress has a poor grip on the wars' costs and how they fit in with other competing budget priorities. And the process has allowed Congress to avoid the question of how we are going to pay for those wars.

The Senate took advantage of the urgency of the latest emergency funding bill for Iraq, Afghanistan and hurricane relief to load it up with money for Hawaiian sugar growers, a Northrop Grumman shipyard, riverbank erosion in California and farm relief, among other largesse. A $92 billion bill is now around $108 billion.

The wars are not going away. The president himself has indicated we are likely to be in Iraq at least another 3½ years. Its annual cost has risen from $51 billion in 2003 to $102 billion this year, and the meter is running at about $9 billion a month. In a few weeks the total will surpass $320 billion, and Congress' analysts estimate that even if troop withdrawals begin this year, a best-case scenario, the costs of a phase-out in Iraq and Afghanistan will run an additional $371 billion.

As was done in previous wars, the expected cost of Iraq and Afghanistan should be submitted as part of the regular annual federal budget, and Congress should give it the regular line-by-line scrutiny it gives every other part of the budget. This might have prevented the squandering in Iraq of the vast sums meant for reconstruction.

Congressional researchers complain that the Pentagon has refused to give them data on current and cumulative cost obligations for the wars as well as one-year and five-year estimates. In the normal budget process, the Pentagon would have to provide those figures.

Incorporating war costs in the regular budget, Congress would no longer be able to compartmentalize, treating those expenditures as an aberration while going about business as usual elsewhere. Those expenditures are no aberration, and it's not business as usual.

Mr. BLUMENAUER. Mr. Speaker, it is a disservice to the American people that the toughest challenges to our Nation at home and abroad are not addressed in a straightforward manner.

More than 1,000 days after the war in Iraq began, we continue to fund it on an emergency basis deceiving the American taxpayer of the true cost of this war through a budgetary maneuver that simply pushes the enormous cost onto the next generation. It is no longer appropriate for Congress to approve this funding as an emergency. We must account for this through the normal budget process to ensure that taxpayer money is spent responsibly and with accountability.

As for our response to protecting Americans at home from disasters, 75 percent of the American public is at risk from one or more natural disasters, such as floods, fires, or earthquakes—yet the Federal Government continues to pour money into disaster-prone areas without any forward thinking plans. Instead of funding upfront mitigation, planning, and preparedness for disaster-prone communities, we spend even more money in emergency supplemental for things that we should know by now to expect. Our bizarre budget rules make it cheaper to appropriate billions after the fact than to invest millions in proven prevention programs.

This emergency supplemental demonstrates Congress's complacency in dealing with tough choices and avoids fiscal responsibility.

Mr. STARK. Mr. Speaker, when is enough, enough? I rise in opposition to H.R. 4939 because there is no limit to the amount of money Republicans are willing to spend on this counterproductive war in Iraq.

When the Bush administration beat the drums of war, it promised the American people that the total cost would be $50 billion. More than 3 years later, the price tag for the Iraqi civil war stands at more than $320 billion. Before the invasion, neoconservatives told us Iraq was an oil-rich country that could finance its own reconstruction. Yet this latest supplemental includes billions more for the "stabilization" of Iraq that could have instead gone to rebuild New Orleans.

The Vietnam war required only a single supplemental, after which it was financed through the regular budget process. But virtually all of this money for the war in Iraq has been provided in so-called "emergency" supplementals that do not require budgetary tradeoffs such as spending cuts or tax increases. As a result, every dollar spent in Iraq is a dollar of debt for our children and grandchildren.

For their money, future generations are getting a terrible return. Thanks to our seemingly open-ended occupation of Iraq, anti-American forces are growing stronger, not weaker. Despite parliamentary elections and limitless American aid for democracy building, Iraq is in the midst of a civil war. Though even the rubber stamp Republicans in Congress have shown a real interest in transferring authority to Iraqi security forces, their training proceeds at a snail's pace.

This emergency supplemental bill does provide badly needed funds for Katrina reconstruction. Particularly worthwhile is this legislation's support for levee improvements, the rebuilding of the Veterans Administration hospital in New Orleans, alternative housing for hurricane survivors, and community development block grants.

But the numbers speak for themselves. The bill provides more than three times more funding for defense-related expenditures than it does for Katrina-related aid. Because I cannot support additional spending for a war that has already claimed nearly 2,500 American servicemen and women and countless Iraqi citizens, I urge my colleagues to vote "no."

Mr. HOLT. Mr. Speaker, I rise today to oppose the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery Conference Report, H.R. 4939. This supplemental bill, totaling $94.5 billion, is the largest that the House of Representatives has ever considered. This is almost $3 billion more than the bill the House considered earlier this year.

As I have said repeatedly on the House floor, I strongly oppose using so-called "emergency supplementals" to fund nonemergency, clearly foreseeable expenditures. This bill provides $72 billion for continued military operations in Iraq and Afghanistan. The fact that our troops are on the ground in these dangerous places is not a surprise. They have been in Iraq for almost 3 years. Their needs are well known to everyone, except, it seems, the President and his budget staff. Every year, the President fails to budget for the cost of military operations, and every year he pretends that the war is an unforeseen "emergency."

Funding our soldiers this way is dangerous because it leaves them ill-equipped and subject to last minute actions like this by Congress. If, by contrast, we funded military operations through the normal budget process, funding decisions would be made in the open and with the appropriate scrutiny they deserve. It would also allow for long-term planning and more thoughtful budgeting. We have all read about the contracting waste and fraud that has occurred in Iraq. A number of no-bid and open-ended contracts have wasted billions of taxpayers' dollars. This waste probably has made a few crooked businessmen wealthy and done nothing to protect our troops or help build a more stable democracy in Iraq.

Lastly, and perhaps most importantly, I refuse to continue to fund a failed policy. I opposed this war because I did not think the President had made a convincing case for the existence of weapons of mass destruction in Iraq and I opposed his illegal doctrine of preemption. Since then I have only been heartbroken by the utter incompetence of the planning and execution. Our service members are doing outstanding work, and I salute their sacrifice. But the policymakers in Washington have let them down and put them in an impossible situation. As I said in a letter to Secretary Rice last September, it is time to begin bringing our soldiers home. Spending good money after bad on a failed policy puts our troops and our national security in even greater risk.

Let me talk for a moment about the other good portions of this bill which were attached by the majority in a cynical attempt to buy votes for the overall bill.

There is true emergency funding in this bill. But it is money for Sudan and the gulf coast, and the preparation for the avian flu, not Iraq. This bill contains $1.9 billion to meet the pressing border security needs that exist because the President has not made funding for border security a priority. Unfortunately, the bill contains $708 million to pay for the deployment of National Guard troops to the border. This is a bad idea that will further burden National Guard units across America at a time when they are stretched historically thin.

This bill also contains $19.8 billion to help ensure that we meet our commitments to rebuild and restore the gulf coast. As we begin another hurricane season, my prayers are for the safety of all Americans who live near the coast. Yet prayers alone will not prevent flooding and help towns recover from hurricane related destruction. A strong federal commitment is needed to ensure that we remain at the highest state of readiness possible and that we can respond to all hurricane related natural disasters.

Finally, this bill includes desperately needed funds for the Sudan. I am glad that this bill will provide $350 million in emergency humanitarian food assistance. There is additional funding for international disaster assistance and famine assistance, and $126 million to sustain the African Union Mission in Sudan peacekeeping forces.

I am sorry that these true emergency funds were attached to the foreseeable spending for the ongoing operations in Iraq. I have voted in the past for rebuilding the gulf coast and ending the genocide in Darfur, and I will continue to do so. But I will not fund a failed policy in Iraq that is jeopardizing our soldiers needlessly, stoking the insurgency, draining our national resources, and doing nothing to protect Americans from terrorism at home.

Mr. PAUL. Mr. Speaker, I rise in opposition to the Conference Report of the "Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006." This is the largest supplemental spending bill in the history of the United States—and all of this spending is off the books. All supplemental bills by definition are deemed "off-budget" and thus the dollars spent are not counted by the General Accounting Office when compiling annual deficit figures, nor are they included in annual budget figures. They thus obscure the true levels of spending and debt, and much of the "emergency" spending is not at all in response to any emergency.

When this bill was first before the House, I offered an amendment to redirect to Texas for Hurricane Rita recovery some $546 million from such non-emergency "emergency" items funded in this bill as the State Department "Democracy Fund," aid to foreign military forces, international broadcasting funds, and others. This spending was not in any way a response to legitimate emergencies and therefore I believed it would be better spent helping the Texas victims of Hurricane Rita. I also redirected some of this nonemergency spending to go toward our crippling deficit. Unfortunately this amendment was not allowed. Thus, recovery from true emergencies that have caused terrible destruction to the lives and property of American citizens is woefully underfunded while pork-barrel projects and wasteful foreign aid are funded most generously.

Mr. Speaker, our priorities in this are really backward. We need to look seriously at this incredible—unimaginable—level of spending. We are driving this country toward bankruptcy and it is bills like this that put us in the fast lane.

Mrs. LOWEY. Mr. Speaker, I rise in support of the FY2006 Emergency Supplemental Appropriations bill, which provides $2.325 billion for international assistance programs, $162 million above the House-passed level. The bill provides $1.485 billion for Iraq reconstruction and fully funds the administration's request for Afghanistan.

I am particularly pleased that the conference report provides $50 million above the President's requests for Sudan, Liberia and Jordan as well as $20 million for Haiti. I am also pleased that we were able to include an additional $25 million for refugee assistance and $25 million in disaster assistance above the request level.

In light of the escalating security costs in Iraq and Afghanistan, I regret that we were not able to fully fund the administration's request for operating expenses, but I am pleased that the conference report significantly increases funding above the House-passed level.

While the conference report fully funds the President's request for assistance to Afghanistan, $46 million in program funds for that country is not even a drop in the bucket. In light of the increasing violence and fragile political situation in Afghanistan, it is shameful that the administration failed to push for the $600 million that Ambassador Neumann indicated was necessary.

I applaud the funding in this bill for Sudan and for other humanitarian needs in Africa. However, I was disappointed that the administration did not seek robust funding for the fledgling democracy in Liberia and the critical transition in Haiti. The funding added by Congress—an additional $50 million for Liberia and $20 million for Haiti—will provide critical short-term support to meet refugee and humanitarian needs as well as help to stabilize these countries during the initial months of their transitions.

I regret that our conference allocation only allowed us to maintain half of the $100 million for Jordan that was passed by the Senate. Jordan has been a steadfast and important ally in the war on terror, as was clearly demonstrated by the assistance of Jordanian intelligence in the targeting of Abu Musab al-Zarqawi. It is a shame that arbitrary limits placed on this supplemental have prevented us from fully funding this priority country.

Finally, let me speak to the bulk of the funding in the Foreign Operations section of the bill, which is for activities in Iraq. I support the additional funding because I think we owe our men and women in uniform in Iraq every chance to enhance their safety and return home speedily. To this end, I am glad that the conference report includes at least $50 million for democracy and governance activities and $50 million for the Community Action Program. These programs are having a tremendous impact and are more cost effective than many of the investments we have made thus far.

However, I am dismayed that neither the House nor the Senate included placed these additional funds under the oversight mandate of the Special Inspector General for Iraq Reconstruction. By failing to include this language, the House and Senate majority sent a clear message to American taxpayers that while Congress expects them to bear the burden of reconstructing Iraq, we are not interested in taking every precaution necessary to ensure that their money is accountably and effectively spent.

With that, Mr. Speaker, I urge my colleagues to support the conference report.

Mr. CARDIN. Mr. Speaker, from the beginning, the Bush Administration's policy on Iraq has been based on distortions and misjudgments. Prior to the invasion, I fought to prevent this war. I parted with most members of Congress and cast a vote against the resolution authorizing the use of military force in Iraq. The President misled the American people into believing there was a link between Iraq and the terrorist attacks of September 11.

I understand the frustration and heartbreak that have led many Americans to conclude that it is now time for us to remove ourselves from this misguided quagmire and bring our troops home. That is why I have called on the President to change course. America simply cannot continue indefinitely to pay the high costs in both lives and dollars to stay on the same failed course in Iraq.

In December 2005, I voted for H.R. 1815, the FY 2006 Defense Authorization bill, which the President signed into law in January 2006. Section 1227 of that bill, United States Policy on Iraq, states that it is the sense of Congress that "calendar year 2006 should be a period of significant transition to full Iraq sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq."

It is time for the President to implement this policy. We should not have American troops in the middle of a civil war. President Bush is wrong to say that we should stay the course in Iraq. We need a new direction in Iraq.

The President must present a strategy to Congress to draw down American troops from Iraq and return them home to their families. This strategy must ensure that our National Guard troops are the first to come home, as they were never intended as our primary force for overseas military missions. We need our National Guard troops to be home and available for our local needs.

Military experts have recommended a drawdown of 10,000 troops per month. Although we should not announce a specific timeline for troop withdrawal, it is reasonable to expect that we should have half of our combat troops home by the end of 2006, and all of our combat troops home by the end of 2007. Even with such a drawdown of American troops in Iraq, this supplemental appropriations is necessary in order to insure the proper funding of our military operations during such a drawdown.

Bringing our troops home allows us to achieve certain necessary objectives. First, we will bring our troops home safely to their families and remove them from being in the middle of a civil war. Second, we should send an important message to the Iraqi government to take responsibility for their government—after they ratified a new constitution, held elections, and installed a new government—because American troops cannot and should not remain in Iraq indefinitely. Third, we would remove a powerful propaganda and recruitment tool for Al Qaeda that the United States is an occupation force. Fourth, we would be able to stage our troops outside of Iraq to work with our allies and the international community to fight the war against international terrorism. The repositioning of our troops would help us to regain our focus on the war on terror. Finally, bringing our troops home would help us preserve the strength of our all-volunteer military by improving troop morale and boosting our efforts to improve recruitment of new soldiers.

I have repeatedly called for a change in America's policies so that we can bring our troops home as soon as possible. In December 2004, I visited our troops in Iraq. I thanked them for their service and listened to their stories. It was a moving experience for me. I honor the sacrifices they and their families are making each day.

The men and women of our armed forces are demonstrating tremendous dedication to our nation through their performance in Iraq. These brave soldiers have put their lives in harm's way for our country, and we are forever grateful for their service.

This bill also contains crucial provisions, which I support, that would provide nearly $20 billion for Hurricane Katrina relief, including funds for housing, community planning and development, flood control, and small business loans. In addition, the House should take up H.R. 4197, a comprehensive Hurricane Katrina recovery bill introduced by the Congressional Black Caucus.

I am encouraged that the bill provides nearly $500 million to address the ongoing genocide in southern Sudan and Darfur. These funds are critical to meeting the immediate needs of victims of the Darfur crisis, such as shelter, health care, and access to water and sanitation. Sudanese government-backed Arab militias have slaughtered hundreds of thousands of villagers, and they have burned entire villages. Up to two million refugees have fled this genocide to neighboring countries, but the small, poorly-equipped, and underfunded African Union (AU) force cannot offer them adequate protection. This bill provides needed funding to help transition the AU peacekeeping operation to a United Nations mission. It is also encouraging that in April the House passed H.R. 3127, the Darfur Peace and Accountability Act, which I co-sponsored, and which I urge the Senate to take up without delay.

Mr. Speaker, this emergency supplemental is a necessary measure that will provide essential support for our troops in their arduous mission in Iraq, vital funding for the global war on terror, and desperately needed assistance for our own Gulf region and the many Americans who have been uprooted by Hurricane Katrina.

Ms. SOLIS. Mr. Speaker, the supplemental appropriations legislation passed by the House will spend nearly $95 billion of taxpayer money yet will not help our veterans, will not secure peace in Iraq, and will not make our homeland safer and better for working families.

The Bush administration continues to underfund the health care services for veterans and sent our troops to war without a plan to secure the peace. When our servicemen and women return home they are returning to a system that cannot care for them or provide the benefits they so greatly sacrificed for and deserve. And the hurricane season began again on June 1 but this Nation is no closer to be prepared for a hurricane under this administration than it was the day before Hurricanes Katrina and Wilma struck land. This bill will not resolve these issues.

Instead of passing the biggest supplemental ever passed by Congress, Congress should take real steps to help protect our country and ensure our veterans and their families receive the care they need. We should pass the GI bill of rights for the 21st century to ensure affordable and accessible health care, education benefits and job training. We need to take seriously the impact of the war on veterans and their families and pass legislation I have introduced to ensure access to needed mental health counseling. We should develop a real plan to bring our troops home safely and secure the peace.

I strongly support our troops, our veterans and their families and will continue to fight to ensure they receive the well-deserved support of their country. I will continue to fight to improve the quality of life for working families. And I will continue to make sure America is a safer place.

Mr. LEWIS of California. I yield back the balance of my time.

Mr. OBEY. Mr. Speaker, I thank the gentleman, and I yield back my time.

The SPEAKER pro tempore (Mr. BASS). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

☐ 2000

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

IMPORTANT ISSUES FACING AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. RYAN) is recognized for 60 minutes as the designee of the minority leader.

Mr. RYAN of Ohio. Mr. Speaker, I appreciate the opportunity to be here again with the authorization and approval of our leader, Ms. PELOSI; STENY HOYER, our whip; Mr. CLYBURN, our caucus chair; and our vice chair Mr. LARSEN from Connecticut. We would like to thank them also for giving the 30-something Working Group an opportunity to come to the floor as often as possible to talk about the issues that are facing this country.

Unfortunately, Mr. Speaker, we once again find ourselves in a scenario where there is a major disconnect between what the feelings are of the average American citizen sitting in Ohio or Florida or in the Midwest or any other State with what their issues are, what their challenges are, the problems they face sitting at the kitchen table, and what is going on here in the United States Congress and around the Potomac River.

Mr. Speaker, we have heard now how we have all these new issues that have been dusted off the shelf, brought back out front, back on the talk shows, back on the media circuits, back on radio talking about priorities that only belong to a small fringe group of people in America when the real problems that American citizens face look a little something like this: College tuition costs, up 40 percent; gas prices, up 47 percent; health care costs up 55 percent; and median household income down 4 percent.

The American people are crying out to State capitals all over the country, to Washington, DC, please, please, somebody listen to what our needs are. Please, somebody help us with an alternative energy plan. Please, someone help us reduce the cost of college tuition. Please, someone help us rein in the cost of health care. Please, someone help us lift our wages up, someone invested in the country. That is what the American people want. Yet time and time and time again we continue to get issues of amending the Constitution for any reason we see fit and divisive debates in the United States of America.

So I have a question, Mr. Speaker, that I would like to propose to the American people. What do we believe in as a country? What do we believe in, Mr. Speaker? What kind of America do we believe in? Do we believe in an America that will give the very, very few a tax break, the people who make more than $1 million a year a tax break, while we are increasing the cost of college tuition, while we have high gas prices? And with the top leadership in the United States of America saying conservation is a good personal virtue, but it has no room in the personal policy debate that this country has. Is that what we believe?

See, I believe that the American people want leadership in this country and they want us to take on these issues. These are difficult issues, and it may be hard to go to a millionaire for some people and ask them to pay a little more in taxes, that may be difficult, but the country demands that kind of leadership because we need to invest it into lowering college tuition costs so we can get more people educated in this country.

Now, I agree it is not just money. We need reform. We need to do things differently. We need to figure out how a 21st century college or university should work or a K through 12 should work. We need to do all those things. Just throwing money is not the solution. But to give millionaires a tax break at the expense of the kinds of reforms that the Democratic Party wants to do in college tuition, in alternative energy sources, I think is very, very important.

We have in the United States a lot of untapped human potential. And a lot of times, Mr. Speaker, we get caught up in policy debates about what our resources are, and conservation, and making sure we tap into all the resources of the country, but one of the great untapped resources that we have in the United States of America are our kids. We cannot continue down the road we are going down now, not investing into the arts, not investing into the team sports, not investing into business incubators at the rate we should be, not making sure that every school has a nurse or a clinic so our kids are healthy, not making sure that we reach out with SCHIPs, so that all our kids are covered and have health care so that they can be productive citizens.

These are investments we make into our kids, into our parents to make sure they are healthy so that they can be productive and learn in school. Because the other option is to say, the heck with the kid, he doesn't have the money. He or she doesn't have the money, they can't afford to go to the doctor, well, lose another one and move on. That is not what America believes in, Mr. Speaker.

So the real issue is this: Here is the world we are competing in: 1.3 billion Chinese citizens, 1 billion Indian citizens, and the European Union. They all want to clean our clock, Mr. Speaker. They want to knock off America. They are not scared. They are coming after us. They are barreling down. You go to Shanghai, you are riding a magnetic levitation train, one of the only ones in the world. They are investing in engineers like crazy, schools and education like crazy, knocking over buildings. They do not have property rights, environmental rights, human rights. They do not respect religion. They are not really playing fair, but they are playing to win.

Now, how do we combat that with only 300 million citizens? We combat that by investing into our people, making surely our people are healthy, educated, and have opportunity. And you know what? Some people may not take advantage of the opportunity. We understand that. But we need to begin to provide opportunity again for Americans.

The article today in USA Today about college debt, how can we expect kids to go out and take risks and take chances and start new businesses when they leave college with, last year, averaging $19,000 in debt? Nineteen thousand dollars. You think these kids are going to want to go to an inner city school and teach kids when you leave them with, if they have a Master's Degree or Ph.D. or something, over $100,000 debt if you're a doctor. We need to invest back into the United States of America. We need to have an infrastructure program.

Back home 2 weeks ago people in Ohio were talking about sewer lines and water lines and septic tanks and fees. Look what is happening to our country. We are letting it rot from within.

I just want to tell one story, Mr. Speaker. I went to China last summer for about 2 weeks, and as we toured the country and we went to different high-tech shops and chip manufacturers and Intel and all the fancy new high-tech companies that were there, we had a conversation, a kind of an ongoing conversation about their engineers in China versus the American engineers. And after hearing how many engineers they had and how well they were doing and how cheap they were, but yet very educated and very motivated and knew that they wanted to provide a lot of headaches for the United States, I started asking, well, what are the advantages of the U.S. engineers? And time and time again you would hear that the U.S. engineers are more creative, and they work in teams better than any other engineers in the entire world, all over the planet.

So the question is: Why is that? Partly it is because we promote and had promoted and have promoted in the United States athletics and sports and speech and debate. Team concepts. Teamwork. And we also, for some years, promoted the arts and taught these kids at a young age how to be creative and how to learn how to draw and paint and dance and sing and just to be creative and think outside the box. Those are the two advantages we have.

So I came back to the United States after 2 weeks and all you hear is pay to play. If you want to play sports in high school in Ohio: Pay to play. Some kids it may cost $500. Two kids, maybe we will give you a break, $750. Average families don't have that. But these kids are not going to develop the kinds of skills they need to be competitive in a world economy. Period, dot.

Are we okay with that? Is that something we believe in? Do we believe it is okay if kids have to pay an extra $500 or $1,000 to play sports when we know it gives us a competitive advantage in the marketplace? Are we okay with that, America? I am not okay with that. I think it stinks. And then you come back and what is the first thing that gets cuts in the school districts? The art programs. First to go.

I had a woman last night from Liberty High School talk to me about how they had cut art programs for their kids in the grade schools because of budget constraints. We are cutting off our noses to spite our faces. We have to make these investments.

And then I come to Washington, DC, and we have a lot of tourists here, now is the tourist season in June and July, we get a lot of students down here, and what are we talking about? We are talking about gay marriage. Wait a minute, Mr. Speaker. We have got college tuition up 40 percent, gas prices up 40 percent, health care costs up 55 percent, and we are talking about gay marriage? Give me a break. Who are they bothering?

People don't come up to me at the Giant Eagle in Niles when I go down to get a pound of coffee and some honey, Mr. DELAHUNT, because I like to put honey in my coffee to sweeten it, because my Aunt Rosie taught me to put the honey in. It is good. It prevents colds. Nobody grabs me and says, can you please stop the gay people from getting married up in Massachusetts? They are killing me. No one has ever said that to me, and I am from a conservative district in Ohio.

People want to know what you're going to do about gas prices. What are you going to do about college tuition costs? What are you going to do about health care costs, Mr. DELAHUNT? These are the real issues in our country.

I yield to my friend.

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Mr. DELAHUNT. Mr. Speaker, if I can just interrupt for a minute, I think the question you are posing is, what are our national priorities in a time like this where people are pressed and there is a tremendous degree of economic uncertainty? One only has to take a look at the Dow Jones today. The Dow Jones went down another 100 points today. Last week it was around 300 points. The week before that it was 200 points.

Most Americans are looking at their 401(k), Mr. Speaker, and they are noticing that they are slipping behind. I dare say, Mr. Speaker, if you compared the Dow Jones Index today with the Dow Jones Index in the last several months of the Clinton administration, you would discover that after 6 years, after some 6 years of economic policies that only favor not just the middle class and the upper middle class, but the super-rich, you will discover that the Dow Jones hasn't moved.

All of those people who were planning on the customary growth in the Dow Jones so they could retire are now finding themselves compelled to work more years so that they can sustain themselves, so they simply can sustain themselves. Our friend from Ohio, Ms. KAPTUR, she can tell you that in terms of the old-time pensions when somebody worked for years for a company and then they retired, they got a pension every month that they could count on, plus their savings, those pensions are gone. They no longer exist. They are gone.

And then we hear our friends on the other side of the aisle talk about privatizing Social Security, you know, PSAs, private accounts. Well, I guess if you looked at it from that perspective and you had no growth for 6 years, you would be beside yourself. You would be devastated emotionally. But that is what has happened.

And you know what we are doing with our money? We are not spending it on the priorities that everyday people have. The war in Iraq, for example, is closing in one-half a trillion dollars, Mr. Speaker. One-half a trillion dollars. That is trillion with a T.

And one only has to review the reports by the special inspector general for Iraq reconstruction, and what you see is a record not just of incompetence and mismanagement but abuse and fraud. You know what, Mr. Speaker, this is the only country that is really at the plate in Iraq. We are not loaning this money, we are not loaning this money to the Iraqi people, we are just giving it away. It is the greatest welfare program in the history of humankind.

Mr. RYAN of Ohio. I am sure you remember the debate, Mr. DELAHUNT, because you were probably leading it at the time, the debate when we are talking about let's loan the money to the Iraqis. Everybody said they are going to be able to use the oil for reconstruction. Another urban myth. It never happened.

I know our friend from the west of me in Toledo, Ohio, who is one of my mentors down here, has a difficult story to tell us tonight.

Mr. DELAHUNT. Mr. Speaker, if the gentleman would yield, I just want to conclude something. So with this giveaway program, this giveaway from the American taxpayers, we have not even spent the money well. The Iraqis have not spent the money well. We were going to build 150 primary health care centers in Iraq. Only six have been built, and they are running out of money. Great record. A great record. That sounds to me like the Babe Ruth of mismanagement, waste and absolute pilfering of American tax dollars.

Why can't we do it here in the United States, Mr. Speaker? Why can't we build 150 primary health care centers for our own people? Would somebody please respond. All I know is we are taking this money and we have brought it over there. And by the way, one of the most incredible readings that anyone could take on is the special inspector general's report about the missing $9 billion; $9 billion is simply unaccounted for.

Ms. KAPTUR. Mr. Speaker, I first want to thank TIM RYAN of Ohio, my neighbor and friend, and also Mr. DELAHUNT of Massachusetts for getting the time this evening to talk about the real issues that the American people care about that don't get enough attention on this floor as we are designating more honorary days and bills that do not have a lot of substance attached to them, when the American people actually expect us to do something here to benefit their lives and their children's lives today and tomorrow.

On the Iraq issue, as a member of the Appropriations Committee, I tried to get amendments passed in our committee when Mr. Bremer was head of the Coalition Provisional Authority, when we saw billions and billions of dollars being extended to that authority with no accountability back to this Congress.

Originally, they came to us with a proposal of $20 billion with no strings attached, with no accounting back to this Congress. Eventually that was reduced down somewhat. But of the dollars that were expended, we were not able to get reports back from the administration because amendments were disallowed in our committee for the billions of dollars that have gone to who knows where over there. Now they are trying to get amendments to look at maybe $6 billion that was expended. But let me tell you, the horses were out of the stalls before there were proper accounting procedures put into place. The truth will come out. But the record is clear who sought to get amendments and those who blocked them. That is in the record in the committee. It is outrageous.

I can remember when Paul Wolfowitz, who is no longer with the government, the President's big advisor on invading Iraq, when he said we would have this all paid for by oil sales, and we surely do not see that as even part of the equation.

As I thank my colleagues for organizing this Special Order tonight, I wanted to give a very specific example of what is happening in this country, not in Ohio, not in Massachusetts, but in Iowa and Arkansas and Illinois. As we do this Special Order, I would like to pay special tribute to excellence in a top-of-the-line quality company that is closing its doors, a company called Maytag Corporation that is headquartered in Newton, IA.

Let me say for the record I own no stock in Maytag Corporation. But our family, our household, is one of those who has appreciated the excellence of their products that have served the American people and the world for over 100 years. Sadly, this legendary American company, first founded in 1893 by F.L. Maytag, 35 miles east of Des Moines, IA, is soon to close its doors. And in Iowa, as well as subsidiary plants in Illinois and Arkansas, over 3,000 Americans will lose their jobs. The generations of Americans who crafted and built and serviced this all-American product called Maytag deserve recognition in this Congress. They should be proud of the heritage of which they are a part and of their commitment to quality. For indeed, their quality and dependability helped build the America that was self-reliant here at home.

The gentleman from Ohio was talking about how the United States is becoming more and more indebted to foreign creditors. Maytag was the kind of company that built a strong America. It was an America that did not become overly reliant on imports and imported componentry to support its operations. It was an America that believed that its own identity and strength depended on domestic firms dedicated to excellence, and we led the world.

The company valued its product, its community, and its workers. And when the gentleman from Massachusetts was talking about pensions being taken away, it was the kind of company that really did build community where people could depend on their retirement income.

I feel compelled to discuss for a few minutes, to pay tribute to this historic company, truly an American icon company, and its workforce. As America says good-bye to Maytag, we also say good-bye to the type of firm that shaped our identity as a society.

That identify made the United States a world leader in the 20th century in manufacturing and agriculture. And that identity has been clouded by the very issues you are talking about here tonight by our growing over-dependence on imported products and imported capital from across the oceans, and Maytag represented that part of our history when America understood what it had to do to build the best.

The American people will soon witness the pink-slipping of Maytag's thousands of workers and sadly become part of our history. Of course, and this goes into a point that Mr. RYAN and Mr. DELAHUNT mentioned, the most recent chief executive officer of Maytag who brokered this closure and sale is reputed to have made over $18 million in a golden parachute on the deal.

So my remarks tonight are really directed to the workers and management staff who hoped this day would never come. Wouldn't it be nice for America's consumers like myself to be able to travel to Newton, Iowa, and Heron, Illinois, and Searcy, AR, and say "thank you" to these workers and their families and friends who helped build an American legend company for over a century. Let's say thank you to them tonight.

Maytag Corporation, when it shuts its doors, will be closing a chapter in our history for generations that stood for high quality and high performance when they were America's industry leader. They helped define the manufacturing heartland from which Mr. RYAN and myself come, and their company represented the words "quality" and "dependability."

I will talk later about what made their products superior, but it is really amazing to me that we live in a time when we allow this kind of gold star company to bite the dust and we cannot even talk about it here in the Congress except during this particular period of time.

Their production will disappear and it will, just like our furniture industry, just like the television industry, just like us becoming energy dependent, it will become another nail in the coffin in America becoming too reliant on others.

Mr. RYAN of Ohio. I appreciate that. We know the economy sometimes weeds out industries and new ones pop up. That happens. That is capitalism. We understand.

But where is the plan? Where is the plan to figure out what are we going to do next? What is the next best thing? What are these Maytag workers going to do? They cannot all work at Wal-Mart or Sam's Club or Super K or Lowe's or Best Buy, or all of the different white elephants that line the suburbs of America.

Are we going to invest in research and development? Are we going to invest in the business incubators? Are we going to lower the cost of college tuition? Are we going to make sure that we invest in the health care industries with nurses and health care workers? What are we going to do? There is no plan for the country.

I believe we need a plan. I just think the values that are here that we are hearing here in the United States Congress certainly do not reflect the average values. I think the Democrats' priorities are America's priorities.

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And that is the key here. When you look at this, briefly, as we are talking about Maytag, this is where the United States is borrowing its money. $682 billion from Japan. China, $249 billion, U.K., Caribbean, Taiwan, OPEC, Korea, Germany, Canada. We are borrowing all this money and giving it to the wealthiest 1 percent, 1.9. Let's see here, $1.9 trillion over 10 years of tax cuts that we are borrowing. So we borrow from them and we give it the wealthiest in our country. And education costs go up, health care costs go up, energy costs go up. I yield to my friend.

Mr. DELAHUNT. If I could just rephrase it a different way, because Ms. KAPTUR mentioned the phrase "the importing of capital." And what we are doing in terms of our economic policy is that we are exporting our manufacturing base. In other words, that icon of an American company, Maytag, who I am sure provided good jobs and good wages to generations of Americans who represent, if you will, that core American middle class that really distinguishes a healthy democracy from other systems. We have taken that, we have exported those jobs because of these economic policies. Simultaneously, we are importing capital from abroad. And I think this is a very telling chart, in the past 4 years, from 2001 to 2005, we have borrowed, in addition to the pre-existing national debt, $1.18 trillion. Of that $1.18 trillion, 1.16 is from overseas, from those countries that are evidenced on the chart beside Mr. RYAN.

Now, what have we done with that money? We have financed a war that is being pursued heroically by our military personnel and incompetently by our civilian leadership. In addition, the tax cuts have not favored any particular percentage of the American citizenry other than the super rich.

If one takes a look at the chart beside Mr. RYAN, if you earn $40,000 a year you receive a tax benefit of $17. Just think of that, $17. If you make over $200,000, your tax break amounts to $1,300. Even if you make $1.5 million, you get $4,500 off your tax liability. But if you make more than $1 million your tax break is $42,000. So we are borrowing from overseas to advantage the top, not just the top 1 percent, the top .001 percent in this country and funding a war in Iraq that is costing us dearly in terms of our national treasure, which are our young people, as well as dollars and cents being provided for by Americans who are going through very, very difficult times, that I would suggest is reflected in our financial markets if you look at the difference between this past month and that Dow Jones Index and that Dow Jones Index in the year 2000.

With that I yield to my friend from Ohio.

Ms. KAPTUR. I am so happy to see the chart that Congressman RYAN has put up there on how much interest we are paying on our borrowing, and I will let him go into that in detail. But I will just recount a story. Back when I was first elected to the Congress during the 1980s and served on what was then the Banking Committee, now called Financial Services. That tells you something right there. We went from a nation that believed in savings to a nation that believed in borrowing, and now we owe everybody because the whole banking philosophy changed. And we, at that point, had only about 8 percent, between 6 and 8 percent of our bonds that were sold to foreign investors. And I said, hey, we shouldn't go over 10 percent. We should make sure, went to see Alan Greenspan, Paul Volcker, all the different heads of the Fed, and said let us work on a program so the American people can buy our debt instruments. Why should we be selling more and more of these debt instruments to foreign countries? And they said oh, Congresswoman, it is too much trouble to get the Fed to have a website and to let grandmothers buy saving bonds for their grandkids, you know, get it at the bank and so forth. And I told them, put it in the Post Office. Let's have postal savings stamps like Roosevelt used to have. Let's own ourselves. Let's not be owned by foreign interests. And I can remember Mr. Greenspan saying to me, well, you know, we like to deal with 20 bond houses up on Wall Street. And I said how much of a fee do you pay them, Mr. Chairman? How much of a fee? And why shouldn't that be owned democratically across this country rather than just a few people in New York controlling our future?

So I just put that on the table here. Now over half of our debt securities are being purchased by foreign interests, and we owe what Mr. RYAN will now explain to the country.

Mr. RYAN of Ohio. We owe, every year, in interest, this is the 2007 budget authorization, billions of dollars. The big red thing, what are we spending all our money on, $230 billion is interest on the debt. All this money we are borrowing, it is like your house or your car. You buy a $20,000 car. Over time you pay $25,000 for it because you have got to pay the interest. It is sucking money from education, homeland security, veterans benefits, research and development, business incubators, community development block grants, all the things that we put in the communities to help communities make local decisions so that they can grow their local economy. We are sucking it out and we are giving it to China. China is taking the interest that we give them, and they are investing it back into their state-owned manufacturing companies that are stealing the manufacturing jobs. That is the cycle of the money over and over and over and again.

Mr. DELAHUNT. Ms. KAPTUR, do you remember when the President talked about ownership society? The rest of the sentence was, it is not going to be Americans that will own America. It is those whom we are indebted to.

We are selling ourselves to other countries, given the obvious statistics that just jump out at you. For what? For what? For war and for a tax break for the extremely wealthy in this country. That is all that it is doing, and it is at the same time putting a burden on generations of Americans that obviously are unborn at this point in time. And what a disaster.

Ms. KAPTUR. If the gentleman would yield on that very good point. If you look back, they say to us, the Secretary of Treasury that just left, Mr. Snow says you know the real problem with China is the yuan. If we just vary the currency exchange rate, all of our problems will be solved. That is what they said to us back during the 1980s when Reagan was President. Don't worry about the trade deficit with Japan. When the yen-dollar exchange rates gets low enough our trade balance will just automatically come back into the black for the United States. Guess what? It never has because Japan is not an open market. China is not an open market. And if you look at who is, on the prior chart the gentleman had up there, if you look at who has lent us the most money, Japan, they are earning it off of us rather than opening their markets to U.S. automotive parts, to U.S. Maytag washing machines. You have got a closed market in Japan now using China as a back door for manufacturing with imported parts that are being put into everything. And we are not competing globally on a level playing field and it is killing our workers, and Washington refuses to respond.

Mr. RYAN of Ohio. And it is a total lack of leadership. If you look, this is quite significant. In the first 224 years of the country, we borrowed $1.101 trillion from foreign interests. In the last 4 or 5 years, we have borrowed more than that. $1.05 trillion under President Bush and the Republican Congress. Look at this. They have managed to accomplish more in the last 4 or 5 years than all previous Presidents combined. And at the same time, as we are borrowing this money and we are paying it back in interest to China, taking more of our money from our budget here to pay the interest, I find it peculiar that in 2004, 8 percent of graduating seniors carried student loans of more than $40,000. That is up from 1.3 percent 10 years prior to. More kids are incurring more debt to go to college at a time when the economy has totally shifted from industry to knowledge based capitalism, knowledge based economy.

Mr. DELAHUNT. And meanwhile, we are building roads, we are building hospitals, we are building schools, we are building dams and levies, we are building deep water ports, where? In Iraq. And we are not building them here in Ohio. We are not building them in Massachusetts, we are certainly not building them in New Orleans. We are not building them here in America where there is such a crying need. And meantime, our people go forward, whether they be seniors and concerned about their retirement security, or whether they be young people and have debts of 40, 50, $100,000 because of education. There is something wrong.

Ms. KAPTUR. If the gentleman would yield on that point.

Mr. DELAHUNT. Of course.

Ms. KAPTUR. And their parents have borrowed against their homes and home equity borrowings have risen to as high as they can go, and they can't be borrowed against anymore. The State of Ohio has the highest rate of home foreclosure in the Nation because the economy is not galloping ahead and people are borrowed to the hilt and there just is not anymore well to go to in order to finance their kids education and other expenditures that they have.

Mr. DELAHUNT. And if the gentlewoman would yield.

Ms. KAPTUR. I would be pleased to yield.

Mr. DELAHUNT. I can give you a similar economic picture of what is occurring in my district back in Massachusetts. There was a recent headline in the Cape Cod Times. And in that particular region, where you have many second homes, we are breaking records now in terms of mortgage foreclosures. One can just foresee what is happening as we talk to our colleagues among ourselves, that the ingredients and the components for an economic downturn of significant proportion are out there. And it will be as a direct result of the borrowing, the reckless spending, the giveaway programs that are going on today in Iraq, and the mismanagement, the fraud and the abuse and the lack of accountability. When you add it all up, it spells a recipe for economic disaster for America.

Ms. KAPTUR. I have asked several economists, how do you describe where America is headed? They said, right now, based on these borrowings and the situation in our economy, America is in uncharted waters. She has never been here before.

Mr. RYAN of Ohio. All the more reason, there are not many options here. The Democrats want to take this country in a new direction. We want to stop all the borrowing, we want to stop all the tax cuts for people who make $300 million a year, 200 million, 1 million, 2 million, 5 million, 10, stop. Balance our budgets. Implement the PAYGO rules so that we could make sure we are not spending any money that we don't have. And we don't have to borrow it from China and take the country in a new direction. Invest in education, invest into the dams here in the United States. Find the $9 billion that got lost somewhere in Iraq and nobody seems to know where it is.

Mr. DELAHUNT. I hope it is in Ohio or maybe Kansas or maybe Ohio.

Mr. RYAN of Ohio. It is almost the same amount that is being cut out of the student aid. 12 billion cut out of there, 9 billion lost. Take the country in another direction. Move it along. We want our Democratic plan, broadband access for all Americans, alternative energy plans, tax credits for research and development, all the things we need to do to move in this new direction and, at the same time, cut these loans in half.

☐ 2045

Make sure that these kids have money to buy a house, buy a car, go back to school, get a Master's Degree, get a Ph.D., do research, start a business, take a chance. These are the kinds of things we need to do.

Now, this is not us speaking. This is what we like to call here a third-party validator. This is former House Speaker Newt Gingrich on the Republican Congress from Friday, March 31, 2006: "They are seen by the country as being in charge of a government that can't function." That is the man who gave birth to the Republican revolution. This is Newt Gingrich. This is not TIM RYAN or BILL DELAHUNT or MARCY KAPTUR from Toledo, Ohio. This is Newt Gingrich, saying that the Republicans are in charge of a government that cannot function. Katrina, the war in Iraq, tuition costs, health care costs, energy costs. What is going on? Foreign debt, all the borrowing that we are doing, giving Lee Raymond a $2 million tax break. This is not us. This is Speaker Gingrich saying that, and I just happen to agree.

Also, in the same article, he cited a series of blunders under Republican rule from failures in the aftermath of Hurricane Katrina to mismanagement of the war in Iraq. He said the government has squandered billions of dollars in Iraq. Newt Gingrich, not the Democrats saying that.

Ms. KAPTUR. Would the gentleman keep that chart up there? What amazes me about that statement is Mr. Gringrich was on the advisory board to the Secretary of Defense when the war started. He was one of the people giving advice. So he was one of those responsible for billions of dollars being wasted. I find that very interesting that he would make that statement. I hope he does not try to resolve himself from his own responsibility.

Mr. RYAN of Ohio. I do not exactly know what specific issues he is talking about, but I am sure he is talking about the $9 billion lost in Iraq. I am sure he is talking about the foreign borrowing, I hope, and find a way to fix it.

This is Pat Toomey. I am sure both of you served a lot longer with him than I did. He is now President of the Club for Growth. "There's a very high level of frustration," says Mr. Toomey, "and disappointment among rank and file Republicans when they see a government-controlled Congress engaging in an obscene level of wasteful spending."

"Obscene level of wasteful spending." Here is a man who recognizes the fact that paying $230 billion a year in interest payments to foreign countries primarily is not a good investment for the United States of America. And these are the kinds of things that need to change. And these are conservative Republicans.

And all we are saying as Democrats is let us take the country in a new direction because I think our values as Democrats better reflect what the priorities are in America.

And it hit me a couple of weeks ago when we were home for a week and got to spend a long week with our constituents that there is a real disconnect between what the American people want and what is happening down here and the misplaced priorities that I think we see every day here in the United States Congress. And I know my friend from Massachusetts would like to interject here, but just finally to say that it is those investments that we want to make in college education and some of the others that I feel we need to do and do rather immediately.

I yield to my friend.

Mr. DELAHUNT. MARCY?

Ms. KAPTUR. Well, I think that the proof is in the pudding. Every single trade agreement this country has gotten itself into, whether it is NAFTA that was supposed to give us jobs, which has cost us nearly 1 million jobs now, was supposed to yield a trade surplus and it has yielded growing trade deficits. The same is true with the CAFTA countries. Now they want to push FTAA. If you look at what is happening to our country, we are losing the ability to produce the wealth that provided the middle class standard of living for a vast majority of our people, and that was America's great achievement in the 20th century. In addition to defeating Naziism and communism, it was our great achievement in the economy where we helped lift an entire society. We provided for seniors in their retirement years. We made affordable college education possible for those who had the ability and the will. And now we look at this century and we look at those possibilities being diminished for the families that used to see rising standards of living and rising tides. And it goes right back to mismanagement of the economy, the overborrowing that is going on, the lack of production, the lack of trade agreements that really open markets so that we can sell products and earn income so that we do not go into these trade deficits and end up having to monetize that through borrowing.

Mr. DELAHUNT. If the gentleman from Ohio will yield for a moment, the greatest risk to any democracy is a disparity between those that have in a society and those who do not. There is only so much poverty and uncertainty that any democracy can tolerate. If this trend should continue because that gulf between the affluent, particularly the very affluent among us, and the rest of America is growing so large that we have to step back and take a hard look. And I think what is important to understand here is that occasionally you hear somebody from the other party talk about, well, Democrats don't do this and they don't do that. The truth is that all of the sources of power in this country today at the national level are controlled by Republicans. They control the House, Madam Speaker. They control the Senate, and they control the White House.

You cannot blame Democrats. This is your package. You have got us here. You have owned Washington. Do not say that Washington is the problem because if you say that Washington is the problem, you are admitting that you are the problem because you are Washington. And that is the reality.

Mr. RYAN of Ohio. I agree with the gentleman. There is nowhere to run, nowhere to hide. And when you have Speaker Gingrich saying the same thing that BILL DELAHUNT from Massachusetts is saying or those of us from Ohio are saying, it must be a consistent theme. And I do not think Republicans are bad people. I just think their priorities are misplaced when you look at what is happening time and time and time again, and it is the same in Ohio. A Republican general assembly, every statewide holder is a Republican, and these kinds of problems have been exacerbated by the local policies at the State level.

And the real issue here is in cities like Toledo, Ohio; or Youngstown, Ohio; or Warren, Ohio; or Niles, Ohio; or Boston, Massachusetts is that there is, as Mr. DELAHUNT said, an underclass forming. And 70 to 80 percent of the kids who go to Youngstown city schools in in my district live in poverty. Cleveland is now the poorest city in the country.

There is something wrong with the system when we allow that to happen. I do not believe that we cannot figure out how to do something about this. And when you cut community development block grants and you cut Head Start and you make college more expensive, those are not the priorities of the country. And here is why. I just want to make one point. This is not a moral argument. It can be and it is. But I want to make an economic argument to this. How are we going to compete with 1.3 billion Chinese citizens when we only have 300 million and we have a good number of our people living in poverty? They are not even on the field playing for us. We need them on the field. We need engineers, we need scientists, we need teachers, and nurses and doctors in our inner city schools, in our rural communities to help move the country forward and make those investments like the Tennessee Valley Authority, like the G.I. bill. Let us make those investments again, and we will see what will happen to the country.

I yield to my friend.

Mr. DELAHUNT. I am going to ask the gentlewoman to help on this because she serves on the Appropriations Committee, but there has been a raging debate in this country about immigration. There is nobody, I dare say, on either side of the aisle that does not believe that our borders should be secure. And the best evidence, however, of a sincere intent to secure the borders is the recent history of the Appropriation Committee's lack of action in terms of creating the suitable or the necessary funding for Border Patrol. The American people should be made aware when we hear our friends rail on the immigration issue that they have voted time and time again against Democratic amendments over the past 5, 6, 7 years to increase funding for Border Patrol so that our borders would be secure. And I hear that, and I just have to laugh because they own it. They own it. They want to indulge in the rhetoric. They want to talk tough. But when it comes to producing the resources so that we can say our borders are safe and secure when it comes to illegal immigration, they are missing in action.

Ms. KAPTUR. I want to endorse what the gentleman says and mention that the arrests that just occurred in Toronto were due to people driving up through Ohio, through Windsor, and going up into Canada. And we have been trying to get homeland security money at the northern border, and the Bush administration has just produced a budget, with their allies here in Congress, that cut the amount of money that cities like Toledo and Detroit, Cleveland received to protect this border with Canada. We cannot even get Coast Guard patrols up on Lake Erie. Members like PETER DEFAZIO of Oregon here have fought so hard to try to get 100 percent funding. We have had amendments in our committee to examine all containers offshore before coming to this country. They are simultaneously defeated every single time that we offer them.

Mr. DELAHUNT. Did we get a Republican vote ever?

Ms. KAPTUR. No Republican votes. No Republican votes. So the problem is that we cannot do what is right for this country, and all that money we paid in interest due to borrowings we could fully fund the homeland security additional needs that we have. We could take care of those kids that cannot pay their college tuition. We could take care of veterans. We could take care of the water and sewer lines that the gentleman from Ohio, "Mr. RYAN" was talking about. That is how big $200 billion is. Roll all those agencies together, paid for, but not when you are extending yourself by all these borrowings.

And when the new head of the Federal Reserve made a statement that interest rates might have to go up because of this capital crunch our Nation is facing because of this debt, the markets got so skittish. The stock market dropped a couple days in a row. The real estate industry went crazy because they know if those rates go up, the kind of foreclosures you are experiencing in Massachusetts and we are definitely experiencing in Ohio are going to skyrocket. So the economy is at a critical edge. We are in unchartered waters in terms of the importance of these borrowings and the down draft that that is creating inside this society. It is really a very dangerous situation.

At the beginning of the 21st century when President Clinton left office, and there was much I disagreed with him about, but we had a balanced annual budget and were beginning to pay down our accumulated debt. And I can remember Alan Greenspan saying when we are getting down to zero and we were starting to pay not just the annual deficit down but the accumulated debt, he said, well, gosh, you know, it might be dangerous for America not to have some debt. And I remember hearing that statement and I thought what? What? America's strength comes from standing on her own two feet. What kind of international investments does he have?

Mr. DELAHUNT. What a dangerous thing, Ms. KAPTUR, a debt-free America.

Ms. KAPTUR. A debt-free America. And I thought, hey, wait a minute, which bondholders is he having dinner with up there on Wall Street? What is going on?

And look at what happened on NAFTA. When the peso went south after NAFTA was passed, Wall Street bailed them out. Well, who are their little friends? Who is the club up there, the Wall Street club, that governs what happens across this society?

The person on Main Street in Toledo, Ohio, wants a balanced budget. They want a debt-free America. They know that makes America strong. They are not willing to accept this kind of financial dependence that our country has gotten itself into.

Mr. DELAHUNT. They do not want a Wall Street. They do not want a financial market that has not moved upward in 6 years. It has just slid and stagnated. That is what has happened here. All you have got to do is pick up the paper every morning and check the Dow Jones.

Mr. RYAN of Ohio. When you talk about NAFTA, I remember during the whole debate that was supposed to fix the whole illegal immigration problem. So I do not think we can have this immigration debate without putting it into some context to say I thought NAFTA was supposed to fix this problem. Wages would rise, standards of living would rise, and people would not want to come back over here. That was a part of that big debate.

Ms. KAPTUR. Could I just comment on that to say the reason we have all this illegal immigration from south of our border is because NAFTA for the Mexican people totally disemboweled their rural countryside. It was planned. We have had over 2 million people who have lost their livelihoods. Peasant farmers. It is a sacrilege on this continent as far as what is going on. And the people have nowhere to go but to try to come up here to get food. They run across deserts. They risk their own lives lives. And why? Because their farmsteads were taken away from them. They have nowhere to go.

I tried to get agricultural amendments for transition in Mexico passed when NAFTA was considered. They were disallowed on the floor of this Congress under the Fast Track procedure, and now we are reaping the wrath of that agreement.

□ 2100

Those folks that are coming up here, illiterate, risking everything, for why? To feed their families. That is the reason for the illegal immigration. Unless we fix NAFTA, we are not going to fix the illegal immigration problem in this country. I don't care how many fences they build.

Mr. RYAN of Ohio. As we wrap up, there is a lot of rhetoric, but you have just got to look at the facts. President Bush says America's economy is strong and benefiting all Americans. Ask yourself, regardless of the rhetoric, what the reality is. College tuition, up 40 percent. Gas prices, up 47 percent. Health care costs, up 55 percent. Median household incomes, down 4 percent. Don't listen to us. Don't listen to Newt Gingrich. Don't listen to the other side. Judge for yourself. Is this the kind of America you believe in? If so, continue to put the Republicans in charge of the government. Quite frankly, I believe as much as we like them, they are unable to govern. Katrina, the war, all of these statistics, unable to govern.

Let's take the country in another direction and really embody the freedom that this country is supposed to have. Www.housedemocrats.gov/30something, if any of you would like to email later.

Www.housedemocrats.gov/30something. Dana from Pittsburgh and Amanda from Connecticut emailed us last time. Both emailed saying, Congress needs to talk about the priorities of college costs and gas prices and get on the stick.

Mr. DELAHUNT. Ms. KAPTUR, I know that you are still under that cutoff of 40, but it is great having you on board because I feel very lonely here with these young people.

Mr. RYAN of Ohio. I sense a mutiny coming.

KANSAS FARMERS NEED RELIEF

The SPEAKER pro tempore (Mr. KUHL of New York). Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

Mr. MORAN of Kansas. Mr. Speaker, there is an occurrence and an occasion in Kansas that occurs each and every year. It is a very special time in our State. It is the harvest time for wheat. Of course, Kansas is known as the Wheat State. It is a time in which families, sons and daughters, return home to the family farm. There is a lot of work to be done, but there is a history, a culture, a tradition, a family time each and every year in which harvest is a special moment.

But, Mr. Speaker, this year unfortunately is one of those times in which it appears that the Kansas wheat harvest and, in fact, the harvest across the Midwest is going to be less than what we would hope. In fact, the 2006 crop is expected to be the worst in the last 10 years, and many yields are expected to be less than 50 percent of normal. This is a huge consequence to the economy of our State, to the Midwest, and really to the country.

Rainfall has been about 28 percent of normal this year. In fact, 84 of Kansas' 105 counties received no precipitation during the month of February when that wheat crop is attempting to grow. Of those remaining counties, the greatest amount of rainfall in those other counties was thirty one-hundredths of an inch for the month. This is the fifth and sixth years across many portions of our State and in Nebraska and eastern Colorado and Oklahoma and Texas and South Dakota and Wyoming in which drought has had serious consequences. In 2005, drought damage was also exacerbated by tornadoes and hailstorm and freeze. In 2005, every county but four in our State was declared a disaster county.

Today we debated the emergency supplemental appropriations act. I am very supportive of the efforts to bring disaster assistance to the farmers of the gulf coast and those affected by Hurricanes Katrina and Rita. But, Mr. Speaker, $500 million was included in that bill but directed only to those farmers and other producers who were in hurricane-affected counties.

It is one thing, Mr. Speaker, for us to deny farmers across the country any assistance due to budget considerations, due to our desire to work toward balancing the budget; but it is not understandable in my State that we would pick and choose which farmers receive assistance based upon whether or not the event is a result of a hurricane. Those farmers who have had inadequate moisture in the Midwest for the last 5 and 6 years are no less damaged than those farmers who were affected by the rains and the breaking of the levee and the saltwater in Louisiana, Alabama and Mississippi.

I can explain to my constituents about the desire to hold the line on spending, but I can't explain to them why their problems are not addressed in this emergency supplemental but some other producers, some other farmers have been.

And so, Mr. Speaker, I am hoping to set the stage tonight as we conclude the debate on the emergency supplemental, but as we work our way through the remainder of Congress to see that there is some level of disaster assistance provided to all farmers, regardless of the cause of their losses.

Many in this body will say, but Congressman, isn't it crop insurance's duty to provide that kind of assistance? And isn't ad hoc disaster, isn't this disaster assistance package unnecessary?

Well, Mr. Speaker, I chair the subcommittee responsible for crop insurance. The reality is that crop insurance policies insure about 50 percent of the crop losses. The best policies cover 85 percent of the losses. And there is no insurance coverage for livestock. When you have 5 and 6 years of disaster in which you are only being compensated for 50 percent of your losses and you have paid the premiums for that coverage and your average return on equity as a farmer in our State is 3.66 percent, you can't lose year after year after year and stay in business.

The average age of a farmer in Kansas is 59 years old. Our farmers are reaching the conclusion that there is no future in agriculture, and that is not only detrimental to the communities of Kansas, to that individual farm family, but it is detrimental to the people of this country to lose agriculture as a way of life and as an economic driver of our economy.

So we do need to work to improve crop insurance in our subcommittee. Our agriculture committee is working to do that. But the reality is the problem is with us today, and we are losing another generation of farmers. We will revisit the issue, I hope. 2005, which should be included in this year, is not in this bill; but 2006 may be even worse.

Mr. Speaker, I look forward to working with my colleagues, the leadership of this House in an effort to make sure that farmers can survive into the future.

EULOGY TO MAYTAG

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I want to identify with the remarks of the gentleman from Kansas and say that this is likely to be the first year in America when we will import more food than we export. It is another sign of what is happening to the innards of this economy. Agriculture has always helped America maintain her independence. We best keep that in front of us as we move forward.

I wanted to come to the floor tonight to talk about and pay tribute to something on the manufacturing side of our economy, a company that has been noted for excellence as a top-of-the-line firm. I talked about it a little bit earlier during the Special Order dealing with the economy; but Maytag Corporation, headquartered in Newton, Iowa, sadly, will be closing. I own no stock in this company. I have no personal worth associated with it, but I am one of the millions of American homeowners and householders who says "thank you" to those who helped build and maintain this great American company. Thank you for the excellence of your products.

The company was founded in 1893 by F.L. Maytag, 35 miles east of Des Moines, Iowa, in Newton, Iowa. Soon it, along with sister plants in Arkansas and Illinois, will be closing, idling 3,000 more people losing their jobs in manufacturing in those places. Hopefully, some of them will be able to find other jobs.

But the point I want to talk about tonight is you just don't replace a Maytag company. The generations of Americans who crafted, built, and serviced this all-American product deserve recognition in this Congress. They should be proud of the heritage of which they are a part and of their commitment to quality. Maytag Corporation when it shuts its doors will be closing a chapter in American history that for generations stood for quality and high performance. It was America's industry leader. Maytag helped define America's manufacturing heartland. In fact, Maytag itself symbolized the words "quality" and "dependability."

Some people will say, well, a washing machine is a washing machine. A dryer is a dryer. What does it matter? Yes, there are other companies, Mr. Speaker. There are other companies. But they don't match Maytag's sterling reputation for product quality. How often have we seen in the age in which we are living the dumbing down of American manufacturing and its displacement by lesser quality products made with lesser quality parts, many of which are imported from foreign countries?

We have witnessed the demise of the U.S. television industry, the furniture industry, the automotive industry, the loss of our energy independence, and now probably this year the loss of our agricultural independence.

It is correct. The average age of farmers in this country is now 59 years old. What about America's agricultural future? But in this industry of home appliances, an industry leader is brought to its knees as excellence again gives way to global market pressures.

As I have studied Maytag's componentry compared to competing products, I am struck by how much America is really losing. It is losing more than a company. It is losing a standard of excellence.

Mr. Speaker, Maytag's quality was more than marketing. Maytag was real. It really was excellent. Its corporate success began with fine design, careful craftsmanship, investment in research and development, and employment of excellent raw materials. Maytag's employees were proud citizens, living in a proud Republic. They knew they were helping to build a strong America, and they did that every day for over a hundred years.

For Maytag, quality was achieved on several levels. Most Americans know Maytag through its commercials which show the lonely Maytag repairman who never got a call for servicing because America's homemakers simply didn't have problems, or rarely did, with Maytag machines. Quality was number one. Maytag's performance was assured by a long history of investments in research and design that assured that quality. Only recently when they became a victim of the downsizing that is hitting U.S. manufacturing did the firm begin to cut back on research and development. The trickle down effect of foreign competition and the cheapening of componentry affected Maytag.

The list of Maytag's engineering bests compared to competitors has been documented and is extensive. This is what we are losing, to name a few: heavy duty stabilizing springs that assured best performance. That sounds like a simple thing to make, but it isn't. Heavy duty base leveling legs; gauge quality in the metals; high torque motor; counterbalancing tubs. And the type of transmission that had only three parts, not 30, and, therefore, repairs were kept to a minimum.

Mr. Speaker, as I end this evening, Maytag earned our trust: "The value you demand from the brand you trust." America can't afford to lose a company like Maytag.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 109–498) on the resolution (H. Res. 862) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

WE'RE MAKING GREAT PROGRESS IN IRAQ

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, despite what some on the left may say, we are making terrific progress in the global war on terror. Last week, U.S. forces took out al Qaeda's number one terrorist in Iraq who was responsible for countless murders and terrorist attacks around the globe. This was an incredible victory for the U.S. military and intelligence communities. This great accomplishment is concrete evidence that the Iraqi people are cooperating with our troops. They are supporting our mission and are demonstrating their desire to be free.

Mr. Speaker, I am very proud of our troops for the great strides they have made. We have crushed Saddam Hussein's brutal dictatorship and have captured thousands of terrorists. Iraqi children are in school and Iraqi businesses are prospering. Iraq has had several successful elections and has formed their government under a new prime minister. And although it is rarely reported by the media, there is undeniable progress and hope in Iraq with each new day. The Iraqi people have proven they long for freedom and will continue to fight the terrorists by establishing a free, democratically elected government. However, our work is not done. We must stand firm in this war on terror until the job is done and until Iraq can defend and govern itself completely.

□ 2115

CRUEL AND UNUSUAL PUNISHMENT—NOT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, there are a select few men and women in this world who know in advance the exact time of their death. The crime victims are not in that group. Without time to prepare, they never get to say goodbye for the last time. They never get to hug their kids goodbye, their parents for the last time. The last person they usually see on earth is the killer, the one who steals their life.

One of those victims was Pensacola, Florida, police officer Stephen Taylor. He was handcuffing a bank robber that he had captured when another bandit named Clarence Hill cowardly shot Officer Taylor in the back, killing him. This was in 1982, 24 years ago.

Hill was tried and sentenced to death, and his sentence was proper. He was to be executed with a date and time predetermined by law. He knew when he was to meet his maker.

When at the very last minute he claimed that lethal injection is cruel and unusual punishment, our Supreme Court today agreed that his civil rights might have been violated and stayed the execution indefinitely. The courts have to figure this all out, according to the Supreme Court.

Today the Supreme Court's wayward ruling will undo sentences and the sanity of grieving families.

Mr. Speaker, has the Supreme Court lost its way? Soon many murderers and child rapists and armed robbers will scurry to have their sentence stopped. They will claim their deaths might be too cruel and unusual. Cruel and unusual they are not. Mr. Speaker, 37 of the 38 States in the United States that use the death penalty use lethal injection, a hardly unusual means of death when most States use it.

Note the phrase is cruel and unusual punishment, not cruel or unusual punishment. Lethal injection drugs, those are the same drugs given to surgery patients every day, just in a different dosage.

But the people on death row who hope Hill's case will serve their lives have committed crimes more painful than any drug could be, holding someone's head under water, stabbing someone dozens of times till they bleed to death, raping, robbing and bludgeoning their victims until every cry is silenced. Those folks have earned the right to be executed.

I spent 22 years as a felony trial judge and 8 years as a felony court prosecutor in Texas. I have probably tried more cases and more death penalty cases than all the Justices on the Supreme Court put together, and I dealt with the Constitution every day, especially the issues of the Bill of Rights.

I have been down there in the trial court, down in the mud and the blood and the beer with vicious criminal cases, and I have seen the families of murder victims grieve and pray and hope that justice will occur in their case when some outlaw snuffs out the life of their loved one. The death penalty is proper in proper cases. Some people deserve that punishment. Hill is one of those people.

Mr. Speaker, his guilt is not in doubt, just the means of his execution is in doubt, according to the Supreme Court. You know we went from hanging criminals to the electric chair to the gas chamber to the firing squad to this, "put them to a quiet peaceful death, the lethal injection."

Now those that are more concerned about the way criminals die than they are concerned about the way victims die say this death will be and may be a little painful. This ought not to be. Criminals should not have more rights than victims. This case is 26 years old. That absurd delay in sentencing is cruel and unusual to the family of the victims.

Gunning down officer Taylor by shooting him in cold blood is cruel and unusual punishment for him, the victim.

Lethal injection for this killer is neither cruel nor unusual, it is just justice.

And that's just the way it is.

THE GLOBAL WAR ON TERRORISM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Tennessee (Mrs. BLACKBURN) is recognized for 60 minutes as the designee of the majority leader.

Mrs. BLACKBURN. Mr. Speaker, I am going to be joined by some of our colleagues tonight as we begin our discussion in this great body, in this great House talking about the war on terrorism and the global war that we face.

Mr. Speaker, before I began that discussion with my colleagues, I want to take just a few moments and address some of the statements that the minority made during their hour that preceded this. They have talked a lot about spending, and they have talked a good bit about their dissatisfaction with spending.

One of the things that I would like to remind the Members of this body and those that are watching this debate tonight is that much of that spending takes place because of the bureaucracy that has been built in this Congress over the past 50 years.

Now, you go back and you look at what transpired in the 1960s and the way the bureaucracies grew, and the way programs grew. You see all around here that this bureaucracy has been built as a monument to many of our colleagues on the other side of the aisle. They have put their energy into that. They have put that into growing this government here in Washington. Many of them believe that the government here in Washington knows better than the folks back home. I disagree with that.

I would encourage our colleagues to join with us as we work on waste, fraud and abuse, as we work toward reducing the size of this government. When we passed the Deficit Reduction Act that would have made nearly 1 percent across the board cut, they chose not to cast a vote in favor of that.

But they do enjoy coming and talking about how wonderful they feel it would be to have a debt-free America and a balanced budget, and, yes, that is something we would like to do, but we don't want that budget to be balanced by raising taxes. We want that budget to be balanced by reducing spending. That is a big part of our focus as we continue to work.

Soon we are going to have a spring cleaning week where we are going to talk about 150 of these different agencies that absolutely need to go through a house cleaning. They need to reduce their size. They need to get their priorities in order, and bureaucrats that are in these buildings need to start responding to the citizens of this great Nation. They should be held accountable, and we are going to press forward on that issue.

One of my colleagues also made a comment about economic growth, and I would invite our Members to look at the economic stats from 1995 and the economic stats from 2005. If you compare those 2 years, what happened in the economy in 1995 during the Clinton years and what has happened in 2005 during the Bush years? What you are going to see is on every single economic indicator, whether you are talking GDP, unemployment rates, economic growth, homeownership, every single indicator, the 2005 economy beats the 1995 economy on every single point.

I would commend that to individuals that are watching tonight, to be certain that they look at those facts, that they look at those statistics and add those numbers.

It was also mentioned on the floor tonight what type of America do you believe in? I always love it when I hear that type of comment. What type of America do you believe in? I think the colleagues that join me here tonight would join me in saying we believe in an America that is strong. We believe in an America that is free. We believe in an America that is compassionate and caring and wants the best, the very best, for all of our citizens. We believe in an America where children can dream big dreams, where they can grow up happy and free and educated and watch those dreams become reality, where they can take hold of their best efforts and say you know what, we are going to make this even better.

We are going to make it better. We really believe in an America that is focused on hope and not focused on fear. We believe in an America that is strong on individual freedom that understands the importance of freedom for being able to freely live, to freely think, to freely work. We know that that requires that we have a secure homeland, and that is why this majority has been focused on our security agenda, being certain that we look at the moral security of this great Nation, the retirement security, the economic security and, of course, the national security of this wonderful free land that is a beacon of democracy to every single nation on the face of the earth.

You know, when you talk about what kind of America you believe in, I love it sometimes when we are visiting with our troops in war-torn areas, and you meet somebody, and they walk up to you, and they say, you are an American. You are an American? You are an American.

There is a certain awe that comes out of their mouth when they look at us and they know we are what they would like to be. We have got something they want. That is something that we have got that they want, that other nations want, is freedom. It is the chance to do and to be and to have your children do and be all that they would hope to be.

That is why the majority is going to take this entire week and we are going to have a discussion with the American people. We are going to bring forth our hopes. We are going to bring forth our thoughts of what is happening in this war on terrorism. We are going to talk about the progress we have made. We are also going to talk about the areas where we want to improve.

Mr. Speaker, we are going to talk about the big picture. We are going to hold a debate on the Republican and the Democrat approaches to winning the war on terror. We are going to compare, and we are going to contrast the different philosophies that each party has toward the war on terrorism. Our military's elimination of al-Qaeda's top leader in Iraq is an auspicious start to this debate. That success should make it clear that winning takes patience, and it takes perseverance. But things that are worth fighting for and things that are worth working for are items that are worth waiting for because we don't live in a world of instant gratification where everything is decided within 30 minutes. Some things take time to do them right.

History has taught us, history has taught us that it is important that when we look at democracy, when we look at working with other Nations that we get this right. It also takes excellent work by our military and our intelligence folks, and God bless them all. God bless them all.

I am especially grateful for our troops from Fort Campbell from the 101st who are in Iraq now and are certainly working diligently on this effort. Many of our National Guardsmen are there, and they are working as well.

□ 2130

I am very grateful to them and to their families.

Last week, we got to see part of the big picture in the war on terrorism more quickly with Zarqawi's death, with the destruction of a major leader in the global terrorist network. The big picture is the U.S. chasing these people down and eliminating them.

It is helping free nations, Mr. Speaker, free nations develop and throw off the shackles of terrorism in the Middle East. This, Mr. Speaker, will be our topic and our discussion for the week.

At this time, I would like to yield to the gentleman from Iowa (Mr. KING) who is so focused on protecting this great Nation and our Nation's security.

Mr. KING of Iowa. Mr. Speaker, I thank the gentlewoman from Tennessee (Mrs. BLACKBURN) especially for organizing this evening.

Mr. Speaker, I am privileged to be here amongst my colleagues for whom I have such respect and gratitude for the work that they do on a daily basis to help lead this country in the right direction.

As the gentlewoman from Tennessee mentioned, we are going to talk about the big picture in the global war on terror, and oftentimes we lose sight of the big picture. One of the reasons is because we are watching the news every night, and it seems as though they are setting up television cameras or movie cameras in Iraq wherever the IEDs might be planted, and they seem to be able to turn the cameras on seconds before they detonate an IED and seconds before there is some kind of an atrocity that takes place over there. That gives us a very narrow picture of what is going on in Iraq, Mr. Speaker.

But the bigger picture over there is this, and that is that Iraq is a battlefield in the global war on terror, and we began this 20 years ago or so. It came home to roost when we all realized September 11, 2001, that this was not just a sometime enemy, not just an enemy that attacked the USS Cole or the U.S. embassies in Africa or did the bombing on the Marine barracks in Lebanon, and the list of those kind of terrorist attacks went on and on; but it came home to roost in a way that Americans all understood on September 11, 2001.

The bigger picture of it is this that there is a culture out there that believes that their path to salvation is in killing people who are not like them, and I will contend that that organization that is out there, al Qaeda, also remnants of the Taliban, those that are left, are really a parasite; and it is radical Islam which is a parasite on the religion of Islam. Islam itself as mainstream may well be a peaceful religion, but the parasite that rides on them is not.

The definition of parasite, I would remind you, Mr. Speaker, and the other listeners as well, it is a species that rides upon the host. The host is Islam. The parasite is radical Islam, and that parasite species rides on the host, feeds off the host and reproduces on the host, sometimes attacks the host and drops off and attacks other species and sometimes gets picked up back up again and rides on the host again and starts the cycle all over. That is the case with ticks and mites, the whole series of parasites that are there throughout all we know in the animal kingdom, and that is the case also with radical Islam and the overall religion of Islam.

We are faced with that kind of an enemy, and that enemy has killed a lot of Christians. That enemy has killed a lot of Jews, but that enemy has also killed more Muslims than anything else. It gives us a broader picture, Mr. Speaker, of what this enemy is that we are up against.

But the question we needed to ask ourselves, probably well before September 11, 2001, and certainly on that date and every date after that, is how do we conduct a war against a global enemy that is amorphous, an enemy that does not have uniforms or a territory, maybe has a leader or group of leaders, an enemy that simply has an ideology of hatred and terror that comes out and attacks people who are not like them in order to destabilize and somehow gain their presumably greater glory and somehow their salvation in the next life, which I think is down below rather than up above?

Well, as I asked that question subsequent to September 11, 2001, I had the privilege to be listening to an address by Benazir Bhutto, who is the former Prime Minister of Pakistan. She served two different periods of time there, mostly back in the 1990s. She gave an address back in Storm Lake, Iowa, town of my birth, to Buena Vista University, a small private university there, and a very excellent one, that tracks outstanding speakers.

After her profound address, she and I sat down one-on-one, knee-to-knee, so to speak, and this certainly was on my mind and it is on all of our minds even today. I asked her how do we get to this point of victory? How do we bring forth a war on these terrorists to the point where we can declare victory? What is our objective going to be and how shall we carry out this and conduct this war to reach this objective?

And she sat for a little while and she said, You have got to give them a chance at freedom. You have got to give them a chance at democracy. Today, the people in these countries do not have hope. They do not have a way to vent their anger. They do not have a way to apply their energy for change in a constructive fashion with any kind of hope that they can make progress and make this world a better place for themselves, their family, their children, and the subsequent generations.

So, consequently, if we can provide that opportunity, then the climate that breeds terror will turn into a climate that turns that energy towards constructive ends, constructive ends where they would be working to improve their families, their homes, their communities, their country, their churches, their mosques, their synagogues, whatever it might be.

As I listened to that, I asked her a series of questions about it for clarification. I began to think as I drove home that evening this is a pretty good formula to put Benazir Bhutto back in power in Pakistan, but I am not convinced that it is a solution on how we could prosecute and win a war on terror. Yet, I sat down and began to read more and more about Islam, in particular the book, "Radical Islam Visits America" by Daniel Pipes, and I read that through twice with a red ink underliner and a highlighter to try to understand the culture, the religion, the psychology.

I put that together with Natan Sharansky's book, "In Defense of Democracy." When Natan writes that all human beings have a certain energy within them that they will use to try to effect a change, and that they will use that energy if that change is to keep them alive or if that change is to deal with the minutiae that may seem irrelevant to people who will struggle just to stay alive.

Then, to understand, that we never go to war against another free people. Free people do not go to war against free people. So if we put that into the equation, there is an energy and a drive for change, by Natan Sharansky. We never go to war against another free people. So to the extent we can promote freedom and a form of democracy around the world is also a formula for more peace and more safety for all Americans and all free people.

We add that then to Daniel Pipes' understanding and to the idea to promote freedom, and the President's doctrine which he gave out in his second inaugural address, which now we know as the Bush Doctrine, and that is, that all people yearn to breathe free, and it is the duty and it is the obligation of all freedom-loving people to promote freedom throughout the globe and throughout the ages.

Put that formula all together, and that is the formula for how to move forward on this global war on terror and how to finally declare victory.

So we began operations in Afghanistan a couple of months after September 11 very successfully, and 25 million people that had never before in that place on the globe gone to the polls to select their leaders and to direct their national destiny went to the polls and voted, and there were American troops in the field, especially our troops that I noticed in the field, guarding those paths to the polls, guarding those polling sites, and now you have 25 million people in Afghanistan. Some would say, and there were many detractors over on this side of the aisle, that said, oh, it is another Vietnam; you will never be able to get through the Khyber Pass, no one's ever been able to go into Afghanistan and come out of there having won a victory; that country has always fought off all of its invaders.

Well, we did not invade them. We liberated them and the Afghani people now breathe free and have selected their leaders, and the same formula with the same advisers and the same advice was to go to Iraq and do the same thing for the same number of people, 25 million people, and the American soldiers did that and the marines did that and our airmen and our sailors did that and liberated 25 million people.

They went to the polls three times, Mr. Speaker, in 2005 to select their leaders, to ratify a constitution and to put a legitimate government in place, and now they are a sovereign Arab nation in the Middle East. This sovereign Arab nation has had a difficult struggle, and the casualties have been by some measures high, not by measures of previous wars, by measures of the contemporary media. It is tragic to lose America's best in a struggle like this, but it is the highest calling.

So, today, Iraqis breathe free, and we think that somehow, because there is casualties there in the streets of Iraq, it is an intolerable level in that civilization. I asked the question, how can they tolerate living in a society with this high level of violence, this high level of casualties?

So I went back and took a look at the level of casualties that were there, and they need to be measured as a percentage of the overall population. We do that, we do that statistically by measuring how many people out of every 100,000 die a violent death. Well, that would be murder in most societies; and in Iraq, the civilians would be the measure, some are victims of IED bombings, some are victims of murder. We added up those numbers. There are several Web pages that provide that information. We took the most reasonable numbers that we could find. It comes to this number: 27.51 Iraqis per 100,000 die a violent death on an annual basis, 27.51.

Now, what does that mean, and to me it really does not mean a lot until I compare it to places that I know where I have a feel for the rhythm of this place. Well, I by now have a feel for the rhythm of this place called Washington, D.C., and my wife lives here with me. I can tell you, Mr. Speaker, she is in far greater risk being a civilian in Washington, D.C., than an average civilian in Iraq.

Forty-five out of every 100,000 Washington, D.C., residents die a violent death on an annual basis, 45. 27.51 in Iraq out of 100,000, 45 out of every 100,000 in Washington, D.C.

If you go to New Orleans, pre-Katrina, before Katrina, 53 per 100,000, almost twice as many violent fatalities in the city of the New Orleans than there are in Iraq as an average civilian.

Now, we took out the military, took out the police because they are involved in combat, but that gives you a measure, Mr. Speaker, of what is it like in Iraq. The United States military has provided, first of all, liberation for the Iraqis that were dying at an average rate of 182 a day at the hands of Saddam Hussein, collared him, put him on trial, took out Zarqawi and gave them a safer, free society than the society that they lived in.

Statistically, if you want to chart that for the duration of this operation from the liberation of the Iraqis in March of 2003 until today, there are over a 100,000 Iraqis alive today because the United States and coalition forces went into Iraq and took on that calling to promote freedom throughout the globe. Now, Iraq stands as near the end of the military security solution of the operation in Iraq, at the beginning of the political solution in the operation of Iraq, where now they have a sovereign Arab government, and they are on the cusp of the solution for their economics. When they are able to start pumping oil out of that ground and sending it around the world and cashing the checks, we will see then this lode star of Iraqi being an inspiration for all the Arab world. A free Arab world, a prosperous Arab nation, and inspiration for all the Arab world.

I have to believe that as the Berlin Wall went down on November 9, 1989, and freedom echoed across Eastern Europe, hundreds of millions of people breathe free today, I have to believe that same kind of contagious desire for freedom will take place in the Middle East among the Arab people.

That is the big picture, Mr. Speaker. That is the vision of our President. That is the sacrifice of our military. That is the commitment of this Congress, and that is where we are headed. I believe and I pray that we will arrive there one day soon, and I expect to be around to celebrate that joyous day. I will stand here with our military every day until that is accomplished.

Thank you to the gentlewoman from Tennessee. I appreciate this privilege to address this Chamber and the Speaker.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Iowa, and I am so appreciative that he mentioned that this is not a sometime enemy that we are dealing with. This is an enemy, as he said, that is amorphous. They are located everywhere. Terrorist cells are around the globe, but it is an enemy with an agenda. Their agenda is to end freedom as we know it, and they work at it 24/7. They are an enemy to freedom, and we do know that the Iraqi people are grasping at their chance for freedom.

You know, Mr. Speaker, I think it is really quite important to note that a development that got swamped by the Zarqawi news, but a development that I certainly believe is very critical to our long-term security goals, was that the Iraqi Government's confirmation of its top three security chiefs was last week. You had Sunnis and Shiites standing together as the security chiefs for this nation.

What an enormous step in the right direction, and we have now had tremendously successful elections in Iraq. We have a unified government. We now have 275,000 Iraqi security forces that are in place.

□ 2145

So we do know that we are seeing progress in the right direction. There are no guarantees, but it is steps in the right direction.

At this time, I want to yield to the gentleman from Texas, Mr. CARTER, who has Fort Hood in his district. Judge Carter has worked so diligently with our men and women in uniform, and I thank him for coming to talk a little bit about the big picture, about the global war on terror, and why it is imperative that we persevere. And I yield to the gentleman from Texas.

Mr. CARTER. I thank the gentlewoman from Tennessee. She is a real asset to this Congress, and I am just proud to be able to be with her tonight to talk about the war on terror.

I live in a district where on any given day we have between 15,000 and 20,000 American heroes standing on that wall protecting freedom in the United States, in harm's way, giving their lives and limbs and time so that we can sit here in this House and so that our children and our wives and our loved ones can walk the streets of the United States free.

You know, this war on terror is a war on a cancerous idea that is, when you really think about it, is really one of the most horrible, horrible things there is; that there is a group of people that are fighting a war not against military soldiers as proud warriors marching off to war. No. In fact, they do not want to even see an American soldier anywhere near them, if they can help it. They want to terrorize society. And that terrorism, in their way of thinking, starts with civilians, not military.

We got a real good dose of that on 9/11, a dose that I do not know how the American people can ever get it out of their minds. When we were attacked at Pearl Harbor by the Japanese, they attacked our military installations at Pearl Harbor. But when we were attacked on 9/11, a building full of business folks was attacked. This was not an attack on a military target, this was an attack on a civilian target, and its sole purpose was to kill American citizens.

We need to thank the Lord that their timing was slightly off and that the building was not completely full. If it had been, instead of numbering in the thousands we might have been numbering in the hundreds of thousands of people in those two buildings that might have died. But that was their purpose. Their purpose was to change how we live by hitting us where we live. I just can't think of anything more horrible.

You know, I was in the judge business for a while, as were several people in this room here today, and we know from experience that there's a lot of evil out there in the world, and we spent our time trying to deal with that evil. And I think, from what I know of my colleagues here in the House, we did a pretty good job of fighting evil. One of the things we did to curtail evil was we put them away, and we put them down so that the price of being evil was a high price in the places where we lived. And we are proud of that.

I think the American soldier knows that the hard part of fighting the war on terror, on fighting people who are really not out to fight them but are out to fight their children and their wives and their moms and dads back home, and moms and dads and children of people in Iraq and Afghanistan and many other countries in this world, the Philippines, Indonesia, and the list goes on and on and on, they are always attacking the innocent trying to live their lives.

But what is their theory behind this? I have thought about this. And I want to say that Mr. KING gives some great insight into some of the things he has read, and I was fascinated by some of the things he had to say. But I think about this, and what they are really trying to do is to change the way we live until we just really cannot tolerate living that way any longer and we are willing to compromise and give in to what they view as a world view, until their radical Islam dominates the world.

They want our school children in Texas, or our school children in Tennessee, or our school children in Iowa to get up in the morning, every morning, and be afraid to stand at the bus stop, be afraid to ride on the school bus, be afraid to go to their school for fear that somebody might blow it up, somebody might shoot at the bus, somebody might hijack them or kidnap nap them. That is the world they are developing right now that we are tearing apart right now in Iraq and Afghanistan.

This is not easy work for our soldiers. Our soldiers are out there in a special role that soldiers have never been in. Soldiers are trained to fight soldiers. Soldiers are trained to go onto a battlefield and fight a battle. And sometimes it is an unconventional battle, and we are trained to fight unconventional battles. Our soldiers are not policemen, although some are trained as policemen. Our soldiers shouldn't be policemen, but today the American Marine on patrol in Iraq or Afghanistan has a special mission, and that mission is to make sure that the safety of that population is as safe as the safety he wants for his population back home.

And he cares about those people. He cares about those kids. A great story I heard when I was back in Iraq was about a soldier walking down the street and a little girl comes running out and hands him one rose. A beautiful rose. He later gave it to a lady at the hospital who told me the story. She explained, and somebody was able to speak the language and tell this to the soldier, that that was the only thing living left in their garden. But she knew he deserved to have that rose because he was keeping her garden safe. This was a little 10-year-old girl.

Now, I'm sure that soldier will go for the rest of his life with the memory of that little girl. And I know sometimes they have to be standing out there in 115 degree heat with all that armor on and saying, man, this is a tough job. But that is the kind of thing that tells us what we are fighting for. We are fighting to protect innocent human beings. Not warriors, but to protect innocent human beings from being terrorized until they surrender their freedom and their will to terrorism.

That is what terrorists want. That is what they do. They just attack the innocent until the innocent throw up their hands and say, whatever you want, you can have it.

And we have examples of how they have done that. Look at Lebanon. Look at the other places around the world where the terrorists have just run rampant through the streets until Lebanon, which used to be called the Riviera of the Middle East, is now an example of destruction when people use the term Lebanon.

So why are our American soldiers doing this? They are doing their duty with pride and with conviction. And I will tell my friends on the other side of the aisle who seem to have this cut-and-run mentality, I want them to think about the times, and I know they have visited Iraq and they have to have talked to the same soldiers that I have talked to, but the soldiers that I talked to are proud of what they are doing in Iraq. They are confident that they are succeeding in what they are doing. They do not understand why the American people don't hear about their successes.

But, folks, even when we don't publicize their successes, they are having them. This last week has been a huge step forward in the war on terror because we took out the top terrorist. And from his little notebook, over the next couple of days we took out 17 other locations. Today we had another very successful raid. And we are not only getting rid of the bad guys and punishing them for their misbehavior by putting them into the Never-Never Land, but we are also capturing things that tells us more.

So I say to the terrorists: Beware. The American soldiers are coming. Beware. We are learning every day and we are getting better and we are learning more and more information about you, and we are coming to get you. We are going to stop what is going on.

I was real proud to know when Zarqawi was killed that the first people at the site were my boys in the 4th Infantry Division. Proud of them. They are the guys who caught Saddam Hussein. They are the guys who have been up front on every war, as has the 1st Cav. The 1st Cav. Gave us free elections. The 4th Infantry Division gave us Saddam Hussein, and now the first people on site after that beautiful job the Air Force did.

But you know what, the real war on terror, and we need as American citizens to think about this real strongly, is the first time the President spoke, I think it was after this thing happened, and he said what would be our top policy on the war on terror. He said if you help our enemies, you are our enemy. We are taking the fight to the enemy.

I think that is the right policy. I think the right policy is to say, we are not going to stand for people who kill innocent civilians no matter where they are, and we are going to stand up to them. Why? Because as Prime Minister Blair said right here in this House, it is our turn. We are the beacon of freedom in the world. We have the resources, intelligently used, to meet the challenge.

People say, oh, but it is going to be a long war. You know what? I think it is going to be a long conflict, but it's going to be a conflict that is going to have a series of battles in it. We are misdefining Iraq by calling it the war in Iraq. We are misdefining Afghanistan by calling it the war in Afghanistan. It is the battles in Iraq, the battle in Afghanistan. And maybe whatever we do in the way of successes will postpone the next battle.

Folks, we went into what we called the Cold War, and the Cold War included the battle of Korea and the battle of Vietnam and the battle of Panama and a lot of other battles that took place. But we won the Cold War by sticking to the principle that freedom and democracy and the ability to live your life in a world that was peaceful and loving was worth fighting for and worth standing up to people who wanted to change that and put totalitarianism in place of freedom.

We have now got a group of people who are fanatics and who want to put this radical Islam in place of freedom. And, unfortunately, once again, we have to stand up and be counted. And we will, as long as we produce people like I have met at Fort Hood and many other places where I have gone with the military, these quality young men and women. And as long as the American people are willing to stand the ground and do the job we back here have to do to win the war on terrorism, we will succeed.

Mr. Speaker, it is critical that the American public realize that the only thing standing between us and another 9/11 is the will to face the terrorists' onslaught not only with our troops but with our hearts and minds in America we should stand up for what is right. There is right and there is wrong in this world, and imposing the will by terror, by Islamic terrorists, is wrong.

Standing up for freedom and letting our kids be able to go to the park and play without fear of terrorism or wander the streets or your wife to go shopping at the grocery store or you be able to go to work every day without the fear of terrorism, that is right. It is the freedom we fought for and died for in this American country, and it is the freedom the whole world should be able to enjoy.

Mr. Speaker, I am proud to say. I am proud to say that I am an American and that Americans stand for right, I yield back to the gentlewoman.

Mrs. BLACKBURN. Mr. Speaker, I appreciate so much how well the gentleman represents his constituents at Fort Hood, and I know he is so very proud of them and the work that they do.

I, likewise, am so very proud of my men and women at Fort Campbell, men and women of the 101st, there in Montgomery County, Tennessee.

□ 2200

How appropriate that the gentleman from Texas referred to them as heroes, because indeed they are. And as they work to gather in the trust and confidence of the Iraqi people, the trust of a little girl who brings the rose from her garden to one of our military men and women, the trust of an Iraqi citizen who takes the key out of a lock of one of Saddam Hussein's former jails and hands it to an American soldier and says, "Thank you, thank you for my chance at freedom."

Mr. Speaker, those are the stories that we are hearing day in and day out. They are coming to us from our men and women in uniform who do understand the big picture, who do understand that we have an enemy that would like to change our way of life.

It is imperative that we communicate that message that we are not going to stand for that. We are not going to stand still and let that happen. You know, I think it is really quite interesting that sometimes the liberal elites try to couch this debate about Iraq as to whether it was wrong or whether it was right to go in and free millions of people from Saddam Hussein, whether it was worth it. Many of the leftists think it was not worth it. They would like to just sit down and talk about this. I believe we should put that question aside for a moment because it really does simplify the question of our involvement in Iraq. It oversimplifies it. The question ignores the relevance of Iraq to America's national security framework.

You know, as the gentleman from Texas said, our daily lives, how we go about them, when we are made more unsafe, when our national security is made unsafe by the existence of a hostile and isolated Middle East ruled by murderous thugs and their terrorist supporters, then we have to do something about that. That is a fact. I challenge anybody to come in and argue with that.

The truth of this fact is written in the blood of Americans and the citizens of dozens of other free nations, the people who have been murdered by terrorists, spawned in the Middle East over the past 40 years. Whether anyone believes we should be in Iraq for the sake of freeing an oppressed people is something we could haggle about all night, but it is not the point of our mission there. We should be in Afghanistan, Iraq and in the Middle East actively working to put an end once and for all to the systems of government that have promoted and celebrated brutal attacks on America, on Europe, and in countries across Africa.

If we do not, we are going to suffer again and again. We are in Iraq, we are in Afghanistan because President Bush and the American people decided on September 11, 2001, that enough was enough. Could we have stayed out? Of course. Could we have continued responding to terrorism as a case of civil disobedience? Of course.

We could have decided to simply contain this region and hope to contain the terrorism that grew there, but that did not get to the root of the problem. And the price of that policy would have continued to be periodic September 11s. That would be the price. This country had to decide whether we were willing to pay this steep price of letting the Middle East continue for another 30 years as it had for the past 30 years.

We have had a real champion of freedom join us in the U.S. House of Representatives this year, another judge from the great State of Texas; and at this time I want to yield to Judge POE from the great State of Texas.

Mr. POE. Mr. Speaker, I want to thank the gentlewoman from Tennessee for allowing me to make some comments on the war in Iraq and Afghanistan.

Tennessee is named the Volunteer State. It was some of those Tennesseeans who volunteered to help my State, Texas, become a free and independent nation back in 1836, another example that to be free it always costs something. We called upon those volunteers to make a difference in freedom, noting that every person serving in Iraq and Afghanistan is a volunteer. Many of them are on their second and third tours of duty, volunteered because they understand the importance of what they do.

We just recently learned that the United States Army has met not only its enlistment goals but more enlistments than they had predicted because many Americans, the young of our Nation, understand the importance of what is going on. They know there is a war going on out there, and it is a war against terrorists. It is a war the terrorists started, and terrorism is not something we desire; but it is certainly something we must destroy.

We cannot negotiate with terrorists. We cannot sit down at a conference table and say come let us reason together. It is not going to work because you see, terrorists are determined to kill people, not just soldiers, not just sailors or marines, but all people, any people that get in their way. And that includes their own people. That includes military and nonmilitary. It includes civilians, the old, the elderly, women, children. It includes people in hospitals recovering from sickness. Anybody they wish to cause terror in the hearts and souls of the world they murder, and they kill throughout the world. That is the way terrorists operate, and the idea that we can even negotiate with them is almost as absurd as the idea that we can appease those individuals.

Appeasement comes up every time some nation, like our Nation, has to go to war to fight for our freedoms and liberties. It came up in World War II, and appeasement was talked about even in Washington, D.C., appease the Germans, appease the Japanese, give in, try to ignore. Of course, we saw what happens. Appeasement never works with terrorists because they are determined to become more criminal-like in their activity and promote their desires no matter what it takes.

I, like you and many Members of the House, have been to Iraq. I have seen the Iraqi people. I have seen our military and was fortunate to be there last year and when the Iraqi people had their first free elections in the history of their nation. It was quite the honor to be one of two Members of Congress to see that event.

Of course, the skeptics and critics say, as the gentlewoman from Tennessee says, the northeastern elites, they said the Iraqis do not understand freedom or democracy, it will never work; and every election starting with that first election and every subsequent election after that proved that Iraqis want freedom. They have tasted it, and they do not want to let it go. And they are fighting for it just as much as our troops are fighting for it.

Of course, I visited with our troops. They all say that we are winning the war on terror. And we are winning the war on terror. One thing that an Iraqi woman said to me at the voting booth, she had cast her ballot, had that purple stain on her finger, proudly walking down the street defiant of the terrorists because they said if you vote, the terrorists will kill you, and of course they did kill 57 Iraqis that voted that day. Anyway, she came up to me, she had tears in her eyes. I had an interpreter with me and she said to the interpreter and he told me, she said, We Iraqis are grateful to America for giving their youth to us.

What she was saying was she was aware, as the Iraqis are, that Americans die so other people can live and live free.

You know, 2,400-plus Americans have died in this war. Eight of those who have died are from my congressional district down in southeast Texas. I have talked to the families of those marines and sailors and airmen and soldiers that have been killed. Those families grieve in their own way, but they say to a family that they were proud of their son and they will be proud of America if America stays the course and finishes the job that their kids started in Iraq and Afghanistan. "Finish the war, win the war," Mr. POE, "win the war." I heard that so many times. "Win the war that my son died in."

And I say to those families and other families that this country will win that war on terror. As has been said here on the House floor, it is going to be a long war. It is not an easy war. It is an unconventional war because we fight by the rules of engagement. The United States—we go after the terrorists. The terrorists, unlike any other war in world history, are determined to kill anybody in their way, including the innocent.

But we will not let those that have died and those that will die, die for nothing because they are dying for something. They are dying for two things. They are dying for the welfare of the United States of America. It is in our best interest to take the fight to the enemy, and we are doing that. We are going to track them down wherever they show up in the world, and we are going to eliminate them. They are beginning to believe us that we will track them down. And we also are fighting this war because of that word freedom.

It is important that Iraq and Afghanistan be free nations. They have never tasted freedom. They have tasted it now; and as I said, they do not want to let go of it. President Kennedy said it better than I can. He said, you know, this country will bear any burden. We will pay any price. We will support any friend, we will oppose any foe to preserve liberty.

That is our mission statement given by President Kennedy over 40 years ago, and that is what our troops are doing.

Freedom has always cost. It always will. Good things have cost. It cost us 7 years of hard war against the British. After we gained our independence, gained our freedom, the British did not believe it, and they attacked us again in the War of 1812. They burned this building down, and they burned the White House. They burned every building in Washington, D.C. except for two because they were trying to make sure that America was not a free Nation. So we had to fight them again.

Freedom has cost this country, and it has cost other countries; and Iraq is one of them. We do not get freedom by sitting down at a conference table and saying, let us reason together so we can be a free people.

There is no substitute for victory. It is the only path to freedom, and I hope that folks in this Nation understand the great job our troops are doing and are as committed as they are to winning the war.

Down in southeast Texas, I have the distinction of having the Port of Beaumont. It is the number one military deployment port of cargo going to Iraq. It comes from Fort Hood and Fort Bliss, and it is the place where our troops come home. Most of the troops coming back to my area are National Guard troops. You see, down in southeast Texas when the National Guard comes home, we have parades for them. Schools and businesses close, and everybody turns out on Main Street waving the American flag. We are proud of what our troops are doing. We understand, as most Americans understand, they are doing a good job and they are putting their lives on the line for that simple word that people since the beginning of the world have wanted, and that is freedom.

So this country I do not think is ever going to flinch and it is never going to flee and we certainly are never going to fear because we will never fail the war against terrorism, and I hope we will be successful.

I appreciate the gentlewoman from Tennessee (Mrs. BLACKBURN) allowing me to make these comments. I hope we will continue the dialogue and the perseverance to be successful and to spread the word not only in America but to those terrorists who live throughout the world that they can run, but they can certainly never hide because the American fighting man is going to track them down.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Texas. I thank him for mentioning that our men and women in uniform are volunteers and they have chosen to fight.

I, like him, have spent time with these men and women and their families and on Memorial Day talked with the aunt of a young man who came to one of the memorial services. And after I spoke, she came up and with her broken heart she said, Mrs. BLACKBURN, you're so right, he was there because he wanted to be there and you're so right. He knows, he knew that we were winning, that we are winning the war on terror.

□ 2215

And yes indeed, he understood the mission. Our families, our military families know this, Mr. Speaker, and they know that this Nation has decided not to play hostage, not to be held hostage. Our men and women in uniform are paying the price to fight this war so that we are not having to fight it on the streets of Washington, D.C., or Memphis or Nashville or L.A. or anywhere else in this country. We have made a choice not to be bullied and not to live with the gun pointed at our head. And I give credit to our President. And, Mr. Speaker, I credit the American people for making a tough decision. War is never easy. War is never, ever easy, but we have to remember the big picture in this and that picture is we have to have a democratic ally in the Middle East. This is about freedom and free people. It is about expanded democracy and education. It is about rooting out terrorists and disrupting their networks and their way of working and their beliefs so that they don't import it and place it on us. It is about slowing them down and eventually making it impossible for them to work.

Mr. Speaker, there is a lot of talk about whether we are winning or not. And we are winning. But this is not easy. There are going to be a lot of dark days ahead. This is not an easy fight. It is not easy for us. It is not easy for our military men and women and their families. It is not easy for the Iraqi people. And there is a tremendous amount of frustration when they take a couple of steps forward and then a few steps back and a couple of steps forward and another step back. And just as in the past 3 years we have had some victories to celebrate, we have also had some very tough times. But we come to the point of saying, is it a necessary action? And yes, indeed, Mr. Speaker, it is a necessary action. The defense of freedom is a necessary action for our great Nation. It was the only decision that put America on the offensive when it came to the war on terrorism and our national security because freedom is worth fighting for.

As I close the hour this evening and begin this week's debate, I want to focus where I began in talking about the big picture. Ronald Reagan often said, we could bet on hope or we could bet on fear. You can bet on hope or you can bet on fear. He chose to bet on hope. And, Mr. Speaker, I know why. And I know why the American people choose to bet on hope. It is that hope, that desire that lives in our heart for a better tomorrow.

I love quoting Margaret Thatcher and her comment when she talks about America. She would say it is more than a superpower, more than a great Nation. America is an idea. America is an idea. What a great idea it is. It is the idea of freedom. It is the idea of opportunity. It is the idea of hope. And this week we look forward to talking about hope for our future, hope for the future of our children, hope for the future of the Nation of Iraq.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BERKLEY (at the request of Ms. PELOSI) for today and June 13 on account of a death in the family.

Mr. CAPUANO (at the request of Ms. PELOSI) for today.

Mr. CARDOZA (at the request of Ms. PELOSI) for today.

Mr. DAVIS of Illinois (at the request of Ms. PELOSI) for today.

Ms. DELAURO (at the request of Ms. PELOSI) for today and June 13 on account of a death in the family.

Ms. MILLENDER-MCDONALD (at the request of Ms. PELOSI) for today on account of important congressional business in the district.

Ms. ROYBAL-ALLARD (at the request of Ms. PELOSI) for today.

Mr. CALVERT (at the request of Mr. BOEHNER) for today on account of travel delays.

Mr. GIBBONS (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. GINGREY (at the request of Mr. BOEHNER) for today on account of personal business.

Mr. SESSIONS (at the request of Mr. BOEHNER) for the week of June 12 on account of taking his son, Alex, to Scout camp.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. RYAN of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mrs. MCCARTHY, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. ROSS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

(The following Members (at the request of Mr. LEWIS of California) to revise and extend their remarks and include extraneous material:)

Mr. MCHENRY, for 5 minutes, today and June 13, 14, 15, and 16.

Mr. OSBORNE, for 5 minutes, today and June 13.

Mr. BURTON of Indiana, for 5 minutes, today and June 13, 14, 15, and 16.

Mr. BILIRAKIS, for 5 minutes, today and June 13 and 14.

Mr. POE, for 5 minutes, today and June 13, 14, and 15.

Mr. GOODE, for 5 minutes, June 13.

ADJOURNMENT

Mrs. BLACKBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 20 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 13, 2006, at 9:30 a.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7969. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Requirements for Requests To Amend Import Regulations [Docket No. 02-132-2] (RIN: 0579-AB63) received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7970. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule — Food Labeling: Health Claims; Soluble Dietary Fiber From Certain Foods and Coronary Heart Disease [Docket No. 2004P-0512] received June 2, 2006', pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7971. A letter from the Assistant Secretary of the Navy for Installations and Environment, Department of Defense, transmitting Notice of the decision to conduct a standard competition of the support services function performed by civilian personnel in the Department of the Navy for possible performance by private contractors, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

7972. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Deposit Insurance Regulations; Inflation Index; Certain Retirement Accounts and Employee Benefit Plan Accounts (RIN: 3064-AD01) received May 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

7973. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Report to Congress on the Child Care and Development Fund (CCDF) for FY 2002 and FY 2003, pursuant to Public Law 104-193, section 658L; to the Committee on Education and the Workforce.

7974. A letter from the Deputy Bureau Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 [CG Docket No. 02-278]; Junk Fax Prevention Act of 2005 [CG Docket No. 05-338] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7975. A letter from the Legal Advsior, WTB, Federal Communications Commission, transmitting the Commission's final rule — Implementation of the Commercial Spectrum Enhancement Act and Modernization of the Commission's Competitive Bidding Rules and Procedures [WT Docket No. 05-211] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7976. A letter from the Chief, Pricing Policy Division, Federal Communications Commission, transmitting the Commission's final rule — Request to Update Default Compensation Rate for Dial-Around Calls from Payphones [WC Docket No. 03-225] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7977. A letter from the Associate Bureau Chief, WTB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Part 97 of the Commission's Rules to Implement Certain World Radio Conference 2003 Final Acts —— received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7978. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Coalgate, Oklahoma) [MB Docket No. 05-274; RM-11274] (Silver Springs Shores, Florida) [MB Docket No. 05-275; RM-11275] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7979. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Dover and North Canton, Ohio) [MB Docket No. 04-377; RM-11077] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7980. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Portage and Stoughton, Wisconsin) [MB Docket No. 04-239; RM-10998] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7981. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Aguila, Apache Junction, Buckeye, Glendale, Peoria, Wenden, and Wickenburg, Arizona) [MB Docket No. 05-270; RM-11268; RM-11272] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7982. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Hallettsville, Meyersville, and Yoakum, Texas) [MB Docket No. 05-246; RM-11263; RM-11309]; Reclassification of License of Station KCYY(FM), San Antonio, Texas [BMLH-20001010AC0] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7983. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Franklin, Addis, and Eunice, Louisiana) [MB Docket No. 05-291; RM-11270] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7984. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Paint Rock and Big Lake, Texas) [MB Docket No. 05-31; RM-11150] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7985. A letter from the Legal Advisor to the Bureau Chief, MB, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Encino, Texas) [MB Docket No. 05-100; RM-11181]; (Steamboat Springs, Colorado) [MB Docket No. 05-153; RM-11223] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7986. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 ft (18.3m) LOA Using Pot or Hook-and-Line Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 060216045-6045-01; I.D. 040606A] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

7987. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of an Accountability Review Board to examine the facts and the circumstances of the loss of life at a U.S. mission abroad and to report and make recommendations, pursuant to 22 U.S.C. 4831; to the Committee on International Relations.

7988. A letter from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting a copy of the Balance Sheet of Potomac Electric Power Company as of December 31, 2005, pursuant to D.C. Code section 43-513; to the Committee on Government Reform.

7989. A letter from the Chief Executive Officer, Corporation for National & Community Service, transmitting the Corporation's Report on Final Action as a result of Audits in respect to the semiannual report of the Office of the Inspector General for the period from October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7990. A letter from the Secretary, Department of Education, transmitting in accordance with the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Department's Buy American Report for FY 2005; to the Committee on Government Reform.

7991. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

7992. A letter from the Assistant Administrator, Office of Legislative Affairs, National Aeronautics and Space Administration, transmitting a report on the Administration's category rating system covering the period from November 23, 2004 through November 22, 2005, pursuant to 5 U.S.C. 3319(d); to the Committee on Government Reform.

7993. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the semiannual report of the Inspector General of the National Aeronautics and Space Administration for the period ending March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7994. A letter from the Chairman, National Endowment for the Arts, transmitting the Semiannual Report of the Inspector General and the Semiannual Report on Final Action Resulting from Audit Reports for the period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7995. A letter from the Executive Director, Pension Benefit Guaranty Corporation, transmitting in accordance Section 641 of Division H of the Fiscal Year 2005 Consolidated Appropriations Act, Pub. L. 108-447, the Corportation's report for fiscal year 2005 on the amount of acquisitions made by the Corporation from entities that manufacture the articles, materials, or supplies outside the United States; to the Committee on Government Reform.

7996. A letter from the Chairman, Securities and Exchange Commission, transmitting the semiannual report on activities of the Inspector General for the period October 1, 2005 through March 31, 2006 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

7997. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Utah Regulatory Program [UT-043-FOR] received June 5, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7998. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Missouri Regulatory Program [Docket No. MO-038-FOR] received June 5, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7999. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; West Coast Salmon Fisheries; 2006 Management Measures and a Temporary Rule [Docket No. 060427113-6113-01; I.D. 042406A] (RIN: 0648-AT34) received May 23, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8000. A letter from the National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery [Docket No. 051213334-6119-02; I.D. 112905C] (RIN: 0648-AT98) received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8001. A letter from the Assistant Administrator, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Commercial Shark Management Measures [Docket No. 060131019-6080-02; I.D. 012006B] (RIN: 0648-AU17) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8002. A letter from the Assistant Administrator, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Swordfish Quotas [Docket No. 060201021-6124-02; I.D. 100405C] (RIN: 0648-AT73) received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8003. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2006 [Docket No. 060317073-6125-02; I.D. 031406A] (RIN: 0648-AT28) received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8004. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fisheries; Biennial Specifications and Management Meaures; Correction [Docket No. 060424110-6110-01; I.D. 081304C] (RIN: 0648-AU39) received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8005. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer [Docket No. 041110317-4364-02; I.D. 042706A] received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8006. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Commercial Quota Adjustment for New York [Docket No. 051128313-6029-02; I.D. 050906C] received May 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8007. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Alaska Plaice in the Bering Sea and Aleutian Islands Management Area [Docket No. 060216045-6045-01; I.D. 051006A] received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8008. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Allocation of Trips to Closed Area (CA) II Yellowtail Flounder Special Access Program (SAP) [Docket No. I.D. 050906B] received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

8009. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a Report on Denial of Visas to Confiscators of American Property for the period of April 22, 2005 through April 21, 2006, pursuant to 8 U.S.C. 1182d; to the Committee on the Judiciary.

8010. A letter from the Chairman, Naval Sea Cadet Corps, transmitting the 2005 Annual Audit and the 2005 Annual Report of the Naval Sea Cadet Corps (NSCC), pursuant to 36 U.S.C. 1101(39) and 1103; to the Committee on the Judiciary.

8011. A letter from the Secretary, Department of Transportation, transmitting the Department's report entitled, "Report to Congress on Catastrophic Hurricane Evacuation Plan Evaluation," pursuant to Public Law 109-59, section 10204 Public Law 109-115, section 187; to the Committee on Transportation and Infrastructure.

8012. A letter from the Assistant Secretary for Management and Chief Financial Officer, Department of the Treasury, transmitting the Department's report to Congress on FY 2005 acquisitions from entities that manufacture articles, materials, or supplies outside the United States, pursuant to Public Law 108-447, section 641; to the Committee on Transportation and Infrastructure.

8013. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting the Department's March 2006 "Treasury Bulletin," pursuant to 26 U.S.C. 9602(a); jointly to the Committees on Ways and Means, Transportation and Infrastructure, Resources, Energy and Commerce, Education and the Workforce, and Agriculture.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4894. A bill to provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children; with an amendment (Rept. 109–497). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINCOLN DIAZ-BALART of Florida: Committee on Rules. House Resolution 862. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 109–498). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. LANTOS:

H.R. 5582. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing personal information, to disclose any unauthorized acquisition of such information; to the Committee on Energy and Commerce, and in addition to the Committees on Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BEAN (for herself and Mr. WELDON of Pennsylvania):

H.R. 5583. A bill to provide a temporary minimum standard mileage rate for computing the deductible costs of operating a vehicle for business purposes; to the Committee on Ways and Means.

By Mr. HAYES (for himself and Mr. MCINTYRE):

H.R. 5584. A bill to amend title 10, United States Code, to provide for the inclusion of certain special and incentive pays in the computation of military retired pay for members of the Armed Forces who have a special operations forces designation; to the Committee on Armed Services.

By Mr. MCHENRY (for himself and Ms. WASSERMAN SCHULTZ):

H.R. 5585. A bill to improve the netting process for financial contracts, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself and Mr. CANTOR):

H.R. 5586. A bill to amend the Internal Revenue Code of 1986 to allow distributions from health savings accounts to be used for the purchase of non-group coverage under high deductible health insurance; to the Committee on Ways and Means.

By Mr. MEEK of Florida (for himself and Mr. DAVIS of Florida):

H.R. 5587. A bill to establish a bipartisan commission on insurance reform; to the Committee on Financial Services.

By Mr. SALAZAR (for himself and Mr. EVANS):

H.R. 5588. A bill to require the Secretary of Veterans Affairs to protect sensitive personal information of veterans, to ensure that veterans are appropriately notified of any breach of data security with respect to such information, to provide free credit monitoring and credit reports for veterans and others affected by any such breach of data security, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SOUDER (for himself, Mr. SHADEGG, and Mr. KING of Iowa):

H.R. 5589. A bill to direct the Secretary of Homeland Security to transfer to United States Immigration and Customs Enforcement all functions of the Customs Patrol Officers unit operating on the Tohono O'odham Indian reservation; to the Committee on Homeland Security.

By Mr. BARTON of Texas (for himself and Mr. DINGELL):

H. Con. Res. 426. Concurrent resolution recognizing the Food and Drug Administration of the Department of Health and Human Services on the occasion of the 100th anniversary of the passage of the Food and Drugs Act for the important service it provides to the Nation; to the Committee on Energy and Commerce.

By Mr. HYDE:

H. Res. 861. A resolution declaring that the United States will prevail in the Global War on Terror, the struggle to protect freedom from the terrorist adversary; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS (for himself, Mr. BURTON of Indiana, Mrs. CHRISTENSEN, Mr. WYNN, Mr. CLYBURN, Mr. CARDIN, Ms. WATERS, Mr. MEEKS of New York, Ms. KILPATRICK of Michigan, Ms. MILLENDER-MCDONALD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. JEFFERSON, Mr. TOWNS, Ms. NORTON, Mr. CONYERS, Mr. MEEK of Florida, Mr. CARTER, and Mrs. CAPPS):

H. Res. 863. A resolution expressing the sense of the House of Representatives that there should be an increased Federal commitment to supporting the development of innovative advanced imaging technologies for prostate cancer detection and treatment; to the Committee on Energy and Commerce.

By Mr. SANDERS:

H. Res. 864. A resolution recognizing the importance of shared housing in the United States; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

334. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 272 memorializing the President of the United States and the Congress of the United States and the Department of Defense to oppose any increase in the cost of enrollment in health care programs for members of the United States military; to the Committee on Armed Services.

335. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 94 memorializing the Congress of the United States to oppose the SMART Act and other preemptive federal insurance regulatory measures; to the Committee on Financial Services.

336. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 52 requesting the House and Senate Committees on Human Services to conduct a joint study of the Department of Human Services' reunification and kinship placement policies and procedure; to the Committee on Education and the Workforce.

337. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 209 memorializing the Congress of the United States to provide flexible funding to help states and local communities clean up and deal with the disastrous effects of clandestine methamphetamine labs; to the Committee on Energy and Commerce.

338. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 301 urging the President of the United States and the Congress of the United States to bring humanitarian assistance and lasting peace to the Darfur region; to the Committee on International Relations.

339. Also, a memorial of the Senate of the State of Iowa, relative to Senate Resolution No. 137 requesting the Congress of the United States give due consideration to the readiness of the Republic of China on Taiwan for membership in the United Nations; to the Committee on International Relations.

340. Also, a memorial of the House of Representatives of the State of New Hampshire, relative to House Resolution No. 22 urging the Congress of the United States to promote and publicize the report to the Congress entitled, "A Review of the Restrictions on Persons if Italian Ancestry During World War II"; to the Committee on the Judiciary.

341. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 105 memorializing the Congress of the United States to adopt and transmit to the states for ratification an amendment to the United States Constitution that would ensure that apportionment is based on citizens and not non-citizens; to the Committee on the Judiciary.

342. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 27 memorializing the Congress of the United States to take immediate action to provide federal financial assistance to aid Louisiana's recovery following the devastation caused by hurricanes Katrina and Rita, to expeditiously complete the needed repair to the levee system in the greater New Orleans area, to provide for the prompt construction of hurricane and tidal water protection for Southern Louisiana, and to provide assistance with coastal restoration and marsh management; to the Committee on Transportation and Infrastructure.

343. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 25 memorializing the Congress of the United States to take such actions as are necessary to provide funding for Louisiana's indigent defense system and to amend the Stafford Act or any other appropriate legislation to permit funding for Louisiana's indigent defense system; to the Committee on Transportation and Infrastructure.

344. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 62 memorializing the Congress of the United States to take such action as are necessary to amend the Stafford Act to allow the use of emergency funds under the Federal Emergency Management Agency for stabilization and restoration of barrier islands; to the Committee on Transportation and Infrastructure.

345. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 63 memorializing the Congress of the United States to review and consider eliminating provisions of law which reduce social security benefits for those receiving benefits from federal, state, or local government retirement systems; to the Committee on Ways and Means.

346. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 182 requesting the President of the United States to direct the United States Attorney General and the Chairman of the Federal Trade Commission to investigate all potential price gouging, price fixing, collusion, and other anticompetitive practices related to gasoline prices; jointly to the Committees on Energy and Commerce and the Judiciary.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 25: Mr. MICA.

H.R. 408: Ms. LORETTA SANCHEZ of California.

H.R. 783: Mr. WELDON of Pennsylvania.

H.R. 819: Mrs. MALONEY.

H.R. 1229: Mr. WICKER.

H.R. 1248: Mr. KLINE.

H.R. 1384: Mr. REYNOLDS, Mr. BACHUS, and Mr. HAYES.

H.R. 1424: Mrs. CAPPS.

H.R. 1632: Mr. LATHAM and Mr. BONNER.

H.R. 1671: Mr. MCCRERY.

H.R. 1876: Ms. JACKSON-LEE of Texas.

H.R. 2421: Mr. BOREN, Mr. PORTER, and Ms. HERSETH.

H.R. 2646: Mrs. BIGGERT.

H.R. 2808: Mr. ROTHMAN and Mr. RAHALL.

H.R. 2949: Mr. WAXMAN.

H.R. 3019: Mr. BRADY of Texas.

H.R. 3336: Mr. MILLER of Florida.

H.R. 3361: Mr. GONZALEZ.

H.R. 3413: Mr. SHAYS.

H.R. 3689: Mr. DAVIS of Illinois.

H.R. 3875: Mr. ENGLISH of Pennsylvania, Mr. ABERCROMBIE, Mr. LANGEVIN, Mr. PAYNE, Mr. PLATTS, Mr. BRADLEY of New Hampshire, and Mr. DENT.

H.R. 3936: Mr. LANGEVIN, Ms. JACKSON-LEE of Texas, Mr. FORD, and Ms. CARSON.

H.R. 4386: Mr. SCHWARZ of Michigan, Mr. CONYERS, and Mr. KILDEE.

H.R. 4441: Mr. SAXTON.

H.R. 4542: Mr. LIPINSKI.

H.R. 4547: Mr. STRICKLAND.

H.R. 4597: Mr. FOLEY.

H.R. 4640: Mr. DENT.

H.R. 4705: Mr. EHLERS.

H.R. 4725: Mr. KING of Iowa, Mrs. KELLY, Mr. POMBO, Mr. MORAN of Kansas, Mr. LUCAS, Mr. HAYWORTH, Mr. SHADEGG, and Mr. EVERETT.

H.R. 4761: Mr. KLINE.

H.R. 4777: Mr. HAYWORTH.

H.R. 4873: Mr. GORDON.

H.R. 4890: Mr. MCCOTTER.

H.R. 4894: Mr. BOUSTANY.

H.R. 4962: Mr. RANGEL and Mr. KING of New York.

H.R. 4963: Mr. CRAMER, Ms. SCHAKOWSKY, and Mr. COSTELLO.

H.R. 4974: Ms. JACKSON-LEE of Texas.

H.R. 5013: Mr. JOHNSON of Illinois, Mr. NORWOOD, Ms. PRYCE of Ohio, Mr. BERRY, Mr. REYNOLDS, Mr. MICHAUD, and Mr. ENGLISH of Pennsylvania.

H.R. 5024: Mr. FITZPATRICK of Pennsylvania.

H.R. 5047: Mr. BECERRA.

H.R. 5063: Ms. ZOE LOFGREN of California, and Mr. MORAN of Virginia.

H.R. 5150: Mr. LEVIN, Mr. PRICE of North Carolina, Mr. CUMMINGS, Ms. KAPTUR, and Mr. AL GREEN of Texas.

H.R. 5159: Ms. HARMAN.

H.R. 5182: Mr. ALEXANDER, Mr. TIAHRT, Mr. COLE of Oklahoma, and Mr. THOMPSON of California.

H.R. 5225: Mr. HINCHEY and Mr. MOLLOHAN.

H.R. 5242: Mr. PAUL and Mr. JONES of North Carolina.

H.R. 5244: Ms. HARMAN.

H.R. 5248: Mr. RYAN of Ohio, Mr. KILDEE, and Ms. KILPATRICK of Michigan.

H.R. 5290: Mr. BROWN of Ohio.

H.R. 5315: Mr. BROWN of Ohio.

H.R. 5316: Ms. BORDALLO, Mr. FRANK of Massachusetts, Mr. LIPINSKI, Mr. MCGOVERN, Ms. MATSUI, Mr. ROTHMAN, Mr. RUPPERSBERGER, and Mr. JEFFERSON.

H.R. 5337: Mrs. CUBIN, Mr. HASTINGS of Florida, Mr. HINOJOSA, and Mr. AL GREEN of Texas.

H.R. 5356: Mr. MELANCON and Mr. SHERMAN.

H.R. 5358: Mr. MELANCON and Mr. SHERMAN.

H.R. 5442: Mr. SCHWARZ of Michigan.

H.R. 5444: Mr. REHBERG.

H.R. 5499: Mr. SIMMONS, Ms. HARMAN, and Mr. ENGLISH of Pennsylvania.

H.R. 5526: Mr. MARSHALL.

H.R. 5563: Ms. ESHOO, Ms. WOOLSEY, and Ms. SCHAKOWSKY.

H.R. 5578: Mr. OWENS.

H. Con. Res. 344: Mr. BROWN of Ohio.

H. Con. Res. 346: Mr. BEAUPREZ.

H. Res. 318: Mr. MURPHY.

H. Res. 350: Mr. HIGGINS.

H. Res. 723: Mr. SCOTT of Georgia.

H. Res. 745: Mr. SHERMAN, Mr. DENT, Mr. MOORE of Kansas, Mr. TANNER, and Ms. HARRIS.

H. Res. 760: Mr. MILLER of Florida, Mr. STUPAK, and Mr. YOUNG of Florida.

H. Res. 787: Ms. DELAURO, Mr. GRIJALVA, Mr. HINOJOSA, Mrs. NAPOLITANO, Mr. REYES, and Ms. JACKSON-LEE of Texas.

H. Res. 790: Mr. DOGGETT, Mrs. CHRISTENSEN, and Mrs. JOHNSON of Connecticut.

H. Res. 800: Mr. CONYERS and Mr. MARCHANT.

H. Res. 820: Mr. SMITH of Washington.

H. Res. 858: Ms. JACKSON-LEE of Texas, Mr. MARSHALL, and Mr. BLUMENAUER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Con. Res. 318: Ms. JACKSON-LEE of Texas.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5576

OFFERED BY: MR. HEFLEY

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC. ___. Total appropriations made in this Act are hereby reduced by $678,000,000.

H.R. 5576

OFFERED BY: MR. KENNEDY OF MINNESOTA

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available under this Act may be used to apply the revised cost-effectiveness index rating system established by the Federal Transit Administration (described in its April 29, 2005, "Dear Colleague" letter) to the Northstar Corridor Rail project.

H.R. 5576

OFFERED BY: MR. KUCINICH

AMENDMENT NO. 3: Page 71, line 23, insert after the first dollar amount the following: "(increased by $4,800,000) (reduced by $4,800,000)".

EXTENSIONS OF REMARKS

IN RECOGNITION OF THE FORT WORTH POLICE DEPARTMENT EAST DIVISION

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. BURGESS. Mr. Speaker, I rise today to recognize the Fort Worth Police Department East Division, in the 26th Congressional District of Texas for their outstanding work serving and protecting the communities of Fort Worth.

This past May, I had the privilege of visiting the Fort Worth Police Department East Division. Captain Bryan Sudan provided me with a brief tour of the facility and explained how the divisions of the department interacted together.

I also had the opportunity to ride along with veteran Officer Anthony Cutler and with Officer Thomas O'Brien and witnessed firsthand the high level of respect the officers have for the community and citizens. It was clear that the officers cared about the neighborhood and the people in it.

On a day-to-day basis, these individuals place their lives on the line just to protect us all. They do this with bravery, strength, humility and dignity. They are selfless in their actions and compassionate people at heart. They only want safety for us all, and I am thankful for their service.

Friendly, courteous, and professional only begins to describe the high caliber of officers employed with the Fort Worth Police Department East Division. I am honored to now represent the Fort Worth Police Department and send my sincere thanks for their service to the community.

TRIBUTE TO GARY MELIUS

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. ISRAEL. Mr. Speaker, I rise today to honor the accomplishments of Gary Melius. Over the past 10 years, Gary has dedicated himself to the continuation of Oheka Castle, which is treasured by the town of Huntington, Long Island, and all of New York State.

As the second largest mansion in the United States, Oheka Castle stands as an architectural marvel and an historic structure that must be protected. Gary Melius knows this fact better than anyone.

Prior to his leadership, the castle's previous occupant went bankrupt leaving this structure abandoned. It was at this grave juncture in 1996 that Gary came to the helm.

With his diligent guidance, Oheka Castle has been restored to its original structural magnificence. Gary's service has insured that Oheka Castle will remain a treasure for our children and future generations on Long Island.

For 10 years, Gary has devoted himself to the protection, preservation and public awareness of Oheka Castle. I applaud Gary Melius for his achievements and contributions to Oheka Castle and the town of Huntington.

INTRODUCTION OF "NOTIFICATION OF RISK TO PERSONAL DATA ACT" H.R. 5582

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. LANTOS. Mr. Speaker, I rise to inform my colleagues that I am introducing legislation to protect the privacy rights of Americans. This bill will require Federal agencies that possess electronic data containing personal information to disclose any unauthorized acquisition of such information. Under this legislation, the same requirement will be made of "people"—corporations, institutions and individuals—who engage in interstate commerce.

The point is simple: People should be notified when information about them that is personal and potentially sensitive is stolen from a corporation or a government agency. We cannot rely on these entities to report such a theft on their own, since they might try to cover up the data loss to avoid adverse publicity.

The most salient example of the need for such protection is the recent shameful episode in which it took the Veterans Administration three weeks to announce that personal information including names, birth dates, and social security numbers of millions of veterans had been stolen from the home of a VA employee. Keeping the problem under wraps for three weeks is not the way to protect our veterans from the potential theft of their identities. Many veterans have called my office expressing concern about their financial safety, and I am appalled the VA has not done more to protect them.

The stolen information included the name, social security number, and date of birth for approximately 19.6 million veterans. Disability ratings for some veterans were also included in these files. On June 6, 2006, the VA announced that the stolen files might also have included data on 1.1 million active duty members of the military, 430,000 members of the National Guard, and 645,000 members of the Reserves.

On June 8, 2006, the House Committee on Government Reform, on which I serve, conducted a hearing entitled, "Once More into the Data Breach: The Security of Personal Information at Federal Agencies."

During the hearing, U.S. Comptroller General David Walker testified that legislation is needed requiring agencies to notify those whose privacy is violated. The Comptroller General said, "Public disclosure of major data breaches is a key step to make sure personal data is safeguarded."

Congress should act on this issue, and it is time for us to give Americans the notice they need to protect themselves from identity thieves. My colleague, Senator DIANNE FEINSTEIN, first introduced the Senate version of the bill I am introducing today. I commend her excellent work in this area, and I am hopeful that moving this bill in the House will expedite needed action.

TRIBUTE TO ARMY SPECIALIST DANIEL GIONET

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. MEEHAN. Mr. Speaker, I rise today to recognize the sacrifice of an American hero, Army Specialist Gionet, who gave his life in service to our country.

Specialist Gionet was born in my hometown of Lowell, Massachusetts and grew up in the area. He was fulfilling his second tour of duty when he was killed in service to our country. Daniel died Sunday, June 5, while on patrol in Taji, Iraq, when an improvised explosive device exploded near his tank. He was 23.

Daniel married his wife, Katrina, on November 26 of 2005 before being deployed for the second time. He had been looking forward to buying a home, going to college, and starting a family. Daniel enjoyed fishing, fixing cars, and was a fine cook. On his first tour, he put his culinary talents to work in Afghanistan as a chef based at the Kandahar Air Field. In between his first and second deployment, Daniel decided that he wanted to more directly help his comrades in the field and volunteered to re-train as a medic. His selflessness should be an inspiration to us all.

Daniel served the United States Military courageously. He enlisted in the Army in 2001 and served in Afghanistan. In 2004, he went above the call of duty and reenlisted, this time deploying to Iraq. Specialist Gionet comes from a long line of distinguished service to country. His grandfather served in the Air Force during the Korean War and his father was a Marine.

Daniel graduated from Pelham High School in 2001. He was an athlete and distinguished himself on Pelham's baseball, football, and wrestling teams. He envisioned a career in criminal justice or the culinary arts. Daniel joined the Army, in part, to help finance a college education.

Daniel Gionet's family is proud of him for the supreme sacrifice he made on behalf of his country. He is lovingly remembered by his

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

family and friends as a selfless, brave, and a genuine "angel," as his mother, Denise Gionet, described him. He will be dearly missed.

I have requested that an American flag be flown over our United States Capitol in memory of Specialist Daniel Gionet to honor his noble service to our country. This flag will be delivered to his family. Daniel died fighting for the country he loved, alongside comrades he respected, and with the family he adored looking on. Our Nation is humbled and grateful for his sacrifice.

Mr. Speaker, I request that we take a moment to recognize Specialist Daniel Gionet, United States Army, who made the ultimate sacrifice in service to his country.

CONGRATULATING LOUIS BUCKALEW ON RECEIVING THE 2006 PRUDENTIAL SPIRIT OF COMMUNITY AWARD

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. BONNER. Mr. Speaker, I rise today to congratulate a young man from Coden, Alabama, on his exemplary work towards improving his community.

Last month, Louis Buckalew was honored at the Smithsonian's National Museum of Natural History and awarded $1,000 for his outstanding volunteer efforts. The 2006 Prudential Spirit of Community Awards program, conducted in partnership with the National Association of Secondary School Principals and created by Prudential Financial, Inc., has honored more than 70,000 young volunteers at the local, State, and national levels for 11 years. Louis was chosen from nearly 20,000 candidates from across the country.

Louis just completed the eighth grade at Clark School of Math and Technology in Chickasaw, Alabama. He has volunteered with several organizations over the past 3 years to clean up the gulf coast shoreline and roadways near his home. Louis was first inspired to help his community's environment through his involvement with the Boy Scouts. Louis has also worked with the Coast Guard, Mobile Bay Estuary Program, and local government to improve his community, even recruiting friends to join in his efforts.

Mr. Speaker, it is my great honor to recognize Louis Buckalew and to commend him for his hard work and this well-deserved award. I know Louis's family and friends join me in praising his accomplishments and extending thanks for his efforts on behalf of the citizens of Coden and Alabama's First Congressional District.

PAYING TRIBUTE TO STAFF SERGEANT EMMANUEL LEGASPI

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the life of Staff Sergeant Emmanuel Legaspi, who died of injuries sustained in Tal Afar, Iraq on May 7, 2006.

Sergeant Legaspi had lived in the United States for only a year when he signed up with the Army. At 32, he was much older than the typical recruit. But for the native of the Philippines, military service was a opportunity to show how much he appreciated a chance at life in America. Sergeant Legaspi, who was assigned to the 1st Battalion, 36th Infantry Regiment, 1st Brigade Combat Team, 1st Armored Division, Friedberg, Germany, was injured, and later died, when his unit came under enemy small arms fire during combat operations. For his valor, Sergeant Legaspi was posthumously awarded the Purple Heart and the Bronze Star.

Mr. Speaker, I am proud to honor the life of Staff Sergeant Emmanuel Legaspi. Sergeant Legaspi made the ultimate sacrifice for his country while fighting the War on Terror and defending democracy and freedom.

THE ISSUE OF CRIMINAL ALIENS, HOW THEIR DEPORTATION AFFECTS THEIR HOMELAND

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD an editorial from the New York CaribNews newspaper dated May 16, 2006 that draws attention to the "long-standing and thorny problems" associated with the deportation of criminal aliens and the resulting initiatives needed to re-integrate them into the society of their Caribbean homeland.

The article addresses Caribbean born individuals who have broken the law in the United States and subsequently banished back to their homeland. There are varying opinions surrounding the re-integration of criminal aliens. Some feel that their return is creating serious problems while others blame the situation on the United States and other country that deport them.

Mary Kramer, the U. S. Ambassador to several Caribbean nations believes that the deported criminal aliens are no real threat to the Caribbean states and are in fact productive law-abiding citizens. She also asserts that the criminal aliens are not playing a significant role in the upsurge in crime in the Caribbean. Grenada's Prime Minister, Dr. Keith Mitchell shares his opinion that in the criminal enterprise Americans have imparted all of their bad ways on the aliens and then deport them back to their regions as hardened criminals. P.J. Patterson, former Prime Minister of Jamaica cautions Ms. Kramer against relying on the U.S. statistics and conclusions reached by U.S. researchers. In this article he shares a concern about the relationship maintained by criminal aliens and gang members abroad.

In the article, the editor offers several solutions to solve the problem of coping with deported criminal aliens. Similar pilot programs have been developed and implemented in other countries. Based on the statistics, there will continue to be an influx of criminal deportees to the Caribbean. If other well-to-do nations are truly interested in the economic and social development of the island-nations they should be prepared to assist financially in the re-integration process for Caribbean criminal aliens.

Mr. Speaker: I submit this interesting and informative editorial from the CaribNews newspaper for submission to the CONGRESSIONAL RECORD.

[From the New York CaribNews, May 16, 2006]

CRIMINAL ALIENS: AN EDITORIAL

Just when everyone thought that the question of why undocumented immigrants should stay in the United States was the only item on the table for discussion, we have been jolted back to reality to deal with a long-standing and thorny problem: criminal aliens.

From London, Ottawa, Toronto, Kingston and Bridgetown to New York, Washington and other cities, we are being forced to focus our attention once again on the deportation of persons who have broken the law in the countries to which they have emigrated from the Caribbean.

The trouble is that in deporting immigrants who have committed crimes in the U.S., Canada and the United Kingdom, are creating serious problems for their friends and allies in the Caribbean.

That issue is at the root of a dispute involving the U.S. Ambassador to several nations in the region—Antigua, Barbados, Dominica, Grenada, St. Kitts-Nevis, St. Lucia and St. Vincent.

It seems as if Mary Kramer, America's top diplomat to those island-nations, has convinced herself that not only are the criminal aliens no real threat to the Caribbean states but they are productive law-abiding citizens in their homeland.

Nothing can be further from the truth.

Granted, some of them have become productive citizens. Also true, the U.S. has a responsibility to protect its borders and its people from persons, whether native born or immigrants from disrupting the society. And it can do that by enforcing its law.

But to ignore the hard reality of what's happening in the Caribbean, Jamaica, Trinidad and Tobago and Guyana, included, is akin to burying one's head in the proverbial sand by pretending that choirboys and girls are being shipped to the region.

That's unreal.

According to a news agency report, Kramer believes that the deportees are not playing a significant role in the upsurge in crime in the Caribbean. In addition, she wants to get the word out that the U.S. was "not deporting people who go to the U.S. as very small children and learn bad behavior."

The evidence indicates otherwise. Many of the persons deported to Jamaica, Trinidad and Tobago, Grenada, St. Lucia, Guyana, Haiti, Barbados and their neighbors left the U.S. as underage children and were sent back as hardened criminals. Just as bad they had lived in the U.S. for so long that on their return they knew no one and nobody knew them, a point made by Grenada's Prime Minister, Dr. Keith Mitchell, when he addressed Grenadians at a recent town meeting in Brooklyn. "They are sending people from America and they got all of their bad ways in America and Canada and they send them back to the region," was the Dr. Mitchell put it. "Each time you notice a problem home involving young people there is someone from North America (involved in Grenada)."

It's clear that criminal aliens are causing problems, serious problems in the English, French, Spanish and Dutch-speaking nations and territories in the Caribbean.

It's also a fact, an awful reality that far too many of the deportees are involved in criminal behavior in the region. To deny that, as Kramer seems to have done is to engage in ostrich like conduct. The mistake she made was relying entirely on the statistics which U.S. funded surveys have unearthed.

P.J. Patterson, until recently Jamaica's longest-serving Prime Minister, cautioned the Ambassador against relying on the data and the conclusions reached by the researchers.

"I don't think that one can look at it only in narrow statistical terms," Patterson told this paper. "I say that because very often, especially in areas connected to drugs those who return get involved in leadership of gangs that maintain relationship with gangs that operate abroad and really influence the criminal activities that are taking place in particular communities in which they return."

Cabinet ministers from St. Lucia, St. Kitts-Nevis, Haiti, the Dominican Republic and Dominica have all made essentially the same complaint. Kramer should stick to the line taken by senior U.S. State Department officials and members of the U.S. Congress who have told Caribbean nations that American authorities are simply following the law and that's not going to change. To try to defend the bad bit of legislation and its damaging consequences on the Caribbean by denying the obvious isn't going to solve the problem.

The solution isn't difficult to figure out. The countries deporting the criminals and those being forced to accept them should sit down and work out a reasonable policy that (1) ensures only Guyanese are deported to Guyana, Haitians to Port au Prince, Jamaicans to Kingston or Dominicans to Santo Domingo and so on; (2) Caribbean nations are given a reasonable amount of time to find out if the deportees are their nationals before they are put on a plane back home; (3) Caribbean states must accept the awful truth: U.S. lawmakers and the Bush Administration aren't going to change the law to stem the flow of deportees; and (4) a resettlement scheme funded by the U.S. and Caribbean nations should be undertaken to ease the re-integration of the deportees back into their birthplaces. Such programs have been developed and implemented on a pilot basis in a few countries and if the organizations involved are to be believed they seem to work. A re-integration effort is needed not only for detainees from the U.S. but from Canada and the United Kingdom and those countries must help too.

Just last week, Tony Blair, the British prime Minister, fired his Home Secretary, Charles Clarke because his ministry had failed to deport criminal aliens after they had completed their jail sentences. The criticisms showered on the head of the Blair government and the public's demand that something about people who enter Britain and then commit crimes were so strong that they are bound to trigger a flood of deportees to the Caribbean, Europe, Africa, the Middle East and the Pacific.

Of the 77,000 inmates in British prisons, 10,113 of them are from foreign countries, including nearly 2,000 from the Caribbean.

The outcry should serve as a warning to the Caribbean, expect more criminal deportees on your shores and it also cries out for some help from the rich nations. If, as they say, they are interested in the economic and social development of the island-nations then they should be prepared to help, not to undertake the total resettlement and re-integration effort but offer a helping hand.

COMMENDING DORIS WOOD-LITTLETON FOR HER SERVICE TO THE WOMEN OF THE FIRST CONGRESSIONAL DISTRICT OF ALABAMA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. BONNER. Mr. Speaker, today I rise to honor Mrs. Doris Wood-Littleton of Saraland, Alabama, for her service to women of the First Congressional District of Alabama. Mrs. Wood-Littleton is the founder and executive director of the Home of Grace for Women, Inc. For over 30 years this organization has helped women overcome their drug and alcohol addictions and reinstate them into community life.

Doris Wood-Littleton, a native of Mobile, recognized in the early 1970s that there was no place in the area for women to go to overcome their drug and alcohol addictions. Doris graciously opened her own home in Saraland to assist those in need of this form of service. Six years later, there were too many women seeking her assistance than she could accommodate.

Soon, a twenty-six acre piece of land, the former location of a private school, was purchased and the buildings were renovated to house the Home of Grace for Women. In 1993, a new complex containing an office and chapel was constructed. The facility also boasts two new halfway houses for graduates of the Home of Graces programs, and in the year 2000, the Hannah House for Pregnant Women was finally completed.

The Home of Grace for Women states the purposes of its ministry are to help women overcome addiction and to offer weekly aftercare programs for graduates. During its 32 years, over 11,000 women have been enrolled in Doris's program. This comprehensive, 12-week program includes chapel services, Bible studies, counseling, and physical exercise. All of these services, combined with the love and support of Doris and her staff, have helped the Home of Grace for Women achieve astounding results.

Mr. Speaker, it is my great honor to recognize Mrs. Doris Wood-Littleton and to commend her for her service. Due to her tireless efforts and compassion, Mrs. Doris Wood-Littleton has made the Home of Grace for Women a wonderful place to help those in need. With her continued work and dedication to the women of the First District of Alabama, the Home of Grace for Women will certainly thrive in the years to come.

PAYING TRIBUTE TO SERGEANT JOHN GRIFFITH

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the life of Sergeant John Griffith, who was killed in action May 5, 2006, while trying to rescue other soldiers in the mountains east of Abad in the Kunar province of Afghanistan.

Sergeant Griffith's Chinook helicopter, to which he was assigned as a door gunner, crashed and none of the 11 men aboard survived. Sergeant Griffith was in the Nevada Third Battalion, 10th Aviation Regiment, 10th Mountain Division (Light Infantry).

Mr. Speaker, I am proud to honor the life of Sergeant John Griffith. Sergeant Griffith made the ultimate sacrifice for his country while defending democracy and freedom.

CONGRATULATING LOUISIANA STATE UNIVERSITY AT EUNICE BASEBALL TEAM

HON. CHARLES W. BOUSTANY, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. BOUSTANY. Mr. Speaker, I rise today to recognize and congratulate the Louisiana State University at Eunice Bengal baseball team on their recent victory in the National Junior College Athletic Association, NJCAA, championship.

The championship tournament culminated June 2, 2006, in Millington, Tennessee. The Bengals' 3–0 win over defending champion Grand Rapids Community College garnered the NJCAA Division II trophy. This is the first national championship for LSU at Eunice.

The Bengal baseball program should be lauded for the success it has seen in the five years since its establishment. The team's appearance in the 2006 tournament marks the second time in the program's brief history that the Bengal baseball team has placed in the national championship. In 2004, the Bengals placed third in the NJCAA Championship in their division.

In addition to the championship title, the Bengals were proud to bring home an individual honor bestowed upon one of the team's high-achieving members. During the series, sophomore Brett Durand pitched 26 straight innings without allowing a single earned run. His performance earned him the Most Valuable Player award.

The baseball team's achievements on the field parallel the accomplishments of the school's educators and administrators, who are realizing their goal of positioning Louisiana State University at Eunice as the premier two-year college in the state.

I would like to thank the head coach Jeff Willis and his players for their hard work and dedication. I ask my colleagues to join me in saluting the Louisiana State University at Eunice baseball team and wishing the Bengals the best of luck in their future endeavors on and off the field.

COMMENDING THE DUPONT CORPORATION FOR ITS CONTINUED COMMITMENT TO BOTH ITS EMPLOYEES AND THE MOBILE COMMUNITY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. BONNER. Mr. Speaker, I rise today to commend the DuPont Corporation for its dedication not only to its employees but to the community that its Axis, Alabama, plant serves.

This DuPont plant, in my congressional district, has not experienced a lost day of work due to injury since 1989, and it was named one of the three safest manufacturing plants in Alabama by Governor Bob Riley in 2005.

Recently, one of the two production lines at the plant was discontinued. As a result, fewer workers are necessary; however, rather than laying off these employees as many corporations in this situation would, DuPont is maintaining 100 percent employment.

This decision exemplifies DuPont's dedication to its employees. By training each employee to perform a variety of tasks, workers can be transferred to do other work within the plant. This multi-faceted training is uncommon in the United States, but it greatly increases the value and usefulness of each worker. Both DuPont and its employees have benefited from this practice, which should serve as an example to other corporations.

Mr. Speaker, on behalf of Alabama's First Congressional District, it is my great honor to express my district's gratitude to the DuPont Corporation for this decision and its continued commitment to our community. I wish the company many more years of success at its Axis plant, as it is expected to return to full production in December. I know DuPont's employees and their families join me in expressing our appreciation for the company's magnanimity in this situation and its dedication to the workers of Alabama's First Congressional District.

PAYING TRIBUTE TO BILLIE BATES

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Billie Bates, who was recently honored in Boulder City, Nevada with a mayoral proclamation naming the 13th of May Billie Bates Day.

Mrs. Bates, who is now in her 94th year, was born and raised in Aldrich, Missouri. At the age of 24, while working as a school teacher, Billie met and married Russell Bates in July of 1936. In 1942, Billie, her husband, and her two children, Cornelia and Laurel Jean, moved to Boulder City, Nevada.

While working on the Hoover Dam Project, Billie's husband was injured and Billie had to return to the workforce. Billie began work for the Bureau of Reclamation and became the longest serving executive secretary in the local bureau's history. She served underneath six different Hoover Dam project managers in her 30 years of employment, and retired in 1975.

Upon retirement, she became a champion for women's rights. Billie, along with the late Nevada women's rights activist Jean Ford, formed a non-profit organization in 1994. In 2005, the group was responsible for getting the statue of Northern Paiute Sarah Winnemucca placed in the hall of the United States Capitol building.

Mr. Speaker, I am honored to recognize Mrs. Billie Bates on the floor of the House. I commend her for her contributions to Boulder City and continued service to the women's rights movement of southern Nevada.

TRIBUTE TO TUSCOLA ON ITS 150TH BIRTHDAY

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today in honor of the 150th birthday of Tuscola, Illinois. This sesquicentennial celebration marks a significant moment in the rich history of this prairie town in rural Douglas County, Illinois.

The city of Tuscola was established to help develop and support the Illinois Central Railroad. Congress granted alternate one mile square sections of land to the Illinois Central Railroad and the city of Tuscola occupies that original square mile given to the company.

The town was laid out on July 9, 1857 as a part of Coles County and shortly there after the State of Illinois re-designated the northern section of Coles County where Tuscola is located into a newly formed county that was named after Illinois Senator, Stephen A. Douglas. The city of Tuscola has since thrived as the Douglas County seat and is a hidden gem in America's heartland.

One of Tuscola's native sons was former Speaker of the House, 1903–1911, Joseph G. Cannon. Mr. Cannon is acclaimed by most historians as one of the most powerful Speakers of the House of Representatives and until current Speaker J. Dennis Hastert passed him on June 1, 2006, he was the longest-serving Republican Speaker in history.

This political icon of his era got his start as one of the original members of a group of fourteen men voting to ratify the city's charter on March 11, 1859. He went on to become the first State's Attorney of Douglas County and then a member of the United States House of Representatives from 1873 through 1922. On his last day in office he appeared on the first cover of Time Magazine.

Joe Cannon said of Tuscola, "my heart is buried in your cemetery; my little son for whom I had such high hopes; my Quaker mother; my brothers and their families; and memories of my struggle to a foothold in my professional life; the faithful friends. Yes, Tuscola is home to me and always will be." (June 12, 1913)

Mr. Speaker, I ask my colleagues to join me today in recognizing the 150th birthday of Tuscola, Illinois.

COMMENDING COAST GUARD FLIGHT SURGEON LIEUTENANT COMMANDER JOHN HARIADI ON HIS HEROIC EFFORTS FOLLOWING HURRICANE KATRINA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. BONNER. Mr. Speaker, I rise today to commend Coast Guard Flight Surgeon Lieutenant Commander John Hariadi for his heroism in helping the victims of Hurricane Katrina.

Following landfall of Hurricane Katrina, Dr. Hariadi devoted his time to treating the injured and needy people in Mississippi and Louisiana. Over a 7-day period, he treated over 100 patients and conducted 50 medical evaluations in truly horrible conditions.

In total, the Coast Guard rescued more than 33,000 people from flooded streets and rooftops—six times the number of rescues by the Coast Guard in all of 2004. As Admiral Thomas H. Collins stated recently, "Coast Guard people are unsung heroes that make up our American community. They are your neighbors who make the extraordinary things look ordinary every day."

Mr. Speaker, it is my great honor to recognize an unsung hero, Dr. John Hariadi and to commend him for his courage. He is an outstanding example of the quality of individuals who have devoted their lives to our Armed Forces. I know John's colleagues, family, and friends join me in extending thanks for his efforts on behalf of the victims of Hurricane Katrina and the entire Nation.

TRIBUTE TO MERRY TRUDEAU

HON. C.L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. OTTER. Mr. Speaker, I rise today to ask my colleagues to join me in paying tribute to the achievements and distinguished career of Merry Trudeau of Eagle, Idaho. Mrs. Trudeau has honorably and diligently served the people of the United States with over 30 years of faithful service to the Internal Revenue Service. Now, you might think it strange that I would stand before you today, Mr. Speaker, to praise the work of a tax collector. But the truth is, Merry has spent her entire career in what friends refer to as "her true calling"—as an advocate for American taxpayers. She works very closely with the people in her community resolving specific problems related to the Internal Revenue Service. Merry serves as Director of the Tax Payers Advocate Service in Boise, where she leads the effort to provide this priceless resource to my constituents. I might add that she accomplishes her duties in a manner consistent with her excellent character—which my constituents and I describe as sincerely helpful. In Idaho and across the United States, Merry Trudeau has established a reputation as an honest, hardworking leader capable of accomplishing even the most difficult and complex of tasks. She always wears a smile, and eagerly attacks any opportunity to help a constituent. When she retires on July 3, 2006, Idahoans and all Americans will be losing a truly great public servant. The level of responsiveness and accountability that Merry exemplifies as a liaison officer embodies my belief that government must be the people's servant, not their master. It is for these reasons, Mr. Speaker, that I ask my colleagues in the House of Representatives to join me in recognizing the accomplishments and career of Mrs. Trudeau, and thanking her for diligent service to Idaho and the United States.

TRIBUTE TO JAMES McCANN

HON. SANDER M. LEVIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 12, 2006

Mr. LEVIN. Mr. Speaker, I rise today to recognize a leader in the field of education, James McCann, who is retiring after 20 years as the Superintendent of Lamphere Schools in Madison Heights, Michigan and a total of 40 years in education. I have been pleased to work with Jim McCann and know him as an active and passionate advocate for the public education system and the students it serves.

Mr. McCann graduated from Eastern Michigan University in 1966 and worked as a teacher and administrator for the Archdiocese of Detroit from 1966–1971. Joining the Lamphere School District, Mr. McCann was a high school teacher from 1971–1972, and then went on to serve as an Administrative Assistant, Assistant Principal, Middle School Principal and High School Principal before becoming Lamphere Schools' Superintendent in 1986.

Although Mr. McCann has many accomplishments in his 20 years as Superintendent, his success in the use of technology as a teaching tool is perhaps the most significant. He was inspired to focus on technology in the classroom in 1980 when he attended a summer institute sponsored by Harvard University and the Massachusetts Institute of Technology.

Under Mr. McCann's leadership, Lamphere became the first district in the State of Michigan to have Internet access in the classroom, and in 1996 became the JASON Project Primary Internet site for the State of Michigan, helping students from across the state experience real time scientific adventures. For the past 8 years, he served as the Chairman of the Oakland County Superintendents' Committee for Instructional Technology. He was recognized for these and other accomplishments when he became the winner of the first-ever "Tech-Savvy Superintendent Award," given for leadership and vision in the area of educational technology.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. McCann, a genuine leader in the field of education. He has worked tirelessly to improve the Lamphere School District and public education throughout Michigan. I have been privileged to work with him in many endeavors and to witness his devotion firsthand. To Jim and Karen, many, many thanks from the community at large and my best personal regards, as you enter the next chapter in your lives.

HONORING SERGEANT BRIAN D. STINGER

HON. ROBERT E. ANDREWS
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 12, 2006

Mr. ANDREWS. Mr. Speaker, I rise today to honor West Deptford, New Jersey resident and United States Marine Corps Sergeant Brian D. Stinger for his outstanding service and heroic action while stationed in Japan.

Sergeant Stinger recently received the Navy and Marine Corps Achievement Medal for saving the life of a Japanese man who caught fire while filling a generator with gas. At great risk to his personal safety, Sergeant Stinger retrieved a fire extinguisher and put out the fire. His heroic efforts saved this man's life.

Mr. Speaker, the actions of Brian Stinger prove that our military service members perform acts of heroism, on and off the battlefield, every day. I applaud his brave and selfless act, and I thank him for his service to our Nation. I wish him all the best in his future endeavors.

RECOGNIZING NATIONAL AREA HEALTH EDUCATION CENTERS ORGANIZATIONS

HON. LEE TERRY
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 12, 2006

Mr. TERRY. Mr. Speaker, today I want to call attention to an important event occurring in my district and recognize the two programs giving rise to this event, which have had a tremendous impact on the health care of underserved populations in our country. Beginning June 10 and continuing through June 14, the Nebraska Area Health Education program and the University of Nebraska Medical Center are sponsoring the National Area Health Education Center Organization's (NAO) annual meeting in my district in Omaha, Nebraska. I want to use the opportunity of the national meeting to illustrate the importance of Area Health Education Centers (AHECs) and Health Education Training Centers (HETCs) through the many services and programs they offer.

Area Health Education Centers, established by Congress in 1971, are academic-community partnerships that train health care providers at sites and in programs that are responsive to state and local needs. AHECs improve the supply, distribution, diversity and quality of the health workforce and increase access to health care in medically underserved areas. Furthermore, AHECs facilitate coordination of the resources of health science centers with local educational and clinical resources, which in turn establishes a network that provides multi-disciplinary educational services to students, faculty, and practitioners.

Health Education Training Centers, established in 1989, provide community health education and health professions training programs in areas of the United States with severely underserved populations, such as border states. Together, AHEC and HETC programs recruit, train, and retain health professionals committed to serving underserved populations and provide community programs for specific populations with severe unmet health needs. Across the country, there are 61 AHEC/HETC programs and 215 affiliated AHEC centers that collaborate with over 120 medical schools and 600 nursing and allied health schools to improve the health of the underserved.

As reported by the U.S. Department of Health and Human Services, in a typical year, AHECs alone will train 37,000 health professions students in community-based sites, provide health career enhancement and recruitment activities of 20 hours or more to 42,000 high school students, and provide continuing education to 315,000 health care providers. In FY 2005, nearly 10,000 physicians participated in mentoring and training activities to students in community sites. Also, AHEC/HETCs were credited with providing training in medically underserved communities to over 47,000 health professions students.

Recent studies and reports express serious concern regarding the current and predicted shortage of health care professionals across the country, which further illustrates the important work of AHEC/HETCs. In 2005, AHECs/HETCs were successful in introducing health careers to 300,000 students ranging from kindergarten through college.

Mr. Speaker, AHEC/HETC programs serve many important purposes with respect to the recruitment, retention, education and training of health professionals in underserved areas. Today, I would like to fully recognize, appreciate and honor the efforts and activities of AHEC/HETC programs and centers throughout the United States in addressing the nation's most critical health care and health care access issues. I hope my colleagues will join me in commending all the participants in Omaha on the occasion of their national meeting, and thanking them for their service to our country.

PERSONAL EXPLANATION

HON. XAVIER BECERRA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 12, 2006

Mr. BECERRA. Mr. Speaker, on Friday, June 9, 2006, I was unable to cast my floor votes on rollcall numbers 242, 243, 244, 245, 246, 247, 248, 249 and 250. The votes I missed included eight amendments to H.R. 5522 and the final passage of the Foreign Operations Appropriations Act.

Had I been present for the votes, I would have voted "aye" on rollcall 242, "aye" on rollcall 243, "aye" on rollcall 244, "no" on rollcall 245, "aye" on rollcall 246, "aye" on rollcall 247, "no" on rollcall 248, "aye" on rollcall 249 and "aye" on rollcall 250.

PERSONAL EXPLANATION

HON. K. MICHAEL CONAWAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. CONAWAY. Mr. Speaker, on Friday, June 9, 2006, I missed rollcall vote numbers 242 through 250 regarding the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 2007. Had I been present, I would have voted "no" on rollcall 242, "no" on rollcall 243, "yes" on rollcall 244, "no" on rollcall 245, "no" on rollcall 246, "no" on rollcall 247, "no" on rollcall 248, "no" on rollcall 249, and "yes" on rollcall 250.

PAYING TRIBUTE TO THE LAW ENFORCEMENT EXCHANGE PROGRAM

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. PORTER. Mr. Speaker, I rise today to pay tribute to the Law Enforcement Exchange Program, sponsored by the Jewish Institute for National Security Affairs. I am proud to recognize this organization for its progress in better training law enforcement officials in the prevention of and response to terrorist attacks.

Since the events of September 11, 2001, the prevention of and response to terrorism have become important aspects of law enforcement training. While American law enforcement officials have been a vital asset in the war on terrorism, they require more training in order to become more effective in their fight to prevent terrorist attacks at home.

Because they have had many years of experience and have developed specialized skills in dealing with all aspects of terrorism, the Israel National Police are considered the number one police force worldwide in prevention of and response to terrorist attacks. In 2002, the Jewish Institute for National Security Affairs (JINSA) created the Law Enforcement Exchange Program (LEEP) in coordination with the Israel National Police and other Israeli agencies to help improve the training for American law enforcement officers in the counter-terrorism realm. The program consists of three core aspects: a trip to Israel for selected high-ranking law enforcement officials to learn first-hand Israeli police tactics; conferences held in the United States to reach a broader law enforcement audience; and finally, a process of dissemination, in which the practices learned are extended throughout the law enforcement community to those unable to attend conferences. This three-part program will provide immediately useful information to law enforcement officials nationwide.

I am pleased to say that one such conference will be held in Las Vegas, Nevada. A reception recognizing the program will be held on June 11, 2006 at the Bellagio Hotel, and I am honored to recognize a few of the distinguished guests of this event. The current Vice President of JINSA, David Justman, will offer the welcoming remarks. Steve Pomerantz, former Assistant Director of the FBI, now serves as the Director of counter-terrorism for JINSA. In 2004, Yoram Hessel retired as Director of the Global Operations, Intelligence, and Foreign Relations Division of the Mossad, after holding the position for 4 years. "Rolli" is currently a Senior Officer of the Israel Security Agency, a department for which he has dutifully served 15 years. Assistant Sheriff Rod Jett of the Las Vegas Police Department, a Las Vegas native and distinguished law enforcement official, will share with us his experiences in the 2005 LEEP program and how he believes the conference will benefit the Las Vegas community. These fine men have all contributed immensely to this important issue and I am glad to have the privilege of speaking along side of them.

I rise to acknowledge the hard work of these individuals and all who have participated in making LEEP a vital component of law enforcement training across America in the difficult fight against terrorism.

INTRODUCTION OF RESOLUTION RECOGNIZING THE IMPORTANCE OF ADVANCED IMAGING TECHNOLOGIES IN THE DETECTION AND TREATMENT OF PROSTATE CANCER

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. CUMMINGS. Mr. Speaker, in keeping with the overall theme of Men's Health Week, which we commemorate each year during the week leading up to Father's Day, I rise to introduce House Resolution 863, which is intended to bring to our collective attention to the need to develop better tools for ourselves, our fathers, husbands, brothers and friends in the fight against prostate cancer.

Prostate cancer is the second most common cancer in the United States. It is also the second leading cause of cancer-related deaths in men, claiming around 27,000 lives in 2005 alone, according to the National Prostate Cancer Coalition. According to the National Cancer Institute, in 2005 our Nation likely saw more than 230,000 new cases of prostate cancer, meaning that some 2 million American men are living with prostate cancer at this time. Statistics tell us that prostate cancer will strike one in six men. We also know that African American men suffer disproportionately from prostate cancer, with an incidence rate 60 percent higher than white males and with mortality rates double that of white males. African American men also are 2.5 times more likely to die from the disease than white men. To put this into perspective, consider this: as the time ticks by during Men's Health Week, every 2–3 minutes sees a new case of prostate cancer and every 18 minutes we lose another American to the disease.

Faced with these statistics, we need to start getting serious about our diagnostic and treatment options. We must acknowledge that the state of prostate cancer care is decades behind what it should be. We need more accurate technology, more reliable weapons in the fight against prostate cancer—tools like digital imaging. It is alarming that a disease that strikes so many receives such antiquated care. And our men are suffering for it.

The current screening methods of digital rectal exams and PSA blood tests are our best tools available—but they are not enough. There are many important groups that are working tirelessly in the critical effort to get more men to undergo screening as part of their annual physical exams, and I commend them for their work. Other groups have succeeded in focusing the attention of policymakers on the need to devote resources to developing better drugs for men who have been diagnosed with prostate cancer. I am pleased to know that progress is occurring on that front as well.

However, I recently learned from a study funded by the National Cancer Institute, that PSA blood screening tests, the most common form of testing for prostate cancer, result in both false positives and false negatives. I am advised that this study found that as many as 15 percent of men with normal PSA levels still have prostate cancer. Even with an abnormal level, many men whose doctors recommend biopsies find out that they do not actually have cancer, meaning that the procedure was only necessary because there is no accessible and affordable imaging alternative at this time. According to the National Cancer Institute, which has published interim results of a large scale clinical trial involving prostate cancer, results of the baseline round of prostate cancer screening in the trial show about 14 percent of men had either a positive PSA test or a positive DRE test. Of those men, about 12 percent were diagnosed with prostate cancer within 12 months, the majority with early stage disease. From these results, one can infer that if 12 percent of the men with positive tests using current detection methods did end up with prostate cancer the 88 percent who did not receive such a diagnosis might have been able to avoid having to deal with invasive biopsies and surgery to the extent that such procedures followed their initial positive test.

The PSA test is apparently the best tool we have in the diagnostic field. Men need to continue to get tested, even with the chance that the results may be misleading at times.

Although not every American has a prostate and not every American man will get prostate cancer, this disease affects all of us. It might be your family member, a favorite coworker, a beloved entertainer and or retired athlete, even an elected official you admire, but somehow, we all seem to be touched by this disease—much like breast cancer affects all Americans in one way or another. Americans should care about the fight against prostate cancer not only for health reasons, but because the false indicators from today's detection methods can create enormous emotional and psychological strain on American men and their families and generate substantial costs for our already overburdened medical system. With the ever-increasing costs of health care, both private and public providers need to get behind the call for more cost-effective and results-oriented technologies in the battle against prostate cancer.

Our Resolution calls for an increased focus on developing advanced imaging technologies that could not only detect prostate cancer, but could help a physician determine what type of prostate cancer it is, and what treatment options were required, without once invading the patient's body. With imaging technologies, pinpointing treatment then becomes possible, allowing for minimal invasion of the patient and minimal discomfort, complications or costs.

Right now in my Congressional District, Johns Hopkins University researchers are working on improving the early detection of prostate cancer, when it is most curable. I am advised that their research involves novel prostate imaging approaches that might be able to demonstrate the location of abnormal lesions so that a biopsy can be directed, not performed blindly. In addition, I understand that Johns Hopkins researchers are studying the spread of this cancer, to determine which prostate cancers are more aggressive and progressive than others, and how to tailor the treatment to the particular progression of that cancer. This helps physicians determine when treatments are effective and should be continued, and when they should be stopped when they lose efficacy. Johns Hopkins researchers are engaged in this battle against prostate cancer, and are doing their part through innovative research, hard work and dedication.

We in Congress can do our part by encouraging the same level of cooperation that breast cancer initiatives spurred in the last decade of the 20th century. We need to increase our investment in the search for new diagnostic and treatment tools for prostate cancer, like creating the equivalent to digital breast imaging for the prostate. Both prostate cancer and breast cancer are ruthless diseases and cause not just physical damage but also psychological injury to their victims. The difference in imaging technologies, I believe, reflects the fact that women have over the years courageously demanded that medical science develop better treatment for themselves and their sisters-in-arms in the fight against breast cancer, while men have hunkered down, gritted their teeth, and failed for the most part to fight for more advanced prostate cancer detection and treatment.

Prostate cancer has no such voice. Most men don't organize walks. Most men don't rally around pink ribbons and educate the public like women have over the past several years. We have much to learn from the women in our lives. While there are some very commendable patient advocacy organizations that are focused on prostate cancer which are doing an excellent job of getting the word out about this disease and its effects, there are thousands of men, suffering in silence or in a state of ignorance, afraid that diagnosis will lead to possible side effects, including impotence and incontinence. This is a disease that often strikes at the very heart of masculinity and men do not like to talk about it. We cannot afford to put our masculinity over our health, our pride over our future.

American men need our help, especially African American men. They need a chorus of voices demanding better prostate cancer care, and they need it now. Men's Health Week is an opportunity for us to start this groundswell. This is an issue we can all get behind. We all have fathers, brothers, uncles, and friends. Many of us have been personally touched by prostate cancer. It is our voices that need to rise in support of those suffering in silence.

Let us start now, and carry this message on through National Prostate Cancer Awareness Month in September and beyond. As Members of the House of Representatives, we can take advantage of our position to raise public awareness of the need for discourse and detection regarding prostate cancer. With this Resolution, we want to show that we will not lie down, we will not be silenced, and we will not stop until prostate cancer is a concern of the past. We must demand the advances in technology and treatment now, to protect the lives and future of America's sons.

Lastly, I want thank my colleagues Congressman BURTON and Congresswoman CHRISTENSEN for joining me as the sponsors of this important resolution, as well as Representatives CLYBURN, PAYNE, CARDIN, WYNN, WATERS, MEEKS, KILPATRICK, MILLENDER-MCDONALD, E. B. JOHNSON, LEWIS (GA), JEFFERSON, TOWNS, NORTON, CONYERS, MEEK, JOHN CARTER and CAPPS who joined us.

SALUTE TO SEN. ROBERT C. BYRD ON BECOMING LONGEST-SERVING MEMBER OF THE UNITED STATES SENATE

HON. ALAN B. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. MOLLOHAN. Mr. Speaker, this is a landmark day in the history of the United States Congress.

On this day, the man who leads our West Virginia delegation with such energy, integrity, and effectiveness becomes the longest-serving member in the history of the United States Senate. It is a great honor for me to join my colleagues in saluting this latest record achievement of our senior Senator, the Honorable ROBERT C. BYRD.

The distinguished career of Senator BYRD is well-known to those of us who are so fortunate to serve with him and to learn from him. He is a master of the legislative process, a strong defender of our Democratic institutions, a great intellect on policy issues, a constant voice of clarity and of reason.

And, most important of all, he is an unwavering champion of the people he was elected to serve: the citizens of West Virginia. He never fails to give his very best to them. It is this lifetime of faithful service that has created such an amazing bond between Senator BYRD and the people of the mountain State—a bond built on trust, respect and a deep gratitude for all that he accomplishes on our behalf.

So on this day—his 17,327th as the Senator from West Virginia—I call upon my colleagues to salute Senator ROBERT C. BYRD on this extraordinary milestone. We are honored, indeed, to serve alongside such a gifted and accomplished leader.

PAYING TRIBUTE TO DEBBIE WEST DAUENHAUER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Debbie Dauenhauer for her outstanding service to the community of Laughlin, Nevada as a member of the Laughlin Town Advisory Board.

Debbie served on the Advisory Board from 1999–2006, and served as the chairperson for 2 years. She has also served as a member of Rotary International, Kiwanis International, the Colorado Food Bank and the Close Closet Board of Directors.

In 2002, Debbie was selected as the Laughlin Citizen of the Year.

As a strong proponent for animal protection, Debbie has worked with numerous charities, civic organizations, and local private animal shelters. Debbie also began a campaign to place warning signs around Laughlin, to prevent people from leaving their animals in the car during the summer months. She also has helped rescue countless animals as well as homeless men and women in need of assistance in her community.

Debbie was also member of the Southern Nevada Transit Coalition's Board of Directors. While representing Laughlin, she worked hard to see the coalition deliver superb bus service to the community. Debbie also initiated a move to build a truck ramp on SR 163 and Casino Drive, to prevent large trucks from having to cross the intersection in order to minimize accidents. She later became an officer of the board of directors and was appointed to the executive director position.

Debbie has been a model citizen to the city of Laughlin and I am grateful for the opportunity I have had to bring attention to her remarkable benefit to the community.

Mr. Speaker, I am honored to recognize Debbie Dauenhauer on the floor of the House. I commend her for her continued service to the residents of Laughlin, Nevada.

JOEL CARP: A CAREER OF ADVOCACY AND CARING

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to give well-deserved recognition to Joel M. Carp, who is retiring this month as the Senior Vice President for Community Services and Government Relations of the Jewish Federation/Jewish United Fund of Metropolitan Chicago.

Joel Carp has been serving the people of my district and Illinois for over 30 years. As a social worker taught to help individuals deal with problems and gain opportunity, he has also used his professional training to promote policies and initiatives that will serve many, many people whom he will never meet face-to-face.

Joel Carp is a tireless and passionate advocate. It doesn't matter whether someone is native-born or an immigrant, Jewish or not, young or old—he is there to provide assistance. For over three decades, he has fought to create services to meet the health, housing, nutrition and other needs of Illinois residents.

At the Jewish Federation, he is responsible for projects like Chicago's Jewish Refugee Resettlement Program and Project EZRA (Services for the Homeless, Chronically Mentally Ill and Economically Disadvantaged). He serves on the Illinois Department of Human Services' Family Self Sufficiency Council, the Governor's Families and Children Leadership Sub-Cabinet, and the Lt. Governor's Ethnic Affairs Council.

Joel Carp is also a force for change at the national level, where he has worked with OMB Watch, Independent Sector, and the National Immigration Forum and for policies to improve health and employment opportunities. And somehow he finds the time to publish, teach and mentor.

Joel Carp is a dynamo whose actions are directed to improving people's lives and the strength of our community. We have been fortunate to be able to benefit from his skills, his passion, his commitment and his compassion. While I know that he will continue those efforts even after his retirement this month, I want to take this time to recognize his extraordinary accomplishments and to thank him for his excellent work on behalf of everyone in the 9th Congressional District and for this personal friendship.

CELEBRATING ROBERT C. BYRD'S 17,327TH DAY OF SERVICE IN THE UNITED STATES SENATE

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 12, 2006

Mr. RAHALL. Mr. Speaker, what do you get when you multiply the power of the beacon by the strength of a workhorse by the steadiness of an anchor: ROBERT C. BYRD? We can celebrate his length of service today but we will always prosper more from his daily leadership for West Virginia over these past years.

We celebrate that definition of Senator BYRD, today as he becomes the longest serving Senator in the history of the Republic.

Today, June 12, 2006, marks a record 17,327th day ROBERT C. BYRD has served in the United States Senate. While we desire to mark this milestone and unrivaled achievement with celebration, I suspect the senior Senator from West Virginia will spend this day as he has every day for the past 48 years—by going to work to improve and enrich the lives of the people of West Virginia and ardently defending the Constitution of the United States.

In total, Senator BYRD has served this Nation nearly 54 years in the U.S. Capitol. Senator BYRD served three terms in this body before being elected to the Senate. Here on the House side, in Statuary Hall the old House Chamber, overlooking all, stands sentinel, Clio, the Muse of History, in a winged chariot, a symbol of the passing of time. There to witness and record the history of the Republic for future generations.

Time does tell all, Mr. Speaker. That is why today is so significant. Time trumpets talent, but talent ultimately triumphs over time. Senator BYRD's time here is a direct measurement of his talent, witnessed by the wisdom of the people of West Virginia who have returned him to serve again time after time. Democracies breed talent. The time of tenure validates talent.

I send words of congratulations and comfort to my Senator on this day, as I know it marks above all the birthday of his lovely and beloved Erma, who recently left us to rest eternally with our Lord in Heaven.

It remains one of my life's great privileges to serve with a man I consider a mentor and friend. I have never seen a greater example of a public servant and I have attempted to emulate my service after his.

Senator BYRD has been an architect of advancement for our state; the influence of his steady leadership over the past five decades can be seen from the hills to the valleys, from our towns and villages to our cities.

And it is with great excitement that I look forward to the continued service of West Virginia's senior Senator. For that is the brilliance of ROBERT C. BYRD—always with his stern gaze firmly fixed on the future, a better, more prosperous, more secure future for West Virginia and all America.

As a beacon you will continue to shine your light of advancement and progress across our entire State and Nation; as a workhorse you will continue to spend each day of your service dedicated to providing your people opportunities for prosperity; as an anchor you will continue to steady our land while giving generations of West Virginians and Americans hope, faith, and prosperity.

To my friend, I congratulate you on all you have achieved for your beloved West Virginia and all that you will achieve in the future for our Nation.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, June 13, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 14

9:30 a.m.

Environment and Public Works

To hold an oversight hearing to examine whether potential liability deters abandoned hard rock mine clean up.

SD-628

Indian Affairs

To hold hearings to examine S. 374, to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River, and S. 1535, to amend the Cheyenne River Sioux Tribe Equitable Compensation Act to provide compensation to members of the Cheyenne River Sioux Tribe for damage resulting from the Oahe Dam and Reservoir Project.

SR-485

Judiciary

To hold hearings to examine ensuring competition and innovation relating to reconsidering communication laws.

SD-226

10 a.m.

Banking, Housing, and Urban Affairs

Business meeting to mark up S. 418, to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products, S. 811, to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the birth of Abraham Lincoln, S. 2321, to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille, and the nominations of Sheila C. Bair, of Kansas, to be a Member and Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, Kathleen L. Casey, of Virginia, to be a Member of the Securities and Exchange Commission, Robert M. Couch, of Alabama, to be President, Government National Mortgage Association, Donald L. Kohn, of Virginia, to be Vice Chairman of the Board of Governors of the Federal Reserve System, and James B. Lockhart III, of Connecticut, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development; to be followed by a hearing to examine Financial Accountability Standards Board's proposed standard on "Employers' Accounting for Defined Benefit Pension and Other Postretirement Plans".

SD-538

Homeland Security and Governmental Affairs

Business meeting to consider S. 2145, to enhance security and protect against terrorist attacks at chemical facilities, S. 1554, to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security of the United States and to address the homeland security needs of Federal, State, and local governments, S. 1741, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area, S. 1838, to provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, S. 2068, to preserve existing judgeships on the Superior Court of the District of Columbia, S. 2146, to extend relocation expenses test programs for Federal employees, S. 2296, to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies, H.R. 3508, to authorize improvements in the operation of the government of the District of Columbia, S. 2228, to designate the facility of the United States Postal Service located at 2404 Race Street, Jonesboro, Arkansas, as the "Hattie W. Caraway Post Office", S. 2376, to designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the "Gerard A. Fiorenza Post Office Building", S. 2722, to designate the facility of the United States Postal Service located at 170 East Main Street in Patchogue, New York, as the "Lieutenant Michael P. Murphy Post Office Building", H.R. 4108, to designate the facility of the United States Postal Service located at 3000 Homewood Avenue in Baltimore, Maryland, as the "State Senator Verda Welcome and Dr. Henry Welcome Post Office Building", H.R. 3440, to designate the facility of the United States Postal Service located at 100 Avenida RL Rodriguez in Bayamon, Puerto Rico, as the "Dr. Jose Celso Barbosa Post Office Building", H.R. 4786, to designate the facility of the United States Postal Service located at 535 Wood Street in Bethlehem, Pennsylvania, as the "H. Gordon Payrow Post Office Building", H.R. 4561, to designate the facility of the United States Postal Service located at 8624 Ferguson Road in Dallas, Texas, as the "Francisco 'Pancho' Medrano Post Office Building", H.R. 4688, to designate the facility of the United States Postal Service located at 1 Boyden Street in Badin, North Carolina, as the "Mayor John Thompson 'Tom' Garrison Memorial Post Office", H.R. 4995, to designate the facility of the United States Postal Service located at 7 Columbus Avenue in Tuckahoe, New York, as the "Ronald Bucca Post Office", H.R. 3549, to designate the facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the "William F. Clinger, Jr. Post Office Building", H.R. 2977, to designate the facility of the United States Postal Service located at 306 2nd Avenue in Brockway, Montana, as the "Paul Kasten Post Office Building", S. 2690, to designate the facility of the United States Postal Service located at 8801 Sudley Road in Manassas, Virginia, as the "Harry J. Parrish Post Office", and S. 3187, to designate the Post Office located at 5755 Post Road, East Greenwich, Rhode Island, as the "Richard L. Cevoli Post Office", and H.R. 5245, to designate the facility of the United States Postal Service located at 1 Marble Street in Fair Haven, Vermont, as the "Matthew Lyon Post Office Building".

SD-342

Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine alternative energy technologies.

SD-562

2:30 p.m.
Banking, Housing, and Urban Affairs
Housing and Transportation Subcommittee
To hold hearings to examine extension of HUD's mark-to-market program.

SD-538

Commerce, Science, and Transportation
National Ocean Policy Study Subcommittee
To hold hearings to examine state of the oceans in 2006.

SD-562

Intelligence
Closed business meeting to consider pending calendar business.

SH-219

JUNE 15

9:30 a.m.
Judiciary
Business meeting to consider pending calendar business.

SD-226

Environment and Public Works
Superfund and Waste Management Subcommittee
To hold an oversight hearing to examine the superfund program.

SD-628

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine Office of Federal Housing Enterprise Oversight Report of the Special Examination of Fannie Mae.

SD-538

Foreign Relations
To hold hearings to examine the nomination of Robert O. Blake, Jr., of Maryland, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives.

SD-419

10:30 a.m.
Commerce, Science, and Transportation
Fisheries and Coast Guard Subcommittee
To hold hearings to examine the Coast Guard budget.

SD-562

2 p.m.
Judiciary
To hold hearings to examine pending judicial nominations.

SD-226

Commission on Security and Cooperation in Europe
To hold hearings to examine human rights challenges that countries in South Central Europe face as they seek integration into the European Union and/or NATO Alliance, focusing on legal restrictions on religions activities and other attacks on religious freedom, lagging efforts to combat trafficking in persons, discrimination and violence against Roma, and the prevalence of official corruption and organized crime.

SD-226

2:30 p.m.
Intelligence
To receive a closed briefing regarding intelligence matters.

SH-219

JUNE 19

2 p.m.
Judiciary
Immigration, Border Security and Citizenship Subcommittee
To hold hearings to examine learning from the mistakes of 1986 relating to immigration enforcement at the workplace.

SD-226

2:30 p.m.
Energy and Natural Resources
To hold hearings to examine implementation of the Renewable Fuel Standard in the 2005 Energy Bill and the future potential of biofuels such as biodiesel, cellulosic ethanol, and E85.

SD-366

JUNE 20

10 a.m.
Commerce, Science, and Transportation
Business meeting to markup S. 2686, to amend the Communications Act of 1934 and for other purposes.

Room to be announced

Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Paul A. Denett, of Virginia, to be Administrator for Federal Procurement Policy.

SD-342

2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine the National Park Service's Revised Draft Management Policies, including potential impact of the policies on park operations, park resources, wilderness areas, recreation, and interaction with gateway communities.

SD-366

JUNE 21

9:30 a.m.
Indian Affairs
To hold hearings to examine S. 480, to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe—Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe, and S. 437, to expedite review of the grand River Band of Ottawa Indians of Michigan to secure a timely and just determination of whether that group is entitled to recognition as a Federal Indian tribe.

SR-485

10 a.m.
Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Subcommittee
To hold hearings to examine economics, service, and capacity in the freight railroad industry.

SD-562

10:30 a.m.
Small Business and Entrepreneurship
To hold hearings to examine the nomination of Steven C. Preston, of Illinois, to be Administrator of the Small Business Administration.

SR-428A

2:30 p.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine accelerating the adoption of health information technology.
SD–562

JUNE 22

9:30 a.m.
Indian Affairs
Business meeting to consider the report on the Indian Lobbying Misconduct Investigation, and other pending matters.
SR–485

10 a.m.
Commerce, Science, and Transportation
Trade, Tourism, and Economic Development Subcommittee
To hold hearings to examine the state of the U.S. tourism industry.
SD–562

2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 574, to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act, S. 1387, to provide for an update of the Cultural Heritage and Land Management Plan for the John H. Chafee Blackstone River Valley National Heritage Corridor, to extend the authority of the John H. Chafee Blackstone River Valley National Heritage Corridor Commission, to authorize the undertaking of a special resource study of sites and landscape features within the Corridor, and to authorize additional appropriations for the Corridor, S. 1721, to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, S. 2037, to establish the Sangre de Cristo National Heritage Area in the State of Colorado, and S. 2645, to establish the Journey Through Hallowed Ground National Heritage Area.
SD–366

JUNE 28

9:30 a.m.
Indian Affairs
To hold an oversight hearing to examine Native American Housing Programs.
SR–485

JUNE 29

10 a.m.
Commerce, Science, and Transportation
Business meeting to consider pending calendar business.
SD–562

JULY 13

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine unmanned aerial systems in Alaska.
SD–562

JULY 19

10 a.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine high performance computing.
SD–562

SENATE—*Tuesday, June 13, 2006*

The Senate met at 9:45 a.m. and was called to order by the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, we pause this morning to fix our hearts upon You. Let our trust in Your sovereignty produce a love that will order our system of values. Create in us a desire to serve Your purposes and increase the treasure of Your kingdom.

Bless the Members of this body as they face today's challenges. Make them gentle, yet brave; confident, yet humble; wise, yet uncomplicated. May they meet life with calmness, trouble with fortitude, hate with forgiveness, disloyalty with kindness, and persecution with faith.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHNNY ISAKSON led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 13, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHNNY ISAKSON, a Senator from the State of Georgia, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. ISAKSON thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we have a period of morning business for up to 60 minutes. At the conclusion of morning business, we will return to consideration of the Defense authorization bill. Last night, the chairman called up an amendment that I sponsored along with the Democratic leader, the chairman, and the ranking member. The amendment commends our Armed Forces for the recent events around the Zarqawi death. A vote will occur on that amendment at 12:15 today.

Following that vote, we will recess for our weekly policy luncheons. At 2:15, following the policy meetings, Senators should be seated at their desks for the official photograph of the 109th Congress. Immediately following the picture, there will be a briefing for all Senators, beginning at 2:30, and that briefing will be by Secretary Rice and Secretary Rumsfeld. We will remain in session during that briefing to allow debate on the Mine Safety and Health nomination that we filed cloture on last week. That cloture vote is expected to occur around 3:30 if all debate time is used.

Senators should also be aware that the House is expected to complete their work on the emergency supplemental conference report today. We expect to turn to the supplemental this afternoon when that measure arrives.

DEATH OF ZARQAWI

Mr. FRIST. Mr. President, later this morning, as I mentioned, the Senate will be voting on an amendment to commend the men and women of our Armed Forces for their bravery and skill which led to the death of Zarqawi, who was anointed by Osama bin Laden as the Prince of al-Qaida in Iraq.

Al-Zarqawi was a brutal terrorist and, as we all know, the operational commander of al-Qaida in Iraq. His vicious campaigns of suicide attacks, car bombings, beheadings, assassinations, and abductions was directly responsible for the deaths of many American and coalition troops and thousands of Iraqi security forces and innocent citizens.

He was violently opposed to the new Iraqi democracy and sought to turn Iraq into a safe haven for al-Qaida terrorists.

To achieve this goal, he murdered thousands of innocent Iraqi civilians. He sought to divide the Iraqi people by fomenting sectarian violence and inciting a civil war. His goal was destruction, and he brought only violence and despair. But, finally, after 3 years of eluding capture, justice was brought to Zarqawi.

At approximately 6:15 Baghdad time last Wednesday evening, American forces, acting on intelligence tips from the Iraqi people, attacked Zarqawi's safe house near the city of Baqouba, northeast of Baghdad.

Zarqawi's spiritual adviser and several of their associates were also inside. Less than an hour later, the leading terrorist and No. 1 enemy of freedom in Iraq, Abu Musab al-Zarqawi, was dead.

This is a severe blow for al-Qaida and the terrorist enemy in Iraq. And it marks yet another victory in the global war on terror.

The amendment I offered yesterday, along with a number of my colleagues, commends the courageous men and women of the U.S. military for their extraordinary efforts to eliminate this brutal terrorist, and for their commitment to helping secure a free, prosperous, and secure future for the Iraqi people.

It also applauds the efforts of our coalition partners and the Iraqi Security Forces who contributed to this achievement.

Iraqi security recruits had long been one of Zarqawi's primary targets. Despite repeated attacks against hopeful, young recruits, these brave Iraqis kept coming back. They have shown time and time again they are eager to assume their responsibilities and do what it takes to defend their democracy.

The Iraqi public is also deserving of recognition. They defied Zarqawi's threats and streamed to the polls in three national elections. Against the threat of violence, they formed a permanent democratic government.

In recent months, coalition forces have also received a tremendous increase in intelligence tips on the activities and whereabouts of terrorists directly from the Iraqi people. The number of actionable intelligence tips from the Iraqi population numbered only 483 in March of 2005. Since November of that year, the number of tips has skyrocketed to over 4,000 a month.

The Iraqi people want peace. They want to defeat the terrorist enemy that uses them as human shields. They want to defend their country from chaos and terror.

And so, Zarqawi has met his fate. But the fight to secure a free and democratic Iraq continues. The terrorists in Iraq will continue to wreak havoc and destruction. But they will not succeed. They cannot succeed. American forces, alongside our coalition partners and the Iraqi security forces, will remain on the offensive until the terrorist enemy is defeated.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

My Senate colleagues and I are filled with pride at the bravery, skill, and valor of our soldiers on the front line. We are grateful for their service, and we congratulate them for last week's successful mission to rid Iraq of its No. 1 terrorist.

Our resolution also commends our Nation's civilian and military leadership, which includes President Bush and Defense Secretary Rumsfeld, for their continuing efforts to eliminate the leadership of al-Qaida in Iraq.

Prime Minister Maliki and the new democratically elected Government deserve our gratitude and commendation.

Here in the Senate, we will continue to support our men and women in uniform, the democratically elected Government of Iraq, and the Iraqi people as they strive for a free, prosperous, and democratic future.

TRIBUTE TO SENATOR ROBERT DOLE

Mr. FRIST. Mr. President, this Sunday marked the 10th anniversary of Senator Robert Dole's retirement from the U.S. Senate. From humble beginnings on the plains of western Kansas, Bob Dole has risen to become one of our most accomplished and respected public figures of the 20th century.

Bob Dole arrived in Congress in 1960 as a representative of the Sixth District of Kansas. He was immediately chosen by his fellow freshman colleagues to lead the freshman class. His ability to lead and inspire, his dry wit and savvy, would characterize his ascent to the peaks of political life.

Bob Dole was reelected for three more terms before being elected to the Senate in 1968.

In 1971, Senator Dole was chosen to lead the Republican National Committee, a position he held for 2 years.

It was a tumultuous time for America. His steady hand earned him the Vice Presidential nomination alongside Gerald Ford in the 1976 election. Jimmy Carter won. But that didn't hinder Senator Dole's steady climb.

Over the next decade, Senator Dole moved up through the leadership ranks, and in 1984, he was elected to succeed Senator Howard Baker as majority leader. While Democrats regained control of the Senate in 1986, Senator Dole continued to lead his party as minority leader. In 1994, Republicans swept Congress, and Senator Dole was once again elected majority leader. His 12 years as the leader of his party in the Senate set a record, and made him the longest serving Senate leader of the Republican Party since its founding in 1854.

I learned a lot from Leader Dole during my first few years here. We saw eye to eye on most issues, but when we didn't, he always encouraged me to vote my conscience.

He respected my commitment to family, and with three young sons, he was always careful to ensure that the schedule wouldn't run over my time with my wife and children.

And he took the time to listen to all colleagues. While many remember his famous admonition, in meeting after meeting, to "work it out," what fewer recall is that he would pursue votes, and ideas, and solutions over and over and over to lead to the point where, indeed, we could "work it out."

Our Senate party was in good hands under his stewardship. He was a good partner for President Reagan, and President Bush. And the respect President Clinton paid him was impressive, even across party lines.

I was proud to begin to know him during my early years here. His portrait hangs on the wall in my conference room, making him part of our leadership meetings every week I have often thought about what he might do when challenging situations arise around here.

And as much, I have often wondered what quip he might have offered to break the tension at a tough moment.

With my leadership team, we have made some tough calls under his watchful gaze. In 1996, Senator Dole was chosen by the party to run as its Presidential nominee. It was the capstone to a remarkable career.

World War II hero, dedicated public servant, master of the Senate, and champion of the conservative cause, Senator Dole has stamped his place in American political history. Although he has left office, the elder statesman has in no way retired. He has authored two best-selling books on political humor, and a personal memoir of his life as a soldier. He is invited to speak all over the world to offer his wit and keen insights into the issues of our time. President Reagan once said of Senator Dole, "His title of Leader is not just a job title, it's a description of the man." This plain-spoken, honest and humble man from Russell, KS, is the genuine article.

One of the brightest stars of the Greatest Generation, Senator Dole served his country with bravery and dedication. He has earned the affection and respect of his fellow citizens. And he will always be remembered for his humor, his leadership, graciousness and humility—and for the honor he has brought to political life.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 1 hour, with the first half of the time under the control of the majority leader or his designee and the second half of the time under the control of the Democratic leader or his designee.

The Senator from Alaska.

TRIBUTE TO SENATOR ROBERT DOLE

Mr. STEVENS. Mr. President, yesterday, we honored our colleague, Senator ROBERT BYRD, for achieving an important milestone in our Senate's history. Today, we come to the floor to pay tribute to another man who stands out as a giant among those who have served in this Chamber. Senator Bob Dole, last Sunday, marked the 10-year anniversary of his retirement from the Senate.

Bob Dole and I came to the Senate at the same time. We have worked together a great deal. When I was Republican whip and he was our party's Vice Presidential nominee, I was asked to help him prepare for his debate when he debated Walter Mondale—the first Vice Presidential debate in history.

Bob helped us pass the Alaskan Native Land Claims Settlement Act, which paved the way for the Trans-Alaska Pipeline. And he supported the Alaska Lands Act and the Alaska Railroad Transfer. In short, Bob Dole is a great personal friend, a friend to me and to Alaska.

Bob was—and still is—a leader in the truest sense of the word. Whenever I think of Bob Dole, I think of the great many men I have known who were tested in World War II. Like my good friend Senator INOUYE, Bob Dole is a true war hero. He was tested in war and injured and struggled back through a long recovery. Like all great leaders, Bob takes great challenges of life and uses them to improve the world around him.

Having been injured in World War II, he dedicated much of his time in public service to improving the opportunities for disabled Americans.

Those of us in the Senate who were fortunate enough to call Bob a colleague for 27 years, chose him to serve as our leader six times, when we were in the majority and the minority. He reached out to those who disagreed with him. He listened to advice. You never had to ask him twice to know where he stood; his word was—and is—his bond. As President Reagan said:

> His title of leader is not just a job title, it's a description of the man.

I think Bob's decision to resign his seat rather than stay in the Senate and campaign for the Presidency demonstrates what a devoted public servant he is. I have now been in the Senate over 30 years, and I have seen Members of this body run for President and miss vote after vote because they were on the road campaigning.

Bob Dole loved the people of Kansas too much to leave them without a voice in the Senate, so he resigned. I believe that took great courage. If there is one thing about Bob Dole that there is no shortage of, it is courage. Bob himself said, when he resigned from the Senate:

> One of the qualities of American politics that distinguishes us from other nations is that we judge our politicians as much by the manner by which they leave office as by the vigor with which they pursue it. You do not lay claim to the office you hold, it lays claim to you. Your obligation is to bring to it the gifts you can of labor and honesty and then to depart with grace.

By his own standards, Bob Dole stands out as one of the most noble and dignified men who ever graced these Halls.

Senator Dole did not win the 1996 Presidential election, but his commitment to public service has not wavered. He still contributes to the public debate through his writing and speaking, and he has remained active on the campaign trail. We have been fortunate that since his retirement another Dole has joined this Chamber—his wife, Senator ELIZABETH DOLE, who serves the people of North Carolina and our Nation, also, with great distinction.

When Senator Dole resigned from the Senate 10 years ago to run for President, he and I were the only remaining Members of the class of 1968. We have a bond that was forged on the morning of January 3, 1969, when we each took the oath to serve our country in the Senate. That bond never fades, and I salute his service today.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

Mr. WARNER. Mr. President, before the distinguished Senator departs, I say to the Senator, you made mention of his heroic service, together with that of yourself and Senator INOUYE in World War II. But I think the RECORD should reflect how you and I and others in the Chamber—Senator INOUYE—supported him in the World War II Memorial. This was something that was very dear to his heart, and he became the national public president figure to really raise those funds—almost all of the dollars from the public sector: dollars from veterans, dollars from all across America, and, indeed, some from beyond our shores.

To his credit, every time I pass it—and I am sure you view that magnificent memorial—I always remember his contribution in erecting it.

Mr. STEVENS. The Senator from Virginia is correct, Mr. President. Senator INOUYE and I were pleased and proud to join him and you in that effort. And we are delighted that the sponsors of that memorial remembered Alaska and Hawaii. They are in the memorial although they were not States during World War II.

I thank the Senator.

Mr. WARNER. Mr. President, I thank my distinguished colleague. I played a very minor role in World War II in the last year, the closing year, when my class of 17, 18-year-olds joined.

And I say to the Senator, you, sir, were a great hero in that war, as was Bob Dole.

Mr. President, I also thank our colleague, Senator SMITH, for initiating this recognition on the 10th anniversary of Bob Dole's retirement from the Senate.

When I came to the Senate—it is hard to believe—28 years ago, he very soon became a figure to whom I would turn from time to time to seek advice and counsel. He had a magnificent ability to reach across the aisle. And he very firmly believed in the concept of trying to do as much business as we could in a bipartisan way.

Much has been said about trips we take in the Senate. I value the trips I took with Senator Dole. I remember one very vividly when he quickly put together a delegation to visit Boris Yeltsin when he rose to the top position in then the Soviet Union, watching Bob Dole with that new world leader, the two of them together trying to reach common ground and common understanding in the midst of the Cold War between the United States and the then Soviet Union. He was a man who wisely thought about how this is one world in which we live today. Be it the means of our national security or otherwise, we have to have the vision to look abroad.

I also remember another day very clearly. That was in connection with one of the anniversaries of the landing of D-Day. He asked me to accompany him. He spoke in Italy that day. Then we doubled back and went up to Normandy. We also incorporated in that trip a visit to a small village on the top of a mountain. All the way up the side of the mountain, the old bus we were in was zigzagging up a narrow road. There were little signs: Welcome home, Bob Dole. After a luncheon, he took me and one other Member of the Senate and we walked a short distance from the hotel up on a hillside where there was a small stone wall. We stood there and joined him in a silent moment of prayer. Prayer was very important, as it is now, to Bob Dole. That is where he fell wounded and survived under extraordinary circumstances, largely owing to one of the civilian partisans who helped him get back to receive medical care. I will remember that moment always.

I also draw to the attention of my colleagues—I am not here to sell books—a great book he wrote called "Great Political Wit: Laughing (Almost) All the Way to the White House." In it he talks about himself. I particularly like this. This was in the last page of the book called "Great Political Wit":

> Don't feel too bad for me. The appearance of this book coincides with the fiftieth anniversary of Harry Truman's stunning upset of Tom Dewey in 1948, which not only changed the course of American history but produced a patron saint for every political underdog since. Like Truman, I have a Midwestern preference for plain speaking, and a sometimes impolitic habit of laughing at pomposity. Although there have been times when I have been forced to eat my words—or swallow my pride—I still find it hard to take too seriously people who take themselves that way.
>
> What people often forget is that the last laugh doesn't belong to the victorious candidate—it belongs to the late-night [show] comics.

In that book, he also told a story. I think this is applicable to close out my brief remarks this morning.

> As presiding officer of the United States Senate, Vice President Calvin Coolidge declared his intention to master the rules governing the world's greatest deliberative body. This didn't take long, said Coolidge, who quickly discovered that the Senate has but one rule, which is that the Senate will do whatever it wants whenever it wants to.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Mr. President, special thanks to my colleague and friend, Senator GORDON SMITH, who represents the State of Oregon and our Nation with grace and civility, intelligence and accomplishment, for this special order paying tribute to our Kansas Senator Bob Dole.

It doesn't seem possible that it has been 10 years since Bob's tenure as our majority leader ended, a tenure that represents the longest serving Senate leader of our Republican Party since the founding of the Grand Old Party in 1854. During those 12 years of leadership, there were difficult and challenging times. But Bob Dole's legacy was and is legislative accomplishment, always in Bob Dole style, a unique mixture of principle and compromise when necessary, comity, his great gift of wit and humor and good old Kansas common sense.

In 1968, when Bob first ran for the Senate, his theme song was "Let a Leader Lead the Way." He certainly did. It would be impossible to list all of Bob's legislative achievements, but the Dole Institute at the University of Kansas does provide some highlights. I ask unanimous consent that they be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

1962 Amendment to National School Lunch Act
1966 Food for Peace Act
1969 Controlled Dangerous Substances Act
1970 Drug Abuse Prevention and Control Act
1971 Amendments to Federal Water Pollution Control Act
1973 Rural Health Care Delivery Improvement Act
1974 Campaign Finance Reform Legislation
1977 POW / MIA Vietnam Legislation
1977 Food Stamp Program
1979 Taiwan Foreign Relations Act

1980 Biotech Industry Incentives Act
1981 Immigration Reform Legislation
1981 Economic Recovery Tax Act
1981 Hospice Care Legislation
1982 Voting Rights Act Extension
1983 Bipartisan Social Security Act
1983 Emergency Food Assistance Program
1983 Martin Luther King Holiday Bill
1984 Comprehensive Crime Control Act
1985 Televised Senate Proceedings Resolution
1985 Landmark Farm Bill
1986 Tax Reform Act
1986 Terrorist Prosecution Act
1987 Homeless Assistance Act
1988 Omnibus Trade and Competitiveness Act
1988 INF Arms Control Treaty
1988 Anti-Drug Abuse Act
1988 Welfare Family Support Act
1990 Clean Air Act
1990 Americans with Disabilities Act
1991 Desert Storm Authorization Resolution
1993 North American Free Trade Agreement
1994 Violence Against Women Legislation
1995 Comprehensive Federal Agency Regulatory Reform Act
1995 Congressional Accountability Act
1995 Comprehensive Telecommunications Reform Act
1995 Lobbying Reform Legislation
1995 Safe Drinking Water Act
1995 Medicare Trust Fund Legislation
1995 Private Securities Legal Reform Act
1996 Farm Conservation Bill
1996 Line Item Veto
1996 Omnibus Appropriations Act
1996 Cuban Liberty and Democratic Solidarity Act
1996 Bipartisan Immigration Control and Financial Responsibility Act
1996 Bipartisan Anti-Terrorism Legislation

Mr. ROBERTS. These accomplishments were of direct benefit to the daily lives and pocketbooks of Americans and represent many programs and reforms that we now take for granted. Bob is probably most proud of the fact he led the way for disabled Americans, for our Nation's School Lunch Program, not to mention the World Food Program where food and education combine as the most effective long-term answer in our current fight against terrorism.

I have special memories and a personal perspective of the Bob Dole days in the Senate when I was in the House. Having the privilege of representing Bob's former congressional district, the big first district of Kansas, knowing Bob Dole since his friendship with my father and later during my service as the administrative assistant both for Bob's predecessor in the Senate, Senator Frank Carlson, and his successor in the House, Congressman Keith Sebelius, many assumed that whatever I was for, Bob was for. I would always emphasize that Bob Dole was riding shotgun with me, whether he was or not. That was like having Wyatt Earp, Bat Masterson, Doc Holiday, and Matt Dillon all by your side during any kind of legislative shootout. Of course, if we won, I had to come over to the Senate and let him know. If we lost, I came over to ask for help. Either way, when the chips were down, it was a win-win with Bob on your side.

In Kansas, our State society named Dwight David Eisenhower the Kansan of the 20th century, and we are still proud of and still like Ike. Historians have ensconced our native son as one of our greatest Presidents. The fact is that the Eisenhower legacy lives on with Bob Dole. Ike was his hero, and by following his example, Bob has been accurately described as a towering figure and the most enduring Republican leader of the 20th century with a distinguished record of public service that has made a tremendous positive impact on our Nation.

Following his elected public service, Bob has continued to contribute, to lead, and to achieve. I daresay without Bob Dole, the World War II Memorial would not be the centerpiece of the Mall in our Nation's Capital. Most deserving of the Presidential Medal of Freedom, he has been and is an international emissary for peace and freedom and is involved in countless projects and causes. When I go back home to Kansas, Kansans always ask me: What do you hear from Bob? How is he doing? I tell them he is still on the go and doing what he has always done, that we still tow buckets together, and we don't spill very much.

Simply put, Bob Dole continues to be a leader who leads the way. We in Kansas are proud of Bob Dole.

My thanks again to Senator SMITH for reserving this time honoring our native son.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

* * *

HONORING SENATOR ROBERT C. BYRD

Mr. SMITH. Mr. President, it is a privilege to come to the Chamber and speak of Bob Dole and also his distinguished wife, our colleague, ELIZABETH DOLE, both great public servants. While that is my intention, to speak about them—specifically, Senator Bob Dole—I would like to join all Senators, Democrats who yesterday spoke of Senator BYRD, I know many Republicans did as well. I, not being in town, wanted to take an occasion to salute Senator BYRD for a remarkable career in the Senate. I was touched, however, recently by the recognition given to his wife, who recently passed away, in which Senator BYRD essentially said that this would be a bittersweet day for him in that he now is the record holder for service in the Senate because Erma would not be here to share it with him. I know how much Senator BYRD values the Senate, but I think that comment of his, that reflection, was evidence that he values his marriage and family even more.

As a Republican Senator, I salute Senator BYRD for his remarkably long and distinguished career.

TRIBUTE TO SENATOR ROBERT DOLE

Mr. SMITH. Mr. President, I was not in the Chamber 10 years ago when Senator Dole resigned his seat. I was, in fact, on the campaign trail in the midst of an election campaign that he had helped to recruit me to run. I remember watching those proceedings and seeing the bipartisan affection in which Senator Dole was held. I later met him many times on the campaign trail as he pursued the Presidency and was impressed by his courage in the face of very discouraging poll numbers and the high probability that he would not win and how hard he fought for us and others who were running to fill seats in the U.S. Senate. ELIZABETH was at his side, and together they made a tremendous campaign and did honor to our country and to the Republican Party by the way in which they prosecuted a very difficult campaign cycle. It reflected honor upon our country.

It is important that as we celebrate his resignation and his career that ended 10 years ago, we take occasion to reflect on his remarkable accomplishments. He served 27 years in this body, 11 of those as Senate Republican leader. Bob Dole's remarkable record of accomplishment as a Senator is well known. It is not an exaggeration to say that his fingerprints could be found on nearly every major piece of legislation that passed Congress during the 1980s and the first half of 1990s.

It was Bob Dole who reached across party lines to work with Senator George McGovern to create the Food Stamp Program. It was Bob Dole who worked with Senators HARKIN and KENNEDY to bring about the Americans with Disabilities Act. It was Bob Dole who worked with the late Senator Pat Moynihan to save the Social Security Program.

I rise today not just to pay tribute to Bob Dole's legislative accomplishments; rather, I rise on this occasion to celebrate what he has done in the decade since he left this body. There can be no question that over those 10 years, Bob Dole has continued his lifelong commitment to serving his country, a commitment that began as a young soldier in the hills of Italy during the Second World War. Indeed, for many Americans, Bob Dole is the living symbol of what Tom Brokaw has termed "America's greatest generation," the generation of Americans who saved freedom during World War II. My generation is the beneficiary of Bob Dole's generation, the world we inherited, a world in which America assumed world leadership. My generation has been greatly blessed by patriots such as Bob Dole.

Perhaps Bob Dole's greatest contribution to the past decade was his chairmanship of the National World War II Memorial. Quite simply, that beautiful memorial would not grace our National Mall now had it not been for the persistence and leadership of Bob Dole.

Bob Dole also volunteered for service after the attacks on September 11, when he joined with former President Bill Clinton to serve as cochair of the Families of Freedom Scholarship Fund, which assists the educational needs of families of those who lost their lives in the World Trade Center, the Pentagon, and United flight 93.

During this time in this Chamber, no Senator spoke more loudly and more eloquently about atrocities occurring around the world—specifically in Bosnia—than did Bob Dole, who raised his voice loudly. He has continued his vigilance by serving as Chairman of the International Commission on Missing Persons, traveling to the Balkans to provide closure to families of those who were victims of the genocide that occurred under Slobodon Milosevic.

In January of 2003, President Bush appointed Bob Dole as honorary Cochair of the President's Council on Service and Civic Participation. He has worked to connect countless Americans with service opportunities in communities, schools, and workplaces.

Bob Dole has also continued his commitment to ending the scourge of hunger, working with his former colleague, George McGovern, to advocate the expansion of school breakfast programs in the United States. They have also teamed to promote the expansion of the School Lunch Programs across the world through their Global School Feeding Initiative.

Bob Dole has also devoted a great deal of his time and energy to the Robert J. Dole Institute of Politics, which is located at the University of Kansas in Lawrence, KS. The institute is one of America's premier university-based political science and international affairs research institutes, dedicated to reestablishing politics as an honorable profession and to promoting greater student and civic involvement in the democratic process.

Along with all of these activities, Bob Dole is one of America's most popular public speakers, inspiring audiences with his courage, his humor, his love of America, and always with that trademark wit. He has also authored three books since leaving the Senate—two on political humor, and the most recent, "One Soldier's Story," which tells the remarkable story of his recovery from the wounds he suffered during the Second World War.

Mr. President, Bob Dole has often said that he takes inspiration in the State motto of his beloved Kansas, which is: "To the stars through difficulties." There can be no doubt that Bob Dole reached those stars in serving his country as a soldier and as a public servant. He has proved time and again over the past decade that he continues to reach for the stars as a private citizen.

I know all Senators join me in saluting Bob Dole and thanking him for the positive difference he has made over these past 10 years. Part of that difference was supporting his wife Elizabeth and her campaign to win a seat in the Senate. Together, they are a remarkable American couple and have made a remarkable difference for the betterment of our country and even the world.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, I thank those who have come to the floor today to help honor our former colleague in the Senate, Bob Dole. I don't know of anyone who has had more of an influence on my career in the Senate than Bob Dole, although Howard Baker, who was the Republican leader when I first arrived in the Senate in 1978, also had a great deal to do with my career here.

I don't know who coined the phrase "compassionate conservative," but Bob Dole was the epitome of a compassionate conservative. His legislative record is replete with examples of his leadership to help ensure the formulation and implementation of policies by our Federal Government that recognized the needs of those who were unable to care for themselves, or were unable to make progress economically, without the assistance of the Government.

He authored the Americans with Disabilities Act and helped lead the way for many Americans by his example of how one can overcome disabilities. My friend Gordon Smith mentioned his authorship of the book "One Soldier's Story." That should be required reading for every American. It was a heartwarming yet heartbreaking account of his experiences in World War II in combat and his long road to recovering from the painful and life-threatening injuries he sustained in battle.

You can also look to examples of when he was a leader in the Agriculture Committee on which I had the good fortune to serve as a new member, at a time when he was one of the true leaders in formulating agricultural policy for our Nation. He worked easily across the aisle with Herman Talmadge, the chairman of the committee at that time, and with George McGovern, another leader on the committee from South Dakota. They worked together to help craft improvements in the School Lunch Programs and other feeding programs that assist Americans who are unable to provide for their own nutritional needs. Think about that. This was at a time when the Federal Government was pretty well leaving these responsibilities to State and local governments, charitable organizations, and the Nation's schools to formulate their own response to these challenges.

But we became a Nation whose record of support for dealing with these problems has become a model for the world. As a matter of fact, he and George McGovern created a worldwide nutrition assistance program that today makes food and nutrition benefits available to the poorest of the poor in Africa and many other countries throughout the world.

He was a leader in establishing a modern veterans benefit program and ensuring that a cabinet-level position was available to help administer this program to be sure that all veterans, those who had disabilities or those who deserved pensions and other benefits because of their age or experiences in war, would have those benefits and could be a part of our national citizenship in every sense of the word.

I recall very vividly when we elected Bob Dole as our leader in the Senate on the Republican side. He was a master at getting things done, at working out problems, at bringing people together who had disparate views on subjects that we needed to take action on and deal with. He worked hard. He knew everybody's personal interests and disposition. I was amazed at how he could stand before the Senate and stay there until the late hours of the evening, working out the intricacies of a tax reform bill, which he helped craft as chairman of the Finance Committee, in charge of tax policies for our country.

He was a Senator's Senator in every respect, a warm-hearted, humorous, delightful companion, who enriched the lives of all who served with him in the Senate. I suppose the highlight for me in my relationship with Senator Dole was the nominating convention, when he was selected to be the Republican Party candidate for President of the United States. I was very excited about that. It was a wonderful decision. I could not think of anybody who would be better as President of the United States than Bob Dole. I remember the night that the convention nominated him and he walked out on the stage to accept the nomination. It was really quite an event. Also, that night, I recall while they were counting the ballots on the floor, he invited CHUCK GRASSLEY from Iowa, our colleague in the Senate, and me to be with his family up in the suite in the hotel in San Diego to watch the last votes being counted, and then to proceed into the convention hall to accept the nomination.

Mr. President, we miss Bob Dole's leadership in the Senate. We are delighted, though, the Senate is taking time to recognize the great service that he rendered during his career here.

SENATOR BOB DOLE

Mr. BROWNBACK. Mr. President, I am in the Dole seat for Kansas. When

Senator Dole left, I ran for his seat and was fortunate enough to be elected to that seat. I worked with Senator Dole for many years, when I was secretary of agriculture for Kansas. I first met him when I was Kansas State president of the Junior Farmers of America. I have had a wonderful relationship with Senator Dole. He is an outstanding American, and he is an outstanding Kansan. He deserves tribute.

We in the Senate are certainly blessed and honored each time we have the opportunity to rise on our feet on this floor and address this august body. At this moment, I feel particularly blessed and honored to be able to recognize my predecessor, Senator Robert Joseph Dole.

Today, we rise to mark the decade anniversary of Senator Dole announcing his retirement to this body. On June 11, 1996, Senator Dole, as the Republican nominee for the Presidency, announced that he would resign his seat in the U.S. Senate. And some asked, Why would he retire with 2 full years left in his term and only 6 months left in the campaign? "I thought that was what was best for Kansas." For while he was many things—a legislator, a statesman, a decorated war hero, a leader—Senator Dole believed in his State and he believed in service to his State and he thought this was the best for his State, and that he would run just as a man, an ordinary citizen. It was a tremendous tribute to his service and his believing in the service of this body, that if you couldn't be here full time to do this work, he thought it would be better that he would leave it and bring somebody else in so that he could pursue the Presidency full time.

The motto of our State is "Ad Astera, per Aspera." That is a Latin phrase meaning "to the stars, through difficulty." Perhaps, considering our State's motto, one could consider it also the motto for Bob Dole.

He was born in 1923 in Russell, KS. Bob Dole was a teenager during the worst environmental disaster of my State's history—that was the Dust Bowl. He was 11 years old on April 14, 1935, which was referred to as "Black Sunday." On that day, a wall of dust covered the prairie of western Kansas, turning day into night. Some thought it was the end of the world. During those years, childhood friends of Bob Dole recalled postponing basketball games in the middle of them, four or five times during the game, just to sweep the piling dust off the floor.

Some fled the dust. Others were withered by it. Bob Dole was formed by it. Years later, he would recount that "growing up on the edge of the Depression-era Dust Bowl, I was taught to put my trust in God and not government, and never to confuse the two." Per Aspera.

As a young man, Bob Dole rose to meet the greatest challenge his great generation would face—World War II. Bob was a second lieutenant in the Army's 10th Mountain Division. He served in the mountains of Italy, where he and his unit faced some of the fiercest and challenging fighting of the war. Bob fought bravely. He was wounded. He fought again. He crawled from the security of his foxhole during intense fighting to assist a critically wounded radio operator, and in the process was shot in the back by a Nazi machine gunner. This time few thought he would survive. Bob Dole was hospitalized for a total of 39 months. He gave up the use of his right arm.

Ad Astra—to the Stars.

For his wounds, Bob was awarded two Purple Hearts. For his valor, Bob Dole was awarded the Bronze Star with an Oak Cluster.

Ad Astra—to the Stars.

Returning to his native Kansas, Bob turned to his family, to his neighbors, and to his friends for support. Later, he remarked: "I was sustained by neighbors, who were anything but stingy with their love and encouragement. I learned then, if I hadn't already known it, that there is no such thing as a wholly self-made man or woman."

He picked up where he left off and earned his undergraduate and law degrees from Washburn University in Topeka, KS. From there, Bob Dole began his political rise to the stars.

Ad Astra.

Bob served in the Kansas State House as the Russell County attorney, and on January 3, 1961, Bina Dole's little boy was sworn into the 87th Congress of the United States. Within a decade, Dole had distinguished himself as a legislator and was sent by his fellow Kansans to serve here in this body.

And here in this Chamber, Bob Dole continued to serve the people of Kansas and this great Nation. He served them as chairman of the Finance Committee. He served them as the minority leader of the Senate. He served them as majority leader. He served them for nearly three decades, until exactly one decade ago today, when he retired.

Today, Bob Dole's service is neither over nor forgotten. Having been recognized with the Presidential Medal of Freedom—a civilian honor, to match his military honors—he has continued to serve. He served as chairman of the International Commission on Missing Persons in the former Yugoslavia and the National World War II Memorial. He even gets a great deal of constituent casework of people contacting to ask if he could help out with this or that—and of course he does. He spearheaded the World War II Memorial effort, and what a beautiful memorial to the greatest generation it is.

Also, I believe Bob served as the spokesman for a number of different commercial causes which have continued. And his humor continues unabated as well.

I remember when serving as secretary of agriculture in the State of Kansas that Senator Dole would address a number of farm audiences—sometimes from the back of a pickup truck. He would see a number of members of that audience who would often loosen up their belts and their overalls because they knew they were going to be in for an entertaining speech, a lot of times about 30 minutes or 25 minutes of jokes and one-liners and 5 minutes of politics. They loved it. He loved it. They loved him. He loved them. It was a beautiful symbiotic relationship that Bob Dole had with his State, with my State of Kansas.

He also continues to serve as a trusted adviser and friend to guys like me. I have been honored to be able to serve in his seat. It is difficult to follow somebody of his legendary status and his ability as a legislator, his ability as a leader, and the contribution that he has made to this society, to this Nation, and to this world. Yet we try—and try with his advice.

He is an important American of distinction. He is someone who truly deserves to be recognized. He is one who has touched many lives individually and millions of lives collectively. He is the epitome of the greatest generation, the generation that served the rest of mankind, to be beat off Fascism, Hitler, Communism, and gave us the freest world that we have known.

There are still wars to be fought, still battles to be fought, and we pick up the flag and carry it each and every day, but we owe so much in tribute to legendary leaders such as Bob Dole.

Senator Dole, on behalf of our country and our State, certainly from me personally, I say, thank you and God bless you.

Mr. McCAIN. Mr. President, I am pleased to join with my colleagues in paying tribute to one of our Senate's finest leaders, Senator Bob Dole.

Ten years ago, after representing his home State of Kansas in the House of Representatives for 8 years and in the Senate for over 27 years, Majority Leader Dole resigned from the Senate. He did so in order to engage fully all of his attentions to his Presidential campaign. The Senate lost one of our greatest leaders that day, but Bob Dole continues to be a national leader to this day.

I traveled with him a great deal during his campaign, and it was a thrill for me. I was given the honor of introducing him at the 1996 Republican Convention—quite a humbling privilege for someone who considers himself far less distinguished than the man I was introducing formally to the Nation as the Republican candidate for the President. He may not have won that election, but he ran an honorable campaign and worked as hard as anyone I have ever seen on the campaign trail. Bob helped teach me the meaning of dedicating one's live to a cause greater than one's self-interest, and for this I will always be thankful.

Everyone knows that Bob is a decorated veteran through his sacrifice in World War II and that he faced a very hard road to recovery upon his return—a road that many selfless men and women today are similarly facing upon their return from the war in Iran and Afghanistan. Like Bob, they, too, are American heroes and they need and deserve to be reminded of that fact as often as possible.

Bob Dole's distinction among his peers could have rested with his military service. But instead, he chose to continue serving his country and was as effective as he was, in my view, largely because of his experience as a war veteran. For example, his Senate leadership was essential to the efforts of Presidents Reagan and Bush to win the Cold War. He built majority coalitions to help restore the readiness and modernization of our Armed Forces, which had been so badly neglected in the previous decade. Thanks to his vision, America is better prepared to defend herself and others from those who want to cause us harm.

While Bob may no longer be daily in the public eye as he enjoys life in the private sector, he still continues to focus his energy on issues of importance to our country. He cochaired the Families of Freedom Scholarship Fund with former President Clinton, helping to raise money for the families of the victims of 9/11 to pursue secondary educations. Bob also continues with his efforts on behalf of the disabled. And, of course, since leaving the Senate 10 years ago, he is also now enjoying the obligations of a Senator's spouse.

Bob Dole is an American hero, and I am privileged to call him my friend.

The ACTING PRESIDENT pro tempore. The majority's time has expired.

Mr. SMITH. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, will you please inform me of the business before the Senate.

The ACTING PRESIDENT pro tempore. The Senate is in a period of morning business. The minority's time has begun, with 28 minutes 30 seconds remaining.

OPPOSITION TO THE NOMINATION OF RICHARD STICKLER

Mr. DURBIN. Mr. President, I rise to oppose the confirmation of Richard Sticker as Assistant Secretary of Labor for Mine Safety. I also ask the Senate to send a message of confidence and hope to the miners across America that we in the Senate are no longer willing to put coal industry executives that care more about profits than lives in charge of their safety.

How many of us recall the recent news stories coming out of Kentucky and West Virginia—heartbreaking stories—where lives were lost and families waited expectantly aboveground praying that those miners would be found and be brought back safely, and how many times that was not the case.

What brings about safety in these coal mines, so deep in the Earth? The vigilance of the agencies, Federal and State, that keep an eye on the companies that are operating out of the view of most of the world. Those are the things that are important. Today, we will have a chance to vote on a man who wants to head the Federal agency when it comes to mine safety. Unfortunately, Mr. Stickler is yet another in a long line of coal industry executives nominated by this administration.

The last industry appointee to the Mine Safety and Health Administration withdrew or delayed final action on 18 mine safety rules. The result was disastrous—disastrous to the tune of 33 coal mine deaths in America in 2006.

Two of the rules that could have been enacted and were not by the predecessor to the man being appointed to this position had the potential to speed the rescue and increase the chance of survival for the 14 miners killed in the recent West Virginian Sago and Alma mine disasters. One would have sped up the formation of rescue teams. The other would have provided more oxygen for the miners. Both of these rules could have saved miners' lives this year. But the Mine Safety and Health Administration didn't enact the rules. Why? Because doing so would have cost the coal companies money. It is just that simple. And now 33 miners have paid with their lives, and Congress was forced to act.

We passed a new law this year—a law that was pushed by the Senators from West Virginia, Senators BYRD and ROCKEFELLER—which I was happy to support because of the coal mining in my own home State of Illinois. It is called the Mine Improvement and New Emergency Response Act of 2006. It mandates the formation of two mine safety teams available within an hour of an accident. Such quick response mine rescue teams might have saved lives at these coal mines in America this year.

This new law also mandates the purchase of wireless tracking and messaging equipment and extra oxygen for miners underground. Both of these provisions could also have saved lives.

My concern with Mr. Stickler's nomination is not solely that he is a coal executive—that doesn't disqualify him—but that he clearly stated during his confirmation hearing that these new provisions in the law are not needed. He unequivocally stated that no new laws are needed and that the laws on the books, which haven't been updated, incidentally, in 30 years, to adjust for new technology in coal mining, according to Mr. Stickler, those 30-year-old laws are just fine. And he said this after the Sago mine explosion that took the lives of 12 coal miners.

I can't support a nominee to be head of mine safety when he opposes the recently passed Miner Act. This law, which the Senate passed by unanimous consent, without one single Senator dissenting, was a recognition by all of us that mine safety laws need to be updated in order to protect the coal miners and to stop the unnecessary and sad and tragic loss of life. But Mr. Stickler, who wants to be head of this Federal agency to protect coal miners across America, disagrees.

Furthermore, Mr. Stickler argues that the duty to comply with safety laws falls on the shoulders of the mine companies, and that the agency he wants to head plays no role. He told a committee of the Senate that he believes there is a compliance problem, not an enforcement problem, in the mine industry. Mr. Stickler doesn't seem to understand that without enforcement, there will be no compliance. Any industry left on its own to comply with Federal and local laws will often fail to do so. That is a reality—a reality Mr. Stickler doesn't even understand.

I am astonished that President Bush would nominate a person to head this important safety agency who has such little regard for the need to enforce the laws of the land, to protect the lives of coal miners, and to spare families from the grief that so many have suffered this year.

Mr. Stickler's statements at his confirmation hearing fly in the face of reality, and I ask: What do his comments say to the families of those 33 lost miners?

Many of these families oppose the confirmation of Mr. Stickler because of his opposition to revising mine safety laws and his live-and-let-live position on enforcement regulations. They are not alone. The United Mine Workers and the AFL–CIO also oppose Mr. Stickler's nomination. All of us in the Senate supported passage of a new law to save miners' lives. We unanimously supported it. Mr. Stickler doesn't believe that legislation was even necessary.

We also know that enforcement of the laws is needed to compel mine operators to comply with the laws. Mr. Stickler, again, disagrees.

We learned a bitter lesson about 11 months ago on the gulf coast. Hurricane Katrina, the worst natural disaster to strike America, came with warning, devastating New Orleans and many communities in Louisiana, Mississippi, and Alabama. Even with 3 or 4 days' warning that this hurricane was about to strike and could have devastating impact, the Federal Emergency Management Administration was not ready. They were not prepared.

Unfortunately, the person who headed up the agency effort, Mr. Michael Brown, didn't do everything he could have done and, as a result, lives were lost, people suffered, there was damage that was totally unnecessary, and the rescue effort was slow to come and, sadly, too late for many.

The lesson from Michael Brown at FEMA was that you don't put a person whose speciality in life is Arabian horses in charge of the Federal Emergency Management Administration. He wasn't ready for the job, and as a result of that people died and people suffered.

So now what do we have today? We have Mr. Richard Stickler, an executive from a coal company, who is now going to be put in charge of watching coal companies. Why? Because he is charged with the safety of coal miners. When one listens to his responses to the questions at the committee hearing, it is clear that he has taken a position with which most coal companies would agree: We don't need no more regulation; we don't need no more enforcement; we don't need no more meddling Federal agencies.

Maybe that point of view would have prevailed some time past, but this year we know better.

Coal mining, one of the most dangerous occupations in America, has claimed 33 lives this year. This Congress understood it. We passed unanimously a change in the law to protect those coal miners. We cannot afford to put in that agency a person in charge who is not going to spend every minute and every ounce of his strength to protect those coal miners and be an advocate for their families. Mr. Stickler is not that person.

On behalf of the 3,500 coal miners in my home State of Illinois and all of the coal miners across the country, I urge my fellow Senators to oppose the confirmation of Mr. Stickler for this important position.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Mr. President, I rise today to join my colleague from Illinois in expressing my deep concern about the nomination of Richard Stickler to be Assistant Secretary of Labor for Mine Safety and Health. That is a long title, but it means one thing: This is the person who is going to be in charge of the health and safety of every miner in America.

That is a very serious responsibility, and it requires a serious leader, someone with a strong background in mine safety and a strong commitment to aggressively protect America's mine workers. I sit on the committee that oversees the nomination. I have to tell the Senate, Mr. Stickler offered neither. I believe the President, respectfully, should withdraw his nomination and send us at this time a more suitable nominee.

As we all know, just 6 months ago, 12 miners were killed in the Sago disaster. In the wake of that tragedy, many of us in the Senate worked hard—and I commend the Senator who is sitting in the chair for his work—on this incredibly important issue. We did the right thing. We came together and passed the most comprehensive mine safety update in a generation.

I was honored to work on that historic bill with Senators KENNEDY and ENZI, Senator ISAKSON, who is in the chair, and Senators ROCKEFELLER and BYRD. But we have to do more than just pass a law. We need to make sure we provide the resources, and we need to make sure we provide the leadership to carry this out. That is why it is so disturbing to me that the Senate majority leader is today trying to push an unqualified nominee through to head this agency.

Senator BYRD, who represents the Sago families, has raised some very valid concerns about Mr. Stickler's qualifications and, following Senate tradition, those concerns should be heeded. They should give all of us pause. Indeed, we see the leadership today departing from the usual process and trying now to push this nominee through the Senate. I believe that is the wrong course of action when the lives of our American miners are at stake.

Mr. President, as you well know, I am very passionate about this issue because I have worked on mine safety issues with you and with the Senator who is arriving on the floor as I speak, Senator KENNEDY. In fact, at the hearing of this nominee, it was my questioning of his confirmation hearing that revealed to me his business-as-usual approach to miner health and safety.

When Richard Stickler testified at his HELP confirmation hearing in January, he told me he believed the current mine safety laws are adequate. That was before we passed our legislation. He said those current mine safety laws were adequate. I couldn't disagree more, and neither could the House and Senate, which, after that, passed the most significant mine safety improvements in a generation.

I was disappointed in his responses at the hearing, so I asked him further questions in writing. In reply to that, Mr. Stickler could not suggest a single way to improve mine safety—not one single suggestion. Think about that for a minute. We would not put someone in charge of food safety who has no idea about how to make consumers safe. We wouldn't put someone in charge of airline safety who has no idea how to make air traffic safer. And we certainly shouldn't put someone in charge of mine safety who has no idea about how to make our mines safer.

We need a leader now more than ever at the Mine Safety and Health Administration who will not just accept the status quo that has cost miners their lives in this country. It is a wrong turn to have the enforcement of our mine safety laws turned over to a former coal company executive with no background in miner health and safety.

Here is how the head of the United Mine Workers of America put it in a letter to President Bush. He said:

> The Nation's miners cannot tolerate having another mine executive running the agency responsible for protecting their health and their safety. For too many years, miners have endured an agency directed by coal mining executives. Too often these mining executives place a priority on productivity, but fail to focus on miners' health and safety. Too many times MSHA has not done all it is charged with doing to promote miners' health and safety.

Clearly, we need a new direction at that agency and, clearly, Mr. Stickler does not provide a new kind of direction.

The words that I just quoted are the words of Cecil Roberts, international president of the United Mine Workers of America. He and the AFL–CIO oppose this nomination and with good reason.

With America's miners risking their lives every day, as we all know—and a new law in place, thankfully, because of the leadership of the Presiding Officer, that has to be vigorously enforced—we cannot entrust our mine safety to someone who has not shown the background or the passion or the desire to make sure those laws work well and will fight for the health and safety of American miners.

When it comes to mine safety, we know now that we cannot tolerate business as usual. I believe the Senate should reject this nominee and demand a leader, someone who will stand up for our miners.

Mr. KENNEDY. Mr. President, will the Senator be good enough to yield?

Mrs. MURRAY. Yes, I will.

Mr. KENNEDY. I ask the Chair, how much time do we have remaining on our side?

The ACTING PRESIDENT pro tempore. There is 12 minutes 55 seconds remaining.

Mr. KENNEDY. Will the Presiding Officer let us know when we have 7 minutes remaining?

The ACTING PRESIDENT pro tempore. Yes.

Mr. KENNEDY. Mr. President, I thank the Senator from Washington, who is the ranking member of the subcommittee that has been dealing with this issue, for an excellent statement. I wonder if she agrees with me that we have passed very important mine safety legislation that the President of the United States is going to sign. It has strong bipartisan support. Our committee, which was led by Chairman ENZI, visited the Sago mine. We had extensive hearings on the issue. Does the Senator agree with me that if we are going to have this new beginning in terms of mine safety that we need to have someone who is going to effectively run that program, who is going to be someone who understands both the history of what has been happening in the mines in West Virginia, in Pennsylvania, in Kentucky, and throughout the Midwest, and has demonstrated leadership in terms of protecting miners? Does the Senator agree with me that what we are looking for is strong leadership to implement that legislation?

Mrs. MURRAY. Mr. President, I would say to my friend from Massachusetts through the Acting President pro tempore, I couldn't agree more. I think the country sat at its dinner tables and watched the mine accidents that have occurred increasingly over the past year. So we understand what it takes in this country is leadership at an agency. Just look back at what happened with Katrina with the head of FEMA. It takes leadership in an agency. It takes all of us to put laws in place. But if there is not someone at the head of that agency who is sending a direction down through the ranks that our miners' safety and health has to come first, any law we pass will just be something written in a book.

Mr. KENNEDY. Mr. President, would the Senator agree with me that there are, it seems to me, three major tests. We all know that Mr. Stickler was a miner and comes from a mining family, and we respect that. We have a great deal of respect for that. I am sure he was a great miner, as is his family, I am sure. But what we are looking at now is the record of Mr. Stickler regarding mine safety.

Would the Senator agree with me that if you look over the record that he has in terms of mine safety—this chart represents the Stickler-managed mines which racked up thousands of safety citations. This is 1989 all the way through 1996. There were a total of 2,800 citations, 97 closures, and we have here—there is some time overlap between that chart and this one—the Eagle's Nest Mine where the managed mine injury rate is nearly triple the national average.

So we have the citations which are an indication in terms of the mine safety, we have a comparison with what has happened in terms of the average, and then when he was running the mine safety program in Pennsylvania, we had inspectors who were threatening to quit because they thought he was failing to protect miners. This chart shows the mine safety inspectors and harmed coal miners, and his policy—that is the policy of Mr. Stickler—is a detriment to safety that would, without a doubt, make the coal industry less safe for two-thirds of its workers.

So we have his record in terms of mine safety in the mines. As an administrator, we have inspectors of the mines who are prepared to resign. Then, the third strike, which I think is enormously powerful, is, as the Senator from Washington pointed out, his response to the questions.

The Senator remembers, because she commented on this, when he was asked whether there needed to be any changes in the existing law, he said he thought that the existing laws were adequate. This is prior to the time that we passed the new legislation, as I remember.

Mrs. MURRAY. Mr. President, I would answer the Senator in saying, that is absolutely correct. Prior to any action by this body and the House in passing tougher laws, this nominee said no changes were needed.

Mr. KENNEDY. And when he was asked whether he would implement the law requiring a mine rescue team on site at every mine, Mr. Stickler said: No, Senator, I can't commit to that at this time. I will study this.

Does the Senator remember that when asked what he would do with information about new mine safety technology, Stickler said: I think that needs to be looked at.

When asked whether he would require the use of new technology like tracking devices, Stickler said: I look forward to reviewing the results of the technical evaluation.

When asked whether he would enforce the current standard prohibiting the use of belt air if it was shown that the use of belt air caused the Alma mine fire, Stickler said: I would reevaluate the standard. Here are the series of questions, many of them asked by the Senator from Washington and others.

Does the Senator not agree with me having read the answers, plus attending the hearing, that one could say that the miners of this country deserve to have someone who is going to be more aggressive in terms of looking at new technology and in looking at additional safety standards, in looking at more effective kinds of enforcement and protecting the lives of the workers?

The ACTING PRESIDENT pro tempore. There are 7 minutes remaining.

Mr. KENNEDY. I would ask the Chair to let us know when 2 minutes remain.

Mrs. MURRAY. Mr. President, I would just say to the Senator from Massachusetts, I want in charge of this agency someone who will stand up and say, We are going to make the mines safer for the families who send a loved one there every day.

I went to that hearing, and all of what the Senator from Massachusetts just presented and the attitude this nominee presented—to me, this is not someone, despite his background, who is going to stand up and lead. I believe that we need to send this nominee back and we need to have somebody who we can proudly say is going to lead this agency at a most critical time.

Mr. KENNEDY. Mr. President, finally, I would like to get the Senator's reaction to these letters that we have gotten from families of those who were lost in the Sago mines and in other mines. I found them enormously powerful. When we visited the Sago mine, we had—I see in the Chair presiding over the Senate a member of our committee and someone who was enormously involved and active in getting this legislation passed, and I pay tribute to Senator ISAKSON. But in that meeting, I can remember it was the sense of all of the members, Republicans and Democrats, who were so moved by the tremendous tragedy and sadness, particularly when they had the sense of hope at the Sago mines that their loved ones might have been able to survive we made a commitment to them that we were going to do everything possible to make sure that others who go into the mines were going to be protected. We have come back here and passed a good, bipartisan bill, and also in the House of Representatives. There was a real question among many of us here whether we could get a good one that the President would sign, and now the President has announced that he is going to sign it on Thursday.

The mines themselves are having record problems. The mines themselves we find out are having record deaths. We passed good legislation and we promised those individuals that we were going to do everything we possibly could to make sure that the tragedies that happened to their loved ones would not happen again.

We passed the legislation. Now we have the letters from so many of these families who have read the record of this individual and have pleaded with us—pleaded with us—pleaded with us, that if we honor the memory of those who died in these mines, that we put someone in charge who is going to really implement that legislation and to fight for safety.

Is the Senator not moved, as I am, by the letters we received from the miners' families who have been lost, many of whom came to our hearings and who listened to the testimony on this individual? They have studied his record, and now they plead with us—plead with us—that we get someone else to provide the leadership for implementing the mine safety laws. Is the Senator moved by those letters?

Mrs. MURRAY. Mr. President, I would say to the Senator from Massachusetts, every Senator on this floor should take a few minutes to read those letters from the families who have been impacted by mining disasters. I would say to my colleagues and to the President that we ought to be thinking we have to put someone in place in this agency who is going to wake up every single day he is on the job and say, What am I doing to make sure that in my responsibility of taking care of hundreds of miners every single day, I am moving the ball forward.

I have to say to the Senator from Massachusetts, there was no passion when I saw the presentation. I did not see someone in front of me who understood the tremendous responsibility that he was being given and who would wake up every single day and say, What am I doing to improve mine safety? That is my responsibility.

That is the kind of person I want in charge of this agency, I say to my friend from Massachusetts.

Mr. KENNEDY. Mr. President, I thank the Senator. If I could have recognition myself.

The ACTING PRESIDENT pro tempore. The Senator is recognized for 2 minutes and 30 seconds.

Mr. KENNEDY. Mr. President, I want to thank the Senator from Washington again. We have worked very closely together. We have worked with the administration. We have worked with our colleagues and friends, Senator ROCKEFELLER and Senator BYRD. We have worked together with Governor Manchin and other Governors. We have worked with the workers, the mine workers, the families. We have worked very closely together. This isn't in any sense a partisan issue. We have come together. There wasn't a dissenting vote here in the U.S. Senate in passing this legislation. There were a few votes in the House that wanted to have even stronger legislation. So we are basically all together and we are asking ourselves, given the fact we are all together and given the fact that we have this extraordinary challenge and problem that is affecting these workers, are they not entitled to someone who is going to be an effective leader in terms of providing safety.

I commend the Senator from Washington for making a strong case. We want to try to have a common position with our colleagues and friends within the administration. But this person—if we are going to I think meet our responsibility to those miners, we have to do better.

I thank my friend from Washington for her excellent presentation. I thank her for her conclusions.

We are facing a major challenge in this Nation about safety in our mines. We have seen the expansion of these mines as our energy situation has become more acute, and now is the time to have real implementation. Now is the time to fulfill our commitment to these families and to these workers. Now is the time to honor the memory of those who have gone into the mines and who have lost their lives. Now is the time to help those whose primary desire is honoring the members of their families by passing an effective bill and have it implemented effectively. Now is the time to do that. If we are going to do that, this is not the individual who is equipped to be able to do it. He is a fine gentleman, and I admire the fact he and his family have been miners. But you have to look at the record: Whether he has been running the mines and overseeing the mines effectively. In testifying, by nature of disposition, he is not the man to implement this, and we should reject his nomination.

The ACTING PRESIDENT pro tempore. The minority time has expired.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2766 which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2766) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pending:

Warner (for Frist/Reid) amendment No. 4208, to express the sense of Congress that the United States Armed Forces, the intelligence community, and other agencies, as well as the coalition partners of the United States and the Iraqi Security Forces should be commended for their actions that resulted in the death of Abu Musab al-Zarqawi, the leader of the al-Qaida in Iraq terrorist organization and the most wanted terrorist in Iraq.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 12:15 p.m. shall be equally divided between the Senator from Virginia, Mr. WARNER, and the Senator from Michigan, Mr. LEVIN, or their designees.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SUNUNU). Without objection, it is so ordered.

Mr. LEVIN. Pursuant to the unanimous consent agreement which we adopted last night, it is my recollection that on the Democratic side we were going to be offering an amendment immediately following the pending Warner amendment.

I stand corrected. Apparently there was an understanding on this, between myself and Senator WARNER, which was not incorporated.

The PRESIDING OFFICER. An understanding but not a consent agreement.

Mr. LEVIN. I thank the Presiding Officer. Pursuant to that understanding, then, I ask unanimous consent that the pending Warner amendment be temporarily laid aside so I can offer an amendment on behalf of Senator LAUTENBERG.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized.

AMENDMENT NO. 4205

Mr. LEVIN. Mr. President, I call up amendment No. 4205, an amendment on behalf of Senator LAUTENBERG, and ask for its immediate consideration following the disposition of the Warner bipartisan amendment.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan (Mr. LEVIN) for Mr. LAUTENBERG, proposes an amendment numbered 4205.

Mr. LEVIN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide a temporary prohibition on an increase in copayments required under the retail pharmacy system of the pharmacy benefits program of the Department of Defense)

At the end of subtitle A of title VII, add the following:

SEC. 707. TEMPORARY PROHIBITION ON INCREASE IN COPAYMENTS UNDER RETAIL PHARMACY SYSTEM OF PHARMACY BENEFITS PROGRAM.

Subsection (a)(6) of section 1074g of title 10, United States Code, as amended by section 702(b) of this Act, is further amended by adding at the end the following new subparagraph:

"(D) During the period beginning on April 1, 2006, and ending on December 31, 2007, the cost sharing requirements established under this paragraph for pharmaceutical agents available through retail pharmacies covered by paragraph (2)(E)(ii) may not exceed amounts as follows:

"(i) In the case of generic agents, $3.

"(ii) In the case of formulary agents, $9.

"(iii) In the case of nonformulary agents, $22.".

Mr. LEVIN. Mr. President, the President's budget proposes that the copays for prescriptions under the TRICARE Prescription Benefit Program be increased for our troops and their families and for retirees, and that the increase in the copays be, on the generic prescriptions, from $3 to $5; on brand-name prescriptions from $9 to $15. The amendment that Senator LAUTENBERG is offering and that I very much support would freeze the current copays in place until December 31, 2007.

This is not the time, in the middle of a war, to be raising copays on our military personnel and their families. They should not have to worry about whether their families are going to be able to afford to buy prescription drugs. The copays that currently exist are not statutory, so the Department of Defense does not need legislative authority to increase them. They have their authority. The problem is that our bill is silent on this subject so they would be increasing the copay because there is no prohibition in our bill on their doing so.

About 43 percent of the prescriptions filled through the TRICARE pharmacy benefits program are filled in retail pharmacies. The increase which the administration proposes would significantly increase beneficiary cost shares for medical care. Of course, the fear is not only that it would be additional money coming out of the pockets of our troops and their families, but also this increase would discourage beneficiaries from using their military health care benefit.

The Department of Defense has estimated that the copayments would create additional revenue of $81 million in fiscal year 2007. They also believe beneficiaries would not use their military pharmacy benefits to the same extent and that would mean that there would be savings to the Government of $54 million and there would also be some savings if beneficiaries switch to mail order rather than retail pharmacies.

I don't think we ought to be assuming savings or counting on savings coming out of the pockets of our troops and their families while we are at war. I think it is a totally inappropriate time to do so, so I support the Lautenberg amendment. For a soldier in combat, under these circumstances, the circumstances that exist these days, to have a worry that a spouse or children would not get needed prescriptions because of the administration's desire to save some money is simply unconscionable.

The Senate bill directs a Comptroller General study of the DOD pharmacy benefit program to examine the cost and copayments structure of the program. We clearly ought to await that before we allow these copays to be increased as the administration budget proposes.

I see my dear friend and colleague, Senator WARNER, our chairman, on the floor now. We had an understanding that we would lay down this amendment this morning, that I would lay it down on behalf of Senator LAUTENBERG and speak briefly in support of it, and that after the disposition of the chairman's amendment, which is a bipartisan amendment, we would then come back to the Lautenberg amendment and at that point there would be additional debate—Senator LAUTENBERG would speak in support of his amendment and any others who wish to debate it would have an opportunity at that time.

We thought, given our understanding last night, we would lay this amendment down at this time. I have just done so.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, the distinguished ranking member, my good friend, the Senator from Michigan, is correct. We laid down an amendment on this side under the understanding this is the amendment that he selected to be laid down. I am just wondering if we can try to get some idea of the magnitude of the debate? I am not able to assess it on my side. I judge you are not. So we have some understanding of the time that is likely to be consumed in the debate—this is an important amendment—we will work on that together, in hopes we can get some time agreement and therefore we can then move on to other amendments.

I would simply ask unanimous consent that at the conclusion of the debate or the disposition of this amendment, that I be recognized to offer another amendment at that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I say to my distinguished colleague, it is my hope then we could alternate from side to side, so we could consider your amendment which would follow the third amendment, which I will put on.

Mr. LEVIN. I appreciate that. That is fine with us.

Mr. President, I suggest the absence of a quorum and ask the time be equally divided.

The PRESIDING OFFICER. Without objection, the time allotted to the quorum call will be equally divided.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. BROWNBACK are printed in today's RECORD under "Morning Business.")

Mr. BROWNBACK. I yield the floor.

The Senator from Virginia.

Mr. WARNER. Mr. President, I yield such time as the distinguished Senator from Oklahoma may require. He will be speaking with regard to a very important trip to Iraq. It bears directly on the pending measure; that is, a resolution on the success of our military in eliminating al-Zarqawi.

I yield to the Senator such time as he desires.

Mr. INHOFE. Mr. President, I thank the Senator from Virginia, the chairman of the Senate Armed Services Committee, and also for the great job he has done in bringing this Defense authorization bill to the floor.

Mr. President, on early Thursday morning, about 5:30, my radio alarm went off and I heard the three words—al-Zarqawi is dead. I think that affected me by just hearing that. I sat up in bed, and I thought it did work. It is happening. I told the distinguished chairman of the Senate Armed Services Committee that I have to go to Iraq.

The two most significant things that have happened in Iraq since bringing down Saddam Hussein happened on the same date, coincidentally. It is just remarkable: first of all, bringing down al-Zarqawi, the monster, and at the same time confirming the ministers in Iraq. We thought that would be a long, enduring battle. It sailed through, and it happened on the same day.

I can't tell you what a profound effect it had on the people of Iraq and on our troops over there. And now we find out about the surprise visit by the President. I figured out that our planes crossed on the way. I was coming back from Iraq and he was going to Iraq. If I had known that, I would have stayed. But it was a pretty well-guarded secret. Of the two places I spent most of my time, this one was where al-Zarqawi was actually killed, just a couple of miles north of Balad Air Force Base and then in Baghdad.

It was such an incredible thing to be there after it happened and to talk to the different ministers. Defense Minister Jasim is the new Defense Minister, and he had a lot of things to say. In fact, he asked me to bring back this message for the American people. I am going to read this, because this came just a few hours ago from Defense Minister Jasim to me to take to the American people. He said:

> Tell them their sacrifice is for a very noble cause, they have given freedom to 26 million people. I believe they are waging a just war for humanity. The terrorism must be stopped or it will spread all over the world, like a carbon copy of fascism and communism. This is the first world war of the 21st century. The American victims have borne the price of a freer world . . . We are very grateful . . . The war in Iraq is a just war and we have no option but victory. It is not a war that affects Iraq alone, but is truly a world war.
>
> The terrorists are a sickness that must be eliminated . . . There is great transformation taking place in Iraq but the international media does not focus on positive things happening. They only focus on the negative, the bad things happening . . . what the terrorists are doing . . . they will publish anything bad . . . They try to say Americans are leading the way and we the Iraqis are in the back. This is the opposite. We are in the front and Americans are in the back.
>
> We started with the multi-national forces in front and us at back. Then we worked side by side as very good partners. Now we are often in front and the multinational forces are in a supporting role.

Your presence here is very important. From the beginning to now, we have always had an American partner. I am sad when my American partner leaves me. But, when he leaves and returns to the U.S. I feel we have a voice going back to America. I fell in love with the American people.

That is Abdul Jasim, who is the newly confirmed Minister of Defense. He said so many other things when we were there that I would like to share, but it is very difficult to do that because he was so emotional at the time.

Well, this happened to be my 11th trip over to the Iraq AOR, and I have been watching, as the months have gone by—every other month or so being over there—and seeing the differences, seeing the changes that are taking place.

Just to give you an example, one of the tests we use to determine how strong the Iraqi people are supporting us is the number of qualified tips that come in. The way they come in is where someone says, for example: There is a safe house over here. We suspect something. These are Iraqi people saying where the terrorists are. And those numbers of tips have increased tenfold in the last 12 months. I can remember when there were only 30 or 40 tips a month. There are now 5,000 tips a month, and they are qualified tips. Some of these tips led to not just bringing down al-Zarqawi but also some 17 others on the same day. So these things are going on. These things are happening.

As to the quality of the Iraqi security forces, I think Minister of Defense Jasim is right. He sees that our media is not accurately reporting what is going on over there. How many people in America know that as of the current time, 75 percent of the special operations by Iraqis are actually led by Iraqis, not by Americans? We are leading 25 percent. I remember when it was zero percent. Now, they are leading 75 percent. And 62 of the 112 battalions are at level 2 or level 1. That means they are capable of going out and fighting. That is half of them.

One of the statistics we got from Dr. Rubaie, who is the National Security Adviser—a real sharp guy and one who really has his hand on this—says 66 percent of the hospital beds are occupied by Americans and 34 percent by Iraqis. However, 66 percent of the surgeries are on Iraqis and 34 percent are on Americans. That kind of tells you what is happening over there and the change that is taking place. They are the ones who are doing it.

While we were over in Balad, we had occasion to learn there were several attacks on Iraqis. Some 50 Iraqis were killed last night, and they were killed by the terrorists. Here is the important thing. Zarqawi was not an Iraqi; he was Jordanian. Osama bin Laden is not an Iraqi; he is Saudi. Now, this new guy, al-Muhajer, we don't know about him. All we know is he is not an Iraqi. In other words, this is a war being waged by people from outside of Iraq on the Iraqis, and the Iraqi people are very sensitive to it. They know it.

It is interesting, one of the things the Minister of Defense said is that a lot of things are American issues, they are not really issues over there. For example, all we talk about in the media here is, well, we have the Shiites and the Sunnis, and they do not like each other. And he said that is not true at all. He said: We are Iraqis first, and then we are Sunnis or Shiites or Kurds second. To demonstrate that, there is a structure over there in Baghdad which is comparable to our Tomb of the Unknown Soldier. We stopped there. They had an honor guard there. The honor guard had nine people. They had one leader and eight others. When I asked him the question, through a translator: What about the problem that exists between the Shias and the Sunnis, he said: No, that is not true at all. He said: I am a Shia. My wife is Sunni. And I have been working on the honor guard with these people for several days here at our Unknown Soldier event, and I don't know who they are. I can't tell you who one of the eight is in terms of being a Sunni or a Shia.

So those are American problems. Those are not things resonating over there. And the quality of what they have done in terms of being quality soldiers is something the American people are not aware of. I had occasion to be up in Fallujah back when the last election took place, and I was there when the Iraqi security forces actually were doing their thing, voting. They were taking their lives in their own hands by doing it because this is Fallujah, one of the most dangerous areas over there.

They came back very proud. No one was killed while they were trying to do it. They came back and said: We are participating in an election. That was during the last election. Now everyone is confirmed. The government is in place. They know what they are doing. And the most recent thing, which you may not have heard of because it just happened, is that Dr. Rubaie, the National Security Adviser for the Iraqis, said he believes that in a matter of a very short period of time—by the end of the year—he will ask our troops to leave, except for 100,000. In other words, we are slowly bringing it down.

We have heard in the field a lot of things you do not hear when there are hearings here in Washington, DC. If you go over there and you talk to the people on the ground, talk to the commanders on the ground, they have said for a long period of time that when we can get to the point where we have 10 Iraqi divisions of trained and qualified and equipped Iraqi security forces—10 divisions—then they will be able to take care of their own security. Well, the number that equates to 10 divisions would equal 325,000 trained and equipped Iraqi troops. Well, we are right now, today, at 264,000 trained and equipped Iraqis.

Now, some of the adversaries over here say they are not really trained to do a good job, they are not really good soldiers. Let me tell you, they are. All you have to do is talk to our soldiers who train them. Now they train themselves.

Last week, I was over in Afghanistan, and they are doing a good job of training their own troops over there. And that model has worked very well in Iraq. So we are rapidly getting to that point. Will we be out altogether? No, we will not be out altogether, but they will be providing their own security. We still have troops in Kosovo and Bosnia and Sinai and other places but not providing the security. They will be providing their own security. We are getting so close to that point. What has happened in just the last few days is very significant.

So as to al-Zarqawi, there is no one who has been a more brutal terrorist than he has been. He was the No. 1 terrorist in the world, and he is down now. Al-Zarqawi was the one responsible for the assassination of our U.S. diplomat, Lawrence Foley, in 2002. We all remember the horrific things we saw: the beheading of Nicholas Berg in 2004—that was al-Zarqawi—the 2005 bombing of three hotels in Jordan, the countless bombings and terrorist attacks against U.S. forces and Iraqi civilians. He was trying to create a sectarian civil war in Iraq by murdering Shiites and acting as al-Qaida's commander in Iraq. Osama bin Laden called him the "Prince." I think most people considered him, if anything, to have been even worse than Osama bin Laden. So that was a great change. That was a great victory for the coalition forces, but, more importantly, it was a victory for the Iraqi people.

So with these things happening—and you look at the good side that you do not get sometimes in the media—there are 18 provinces in Iraq, and 15 of them are relatively secure. There are hardly any incidents taking place there. Most of the problems are in just three of them. And keep in mind, these are not Iraqi terrorists; these are outsiders who are coming in. They are having a harder and harder time recruiting people to carry out their terrorist activities. We have found that recently they are actually changing their homicide vests for suicide vests so they can put them on individuals and force Iraqis to go and perform certain acts. And if they do not do it, they can, remotely, detonate and blow that Iraqi up.

So things like that are happening right now. At the same time, good things are happening with the administration. The government is in place. I cannot tell you how impressed I was personally with Dr. Rubaie. I have known him for a long period of time. And I would say that the Defense Minister, Abdul Jasim, has already acknowledged, from the quotes I have given, that he is one of our very best friends. He is the one who said al-Zarqawi was suffering from the same disease as Hitler and Stalin, and he is one who is going to finish the job that we helped them with in the beginning.

I would say this is a time when good things are happening, and we feel very good about the progress the Iraqi security forces are making, very good about the constitutional government that is in place, very good about the new Ministers who have been confirmed now. And we are light-years ahead of where we were only 6 months ago.

So this, what I have characterized as probably America being in the most threatened position we have been in in our history, is now showing that we are at the core of the terrorist activities, which is in Iraq. We are now winning. The Iraqi people are winning. So I feel very good about that.

Let me say to Senator WARNER, the chairman of our committee, I am very proud of the bill we have put together. I have some amendments, and I will want to be recognized at the appropriate time to bring them up.

I ask the Senator, do you have other people coming down wanting time right now?

Mr. WARNER. Mr. President, at the present time the bill is being amended by the amendment which you just addressed, and there is a pending amendment offered by the minority. That is the next order of business. This afternoon, I think there would be opportunity for additional amendments.

Mr. INHOFE. That would be good. I thought maybe I could describe what amendment would be coming and why.

Mr. WARNER. If the Senator so desires.

But, Mr. President, I first inquire as to the allocation of time on the pending measure.

The PRESIDING OFFICER. At this time, the majority controls an additional 11 minutes, the minority controls 23 minutes.

Mr. INHOFE. Mr. President, I yield the floor.

Mr. WARNER. If the Senator would like to take a minute or two, I would be happy to have you alert the Senate as to some of the matters you will be bringing up.

Mr. INHOFE. No. I say to the distinguished chairman of the Armed Services Committee, this amendment is very significant, and I will have ample opportunity to explain it. Hopefully, we can do that this afternoon.

With that, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WARNER. Mr. President, I suggest the absence of a quorum and ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The time will be charged equally.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that Senator SESSIONS be added as a cosponsor of amendment No. 4208.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, to return to the pending amendment offered by myself on behalf of the joint leadership of the Senate, this bipartisan amendment commends basically the U.S. Armed Forces, the intelligence community, and other agencies, along with coalition partners for the actions taken on June 7, 2006, that resulted in the death of Zarqawi, the leader of al-Qaida in Iraq. The military operation that resulted in the death of Zarqawi was truly an extraordinarily professional accomplishment of the combined U.S. and coalition forces and the infrastructure of intelligence, both civilian and military, that supported the operation. It displayed the precision, perseverence, and professionalism of our Armed Forces, supported by a sophisticated and superb intelligence apparatus that included U.S., Iraqi, and coalition intelligence organizations.

Behind the details that were made public so far, I assure all that there were months of coordinated hard work by analysts, human intelligence operatives, special operations forces, and military planners which were in place at the time various pieces of information with a precise direction to the whereabouts of Zarqawi came into the knowledge of the intelligence operators.

The death of Zarqawi is certainly a significant blow to the terrorist network in Iraq, Osama bin Laden's international network, and the al-Qaida organization wherever they lurk in the world today in the shadows of death and destruction to the freedom of others. At Camp David yesterday the President was very careful to, with a sense of deep humility, commend the men and women of the Armed Forces and others who performed this mission, but he put the results of the mission in the context of the realities of the situation in Iraq. The press today reports from Camp David the following by the President:

> Zarqawi is dead, but the difficult and necessary mission in Iraq continues. We can expect the terrorists and insurgents to carry on without him. We can expect sectarian violence to continue. Yet the ideology of terror has lost one of its most visible and aggressive leaders.

I will have further comments today with regard to that important conference in Camp David. Zarqawi was the most prominent insurgent in Iraq and the most active of any of Bin Laden's affiliates around the globe. While Bin Laden hides in mountain caves capable of making occasional audio tapes, Zarqawi was working to trigger a civil war, disrupt the newly unified democratic process of the new unity Government in Iraq, and then use Iraq as a base to launch attacks throughout the region. There is proof of that intent by Zarqawi. This amendment proudly salutes the brave and professional work of our military forces as well as the formidable efforts of our military, civilian, and allied intelligence operations for our efforts to end this brutal reign of terror.

The operation that resulted in the death of Zarqawi was not an isolated act. It triggered 56 more raids against targets connected with Zarqawi's organization in the 48 hours after his death as U.S., coalition, and Iraqi forces capitalized on this mission by taking action to disrupt other parts of the al-Qaida network. This amendment also commends our coalition partners in Iraq's new government of national unity for their invaluable assistance in the operation and their extraordinary efforts to secure a free and prosperous Iraq. The amendment closes by most appropriately commending our civilian leadership, from the Commander in Chief on down, and military leadership for their continuing efforts to eliminate the leadership of al-Qaida in Iraq and elsewhere. In all, this was a very successful joint and combined military operation. This mission was planned and executed by talented and courageous Americans, Iraqis, and coalition partners.

They all had one purpose—to eventually make Iraq safe and secure.

The operation that resulted in the death of Zarqawi may have eclipsed a very significant political development, the appointment of Ministers of Defense and the Interior, thereby ending weeks of political debate and completing the formation of Iraq's first permanent unity government. The death of Zarqawi and the appointment of these two Ministers are two very significant events in our unrelenting effort, with the coalition forces, toward a free and prosperous Iraq. While Iraq's insurgency and its divisions along religious lines will not easily recede, the death of Zarqawi and the complete formation of Iraq's government of national unity are reasons for renewed confidence that 2006 is a period of transition in Iraq and that our objectives are achievable.

I point that out because a year ago when we considered this bill, I, together with Senator LEVIN, put in an amendment which outlined the progress that had to be made in 2006. These are chapters toward achieving the goal we stated in that amendment which was part of our bill last year.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I see one of our distinguished colleagues seeking recognition for an important set of comments.

The PRESIDING OFFICER. The Senator from Wisconsin.

(The remarks of Mr. KOHL are printed in today's RECORD under "Morning Business.")

Mr. WARNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Without objection, the time will be divided equally.

The bill clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I join my colleagues in first thanking the men and women of our military services who were responsible for the myriad of actions that were taken years ago that led to the ultimate elimination of such a vicious terrorist as Zarqawi. We also thank the men and women of our military services who are serving multiple tours of duty in arduous and dangerous locations with great personal sacrifice and great disruption in their lives and those of their family members.

The killing of Zarqawi is very welcome news. It is not the panacea for addressing the extreme levels of violence in Iraq or for solving the large number of vexing issues—and the President has acknowledged as much—but it is an important step and one that will reduce the influence of al-Qaida in Iraq. He was responsible for a number of spectacular terrorist attacks that produced a large number of casualties and grizzly murders of kidnap victims. Zarqawi, while not the dominant part of the insurgency but a part of it, needed to be attacked and needed to be addressed. The insurgency, however, primarily is made up of disaffected Iraqi Sunnis. Zarqawi played a role in stirring up ethnic conflict between the Sunnis and the Shiites. Much of the violence relating to that conflict is traced to the reaction of Shiite militias to the Sunni insurgency and to, of course, their reaction to the Shiite militias. Our security forces need to confront those militias and the other armed groups.

I ask unanimous consent that I be allowed to proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, there needs to be a political solution in addition to the military force which is present. Indeed, probably a more important event than the killing of Zarqawi was the selection by the Prime Minister and the ratification by the Iraqi Council of Representatives of the key ministries, Defense and Interior, and the National Security Adviser. Those vacancies lasted too long. Their filling, hopefully with people who have the support of all the Iraqi people who want Iraq to become a nation, is even a more important step than the killing of Zarqawi, as important as that step is.

As we all support—hopefully unanimously—this bipartisan amendment which is before us, we also need to recognize that there is critical work that remains to be done, and while this is a step toward, hopefully, a direction of Iraqi nationhood, most of the steps remain to be taken.

While Senator DURBIN is on the floor, I ask unanimous consent that immediately after the disposition of the next amendment of Senator WARNER, Senator DURBIN then be recognized, as we are alternating amendments, by my understanding.

The PRESIDING OFFICER. Is there objection?

Mr. WARNER. Mr. President, I concur in that recommendation, and it is my hope that I can be a cosponsor on this side of the aisle because the amendment is very important.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4208

Mr. LEVIN. The pending amendment, Mr. President, as I understand it, is the amendment of Senator WARNER on behalf of Senator FRIST, Senator REID, and myself.

Mr. WARNER. That is correct.

Mr. BYRD. Mr. President, the Senate will vote today to commend the U.S. Armed Forces for their efforts in Iraq. I will support this amendment, as I have supported other amendments and resolutions to commend our military personnel serving overseas for their service and commitment. I oppose the policy that sent our troops to Iraq, but I stand by our servicemen and servicewomen 100 percent.

However, I am concerned that the amendment may have unintended consequences. Previous statements that boast of substantial victories in Iraq have been proven wrong at the cost of American lives. Declaring victory because of the elimination of Abu Musab al-Zarqawi could be a costly mistake. I agree with the President's comment on June 9, 2006, in which he said, "I don't want the American people to think that a war is won with the death of one person."

Our troops are still facing daily attacks in Iraq. I thank them for their service, and I am particularly proud of the efforts of the West Virginia National Guard in Iraq, Afghanistan, and many other locations around the world. Instead of seeking a lofty sounding but largely meaningless resolution from the Congress, the President should instead be working to send Congress a plan to start bringing our troops home with the honor and the thanks they have earned from this grateful Nation.

The PRESIDING OFFICER. Under the previous order, the hour of 12:15 p.m. having arrived, the Senate will proceed to a vote on amendment No. 4208.

Mr. LEVIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4208.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senator was necessarily absent: The Senator from Nevada (Mr. ENSIGN).

Further, if present and voting, the Senator from Nevada (Mr. ENSIGN) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey (Mr. MENENDEZ) would vote "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 168 Leg.]

YEAS—97

Akaka
Alexander
Allard
Allen
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Boxer
Brownback
Bunning
Burns
Burr
Byrd
Cantwell
Carper
Chafee
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Cornyn
Craig
Crapo
Dayton
DeMint
DeWine
Dodd
Dole
Domenici
Dorgan
Durbin
Enzi
Feingold
Feinstein
Frist
Graham
Grassley
Gregg
Hagel
Harkin
Hatch
Hutchison
Inhofe
Inouye
Isakson
Jeffords
Johnson
Kennedy
Kerry
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez

McCain
McConnell
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Salazar
Santorum
Sarbanes
Schumer
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Talent
Thomas
Thune
Vitter
Voinovich
Warner
Wyden

NOT VOTING—3

Ensign
Menendez
Rockefeller

The amendment (No. 4208) was agreed to.

Mr. WARNER. I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, I am anxious to consult with the distinguished ranking member of the committee here, so, for the moment, I will just ask for a quorum call before I put in the unanimous consent request.

Mr. President, I withdraw that request.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4211

Mr. WARNER. Mr. President, at this time I send to the desk an amendment. It has been agreed upon between the ranking member and that I would be recognized for the purpose of an amendment following the disposition of the Lautenberg amendment. So at this time I send an amendment to the desk and ask for its consideration following the disposition of the Lautenberg amendment.

The PRESIDING OFFICER. Without objection, the pending amendment will be set aside and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia (Mr. WARNER) proposes and amendment numbered 4211.

Mr. WARNER. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To name the CVN–78 aircraft carrier the U.S.S. Gerald Ford)

At the end of subtitle B of title X, add the following:

SEC. 1013. NAMING OF CVN–78 AIRCRAFT CARRIER AS THE U.S.S. GERALD FORD.

(a) FINDINGS.—Congress makes the following findings:

(1) Gerald R. Ford has served his country with honor and distinction for the past 64 years, and continues to serve.

(2) Gerald R. Ford joined the United States Naval Reserve in 1942 and served valiantly at sea on the U.S.S. Monterey (CVL–26) during World War II, taking part in major operations in the Pacific, including at Makin Island, Kwajalein, Truk, Saipan, and the Philippine Sea.

(3) The U.S.S. Monterey earned 10 battle stars, awarded for participation in battle, while Gerald R. Ford served on the vessel.

(4) Gerald R. Ford was first elected to the House of Representatives in 1948.

(5) In the course of 25 years of service in the House of Representatives, Gerald R. Ford distinguished himself by his exemplary record for character, decency, and trustworthiness.

(6) Throughout his service in Congress, Gerald R. Ford was an ardent proponent of strong national defense and international leadership by the United States.

(7) From 1965 to 1973, Gerald R. Ford served as minority leader of the House of Representatives, raising the standard for bipartisanship in his tireless fight for freedom, hope, and justice.

(8) In 1973, Gerald R. Ford was appointed by President Nixon to the office of Vice President of the United States with the overwhelming support of Congress.

(9) From 1974 to 1976, Gerald R. Ford served as the 38th President of the United States, taking office during one of the most challenging periods in the history of the United States and restoring the faith of the people of the United States in the office of the President through his steady leadership, courage, and ultimate integrity.

(10) President Gerald R. Ford helped restore the prestige of the United States in the world community by working to achieve peace in the Middle East, preserve détente with the Soviet Union, and set new limits on the spread of nuclear weapons.

(11) President Gerald R. Ford served as Commander in Chief of the Armed Forces of the United States with great dignity, supporting a strong Navy and a global military presence for the United State and honoring the men and women of the Armed Forces of the United States.

(12) Since leaving the office of President, Gerald R. Ford has been an international ambassador of American goodwill, a noted scholar and lecturer, a strong supporter of human rights, and a promoter of higher education.

(13) Gerald R. Ford was awarded the Medal of Freedom and the Congressional Gold Medal in 1999 in recognition of his contribution to the Nation.

(14) As President, Gerald R. Ford bore the weight of a constitutional crisis and guided the Nation on a path of healing and restored hope, earning forever the enduring respect and gratitude of the Nation.

(b) NAMING OF CVN–78 AIRCRAFT CARRIER.—CVN–78, a nuclear powered aircraft carrier of the Navy, shall be named the U.S.S. Gerald Ford.

Mr. WARNER. Mr. President, I ask unanimous consent the scheduled recess today be extended to 3:30 p.m., further that the cloture vote on the nomination of Richard Stickler be vitiated and at 3:30 p.m. the Senate proceed to the immediate consideration of the conference report to accompany H.R. 4939, the emergency supplemental appropriations bill.

Mr. BYRD. Reserving the right to object.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I wonder if my friend from Massachusetts, who was engaged when that request was made, has anything in response?

Mr. KENNEDY. Would the Senator be kind enough to vitiate the consent? I had talked to the leader and the concern—reserving the right to object—was if we vitiated this, the administration would go ahead and have a recess appointment. We understand we have the signing of the Mine Safety Act on Thursday. This was a real coming together, a bipartisan effort. The President is supporting it. It passed overwhelmingly in the House. It is a very important bill and will make a big difference. It has the support of the families.

We were at least looking for some opportunity, if it was going to be the position of the administration to go ahead and recess-appoint it—we wanted at least some assurance that we would have a chance to have the cloture vote prior to the time of the appointment. That is basically what we were looking at.

We have no objection to following the leaders, to vitiate this, but there is concern that we have vitiating this particular amendment. We understand even if we do or do not get cloture, the President could still have a recess appointment. But nonetheless, for those who feel very strongly about this nominee, at least at this point we are able to get a vote in one way or the other prior to the time of a recess appointment. It was that particular position that we did not want to give up.

Just so the Senator has some understanding about what we are looking for, we want to work with the leadership. As the Senator knows, there is a constitutional issue whether you can appoint during the short recess, which would be the Fourth of July recess. More often than not it is done in the August recess, which is well down the road, and we have the pending business which is of great importance to this.

We are glad to work with the leadership. If we could have the assurances from the Senator from Virginia that he understands our position and will make a good-faith effort to at least give us the opportunity—maybe the leadership doesn't want to give us that opportunity. That is what our position is, those who feel strongly about the Stickler nomination.

Mr. WARNER. Mr. President, I say to my good friend from Massachusetts and my distinguished colleague from West Virginia, I am not at liberty—I have no instructions from my leadership beyond propounding this. It was my understanding it was cleared on both sides. I assumed that when it was handed to me, and therefore I proceeded to request by unanimous consent these actions.

I think Members are anxious to go to a series of events now, namely the party caucuses, followed by the traditional photograph, and then there is a briefing at 2:30 by the Secretaries of State and Defense, which I believe is very important for Senators to have the opportunity to attend.

That is the purpose of this unanimous consent request.

Mr. KENNEDY. Would the Senator just defer and offer this maybe when we come right back in? Let's just work this out.

Mr. WARNER. Mr. President, the Senator has the right to object. That would do it. I can certainly say that I will relay the Senator's concerns to my leader. If that would suffice for the moment to allow this unanimous consent agreement to go forward? Would that be sufficient?

Mr. KENNEDY. Yes. I think we will be able to work this out. We want to. We have every desire to try to work it out. We would just like some assurances from the leader that our position will——

Mr. WARNER. I have just been given a note indicating the leader will be fully briefed about the concerns of the Senator from Massachusetts.

Mr. BYRD. Will the Senator yield, whoever has the floor?

Mr. WARNER. Yes, I believe, I say to the distinguished former leader, I have the floor, but I yield the floor to him.

Mr. BYRD. I simply thank the very distinguished Senator from Virginia for his response to the request and his willingness to withhold his unanimous consent request for the time being. I thank him.

Mr. WARNER. I propound the unanimous consent request.

The PRESIDING OFFICER. Is there an objection to the unanimous consent request?

Mr. BYRD. Reserving the right to object.

The PRESIDING OFFICER. The Senator from West Virginia reserves the right to object. Does he in fact object?

Mr. WARNER. You have my full attention.

Mr. BYRD. I am only reserving the right to object. I hope we would have just a little while to talk about this. I am very much opposed to this. But I read the tea leaves very well. If the Senator would just desist for the time being, please?

Mr. WARNER. If it is the desire of the Senator from West Virginia to object, I respect that right. The matter will now be put aside, if that is your desire.

Mr. BYRD. I thank the Senator.

The PRESIDING OFFICER. The minority leader.

Mr. REID. I am sorry I was not on the floor. I thought we had this all worked out. It is my understanding there are people who want to go forward with the cloture vote, is that right? Because either we do the cloture vote at 3:30 or we take it off. The majority leader has told me that we take it off and he has the ability to reset it at any time he chooses or we have the vote at 3:30. It is as simple as that.

Mr. KENNEDY. If the Senator will yield, what we were looking for is that—we are glad to take it off. But we were hopeful, if it was going to be the desire to go ahead with a recess appointment, whenever that was, we at least have an opportunity to have this vote sometime in the future. If they are not going to have the recess appointment, this disappears. But I hope we would have that opportunity at the present time. I do not think that is an unreasonable request, if it is the desire of the administration to move ahead with this nominee with a recess appointment, that at least we come back to where we are now and would have some opportunity to express ourselves. We would be giving that up if we just vitiate the whole thing. He could say we are going to go ahead and he is going to appoint him as a recess appointment during the July break or sometime in the August break. That is the dilemma that we are in.

Mr. REID. I have spoken to the majority leader. I hate to be speaking for him here, but he is not here. The majority leader said he has not spoken to anybody about a recess appointment. He doesn't know if they have any intention of doing that. He doesn't know. But he doesn't want to be constrained, so it would be my suggestion we just go ahead at 3:30, then, because doing anything other than that I think puts the majority leader in a real bind. I am willing to put him in a bind but not for anything that is my cause.

I suggest we withdraw the unanimous consent request and go ahead with a vote at 3:30, if people are demanding there be some conditions on taking away the vote. The unanimous consent request, as I understand it, is that the vote would be vitiated and the leader would reset that vote at any time he chose fit. Certainly the distinguished Senators from West Virginia and Massachusetts can talk to the majority leader, if they want to do that, following the vote being vitiated.

But unless there is an agreement on this unanimous consent request, basically that the vote scheduled for 3:30 today be vitiated and we go to the conference report on the emergency supplemental—if that is not the agreement, then I assume we would go to the vote at 3:30 and go to the supplemental at some later time.

Mr. WARNER. Mr. President, it seems to me that we could have the certainty, then, if the vote is to be held, that we could go immediately following the vote to the supplemental.

Mr. REID. That was discussed. I am not ready to do that.

Mr. WARNER. Then I think for the moment that we are confronted with the parliamentary situation whereby there is objection.

Mr. REID. I ask the Chair, what time is the vote set for?

The PRESIDING OFFICER. The vote is set for 2:30, with an hour of debate.

Mr. REID. The reason that is very awkward is because we have Secretary Rumsfeld and Secretary Rice coming here, and to have a knock-down, drag-out debate on this at this time doesn't seem to be very good for the body because it is reported that the President is on the way back from Iraq. I think we should go ahead with that schedule, which was to vitiate this vote, but we got wound up somehow in recess appointments the majority leader and I have never talked about. As I said to the floor and to the distinguished Senator from Massachusetts, he has not spoken to anybody about a recess appointment.

I ask the Senator from Massachusetts and the Senator from West Virginia: Do we go ahead with the schedule as we have it laid out, that at 2:30 p.m. we start the vote on Stickler, and those who want to be here for the debate on Stickler could do that, and those who want to go to the Rice-Rumsfeld hearing can do that?

Mr. KENNEDY. That is satisfactory.

Mr. REID. There is no unanimous consent request that we come here at 2:30 to start the debate on Stickler, and there will be a vote at 3:30.

The PRESIDING OFFICER. Does the Senator from Virginia withdraw his unanimous consent request?

Mr. WARNER. No. Leave the unanimous consent request there. I understand there is objection.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. KENNEDY. I object.

The PRESIDING OFFICER. The Senator from Massachusetts objects.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate will stand in recess until 2:30 p.m.

Thereupon, the Senate, at 1:03 p.m., recessed until 2:32 p.m., and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. The majority leader is recognized.

ORDER OF PROCEDURE

Mr. FRIST. Mr. President, I ask unanimous consent that the scheduled recess today be extended until 3:30 p.m.; further that the cloture vote on the nomination of Richard Stickler be vitiated and that at 3:30 p.m. the Senate proceed to the immediate consideration of the conference report to accompany H.R. 4939, the emergency supplemental appropriations bill.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. Mr. President, reserving the right to object, I thought we talked with the leader about a process and a procedure, of which the leader was agreeable, that we would have a chance—if there is going to be a recess appointment—that we would have an opportunity to go ahead and have a cloture vote prior to that time.

Mr. FRIST. Mr. President, the discussion among the Democratic leadership and Republican leadership was, indeed, that we vitiate the vote today and that at a time that is mutually agreed upon this vote will come back to this body.

Mr. KENNEDY. To this body prior to the recess appointment?

Mr. FRIST. Prior. That is the understanding. And the discussion was—I have had absolutely no conversations with the administration about a recess appointment——

Mr. KENNEDY. Right.

Mr. FRIST. But if there were to be such a recess appointment, that then this vote could come back, would come back at that time.

The PRESIDING OFFICER. Is there objection?

Mr. KENNEDY. I thank the leader. We are going to have a very important Thursday signing of the Mine Safety Act. It is a reflection of the good work of our chairman, Senator ENZI, and many others on our Human Resources Committee. It is very good legislation, passed by the House of Representatives, and to be signed by the President. It is going to be enormously important. We look forward to that and hopefully to its effective enforcement.

I thank the leader.

The PRESIDING OFFICER. If there is no objection, without objection, it is so ordered.

Mr. ENZI. Mr. President, I rise today to voice my support for the nomination of Richard M. Stickler to be the Assistant Secretary of Labor for Mine Safety and Health. Mr. Stickler's nomination was referred to the Committee on Health, Education, Labor, and Pensions. On March 8 of this year, the committee reported the nomination favorably out of the committee.

The Senate acted just 2 weeks ago on mine safety legislation which the House passed on Wednesday. It is anticipated that the President will sign this into law expeditiously. It is extremely important for the Mine Safety and Health Administration to have permanent leadership to implement this important mine safety law; therefore, I urge my colleagues to vote in favor of Mr. Stickler's nomination today.

Despite decades of improving safety in our Nation's mines, this year we witnessed a series of tragic accidents in the coal mines of West Virginia and Kentucky. Those tragedies, in part, led to a thorough review of our mine safety laws. The Senate Health, Education, Labor, and Pensions Committee, which I am privileged to chair, and the Subcommittee on Employment and Workplace Safety, chaired by Senator JOHNNY ISAKSON, conducted extensive hearings and roundtables on the issues related to mine safety. We conducted an exhaustive review of the current Mine Safety and Health Act and met, at length, with representatives from the mining industry, labor, the professional safety community and State and Federal regulators, all in an effort to determine how we could act in a responsible and constructive way to improve workplace safety for our Nation's miners. The result of these collective efforts was the Mine Improvement and New Emergency Response Act. The MINER Act is the first comprehensive reform of U.S. mine safety laws in a generation. Following its introduction, the MINER Act was unanimously reported out of the HELP Committee and, almost immediately thereafter, was passed in this body by unanimous consent on May 24. The House passed this bill on Wednesday night. It is expected that the President will sign the bill into law very soon.

What has marked the MINER Act from the outset has been its bipartisan nature. The bill was drafted and moved through Congress as the direct result of continual efforts, on both sides, to reach across the aisle and reconcile differences. The passage of the MINER Act has shown that ensuring the safety of miners is not a partisan issue.

While amending the Mine Safety Act is an important step in meeting our responsibility to ensure miner safety, it is not the only step. We must not only give the Mine Safety and Health Administration the statutory tools it needs to get the job done; we must give it the permanent leadership it needs as well. This, too, should be an action in which partisanship should play no part. The Mine Safety and Health Administration has been without a permanent, Senate-confirmed, Assistant Secretary for Mine Safety and Health since November of 2004. This is too long under any circumstance but particularly in the wake of the recent coal mining tragedies, and on the eve of implementing the many changes that will result from enactment of the MINER Act.

We have the opportunity today to address this issue and to provide MSHA with the permanent leadership it needs by voting to confirm Richard M. Stickler, the President's nominee to head MSHA. Mr. Stickler is an experienced nominee whose leadership is needed during this critically important period. He is one of a very few individuals who has experience in mining at all levels from a miner to management to State regulator.

Born and raised in West Virginia the son and grandson of underground coal miners, Mr. Stickler has spent his entire 37-seven year career in the mining industry. He began his career as an underground miner and worked his way up to foreman, assistant superintendent, superintendent and manager. The bulk of this experience was not behind a desk but was underground, actually working in a mining environment. Because of this practical, day-to-day experience, he will be better able to understand and respond to the needs of today's underground coal miners and to provide seasoned leadership at MSHA.

While working as a miner, Mr. Stickler also attended Fairmont State College and earned a degree in engineering. In addition to his engineering background, he is certified as a mine safety professional by the International Society of Mine Safety Professionals.

Mr. Stickler also served as captain of a mine rescue team. As we have all seen over the course of the last several months, mine rescue teams are a critically important component of mine safety. The heroic miners who volunteer for this service endanger their own lives and donate significant amounts of time to ensure they are prepared to help their fellow miners. The MINER Act, which passed the Senate unanimously 2 weeks ago, mandates some changes to the mine rescue team system. Namely, we require mine rescue team members to have a higher level of training and experience and to be available more quickly when needed. I believe there could be no one better to implement these changes than a former mine rescue team captain.

In 1997, Richard Stickler left employment in the private sector to become director of the Pennsylvania Bureau of Deep Mine Safety, where he served for 6 years. He held that position at the time of the Quecreek mine accident in the summer of 2002. The accident drew national attention as nine miners were trapped underground for several days before being successfully rescued.

The Mine Safety and Health Administration is facing its most significant challenge in decades. It needs an experienced leader at its helm to implement the MINER Act and to continue the vital task of ensuring the safety and well-being of our Nation's miners. I urge my colleagues to support the nomination of Richard Stickler and vote in favor of his nomination.

I ask unanimous consent to have printed in the RECORD additional materials regarding the nomination.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ARGUMENTS AND THE FACTS ABOUT RICHARD STICKLER

Argument: Stickler Opposed the MINER Act.

Fact: Mr. Stickler has NEVER stated that he opposes the MINER Act. In fact he SUPPORTS the MINER Act and has stated that he would expeditiously implement its provisions.

Fact: When he testified before the HELP Committee the bill had not even been introduced yet. No Senator who made this allegation this morning has ever asked Mr. Stickler if he opposed the MINER Act. If they had bothered to do so, as I have, they would have learned that he supports the bill, as does President Bush who nominated him.

Argument: Stickler does not believe any changes to the Mine Safety and Health Act are necessary.

Fact: In the committee testimony he is on record as supporting an additional penalty provision for Flagrant Violators of mine regulations with a new, higher monetary penalty of up to $220,000. This is included in the MINER Act.

Fact: The record shows that he also stated support for storing additional supplies of breathable air in mine exit ways to assist miners in escaping in the event of a fire or explosion. This change would also be required by the MINER Act. It is a safety precaution that Mr. Stickler instituted in the mines he managed many years ago, even though it was not required by any law or regulation.

Fact: His record testimony also reveals unqualified support for the use of any and all technology that would make miners safer.

Fact: Mr. Stickler supports the changes made by the MINER Act.

Argument: Stickler was a mining company executive.

Fact: Richard Stickler grew up in West Virginia as the son and grandson of underground coal miners. He is only the third presidential nominee to head MSHA to have worked as a rank and file miner.

Fact: Richard Stickler worked his way through college to become an engineer. He continued working his way up the ladder to mine manager. He never worked at corporate headquarters.

Fact: Richard Stickler left employment in the private sector to become Director of the Pennsylvania Bureau of Deep Mine Safety, where he served for six years. He has been retired since 2003 and has no current ties to industry.

Argument: Mines managed by Stickler had injury rates double the national average.

Fact: Richard Stickler was a hands-on manager committed to safety. All of the mines he managed for Beth Energy Corporation had lower injury rates when he left than when he began managing the mine.

Fact: Data from both MSHA and the Pennsylvania Bureau of Deep Mine Safety (PA BDMS) show that injury rates declined steadily during Richard Stickler's tenure as Director of the PA BDMS from 1997–2003. During the last 3 years of his service (2001–2003), the injury rate for underground coal mines was below the national average.

Argument: A grand jury determined that the PA BDMS should have noticed problems with mine maps earlier.

Fact: The grand jury found no evidence of reckless conduct and made no finding with regard to negligence by the PA BDMS. The faulty mine map that was found to have caused the accident at Quecreek carried the certification of a qualified engineer as required. Likewise, the report of the Office of Inspector General made no negative findings with respect to PA BDMS or Richard Stickler.

Fact: Investigations into tragic mine accidents like Quecreek always provide an opportunity for viewing an accident with 20/20 hindsight. Improvements in mine map records were a direct result of the Quecreek experience.

Argument: Stickler believes existing mine laws are sufficient.

Fact: Richard Stickler testified that the Mine Act provided sufficient tools for enforcement, but that tough enforcement measures allowed under the Act should be used more often against mine operators who only comply with standards when MSHA inspectors are on site or against operators who appear to view MSHA penalties as just a cost of doing business.

Fact: Richard Stickler also testified that he supported increased minimum and maximum penalties, unwarrantable failure orders, and would not hesitate to invoke "pattern" provision for recalcitrant operators having repeat serious violations.

Argument: Stickler does not have the expertise or vision to head MSHA.

Fact: The President nominated a highly qualified candidate for this important position. Richard Stickler has nearly 40 years experience in mining. He worked underground. He was an eye witness to the awful tragedy of the Farmington Mine accident that gave rise to the 1969 mine safety laws. He served as captain of a mine rescue team. He was a mine superintendent and manager. He is a trained engineer. He served as the chief enforcement officer for the Commonwealth of Pennsylvania.

Fact: Richard Stickler has a clear agenda for moving MSHA forward.

(1) Learn the lessons from Sago, Aracoma, and Darby. Follow through on the investigations and internal reviews.

(2) Review the regulatory agenda. Determine whether items previously dropped should be reinstated or if new items should be added.

(3) Use all the tools in the Mine Safety and Health Act, including warrantable failure orders and pattern of violations orders where appropriate.

(4) Examine the penalty structure. Penalties must be effective incentives for compliance.

(5) Analyze accident and violations data. Focus technology development, training, and enforcement on areas of most frequent accidents.

(6) Establish goals and performance measures.

Statement of Richard Stickler, Nominee for Assistant Secretary of Labor for Mine Safety and Health

I fully support the recently passed MINER Act and will do my best to expeditiously implement it if I am confirmed to be MSHA Administrator. I have never stated that I did not support this legislation.

I would like to clarify what I stated during my confirmation hearing. I testified that I support tough enforcement and that I would make use of the enforcement tools that already exist in the statute. I testified that I believe penalties must be meaningful deterrents to violating MSHA safety standards, and appreciate that the MINER Act raises both minimum and maximum penalties.

Mr. KENNEDY. Mr. President, I rise to oppose the nomination of Richard Stickler to be the head of the Mine Safety and Health Administration. I urge my colleagues to join me in voting no on cloture on this nomination.

There is a safety crisis in our Nation's mines. In less than 6 months, 33 workers have been killed in our coal mines—11 more than lost their lives in all of last year. Since Richard Stickler was nominated to lead MSHA last September, 53 miners have been killed in mining accidents.

As a recent front page article in the Wall Street Journal said, there has been "an alarming upswing in coal-mining accidents, at a time when the coal industry is in the midst of a boom." Coal profits are skyrocketing, but miners are paying the price with their lives.

This was brought home to me all too painfully when I traveled with other members of the HELP Committee to West Virginia this winter. We met with the families of the 12 miners killed at Sago Mine, and we promised to fix this broken system.

As these grieving families can tell you, their government has let coal miners down. And if we confirm Richard Stickler to head the Mine Safety and Health Administration, we will be letting them down again.

Our Nation's miners and their families deserve a strong and visionary leader to lead the Mine Safety and Health Administration during this time of turmoil in the mine industry. As his record clearly demonstrates, Mr. Stickler is not the man for this critical job. He has shown over and over again that safety is his last priority.

He spent the overwhelming part of his career as a coal industry executive, focused on profits and production, not on worker safety. In some mines that he managed, injury rates actually went up—sometimes far above the national average.

For example, when he was Senior Manager at the Eagle's Nest Mine in Van, WV, the injury rate was almost three times the national average. While he ran the Marianna Mine from 1983 to 1987, the injury rate climbed dramatically during his tenure.

In the 8 years leading up to his appointment to lead the Pennsylvania Bureau of Deep Mine Safety, mines he managed had a total of nearly 3,000 safety violations. One hundred of the violations were so serious, they resulted in MSHA closing part of the mine.

During Mr. Stickler's tenure as the head of the Pennsylvania Bureau of Deep Mine Safety, he continued to favor mining companies over miner safety. He granted waivers and bent the rules for coal mining companies over and over again. He created huge loopholes in rules designed to prevent mine fires on conveyor belts and to guarantee that miners could reach safe places to protect themselves from runaway railcars.

Things got so bad in Pennsylvania during his tenure that one mine inspector called Stickler's special favors for the coal industry, "a detriment to safety . . . that would, without a doubt, make the coal industry less safe for two-thirds of its workers."

He was also in charge when the terrible accident at Quecreek occurred, trapping nine men underground in a flooded mine shaft for more than 3 days. We all sent our prayers and support to the miners' families as we watched the rescue operation hour by hour on television. America was horrified that this could happen. A grand jury inquiring into that accident confirmed our suspicions when it found that the system of regulating underground coal mines in Pennsylvania, which included Mr. Stickler's job of protecting miner safety, was "inadequate, antiquated, and in need of significant changes."

That accident was a clarion call for the need to dramatically improve mine safety. The lessons of Quecreek mean that Mr. Stickler, more than anyone, should have known of the need to overhaul our mine safety, and particularly emergency rescue laws.

In addition to the Quecreek experience, when Mr. Stickler testified before our committee earlier this year, the coal mine tragedies in West Virginia had just gripped the Nation. Sixteen men had already died in our Nation's coal mines in just 4 weeks. They had lost their lives doing their jobs. Their families were left only with their memories. We owed it to those families to stand with them and demand immediate action to prevent more deaths.

Yet when we asked Mr. Stickler whether mine safety laws needed reform, he told us that he "thinks the laws are generally adequate."

Time and again, his response to the most pressing questions on mine safety was that he needed to think about it. We asked him about how to speed the adoption and encourage the development of new mine safety technology. We asked him whether he thought mine rescue teams should be readily available, as required by current law. We asked him whether rescue chambers should be required in every coal mine. We asked him whether he would ban the use of conveyor belts to ventilate mines. We asked him whether he would implement MSHA's rule decreasing diesel fumes in mines.

Did he agree with our call to action? Did he promise to take concrete steps to save the lives of coal miners in danger? Not at all. Over and over again in the hearing, in the midst of the tragedy, he responded only that he needed to "study," "analyze," "review," or "reevaluate" the situation.

This heartless performance showed how out of step he is with this Congress and with mining families in America. Congress has enacted sweeping mine safety legislation that is now on its way to the President's desk. Four States—including West Virginia, Illinois, Pennsylvania, and Kentucky—have also passed or are considering strong new mine safety laws. Yet the person the President wants to lead our mine safety agency is content with the status quo. It is no wonder that Mr. Stickler's nomination is opposed by the United Mineworkers of America, the Steelworkers and Petrochemical Atomic Workers, the Boilermakers, the International Brotherhood of Electrical Workers, and the AFL–CIO.

The Charleston West Virginia Gazette also opposes this nomination, and urges President Bush to "find a qualified MSHA nominee to send before the U.S. Senate."

Most importantly, Mr. Stickler's nomination is opposed by the people who have the most to lose with a weak mine safety leader—the families of coal miners themselves. I have received letters from women in West Virginia, Kentucky, and Alabama, who lost their husbands and fathers in mining accidents this year—pleading with this Congress to oppose this nomination.

I think Peggy Ware from West Virginia summarizes their thoughts best: "I know it is too late for my father and the other miners that have lost their lives this year but we can make it safe for all our current miners. Our miners deserve better leadership than someone who will not be aggressive and someone that doesn't appear to recognize there is a problem with our mining industry. This has been one of the deadliest years in mining history. So once again I ask you to please oppose Mr. Stickler's nomination." I will ask that these letters be printed in the RECORD.

Our Nation's miners and their families have had enough of the status quo. They deserve someone who is going to fundamentally change course in miner safety, not cover for the industry. They deserve someone who will make the United States once again a leader in mine safety, instead of a place where miners have to rely on safety equipment that is 30 years old. They deserve more than more of the same cuts to mine safety enforcement, and withdrawal of safety regulations, instead of pioneering new safety standards. Congress decided it is time for a change by passing the MINER Act, the most significant improvement to mine safety law in a generation, and President Bush is expected to sign it into law this week. We saw unprecedented cooperation between industry and labor, Republicans and Democrats on this legislation because the mandate for action was clear. We had to act to stop the tragic trend that started with the New Year and the disaster at Sago.

The act imposes broad new requirements to protect miners in the event of an emergency, and ensures that communications, oxygen, and rescue teams are in place to help miners survive.

This new law will usher in a new era in mine emergency response. MSHA will be responsible for reviewing mines' emergency response plans. It will issue regulations to raise the standard for seals on abandoned sections of mines to prevent the next Sago or Darby disaster, and it must make critical decisions about the use of conveyor belts to ventilate mines and refuge chambers.

These choices will determine the state of mine safety for another generation. They will determine whether coal miners will live or die the next time there is an accident. How can we entrust these critical reforms in the MINER Act to an agency head like Richard Stickler who thinks they are unnecessary?

We owe it to the miners who have died this year and to those who go into those same mines every day to demand a leader for MSHA who find solutions, not someone who can't even recognize the problem.

For the sake of the miners and their families, I am voting no on cloture on this nomination, and I urge my colleagues to do the same.

I ask unanimous consent that the aforementioned letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 11, 2006.

DEAR SENATOR KENNEDY AND SENATOR ROCKEFELLER: First, we would like to express our gratitude to you for your steadfast commitment to the Mine Act. We hope that passing the Mine Act will aid in preventing future deaths of miners and save other families from the grief that we have endured because of the Sago Disaster. We would like to see additional requirements set forth to protect the health and safety of our nation's miners and we will continue to serve as advocates for miners.

We are profoundly disheartened by President Bush's nomination of Richard Stickler for Assistant Secretary of Labor for Mine Health and Safety. Mr. Stickler is a longtime coal executive and because of his connections with the coal industry, we are concerned that his primary objectives may be solely on compliance and production, not on miners' health and safety. Richard Stickler worked 30 years in numerous management positions for the coal industry. He was a mining company executive at a subsidiary of Massey Energy in West Virginia, one of the nation's biggest coal companies. This is not the type of person we want to head MSHA.

The Clinton administration was working on a rulemaking proposal to require additional oxygen, a rule that could have saved the lives of our Sago Miners and many other miners who have perished due to an insufficient supply of oxygen in America's underground coal mines. This proposal was dropped after President George W. Bush took office. MSHA has also admitted to knowing since at least 1998, that the previously required one-hour air supply was inadequate to allow escape by miners in more than a third of the nation's underground coal mines.

At his nomination hearing, Mr. Stickler declined to endorse new mine safety rules, such as those passed in January 2006 by the West Virginia legislature. He failed to recognize the inadequacies within MSHA and the coal industry. This lack of awareness and concern on behalf of Richard Stickler is appalling, especially following one of the deadliest seasons of coal mining in recent history. He offered no insights about what he would do if he were to become head of MSHA. It is our opinion that Mr. Stickler displays no signs of leadership or competence in the ability to head MSHA.

President Bush's nomination of Richard Stickler is characteristic of his pattern in appointing coal industry insiders to serve as senior executives to MSHA. Under this administration, regulations have been mitigated in favor of industry, fines have been reduced for mine safety violations, and MSHA's requirements have not been updated to keep pace with the advancement of mine safety technologies. We conclude that the nomination of Richard Stickler would best be described by a quote taken from UMWA President, Cecil Roberts, "just another fox guarding the henhouse".

MSHA is an agency that was developed to protect miners' health and safety and not to promote the interests of coal companies. Our nation's miners deserve an agency staffed with executives who would aggressively advocate miners' health and safety. We oppose the nomination of Richard Stickler as Assistant Secretary of Labor for Mine Health and Safety. We assert that Mr. Stickler is not the right person for the job and urge you to oppose his nomination. Please do not allow the government to fail our nation's coal miners as it failed our fallen miners at Sago.

Thank you,

DEBBIE HAMNER,
SARA BAILEY.

JUNE 11, 2006.

DEAR SENATOR BYRD AND SENATOR ROCKEFELLER: I first would like to thank you for all the leadership and efforts you have put forth helping to get the Miner Act together and passed. I admire you for being so concerned about our miners' safety. These changes needed made due to the recent tragic deaths of all our miners. I am the daughter of Fred G. Ware, Jr. He was one of the miners killed at the Sago Accident. I have been following closely to make sure changes are being made.

However, I am writing this letter to express my concern of President Bush's nominee for Assistant Secretary of MSHA: Richard Stickler. I know that he has background in mine management. My concern is that he will yet be another one worried about "compliance" but not aggressive enough to enforce the Mine Act. During his nomination hearing, Mr. Stickler didn't even seem to recognize that there are any problems at MSHA or within the industry.

Mr. Stickler seems to have a lack of awareness of the current conditions of the coal industry. This lack of awareness bothers me due to the fact we have had so many deadly mining accidents since January 2, 2006. My father was taken away from me in one of these deadly accidents. Mr. Stickler offered no insights about what he would do if he were to become the head of MSHA. This is not the kind of leader we need for MSHA. We need a leader that will assure the health and safety of our miners by being aggressive and enforcing the Mine Act.

Thirty years ago when the Mine Act was passed, Congress said that miners' health and safety are supposed to be the top priorities, and MSHA being responsible with pursuing that mission. Mr. Stickler said nothing at his confirmation hearing that suggests he would serve as an aggressive advocate for miners' health and safety. Our miners deserve nothing less. I believe that Mr. Stickler is not the right person for the job and thus urge you to oppose his nomination.

I urge you to do this for all the miners' health and safety. I know it is too late for my father and the other miners that have lost their lives this year but we can make it safe for all our current miners. Our miners deserve better leadership than someone who will not be aggressive and someone that doesn't appear to recognize there is a problem with our mining industry. This has been one of the deadliest years in mining history. So, once again, I ask you to please oppose Mr. Stickler's nomination.

May God bless you all and your families. God bless our miners!!!!!

Sincerely,

PEGGY WARE COHEN.

JUNE 10, 2006.

DEAR SENATORS: As you probably remember, our husbands were two of the 13 coal miners who were killed in the Jim Walters Mine No. 5 on September 23, 2001. Since then we have spoken out in favor of improving the health and safety of coal miners. To that end, we thank you for your vote in favor of the MINER Act. We hope it will prevent more needless deaths in the coal mine industry and will save other coal mining families from the grief we have suffered. Of course, there is still a lot to do to further miners' safety and health; we continue to serve as advocates for coal miners.

Today we write to you to voice our serious reservations about President Bush's nominee for Assistant Secretary of MSHA, Richard Stickler. Mr. Stickler has a background in mine management. From all that he has indicated so far in connection with the confirmation process, he will be much more inclined to continue Mr. Lauriski's focus on "compliance" at the expense of Mine Act enforcement. In fact, when he had his hearing, which followed the terrible tragedies in West Virginia in January 2006, Mr. Stickler didn't even recognize that there's any problem at MSHA or within the industry. He had no absolutely no new ideas about what should be done to make MSHA any better. In short, he showed no leadership at all.

When Congress passed the Mine Act, it stated unequivocally that miners' health and safety are supposed to be the top priorities. MSHA's job should be to protect miners. Unfortunately, Mr. Stickler has said nothing to suggest he would serve as an aggressive advocate for miners' health and safety. However, miners deserve nothing less. We believe that Mr. Stickler is not the right person for the job and thus urge you to oppose his nomination.

Thank you,

FREDA SORAH,
Debord, KY.
WANDA BLEVINS,
Tuscaloosa, AL.

JUNE 10, 2006.

DEAR SENATOR KENNEDY AND SENATOR ROCKEFELLER: First, thank you for your leadership and persistence in bringing the MINER Act to reality. We hope it will prevent more needless deaths in the coal mine industry and will save other coal mining families from the grief we have suffered. Of course, there is still a lot to do to further miners' safety and health. We will continue to serve as advocates for miners, as we have already traveled to speak on the subject.

Our most immediate concern today is President Bush's nominee for Assistant Secretary of MSHA: Richard Stickler. Mr. Stickler comes out of a background in mine management. At first I thought this would be a good idea, but I fear he will be yet another "fox" charged with minding the henhouse. He will be more likely to pursue "compliance" rather than aggressive enforcement of the Mine Act, though enforcement is what's needed now more than ever. We need someone to stand up for the mining community, not go along with what ever seems to please the companies.

At his nomination hearing, Mr. Stickler failed to even recognize that there's any problem at MSHA or within the industry. How will he be able to fix and improve something he thinks has no problems. This lack of awareness was startling because his hearing was held on the heels of the deadliest season of coal mining in recent history. He offered no insights about what he would do if he were to become the head of MSHA, and he showed no signs of leadership.

When it passed the Mine Act nearly 30 years ago, Congress said that miners' health and safety are supposed to be the top priorities, and MSHA is charged with pursuing that mission. Mr. Stickler said nothing at his confirmation hearing that suggests he would serve as an aggressive advocate for miners' health and safety. However, miners deserve nothing less. We believe that Mr. Stickler is not the right person for the job and thus urge you to oppose his nomination. Please help us get someone to stand up for us and many other miners and there families.

Thank you very much for your time and I hope you consider my suggestion.

Sincerely,

AMBER DAWN HELMS.

RECESS

The PRESIDING OFFICER. The Senate stands in recess until 3:30 p.m.

Thereupon, the Senate, at 2:34 p.m., recessed until 3:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. COLEMAN).

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006—CONFERENCE REPORT

The PRESIDING OFFICER. The clerk will report the conference report.

The legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

(The conference report is printed in the House proceedings of the RECORD of June 8, 2006.)

Mr. LAUTENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. LAUTENBERG are printed in today's RECORD under "Morning Business.")

Mr. LAUTENBERG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that I be allowed to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Florida is recognized.

(The remarks of Mr. NELSON of Florida are printed in the RECORD under "Morning Business.")

Mr. COCHRAN. Mr. President, after a great deal of hard work by both bodies, I am pleased that the Senate now has under its consideration the conference report to accompany H.R. 4939, the fiscal year 2006 emergency supplemental appropriations bill.

Overall, this bill which was requested by the President has two major points of focus. First, it provides needed funding to replenish the spending accounts of the Department of Defense, the Department of State, and other agencies and departments of the Government engaged in the global war on terror through the remainder of this fiscal year. Second, this supplemental includes critical funding for continued efforts to address the damage caused by the hurricanes in the Gulf of Mexico in 2005.

The bill was adopted by the Senate on May 4, and we began discussions with our colleagues from the other body shortly thereafter. A bipartisan majority of the conferees reconciled the differences between the two bills and reached agreement on the conference report on June 8. The House approved the conference report this morning by a rollcall vote of 351 to 67.

The conference agreement provides a total of $94.519 billion. Of this amount, over $70 billion is provided to carry out the global war on terror and to cover the expenses of ongoing operations and reconstruction efforts in Iraq and Afghanistan.

Title II of the conference agreement provides $19.338 billion for hurricane-related damage and recovery costs. Title III provides $500 million for agriculture disaster assistance to hurricane affected areas. Title IV includes $2.3 billion for influenza pandemic preparation and response activities. Title V provides $1.9 billion for various border security initiatives. Title VI includes $27.6 million for the Architect of the Capitol to address health and safety concerns in the utility tunnels in the Capitol complex. Finally, title VII includes general provisions and technical corrections.

This conference agreement is the result of hard work and true compromise between the House and Senate. This bill provides critically needed funding to our troops in the field and it helps continue the recovery process on the gulf coast. The overall funding level meets the amount requested by the administration, and I hope this agreement will receive bipartisan support in the Senate.

All members have had the opportunity to review the conference agreement, and I am happy to respond to any questions Senators may have about its contents. I do hope we will not indulge in needless delay and proceed with some dispatch in the consideration and approval of this agreement.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MARTINEZ). The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent to speak for up to 10 minutes in morning business with respect to a tribute to Senator BYRD and then make another statement with respect to the conference report.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. REED are printed in today's RECORD under "Morning Business.")

Mr. REED. Mr. President, as indicated previously, I would like to make a short statement pertaining to the supplemental appropriations conference report before us.

It is interesting, my colleague from Florida spoke about the lessons of Hurricane Katrina. One of those lessons is we have to be prepared. In Rhode Island, we worked with Chairman COCHRAN, Ranking Member BYRD, and also with Senator HARRY REID to incorporate within the supplemental appropriations bill an appropriation to help prepare our hurricane barrier in Providence, RI. I thank the chairman, Senator BYRD, and Senator REID for this effort.

Unfortunately, this provision did not survive the conference committee, and we are not able today to tell the people of Rhode Island that we are giving them much needed help to strengthen the Fox Point hurricane barrier.

The Fox Point hurricane barrier literally is the protection that will preserve Providence, RI, and the surrounding areas from a devastating hurricane. It protects the city. It protects all the key resources there, such as the infrastructure. It is right at the head of Narragansett Bay. That is where Providence sits, and in a hurricane, if it roars up that bay, there is not much to stop it except this barrier.

It was built in the 1960s. It was at that time a modern, state-of-the-art construction, but the years have intervened. It is no longer a state-of-the-art construction. It needs work. It needs the electro-mechanical system control system replaced. It is one of the few major facilities in the country that I think is still operated by its original electrical components. The barrier employs three 35-foot-high gates that are electronically operated. This is not only to keep the water out, but to make sure they can still continue to pump water from the rivers that back up the hurricane barrier.

Now, most people don't think Rhode Island is the prime target of hurricanes, but in 1938 and in 1954 we were dealt devastating blows. In fact, the damage from the hurricane in 1938 in those dollars was $125 million. Today it would be $1 billion. Hurricane Carol in 1954 flooded Providence, leaving the city under 8 feet of water and destroying 4,000 houses.

So we have a need to help the city upgrade these facilities to provide the kind of improved equipment and improved performance that will assure us that if a hurricane comes—and we all know that eventually they will come to Rhode Island and to the rest of the eastern seaboard—we will be prepared.

Again, I thank the chairman and others for their work to put the money in, and I am disappointed that the money was taken out. I hope that in the future we can find another way in which we can protect the people of Providence, RI, and the whole State of Rhode Island.

Mr. President, with that, I once again congratulate Senator BYRD, and I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I want to congratulate Senator BYRD as well. What a wonderful gentleman. What a gentle spirit, but what a firm voice. We value your service and we appreciate what you can teach us and what you have taught us.

I also want to thank Chairman COCHRAN for the hard work that he has done on this supplemental bill. He also has put up with a lot of grief from myself and others. The bill is important. I am going to spend a few minutes on things I think the American people ought to be asking about this bill.

The fact that we have the largest supplemental appropriations bill ever to come before this body to me is a great problem. It tells me part of the system is broken. The fact that the administration would request such a large emergency appropriation, and the fact that we would pursue it and pass it tells us that the system of the true appropriations and authorizing process is broken.

We are in the fourth year—the third-and-a-half year—of a war, and a large portion of what is in this bill has been known in advance that we were going to need it and it should go through the regular order. The fact that we take it outside of the budget caps, the fact that we take it outside of the regular order when we know we are going to spend $60 billion to $70 billion at least in executing and prosecuting the war and put it in an emergency supplemental I think says a lot about our process that we need to take very seriously and try to change.

That is a criticism for the administration as well. A lot of the money in this is for the National Guard to refurbish and bring things up that we knew and in regular order we are going to be processing in the Defense appropriations bill that is going to be coming before this body in the next couple of months. So the excuse to say this is all emergency falls short, because it is not. It is not all emergency. We have known all of this money is going to be spent, it should have come through the regular process, and we really don't have a good excuse to tell the American people why we are not doing that.

The second criticism I have of this bill is that the administration requested no rescissions whatsoever. There is nothing in the Federal Government that we could trim to help pay for this emergency bill. That is the assumption of the request by the administration. I want to tell you that is the wrong assumption. Employees who work for the Federal Government, the valuable employees, they know that is not true. People outside of Washington know that is not true. Constituents all across this land know that if we had to find money and if we could drive things to make them more efficient, we could do it. The fact that we are not doing it is another problem with our process. That is not a criticism of individual Members of this body; it is a criticism of the process that we find ourselves in and that we are blinded in the forest by the trees.

We ought to be back to regular order, and if we truly have emergencies, we ought to look to say, How can we trim from somewhere else to pay for it? Because, in effect, this $94.5 billion, my grandchildren, your grandchildren, and the generation that follows are going to pay for. Nobody that is working today is going to pay for this. We are transmitting the cost to our children and grandchildren. We are saying that we can't make an effort, or the administration doesn't request us to make an effort, or we don't make an effort to find other areas that are less important, lower on the obligation level for us, that we will just print the money and sign the notes and sell them overseas and say, Children and grandchildren, you pay for this because we don't have the courage to do the hard work to pay for it. We ought to take that criticism and say, Is that really what we want to be known for? Do we want to be known for not making the hard choices that are necessary to fund this war and at the same time not take away opportunity from our children and grandchildren? That is not a personal criticism, but that is a legitimate criticism that the American people ought to be asking.

The third thing is there are things in this bill that are pure politics in nature. Let me just describe one. I withdrew this amendment on the floor, but I think the American people ought to understand what is going on. There is over $200 million in this bill for Osprey aircraft, the V-22 that has never proven itself in combat. It has never made the test in battle simulation that says it is a viable option. Neither the administration nor the Defense Department requested this money, and this money is going to be spent, it is in the bill, and this bill is going to pass and the President is going to sign this bill. But we are going to spend money, a quarter of a billion dollars, on this program, not because it was requested by the Pentagon, not because it was requested by the administration, but because it was requested by a business to continue a program that hasn't proven itself yet.

There has to be some risk to those who don't perform when they are supplying our military with the latest in terms of equipment and materials, and there is not any, if we continue to do it this way. I am not an expert in the Defense appropriations process, but I have read what the Defense Subcommittee has said on this, and I have read what the articles have said on this, and it doesn't meet the test. Yet, we are going to spend it.

The reason we are going to spend it is because there are enough Members in this body that have employment with this company throughout the country that the pressure to not fund it is greater than the pressure to do what is right. I believe we ought to ask ourselves about the criticism of that. That is not a way to run the future of this country, and it is certainly not a way to protect the heritage for our children in giving them the opportunity that we have all experienced in being in the freest and greatest country in the world.

The risk for our country is a risk that we will lose that heritage of sacrifice today to create opportunity tomorrow. I know I am like a broken record to the appropriators, but my heart says that we should create at least the same opportunities in the future that we have all experienced, and to do less than that denies the very heritage that was given to us.

So I haven't decided for sure whether I am going to vote for this bill. I know it is important to take care of the critical needs in the hurricane area. I have had two hearings on that, part of my subcommittee, the waste, fraud, and abuse associated with that. But I must emphasize, out of 37 hearings in the Federal Financial Management Oversight Committee, we found over $200 billion—$200 billion—of waste, fraud, and abuse in the last year and 2 months. Forty billion dollars of it in Medicaid in terms of false and inappropriate payments, $46 billion in Medicare, and $16 billion in Medicaid fraud in New York City alone. Yet we don't respond to it. There is no action on it.

We had the Pentagon in 2005 pay $6 billion—$6 billion—in performance payments to contractors who did not meet the performance requirements of their contract. Yet we paid it anyway. But we haven't had a prohibition on that.

I know on the Defense authorization as we get to that, Senator MCCAIN is going to offer an amendment that I think is appropriate that we require that portion of the funding of the war that is legitimate to go through the appropriations process and regular order will be there. There are certain portions of that which are unexpected and we will continue to have to do supplementals to do that. But I would remind my colleagues that we are not going to be measured on what we do now; we are going to be measured on what is the opportunity for America 10 years from now and 15 years from now.

We were sent here to make the hard choices, and they are not fun. But we are not making the hard choices, because we are not looking at the programs that aren't effective, that aren't accomplishing the goals and eliminating them to pay for the things that we think are; we are just ignoring them and paying as we go, except we are not paying as we go. We are asking our children and grandchildren to pay.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I want to thank the very able Senator who has just spoken for his service to the Nation and to this body. I thank the very able chairman of the Senate Appropriations Committee, Senator THAD COCHRAN, for all of his meticulous—meticulous—work on this bill.

The President asked the Congress to approve $92.2 billion of emergency spending and $2.3 billion to combat pandemic flu. When the committee opened its hearings on the supplemental on March 7, I stated my belief that it is our duty—our duty—to scrutinize the President's request, not only for what is in it, but also for what is not in it.

The conference report that is before us includes $65.7 billion for the Department of Defense to fund the wars—and there are two of them going on—two wars: the war in Iraq, to which I was opposed, and I feel I was right, and in Afghanistan, which I supported; I support that war, and I supported that war from the beginning in Afghanistan—an amount said to be sufficient to prosecute those wars and supply our troops.

Upon passage of this legislation, the total amount appropriated for the war in Iraq, including the cost of reconstruction, will be $318 billion—$318 billion. That is $318 for every minute that has passed—every minute—$318 for every minute since Jesus Christ, praise the Lord, was born. That is a lot of money. Mr. President, $318 for every minute that has passed since Jesus Christ was born 2,000 years ago. That is a staggering figure. And what is even more unbelievable is that the monthly cost of this war in Iraq, which I have opposed from the beginning, has been steadily escalating from $5 billion per month in 2004 to more than $8 billion per month now.

The American people—hey, those people who are out there in the prairies, in the Rocky Mountains, in the lands between Washington, DC, and the Rocky Mountains—they are all asking: How on Earth has the monthly cost of the war in Iraq grown so much in just 2 years? The Bush administration announced that major combat operations ended in May of 2001. Remember that? The banner that we saw on the ship? Let me repeat. The Bush administration announced that major combat operations ended in May of 2003. But the costs of the war continue to spiral. How can that be? Why? Why? This administration does not want to answer these questions. Instead, the administration continues to request funds for these wars—two wars, Afghanistan and Iraq. The administration continues to request funds for the wars through ad hoc emergency supplemental appropriations bills.

Regrettably, the Congress continues to duck for cover. Since the President took us to war in Iraq in 2003, the Congress has approved eight different emergency supplemental appropriations measures to fund the wars—eight. None of those measures received the full scrutiny that is required of such massive expenditures. You know it. I know it. We know it. Everybody should know it. The President refuses to include the full costs of these wars in his regular budget request. Instead, he sends the Congress emergency requests with little or no detailed justification.

According to the Congressional Budget Office, this President has requested $515 billion of emergency spending—yes, you heard me, $515 billion of emergency spending that does not appear in the budget. This conference report includes language that I authored, urging the President to put the full costs of the wars in his annual budget. This is the fifth time the Congress has approved such a provision.

My amendment was approved 94 to 0. It is time for the President to get the message. The administration's failure to budget for the wars means that neither the White House nor the Congress is making the tough decisions about how to make the most of public funds to pay for the ongoing wars.

Tales of waste abound. Our troops deserve better treatment, as do you, the American people out there. I am pleased that the conference agreement includes $35.6 million for improved mine safety and health programs. Since January of this year there have been 19 coal mining deaths in the State of West Virginia, and another 14 mining deaths in the States of Kentucky, Alabama, Maryland, and Utah. This conference report will ensure that an adequate number of safety inspectors will be provided for our Nation's mines and will expedite the introduction of critical safety equipment into the mines. These are critical dollars which will begin to fill the gaps, the unacceptable gaps at the Federal Mine Safety Agency. There are too few inspectors, there is too much out-of-date safety technology, there are too many unprepared rescue teams, and the litany of problems at the Federal Mine Safety Agency goes on while the lives of our Nation's coal miners continue to be at risk.

In the past 5 years at the Mine Safety Agency, safety has taken a back seat. At least 217 coal safety inspector jobs have been eliminated—wiped out. The political leadership at MSHA puts protecting miners' lives on the back burner.

We have a moral obligation to make our coal mines safer. This funding will jump-start the job of protecting our coal miners' lives and providing some peace of mind to the coal miners' families.

I know how those families feel. I grew up in a coal miner's home. My wife's father was a coal miner. You are looking at somebody who speaks the coal miner's language. I do. Coal mine safety should not take a back seat to coal production. Protecting the lives of our coal miners has to be job No. 1 in the mines.

I cannot find the words to adequately express my heartfelt appreciation for the support of Chairman THAD COCHRAN of Mississippi and the other Senate conferees, particularly Senator SPECTER and Senator HARKIN, for their cooperation. With this funding and with the recent approval of the mine safety authorization bill, Congress will have given clear, unmistakable direction to the administration. The safety of our coal mines and the brave miners who work in them must be paramount, uppermost. I will say that once more. The safety of our coal mines and the brave miners, men and women, who work in the coal mines must be paramount.

With regard to funding required to recover from the gulf coast hurricanes, the chairman of our Senate Appropriations Committee took the bull by the horns. Under Senator THAD COCHRAN's leadership, the Senate added $9.2 billion to the President's budget request to aid the victims of the hurricanes. In addition, the Senate added funds to meet pressing emergency needs for drought relief, port security, the security of U.S. borders, and much needed medical care for the Nation's veterans. Sadly, the President, our President, threw down the gauntlet and threatened—yes, threatened—to veto the bill. The White House insisted that $14 billion of what it called low-priority items be dropped from the bill. As a result, the Republican leadership of the House and Senate sat down with White House staff and agreed to drop from the bill emergency disaster drought relief for our farmers, funding for critical veterans' medical services, and funding for increased security at the U.S. ports. Over $9 billion of critical funding for the victims of the hurricanes—over $9 billion—has been eliminated, including housing assistance, education assistance, and transportation funds. Where are our priorities?

Instead, this administration has put its highest priority not on disaster needs but on massive tax cuts to the tune of $254 billion for 2006, tax cuts—yes, hear me, tax cuts at a time when the Nation is at war and spending on that war is on the order of $8 billion per month. That is like spending $8 for every minute since Jesus Christ was born—$8 for every 60 seconds since our Lord Jesus Christ was born.

The administration continues to have a huge credibility gap when it comes to homeland security. There is a continuing drumbeat that another terrorist attack is likely.

Yet once again the administration is trying to secure the homeland on the cheap.

The White House insisted that the conferees strip away $648 million for port security and $600 million for the Coast Guard from the bill. Take it out. The administration's speechwriters and the administration's policywriters seem to be living in different worlds.

How serious is the administration about port security when the administration decides to allow Dubai Ports World to operate six major U.S. ports before the President, the Vice President, the Secretary of Defense, and the Secretary of Homeland Security were made aware of the decision? Who is in charge? Who is in charge? What a fiasco.

How serious are we about port security when Customs inspects only 5 percent of the 11 million containers that come into the country each year? How serious are we about port security when the Coast Guard inspects only one-third of foreign ports that trade with the United States? Yet at the insistence of the White House—hear me now—at the insistence of the White House $648 million for port security is eliminated—gone, gone with the wind.

With regard to border security, the administration continues to be a day late and a dollar short. They opposed my efforts—this little boy from the hills of West Virginia—yes. The administration continues to be a day late and a dollar short. They opposed my efforts last year to add funds for border security. How about that—your security, border security.

Fortunately, Chairman GREGG, the great Senator from New Hampshire—I like him. No, he is not a Democrat. What difference does that make? I like him.

Fortunately, Chairman GREGG and our House counterparts agreed—yes, that old boy from the mountains—agreed with me, and we now have 1,500 more Border Patrol agents. We now have 1,500 more Border Patrol agents and 581 more immigration investigators and agents, and 1,950 more detention beds.

On May 18, 3 weeks after the Senate adopted the comprehensive Gregg-Byrd border security amendment, the White House sent up its own border security package. Rather than following our lead—Senator GREGG and Senator BYRD—the White House insisted on reducing the package for the Department of Homeland Security by $728 million—that isn't chicken feed—and narrowing the focus to just the Southwest border.

While some may view border security through a microscope, Chairman JUDD GREGG and I share the view that when the border is tightened in one place, the threat will move elsewhere. We should anticipate that inevitable dynamic so that our border enforcement agencies will have the tools to effectively do their jobs when they need those tools, not 2 or 3 years from now. Yet the President requested no funds—no funds, none—for the Coast Guard and no funds—none—for the northern border.

Just few days ago, 17 alleged terrorists were apprehended in Toronto, Canada. This ought to have served as a wake-up call to all of us that the threat to this country is not only on our Southwest border but on all of our borders.

Regrettably, the President had his way in conference. While I appreciate that we have another $1.2 billion for border security, I worry that the funds are not based on a sound plan for border security.

In conference, Chairman THAD COCHRAN offered an amendment to establish a limit on discretionary spending for fiscal year 2007. He did so to expedite the consideration of the appropriations measure through the Senate in the absence of a final budget resolution. Chairman THAD COCHRAN and I share the goal of debating in the Senate and sending to the President 12 individual, fiscally responsible appropriations bills.

I support setting clear, enforceable limits on the spending contained in the appropriations bills. The issue is: At what level should we cap spending? Chairman THAD COCHRAN presented to the conference a deeming resolution that would limit spending to $872.8 billion, the level proposed by the President.

Once again, the President's budget represents an irresponsible plan that trades America's long-term future for short-term political gain. If the Congress approves the President's request for Defense and Homeland Security, the President's budget will fall $14 billion short of what is needed for domestic programs, just to keep pace with inflation.

The President proposes the largest cut to education funding in the 26-year history of the Education Department, $2.1 billion or a 4 percent reduction. This is a nonsensical squandering of the future of our children.

How are we going to compete in the global marketplace unless our young people have the tools they need?

Although we have thousands of veterans returning from Iraq and Afghanistan, the President wants to collect $795 million in new or increased fees charged to whom? To our veterans to pay for whose health care? Their health care. He also proposes $800 million of additional fees for the health care of military retirees. What a way to say thank you to our dedicated troops.

The President proposes a level of funding for Amtrak that will force it into bankruptcy. The logic behind that decision totally escapes me. With gas prices soaring, why would we want to eliminate a major provider of public transportation?

At a time when we are facing record energy prices, our President is also proposing a $1.4 billion cut in funds for Low-Income Home Energy Assistance. What a farce.

Despite the fact that the White House continues to raise the specter of another terrorist attack, the President proposes to cut first responder grants by 25 percent. The President proposes to cut fire grants by 55 percent. These are just more examples of budgeting in a closet.

This week the FBI announced that in 2005 this country had the largest increase in violent crime in 15 years. And yet the President proposes to cut grants for State and local law enforcement by over $1.2 billion.

So may I say that while our President talks a good game on investing in alternative energy supplies, his budget includes only half of the funds necessary to implement the Energy Policy Act of 2005.

To complicate matters even more, the President has proposed that the Appropriations Committees approve $7.4 billion of new user fees and changes in mandatory law, most of which are not even under the jurisdiction of the committees. For example, the President wants us to approve a $1.2 billion increase in the ticket tax charged airline passengers. At a time when the airlines are already facing financial difficulties, this is folly, pure folly. If there is one lesson that we should have learned from Hurricane Katrina, it is that there are consequences to starving Federal agencies. FEMA, which performed marvelously after the Northridge earthquake, the Midwest floods, and the 9/11 attacks, FEMA was no longer up to the task when Hurricane Katrina hit.

After 5 years of starving domestic agencies, I wonder which other agencies will be the next FEMA. Will it be the Coast Guard? Will it be the Food and Drug Administration's ability to approve safe drugs or the ability of the Food Safety and Inspection Service to protect food supplies?

I offered an amendment in conference to modify the amendment offered by Chairman COCHRAN to increase discretionary spending for fiscal year 2007. One of the amendments was adopted on a bipartisan vote of 15–13 to increase spending by $7 billion.

Sadly, the White House and the House majority leader objected to the inclusion of the deeming resolution as modified by my bipartisan amendment. The conference report that is before the Senate, therefore, limits total discretionary spending to the President's stingy—too stingy—$872.8 billion request.

At this funding level, the Senate will have little choice but to starve Federal agencies of the resources they need to responsibly meet the needs of the American people. That means relegating people's needs to the bottom of the barrel.

The White House got what it wanted in this conference report. Less money for the victims of the hurricane, less money for drought relief, less money for key border security programs, no money for port security, and a "cheap Charlie" limit on other domestic spending.

The President has just made a surprise visit to Baghdad.

Let me say that again. Today, a little while ago, the President made a surprise visit to Baghdad. That is all right. Supporting our troops is very important. However, I have to ask, when will the President be visiting American ports to determine if they are safe?

When will the President visit American farms that have been devastated by drought?

When will the President meet with our Governors, our mayors, our police chiefs to understand why violent crime is on the rise?

When will the President visit our Nation's hospitals to learn why health care in this country is unaffordable?

When will the President visit our Nation's campuses to learn why the cost of a college education has grown 57 percent during his administration, while the level of Pell grants has been frozen for 5 years?

When will he start to look and listen to the voices of American citizens who want a leader for their future here at home?

We now have appropriated $318 billion for the war in Iraq while America's needs go begging. I wonder if the President will ever ask himself about the consequences of that choice.

While I have serious reservations about what has been dropped from the conference report, the conference report that is before the Senate provides essential resources for our troops and help for hurricane relief. Therefore, I will support the adoption of the conference report.

I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Minnesota.

Mr. COLEMAN. Mr. President, I rise to speak about the Emergency Supplemental Appropriations Act which, as the venerable and esteemed Senator from West Virginia stated, provides critical funding for America's troops, money for hurricane recovery, money for mine safety, while staying within the $94.5 billion funding level called for by the President.

I am going to support this package. I support our troops. I applaud their efforts. I am a strong proponent of fiscal responsibility, and I understand and recognize the tough choices that needed to be made in order to put this supplemental together. But with that said, a large component of this package is disaster assistance. When it comes to helping our fellow Americans through a crisis, we need to assist all with equal zeal.

The fact is, while this bill offers some Americans a helping hand, it gives some others a cold shoulder. While this bill provides needed funding for agricultural disaster assistance in the gulf to producers affected by the hurricanes, it will not send a dime to Minnesota's farmers struggling to survive their own natural disaster.

The Senate bill contained that helping hand. Chairman COCHRAN fought for—and has fought a number of times, by the way. And I thank the chairman for all the work he has done and all the work he has done on the supplemental and I certainly thank him for his sensitivity to the needs of Minnesota producers. I served with him when he was chairman of the Agriculture Committee before he became chairman of the Appropriations Committee. But this relief never made it through the conference. It is not in the final bill.

I find it incomprehensible, if not irresponsible, to provide weather-related disaster assistance for one region of the country while withholding it from another. At its core, this is an issue about equity for all regions that are suffering.

And to the thousands of Minnesotans whose very livelihood has been jeopardized and those losing their farms due to last year's disastrous weather, this bill is nothing short of cruel. The absence of this piece in the bill is nothing short of cruel.

The images from Minnesota in 2005 speak volumes, surreal images of a mounting storm that almost defies description. Once unleashed, these ominous clouds transformed into tornadoes and a devastating downpour. Imagine looking out your living room window and seeing the shadow of this storm, as shown in this picture, cast on a farm you have worked all your life to build—a farm you have seen through good times and bad, from performing chores before school as a kid to managing the cash flow of a modern farming operation as an adult. These clouds must have brought great anxiety in their path.

But these families would not have to wait long to find out what this storm would bring as they sought shelter from the tornadoes and from the high winds as they found cover from the 15 inches of rain that fell in 1 single day.

When the sky cleared, this is the scene, as shown in this picture, victims of the storm found. These are the fields, carefully cultivated every year, that were the lifeblood of family farms. These fields, left in utter destruction, a source of great pride when covered by a healthy crop, became a source of great concern to producers who understood all too well that no amount of hard work and careful planning would undue the damage done to their fields.

For many farmers, their worst fears were confirmed. In the sugar sector alone, revenue was reduced by $60 million in Minnesota in 2005, thanks to this natural disaster. In one county, crop loss exceeded $52 million and farmers were prevented from planting over 90,000 acres, thanks to saturated fields.

Yet the real story cannot be told through statistics. I have met these farmers, and I have listened to their personal trials endured as a result of this catastrophic weather. I was up in Lake Bronson, MN, up in the northwest part of the State, Kittson County. I think the town has about 180 people. I was there on some other matters. In a town of about 180 people, farmers came from surrounding areas. One hundred farmers showed up to talk about what they have been through, to ask for my help in trying to protect this disaster assistance relief.

I looked at the faces of these men and women who are hard working—you could just kind of see that strength in their hands and in their faces—and I turned to one of my staff and said: This is why America won Two World Wars. These are people who have been there for our country time and again. And they were hurting.

Farmers are losing their operations, pure and simple. Some of these producers will not be coming back to the fields next year thanks to this storm. They are not just losing a business, many are also losing a family tradition.

America is losing something here. Thousands of farmers are struggling to figure out how they will make their cash flow work this year. It is easy for us to talk about terrible crop loss numbers in black and white figures on a page, but these numbers do not quite sum up the weight felt by the farmer who is anxiously wringing his ball cap in his hands as he surveys a barren field and wonders how he will convince the bank to give him one more season.

It may shock many Americans to learn these images behind me are not from the gulf but, instead, that they describe the natural disaster that struck northern Minnesota in the spring of 2005. Even more shocking to Americans might be the fact that, of the millions of dollars in agriculture disaster aid in this emergency supplemental, none will go to these Minnesota farmers.

I traveled to the gulf so see the hurricane damage firsthand in order to fully understand what my fellow Americans who live far from my Minnesota home are suffering, and I have supported their cause in Congress. I do not know that any of my colleagues from the gulf have ventured to my part of the world to witness the dire situation going on in places like Kittson County—and, again, in size and scope what happened in the gulf is almost incomprehensible—but I urge us not to forget what is happening in other parts of the country. For the farmers impacted, this is their life, this is what they got. It is underwater. I invite my fellow Senators who are interested in meeting these farmers to come to Minnesota. And not just to Minnesota; I think this same scene would be replayed in North Dakota and South Dakota and probably replayed in Missouri and other parts of the country.

It is true that the suffering in the gulf is great. I have seen the tremendous damage, and I am committed to helping. But the burden experienced by the farmers I met in places such as Lake Bronson, MN, is also great. Congress should come to the aid of all Americans who find themselves victim of natural disaster and are left in financial peril and economic hardship too great for them to resolve on their own.

This is simply a matter of fairness. The agricultural disaster aid package that was included in the Senate version of this emergency supplemental appropriations bill—of which I coauthored that piece—was fair. It provided assistance to farmers afflicted by natural disasters regardless of region or the type of natural disaster. This is a simple matter of fairness.

What this conference report does is divide the Nation. If not excluded for regional reasons, then I suppose we are left with the conclusion that hurricanes are the only true natural disasters that deserve congressional attention. We all know that is false. And taxpayers know better. They deserve better. The fact this conference report does not provide one dollar for Minnesota's farmers is a true injustice.

I will vote in favor of this emergency supplemental bill because it provides critical funding for our troops. That is what it is about. I am going to be there for that. But I will come to the floor again and again and again to raise the issue of disaster assistance for Minnesota farmers and others in the region. And at every turn I will work to move this funding. I will not let this inequity stand.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor this evening to talk about the supplemental bill before us. And I thank the Senator from Minnesota for his remarks on agricultural disaster spending. I agree with him how critical this is for his State, and for many others, including mine. And I was deeply disappointed that the administration opposed the Senate's agricultural assistance proposal that was in our bill.

Their letter to us said they opposed it on principle because the 2002 farm bill was designed, when combined with crop insurance, to eliminate the need for ad hoc disaster assistance. Unfortunately, that policy has really harmed us in many of our States. I hope to work with the Senator from Minnesota and others to make sure we recognize these disasters that occurred to our agricultural communities. And I, too, am deeply disappointed it is not part of the supplemental.

Mr. President, I do want to speak for a few minutes this afternoon about funding for the war in Iraq and hurricane recovery and other national priorities.

I want to share with my colleagues that I have three real concerns with the bill. First, really, is that it continues the charade we have had that this war be funded off-budget. And, second, this bill leaves out critical funding for areas such as veterans health care, port security, and emergency transportation assistance on the gulf coast.

Much of the progress we made on the Senate floor, through many hours of debate, was thrown out because of an arbitrary limit that was set by the President that is really going to hurt a lot of our communities.

Finally, I want to talk about how this bill improperly included a budget ceiling that is going to affect every single spending bill and many of the decisions we need to make in the coming months. I believe the supplemental is the wrong place to be enacting a budget that was never passed by this entire Senate. I want to talk about each of these concerns.

I will, like all of my colleagues, vote for this bill in the end because it is important that we provide the funding for our troops to carry out their mission as we have asked them to do and because, of course, it supports the recovery efforts along the gulf coast.

My first concern is that the administration keeps trying to fund this war outside of the regular budget process. Instead of including the money our troops need in the annual budget, they keep sending us supplemental emergency requests. This may seem like a very small issue, but it has two real large impacts. First, every dollar we spend through emergency funding adds a dollar to our national debt. With every supplemental, we are burdening our children and grandchildren with more debt. It used to be that emergency spending bills were for emergencies, things we couldn't foresee such as natural disasters. The need for the funding for the war in Iraq is not a surprise. It is not like responding to an earthquake that no one could predict. We should not hand over to the President the final authority on what deserves emergency funding.

I hope my colleagues will join me in expressing concern about this because this administration's approach is going to burden future generations. I don't think we should hide the true cost of the war from the American public, which we do through this supplemental process.

Communities at home today are sacrificing because of the cuts that this administration and Congress have imposed on the annual budget. If the administration had to fund the war in the annual budget, those cuts at home would be a lot more painful. By funding the war off-budget, Republicans are hiding the true cost of the war and the real tradeoffs that we have to make because of it. I hope the administration will be honest with all of us about how much this war is costing and the investments that we are being denied at home because of the way this administration has chosen to fund the war.

I believe the administration should not have the sole authority to decide what is worthy of emergency funding and what is not because we do have emergencies in our backyard as well as overseas.

My second concern with this bill is that it leaves out many of the critical investments we fought to add right here on the Senate floor to the supplemental. Here in the Senate we worked very well on a bipartisan basis to make sure the bill funds priorities such as veterans health care. I commend Senator COCHRAN for his work in trying to get this bill through the Senate and working with all of us to make sure our needs were addressed. But, unfortunately, the President set an arbitrary limit for the size of this bill and said he wouldn't sign a bill that cost a penny more. What happened? The leadership rolled over, agreed to the President's limit, and now that is going to hurt our communities at home.

One of the groups of people it is going to hurt the most is America's veterans. In April, the Senate overwhelmingly passed the Murray-Akaka amendment to ensure that our veterans get the help they need. Our amendment had broad bipartisan support. We worked with Chairman HUTCHISON and others to make this funding emergency spending. But what happened? That amendment was removed from this bill. That is a huge setback for the men and women coming home from the war today and entering a VA system that is now overwhelmed and underfunded. This funding would have allowed us to provide soldiers returning from Iraq and Afghanistan with timely access to the health care they earned.

We know today that the VA is facing funding challenges. In March, the VA themselves told us that they are seeing 38 percent more Iraqi war veterans than they budgeted for. In fiscal year 2006, the VA expected to provide medical care to 110,000. That number is now rumored to be nearly 170,000. In fact, the VA has treated 74,000 Iraq war veterans in the first quarter of this fiscal year alone. We are hearing that veterans have to wait over a year to get the specialty care they deserve. Some are waiting over 18 months to get their benefits. We have long waiting lists with thousands of names on them at our major VA hospitals. Recently, a VA official actually told us that long waiting lists make care for mental health and substance abuse virtually inaccessible.

I am frustrated that the funding we worked to get on the floor of the Senate for our veterans is no longer in the bill that is in front of us. I believe our veterans deserve better, and I hope that we address this issue again in the near future.

I also want to take some time to mention other investments that were removed from this bill to meet the President's arbitrary limit. I am the ranking member of the Transportation-Treasury subcommittee. I can tell my colleagues that some very important funding initiatives were left on the cutting room floor, initiatives that were sorely needed to help the residents of the gulf and to help that region's economy recover. Let me give an example.

The Senate-passed bill included $200 million in emergency assistance for transit authorities in the gulf region. In prior supplemental appropriations bills, we have included $2.75 billion for the Federal Aid Highway Emergency Relief Program, but there is no such companion program for transit agencies. So right now the principal transit agency in the city of New Orleans is operating on funding through a mission assignment from FEMA. But FEMA has made it clear that this funding support is going to expire at the end of this month. Without any additional Federal help, the very limited amount of bus service that is now being provided is going to be severely curtailed. In fact, I am told that as a result of the $200 million being eliminated during the conference deliberations on this bill, the New Orleans transit authority is likely to be required to lay off between 300 and 450 employees. They are going to have to cut back their extremely limited service even more.

Prior to Katrina, New Orleans had about 62 separate bus routes. By next month, they may have to cut that back to 17. New Orleans is desperate to generate the economic activity that is going to allow this city to again stand on its own two feet. They need workers, including workers who depend on mass transit, to fill all kinds of jobs. Cutting off those transit routes is not going to help that city recover, and throwing bus drivers on an unemployment line is not going to help that city recover.

In Baton Rouge, city leaders are desperate for transit assistance to help them serve the thousands of Louisiana residents now relocated to that city. You can't just add bus service and commuter rail services and expect to cover that cost through the fare box. They have to be subsidized, just like transit services across the country. The city of Baton Rouge never budgeted for these subsidy costs. That city is struggling to provide city services all across the board. They just can't tax all of these new residents. In fact, some of them were left with just the clothes on their backs. I am deeply disappointed that this Congress acquiesced when President Bush chose to ignore all of those needs and draw a line in the sand saying he would veto any bill that exceeded his request.

Because of that demand, the conference was also required to eliminate funding items for the gulf that the President himself requested. Here is why. The President set a limit, and if we wanted to fund anything new that went beyond that limit, the money would have to come out of the investment he requested. And one of those requested items that got eliminated in this conference was a $202 million request for HUD for tenant-based rental assistance. That funding was intended to serve some 44,000 families, including families who had received HUD support prior to Katrina, and homeless families. The bill that passed the Senate expanded the purpose of this money to include the reconstruction and repair of HUD projects in the afflicted region and to provide vouchers for about 4,500 needy citizens in the region, especially the disabled and homeless.

That provision received widespread support from numerous national organizations, such as AARP, the National Low Income Housing Coalition, American Association of Homes and Services for the Aging, and Volunteers of America. But all that support didn't matter when it came to cutting billions of dollars out of the supplemental. The end result, the conference report now before the Senate eliminated every penny that the President requested and the Senate included for that activity.

My final concern with this bill is, as I said before, it includes a budget ceiling that is far different from the one that was passed in the Senate. That budget ceiling is going to tie our hands when we work to try to help our communities. This undermines the work we do on the Budget Committee to meet America's needs. I know this was done once before, but I am still very concerned about the precedent we are setting. About 12 weeks ago, the Senate adopted a budget resolution by the narrowest of margins, 51 to 49. That budget included more funding than the President's request. That is because from the floor we did our jobs as Senators. We offered a number of amendments. Some were accepted; some were not. Some were added during the floor on consideration of the resolution.

Here on the floor we adopted amendments to boost funding for Alzheimer's research, for cancer research, for low-income energy assistance, for homeland security, for mine safety, for land and water conservation, and we added funding to help recruit a larger Army to ease the burden on all of those who are now serving. Only after those amendments were adopted was the budget resolution found to be acceptable by the bearest majority in the Senate.

Since that time, the conference committee has made no progress in reaching a final budget resolution for this year. It is this complete breakdown of the budget process that has now brought us to this point.

As Members of the Senate are aware, the budget resolution claims to do many things. But the most significant thing it does is impose a spending ceiling on the Appropriations Committee. Now that the Congress has failed to adopt a conference report on the budget, the decision was made to include a provision in this supplemental conference report we are now considering that imposes a new spending ceiling on the appropriations process. Never mind that there is no such provision in either the House or the Senate bill.

This emergency supplemental conference report now before us includes one small but extraordinarily meaningful paragraph that masks the fact that this Republican Congress has failed to enact a budget for the U.S. Government. Worse still, the ceiling that is included in this emergency supplemental bill is not the same one that was agreed to by the Senate when they barely passed a budget resolution 51 to 49. Instead, the ceiling that is included in this conference report is $9 billion lower than the level the Senate adopted, and $7 billion lower than the ceiling for fiscal year 2008. The ceiling that is included in this bill deliberately ignores the amendments that were adopted by this Senate back in March. So we are basically being presented with a spending ceiling that would wipe out the amendments that were adopted on the Senate floor and bring our ceiling right back down to the level recommended in the President's budget. The Senate already was presented with that ceiling in the resolution that was reported by the Budget Committee. But the Senate amended that proposal many times to add about $16 billion in spending to it, and only then did they find 51 votes to pass it.

I am sorry the spending ceiling is now included in this bill. I don't think it belongs in an emergency supplemental bill for the war or for the needs of the people who live on the gulf coast.

I do want to acknowledge that Chairman COCHRAN notified us that he would seek to add the deeming resolution to the supplemental. The bottom line is that a new appropriations ceiling does not belong in this emergency supplemental. The Democratic Senators on the Appropriations Committees want to enthusiastically support the appropriations bills that our committee is going to produce over the next several weeks and months. We want those bills to pass on a broad bipartisan basis. We want those bills to address the critical funding needs of the functions of our Government, whether it is health research or education or infrastructure investment or agriculture or the needs of our troops.

In reality, it is going to be hard enough to produce appropriations bills that are going to get broad bipartisan support at the levels we adopted back in March. It is going to be almost impossible to do so if we ignore the amendments adopted on the Senate floor and impose a spending ceiling that was not proposed by the President.

So I am very troubled by this bill. It used to do a much better job of meeting our priorities at home. But the President set a limit and the Republican Congress went along, and I think that is going to hurt the families that we represent.

I will vote for the emergency supplemental because our troops need the resources to do their jobs and the gulf coast needs our help. But I am really deeply disappointed at the missed opportunities that are represented in this bill. We can do better, and I hope we stop the political games and start determining the right direction. Frankly, our troops and our country and our future depend on it.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the Senator from New Hampshire be recognized immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

COURTHOUSE SHOOTING IN RENO

Mr. REID. In Reno, NV, yesterday, a friend of mine, Chuck Weller, was shot in the chest. He is a family court judge. We have in Nevada district court judges that do everything but domestic relations and child custody and that kind of thing, which the family court judges like Judge Weller do. He was working at his desk and somebody shot him in the chest through a window. His condition has been recently changed from critical to serious. We think he is going to be OK.

This is a real tragedy for our system of justice. They have not apprehended the man who shot him. They believe they know who did it. We don't know if the man has killed anyone else, but it is a real tragedy.

Judge Weller is a person who does his very best to be fair and reasonable to those people who appear before him. When you deal with child custody matters, support matters, they are very personal, and a judge has a difficult time because there are intense feelings involved in divorce and child custody.

I am really concerned about his wife, Rosa Maria, and their two daughters. They face difficult days ahead. Everyone in Nevada is grateful for Judge Weller's public service, and we stand with the family during these difficult days.

I think of the men and women in law enforcement in Nevada and around this country; they are the finest that we have. They are the ultimate first responders. I am confident that they will bring Judge Weller's attempted assassin to justice and in the process restore peace to the Reno community. People are concerned. This happened 24 hours ago or more. The man has still not been apprehended.

Judge Weller moved to Nevada in the early 1980s. He graduated from Georgetown School of Law in Washington, DC. He was elected to the Reno family court a couple years ago. During his election, he said he wanted to be a judge because "you can help a lot of people." He was right. Judges do help a lot of people. They make decisions that are very important, but they help us all by administering justice across the country.

We were reminded yesterday that sometimes judges need our help, particularly when it comes to protecting them from violence. It is an unfortunate fact that violence against judges, such as we saw in Reno yesterday, is not unique. It happens far too much.

Federal judges receive an average of 700 inappropriate communications or threats every year. State court judges, because there are so many more, receive thousands. There is no room in our country for violence, but certainly not in our courthouses. That is where Judge Weller was, in the courthouse. These are some of the most heinous crimes we experience, I believe.

But for the bravery of the men and women who serve on the bench in our courthouses, this violence undermines our entire system of justice. We can and must do everything we can to prevent these tragedies.

Judges like Chuck Weller, clerks, jurors, and others who are serving their country at courthouses and upholding the law must be free to do so without threats to their lives.

One of my valued employees, Darrel Thompson—a fine person—was called to jury duty in Washington, DC. He apologized and said, "I am sorry I cannot be at work today." I said, "Darrel, this is your obligation. I wish I could serve on a jury."

Mr. President, I have tried cases before more than a hundred juries. I told Darrel this is his civic duty. I feel that way so strongly that the system of justice must be administered without intemperance, without threats of violence.

In Reno, the city and county are in the process of determining what actions they can take to prevent incidents like this from occurring at the courthouse. One of the things they are going to try is to put a film on the window so you cannot see as well. One of the people said, "I don't think we can afford bulletproof windows." That is up to local government. Certainly, we at the Federal level should do whatever we can to assist in the administration of justice all over the country.

I have contacted the county commissioner in Washoe County to extend my support in doing whatever we can do from here to prevent such tragedies. If we can give Federal assistance all around the country, then we should do that. Certainly, we cannot have things like this taking place.

A good place to start would be passing the court security bill, S. 1968. This was introduced last year by Senators SPECTER and LEAHY, the chairman and ranking member of the Judiciary Committee. I intend to offer—unless they do it—the text of that bill as an amendment to the next amendable bill on the Senate floor.

S. 1968 was introduced following a wave of violence against judges and their families in our country. A State court judge in Atlanta was killed by a criminal defendant. We also know that family members of a Federal judge in Chicago were killed by a deranged litigant. In the last 25 years, three Federal judges have been killed. Now Judge Weller, a State judge, has fallen victim. We are hopeful and confident that he will pull through.

The Specter-Leahy bill would improve protections for both Federal and State judges. For State courts like the Reno Family Court, the bill would authorize Federal grants to improve security. These Federal grants might be used to strengthen courthouse infrastructure, such as adding bulletproof windows, or it might be used to hire additional security personnel in the courthouse.

There are times when the Federal Government must step forward. One example, which is so important, is when the Federal Government stepped in to give rural police officers the money to buy bulletproof vests. Little counties in Nevada and other places simply could not afford them. They need bullet proof vests for protection. So there are things we can do to help in the administration of justice and police officers generally.

The Federal Government already plays a role in educating State court judges. I have played a role in helping to fund the National Judicial College and keep it funded. It is based in Reno. Judges, I am sure, from New Hampshire, Tennessee, North Dakota, judges from all over the country, have been to the State judicial college in Reno. It is a wonderful facility for training judges. It is now entirely appropriate for the Federal Government to bolster its support for protecting State court judges from physical harm.

The States will take the lead in protecting their own State court officers, but the Federal Government can and should help develop best practices and replicate successful security models around the country. Congress should take immediate steps to try to prevent a recurrence of the Reno tragedy from occurring in other places.

I want to extend my thoughts and prayers once again to the Weller family that all will be well with Chuck. It is a difficult time for them and the entire Reno community. I ask everybody here to keep the Wellers in their thoughts, because this could be a judge in your State. But, in fact, it is in Nevada, and we are going to do everything we can to protect the administration of justice in our country. I appreciate very much the senior Senator from New Hampshire allowing me to speak before him.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I ask unanimous consent that after I speak Senator DORGAN be recognized, and then that Senator VITTER be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I rise to speak a little about the supplemental appropriations bill, which is now pending. I want to begin by congratulating the Senator from Mississippi, Mr. COCHRAN, for the extraordinary job he did in producing this bill. When it left the Senate, it was around $105 billion. It comes back to us from conference at $94.2 billion or $94.3 billion—I forget the exact number. It was not easy to bring it down from the Senate position to what was acceptable to the President and to the House. It was really a result of Senator COCHRAN simply saying that we are going to make these difficult decisions and we are going to have a bill that meets the conditions the President laid down for our spending responsibility. He deserves a great deal of congratulations and respect for having accomplished that.

Within the bill, he has included also an issue which I am interested in as chairman of the Budget Committee. It is what is called a "deeming resolution." It sets the amount of money that can be spent on the discretionary side of the budget. That is those accounts that we appropriate, on which we spend every year, and which are automatic expenditures for things like education and some of the health care accounts and national defense are some of the big ones, as is homeland security.

This deeming resolution has set a number of $873 billion, which I think is a very responsible number, which the President sent up in his budget, and the number the House had in their budget. It wasn't the number that left the Senate when we passed our budget. One of the Senators who spoke before me from the other side was upset that the number that passed the Senate was not included in the deeming resolution, which is a fairly ironic position for anybody to take since they voted against the budget as it left the Senate.

In any event, the deeming resolution as it is in this budget is the number that was agreed to between the Republican leadership of the Senate and the House, and it was the number that the President felt was appropriate. It will be a difficult number to obtain, there is no question. It represents significant fiscal restraint. It is a clear marker that we are going to try to restrain the rate of growth of the discretionary side of the budget, which is critical to putting in place fiscal responsibility.

I think it is important for people to know that, yes, we presently have a very large deficit. But this deficit is coming down rather precipitously from where it was projected to be 6 months ago. It was projected that we would have a deficit of well over $400 billion. We are projecting this year that it will be in the $300 billion range. That is a very positive move in the right direction. Part of that move is a function of the fact that we have started to control the rate of growth of the Federal Government, independent of our needs relative to fighting the war on terrorism and Katrina, which are events that we need to simply spend money on because of the catastrophe of Katrina and because of the need to have our troops in the field and have what they need to be adequately supported.

Another reason the budget deficit has come down so much in the last few months is because our revenues are coming in as a result of the President putting into place, and the Republican Congress supporting the effort, economic policies which energized the economy dramatically—putting in place a tax policy that is fair to entrepreneurs and risk-takers in this country. We have seen people who are willing to go out and take risk, taking action that creates taxable events. Specifically, they have created new companies, created new economic activity and new jobs.

As a result of those things, revenues are jumping dramatically. We have seen the largest revenue increase in the last 40 years, I believe, in this last year; and the year before that, we saw a historic revenue increase. The Federal Government is back to essentially where they were, in a historical context, over the last 20 years as a percent of gross national product. Those revenues had dropped precipitously over the last 3 years because of the breaking or bursting of the Internet bubble and the attack of 9/11, which caused a recession.

So we are seeing the economy come back. We are seeing 5.3 percent growth, which is extraordinary. We are seeing a job situation where we have virtually full employment. According to the economists, when you get down to an unemployment level below 5 percent, you are basically talking about full employment. We have seen this as a result of this expansion of the economy that has now been going on for 39 straight months, or something like that. We have seen a huge jump in revenues, and the effective result of that is that the deficit is coming down also. In fact, if you were to take out the cost of fighting the war against terrorism and the cost of paying for the Katrina tragedy, we would essentially be functioning on what would be statistically considered to be almost a balanced budget.

We would be at a historic low relative to the deficit as a percentage of the gross national product over the last 20 years. So we are moving in the right direction. By putting in place this deeming resolution 873, we are asserting we are going to be aggressive to try to control the rate of growth on the discretionary side. That is all positive and good, and it largely comes about because we have very strong leadership on the Appropriations Committee through Chairman COCHRAN and his commitment to fiscal discipline.

Another issue I wish to talk about and put the issue in the correct context so people understand what is actually happening is the issue of border security because there has been a lot of confusion as to how much money we are spending on border security, where we are spending it, and what it is being spent on.

I have the good fortune of chairing the Homeland Security Subcommittee of the Appropriations Committee. As chairman of that subcommittee, I suggested we put in the supplemental as an emergency item—not as an emergency item, we paid for it—$1.9 billion, the purpose of which would be to pay for capital items which were in dire need by Customs, the Border Patrol, and the Coast Guard. These are items such as airplanes—Customs is flying 20 or so P-3s, and they were all grounded a month ago because they are 40 years over their useful life and they have serious structural issues that have to be checked all the time or they have the potential of serious structural issues—new helicopters because the helicopters are 20 years past their useful life; new cars to be used on the border because the Border Patrol goes through cars rather rapidly because of the harshness of the terrain in which they have to use them; sensors; and unmanned vehicles. With the Coast Guard, it is fast boats to be used to make sure our shorelines are protected from people coming across who shouldn't be coming across and maybe want to do us harm.

These are all capital items. The reason I suggested we do capital items is because I didn't want to create an outyear cost which we couldn't afford to pay for under the present budget system, but I did want to take off the table items I knew we were going to spend money on if we were going to have an effective Border Patrol, to have an effective Customs agency, and to have an effective Coast Guard.

The White House looked at that number and said they really didn't want to do that. Instead, they shifted over and said: Let's do operational items, and they decided to take, of that $1.9 billion, about $800 million and spend it putting the National Guard on the border, and the balance of the money they basically used to project the hiring of new people and the addition of beds for detention, both of which I support, but both of which create certain issues, and that is what I want to talk about briefly—the issues created by the supplemental and what will occur in the followup appropriations bills of Homeland Security so everybody knows the playing field that is being defined.

The practical effect of this supplemental is, yes, there will be money in place to hire an additional 1,000 agents. We already had money in the pipeline to hire an additional 1,500 agents this year. It takes about 40,000 applications before you can get 1,000 agents. It is not easy to hire them. Then you have to train them, and you have to have a physical facility to train them, which we have in New Mexico. But that facility doesn't have the capacity to train 2,500 agents a year; maybe 2,000 but not 2,500. It is unlikely we can hire an additional 1,000 agents before the end of this fiscal year—maybe 300 or 400, maybe even 500. But I will agree that by putting the money in now, we accelerate what we planned to do next year, which is to hire another 2,000 agents. So we are accelerating that event, if that is the goal.

Secondly, the proposal basically prefunds bedspace which should be funded and creates an outyear cost as a result of that and does a series of other operational things and actually some capital items with which I totally agree, such as technology investment and unmanned vehicle investment.

But the practical effect of doing it this way is we create what is known as a budget tail or an expense in the outyear which we are going to have to pick up, and that is the point I wanted to make today in as factual a way as I can because it is a very big issue we are going to have to deal with as a Congress, and that is this: The President sent up a budget proposal for next year, 2007, which was essentially $32 billion, rounded up. That request had an assumption of 1,500 new agents, 1,500 new agents we put in this year would be paid for, and then an additional assumption of another 1,500 agents, I believe, on top of that for next year.

It also had in it a request that part of the money, the $32 billion, be paid for by raising the airline fee which people pay as a tax when they get on an airplane basically to fund the increase in the border security activity, primarily with the Border Patrol agent expansion, of $1.2 billion. That proposal of $1.2 billion had been sent up 2 years ago, and it was rejected out of hand. Why? Because the chairman of the authorizing committee, in what I think is a fairly legitimate view of the issue, said: You shouldn't be raising the tax of people getting on airplanes for the purpose of protecting the borders. The airplane tax should go to TSA and FAA and things which are used to make air transportation safer, but it shouldn't tax the airline transportation industry, specifically the passengers, to fund border activity.

When it was sent up again this year, it was basically dead on arrival, which the administration knew it would be. It wasn't a surprise because they had gone through this before. Actually, what they sent up was a request for about $32 billion in spending but funding for about $30.8 billion in spending, which means there was a $1.2 billion gap. That will be difficult to fill in, in and of itself, were that the only problem. But in order to fill that, basically Senator COCHRAN, as chairman of the full committee, is going to have to take it from some other committee to give it to my Homeland Security Subcommittee to pick up that $1.2 billion, if he is generous to do that or believes it is the right policy. He will have to take it from somebody else. I assure you, whomever he takes it from is not going to be all that appreciative of having lost $1.2 billion.

That would be a major hurdle to begin with. Now throw on top of that $1.2 billion shortfall the fact that in this bill, they have forward-funded 1,000 agents plus a lot of other operational expenses, and they have not funded the Coast Guard costs of what is called their fast boat or the expansion of their coastal protection efforts. They have taken the $600 million we intended to use to do that and spent it on the National Guard. And we have created approximately—the number fluctuates on what one deems to be capital and doesn't deem to be capital. My guess is we are somewhere in the range of $1.4 billion in operational expenditures which are now put in the pipeline which are not funded for the year 2007.

In addition, the administration tells us—and I would agree with this if we could do it—in the 2008 budget, they are going to ask for 3,500 new agents so that we can ramp up as quickly as possible to the ultimate goal, which is 20,000 agents. It is possible by the 2008 period that we will have the training facilities at a position where we can hire 3,500 agents. It is also possible that we could get 100,000 applications or 120,000 applications or so, whatever it would take to get 3,500 people. So that is a possibility. But the implications of that are significant in the form of cost.

What does this put at risk? All these costs have been put in the pipeline in a manner which is basically upfronting operational costs but not taking off the table capital needs. The practical implications of the $1.2 billion, if it is not found by Senator COCHRAN—and I am not asking him to. I think if the administration is going to take this position, if they are going to make their bed, they ought to be asked to sleep in it.

If Senator COCHRAN cannot find that $1.2 billion, the practical effect is we could not maintain the funding for the 1,000 agents that have just been put in the supplemental. We also could not add the new 1,500 agents we would need in order to fund what we expected to do in the 2007 bill. We would have to reduce technology and science and sensor technology by about $100 million. We would have to limit infrastructure construction, especially fence construction, by about $100 million. We would have to reduce detention expansion capability by about 6,700 beds.

We would have to reduce fugitive operations, where we try to find these people and get them out of the country, by about $60 million. We would be unable to forward-fund the effort to get the IDENT and the EFIS systems to communicate with each other for the purpose of a U.S. visit, which is absolutely critical. That is where you come across the border, and they fingerprint you. They take two fingerprints of you. By taking 2 fingerprints of you, they can't communicate with the FBI database which has all the criminals in it because that database requires 10 fingerprints. So essentially we are limiting our capacity to figure out who is coming across the border as it relates to the FBI database. There is a protocol where they try to get the worst people and make it work, but the fact is, we have tens of thousands of fingerprints that are not able to be adequately vetted. That would have to be put off. The need to come up with a card with biotics attached to it so we could have a tamperproof identification system would probably have to be put off because we couldn't pay for that. That is a big one.

These items would have to be put off, plus the Coast Guard—and this really frustrates me—the Coast Guard, in order to build out the fleet they need—and they are functioning under old boats, a lot of old boats, and they have helicopters which are not properly structured, many of them, most of them, the vast majority of them are not armed—build out program to get things right and get positioned correctly to protect our coastline, instead of being completed in 2015, which was our goal under our supplemental request, will end up being completed in 2023 or 2024 and cost more money to do it because of the spread out.

So we are facing a lot of very serious issues as to what we will be able to fund and how much we will be able to fund under the present game plan or blueprint as it is set out for this year and next year as a result of this supplemental.

I thought it was important to come down to the Chamber and try to lay out the specifics because at some point, we are going to have to face up to the reality that there is a disconnect between what is being proposed and what is being paid for. This is not going to work.

Mr. President, as chairman of the Budget Committee, I regularly comment on Appropriations bills that are brought to the Senate for consideration and present the fiscal comparisons and budgetary data. Because of its importance, I will also follow that practice for the pending conference report.

The conference report to accompany the Emergency Supplemental Appropriations bill for fiscal year 2006, H.R. 4939, provides $94.430 billion in budget authority and $24.327 billion in outlays in fiscal year 2006 for contingency operations in Iraq, Afghanistan, and the global war on terrorism; relief from Hurricane Katrina; other emergency assistance; border security; and avian flu. Of these totals, there are no mandatory funds included. $143 million in outlays in the conference report are not designated emergency; these outlays will count against the discretionary allocation for regular appropriations for fiscal year 2006.

The budget authority in the conference report is within the level of the President's request of February 16, 2006, when adjusted for avian flu. It is also $14.468 billion less than the Senate-passed bill, which clearly demonstrates significant progress in conference with respect to conforming the measure to the initial request.

Mr. President, I ask unanimous consent that a table displaying the Budget Committee's estimate of the bill be inserted in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

[Fiscal year 2006, $ millions]

President's request: [1]	
Budget authority	92,221
Outlays	23,626
Conference report:	*General purpose*
Total spending:	
Budget authority	94.430
Outlays	24,327
Emergency:	
Budget authority	94.541
Outlays	24,184
Non-emergency:	
Budget authority	−111
Outlays	143
Remaining 302(a) allocation prior to enactment of supplemental:	
Budget authority	9.279
Outlays	4,365

[1] The President's 2007 budget request included $2.3 billion for avian flu; for comparison purposes the President's supplemental request adjusted for avian flu totals $94.521 billion in budget authority.

Note.—Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

Mr. GREGG. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota is recognized.

Mr. DORGAN. Mr President, the issues that have just been discussed by my colleague, and others as well, about fiscal discipline are very important issues. I would make the point that I don't think one can find fiscal discipline around here with a high-powered telescope. There is no fiscal discipline around here, unfortunately. In fact, the very bill we are debating at this point is appropriating something over $90 billion, none of it paid for—none of it.

Emergency funding for defense, emergency funding for Hurricane Katrina. We have done emergency funding for defense previously. We have done it again, we have done it again, we have done it again. We are now over the hundreds of billions of dollars, all in emergency funding, and we are pretending somehow we have some discipline. It is imperative for this Congress to begin thinking about what this means for our kids and grandkids.

The conference report before us is a conference report that falls short on this very specific area about which I am concerned. Let me mention another area first.

One of the things this bill does is fund a great deal of money for the Defense Department for money that has been consumed in Iraq and Afghanistan in prosecuting the war. It replenishes military accounts, and we are going to do that, we understand that. We have a responsibility. We cannot send American troops abroad and decide we are not going to fund that which they need to do their jobs. We understand that. It would be smarter if we paid for it all, by the way. It would make a great deal of sense if we decided to pay for this rather than charge it to the kids and grandkids. But here we are, once again.

One amendment that was stuck in the bill when it left the Senate was very simple. It was the determination of the Senate that we were not going to have permanent military bases in the country of Iraq, that we were not going to have permanent military basing in Iraq. The Senate agreed with that. My expectation is that we are in Iraq because we want to provide freedom for the Iraqi people, we want to deal with the insurgency, and at some point bring our troops home.

Saddam Hussein was found in a rat hole. He is now on trial. Perhaps he will be executed. The Iraqi people are rid of Saddam Hussein, who committed mayhem and murder on a grand scale. There are unbelievable numbers of skeletons of people who were murdered by Saddam Hussein who turned up in mass graves. So we are there. And we want the American troops to finish their mission and to be able to come home.

But the Senate had previously decided on this bill that we wanted not to have long-term military basing in Iraq. One of the reasons for that decision I think is the administration asked originally for $1.1 billion to build a U.S. embassy in Iraq, which would be the largest embassy in the world: 1,200 employees and $1.1 billion. So I regret that the provision dealing with a decision that we were not going to have a permanent military presence, military basing in Iraq was taken out in conference. That was a bipartisan decision by the Senate to put it in, and I regret it was taken out. Nonetheless, it was.

Let me describe just for a moment my concern about another significant part of this bill. I am happy to be supportive of the efforts to help the people in the gulf region who were devastated by the worst natural disaster to ever hit this country. When Hurricane Katrina hit, people were displaced and people were killed, and it was devastating to be there, and devastating to watch, for that matter. I think this Congress very quickly said to those people in the gulf region, You are not alone and we want to help you. I come willingly and in an interested way to be a part of the people who say we want to help you.

But this piece of legislation that is now before us with respect to family farming—and that is what I want to talk about specifically—says something very unusual and very unfair. It says those farmers in the Gulf of Mexico who lost their crops due to a hurricane called Katrina are going to get some help. They are going to get some disaster relief. All the other farmers across this country who lost their crops: Sorry, you are out of luck.

The U.S. Senate included a provision that I authored in the Appropriations Committee that provided $3.9 billion in disaster assistance for all farmers in this country who lost their crops due to a disaster. Let me just describe what happened around this country last year.

Last year around this country we had a whole series of things happen. We had serious drought, the third worst year for drought purposes in Illinois since 1895. We had the third driest year in well over a century. In Missouri, Iowa, Indiana, Arkansas: The worst drought since the 1980s. Oklahoma wildfires destroyed—burned—one out of every 100 acres. In North Dakota, this is an example of what the fields looked like. We had 1 million acres that could never be planted. It was never planted. One million acres was planted and washed away. We had farmers who had just dramatic amounts of rainfall. We had one farmer who received one-third of all of the yearly rainfall in one day; just washed everything away. This farmer lost everything.

Once again the U.S. Senate said: We are going to provide disaster help to farmers who lost their crops. It doesn't matter where they are. In the Gulf of Mexico? Yes. To a hurricane? Yes. But then when we got to conference, the President prevailed. The President said, I will veto this bill if it has disaster relief in it, and the Speaker of the House and the folks who march to that tune in the conference said: No, you can't have disaster relief; we will only allow disaster relief for gulf farmers who lost their crops.

So that is the way it came out of the conference. The folks who were burned out, the folks who dried out, the folks who were flooded, those farmers were left behind, once again. And it starts at the doorstep of the White House.

It was this President who came to North Dakota some long while ago and said to farmers: When you need me, I will be there. I will be there for you. Well, we needed him. He is the one who said, I will veto the legislation if you provide disaster relief for farmers. So he was successful. They stripped the Senate provision out of the bill. When it came out of the Senate, it was a bipartisan provision. It was supported by the chairman of the Senate Appropriations Committee. It was supported by the Senate conferees upon a motion of mine, once again, in the conference. I sat downstairs in this building at 1 o'clock in the morning. We fought for five hours to try to put this in conference, to keep the Senate provision in conference, and we lost.

Someone once said that common sense is genius dressed in work clothes. The question of common sense here is this: Why should we have a circumstance that we are going to legislate now with this conference report that says if you are a farmer in one part of the country and lost everything, you get a little help. If you are a farmer in the rest of the country, Sorry, Charlie, it is over; no help for you.

Rodney Nelson, who is a cowboy poet in North Dakota, wrote an op-ed piece once in the North Dakota papers, and he asked a question about farming. There aren't many people here who are farmers. We come wearing suits. We have nice, shined shoes. We do our work in white shirts. Nobody here is in farming. But the people out there living on the land, raising livestock, planting a seed, hoping they will grow a crop, hoping they will be able to harvest and go to the grain elevator, and perhaps make some money, and be able to carry over for spring planting the next year, those are America's heroes. Those family farmers struggle.

Rodney Nelson asked this question: What is it worth to a country to have a kid that knows how to plant a crop? What is it worth to a country to have a kid that knows how to fix machinery, how to hang a door, how to weld a seam, how to grease a combine, how to butcher a hog? What is it worth to a country to have a kid know how to feed a newborn calf out of a pail? What is it worth to a country to have kids that know all of these things? What is it worth to a country to have a kid know how to go out and work in bitter cold winters or hot summer sun? What is that worth to a country?

The only university that teaches all of those things is American family farming. It is out under the yard light on the family farm someplace. That is where they teach these courses. Carpentry, welding, mechanics, and horticulture, all of these things you learn on the family farms—agriculture, livestock.

Once again, the farmers who have had these fields and ended up having no crop, some of whom are now out of business, they will lose those farms because they can't go a year without income. The bank doesn't say, We are sorry about that. I will tell you what. We won't need our money from you. You just don't need to pay us.

Some of these farmers will have been gone by now. But we were trying to say to them, You are not alone. We know you got hit really hard with torrential rain in North Dakota and drought in Missouri and Illinois. That is what the Senate was saying. The Republicans and Democrats here said that. And then we got to conference and the President and the House conferees led by the Speaker said: No way; we don't intend to do that.

We are not asking for the moon. This was just a little bit spilling from the barrel. We have talked about all of this money, billions and tens of billions and now hundreds of billions of dollars, all of which have gone through an Appropriations Committee, none of which has been paid for to deal with wars and all of these issues. I understand why we have to do this. What I don't understand is why we are not willing to do what we should do as a Nation to farmers last year who got hit with natural disasters and who lost everything.

I don't come to the floor to say that the people in the gulf shouldn't be helped. Of course they should. I don't come to the floor to say farmers who lost their crops in the gulf shouldn't be helped. Of course they should. I am the first to support them. But I do come to the floor of the Senate to say it is fundamentally unfair to decide there are a couple of classes of farmers who lost everything, and the first is a class that lost it to a natural event, a weather event that has a named called a hurricane.

My colleague, Senator DURBIN, suggested maybe our problem was that—since we had a weather event in June of last year that provided one-third annual rainfall in 24 hours and washed every seed out of the ground—maybe our problem was we didn't name it. They name hurricanes. They didn't name that torrential rain. Maybe if they had named it, then we would have a circumstance where the President and others would say, Let's treat everybody the same. If you got hurt, if you lost everything, we are here to help. That should have been the refrain from this Congress and should have been the refrain from the White House. Regrettably, it wasn't.

So, after working for months, after beginning in the Senate Appropriations Committee on a bipartisan basis, with the chairman of the committee and others, Senator BURNS from Montana and many others, after doing that, after coming from the floor of the Senate and defending it, getting it through the Senate and going to conference, we got stiffed. When I say "we," I am talking about people who lost everything out there that fully expected this Congress to do the right thing.

Regrettably, this conference report, while it does the right thing in some areas, in my judgment shortchanges a lot of farm families who had high hopes that this Congress would do the right thing for them.

So we will live to fight another day for fairness, but this conference report with respect to the way it treats family farmers who suffered disasters last year certainly cannot be linked under the category of fairness, in my judgment.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CHAMBLISS). The Senator from Louisiana is recognized.

Mr. VITTER. Mr. President, I stand in strong support of this supplemental appropriations bill. There are many, many very important reasons to support it, and certainly one is because of the essential support it gives all of our Armed Forces around the world, particularly with regard to the crucial fight in Iraq. That is an essential reason to support it. Certainly the important money it puts toward border security, and we must do so much more with regard to border security.

I stand first and foremost and primarily with a focus on the crucial challenge of hurricane recovery all along the gulf coast, including in my home State of Louisiana. I strongly and proudly support this bill because it is an enormous help, an enormous commitment at the Federal level of keeping true to President Bush's Jackson Square pledge to make sure we have a full and robust recovery on the gulf coast.

This hurricane experience has been surreal for so many, literally millions who lived through it, including me. And it hasn't just been Hurricane Katrina which, of course, devastated southeast Louisiana as well as Mississippi and parts of Alabama. It has been Hurricane Rita, too, which damaged, devastated south Acadiana and southwest Louisiana just a few weeks after Hurricane Katrina.

It has been quite an experience in terms of introducing me to my work in the Senate. I will never forget so many of the experiences I lived through and saw firsthand, obviously Hurricane Katrina hitting on August 29 and seeing the aftermath of that, the unbelievable devastation, particularly because of the levee breaches in the New Orleans area. After living there on the ground, working on those issues day in and day out, I finally returned to the Senate on September 13 and stood here on the floor and tried to communicate exactly what I saw, but it was difficult because, again, so many of those images were just so surreal, so outside the realm of anything I had experienced before.

Then, just a few weeks later, September 24, it was almost unbelievable, but it happened. We were socked by a second devastating Hurricane Rita that went into the Texas-Louisiana border area, but really affected the entire Louisiana coast because it came in at an angle from the southeast to the northwest, in that direction, pushing flood waters all up and down, east and west of the Louisiana coast, but of course particularly devastating southwest Louisiana and south Acadiana.

I remember in that entire period thinking many times, and I will be happy to admit this, none too proudly, that this was heavy, heavy lifting in terms of my new job in the U.S. Senate. I remember on more than one occasion e-mailing my wife Wendy that this just seemed so tough a haul in terms of what we needed to do, including through Federal legislation, particularly as it was hitting when understandable concerns about spending at the Federal level were at an all-time high. I noted in several of those e-mails that it just seemed like a very, very tough haul.

After months and months of work and joining with so many others in the gulf coast and outside the gulf coast and all around the country, I am so delighted that we are really getting that job done in terms of this Federal support. What seemed like such an uphill battle so many months ago is finally coming together, in terms of very aggressive, very robust Federal help.

Let me make clear, that is not primarily because of my effort. That is not primarily because of the effort of the rest of the Louisiana delegation—which has been completely united and which has worked very hard, yes—but that is primarily because of the leadership of others and their efforts. So I primarily come to the floor today to say thank you to those leaders.

Of course, we have to start with President Bush, the President of the United States. On September 15 he stood in Jackson Square and addressed the Nation. I was there personally. I will never forget that moment. It was surreal, in some ways, because the entirety of the French Quarter was dark, uninhabited, but there we were in Jackson Square and the President was speaking to the Nation, making a firm commitment that New Orleans and Louisiana and the gulf coast wouldn't just come back but would be rebuilt smarter, better, stronger than ever.

This legislation keeps that pledge. It makes good on that promise, and it only is happening because of the President's strong leadership in this regard. So in all my thanks—and we have many people to thank—I want to start first and foremost with President Bush. He stated it unequivocally, boldly, strongly on September 15 in Jackson Square, and he has made good on that pledge and that promise. This legislation helps do exactly that.

I also want to specifically thank all my fellow Senators, particularly leaders in this regard such as Senator COCHRAN, the chairman of the Appropriations Committee. In the months following the tragedies of Hurricane Katrina and Hurricane Rita, some of the most important work I participated in was getting fellow Senators, fellow Members of Congress, down to the devastated regions, allowing them to see the scope of the devastation firsthand. So many came and so many responded in terms of really getting it, really understanding exactly the unprecedented scope of this devastation. So I thank all my colleagues who did that, all my colleagues who joined together in this enormously important boost for the gulf coast and for Louisiana.

Again, there are very many folks who worked hard on it, but none harder than the chairman of the Appropriations Committee, Senator COCHRAN, himself, of course, from a devastated State. So I deeply and sincerely thank all those fellow Members of the Senate.

What is it that we have accomplished? It really is a lot from the Federal level: passing the funding, the support, the help we need on the gulf coast for our full recovery. I am proud and happy to say in all of this the Senate has led the way through the leadership of Senator COCHRAN and others, in terms of passing the levels of support we need. The Senate led the way, the Senate bill led the way in the conference committee.

Several categories are enormously important. First, in this bill $4.2 billion for Louisiana of community development block grant funding. That is enormously important. It will complete a $12 billion package for Louisiana primarily dedicated to homeowners, many of whom lost everything, and to housing needs. That is crucial in terms of revitalizing and rebuilding our community for the better.

Another absolutely crucial issue as a threshold concept is rebuilding the levees far better than before to give everyone in the region peace of mind that we will have adequate protection in the future. Again, in this bill, $3.7 billion will go to the Corps of Engineers for their ongoing emergency levee repairs and reconstruction. Just as important is crucial authorization language that is necessary to allow them to get that work done immediately. Again, a crucial threshold issue. Nothing will happen in terms of a robust recovery in the New Orleans area without knowing that we will have the levees we need to give individuals, families, businesses real security in the future.

Other important categories—$500 million for agricultural relief, focused on the gulf coast region where the devastation from Hurricanes Katrina and Rita happened. Again, I acknowledge Chairman COCHRAN, who kept that package in the bill—slimmed down, yes, but vitally important nonetheless—and preserved it in the conference committee negotiations. That was enormously important.

Similarly, fisheries, $118 million for fisheries that were decimated all along the gulf coast, particularly in Louisiana and Mississippi, is another crucial component in the bill.

This is so important and is vital particularly when coupled with our earlier legislation, a big bill in December where we passed billions in December also in CDBG funds, in levee money, in health care—Medicare and Medicaid—in education, passing money that followed the evacuee child wherever that child went so we can pay for those extraordinary needs, and in higher education, in extraordinary help for local government where the tax base was decimated for the foreseeable future, jurisdictions such as Saint Bernard's, the sheriff's office, local government, the city of New Orleans, and others.

Also, crucial legislation in December on the tax side of the equation—GO Zone legislation—to provide powerful incentives for businesses, families, and individuals to come back and rebuild and bring the jobs with them to revitalize our economy because that is at the core of our recovery as well.

I say thank you to the President of the United States, to all of my Senate colleagues, to all who worked on this crucially important legislation. I say it with every piece of sincerity and heartfeltness in my body because this has just been a matter of survival, of life and death for all of us in Louisiana.

The most important way I can say thank you is in continuing to work with folks on the ground in Louisiana to assure all of you, to assure the President of the United States, to assure the American people, that this money gets spent right on the ground; that it is not just thrown at a problem but actually helps fund positive change and reform on the ground in Louisiana because that is exactly the leadership we need to move in the direction we need to take.

As we turn our attention to how that money is spent on the ground, I assure you I will be an active participant in that work, an active player in that debate. I will continue to use all of my leadership skills, everything I can muster, to make sure, again, that this enormous Federal support that everyone here—the President and others—has made possible goes to fund positive change and reform on the ground in Louisiana. We certainly need it in a whole host of categories: political reform, levee board reform, health care restructuring, educational improvement through charter schools, and the like, and on and on.

That is my pledge to my colleagues. That is, perhaps, the best way I can continue to say thank you for this vitally important help that will mean New Orleans, LA, including southwest Louisiana, decimated so hard by Rita, the entire gulf coast comes back—but also comes back better, stronger than ever.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I have come to the floor to try to bring a sense of urgency to the Senate about getting this conference report finally approved. The House has approved it. The conference report has been duly approved by a majority of the Appropriations Committee. The distinguished chairman of the Appropriations Committee, Senator THAD COCHRAN, is here now. I, as chairman of the Defense Subcommittee, want to point out that this supplemental was received by the Senate on February 17, and it is now June 13.

The Army has notified us of the need, and we have approved reprogramming of $1.4 billion to carry the Army through June. The difficulty is that we are now informed, despite the circumstances of the reprogramming, the Army, at the end of June, will have only $300 million left in its O&M account. The O&M account is the money to pay bills for any of the departments, and I think as we look at this, Members of the Senate should realize all over the country there are actions being taken now to the detriment of many of our bases, our ports, and various installations even here at home, here in the United States.

But the main thing is that the Chief of Staff of the Army, GEN Peter Schoomaker, has asked Chairman COCHRAN, on May 17, to do his best to accelerate the approval of this bill because almost half of the money that is in this supplemental appropriations bill is for the Army. I don't think there are many Senators who realize that every time there is a reprogramming it involves a real change in the overall structure of the Army. They must take money from various accounts and reprogram it into the operation and maintenance account in order to meet current bills—not only current bills here at home but in the war zone.

Very clearly, the impact of this is being felt, as I said, all over the country. For instance, I received notice from Fort Greely, in Alaska—that is the national missile defense base—that there have been a series of layoffs now at that small fort due to the program that the Army has had to undertake. I have before me the instructions that were given by GEN Dick Cody, the Vice Chief of Staff. He gave it to all general officers on May 26; that is, he has given instructions—really a command to the Army—to reduce spending while ensuring that life, health, and safety issues are covered. The priority is to continue critical support to ongoing operations and readiness activities for units and personnel identified—and that meant with regard to rotation concepts. But with the exception of those concepts, General Cody has commanded that the bases—and this was beginning May 26—not order noncritical spare parts or supplies.

He advised the Army Materiel Command to reduce the purchases and to postpone and cancel all nonessential travel and training conferences and to stop the shipments of goods unless necessary to support deployed forces and units with identified deployment dates.

What I am trying to tell the Senate is that right now, beginning on June 15, here are the orders starting 2 days from now: Release all temporary civilian employees funded with O&M accounts or performing O&M fund work. That includes depot operations. Freeze all contract awards and new task orders on existing contracts. Process solicitation of new contracts only up to the point of award. Suspend the use of all Government purchase cards. And if this bill is not approved by June 26, beginning June 26 release service-contracted employees to include recruiters, if doing so will not carry penalties and termination costs.

General Cody has advised there may be other painful actions necessary if they don't get these funds.

I think this is a critical situation right now. The impact of not getting these funds now really causes duplicate actions. They not only have to seek reprogramming for transfer of the funds from other accounts to O&M, but then when they get these funds they will have to have authority to reprogram the funds from this account back into the accounts from which they are taken. This really causes enormous manpower problems in the Department of the Army handling situations like this.

I have come to plead with the Senate, let's settle the disputes on this bill. The bill is final now, in terms of the conference report. It is not subject to amendment. I can tell every Member of the Senate, the longer this bill is delayed the more people are going to be laid off in every State of the Union. It doesn't make any sense at all to delay getting this bill to the President. It is ready, it is overdue, and it is time we realized there are substantial costs to the military, when we know they have a crisis that requires supplemental appropriations, not to get the bill approved and to the President as soon as possible.

I plead with the leadership, I plead with both sides, let's approve this conference report and get it to the President tomorrow. In doing so, it will prevent that list of items I just mentioned that will occur starting June 15 because I am assured the President will sign the bill as quickly as possible after Congress has approved it and the Senate will take final action on this bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from Alaska for his comments. He is insightful. He is experienced. He understands the implications that would flow from the failure of the Senate to act promptly in approving this conference report. He is chairman of the Defense appropriations subcommittee. He has previously served as chairman of the full committee. He has had a wide range of experience in the military service himself during World War II. I think we should listen to him and we should act in accordance with his suggestions and recommendations. I hope the Senate will not prolong this debate unnecessarily.

Everybody has a right to be heard. Everybody has a right to express their views. But the opportunity is now. Let's finish talking about this bill this evening and let's vote on it the first thing in the morning—whenever it is the pleasure of the leader for us to do so. I commend him and thank him for his strong leadership.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I rise today to state that I will vote for the emergency supplemental conference report that is before us, and I will do so without hesitation. I expect that most of my colleagues will also join in that vote. We will vote in that way because we know our brave men and women in uniform are currently in harm's way. They are in harm's way, and they need the resources this bill provides for them to move forward.

I also strongly support the hurricane relief and the reconstruction element of this conference report. Those funds are very much needed to address the urgent issues we are facing in the gulf coast and the reconstruction of that area from the disaster which was caused by Hurricane Katrina.

I appreciate the leadership of Chairman COCHRAN and the rest of the delegation from the Gulf Coast States that has brought this matter to the urgent attention of the American Nation. But I also rise to express my disappointment in what is not in this conference report and to help give voice with my colleagues to the millions of farmers, ranchers, and rural communities where needs have not been met in this report.

I am disappointed with the prevailing attitude in our Nation's Capital for the men and women who produce an abundant supply of the safest and highest quality food in the world. This bill is literally leaving them out to dry.

Last year, a bipartisan group of Senators recognized the dire situation that was facing our Nation's farmers and ranchers. We introduced the Emergency Agricultural Disaster Assistance Act of 2006. That bill would provide $3.9 billion in emergency disaster assistance for farmers and ranchers who suffered losses due to natural disasters. This was an excellent piece of legislation which could have only been written by a consensus, hard work, and a bipartisan approach. We are all extremely proud that the Senate included both provisions in the emergency supplemental but in part because it included this assistance for farmers and ranchers. And there was a Presidential veto that came on the bill we passed out of the Senate. Because these provisions were stripped from the supplemental bill, our rural communities will suffer an unnecessary wrong.

I stand with the farmers and ranchers of rural America today because I recognize that this problem we face today in rural America will not go away. It will not simply disappear when the Senate stands adjourned until the final vote on this emergency supplemental.

As I travel across Colorado, I hear from farmers and ranchers who have been consistently hit by disaster emergency after disaster emergency. With the rising cost of fuel and other interest costs, this problem can and will only get worse.

The 2005 winter wheat crop in Colorado was the fifth below-average crop in 6 years, with potential losses for producers of $50 million in my State alone in 2005. Corn producers are reporting that their crops will be 20 percent below average. Sugar beet growers in my State of Colorado will see a decline of almost 50 percent. Farm fuel has increased 79 percent from where it was in September of 2004. It cost $2.60 a gallon in September 2005. It was $1.40 in December 2004, and we expect it will probably be higher this September of 2006. One of my constituents, a farmer in Kit Carson County, a very rural and very remote place in the eastern plains of Colorado, estimated that he will need an additional $46,000 to cover the increased cost of fuel alone this year.

I have often heard here on this Senate floor that rural America is "the forgotten America." I very much agree with that characterization of rural America. The conference committee, faced with the looming threat of a Presidential veto and pushed by House leadership which is out of touch with rural constituencies, abandoned this opportunity for a renewed commitment to rural America.

I will join with my colleagues, both Democrats and Republicans, in making sure we do not abandon rural America. I will continue to stand with the hard-working folks of rural America and with my colleagues who understand the hardships that are faced in more than 50 percent of the counties of our great State.

The drought in my State of Colorado has not miraculously ended in 2006. It continues. Flooding and other natural disasters are still affecting producers across the country. Therefore, my colleagues and I will be back, and again we will push for agricultural disaster assistance to ensure that our farmers and ranchers in rural communities have a real voice here in Washington, DC.

I am also deeply disappointed that a small but very important amendment I authored—an amendment that was accepted by the Senate—was stripped in conference. That provision would have increased the funds available to deal with the wildfire season which is upon us right now and particularly to address the hazards presented by the massive infestation of beetles that has turned vast swaths of our forests into swaths of dry fuel for wildfires.

There was never any doubt in my mind or in the minds of the people of the West that this was, in fact, an emergency situation we face. There was never any doubt that these resources were needed—and they are needed at this time.

Try to imagine how painful it is for communities to brace themselves for the worst when they have approved mitigation plans that are simply sitting on the shelf just waiting for resources so they can be implemented and wood fuel can be safely removed. We had an opportunity to help ease this pain and to do it in this supplemental. Now that opportunity has passed us by.

I was heartened when my Senate colleagues joined in support of the amendment, just as I am so disappointed that it is not finally included in the conference report before us. When across our State the fires start burning during this summer, I will again remind my colleagues that we had a chance to avert this disaster and to address this emergency we know exists, and again we were not able to do so. But on this point, too, I will not give up. I do not believe our Senate should give up. We should keep fighting to address the urgent threat and the underlying causes of the tremendously dangerous wildfire situation in which Colorado communities and communities across America find themselves. That truly is a disaster emergency we face.

Finally, I regret that almost $650 million in funding for important port security programs included in the Senate-passed version was left out of this conference report. Those funds would have been used to pay for new imaging machines to allow inspectors to look inside cargo containers as they arrive in American ports, to add Customs inspectors at dozens of foreign ports, and to place more U.S. Coast Guard inspectors at foreign and domestic ports. These should be high priorities, especially given the bipartisan concern about foreign ownership of U.S. ports and the fact that port inspectors currently check less than 5 percent—that is less than 5 percent—of the more than 11 million containers that enter American ports every year. As a cosponsor of the Greenlane Maritime Cargo Act, a bipartisan bill to shore up our port security system, I regret the action that has been produced by this conference report, stripping it of the $650 million we included in the bill for port security.

In conclusion, I will vote for the emergency supplemental because it is before the Senate and we must make sure we are reconstructing the gulf coast and supporting our men and women in uniform. However, the supplemental emergency conference report is flawed because it does not do what it should be doing for farmers and ranchers who have been dealing with disaster emergencies, and it does not take care of the looming fire emergency we will face across America over the summer months.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, we are happy to have an indication of support for the conference report from the distinguished Senator from Colorado.

I, too, join him in regretting we could not do more for the agricultural producers who sustained setbacks all around the country because of unfortunate weather conditions and other problems earlier this year.

We had, as the Senate remembers, an amendment in the markup of this bill in this Senate Committee on Appropriations adding about $4 billion for a wide range of needs in the agricultural sector. I regret, too, we were not able to sustain that provision in negotiations with the House counterparts on the Committee on Appropriations.

We did have difficulty in expanding the provisions beyond the narrow request the President made for funding for the Departments of Defense and State to continue to wage a successful war against terror and to provide needed assistance in the gulf region for further recovery efforts and rebuilding efforts as a result of Hurricane Katrina. Those were the limitations.

The President had threatened to veto the bill if it contained any more than had been requested by the administration for urgent supplemental funding. We were over the barrel, as they say. In negotiations with the House, this is the best we could do.

The conference agreement is the result of a lot of hard work and compromise, as well, between the House and the Senate. The bill provides critically needed funding to our troops and helps continue the recovery as a result of the damages sustained in Hurricane Katrina. The funding level meets the requests of the administration. We will look at the other needs in agriculture and other areas in the regular fiscal year 2007 funding cycle.

We are having hearings now throughout our Committee on Appropriations and the subcommittees that have jurisdiction over these different areas of responsibilities. I am assured we are going to do our best to continue to meet the needs of production agriculture around the country. It is a vital industry. It is the most important industry in my State, surely. More people are involved in agriculture and in processing agricultural commodities than any other economic activity.

I share the Senator's concerns and assure him we will work to identify the needs in his State and around the country as we go through the appropriations process during this next fiscal year. I thank the Senator for his comments.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THUNE). Without objection, it is so ordered.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate resume consideration of the pending conference report on Wednesday immediately following morning business. I further ask consent that there be 25 minutes of debate controlled by the chairman and 75 minutes controlled by the ranking member. I further ask consent that following the use or yielding back of time, the conference report be set aside, and further that at 10 o'clock a.m. on Thursday, June 15, the Senate proceed to a vote on the adoption of the conference report to accompany H.R. 4939, the emergency supplemental appropriations bill, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

MORNING BUSINESS

Mr. COCHRAN. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO SENATOR ROBERT BYRD

Mr. REED. Mr. President, on Monday, Senator ROBERT BYRD of West Virginia reached an extraordinary milestone: 17,327 days in the United States Senate, almost 48 years. He has cast over 17,000 rollcall votes. His congressional career has spanned the tenure of 10 Presidents, beginning with President Dwight David Eisenhower. In West Virginia, he has run 14 times and never lost.

He has served for over 60 years in both the House and the Senate and other public service. This year he is running for his unprecedented ninth term as a United States Senator from West Virginia. Suffice it to say, he is the longest serving Senator in the history of West Virginia, as he is in the history of the United States. He is the only person in West Virginia to carry every county in the State, all 55. He has run unopposed for the Senate because of the regard, the respect, and, indeed, the affection of the people of West Virginia.

He is 88 years old. He is not slowing down, he has never slowed down, and he will keep it up. As a Member of the Senate, he has been a leader—Democratic whip, majority and minority leader, chairman of the Appropriations Committee, and President pro tempore of the Senate on two occasions.

In everything he has done, he has been a champion of the Constitution and the people of West Virginia. He secured billions of dollars in funding for his home State, and he has been a leader on mine safety and other issues that are so closely tied to his constituents.

In May 2001, Senator BYRD was given the award that everyone recognizes is his due. Gov. Bob Wise and both houses of the West Virginia General Assembly named him "West Virginian of the 20th Century," and he is striving now for the 21st century.

He is an individual who is a self-made man, starting off in war industries in a shipyard, and earning his law degree cum laude from American University while a Member of the United States Congress. He is also someone who recognizes the need for education of others. He created the Robert C. Byrd National Honors Scholarship. This scholarship provides opportunities for young Americans to pursue education as he has pursued his education.

He is a historian—a historian of this Senate and the Roman Senate. In fact, his 3,000-page "History of the United States Senate" is the premier history of this August body. He is a defender, a supporter, and, in some cases, the living embodiment of the United States Constitution. He carries it with him everywhere and every time. He is someone who not only talks about the Constitution, but on the floor of this Senate and in this country defends it each day.

He is an individual of great prominence. He is an individual of great humanity.

There is only one fact, I think, that is dimming this very special occasion for the Senator, and that is, it is not being shared by his beloved wife Erma Ora Byrd. But she is looking on this day with the same satisfaction, the same sense of accomplishment.

It is only fitting to close with a quote from Senator BYRD because I can in no way match his oratorical skills. In September 1998, he addressed the history of the Senate and he said:

> Clio being my favorite muse, let me begin this evening with a look backward over the well-traveled roads of history. History always turns our faces backward, and this is as it should be, so that we might be better informed and prepare to exercise wisdom in dealing with future events.

His grasp of the past has given him a wise and insightful view of the future. He has always encouraged us to learn our history and then practice our history to shape the future of this country in this Hall of the Senate.

He has stood tall on so many occasions, but most notably I think was in October 2002. With an iron will and articulate voice, he questioned the policy of this Government as we entered this fight in Iraq.

History, I think, will record his wisdom, his decency, and his contribution to the country. Although I am a day late, I hope I am not a dollar short.

Congratulations to Senator BYRD on his model accomplishment.

Mr. NELSON of Florida. Mr. President, I join our colleagues in the accolades and commendation for our colleague, the senior Senator from West Virginia. I believe there is no other Senator who commands the respect and the admiration and the love of fellow Senators as does Senator BYRD.

My first encounter with Senator BYRD, I will never forget. Right over there at that desk, 5½ years ago, I rose to make my maiden speech in the Senate. In the course of that speech to a fairly empty Chamber of the Senate, I happened to mention that it was my maiden speech. In a few moments, suddenly the doors of the Senate flung open and in strode Senator BYRD. He sat down at his desk and listened very politely and patiently as I continued my first oration in this tremendous, most deliberative body. As I finished, Senator BYRD stood and said, "Would the Senator from Florida yield?" I said, of course, "I yield to the distinguished Senator from West Virginia." He proceeded to give a history of the Senate about maiden speeches. He told how, in the old days, when word would get out that a new Senator was going to give his first speech, all of the other Senators would gather around because they wanted to hear what the new Senator was saying. Of course, you can imagine what an impression this made on this new Senator 5½ years ago by not only the conscience of the Senate but the historian of the Senate, the keeper of the rules of the Senate, the distinguished Senator from West Virginia. And, of course, he passed a milestone yesterday. All of us are proud for him, and we are exceptionally proud for this institution, that it would have a Senator such as the distinguished senior Senator from West Virginia.

I want the Senate to know that this Senator is very privileged that he has had the opportunity not only to call him a friend and colleague but that this Senator has had the opportunity to sit at his knee and try to soak up the wisdom of the years, the exceptional historical knowledge of this institution and the extraordinary knowledge of history of planet Earth that the Senator brings to this Chamber.

Mr. LAUTENBERG. Mr. President, I rise to talk about a significant event that took place yesterday in the U.S. Senate, and that is the fact that we have now a new longest serving U.S. Senator in the history of our country. Senator BYRD nears the end of his eighth term here in the Senate but holding more than just another significant record. His contribution to our country has been almost beyond compare. He already holds Senate records for the most leadership positions held and for the most rollcall votes cast, over 17,600 and still counting.

Starting in 1946, Senator BYRD has run in 14 elections for the West Virginia House of Delegates, the State Senate, the U.S. House of Representatives, and the U.S. Senate. He inspires the envy of all of us because he has won all of these races, and I have no doubt that voters in West Virginia will reelect him to a ninth Senate term this fall. That is going to enable him in December of 2009 to pass the record that Carl Hayden has as the longest serving Member of Congress in United States history. But BOB BYRD is not here merely to set and break records. He is here to serve the people of West Virginia and all Americans, and he has done so admirably.

Senator BYRD is a testament to the values of hard work and perseverance. Almost from the start, he has had a hard life, but he has triumphed. His mother died from the 1918 flu pandemic, when Senator BYRD was just an infant. His aunt and uncle raised him in the hardscrabble coalfields of West Virginia during the Great Depression. He was the valedictorian of his high school class, but he couldn't afford to go to college. After high school, Senator BYRD went to work. He pumped gas, sold produce, became a meat cutter and welder. During World War II, he helped to build Liberty and Victory ships in the Baltimore and Tampa shipyards.

Following the war, he began his career as an elected official, winning a seat in the House of Delegates in West Virginia. In 1952, he was elected to the first of three terms in the U.S. House of Representatives. In 1958, he was elected to the U.S. Senate. In his races since then, he has carried all 55 of West Virginia's counties. In the year 2000, he won all but seven of West Virginia's 1,970 precincts. What a record. It is hard to find one that compares in any way to the allegiance that he has had from the constituents in West Virginia who not only send him back here but love him as their representative at the same time.

It just wasn't winning elections. Senator BYRD could have rested on his laurels, but that is not his style. His life and career have been a relentless pursuit of self-improvement. In 1963, after 10 years of taking classes at night, Senator BYRD earned his law degree cum laude from American University. He didn't have to do that because he wasn't going to become a lawyer, but he thought it would make him a better person and a better Senator.

Senator BYRD is a great example to all of us, but he is especially interesting for America's young people for three reasons. First, he is truly a self-made man. Nothing has been handed to him. He has earned it all. He knows what it is like to be poor, and he knows what it is like to do hard manual labor. That is why he has always been the working man's champion.

Second, he is always striving to learn more and do more. No other Senator can match his extensive knowledge on so many subjects or can recite so many passages from the Bible or from Roman history or from Shakespeare and other playwrights and poets. Senator BYRD isn't content merely to memorize what others have written. He literally wrote the book on the history of the U.S. Senate. No one can match his knowledge of Senate rules, precedents, and parliamentary procedure.

Finally, Senator BYRD is a shining example to all of us because of his steadfast commitment to principle, especially with regard to the role of a U.S. Senator. He has never wavered in his defense of our institution. All Americans are deeply indebted to him for that dedication and loyalty. At a time when the current administration is intent on usurping powers that the Founding Fathers reserved for Congress, we need Senator BYRD more than ever, his reminders to all of us about what is appropriate in terms of obeying the rules and the procedures we have adopted, but more importantly, the honor that this institution has developed over more than 200 years.

Senator BYRD has demonstrated that fearlessly standing on principle, even when it is unpopular, is the key to a successful political career and in life generally. His concern for his State and his constituents, and his ability to deliver for them, are legendary. But above all, Senator BYRD has stood up for the Constitution. He is what we refer to as a Senator's Senator. We are truly fortunate to have him here, and we are truly privileged to serve with him. He is also a wonderful colleague. He never forgets a birthday or other important occasion, never fails to remind us of the beauty of the seasons.

Yesterday his service here in the Senate reached 17,327 days, a record for which he can be appropriately proud. I know that day was bittersweet because it also marked the birthday of his beloved wife, Erma Ora James, his high school sweetheart, and a coal miner's daughter. We were all so sad when Erma passed away this past March, just 2 months shy of their 69th wedding anniversary. Their love for each other, their respect for each other, was an inspiration to every one of us.

Senator BYRD's record-setting day yesterday was tinged with some sorrow and reflection, but I hope he can take comfort in knowing that so many people here in the Senate and all across America hold him in such high regard.

I would like to borrow a page from Senator BYRD by quoting Shakespeare, who in "Twelfth Night" wrote:

> Some are born great, some achieve greatness, and some have greatness thrust upon them.

Senator BYRD has achieved greatness in the U.S. Senate. He achieved it through his tireless service to the people of West Virginia and his fearless defense of the Constitution of the United States of America. The Senate and the Nation are far better for his efforts. We wish him well, a continued ability to serve, and look forward to hearing from him when he talks about subjects that are so familiar to him and yet are so far removed from the typical daily thought that we run into.

Senator BYRD, when I first came here, invited me into his office. He delivered a treatise on the former rulers of Great Britain, the Kings of England. From memory, he recalled the length of their term, how they died, who succeeded each and every one of them. I sat there feeling like I was back in the university or even earlier than that, because he had this incredible and has this incredible memory of so many things, and he can relate them wonderfully.

I come out of the computer business. Until I got here and got to know BOB BYRD, I didn't realize that there is someone who has the knowledge, the database, the information that is very difficult to find in other than very large capacity computers.

Mrs. MURRAY. Mr. President, I do want to talk for a minute about Senator BYRD and recognize he has set a record in the Senate, as many of my colleagues have noted on the floor.

He marked his 17,327th day in office yesterday and became the longest serving Senator in history. That is truly a remarkable accomplishment, and I personally have many fond memories of working with Senator BYRD and look forward to many more.

I remember well when I came here as a freshman Senator 13½ years ago. Senator BYRD at the time brought in all of us freshmen Senators to sit across from him in his very important office and looked down at us and told us that we would be presiding, as is the Presiding Officer today, and told us about our responsibilities and made it very clear he would be watching from his office, and if we were reading any other material or talking to anyone it would be noted.

I certainly did remember that during the many hours I spent in the Presiding Officer's chair because I knew he was watching. But I think it was a simple reminder to all of us as to the importance of the office we hold here and the respect we have to have for our colleagues.

I remember as well that he invited me to lunch several months later with the Senator from Oregon, Mr. Hatfield, a Republican, to sit down and talk with me about the responsibilities I had as a Senator. And I was so impressed sitting in the room with Senator BYRD and Senator Hatfield, never in my life expecting to have that kind of opportunity. And at that meeting they impressed upon me the importance of working across the aisle and respect for the minority and how important everybody's voice is here. It was an important lesson and one I think we all should be reminded of more often.

But just that simple act of inviting me to lunch with two incredible leaders in the Senate is a memory I hold dear, and I thank my colleague for doing that.

But, frankly, I think what I most will remember Senator BYRD for—and is a good reminder to all of us, too—is several years ago when my husband came out here to Washington, DC—he lives in Washington State. I go home every weekend. But he came out here because it was our wedding anniversary, and instead of me having to fly home, he flew out here. He was coming up the steps of the Capitol, and I met him as Senator BYRD was walking out to his car.

Senator BYRD saw my husband, and he said: Welcome. Nice to have you here at this end of the country. What brings you here?

And my husband said: Well, it is our wedding anniversary.

And Senator BYRD, who, as we well know, lost his beloved wife just a few short weeks ago, was about to celebrate I think it was his 67th wedding anniversary. He looked at my husband and said: Which anniversary is this?

And my husband said: It is our 32nd.

Senator BYRD paused and said: Well, it is a good start.

I think the message of that is important for all of us in our everyday lives, in our responsibilities as spouses, and as Senators, to remember it is a good start every day, and you can't rest on your laurels and think back: Well, we have done this for 32 years. The next 32 will be easy. Every day you have to come out and work hard at whatever role you are in at the time.

I certainly say to my good friend, Senator BYRD, how much I respect him and admire him. And today, as he marks his 17,328th day in office, I say to him: It is a good start.

Mr. KOHL. Mr. President, I rise to pay tribute to Senator BYRD, a man I am honored to call colleague and friend.

Senator BYRD is a hero and a patriot—as noble and eloquent as the great Senators—from Cicero to Richard B. Russell—of whom he has taught us all so much. He is a living example of the great opportunity in America. He is a living tribute to the preeminence of our constitutional democracy.

Senator BYRD lives to serve the people of West Virginia who sent him here, just as he would die to protect the Constitution that guides his every step. It is his duty and joy to use his prodigious legislative skill for West Virginia, and it is West Virginians' great fortune to be represented by a man who knows and does his job so well.

Several years ago, Senator BYRD turned one of my worst days in the Senate into one of my best. It was the end of session, late in the evening, and I had lost a fierce battle over dairy policy. Most Senators were wandering out to make their planes, and Senator BYRD stood up. In ringing tones, he made a short speech about the battle I just lost. In part, he said: "He has stood up for the people of Wisconsin. That is what I like about him. He stands for principle. He stands for his people."

No kinder words have been spoken about me in this Chamber—no accolade of which I am more proud. Senator BYRD, you too stand for principle. You stand for your people. And that's what I like about you.

I am not an orator like Senator BYRD, and I certainly don't have the words to say what his friendship has meant to me and what his stewardship has meant to this country. Let me instead borrow the words of Henry Wadsworth Longfellow, a poet Senator BYRD quotes often here on the floor and often from memory. I'm sure he knows this one, too:

Lives of great men all remind us
We can make our lives sublime,
And, departing, leave behind us
Footprints on the sands of time

Senator BYRD is a great man. His dedication to duty, his love of country, and his devotion to his family are examples to us all. He leaves footprints in the very soil of this Nation that have and will continue to shape—for the better—who we are. I am grateful for his friendship and honored to serve with him.

Mrs. BOXER. Mr. President, I rise to add my voice to the chorus of praise for an extraordinary member of this institution—my dear friend from West Virginia, Senator ROBERT BYRD.

What a pleasure it has been to serve with Senator BYRD.

I am constantly inspired by his grace—his brilliance—and his unmatched work ethic.

Today we honor Senator BYRD for reaching the milestone of longest-serving Senator in history—8 terms—48 years—and 17,666 votes.

These are stunning numbers, but this legend is much more than the Cal Ripken, Jr., of the Senate.

Longevity is only part of the story. We know him best for his intellect, his devotion to the people of West Virginia, and his reverence for the institution of the Senate; for keeping a copy of the Constitution in his breast pocket—next to his heart—at all times, not for symbolism but for constant counsel, for having served beside 11 Presidents—both Democrat and Republican; for standing with them when their cause is just—yet never backing down from a fight with any President when he believes important principles are at stake, particularly when our role as a coequal branch of government is threatened.

And that is what I admire most about Senator BYRD: He always stands on principle and fights for what he believes, no matter what the odds.

What an inspiration this has been to me and to so many of us.

What an inspiration—his love of this country, his integrity, his absolute dedication to honest and principled government.

And what an inspiration—his 68-year partnership with his wife Erma—whom I know he misses dearly—and whom I know is looking down on him today with tremendous pride and love.

And it is for these reasons—far more than for his longevity—that we honor him today.

But anyone who knows Senator BYRD realizes that these words of praise are not sought because, despite his well-earned title of Senate Historian—Senator BYRD is not one to dwell on the past. He is a forward thinker.

For him, this special day is really just another day at the office.

Because as ROBERT BYRD knows best of all—there are crucial issues to debate. Problems to solve. And many more votes to be cast.

Mr. OBAMA. Mr. President, I rise today to honor my friend and colleague ROBERT BYRD, who yesterday officially became the longest serving Member in the history of the Senate.

As of June 12, 2006, Senator BYRD had officially served West Virginia in the Senate for 17,327 days. That is an astounding 47½ years since he took office on January 3, 1959. It was a time when a postage stamp cost $0.04, gasoline was $0.25 per gallon, and you could buy a brand new Ford car for a little over $2,100.

Senator BYRD has served through 10 Presidencies, statehood for Alaska and Hawaii, wartime and peacetime, surplus and deficit, the dawn of space travel and the advent of the Information Age. And, as I stand here today, I have to chuckle at the fact that when I was just beginning the first grade, Senator BYRD was already serving his second term in the Senate.

However, the indelible mark he has left on this institution has more to do with the quality of his service than the length of his service. Senator BYRD has a deep love for his beloved home state of West Virginia, for the institution of the U.S. Senate, and for our country. Always ready with a copy of the Constitution in his pocket, Senator BYRD understands just how sacred this document truly is, and he fights every day to protect it.

He literally wrote the book on the rules and traditions of the Senate, and he teaches by example, offering the kind of eloquent, principled debate that has historically filled this Chamber. His speeches are honest and heartfelt, with a Shakespearean rhythm, peppered with stories from his boyhood in the coalfields of Appalachia. He is never shy about scolding colleagues when they put politics before principles or when they violate the practices of this great institution.

And yet he also exemplifies the cordial tradition of the Senate, disagreeing without being disagreeable, and always willing to offer a handshake to a political opponent at the end of hard-fought debate. He is a man of integrity, who has demonstrated that an honest search for truth can lead to a principled change of heart and a desire to seek justice for all.

I know this remarkable accomplishment is a bittersweet one, since Senator BYRD is not able to share it with his beloved wife Erma, who passed away in March. Yesterday, the day on which Senator BYRD set this record, was also Erma's birthday. It is fitting that he marks this milestone on the same day he celebrates Erma's life, because he has often credited Erma's unconditional love and support with sustaining him through his years of service.

When asked last week about achieving this milestone, Senator BYRD replied that "records are fine, but what's important is what I do for the people of West Virginia." That humble devotion to the people he serves is what brought ROBERT BYRD to the Senate more than 47 years ago, and it is what continues to drive him each and every day.

After I was sworn in last January, one of the first Senators I met with was Senator BYRD. We sat down in his hideaway on the first floor of the Capitol. After we posed for a few photographs, I inquired after his wife, who I had heard had taken a turn for the worse, and asked about some of the figures in the many photos that lined the walls. Eventually I asked him what advice he would give me as a new member of the Senate.

"Learn the rules," Senator BYRD said. "Not just the rules but the precedents as well." He pointed to a series of thick binders behind him, each one affixed with a hand-written label. "Not many people bother to learn them these days. Everything is so rushed, so many demands on a Senator's time. But these rules unlock the power of the Senate. They're the keys to the kingdom."

We spoke about the Senate's past, the Presidents he had known, the bills he had managed. He told me too many Senators today became quickly fixated on reaching the White House, not understanding that in the constitutional design it was the Senate that was supreme, the heart and soul of the Republic.

"So few people read the Constitution today," Senator BYRD said, pulling out a pocket copy from his breast pocket. "I've always said this document and the Holy Bible, they've been all the guidance I need."

On many occasions over the past year and a half, I have remembered these wise words as I have performed my duties in the Senate.

I am proud to call ROBERT BYRD a colleague, a friend, and a mentor. I congratulate him on this remarkable achievement and wish him all the best for many more years of service to our country.

Mr. LIEBERMAN. Mr. President, I rise to pay tribute to my friend and colleague, Senator ROBERT C. BYRD, who today, on his 17,327th day in office, becomes longest serving Member of the Senate.

As I thought about Senator BYRD's remarkable career, I wondered: What can I say that would properly honor his long labors in service to this Senate and this Nation?

I decided to look back in history, the history that Senator BYRD has quoted time and again, and seek the advice of other Senators known for their oratory. And while many great speakers have blessed the United States Senate over its history, including Senator BYRD, I found wisdom in the advice of the great Roman Senator and orator, Cato the Elder.

He said: "Rem tene; verba sequentur." (rem TEN-ay WHEREba seKENtoor)—"Grasp the subject, the words will follow."

So I sat back and thought about Senator BYRD, both over his long career that I have read about, and the 18 years I have been privileged to work with him as a colleague.

A lot of thoughts came to mind.

Warm. Courteous. Kind.

Hardworking. Humble. Humorous.

Both well read and an accomplished author well worth reading.

But none of these were quite right. I still hadn't grasped the subject.

Then an image hit me, the image of Senator BYRD reaching into his coat pocket for that copy of the Constitution he always keeps by his heart.

That was it. I knew I had grasped my subject.

Time after time, Senator BYRD has taken this floor to remind us we have duties beyond our parties, beyond our passions, beyond our personal philosophies.

Our overwhelming duty is to our Nation's Constitution and the unique responsibilities it assigns each House of the legislative branch.

In particular, Senator BYRD constantly reminds us that our duty as Senators is to be the more deliberative of the two legislative bodies as the Framers envisioned this Chamber to be. Federalist No. 62 says the Senate should be a body that does not "yield to the impulse of sudden and violent passions" or be "seduced into pernicious resolutions."

So I thought about the history of this Senate. And I would like to reflect on the very first Senator, William Maclay of Pennsylvania, because his spirit is alive today in Senator BYRD. Senator Maclay became known among his colleagues as a stickler for following the Constitution, which sometimes put him at odds with those same colleagues. He also kept a meticulous diary of the proceedings of that first Senate.

One of the earliest debates in the first Senate was over what to call George Washington. It is hard to imagine now, but there were many back then who thought that "President of the United States" was not a fitting title, that something grander was needed.

A Title Committee was appointed in the Senate to consider titles such as, Your Elective Highness, and His Highness, the President of the United States and Protector of the Rights of the Same.

And those were some of the more modest proposals. The Senate also thought about giving special, nobility-style titles to members of the executive branch.

Senator Maclay found this absurd and in violation of the Constitution. He waited for someone else to speak out. But when no one else did, the very first Senator of the very first Senate rose and said:

"Mr. President, the Constitution of the United States has designated our chief magistrate by the appellation of President of the United States of America. This is his title of office. We cannot alter, add to, or diminish it without infringing on the Constitution. As to grades of order or nobility, nothing of the kind can be established by Congress."

In his diary, Maclay was even more biting about attempts to establish lofty titles because he thought they violated both the letter and the spirit of the Constitution.

He wrote:

"Never will I consent to straining the Constitution, nor will I consent to the exercise of doubtful power. We come here the servants, not the lords, of our constituents."

Now does that sound like anybody we know?

Looking toward the future, Senator Maclay went on to write:

"The new government, instead of being a powerful machine whose authority would support any measure, needs help . . . and must be supported by the ablest names and most shining characters which we can select."

I believe everyone here agrees that Senator BYRD embodies the "shining character" and dedication to the Constitution that the first Senator of the first Senate thought would be crucial to the new Nation's success.

I also believe Senator BYRD has done so by following the advice of that ancient Roman Senator who he has quoted so often, Cato the Elder. Senator BYRD has truly grasped his subject—the Constitution—and the words have followed for nearly half a century.

I hope his words will continue to enlighten this Senate and this Nation for years to come.

Senator BYRD, thank you.

Mr. BAUCUS. Mr. President, the Book of Proverbs says: "The silver-haired head is a crown of glory."

Today, the crown of glory rests upon the silver-haired head of our dear friend and colleague, ROBERT C. BYRD. For yesterday, he became the longest-serving Senator in the history of the Senate.

Senator BYRD has served in the Senate since January 3, 1959. That is longer than there have been 50 States in the Union. That was before Charles de Gaulle was President of France. That was before NASA had astronauts.

Senator BYRD has served as Senator during the terms of 10 Presidents, 9 majority leaders, and 8 Speakers of the House of Representatives.

For 12 years, Senator BYRD served as the leader of Senate Democrats. He served as majority leader, minority leader, and then majority leader again.

Senator BYRD has served as the Senate's historian, elder statesman, and conscience.

Senator BYRD has zealously defended the power of the purse. Senator BYRD has zealously defended the Senate. And Senator BYRD has zealously defended the Constitution of the United States.

But notwithstanding his having held the high rank of Senator for longer than any human being, Senator BYRD has never forgotten whence he came.

Senator ROBERT C. BYRD grew up in the bituminous coalfields of West Virginia, graduated from high school class in the depths of the Great Depression, and worked pumping gas, selling produce, cutting meat, and welding ships. Even though Senator BYRD reached the zenith of power, Senator BYRD has always remained a man of the people.

Senator ROBERT C. BYRD is an assiduous pursuer of knowledge, a tenacious friend, and a man of deep, abiding faith.

Now Senator BYRD surpasses in length of service the likes of Strom Thurmond, Carl Hayden, John Stennis, Russell Long, and Richard Russell. And now Senator BYRD stands in quality of service with the likes of Daniel Webster, John Calhoun, Henry Clay, Robert La Follette, and Robert Wagner.

I thank almighty God that for more than 47 years, Americans have been able to call him "Senator." I thank God that for more than 27 of those years, I have been blessed to serve here with him. And I thank God that for more than 27 years, I have been blessed to call him "friend."

HONORING OUR ARMED FORCES

CAPTAIN DOUGLAS A. DICENZO

Mr. GREGG. Mr. President, I rise today to pay tribute to U.S. Army CPT Douglas A. DiCenzo, of Plymouth, NH, a brave American who has made the ultimate sacrifice in service to our country.

Douglas, or Doug to his family and friends, graduated from Plymouth Regional High School in 1995. While there, he gave us a glimpse of the characteristics that would later make him a remarkable soldier. He was a scholar-athlete in the truest sense. He exemplified leadership as class president, captain of both the football and wrestling teams, and an all-state offensive guard for the State champion Bobcat football team.

Daniel Webster said, "God grants liberty only to those who love it, and are always ready to guard and defend it." In this spirit, after high school, Doug earned an appointment to the U.S. Military Academy at West Point, NY. Upon graduating with his fellow cadets as a second lieutenant with the Class of 1999, he earned an assignment as an Army infantry officer. Subsequently Doug completed the arduous infantry officer, Army Airborne, and Ranger courses. Next came a tour of duty to Fort Wainwright, AK, 2nd Battalion, 1st Infantry Regiment, beginning as a platoon leader with B Company, Mortar Platoon Leader for Headquarters and Headquarters Company, executive officer for C Company and then battalion maintenance officer. Then, in July 2004, Doug was assigned to Headquarters, V Corp in Germany and a year later was assigned to command the 150 soldiers of C Company, 2nd Battalion, 6th Infantry Regiment 2nd Brigade, 1st Armored Division, based in Baumholder, Germany.

In November 2005, he deployed with his unit to Kuwait, and then Iraq, in support of Operation Iraqi Freedom. Tragically, on May 25, 2006, this brave soldier, along with a comrade from his unit, was killed during combat operations in Baghdad, Iraq, when an improvised explosive device detonated near his military vehicle. Captain DiCenzo's awards and decorations include the Bronze Star, Purple Heart, Army Commendation Medal with two Oak Leaf Clusters, Army Achievement Medal with three Oak Leaf Clusters, National Defense Service Medal, Iraq Campaign Medal, Global War on Terrorism Medal, Army Service Medal, Overseas Service Ribbon, Combat Infantry Badge, Expert Infantryman Badge, Parachutist Badge, Ranger Tab, Army Presidential Unit Citation, and Army Valorous Unit Award.

Patriots from the State of New Hampshire have served our nation with honor and distinction from Bunker Hill to Baghdad—and U.S. Army CPT Douglas A. DiCenzo served in that fine tradition. Captain DiCenzo was a well-respected and natural leader who exemplified the principles of the U.S. Military Academy at West Point—duty, honor, country. This optimistic, passionate, and patriotic American demonstrated the virtues extolled in the Cadet Prayer, "Encourage us in our endeavor to live above the common level of life. Make us to choose the harder right instead of the easier wrong, and never to be content with a half truth when the whole can be won. Endow us with courage that is born of loyalty to all that is noble and worthy, that scorns to compromise with vice and injustice and knows no fear when truth and right are in jeopardy." CPT Douglas DiCenzo was dedicated to serving his country in these chaotic and violent times because he thought it was his duty to do this.

My heartfelt sympathy, condolences, and prayers go out to Doug's wife Nicole and their 18-month-old son Dakin, as well as to Doug's parents, Larry and Cathy, his brother Daniel, and his family and friends who have suffered this grievous loss. The death of Doug, only 30 years old, on a battlefield far from New Hampshire is also a great loss for our State, our Nation, and the world. Although he will be sorely missed by all, his family and friends may sense some comfort in knowing that because of his devotion, leadership, sense of duty, and selfless dedication, the safety and liberty of each and every American is more secure. May God bless CPT Douglas A. DiCenzo.

PRIVATE BENJAMIN J. SLAVEN

Mr. HAGEL. Mr. President, I wish to express my sympathy over the loss of U.S. Army PVT Benjamin J. Slaven from Nebraska. Private Slaven died when an improvised explosive device detonated near his vehicle while on patrol in Ad Diwaniyah, Iraq on June 9. He was 22 years old.

Private Slaven grew up in Plymouth, NE and received his high school equivalency diploma from Southeast Community College in 2005. He was deployed to Iraq in March after serving in the U.S. Army Reserves. Before being deployed, Private Slaven worked with developmentally disabled young adults at the Beatrice State Development Center in Beatrice, NE. He was a member of Detachment 1, 308th Transportation Company based in Lincoln, NE. Private Slaven will be remembered as a loyal soldier who had a strong sense of duty, honor, and love of country. Thousands of brave Americans like Private Slaven are currently serving in Iraq.

Private Slaven is survived by his mother, Judy Huenink of Plymouth, NE; father, Bruce Slaven of Beatrice, NE; and sister, Misti Slaven. Judy and Bruce both served in the Air Force, and Misti is training to be a medical lab technician in the Army Reserve at Fort Bliss, TX. Our thoughts and prayers are with them at this difficult time. America is proud of Private Slaven's heroic service and mourns his loss.

I ask my colleagues to join me and all Americans in honoring PVT Benjamin J. Slaven.

LANCE CORPORAL BRENT ZOUCHA

Mr. President, I also wish to express my sympathy over the loss of U.S. Marine Corps LCpl Brent Zoucha from Nebraska. Lance Corporal Zoucha died of wounds received while conducting combat operations in Al Anbar province, Iraq on June 9. He was 19 years old.

Lance Corporal Zoucha was a lifelong resident of Clarks, NE and graduated from High Plains Community High School in 2005. In high school, he was a standout athlete, earning second place in the high jump at the 2005 State track meet. He was also named honorable mention to the Omaha World-Herald's all-Nebraska basketball team. Lance Corporal Zoucha enlisted in the Marine Corps while still in high school and served with his brother, CPL Dyrek Zoucha, in the same unit in Iraq. He was a member of the 1st Battalion, 7th Marine Regiment, 1st Marine Division, I Marine Expeditionary Force, Twentynine Palms, CA. Lance Corporal Zoucha will be remembered as a loyal soldier who had a strong sense of duty, honor, and love of country. Thousands of brave Americans like Lance Corporal Zoucha are currently serving in Iraq.

Lance Corporal Zoucha is survived by his mother, Rita; brothers, Dyrek and Dominic; and sister, Sherri, of Duncan, NE. Our thoughts and prayers are with them at this difficult time. America is proud of Lance Corporal Zoucha's heroic service and mourns his loss.

I ask my colleagues to join me and all Americans in honoring LCpl Brent Zoucha.

PRIVATE TIM MADISON

Mr. President, I further express my sympathy over the loss of U.S. Army PVT Tim Madison from Nebraska. Private Madison was killed in a training exercise at Fort Carson, CO, on June 8. He was 28 years old.

Private Madison grew up in Bellevue, NE, and graduated from Bellevue East High School in 1997. Private Madison was a loving father of three children and loved being outdoors. He was a member of the Army's 2nd Brigade Combat Team, Fort Carson, CO. Private Madison will be remembered as a loyal soldier who had a strong sense of duty, honor, and love of country. Thousands of brave Americans like Private Madison are currently serving in the U.S. military.

Private Madison is survived by his wife Melissa; children, Hailee, Jonathan and Michael of Fort Carson, CO; parents, Ken Madison, Sr., a retired Air Force master sergeant, and Nancy Madison; brothers, Kenneth Jr., Anthony, and Richard; and sister, Christina, all of Bellevue, NE. Our thoughts and prayers are with them at this difficult time. America is proud of Private Madison's service and mourns his loss.

I ask my colleagues to join me and all Americans in honoring PVT Tim Madison.

HURRICANE SEASON AND INSURANCE COMPANIES

Mr. NELSON of Florida. Mr. President, I wish to address a topic that is appropriate, since tropical storm Alberto is on the coast of Florida—in the Big Bend area of Florida—right now. Fortunately, Alberto stayed a tropical storm, although there was a moment last night when the National Hurricane Center thought it was going to become a hurricane, which is 74-plus miles an hour.

Isn't it interesting that here we are in early June—normally, hurricanes don't really start brewing up until July, and the severe ones don't start brewing up until August and September. But we see the confluence of two things. We see not only the active hurricane cycles the meteorologists will tell you about, that these are 10- and 15-year cycles and hurricanes will become much more active and much more frequent. When you add that meteorological phenomenon to the fact of global warming where, as the Earth's temperatures rise because of the trapping of the greenhouse gases, the rising of the temperature of the water, the rising of the temperature of the atmosphere—the effect of that is more frequent and more ferocious storms. Whether that global warming is affecting this particular cycle, I know not. But I know that the phenomenon of global warming added to—if we are in a 10- or 15-year meteorological phenomena of hurricane cycles, that can add all the more to the distress, dismay, and tragedy that the Atlantic and the gulf coast of the United States will suffer over the coming number of years.

That brings me to the subject matter: the cost of insurance, particularly homeowners insurance, which is going to—if it hasn't already—become prohibitive for coastal dwellers. It is not just coastal dwellers because the insurance rates are spread in a particular way where the property owner will share in the burden of the cost of insurance no matter whether the homeowner lives on the coast or lives inland. This is exactly what has happened to the gulf coast as a result of Katrina. It is what happened in Florida for the active hurricane year of 2004, in which four hurricanes hit Florida within a 6-week period. As a result, you see insurance rates that are absolutely escalating, with the phenomenon that is now occurring in Florida and Gulf States, including Alabama; Mississippi, the home of the distinguished senior Senator from Mississippi, who is on the floor at the moment; Louisiana; and eventually it will happen to Texas when they get pounded a couple of times—that is, the phenomenon that homeowner insurance rates are going through the roof.

In addition to that, insurance companies—if they have not gone broke—are bailing out; they are canceling policies right and left. Those which are staying are canceling policies, and other insurance companies are canceling all of their homeowners coverage. The bottom line is that this is a tough time for homeowners just to be able to afford financially the cost of what is known as windstorm insurance.

Now, I rise to tell the Senate about a package of bills that has been filed but one in particular that I suggest to the Senate is a way of addressing not only the pleas of our constituents back home, the pleas of insurance companies, the pleas of reinsurance companies, the pleas of insurance regulators, the insurance commissioners of the 50 States, but the pleas particularly of our constituents who are paying the tab. This is the question: Can any one insurance company or any one State withstand the financial losses we anticipate from the megahurricanes of the future? The answer to that is no. That is why they are now turning to the Federal level of government.

May I say that 11 years ago, I was confronted with one of the toughest jobs I have ever had in a lifetime of public service when I was elected the Florida State treasurer, which is also the position of the elected insurance commissioner of Florida. I inherited the chaos in the aftermath of the monster hurricane, Hurricane Andrew, in the early 1990s. It had paralyzed the insurance marketplace of Florida, not only in south Florida where the hurricane hit but the entire State of Florida, because what is happening today happened in the mid-1990s—companies had gone broke, they were fleeing the State of Florida, and those which were staying were canceling policies right and left. Companies were asking the insurance commissioner for rate increases that were being hiked to the Moon. It is the same phenomenon we have today.

I can tell you that we had to make up the solution as we went because that kind of financial impact to the insurance industry and to the people served by that industry had never happened. Andrew was a $16 billion insurance loss storm. That, in today's dollars, is about a $23 billion insurance loss storm. But what really scared the "bejeebers" out of the insurance marketplace was the realization that if the hurricane had turned 1 degree to the north and drawn a bead on the Dade County-Broward County line instead of south Dade in Homestead, a relatively unpopulated part of Dade County, if it turned that 1 degree to the north and hit that more populated area, it would have been a $50 billion loss storm, and that would have taken down every insurance company that was doing business in the path of the storm—taken them down financially. It would have drained all of their reserves.

That is the circumstance we have facing the States of the gulf coast as well as the Atlantic coast today because you put a category 4—by the way, remember, by the time Katrina hit Louisiana, it was only a category 3. Look at what it did to the Mississippi coast. If you put a category 4, which is winds up to 145 miles per hour, or a category 5, which is in excess of that, into a concentrated area of high urban density and you have major loss, you will have insurance companies going down the tubes financially.

So what are they doing? They are coming to us. Well, the problem is that the Federal level of government has never dealt with insurance. It was back in the 1930s that the McCarran-Ferguson Act was enacted, which said the regulation of insurance is going to be done by the 50 States. And they are coming to us because of the financial enormity of loss not only to insurance companies but to our respective States as well. And, therefore, what do we do? It is hard to get consensus here because we don't deal in insurance matters, and it is hard to get consensus because the insurance industry is not unified on what to do. Certainly, the reinsurance industry has a different perspective than the insurance industry. The insurance regulators have another perspective.

So, after consulting with my dear friend and senior colleague from Mississippi and with the senior Senator from Louisiana, Ms. LANDRIEU, we have filed a bill modeled after what the State of Florida had to do after the monster mega-hurricane in the nineties, and that was build consensus by forming a prestigious commission representative across the board of all the peoples and organizations that are affected by this enormous question and ask that commission, that emergency national commission—which is exactly what we did in Florida in 1995. We formed what we called then the academic task force headed by presidents of the universities of Florida. They reported back within 3 months.

We took that package to the State legislature. We got the legislature to pass it into law. The law enabled the insurance commissioner then to help the insurance companies restore the marketplace at affordable prices so the people would have available affordable insurance.

So the three of us—Senator COCHRAN, Senator LANDRIEU, this Senator—have filed this bill setting up a national commission under law appointing specific designees that are a broad representation of the industry, of the problem, to come back to the Congress and to the executive branch within 90 days with their recommendation that then we can deliberate the work product thereof to see if we can have some solution as to these dire economic conditions that our people, that our States, and, in fact, private industry are facing as we now face another active hurricane season.

I conclude by saying that we are very happy that the National Association of Insurance Commissioners, that organization that represents all 50 insurance commissioners of our States, plus the District of Columbia, plus the Virgin Islands, plus Puerto Rico, have all come together and unanimously endorsed this concept.

We cannot get consensus here because everybody has a different idea, including the industry, but we can take what happened successfully in Florida and use that model to build consensus so that we will know what to do and then can pass appropriate legislation.

Mr. President, I wanted to share this right as the winds are hitting the State of Florida from the first named storm of this hurricane season, the storm named Alberto.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from Florida for his initiative in bringing this issue in this form to the Senate. I am pleased to cosponsor the legislation with him, Senator LANDRIEU, and others who may cosponsor this legislation.

We are reaching out to the industry and to experts in related business activities who have experience, a depth of understanding about this challenge we face to give us the benefit of their advice and their counsel.

There are specific recommendations, if they can come to a consensus, on how Government can more responsively address this critical issue. In our State of Mississippi right now, there are people in limbo trying to decide whether they take on the burden of increased costs of insurance, of chances that they may not get insurance they can afford. So rebuilding is slow. Recovery is slow. Businesses are reluctant to embark upon expansion or remodeling, refurbishing, rebuilding, reconstructing from slabs the businesses they had in the gulf coast region.

This is a real dilemma, and it is an economic challenge that no one State can really overcome using the resources of a State government or a national blue ribbon commission, such as the one brought together by Haley Barbour of Mississippi. Our Governor has reached out to the business community and individuals who have experience who could be of help in recovering from the disaster that hit our State.

This is bigger than one State, bigger than our State's commission that Governor Barbour has appointed and that is working hard and making a big difference and making us believe that we can recover, and we will recover. That is a very important part of this situation and this challenge.

I think this is a very important step to take, and it comes at a time when we have laid before the Senate now a conference report making supplemental appropriations to the Departments of State and Defense for the war on terror, but as far as our current domestic challenges are concerned, $19 billion to help sustain the recovery and rebuilding that is underway, recovering from Hurricanes Katrina and Rita that were so devastating to our gulf coast region.

Mr. President, I commend the Senator.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On June 10, 2006, gay performance artist Kevin Aviance was severely beaten in New York City. According to reports, Aviance was walking home from a local bar when four teens began shouting obscenities and attacked him from behind. During the attack Aviance was kicked and punched while the attackers yelled sexually derogatory slurs at him.

An officer with New York's Hate Crimes Taskforce reported that four men were arrested and charged with a hate crime in connection to the attack.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

FLORIDA CITRUS-CANKER QUARANTINE

Mr. NELSON of Florida. Mr President, I rise to call on the U.S. Department of Agriculture to reconsider its recent decision to ban Florida's citrus industry from shipping fruit to other citrus-producing States, as this decision could adversely affect a major segment of my State's economy.

Specifically, the Government ban lacks adequate scientific backing and could even harm Florida's ability to trade with other citrus-producing countries.

This industry has long played an important role in my State's economy, and the Government has often been supportive and helpful, including after the past two hurricane seasons that were devastating to the industry and spread canker extensively, making eradication no longer possible.

While the Department of Agriculture has helped the industry recover from the storms and with combating canker in the past, I am hopeful it will do so again in a way that does not cause more harm than good.

WORLD DAY AGAINST CHILD LABOR

Mr. HARKIN. Mr. President, yesterday was the annual commemoration of the International Labor Organization's, ILO, World Day Against Child Labor, the day we set aside to speak out against the fact that millions of children around the globe continue to be trapped in forced and abusive labor, often in extremely hazardous conditions.

The good news, this year, is that child labor is in decline across the globe. According to the recent ILO report, "The End of Child Labor: Within Reach," released on May 4 of this year, between the years 2000 and 2004, the number of child laborers worldwide fell by 11 percent, from 246 million to 218 million. Even better, the number of children and youths aged 5–17 trapped in hazardous work decreased by 26 percent, declining from 171 million in 2000 to 126 million in 2004. Among younger child laborers, the drop was even sharper at 33 percent.

This is remarkable progress in just 4 years' time. And looking to the future, the ILO report cautiously predicts that, "if the current pace of decline is maintained, and if global efforts to stop child labor continue." We have a real opportunity to eliminate child labor in its worst forms within 10 years' time. However, difficult challenges lie ahead, especially in agriculture, where 7 out of 10 child laborers work. I know this firsthand from my work trying to end child labor in the cocoa industry. Child labor is deeply entrenched in cocoa plantations in Ivory Coast and elsewhere. But, with the cooperation of the chocolate industry, we are making progress in fighting it.

Likewise, in the broader fight against child labor, the ILO report verifies that we are on the right track to eliminating abusive and exploitative child labor. The great work of the ILO's International Program on the Elimination of Child Labor, IPEC, really vindicates the confidence I placed in this program early on. I secured the first Federal appropriation for the IPEC program back in 1996, and over the last decade, I have secured a total of more than $323 million for the program. Clearly, that money has made a real difference in the lives of children. It has given them an opportunity to get an education and to break the cycle of poverty.

In August 2005, I visited Pakistan and spent time at an IPEC program funded by the U.S. Department of Labor to combat child labor in the Pakistani carpet industry. I was able to sit down and talk with young adults who had been laborers in the carpet industry as children but had been removed and given the opportunity to go to school. In Pakistan, the Department of Labor's international child labor program has helped to ensure that 20,000 children between the ages of 10–18 have been removed from hazardous work conditions and provided with either nonformal education or vocational training. I have also visited child labor rehabilitation programs in Brazil, Nepal, and Bangladesh. These visits have showed me the incredibly beneficial impacts that governments can make, but I also realize that industry partnerships are essential to the real eradication of child labor.

Although there has been a tremendous amount of progress in ending child labor, now is not the time to become complacent. Unfortunately, hundreds of millions of children are still forced to work illegally for little or no pay. Economic development alone is not enough, and we must focus on human rights and educational opportunities for those in poverty. Social change must go hand in hand with economic development, which requires workers' and employers' organizations. Our keys to success will be mainstreaming child labor efforts with other human rights and development goals, as well as getting national governments, NGOs, and international organizations all working cooperatively to end child poverty.

We should not think about these children only on June 12 each year. We should think about this last vestige of slavery 365 days a year. I have remained steadfast in my commitment to eliminating abusive and exploitative child labor. It was in 1992 that I first introduced a bill to ban all products made by abusive and exploitative child labor from entering the United States. In my view, we can make significant progress to eliminate this scourge if we all do our part and redouble our efforts. This means that governments must not merely pass laws but enforce them, while also striving to provide quality, free education. Businesses must take responsibility, as well, by not hiring children, and by paying adults livable wages so they can provide for their families. Multilateral institutions must also play a robust role. Together, we can eliminate the worst forms of child labor by 2016.

BROADCAST DECENCY ENFORCEMENT ACT

Mr. THUNE. Mr. President, I rise today in support of the Broadcast Decency Enforcement Act. As an original cosponsor of the bipartisan bill, I strongly support the Senate's recent unanimous action to add real teeth to the broadcast decency laws. The Broadcast Decency Enforcement Act enables the Federal Communications Commission to significantly increase the fines on television and radio broadcasters who violate the FCC decency rules regarding over-the-air public broadcasts. Specifically, this legislation will increase the maximum fine for the broadcast of obscene, indecent, or profane material to $325,000 for each violation, with a cap of $3 million for any single act or failure to act. This is a tenfold increase over the current maximum fine per offense.

The First amendment states, "Congress shall make no law . . . abridging the freedom of speech, or of the press." However, the Supreme Court has determined many times that not all forms of speech are protected. In fact, the Court has deemed fit to regulate such forms of speech as obscenity, defamation, speech that incites violence, speech that is harmful to children, and speech that is broadcasted on radio and television.

Unfortunately, broadcasters have recently started playing fast and loose with the decency guidelines. Some of the infractions have made the headlines, but many others never do. Either way, the broadcasters have a responsibility to America's viewing public, and particularly to America's parents. Their behavior demands a response. Allowing obscene, indecent, or profane material over our unrestricted airways can make the job of raising children in today' s world even tougher than it already might be. Putting in place a fine that means something significant to broadcasters who violate decency regulations will help parents who are trying to surround their young children with good role models and decent behavior.

My parents provided me with a strong value system that I depend on to this day. As a father of two teenage daughters, I am doing my best to make sure my girls understand the difference between right and wrong as they prepare for life on their own. Parents will always have the primary role of instilling values in children, supported by teachers, church leaders, and friends. Decent television will never take the place of good parenting, but if there is a modest action that we can take here in Washington to keep the airwaves a little cleaner, I believe we should take that action. I am proud to support this effort to do just that.

Mr. President, the House has recently passed this same legislation, and I call on the President to sign the bill into law. American families deserve nothing less.

APPRECIATION FOR LARRY Q. NOWELS

Mr. LUGAR. Mr. President, I would like to take this opportunity to extend the appreciation of the Senate to a dedicated public servant at the Congressional Research Service, CRS, of the Library of Congress. Larry Q. Nowels is retiring from CRS after more than 30 years of service to the Congress. This length of public service is not only a credit to Mr. Nowels but also a demonstration of the dedication that the staff of the Congressional Research Service brings in its support of our work in Congress.

Mr. Nowels first joined CRS in 1973 as an information resources assistant, while simultaneously pursuing an advanced degree in international relations at American University. His primary responsibility at CRS was to help in the management of the Foreign Affairs Division library, a task for which he was well prepared, having worked throughout his high school years as a library page in Claremont, CA. In a very short time he was promoted to division librarian, then to technical information specialist, to foreign affairs analyst, and finally to foreign affairs specialist. He served as section head of the International Organizations, Development, and Security Section of the Foreign Affairs and National Defense Division from 1985 to 1997, and for a period in 1992, served as acting assistant chief of the division.

Mr. Nowels' first research assignment at CRS was to assist senior staff in monitoring reporting requirements in the foreign affairs field, a joint committee project begun in 1975 for the Senate Committee on Foreign Relations and House Committee on International Relations. For the next 30 years, Mr. Nowels would assist Congress in tracking, moderating, and understanding the use of reporting requirements in fulfilling its oversight responsibility. In that first year, Mr. Nowels was also involved in the preparation of three other contributions by CRS to the congressional committees dedicated to foreign relations: the Committee on Foreign Relations' biennial Legislative History; the Committee on International Relations' annual Congress and Foreign Policy; and the annual Legislation on Foreign Relations, a joint committee project begun by the 88th Congress and continued to this day as a joint effort of the Congressional Research Service, Committee on Foreign Relations, and Committee on International Relations. Mr. Nowels remained intimately involved with each of these projects for many years and also provided mentorship to a notable succession of CRS staff.

During his career, Mr. Nowels wrote nearly 500 memoranda and reports for Members of Congress and congressional committees, organized numerous seminars, provided many briefings to Members and congressional staff, accompanied congressional delegations abroad, and testified before congressional committees, primarily on issues related to foreign assistance. Over the years, he introduced congressional staff persons, both new to Washington and those most senior, to the appropriations process through courses in the Graduate Legislative Institute and briefed newly elected Members of Congress at biennial Williamsburg seminars. He provided groundbreaking analysis to the Congress on U.S. aid to communist nations, implications of the Gramm-Rudman-Hollings deficit reduction on foreign policy, debt forgiveness including heavily indebted poorest country—HIPC—Initiatives, post-Cold War aid, Israeli loan guarantees, numerous congressional-executive efforts at foreign aid reform, international family planning programs, third-country foreign aid programs, establishment of the Millennium Challenge Corporation, and multiyear foreign policy budget trends.

Mr. Nowels attended the National War College at the National Defense University in 1986–1987, where he won an award for his writing. On several occasions he was detailed to committees to serve alongside committee staff. In recent years, he traveled extensively on behalf of the Department of State's Speakers Program to speak to foreign officials, academics, and journalists on the U.S. Congress and U.S. foreign policy.

Mr. Nowels' exemplary contribution and service has been recognized by the Congressional Research Service with numerous special service awards, performance awards, and outstanding performance evaluations. His sustained excellence was acknowledged and honored by the Library of Congress with a Meritorious Service Award in 1992.

Larry Nowels is a fine example of those many dedicated staff of the Congressional Research Service who help inform Congress as it deliberates important public policy issues. His gracious demeanor and considerable expertise on U.S. foreign aid and U.S. foreign policy made him an invaluable asset to Congress for many years. On behalf of my colleagues, I extend our deep appreciation to Larry for his service and wish him the very best in future endeavors.

ADDITIONAL STATEMENTS

TRIBUTE TO VICE ADMIRAL KEITH W. LIPPERT

• Mr. ALLEN. Mr. President, I rise today to honor a lifetime commitment of service to the United States of America, our Defense Department and our great U.S. Navy by a true patriot, VADM Keith W. Lippert, Supply Corps, U.S. Navy. On September 1, 2006, Vice Admiral Lippert will retire after 37 years and 8 months of dedicated and exceptionally distinguished service in the U.S. Navy. In addition to his retirement, Vice Admiral Lippert will relinquish command as the 14th Director of the Defense Logistics Agency, DLA, and I would note that he will retire as our longest serving DLA Director having spent the last 5 years at the helm of a Defense agency that has become increasingly important to the Nation. The Admiral's departure is indeed a loss for our nation since over these last 5 years, he has made remarkable accomplishments and I would highlight a few of them here.

The remarkable success of our military servicemen and women in the field, and the battles won every day by our forces engaged in the global war against terrorism could not be accomplished if not for the unparalleled logistics support our military so critically depends upon. On Admiral Lippert's watch this support has increased to the extent that 95 percent of the materials used by the entire U.S. military is provided by the 22,000 personnel hard at work in DLA activities around the globe and many here in Virginia. I am proud to note that Virginia hosts the DLA Headquarters and the Defense Energy Support Center at Fort Belvoir in Northern Virginia, the Defense Supply Center, Aviation, and Distribution Depot in our State capital of Richmond, and another Distribution Depot right on Virginia's Navy waterfront in Norfolk.

DLA has facilities in 48 States and 24 countries around the world and each facility is a source of pride for all of the DLA employees. All of the fuel supporting our jets, helicopters, ships and tanks is purchased by DLA. All of the food, military clothing, and supplies needed to sustain our forces is managed by the DLA workforce.

The DLA Defense Distribution system, a total of 26 distribution depots here in the United States and in overseas locations such as Kuwait, Korea, Japan, Italy, and Germany are all crucial to the steady flow of materials to our troops and these depots constitute a national treasure in their own right.

Allied forces that have partnered with DLA on Admiral Lippert's watch also enjoy this same support.

Remarkably, Admiral Lippert has aggressively driven down the cost of managing this enterprise to the lowest level in the 45-year history of DLA while dramatically improving the inventory validity of our critical defense stocks, championing a series of transformational initiatives, leading the most successful enterprise resource planning software re-engineering initiative in the entire Defense Department, and greatly improving the quality of customer service provided by this amazing Agency. I would add that the Agency has become equally important to the Coast Guard, FEMA and other Agencies in our Federal, State, and local governments. This support was especially significant to our country after the last hurricane season when millions of Meals Ready to Eat, MREs, were sent en masse from Norfolk to our fellow citizens in need.

Thirty-eight years ago, Vice Admiral Lippert earned his commission through the Navy Reserve Officer Training Corps program at Miami University in Oxford, OH, with a bachelor of arts degree in mathematics in 1968. He received his master's degrees in management and in operations research from the Naval Postgraduate School. In 1994, he attended the senior executive program in national and international security at the John F. Kennedy School of Government, Harvard University.

The admiral has spent a significant time on sea duty tours including service as the supply officer on the nuclear submarine USS *Queenfish*, SSN 651, as assistant supply officer on the Submarine Tender USS *Simon Lake*, AS 33, and as the supply officer on the Submarine Tender USS *Canopus*, AS 34. The admiral has had increasingly important shore duty tours including assignments as assistant comptroller, Commander Submarine Force, U.S. Pacific Fleet, operations research officer at the Navy Ships Parts Control Center, Mechanicsburg, PA; inventory analysis staff, Naval Supply Systems Command, Washington, DC; executive officer, Naval Supply Center, Jacksonville, FL; and director, spares programs and policy branch in the Office of the Deputy Chief of Naval Operations for Logistics.

In 1990, he rejoined the Naval Supply Systems Command as the deputy commander for financial management/comptroller. From July 1993 to July 1995, Admiral Lippert served as the commander, Defense General Supply Center in the great capital of our commonwealth, Richmond. In August 1995, he became the first commander of the Naval Inventory Control Point with offices in Philadelphia, PA, and Mechanicsburg, PA. Admiral Lippert officially entered the Flag Officer Corps when he was awarded the rank of rear admiral, lower half, in November 1995. From 1997 to 1999, he served as the vice commander for the Naval Supply Systems Command and received his promotion to rear admiral, upper half, in October 1998. From 1999 to 2001, he commanded the Naval Supply Systems Command and served as the Navy's 41st chief of Supply Corps. In May of 2000, President Clinton appointed Vice Admiral Lippert to represent the Navy as a member of the President's Committee for Purchase from People who are Blind or Severely Disabled. He assumed his current position as the director of DLA in July of 2001 and received his promotion to vice admiral in September of 2001.

His decorations include the Defense Superior Service Medal, three Legion of Merits, four Meritorious Service Medals, two Navy and Marine Corps Commendation Medals, Navy and Marine Corps Achievement Medal, and Submarine Supply Dolphins. He is also the recipient of the Society of Logistics Engineers 1992 International Award for outstanding performance in financial management/inventory control. Under Admiral Lippert's tenure as Director, DLA received two Joint Meritorious Unit Awards.

In closing I wish to commend Vice Admiral Lippert for his nearly 38 years of distinguished service to our Nation, protecting our freedoms of life, liberty, and the pursuit of happiness and wish him the best in his future endeavors. His departure is a great loss to our Navy, but we are markedly better for having had him aboard. He leaves us with a Defense agency that is indeed a national treasure and one that has been vastly improved on his watch. I honor this patriot and dedicated public servant, wishing him a fond farewell, fair winds for his sails and following seas.●

HONORING THE LIFE OF JERRY W. LEE

● Mr. BAYH. Mr. President, today I rise to pay tribute to the life of a distinguished civil servant and friend, Jerry W. Lee, who passed away on June 7. Jerry's dedication to the working families of our State kept him involved in public service up until his death, doing his part to help Hoosiers from all walks of life. I know that he will be greatly missed.

Jerry was a good and decent man who dedicated his life to serving others. From his work with organized labor to his involvement in the community, his career was filled with acts of conscientious service on behalf of friends, family members, and Hoosiers across Indiana. The contributions he made touched countless lives, and his presence and straight talk will be sorely missed.

For the past 20 years, Jerry served as secretary-treasurer and business manager of the Laborers' Indiana District Council, standing up for the working men and women of our State. He devoted all of his energy to ensuring good jobs at decent wages for his workers and helping take care of their families. He is survived by his mother; his wife, Benetta Jo Woodruff Lee; his son, Darren Lee; his three daughters, Stephanie Bean, Christina Brown and Connie Phillips; his two brothers, Sammy Joe Lee and Donald Dean Lee; 11 grandchildren; and five great-grandchildren.

A lifelong Hoosier, he was also involved in numerous other labor associations and was a veteran of the U.S. Air Force. It is a rare man who can make such an impact on so many people over the course of one life. Hoosiers will miss Jerry as a friend, a community leader, and an advocate for working Hoosiers.

It is my sad duty to enter the name of Jerry Lee in the official RECORD of the U.S. Senate for his service to the State of Indiana.●

CONGRATULATING NEWPORT POLICE CHIEF MICHAEL CAPRIGLIONE

● Mr. BIDEN. Mr. President, it is with great pleasure that I rise today to commend Police Chief Michael Capriglione of the town of Newport, DE. Chief Capriglione has been recognized by the National Highway Traffic Safety Administration with a Public Service Award for his outstanding dedication to the fight against drunken driving in the State of Delaware.

Chief Capriglione was nominated for this award by the mid-Atlantic office of the NHTSA, which began the Checkpoint Strikeforce Campaign in Delaware in 2001. The Checkpoint Strikeforce Campaign is an initiative that works to decrease the number of impaired driving crashes through increased police presence on the roads and statewide sobriety checkpoints on weekends and during holidays. The campaign has continued to grow since its inception, with increasing numbers of affiliated police agencies and officers joining the program each year. In 2003, county teams were created to pool resources and enhance the efficiency of the campaign in each of Delaware's three counties. Chief Capriglione was named the head of the New Castle County DUI Task Force and has served as the primary law enforcement advocate for the Checkpoint Strikeforce Campaign in Delaware.

The campaign had been highly successful; an increasing number of DUI arrests are made each year, with 685 intoxicated drivers arrested between July and December 2005 alone. This results in safer roads for our citizens to travel: 2004 saw the lowest number of alcohol-related highway deaths ever recorded in the State. The campaign has also expanded from its original half-year scope to become a year-round initiative. Under Chief Capriglione's leadership, the New Castle County DUI Task Force has established checkpoints during major holidays and other events typically associated with higher rates of impaired driving, including Super Bowl Sunday and St. Patrick's Day. During the recent Cinco de Mayo holiday, the county teams conducted checkpoints that resulted in 19 DUI arrests, as well as 7 drug arrests, 8 felony arrests, and the apprehension of 3 wanted individuals.

Chief Michael Capriglione has been instrumental in the development and success of the Checkpoint Strikeforce Campaign in Delaware. Through his exceptional leadership and commitment to public service, Delaware's roadways have become safer and its citizens more secure. He is the embodiment of public service and deserves all of the recognition he has received for his remarkable efforts, and more. We are fortunate to have committed, effective law enforcement professionals such as Chief Capriglione working to combat the problem of drunken driving throughout Delaware and the Nation, and I ask the Senate to join me in thanking Chief Capriglione for his dedicated service.•

TRIBUTE TO LIEUTENANT GENERAL DANIEL JAMES III, USAF

• Mr. BOND. Mr. President, I rise today to honor LTG Daniel James III who recently retired as Director, Air National Guard. To say that General James has had a distinguished career at the National Guard Bureau would be an understatement due to his unmatched success in formulating, developing, and coordinating all policies, plans, and programs affecting more than 106,000 Guard members throughout the United States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands.

The general personifies the model commander with a career in the military that spanned almost four decades. He earned his commission as a distinguished graduate of the University of Arizona's ROTC program in 1968. The general is a command pilot with approximately 4,000 hours in fighter and trainer aircraft. A combat veteran with two Distinguished Flying Crosses, General James completed two Active-Duty tours in Southeast Asia, logging 500 combat hours as a forward air controller and F-4 Phantom aircraft commander. Prior to becoming ANG Director, General James was the Adjutant General for Texas National Guard headquarters. In June of 2002, he was appointed to the position as Director, Air National Guard.

In closing, I ask my fellow colleagues to join me in expressing our deep appreciation for the numerous contributions Lieutenant General James has made on behalf of our brave service men and women. It is my honor to recognize the general for his distinguished service to our Nation. Recalling our national anthem, to our veterans and Armed Forces, I say, we would not be "the land of the free" if we were not also "the home of the brave." We wish Daniel and his family continued success as he closes out his service to the Air Force and the people of this grateful Nation.•

TRIBUTE TO JACK BANDY

• Mr. ISAKSON. Mr. President, I wish today to honor in the RECORD of the Senate my friend, B. Jackson Bandy, a great Georgian, a great American, and a great citizen of Whitfield County. I honor Jack upon his induction into the Junior Achievement Northwest Georgia Business Hall of Fame.

Junior Achievement was founded in Dalton, GA, in 1964 and sends volunteers from the community into local schools to teach students about business, economics, and personal finance. Each year the local district serves more than 8,900 students in 44 schools, including more than 30 schools in Whitfield and Murray Counties. The district has more than 300 volunteers. Nominees from this community for this award were selected based on business excellence, inspiring leadership, community involvement, and innovation.

In addition, Jack was one of three founders in 1956 of the tufted carpet business Coronet Industries, which was eventually bought by Beaulieu. But Jack is more than just a businessman and great golfer. He is a family man—a wonderful and devoted father and grandfather. He would do anything for his family and friends and has touched the lives of many who will never be able to meet or thank him.

Jack worked for many years as a volunteer on the Hamilton Healthcare System Board of Trustees in Dalton and is now an honorary trustee. For all of his charitable giving and hard work, the hospital named the "Bandy Parking Plaza" in honor of Jack. He is the backbone of his Methodist Church and has worked on the board of the United Way. With his Junior Achievement honor, it is clear that Jack is devoted to educating young people at all levels, but he has also endowed the Bandy Chair in Preaching at Emory University, and the gym at Dalton State College is named for him.

Jack Bandy is a class act who is well loved in work and at home. He is interested in the lives and achievements in others and will be embarrassed that I am honoring him today. But I feel I would be remiss if I did not honor him for his achievements and sacrifices. He has given a great deal of his time and money to make Dalton, the State of Georgia, and our Nation a better place to live.•

100TH ANNIVERSARY OF THE FOUNDING OF CHELSEA, SOUTH DAKOTA

• Mr. JOHNSON. Mr. President, I rise today to honor the 100th anniversary of the founding of the town of Chelsea, SD. Chelsea is a rural community in Faulk County. Small towns like Chelsea are part of the backbone of our wonderful State.

Chelsea originally began in the middle of a wheat field, where extensions of the Minneapolis and St. Louis railways met. There are competing stories for how the town was named. One says that Chelsea was named after the borough of London, one that it was named for a landowner in Chelsea, OK, and another that says it was named for someone from Chelsea, MA.

The first building to go up in Chelsea was two-story poolhall and saloon, built by H.E. Batteen. Other businesses soon followed. By 1909, there were 30 businesses in Chelsea, including a post office, weekly paper, bank, butcher, lumber yard, and drug store. There were at least three churches, including the Sacred Heart Catholic Church, which is still active today.

The area in which Chelsea is situated has both fertile farmland and excellent fishing and hunting. In particular, the area is known for its great pheasant shooting and the numerous hunting lodges that dot the landscape around Chelsea.

Small communities such as Chelsea do not always get the attention that they deserve, but it is places like Chelsea that help to maintain South Dakota's agricultural roots and deep-seated character. I am proud to honor Chelsea on its 100th anniversary, and I am confident that the next 100 years will bring still more progress and prosperity.•

125TH ANNIVERSARY OF THE FOUNDING OF ABERDEEN, SOUTH DAKOTA

• Mr. JOHNSON. Mr. President, I rise today to recognize the 125th anniversary of the founding of one of South Dakota's great cities, Aberdeen. Aberdeen is the third largest city in the State, and the county seat of Brown County. Aberdeen boasts a robust economy, first-rate hospital, two 4-year universities, art, culture, shopping, and outdoor recreation. Taken all together, Aberdeen has an exceptional quality of life, and things are only getting better for this dynamic city.

Aberdeen was founded in July of 1881 with the arrival of the Milwaukee Railroad and takes its name from the home town of the Milwaukee Railroad's Scottish President, Alexander Mitchell. As more railroads came into the area, Aberdeen became known as the "Hub City," referring to its role as a busy intersection for trainlines. Aberdeen's citizens are justly proud of their city's history, and they have undertaken numerous successful projects designed to preserve and celebrate this heritage. The city's many historic attractions include the Granary Rural Cultural Center, Dacotah Prairie Museum, and J.L. Zeitlow Telephone Pioneer Museum, among others. In addition, Aberdeen is home to and promotes a lively and renowned antique market.

Perhaps Aberdeen's most famous early resident was Lyman "Frank" Baum, who would eventually write "The Wonderful Wizard of Oz." During his time in Aberdeen, Baum owned a store, Baum's Bazaar and later edited The Aberdeen Saturday Pioneer. Many believe that Baum's description of Kansas in "The Wonderful Wizard of Oz "was based on his time in Aberdeen. Storybook Land, a theme park based on "The Wonderful Wizard of Oz," commemorates Baum. Another nationally known figure from Aberdeen in more recent times is former Senate Majority Leader Tom Daschle.

Other institutions in the Aberdeen area include two 4 year universities, Northern State University and Presentation College; a top flight medical center, Avera St. Luke's Hospital; Wylie Park recreational area; and of course plenty of good hunting and fishing.

Aberdeen combines the warmth and friendliness of a small town with the cosmopolitanism associated with larger communities. I am pleased to recognize the achievements of Aberdeen, and to offer my congratulations to the residents of the city on this historic milestone. As the city motto states, Aberdeen is indeed "A Great Place to Live."•

125TH ANNIVERSARY OF THE FOUNDING OF MELLETTE, SOUTH DAKOTA

• Mr. JOHNSON. Mr. President, today I pay tribute to the 125th anniversary of the founding of the city of Mellette, SD.

Mellette was incorporated into South Dakota in 1881, with the first store opening the same year. The community was named after Arthur Mellette, the first governor of South Dakota. By 1882, Mellette was a thriving town with 39 businesses including doctors, lawyers, and other professionals. The Western Enterprise was the first newspaper in Mellette, and by the time publication ended in 1941, the newspaper was the oldest, continuous paper in Spink County.

Today, Mellette is the home of 240 residents, 8 businesses, churches, and other civic organizations. The Mellette Volunteer Fire Department, established in 1895, still keeps residents safe. Northwestern Elementary, Middle, and High Schools also call Mellette home.

I am pleased to announce that Mellette celebrated its 125th anniversary with a community celebration on May 26 to 27. There were numerous events, such as karaoke, a flea market, a parade, an antique tractor pull, a horseshoe tournament, kid's games, and a Harley motorcycle raffle, followed by a community supper. A historical display included "Old Time" Mellette videos. The festivities were a fitting celebration to honor a wonderful community.

I am proud to publicly honor Mellette on this memorable occasion. After 125 years, Mellette still exemplifies what it means to be a great South Dakota community.•

125TH ANNIVERSARY OF THE FOUNDING OF GROTON, SOUTH DAKOTA

• Mr. JOHNSON. Mr. President, today I rise to honor the city of Groton, SD, and to recognize the 125th anniversary of its founding.

Groton was founded in 1881 in Brown County. Still standing from those early days is Trinity Episcopal Church which was built in 1884 as a place for the newly formed town to come together and gather as a community. Groton now has six churches and multiple gathering places to house its growing and thriving community.

Groton is home to the Granary Rural Cultural Center. Groton's commitment to fine arts and culture shines through in this establishment where art shows from artists from both North and South Dakota are on display. The Granary Rural Cultural Center not only promotes the arts, but also the heritage of those living in the Dakotas while celebrating and caring for the land.

One of the most notable pieces of Groton's history took place in 1923 when $1,000 was stolen from the First National Bank, while the tellers were held at gunpoint. During the holdup, one brave citizen ran outside to ring the alarm alerting the authorities of the situation. Fortunately, only minor injuries were inflicted in the ordeal.

Groton will be celebrating its 125th anniversary with a variety of events. Among the festivities will be an all-school reunion, Legion baseball, pancake breakfast, water carnival, bingo, tractor pull, parade, dance, fireworks display, and community church service. The anniversary will serve as an occasion to bring this close-knit community even closer together.

I am proud to publicly recognize Groton and congratulate the community on this achievement. As the people of Groton take this opportunity to appreciate how far the city has come from its beginnings, I know they will understand the important role Groton plays in making South Dakota the great State that it is.•

CENTENNIAL OF THE FOUNDING OF BRENTFORD, SOUTH DAKOTA

• Mr. JOHNSON. Mr. President, today I rise in order to pay tribute to the centennial of the founding of the city of Brentford, SD. The community is distinguished as the only "Brentford" in the United States.

Brentford was established in 1906 along the Minneapolis and St. Louis Railroad line and named by a railroad employee for Brentford, England. The town was built in less that a year and reached a peak population of around 300, with a current population around 70.

There are a church, gas station, restaurant, and two construction companies located in Brentford. Additionally, the Brentford Volunteer Fire Department serves Brentford City, Tetonka, and LaPrairie townships, and part of Clifton Township.

I am pleased to announce that Brentford will be celebrating its centennial on June 23 through 25. There are numerous events scheduled, including a parade, performances by Brentford area musicians, fireworks, a paintball tournament, and an antique tractor pull. This celebration is a fitting way to recognize this milestone for this pleasant and progressive community.

One hundred years after its founding, Brentford continues to be a vital community and a great asset to South Dakota. I am proud to honor the achievements of Brentford on this memorable occasion.•

HONORING KENNETH BLACK OF MAINE

• Ms. SNOWE. Mr. President, I wish to commemorate the grand opening of the Maine Discovery Center and dedication of the Chief Warrant Officer Kenneth Black Exhibition Hall in Rockland, ME. This event represents the culmination of a lifetime of exceptional achievement by former Coastguardsman Kenneth Black who nearly single-handedly amassed the largest collection of lighthouse lenses on display in a museum anywhere in the United States.

The monumental efforts of Ken Black, known by many as "Mr. Lighthouse," have been a lifelong pursuit and truly a labor of love. Ken started his first exhibit many years ago at the base of America's first light Station in Boston Harbor. When he was commanding officer of the Rockland Coast Guard Station in the 1970s, he created a display of artifacts at the entryway building at the base of the tower, and a small collection started to grow and take on a life of its own. So much so—that when the admiral in charge of the first Coast Guard district in Boston took note of what Ken was doing, he named him as the official curator of the First Coast Guard District Marine

Exhibit. That appointment offered Ken a fortuitous opportunity to begin amassing lighthouse artifacts.

Exemplifying the best of Maine's can-do spirit, Ken meticulously went to great lengths, literally piece by piece, to seek out, collect, and store these maritime marvels. Eventually, this collection would be housed in what would become known as the Shore Village Museum. Lacking pretense of any kind, this unassuming, home-spun dream became a landmark museum and a destination point for maritime and lighthouse enthusiasts everywhere until its closing in 2004.

Because of Ken's persistent pursuit and uncommon initiative, his legacy of work can now be viewed as part of the Maine Lighthouse Museum which has the distinction of being home not just to the world-renown lighthouse lenses but also to one of the most revered exhibits of lighthouse artifacts and Coast Guard memorabilia in the United States. One thing is clear above all else, we owe Ken a great debt of gratitude for having the unrelenting industry, foresight, and diligence to collect, preserve, and showcase these artifacts.

As the sponsor of the Maine Lights Program in the 104th Congress, I am extraordinarily proud of the indispensable contribution Ken has made to the discipline of lighthouse history. As I said in my letter on the opening of the Maine Lighthouse Museum last June, this legislation allowed many outstanding individuals and organizations to share their fondness for lighthouses by working to record the history of lighthouses and keep that history alive. And, indeed, that is precisely what has happened.

Through the tireless and indomitable work of Kenneth Black, for whom this exhibition hall is rightfully named, generations today and to come will have the pleasure of viewing these time-honored artifacts. I saw them firsthand last summer when I toured the museum and was awed and extremely impressed, and I know that this new addition will be equally remarkable. For all of these reasons, I am deeply pleased to honor the astounding contributions that Ken has made toward bringing to greater light these valuable gems of history. I also want to acknowledge and thank the many individuals and groups who have shared in Ken's vision and joined with him in making this dream a reality. The city of Rockland and the State of Maine are incredibly fortunate to have this exceptional Lighthouse Museum in its midst. It is most fitting that the U.S. Coast Guard presented a well-deserved lifetime achievement award to Ken Black for unflagging vigilance and continued perseverance in saving and presenting these lighthouse artifacts.●

TRIBUTE TO R. GERALD DAVIDSON

● Mr. TALENT. Mr. President, I rise today in recognition of a remarkable Missourian. The First Baptist Church of Arnold, MO, has announced the retirement of its longtime and much beloved pastor, R. Gerald Davidson. Dr. Davidson has served as a pastor for the last 50 years, the last thirty of which, he has dedicated to the First Baptist Church of Arnold.

Dr. Gerald Davidson is a visionary leader and has been instrumental in furthering and directing the ministry of the church. Today, the First Baptist Church of Arnold is the third largest church in the Missouri Southern Baptist Convention. Dr. Davidson's personal dedication to the gospel has never faltered, and his own personal example has set the standard for both his church members and Baptist leadership throughout the Nation.

In fact, Dr. Davidson's vision and his good works have reached throughout the world. On numerous mission trips he has preached the gospel in Mexico, Haiti, Jamaica, South Africa, Taiwan, Brazil, Indonesia, Russia, Romania, Belarus, Slovenia, Croatia, Bolivia, India, Turkey, United Arab Emirates, and Kenya.

However, Dr. Davidson's dedication starts at home. He has been married to his wife Verlena Stone Davidson for 51 years. She has been an equal partner in the ministry, serving side by side with her husband. The Davidson's have three children, Doug, Debbie, Darla, and are blessed with 10 grandchildren.

Dr. Davidson's many accomplishments throughout his distinguished career are a result of hard work and dedication. The Arnold community joins me in appreciating Dr. Davidson's dedicated service.●

CENTENNIAL CELEBRATION FOR MURDO, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I rise to recognize my hometown of Murdo, SD, which is celebrating its centennial this year.

Located in Jones County, the town of Murdo was established in 1906 when a lot sale was held to distribute the land that originally belonged to cattle rancher Murdo Mackenzie. Today, Murdo is a thriving town that I am proud to call home. It is a welcoming community that reflects the values and principles we as Americans hold dear.

It gives me great pleasure to rise with my fellow citizens of Murdo in celebrating our centennial and looking forward to a bright future.●

MESSAGES FROM THE HOUSE

At 12:06 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3967. An act to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes.

H.R. 4013. An act to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah.

H.R. 4162. An act to provide for an exchange of lands between the Secretary of Agriculture and the United Water Conservation District of California to eliminate certain private inholdings in the Los Padres National Forest, and for other purposes.

H.R. 5169. An act to designate the facility of the United States Postal Service located at 1310 Highway 64 NW., in Ramsey, Indiana, as the "Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office".

The message also announced that the House has passed the following bill, without amendment:

S. 1445. An act to designate the facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, as the "William H. Emery Post Office".

The message further announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 338. Concurrent resolution expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere.

H. Con. Res. 368. Concurrent resolution expressing the sense of the Congress with respect to honoring the goals and ideals of Alex's Lemonade Stand Days, June 9 through 11, 2006.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

At 5:55 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 409. Concurrent resolution commemorating the 60th anniversary of the ascension to the throne of His Majesty King Bhumibol Adulyadej of Thailand.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4013. An act to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah; to the Committee on Energy and Natural Resources.

H.R. 4162. An act to provide for an exchange of lands between the Secretary of Agriculture and the United Water Conservation

District of California to eliminate certain private inholdings in the Los Padres National Forest, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5169. An act to designate the facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, as the "Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office"; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 338. Concurrent resolution expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere; to the Committee on Foreign Relations.

H. Con. Res. 368. Concurrent resolution expressing the sense of the Congress with respect to honoring the goals and ideals of Alex's Lemonade Stand Days, June 9 through 11, 2006; to the Committee on the Judiciary.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3967. An act to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7075. A communication from the Secretary of Transportation , transmitting, pursuant to law, a report entitled "Report to Congress on Catastrophic Hurricane Evacuation Plan Evaluation"; to the Committee on Commerce, Science, and Transportation.

EC-7076. A communication from the Administrator, Department of Transportation, transmitting, pursuant to law, a report entitled "Pilot Programs for Emergency Notification Systems at Highway-Rail Grade Crossings"; to the Committee on Commerce, Science, and Transportation.

EC-7077. A communication from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of the Administration's intent to award a contract to Trinity Technology Group for screening services at Tupelo Regional Airport in Tupelo, Mississippi; to the Committee on Commerce, Science, and Transportation.

EC-7078. A communication from the Assistant Secretary, Legislative and Intergovernmental Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Report on Analyzing Potential Vessel Routing Measures for Reducing Vessel (Ship) Strikes of North Atlantic Right Whales"; to the Committee on Commerce, Science, and Transportation.

EC-7079. A communication from the Attorney, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Administrator, received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7080. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "NASA Grant and Cooperative Agreement Handbook—Patent Rights and Rights in Data, CSC Programs" (RIN2700-AD24) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7081. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Conforming Civil and Criminal Penalties to Statutory Requirements" (RIN2127-AJ83) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7082. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "FMVSS No. 101 Petition for Reconsideration of Final Rule" (RIN2127-AJ81) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7083. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Vehicles Built in Two or More Stages, Response to Petitions for Reconsideration" (RIN2127-AJ91) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7084. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Galbraith Lake, AK" ((RIN2120-AA66)(Docket No. 05-AAL-37)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7085. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Minchumina, AK, CORRECTION" ((RIN2120-AA66)(Docket No. 05-AAL-41)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7086. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Kuparuk, AK" ((RIN2120-AA66)(Docket No. 06-AAL-05)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7087. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Minchumina, AK" ((RIN2120-AA66)(Docket No. 05-AAL-41)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7088. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Enroute Domestic Airspace Area, Vandenberg AFB, CA" ((RIN2120-AA66)(Docket No. 05-AWP-15)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7089. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Bay St. Louis, MS" ((RIN2120-AA66)(Docket No. 06-ASO-2)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7090. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Herlong, CA" ((RIN2120-AA66)(Docket No. 04-ANM-24)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7091. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Togiak Village, AK" ((RIN2120-AA66)(Docket No. 06-AAL-06)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7092. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; St. Paul Island, AK" ((RIN2120-AA66)(Docket No. 05-AAL-23)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7093. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Middleton Island, AK" ((RIN2120-AA66)(Docket No. 06-AAL-04)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7094. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Cold Bay, AK" ((RIN2120-AA66)(Docket No. 05-AAL-40)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7095. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Valdez Pioneer Field, AK" ((RIN2120-AA66)(Docket No. 05-AAL-42)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7096. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Removal of Class E Airspace; Paducah Farrington Airpark, KY" ((RIN2120-AA66)(Docket No. 06-ASO-4)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC-7097. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Mason City Municipal Airport, IA" ((RIN2120-AA66)(Docket No. 06-ACE-3)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7098. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Restricted Areas R–3002A, B, C, D, E and F; and Establishment of Restricted Area R–3002G; Fort Benning, GA" ((RIN2120–AA66)(Docket No. 04–ASO–14)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7099. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (43); Amdt. No. 3165" ((RIN2120–AA65)(Docket No. 30492)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7100. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (138); Amdt. No. 3164" ((RIN2120–AA65)(Docket No. 30491)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7101. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Standards for Flight Guidance Systems" ((RIN2120–AI41)(Docket No. FAA–2004–18775)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7102. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 767 Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–226)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7103. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A318–100 Series Airplanes; Model A319–100 Series Airplanes; Model A320–111 Airplanes; Model A320–200 Series Airplanes; Model A321–100 Series Airplanes; and Model A321–200 Series Airplanes" ((RIN2120–AA64)(Docket No. 2004–NM–270)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7104. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–300, 747–400, 747–400D, and 747SR Series Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–206)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7105. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 757–200 and –200PF Series Airplanes Equipped with Pratt and Whitney Engines" ((RIN2120–AA64)(Docket No. 2006–NM–082)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7106. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model CL–600–2B19 Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–100)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7107. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 727, 727C, 727–100, and 727–100C Series Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–111)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7108. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MD Helicopters, Inc. Model 600N Helicopters" ((RIN2120–AA64)(Docket No. 2006–SW–10)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7109. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747 Airplanes" ((RIN2120–AA64)(Docket No. 2004–NM–81)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7110. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model CL–600–2B19 Airplanes" ((RIN2120–AA64)(Docket No. 2003–NM–233)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7111. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Model DC–9–10, DC–9–20, DC–9–30, DC–9–40, and DC–9–50 Series Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–109)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7112. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 737–100, –200, –200C, –300, –400, and –500 Series Airplanes" ((RIN2120–AA64)(Docket No. 2004–NM–269)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7113. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Air Tractor, Inc. Models AT–400, AT–401, AT–401B, AT–402, AT–402A, and AT–402B Airplanes" ((RIN2120–AA64)(Docket No. 2006–CE–05)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7114. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Air Tractor, Inc. Models AT–802 and AT–802A Airplanes" ((RIN2120–AA64)(Docket No. 2005–CE–14)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7115. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model SA–365 N1, AS–365 N2, N3, SA–366 G1, and EC–155B and B1 Helicopters" ((RIN2120–AA64)(Docket No. 2006–SW–07)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7116. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives CORRECTION; Airbus Model A300 B4–600, B4–600R, and F4–600R Series Airplanes, and Model C4–605R Variant F Airplanes" ((RIN2120–AA64)(Docket No. 2004–NM–272)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7117. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747–100, 747–100B, 747–100B SUD, 747–200B, 747–200C, 747–200F, 747–300, 747SR, and 747SP Series Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–199)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7118. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model DHC–8–301, –311, and –315 Airplanes" ((RIN2120–AA64)(Docket No. 2004–NM–51)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7119. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A310 Airplanes, Model A300 B4–600 Series Airplanes, Model A300 B4–600R Series Airplanes , Model A300 F4–600R Series Airplanes, and Model A300 C4–605R Variant F Airplanes" ((RIN2120–AA64)(Docket No. 2006–NM–068)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7120. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cirrus Design Corporation Models SR20 and SR22 Airplanes" ((RIN2120–AA64)(Docket No. 2005–CE–49)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7121. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A319–131, –132, and –133; A320–232 and –233; and A321–131, –231, and –232 Airplanes" ((RIN2120–AA64)(Docket No. 2005–NM–154)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7122. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Model DC–9–81, DC–9–82, DC–9–83, DC–9–87, MD–88, and MD–90–30 Airplanes" ((RIN2120–AA64)(Docket No. 2003–NM–219)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VOINOVICH:

S. 3492. A bill to strengthen performance management in the Federal Government, to make the annual general pay increase for Federal employees contingent on performance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SMITH (for himself and Mr. Wyden):

S. 3493. A bill to provide that quantitative restrictions shall not apply with respect to certain knit performance outerwear pants; to the Committee on Finance.

By Mr. SMITH (for himself and Mr. Wyden):

S. 3494. A bill to provide that quantitative restrictions shall not apply with respect to woven performance outerwear pants; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. Smith, Mr. McCain, Mr. Kerry, Mr. Hagel, Mr. Lugar, Ms. Murkowski, and Mr. Carper):

S. 3495. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam; to the Committee on Finance.

By Mr. DEMINT:

S. 3496. A bill to amend the Internal Revenue Code of 1986 to eliminate the limitation on the foreign earned income exclusion, and for other purposes; to the Committee on Finance.

By Mr. KYL (for himself and Mr. McCain):

S. 3497. A bill to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANTORUM:

S. 3498. A bill to suspend temporarily the duty on certain thin fiberglass sheets; to the Committee on Finance.

By Mr. KYL (for himself, Mr. Grassley, Mr. DeWine, Mr. Cornyn, Mr. Brownback, Ms. Snowe, Mr. Burns, Mrs. Hutchison, and Mr. Allen):

S. 3499. A bill to amend title 18, United States Code, to protect youth from exploitation by adults using the Internet, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMAS (for himself, Mr. Conrad, Mr. Harkin, Mr. Roberts, Ms. Collins, Mr. Dayton, Mr. Salazar, Mr. Domenici, Mr. Burns, Mr. Dorgan, Mr. Thune, Mr. Johnson, Mr. Nelson of Nebraska, Ms. Murkowski, and Ms. Snowe):

S. 3500. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. McCAIN:

S. 3501. A bill to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program; to the Committee on Indian Affairs.

By Mr. KENNEDY (for himself, Mrs. Clinton, and Mr. Kerry):

S. 3502. A bill to modernize the education system of the United States, to arm individuals with 21st century knowledge and skills in order to preserve the economic and national security of the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 3503. A bill to amend the Internal Revenue Code of 1986 to extend the financing of the Superfund; to the Committee on Finance.

By Mr. SANTORUM (for himself and Mr. Brownback):

S. 3504. A bill to amend the Public Health Service Act to prohibit the solicitation or acceptance of tissue from fetuses gestated for research purposes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COLEMAN:

S. 3505. A bill for the relief of Konstantinos Ritos; to the Committee on the Judiciary.

By Mr. AKAKA:

S. 3506. A bill to prohibit the unauthorized removal or use of personal information contained in a database owned, operated, or maintained by the Federal government; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BIDEN:

S. Res. 507. A resolution designating the week of November 5 through November 11, 2006, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country; to the Committee on the Judiciary.

By Mr. BIDEN:

S. Res. 508. A resolution designating October 20, 2006 as "National Mammography Day"; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. Bennett, and Mr. Burr):

S. Res. 509. A resolution designating June 21, 2006, as "National Professional Medical Coder Day", in honor of the dedication and continued service of professional medical coders to the Nation; to the Committee on the Judiciary.

By Mr. MARTINEZ (for himself, Mr. Lautenberg, Ms. Snowe, Ms. Stabenow, Mr. Menendez, Mr. Lott, and Mrs. Dole):

S. Res. 510. A resolution designating the period beginning on June 28, 2006, and ending on July 5, 2006, as "National Clean Beaches Week", supporting the goals and ideals of that week, and recognizing the considerable value and role of beaches in the culture of the United States; to the Committee on the Judiciary.

By Mrs. CLINTON (for herself and Mr. Hatch):

S. Res. 511. A resolution commending and supporting Radio Al Mahaba, the 1st and only radio station for the women of Iraq; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 185

At the request of Mr. Nelson of Florida, the name of the Senator from Montana (Mr. Burns) was added as a cosponsor of S. 185, a bill to amend title 10, United States Code, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan.

S. 211

At the request of Mrs. Dole, the name of the Senator from Georgia (Mr. Isakson) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2–1–1 telephone service for information and referral on human services, volunteer services, and for other purposes.

S. 418

At the request of Mr. Enzi, the name of the Senator from Rhode Island (Mr. Reed) was added as a cosponsor of S. 418, a bill to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products.

S. 832

At the request of Mr. Bingaman, the name of the Senator from California (Mrs. Feinstein) was added as a cosponsor of S. 832, a bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes.

S. 842

At the request of Mr. Baucus, his name was added as a cosponsor of S. 842, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes.

S. 843

At the request of Mr. Santorum, the name of the Senator from Colorado (Mr. Salazar) was added as a cosponsor of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 1112

At the request of Mr. Grassley, the name of the Senator from New Jersey (Mr. Menendez) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1173

At the request of Mr. DeMint, the name of the Senator from Mississippi (Mr. Cochran) was added as a cosponsor of S. 1173, a bill to amend the National Labor Relations Act to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board.

S. 1319

At the request of Mrs. Lincoln, the name of the Senator from Vermont (Mr. Leahy) was added as a cosponsor of S. 1319, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 1360

At the request of Mr. SMITH, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1360, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage to designated plan beneficiaries of employees, and for other purposes.

S. 1513

At the request of Ms. MIKULSKI, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from North Carolina (Mrs. DOLE) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 1513, a bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

S. 1934

At the request of Mr. SPECTER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1934, a bill to reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes.

S. 1968

At the request of Mr. REID, his name was added as a cosponsor of S. 1968, a bill to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes.

S. 2068

At the request of Ms. COLLINS, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2068, a bill to preserve existing judgeships on the Superior Court of the District of Columbia.

S. 2115

At the request of Ms. STABENOW, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2115, a bill to amend the Public Health Service Act to improve provisions relating to Parkinson's disease research.

S. 2249

At the request of Mr. SANTORUM, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 2249, a bill to eliminate the requirement that States collect Social Security numbers from applicants for recreational licenses.

S. 2250

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2250, a bill to award a congressional gold medal to Dr. Norman E. Borlaug.

S. 2435

At the request of Mr. LUGAR, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 2435, a bill to increase cooperation on energy issues between the United States Government and foreign governments and entities in order to secure the strategic and economic interests of the United States, and for other purposes.

S. 2491

At the request of Mr. CORNYN, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2599

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. 2616

At the request of Mr. SANTORUM, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 2616, a bill to amend the Surface Mining Control and Reclamation Act of 1977 and the Mineral Leasing Act to improve surface mining control and reclamation, and for other purposes.

S. 2658

At the request of Mr. BOND, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2658, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

S. 2750

At the request of Mr. DEMINT, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 2750, a bill to improve access to emergency medical services through medical liability reform and additional Medicare payments.

S. 2917

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2917, a bill to amend the Communications Act of 1934 to ensure net neutrality.

S. 3456

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3456, a bill to ensure the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States.

S. 3487

At the request of Mr. KERRY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 3487, a bill to amend the Small Business Act to reauthorize and improve the disaster loan program, and for other purposes.

S. CON. RES. 99

At the request of Ms. SNOWE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. Con. Res. 99, a concurrent resolution expressing the sense of the Congress regarding the policy of the United States at the 58th Annual Meeting of the International Whaling Commission.

S. RES. 462

At the request of Mr. GRASSLEY, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. Res. 462, a resolution designating June 8, 2006, as the day of a National Vigil for Lost Promise.

S. RES. 493

At the request of Mr. DEWINE, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. Res. 493, a resolution calling on the Government of the United Kingdom to establish immediately a full, independent, public judicial inquiry into the murder of Northern Ireland defense attorney Pat Finucane, as recommended by international Judge Peter Cory as part of the Western Park agreement and a way forward for the Northern Ireland Peace Process.

AMENDMENT NO. 4203

At the request of Mr. KERRY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 4203 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4205

At the request of Mr. LAUTENBERG, the names of the Senator from Michigan (Ms. STABENOW), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Iowa (Mr. HARKIN), the Senator from Arkansas (Mrs. LINCOLN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Maryland (Ms. MIKULSKI), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Massachusetts (Mr. KERRY) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 4205 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4206

At the request of Mr. LUGAR, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of amendment No. 4206 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4208

At the request of Mr. WARNER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of amendment No. 4208 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

At the request of Mr. TALENT, his name was added as a cosponsor of amendment No. 4208 proposed to S. 2766, supra.

At the request of Mr. FRIST, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of amendment No. 4208 proposed to S. 2766, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

Mr. VOINOVICH:

S. 3492. A bill to strengthen performance management in the Federal Government, to make the annual general pay increase for Federal employees contingent on performance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. VOINOVICH. Mr. President, I rise today to introduce the Federal Workforce Performance Appraisal and Management Improvement Act. Before I describe for my colleagues the details of this legislation, I would like to provide background on why I believe it is important for Congress to consider legislation reforming the performance appraisal processes of the government.

My interest in the federal workforce began after working with the Federal Government for 18 years as an outside force, 10 years as mayor of Cleveland and 8 years as Governor of Ohio. Through my work as chairman of the Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia, I continue to observe that investing in personnel and workforce management; in fact, management in general, struggles to be a priority in the Federal Government. My own experience as county auditor, county commissioner, mayor, and governor has taught me that, of all the things in which government can invest, resources dedicated to human capital bring the greatest return.

I continue to applaud the current administration for its systematic approach to improving and scrutinizing the management practices of the Federal Government through the President's Management Agenda and its related scorecard. Each year, the administration raises the bar as to what earns an agency a green, or successful, rating. One of the criteria used to evaluate a department or agency for strategic management of human capital this year is demonstrating a strong performance appraisal system for the Senior Executive Service, agency managers, and 60 percent of the workforce.

I believe that an effective performance management system is fundamental to building a results-oriented organization. By developing a system where employees have regular discussions with their supervisors about expectations for their performance, both employees and supervisors will be more effective in achieving their agency's mission. The primary goal of the Federal Workforce Performance Appraisal and Management Improvement Act of 2006 is to build and maintain this environment.

This legislation would strengthen and improve the employee performance appraisal system, which now is vague in its requirements. While some organizations have taken steps to modernize their performance management systems and tools such as the President's Management Agenda have moved agencies in that direction, there is no comprehensive governmentwide mandate to do so. This legislation would begin the reform process by layering a modern performance management system over the existing General Schedule system.

This legislation would require that every Federal employee receive annually a written performance appraisal. That appraisal must align with the agency's strategic goals, be developed with the employee, make meaningful distinctions among employee performance, and use the results in making decisions for training, rewarding, promoting, reassigning, and removing employees.

This legislation would require the Office of Personnel Management to provide technical assistance to agencies and approve the system. The government must utilize the Office of Personnel Management's institutional expertise.

This legislation would require that managers receive the appropriate training to judge the performance of their subordinates, make expectations clear to employees, and give constructive feedback.

This legislation would stipulate that if an employee does not achieve a successful rating under the new appraisal system, then that employee would be ineligible for the annual pay increase or a within grade increase.

This legislation would provide individuals hired as senior level or senior technical to access level II of the Executive Schedule with an OPM certified performance appraisal system, consistent with statute for the Senior Executive Service.

I am introducing this legislation because I believe that employees should receive a rigorous evaluation each year and that their pay should be determined based upon their performance. I agree with the observation that has been made repeatedly by Comptroller General David Walker, that the passage of time should not be the single most important factor in determining an employee's pay. Instead, it should be determined by productivity, effectiveness, and contributions of that employee.

I have implemented pay for performance before, and it can work. However, it requires a significant commitment on behalf of managers and leaders. Instead of taking one giant bite at the apple, I believe it will be easier for Federal agencies to implement enhanced employee appraisals first. By instituting a more rigorous performance management standard on top of the current general schedule, I am optimistic this will create less anxiety among Federal employees.

I also would like to stress that I intend this effort to be completely bipartisan. The proposal I have outlined here today is not set in stone, and I imagine that it will undergo many changes.

I would like to transform the culture of the Federal workforce into a high-performing, continually improving organization that focuses on achieving results for the American people. The Federal workforce must be as agile, nimble, and intellectually energetic as the leading nongovernmental organizations or dot-com companies, capable of addressing the wide ranging challenges facing the U.S., from national security to global economic competitiveness to providing vital social services.

We must discuss the challenges before us and ask if the rules and culture of today's Federal workforce get the job done. We must engage in a dialogue about the future of the public service and ask the difficult questions about what we want it to achieve and how do we make it happen. This conversation will make many people uncomfortable, but it must take place. For as all of us who work on Federal workforce issues know, there is great disagreement about the types of reforms and changes that should be made going forward. We must ask, what should the Federal workforce be doing for America to meet the challenges of the 21st century? Once we have answered that question, we can begin to discuss how we build that workforce.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3492

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Workforce Performance Appraisal and Management Improvement Act of 2006".

SEC. 2. PERFORMANCE APPRAISAL SYSTEMS.

Subchapter I of chapter 43 of title 5, United States Code, is amended—

(1) by amending section 4302 to read as follows:

"§ 4302. Establishment of performance appraisal systems

"(a)(1) Subject to paragraphs (2) and (3), each agency shall establish 1 or more performance appraisal systems to promote high performance.

"(2) In designing and applying a performance appraisal system established under this subsection, each agency shall—

"(A) link the system with the strategic goals and annual performance plan of the agency;

"(B) involve employees in the development of their performance standards;

"(C) provide each employee with a written performance appraisal annually;

"(D) make meaningful distinctions in performance; and

"(E) use the results of performance appraisals as a basis for training, rewarding, compensating, reassigning, promoting, reducing in grade, retaining, and removing employees.

"(3) Consistent with section 4304, each performance appraisal system established under this subsection shall be developed with appropriate technical assistance from the Office of Personnel Management and shall be reviewed before implementation and from time to time thereafter by the Director of the Office to determine whether the system meets the requirements of this subchapter. The agency shall promptly take any corrective action directed by the Director of the Office at any time under section 4304 (b)(3).

"(b) Under regulations which the Director of the Office of Personnel Management shall prescribe, each performance appraisal system shall provide for—

"(1) holding supervisors and managers accountable in their performance appraisal for effectively managing the performance of employees, which includes—

"(A) assessing performance;

"(B) providing ongoing feedback and preparing written performance appraisals;

"(C) addressing poor performance; and

"(D) promoting and rewarding excellent performance;

"(2) establishing performance standards related to relevant assigned tasks for each employee or position under the system which will permit—

"(A) the accurate evaluation of performance on the basis of objective criteria, to the maximum extent feasible; and

"(B) making meaningful distinctions in performance;

"(3) communicating to each employee at the beginning of each appraisal period the performance standards and the critical elements of the employee's position;

"(4) evaluating each employee during the appraisal period on such standards;

"(5) assisting employees in improving unacceptable performance;

"(6) reassigning, reducing in grade, or removing employees who continue to have unacceptable performance, but only after an opportunity to demonstrate acceptable performance;

"(7) establishing multiple levels of summary performance ratings which provide for making meaningful distinctions in performance, including at least—

"(A) a summary level of fully successful (or equivalent);

"(B) a summary level of unacceptable; and

"(C) a summary level above fully successful; and

"(8) recognizing and rewarding employees whose performance so warrants."; and

(2) by amending section 4304 to read as follows:

"§ 4304. Responsibilities of the Office of Personnel Management

"(a) The Office of Personnel Management shall make technical assistance available to agencies in the development of performance appraisal systems.

"(b)(1) The Director of the Office shall review each performance appraisal system developed by any agency under this subchapter prior to its implementation and determine whether the performance appraisal system as designed meets the requirements of this subchapter.

"(2) The Director of the Office shall—

"(A) review agency performance appraisal systems developed under this subchapter from time to time after their implementation to determine the extent to which the application of any such system meets the requirements of this subchapter; and

"(B) report to the President and Congress any finding that an agency has failed to meet those requirements.

"(3) If the Director of the Office determines that a system does not meet the requirements of this subchapter (including regulations prescribed under section 4305), the Director of the Office shall direct the agency to implement an appropriate system or to correct operations under the system, and any such agency shall take any action so required.".

SEC. 3. MANDATORY TRAINING PROGRAMS FOR SUPERVISORS.

(a) IN GENERAL.—Section 4121 of title 5, United States Code, is amended to read as follows:

"§ 4121. Specific training programs

"(a) In this section, the term 'supervisor' means—

"(1) a supervisor as defined under section 7103(a)(10); and

"(2) any other employee as the Director of the Office may by regulation prescribe.

"(b) Under operating standards promulgated by, and in consultation with, the Director of the Office of Personnel Management, the head of each agency shall establish—

"(1) a comprehensive management succession program to provide training to employees to develop managers for the agency; and

"(2) a program to provide training to supervisors on actions, options, and strategies a supervisor may use in—

"(A) communicating performance expectations and conducting employee performance appraisals;

"(B) mentoring employees and improving employee performance and productivity;

"(C) dealing with employees whose performance is unacceptable; and

"(D) otherwise carrying out the duties and responsibilities of a supervisor.

"(c)(1) Not later than 1 year after the date on which an individual is appointed to the position of supervisor, and every 5 years thereafter, that individual shall be required to complete the program established under subsection (b)(2).

"(2) Each program established under subsection (b)(2) shall include provisions under which credit may be given for periods of similar training previously completed.

"(d) The Director of the Office of Personnel Management shall prescribe regulations to carry out this section.".

(b) EFFECTIVE DATE AND APPLICATION.—

(1) IN GENERAL.—The amendments made by this section shall take effect as provided under section 8 and apply to—

(A) each individual appointed to the position of a supervisor, as defined under section 4121(a) of title 5, United States Code, (as added by subsection (a) of this section) on or after that effective date; and

(B) each individual who is employed in the position of a supervisor on that effective date as provided under paragraph (2).

(2) SUPERVISORS ON EFFECTIVE DATE.—Each individual who is employed in the position of a supervisor on the effective date of this section shall be required to —

(A) complete the program established under section 4121(b)(2) of title 5, United States Code (as added by subsection (a) of this section), not later than 3 years after the effective date of this section; and

(B) complete that program every 5 years thereafter in accordance with section 4121(c) of such title.

SEC. 4. PAY RATES AND SYSTEMS.

Chapter 53 of title 5, United States Code, is amended—

(1) in section 5303, by adding at the end the following:

"(h)(1) An employee covered under subchapter III whose summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management, may not receive an increase in the rate of basic pay of that employee as the result of an adjustment under this section. The Director shall prescribe such rules as may be necessary to administer this subsection, including rules regarding the treatment of an employee whose rate of basic pay falls below the minimum rate of the applicable grade (or between steps of a grade) and the treatment of an employee whose performance subsequently improves.

"(2) When a determination is made that an employee covered under subchapter III will not receive an increase in the rate of basic pay of that employee because the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, the employee is entitled to prompt written notice of that determination and an opportunity for reconsideration of the determination within the agency, as specified in the procedures prescribed by the Director of the Office of Personnel Management under section 5335(c). If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board under the same terms and conditions as specified in such section.";

(2) in section 5304, by amending subsection (i) to read as follows:

"(i) The Director of the Office of Personnel Management shall prescribe regulations, consistent with this section, governing the payment of comparability payments to employees. The regulations shall provide that, at the time of an increase in a comparability payment, the rate of basic pay of an employee covered under subchapter III, or any other pay system designated by the Director, whose summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director, shall be reduced by an amount that results in retaining the employee's total rate of pay under this section and sections 5303 and 5304a, as in effect immediately before any increase under such sections. Such a reduction in an employee's rate of basic pay shall not be considered a reduction in pay for the purpose of applying the adverse action procedures under section 7512."; and

(3) in section 5305, by amending subsection (f) to read as follows:

"(f)(1) When a schedule of special rates established under this section is adjusted under subsection (d), the special rate of an employee shall be adjusted in accordance with conversion rules prescribed by the Director of the Office of Personnel Management (or by such other agency as the President may designate under the last sentence of subsection (a)(1)).

"(2) The conversion rules prescribed under paragraph (1), shall provide that a covered employee whose summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management, may not receive an increase in the special rate of that employee as the result of an adjustment under subsection (d). The Director shall prescribe such rules as may be necessary to administer this paragraph, including rules regarding the treatment of an employee whose rate of basic pay falls below the minimum rate of the applicable grade (or between pay rates or steps of a grade) and the treatment of an employee whose performance subsequently improves. The rules may provide for reducing an employee's rate of basic pay to the extent necessary to prevent any increase in the employee's special rate. Such a reduction in an employee's rate of basic pay shall not be considered a reduction in pay for the purpose of applying the adverse action procedures in section 7512.

"(3) When a determination is made that a covered employee will not receive an increase in the special rate of that employee under this subsection because the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, the employee is entitled to prompt written notice of that determination and an opportunity for reconsideration of the determination within the agency, as specified in the procedures prescribed by the Director under section 5335(c). If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board under the same terms and conditions as specified in such section.";

(4) in section 5335—

(A) in subsection (a) by amending subparagraph (B) to read as follows:

"(B) the employee's summary rating of performance for the most recently completed appraisal period is at least at the fully successful level, as defined by the Director of the Office of Personnel Management."; and

(B) by amending subsection (c) to read as follows:

"(c)(1) When an employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, the pay of that employee may not be increased under this section. Such an employee is entitled to prompt written notice of the determination not to increase the pay of that employee and an opportunity for reconsideration of the determination within the agency under uniform procedures prescribed by the Director of the Office of Personnel Management. If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board. If the reconsideration or appeal results in a reversal of the earlier determination, the new determination supersedes the earlier determination and is deemed to have been made as of the date of the earlier determination. The authority of the Director to prescribe procedures and the entitlement of the employee to appeal to the Board do not apply to a determination made by the Librarian of Congress.

"(2) Notwithstanding any other provision of law, an employee may grieve or appeal the first pay determination under this subsection or under section 5303(h), 5305(f), or 5363(b)(2(C) that is based on the employee's most recent summary rating of performance. An employee may not grieve or appeal any subsequent pay determination made that is based on the same summary rating of performance"; and

(5) by amending section 5338 to read as follows:

"§ 5338. Regulations

"The Director of the Office of Personnel Management may prescribe regulations necessary for the administration of this subchapter. Such regulations shall address how paysetting rules apply to an employee whose rate of basic pay is not equal to 1 of the scheduled step rates as a result of a determination not to increase the rate of basic pay of that employee under section 5303(h) or 5305(f) or to reduce the rate of basic pay of that employee under section 5304(i) or 5305(f).";

(6) in section 5343 (relating to prevailing rate wage systems)—

(A) in subsection (e)—

(i) by amending paragraph (2) to read as follows:

"(2) A prevailing rate employee under a regular wage schedule whose summary rating of performance for the most recently completed appraisal period is at least at the fully successful level, as defined by the Director of the Office of Personnel Management, shall advance automatically to the next higher step within the grade at the beginning of the first applicable pay period following the completion by that employee of—

"(A) 26 calendar weeks of service in step 1;

"(B) 78 calendar weeks of service in step 2; and

"(C) 104 calendar weeks of service in each of steps 3 and 4.";

(ii) by amending paragraph (4) to read as follows:

"(4) Supervisory wage schedules and special wage schedules authorized under subsection (c)(3) may have single or multiple rates or steps according to prevailing practices in the industry on which the schedule is based. A prevailing rate employee under a supervisory or special wage schedule with multiple rates or steps whose summary rating of performance for the most recently completed appraisal period is at least at the fully successful level, as defined by the Director of the Office of Personnel Management, shall advance automatically to the next higher step within the grade at the beginning of the first applicable pay period following the completion by that employee of any required waiting period."; and

(iii) by adding at the end the following:

"(5)(A) When a summary rating of performance of an employee covered under this subchapter for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management, the employee may not be advanced to the next higher step within the grade under paragraph (2) or (4). Such an employee is entitled to prompt written notice of the determination not to increase the pay of that employee and an opportunity for reconsideration of the determination within the agency under uniform procedures prescribed by the Director of the Office of Personnel Management. If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board. If the reconsideration or appeal results in a reversal of the earlier determination, the new determination supersedes the earlier determination and is deemed to have been made as of the date of the earlier determination.

"(B) Notwithstanding any other provision of law, an employee may grieve or appeal the first pay determination under this paragraph, subsection (g), or section 5363(b)(2)(C) when such determinations are made based on the same summary rating of performance. An employee may not grieve or appeal any subsequent pay determination made that is based on the same summary rating of performance."

(B) by adding at the end the following:

"(g)(1) An employee covered under this subchapter whose summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management, may not receive an increase in the rate of basic pay of that employee as the result of an adjustment in any wage schedule established under this subchapter. The Director may prescribe such rules as may be necessary to administer this subsection, including rules regarding the treatment of an employee whose rate of basic pay falls below the minimum rate of the applicable grade (or between steps of a grade) and the treatment of an employee whose performance subsequently improves.

"(2) When a determination is made that a covered employee will not receive an increase in the rate of basic pay of that employee at the time of an adjustment in a wage schedule because the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, the employee is entitled to prompt written notice of that determination and an opportunity for reconsideration of the determination within the agency, as specified in the procedures prescribed by the Director of the Office of Personnel Management under subsection (e)(5). If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board under the same terms and conditions as specified under subsection (e)(5).";

(7) in section 5363(b)(2) (relating to pay retention)—

(A) in subparagraph (B) by striking "A rate" and inserting "Except as provided in subparagraph (C), a rate"; and

(B) by adding at the end the following:

"(C)(i) An employee's retained rate may not be increased under subparagraph (B) if the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management. The Director shall prescribe such rules as may be necessary to administer this subparagraph, including rules regarding the treatment of an employee whose performance subsequently improves.

"(ii) When a determination is made that an employee will not receive an increase in the retained rate of that employee because the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, the employee is entitled to prompt written notice of that determination and an opportunity for reconsideration of the determination within the agency, as specified in the procedures prescribed by the Director of the Office of Personnel Management under section 5335(c). If the determination is affirmed on reconsideration, the employee is entitled to appeal to the Merit Systems Protection Board under the same terms and conditions as specified under section 5335(c).";

(8) in section 5376(b) (relating to pay for certain senior-level positions)—

(A) in paragraph (2), by striking "Subject to paragraph (1)" and inserting "Subject to paragraphs (1) and (3)"; and

(B) by adding at the end the following:

"(3) Notwithstanding any other provision of this section, an employee covered under this section whose summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management, may not receive an increase in the rate of basic pay of that employee. The Director shall prescribe such rules as may be necessary to administer this paragraph, including rules regarding the treatment of an employee whose rate of basic pay falls below the otherwise applicable minimum rate prescribed by paragraph (1)(A) and the treatment of an employee whose performance subsequently improves.";

(9) in section 5382(a), in the first sentence, by inserting "(except as provided by section 5383(a))" after "for the Senior Executive Service, and"; and

(10) in section 5383, by amending subsection (a) to read as follows:

"(a) Each appointing authority shall determine, in accordance with criteria established by the Director of the Office of Personnel Management, which of the rates within a range established under section 5382 shall be paid to each senior executive under such appointing authority. Such criteria shall provide that a member of the Senior Executive Service may not receive an increase in the rate of basic pay of that member if such member's summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director. The Director shall prescribe such rules as may be necessary to administer this subsection, including rules regarding the treatment of a member whose rate of basic pay falls below the otherwise applicable minimum rate prescribed by section 5382(a) and the treatment of a member whose performance subsequently improves.".

SEC. 5. SENIOR EXECUTIVE SERVICE PLACEMENT IN OTHER PERSONNEL SYSTEMS.

Section 3594(c)(2) of title 5, United States Code, is amended to read as follows:

"(2)(A) Except as provided in subparagraph (B) of this paragraph, an employee who is receiving basic pay under paragraph (1)(B)(ii) or (iii) is entitled to have the rate of basic pay of the employee increased by 50 percent of the amount of each increase in the maximum rate of basic pay for the grade of the position in which the employee is placed under subsection (a) or (b) until the rate is equal to the rate in effect under paragraph (1)(B)(i) for the position in which the employee is placed.

"(B) A rate of basic pay established under paragraph (1)(B)(ii) or (iii) may not be increased under subparagraph (A) if the employee's summary rating of performance for the most recently completed appraisal period is below the fully successful level, as defined by the Director of the Office of Personnel Management. The Director shall prescribe such rules as may be necessary to administer this subparagraph, including rules regarding the treatment of an employee whose performance subsequently improves.".

SEC. 6. CERTAIN SENIOR-LEVEL POSITIONS.

(a) Locality Pay.—Section 5304 of title 5, United States Code, as amended by section 4 of this Act, is further amended—

(1) in subsection (g), by amending paragraph (2) to read as follows:

"(2) The applicable maximum under this subsection shall be level III of the Executive Schedule for—

"(A) positions under subparagraphs (A) and (B) of subsection (h)(1); and

"(B) any positions under subsection (h)(1)(C) as the President may determine."; and

(2) in subsection (h)—

(A) in paragraph (1)—

(i) by striking subparagraph (A);

(ii) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively;

(iii) in clause (v), by striking "or" at the end;

(iv) in clause (vi), by striking the period at the end and inserting "; or"; and

(v) by adding at the end the following:

"(vii) a position to which section 5376 applies (relating to certain senior-level and scientific and professional positions).";

(B) in paragraph (2)(B)—

(i) in clause (i)—

(I) by striking "subparagraphs (A) through (C)" and inserting "subparagraphs (A) and (B)"; and

(II) by striking "or (vi)" and inserting "(vi), or (vii)"; and

(ii) in clause (ii)—

(I) by striking "paragraph (1)(D)" and inserting "paragraph (1)(C)"; and

(II) by striking "or (vi)" and inserting "(vi), or (vii)".

(b) Access to Higher Maximum Rate of Basic Pay.—Section 5376(b) of title 5, United States Code, as amended by section 4 of this Act, is further amended—

(1) in paragraph (1) by amending subparagraph (B) to read as follows:

"(B) subject to paragraph (4), not greater than the rate of basic pay payable for level III of the Executive Schedule."; and

(2) by adding at the end the following:

"(4) In the case of an agency which, under section 5307(d), has a performance appraisal system which, as designed and applied, is certified as making meaningful distinctions based on relative performance, paragraph (1)(B) shall apply as if the reference to 'level III' were a reference to 'level II'.

"(5) No employee may suffer a reduction in pay by reason of transfer from an agency with an applicable maximum rate of pay prescribed under paragraph (4) to an agency with an applicable maximum rate of pay prescribed under paragraph (1)(B).".

(c) Authority for Employment; Appointments; Classification Standards.—Title 5, United States Code is amended—

(1) in section 3104(a), in the second sentence, by striking "prescribes" and inserting "prescribes and publishes in such form as the Office may determine";

(2) in section 3324(a) by striking "the Office of Personnel Management" and inserting "the Director of the Office of Personnel Management on the basis of qualification standards developed by the agency involved in accordance with criteria specified in regulations prescribed by the Director";

(3) in section 3325—

(A) in subsection (a), in the second sentence, by striking "or its designee for this purpose" and inserting the following: "on the basis of standards developed by the agency involved in accordance with criteria specified in regulations prescribed by the Director of the Office of Personnel Management"; and

(B) by adding at the end the following:

"(c) The Director of the Office of Personnel Management shall prescribe such regulations as may be necessary to carry out the purpose of this section."; and

(4) in section 5108(a)(2) by inserting "published by the Director of the Office of Personnel Management in such form as the Office may determine" after "and procedures".

SEC. 7. REGULATIONS.

Not later than 1 year after the date of enactment of this Act, the Director of the Office of Personnel Management shall prescribe regulations to carry out this Act, including the amendments made by this Act.

SEC. 8. EFFECTIVE DATES AND IMPLEMENTATION.

(a) Sections 2 and 3.—

(1) Effective date.—The amendments made by sections 2 and 3 shall take effect on the earlier of—

(A) 180 days after the date of enactment of this Act; or

(B) the effective date of implementing regulations prescribed by the Director of the Office of Personnel Management.

(2) Submissions.—

(A) Performance appraisal systems.—Not later than July 1, 2007, each agency covered by subchapter I of chapter 43 of title 5, United States Code, shall submit to the Director of the Office of Personnel Management each performance appraisal system established under that subchapter so that the Director may determine whether the system meets the requirements of the subchapter. Each submission under this paragraph shall include all information the Director requires in order to make the determination.

(B) Report to congress.—Not later than November 1, 2007, the Director of the Office of Personnel Management shall submit a report regarding the Director's review under section 4304(b)(1) of title 5, United States Code, as amended by section 2 of this Act, to the President and Congress.

(b) Sections 4 and 5.—The amendments made by sections 4 and 5 shall apply with respect to any employee beginning on the first day of the first pay period following the completion of 52 weeks after the date on which the first annual adjustments in rates of basic pay under section 5303 of title 5, United States Code, occur following the date of enactment of this Act.

(c) Section 6.—

(1) Effective date.—The amendments made by section 6 shall take effect on the first day of the first pay period beginning on or after the 180th day following the date of enactment of this Act.

(2) No reductions in rates of pay.—

(A) In general.—The amendments made by section 6 may not result, at the time such amendments take effect, in a reduction in the rate of basic pay for an individual holding a position to which section 5376 of title 5, United States Code, applies.

(B) DETERMINATION OF RATE OF PAY.—For the purposes of subparagraph (A), the rate of basic pay for an individual described in that subparagraph shall be deemed to be the rate of basic pay set for the individual under such section 5376, plus applicable locality pay paid to that individual, as of the effective date under paragraph (1).

(d) REFERENCES TO MAXIMUM RATES.—Except as otherwise provided by law, any reference in a provision of law to the maximum rate under section 5376 of title 5, United States Code—

(1) as provided before the effective date of the amendments made by section 6, shall be considered a reference to the rate of basic pay for level IV of the Executive Schedule; and

(2) as provided on or after the effective date of the amendments made by section 6, shall be considered a reference to—

(A) the rate of basic pay for level III of the Executive Schedule; or

(B) if the head of the agency responsible for administering the applicable pay system certifies that the employees are covered by a performance appraisal system meeting requirements established by the Director of the Office of Personnel Management, level II of the Executive Schedule.

By Mr. BAUCUS (for himself, Mr. SMITH, Mr. MCCAIN, Mr. KERRY, Mr. HAGEL, Mr. LUGAR, Ms. MURKOWSKI, and Mr. CARPER):

S. 3495. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam; to the Committee on Finance.

Mr. BAUCUS. Mr. President, today, I introduce with Senator GORDON SMITH a bill to grant Vietnam permanent normal trade relations status.

Thirty-one years ago, the lights went out on the relationship between the United States and Vietnam. Diplomatic relations were broken off, and trade ceased. The story between our two countries became one of refugees, prisoners of war, and soldiers missing in action. Hostility and mistrust prevailed. Normalization was a dream of the visionary or the fool.

In 1991—16 years after the last helicopters took off from the roof of the U.S. Embassy in Saigon—flickers of reconciliation emerged out of the darkness. In April of that year, President George H.W. Bush presented the Vietnamese government with a roadmap for normalization. That started a process of healing that lasted through successive Republican and Democratic administrations and was supported by courageous bipartisan action in the Congress: Between 1991 and 1993, veterans Senator JOHN KERRY, Senator MCCAIN, and former Senator Bob Smith led the Senate Select Committee on POW/MIA Affairs in the most exhaustive investigation of the status of POWs and MIAs ever conducted. In Feberuary of 1994, President Bill Clinton lifted the trade embargo on Vietnam. 17 months later, in July of 1995, he announced the normalization of political relations with Vietnam. In July of 2000, the United States and Vietnam concluded a comprehensive Bilateral Trade Agreement, allowing the United States to provide, for the first time, nondiscriminatory treatment to Vietnam's products. And just last month, the United States and Vietnam signed another trade agreement, paving the way for Vietnam's accession to the World Trade Organization.

Today, we continue the legacy of reconciliation.

This morning, Senator SMITH and I—along with Senators MCCAIN, KERRY, HAGEL, LUGAR, MURKOWSKI, and CARPER—introduced a bill to grant Vietnam Permanent Normal Trade Relations status, or PNTR. I congratulate Representatives RAMSTAD and THOMPSON for introducing the House version of this bill.

This is the final step on the road to normalization. With this bill, we will complete the process begun 15 years ago.

Today, we open a new book to the future.

With 83 million people and a median age just over 25 years old, Vietnam is one of the most important emerging markets in Asia. Our trade with Vietnam has grown to 30 times what it was in 1994.

With PNTR, we begin the story of full engagement between the United States and Vietnam. It is a story of economic cooperation and cultural understanding. It is a story where trade and markets overshadow memories of guns and war.

I look forward to working with my Senate and House colleagues, the administration, and all interested parties to pass this historic bill by the August recess.

I ask that a copy of the text of the bill be printed into the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3495

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress finds the following:

(1) In July 1995, President Bill Clinton announced the formal normalization of diplomatic relations between the United States and Vietnam.

(2) Vietnam has taken cooperative steps with the United States under the United States Joint POW/MIA Accounting Command (formerly the Joint Task Force-Full Accounting) established in 1992 by President George H. W. Bush to provide the fullest possible accounting of MIA and POW cases.

(3) In 2000, the United States and Vietnam concluded a bilateral trade agreement that included commitments on goods, services, intellectual property rights, and investment. The agreement was approved by joint resolution enacted pursuant to section 405(c) of the Trade Act of 1974 (19 U.S.C. 2435(c)), and entered into force in December 2001.

(4) Since 2001, normal trade relations treatment has consistently been extended to Vietnam pursuant to title IV of the Trade Act of 1974.

(5) Vietnam has undertaken significant market-based economic reforms, including the reduction of government subsidies, tariffs and nontariff barriers, and extensive legal reform. These measures have dramatically improved Vietnam's business and investment climate.

(6) Vietnam is in the process of acceding to the World Trade Organization. On May 31, 2006, the United States and Vietnam signed a comprehensive bilateral agreement providing greater market access for goods and services and other trade liberalizing commitments as part of the World Trade Organization accession process.

SEC. 2. TERMINATION OF APPLICATION OF TITLE IV OF THE TRADE ACT OF 1974 TO VIETNAM.

(a) PRESIDENTIAL DETERMINATIONS AND EXTENSION OF NON-DISCRIMINATORY TREATMENT.—Notwithstanding any provision of title IV of the Trade Act of 1974 (19 U.S.C. 2431 et seq.), the President may—

(1) determine that such title should no longer apply to Vietnam; and

(2) after making a determination under paragraph (1) with respect to Vietnam, proclaim the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of that country.

(b) TERMINATION OF THE APPLICABILITY OF TITLE IV.—On and after the effective date of the extension of nondiscriminatory treatment to the products of Vietnam under subsection (a), title IV of the Trade Act of 1974 shall cease to apply to that country.

Mr. SMITH. Mr. President, I rise to join the Senator from Montana, Mr. BAUCUS, in offering legislation that would grant Vietnam permanent normalized trade relations treatment and help to pave the way for Vietnam's accession to the World Trade Organization. I am proud to also be joined in this effort by Senators MCCAIN, KERRY, HAGEL, LUGAR, MURKOWSKI, and CARPER.

Last December, I was privileged to lead a delegation of U.S. Senators to Vietnam. During our visit, we met with President Luong and other Vietnamese officials to discuss the importance of our bilateral relationship and the need to get a good market access agreement between the United States and Vietnam that will help cement that relationship.

I congratulate Ambassadors Rob Portman and Susan Schwab and the USTR team for their work to get this agreement. This is a great achievement.

Over the last decade, our relationship with Vietnam has been characterized by increased cooperation and engagement. The passage of our legislation will enhance those ties and create new economic opportunities for U.S. businesses.

In recent years, Vietnam has undertaken a number of market-based economic reforms, including the reduction of government subsidies, tariffs, and non-tariff barriers, and extensive legal reforms. These reforms have spurred dramatic economic growth. Vietnam is now the fastest growing economy in Southeast Asia and a growing market for U.S. exporters.

In 2000, the United States and Vietnam concluded a bilateral trade agreement. Since that agreement entered into force, U.S. exports to Vietnam have increased by 150 percent. Last year alone, U.S. exports to Vietnam rose by 24 percent.

The recently negotiated market access agreement will build upon that success by further lowering trade barriers to a wide range of U.S. industrial and agricultural products and services. Upon Vietnam's accession to the WTO, U.S. businesses will enjoy greater access to a market of more than 83 million people.

Agricultural producers will benefit from immediate tariff reductions on U.S. exports as well as new commitments by Vietnam to improve implementation of sanitary and phytosanitary measures. Oregon growers will benefit as tariffs on apples and pears are cut from 40 percent to 10 percent over the next 5 years and tariffs on frozen French fries are reduced from 50 percent to 13 percent over the next 6 years.

Oregon manufacturing and branding companies have long had a presence in Vietnam. These companies will immediately benefit from increased market access and greater regulatory transparency.

Having Vietnam within the rules-based global trading system will be good for U.S. businesses. This accession agreement will be key to ensuring that Vietnam follows global trade rules.

It will also ensure that the Vietnamese people will be able to realize the benefits of trade liberalization. By increasing transparency and implementing market-based reforms, Vietnam is essentially opening itself to international commerce. Countries that open themselves to trade attract investment, which in turn creates jobs and enhances individual welfare.

The passage of PNTR legislation will mark the final step toward normalizing our relationship with Vietnam. This bill represents a historic moment in our relationship with Vietnam and a definitive statement of how we have moved beyond our past divisions.

I am especially pleased with the strong bipartisan support that we have received for this bill. I am hopeful that we will be able to move this bill before Congress leaves for the August recess, so that it can be signed into law before President Bush's visit to Vietnam in November.

By Mr. KYL (for himself and Mr. MCCAIN):

S. 3497. A bill to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. KYL. Mr. President, today I am pleased to join with Senator MCCAIN to introduce the Las Cienegas Enhancement Act of 2006. This legislation directs a land exchange between the Bureau of Land Management and the Las Cienegas Conservation, LLC. in southeastern Arizona. The bill is the product of consensus. State and local officials, conservationists, and other stakeholders have worked together to structure an exchange that is fair and in the public interest.

Let me explain the details of the exchange. The land to be transferred out of Federal ownership, approximately 1,280 acres, is referred to as the "Sahuarita property." This property is BLM-managed land south of Tucson near Corona de Tucson. The land is low-lying Sonoran desert and has been identified for disposal by the BLM through its land-use planning process.

The private land to be brought into Federal ownership is approximately 2,392 acres of land referred to as the "Empirita-Simonson property." This property lies north of the Las Cienegas National Conservation Area managed by the BLM. The Empirita-Simonson property lies within the "Sonoita Valley Acquisition Planning District" established by Public Law 106–538, which designated the Las Cienegas National Conservation Area. The act directed the Department of the Interior to acquire lands from willing sellers within the planning district for inclusion within the conservation area to further protect the important resource values for which the area was designated.

Although this bill is centered on the land exchange I just described, it also accomplishes two other important objectives: addressing water withdrawals at Ciengas Creek and providing road access to a popular recreation destination, the Whetstone Mountains controlled by the Forest Service.

Let's talk about water. Arizonans understand that protecting our water supply is crucial to the State's future. For this reason, when we can, we look for ways to promote responsible use of our limited water supply. This bill is one of those examples of responsible use. There is a prior claim to a well site on the private land that will be exchanged. That prior claim would allow the developer to withdraw 1,600 acre feet of water a year. Pima County and the community at large are concerned about the future of Ciengas Creek and the entire riparian area if these water withdrawals occur.

To address this concern, the land exchange is conditioned on Las Cienegas Conservation Inc. conveying the well site to Pima County and relinquishing those water rights it controls. The net result is a water savings of 1,050 acre-feet per year. This is a significant benefit to this riparian area.

Overall, this bill allows us to accomplish important environmental and conservation objectives while managing our development. It is a bill with broad support that includes the Governor of Arizona, Pima County, the city of Tucson, and many others. I urge my colleagues to work with me to approve this legislation at the earliest possible date.

By Mr. KYL (for himself, Mr. GRASSLEY, Mr. DEWINE, Mr. CORNYN, Mr. BROWNBACK, Ms. SNOWE, Mr. BURNS, Mrs. HUTCHISON, and Mr. ALLEN):

S. 3499. A bill to amend title 18, United States Code, to protect youth from exploitation by adults using the Internet, and for other purposes; to the Committee on the Judiciary.

Mr. KYL. Mr. President, I rise today to introduce the Internet SAFETY Act of 2006. The word "SAFETY" in the bill's title stands for Stop Adults Facilitating the Exploitation of Youth. It is a fairly descriptive acronym, for the provisions of the Internet SAFETY Act are designed to crack down on the spread of Internet child pornography and related conduct. The act does so by creating new Federal offenses and causes of action targeted at those who produce or knowingly facilitate Internet child pornography, by increasing penalties for child pornography, sex trafficking, and sexual abuse offenses, and by increasing resources available for prosecution and prevention of child sexual-abuse offenses, including authorizing 200 new assistant U.S. attorneys across the country to prosecute child pornography and sexual exploitation crimes.

The need for renewed law-enforcement attention to child pornography is demonstrated in a recent report of the U.S. Justice Department titled "Project Safe Childhood." I will ask to have an extended excerpt from the report printed in the RECORD at the conclusion of my remarks. As the report notes, "judging simply by [recent] crime statistics, it is clear that the Internet is helping to fuel an epidemic of child pornography" in this country. Unfortunately, by providing greater technical ease and increased anonymity in trading images, the Internet has "taken down barriers that one time served as a deterrent to child pornographers." In 2003, an estimated 20,000 images of child pornography were posted on the Internet every week. Between 1998 and 2004, child pornography reports made to the National Center for Missing and Exploited Children increased from 3,267 to 106,119—a thirty-fold increase over a 6-year period. The Justice Department also notes that there has been an escalation in the severity of abuse depicted in child pornography in recent years, "with the images found today more frequently involving younger children—including toddlers and even infants—and despicable acts such as penetration of infants." The Project Safe Childhood report concludes that "the nation should be alarmed at the fact that child pornography is being produced, possessed, and distributed in record numbers." As the report notes, child pornography's harm extends beyond that done to the children who are sexually abused to produce such images: "child pornography [also] plays a central role in child molestations, serving to justify offenders' conduct, assist them in gaining compliance with their victims, and to provide a means to blackmail the children they have molested in order to prevent exposure."

The Internet SAFETY Act does the following things. It creates a new Federal offense, punishable by a maximum of 10 years in prison, for financially facilitating access to child pornography on the Internet. The act also deters Internet facilitation of child pornography by imposing civil penalties for Internet communications providers that fail to report child pornography, criminal penalties for Web site operators who insert words or images into source code with the intent to deceive persons into viewing obscene material on the Internet, and by requiring commercial Web site operators to place warning marks prescribed by the Federal Trade Commission on Web pages that contain sexually explicit material.

The Internet SAFETY Act also punishes the operation of child pornography enterprises. It creates a new Federal offense, punishable by a minimum of 10 years in prison, for the operation of an enterprise that profits from the sexual exploitation of children. The act also imposes mandatory, consecutive 10 year sentences for any child pornography or exploitation offense committed by a registered sex offender. In addition, the act increases penalties for offenses involving child pornography, child prostitution and sex trafficking, child sexual abuse, and sexual assault.

The Internet SAFETY Act also expands the Federal private right of action against child pornographers. It allows a victim, including parents of a minor victim, to seek civil remedies, and also allows a victim to seek remedies as an adult. This provision is inspired by a young girl named Masha who was adopted from Russia by a man who repeatedly molested her, photographed her, and posted pornographic images of her on the Internet. In addition, the act adds the obscenity and child pornography statutes to the RICO predicates and adds electronic mail fraud to the wiretap predicates.

The Internet SAFETY Act also establishes within the Justice Department an Office on Sexual Violence and Crimes Against Children to coordinate sex offender registration and notification programs and grant programs, and to assist State, local, and tribal governments and other entities with sex offender registration or notification and other measures.

Finally, the act authorizes and directs the Attorney General to make grants to States, local governments, Indian tribes, and nonprofit organizations for child sexual abuse prevention programs. In addition, the act authorizes appropriations for 200 additional child exploitation prosecutors in U.S. Attorneys' Offices around the country and 20 additional Internet Crimes Against Children task forces.

I ask unanimous consent that the following passages from the Justice Department's report Project Safe Childhood be printed in the RECORD.

There being no objection, the additional material was ordered to be printed in the RECORD, as follows:

PROJECT SAFE CHILDHOOD—PROTECTING CHILDREN FROM ONLINE EXPLOITATION AND ABUSE

INTRODUCTION

The Internet and other communications technologies are increasingly used by sexual predators and abusers as tools for exploiting and victimizing our children. First, these technologies have contributed to a significant increase in the proliferation and severity of child pornography. They provide pornographers with an easily accessible and seemingly anonymous means for collecting large number of images of child sexual abuse. Eventually, some predators turn to producing their own images. The result has been that images of child sexual abuse today are more disturbing, more graphic, and more sadistic than ever before, and they involve younger and younger children. Second, as the Internet and related technologies have grown, children have become increasingly at risk of being sexually solicited online by predators. Law enforcement is uncovering an escalating number of "enticement" cases, where perpetrators contact children in chat rooms or through instant messaging and arrange to meet at a designated location for the purpose of making sexual contact.

* * * * *

Part II. The Need for a national initiative to protect children

Two types of dangers to children are especially problematic. First, the threat of sexual predators contacting children online, with the hope of luring them to meet in person, has been amply demonstrated by academic studies as well as recent investigative journalism reports. A Youth Internet Safety Survey conducted between August 1999 and January 2000 found that approximately one in five children per year receives an unwanted sexual solicitation online. One in thirty-three children per year receives an aggressive sexual solicitation—i.e., one in which a solicitor asks to meet them somewhere, calls them on the telephone, or sends mail, money, or gifts. And one in four per year has an unwanted exposure to sexually explicit material. Meanwhile, only 25 percent of the youth who encountered a sexual solicitation told a parent. Only a fraction of all episodes were reported to authorities, such as a law enforcement agency, an Internet service provider, or a hotline. According to a recent media report, at any given time, 50,000 predators are on the Internet prowling for children. These figures make clear that the threat of online enticement of children is immense.

Second, the victimization of children through the production and distribution of child pornography is equally troubling, and on the rise. It was estimated, even in 2003, that more than 20,000 images of child pornography are posted on the Internet each week. NCMEC's CyberTipline logged a 39 percent increase in reports of the possession, creation, or distribution of child pornography in 2004. The gravity of these increases is more dramatically demonstrated by comparing the actual number of reports in 1998 to those logged in 2004, rather than merely reciting percentage increases. In 1998, the CyberTipline received 3,267 reports of child pornography. In 2004, the CyberTipline received 106,119 of these reports, marking more than a 30–fold increase in child pornography reports in a six year period. Judging simply by crime statistics, it is clear that the Internet is helping to fuel an epidemic of child pornography.

Not only is there an increase in the volume of pornographic images, there is also an escalation in the severity of the abuse depicted, with the images found today more frequently involving younger children-including toddlers and even infants-and despicable acts such as penetration of infants. And technology lends itself to the dissemination of more graphic images via the web, with its easy access, low cost, and apparent anonymity.

Experts agree that the escalation in both the prevalence and severity of child pornography is driven at least in part by advances in computer technology and increased access to the Internet. According to a recent study, 78.6 percent of Americans go online, and almost two-thirds of Americans use the Internet at home. While it is impossible to determine exactly how many people are looking at child pornography, experts attribute the escalation in the quantity of child pornography being created and distributed to the growth of the Internet, and the concomitant ease with which child predators can now buy, sell, and swap images. The resulting sense of community among child predators is in turn helping to embolden those who may have had misgivings about a sexual interest in children, and it is thus driving a market for new images with fresh faces. Before the Internet, it was difficult and risky for child exploiters to go out and find other child exploiters with whom to share images, which left the child pornography industry relegated to small black markets in underground bookstores or secret mailings. Today, the Internet has provided these pedophiles with an accessible, convenient, and anonymous means for interacting with their community and obtaining illicit material. The Internet has thus taken down borders that at one time served as a deterrent to child pornographers.

THESE ESCALATING TRENDS PRESENT A SERIOUS RISK TO OUR SOCIETY

The harm caused by enticement offenses is beyond question. Sexual abuse is a serious crime that deeply affects any victim, especially children, and it has dramatic secondary effects on our society. The looming danger of our children being preyed upon by pedophiles in chat rooms or through social networking sites is, in short, among the gravest threats facing children today.

The impact of child pornography on victims, and on society as a whole, is far less appreciated today than the threat of enticement offenses. Child pornography images are not just pictures, akin to any number of other images legally available on the Internet. Most images of child pornography depict victims—children—who have been exploited and abused. These images are permanent visual records of child sexual abuse. For this reason, the very term commonly used to describe these terrible images—"child pornography"—does not adequately convey the horrors these images depict. A more accurate term would be "images of child sexual abuse," because the very production of the images necessarily involves the sexual abuse of a child. And the child is re-victimized each time they are viewed.

The nation should be alarmed at the fact that child pornography is being produced, possessed, and distributed in record numbers. According to a 2005 study entitled "Child-Pornography Possessors Arrested in Internet-Related Crimes: Findings from the National Juvenile Online Victimization Study," which studied defendants arrested and charged with possession of child pornography between July 2000 and June 2001:

> More than 80 percent of arrested [child pornography] possessors had images of prepubescent children, and 80 percent had images of minors being sexually penetrated. Approximately 1 in 5 (21 percent) arrested [child pornography] possessors had images of children enduring bondage, sadistic sex, and other sexual violence. More than 1 in 3 (39 percent) [child pornography] possessors had videos depicting child pornography with motion and sound.

Although their identities are often unknown, many of the children in these graphic images were sexually victimized and assaulted. Those who possess these pictures—for sexual gratification, curiosity, as a means of profit, or for other reasons—are adding to the burdens of these young victims, whose trauma may be increased by knowing their pictures are circulating globally on the Internet with no hope of permanent removal or could be entered into circulation in the future.

Child pornography victimizes children in a very real and dramatic way. Of course, no child can consent to being sexually exploited through the production of sexually-explicit images. Each time the image is viewed or distributed, the child is again victimized. "[N]o mere words could ever truly describe the daily torture of victims who were forced to participate in child pornography years ago and now, as adults, see images of themselves 'performing' on the Internet. In addition to the obvious physical injuries that a child can suffer due to sexual abuse, the emotional and psychological trauma is devastating, and lasting. Many child victims suffer from depression, withdrawal, anger, and other conditions that often continue into adulthood. They experience feelings of guilt and responsibility for the abuse, a sense of powerlessness and feelings of worthlessness.

Thus, for the sole fact of the victimization and damage that child pornography visits upon children, possession of child pornography is a heinous crime that must be stamped out. But that is only half of the story of the pernicious effect of child pornography. Possession of child pornography is a serious crime for four additional reasons, each of which is described more fully below:

1. The exchange of child pornography by and between child exploiters validates and encourages them in their beliefs and behaviors;
2. The greater availability of child pornography has led to the production, receipt, and distribution of more shocking, graphic images, which are increasingly involving younger children and infants;
3. The compulsion to collect child pornography images may lead to a compulsion to molest children, or may be indicative of a propensity to molest children; and
4. Child pornography is frequently used by molesters as an affirmative tool, either to silence their victims, to blackmail them into further exploitation, or to entice other children.

VALIDATION AND ENCOURAGEMENT

Use of the Internet by child pornographers to exchange images and communications regarding those images provides positive reinforcement for them in their beliefs and behaviors, encouraging further exploitation of children. One study of offenders revealed that exploiters' relationships with other offenders, forged online, "legitimize[d] and normalize[d] their interests" in their own minds. In short, the process of collecting and trading child pornography bonds the offenders together, and having an extensive child pornography collection heightens an offender's status within this community. The incentives to abuse children, capture the abuse, and share the images are strong, allowing the producer a way into the community and a means for obtaining yet more images of abuse from other producers or distributors. Child pornography is used as a means of establishing trust and camaraderie amongst child exploiters and molesters, as proof of good intentions when initiating contacts with one another. It is, in part, for these reasons that offenders are frequently found with thousands of images.

In considering this factor, one can see the important role that the Internet has played in the growth of the child pornography market. Before the Internet, child exploiters were isolated. Without knowing that others like them existed, pedophilia or a sexual interest in children was a shameful secret. Through the Internet, however, persons who desire to exploit children get to know that others like them exist, they share their preferences and their child pornography, and they no longer feel abnormal. The child exploiter sees in the Internet a way of validating his behavior: he is able to convince himself that his behavior or obsession is not abnormal, but is in fact shared by thousands of other people who, in the predator's mind, are sensitive, intelligent, and caring people.

MORE SHOCKING, GRAPHIC IMAGES

A more distressing trend is that, as pedophiles collect more and more images of child sexual abuse, they become de-sensitized to the horrors contained within their existing collections, and they seek gratification through novel and yet more disturbing images. The only way that this demand can be met is through a supply of new images involving more horrific images of I hands-on sexual abuse than that already present in the person's collection of images. The result has been a rise in demand for pornographic images of younger children, including babies and toddlers. Twenty percent of the images seized depicting sexual exploitation of children involved images of babies and two- and three-year-olds. And, disturbingly, the abuse is getting worse, with the depictions being more sadistic than ever.

INCREASED COMPULSION/PROPENSITY TO MOLEST CHILDREN

As an offender's interest in children draws him to the child pornography market, his compulsion to view and collect images may become entwined with, or lead to, a compulsion to molest children. A study conducted by Ethel Quayle and Max Taylor revealed that the subject's access to child pornography "intensified his levels of sexual arousal and behavior and fueled his desire to engage in a relationship with a child." The subject progressed from viewing images, to entering chat rooms, to attempting to meet children offline.

Several factors other than mere sexual perversion may cause the tendency of child pornography collectors to begin to molest children. For instance, a collector's desire for novel and more graphic images could provide an incentive simply to produce the images himself, and computer technology today makes it easier to create the images and distribute them. In addition, collectors often feel that they have to produce new images because, in order to continue trading for new images, they have to offer up their own new images as part of the rules of some child pornography communities.

Empirical studies support the proposition that individuals who view child pornography are often also child molesters. According to a study completed in 2000 by Dr. Andres E. Hernandez, Director of the Sex Offender Treatment Program at the Butner Federal Correctional Complex in North Carolina, 79.6% of 54 offenders convicted of child pornography offenses admitted that they had molested significant numbers of children without detection. On average, the offenders had 26.37 child sex victims and admitted to over 1,424 contact sexual crimes. Of these 1,400+ contact sexual crimes, only 53 were detected or known about and taken into account at sentencing.

Consistent with these studies, a 1986 Report of the U.S. Senate Permanent Subcommittee on Investigations on Child Pornography and Pedophilia stated: "No single characteristic of pedophilia is more pervasive than the obsession with child pornography. The fascination of pedophiles with child pornography and child abuse has been documented in many studies and has been established by hundreds of sexually explicit materials involving children."

Although the U.S. Senate Subcommittee found no direct evidence of causality—i.e., that possession of child pornography causes people to commit child sex offenses—it did conclude that child pornography plays a central role in child molestations, "serving to justify [the offender's] conduct, assist them in seducing their victims and provide a means to blackmail the children they have molested in order to prevent exposure." In a 2005 study of child pornography possessors arrested in Internet-related crimes, the reviewers concluded that "one out of six [child pornography] possession cases beginning with an investigation of or allegation about [child pornography] possession discovered a dual offender who had also sexually victimized a child or attempted to do so."

According to Raymond Smith, Assistant Inspector-in-Charge of the Special Investigations Division and the manager of USPIS's Child Exploitation Program, the USPIS began in 1997 compiling statistical information on the number of child pornography suspects arrested by U.S. Postal Inspectors that were also child molesters. Additionally, the USPIS began to collect data on the number of child victims identified and rescued from further sexual abuse as a result of investigations conducted by Postal Inspectors. Since 1997, 802 child molesters were identified and stopped, and 1,048 victimized children were rescued. According to Smith, of the more than 2,400 individuals arrested since 1997 for using the U.S. Mail and the Internet to sexually exploit children, child molesters were identified in one out of every three cases.

AFFIRMATIVE TOOLS OF MOLESTERS

Not only do images of child pornography record horrific abuse and victimization of children, but they often are also used as affirmative tools by the abusers. Abusers frequently use such pornography to lower another child's inhibitions with images that appear to show the victim enjoying the abuse or to validate sex between children and adults as normal. Moreover, offenders use the images to blackmail the victim into silence or into performing further acts of abuse, threatening to release the images to parents, peers, or others if the victim talks or does not allow further exploitation. Such blackmailing even can be aimed at forcing kids into prostitution and the child trafficking trade.

Child pornography plays a central role in child molestations, serving to justify offenders' conduct, to assist them in gaining compliance from their victims, and to provide a means to blackmail the children they have molested in order to prevent exposure. Consequently, child pornography does not simply involve abuse of the individual child victim whose image is created; it is also used affirmatively to perpetuate the sexual exploitation of the same child or other children.

Child and adult pornography is frequently used by child exploiters to lure children into physical sex acts. After a child molester befriends a child and gains the child's trust, he will expose the child to pornography to persuade the child that the behavior is normal and acceptable, and to coax him or her into participation. The Sexually Exploited Child Unit of the Los Angeles Police Department conducted a ten year study and found that adult and child pornography was reportedly used in over 87% of all their child molestation cases. Child pornography is therefore not just a tool for perpetuating more (and more graphic) child pornography—it is also a tool for exploiters to gain opportunities to exploit and molest even more children.

A CALL TO ARMS

The measures taken to this point have not served to dramatically lessen the number of incidents of child exploitation. Indeed, all of the evidence leads to the conclusion that the exploitation of children is a burgeoning problem. The explosion in the production and trafficking of child pornography, in particular, represents nothing short of an epidemic confronting our country.

By Mr. THOMAS (for himself, Mr. CONRAD, Mr. HARKIN, Mr. ROBERTS, Ms. COLLINS, Mr. DAYTON, Mr. SALAZAR, Mr. DOMENICI, Mr. BURNS, Mr. DORGAN, Mr. THUNE, Mr. JOHNSON, Mr. NELSON of Nebraska, Ms. MURKOWSKI and Ms. SNOWE):

S. 3500. A bill to amend title VIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes; to the Committee on Finance.

Mr. THOMAS. Mr. President, I am pleased to rise today to introduce the Rural Hospital and Provider Equity, R-HoPE, Act of 2006 with Senator CONRAD, Senator HARKIN, Senator ROBERTS, and fellow Senate Rural Health Caucus members Senators COLLINS, DAYTON, SALAZAR, BURNS, DOMENICI, DORGAN, THUNE, JOHNSON, BEN NELSON, and MURKOWSKI. As always, it is important to note that rural health care legislation has a long history of bipartisan collaboration and cooperation.

The 108th Congress reaped unparalleled successes in terms of rural health care legislation. When Congress enacted the Medicare Modernization Act, MMA, it included a comprehensive health care package specifically tailored with rural communities, hospitals, and providers in mind. This was the largest rural provider payment package ever considered by Congress.

As Republican cochairman of the Senate Rural Health Caucus, I was proud to help lead the effort to put rural providers on a level playing field with their urban neighbors. We enacted commonsense Medicare payment equity provisions critical to maintaining access to quality health care in isolated and underserved areas. Rural America achieved a significant victory, and we have much to celebrate. However, our mission is not complete. Several of the MMA's rural health provisions have expired, or are set to expire this year. That is why I have introduced the Rural Hospital and Provider Equity Act—to finish the work we started 3 years ago.

This legislation not only reauthorizes expiring rural MMA provisions but also takes additional steps to address inequities in the Medicare payment system that continually place rural providers at a disadvantage. My bill recognizes the unique needs of rural hospitals and levels the playing field between rural and urban providers.

Rural hospitals are more dependent on Medicare payments as part of their total revenue. In fact, Medicare accounts for almost 70 percent of total revenue for small, rural hospitals. Rural hospitals have lower patient volumes, but must compete nationally to recruit providers due to the nursing—and other health professional—workforce shortages. Additional burdens are placed on rural hospitals and providers because of higher uninsured and underinsured rates in rural America. Also, seniors living in rural areas tend to be poorer and have more chronic conditions than their urban and suburban counterparts.

First, the Rural Hospital and Provider Equity Act recognizes the special circumstances rural hospitals face and addresses these issues by equalizing Medicare disproportionate share hospital, DSH, payments. These add-on payments help hospitals cover the costs of serving a high proportion of low-income and uninsured patients. Current law allows urban facilities to receive unlimited add-ons corresponding with the amount of patients served. However, small or rural hospital add-on payments are capped at 12 percent. This measure eliminates the rural hospital cap, bringing their payments in line with the benefits urban facilities receive.

Second, the bill recognizes that low-volume hospitals have a higher cost per case which results in negative operating margins. To alleviate this problem, we established a low-volume inpatient payment adjustment for hospitals that have less than 2000 annual discharges per year and are located more than 15 miles from another hospital. This provision will improve payments for approximately one-third of all rural hospitals.

In addition to these Medicare payment reforms, this legislation strengthens the over 3,000 rural health clinics that serve many rural Americans. Under current law, rural health clinics receive an all-inclusive payment rate that is capped at approximately $63. This payment has not been adjusted—except for inflation—since 1988. To recognize the rising costs of health care, this bill raises the rural health clinic cap to $82, making it comparable to the rate Community Health Centers receive. By caring for folks in underserved areas, rural health clinics and community health centers are a key component of the rural health care delivery system. As not every small town can sustain a hospital, we need to ensure these types of facilities are paid adequately and are provided enough flexibility to meet the health care needs of the communities they serve.

Home health care agencies are another critical element of the continuum of care in rural areas. These providers face unique circumstances in the distances they are required to travel to provide services. The current Medicare payment system does not make adequate adjustments to reflect the reality of rural and frontier health care. This bill recognizes the situation these providers face by ensuring their Medicare payments cover their costs to provide Medicare services.

As you all may know, there are approximately 1,165 hospitals nationwide that have converted to critical access hospital, CAH, status. This program was created in the Balanced Budget Act of 1997 to ensure folks in small, rural communities would have access to 24-hour emergency services as well as some hospital care in their hometowns. Fifty-two percent of my State's hospitals have downsized to Critical Access Hospital status. The measure I have introduced contains several provisions to strengthen this important rural hospital program.

The Rural Hospital and Provider Equity Act will also ensure rural areas can maintain access to important emergency medical services, EMS. Rural EMS providers are primarily volunteers who have difficulty recruiting, retaining, and educating EMS personnel. Rural EMS providers also have less capital to buy and upgrade essential, lifesaving equipment. The legislation will assist ambulance providers in collecting payments for transporting patients to the hospital after answering a 911 call regardless of the final diagnosis. This is a commonsense approach and ensures that all aspects of emergency care are operating under the same definition of emergency.

It is important for the Federal Government to remember that one payment system does not fit all. Rural providers care for patients under much different circumstances than their urban counterparts. This legislation is designed to ensure rural hospitals, rural health clinics, rural ambulance providers, rural home health agencies, rural mental health providers, rural physicians, and other critical allied health clinicians are paid accurately and fairly. I strongly encourage all my colleagues with an interest in rural health to cosponsor this legislation.

Finally, I want to thank the American Hospital Association, the National Rural Health Association, the Federation of American Hospitals, the National Association of Rural Health Clinics, the National Association for Home Care, the American Academy of Nurse Practitioners, the American Ambulance Association, and the Association of Marriage and Family Therapists, for their work and support in this effort.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. 3500

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the "Rural Hospital and Provider Equity (HoPE) Act of 2006".

(b) Table of Contents.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Fairness in the Medicare disproportionate share hospital (DSH) adjustment for rural hospitals.
Sec. 3. Extension and Expansion of Medicare hold harmless provision under the prospective payment system for hospital outpatient department (HOPD) services.
Sec. 4. Improvement of definition of low-volume hospital for purposes of the Medicare inpatient hospital payment adjustment.
Sec. 5. Extension of Medicare wage index reclassifications for certain hospitals.
Sec. 6. Extension of Medicare reasonable costs payments for certain clinical diagnostic laboratory tests furnished to hospital patients in certain rural areas.
Sec. 7. Critical access hospital improvements.
Sec. 8. Capital infrastructure revolving loan program.
Sec. 9. Extension of Medicare incentive payment program for physician scarcity areas.
Sec. 10. Extension of floor on medicare work geographic adjustment.
Sec. 11. Medicare home health care planning improvements.
Sec. 12. Rural health clinic improvements.
Sec. 13. Community health center collaborative access expansion.
Sec. 14. Applying add-on policy for home health services furnished in a rural area for 2007.
Sec. 15. Use of medical conditions for coding ambulance services.
Sec. 16. Extension of increased Medicare payments for ground ambulance services in rural areas.
Sec. 17. Improvement in payments to retain emergency and other capacity for ambulances in rural areas.
Sec. 18. Coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program.
Sec. 19. Medicare remote monitoring pilot projects.
Sec. 20. Facilitating the provision of telehealth services across State lines.

SEC. 2. FAIRNESS IN THE MEDICARE DISPROPORTIONATE SHARE HOSPITAL (DSH) ADJUSTMENT FOR RURAL HOSPITALS.

Section 1886(d)(5)(F)(xiv)(II) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(F)(xiv)(II)) is amended—

(1) by striking "or, in the case" and all that follows through "subparagraph (G)(iv)"; and

(2) by inserting at the end the following new sentence: "The preceding sentence shall not apply to any hospital with respect to discharges occurring on or after October 1, 2006.".

SEC. 3. EXTENSION AND EXPANSION OF MEDICARE HOLD HARMLESS PROVISION UNDER THE PROSPECTIVE PAYMENT SYSTEM FOR HOSPITAL OUTPATIENT DEPARTMENT (HOPD) SERVICES.

(a) Extension.—

(1) In general.—Section 1833(t)(7)(D)(i) of the Social Security Act (42 U.S.C. 1395l(t)(7)(D)(i)), as amended by section 5105 of the Deficit Reduction Act of 2005 (Public Law 109-171), is amended—

(A) in subclause (I)—

(i) by striking "(I)";

(ii) by striking "(iii)) located in a rural area" and inserting "(iii))"; and

(iii) by striking "before January 1, 2006" and inserting "before January 1, 2009"; and

(B) by striking subclause (II).

(2) Effective date.—The amendments made by paragraph (1) shall apply to covered OPD services furnished on or after January 1, 2006.

(b) Study and Report.—

(1) Study.—The Secretary of Health and Human Services shall conduct a study to determine if, under the prospective payment system for hospital outpatient department services under section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)), costs incurred by sole community hospitals (as defined in section 1886(d)(5)(D)(iii) of such Act (42 U.S.C. 1395ww(d)(5)(D)(iii))) located in urban areas by ambulatory payment classification groups (APCs) exceed those costs incurred by other hospitals located in urban areas.

(2) Report.—Not later than January 1, 2008, the Secretary of Health and Human Services shall submit to Congress a report on the study conducted under paragraph (1) together with recommendations for such legislation and administrative action as the Secretary determines to be appropriate.

SEC. 4. IMPROVEMENT OF DEFINITION OF LOW-VOLUME HOSPITAL FOR PURPOSES OF THE MEDICARE INPATIENT HOSPITAL PAYMENT ADJUSTMENT.

Section 1886(d)(12)(C)(i) of the Social Security Act (42 U.S.C. 1395ww(d)(12)(C)(i)) is amended by inserting "(or, beginning with fiscal year 2007, 2,000 discharges)" after "800 discharges".

SEC. 5. EXTENSION OF MEDICARE WAGE INDEX RECLASSIFICATIONS FOR CERTAIN HOSPITALS.

(a) MMA Provision.—Section 508 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 1395ww note) is amended by adding at the end the following new subsection:

"(g) Three-Year Extension for Certain Hospitals.—

"(1) In general.—In the case of a hospital described in paragraph (2)—

"(A) subsections (a)(3) and (b) shall be applied by substituting '6-year period' for '3-year period'; and

"(B) the limitation under subsection (e) shall not apply after March 31, 2007.

"(2) Hospital described.—A hospital described in this paragraph is a hospital—

"(A) that is reclassified to an area under this section as of the day before the date of enactment of this subsection; and

"(B)(i) that is located in a State with less than 10 people per square mile; or

"(ii)(I) that is located in a rural area; and

"(II) for which the Secretary has determined the extension under this subsection to be appropriate.".

(b) Additional Provision.—The Secretary of Health and Human Services shall extend the special exception reclassification of a sole community hospital located in a State with less than 10 people per square mile (made under the authority of section 1886(d)(5)(I)(i) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(I)(i)) and contained in the final rule promulgated by the Secretary in the Federal Register on August 11, 2004 (69 Fed. Reg. 49107)) for 3 years through fiscal year 2010.

SEC. 6. EXTENSION OF MEDICARE REASONABLE COSTS PAYMENTS FOR CERTAIN CLINICAL DIAGNOSTIC LABORATORY TESTS FURNISHED TO HOSPITAL PATIENTS IN CERTAIN RURAL AREAS.

Section 416(b) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173; 117 Stat. 2282; 42 U.S.C. 1395l–4(b)) is amended by striking "2-year" and inserting "4-year".

SEC. 7. CRITICAL ACCESS HOSPITAL IMPROVEMENTS.

(a) Clarification of Payment for Clinical Laboratory Tests Furnished by Critical Access Hospitals.—

(1) In general.—Section 1834(g)(4) of the Social Security Act (42 U.S.C. 1395m(g)(4)) is amended—

(A) in the heading, by striking "NO BENEFICIARY COST-SHARING" and inserting "TREATMENT OF"; and

(B) by adding at the end the following new sentence: "For purposes of the preceding sentence and section 1861(mm)(3), clinical diagnostic laboratory services furnished by a critical access hospital shall be treated as being furnished as part of outpatient critical access services without regard to whether—

"(A) the individual with respect to whom such services are furnished is physically present in the critical access hospital at the time the specimen is collected;

"(B) such individual is registered as an outpatient on the records of, and receives such services directly from, the critical access hospital; or

"(C) payment is (or, but for this subsection, would be) available for such services under the fee schedule established under section 1833(h).".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to cost reporting periods beginning on or after October 1, 2003.

(b) ELIMINATION OF ISOLATION TEST FOR COST-BASED AMBULANCE REIMBURSEMENT.—

(1) IN GENERAL.—Section 1834(l)(8) of the Social Security Act (42 U.S.C. 1395m(l)(8)) is amended—

(A) in subparagraph (B)—

(i) by striking "owned and"; and

(ii) by inserting "(including when such services are provided by the entity under an arrangement with the hospital)" after "hospital"; and

(B) by striking the comma at the end of subparagraph (B) and all that follows and inserting a period.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply to services furnished on or after January 1, 2007.

SEC. 8. CAPITAL INFRASTRUCTURE REVOLVING LOAN PROGRAM.

(a) IN GENERAL.—Part A of title XVI of the Public Health Service Act (42 U.S.C. 300q et seq.) is amended by adding at the end the following new section:

"CAPITAL INFRASTRUCTURE REVOLVING LOAN PROGRAM

"SEC. 1603. (a) AUTHORITY TO MAKE AND GUARANTEE LOANS.—

"(1) AUTHORITY TO MAKE LOANS.—The Secretary may make loans from the fund established under section 1602(d) to any rural entity for projects for capital improvements, including—

"(A) the acquisition of land necessary for the capital improvements;

"(B) the renovation or modernization of any building;

"(C) the acquisition or repair of fixed or major movable equipment; and

"(D) such other project expenses as the Secretary determines appropriate.

"(2) AUTHORITY TO GUARANTEE LOANS.—

"(A) IN GENERAL.—The Secretary may guarantee the payment of principal and interest for loans made to rural entities for projects for any capital improvement described in paragraph (1) to any non-Federal lender.

"(B) INTEREST SUBSIDIES.—In the case of a guarantee of any loan made to a rural entity under subparagraph (A), the Secretary may pay to the holder of such loan, for and on behalf of the project for which the loan was made, amounts sufficient to reduce (by not more than 3 percent) the net effective interest rate otherwise payable on such loan.

"(b) AMOUNT OF LOAN.—The principal amount of a loan directly made or guaranteed under subsection (a) for a project for capital improvement may not exceed $5,000,000.

"(c) FUNDING LIMITATIONS.—

"(1) GOVERNMENT CREDIT SUBSIDY EXPOSURE.—The total of the Government credit subsidy exposure under the Credit Reform Act of 1990 scoring protocol with respect to the loans outstanding at any time with respect to which guarantees have been issued, or which have been directly made, under subsection (a) may not exceed $50,000,000 per year.

"(2) TOTAL AMOUNTS.—Subject to paragraph (1), the total of the principal amount of all loans directly made or guaranteed under subsection (a) may not exceed $250,000,000 per year.

"(d) CAPITAL ASSESSMENT AND PLANNING GRANTS.—

"(1) NONREPAYABLE GRANTS.—Subject to paragraph (2), the Secretary may make a grant to a rural entity, in an amount not to exceed $50,000, for purposes of capital assessment and business planning.

"(2) LIMITATION.—The cumulative total of grants awarded under this subsection may not exceed $2,500,000 per year.

"(e) TERMINATION OF AUTHORITY.—The Secretary may not directly make or guarantee any loan under subsection (a) or make a grant under subsection (d) after September 30, 2010.".

(b) RURAL ENTITY DEFINED.—Section 1624 of the Public Health Service Act (42 U.S.C. 300s–3) is amended by adding at the end the following new paragraph:

"(15)(A) The term 'rural entity' includes—

"(i) a rural health clinic, as defined in section 1861(aa)(2) of the Social Security Act;

"(ii) any medical facility with at least 1 bed, but with less than 50 beds, that is located in—

"(I) a county that is not part of a metropolitan statistical area; or

"(II) a rural census tract of a metropolitan statistical area (as determined under the most recent modification of the Goldsmith Modification, originally published in the Federal Register on February 27, 1992 (57 Fed. Reg. 6725));

"(iii) a hospital that is classified as a rural, regional, or national referral center under section 1886(d)(5)(C) of the Social Security Act; and

"(iv) a hospital that is a sole community hospital (as defined in section 1886(d)(5)(D)(iii) of the Social Security Act).

"(B) For purposes of subparagraph (A), the fact that a clinic, facility, or hospital has been geographically reclassified under the Medicare program under title XVIII of the Social Security Act shall not preclude a hospital from being considered a rural entity under clause (i) or (ii) of subparagraph (A).".

(c) CONFORMING AMENDMENTS.—Section 1602 of the Public Health Service Act (42 U.S.C. 300q–2) is amended—

(1) in subsection (b)(2)(D), by inserting "or 1603(a)(2)(B)" after "1601(a)(2)(B)"; and

(2) in subsection (d)—

(A) in paragraph (1)(C), by striking "section 1601(a)(2)(B)" and inserting "sections 1601(a)(2)(B) and 1603(a)(2)(B)"; and

(B) in paragraph (2)(A), by inserting "or 1603(a)(2)(B)" after "1601(a)(2)(B)".

SEC. 9. EXTENSION OF MEDICARE INCENTIVE PAYMENT PROGRAM FOR PHYSICIAN SCARCITY AREAS.

Section 1833(u)(1) of the Social Security Act (42 U.S.C. 1395l(u)(1)) is amended by striking "before January 1, 2008" and inserting "before January 1, 2009".

SEC. 10. EXTENSION OF FLOOR ON MEDICARE WORK GEOGRAPHIC ADJUSTMENT.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking "before January 1, 2007" and inserting "before January 1, 2009".

SEC. 11. MEDICARE HOME HEALTH CARE PLANNING IMPROVEMENTS.

(a) IN GENERAL.—Section 1814(a)(2) of the Social Security Act (42 U.S.C. 1395f(a)(2)), in the matter preceding subparagraph (A), is amended—

(1) by striking "subparagraph (B)" and inserting "subparagraphs (B) and (C)";

(2) by inserting "(as those terms are defined in section 1861(aa)(5))" after "clinical nurse specialist";

(3) by inserting "or home health agency (as the case may be)" after "facility"; and

(4) by inserting "(or in the case of services described in subparagraph (C), a physician assistant (as defined in 1861(aa)(5)) under the supervision of a physician)" after "collaboration with a physician".

(b) CONFORMING AMENDMENTS.—(1) Section 1814(a) of the Social Security Act (42 U.S.C. 1395f(a)) is amended—

(A) in paragraph (2)(C), by inserting "a nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)" after "physician" each place it appears;

(B) in the second sentence, by striking "or clinical nurse specialist" and inserting "clinical nurse specialist, or physician assistant";

(C) in the third sentence—

(i) by striking "physician certification" and inserting "certification";

(ii) by inserting "(or on January 1, 2007, in the case of regulations to implement the amendments made by section 11 of the Rural Hospital and Provider Equity (HoPE) Act of 2006)" after "1981"; and

(iii) by striking "a physician who" and inserting "a physician, nurse practitioner, clinical nurse specialist, or physician assistant who"; and

(D) in the fourth sentence, by inserting ", nurse practitioner, clinical nurse specialist, or physician assistant" after "physician".

(2) Section 1835(a) of the Social Security Act (42 U.S.C. 1395n(a)) is amended—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting "or, in the case of services described in subparagraph (A), a physician, or a nurse practitioner or clinical nurse specialist (as those terms are defined in 1861(aa)(5)), who does not have a direct or indirect employment relationship with the home health agency but is working in collaboration with a physician (or a physician assistant (as defined in 1861(aa)(5)) under the supervision of a physician)" after "a physician"; and

(ii) in subparagraph (A) by inserting "a nurse practitioner, a clinical nurse specialist, or a physician assistant (as the case may be)" after "physician" each place it appears;

(B) in the third sentence, by inserting ", nurse practitioner, clinical nurse specialist, or physician assistant (as the case may be)" after physician;

(C) in the fourth sentence—

(i) by striking "physician certification" and inserting "certification";

(ii) by inserting "(or on January 1, 2007, in the case of regulations to implement the amendments made by section 11 of the Rural Hospital and Provider Equity (HoPE) Act of 2006)" after "1981"; and

(iii) by striking "a physician who" and inserting "a physician, nurse practitioner, clinical nurse specialist, or physician assistant who"; and

(D) in the fifth sentence, by inserting ", nurse practitioner, clinical nurse specialist, or physician assistant" after "physician".

(3) Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended—

(A) in subsection (m)—

(i) in the matter preceding paragraph (1)—

(I) by inserting ", or a nurse practitioner, clinical nurse specialist, or physician assistant (as those terms are defined in subsection (aa)(5))" after "physician" the first place it appears; and

(II) by inserting "or a nurse practitioner, clinical nurse specialist, or physician assistant" after "physician" the second place it appears; and

(ii) in paragraph (3), by inserting "or a nurse practitioner, clinical nurse specialist, or physician assistant" after "physician"; and

(B) in subsection (o)(2)—

(i) by inserting ", nurse practitioners, clinical nurse specialists, or physician assistants (as those terms are defined in subsection (aa)(5))" after "physicians"; and

(ii) by inserting ", nurse practitioner, clinical nurse specialist, physician assistant," after "physician"

(4) Section 1895 of the Social Security Act (42 U.S.C. 1395fff) is amended—

(A) in subsection (c)(1), by inserting ", or the nurse practitioner, clinical nurse specialist, or physician assistant (as those terms are defined in section 1861(aa)(5))," after "physician"; and

(B) in subsection (e)—

(i) in paragraph (1)(A), by inserting ", or a nurse practitioner, clinical nurse specialist, or physician assistant (as those terms are defined in section 1861(aa)(5))," after "physician"; and

(ii) in paragraph (2)—

(I) in the heading, by striking "PHYSICIAN CERTIFICATION" and inserting "RULE OF CONSTRUCTION REGARDING REQUIREMENT FOR CERTIFICATION"; and

(II) by striking "physician".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to items and services furnished on or after January 1, 2007.

SEC. 12. RURAL HEALTH CLINIC IMPROVEMENTS.

Section 1833(f) of the Social Security Act (42 U.S.C. 1395l(f)) is amended—

(1) in paragraph (1), by striking ", and" at the end and inserting a semicolon;

(2) in paragraph (2)—

(A) by inserting "(before 2007)" after "in a subsequent year"; and

(B) by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

"(3) in 2007, at $82 per visit; and

"(4) in a subsequent year, at the limit established under this subsection for the previous year increased by the percentage increase in the MEI (as so defined) applicable to primary care services (as so defined) furnished as of the first day of that year."

SEC. 13. COMMUNITY HEALTH CENTER COLLABORATIVE ACCESS EXPANSION.

Section 330 of the Public Health Service Act (42 U.S.C. 254b) is amended by adding at the end the following:

"(s) MISCELLANEOUS PROVISIONS.—

"(1) RULE OF CONSTRUCTION WITH RESPECT TO RURAL HEALTH CLINICS.—

"(A) IN GENERAL.—Nothing in this section shall be construed to prevent a community health center from contracting with a federally certified rural health clinic (as defined by section 1861(aa)(2) of the Social Security Act) for the delivery of primary health care services that are available at the rural health clinic to individuals who would otherwise be eligible for free or reduced cost care if that individual were able to obtain that care at the community health center. Such services may be limited in scope to those primary health care services available in that rural health clinic.

"(B) ASSURANCES.—In order for a rural health clinic to receive funds under this section through a contract with a community health center under paragraph (1), such rural health clinic shall establish policies to ensure—

"(i) nondiscrimination based upon the ability of a patient to pay; and

"(ii) the establishment of a sliding fee scale for low-income patients.".

SEC. 14. APPLYING ADD-ON POLICY FOR HOME HEALTH SERVICES FURNISHED IN A RURAL AREA FOR 2007.

Section 421 of Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173; 117 Stat. 2283), as amended by section 5201(b) of the Deficit Reduction Act of 2005 (Public Law 109–171), is amended—

(1) in the heading, by striking "**ONE-YEAR**" and inserting "**TEMPORARY**"; and

(2) in subsection (a), by striking "before January 1, 2007" and inserting "before January 1, 2008".

SEC. 15. USE OF MEDICAL CONDITIONS FOR CODING AMBULANCE SERVICES.

Section 1834(l)(7) of the Social Security Act (42 U.S.C. 1395m(l)(7)) is amended to read as follows:

"(7) CODING SYSTEM.—

"(A) IN GENERAL.—The Secretary shall, in accordance with section 1173(c)(1)(B) and not later than January 1, 2007, establish a mandatory system or systems for the coding of claims for ambulance services for which payment is made under this subsection, including a code set specifying the medical condition of the individual who is transported and the level of service that is appropriate for the transportation of an individual with that medical condition.

"(B) MEDICAL CONDITIONS.—The code set established under subparagraph (A) shall take into account the list of medical conditions developed in the course of the negotiated rulemaking process conducted under paragraph (1).".

SEC. 16. EXTENSION OF INCREASED MEDICARE PAYMENTS FOR GROUND AMBULANCE SERVICES IN RURAL AREAS.

Section 1834(l)(13) of the Social Security Act (42 U.S.C. 1395m(l)(13)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by striking "before January 1, 2007" and inserting "before January 1, 2008";

(2) in subparagraph (B), in the heading, by striking "AFTER 2006" and inserting "AFTER 2007".

SEC. 17. IMPROVEMENT IN PAYMENTS TO RETAIN EMERGENCY AND OTHER CAPACITY FOR AMBULANCES IN RURAL AREAS.

(a) IN GENERAL.—Section 1834(l) of the Social Security Act (42 U.S.C. 1395m(l)) is amended by adding at the end the following new paragraph:

"(15) ADDITIONAL PAYMENTS FOR PROVIDERS FURNISHING AMBULANCE SERVICES IN RURAL AREAS.—

"(A) IN GENERAL.—In the case of ground ambulance services furnished on or after January 1, 2007, for which the transportation originates in a rural area (as determined under subparagraph (B)), the Secretary shall provide for a percent increase in the base rate of the fee schedule for a trip identified under this subsection.

"(B) IDENTIFICATION OF RURAL AREAS.—The Secretary, in consultation with the Office of Rural Health Policy, shall use the Rural-Urban Commuting Areas (RUCA) coding system, adopted by that Office, to designate rural areas for the purposes of this paragraph. A rural area is any area in RUCA levels 2 through 10 and any unclassified area.

"(C) TIERING OF RURAL AREAS.—The Secretary shall designate 4 tiers of rural areas, using a ZIP Code population-based methodology generated by the RUCA coding system, as follows:

"(i) TIER 1.—A rural area that is a high metropolitan commuting area, in which 30 percent or more of the commuting flow is to an urban area, as designated by the Bureau of the Census (RUCA level 2).

"(ii) TIER 2.—A rural area that is a low metropolitan commuting area, in which less than 30 percent of the commuting flow is to an urban area or to a large town, as designated by the Bureau of the Census (RUCA levels 3–6).

"(iii) TIER 3.—A rural area that is a small town core, as designated by the Bureau of the Census, in which no significant portion of the commuting flow is to an area of population greater than 10,000 people (RUCA levels 7–9).

"(iv) TIER 4.—A rural area in which there is no dominant commuting flow (RUCA level 10) and any unclassified area.

The Secretary shall consult with the Office of Rural Health Policy not less often than every 2 years to update the designation of rural areas in accordance with any changes that are made to the RUCA system.

"(D) PAYMENT ADJUSTMENTS FOR TRIPS IN RURAL AREAS.—The Secretary shall adjust the payment rate under this section for ambulance trips that originate in each of the tiers established in subparagraph (C) according to the national average cost of full-cost providers for providing ambulance services in each such tier.".

(b) REVIEW OF PAYMENTS FOR RURAL AMBULANCE SERVICES AND REPORT TO CONGRESS.—

(1) REVIEW.—Not later than July 1, 2009, the Secretary of Health and Human Services shall review the system for adjusting payments for rural ambulance services under section 1834(l)(15) of the Social Security Act, as added by subsection (a), to determine the adequacy and appropriateness of such adjustments. In conducting such review, the Secretary shall consult with providers and suppliers affected by such adjustments and with representatives of the ambulance industry generally to determine—

(A) whether such adjustments adequately cover the additional costs incurred in serving areas of low population density; and

(B) whether the tiered structure for making such adjustments appropriately reflects the difference in costs of providing services in different types of rural areas.

(2) REPORT.—Not later than January 1, 2010, the Secretary shall submit to Congress a report on the review conducted under paragraph (1) together with any recommendations for revision to the systems for adjusting payments for ambulance services in rural areas that the Secretary of Health and Human Services determines appropriate.

(c) CONFORMING AMENDMENTS.—(1) Section 1834(l) of the Social Security Act (42 U.S.C. 1395m(l)), as amended by subsection (a), is amended by adding at the end the following new paragraph:

"(16) DESIGNATION OF RURAL AREAS FOR MILEAGE PAYMENT PURPOSES.—In establishing any differential in the amount of payment for mileage between rural and urban areas in the fee schedule established under paragraph (1), the Secretary shall, in the case of ambulance services furnished on or after January 1, 2007, identify rural areas in the same manner as provided in paragraph (15)(B).".

(2) Section 1834(l)(12)(A) of the Social Security Act (42 U.S.C. 1395m(l)(12)(A)) is amended by striking "January 1, 2010" and inserting "January 1, 2007".

(3) Section 1834(l)(13)(A)(i) of the Social Security Act (42 U.S.C. 1395m(l)(13)(A)(i)) is amended—

(A) by inserting "(or in the case of such services furnished in 2007, in a rural area identified by the Secretary under paragraph (15)(B))" after "such paragraph"; and

(B) by striking "paragraphs (11) and (12)" and inserting "paragraphs (11), (12), and (15)".

SEC. 18. COVERAGE OF MARRIAGE AND FAMILY THERAPIST SERVICES AND MENTAL HEALTH COUNSELOR SERVICES UNDER PART B OF THE MEDICARE PROGRAM.

(a) COVERAGE OF SERVICES.—

(1) IN GENERAL.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)), as amended by section 5112 of the Deficit Reduction Act of 2005 (Public Law 109–171), is amended—

(A) in subparagraph (Z), by striking "and" at the end;

(B) in subparagraph (AA), by inserting "and" at the end; and

(C) by adding at the end the following new subparagraph:

"(BB) marriage and family therapist services (as defined in subsection (ccc)(1)) and mental health counselor services (as defined in subsection (ccc)(3));".

(2) DEFINITIONS.—Section 1861 of the Social Security Act (42 U.S.C. 1395x), as amended by section 5112 of the Deficit Reduction Act of 2005 (Public Law 109–171), is amended by adding at the end the following new subsection:

"Marriage and Family Therapist Services; Marriage and Family Therapist; Mental Health Counselor Services; Mental Health Counselor

"(ccc)(1) The term 'marriage and family therapist services' means services performed by a marriage and family therapist (as defined in paragraph (2)) for the diagnosis and treatment of mental illnesses, which the marriage and family therapist is legally authorized to perform under State law (or the State regulatory mechanism provided by State law) of the State in which such services are performed, as would otherwise be covered if furnished by a physician or as an incident to a physician's professional service, but only if no facility or other provider charges or is paid any amounts with respect to the furnishing of such services.

"(2) The term 'marriage and family therapist' means an individual who—

"(A) possesses a master's or doctoral degree which qualifies for licensure or certification as a marriage and family therapist pursuant to State law;

"(B) after obtaining such degree has performed at least 2 years of clinical supervised experience in marriage and family therapy; and

"(C) in the case of an individual performing services in a State that provides for licensure or certification of marriage and family therapists, is licensed or certified as a marriage and family therapist in such State.

"(3) The term 'mental health counselor services' means services performed by a mental health counselor (as defined in paragraph (4)) for the diagnosis and treatment of mental illnesses which the mental health counselor is legally authorized to perform under State law (or the State regulatory mechanism provided by the State law) of the State in which such services are performed, as would otherwise be covered if furnished by a physician or as incident to a physician's professional service, but only if no facility or other provider charges or is paid any amounts with respect to the furnishing of such services.

"(4) The term 'mental health counselor' means an individual who—

"(A) possesses a master's or doctor's degree in mental health counseling or a related field;

"(B) after obtaining such a degree has performed at least 2 years of supervised mental health counselor practice; and

"(C) in the case of an individual performing services in a State that provides for licensure or certification of mental health counselors or professional counselors, is licensed or certified as a mental health counselor or professional counselor in such State.".

(3) PROVISION FOR PAYMENT UNDER PART B.—Section 1832(a)(2)(B) of the Social Security Act (42 U.S.C. 1395k(a)(2)(B)) is amended by adding at the end the following new clause:

"(v) marriage and family therapist services and mental health counselor services;".

(4) AMOUNT OF PAYMENT.—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—

(A) by striking "and (V)" and inserting "(V)"; and

(B) by inserting before the semicolon at the end the following: ", and (W) with respect to marriage and family therapist services and mental health counselor services under section 1861(s)(2)(BB), the amounts paid shall be 80 percent of the lesser of the actual charge for the services or 75 percent of the amount determined for payment of a psychologist under subparagraph (L)".

(5) EXCLUSION OF MARRIAGE AND FAMILY THERAPIST SERVICES AND MENTAL HEALTH COUNSELOR SERVICES FROM SKILLED NURSING FACILITY PROSPECTIVE PAYMENT SYSTEM.—Section 1888(e)(2)(A)(ii) of the Social Security Act (42 U.S.C. 1395yy(e)(2)(A)(ii)) is amended by inserting "marriage and family therapist services (as defined in section 1861(ccc)(1)), mental health counselor services (as defined in section 1861(ccc)(3))," after "qualified psychologist services,".

(6) INCLUSION OF MARRIAGE AND FAMILY THERAPISTS AND MENTAL HEALTH COUNSELORS AS PRACTITIONERS FOR ASSIGNMENT OF CLAIMS.—Section 1842(b)(18)(C) of the Social Security Act (42 U.S.C. 1395u(b)(18)(C)) is amended by adding at the end the following new clauses:

"(vii) A marriage and family therapist (as defined in section 1861(ccc)(2)).

"(viii) A mental health counselor (as defined in section 1861(ccc)(4)).".

(b) COVERAGE OF CERTAIN MENTAL HEALTH SERVICES PROVIDED IN CERTAIN SETTINGS.—

(1) RURAL HEALTH CLINICS AND FEDERALLY QUALIFIED HEALTH CENTERS.—Section 1861(aa)(1)(B) of the Social Security Act (42 U.S.C. 1395x(aa)(1)(B)) is amended by striking "or by a clinical social worker (as defined in subsection (hh)(1))," and inserting ", by a clinical social worker (as defined in subsection (hh)(1)), by a marriage and family therapist (as defined in subsection (ccc)(2)), or by a mental health counselor (as defined in subsection (ccc)(4)),".

(2) HOSPICE PROGRAMS.—Section 1861(dd)(2)(B)(i)(III) of the Social Security Act (42 U.S.C. 1395x(dd)(2)(B)(i)(III)) is amended by inserting "or one marriage and family therapist (as defined in subsection (ccc)(2))" after "social worker".

(c) AUTHORIZATION OF MARRIAGE AND FAMILY THERAPISTS TO DEVELOP DISCHARGE PLANS FOR POST-HOSPITAL SERVICES.—Section 1861(ee)(2)(G) of the Social Security Act (42 U.S.C. 1395x(ee)(2)(G)) is amended by inserting "marriage and family therapist (as defined in subsection (ccc)(2))," after "social worker,".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to services furnished on or after January 1, 2007.

SEC. 19. MEDICARE REMOTE MONITORING PILOT PROJECTS.

(a) PILOT PROJECTS.—

(1) IN GENERAL.—Not later than 9 months after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary") shall conduct pilot projects under title XVIII of the Social Security Act for the purpose of providing incentives to home health agencies to utilize home monitoring and communications technologies that—

(A) enhance health outcomes for Medicare beneficiaries; and

(B) reduce expenditures under such title.

(2) SITE REQUIREMENTS.—

(A) URBAN AND RURAL.—The Secretary shall conduct the pilot projects under this section in both urban and rural areas.

(B) SITE IN A SMALL STATE.—The Secretary shall conduct at least 3 of the pilot projects in a State with a population of less than 1,000,000.

(3) DEFINITION OF HOME HEALTH AGENCY.—In this section, the term "home health agency" has the meaning given that term in section 1861(o) of the Social Security Act (42 U.S.C. 1395x(o)).

(b) MEDICARE BENEFICIARIES WITHIN THE SCOPE OF PROJECTS.—The Secretary shall specify the criteria for identifying those Medicare beneficiaries who shall be considered within the scope of the pilot projects under this section for purposes of the application of subsection (c) and for the assessment of the effectiveness of the home health agency in achieving the objectives of this section. Such criteria may provide for the inclusion in the projects of Medicare beneficiaries who begin receiving home health services under title XVIII of the Social Security Act after the date of the implementation of the projects.

(c) INCENTIVES.—

(1) PERFORMANCE TARGETS.—The Secretary shall establish for each home health agency participating in a pilot project under this section a performance target using one of the following methodologies, as determined appropriate by the Secretary:

(A) ADJUSTED HISTORICAL PERFORMANCE TARGET.—The Secretary shall establish for the agency—

(i) a base expenditure amount equal to the average total payments made to the agency under parts A and B of title XVIII of the Social Security Act for Medicare beneficiaries determined to be within the scope of the pilot project in a base period determined by the Secretary; and

(ii) an annual per capita expenditure target for such beneficiaries, reflecting the base expenditure amount adjusted for risk and adjusted growth rates.

(B) COMPARATIVE PERFORMANCE TARGET.—The Secretary shall establish for the agency a comparative performance target equal to the average total payments under such parts A and B during the pilot project for comparable individuals in the same geographic area that are not determined to be within the scope of the pilot project.

(2) INCENTIVE.—Subject to paragraph (3), the Secretary shall pay to each participating home care agency an incentive payment for each year under the pilot project equal to a portion of the Medicare savings realized for such year relative to the performance target under paragraph (1).

(3) LIMITATION ON EXPENDITURES.—The Secretary shall limit incentive payments under this section in order to ensure that the aggregate expenditures under title XVIII of the Social Security Act (including incentive payments under this subsection) do not exceed the amount that the Secretary estimates would have been expended if the pilot

projects under this section had not been implemented.

(d) WAIVER AUTHORITY.—The Secretary may waive such provisions of titles XI and XVIII of the Social Security Act as the Secretary determines to be appropriate for the conduct of the pilot projects under this section.

(e) REPORT TO CONGRESS.—Not later than 5 years after the date that the first pilot project under this section is implemented, the Secretary shall submit to Congress a report on the pilot projects. Such report shall contain a detailed description of issues related to the expansion of the projects under subsection (f) and recommendations for such legislation and administrative actions as the Secretary considers appropriate.

(f) EXPANSION.—If the Secretary determines that any of the pilot projects under this section enhance health outcomes for Medicare beneficiaries and reduce expenditures under title XVIII of the Social Security Act, the Secretary may initiate comparable projects in additional areas.

(g) INCENTIVE PAYMENTS HAVE NO EFFECT ON OTHER MEDICARE PAYMENTS TO AGENCIES.—An incentive payment under this section—

(1) shall be in addition to the payments that a home health agency would otherwise receive under title XVIII of the Social Security Act for the provision of home health services; and

(2) shall have no effect on the amount of such payments.

SEC. 20. FACILITATING THE PROVISION OF TELEHEALTH SERVICES ACROSS STATE LINES.

(a) IN GENERAL.—For purposes of expediting the provision of telehealth services, for which payment is made under the Medicare program, across State lines, the Secretary of Health and Human Services shall, in consultation with representatives of States, physicians, health care practitioners, and patient advocates, encourage and facilitate the adoption of provisions allowing for multistate practitioner practice across State lines.

(b) DEFINITIONS.—In subsection (a):

(1) TELEHEALTH SERVICE.—The term "telehealth service" has the meaning given that term in subparagraph (F) of section 1834(m)(4) of the Social Security Act (42 U.S.C. 1395m(m)(4)).

(2) PHYSICIAN, PRACTITIONER.—The terms "physician" and "practitioner" have the meaning given those terms in subparagraphs (D) and (E), respectively, of such section.

(3) MEDICARE PROGRAM.—The term "Medicare program" means the program of health insurance administered by the Secretary of Health and Human Services under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.).

Mr. CONRAD. Mr. President, today I am pleased to join Senator THOMAS in introducing the Rural Hospital and Provider Equity Act, or R-HoPE. This proposal will help shore up health care in rural areas and give rural Americans hope that health care will be available when they need it.

R-HoPE is the next step in addressing the inequities that exist in Medicare reimbursement and ensuring access to health services, like ambulance, mental health and home health care, in rural communities. The proposal has strong bipartisan support. In fact we're pleased to have over 12 cosponsors today from both sides of the aisle.

Our proposal also has broad support among provider groups including the National Rural Health Association, the American Hospital Association, the American Ambulance Association, Federation of American Hospitals, the National Association of Rural Health Clinics, National Association for Home Care and Hospice, and the American Academy of Nurse Practitioners.

As my colleagues know, prior to the Medicare Modernization Act, Medicare was shortchanging rural providers. Our reimbursement was significantly less than our urban counterparts. For example, Mercy Hospital in Devil's Lake North Dakota received half as much reimbursement for treating pneumonia as Mercy Hospital in New York City did. While I will be the first to admit that health care can be more expensive in urban areas, it certainly isn't twice the cost. And for that matter, rural hospitals don't get a "rural discount" when they go to buy supplies or new technology. It costs rural hospitals even more to purchase technology and supplies because they can't achieve the economies of scale that larger, more urban hospitals can.

The MMA recognized this disparity in reimbursement and took steps to close the gap. We secured over $25 billion for rural health care, but most of the changes were only temporary. Even with the MMA funding, many rural hospitals and providers continue to experience negative margins. In 2003, before the MMA passed, rural hospitals had overall Medicare margins of negative 5.4 percent—compared to negative 0.9 percent for urban providers. In its March 2006 report, the Medicare Payment Advisory Commission projected that rural hospitals would experience negative 4.5-percent margins this year. Facilities cannot continue to provide high quality services if they lose over 4 percent on every Medicare patient.

R-HoPE will help continue the progress made by the MMA and add new provisions that will protect access to rural health care.

First, it will help ensure that everyone who chooses to live in a rural community has a hospital nearby. For example, the proposal recognizes that rural facilities can't achieve the same economies of scale as large hospitals by giving extra payments to hospitals with fewer than 2,000 patients a year. R-HoPE also reinstates provisions that protect rural hospitals against losses under the current outpatient payment system. Next, the bill extends an MMA provision that has helped rural hospitals to better meet their labor costs by improving their "wage index" calculation. In addition, the proposal would close the gap in payments hospitals receive for serving low-income patients by giving the same level of special "disproportionate share payments" that urban areas enjoy. Lastly, the bill establishes a new loan program to help rural hospitals repair crumbling buildings.

Second, R-HoPE would guarantee that rural Americans can see a doctor when they are sick. As is the case with most rural States, much of North Dakota is designated as a health professional shortage area, HPSA. Recruiting doctors to these areas is very difficult, and the Medicare program recognized that extra payments are needed when it established the 10-percent physician scarcity payment for doctors who serve Medicare patients in HPSAs. R-HoPE would extend these vital bonus payments. Our proposal also extends a provision from the MMA that erases geographic inequities in physician payments.

Third, our bill would guarantee that when there is an emergency in a rural area, an ambulance is there to respond. Many rural ambulance services are closing because of low Medicare reimbursement. These services are often staffed by volunteers; few first responders are paid. R-HoPE would protect rural ambulance services by improving how Medicare pays EMS providers in rural areas. The bill also extends a 2-percent bonus payment for rural ambulance services and takes steps to reduce the number of wrongful denials of payment by Medicare contractors.

Fourth, R-HoPE helps to bolster a vital rural health care safety net provider, rural health clinics. Our bill would help preserve this important source of health care by increasing the all-inclusive payment from $63 to $82. In addition, our bill encourages rural health clinics to collaborate with community health centers to provide care in rural areas.

Fifth, R-HoPE takes a number of steps to protect the availability of home and mental health in rural areas by increasing the number of providers who are allowed to order and provide these vital services. It also extends the rural add-on payment for home health services provided in rural areas and creates a pilot project to use home monitoring technology to provide home health services.

This bill also removes barriers to telehealth. Specifically, the bill would address problems that arise when telehealth services are provided across State lines and payment is denied because the practitioner isn't licensed in the State where the patient resides.

Finally, the bill we are introducing includes two small changes to the critical access hospital, CAH, program that will put these facilities on a much sounder financial footing. These provisions would ensure CAHs could afford to provide quality ambulance care and receive fair reimbursement for lab services provided outside the hospital.

Rural America is the backbone of this country. We must not turn our backs on rural Americans and their health care needs. They have a right to the same quality health care enjoyed by other Americans. And that right is being threatened by low Medicare reimbursement and limited access to providers. R-HoPE truly gives hope to those living in rural communities by erasing the inequities in current law that impede access to care.

I want to thank my Senate colleagues who have joined in this effort, as well as the organizations who worked with us, for their cooperation in developing this important health care proposal. It is my hope that this legislation will help strengthen our rural health care system and preserve it for generations to come.

By Mr. McCAIN:

S. 3501. A bill to amend the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act to establish an acquisition fund for the water rights and habitat acquisition program; to the Committee on Indian Affairs.

Mr. McCAIN. Mr. President, today I am introducing legislation to amend the Shivwits Band of Paiute Indian Tribe of Utah Water Rights Settlement Act 2000 in order to bring that settlement to an orderly conclusion. That act ratified a negotiated settlement of the Shivwits Band of Paiute Indian Tribe's water entitlement to flow from the Santa Clara River in Utah. The Department of the Interior requested the amendment and provided technical assistance in crafting the legislation.

As part of section 10, Water Rights Settlement, of the Shivwits Settlement Act a water rights and habitat acquisition program was authorized. Congress authorized $3.0 million to be appropriated to implement section 10. However, when the Department of the Interior attempted to implement the provision in section 10, which was intended to maintain the $3.0 million in an interest bearing account, the Treasury Department advised that the language in section 10 was insufficient for this purpose. The Treasury Department and Department of the Interior developed technical correction language to address this deficiency in the settlement act by amending the statutory language for the establishment of the acquisition fund and investment of the acquisition fund.

The bill I am introducing today will allow the Shivwits Band water rights and habitat acquisition program authorized under section 10 of the settlement act to move forward. This legislation is supported by the Department of the Interior and will fully implement the Shivwits Band of Paiute Indian Tribe of Utah Water Settlement Act of 2000. I urge my colleagues to support this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3501

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ACQUISITION FUND.

Section 10 of the Shivwits Band of the Paiute Indian Tribe of Utah Water Rights Settlement Act (Public Law 106–263; 114 Stat. 743) is amended—

(1) in subsection (f), by striking the second sentence; and

(2) by adding at the end the following:

"(g) ACQUISITION FUND.—

"(1) ESTABLISHMENT.—There is established in the Treasury of the United States a fund to be known as the 'Santa Clara Water Rights and Habitat Acquisition Fund' (referred to in this section as the 'Acquisition Fund'), consisting of—

"(A) such amounts as are appropriated to the Acquisition Fund under paragraph (2); and

"(B) any income earned on investment of amounts in the Acquisition Fund under paragraph (4).

"(2) TRANSFERS TO ACQUISITION FUND.—There are appropriated to the Acquisition Fund amounts equivalent to amounts made available under subsection (f).

"(3) EXPENDITURES FROM ACQUISITION FUND.—On request by the Secretary, the Secretary of the Treasury shall transfer from the Acquisition Fund to the Secretary such amounts as the Secretary determines to be necessary to carry out this section.

"(4) INVESTMENT OF AMOUNTS.—

"(A) IN GENERAL.—On request by the Secretary, the Secretary of the Treasury shall invest such portion of the Acquisition Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

"(B) OBLIGATIONS.—Investments may be made only in public debt securities with maturities suitable to the needs of the Acquisition Fund, as determined by the Secretary, that bear interest at a rate determined by the Secretary of the Treasury, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturity.

"(C) ACQUISITION OF OBLIGATIONS.—For the purpose of investments under subparagraph (A), obligations may be acquired—

"(i) on original issue at the issue price; or

"(ii) by purchase of outstanding obligations at the market price.

"(D) SALE OF OBLIGATIONS.—Any obligation acquired by the Acquisition Fund may be sold by the Secretary of the Treasury at the market price.

"(E) CREDITS TO ACQUISITION FUND.—The income on, and the proceeds from the sale or redemption of, any obligations held in the Acquisition Fund shall be credited to, and form a part of, the Acquisition Fund.

"(5) TRANSFERS OF AMOUNTS.—

"(A) IN GENERAL.—The amounts required to be transferred to the Acquisition Fund under this subsection shall be transferred at least monthly from the general fund of the Treasury to the Acquisition Fund on the basis of estimates made by the Secretary of the Treasury.

"(B) ADJUSTMENTS.—Proper adjustment shall be made in amounts subsequently transferred to the extent prior estimates were in excess of or less than the amounts required to be transferred.

"(6) MANAGEMENT.—The Acquisition Fund (including the principal of the Acquisition Fund and any interest generated on that principal) shall be managed in accordance with this section.".

By Mr. KENNEDY (for himself, Mrs. CLINTON, and Mr. KERRY):

S. 3502. A bill to modernize the education system of the United States, to arm individuals with 21st century knowledge and skills in order to preserve the economic and national security of the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, American families face great challenges in dealing with the rapidly changing global economy. The value of their wages is declining, the cost of living is going up, and many jobs are moving overseas. More and more Americans feel the American dream is slowly slipping out of reach.

We can and must deal more effectively with this problem. We have a responsibility to make the investments that are necessary to our progress—a responsibility to our families, to our economy, to our Nation, and even to our national security.

We can guarantee America's continuing prosperity in the future, but we must work for it. We must sacrifice for it. The rest of the world is playing for keeps. We cannot just tinker at the margins if we expect to continue to be a leader in this rapidly shrinking world.

We must ensure that our citizens can achieve the American dream once again. To do so, our highest priority must be a world class education for every American. We must make the American employee and employer the best educated, best trained, and most capable in the world. We need to strengthen the capacities of every person in the Nation.

This isn't just my opinion. In recent years, study after study has emphasized education as the solution to keeping America competitive in the years to come.

Last year, the Council on Competitiveness urged a focus on lifelong skill development—through elementary, secondary and higher education, and through training and workforce support, as essential to keeping America on the cutting edge of innovation.

A recent National Academy of Sciences report contains these recommendations. Two of the report's four major recommendations state that education is the solution to meeting the global challenge.

The National Association of Manufacturers has also issued a report urging a renewed focus on education and training to keep American businesses competitive.

Other industrialized countries are embracing education as the key to competing in this new economy, but America is slipping behind. We rank 28th out of 40 nations in math education. We were 3rd in the world in 1975 in the production of new scientists and engineers, but now we rank 15th. By

2008, 6 million U.S. jobs will go unfilled because our workforce will not be qualified to fill them.

These shortcomings threaten both our economic security and our national security.

The last time America was shocked into realizing we were unacceptably behind in math and science was in 1957, when the Soviet Union launched Sputnik. To meet that crisis, Republican President Eisenhower worked closely with a Democratic Congress to pass the National Defense Education Act. The new law declared a national "education emergency," and we doubled the Federal investment in education virtually overnight.

Today I join with my colleagues, Senator CLINTON and Senator KERRY, to introduce a new National Defense Education Act for our own day and generation.

To respond to this major challenge, we must ensure our education standards are internationally competitive, so that our high school graduates can succeed in the new economy. We must make a commitment to all students—regardless of the studies they choose to pursue—that cost will not be a barrier to a college degree. We must strengthen math and science education in this country by making college free for students training to become math or science teachers in high need schools.

Our New National Defense Education Act responds to each of these imperatives. It modernizes our education system and equips Americans with 21st century knowledge and skills.

It provides incentives and resources for schools to develop and implement more rigorous standards in math, science and reading.

The legislation updates the Nation's report card—the National Assessment of Educational Progress—to ensure that it sets a national benchmark which is internationally competitive and is aligned with the demands of the 21st century global economy. It expands our ability to monitor science achievement. It requires the NAEP to measure student preparedness to enter college, the 21st century workforce, or the armed services. It also requires the Secretary of Education to examine the gaps in student performance on State-level assessments and NAEP assessments, and to assist States in understanding those gaps. It provides critical resources to states to create PreK–16 Preparedness Councils to help them with their efforts to improve state standards and ensure that they are aligned with the expectations of colleges, employers, and the Armed Services. It also provides funding to States working in collaboration to establish common standards and assessments.

The New NDEA also directs resources to high need schools, to enable them to invest in math, science, engineering and technology textbooks and laboratories, and give their students equal access to a curriculum that will provide the skills they need to be successful in the 21st century global economy.

The legislation recognizes the critical role of the National Science Foundation in ensuring our children have access to cutting-edge science and technology programs, by doubling the investment in elementary, secondary, and postsecondary education programs at NSF.

The New NDEA also helps open the doors of college to all by creating the Contract for Educational Opportunity grant program, or "CEO Grants," which guarantee students that if they work hard and are admitted to college, their financial need will be met through additional State and Federal financial aid.

The legislation also offers additional grants to make college tuition free for low- and middle-income students studying science, technology, engineering or math, as well as critical-need foreign languages.

The bill provides larger grants to students studying to become teachers in these fields who agree to work in a high poverty school for at least 4 years. It also provides teachers with tax credits, increased loan forgiveness and additional incentives to continue to teach where they are needed the most. It provides grants to institutions of higher education to develop innovative programs for recruiting and training new teachers, and invests in teacher training programs to support their continuing education.

The bill recognizes that it is increasingly important for students to be exposed to other languages and cultures. In recent years, foreign language needs have significantly increased throughout the public and private sector because of the wider range of security threats, the emergence of new nation states, and the globalization of the U.S. economy. American businesses increasingly need employees experienced in foreign languages and international cultures to manage a culturally diverse workforce.

The New NDEA responds to these needs by providing grants for elementary and secondary critical-need language programs, summer institutes to improve teachers' knowledge and instruction of foreign languages and international content, and study abroad and foreign language study opportunities for high school students, and undergraduate and graduate students.

The New NDEA also continues to invest in our current workforce. The bill builds on existing formula funds for job training with competitive grants to support innovative strategies to meet emerging labor market needs.

From our earliest days as a nation, education has been the engine of the American dream. Our country is home to the greatest universities in the world, and our education system has produced the world's leading teachers, scientists, writers, musicians, and inventors. We cannot let these achievements stall. Slogans are not enough. We have to put first things first, and give children, parents, schools, communities and states the support they need to refuel the amazing engine of education and keep our country great in the years ahead.

I urge my colleagues to join us in making this strong new commitment to securing our Nation's future by supporting the New National Defense Education Act.

Mr. President, I ask unanimous consent that the text of the New National Defense Education Act be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3502

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "New National Defense Education Act of 2006".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Throughout our Nation's history, the skills and education of our workforce have been a major determinant of the standard of living of the people of the United States.

(2) Spurred into action by the launch of Sputnik, Congress passed the National Defense Education Act of 1958 (Public Law 85-864, 72 Stat. 1580). The law, now nearly 50 years old, declared a national "educational emergency", and Federal expenditures for education more than doubled in the 4 years after its passage. The programs authorized under the Act helped the United States to improve rapidly in mathematics, science, engineering, technology, and foreign languages and led to our dominance in the arms race and the global economy.

(3) Today, our Nation once again faces an international challenge in education: we must confront a shortage of highly skilled and educated workers, especially in mathematics, science, engineering, technology, and critical-need foreign languages. As a percentage of total first university degrees granted, the United States produced fewer graduates in mathematics, science, and engineering in 2002 than the Nation did in 1985. Currently, the United States Government requires 34,000 employees with foreign language skills in 100 languages across more than 80 Federal agencies. These trends pose a threat to our national security and our economic security.

(4) Student achievement in mathematics and science in elementary school and secondary school lags behind other nations, according to the Trends in International Mathematics and Science study and other studies, including the Programme for International Student Assessment, that recently ranked United States secondary school students 28th out of 40 first- and second-world nations, and tied with Latvia, in mathematics performance and problem solving.

(5) According to the most recent National Assessment of Educational Progress, less

than 40 percent of the students in grade 4 and 30 percent of the students in grade 8, and only 17 percent of the students in grade 12, reach the proficient level in mathematics, and approximately ⅓ of the students in grades 4 and 8, and nearly ½ of the students in grade 12, do not reach the basic level in science.

(6) A State-by-State comparison of the 2005 National Assessment of Educational Progress average scale scores for 8th grade mathematics reveals that 31 States—more than ½ of the States in the Nation—scored more than 10 points (about 1 grade level) below the highest scoring State, Massachusetts.

(7) More than 200,000,000 children in China are studying English, a compulsory subject for all Chinese primary school students. By comparison, only about 24,000 of approximately 54,000,000 elementary and secondary school children in the United States are studying Chinese.

(8) There is a significant shortage of trained and qualified mathematics and science teachers in the United States. According to the National Science Board, in 2002, between 17 and 28 percent of public secondary school science teachers (depending on the specific scientific field), and 20 percent of public secondary school mathematics teachers, lacked full certification in their teaching field.

(9) More than ½ of the 20 fastest growing occupations require postsecondary degrees in mathematics or science. According to the National Science Board, out of more than 15,000,000 college students, less than 400,000 Americans a year graduate with a bachelor's degree in mathematics, science, engineering, or technology. According to the National Science Foundation, only 75,000 American undergraduate students obtain a master's degree in mathematics, science, engineering, or technology.

(10) In a 2002 Government Accountability Office report, the United States Army reported that it was experiencing serious shortfalls of translators and interpreters in 5 of its 6 critical languages: Arabic, Korean, Mandarin Chinese, Persian-Farsi, and Russian. According to the Modern Language Association, enrollment in foreign languages declined from 16 percent of college students in 1965 to 8 percent in 1974, rebounding to just 8.6 percent in 2002. Less commonly taught languages accounted for only 12 percent of all language enrollments. This means that 1 percent of American undergraduate students are studying these critical languages.

(11) In 2002, 79 percent of Americans agreed that students should have a study-abroad experience sometime during college. Only 1 percent of all United States undergraduate students studied abroad in the 2001–2002 school year.

(12) The Government Accountability Office estimates that the number of students enrolled in science, technology, engineering, or mathematics doctoral degree programs at United States institutions of higher education declined from 217,395 during the 1995–1996 academic year to 198,504 during the 2003–2004 academic year.

(13) The extent of this crisis requires a coordinated Federal response and an increased Federal investment in programs of the Department of Education and the National Science Foundation.

TITLE I—MODERNIZING AMERICA'S EDUCATION SYSTEM

Subtitle A—Prekindergarten Through Grade 16 Education

SEC. 111. PURPOSES.

The purposes of this subtitle are the following:

(1) To ensure students receive an education competitive with other industrialized countries.

(2) To assist States in improving the rigor of standards and assessments.

(3) To provide for the establishment of prekindergarten through grade 16 student preparedness councils to better link early childhood education and school readiness with elementary school success, elementary student skills with success in secondary school, and secondary student skills and curricula, especially with respect to reading, mathematics, and science, with the demands of higher education, the 21st century workforce, and the Armed Forces, in order to—

(A) ensure that greater number of students, especially low-income and minority students, complete secondary school with the coursework and skills necessary to enter—

(i) credit-bearing coursework in higher education without the need for remediation;

(ii) high-paying employment in the 21st century workforce; or

(iii) the Armed Forces.

(4) To establish a system that encourages local educational agencies to adopt a curriculum that meets State academic content standards and student academic achievement standards and prepares all students for success in elementary school, secondary school, and post-secondary endeavors in the 21st century.

SEC. 112. DEFINITIONS.

In this subtitle:

(1) In general.—The terms "elementary school", "limited English proficient", "local educational agency", "scientifically based research", "secondary school", "Secretary", and "State educational agency" have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) Academic content standards; student academic achievement standards.—The terms "academic content standards" and "student academic achievement standards", when used with respect to a particular State, mean the academic content standards and student academic achievement standards adopted by a State under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)).

(3) 21st century curriculum.—The term "21st century curriculum" means a course of study identified by a State as preparing secondary school students for entrance into credit-bearing coursework in higher education without the need for remediation, employment in the 21st century workforce, or entrance into the Armed Forces. A State shall define the 21st century curriculum in terms of content as well as course names.

(4) End of course examination.—The term "end of course examination" means an assessment of student learning given at the end of a particular course that is used to measure student learning of State academic content standards in the subject matter of the course.

(5) Graduation rate.—The term "graduation rate" means the percentage of students who graduate from secondary school with a regular diploma in the standard number of years.

(6) Institution of higher education.—The term "institution of higher education" has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(7) Professional development.—The term "professional development" includes activities that—

(A) improve and increase teachers' knowledge of the academic subjects the teachers teach, and enable teachers to become highly qualified;

(B) are an integral part of broad educational improvement plans across the school and across the local educational agency;

(C) give teachers, principals, and administrators the knowledge and skills to provide students with the opportunity to meet the State academic content standards and student academic achievement standards and the 21st century curriculum demands;

(D) are high-quality, sustained, intensive, and classroom-focused, in order to have a positive and lasting effect on classroom instruction and the teacher's performance in the classroom;

(E) advance teacher understanding of effective instructional strategies that are based on scientifically based research and are directly aligned with the State academic content standards and State assessments;

(F) are designed to give teachers the knowledge and skills to provide instruction and appropriate language and academic support services to limited English proficient students and students with special needs, including the appropriate use of curricula and assessments;

(G) are, as a whole, regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development; and

(H) include instruction in the use of data and assessments to inform and instruct classroom practice.

(8) State.—The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

(9) State assessment.—The term "State assessment", when used with respect to a particular State, means the student academic assessments implemented by the State pursuant to section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)).

(10) Student preparedness.—The term "student preparedness" means preparedness based on the knowledge and skills that—

(A) are prerequisites for entrance into—

(i) credit-bearing coursework in higher education without the need for remediation;

(ii) the 21st century workforce; and

(iii) the Armed Forces;

(B) can be measured and verified objectively using widely accepted professional assessment standards; and

(C) are consistent with widely accepted professional assessment standards and competitive with international levels of preparedness of students for postsecondary success.

SEC. 113. ALIGNING STATE STANDARDS WITH NATIONAL BENCHMARKS.

(a) Report on Results of State Assessments and National Assessment.—Not later than 90 days after each release of the results of the National Assessment of Educational Progress (as carried out under section 303(b)(2) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(2)) and section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(2)) in reading or mathematics (or, beginning in 2009, science) in grades 4 and 8, the Secretary shall—

(1) prepare and submit to Congress the report described in subsection (b) on the results of the State assessments and the assessments of reading and mathematics, and, beginning in 2009, science, in grades 4 and 8, required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965; and

(2) identify States with significant discrepancies in performance between the 2 assessments, as described in subsection (b)(3).

(b) Contents of Report.—

(1) In general.—The report described in this subsection shall include the following information for each subject area and grade described in subsection (a)(1) in each State:

(A) The percentage of students who performed at or above the basic level on the State assessment—

(i) for the most recent applicable year;

(ii) for the preceding year; and

(iii) for the previous year in which the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 was given in such subject,

and the change in such percentages between those assessments.

(B) The percentage of students who performed at or above the proficient level on the State assessment—

(i) for the most recent applicable year;

(ii) for the preceding year; and

(iii) for the previous year in which the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 was given in such subject,

and the change in such percentages between those assessments.

(C) The percentage of students who performed at or above the basic level on the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965—

(i) for the most recent applicable year; and

(ii) for the previous such assessment,

and the change in such percentages between those assessments.

(D) The percentage of students who performed at or above the proficient level on the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965—

(i) for the most recent applicable year; and

(ii) for the previous such assessment,

and the change in such percentages between those assessments.

(E) The difference between—

(i) the percentage of students who performed at or above the basic level for the most recent applicable year on the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965; and

(ii) the percentage of students who performed at or above the basic level on the State assessment for such year.

(F) The difference between—

(i) the percentage of students who performed at or above the proficient level for the most recent applicable year on the assessment required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965; and

(ii) the percentage of students who performed at or above the proficient level on the State assessment for such year.

(2) Analysis.—In addition to the information described in paragraph (1), the Secretary shall include in the report—

(A) an analysis of how the achievement of students in grades 4, 8, and 12, and the preparedness of students in grade 12 (when such data on preparedness exists from assessments described in section 303 of the National Assessment of Educational Progress Authorization Act), in the United States compares to the achievement and preparedness of students in other industrialized countries; and

(B) possible reasons for any deficiencies identified in the achievement or preparedness of United States students compared to students in other industrialized countries.

(3) Ranking.—The Secretary shall—

(A) using the information described in paragraph (1), rank the States according to the degree to which student performance on State assessments differs from performance on the assessments required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965; and

(B) identify those States with the most significant discrepancies in performance between the State assessments and the assessments required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965.

(c) Report on State Progress.—Beginning 5 years after the date of enactment of this Act, the Secretary shall include in the report described in subsection (a)(1) the following:

(1) Information about the progress made by States to decrease discrepancies in student performance on the State assessments and the assessments required under section 1111(c)(2) of the Elementary and Secondary Education Act of 1965.

(2) The differences that exist in States across subject areas and grades.

SEC. 114. NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS CHANGES.

(a) National Assessment Governing Board.—Section 302 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621) is amended—

(1) in subsection (a), by striking "shall formulate" and all that follows through the period at the end and inserting "shall—

"(1) formulate policy guidelines for the National Assessment of Educational Progress (carried out under section 303); and

"(2) carry out, upon the request of a State, an alignment analysis (under section 304) comparing a State's academic content standards and student academic achievement standards adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, assessment specifications, assessment questions, and performance standards with national benchmarks reflected in the assessments authorized under this Act.";

(2) in subsection (b)(1), by adding at the end the following:

"(O) One representative of the Armed Forces with expertise in military personnel requirements and military preparedness, who shall serve as an ex-officio, nonvoting member.";

(3) in subsection (c), by striking paragraph (4);

(4) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting "and grade 12 student preparedness levels" after "achievement levels";

(ii) in subparagraph (D), by inserting "members of the business and military communities," after "parents,";

(iii) in subparagraph (E), by inserting "and" after "subject matter,";

(iv) by redesignating subparagraphs (G), (H), (I), and (J) as subparagraphs (H), (I), (K), and (L), respectively;

(v) by inserting after subparagraph (F) the following:

"(G) consistent with section 303, measure grade 12 student preparedness;";

(vi) by inserting after subparagraph (I) (as redesignated by clause (iv)) the following:

"(J) ensure the rigor of the National Assessment of Educational Progress framework and assessments, taking into consideration—

"(i) the knowledge and skills that are prerequisite to credit-bearing coursework in higher education without the need for remediation, the 21st century workforce, and the Armed Forces; and

"(ii) rigorous international content and performance standards, and how the achievement of students in grades 4, 8, and 12, and the preparedness of students in grade 12, in the United States compare to the achievement and the preparedness of students in other industrialized countries;";

(vii) in subparagraph (K) (as redesignated by clause (iv)), by striking "and" after the semicolon;

(viii) in subparagraph (L) (as redesignated by clause (iv)), by striking the period and inserting "; and";

(ix) by inserting after subparagraph (L) the following:

"(M) conduct an alignment analysis as described in section 304 for each State that requests such analysis."; and

(x) in the flush matter at the end—

(I) by inserting "for an assessment" after "data";

(II) by inserting "Assessment Board's" after "prior to the"; and

(III) by striking "(J)" and inserting "(L)";

(B) in paragraph (4), by inserting "of Educational Progress" after "National Assessment";

(C) in paragraph (5), in the paragraph heading, by inserting "ADVICE" after "TECHNICAL"; and

(D) in paragraph (6), by inserting "or grade 12 student preparedness levels" after "student achievement levels"; and

(5) in subsection (g)(1), by inserting "of Educational Progress" after "National Assessment".

(b) National Assessment of Educational Progress.—Section 303 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by striking "Purpose" and inserting "Purposes";

(B) by striking paragraph (1) and inserting the following:

"(1) Purposes.—The purposes of this section are—

"(A) to provide, in a timely manner, a fair and accurate measurement of student achievement and grade 12 student preparedness in reading, mathematics, science, and other subject matter as specified in this section; and

"(B) to report trends in student achievement and grade 12 student preparedness in reading, mathematics, science, and other subject matter as specified in this section.";

(C) in paragraph (2)—

(i) in subparagraph (B), by striking "reading and mathematics" and inserting "reading, mathematics, and science";

(ii) by striking subparagraph (C) and inserting the following:

"(C) conduct a national assessment and collect and report assessment data, including achievement and student preparedness data trends, in a valid and reliable manner on student academic achievement and student preparedness in public and private schools in reading, mathematics, and science at least once every 2 years in grade 12;";

(iii) in subparagraph (D)—

(I) by striking "subparagraph (B) are implemented and the requirements described in subparagraph (C) are met," and inserting "subparagraphs (B) and (C) are implemented,"; and

(II) by striking "science,";

(iv) in subparagraph (E)—

(I) by striking "reading and mathematics" and inserting "reading, mathematics, and science"; and

(II) by striking "subparagraph (B)" and inserting "subparagraphs (B) and (C)"; and

(v) in subparagraph (H), by striking "achievement data" and inserting "student achievement data and grade 12 student preparedness data";

(D) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (i), by striking "reading and mathematics" and inserting "reading, mathematics, and science";

(II) in clause (ii)—

(aa) by inserting "and grade 12 student preparedness" after "achievement"; and

(bb) by striking "reading and mathematics" and inserting "reading, mathematics, and science"; and

(III) in clause (iv), by striking "an evaluation" and inserting "a review"; and

(ii) in subparagraph (C)(ii), by striking "reading and mathematics" and inserting "reading, mathematics, and science";

(E) in paragraph (4)(B), by striking ", require, or influence" and inserting "or require"; and

(F) in paragraph (5)(B), by striking "academic achievement" and inserting "academic achievement or grade 12 student preparedness";

(2) in subsection (c)(3)(A), by striking "academic achievement" and inserting "academic achievement or grade 12 preparedness";

(3) in subsection (d)(3)—

(A) in subparagraph (A), by striking "reading and mathematics in grades 4 and 8" and inserting "reading, mathematics, and science in grades 4 and 8"; and

(B) in subparagraph (B), by striking "reading and mathematics assessments in grades 4 and 8" and inserting "reading, mathematics, and science assessments in grades 4 and 8";

(4) in subsection (e)—

(A) in the subsection heading, by inserting "AND GRADE 12 STUDENT PREPAREDNESS LEVELS" after "LEVELS";

(B) in paragraph (1)—

(i) by striking the paragraph heading and inserting "DEVELOPMENT.—"; and

(ii) by inserting ", and develop grade 12 student preparedness levels" after "subsection (b)(2)(F)";

(C) in paragraph (2)—

(i) by striking subparagraph (A) and inserting the following:

"(A) STUDENT ACHIEVEMENT AND GRADE 12 PREPAREDNESS LEVELS.—

"(i) STUDENT ACHIEVEMENT LEVELS.—The student achievement levels described in paragraph (1) shall be determined by—

"(I) identifying the knowledge and skills that—

"(aa) are prerequisite to credit-bearing coursework in higher education without the need for remediation in English, mathematics, or science, participation in the 21st century workforce, and the Armed Forces or, in the case of grade 4 and grade 8 students, are prerequisite to grade 12 preparedness;

"(bb) are competitive with rigorous international content and performance standards; and

"(cc) can be measured and verified objectively using widely accepted professional assessment standards; and

"(II) developing student achievement levels that are—

"(aa) based on the knowledge and skills identified in subclause (I);

"(bb) based on the appropriate level of subject matter knowledge for the grade levels to be assessed, or the age of the students, as the case may be; and

"(cc) consistent with relevant widely accepted professional assessment standards.

"(ii) GRADE 12 STUDENT PREPAREDNESS LEVELS.—The grade 12 student preparedness levels described in paragraph (1) shall be determined by—

"(I) identifying the knowledge and skills that—

"(aa) are prerequisite to credit-bearing coursework in higher education without the need for remediation in English, mathematics, or science, participation in the 21st century workforce, and the Armed Forces;

"(bb) are competitive with rigorous international content and performance standards; and

"(cc) can be measured and verified objectively using widely accepted professional assessment standards; and

"(II) developing grade 12 student preparedness levels that are—

"(aa) based on the knowledge and skills identified in subclause (I); and

"(bb) consistent with widely accepted professional assessment standards."; and

(ii) in subparagraph (C), by striking "achievement levels" and inserting "student achievement levels and grade 12 student preparedness levels";

(D) in paragraph (3)—

(i) by striking "After determining that such levels" and inserting "After determining that the student achievement levels and grade 12 student preparedness levels"; and

(ii) by striking "an evaluation" and inserting "a review"; and

(E) in paragraph (4), by inserting "or grade 12 student preparedness levels" after "achievement levels"; and

(5) in subsection (f)(1)—

(A) in subparagraph (A), by inserting "and grade 12 student preparedness levels" after "student achievement levels"; and

(B) in subparagraph (B)—

(i) in clause (i), by inserting "or grade 12 student preparedness" after "achievement";

(ii) in clause (ii), by inserting "and grade 12 student preparedness levels" after "achievement levels";

(iii) by striking clause (iii) and inserting the following:

"(iii) whether any authorized assessment is being administered as a random sample and is reporting the trends in student achievement or grade 12 student preparedness in a valid and reliable manner in the subject areas being assessed;";

(iv) in clause (iv), by striking "and" after the semicolon;

(v) in clause (v), by striking "and mathematical knowledge." and inserting "and mathematical knowledge and scientific knowledge; and"; and

(vi) by adding at the end the following:

"(vi) whether the appropriate authorized assessments are measuring, consistent with this section, the preparedness of students in grade 12 in the United States for entry into—

"(I) credit-bearing coursework in higher education without the need for remediation in English, mathematics, or science;

"(II) the 21st century workforce; and

"(III) the Armed Forces.".

(c) NATIONAL BENCHMARKS.—The National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621 et seq.) is amended—

(1) by redesignating sections 304 and 305 as sections 305 and 306, respectively; and

(2) by inserting after section 303 the following:

"SEC. 304. NATIONAL BENCHMARKS.

"(a) PURPOSES.—The purposes of this section are—

"(1) to encourage the coordination of, and consistency between—

"(A) a State's academic content standards and student academic achievement standards adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, assessment specifications, and assessment questions; and

"(B) national benchmarks, as reflected in the National Assessment of Educational Progress;

"(2) to assist States in increasing the rigor of their State academic content standards, student academic achievement standards, assessment specifications, and assessment questions, to ensure that such are competitive with rigorous national and international benchmarks; and

"(3) to improve the instruction and academic achievement of students, beginning in the early grades, to ensure that secondary school graduates are well-prepared to enter—

"(A) credit-bearing coursework in higher education without the need for remediation;

"(B) the 21st century workforce; or

"(C) the Armed Forces.

"(b) ALIGNMENT ANALYSIS.—

"(1) IN GENERAL.—When the chief State school officer of a State identifies a need for, and requests the Assessment Board to conduct, an alignment analysis for the State in reading, mathematics, or science in grades 4 and 8, the Assessment Board shall perform an alignment analysis of the State's academic content standards and student academic achievement standards adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)), assessment specifications, and assessment questions, for the identified subject in grades 4 and 8. Such analysis shall begin not later than 180 days after the alignment analysis is requested.

"(2) ASSESSMENT BOARD RESPONSIBILITIES.—As part of the alignment analysis, the Assessment Board shall—

"(A) identify the differences between the State's academic content standards and student academic achievement standards, assessment specifications, and assessment questions for the subject identified by the State, and national benchmarks reflected in the National Assessment of Educational Progress in such subject in grades 4 and 8;

"(B) at the State's request, recommend steps for, and policy questions such State should consider regarding, the alignment of the State's academic content standards and student academic achievement standards in the identified subject, with national benchmarks reflected in the National Assessment of Educational Progress in such subject in grades 4 and 8; and

"(C) at the State's request, and in conjunction with a State prekindergarten through grade 16 student preparedness council established under section 115 of the New National

Defense Education Act of 2006, assist in the development of a plan described in section 115(e)(1)(C) of such Act.

"(3) Contract.—At the discretion of the Assessment Board, the Assessment Board may enter into a contract with an entity that possesses the technical expertise to conduct the analysis described in this subsection.

"(4) State panel.—The chief State school officer of a State participating in an alignment analysis described in this subsection shall appoint a panel of not less than 6 individuals to partner with the Assessment Board in conducting the alignment analysis. Such panel—

"(A) shall include—

"(i) local and State curriculum experts;

"(ii) relevant content and pedagogy experts, including representatives of entities with widely accepted national educational standards and assessments; and

"(iii) not less than 1 entity that possesses the technical expertise to assist the State in implementing standards-based reform, which may be the same entity with which the Assessment Board contracts to conduct the analysis under paragraph (3); and

"(B) may include other State and local representatives and representatives of organizations with relevant expertise.".

(d) Definition of Secretary.—Section 305 of the National Assessment of Educational Progress Authorization Act (as redesignated by subsection (c)(1)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

"(2) Secretary.—The term 'Secretary' means the Secretary of Education.".

(e) Authorization of Appropriations.—Section 306(a) of the National Assessment of Educational Progress Authorization Act (as redesignated by subsection (c)(1)) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) for fiscal year 2007—

"(A) $7,500,000 to carry out section 302;

"(B) $200,000,000 to carry out section 303; and

"(C) $10,000,000 to carry out section 304; and"; and

(2) in paragraph (2)—

(A) by striking "5 succeeding" and inserting "4 succeeding"; and

(B) by striking "and 303, as amended by section 401 of this Act" and inserting ", 303, and 304".

(f) Conforming Changes and Amendments.—

(1) Conforming changes to the Elementary and Secondary Education Act of 1965.—

(A) State plans.—Section 1111(c)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(2)) is amended by striking "and mathematics" and inserting ", mathematics, and science".

(B) Local educational agency plans.—Section 1112(b)(1)(F) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6312(b)(1)(F)) is amended by striking "reading and mathematics" and inserting "reading, mathematics, and science".

(2) Conforming amendment.—Section 113(a)(1) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9513(a)(1)) is amended by striking "section 302(e)(1)(J)" and inserting "section 302(e)(1)(L)".

SEC. 115. PREKINDERGARTEN THROUGH GRADE 16 STUDENT PREPAREDNESS COUNCIL GRANTS.

(a) Program Authorized.—

(1) In general.—From amounts appropriated under subsection (g) for a fiscal year, the Secretary is authorized to award, on a competitive basis, grants to States for the purpose of allowing the States to establish State prekindergarten through grade 16 student preparedness councils (referred to in this section as "councils") that—

(A) convene stakeholders within the State and create a forum for identifying and deliberating on educational issues that cut across prekindergarten through grade 12 education and higher education, and transcend any single system of education's ability to address;

(B) develop and implement a plan for improving the rigor of a State's academic content standards, student academic achievement standards, assessment specifications, and assessment questions as necessary, to ensure such standards and assessments meet national and international benchmarks as reflected in the assessments required under section 303(b)(2) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(2)) or as defined by the council as necessary for success in credit-bearing coursework in higher education without the need for remediation, the 21st century workforce, or the Armed Forces;

(C) inform the design and implementation of integrated prekindergarten through grade 16 data systems, which—

(i) will allow the State to track the progress of individual students from prekindergarten through grade 12 and into higher education; and

(ii) shall be capable of being linked with appropriate databases on service in the Armed Forces and participation in the 21st century workforce; and

(D) shall develop challenging—

(i) school readiness standards;

(ii) curricula for elementary schools and middle schools; and

(iii) 21st century curricula for secondary schools.

(2) Duration.—The Secretary shall award grants under this section for a period of not more than 5 years.

(3) Existing state council.—A State with an existing State council may qualify for the purposes of a grant under this section if—

(A) such council—

(i) has the authority to carry out this section; and

(ii) includes the members required under subsection (b); or

(B) the State amends the membership or responsibilities of the existing council to meet the requirements of subparagraph (A).

(b) Composition.—

(1) Required members.—The members of a council described in subsection (a) shall include—

(A) the Governor of the State or the designee of the Governor;

(B) the chief executive officer of the State public institution of higher education system, if such a position exists;

(C) the chief executive officer of the State Higher Education Coordinating Board;

(D) the chief State school officer;

(E) not less than 1 representative each from—

(i) the business community; and

(ii) the Armed Forces;

(F) a public elementary school teacher employed in the State; and

(G) a public secondary school teacher employed in the State.

(2) Optional members.—The council described in subsection (a) may also include—

(A) a representative from—

(i) a private institution of higher education;

(ii) the Chamber of Commerce for the State;

(iii) a civic organization;

(iv) a civil rights organization;

(v) a community organization; or

(vi) an organization with expertise in world cultures;

(B) the State official responsible for economic development, if such a position exists; or

(C) a dean or similar representative for a school of education at an institution of higher education or a similar teacher certification or licensure program.

(c) Timeline.—A State receiving a grant under this section shall establish a council (or use or amend an existing council in accordance with subsection (a)(3)) not later than 60 days after the receipt of the grant.

(d) Application.—

(1) In general.—Each State desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(2) Contents.—Each application submitted under paragraph (1) shall—

(A) demonstrate that the opinions of the larger education, business, and military community, including parents, students, teachers, teacher educators, principals, school administrators, and business leaders, will be represented during the determination of the State academic content standards and student academic achievement standards, assessment specifications, assessment questions, and the development of curricula, if applicable;

(B) include a comprehensive plan to provide high-quality professional development for teachers, paraprofessionals, principals, and school administrators;

(C) explain how the State will provide assistance to local educational agencies in implementing rigorous State standards through substantive curricula, including scientifically based remediation and acceleration opportunities for students; and

(D) explain how the State and the council will leverage additional State, local, and other funds to pursue curricular alignment and student success.

(e) Use of Funds.—

(1) Required activities.—A State receiving a grant under this section shall use the grant funds to establish a council that shall carry out the following:

(A) Design and implement an integrated prekindergarten through grade 16 longitudinal data system for the State, if such system does not exist, that will allow the State to track the progress of students from prekindergarten, through grade 12, and into higher education, the 21st century workforce, and the Armed Forces. The data system shall—

(i) include—

(I) a unique statewide student identifier for each student;

(II) student-level enrollment, demographic, and program participation information, including race or ethnicity, gender, and income status;

(III) the ability to match individual students' test records from year to year to measure academic growth;

(IV) information on untested students;

(V) a teacher identifier system with the ability to match teachers to students;

(VI) student-level transcript information, including information on courses completed and grades earned;

(VII) student-level college preparedness examination scores;

(VIII) student-level graduation and dropout data;

(IX) the ability to match student records between the prekindergarten through grade 12 and the postsecondary systems;

(X) a State data audit system assessing data quality, validity, and reliability;

(XI) rates of student attendance at institutions of higher education;

(XII) rates of student enrollment and retention in the Armed Forces; and

(XIII) student nonmilitary postsecondary employment information;

(ii) to the extent possible, coordinate with other relevant State databases, such as criminal justice or social services data systems;

(iii) allow the State to analyze correlations between course-taking patterns in prekindergarten through grade 12 and outcomes after secondary school graduation, including—

(I) entry into higher education;

(II) the need for, and cost of, remediation in higher education;

(III) graduation from higher education;

(IV) entry into the 21st century workforce;

(V) entry into the Armed Forces; and

(VI) to the extent possible through linkages with appropriate databases on service in the Armed Forces and participation in the 21st century workforce, persistence in the Armed Forces and continued participation in the 21st century workforce; and

(iv) ensure that the use of any available data does not allow for the public identification of the individual student's personally identifiable information, and that all data shall be collected and maintained in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g; commonly referred to as the Family Educational Rights and Privacy Act of 1974).

(B) If an integrated prekindergarten through grade 16 longitudinal data system exists or is currently being built, ensure that it complies with the requirements described in subparagraph (A).

(C) Develop and implement a plan to increase the rigor of standards or assessments in reading, mathematics, or science in order to better align such standards or assessments with national benchmarks reflected in the National Assessment of Educational Progress in grades 4 and 8 (in accordance with the results of the alignment analysis conducted under section 304 of the National Assessment of Educational Progress Authorization Act), and in other grades to ensure the alignment of kindergarten through grade 12 standards or assessments with the revisions made in grades 4 and 8, or to align such standards or assessments with the demands of higher education, the 21st century workforce, or the Armed Forces or other national and international benchmarks identified by the council. Such plan may include—

(i) an articulation of the steps necessary—

(I) for revising the State academic content standards and student academic achievement standards, assessment specifications, and assessment questions for the identified subject; and

(II) to better align the standards and the assessment specifications and questions described in subclause (I) with—

(aa) national benchmarks as reflected in the National Assessment of Educational Progress required under section 303 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622) for the identified subject; or

(bb) the demands of higher education, the 21st century workforce, or the Armed Forces or other national or international benchmarks identified by the council;

(ii) an articulation of the steps necessary and the process the State will undertake to revise standards or assessments, or both, in the identified subject;

(iii) a description of the partners the State will work with to revise standards or assessments, or both; and

(iv) a description of the activities the State will undertake to implement the revised standards or assessments, or both, at the State educational agency level and the local educational agency level, which activities may include—

(I) preservice and in-service teacher, paraprofessional, principal, and school administrator training;

(II) statewide meetings to provide professional development opportunities for teachers and administrators;

(III) development of curricula and instructional methods and materials;

(IV) the redesign of existing assessments, or the development or purchase of new high-quality assessments, with a focus on ensuring that such assessments are rigorous, measure significant depth of knowledge, use multiple measures and formats (such as student portfolios), and are sensitive to inquiry-based, project-based, or differentiated instruction; and

(V) other activities necessary for the effective implementation of the new State standards or assessments, or both.

(D) Analyze the State's level of prekindergarten through grade 16 curricular alignment and the success of the State's education system in preparing students for higher education, the 21st century workforce, and the Armed Forces by—

(i) using the data produced by a data system described in subparagraph (A) or (B), or other information as appropriate; and

(ii) exploring a possible agreement between the State educational agency and the higher education system in the State on a common assessment or assessments that—

(I) shall follow established guidelines to guarantee reliability and validity;

(II) shall provide adequate accommodations for students who are limited English proficient and students with disabilities; and

(III) may be a placement examination, end of course examination, college, workforce, or Armed Forces preparedness examination, or admissions examination, that measures secondary students' preparedness to succeed in postsecondary, credit-bearing courses.

(E) If the State has an officially designated college preparatory curriculum at the time the State applies for a grant under this section—

(i) describe the extent to which students who completed the college preparatory curriculum are more or less successful than other students, including students who did not complete a college preparatory curriculum, in entering and graduating from a program of study at an institution of higher education or entering the 21st century workforce or the Armed Forces;

(ii) examine the extent to which the expectations of the college preparatory curriculum are aligned with the entry standards of the State's institutions of higher education, including whether such curriculum enables secondary school students to enter credit-bearing coursework in higher education without the need for remediation; and

(iii) examine the extent to which the curriculum allows graduates to attain the skills necessary to enter the 21st century workforce or the Armed Forces.

(F) If the State has not designated a college preparatory curriculum at the time the State applied for a grant under this section, or if the curriculum described in subparagraph (E) does not result in a higher number of students enrolling in and graduating from institutions of higher education or entering the 21st century workforce or the Armed Forces, or is not aligned with the entry standards described in subparagraph (E)(ii), develop a 21st century curriculum that—

(i) may be adopted by the local educational agencies in the State for use in secondary schools;

(ii) enables secondary school students to enter credit-bearing coursework in higher education without the need for remediation;

(iii) allows graduates to attain the skills necessary to enter the 21st century workforce or the Armed Forces;

(iv) reflects the input of teachers, principals, school administrators, and college faculty; and

(v) focuses on providing rigorous core courses that reflect the State academic content standards and student academic achievement standards.

(G) Develop and make available specific opportunities for extensive professional development for teachers, paraprofessionals, principals, and school administrators, to improve instruction and support mechanisms for students using a curriculum described in subparagraph (E) or (F).

(H) Develop a plan to provide remediation and additional learning opportunities for students below grade level to ensure that all students will have the opportunity to meet the curricular standards of a curriculum described in subparagraph (E) or (F).

(I) Use data gathered by the council to improve instructional methods, better tailor student support services, and serve as the basis for all school reform initiatives.

(J) Implement activities designed to ensure the enrollment of all students in rigorous coursework, which may include—

(i) specifying the courses and performance levels required for acceptance into public institutions of higher education;

(ii) collaborating with institutions of higher education or other State educational agencies to develop assessments aligned to State academic content standards and a curriculum described in subparagraph (E) or (F), which assessments may be used as measures of student achievement in secondary school as well as for entrance or placement at institutions of higher education;

(iii) creating ties between elementary schools and secondary schools, and institutions of higher education, to offer—

(I) accelerated learning opportunities, particularly with respect to mathematics, science, engineering, technology, and critical-need foreign languages (as determined by the Secretary under section 222) to secondary school students, which may include—

(aa) granting postsecondary credit for secondary school courses;

(bb) providing early enrollment opportunities in postsecondary education for secondary students enrolled in postsecondary-level coursework;

(cc) creating dual enrollment programs;

(dd) creating satellite secondary school campuses on the campuses of institutions of higher education; and

(ee) providing opportunities for higher education faculty who are highly qualified, as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), to teach credit-bearing postsecondary courses in secondary schools; and

(II) professional development activities for teachers, which may include—

(aa) mentoring opportunities; and

(bb) summer institutes;

(iv) expanding or creating higher education awareness programs for middle school and secondary school students;

(v) expanding opportunities for students to enroll in highly rigorous postsecondary preparatory courses, such as Advanced Placement and International Baccalaureate courses; and

(vi) developing a high-quality professional development curriculum to provide professional development opportunities for paraprofessionals, teachers, principals, and administrators.

(2) PLANNING AND IMPLEMENTATION.—A State receiving a grant under this section may use grant funds received for the first fiscal year to form the council and plan the activities described in paragraph (1). Grant funds received for subsequent fiscal years shall be used for the implementation of the activities described in such paragraph.

(f) REPORTS AND PUBLICATION.—

(1) REPORTS.—

(A) INITIAL REPORT.—Not later than 9 months after a State receives a grant under this section, the State shall submit a report to the Secretary that includes—

(i) an analysis of alignment and articulation across the State's systems of public education for prekindergarten through grade 16, including data that indicates the percent of students who—

(I) graduate from secondary school with a regular diploma in the standard number of years;

(II) complete a curriculum described in subparagraph (E) or (F) of subsection (e)(1);

(III) matriculate into an institution of higher education (disaggregated by 2-year and 4-year degree-granting programs);

(IV) are secondary school graduates who need remediation in reading, writing, mathematics, or science before pursuing credit-bearing post-secondary courses in English, mathematics, or science;

(V) persist in an institution of higher education into the second year; and

(VI) graduate from an institution of higher education within 150 percent of the expected time for degree completion (within 3 years for a 2-year degree program and within 6 years for a baccalaureate degree);

(ii) an analysis of the strengths and weaknesses of the State—

(I) in transitioning students from the prekindergarten through grade 12 education system into higher education, the 21st century workforce, and the Armed Forces; and

(II) in transitioning students from the prekindergarten through grade 12 education system into mathematics, science, engineering, technology, and critical-need foreign language degree programs at institutions of higher education;

(iii) an analysis of the quality and rigor of the State's curriculum described in subparagraph (E) or (F) of subsection (e)(1), and the accessibility of the curriculum to all students in prekindergarten through grade 12;

(iv) an analysis of the strengths and weaknesses of the State in recruiting, retaining, and supporting qualified teachers, including—

(I) whether the State needs to recruit additional teachers at the secondary level for specific subjects (such as mathematics, science, engineering and technology education, (as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), and critical-need foreign languages (as determined by the Secretary under section 222)), particular schools, or local educational agencies; and

(II) recommendations on how to set and achieve goals in this pursuit; and

(v) a detailed action plan that describes how the council will accomplish the goals and tasks required by the grant under this section, including a timeline for accomplishing all activities under the grant.

(B) ANNUAL REPORTS.—Not later than 1 year following the submission of the initial report described in subparagraph (A), and annually thereafter for the duration of the grant, a State receiving a grant under this section shall prepare and submit to the Secretary a report that describes the State's progress in accomplishing the goals and tasks required by the grant, including progress on each item described in subparagraph (A). The final annual report under this subparagraph shall be submitted 1 year after the expiration of the grant.

(2) PUBLICATION.—A State submitting a report in accordance with this subsection shall publish and widely disseminate the report to the public, including posting the report on the Internet.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $200,000,000 for fiscal year 2007, and such sums as may be necessary for each of the 4 succeeding fiscal years.

SEC. 116. COLLABORATIVE STANDARDS AND ASSESSMENTS GRANTS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE STATE.—The term "eligible State" means a State that demonstrates that it has analyzed and, where applicable, revised the State standards and assessments, through participation in a prekindergarten through grade 16 student preparedness council described in section 115 or through other State action, to ensure the standards and assessments—

(A) are aligned with the demands of the 21st century; and

(B) prepare students for entry into—

(i) credit-bearing coursework in higher education without the need for remediation;

(ii) the 21st century workforce; and

(iii) the Armed Forces

(2) ELIGIBLE CONSORTIUM.—

(A) IN GENERAL.—The term "eligible consortium" means a consortium of 2 or more eligible States that agrees to allow the Secretary, under subsection (e), to make available any assessment developed by the consortium under this section to a State that so requests, including a State that is not a member of the consortium.

(B) ADDITIONAL MEMBERS.—An eligible consortium may include, in addition to 2 or more eligible States, an entity with the technical expertise to carry out a grant under this section.

(b) PROGRAM AUTHORIZED.—From amounts authorized under subsection (f), the Secretary shall award grants, on a competitive basis, to eligible consortia to enable the eligible consortia to develop common standards and assessments that—

(1) are highly rigorous, internationally competitive, and aligned with the demands of higher education, the 21st century workforce, and the Armed Forces; and

(2) in the case of assessments, set rigorous performance standards comparable to rigorous national and international benchmarks.

(c) APPLICATION.—An eligible consortium desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) REPORT.—Not later than 90 days after the end of the grant period, an eligible consortium receiving a grant under this section shall prepare and submit a report to the Secretary describing the grant activities.

(e) AVAILABILITY OF ASSESSMENTS.—The Secretary shall—

(1) make available, to a State that so requests and at no charge to the State, any rigorous, high-quality assessment developed by an eligible consortium under this section; and

(2) notify potential eligible States, at reasonable intervals, of all assessments currently under development by eligible consortia under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $75,000,000 for fiscal year 2007 and such sums as are necessary for each of the 4 succeeding fiscal years.

Subtitle B—Investing in Teachers

SEC. 121. PURPOSE.

The purpose of this subtitle is to increase the number and quality of teachers of mathematics, science, engineering and technology education, and critical-need foreign languages, in order to prepare students for entry into credit-bearing courses in higher education without the need for remediation, the 21st century workforce, and the Armed Forces.

SEC. 122. DEFINITION OF ENGINEERING AND TECHNOLOGY EDUCATION.

(a) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) is amended—

(1) by redesignating paragraphs (19) through (43) as paragraphs (20) through (44), respectively; and

(2) by inserting after paragraph (18) the following:

"(19) ENGINEERING AND TECHNOLOGY EDUCATION.—The term 'engineering and technology education' means a curriculum and instruction that—

"(A) uses technology as a knowledge base or as a way of teaching innovation using an engineering design process and context;

"(B) develops an appreciation and fundamental understanding of technology through design skills and the use of materials, tools, processes, and limited resources;

"(C) is taught in conjunction with applied mathematics, science, language arts, fine arts, and social studies as a part of a comprehensive education;

"(D) applies the use of tools and skills employed by a globalized skilled 21st century workforce that are necessary for communication, manufacturing, construction, energy systems, biomedical systems, transportation systems, and other related fields; and

"(E) through the application of engineering principles and concepts, develops proficiency in abstract ideas and in problem-solving techniques that build a comprehensive education.".

(b) HIGHER EDUCATION ACT OF 1965.—Section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003) is amended—

(1) by redesignating paragraphs (5) through (16) as paragraphs (6) through (17), respectively; and

(2) by inserting after paragraph (4) the following:

"(5) ENGINEERING AND TECHNOLOGY EDUCATION.—The term 'engineering and technology education' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965.".

SEC. 123. EXPANDING TEACHER LOAN FORGIVENESS.

(a) INCREASED AMOUNT; APPLICABILITY OF EXPANDED PROGRAM TO READING SPECIALIST.—Sections 428J(c)(3) and 460(c)(3) of the Higher Education Act of 1965 (20 U.S.C. 1078–10(c)(3), 1087j(c)(3)) are each amended—

(1) by striking the paragraph heading and inserting "ADDITIONAL AMOUNTS FOR TEACHERS IN MATHEMATICS, SCIENCE, ENGINEERING AND TECHNOLOGY EDUCATION, A CRITICAL-NEED FOREIGN LANGUAGE, OR SPECIAL EDUCATION";

(2) in the matter preceding subparagraph (A), by striking "$17,500" and inserting "$23,000"; and

(3) in subparagraph (A)(ii), by striking "or science" and all that follows through "; and" and inserting ", science, engineering and technology education, or a critical-need foreign language (as determined by the Secretary under section 222 of the New National Defense Education Act of 2006), on a full-time basis; and".

(b) ANNUAL INCREMENTS INSTEAD OF END OF SERVICE LUMP SUMS.—

(1) FFEL LOANS.—Section 428J(c) of the Higher Education Act of 1965 (20 U.S.C. 1078–10(c)) is amended by adding at the end the following:

"(4) ANNUAL INCREMENTS.—Notwithstanding paragraph (1), in the case of an individual qualifying for loan forgiveness under paragraph (3), the Secretary shall, in lieu of waiting to assume an obligation only upon completion of 5 complete years of service, assume the obligation to repay—

"(A) after each of the first and second years of service by an individual in a position qualifying under paragraph (3), 15 percent of the total amount of principal and interest of the loans described in paragraph (1) to such individual that are outstanding immediately preceding such first year of such service;

"(B) after each of the third and fourth years of such service, 20 percent of such total amount; and

"(C) after the fifth year of such service, 30 percent of such total amount.".

(2) DIRECT LOANS.—Section 460(c) of the Higher Education Act of 1965 (20 U.S.C. 1087j(c)) is amended by adding at the end the following:

"(4) ANNUAL INCREMENTS.—Notwithstanding paragraph (1), in the case of an individual qualifying for loan cancellation under paragraph (3), the Secretary shall, in lieu of waiting to assume an obligation only upon completion of 5 complete years of service, assume the obligation to repay—

"(A) after each of the first and second years of service by an individual in a position qualifying under paragraph (3), 15 percent of the total amount of principal and interest of the loans described in paragraph (1) to such individual that are outstanding immediately preceding such first year of such service;

"(B) after each of the third and fourth years of such service, 20 percent of such total amount; and

"(C) after the fifth year of such service, 30 percent of such total amount.".

SEC. 124. EXCLUSION FROM GROSS INCOME OF COMPENSATION OF TEACHERS AND PRINCIPALS IN CERTAIN HIGH-NEED SCHOOLS AND TEACHING HIGH-NEED SUBJECTS.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 139A the following new section:

"SEC. 139B. COMPENSATION OF CERTAIN TEACHERS AND PRINCIPALS.

"(a) PRINCIPALS IN HIGH-NEED SCHOOLS.—In the case of an individual employed as a principal in a high-need school during the taxable year, gross income does not include so much remuneration for such employment (which would but for this paragraph be includible in gross income) as does not exceed $15,000.

"(b) TEACHERS IN HIGH-NEED SCHOOLS AND OF HIGH-NEED SUBJECTS.—

"(1) IN GENERAL.—In the case of an individual employed as a teacher of high-need subjects and in a high-need school during the taxable year, gross income does not include so much remuneration for such employment (which would but for this paragraph be includible in gross income) as does not exceed $15,000.

"(2) TEACHER OF HIGH-NEED SUBJECTS.—For purposes of this subsection, the term 'teacher of high-need subjects' means any teacher in a public elementary or secondary school who—

"(A)(i) teaches primarily 1 or more high-need subjects in 1 or more of grades 9 through 12, or

"(ii) teaches 1 or more high-need subjects in 1 or more of grades kindergarten through 8,

"(B) received a baccalaureate or similar degree from an eligible educational institution (as defined in section 25A(f)(2)) with a major in a high-need subject, and

"(C) is highly qualified (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 or, in the case of a special education teacher, in section 602 of the Individuals with Disabilities Education Act).

"(3) HIGH-NEED SUBJECTS.—For purposes of this subsection, the term 'high-need subject' means mathematics, science, engineering and technology education, a critical-need foreign language (as determined by the Secretary of Education under section 222 of the New National Defense Education Act of 2006), special education, teaching English language learners, or any other subject identified as a high-need subject by the Secretary of Education for purposes of this section.

"(c) LIMITATION ON TOTAL REMUNERATION TAKEN INTO ACCOUNT.—In the case of any individual whose employment is described in subsections (a) and (b)(1), the total amount of remuneration which may be taken into account with respect to such employment under this section for the taxable year shall not exceed $25,000.

"(d) HIGH-NEED SCHOOL.—For purposes of this section, the term 'high-need school' means a public elementary school or secondary school that is eligible for assistance under section 1114(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314(a)).".

(b) CLERICAL AMENDMENT.—The table of sections of such part is amended by inserting after the item relating to section 139A the following new item:

"Sec. 139B. Compensation of certain teachers and principals".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to remuneration received in taxable years beginning after the date of the enactment of this Act.

SEC. 125. MATHEMATICS AND SCIENCE EDUCATION PARTNERSHIPS AND TEACHER INSTITUTES FOR THE 21ST CENTURY THROUGH THE NATIONAL SCIENCE FOUNDATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) SENSE OF THE SENATE.—It is the sense of the Senate that—

(A) the activities of the mathematics and science education partnerships of the National Science Foundation, described in section 9 of the National Science Foundation Authorization Act of 2002, meet a distinct need separate from other Federal investments in improving science, technology, engineering, and mathematics education;

(B) funding for the mathematics and science education partnerships for fiscal year 2007 should be increased to the $400,000,000 level authorized for fiscal year 2005 under section 5 of such Act, and increased by 10 percent annually for each of the fiscal years 2008 through 2011; and

(C) the increase in funding for the mathematics and science education partnerships should be in addition to any other amounts authorized or appropriated for the National Science Foundation.

(2) AUTHORIZATION OF APPROPRIATIONS FOR NSF MATHEMATICS AND SCIENCE EDUCATION PARTNERSHIPS.—There is authorized to be appropriated to the National Science Foundation for education and human resources to carry out the mathematics and science education partnerships described in section 9 of the National Science Foundation Authorization Act of 2002, in addition to the amounts authorized under section 214(b), amounts as follows:

(A) For fiscal year 2007, $400,000,000, of which $50,000,000 shall be for the teacher institutes for the 21st century under section 9(a)(3)(B) of the National Science Foundation Authorization Act of 2002.

(B) For fiscal year 2008, $440,000,000, of which $60,000,000 shall be for the teacher institutes for the 21st century under such section.

(C) For fiscal year 2009, $484,000,000, of which $70,000,000 shall be for the teacher institutes for the 21st century under such section.

(D) For fiscal year 2010, $532,400,000, of which 80,000,000 shall be for the teacher institutes for the 21st century under such section.

(E) For fiscal year 2011, $585,640,000, of which $90,000,000 shall be for the teacher institutes for the 21st century under such section.

(b) TEACHER INSTITUTES FOR THE 21ST CENTURY.—Section 9(a) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n(a)) is amended—

(1) in paragraph (3)(B), by striking "summer or" and inserting "teacher institutes for the 21st century, as described in paragraph (7)";

(2) by redesignating paragraph (7) as paragraph (8); and

(3) by inserting after paragraph (6) the following:

"(7) TEACHER INSTITUTES FOR THE 21ST CENTURY.—

"(A) IN GENERAL.—Teacher institutes for the 21st century carried out in accordance with paragraph (3)(B) shall—

"(i) be carried out in conjunction with a school served by the local educational agency in the partnership;

"(ii) be science, mathematics, engineering, and technology focused institutes that provide professional development to elementary school and secondary school teachers during the summer;

"(iii) serve teachers who are considered highly qualified (as defined in section 9101 of the Elementary and Secondary Education Act of 1965), teach high-need subjects, and teach in high-need schools (as defined in section 1114(a) of the Elementary and Secondary Education Act of 1965);

"(iv) focus on the theme and structure developed by the Director under subparagraph (C);

"(v) be content-based and build on school year curricula that are object-centered, experiment-oriented, content-based, and grounded in current research;

"(vi) ensure that any pedagogy component is designed around specific strategies that are relevant to teaching the subject and content on which teachers are being trained, which may include training teachers in the essential components of adolescent literacy instruction in order to improve student reading skills within the subject areas of mathematics, science, and engineering and technology education (as defined in section 9101 of the Elementary and Secondary Education Act of 1965);

"(vii) be a multiyear program that is conducted for a period of not less than 2 weeks per year;

"(viii) provide for direct interaction between students and faculty of the teacher institute;

"(ix) have a component that includes the use of the Internet;

"(x) provide for followup training in the classroom during the academic year for a period of not less than 3 days, which may or may not be consecutive, for participants in the teacher institute, except that for teachers in rural local educational agencies, the followup training may be provided through the Internet;

"(xi) provide teachers participating in the teacher institute with travel expense reimbursement, stipends, and classroom materials related to the teacher institute; and

"(xii) establish a mechanism to provide supplemental support during the academic year for teacher institute participants.

"(B) OPTIONAL MEMBERS OF THE PARTNERSHIP.—In addition to the partnership requirement under paragraph (2), an institution of higher education or eligible nonprofit organization (or consortia) desiring a grant for a teacher institute for the 21st century may also partner with a museum or educational partnership organization.

"(C) THEME AND STRUCTURE.—Each year, not later than 180 days before the application deadline for a grant under this section, the Director shall, in consultation with a broad group of professional education organizations, develop a theme and structure for the teacher institutes of the 21st century supported under paragraph (3)(B).".

SEC. 126. TEACH GRANTS; RECRUITING TEACHERS WITH MATHEMATICS, SCIENCE, ENGINEERING, TECHNOLOGY, OR LANGUAGE MAJORS.

(a) TEACH GRANTS.—Title II of the Higher Education Act of 1965 (20 U.S.C. 1021 et seq.) is amended by adding at the end the following:

"PART C—TEACH GRANTS

"SEC. 231. PURPOSES.

"The purposes of this part are—

"(1) to improve student academic achievement;

"(2) to help recruit and prepare teachers to meet the national demand for a highly qualified teacher in every classroom; and

"(3) to increase opportunities for Americans of all educational, ethnic, class, and geographic backgrounds to become highly qualified teachers.

"SEC. 232. PROGRAM ESTABLISHED.

"(a) PROGRAM AUTHORITY.—

"(1) PAYMENTS REQUIRED.—For each of the fiscal years 2007 through 2014, the Secretary shall pay to each eligible institution of higher education such sums as may be necessary to pay to each eligible student (defined in accordance with section 484) who files an application and agreement in accordance with section 233, and qualifies under subsection (a)(2) of such section, a TEACH Grant in the amount of $7,000 for each academic year during which that student is in attendance at an institution of higher education.

"(2) REFERENCE.—Grants made under this part shall be known as 'Teacher Education Assistance for College and Higher Education Grants' or 'TEACH Grants'.

"(b) PAYMENT METHODOLOGY.—

"(1) PREPAYMENT.—Not less than 85 percent of such sums shall be advanced to eligible institutions prior to the start of each payment period and shall be based upon an amount requested by the institution as needed to pay eligible students until such time as the Secretary determines and publishes in the Federal Register with an opportunity for comment, an alternative payment system that provides payments to institutions in an accurate and timely manner, except that this sentence shall not be construed to limit the authority of the Secretary to place an institution on a reimbursement system of payment.

"(2) DIRECT PAYMENT.—Nothing in this section shall be interpreted to prohibit the Secretary from paying directly to students, in advance of the beginning of the academic term, an amount for which they are eligible, in cases where the eligible institution elects not to participate in the disbursement system required by paragraph (1).

"(3) DISTRIBUTION OF GRANTS TO STUDENTS.—Payments under this part shall be made, in accordance with regulations promulgated by the Secretary for such purpose, in such manner as will best accomplish the purposes of this part. Any disbursement allowed to be made by crediting the student's account shall be limited to tuition and fees and, in the case of institutionally owned housing, room and board. The student may elect to have the institution provide other such goods and services by crediting the student's account.

"(c) REDUCTIONS IN AMOUNT.—

"(1) PART-TIME STUDENTS.—In any case where a student attends an institution of higher education on less than a full-time basis (including a student who attends an institution of higher education on less than a half-time basis) during any academic year, the amount of the TEACH Grant for which that student is eligible shall be reduced in proportion to the degree to which that student is not so attending on a full-time basis, in accordance with a schedule of reductions established by the Secretary for the purpose of this part, computed in accordance with this part. Such schedule of reductions shall be established by regulation and published in the Federal Register in accordance with section 482 of this Act.

"(2) NO EXCEEDING COST OF ATTENDANCE.—No TEACH Grant for a student under this part shall exceed the cost of attendance (as defined in section 472) at the institution that such student attends. If, with respect to any student, it is determined that the amount of a TEACH Grant exceeds the cost of attendance for that year, the amount of the TEACH Grant shall be reduced until the TEACH Grant does not exceed the cost of attendance at such institution.

"(d) PERIOD OF ELIGIBILITY FOR GRANTS.—

"(1) UNDERGRADUATE STUDENTS.—The period during which an undergraduate student may receive TEACH Grants shall be the period required for the completion of the first undergraduate baccalaureate course of study being pursued by the student at the institution that the student attends, except that—

"(A) any period during which the student is enrolled in a noncredit or remedial course of study, subject to paragraph (3), shall not be counted for the purpose of this paragraph; and

"(B) the total amount that a student may receive under this part for undergraduate study shall not exceed $28,000.

"(2) GRADUATE STUDENTS.—The period during which a graduate student pursuing a master's degree or doctoral degree may receive TEACH Grants shall be the period required for the completion of a course of study for the degree at the institution the student attends, except that the total amount that a student may receive under this part for graduate study shall not exceed $14,000 for a student pursuing a master's degree or $28,000 for a student pursuing a doctoral degree.

"(3) REMEDIAL COURSE; STUDY ABROAD.—Nothing in this section shall exclude from eligibility a course of study that is noncredit or remedial in nature (including a course in English language acquisition) if such course is determined by the institution to be necessary to help the student be prepared for the pursuit of a first undergraduate baccalaureate degree or certificate or, in the case of courses in English language instruction, to be necessary to enable the student to utilize existing knowledge, training, or skills. Nothing in this section shall exclude from eligibility a program of study abroad that is approved for credit by the home institution at which the student is enrolled.

"SEC. 233. ELIGIBILITY AND APPLICATIONS FOR GRANTS.

"(a) APPLICATIONS; DEMONSTRATION OF ELIGIBILITY.—

"(1) FILING REQUIRED.—The Secretary shall from time to time set dates by which students shall file applications for TEACH Grants under this part. Each student desiring a TEACH Grant for any year shall file an application therefore containing such information and assurances as the Secretary may deem necessary to enable the Secretary to carry out the functions and responsibilities of this part.

"(2) DEMONSTRATION OF ELIGIBILITY.—Each such application shall contain such information as is necessary to demonstrate that—

"(A) if the applicant is an enrolled student—

"(i) the student is an eligible student for purposes of section 484 (other than subsection (r) of such section);

"(ii) the student—

"(I) has a grade point average that is determined, under standards prescribed by the Secretary, to be comparable to a 3.25 average on a zero to 4.0 scale, except that, if the student is in the first year of a program of undergraduate education, such grade point average shall be determined on the basis of the student's cumulative secondary school grade point average; or

"(II) displayed high academic aptitude by receiving a score above the 75th percentile on at least 1 of the batteries in an undergraduate or graduate school admissions test; and

"(iii) the student is completing coursework and other requirements necessary to begin a career in teaching, or plans to complete such coursework and requirements prior to graduating; or

"(B) if the applicant is a current or prospective teacher applying for a grant to obtain a graduate degree—

"(i) the applicant is a teacher or a retiree from another occupation with expertise in a field in which there is a shortage of teachers, such as mathematics, science, engineering and technology education, a critical-need foreign language (as determined by the Secretary under section 222 of the New National Defense Education Act of 2006), special education, English language acquisition, or another high-need subject; or

"(ii) the applicant is or was a teacher who is using high-quality alternative certification routes, such as Teach for America, to get certified.

"(b) AGREEMENTS TO SERVE.—Each application under subsection (a) shall contain or be accompanied by an agreement by the applicant that—

"(1) the applicant will—

"(A) serve as a full-time teacher for a total of not less than 4 academic years within 8 years after completing the course of study for which the applicant receives a TEACH Grant under this part;

"(B) teach—

"(i) in a school eligible for assistance under section 1114(a) of the Elementary and Secondary Education Act of 1965; and

"(ii) in any of the following fields: mathematics, science, engineering and technology education, a critical-need foreign language (as determined by the Secretary under section 222 of the New National Defense Education Act of 2006), bilingual education, or special education, or as a reading specialist, or another field documented as high-need by the Federal Government, State government, or local educational agency and submitted to the Secretary;

"(C) submit evidence of such employment in the form of a certification by the chief administrative officer of the school upon completion of each year of such service; and

"(D) comply with the requirements for being a highly qualified teacher as defined in section 9101 of the Elementary and Secondary Education Act of 1965 or, in the case of a special education teacher, in section 602 of the Individuals With Disabilities Education Act; and

"(2) in the event that the applicant is determined to have failed or refused to carry out such service obligation, the sum of the amounts of such TEACH Grants will be treated as a loan and collected from the applicant in accordance with subsection (c) and the regulations thereunder.

"(c) REPAYMENT FOR FAILURE TO COMPLETE SERVICE.—In the event that any recipient of a TEACH Grant fails or refuses to comply with the service obligation in the agreement under subsection (b), the sum of the amounts of such TEACH Grants provided to such recipient shall be treated as a Direct Loan under part D of title IV, and shall be subject to repayment in accordance with terms and conditions specified by the Secretary in regulations promulgated to carry out this part.

"SEC. 234. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part $600,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

"PART D—RECRUITING TEACHERS WITH MATHEMATICS, SCIENCE, ENGINEERING, TECHNOLOGY, OR LANGUAGE MAJORS

"SEC. 241. PROGRAM AUTHORIZED.

"(a) DEFINITION OF HIGH-NEED SCHOOL.—In this section, the term 'high-need school' means a school described in section 1114(a) of the Elementary and Secondary Education Act of 1965.

"(b) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—From the amounts appropriated under section 242, the Secretary shall make competitive grants to institutions of higher education to improve the availability and recruitment of teachers from among students majoring in mathematics, science, engineering, technology, a critical-need foreign language (as determined by the Secretary under section 222 of the New National Defense Education Act of 2006), special education, or teaching the English language to students with limited English proficiency.

"(2) PRIORITY.—In awarding grants under paragraph (1), the Secretary shall give priority to institutions of higher education offering programs that—

"(A) focus on preparing teachers in subjects in which there is a shortage of highly qualified teachers and increasing the number of teachers from minority or underrepresented groups; and

"(B) prepare students to teach in high-need schools.

"(c) APPLICATION.—Any institution of higher education desiring to obtain a grant under this section shall submit to the Secretary an application at such time, in such form, and containing such information and assurances as the Secretary may require, which shall—

"(1) include reporting on baseline production of teachers—

"(A) with expertise in mathematics, science, a critical-need foreign language, special education, or teaching students with limited English proficiency;

"(B) from minorities or underrepresented groups; and

"(C) who teach for 5 years or more in a high-need school; and

"(2) establish a goal and timeline for increasing the number of teachers described in each subparagraph of paragraph (1) who are prepared for teaching by the institution.

"(d) GRANT AWARD AMOUNTS.—In determining the amount of a grant award under this section to an institution of higher education, the Secretary shall consider—

"(1) the extent to which the institution—

"(A) focuses on preparing teachers in subjects in which there is a shortage of highly qualified teachers and increasing the number of teachers from minority or underrepresented groups; and

"(B) prepares students to teach in high-need schools; and

"(2) in the case of an institution that has previously received a grant under this section, the progress made by the institution in increasing the number of teachers described in subsection (c)(1), as compared to the baseline production of such teachers reported in the institution's initial application.

"(e) USE OF FUNDS.—Funds made available by a grant under this section—

"(1) shall be used to create new recruitment incentives to teaching for students from other majors, with an emphasis on high-need subjects such as mathematics, science, engineering and technology education, a critical-need foreign language, special education, and teaching the English language to students with limited English proficiency and other subjects identified as high-need by the Federal Government, State government, or local educational agency;

"(2) may be used to upgrade the curriculum in order to provide all students studying to become teachers with high-quality instructional strategies for teaching reading and teaching the English language to students with limited English proficiency, and for modifying instruction to teach students with special needs;

"(3) may be used to integrate school of education faculty with other arts and science faculty in mathematics, science, engineering, technology, a critical-need foreign language, or teaching the English language to students with limited English proficiency, through steps such as—

"(A) dual appointments for faculty between schools of education and schools of arts and science or engineering; and

"(B) integrating coursework with clinical experience;

"(4) may be used to develop strategic plans between schools of education and local educational agencies to better prepare teachers for high-need schools, including the creation of professional development partnerships for training new teachers in state-of-the-art practice;

"(5) may be used to create pilot programs to foster collaborations at the institution of higher education between a school of science, mathematics, or engineering, or a foreign language department or language center, and a school of education in order to enable the collaborating entities to develop a 4-year program of study that would combine a baccalaureate degree in mathematics, science, engineering, or technology with concurrent teacher certification or licensure; and

"(6) may be used to develop and implement a master's degree program for current mathematics, science, or engineering and technology education teachers that—

"(A) will strengthen the participating teachers' subject area knowledge and pedagogical skills; and

"(B) shall be designed to allow a teacher to enroll in the program on a part-time basis and obtain a master's degree within a 2-year period.

"(f) REPORTS.—For each year that an institution of higher education receives a grant under this section, the institution of higher education shall prepare and submit to the Secretary an annual report documenting the baseline data regarding the teachers described in subsection (c)(1) and the progress made toward increasing the number of such teachers, as described in subsection (c)(2).

"SEC. 242. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this part $500,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.".

(b) PART A AUTHORIZATION.—Section 210 of the Higher Education Act of 1965 (20 U.S.C. 1030) is amended by striking "$300,000,000 for fiscal year 1999" and inserting "$400,000,000 for fiscal year 2007".

Subtitle C—Ensuring College Access for All

SEC. 131. CONTRACT FOR EDUCATIONAL OPPORTUNITY (CEO) GRANTS.

(a) DEFINITIONS.—In this section:

(1) COHORT.—The term "cohort" means a group of students in a State who are in the same grade for an identified school year.

(2) EXPECTED FAMILY CONTRIBUTION.—The term "expected family contribution", with respect to a student, means the student's expected family contribution as determined in accordance with part F of the Higher Education Act of 1965 (20 U.S.C. 1087kk et seq.).

(3) UNMET NEED.—The term "unmet need", with respect to a student, means the difference between the cost of attendance (as defined in section 472 of the Higher Education Act of 1965 (20 U.S.C. 108711) to attend an institution of higher education for an academic year and the resources available to the student for such academic year, including Federal, State, and institutional financial assistance and the student's expected family contribution.

(b) PURPOSES.—The purposes of this section are—

(1) to encourage States to provide a financial aid guarantee for low-income students;

(2) to increase student academic performance and achievement;

(3) to increase public school secondary school graduation rates as well as enrollment, persistence, and graduation rates in public and private institutions of higher education, especially among low-income and underrepresented minority students; and

(4) to improve the overall quality and supply of a State's workforce.

(c) PAYMENTS TO STATES AUTHORIZED.—

(1) IN GENERAL.—The Secretary shall pay to States the Federal share, as determined under subsection (e), in order to assist the States in awarding contract for educational opportunity grants (referred to in this section as "CEO grants"), under subsection (g) to students in a cohort who sign a contract for educational opportunity in grade 8 and satisfy the requirements of the contract. A CEO grant shall provide each such student with a need-based financial aid guarantee, in an amount equal to the student's calculated unmet need to attend a 2- or 4-year degree-granting public institution of higher education in the State, to enable the student to attend a 2- or 4-year degree-granting public or private institution of higher education in the State.

(2) MANDATORY SPENDING.—This subsection constitutes budget authority in advance of appropriations Acts and represents the obligation of the Secretary to provide for the payment of amounts provided under this subsection.

(d) APPLICATION.—

(1) IN GENERAL.—A State desiring a payment under subsection (c) shall submit, through the State agency identified in the application, to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(2) APPLICATION.—An application submitted under paragraph (1) shall include the following:

(A) A description of how the State will establish a State benchmark for increasing the overall public school secondary school graduation rate and the enrollment, persistence, and graduation rates at the State's 2- and 4-year degree-granting public and private institutions of higher education, as well as a description of strategies and activities the State will employ to achieve the State's set goals as reflected in the benchmark.

(B) The identification of the State agency that will administer the CEO grants program, and a description of the State agency's capacity to administer such program.

(C) A description of the entities that will contribute funds for the non-Federal share of the CEO grants program.

(D) A description of the State's academic and nonacademic components of the contract for educational opportunity, including 100 hours of community service, and how the State defines satisfactory academic progress toward completing coursework that leads to a secondary school diploma.

(E) A description of how the State agency will provide access for all students to a State curriculum that prepares the students to enter into credit-bearing coursework in higher education without the need for remediation, the 21st century workforce, or the Armed Forces.

(F) A description of how the State agency will notify students in grade 7 of their eligibility to participate in the CEO grants program and earn a CEO grant, as well as how the State will specifically target students from low-income and underrepresented minority families.

(G) A description of how the State agency will regularly communicate with a cohort from the time the students sign the contract for educational opportunity through the period that the students are eligible for CEO grants.

(H) An assurance that the State will award a CEO grant, in the amount of the student's calculated unmet need to attend a 2- or 4-year degree-granting public institution of higher education in the State, to each student who successfully meets the requirements of the contract for educational opportunity.

(I) An assurance that decisions regarding the State's higher education budget shall not lead to increases in tuition and fees at public 2- or 4-year degree-granting institutions of higher education that are greater than the Consumer Price Index.

(J) An assurance that the State shall maintain current levels of investment in State student aid programs in addition to providing the non-Federal share required under subsection (e)(4).

(e) PAYMENTS; USE OF FUNDS.—

(1) IN GENERAL.—The Secretary shall pay the Federal share of the CEO grants program, in the amount described in paragraph (4), to each State that submits a complete application pursuant to subsection (d).

(2) USE OF FUNDS.—The Federal share and non-Federal share described in paragraph (4) shall be used exclusively for awarding financial aid grants to cover the unmet need for all students in a cohort who have successfully met the components of the State's contract, except that a State may use not more than 2 percent of such funds for administrative purposes.

(3) SUBSEQUENT PAYMENTS.—

(A) IN GENERAL.—The Secretary shall make subsequent annual payments for future cohorts to States, in accordance with paragraph (4), that receive a payment under this section and that are not determined to be ineligible under subparagraph (B).

(B) INELIGIBILITY.—

(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall determine a State to be temporarily ineligible to receive a payment under subparagraph (A) if—

(I) the State fails to submit an annual report pursuant to subsection (h); or

(II) the Secretary determines, based on information submitted in the annual report submitted under subsection (h), that—

(aa) the State is not effectively meeting the terms and goals of the application; or

(bb) that the State is not making satisfactory progress toward the benchmark set forth in subsection (d)(2)(A).

(ii) INELIGIBILITY NOT TO AFFECT CERTAIN COHORTS.—A determination of ineligibility to receive subsequent payments for future cohorts under clause (i) with respect to a State shall not apply to payments for students in a cohort in the State who are in grade 8, 9, 10, 11, or 12 at the time of the determination.

(iii) REINSTATEMENT.—If the Secretary determines a State is ineligible under clause (i), the Secretary may enter into an agreement with the State setting forth the terms and conditions under which the State may regain eligibility to receive payments under this section.

(4) MATCHING REQUIREMENT.—The amount of the Federal share under this section for an academic year shall be equal to the amount of the non-Federal share provided by the State for such year. The sum of the Federal share and the non-Federal share for an academic year shall be an amount equal to the total unmet need, for the academic year, to attend a 2- or 4-year degree-granting public institution of higher education in the State, for all students in an identified cohort that complete all eligibility requirements of a contract for educational opportunity.

(f) REALLOTMENT OR REDISTRIBUTION OF FUNDS.—If funds remain for a cohort for 6 years after the cohort has graduated from secondary school, the State shall return excess Federal funds to the Secretary. Any returned excess funds shall be used by the Secretary to carry out the program under this section.

(g) CEO GRANTS.—

(1) IN GENERAL.—A State receiving a payment under subsection (c) for a cohort shall provide, in the amount determined under paragraph (3), a CEO grant to each student in the cohort who—

(A) successfully completes the requirements of the contract for educational opportunity; and

(B) enrolls in a 2- or 4-year degree-granting institution of higher education in the State not later than 2 years after receiving a secondary school diploma.

(2) CONTRACTS FOR EDUCATIONAL OPPORTUNITY.—

(A) IN GENERAL.—A student who is in a cohort for which a State is eligible for payments under subsection (c) and who desires to receive a CEO grant shall sign a contract for educational opportunity when the student begins grade 8 stating that the student will carry out all of the following by the time the student graduates from secondary school:

(i) Receive a secondary school diploma.

(ii) By the beginning of grade 11 (except as provided in subparagraph (B)), demonstrate satisfactory academic progress (as determined by the State agency) toward completing coursework that leads to a secondary school diploma.

(iii) Complete the academic components of the State contract for educational opportunity, as determined by the State agency.

(iv) Complete the nonacademic portion of the State contract for educational opportunity (as determined by the State agency), including 100 hours of community service, of which at least 50 hours of community service shall be completed before the student begins grade 11 (except as provided in subparagraph (B)).

(v) Apply for admission to a 2- or 4-year degree-granting institution of higher education in the State.

(vi) Preceding the date that the student intends to enroll in an institution of higher education, file for Federal financial aid.

(B) SPECIAL CIRCUMSTANCES.—

(i) TRANSITION.—During the academic year following the date of enactment of this Act, in the case of students in a cohort who are in grade 9, 10, 11, or 12 for such academic year, the students of such cohort shall be eligible for CEO grants if such students sign the contract for educational opportunity during the academic year and otherwise complete all of the eligibility requirements for the contract for educational opportunity under subparagraph (A) as applicable and by such time as determined by the State and approved by the Secretary.

(ii) STUDENTS WHO MOVE INTO THE STATE.—In the case of a student who moves into a State after the student begins grade 8, such student shall be eligible for a CEO grant from such State if such student signs the contract for educational opportunity at the time the student moves into the State and the student otherwise completes all of the eligibility requirements for the contract for educational opportunity under subparagraph (A), as applicable and by such time as determined by the State and approved by the Secretary.

(3) AMOUNT OF CEO GRANTS.—

(A) IN GENERAL.—A CEO grant for an academic year shall be in an amount equal to the student's calculated unmet need to attend a 2- or 4-year degree-granting public institution of higher education in the State for such year.

(B) PRIVATE INSTITUTIONS.—A CEO grant for a student who elects to enroll in a private 2- or 4-year degree-granting public institution of higher education in the State shall be in the amount described in subparagraph (A).

(4) MULTIPLE GRANTS.—

(A) IN GENERAL.—A State shall award a CEO grant to a student who meets the requirements of this section for each academic year that the student attends a 2- or 4-year degree-granting institution of higher education in the State.

(B) MAXIMUM NUMBER OF GRANTS.—During the 6-year period beginning on the date of receipt of a CEO grant under this subsection, a student who meets the requirements of this subsection shall be eligible to receive a CEO grant for each year that the student is enrolled in a 2- or 4-year degree-granting institution of higher education in the State, except that no student shall receive a total of more than 4 CEO grants.

(5) INELIGIBILITY.—A student who otherwise meets the requirements for a CEO grant shall be ineligible if the student fails to maintain an acceptable level of academic standing, as determined by the institution of higher education that the student attends, or is dismissed from the institution of higher education for disciplinary reasons.

(h) EVALUATION AND REPORT.—A State receiving a payment under subsection (c) for a cohort shall prepare and submit an annual report to the Secretary on the success of the cohort. The State report shall include the following:

(1) The following information relating to the students in the cohort who sign a contract for educational opportunity, as applicable:

(A) The participation and completion rates in the CEO grants program under this section.

(B) The public school secondary school graduation rate and how the rate relates to the established State benchmark described in subsection (d)(2).

(C) The rate of enrollment in public and private institutions of higher education and how the rate relates to the established State benchmark.

(D) The rate of persistence in public and private institutions of higher education and how the rate relates to the established State benchmark.

(E) The rate of graduation from public and private institutions of higher education and how the rate relates to the established State benchmark.

(F) Average CEO grant aid per student.

(G) A description of, and justification for, any increase in tuition and fees at the public 2- or 4-year degree-granting institutions of higher education in the State.

(2) A comparison of the rates described in subparagraphs (B) through (E) of paragraph (1) for students in the cohort who sign a contract for educational opportunity to such rates for a representative sample of students in the cohort in the State who do not sign a contract.

TITLE II—ARMING AMERICANS WITH 21ST CENTURY KNOWLEDGE AND SKILLS

Subtitle A—Increasing the Number of New American Scientists, Engineers, and Language Experts

SEC. 211. PURPOSE.

The purpose of this subtitle is to increase the number of low-income and middle-income students who pursue careers in mathematics, science, technology, engineering, and critical-need foreign languages.

SEC. 212. GRANTS FOR STRENGTHENING MATHEMATICS, SCIENCE, AND ENGINEERING AND TECHNOLOGY EDUCATION INFRASTRUCTURE.

(a) GRANTS FOR STRENGTHENING MATHEMATICS, SCIENCE, AND ENGINEERING AND TECHNOLOGY EDUCATION INFRASTRUCTURE.—Part D of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7241 et seq.) is amended by adding at the end the following:

"SUBPART 22—GRANTS FOR STRENGTHENING MATHEMATICS, SCIENCE, AND ENGINEERING AND TECHNOLOGY EDUCATION INFRASTRUCTURE

"SEC. 5621. GRANTS FOR STRENGTHENING MATHEMATICS, SCIENCE, AND ENGINEERING AND TECHNOLOGY EDUCATION INFRASTRUCTURE.

"(a) PURPOSE.—The purpose of this section is to improve mathematics, science, and engineering and technology education infrastructure in public elementary schools and secondary schools to facilitate improved educational opportunities for all students.

"(b) DEFINITION OF HIGH-NEED.—In this section, the term 'high-need', when used with respect to a school, means a public elementary school or secondary school that is eligible for assistance under section 1114(a) of the Elementary and Secondary Education Act of 1965.

"(c) PROGRAM AUTHORIZED.—From amounts appropriated under section 5401(b) for a fiscal year, and subject to subsection (d), the Secretary, in consultation with the Director of the National Science Foundation, shall award grants to local educational agencies to enable the local educational agencies to carry out the activities described in subsection (g).

"(d) RESERVATION OF FUNDS.—From amounts appropriated under section 5401(b) for a fiscal year, the Secretary shall reserve a total of ½ of 1 percent for the Secretary of the Interior to award grants to elementary schools and secondary schools operated or funded by the Bureau of Indian Affairs to enable such elementary schools and secondary schools to carry out the activities described in subsection (g).

"(e) APPLICATION.—

"(1) IN GENERAL.—A local educational agency desiring a grant under subsection (c) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

"(2) CONTENTS.—The application described in paragraph (1) shall include the following:

"(A) A description of the activities under subsection (g) for which assistance is sought and the costs of such activities.

"(B) A description of the process through which the local educational agency identified the activities described in subparagraph (A).

"(C) Clear principles that the local educational agency used to determine the priority of qualifying activities under this section that prioritize the use of quantitative data, such as student achievement on standardized assessments and income data, in order to give priority to projects benefiting high-need schools.

"(D) An assurance that the local educational agency will provide a complete and detailed accounting of the use of grant funds awarded to the local educational agency under this section.

"(E) A description of the evaluation process that will assess the accomplishments of the program.

"(f) APPLICATION APPROVAL.—

"(1) DETERMINATION IN CONSULTATION WITH NATIONAL SCIENCE FOUNDATION.—The Secretary shall review each application submitted under subsection (e) to determine whether the application is sufficient. In making such a determination, the Secretary shall consult with the Director of the National Science Foundation, in part to ensure that the application is coordinated with any preexisting National Science Foundation initiatives in the State.

"(2) DETERMINATION OF INSUFFICIENT APPLICATION.—If the Secretary determines that an application submitted by a local educational agency does not meet the requirements of paragraph (1) or subsection (e), the Secretary shall provide the local educational agency with—

"(A) a written explanation of why the application did not comply with such requirements; and

"(B) an opportunity to submit an amended application.

"(3) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to local educational agencies with a high percentage of high-need schools.

"(g) REQUIRED USE OF FUNDS.—A local educational agency that receives a grant under subsection (c) shall use grant funds, in accordance with the application of the local educational agency, to carry out not less than 1 of the following:

"(1) The purchase or refurbishment of mathematics, science, and engineering and technology education equipment, including laboratory equipment.

"(2) The purchase of instructional materials or curricula with proven effectiveness in improving mathematics, science, and engineering and technology education outcomes, including age-appropriate reading materials on varying grade levels that provide poor readers with access to mathematics, science, and engineering and technology education subject matter.

"(3) Support for a science, mathematics, or engineering and technology education specialist in each school who is responsible for—

"(A) assisting in the implementation of the school's science, mathematics, or engineering and technology education program;

"(B) assisting other teachers in delivering quality instruction;

"(C) assisting in identifying and developing professional development opportunities tied to the curriculum; and

"(D) providing guidance on curricula, equipment, and other components necessary for high-quality instruction.

"(4) Any other directly related activity—

"(A) identified by the local educational agency in the application required under subsection (e); and

"(B) approved by the Secretary, in consultation with the Director of the National Science Foundation.

"(h) REPORT.—

"(1) IN GENERAL.—A local educational agency that receives a grant under this section for a fiscal year shall submit, not later than January 31 of the succeeding fiscal year, a report in such form and containing such information as the Secretary determines to be reasonably necessary to evaluate the compliance of the local educational agency with the provisions of this section.

"(2) CONTENTS.—The report described in paragraph (1) shall include the following:

"(A) A description of the activities carried out with grant funds under this section.

"(B) A complete and detailed accounting of the use of funds awarded under this section, including how the local educational agency gave priority to projects benefiting students served by high-need schools.

"(C) A description of how the local educational agency assesses the impact of the program.

"(D) A description of how students were served by the projects assisted under this section, including any expansion of inquiry-based learning opportunities, and an accounting of the approximate number of students so served.

"(E) An accounting of student academic progress made as a result of activities funded under this section, using previously established statewide academic achievement assessments in mathematics and science.

"(F) Qualitative testimony from students, teachers, administrators, or parents on the effect of activities funded under this section.

"(3) PENALTY.—A local educational agency that receives a grant under this section for a fiscal year but does not submit the report required under this subsection shall not be eligible to receive any subsequent grant funds under this section.".

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 5401 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7241) is amended—

(1) by striking "this part" and inserting "this part (excluding subpart 22)";

(2) by striking "There are" and inserting the following:

"(a) GENERAL AUTHORIZATION.—There are"; and

(3) by adding at the end the following:

"(b) MATHEMATICS, SCIENCE, AND ENGINEERING AND TECHNOLOGY EDUCATION INFRASTRUCTURE.—There are authorized to be appropriated to carry out subpart 22, $500,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.".

(c) TABLE OF CONTENTS.—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended by inserting after the item relating to section 5618 the following:

"Subpart 22—Grants for Strengthening Mathematics, Science, and Engineering and Technology Education Infrastructure

"Sec. 5621. Grants for strengthening mathematics, science, and engineering and technology education infrastructure.".

SEC. 213. SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, AND CRITICAL-NEED FOREIGN LANGUAGE SCHOLARS.

(a) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(2) SECRETARY.—The term "Secretary" means the Secretary of Education.

(b) PROGRAM AUTHORIZED.—From amounts appropriated under subsection (j) for a fiscal year, the Secretary shall carry out a program to award grants, on a competitive basis, to institutions of higher education (or consortia of such institutions) to enable the institutions of higher education (or consortia) to provide scholarships to make higher education tuition free for low-income and middle-income undergraduate and graduate students who are enrolled at the institutions of higher education to earn degrees in science, technology, engineering, mathematics, and critical-need foreign languages (as determined by the Secretary under section 222).

(c) APPLICATION.—An institution of higher education or a consortium seeking a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) AWARD BASIS.—In awarding grants under this section, the Secretary shall give special consideration to programs that—

(1) are a central organizational focus of the institution of higher education or consortium;

(2) enable scholarship recipients to become successful members of the science, technology, engineering, mathematics, and critical-need foreign language 21st century workforce; and

(3) recruit undergraduate and graduate students, especially female and underrepresented minority students, who would otherwise not pursue careers in science, technology, engineering, mathematics, or a critical-need foreign language.

(e) USE OF FUNDS.—An institution of higher education or a consortium receiving a grant under this section shall use the grant funds to carry out a program to encourage low-income and middle-income undergraduate and graduate students enrolled at the institution of higher education, or at an institution of higher education that is a member of the consortium, respectively, to earn degrees in science, technology, engineering, mathematics, or a critical-need foreign language, through administering scholarships in accordance with subsection (f).

(f) SCHOLARSHIPS.—

(1) SCHOLARSHIP REQUIREMENTS.—Scholarships under this subsection shall be available to a student enrolled at an institution of higher education that receives a grant under this section or is a member of a consortium that receives a grant under this section—

(A)(i) whose parents have an adjusted gross income for the most recent tax year available of—

(I) less than $53,000 if single; or

(II) less than $107,000 if married; or

(ii) in the case of a student who is independent (as defined in section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv), who meets the adjusted gross income requirements of clause (i); and

(B)(i) in the case of a student in the first or second year of a program of undergraduate education, who enrolls in prerequisite courses for a baccalaureate degree with a major in science, technology, engineering, mathematics, or a critical-need foreign language, as determined by the institution of higher education that the student attends;

(ii) in the case of a student who has completed 2 years of a program of undergraduate education, who is pursuing a baccalaureate degree with a major in science, technology, engineering, mathematics, or a critical-need foreign language; or

(iii) in the case of a graduate student, who is pursuing a graduate degree in science, technology, engineering, mathematics, or a critical-need foreign language.

(2) AMOUNT.—

(A) ANNUAL AMOUNT.—An institution of higher education or consortium that receives a grant under this section shall award a scholarship to a student described in paragraph (1) in an amount that does not exceed $5,500 per academic year, except that no student shall receive for any academic year an amount that is more than the cost of attendance, as determined under section 472 of the Higher Education Act of 1965 (20 U.S.C. 108711)), at the institution where the student is enrolled for such academic year.

(B) REDUCTIONS IN AMOUNT FOR PART-TIME STUDENTS.—In any case where a student attends an institution of higher education on less than a full-time basis (including a student who attends an institution of higher education on less than a half-time basis) during any academic year, the amount of the scholarship for which that student is eligible shall be reduced in proportion to the degree to which that student is not so attending on a full-time basis, in accordance with a schedule of reductions established by the Secretary for the purpose of this section, computed in accordance with this subsection. Such schedule of reductions shall be established by regulation and published in the Federal Register in accordance with the schedule described in section 482 of the Higher Education Act of 1965 (20 U.S.C. 1089).

(C) CUMULATIVE AMOUNT.—An institution of higher education or consortium receiving a grant under this section may award an individual a scholarship under this subsection for more than 1 year, or for both undergraduate and graduate study, except that—

(i) no individual shall receive a total amount of scholarship support under this subsection for undergraduate study that is more than $22,000; and

(ii) no individual shall receive a total amount of scholarship support under this section for graduate study that is more than $22,000.

(g) CONDITIONS OF SUPPORT.—As a condition of acceptance of a scholarship under this section, a recipient shall enter into an agreement with the institution of higher education or consortium—

(1) accepting the terms of the scholarship; and

(2) agreeing to provide the awarding institution of higher education or consortium with up-to-date contact information and to participate in surveys provided by the Secretary of Education, institution of higher education, or consortium as part of an assessment program.

(h) FAILURE TO COMPLETE OBLIGATION.—

(1) GENERAL RULE.—An individual who has received a scholarship under this section shall be liable to the institution of higher education or consortium that awarded the scholarship, as well as to the United States, for the amount of the scholarship, if such individual—

(A) fails to maintain an acceptable level of academic standing in the institution of higher education in which the individual is enrolled, as determined by the institution of higher education;

(B) is dismissed from such institution for disciplinary reasons; or

(C) withdraws from the baccalaureate or graduate degree program for which the scholarship was made before the completion of such program, and does not transfer into another program that meets the requirements of subsection (f)(1)(B).

(2) EXCLUSION FROM FUTURE SCHOLARSHIPS.—If a circumstance described in paragraph (1) occurs, all of the following shall apply:

(A) NONRENEWAL OF SCHOLARSHIP.—The institution of higher education or consortium shall not renew the scholarship to the individual. However, at the discretion of the institution of higher education or consortium awarding the scholarship, an individual may regain eligibility for a scholarship under this section after completing not less than 1 academic term at the institution, if the individual—

(i) maintains an acceptable level of academic standing in the institution of higher education, as determined by the institution; and

(ii) reenrolls in the baccalaureate or graduate degree program for which the scholarship was made.

(B) INELIGIBILITY FOR FEDERAL SCHOLARSHIPS.—The individual shall become automatically ineligible to participate in any Federal scholarship programs for future years.

(3) USE OF RECOVERED SCHOLARSHIP FUNDS.—An institution of higher education or consortium that recovers funds under paragraph (1) shall use such funds to provide additional scholarships under subsection (f).

(i) DATA COLLECTION.—An institution of higher education or consortium receiving a grant under this section shall supply to the Secretary any relevant statistical and demographic data on scholarship recipients the Secretary may request.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $750,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

SEC. 214. EXPANSION OF NATIONAL SCIENCE FOUNDATION EDUCATION AND HUMAN RESOURCES DIRECTORATE.

(a) PURPOSE.—The purpose of this section is to ensure the continued involvement of experts at the National Science Foundation in improving science, technology, engineering, and mathematics at the elementary, secondary, and postsecondary levels by doubling funding for the education and human resources programs of the National Science Foundation, in addition to the increases made under section 125 for the mathematics and science partnerships described in section 9 of the National Science Foundation Authorization Act of 2002 and in addition to any other amounts authorized or appropriated to the National Science Foundation.

(b) AUTHORIZATION OF APPROPRIATIONS FOR NSF EDUCATION AND HUMAN RESOURCES.—There is authorized to be appropriated to the National Science Foundation for education and human resources, in addition to the amounts authorized under section 125(a)(2), amounts as follows:

(1) For fiscal year 2007, $886,810,000.

(2) For fiscal year 2008, $1,040,110,000.

(3) For fiscal year 2009, $1,193,410,000.

(4) For fiscal year 2010, $1,346,710,000.

(5) For fiscal year 2011, $1,500,000,000.

(c) SCIENCE, MATHEMATICS, ENGINEERING, AND TECHNOLOGY TALENT EXPANSION PROGRAM.—Section 8(7)(C) of the National Science Foundation Authorization Act of 2002 (Public Law 107–368) is amended—

(1) by redesignating clauses (i) through (vi) as subclauses (I) through (VI), respectively, and indenting appropriately;

(2) by striking "include those that promote high quality—" and inserting "include programs that—

"(i) promote high-quality—"; and

(3) in clause (i)—

(A) in subclause (III) (as redesignated by paragraph (1)), by striking "for students;" and inserting "for students, especially underrepresented minority and female mathematics, science, engineering, and technology students;"; and

(B) in subclause (VI) (as redesignated by paragraph (1)), by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

"(ii) finance summer internships for mathematics, science, engineering, and technology undergraduate students;

"(iii) facilitate smaller mathematics, science, engineering, and technology class sizes;

"(iv) facilitate the hiring of additional mathematics, science, engineering, and technology faculty;

"(v) serve as bridges to enable underrepresented minority and female secondary school students to obtain extra mathematics, science, engineering, and technology training prior to entering an institution of higher education; and

"(vi) finance mathematics, science, engineering, and technology student research activities.".

Subtitle B—Improving Global Knowledge and Skills

SEC. 221. DEFINITIONS.

In this subtitle:

(1) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(2) LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY.—The terms "local educational agency" and "State educational agency" have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) SECRETARY.—The term "Secretary" means the Secretary of Education.

SEC. 222. CRITICAL-NEED LANGUAGES.

The Secretary shall, prior to requesting applications for grants under this subtitle during each grant cycle, consult with, and receive recommendations regarding, critical need for expertise in foreign languages and world regions from the head official, or a designee of such head official, of the National Security Council, the Department of Homeland Security, the Department of Defense, the Department of State, the Federal Bureau of Investigation, the Department of Labor, and the Department of Commerce, and the Director of National Intelligence. The Secretary shall take into account such recommendations when developing a list of critical-need languages and when requesting applications for grants under this subtitle. The Secretary shall also make available to applicants the list of the critical-need languages for the grant cycle.

SEC. 223. CRITICAL-NEED LANGUAGE PROGRAM GRANTS.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term "eligible entity" means—

(A) a State educational agency; or

(B) a partnership between a local educational agency and an institution of higher education.

(2) HIGH-NEED SCHOOL.—The term "high-need school" means a public elementary or secondary school that is eligible for assistance under section 1114(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314(a)).

(b) PROGRAM AUTHORIZED.—The Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop programs that allow students to be exposed to and immersed in other languages and cultures from the early grades throughout the students' education.

(c) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) AWARD BASIS.—In awarding grants under this section, the Secretary shall give priority to eligible entities that will use grant funds for programs that target a high-need school.

(e) USE OF FUNDS.—An eligible entity receiving a grant under this section shall use grant funds to carry out 1 or more of the following:

(1) Establish and maintain programs in a critical-need language (as determined by the Secretary under section 222) in the elementary schools served by the eligible entity.

(2) Offer additional or more advanced critical-need language classes in middle schools and secondary schools.

(3) Create and implement effective models of instruction in critical-need languages and world cultures.

(4) Create and maintain internationally themed schools that—

(A) offer dual language immersion programs;

(B) focus on international content; and

(C) use technology to bring the world into the classroom virtually.

(f) TECHNICAL ASSISTANCE CENTERS.—

(1) IN GENERAL.—The Secretary shall enter into contracts with entities to establish a system of regional critical-need foreign language technical assistance centers focused on developing critical-need language programs in kindergarten through grade 12 education.

(2) APPLICATION.—An entity desiring a contract under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(3) ACTIVITIES.—Each center established under this subsection shall—

(A) assist States and local educational agencies in developing critical-need language curricula; and

(B) disseminate best practices in the field.

(g) REPORT.—Not later than 90 days after the last day of the grant or contract period, an eligible entity receiving a grant under subsection (a) or an entity receiving a contract under subsection (f) shall prepare and submit a report to the Secretary describing the supported activities.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $100,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

SEC. 224. INTERNATIONAL SUMMER INSTITUTE GRANTS.

(a) PROGRAM AUTHORIZED.—The Secretary shall award grants, on a competitive basis, to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to carry out summer institute programs that help teachers integrate international content into the curricula and improve the teachers' knowledge and teaching of foreign cultures.

(b) PARTNERSHIP.—In order to receive a grant under this section, an institution of higher education or a nonprofit organization (or a consortium of such institutions or organizations) shall enter into a partnership with a local educational agency to carry out the grant activities.

(c) APPLICATION.—An institution of higher education, nonprofit organization, or consortium desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) Use of Funds.—An institution of higher education, nonprofit organization, or consortium receiving a grant under this section shall use grant funds to carry out 1 or more of the following:

(1) Integrate international content into existing summer institute programs.

(2) Assist States in creating new summer institutes to prepare teachers—

(A) to teach international subjects, such as world history, global economics, and geography; and

(B) to integrate international content into other subjects to improve global competence.

(e) Report.—Not later than 90 days after the last day of the grant period, an institution of higher education, nonprofit organization, or consortium receiving a grant under this section shall prepare and submit a report to the Secretary describing the grant activities.

(f) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $100,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

SEC. 225. INTERNATIONAL AND FOREIGN LANGUAGE STUDIES.

(a) Purpose.—The purpose of this section is to increase study abroad and foreign language study opportunities in critical-need languages for secondary school, undergraduate, and graduate students.

(b) Definition of Eligible Entity.—In this section, the term "eligible entity" means—

(1) an institution of higher education;

(2) a consortium of institutions of higher education;

(3) an institution of higher education in partnership with an international university;

(4) an institution of higher education in partnership with a local educational agency;

(5) a State educational agency; or

(6) a local educational agency.

(c) Program Authorized.—From amounts appropriated under this section for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to establish or strengthen foreign language study programs in critical-need languages, as determined by the Secretary under section 222.

(d) Amount and Duration of Grant.—Each grant awarded under this section shall be—

(1) for an amount of not less than $500,000 for each year of the grant; and

(2) for a period of not less than 4 years.

(e) Application.—An eligible entity that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(f) Use of Funds.—An eligible entity receiving a grant under this section shall use the grant funds to establish or strengthen foreign language study programs in critical-need languages, which may include the following activities:

(1) The recruitment and retention of faculty in critical-need languages.

(2) Curriculum development.

(3) The acquisition of materials to improve instructional programs.

(4) The expansion of study abroad programs for participating students.

(5) The development of foreign language immersion programs.

(6) Summer institutes for faculty development.

(7) Bridge programs that allow dual enrollment for secondary school students in institutions of higher education.

(8) Programs to expand the understanding and knowledge of cultural, geographic, and political factors within countries with populations who speak critical-need languages.

(9) Research on, and evaluation of, the teaching of critical-need foreign languages.

(10) Participation in national programs impacting critical-need foreign languages.

(11) Data collection and analysis regarding the outcomes of various student recruitment strategies and program design and curricula approaches, and their impact on increasing—

(A) the number of students studying critical-need languages; and

(B) the fluency of the students in the languages.

(g) Authorization of Appropriations.—There are authorized to be appropriated to carry out this section $100,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

Subtitle C—Investing in Workers Through Job Training

SEC. 231. PROJECTS TO PROVIDE LITERACY, TECHNOLOGY, AND TECHNICAL SKILLS TRAINING.

(a) Definitions.—In this section:

(1) Secretary.—The term "Secretary" means the Secretary of Labor.

(2) Small business.—The term "small business" means a business with not more than 100 employees.

(b) Projects.—The Secretary shall carry out projects to provide literacy, technology, and technical skills training for workers, including both employed and unemployed workers.

(c) Grants.—In carrying out projects described in subsection (b), the Secretary shall make grants to eligible partnerships.

(d) Eligible Partnerships.—

(1) In general.—To be eligible to receive such a grant, a partnership shall be a local or regional public-private partnership consisting of at least—

(A) 1 State or local workforce investment board established under section 111 or 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2821 or 2832) (including a consortium of such boards in a region);

(B) 1 institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965, (including a consortium of such institutions);

(C) 1 business (including a consortium of such businesses) or nonprofit employer; and

(D) 1 community-based organization, labor union, trade association, or other intermediary.

(2) Designation of responsible fiscal agents.—Each partnership described in paragraph (1) shall designate a responsible fiscal agent to receive and disburse grant funds under this section.

(e) Training.—

(1) Participants.—A partnership that receives a grant under subsection (c) shall provide training through a project described in subsection (b) to persons who are employed and who wish to obtain and upgrade skills to qualify for existing jobs (as of the date such training begins) and to persons who are unemployed.

(2) Preparation.—Such training shall, to the extent practicable, include the preparation of workers for a broad range of positions along a career ladder.

(f) Start-Up Activities.—

(1) In general.—Except as provided in paragraph (2), not more than 5 percent, or $75,000, whichever is less, of the funds made available through a single grant made under this section may be used toward the start-up costs of a partnership or training project.

(2) Exception.—In the case of partnerships consisting primarily of small businesses, not more than 10 percent, or $150,000, whichever is less, of the funds made available through a single grant made under this section may be used toward the start-up costs of a partnership or training project.

(3) Duration of start-up period.—For purposes of this subsection, a start-up period consists of a period of not more than 1 month, beginning on the first day of the grant period. At the end of the start-up period, training shall immediately begin and no further Federal funds may be used for start-up costs.

(g) Applications.—

(1) In general.—To be eligible to receive a grant under this section, a partnership shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(2) Contents.—Each application for such a grant shall—

(A) provide evidence of the need for the training to be provided through the grant, by providing evidence of skill shortages in existing or emerging industries as demonstrated through reliable regional, State, or local data;

(B) articulate the level of skills that workers will be trained for and the manner by which attainment of those skills will be measured; and

(C) include an agreement that the project will be subject to evaluation by the Secretary to measure the effectiveness of the project.

(3) Matching funds.—Each application for a grant to carry out a project described in subsection (b) shall state the manner by which the partnership will—

(A) make available, with respect to the costs to be incurred by the partnership in carrying out the project, non-Federal contributions (in cash or in kind) in an amount equal to not less than 50 percent of the Federal funds provided under the grant; and

(B) make the contributions available directly or through donations from public or private entities, and ensure that at least ½ of the contributions will be from businesses or nonprofit employers involved in the partnership.

(h) Considerations.—

(1) Projects with commitments.—In making grants under this section, the Secretary shall give consideration to an applicant that provides a specific, measurable commitment—

(A) upon successful completion of a training course by a participant—

(i) who is unemployed, to hire or effectuate the hiring of the participant (where applicable);

(ii) who is an incumbent worker, to increase the wages or salary of the worker (where applicable); or

(iii) to provide skill certification to the participant;

(B) to provide training that is linked to industry-accepted occupational skill standards, certificates, or licensing requirements; or

(C) to provide a project that will lead to attainment of baccalaureate or associate degrees.

(2) Expanded and collaborative projects.—In making grants under this section, the Secretary shall give consideration to an applicant that proposes to use grant funds—

(A) to demonstrate a significant ability to expand a training project through such means as training more workers or offering more courses; and

(B) to carry out a training project resulting from a collaboration, especially with more than 1 small business or with an entity carrying out a labor-management training project.

(3) PARTNERSHIPS INVOLVING SMALL BUSINESSES.—In making grants under this section, the Secretary shall give consideration to an applicant that involves and directly benefits more than 1 small business.

(4) DONATIONS FROM PUBLIC OR PRIVATE ENTITIES.—In making grants under this section, the Secretary shall give consideration to an applicant that provides a specific commitment that a portion of the non-Federal contribution described in subsection (g)(3) will be made available through donations from other public or private entities, so as to demonstrate the long-term sustainability of the project after the expiration of the grant period involved.

(i) ADMINISTRATIVE COSTS.—A partnership that receives a grant to carry out a project described in subsection (b) may not use more than 10 percent of the funds made available through the grant to pay for administrative costs associated with the project.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $300,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 4 succeeding fiscal years.

By Mr. AKAKA:

S. 3506. A bill to prohibit the unauthorized removal or use of personal information contained in a database owned, operated, or maintained by the Federal government; to the Committee on the Judiciary.

Mr. AKAKA. Mr. President, I am introducing the Data Theft Prevention Act of 2006 in response to concerns that arose following the recent theft of computer equipment from the home of a Department of Veterans Affairs employee in early May. I would like to thank my friends Senator SCHUMER, Senator MURRAY, and Senator CLINTON for being original cosponsors of this legislation.

The stolen equipment contained personal information on as many as 26.5 million veterans, Active Duty, National Guard and Reserve personnel. These files had been downloaded from VA databases over a period of 3 years by the employee without any authorization, then taken out of VA and placed on personal computer equipment at the employee's home.

I am sure my colleagues will be as alarmed as I was when I tell them that this unauthorized removal of the personal information from the Department of Veterans Affairs was not an illegal act. In fact, I was told by VA's inspector general that the employee's only misdeed was of a recently established VA Security Guideline, which only carries the weight of suggested employee behavior. Despite VA's efforts to provide cyber security for the myriad of databases the Department controls, at the time of the theft there was no policy or law in place to prevent or deter an unauthorized act.

The legislation I am introducing today would establish Federal penalties for anyone, whether a government employee or government contractor, who knowingly and without authorization views, uses, downloads, or removes any means of identification or individually identifiable health information that is in a Federal database. Although the incident which triggered my present concerns occurred in VA, this legislation would apply to all Federal departments and agencies. The legislation would also penalize those who would use any such personal information for criminal purposes.

This legislation is intended to compliment existing Federal personal information security policies and to emphasize the need for all Federal departments and agencies to review existing policies and clearly lay out who is and isn't authorized to use, view, or download personal information.

This legislation would send the clear message that anyone who knowingly and without authorization removes personal or health information from a Federal database does so at their own risk.

VA Secretary Nicholson testified last week before the House Government Reform Committee that he thought that there should be consideration of "putting some kind of teeth in an enforcement mechanism for the compromising and careless and negligent handling of personal information." This measure would do just that.

If enacted, violation of the provisions of this law could result in a fine of up to $100,000, imprisonment for 1 year, or both. These penalties are similar to those which currently apply to Internal Revenue Service employees who are responsible for breaches of tax information.

Given the potential impact to our veterans, Active Duty, National Guard, and Reserve personnel through identity theft and the incredible disruption and costs incurred by the government from the theft of the VA data, it is vital that we take steps to deter any future incidents and hold accountable those who are responsible.

I urge our colleagues to support this important legislation and to work with me for its prompt enactment. We must do all we can to prevent any further compromise of personal data in the hands of the government.

Mr. President, I ask unanimous consent that the text of this legislation be published in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3506

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Data Theft Prevention Act of 2006".

SEC. 2. FEDERAL DATABASES.

(a) IN GENERAL.—Chapter 101 of title 18, United States Code, is amended by adding at the end the following:

"§ 2077. Means of identification and individually identifiable health information in Federal databases

"(a) DEFINITIONS.—In this section:

"(1) FEDERAL DATABASE.—The term 'Federal database' means any electronic database owned, operated, or maintained by or for the Federal Government.

"(2) INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION.—The term 'individually identifiable health information' has the meaning given the term in the regulations issued under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).

"(3) MEANS OF IDENTIFICATION.—The term 'means of identification' has the meaning given the term in section 1028 of this title.

"(b) UNAUTHORIZED USE.—It shall be unlawful for any person knowingly and without authorization—

"(1) to view, use, download, or remove any means of identification or individually identifiable health information that is in a Federal database; or

"(2) to transfer such means of identification or individually identifiable health information to, or store such means of identification or individually identifiable health information in, any computer, network, database, or other format used to store information that is not a Federal database.

"(c) USE FOR CRIMINAL PURPOSES.—It shall be unlawful for any person to use a means of identification or individually identifiable health information obtained directly or indirectly from a Federal database in furtherance of a violation of any Federal or State criminal law.

"(d) PENALTY.—Any person who violates subsection (b) or (c) shall be fined not more than $100,000, imprisoned not more than 1 year, or both.".

(b) CHAPTER ANALYSIS.—The table of sections for chapter 101 of title 18, United States Code, is amended by adding after the item relating to section 2076 the following:

"2077. Means of identification and individually identifiable health information in Federal databases.".

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 507—DESIGNATING THE WEEK OF NOVEMBER 5 THROUGH NOVEMBER 11, 2006, AS "NATIONAL VETERANS AWARENESS WEEK" TO EMPHASIZE THE NEED TO DEVELOP EDUCATIONAL PROGRAMS REGARDING THE CONTRIBUTIONS OF VETERANS TO THE COUNTRY

Mr. BIDEN submitted the following resolution: which was referred to the Committee on the Judiciary:

S. RES. 507

Whereas tens of millions of Americans have served in the Armed Forces of the United States during the past century;

Whereas hundreds of thousands of Americans have given their lives while serving in the Armed Forces during the past century;

Whereas the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by the people of the United States:

Whereas the advent of the all-volunteer Armed Forces has resulted in a sharp decline in the number of individuals and families who have had any personal connection with the Armed Forces;

Whereas this reduction in familiarity with the Armed Forces has resulted in a marked decrease in the awareness by young people of the nature and importance of the accomplishments of those who have served in the Armed Forces, despite the current educational efforts of the Department of Veterans Affairs and the veterans service organizations;

Whereas the system of civilian control of the Armed Forces makes it essential that the future leaders of the Nation understand the history of military action and the contributions and sacrifices of those who conduct such actions; and

Whereas, on November 2, 2005, President George W. Bush issued a proclamation urging all the people of the United States to observe November 6 through November 12, 2005, as "National Veterans Awareness Week": Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of November 5 through November 11, 2006, as "National Veterans Awareness Week"; and

(2) encourages the people of the United States to observe the week with appropriate educational activities.

Mr. BIDEN. Mr. President, today I am submitting a resolution expressing the sense of the Senate that the week that includes Veterans' Day, corresponding this year to November 5–11, 2006, be designated as "National Veterans Awareness Week". This marks the seventh year in a row that I have introduced such a resolution, which has been adopted unanimously by the Senate on all previous occasions.

The purpose of National Veterans Awareness Week is to serve as a focus for educational programs designed to make students in elementary and secondary schools aware of the contributions of veterans and their importance in preserving American peace and prosperity. This goal takes on particular importance and immediacy this year as we find ourselves again with uniformed men and women in harm's way in foreign lands.

Why do we need such an educational effort? In a sense, this action has become necessary because we are victims of our own success with regard to the superior performance of our Armed Forces. The plain fact is that there are just fewer people around now who have had any connection with military service. For example, as a result of tremendous advances in military technology and the resultant productivity increases, our current armed forces now operate effectively with a personnel roster that is one-third less in size than just 15 years ago. In addition, the success of the all-volunteer career-oriented force has led to much lower turnover of personnel in today's military than in previous eras when conscription was in place. Finally, the number of veterans who served during previous conflicts, such as World War II, when our military was many times larger than today, is inevitably declining.

The net result of these changes is that the percentage of the entire population that has served in the Armed Forces is dropping rapidly, a change that can be seen in all segments of society. Whereas during World War II it was extremely uncommon to find a family in America that did not have one of its members on active duty, now there are numerous families that include no military veterans at all. Even though the Iraqi war has been prominently discussed on television and in the newspapers, many of our children are much more preoccupied with the usual concerns of young people than with keeping up with the events of the day. As a consequence, many of our youth still have little or no connection with or knowledge about the important historical and ongoing role of men and women who have served in the military. This omission seems to have persisted despite ongoing educational efforts by the Department of Veterans Affairs and the veterans service organizations.

This lack of understanding about military veterans' important role in our society can have potentially serious repercussions. In our country, civilian control of the armed forces is the key tenet of military governance. A citizenry that is oblivious to the capabilities and limitations of the armed forces, and to its critical role throughout our history, can make decisions regarding our military involvement that may have unexpected and unwanted consequences. Even more important, general recognition of the importance of those individual character traits that are essential for military success, such as patriotism, selflessness, sacrifice, and heroism, is vital to maintaining these key aspects of citizenship in the Armed Forces and even throughout the population at large.

The failure of our children to understand why a military is important, why our society continues to depend on it for ultimate survival, and why a successful military requires integrity and sacrifice, will have predictable consequences as these youngsters become of voting age. Even though military service is a responsibility that is no longer shared by a large segment of the population, as it has been in the past, knowledge of the contributions of those who have served in the Armed Forces is as important as it has ever been. To the extent that many of us will not have the opportunity to serve our country in uniform, we must still remain cognizant of our responsibility as citizens to fulfill the obligations we owe, both tangible and intangible, to those who do serve and who do sacrifice on our behalf.

The importance of this issue was brought home to me several years ago by Samuel I. Cashdollar, who was then a 13-year-old seventh grader at Lewes Middle School in Lewes, Delaware. Samuel won the Delaware VFW's Youth Essay Contest that year with a powerful presentation titled "How Should We Honor America's Veterans"? Samuel's essay pointed out that we have Nurses' Week, Secretaries' Week, and Teachers' Week, to rightly emphasize the importance of these occupations, but the contributions of those in uniform tend to be overlooked. We don't want our children growing up to think that Veterans Day has simply become a synonym for a department store sale, and we don't want to become a nation where more high school seniors recognize the name Britney Spears than the name Dwight Eisenhower.

National Veterans Awareness Week complements Veterans Day by focusing on education as well as commemoration, on the contributions of the many in addition to the heroism and service of the individual. National Veterans Awareness Week also presents an opportunity to remind ourselves of the contributions and sacrifices of those who have served in peacetime as well as in conflict; both groups work unending hours and spend long periods away from their families under conditions of great discomfort so that we all can live in a land of freedom and plenty.

Last year, my resolution designating National Veterans Awareness Week was approved in the Senate by unanimous consent. Responding to that resolution, President Bush issued a proclamation urging our citizenry to observe National Veterans Awareness Week. I ask my colleagues to continue this trend of support for our veterans by endorsing this resolution again this year. Our children and our children's children will need to be well informed about what veterans have accomplished in order to make appropriate decisions as they confront the numerous worldwide challenges that they are sure to face in the future.

SENATE RESOLUTION 508—DESIGNATING OCTOBER 20, 2006 AS "NATIONAL MAMMOGRAPHY DAY"

Mr. BIDEN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. Res. 508

Whereas, according to the American Cancer Society, in 2006, 212,920 women will be diagnosed with breast cancer and 40,970 women will die from that disease;

Whereas it is estimated that about 2,000,000 women were diagnosed with breast cancer in the 1990s, and that, in nearly 500,000 of those cases, the cancer resulted in death;

Whereas African-American women suffer a 30 percent greater mortality rate from breast cancer than White women and more than a 100 percent greater mortality rate from breast cancer than women from Hispanic, Asian, and American Indian populations;

Whereas the risk of breast cancer increases with age, with a woman at age 70 having twice as much of a chance of developing the disease as a woman at age 50;

Whereas at least 80 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide safe screening and early detection of breast cancer in many women;

Whereas mammography is an excellent method for early detection of localized breast cancer, which has a 5-year survival rate of more than 97 percent;

Whereas the National Cancer Institute and the American Cancer Society continue to recommend periodic mammograms; and

Whereas the National Breast Cancer Coalition recommends that each woman and her health care provider make an individual decision about mammography: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 20, 2006, as "National Mammography Day"; and

(2) encourages the people of the United States to observe the day with appropriate programs and activities.

Mr. BIDEN. Mr. President, today I am submitting a resolution designating October 20, 2006, as "National Mammography Day." I might note that I have submitted a similar resolution each year since 1993, and on each occasion the Senate has shown its support for the fight against breast cancer by approving the resolution.

Each year, as I prepare to introduce this resolution, I review the latest information from the American Cancer Society about breast cancer. For the year 2006, it is estimated that nearly 213,000 women will be diagnosed with breast cancer and nearly 41,000 women will die of this disease.

In past years, I have often commented on how gloomy these statistics were. But as I review how these numbers are changing over time, I have come to the realization that it is really more appropriate to be optimistic. The trend over time is that the number of deaths from breast cancer is actually stable or falling from year to year. Early detection of breast cancer continues to result in extremely favorable outcomes: 97 percent of women with localized breast cancer will survive 5 years or longer. New digital techniques make the process of mammography much more rapid and precise than before. Government programs will provide free mammograms to those who can't afford them, as well as Medicaid eligibility for treatment if breast cancer is diagnosed. Just last year, the headline on the front page of the Washington Post trumpeted a major improvement in survival of patients with early breast cancer following use of modern treatment regimens involving chemotherapy and hormone therapy. This year, we learned that newer anti-estrogen drugs are effective in preventing breast cancer in high-risk women. Information about treatment of breast cancer with surgery, chemotherapy, and radiation therapy has exploded, reflecting enormous research advances in this disease. So I am feeling quite positive about our battle against breast cancer. A diagnosis of breast cancer is not a death sentence, and I encounter long-term survivors of breast cancer nearly daily.

In recent times, the newspapers have been filled with discussion over whether the scientific evidence actually supports the conclusion that periodic screening mammography saves lives. It seems that much of this controversy relates to new interpretations of old studies, and the relatively few recent studies of this matter have not clarified this issue. Most sources seem to agree that all of the existing scientific studies have some weaknesses, but it is far from clear whether the very large and truly unambiguous study needed to settle this matter definitively can ever be done.

So what is a woman to do? I do not claim any expertise in this highly technical area, so I rely on the experts. The American Cancer Society, the National Cancer Institute, and the U.S. Preventive Services Task Force all continue to recommend periodic screening mammography, and I endorse the statements of these distinguished bodies.

On the other hand, I recognize that some women who examine these research studies are unconvinced of the need for periodic screening mammography. However, even those scientists who do not support periodic mammography for all women believe that it is appropriate for some groups of women with particular risk factors. In agreement with these experts, I encourage all women who have doubts about the usefulness of screening mammography in general to discuss with their individual physicians whether this test is appropriate in their specific situations.

So my message to women is: have a periodic mammogram, or at the very least discuss this option with your own physician.

I know that some women don't have annual mammograms because of either fear or forgetfulness. It is only human nature for some women to avoid mammograms because they are afraid of what they will find. To those who are fearful, I would say that if you have periodic routine mammograms, and the latest one comes out positive, even before you have any symptoms or have found a lump on self-examination, you have reason to be optimistic, not pessimistic. Such early-detected breast cancers are highly treatable.

Then there is forgetfulness. I certainly understand how difficult it is to remember to do something that only comes around once each year. I would suggest that this is where National Mammography Day comes in. On that day, let's make sure that each woman we know picks a specific date on which to get a mammogram each year, a date that she won't forget: a child's birthday, an anniversary, perhaps even the day her taxes are due. On National Mammography Day, let's ask our loved ones: pick one of these dates, fix it in your mind along with a picture of your child, your wedding, or another symbol of that date, and promise yourself to get a mammogram on that date every year. Do it for yourself and for the others that love you and want you to be part of their lives for as long as possible.

And to those women who are reluctant to have a mammogram, I say let National Mammography Day serve as a reminder to discuss this question each year with your physician. New scientific studies that are published and new mammography techniques that are developed may affect your decision on this matter from one year to the next. I encourage you to keep an open mind and not to feel that a decision at one point in time commits you irrevocably to a particular course of action for the indefinite future.

Mr. President, I urge my colleagues to join me in the ongoing fight against breast cancer by cosponsoring and voting for this resolution to designate October 20, 2006, as "National Mammography Day."

SENATE RESOLUTION 509—DESIGNATING JUNE 21, 2006, AS "NATIONAL PROFESSIONAL MEDICAL CODER DAY", IN HONOR OF THE DEDICATION AND CONTINUED SERVICE OF PROFESSIONAL MEDICAL CODERS TO THE NATION

Mr. HATCH (for himself, Mr. BENNETT, and Mr. BURR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 509

Whereas professional medical coders are the sentries of our national health;

Whereas medical coders regularly communicate with physicians and other health care professionals to clarify diagnoses or to obtain additional information in the assignment of alpha-numeric codes;

Whereas medical coders stand as the front line against potential medicare fraud and abuse while assuring that the physician, hospital, and clinic receive the fairest compensation for the services provided;

Whereas medical coders are knowledgeable of medical terminology, anatomy, physiology, and the code sets necessary to serve effectively in their professional role within the health care community;

Whereas medical coders are team players committed to ethical and sound medical documentation and reimbursement practices;

Whereas medical coders work in a variety of health care environments;

Whereas nearly 40 percent of all medical coders in the United States work in hospitals;

Whereas medical coders also work in the offices of physicians, nursing care facilities, outpatient care centers, and home health care providers;

Whereas insurance firms that offer health plans employ professional medical coders to tabulate and analyze health information;

Whereas medical coders in public health departments supervise data collection from health care institutions and assist in research;

Whereas Department of Defense policy requires accurate and prompt documentation and coding of medical encounters within the military health care system to assist military treatment facility operations;

Whereas employment of professional medical coders is expected to grow through 2012, due to the increasing number of medical tests, treatments and procedures, and the consequent responsibility to provide the best quality health care in a market-driven economy; and

Whereas on National Professional Medical Coder Day we honor these sentries of our medical community and may each be held to the highest standard in the interest of national health and prosperity: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 21, 2006, as "National Professional Medical Coder Day";

(2) commends professional medical coders for their outstanding contributions to this great Nation;

(3) salutes professional medical coders for their unyielding dedication; and

(4) encourages all Americans to commemorate this occasion with appropriate programs and activities paying tribute to medical coders and honoring all those who protect the Nation's health.

Mr. HATCH. Mr. President, I am pleased to submit today, along with my colleagues Senator BOB BENNETT and Senator RICHARD BURR, the National Professional Medical Coder Day resolution.

By passing this resolution, Congress will recognize June 21, 2006, as National Professional Medical Coder Day, which will help to raise awareness about the important work that medical coders perform and their dedication to their profession.

There are about 80,000 professional medical coders employed in the United States, and that number is expected to continue to grow due to the increasing number of medical tests, treatments and procedures, and the consequent scrutiny to provide the best quality health care in a market driven economy. Medical coders are a diverse group of women and men dedicated to "running the numbers" of health care. They translate the information that a physician documents during a patient visit into numerical codes that are used for both payment and statistical purposes.

Medical coders are sentries of our Nation's health. They communicate regularly with physicians and other health care professionals to clarify diagnoses or to obtain additional information in the assignment of alphanumeric codes. They are knowledgeable of medical terminology, anatomy, physiology, and the code sets necessary to serve effectively in their professional role within the health care community. They are team players committed to ethical and sound medical documentation and reimbursement practices.

Medical coders work in a variety of health care environments. Nearly 40 percent of all coding jobs are in hospitals. Others work in the offices of physicians, nursing care facilities, outpatient care centers, and home health care services. Insurance firms that offer health plans employ coders to tabulate and analyze health information. Medical coders in public health departments supervise data collection from health care institutions and assist in research. The Department of Defense policy requires accurate and prompt documentation of and coding of medical encounters within the Military Health System to assist Military Treatment Facility operations. The compliance plan for third-party payers of the Department of Health and Human Services, Office of the Inspector General acknowledges the specialized training of medical coders required due to the greater legal exposure related to coding medical services. Coders also stand as the front line against the potential fraud and abuse of the Medicare and Medicaid Programs while assuring that the physicians, hospitals, and clinics receive accurate compensation for the services provided.

The abilities coders possess to collect data about diagnoses and procedures figure prominently within my own interests for quality health care. Medical coders also provide us with the data we need for making tough choices in health care.

This resolution stems from positive citizen actions. The quest for a national day of recognition began as a grassroots campaign. Over the past 4 years, medical coders from around the country have gathered support through a national petition and State proclamations crediting the work of their coders. The Secretary of the Department of Health and Human Services Michael Leavitt made Utah the very first State to honor coders when, as Governor, he signed on April 15, 2003, a proclamation declaring a day of honor for coders in Utah. Since then, 28 other States have signed similar proclamations. The State of Florida was the most recent addition to their campaign, and medical coders continue their efforts in achieving recognition at the State level. Let us now recognize their efforts as a nation.

It is my hope that this resolution will help advance the recognition of professional medical coders; and, therefore, the attention given to their commendable work. It recognizes contributions to the national health care system and it reminds us of medical coders' dedication to the value of hard work in the interest of a national priority—quality health care for everyone. I applaud that contribution and am hopeful that the Senate will pass this resolution marking June 21, 2006, as National Medical Coder Day.

SENATE RESOLUTION 510—DESIGNATING THE PERIOD BEGINNING ON JUNE 28, 2006, AND ENDING ON JULY 5, 2006, AS "NATIONAL CLEAN BEACHES WEEK", SUPPORTING THE GOALS AND IDEALS OF THAT WEEK, AND RECOGNIZING THE CONSIDERABLE VALUE AND ROLE OF BEACHES IN THE CULTURE OF THE UNITED STATES

Mr. MARTINEZ (for himself, Mr. LAUTENBERG, Ms. SNOWE, Ms. STABENOW, Mr. MENENDEZ, Mr. LOTT, and Mrs. DOLE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 510

Whereas, according to the document entitled "Turning to the Sea: America's Ocean Future", published by the National Oceanic and Atmospheric Administration, coastal areas produce 85 percent of all tourism revenue in the United States and beaches are the leading tourism destination in the country;

Whereas beaches provide recreational opportunities for numerous citizens and their families, as well as international tourists who, according to the document entitled "The Beach and Your Coastal Watershed" (EPA document number 842–F–98–010), published by the Environmental Protection Agency, together make almost 2,000,000,000 trips to the beach each year to fish, sunbathe, boat, swim, surf, and birdwatch;

Whereas, according to the Army Corps of Engineers, the beaches of the United States are a critical component of the national economy, including global competitiveness;

Whereas beaches represent a critical part of the natural heritage and a beautiful part of the landscape of the United States;

Whereas beaches are sensitive ecosystems that are susceptible to degradation and alteration from pollution, sewage, and improper use;

Whereas coastal tourism and healthy seafood foster robust economies that sustain communities and support jobs throughout the coastal regions of the United States;

Whereas members of the Federal Government, the private sector, nongovernmental organizations, and citizen volunteers have worked hard to clean and protect the beaches of the United States;

Whereas, according to the United States Geological Survey, great progress has been made in understanding the science of watersheds and the connections between inland areas and coastal waters; and

Whereas the Federal Government should develop science-based policies that are commensurate with that knowledge: Now therefore, be it

Resolved, That the Senate—

(1) designates the period beginning on June 28, 2006, and ending on July 5, 2006, as "National Clean Beaches Week";

(2) recognizes—

(A) the value of beaches to the way of life of the citizens of the United States; and

(B) the important contributions of beaches to the economy, recreation, and natural environment of the United States; and

(3) encourages all citizens of the United States to work to keep beaches, a critical

part of the natural heritage of the United States, safe and clean for the continued enjoyment of the public.

Mr. MARTINEZ. Mr. President, I rise today to submit a resolution that will honor June 28, 2006 through July 5, 2006 as National Clean Beaches Week.

I want to thank my colleague from New Jersey, Senator LAUTENBERG, for agreeing to cosponsor this resolution with me as well as Senators SNOWE, LOTT, MENENDEZ, and STABENOW so we as a nation can recognize the incredible importance beaches and coastal areas have not only for our economy but our Nation's recreational, aesthetic, and environmental wellbeing.

According to data provided by the National Oceanic and Atmospheric Administration, 85 percent of tourism revenue generated in the U.S. comes from coastal areas. The Environmental Protection Agency has also stated that a staggering 2 billion trips are made by Americans to beaches and coastal areas to fish, swim, surf, sunbathe, recreate, and enjoy our Nation's beautiful scenery.

Every year roughly 80 million people visit the Sunshine State to enjoy its beautiful beaches, exciting amusement parks, and wonderfully abundant wildlife and natural splendor. The tourism industry alone directly employs nearly 840,000 Floridians and provides an economic impact of $57 billion to our State's economy. Of the 80 million visitors, a great deal came to Florida to enjoy its pristine coastline and wonderful climate. Families return, year after year, to their favorite vacation spots to relax under our brilliant blue skies, powdery white beaches, and crystal-clear emerald waters. The people of Florida share a love and appreciation of the Atlantic Ocean and the Gulf of Mexico, its coastal habitat, and our wetlands which make it a very complex ecosystem and a very special place to live.

Our beaches and coastline in Florida are very important to the people of Florida. The resolution I submit today will support a national effort to recognize the importance of keeping our beaches clean and vibrant, to continue to support our Nation's ecological treasures for future generations to enjoy, and to encourage Americans of all ages and backgrounds to marvel at their splendor. I urge my colleagues to become a cosponsor and support designating June 28th through July 5th 2006, as National Clean Beaches Week.

SENATE RESOLUTION 511—COMMENDING AND SUPPORTING RADIO AL MAHABA, THE 1ST AND ONLY RADIO STATION FOR THE WOMEN OF IRAQ

Mrs. CLINTON (for herself and Mr. HATCH) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 511

Whereas Radio Al Mahaba, the 1st and only radio station for the women of Iraq, went on the air for the 1st time on April 1, 2005;

Whereas Radio Al Mahaba is an educational tool that—

(1) is broadcast in 3 different languages; and

(2) provides the women of Iraq with an opportunity to voice their opinions and listen to the opinions of others;

Whereas Radio Al Mahaba airs shows that are dedicated to the rights and issues of women;

Whereas those shows are devoted to issues relating to personal relationships, parenting, and other social topics;

Whereas, despite terrible risks, the staff of Radio Al Mahaba continues to provide the women of Iraq with hope, knowledge, empowerment, support, and a vision of freedom;

Whereas, amid the struggles in Iraq, Radio Al Mahaba has followed the democratic principles of free speech and free press championed by the United States, thereby encouraging the people of Iraq to build an open and democratic civil society;

Whereas Radio Al Mahaba plays a positive and important role in educating the women of Iraq;

Whereas Radio Al Mahaba provides women with an opportunity to exercise their freedom of speech;

Whereas Radio Al Mahaba enables the women of Iraq to secure their role in the civil society of Iraq; and

Whereas Radio Al Mahaba meets a palpable need of the women of Iraq: Now, therefore, be it

Resolved, That the Senate—

(1) commends the efforts of Radio Al Mahaba to provide the women of Iraq with an opportunity to—

(A) exercise their freedom of speech; and

(B) be included in, and informed of, the reconstruction of Iraq;

(2) supports the mission of Radio Al Mahaba; and

(3) urges Radio Al Mahaba to continue its important efforts to help create an open, free, and democratic society in Iraq.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4209. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 4210. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4211. Mr. WARNER proposed an amendment to the bill S. 2766, supra.

SA 4212. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4213. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4214. Mr. DEWINE (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4215. Mr. JEFFORDS (for himself, Mr. FEINGOLD, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4216. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4217. Mr. THUNE (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4218. Mr. SALAZAR (for himself, Mr. ALLARD, Mr. BUNNING, Mr. MCCONNELL, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4219. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4220. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4209. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the the end of subtitle I of title X, insert the following:

SEC. 1084. SENSE OF CONGRESS REGARDING THE MEN AND WOMEN OF THE ARMED FORCES OF THE UNITED STATES IN IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) In 2003, members of the Armed Forces of the United States successfully liberated the people of Iraq from the tyrannical regime of Saddam Hussein.

(2) Members of the Armed Forces of the United States have bravely risked their lives everyday over the last 3 years to protect the people of Iraq from terror attacks by Al Qaeda and other extremist organizations.

(3) Members of the Armed Forces of the United States have conducted dozens of operations with coalition forces to track, apprehend, and eliminate terrorists in Iraq.

(4) Members of the Armed Forces of the United States have helped sustain political progress in Iraq by assisting the people of Iraq as they exercised their right to choose their leaders and draft their own constitution.

(5) Members of the Armed Forces of the United States have taught over 150,000 soldiers of Iraq to respect civilian authority, conduct counter-insurgency operations, provide meaningful security, and protect the people of Iraq from terror attacks.

(6) Members of the Armed Forces of the United States have built new schools, hospitals, and public works throughout Iraq.

(7) Members of the Armed Forces of the United States have helped rebuild Iraq's dilapidated energy sector.

(8) Members of the Armed Forces of the United States have restored electrical power and sewage waste treatment for the people of Iraq.

(9) Members of the Armed Forces of the United States have established lasting and productive relationships with local leaders in Iraq and secured the support of a majority of the populace of Iraq.

(10) Members of the Armed Forces of the United States have courageously endured sophisticated terror tactics, including deadly car-bombs, sniper attacks, and improvised explosive devices.

(11) Members of the Armed Forces of the United States have paid a high cost in order to defeat the terrorists, defend innocent civilians, and protect democracy from those who desire the return of oppression and extremism to Iraq.

(12) Members of the Armed Forces of the United States have performed their duty in Iraq with an unflagging commitment to the highest ideals and traditions of the United States and the Armed Forces.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the men and women in uniform of the Armed Forces of the United States in Iraq should be commended for their on-going service to the United States, their commitment to the ideals of the United States, and their determination to win the Global War on Terrorism;

(2) gratitude should be expressed to the families of the Armed Forces of the United States, especially those families who have lost loved ones in Operational Iraqi Freedom; and

(3) the people of the United States should honor those who have paid the ultimate sacrifice and assist those families who have loved ones in the Armed Forces of the United States deployed overseas.

SA 4210. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 587. SENSE OF SENATE ON NOTICE TO CONGRESS OF RECOGNITION OF MEMBERS OF THE ARMED FORCES FOR EXTRAORDINARY ACTS OF BRAVERY, HEROISM, AND ACHIEVEMENT.

It is the sense of the Senate that the Secretary of Defense or the Secretary of the military department concerned should, upon awarding a medal to a member of the Armed Forces or otherwise commending or recognizing a member of the Armed Forces for an act of extraordinary heroism, bravery, achievement, or other distinction, notify the Committee on Armed Services of the Senate and House of Representatives, the Senators from the State in which such member resides, and the Member of the House of Representatives from the district in which such member resides of such extraordinary award, commendation, or recognition.

SA 4211. Mr. WARNER proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title X, add the following:

SEC. 1013. NAMING OF CVN-78 AIRCRAFT CARRIER AS THE U.S.S. GERALD FORD.

(a) FINDINGS.—Congress makes the following findings:

(1) Gerald R. Ford has served his country with honor and distinction for the past 64 years, and continues to serve.

(2) Gerald R. Ford joined the United States Naval Reserve in 1942 and served valiantly at sea on the U.S.S. Monterey (CVL-26) during World War II, taking part in major operations in the Pacific, including at Makin Island, Kwajalein, Truk, Saipan, and the Philippine Sea.

(3) The U.S.S. Monterey earned 10 battle stars, awarded for participation in battle, while Gerald R. Ford served on the vessel.

(4) Gerald R. Ford was first elected to the House of Representatives in 1948.

(5) In the course of 25 years of service in the House of Representatives, Gerald R. Ford distinguished himself by his exemplary record for character, decency, and trustworthiness.

(6) Throughout his service in Congress, Gerald R. Ford was an ardent proponent of strong national defense and international leadership by the United States.

(7) From 1965 to 1973, Gerald R. Ford served as minority leader of the House of Representatives, raising the standard for bipartisanship in his tireless fight for freedom, hope, and justice.

(8) In 1973, Gerald R. Ford was appointed by President Nixon to the office of Vice President of the United States with the overwhelming support of Congress.

(9) From 1974 to 1976, Gerald R. Ford served as the 38th President of the United States, taking office during one of the most challenging periods in the history of the United States and restoring the faith of the people of the United States in the office of the President through his steady leadership, courage, and ultimate integrity.

(10) President Gerald R. Ford helped restore the prestige of the United States in the world community by working to achieve peace in the Middle East, preserve détente with the Soviet Union, and set new limits on the spread of nuclear weapons.

(11) President Gerald R. Ford served as Commander in Chief of the Armed Forces of the United States with great dignity, supporting a strong Navy and a global military presence for the United State and honoring the men and women of the Armed Forces of the United States.

(12) Since leaving the office of President, Gerald R. Ford has been an international ambassador of American goodwill, a noted scholar and lecturer, a strong supporter of human rights, and a promoter of higher education.

(13) Gerald R. Ford was awarded the Medal of Freedom and the Congressional Gold Medal in 1999 in recognition of his contribution to the Nation.

(14) As President, Gerald R. Ford bore the weight of a constitutional crisis and guided the Nation on a path of healing and restored hope, earning forever the enduring respect and gratitude of the Nation.

(b) NAMING OF CVN-78 AIRCRAFT CARRIER.—CVN-78, a nuclear powered aircraft carrier of the Navy, shall be named the U.S.S. Gerald Ford.

SA 4212. Mrs. CLINTON submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 587. COLD WAR SERVICE MEDAL.

(a) AUTHORITY.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1135. Cold War service medal

“(a) MEDAL AUTHORIZED.—The Secretary concerned shall issue a service medal, to be known as the ‘Cold War service medal’, to persons eligible to receive the medal under subsection (b). The Cold War service medal shall be of an appropriate design approved by the Secretary of Defense, with ribbons, lapel pins, and other appurtenances.

“(b) ELIGIBLE PERSONS.—The following persons are eligible to receive the Cold War service medal:

“(1) A person who—

“(A) performed active duty or inactive duty training as an enlisted member during the Cold War;

“(B) completed the person's initial term of enlistment or, if discharged before completion of such initial term of enlistment, was honorably discharged after completion of not less than 180 days of service on active duty; and

“(C) has not received a discharge less favorable than an honorable discharge or a release from active duty with a characterization of service less favorable than honorable.

“(2) A person who—

“(A) performed active duty or inactive duty training as a commissioned officer or warrant officer during the Cold War;

“(B) completed the person's initial service obligation as an officer or, if discharged or separated before completion of such initial service obligation, was honorably discharged after completion of not less than 180 days of service on active duty; and

“(C) has not been released from active duty with a characterization of service less favorable than honorable and has not received a discharge or separation less favorable than an honorable discharge.

“(c) ONE AWARD AUTHORIZED.—Not more than one Cold War service medal may be issued to any person.

“(d) ISSUANCE TO REPRESENTATIVE OF DECEASED.—If a person described in subsection (b) dies before being issued the Cold War service medal, the medal shall be issued to the person's representative, as designated by the Secretary concerned.

“(e) REPLACEMENT.—Under regulations prescribed by the Secretary concerned, a Cold War service medal that is lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was issued may be replaced without charge.

“(f) APPLICATION FOR MEDAL.—The Cold War service medal shall be issued upon receipt by the Secretary concerned of an application for such medal, submitted in accordance with such regulations as the Secretary prescribes.

"(g) UNIFORM REGULATIONS.—The Secretary of Defense shall ensure that regulations prescribed by the Secretaries of the military departments under this section are uniform so far as is practicable.

"(h) DEFINITION.—In this section, the term 'Cold War' means the period beginning on September 2, 1945, and ending at the end of December 26, 1991.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"1135. Cold War service medal.".

SA 4213. Mrs. CLINTON submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title V, add the following:

SEC. 569. REVIEW OF LEGAL STATUS OF JUNIOR ROTC PROGRAM.

(a) REVIEW.—The Secretary of Defense shall conduct a review of the 1976 legal opinion issued by the General Counsel of the Department of Defense regarding instruction of non-host unit students participating in Junior Reserve Officers' Training Corps programs. The review shall consider whether changes to law after the issuance of that opinion allow in certain circumstances for the arrangement for assignment of instructors that provides for the travel of an instructor from one educational institution to another once during the regular school day for the purposes of the Junior Reserve Officers' Training Corps program as an authorized arrangement that enhances administrative efficiency in the management of the program. If the Secretary, as a result of the review, determines that such authority is not available, the Secretary should also consider whether such authority should be available and whether there should be authority to waive the restrictions under certain circumstances.

(b) REPORT.—The Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the results of the review not later than 180 days after the date of the enactment of this Act.

(c) INTERIM AUTHORITY.—A current institution that has more than 70 students and is providing support to another educational institutional with more than 70 students and has been providing for the assignment of instructors from one school to the other may continue to provide such support until 180 days following receipt of the report under subsection (b).

SA 4214. Mr. DEWINE (for himself and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

RICKENBACKER AIRPORT, COLUMBUS, OHIO

SEC. . The project numbered 4651 in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1434) is amended by striking "Grading, paving" and all that follows through "Airport" and inserting "Grading, paving, roads, and the transfer of rail-to-truck for the intermodal facility at Rickenbacker Airport, Columbus, OH".

SA 4215. Mr. JEFFORDS (for himself, Mr. FEINGOLD, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___ PROGRAMS FOR USE OF LEAVE BY CAREGIVERS FOR FAMILY MEMBERS OF INDIVIDUALS PERFORMING CERTAIN MILITARY SERVICE.

(a) FEDERAL EMPLOYEES PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) CAREGIVER.—The term "caregiver" means an individual who—

(i) is an employee;

(ii) is at least 21 years of age; and

(iii) is capable of self care and care of children or other dependent family members of a qualified member of the Armed Forces.

(B) COVERED PERIOD OF SERVICE.—The term "covered period of service" means any period of service performed by an employee as a caregiver while the individual who designated the caregiver under paragraph (3) remains a qualified member of the Armed Forces.

(C) EMPLOYEE.—The term "employee" has the meaning given under section 6331 of title 5, United States Code.

(D) FAMILY MEMBER.—The term "family member" includes—

(i) individuals for whom the qualified member of the Armed Forces provides medical, financial, and logistical support (such as housing, food, clothing, or transportation); and

(ii) children under the age of 19 years, elderly adults, persons with disabilities, and other persons who are unable to care for themselves in the absence of the qualified member of the Armed Forces.

(E) QUALIFIED MEMBER OF THE ARMED FORCES.—The term "qualified member of the Armed Forces" means—

(i) a member of a reserve component of the Armed Forces as described under section 10101 of title 10, United States Code, who has received notice to report to, or is serving on, active duty in the Armed Forces in support of a contingency operation as defined under section 101(a)(13) of title 10, United States Code; or

(ii) a member of the Armed Forces on active duty who is eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code.

(2) ESTABLISHMENT OF PROGRAM.—The Office of Personnel Management shall establish a program to authorize a caregiver to—

(A) use any sick leave of that caregiver during a covered period of service in the same manner and to the same extent as annual leave is used; and

(B) use any leave available to that caregiver under subchapter III or IV of chapter 63 of title 5, United States Code, during a covered period of service as though that covered period of service is a medical emergency.

(3) DESIGNATION OF CAREGIVER.—

(A) IN GENERAL.—A qualified member of the Armed Forces shall submit a written designation of the individual who is the caregiver for any family member of that member of the Armed Forces during a covered period of service to the employing agency and the Office of Personnel Management.

(B) DESIGNATION OF SPOUSE.—Notwithstanding paragraph (1)(A)(ii), an individual less than 21 years of age may be designated as a caregiver if that individual is the spouse of the qualified member of the Armed Forces making the designation.

(4) USE OF CAREGIVER LEAVE.—Leave may only be used under this subsection for purposes directly relating to, or resulting from, the designation of an employee as a caregiver.

(5) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Office of Personnel Management shall prescribe regulations to carry out this subsection.

(6) TERMINATION.—The program under this subsection shall terminate on December 31, 2007.

(b) VOLUNTARY PRIVATE SECTOR LEAVE PROGRAM.—

(1) DEFINITIONS.—

(A) CAREGIVER.—The term "caregiver" means an individual who—

(i) is an employee;

(ii) is at least 21 years of age; and

(iii) is capable of self care and care of children or other dependent family members of a qualified member of the Armed Forces.

(B) COVERED PERIOD OF SERVICE.—The term "covered period of service" means any period of service performed by an employee as a caregiver while the individual who designated the caregiver under paragraph (4) remains a qualified member of the Armed Forces.

(C) EMPLOYEE.—The term "employee" means an employee of a business entity participating in the program under this subsection.

(D) FAMILY MEMBER.—The term "family member" includes—

(i) individuals for whom the qualified member of the Armed Forces provides medical, financial, and logistical support (such as housing, food, clothing, or transportation); and

(ii) children under the age of 19 years, elderly adults, persons with disabilities, and other persons who are unable to care for themselves in the absence of the qualified member of the Armed Forces.

(E) QUALIFIED MEMBER OF THE ARMED FORCES.—The term "qualified member of the Armed Forces" means—

(i) a member of a reserve component of the Armed Forces as described under section 10101 of title 10, United States Code, who has received notice to report to, or is serving on, active duty in the Armed Forces in support of a contingency operation as defined under section 101(a)(13) of title 10, United States Code; or

(ii) a member of the Armed Forces on active duty who is eligible for hostile fire or imminent danger special pay under section 310 of title 37, United States Code.

(2) Establishment of program.—

(A) In general.—The Secretary of Labor shall establish a program to authorize employees of business entities described under paragraph (3) to use sick leave, or any other leave available to an employee, during a covered period of service in the same manner and to the same extent as annual leave (or its equivalent) is used.

(B) Exception.—Subparagraph (A) shall not apply to leave made available under the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.).

(3) Voluntary business participation.—The Secretary of Labor shall solicit business entities to voluntarily participate in the program under this subsection.

(4) Designation of caregiver.—

(A) In general.—A qualified member of the Armed Forces shall submit a written designation of the individual who is the caregiver for any family member of that member of the Armed Forces during a covered period of service to the employing business entity.

(B) Designation of spouse.—Notwithstanding paragraph (1)(A)(ii), an individual less than 21 years of age may be designated as a caregiver if that individual is the spouse of the qualified member of the Armed Forces making the designation.

(5) Use of caregiver leave.—Leave may only be used under this subsection for purposes directly relating to, or resulting from, the designation of an employee as a caregiver.

(6) Regulations.—Not later than 120 days after the date of enactment of this Act, the Secretary of Labor shall prescribe regulations to carry out this subsection.

(7) Termination.—The program under this subsection shall terminate on December 31, 2007.

(c) GAO Report.—Not later than June 30, 2007, the Government Accountability Office shall submit a report to Congress on the programs under subsections (a) and (b) that includes—

(1) an evaluation of the success of each program; and

(2) recommendations for the continuance or termination of each program.

SA 4216. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 437, between lines 2 and 3, insert the following:

SEC. 1084. POSSESSION OF MACHINEGUNS BY LICENSED MANUFACTURERS AND LICENSED IMPORTERS.

Section 922(o)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A), by striking "or" at the end;

(2) by redesignated subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following:

"(B) a transfer to, or possession by, a licensed manufacturer or a licensed importer for purposes of conducting research, development, or testing of firearms or ammunition for law enforcement or military use; or".

SA 4217. Mr. THUNE (for himself and Mr. Nelson of Florida) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 352. REPORT ON AERIAL TRAINING AIRSPACE REQUIREMENTS OF THE DEPARTMENT OF DEFENSE.

(a) Findings.—Congress makes the following findings:

(1) Access to and use of available and unfettered aerial training airspace is critical for preserving aircrew warfighting proficiency and the ability to test, evaluate, and improve capabilities of both personnel and equipment within the most realistic training environments possible.

(2) The growth of civilian and commercial aviation traffic and the rapid expansion of commercial and general air traffic lanes across the continental Unites States has left few remaining areas of the country available for realistic air combat training or expansion of existing training areas.

(3) Many Military Operating Areas (MOAs) originally established in what was once open and uncongested airspace are now encroached upon by a heavy volume of commercial and general air traffic, making training more difficult and increasingly hazardous.

(4) Some aerial training areas in the upper great plains, western States, and Gulf coast remain largely free from encroachment and available for increased use, expansion, and preservation for the future.

(b) Sense of Congress.—It is the sense of Congress that the Department of Defense should—

(1) establish a policy to identify military aerial training areas that are projected to remain viable and free from encroachment well into the 21st century;

(2) determine aerial training airspace requirements to meet future training and airspace requirements of legacy and next generation military aircraft; and

(3) undertake all necessary actions in a timely manner, including coordination with the Federal Aviation Administration, to expand and preserve those areas of airspace to meet present and future training requirements.

(c) Report.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a proposed plan to preserve and expand available aerial training airspace to meet the projected needs of the Department of Defense for such airspace through 2025.

SA 4218. Mr. SALAZAR (for himself, Mr. Allard, Mr. Bunning, Mr. McConnell, and Mr. Wyden) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 437, between lines 2 and 3, insert the following:

SEC. 1084. SENSE OF THE SENATE ON DESTRUCTION OF CHEMICAL WEAPONS.

(a) Findings.—The Senate makes the following findings:

(1) The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, done at Paris on January 13, 1993 (commonly referred to as the "Chemical Weapons Convention"), requires all United States chemical weapons stockpiles be destroyed by no later than the extended deadline of April 29, 2012.

(2) On April 10, 2006, the Department of Defense notified Congress that the United States would not meet even the extended deadline under the Chemical Weapons Convention for destruction of United States chemical weapons stockpiles.

(3) Destroying existing chemical weapons is a homeland security imperative, an arms control priority, and required by United States law.

(4) The elimination and nonproliferation of chemical weapons of mass destruction is of utmost importance to the national security of the United States.

(b) Sense of the Senate.—It is the sense of the Senate that—

(1) the United States is committed to making every effort to safely dispose of its chemical weapons stockpiles by the Chemical Weapons Convention deadline of April 29, 2012, or as soon thereafter as possible, and will carry out all of its other obligations under the Convention;

(2) the Secretary of Defense should prepare a comprehensive schedule for safely destroying the United States chemical weapons stockpiles to prevent further delays in the destruction of such stockpiles, and the schedule should be submitted annually to the congressional defense committees separately or as part of another required report; and

(3) the Secretary of Defense should make every effort to ensure adequate funding to complete the elimination of the United States chemical weapons stockpile in the shortest time possible, consistent with the requirement to protect public health, safety, and the environment.

SA 4219. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

SEC. 648. RENAMING OF DEATH GRATUITY PAYABLE FOR DEATHS OF MEMBERS OF THE ARMED FORCES AS FALLEN HERO COMPENSATION.

(a) In General.—Subchapter II of chapter 75 of title 10, United States Code, is amended as follows:

(1) In section 1475(a), by striking "have a death gratuity paid" and inserting "have fallen hero compensation paid".

(2) In section 1476(a)—

(A) in paragraph (1), by striking "a death gratuity" and inserting "fallen hero compensation"; and

(B) in paragraph (2), by striking "A death gratuity" and inserting "Fallen hero compensation".

(3) In section 1477(a), by striking "A death gratuity" and inserting "Fallen hero compensation".

(4) In section 1478(a), by striking "The death gratuity" and inserting "The amount of fallen hero compensation".

(5) In section 1479(1), by striking "the death gratuity" and inserting "fallen hero compensation".

(6) In section 1489—

(A) in subsection (a), by striking "a gratuity" in the matter preceding paragraph (1) and inserting "fallen hero compensation"; and

(B) in subsection (b)(2), by inserting "or other assistance" after "lesser death gratuity".

(b) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENTS.—Such subchapter is further amended by striking "**Death Gratuity:**" each place it appears in the heading of sections 1475 through 1480 and 1489 and inserting "**Fallen Hero Compensation:**".

(2) TABLE OF SECTIONS.—The table of sections at the beginning of such subchapter is amended by striking "Death gratuity:" in the items relating to sections 1474 through 1480 and 1489 and inserting "Fallen hero compensation:".

(c) GENERAL REFERENCES.—Any reference to a death gratuity payable under subchapter II of chapter 75 of title 10, United States Code, in any law, regulation, document, paper, or other record of the United States shall be deemed to be a reference to fallen hero compensation payable under such subchapter, as amended by this section.

SA 4220. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 352. REPORT ON HIGH ALTITUDE AVIATION TRAINING SITE, EAGLE COUNTY, COLORADO.

(a) REPORT REQUIRED.—Not later than December 15, 2006, the Secretary of the Army shall submit to the congressional defense committees a report on the High Altitude Aviation Training Site (HAATS) in Eagle County, Colorado.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of the type of high altitude aviation training being conducted at the High Altitude Aviation Training Site, including the number of pilots who receive such training on an annual basis and the types of aircraft used in such training.

(2) A description of the number and type of helicopters required at the High Altitude Aviation Training Site to provide the high altitude aviation training needed to sustain the war strategies contained in the 2006 Quadrennial Defense Review, assuming that priority is afforded in the provision of such training to commanders, instructor pilots, aviation safety officers, and deploying units.

(3) A thorough evaluation of accident rates for deployed helicopter pilots of the Army who receive high altitude aviation training at the High Altitude Aviation Training Site, and accident rates for deployed Army helicopter pilots who did not receive such training, including the following:

(A) An estimate (set forth as a range) of the number of accidents attributable to power management.

(B) The number of accidents occurring in a combat environment.

(C) The number of accidents occurring in a non-combat environment.

(4) An evaluation of the inventory and availability of Army aircraft for purposes of establishing an appropriate schedule for the assignment of a CH–47 aircraft to the High Altitude Aviation Training Site.

(5) A description of the status of efforts to ensure that all helicopter aircrews deployed to the area of responsibility of the Central Command (CENTCOM AOR) are qualified in mountain flight and power management through the High Altitude Aviation Training Site prior to deployment, with particular focus on the status of such efforts with respect to aircrews to be deployed in support of Operation Enduring Freedom.

(c) TRACKING SYSTEM.—The Secretary shall implement a system for tracking the training of helicopter pilots of the Army at the High Altitude Aviation Training Site. The system shall utilize an existing system that permits the query of pilot flight experience and training.

NOTICE OF HEARING

COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 14, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 374, the Tribal Parity Act and S. 1535, the Cheyenne River Sioux Tribe Equitable Compensation Amendments Act of 2005.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 21, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 480, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2005, and S. 437, the Grand River Band of Ottawa Indians of Michigan Referral Act.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, June 22, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting voting out the report on the Indian Lobbying Misconduct Investigation, and other pending matters.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

COMMITTEE ON INDIAN AFFAIRS

Mr. McCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 28, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on Native American Housing Programs.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, June 21st, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the Government Accountability Office report entitled "Wildland Fire Suppression—Lack of Clear Guidance Raises Concerns about Cost Sharing between Federal and Nonfederal Entities" (GAO–06–570).

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Frank Gladics at 202–224–2878 or Sara Zecher 202–224–8276.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on Tuesday, June 13, 2006, at 10 a.m. in 328A, Senate Russell Office Building. The purpose of this committee hearing will be to discuss United States Department of Agriculture Farm Loan Programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. WARNER. Mr. President. I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, June 13, 2006, at 10 a.m. on the Committee Update of S. 2686 Consumer's Choice and Broadband Deployment Act of 2006.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, June 13, 2006, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on "A Tune-Up On Corporate Tax Issues: What's Going On Under The Hood?"

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, June 13, 2006, at 9:30 a.m., to hold a hearing on "Counterterrorism: The Changing Face of Terror."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on "Examining the Continuing Need for Voting Rights Act Section 203's Provisions Regarding Bilingual Election Materials" on Tuesday, June 13, 2006, at 9:30 a.m., in Dirksen Senate Office Building Room 226.

Witness List

Panel I: John Transviña, President, Mexican American Legal Defense and Education Fund (MALDEF), Los Angeles, CA; Margaret Fung, Executive Director, Asian American Legal Defense and Education Fund, New York, NY; Mauro E. Mujica, Chairman of the Board and CEO, U.S. English, Washington, DC; Deborah Wright, Acting Assistant Registrar-Recorder, Department of Registrar-Recorder, Los Angeles, CA; Peter N. Kirsanow, Member, National Labor Relations Board, Commissioner, United States Commission on Civil Rights, Cleveland, OH.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. WARNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 13, 2006, at 2:30 p.m., to hold a closed briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Homeland and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Tuesday, June 13, 2006, at 2:30 p.m., for a hearing regarding "Autopilot Budgeting: Will Congress Ever Respond to Government Performance Data?"

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. INHOFE. Mr. President, I ask unanimous consent that a military fellow, Scott Fisher, be granted floor privileges during the duration of our consideration of the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that Dr. Jonathan Epstein, a legislative fellow in Senator BINGAMAN's office, be given floor privileges during the pendency of S. 2766 and any votes thereon.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH. Mr. President, I ask unanimous consent that Matt Goodman and Jonathan Price, interns in my office, be granted the privileges of the floor for the remainder of the day.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on today's executive calendar: No. 705, Charles Rosenberg. I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

DEPARTMENT OF JUSTICE

Charles P. Rosenberg, of Virginia, to be United States Attorney for the Eastern District of Virginia for the term of four years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR WEDNESDAY, JUNE 14, 2006

Mr. COCHRAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Wednesday, June 14. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business for up to 30 minutes with the first 15 minutes under the control of the Democratic leader or his designee and the final 15 minutes under the control of the majority leader or his designee; further that following morning business, the Senate then resume consideration of the conference report to accompany H.R. 4939, the emergency supplemental appropriations bill, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. COCHRAN. Today the Senate continued to debate the Department of Defense authorization bill. There are two amendments pending, and the chairman will be working with the ranking member to dispose of those amendments. Senators who have amendments to this bill are encouraged to work with the bill managers in order to get their amendments lined up to be offered. We have briefly interrupted work on this bill to turn to the emergency supplemental appropriations conference report that was made available earlier today. The vote on the conference report will occur at 10 a.m. on Thursday morning. Additional votes will also occur on Wednesday relating to Defense authorization amendments.

UNANIMOUS CONSENT AGREEMENT—H.R. 4939

Mr. COCHRAN. Mr. President, I ask unanimous consent that the 75 minutes controlled by the ranking member on the supplemental appropriations conference report be controlled as follows: Mr. REID, 10 minutes; Ms. LANDRIEU, 20 minutes; Mr. DURBIN, 15 minutes; Mr. DAYTON, 10 minutes; Mr. HARKIN, 15 minutes; Mr. AKAKA, 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. COCHRAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:15 p.m., adjourned until June 14, 2006, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Tuesday, June 13, 2006:

DEPARTMENT OF JUSTICE

CHARLES P. ROSENBERG, OF VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS.

HOUSE OF REPRESENTATIVES—*Tuesday, June 13, 2006*

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore (Mr. CAMPBELL of California).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 13, 2006.

I hereby appoint the Honorable JOHN CAMPBELL to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California (Mr. BACA) for 5 minutes.

HATE CRIMES

Mr. BACA. Thank you very much, Mr. Speaker. The topic I want to talk about this morning is hate crimes. As immigration debate has intensified, white supremists, neo-Nazis, and other racists have increased their efforts to spread the racist message. White supremists have not simply expressed racist convictions but have urged others and white Americans generally to fight back against perceived invasion of white United States by Hispanics from Mexico. The rhetoric has grown increasingly by radicals, and their success is spreading and has been coupled with a rise in hate crimes across our country. And I state, across the country.

Police reports document a growing number of acts of violence by far right extremists against Hispanics regardless of their status as citizens, whether they are profiling them, making remarks, creating different kinds of attitude and atmosphere and hate. The Anti-Defamation League, a nonprofit that fights anti-Semitism and other biases, put out a report last month that said hateful and racist rhetoric aimed at Latino immigrants had grown to a level unprecedented in recent years.

The report detailed numerous examples of hate crimes, including two men in Tennessee who were sentenced to prison in December for shattering a window and painting Nazi symbols in a local Mexican market. Near Houston, two white teenagers were arrested in April accused of beating a Latino youth and sodomizing him with a pipe. Days later on Long Island, a white teen was accused of threatening two Latinos with a machete and a chain saw. Police say ethnic slurs were used in each case.

We must condemn these kind of acts and work to promote a unified America. Even the President has warned us of the dangerous rhetoric being used in discussions on immigration. During his speech last month he noted, "America needs to conduct this debate on immigration in a reasonable and respective tone. We cannot build a unified country by inciting people to anger or playing on anyone's fear or exploiting the issue of immigration for political gains." And I state, exploiting it for political gains.

The white supremists are employing sophisticated techniques to spread their message over the Internet including blogs, chat rooms, and racist and violent video games. And as you can see by the poster out here, Border Patrol, I recently heard about a racist game distributed freely on the Internet called the "Border Patrol" that encourages players to shoot at immigrants as they cross the United States, as you can see right here. These games first surfaced in the year 2002, but have come up once again and aimed at immigration debate.

The Border Patrol games. In the game the Border Patrol, Mexican Americans are incarcerated and presented with disgusting and harmful stereotypes. The game does not present them as hard-working individuals who come to this country, like any other who has come to this country before, to build better opportunity. This country is built on immigrants, and many individuals come here for that reason, not for the reason displayed in this Border Patrol display that we have out here.

People have come to contribute to our country and will continue to come to contribute to this country because they believe in America and its principles and what it stands for. Instead, you can see from the poster that Mexican American immigrants are labeled as bandoleer-wearing Mexican nationalists, tattoo-touting drug smugglers, and pregnant breeders who must be kept out at any cost.

In the second poster, as you can see out here, Border Patrol 2, as you can see by the second poster the object of the Internet game Border Patrol is to shoot Mexican immigrants as they try to cross the borders into the United States. Here, again, we are talking about hate crimes, attitudes and behavior by individuals. Here, a family is being targeted as they rush past a sign that reads, "Welcome to the United States." The sign contains the American flag in which the stars representing 50 states have been replaced with a Jewish Star of David, and a small sign that appears below that says, "Welfare Office" with an arrow.

These games are not only obscene, it incites anger and violence in the minds of children and creates attitude and behavior changes. Psychologically then people begin to think in terms of hating anyone of color. And when you hate people of color, you demonstrate hate and anger. The fact that the national immigration debate is fueling their efforts in is downright scary.

Border Patrol is one of several racist computer games that hate groups are currently offering for sale or download on the Internet. Other games like Ethnic Cleansing, Drive By 2, and African Detroit Cop were created to further racism, anti-Semitic, and other opinions.

These images on poster number three is Save The Last Dance. This image contains an altered movie poster. The actual film featured an interracial romance between teenagers. As you note in the version of this poster, the African-American male is depicted by a gorilla. The poster also spreads a traditional anti-Semitic attack that blames Jews for controlling the American media and suggests that a film about interracial tolerance and mutual respect is somehow Jewish propaganda. The most obvious message of this poster is that the way to deal with members of minority groups, as well as whites who have relationships with them, is with violence.

It only takes one individual with hate in his heart to act on these notions. For us, that is a very real concern as the national discussion on immigration continues to gain momentum. We cannot have this debate at the expense of the safety of immigrants in our communities and total Americans who are here in the United States.

☐This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

I understand that not everyone in Congress agrees with a more inclusive vision of the American family or the American dream to be here in the United States and to have what everybody else has and to build a better life for themselves. Instead of recognizing the needs for real comprehensive immigration reform, some Republicans have viewed this issue to play on people's fear and exploit the debate for their political gains. I hope that people understand what is going on now and at the national level.

EXTREMISTS DECLARE 'OPEN SEASON' ON IMMIGRANTS: HISPANICS TARGET OF INCITEMENT AND VIOLENCE

OVERVIEW

As the public debate over immigration reform has taken center-stage in American politics and public life, white supremacists, neo-Nazis and other racists have declared "open season" on immigrants and attempted to co-opt and exploit the controversy by focusing their efforts—and their anger—on the minority group at the center of the controversy: Hispanics.

As a result, to a level unprecedented in recent years, America's Latino immigrant population has become the primary focus of hateful and racist rhetoric and extreme violence—aided, abetted and encouraged by America's white supremacist and racist haters.

Spurred in recent weeks by the debate on Capitol Hill and the groundswell of grassroots activism in support of America's immigrant community, extremists have become increasingly emboldened by, and fixated on, the controversy over immigration policy, encouraging their supporters to capitalize on the issue by encouraging antiimmigrant activism, and even violence against all Hispanics.

While white supremacists have for many years attempted to exploit rising anti-immigration sentiments in the U.S., the level and intensity of their attacks against Hispanics has reached dangerous new highs, with right-wing extremists joining anti-immigration groups, distributing anti-immigrant propaganda and holding frequent antiimmigration rallies and protests.

As a result, Hispanics, regardless of their citizenship or immigration status, increasingly are becoming the targets of hatred and violence from hardcore white supremacists.

Racists ranging from neo-Nazis to Klansmen to racist skinheads are among the most active anti-immigration activists in the country. Motivating their actions is the core conviction of modern white supremacist ideology: That the white race itself is threatened with extinction by a "rising tide of color" controlled and manipulated by Jews.

This following report examines the recent record of extreme rhetoric and violence from white supremacist groups and their followers that has played out against the backdrop of the immigration debate in America.

WHITE SUPREMACIST ANTI-IMMIGRATION PROTESTS

White supremacists have taken to the streets in a deliberate attempt to attract publicity and to exploit and co-opt the national discussion on immigration for their own hateful purposes. Viewing immigration as a "wedge" issue through which they believe they can foist their racist and anti-Semitic views on the American public, and attract recruits and attention for themselves, white supremacists have organized a number of rallies and protests with anti-immigration and anti-Hispanic themes.

Many of the extremist events have taken place in southern states. There, white supremacists hope to exploit anti-immigration sentiment that has risen as a result of a significant influx of Hispanic immigrants, primarily agricultural workers, into areas of the South that had never before had a substantial Hispanic population.

Demonstrations, rallies and other events taking place in spring 2006 included:

In Seattle, Washington, and Las Vegas, Nevada, members of the neo-Nazi National Vanguard held anti-immigration protests on May 20. On its Web site, the National Vanguard declared that day to be a "day of protest against George W. Bush's plan to destroy America," calling the president's immigration proposals a "sellout of the nation." In Seattle, neo-Nazis appeared along Interstate 1–5, displaying signs for motorists stuck in traffic to read. In Las Vegas, white supremacists held a small rally in front of the federal courthouse.

In Keene, New Hampshire, New England members of the Arkansas-based neo-Nazi group White Revolution held a self-described "anti-invasion" demonstration on May 7 to protest "the invasion of America by illegal non white hordes." Members of other white supremacist groups, ranging from the National Socialist Movement to the American Front, also showed up.

In Russellville, Alabama, members of the Alabama chapter of the Indiana-based National Knights of the Ku Klux Klan held an anti-immigration rally on May 6, yelling "Let's get rid of the Mexicans!" National Knights leader Ray Larsen was on hand, telling the crowd that gathered that immigrants "want you out of here because they want this as their land." After the rally, the Klansmen burned a cross in a field outside of town.

In Montgomery, Alabama, the neo-Confederate group League of the South and the Coalition against Illegal Immigration together organized an anti-immigration "Cinco de Mayo" demonstration on May 5. Promoting the event in his racist and anti-Semitic newspaper First Freedom, Olaf Childress wrote that he planned to be there, "maybe even with a baseball bat. Already got a placard in mind: MEX GET THE HELL OUT OF MY COUNTRY." Childress did show up with such a placard and a baseball bat, telling a local reporter that "Jewish supremacists" had a plan to abolish the borders of the U.S. Other signs at the demonstration displayed slogans such as "multi-culturalism is liberal insanity." In Greenville, South Carolina, the racist Council of Conservative Citizens held an anti-immigration demonstration on April 29 in front of the offices of Republican Congressman Lindsey Graham, where they burned Mexican flags and displayed signs such as "More INS, Less IRS," "Vote for Pedro to Go Home," and "I Didn't Fight in Iraq for Illegal Aliens."

White supremacists also showed up to counter events organized by immigration and human rights activists, in particular the May 1 "Day without Immigrants" events organized around the country by immigrant rights activists. In San Angelo, Texas, members of the Empire Knights of the Ku Klux Klan showed up to counter local events. In Dayton, Ohio, half a dozen members of the neo-Nazi National Socialist Movement appeared in Nazi uniforms at a pro-immigration march to protest, in their words, "the illegal wetback scum and Shabbat goy mud lovers." In Madison, Wisconsin, in April, members of the neo-Nazi New Order passed out literature at an immigrant rights event at the capitol.

Even where white supremacists have not shown up in person, they have plastered communities around the country with crude anti-Hispanic and anti-immigration fliers. In Bakersfield, California, for example, one community was littered with National Vanguard fliers that read "Civilization: One Job Mexicans Won't Do." Residents of Pasadena, Texas, discovered racist fliers that urged people to burn down the homes of people thought to be illegal immigrants.

BORDER VIGILANTE GROUP EVENTS

Anti-immigration border vigilante groups have also organized anti-immigrant events around the country this spring. The largest border vigilante group, the Minuteman Project, held a reprise in April of their 2005 vigilante border patrols along the Arizona-Mexico border, and followed up with a caravan that staged anti-immigration events across the country. One Minuteman event in Birmingham, Alabama, was organized by Mike Vanderboegh, a former militia leader. At the rally, an attendee distributed copies of Olaf Childress's racist and anti-Semitic newspaper, First Freedom. Other anti-immigration groups held rallies from Arizona to Minnesota.

Anti-immigration groups have also turned to publicity stunts. The Minutemen, for example, declared on May 9 that they would start building their own "border security fence" on private property along the border with Mexico, unless the federal government itself deployed the military or erected such fencing. The Minutemen claimed that they had received nearly $200,000 in donations to build such a fence. Other border vigilante groups have already begun or announced similar projects.

THE RHETORIC: DECLARING "OPEN SEASON" ON IMMIGRANTS

White supremacists have not simply expressed racist convictions, but have urged each other and white Americans generally, to "fight back" against the perceived invasion of the "white" United States by Hispanics from Mexico.

The rhetoric in such pronouncements has grown increasingly radical. "Beaner Brown Supremacist Militias of Latino Communist immigrants firmly intend to conquer [the southwest]," suggested a topic heading on the white supremacist Legion of Saints message board recently. "Will White Americans sit back, watch it happen & let them do it? Or will White Americans 'remember the Alamo!?' "

Such voices are unfortunately hardly isolated. Here are just a few recent examples:

Alabaman Larry Darby, a Holocaust denier and candidate for Alabama attorney general, recently stated in a May 3 interview on Alabama Public Television that he wanted National Guard troops on the border with orders to "shoot to kill, absolutely . . . we are at war, we are being invaded by a foreign country, we are at war."

James Wickstrom and Frances Farrell, the virulently racist and anti-Semitic hosts of the "Yahweh's Truth" radio program, blamed Jews for the immigration "invasion" on his May 3 broadcast. Wickstrom claimed that pro-immigrant marches were being organized and financed by "communist Jews" and the "communist Catholic church," and that Jewish organizations are "criminal accomplices of these illegal aliens." Farrell suggested that "one attack on one of their marches with automatic weapons or even just rifles will put a stop to them and the time's coming when this is going to happen."

One member of an Aryan Nations faction, "Pastor" Jay Faber of Pennsylvania, claimed on April 10 on the Aryan Nations Internet forum that "I already know they will not throw one of these stumpy little brown beasts out of here, so for the amount of guats in my area, I have at least 10 rounds of ammunition for each of them."

Aryan Nations faction leader August Kreis in October 2005 claimed on his Web site that "this infestation of cockroaches need deportation or extermination!" If legal means of "stopping this rising tide" were not enough, "then these brown squat monsters should begin to turn up dead all across Amerika . . . We now have another game animal to add to our list of available targets for our favorite pastime, hunting, and we'll declare permanent open season on these dirty wetbacks! From what I have heard through the grapevine the Skinheads and Klans across the country are more than prepared for this type of action. I say let's play by state and see which state can claim the most kills and let the jewsmedia whores keep score!"

Oregon National Socialist Movement leader Jim Ramm wrote in June 2005 that "the browner invasion is much like a cancerous tumor that should of [sic] been removed. But instead, it was allowed to grow and infect other organs . . . as this brown disease rages out of control the white patient faces racial death."

Kevin Strom, leader of the neo-Nazi National Vanguard, gave a shortwave radio broadcast in June 2005 in which he claimed that "These Mestizo invaders are so different from us that by mixing with them or being dispossessed by them we will cease to live, we will cease to be ourselves or have a place to exist to support the lives of our future generations. And that is the crucial reason why this invasion must be stopped."

"AliisioRex," a member of the neo-Nazi web forum Stormfront, wrote in July 2005 that "they are barbarians, they are our enemies, they want to destroy our civilization and we have to fight them. We need to organize better and be more open activists; otherwise, I only see race war in the future." Another Stormfronter, "Strasser," wrote in November 2005 that "White minorityhood on a national level is a very real possibility. How can White folk tolerate this? Do they care that most minority populations become a cultural hostage? What is the interest in having their children a minority on a mestizo dominated campus? Mestizo immigration is going to force White America to make some very important decisions."

Such statements appear routinely on white supremacist Web sites and in white supremacist literature.

Perhaps the white supremacist most active in explicitly advocating extreme violence against Hispanics is New Jersey racist radio talk show host Hal Turner. He reserves his most extreme statements to urge violence against illegal immigrants from Mexico:

May 3, 2006: Following the May 1 demonstrations, Turner posted to his Web site a 145-page "ethnic cleansing manual" that he said explained "in graphic detail why white people need to prepare to ethnically cleanse this nation and how to do it using force and violence."

October 31, 2005: "Slowly but surely we are headed toward the solution that I have been advocating for years: kill illegal aliens as they cross into the U.S. When the stench of rotting corpses gets bad enough, the rest will stay away."

October 11, 2005: "For years I have been publicly advocating on my radio show and this web site, that Mexican illegal aliens be shot dead as they cross into the U.S. illegally . . . I plant the seeds verbally and the seeds grow in the minds of others . . . I am proud to advocate even more killings!"

July 15, 2005: "I once again advocate extreme violence against Mexicans . . . Once they're dead, their heads should be cut off and put on pike poles as a warning to others."

May 17, 2005, responding to news that a restaurant owned by the mayor of Denver had employed an illegal alien who allegedly murdered a police officer: ". . . his policy of affording sanctuary to other illegal aliens makes Mayor John Hickenlooper worthy of being killed. I sincerely hope that someone takes a rifle with a scope and puts a bullet through [his] head."

May 15, 2005: "I advocate extreme violence against illegal aliens . . . I think it would be terrific to trap them by their ankles in steel bear traps then beat them to death when you return and find them in the trap . . . Oh, if any American sides with the illegals—like a big mouth politician or a politically correct, ass-kissing local sheriff, lawyers, judges, or the like—it would be a real public service to kill them too!"

ANTI-IMMIGRATION GROUPS

The violent rhetoric has not come only from explicitly white supremacist groups, but also from members and leaders of anti-immigration groups. Anti-immigration activist Fred Puckett, the leader of "Minuteman of One," was caught on camera in late April telling an undercover reporter for a local Phoenix television station that "once you shoot a couple of these sons of bitches, they'll think twice."

Perhaps most strikingly, Arizona anti-immigration activist Laine Lawless, who has been associated with several border vigilante groups and eventually started the group Border Guardians in 2005, sent an e-mail in April to a prominent Ohio member of the neo-Nazi National Socialist Movement, Mark Martin, asking him to pass its contents on to his white supremacist contacts. Martin did so, forwarding the message to several white supremacist forums on Yahoo and Usenet in early April, but unfortunately for Lawless, Martin ignored the part of her message which read, "Please don't use my name," and instead forwarded the message in full.

Lawless's e-mail, titled, "how to get rid of them," urged a variety of intimidating, harassing, and even illegal and violent tactics to intimidate immigrants into leaving the U.S., including cutting down the broadcast tower for a Spanish language radio station near Phoenix and stealing money from illegal aliens. "I hear the red necks in the South are beating up illegals as the textile mills have closed," she wrote. "Use your imagination."

Lawless's suggestions were consistent with previous statements she had made, including a late March posting to an anti-immigration Internet forum in which she wrote that "my Southern friend tells me the rednecks in the South just beat [illegal aliens] up. Unfortunately, there are too many of them to use that tactic there any more."

Earlier, in February, Lawless posted to a Texas Minuteman message forum that "We need borders to . . . preserve our culture, instead of accepting any kind of flotsam and jetsam that seeks to float into our territory."

Mark Martin himself seemed willing to personally engage in intimidating tactics. In early May, he admitted in a Google Internet forum that he and another member of the National Socialist Movement had passed out racist fliers in Covington, Ohio, at houses "surrounding a suspected illegal Mexican jobsite." The two neo-Nazis also approached workers at the jobsite and demanded to see identification from them. When workers refused, Martin allegedly told one of them that he "was an illegal, wetback who was stealing American jobs and . . . spreading disease." Workers called the police, who told the neo-Nazis to leave or be charged with harassment.

THE VIOLENCE: GROWING NUMBER OF ASSAULTS

Not surprisingly, white supremacists have not limited their actions to hateful or even violent rhetoric. The past several years have seen a growing number of violent assaults and attacks by white supremacists against legal and illegal Hispanic immigrants, as well as Hispanic American citizens. The crimes have ranged from vicious vandalism to brutal assaults and murders. In most cases, the perpetrators did not even know the victims, but targeted them solely because of their appearance.

Only a minority of hate crimes are committed by ideological extremists, but such extremists have committed some of the worst hate crimes in America. The increased willingness of such white supremacists, especially racist skinheads, to attack Hispanics represents a dangerous and disturbing trend.

Here are some of the hate crimes committed by white supremacists against Hispanics in the U.S. in the past three years.

April 29, 2006, New York. A teenager was arrested in East Hampton, Long Island, after he allegedly threatened a Hispanic teenager with a machete and chased a second teenager with a chain saw while shouting racial epithets. Described by classmates as a skinhead, the alleged perpetrator had previously posted to the Internet photographs of himself posing as a Nazi and adorning a shed with swastikas. He and two others, whom police have allegedly linked to the incident, were suspended from school.

April 22, 2006, Texas. David Henry Tuck, 18, and Keith Robert Turner, 17, were arrested and charged with aggravated sexual assault in the brutal attack of a teenage Hispanic high school student in Houston. The victim was beaten and sodomized with a plastic pipe from a patio umbrella, then kicked in the head with steel-toed boots. He was left with head wounds and major internal injuries. The victim had bleach poured on him and was burned with cigarettes. Witnesses allegedly stopped the attackers from carving something onto the victim's chest. Tuck is a self-described skinhead who sports Nazi tattoos. In 2003, at age 14, Tuck and two adult white supremacists were implicated in the racially motivated beating of a Hispanic man, according to court records and witnesses. The two adults received federal and state sentences for their role; juvenile records are not public in Texas.

January 2006, California. Ryan Nicholas Newsome, a member of the Another Order white supremacist gang, pleaded no contest on January 20, 2006, to assault charges in Yuba County. He pleaded no contest to assault with force likely to cause great bodily injury with a criminal street gang enhancement as a result of an August 2005 incident, in which he and an associate allegedly assaulted a Hispanic man.

December 2005, Tennessee. A Blount County judge on December 1, 2005, sentenced Jacob Allen Reynolds and Thomas Matthew Lovett to four years in prison and six months in prison (and two and a half on probation) respectively after they pleaded guilty to vandalizing a Mexican food store in Maryville on May 7, 2005, causing over $17,000 in damages. The men allegedly broke windows and a refrigerator, vandalized a car, and spraypainted Nazi symbols on the store. Three others charged still await trial.

November 2005, Texas. Christopher Chubasco Wilkins, a prison escapee, was recaptured on November 5 and charged with murdering three men in the Fort Worth area during his month-long escape. Wilkins, who is according to police a self-proclaimed white separatist heavily tattooed with a variety of white supremacist tattoos, including a portrait of Adolf Hitler, is alleged to have killed two Hispanic men and one African-American man by gunshots to the head. Police are examining a possible racial motive. Wilkins had been living at a halfway house in Houston, after being released from federal prison, and left the house without permission.

November 2005, Tennessee. A federal judge sentenced former Klansman Daniel James Schertz to 14 years in prison for selling pipe bombs to a person he thought would use them to kill Mexican and Haitian immigrants. The person turned out to be an undercover informant. Schertz, a former corrections officer and member of the North Georgia White Knights of the Ku Klux Klan, pleaded guilty to making five pipe bombs to be used to blow up a bus carrying Mexican workers. Later, Schertz expressed gratitude that the government had stopped him, but said, "We should have people here who know how to speak English. They are over here illegally and nothing gets done to them."

October 2005, California. A Sacramento man and two other suspects who allegedly attacked and injured six people in a hate-crime spree at two local parties were arrested in the early morning of October 16, 2005. Ryan Marino, 22, posted bail from El Dorado County Jail later Sunday after being charged on four counts of assault with a deadly weapon with an extenuating circumstance of a hate crime. He allegedly used brass knuckles after shouting epithets against Hispanics and proclaiming "white pride" at a home Sunday evening. Party attendees later identified Marino, who police said crashed the parties with the intent of "beating up Mexicans."

September 2005, Utah. A federal judge on September 27, 2005, sentenced Lance Vanderstappen to 20 years in prison for trying to kill a Hispanic man while in a holding cell in July 2005 awaiting sentencing for a racketeering charge. The victim had stab wounds to his neck, throat and chest. In court, Vanderstappen, a member of the notorious Soldiers of Aryan Culture white supremacist prison gang, admitted that he targeted the victim because he was Hispanic, saying "I intentionally tried to kill him." Vanderstappen pleaded guilty to attempted murder.

September 2005, New Jersey. Joseph Schmidt of Little Egg Harbor received a sentence of three years' probation in September 2005 after pleading guilty in June to two counts of bias intimidation, two counts of aggravated assault, two counts of criminal mischief, two counts of possessing weapons for an unlawful purpose, and simple assault. The charges were related to a string of attacks on minorities, primarily Hispanics, in Ocean County in 2003. Schmidt, a member of the white supremacist skinhead group East Coast Hate Crew, received a light sentence because he had cooperated with authorities in prosecuting other members of the group. Three others involved in the incident pleaded guilty and one was acquitted. Others have yet to go to trial.

July 2005, California. Four people, three men and one woman, were arrested in Riverside, California, on July 11-12, 2005, charged with making terrorist threats with a hate crime enhancement. Some of the people arrested had "white pride" tattoos, according to authorities, who also seized a variety of white supremacist items. According to police, the suspects drove to a home and challenged several Hispanics there to a fight, threatening them and using racial slurs. A similar episode occurred the next night. According to police, the people arrested claimed no particular group affiliation but said they were proud to be "members of the Aryan race."

May 2005, Arizona. White supremacist Steve Boggs was sentenced to death on May 13, 2005, for murdering three fast-food workers in Mesa, Arizona, in 2002 during a robbery. He had been convicted of three counts of first-degree murder and various robbery, burglary and kidnapping charges. Boggs shot the victims, a Native American and two Hispanics, then stuffed their bodies into a freezer at the store. Boggs wrote to a Mesa police detective that he had wanted to "rid the world of a few needless illegals. I don't feel sorry." Another defendant still awaits trial. According to prosecutors, the two men were members of a small hate group they called the Imperial Royal Guard.

May 2005, Texas. Two racist skinheads pleaded guilty on May 5, 2005, to a racially motivated beating of a Hispanic man in January 2003. Douglas Brannan of Hockley and Mark Fletcher Smith of Spring, both sporting many white supremacist tattoos, were convicted of civil rights violations. The two men, and a teenager, had attacked a Hispanic customer at a gas station, beating him and kicking him with steel-toed boots until he was unconscious while shouting "border jumper," "spic," and "we kill people like you." Brannan received a five year sentence and Smith a three year sentence.

December 2004, California. Ten racist skinheads from Redlands and Riverside attacked three Hispanics in the parking lot of a topless bar on December 29, 2004. According to police, they assaulted the men while yelling racial slurs at them and identifying themselves as members of skinhead groups. No arrests have yet been made.

November 2004, Wisconsin. Mark Lentz of Sheldon, Wisconsin, received a three-month sentence and two years of probation, as well as 40 hours of community service, after pleading no contest to a misdemeanor hate crime. Lentz was the last of four racist skinheads to be sentenced for luring a Hispanic man outside a bar in Waukesha, then hitting him on the head with a bottle and repeatedly kicking him. Mark Davis II of Watertown earlier received a 3½ year sentence and two years of extended supervision, Kasey Bieri received an 18-month jail term and three years of probation, and Jeffrey Gerloski received four months in jail and two years probation.

June 2004, Texas. Ranch Rescue member Casey Nethercott was convicted by a Texas jury of felony firearm possession in connection with an attack on two illegal immigrants from El Salvador outside of Hebbronville, Texas, in 2003. He was sentenced to five years in prison. The two immigrants (now in the U.S. legally) successfully sued Nethercott and others involved in the incident for a total judgment of $1,450,000.

November 2003, Idaho. Aryan Nations member Zachary Beck was arrested for felony malicious harassment as a hate crime for attacking a Hispanic male in the parking lot of a supermarket after asking if the victim was Mexican. While awaiting trial on that charge, he was later re-arrested after allegedly shooting at a police officer in Longview, Washington, during a standoff. He still awaits trial on the alleged crimes.

June 2003, California. Two racist skinheads, Waylon Kennell and James Grlicky, were convicted in separate trials for the brutal beating of a Mexican migrant worker in San Diego in the fall of 2003. Grlicky was convicted of attempted murder, conspiracy, robbery, assault and battery, with a hate crime enhancement. Kennell was convicted of assault causing great bodily injury and battery with serious bodily injury. According to the prosecutor in the case, the two went hunting for a "beaner" to beat and rob. They kicked the victim in the head around a dozen times, including "curbstomping" him—kicking down on the back of the head when the victim's open mouth is placed against a concrete curb (emulating a scene in the movie "American History X"). The victim suffered brain damage as a result of the attack.

May 2003, New Hampshire. Aryan Nations member Russell Seace, Jr., of Hampton Beach, pleaded guilty on May 27 to being a felon in possession of a firearm as part of a plea bargain with the federal government. In exchange for money, Seace had agreed to kill a Hispanic inmate after he was released, in retaliation for an alleged attack by the Hispanic man on a white prison inmate.

February 2003, Oregon. A Mexican landscaper in Beaverton was beaten with a baseball bat, robbed, and told to "go back home," by a man with a shaved head and a coat with "KKK" on it. Baseball bats are one of the weapons preferred by racist skinheads. Authorities posted a reward but were unable to make an arrest in the crime.

ANTI-IMMIGRATION ACTIVISTS AND WHITE SUPREMACISTS

It is not surprising that the most radical anti-Hispanic sentiment is coming from white supremacists; however, there are other groups joining the anti-Hispanic crusade. With mounting public awareness and concern over illegal immigration in America, the issue is also being exploited by extreme anti-immigration activists, some of whom are reaching out to white supremacists. The rhetoric of these activists is largely aimed at Mexicans, not other illegal aliens, and frequently does not distinguish between Mexicans and Mexican-Americans.

This extreme end of the anti-immigration movement includes both anti-Hispanic hate groups masquerading as immigration reform groups as well as vigilante border patrol groups, who conduct armed patrols along the borders of the United States. Several border vigilantes have been arrested on weapons charges. Casey Nethercott, for example, associated with border vigilante groups such as Ranch Rescue and the Arizona Guard, is currently serving a five-year prison term on weapons charges stemming from a 2003 incident in which he and others confronted and assaulted two Salvadorans when on "patrol."

The vigilante border patrol groups have operated for several years but have expanded greatly in the past twelve months, spurred on by the media attention given to the so-called "Minuteman Project." In April 2005, Chris Simcox, who founded the Arizona-based Civil Homeland Defense, a border vigilante group, and Jim Gilchrist, based in California, joined forces to create the Minuteman Project, whose purpose was to gather thousands of volunteers for a month-long watch for illegal border crossers in Arizona. The project, which was highly publicized among right-wing extremists and white supremacists, attracted far fewer volunteers, many of them armed, during its first week. However, the publicity generated by the event resulted in numerous Minuteman chapters and spinoffs forming across America, even in states such as New York, Virginia, Vermont, and Illinois. These groups use the same radical rhetoric: that the United States is being "invaded" by Mexicans who must be stopped.

That message was clear at a three-day summit, "Unite to Fight Against Illegal Immigration," held in Las Vegas, Nevada, in May 2005. More than 400 anti-immigration activists gathered at the event to hear speakers describe illegal immigrants as "the enemy within" and "illegal barbarians," while suggesting that America was "at war" with illegal immigrants and urging people to "take America back."

Many of these anti-immigrant extremists have switched their focus from the border to day laborer centers, where they photograph Hispanics whom they assume are illegal aliens. This racial profiling has also occurred at fast food restaurants and other businesses where Hispanics are employed across the United States. White supremacist and anti-government groups continue to express interest and take part in these activities, and their rhetoric has become more and more confrontational.

INTERNET VIDEO GAMES TARGET HISPANICS

Extremists have shown a renewed interest in populating the Internet with links to video games that target Hispanics, portraying them not as productive contributors to society, but as objects of scorn, derision and hate. Shoot-to-kill video games such as "Border Patrol," a game created in Flash that is easily accessible on the Internet through extremist Web sites, have become increasingly popular among those opposed to immigration and are widely shared among extremists in the United States. This has especially been the case as the national discussion over immigration has gathered force.

In "Border Patrol"—one of the more popular Flash games available on the Internet through various extremist Web sites—the object is to "kill" caricatures of Mexicans as they attempt to cross the border and gain entry to the U.S.

Players control a gun and are charged with killing stereotypical Mexicans. Targets include a "Mexican nationalist," who carries a Mexican flag and a pistol; a "Drug smuggler," wearing a sombrero and carrying a bag of marijuana on his back; and finally a "Breeder"—a pregnant woman who has two small children in tow. Aside from the virulently anti-Hispanic themes within the game, it also hints at anti-Semitic myths such as "Jewish control" of the U.S. through an image where the border is represented by a bullet-ridden sign showing an American flag whose 50 stars have been replaced by a single Jewish Star of David.

Under this sign, another small sign directs the Mexicans to a "Welfare Office." The player "wins" when he or she has made 88 kills. The number 88 has significance to neo-Nazis, who use it as shorthand for "Heil Hitler" ("H" is the eighth letter of the alphabet).

"Border Patrol" was first created in 2002 by the now-defunct website "Zine 14," and was soon being copied and distributed by extremists and others. In March 2003, the neo-Nazi Aryan Nations group and Christian Identity preacher James Wickstrom both linked to copies of this game from the front pages of their Web sites. In recent months, the game has enjoyed a resurgence in popularity, largely due to neo-Nazis trying to capitalize on the national immigration debate. Neo-Nazi leader Tom Metzger posted the game on his Web site, and other extremists have linked to it and promoted it on fringe online discussion groups.

Games, music and cartoons are some of the methods extremist groups rely on as part of their efforts to reach a younger audience and to expose them to their hateful ideas and beliefs. Cartoon-like Flash games are seen as ideal for this task, because they are small and easy to create and share over the Internet, or enclose in an email message. In recent years, extremist groups such as the neo-Nazi National Alliance have also created more sophisticated video games, such as "Ethnic Cleansing," a game available on CD-ROM that also engages in the stereotyping and demonizing of Hispanics. Their aim is to attact unsuspecting users to extremist Web sites, where they can be exposed to the message and goals of the hate groups.

Such games are tools that extremists increasingly use to desensitize people against acts of violence, to portray hate crimes as something to be celebrated, to dehumanize America's Hispanic population and to draw attention to their cause using the new technologies available to them on the Internet.

IT IS TIME TO BRING OUR TROOPS HOME

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from New York (Mr. MCNULTY) is recognized during morning hour debates for 5 minutes.

Mr. MCNULTY. Mr. Speaker, when we debated the original Iraq war resolution, the administration told us that Iraq was stockpiling weapons of mass destruction, that there were ties between Saddam Hussein and 9/11, and that Iraq was within a year of having a nuclear capability.

Fast-forward to the deliberations of the 9/11 Commission. They concluded that there were no weapons of mass destruction, no ties between Saddam Hussein and 9/11, and no nuclear capability. Mr. Speaker, these votes weren't 8–4 or 7–5, they were all 12–0 that the very basis for the war did not exist.

When I go back home, Mr. Speaker, and my constituents ask me to summarize where we are in the war on terror, I tell them this: As we approach the fifth anniversary of the worst terrorist attack in the history of our country, we have committed hundreds of billions of dollars in Iraq. More important than that, over 20,000 young Americans have either been killed or seriously wounded going after Saddam Hussein, who did not attack us, while Osama bin Laden, who did attack us, is still alive, free, planning another attack on our country. That, Mr. Speaker, is the very definition of failure in the war on terror. We went after the wrong guy.

But after the invasion, did we have a responsibility to help the Iraqi people build a new government and a new way of life? The answer to that question is yes. And we have fulfilled that obligation. We have helped them through not one, not two, but three elections. It is now time for the Iraqi people to stand up and defend themselves.

There is a general rule of military engagement that says that you do not signal to your enemy what you are going to do in advance. But there are exceptions to every rule, and there are two exceptions to this rule. Number one is that the insurgents in Iraq are using as a recruitment tool the argument that we have no intention of leaving their country and that we are going to steal their oil. And it is working! It is fueling the insurgency.

As for our friends in Iraq, those who want this new government and new way of life, they seem perfectly content to let our soldiers take all of the enemy fire. The problem with security in Iraq is not the system of training, it is the fact that the Iraqis are not stepping forward to defend their own government.

So today, Mr. Speaker, my basic disagreement with the President is this: He says that we should stay in Iraq until the Iraqis declare that they are ready to defend their own country; and I propose that we announce a timetable for withdrawal, start withdrawing our troops, and make our position very clear to the Iraqis: If they want this new government and this new way of life, they have to come forward, volunteer, stand up, and defend it. Mr. Speaker, it is time to bring our troops home.

HATE CRIMES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Texas (Mr. GONZALEZ) is recognized during morning hour debates for 2½ minutes.

Mr. GONZALEZ. Mr. Speaker, I rise today to address the House on an important issue that has already been addressed by my colleague Mr. BACA, and that is the power of words. And that is all we really have here in this chamber, and that is to address one another in a respectful manner and engage in a good faith debate about the merits or demerits of any particular issue.

Unfortunately, words can be harmful and they can incite and be counterproductive, and to be a disservice not just to this institution but to the American people who are waiting for a good faith debate on the important issue of immigration.

However, this debate has been framed in a certain manner, to appeal probably to that rather unattractive underbelly that is out there in society, and that is bigotry and racism. And that is a true danger. And when I say it is a disservice to this country, it is beyond a disservice. It is going back in time.

A recent article that appeared this Sunday regarding this debate pointed out as follows, and this is so important that it cannot be adequately emphasized:

Most Americans who are in favor of stricter border enforcement are not bigots. Far from it. But some politicians and other public figures see an opportunity to foment hate and hysteria for their own profit. They are embracing a nativism and xenophobia that recall the 1920s when a State Department warning about an influx about filthy and unassimilable Jews from Eastern Europe led to the first immigration quotas, or the 1950s heyday of Operation Wetback when illegal Mexican workers were hunted down and deported.

We are a better Nation than we were in the 1920s, we are a better Nation than we were in the 1950s, but only if we respect what this institution is all about, and that is a good faith based debate on the facts and the figures, and not to appeal to an emotional part of the human spirit that is not to be admired or promoted.

At this time I yield to my colleague, Mrs. NAPOLITANO, from the great State of California.

Mrs. NAPOLITANO. Mr. Speaker, I thank my esteemed colleague, JOE BACA, for taking the lead on this very important issue, and to the gentleman from Texas, CHARLIE GONZALEZ, for yielding to me.

I also find it very disturbing that extremists are using the immigration debate to stir up racial division and hatred. Whether it is in the form of violent anti-immigrant video games, in hate speeches, in racial slurs, in graffiti, in our schools, or in political debate, it is wrong.

I am here to ask you to ask our countrymen to say enough is enough. It is not a moral nor a decent way to treat or speak about our fellow human beings. Along with many of my colleagues, I implore individuals, families, and communities all over the country to stand up against this hatred.

THE BERLIN WALL AND THE WAR ON TERROR

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I would like to call the attention of the House to an anniversary that should not pass without reflection. My colleagues, 19 years ago, President Reagan stood in a divided Berlin at the Brandenburg Gate and challenged Mikhail Gorbachev to "tear down this wall." Today, as our brave men and women in the Armed Forces fight the global war on terror, we should remember the determination of President Reagan as he spoke those words in a divided city and the inspiration he brought to the people of Berlin and to the world.

Asked how he felt about the wall, President Reagan called it, quote, an ugly scar on the face of Berlin, a city of culture and history which was celebrating its 750th anniversary when Reagan visited it.

Today we recognize that the ideology of terror is an ugly scar on the face of Islam, and in our struggle against it we should bear in mind the lessons of the Cold War, a struggle that bears a deep resemblance and relevance to the global war on terror we wage today. Like the Cold War and the global war on terror, we face an ideology rather than a hostile state. Like communism, the creed of terror is expansionist, uncompromising, and poses a threat to freedom loving people everywhere.

In waging war against such an ideology, victory cannot be found on a single battlefield. The Cold War stretched from Asia to Africa to the very heart of Europe, just as our struggle today reaches from the Philippines to the mountains of Afghanistan to, as we recently saw, our neighbor Canada. Terrorism will strike wherever freedom reigns, from London to Madrid, to a quiet field in Pennsylvania.

The Cold War proved to be a generational conflict, spanning decades, and the global war on terror may prove an equally daunting task. But as in the Cold War, the fanaticism of our foes leaves no room for negotiation or compromise. The global war on terror is a fight we must win. The stakes are far too high to fail.

At the time of his speech in Berlin, the Soviet news agency called President Reagan's words openly provocative and warmongering, while some sources in the American news media were no kinder. When President Reagan called the Soviet Union an evil empire, many criticized him for his black and white point of view.

These criticisms sound familiar today, but the verdict of history is in. Within a decade of President Reagan's provocative speech, the Cold War ended with freedom's triumph.

Today, each news report of a bombing in which Iraqi women and children are slaughtered is a glimpse of a new evil empire of terror, reminding us that evil is alive in the world and must be opposed, the words of Edmund Burke ring true: "The only thing necessary for evil to triumph is for good men to do nothing."

I am proud to say that, as a Nation, we are meeting that challenge, not leaving evil unopposed. Last week we won a major victory with the death of the terrorist mastermind Abu Musab al-Zarqawi. Our Armed Forces and intelligence services deserve congratulations for their fine work, along with the first responders, border agents, and other heroes at home who stand ever vigilant hoping their services will never be called into need.

My colleagues, in a generational struggle like the one we face, we should remember that we are the strongest when we stand together. Fortunately, we do not stand alone. We stand with allies from across the world, including many who have come face to face with terror. As President Reagan addressed his remarks in Brandenburg to the people of Eastern Europe, let us remember that those living under oppression or fear of terrorism will be heartened by the determination we show in this fight.

During his visit to Berlin 19 years ago, President Reagan was struck by the words of a young Berliner who had spray painted on the wall that divided the city: "This wall will fall. Beliefs become reality."

America has always been a beacon of hope, a living example of the transformative power of freedom. As the people of Berlin took up sledgehammers against the infamous wall and broke Communist's grip on the city, Americans know that as freedom and democracies take root in the new Iraq, when we see ink-stained fingers raised in defiance of threats, the people of the Middle East and the world will demolish terror with their ballots, and freedom will again triumph.

HATE CRIMES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentlewoman from Texas (Ms. JACKSON-LEE of Texas) is recognized during morning hour debates for 5 minutes.

Ms. JACKSON-LEE of Texas. I thank Congressman BACA for bringing us together to acknowledge that hateful speech generates hateful acts. And I hope that we will have an opportunity as we discuss the immigration pathway for so many who are claiming America's dream that we will bring the tone down. Let me applaud the community of Houston where I come from where we are establishing weekly meetings called Houston's Unity Effort on Immigration.

Let me tell how immigration and hateful talk can generate ugly acts. The sodomizing of a teenager by Anglo youth, white youth, a Hispanic youth when the piquing comments about immigration were rising to the worst that we could hear. That young man now lays in a hospital bed recuperating, and I have asked for an Attorney General investigation as to the violation of his civil rights. Or, as been said, a video game that gives the highest points to a dead Mexican pregnant woman coming over the border. That is a lack of understanding and sensitivity. And just recently in Round Rock, Texas where a bailiff called a young teenager who simply wanted to express their constitutional rights in walking out of a high school to claim some sort of dignity on immigration called them a wetback, and that same community charging them with misdemeanors for simply expressing their freedom of speech.

I know this Nation can do better and I know that we can do better. That is why I join with Congressman BACA to say that hateful speech generates hateful acts. This is the beginning of a hate crime if we begin to talk in a hateful way. Immigration can be done comprehensively, border security, and comprehensive immigration reform. Let us tone it down. Let us be reasonable and respectful.

I would like to yield the rest of my time to Mr. GREEN from Texas.

Mr. GENE GREEN of Texas. I would like to thank my Houston neighbor for yielding me the balance of her time.

Racial intolerance has divided this country since the Pilgrims landed at Plymouth Rock. The history of immigrants coming to this country teaches us that when one particular ethnic group comes to this country in large numbers, that group becomes the target of false suspicions and contempt. This has been true in our Nation's history, whether it be the Irish, the Germans, the Italians, or Chinese immigrants.

In 1921, Congress passed the first immigration restrictions because we were worried immigrants were coming in and taking our jobs. Now today we face a similar climate. We navigate through our latest effort to address immigration in this country with Hispanics, mostly from Mexico. Just last month, in my home county, we had a young Mexican American teenager who was nearly beaten to death and sexually assaulted by two white teenagers who were known to be racist.

Unfortunately, our country has seen a rise in crimes targeting particular races, ethnicities, and genders over the past few years. To combat this growing trend, many States and the Federal Government have considered and passed legislation designated as hate crimes legislation. If someone attacks me or my property because I am an Anglo, that is a crime and they should be punished. But if they attack me because I am an Anglo and they destroy my property or attack me, that should have a higher punishment level. And that is true in this country and it should be true in many of our States, and we need to make sure that happens. It is bad enough to have your property or you hurt, but somebody just doing wrong against you but doing it because they don't like your race, your ethnicity, the color of your skin, your religion or your gender is just wrong. Everyone should be protected from hate crimes regardless of where they occur.

Our Federal law only covers hate crimes if it is a federally protected activity. This young man was actually at a private residence, so the U.S. Attorney says they can't file a hate crime in Texas. We are still working on the state law. Hopefully, the district attorney will do it.

All Americans should be outraged by these video games that the Internet depicts shooting caricatures of Mexicans crossing our border. This only incites needless hatred and creates more confusion on an issue that is already complicated. I hope my colleagues in the House will join me in denouncing and stopping any racial overtones surrounding the immigration issue. Our country is made up of immigrants: we all came from somewhere. Some of us were lucky enough, our parents got here sooner than others, but we are representative of every nationality and every ethnicity in the world.

I thank Congressman BACA for putting this together and my colleague from Texas for yielding.

Ms. JACKSON-LEE of Texas. Let me close by simply thanking you and saying that, in addition, we want to make sure that we don't undermine the Voter Rights Act by fighting over the language provision that should be included. That is actually part of the history of the Voting Rights Act, and I am very proud of Barbara Jordan some years ago the Voter Rights Act to include language minorities.

Mr. Speaker, hate crimes, hate acts, we need to recognize that this is what generates out of lack of understanding, and I believe Americans are better than this and understand the value of the comprehensive immigration reform border security without the attacking on young people who are innocent and become innocent victims of our hateful talk. We can do better and America can do better.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 11 a.m. today.

Accordingly (at 9 o'clock and 57 minutes a.m.), the House stood in recess until 11 a.m.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order at 11 a.m.

PRAYER

The Reverend Joseph J. Kleinstuber, Pastor, St. Mary's Catholic Church, Bryantown, Maryland, offered the following prayer:

Almighty Father, we do well to join all creation in heaven and earth in praising You, our mighty God.

You made us in Your own image and set us over all creation. Once You chose a people and gave them dignity, and when You brought them out of bondage to freedom, they carried with them the promise that all men and women would be blessed and that all would be free.

It happened to our forefathers who came to this land as if out of a desert into a place of promise and hope.

It happens to us still and we entrust the United States of America and this deliberative body into Your loving care.

You are the rock on which this Nation was founded. You alone are the true source of our cherished rights to life, liberty and the pursuit of happiness. We ask that You hold us in the palm of Your hand and God bless America. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. STEARNS) come forward and lead the House in the Pledge of Allegiance.

Mr. STEARNS led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND JOSEPH J. KLEINSTUBER

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I am very, very pleased to welcome to our midst Father Joseph Kleinstuber, a constituent of mine and an extraordinarily loved leader in our area. Father Kleinstuber is pastor of St. Mary's Church located in my district in Bryantown.

Father Kleinstuber was born in Washington, D.C. He attended Gonzaga High School, as well as Georgetown and George Washington Universities before going on active duty as an officer in the Air Force. He spent 3 years in the Air Force as chief of the Aviation Physiology Department at Randolph Air Force Base in Texas.

Following his military service, he studied at St. Vincent Seminary and was ordained as a Catholic priest in 1964.

Prior to coming to St. Mary's, Father Kleinstuber served as an assistant pastor of St. Anthony Church in the District and St. Andrew the Apostle

Church in Silver Spring, Maryland. He also worked for 25 years at St. John's College High School here in Washington as chaplain, director of counseling, a member of the science department, and, of interest to our Speaker, wrestling moderator.

Since 2001, Father Kleinstuber has been at St. Mary's serving as the pastor of this more than 200-year-old parish where he is affectionately known by the students at St. Mary's Bryantown Catholic School as Father K.

I want to thank Father Kleinstuber for his dedicated service to the citizens of Bryantown and St. Charles County, and I wish to extend my gratitude and that of my colleagues to him for leading us in this morning's prayer.

Father, we wish you well and thank you for your leadership in so many different areas that have made our country a better place.

COMMENDING THE GOVERNMENT OF CANADA FOR ITS RENEWED COMMITMENT TO THE GLOBAL WAR ON TERROR

The SPEAKER. The unfinished business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 408, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 408, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 409, nays 0, not voting 23, as follows:

[Roll No. 256]

YEAS—409

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—23

Barton (TX)
Berkley
Blunt
Davis, Tom
Deal (GA)
DeLauro
Evans
Gillmor
Hinojosa
Jefferson
Lewis (GA)
Manzullo
McKinney
Miller (MI)
Nussle
Oberstar
Payne
Peterson (MN)
Rush
Sessions
Snyder
Strickland
Weldon (PA)

☐ 1135

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read: "Concurrent resolution commending the Government of Canada for its renewed commitment to the Global War on Terror in Afghanistan.".

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 8, 2006.

Hon. J. DENNIS HASTERT,
The Speaker House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Ms. Susan Lapsley, Assistant Secretary of State for Elections, State of California, indicating that, according to the unofficial returns of the Special Election held June 6, 2006, the Honorable Brian P. Bilbray was elected Representative in Congress for the Fiftieth Congressional District, State of California.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk.

Attachment.

SECRETARY OF STATE,
STATE OF CALIFORNIA,
June 8, 2006.

Hon. KAREN L. HAAS,
Clerk, House of Representatives,
The Capitol, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, June 6. 2006, for Representative in Congress from the Fiftieth Congressional District of California, show that Brian P. Bilbray received 60,319 or 49.33% of the total number of votes cast for that office.

It would appear from these unofficial results that Brian P. Bilbray was elected as Representative in Congress from the Fiftieth Congressional District of California.

However, at this time there are 68,500 ballots still being processed by the jurisdiction.

To the best of our knowledge and belief at this time, there is no anticipated legal challenge to the outcome of this election.

As soon as the official results from the San Diego Registrar of Voters are certified to this office reflecting votes of all 500 precincts involved, an official Certificate of Election will be prepared for transmittal to you as required by law.

Sincerely,

SUSAN LAPSLEY,
Assistant Secretary of State for Elections.

PROVIDING FOR SWEARING IN OF MR. BRIAN P. BILBRAY, OF CALIFORNIA, AS A MEMBER OF THE HOUSE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the gentleman from California, Mr. BRIAN P. BILBRAY, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest, and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SWEARING IN OF THE HONORABLE BRIAN P. BILBRAY, OF CALIFORNIA, AS A MEMBER OF THE HOUSE

The SPEAKER. Will the Representative-elect and the members of the California delegation present themselves in the well.

The Representative-elect will please raise his right hand.

Mr. BILBRAY appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations. You are now a Member of the 109th Congress.

WELCOMING THE HONORABLE BRIAN P. BILBRAY TO THE HOUSE OF REPRESENTATIVES

(Mr. STARK asked and was given permission to address the House for 1 minute.)

Mr. STARK. Mr. Speaker, as dean of the California delegation, it is my distinct honor at this point to yield to the senior member of the Republican California delegation, Mr. DREIER.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding.

Mr. Speaker, since March 4, 1789, when the United States Congress was established, 11,792 individuals have had the opportunity to serve as Members of the United States Congress. During that period of time, a grand total of 29 have left this institution and come back representing a different district. Five of our sitting colleagues now fall among those 29: Mr. INSLEE; Mr. COOPER; Mr. PAUL; our California colleague Mr. LUNGREN; and now the gentleman who is here to work and ready to make sure that we stop the problem of illegal immigration, deal with the global war on terror, and make sure that we succeed in growing our economy, our colleague, Mr. BILBRAY.

Mr. BILBRAY. Mr. Speaker, I would like to, first of all, in the traditional way, thank my family and my friends, who were willing to support me through this quite unusual campaign. I would like to thank the people of the 50th District for giving me their trust and huge responsibility to represent them.

For those who may not know, the 50th District is a classic California coastline district, very environmentally sensitive; and I am grateful today that they believe in recycling Congressmen.

I know there are those in this room that are not happy to see me return, and all I ask of those is give me a chance to work with you again. I think we had a good working relationship in the past, and I look forward to a great working relationship in the future.

I would like to thank those of you that stood up and helped me in every way. This was obviously a team effort, and it was one that was well thought, hard fought, and well won.

Ladies and gentlemen, I leave you with one message: there were 18 people running for this seat. The voters had one of the broadest choices of any congressional race. But there was one issue and only one issue that allowed me to be elected. It was not my experience. It was not my hard work, and God knows it was not my intellect. It was the fact that the people in the 50th District wanted something done, they wanted a job and a message sent to Washington, that now and here is the time to address illegal immigration.

We did not enjoy the situation or appreciate the problem that created the vacancy, but let me say quite clearly what is obvious in the last few months is that the greatest scandal in America is not that one man broke the law, but that 12 million illegal immigrants are in this country and Washington is not doing enough about it.

So I ask you, even if you disagree with me on this issue, let us join together and work to address this issue so that both sides, Democrat and Republican, and Independent, can go home proud that we did right by the American people and worked together for our future and our grandchildren's future.

Thank you very much.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from California, Mr. BRIAN P. BILBRAY, the whole number of the House is 433.

CONFERENCE REPORT ON H.R. 4939, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006

The SPEAKER. The unfinished business is the question of adoption of the conference report on the bill, H.R. 4939.

The Clerk read the title of the bill.

The SPEAKER. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 351, nays 67, not voting 14, as follows:

[Roll No. 257]

YEAS—351

Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cantor
Capito
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Etheridge
Everett
Fattah
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde

Inglis (SC)
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Meeks (NY)
Melancon
Mica
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Napolitano
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Ortiz
Osborne
Otter
Oxley
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—67

Abercrombie
Ackerman
Baldwin
Blackburn
Blumenauer
Campbell (CA)
Cannon
Capps
Coble
Costello
Delahunt
Duncan
Eshoo
Farr
Filner
Flake
Frank (MA)
Gohmert
Grijalva
Gutierrez
Hensarling
Hinchey
Holt
Honda
Inslee
Jones (NC)
King (IA)
Kucinich
Lee
Lofgren, Zoe
Markey
McCollum (MN)
McDermott
McGovern
McHenry
McKinney
McNulty
Meehan
Michaud
Miller, George
Moore (WI)
Musgrave
Nadler
Neal (MA)
Neugebauer
Olver
Owens
Pallone
Paul
Pence
Petri
Rothman
Schakowsky
Sensenbrenner
Serrano
Smith (WA)
Solis
Stark
Tancredo
Thompson (CA)
Tierney
Watson
Waxman
Weiner
Westmoreland
Woolsey
Wu

NOT VOTING—14

Barton (TX)
Berkley
Deal (GA)
DeLauro
Evans
Gillmor
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Payne
Rush
Sessions
Strickland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISSA) (during the vote). There are 2 minutes remaining in this vote.

☐ 1202

Mr. HOSTETTLER changed his vote from "nay" to "yea."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MEDICARE PRESCRIPTION DRUG PLAN

(Mr. BROWN of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of South Carolina. Mr. Speaker, in February of this year there were approximately 112,311 Medicare part D seniors in my district. About 46,052, or 42 percent, were enrolled in a Medicare drug plan.

In March I held Medicare workshops throughout my district to educate our seniors about the Medicare part D coverage. The participation was overwhelming. As a result of these workshops, as of May 7, 2006, approximately 83,437, or 74 percent, of my eligible seniors were enrolled in the part D plan.

Currently, more than 38 million Medicare beneficiaries nationwide have good drug coverage. That is over 90 percent of all eligible beneficiaries. The Medicare prescription drug coverage is a big win for our seniors.

DEBATE ON THE WAR IN IRAQ

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Mr. Speaker, there will be a great debate this week about the war in Iraq. Will we debate whether Iraq had anything to do with 9/11? No, because everyone knows Iraq did not. Will we debate whether Iraq had weapons of mass destruction? No, because everyone knows Iraq did not. Will we debate the administration's exit strategy? No, because they don't have one.

It will be an interesting debate, because the very reasons which brought Members to vote for the war no longer have a basis in fact. They keep changing day by day, the reasons, why we are in Iraq. And as each new reason is brought to light, it keeps evaporating like the sun evaporates the morning dew.

After a while, the war becomes self-justifying, a patriotic exercise. So we will engage in a great debate about a war that is not so great, about a war based on a lie while our troops and innocent civilians die as we debate greatly.

THANK YOU TO OUR SOLDIERS

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, what an honor it is for me to stand here today and recognize three outstanding soldiers and citizens, Sergeant Kenneth Kraus, Staff Sergeant Jacob Long, and First Sergeant Michael Matthews. These brave men represent the best our country has to offer. They served in our military and now continue service in Roswell, Georgia, as police officers and city employees.

Just like the freedoms they protect, the heroism and selflessness embodied by our brave soldiers must never be taken for granted. Each and every day these men and women sacrifice for the well-being of Americans and our allies, and they stand on the front lines in Iraq, Afghanistan, and around the world bringing freedom and hope to millions; and they do so with an unwavering dedication and professionalism.

We must insure that they have not only our gratitude but our genuine support in their continued efforts. Thanks to Sergeant Kraus, Staff Sergeant Long, and First Sergeant Matthews, as well as all members of the United States armed services for their contributions both at home and abroad.

You continue to make our Nation great and our friends and allies around the world secure and free. God bless you.

RISING COLLEGE EDUCATION COSTS

(Ms. CORRINE BROWN of Florida asked and was given permission to address the House for 1 minute.)

Ms. CORRINE BROWN of Florida. Mr. Speaker, attention students: since the Bush administration took office in 2001, tuition and fees at 4-year public colleges have increased by 40 percent, forcing more and more students and their families to take out Federal loans. The typical student borrower now graduates from college with a record of $7,500 debt, which they must start paying months after they graduate.

But thanks to the Bush administration, come July 1, interest rates will be raised by 7 percent, and for the parents 7.8 percent. To avoid adding potential thousands of dollars to the life of their loans, students and parents with Federal student loans should consolidate now before the July 1 rates take effect and lock in interest rates as low as 4.75 percent.

To circumvent increases caused by the Republican raid on student loans, a tax on student loans, borrowers should call the Department of Education at 1-800-557-7392. I repeat, to avoid this, call 1-800-557-7392.

5.172 MISSING CHILDREN ARE FOUND

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, the ladies of the gulf, Hurricanes Katrina and Rita, battered Louisiana and Texas, shattering families, scattering 5,172 children across the country. In the darkness of the night, children disappeared from their families. Searchers only hoped and prayed that they would be found.

Frantic parents upon arrival in safe harbors panicked because they were separated from their kids. While the hurricanes were a bad dream, losing their kids was a nightmare.

This is when the child crusaders came together, without hesitation, launching into action, combing 50 States, searching among thousands of people. In the end, all 5,172 children were brought home. After hundreds of hours of manpower, success occurred because of the dogged determination of the National Center For Missing and Exploited Children.

Through the tenacious work of peace officers and the tireless efforts of the U.S. Postal Service and thousands of nameless citizen volunteers, children were united with their parents. Yesterday, I was present at the White House when the First Lady honored these valid heroes. Demonstrating the face of tragedy is best met by strong hearts and iron wills, and people just taking care of people.

And that's just the way it is.

HOUSE GOP IGNORES THE ECONOMIC CONDITIONS OF AMERICA'S WORKING CLASS

(Mr. CLEAVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLEAVER. Mr. Speaker, having come to Congress in this 109th, I am come to the conclusion that it is not good for any party to have complete power here in Washington. It creates a hubris that then, I think, does immense damage to the Nation. Over the last 6 years, we have seen the control of Congress and the White House by Republicans; and for whatever reason, it appears that the economic direction that we have taken in the country is in favor of the upper class, and the benefits are supposed to trickle down.

Mr. Speaker, there is a tsunami of frustration rolling across America. People are hurt. The average family is now paying $1,200 more a year for health insurance. College tuition has jumped 40 percent and gas prices have doubled. Housing is the least affordable in the last 14 years. A tsunami of frustration is rolling across America.

Mr. Speaker, I believe we can do better.

PROBLEMS WITH SENATE IMMIGRATION APPROACH

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to speak out against the Senate's amnesty plan. Their bill is fundamentally unfair as it benefits only those who came to this country by breaking our laws. No illegal alien is left behind by this bill, because it gives aliens in-state tuition rates at colleges.

Further, the Senate bill would allow 217 million new immigrants to come here over the next 20 years. That is two-thirds of our current population. Some of my constituents have been sending me bricks suggesting that they go toward building the wall on our southern border.

When constituents have to step in to help send bricks to Congress, obviously they feel very strongly about the immigration issue. Actually, Americans should start sending bricks over to the Senate, and I hope that they do. However, the problem is they probably will not mail them. They will be throwing them at the Senate.

DO-NOTHING CONGRESS

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Mr. Speaker, the House is back in session for yet another week. The sad fact is that this House has only been in session 43 days this year; but once again, the Republican majority refuses to schedule any meaningful legislation to address our Nation's energy crisis. So that is why we call this the do-nothing Congress.

The Republican Party's cosy relationship with Big Oil is causing pain for the American consumer and jeopardizing our national security. Last year, Big Oil recorded record profits, thanks partly to billions in tax breaks that Republicans rewarded their friends last year. Yet, House Republicans remain defiant in their opposition to repealing the $8 billion in tax breaks they have given to their friends in the oil industry.

Mr. Speaker, this is really a question of fairness. Why should oil companies continue to receive giant tax breaks from the Federal Government when they are recording record profits. Democrats want to repeal these unnecessary subsidies so we can provide consumers with some relief.

WAR SUPPLEMENTAL APPROPRIATIONS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I am proud of our Speaker and the majority leader for taking a fiscally responsible stance on the Emergency Supplemental Appropriations Act for Defense and the Global War on Terror. Our leaders pledged that this House would reject an emergency supplemental spending package that exceeded the amount requested by the President, and this was absolutely the right stand to take.

I am sure there are folks who could argue the merits of the additional funding proposed by the Senate, but we should debate those merits at another time. This war supplemental spending is for emergency spending for the war on terror. It should not be used as a free-for-all for nonemergency spending that should be debated in our yearly budget and appropriations process.

I am very pleased that the House and Senate reached an agreement on this supplemental package that eliminated the $14 billion in additional funding that had been added by the Senate. This action proved that this Congress is committed to fiscal discipline.

The conference report now accomplishes its original goal by providing $65.8 billion in funding for our troops so that they have the equipment and resources they need to win the war on terror.

DEMOCRATS FIGHTING TO EXPAND OPPORTUNITY TO ALL

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, the American people want Congress to focus on their priorities, and that is exactly what the House Democrats are doing. We are fighting to expand opportunity to all Americans, not just a privileged few.

At a time when the average college student graduates with more than $17,000 in debt, Democrats want to expand the opportunities available to them by cutting the interest rates on their college loans, not increasing them, like the Republicans are doing.

At a time when wages remain stagnant for most Americans, Democrats continue to fight to raise the minimum wage because we want a fair and working wage. By increasing the minimum wage, we would not only expand opportunity for 7 million workers, but we would also increase wages for middle-class workers who have not seen a substantial pay raise in over 5 years.

At a time when high-paying jobs are going overseas, Democrats have an innovation agenda for science, engineering, information technology.

Mr. Speaker, it is time that this House really got to work.

☐ 1215

SCHOOL SAFETY ACT

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, today the House will consider the School Safety Act authored by Congressman PORTER of Nevada. This bipartisan legislation will help make every classroom in America safer.

Recently, Michigan officials found that while the schools check their own State criminal records before hiring a coach or a teacher, 2,500 felons were still hired by Michigan's schools because they had out-of-state arrest records.

In 1998, President Clinton authorized States to share arrest records in compacts, and 25 States have done this but 25 have not, including Illinois.

John Porter's bill will link the criminal records for all 50 States. It will give school boards the tools they need to prevent a felon with an in-state or out-of-state arrest record from being put in charge of a classroom or team.

Americans have a right to safe, gun-free classrooms, and this bill will help make that happen.

DISASTER ASSISTANCE FOR FARMERS

(Mr. POMEROY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POMEROY. Mr. Speaker, a preceding speaker noted the supplemental bill just passed. I want to speak about an aspect left out of this supplemental bill because of the actions of the majority.

Any assistance for farmers outside of the gulf region who suffered disaster losses in the 2005 production year were left out of the disaster bill. Supported by a bipartisan majority in the Senate, left out on a party-line vote in the House.

Our Nation's farmers have provided this majority and this President with plenty of help over the years, and they certainly deserve better than to have the President of the United States issue his first veto threat on a disaster bill that helped farmers when natural disasters took their crops.

They, instead, provided just for hurricane, farmers who lost during the hurricane. Well, look, maybe a drought does not have a name, maybe a flood does not have a name, but when you have a natural disaster and it wipes out our farmers, they deserve help from our government. That is how you keep family farmers in business, and it is a darn shame the Republicans stopped it in this bill.

STARK DIFFERENCE BETWEEN PARTIES IN APPROACH TO WAR ON TERROR

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, there is a stark difference in the way the Republicans and the Democrats approach this war on terror. There are many of the liberal elites who want to disengage and would like to leave broad swaths of this planet to terrorists. This course of action would lead to a lot of pain and suffering for future generations, for our children, for our grandchildren. It also would embolden the terrorists who are watching everything that we do and would lead to more strikes on U.S. soil.

After 9/11, our country made a decision that enough was enough and that it was time to fight back after two decades of terrorist strikes. It was time for us to protect our national security, and yes, indeed, because of our men and women in uniform, we have, and they are doing it brilliantly.

Is every day in this battle a victory? No. Is it easy? No. Is it very difficult? Incredibly so. But the important thing, it is a necessary fight and we are winning.

STUDENTS SHOULD CONSOLIDATE TO AVOID RATE INCREASES

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, graduation season is in full swing, and all across the country eager college students are walking across the stage and entering into the workforce. While many wonderful experiences no doubt lie before them, one factor will quickly dampen their spirits, the reality that they are now saddled with unmanageable debt they accrued while obtaining their college degree.

The debt will grow even more daunting if they miss an important deadline that is fast approaching. That is why I came to the floor today, Mr. Speaker, to encourage all college graduates and their parents who are carrying debt to consolidate their Federal college loans before July 1. If they do not, interest rates will rise by 7 percent for students and 7.8 percent for their parents. Consolidating this month will allow them to lock in a low rate of 4.75 percent, drastically reducing the overall amount they will have to pay.

Mr. Speaker, the Republicans refuse to join us in making college affordable for many, many young people. In fact, they actually made college more expensive for American students when they passed a $12 billion in higher education cut earlier this year.

I urge strong support for our students and parents.

MAKING U.N. DUES ASSESSMENTS MORE FAIR

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, the assessment of member dues at the United Nations has always been something of a joke. Japan pays 19.5 percent of the U.N. budget and does not even get a chance to sit on the Security Council. By contrast, Security Council members Russia and China contribute only 1 percent and 2 percent respectively to the U.N.'s multibillion dollar budget. We pay over 22 percent.

Currently, the U.N. bases assessments on gross national income figures, the proper measure of which cannot be taken when currencies are not convertible. The United States recently proposed that assessments be calculated the World Bank way, using data on purchasing power parity, to better reflect what states can afford. This would raise Russia's share of the budget to about 2.5 percent, China's to 13.7 percent, leaving America's mostly unchanged.

Should they not want this recognition, under the new accounting method, China's share of world gross domestic product rises to second place from seventh, just as Russia's rises to 10th place from 16th?

GOP IS THE CUT-AND-RUN CONGRESS

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Mr. Speaker. Karl Rove has said that the Democrats want to cut and run on the war in Iraq. Well, let us talk about cutting and running.

When we were told this would be a quick war and turned into a long war, this Congress cut and run from its oversight responsibility.

When we were told 130,000 troops would be enough but more were clearly necessary, this Congress cut and run from doing its oversight responsibility.

When we were told this would be a conventional war and it turned into an insurgency, this Congress cut and run from its oversight responsibility.

When we were told oil would pay for reconstruction, but the taxpayers were left with a $480 billion tab, this Congress cut and run from its oversight responsibility.

When we were told we would be greeted as liberators but had become treated like occupiers, this Congress cut and run from its oversight responsibility.

Mr. Speaker, Republicans want to portray the greatest foreign policy challenge of a generation as simply a choice between staying the course and cutting and running. Democrats look forward to this debate.

Mr. Speaker, oversight requires the vigilance and patriotic determination of every Member of Congress to do the job we were sent here to do and ask the questions that their constituents want.

Mr. Speaker, it is time for new priorities in Iraq and here at home.

BETTY BRADY'S RETIREMENT

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today to thank Betty Brady for nearly 30 years of service to the Powder Springs, Georgia community, most recently as the city clerk.

Betty's retiring from public service this year, and I know the whole city will miss her enthusiasm and her dedication.

Betty has worked with the City of Powder Springs since 1977, and in 1992, she was appointed city clerk. Over the past 14 years, Betty has worn many hats, accomplishing administrative, organizational and public relations duties for the mayor and city council.

As a native of Powder Springs, Betty brought a passion to her role as city clerk. Never one content to sit on the sidelines, Betty gave her time and energy to almost every aspect of city government.

In retirement, Betty will have more time to spend with her husband Aubrey, her three sons and her seven grandchildren.

Mr. Speaker, I ask that you join me and all my colleagues in thanking Betty Brady for her years of service to the Powder Springs, Georgia community.

LEAK OF SENSITIVE PERSONAL INFORMATION AT DEPARTMENT OF VETERANS AFFAIRS

(Mr. SALAZAR asked and was given permission to address the House for 1 minute.)

Mr. SALAZAR. Mr. Speaker, the leak of the sensitive personal information of millions of veterans and active duty military personnel by the Department of Veterans Affairs is a disgrace.

The information, including Social Security numbers, dates of birth and disability was taken from the VA to an employee's home via his laptop. When the laptop was stolen from his residence, the private, sensitive information of more than 26 million veterans and active duty troops were stolen with it, making them all potential targets for identity theft.

No employee of the Federal Government should have the ability to walk out of their office with that amount of personnel data on their computer. The administration needs to make sure that something like this never happens again.

The VA must also work with Congress to provide assistance to the millions of victims of this leak without affecting veterans' benefits. Veterans should have the resources made available to them free of charge to monitor their credit reports for suspicious action.

If any of our veterans or troops become victims of identity theft because of the security breach, they should not be held responsible. After all, it was by no act of their own that their personal information was compromised.

Last night, I introduced H.R. 5588, a bill that would ensure the veterans are protected in case of their stolen identity.

I urge my colleagues to support this important legislation.

IRAQI SECURITY FORCES GAINING GROUND IN IRAQ

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, as the House prepares to consider a resolution for victory in the global war on terrorism, I would like to congratulate U.S. troops and coalition forces for training Iraqi security forces.

In 3 years, coalition troops have transformed hundreds of thousands of Iraqi volunteers into battle-tested Iraqi security forces. The Defense Department's quarterly report recently stated that there are more than 263,400 trained and equipped Iraqi security forces. Additionally, the Iraqi Army now controls 30,000 square miles of territory, an area roughly the size of my home State of South Carolina. Nearly two-thirds of combat operations are now conducted by Iraqis alone or jointly with coalition forces.

Day by day, Iraqis are defeating terrorists and gaining control over their country. Progress in Iraq is helping to ensure security in America, and we must remain committed to completing this critical mission protecting American families.

In conclusion, God bless our troops, and we will never forget September 11.

REPUBLICAN RAID ON STUDENT AID INCREASES LOAN COSTS

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, with tuition costs rising and the availability of financial aid declining, many parents in our country are finding it harder and harder to afford the cost of college education for their sons and daughters. However, these families know the importance of having a college degree in today's economy. We really cannot underestimate the importance.

Therefore, large numbers are relying on student loans to help meet tuition costs. While these loans can be a great resource to make college accessible to more students, they can also cause great financial hardships for the borrower when they graduate and the payments are due.

The administration has supported making paying for these loans even more difficult by enacting their raid on student aid and cutting $12 billion from the higher education budget. Because of these drastic and devastating cuts, interest rates on student and parent loans for college will increase significantly July 1.

To avoid this dramatic increase in interest rates, I encourage all Federal student loan borrowers to visit www.loanconsolidation.ed.gov to consolidate their loans before July 1.

KATRINA BILLS

(Ms. McKINNEY asked and was given permission to address the House for 1 minute.)

Ms. McKINNEY. Mr. Speaker, this week several of my colleagues and I are circulating a chart listing 176 Katrina bills, out of which only a dozen have become law to date. As we sit here today, dozens of survivors are protesting the injustices suffered at the hands of FEMA. Hurricane season is upon us again, and FEMA continues to deny housing assistance to tens of thousands of needy families, many of them now rendered homeless.

New Orleans remains a toxic disaster zone that still looks much like it did the day after the hurricane. Despite the tens of billions of dollars spent on no-bid, sweetheart contracts, much of it wasted.

Will the 163 Katrina bills sitting in committee also go to waste? Or will Congress address the ongoing specific needs of the survivors by moving existing legislation and checking fraud and abuse by providing real oversight of appropriations?

The choice is ours.

□ 1230

HOUSE REPUBLICANS TURN BACKS ON MIDDLE CLASS; ECONOMIC INSECURITY GROWS

(Mr. PALLONE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PALLONE. Mr. Speaker, House Republicans have turned their backs on the middle class, and that is one of the main reasons an overwhelming majority of Americans want Congress to move in a new direction. Our constituents want us to work on behalf of all Americans, not just the wealthy few. But for 5 years now the Bush White House and Congressional Republicans have showered millionaires with large tax breaks while ignoring the economic conditions of the middle class. This year, while middle-class families received an average of a $60 tax break, America's millionaires received a whopping $65,000 gift from the Federal Government. And Washington Republicans call this fair?

It would be one thing if both the wealthy and middle class were both benefiting in today's economy, but again many of our constituents are facing uncertain times. Today, wages are stagnant, family debt is on the rise, health care benefits have either disappeared or increased dramatically, and savings levels have plummeted.

These are the economic conditions many of our constituents face today, but this House Republican majority seems content with the status quo; and it is time this House listened to hard-working middle-class Americans.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 862, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 862

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on the legislative day of June 13, 2006, providing for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes.

The SPEAKER pro tempore (Mr. DENT). The gentleman from Florida is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. For the purpose of debate only, I yield the customary 30 minutes to my good friend from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 862 waives clause 6(a) of rule XIII requiring a two-thirds vote to consider a rule on the same day it is reported from the Committee on Rules. House Resolution 862 will allow the House to consider the rule for consideration of the Transportation, Treasury, and Housing and Urban Development Appropriations Act for fiscal year 2007.

The Rules Committee received numerous requests from the authorizing committees to expose portions of the bill that they feel represent legislating on appropriations bills. We are working through those requests now. Later today the Rules Committee will meet to thoroughly consider these requests and report out a rule.

Although we have not passed a final rule on this bill yet, Mr. Speaker, historically appropriations bills have come to the House floor governed by an open rule. I expect that we will continue to do so in order to allow each and every Member of this House the opportunity to submit amendments for consideration, obviously, as long as they comply with the rules of the House.

Mr. Speaker, I urge my colleagues to support this same-day rule so we can move forward to the rule on this important appropriation bill as soon as the rule is ready.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I thank the gentleman from Florida, my good friend, Mr. DIAZ-BALART, for yielding me the time; and I yield myself such time as I may consume.

Mr. Speaker, I rise today with a bit of trepidation about this rule and this process, which clearly circumvents the regular order of business of the House. I can find no reasonable explanation or sensible justification for going around the well-established rules of this body to bring the transportation appropriations bill to the floor today in this manner.

The majority has been so kind in explaining why it believes that this martial law is needed. Unfortunately, the majority's explanation has fallen a bit short on convincing this side of the aisle that we need to do this today and not tomorrow.

For the life of me, I can't figure out why this bill must come to the floor in this manner. It is, after all, only Tuesday. You would think that after controlling the House for 11 years that my friends in the majority would have figured out how to bring a nonemergency appropriations bill to the floor under regular order. Indeed, there is simply no good reason to handle these bills outside the normal parameters of the way the House should conduct its business.

Moreover, when the House does operate this way, it effectively curtails our rights and responsibilities as serious legislators. When the leadership of this body bypasses the rules of regular order, as it is attempting to again do today, it really does discredit this great institution in which all of us are privileged to serve.

Realize, Mr. Speaker, my concerns are not content but rather process. This martial law rule sends a false message to the American people that this is what the Framers intended when they envisioned the House of Representatives. The House of Representatives ought to be a body of thought and deliberation, where America's greatest needs are given proper consideration. Under the majority, however, thought and deliberation have been replaced by rubber stamps and obvious disorganization. This is not a good thing, and it is a disservice to the American people.

I really do urge my colleagues to reject continued attempts to circumvent regular order in the House of Representatives.

I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would simply note that the Transportation, Treasury, HUD bill passed the full Appropriations Committee by a voice vote on June 6. In other words, without opposition, without noted opposition; and the bill was filed on June 9. It has been available for everyone to see and review for days now. It was also on the schedule since last week.

I have no further speakers on this side of the aisle. I would ask my good friend if he has any other speakers.

Mr. HASTINGS of Florida. I was trying to allow that we go a bit longer only for the reason that the next agenda matter is not present for us. I won't make an accusation that that allows that my friends in the majority are having difficulty in organizing their efforts.

My good friend from Florida, for example, just commented that this has been a measure, or this is a measure, that was passed and that it has been known since June 9; and at the very same time, at the outset, you began by saying that we are in the process of determining what we are going to do before we report out the rule.

You know, we use a lot of beltway language here, and for a long time I didn't believe that there was a beltway mentality. The tragedy is now I, as well as others that I know, have become a part of it. Let me say what I am talking about.

When I say I am not talking about content, I am not talking about the substance of the transportation measure that is so critical to this Nation. What I really am talking about is the process where the Nation's representatives get an opportunity to speak on issues of vital concern. So, then, when we say that this rule circumvents regular order, as a general rule Jane and Joe Lunchbucket don't have a clue what we are talking about. So perhaps it would be helpful, since we have a little time, to explain to them what regular order would normally require for a nonemergency appropriations measure.

The rule that we are getting ready to present this transportation measure under also called for same-day consideration of legislation providing for the Department of Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and independent agencies for the fiscal year ending September 30, 2007, and for other purposes. What it does is it circumvents one of the rules, which is 6(a) of rule XIII. That generally doesn't mean a thing to the American public, but let me tell them what it means.

That rule requires a two-thirds vote in order to consider a rule on the same day reported from the Rules Committee. Two-thirds of the Members of this House would have to do that. What we are doing with this rule is we are waiving that two-thirds requirement and we are saying it is all right, you can bring up any of these things under the same-day rule because it doesn't require two-thirds of the Members.

I can assure you if two-thirds of the membership were required in order for us to be able to proceed along regular order, it might not be difficult to achieve; but it would be fair for us to function that way. So we have ignored the process repeatedly here in the House of Representatives. And what that does is it creates a situation where Members in the House of Representatives who represent constituents don't get an opportunity to have their measures considered by the Rules Committee or by the House under regular order, thereby precluding them from having an opportunity to actually receive the best interests of their representative as it pertains to issues that are germane to their interests in their locales.

That is a long way to describe that when you waive the process, you waive the rights of the people that we represent to have their representatives present their views here on the floor of the House of Representatives and to have this great deliberative body work its will. Therein lies the rub with this particular kind of process.

It even has a distinct name: martial law. That sounds like something that is forcing something or requiring something to be done under the aegis of authoritarian rule. That is not right, and that is what we complain of, those of us that have the opportunity and privilege to do so in the Rules Committee.

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

PROVIDING FOR CERTAIN ACCESS TO NATIONAL CRIME INFORMATION DATABASES

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4894) to provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children.

The Clerk read as follows:

H.R. 4894

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ACCESS TO NATIONAL CRIME INFORMATION DATABASES BY SCHOOLS AND EDUCATIONAL AGENCIES FOR CERTAIN PURPOSES.

(a) IN GENERAL.—The Attorney General of the United States shall, upon request of the chief executive officer of a State, conduct fingerprint-based checks of the national crime information databases (as defined in section 534(f)(3)(A) of title 28, United States Code, as redesignated under subsection (e)), pursuant to a request submitted by an entity of the State, or unit of local government, which is designated to conduct background checks on individuals employed by, under consideration for employment by, or volunteering for, a private or public elementary school, private or public secondary school, local educational agency, or State educational agency in that State in a position in which the individual would work with or around children. Where possible, the check shall include a fingerprint-based check of State criminal history databases. The Attorney General and the States may charge any applicable fees for these checks.

(b) PROTECTION OF INFORMATION.—An individual having information derived as a result of a check under subsection (a) may release that information only to an appropriate officer of a private elementary school, private secondary school, local educational agency, or State educational agency, or to any person authorized by law to receive that information.

(c) CRIMINAL PENALTIES.—An individual who knowingly exceeds the authority in subsection (a), or knowingly releases information in violation of subsection (b), shall be imprisoned not more than 10 years or fined under title 18, United States Code, or both.

(d) DEFINITIONS.—In this section, the terms "elementary school", "local educational agency", "secondary school", and "State educational agency", have the meanings given to those terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(e) TECHNICAL CORRECTION.—Section 534 of title 28, United States Code, as amended by section 905(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162), is further amended by redesignating the second subsection (e) as subsection (f).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

☐ 1245

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4894 currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 4894 sponsored by the gentleman from Nevada (Mr. PORTER). This legislation provides our Nation's schools with an additional tool to ensure the safety of our schoolchildren when hiring teachers, staff and volunteers.

Children are our Nation's greatest resource. Parents trust that when they send their children off to school they will be provided a safe environment in which to learn. Teachers are vested with a tremendous responsibility of preparing kids for a successful future, and the overwhelming majority of our educators conduct themselves as consummate professionals.

Unfortunately, we sometimes hear about teachers who engage in criminal conduct involving students. These few bad apples not only jeopardize our children's safety, but tarnish the reputation of those in the educational community. While all incidents of this nature are an outrage, the tragedy of some is compounded when these deplorable actions are perpetrated by individuals whose past criminal record should have identified them as potential threats.

Today all States require some type of background check for school employees. Unfortunately, some individuals with alarming records of criminal conduct slip through the cracks. Last year police in Charlevoix, Michigan, discovered that a convicted sex offender was volunteering as the director of the AmeriCorp program for the local school district. The man had an arrest record dating back to 1964, including sex offenses involving children.

School officials submitted the man's date of birth, Social Security number and driver's license number for a background check through the State system. However, his criminal record did not show up because the man had legally changed his name some 20 years earlier. Authorities learned of his criminal history only after he underwent a fingerprint check for a weapons permit.

In May, a California teacher was convicted on 17 counts of molesting nine students. Just last week, a second California teacher was arrested on charges that he molested a third-grade student. Even more disturbing is that this man had been suspected of a similar incident in 1990 and arrested for attempted rape in 1994.

This bill gives States direct access to Federal fingerprint databases to make sure that convicted sex offenders never work in a school again. Many school districts are experiencing a surge in growth that in turn increases the demand for qualified teachers and staff. Schools are under added pressure to expedite the hiring process to meet this demand. H.R. 4894 streamlines access to the Federal fingerprint databases so schools can be confident that they are hiring upstanding teachers and staff.

The bill authorizes the Attorney General to provide States with accurate fingerprint-based background checks for current school employees and prospective faculty, staff and volunteers who work with children. Either the Attorney General or the State may charge a fee for the check. The background information may be released only to the appropriate school official or State education agency, and any person who exceeds this authority or misuses the background information may be fined or imprisoned for up to 10 years.

I commend the gentleman from Nevada (Mr. PORTER) for his work on this issue, and urge my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, allow me first of all to say that in our work on the Committee on the Judiciary, and particularly the Subcommittee on Crime, there is no doubt that one of the most prevalent issues that we address is a way to protect our children, whether it is against sexual predators, whether it is against the heinous acts of individuals who not only sexually abuse our children but then ultimately kill them, and certainly we are aware of the far-reaching impact that the lack of structure and process has on our educational system, particularly individuals who are working in our schools, primary and secondary, and work with our children as it relates to sports activities.

So I am certainly in support of H.R. 4894, and clearly I would argue that we have a better product. I do not want to be anywhere suggesting that we are not fighting for our children. I do want to offer the fact that, as I indicated, that we have a better product, that we can agree that the criminal background checks done on individuals working with children is something we all want, and certainly we want to be able to include those who pose a threat.

But we do want to have a criminal background check system, of course, that has the elements of some order and constitutional protection. Might I just say to my colleagues that a version of the language that is in this bill already passed twice in H.R. 3132 and H.R. 4472, which really means in a bipartisan way we agree with this. So I thank the gentleman from Nevada (Mr. PORTER) for reinforcing our agreement.

I do hope as we talk about our particular issues that we would recognize that it is important to be able to put in the processes that would question whether all raw data is the kind of data that we should include for access by these institutional entities.

I do believe as we move toward the Senate and have a conference on this bill, we will find common ground so that what we put forward will protect our children absolutely and as well be a system that will be readily accessible to our educational institutions and at the same time give them the information that they need to ensure that those who are apt to injure, harm our children, are weeded out of our educational system.

We like the streamlined process. We like the fact that the Attorney General is, if you will, able to handle the fingerprints and data. But I know as we make our way toward conference we will have even a further opportunity to make this bill the kind of bill that provides the support and safety in the employment place of our educational institutions for all of our children.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Nevada (Mr. PORTER), the principal author of the bill.

Mr. PORTER. Mr. Speaker, I thank Mr. SENSENBRENNER, the majority leader, Mr. BOEHNER, Mr. MCKEON, and my good friend, Mr. KIRK, who has helped me organize this agenda for the country, and the 50 some cosponsors.

Mr. Speaker, we have an epidemic in the United States. We have an epidemic of sexual predators following our children, whether it be on the computers, whether it be in our public parks, whether it be in the workplace, or even our schools.

I would suggest that all Members of Congress take a look at maps that local law enforcement have of the sexual predators that hang around our schools, that move into our school areas, if not adjacent across the streets from our schools. We need tools. We need additional tools to help our teachers and professionals, our administrators in our schools to streamline the process to get as much information as possible.

As Chairman SENSENBRENNER mentioned the Michigan example, it is unacceptable that a teacher could change his name legally and still teach, having been in prison for having molested an 8-year-old child. Currently, only 26 States are in the compact approved by Congress in 1999 giving States the tools to do background checks through the FBI. That means there are 27 million students in 24 States that do not have this same tool available to them to make sure their environment is safe.

Mr. Speaker, this bill is common sense. It streamlines the process for all 50 States. It allows access by all 50 States to this information, and will not circumvent existing background checks and procedures by our school districts, who I know are trying to do the right thing.

We are fortunate to have some of the greatest and best teachers in the world, but we want to make sure that those few that try to sneak through the system are caught in advance.

As a Member of Congress from one of the fastest growing States in the country, we hire close to 2,500 new teachers a year, close to 5,000 support staff and faculty. We need to make sure that the fast-growing States and the balance of States in this country have as much information as available because I cannot imagine the pain as a parent myself of having my child molested by someone in our schools.

Mr. Speaker, I am very proud of our teachers and administrators and school boards for what they are doing. We need to make sure they have the latest in technology available. Through this bill, all school districts will have access to this information. I would ask for the support of this body for H.R. 4894. I appreciate the time we have today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me just say as I indicated, I applauded Mr. PORTER for his vision on protecting our children and also for responding to many of the educational institutions around America who have asked for some sort of format, some sort of structure to help them be able to, if you will, navigate themselves around this massive criminal justice system that in fact has an impact on how children are cared for in our schools and day care centers and places of sports activities.

But I do think as I support this legislation that Americans also understand that we want people to have an opportunity for rehabilitation, to engage in a productive life and to be able to provide for their families. Putting aside the sexual predators and those who are plagued by violent crimes and violent crimes against children, I would offer to say that we want to make sure as well that those who are perpetrators of nonviolent crimes or individuals charged with petty theft, but people who have been out of the system for decades have the opportunity for employment and rehabilitation.

I hope as we make our way toward conference again that these considerations will be taken into account and we will review this so we can work with Mr. PORTER and work with conferees and work with the Senate to make sure that we get constructive legislation to help us all.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, the leader on the Democratic side has given two speeches. The speeches are supposedly in support of the bill, but then there is a whole long list of problems with it. Now we cannot make the perfect the enemy of the good when we are trying to protect children.

This is a bill that gives school districts the tool to get additional information on people who might try to harm children. So I think our committee has done a very good job in considering this legislation and making it not maybe a perfect bill but a very, very good one. We do not need a conference. We ought to pass it today, and then the other body ought to pass it and let's get on with it.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the chairman for yielding me this time.

I rise today in strong support of H.R. 4894. This is a commonsense piece of legislation to protect our schoolchildren from being exposed to convicted pedophiles on a daily basis. Isn't it a matter of common sense that a school in my hometown of Orlando, Florida, can do a nationwide criminal background check to make sure that its janitors, coaches and schoolteachers are not convicted pedophiles from New York, Massachusetts, California, or Texas?

Well, that is not happening right now. What does happen is they perform a background check in-state to make sure that someone hasn't been convicted in Florida of being a pedophile, and they perform a background check in 26 other States that signed on as part of a reciprocity agreement in 1998. What they don't check, however, is if anyone has a pedophile conviction from 24 other States, including the largest States in this country, States like California and New York and Texas and Massachusetts.

I became involved in a mentoring program as a volunteer back when I was practicing law called the Compact Mentoring Program. I personally went out and recruited 700 individuals in my community to be mentors to kids who were at risk of dropping out of high school.

□ 1300

My number one fear is that one of those people I recruited may be a convicted pedophile from another State. We didn't have the tools to do anything about it.

Congressman JON PORTER's bill gives us the tools to do something about it. I think this bill should get an award for the most commonsense piece of legislation we have considered all year.

I urge my colleagues to vote "yes" on H.R. 4894.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I am proud today to join Mr. PORTER and my fellow members of the Suburban Caucus in support of H.R. 4894. It is fitting that this legislation is the first bill to reach the floor for consideration as part of the Suburban Agenda. H.R. 4894 follows the commonsense set of issues that frames the Suburban Agenda, protecting kids and families at home and at school, providing families with better ways to save for college, and protecting our resources for a sustainable future.

As the father of six children, I want to know that when I or my wife drop our kids off at school that they will be well taken care of. Our teachers are responsible for our children's welfare for the 6 or 8 hours that they are at school, and we need to know without question that their safety will be paramount on the minds of teachers, faculty, and also volunteers.

Unfortunately, some would take advantage of their students. Instead of guiding our children, they are preying on them. Mary Kay Letourneau and Debra Lafave have become household names. But for each high-profile case of inappropriate encounters between teacher and student, how many go unnoticed, unreported?

That is why today's legislation is so important. H.R. 4894 would give schools the ability to request background checks on candidates for employment. Teachers, janitors, administrative staff, all would be subject to a background search through the Department of Justice's national crime information databases.

This legislation protects our kids, our communities, and maintains the high standard that we set for our educators. I am proud to support the legislation today and call on my colleagues to support it as well.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I rise today in support of H.R. 4894, the School Safety Acquiring Faculty Excellence Act, and I congratulate the leadership of my friend and colleague, Mr. PORTER, and of course of Chairman SENSENBRENNER, for bringing this important piece of legislation to the floor today.

This bill allows all States to access national criminal databases to obtain criminal information when hiring teachers. The safety of our children in America's schools is a major priority not only to our Nation's educators, but to every parent and guardian; and that is why I stand in support of it today. We need to make every resource available to our schools to ensure that the qualifications and the background of the faculty they hire are unquestioned.

This legislation streamlines the process and ensures that those who are hired to work with and educate our children are trustworthy, honest, and law abiding citizens. Mr. Speaker, this is a great opportunity for the House of Representatives to take a stand with our communities and our schools and give them the tools necessary to make certain that our children are safe.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1½ minutes to the distinguished Chair of the Republican Conference, the gentlewoman from Ohio, and a former judge, Ms. PRYCE.

Ms. PRYCE of Ohio. Mr. Speaker, ask any group of parents what they worry about most, and I guarantee you that keeping their kids safe in a world that sometimes seems to get more dangerous by the day will be at the very top of that list.

The legislation before us will help make kids in this country safer by giving schools access to national criminal information databases, allowing to them conduct more thorough background checks on prospective teachers. It is as simple as that.

It goes without saying that the vast majority of teachers in this country are praiseworthy men and women dedicated to the well-being of the children that they teach. But, unfortunately, even schools are not safe from the criminals and pedophiles who threaten the innocence and safety of our kids.

It must be a priority of this Congress and our Nation to see that anyone who has harmed a child is brought to justice, and this legislation will help to ensure that no criminal ever finds a safe haven in a school.

I want to thank Mr. PORTER for his hard work, Chairman SENSENBRENNER for allowing this to go forward and for your hard work. And I am especially pleased to see it move forward as part of the Suburban Agenda. And I urge my colleagues to support the SAFE Act.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time and am prepared to yield back if the gentlewoman from Texas will do the same.

Ms. JACKSON-LEE of Texas. I have requests for time, and I would like to proceed.

Mr. Speaker, let me, as well, thank Chairman SENSENBRENNER and thank Ranking Member CONYERS, as well as Mr. COBLE and Ranking Member SCOTT for bringing forward a constructive answer to all of our concerns.

Mr. Speaker, I don't take a back seat to anyone in terms of advocacy for children, and fighting against child predators that have harassed and, if you will, violently attacked our children across America. We should stand up for them. I hope that this House will eventually take up the DNA legislation that I have that has a separate, distinctive DNA bank for those who are child predators.

We are grateful that in the subcommittee with Mr. SCOTT and Mr. COBLE this bill has addressed many of the issues that look at this in a broader sense. So it is important when we talk about bills that we want to be as near perfect as we can get. And I believe that we have the political will and the good conscience of this House and the Senate that we will get there. The idea is to protect our children, and the idea as well is to recognize that the parameters of our Constitution will allow us to do that while addressing those concerns. So I am hoping that we will have a perfect bill because our children deserve so and, as well, that we will have a bipartisan effort to work on this issue.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I said I had no further requests for time. Is the gentlewoman from Texas prepared to yield back to allow me to close?

Ms. JACKSON-LEE of Texas. Mr. Speaker, I have the great pleasure of yielding 1 minute to the distinguished gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to commend the committee for bringing this item before us. I am often before this committee with a different issue that relates to the whole business of how do you help individuals reintegrate. But I rise to express strong support for this legislation because I remember the words of the songwriter who said that our children are the future. And given the fact that they are, we have a responsibility to do everything within our power and possibility to make sure that they can grow up safe and secure.

I want to also commend my colleagues and the chairman of one of my subcommittees, Mr. PORTER from Nevada, for his work on this legislation. I strongly support it and urge its adoption.

Ms. JACKSON-LEE of Texas. I have no further speakers, and I close simply, Mr. Speaker, by thanking the distinguished gentleman from Illinois who has represented the broadness of our view. We must protect our children, and I believe that this bill is on its way to its perfection so that our children will not be subjected to infractions in this legislation, but truly be protected. And I hope that any other legislative initiative that comes forward to protect our children will receive this bipartisan cooperation that we have achieved in the House Judiciary Committee.

I ask my colleagues to vote for the legislation of Mr. PORTER.

I yield back my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, this bill is not even close to the outer parameters of the Constitution. What it does is it allows the sharing of fingerprint data identification that has all been constitutionally collected with school districts who are hiring new personnel to find out if they have something in their background that would disqualify them from a job working with children. And that is all there is to it.

The fingerprints were valid. It is merely sharing the fingerprints with somebody who has got a legitimate use for them.

Now, there are criminal penalties involved for those who use those fingerprints for other than verifying somebody who is applying for a job at a school or volunteering there, for any other purpose whatsoever.

What has been said in the debate, using the Michigan cases and the two California cases, shows that there are loopholes in the present system that allow people who wish to molest children to get jobs undetected of their past record. And what the gentleman from Nevada is doing is making sure that those people are identified before they can wreck another young life.

What's wrong with that? This doesn't need perfection. It is simple; it is straightforward. And it ought to pass.

Mr. MCKEON. Mr. Speaker, I rise today in support of H.R. 4894, the School Safety Acquiring Faculty Excellence Act, a measure to provide school districts with the ability to ensure the safety of their classrooms.

I thank Mr. PORTER for leading the charge in making certain that children in our schools are learning in the safest environment possible. America's teachers are at the very heart of our education system and play a vital role in the lives of children. Their daily one-on-one interaction with the children in their classrooms cannot easily be matched.

It is for those reasons that we want to be certain that our teachers are of no threat to our children. The School Safety Acquiring Faculty Excellence Act is a logical and realistic approach to providing school administrators the tools necessary to help ensure their schools are safe.

Mr. Speaker, teachers deserve our utmost appreciation for their service and lifelong dedication to education. It is through this legislation, however, that we also address the realities of today and provide reassurance that we are keeping predators out of our classrooms. The safety and protection of our schoolchildren is imperative.

Again, I would like to thank Mr. PORTER for his continued efforts to help guarantee the safety of our schools, and I urge my colleagues to support this bill.

Ms. BORDALLO. Mr. Speaker, I rise today in support of H.R. 4894, to provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children. Our children are America's future. It is important that they receive the best education we can offer them. It is also important that they be placed in a safe learning environment. Furthermore, local government has an obligation to provide for the safety and security of students. We help ensure that America's children learn without being put at risk by allowing local, territorial and state educational agencies to access national crime information databases.

Teachers play a prominent role in the lives of children and in the shaping of their character. This bill gives public and private schools the tools they need to ensure that the teachers they hire uphold the highest standards of conduct while educating our children. I support H.R. 4894 because it will help keep America's children safe inside the classroom.

Mr. SENSENBRENNER. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. FEENEY). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4894.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

EXEMPTING PERSONS WITH DISABILITIES FROM SECTION 8 RENTAL ASSISTANCE PROHIBITION

Ms. PRYCE of Ohio. Mr. Speaker. I move that the House suspend the rules and pass the bill H.R. 5117, as amended.

The Clerk read as follows:

H.R. 5117

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXEMPTION OF PERSONS WITH DISABILITIES FROM SECTION 8 RENTAL ASSISTANCE PROHIBITION.

Subsection (a) of section 327 of Public Law 109-115 (119 Stat. 2466) is amended—

(1) in paragraph (5), by striking "and" at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following new paragraph:

"(6) is not a person with disabilities, as such term is defined in section 3(b)(3)(E) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(3)(E)) and was not receiving assistance under such section 8 as of November 30, 2005; and".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Ohio (Ms. PRYCE) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Ohio.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I might consume. The story of this bill begins 4 months ago when I first heard that disabled students, many of whom rely on section 8 housing assistance, were at risk of losing support they depend on to go to school in and around Columbus, Ohio.

Marilyn Frank, the executive director of Creative Living, an organization in Columbus that provides a home for the severely disabled, told me that she feared a new law aimed at eliminating abuses in the section 8 program had the potential to hurt some of our most vulnerable citizens. Many of these residents would be unable to pursue their dreams of higher education without the support of Creative Living and the funding of the section 8 program.

H.R. 5117 gives us the opportunity to right a wrong. We can give these students the peace of mind that they can continue their education without fear that they will lose the housing on which they depend.

Now, the story behind the story begins more than a year ago. Media reports in Iowa and elsewhere questioned the integrity of section 8. It became clear that students, some student athletes, many from well-to-do families, were residing in subsidized housing created for low-income Americans. The images from these reports were patently offensive. While some families struggled to make financial ends meet to stay in the section 8 residences, a group of college football players lived in low-income housing, rent free and spent their $500 per week stipend at the mall on video games.

Congress responded quickly to close these loopholes and tightened the eligibility requirements for students who wish to reside in federally subsidized housing.

Unfortunately, that fix overlooked the disabled. This bill simply exempts disabled students who were receiving section 8 from these new requirements, thus grandfathering in disabled students who are currently going to school and receiving this assistance. The list of exempt individuals also currently includes veterans, married individuals, and those with dependent children.

The bill we are considering today ensures that disabled students who desperately are dependent upon section 8 to pursue their education will not be unfairly shut out of the rental assistance program.

I would like to thank my fellow Ohioans, Chairman OXLEY and Congressman NEY, Chairman HOBSON and Congressman TIBERI, for helping move this bill quickly to the floor. Mr. LEACH and Ranking Member FRANK from Massachusetts also deserve a great deal of thanks.

But our fight is not done. Unfortunately, because of some CBO scoring issues, the bill before us today is not the broad fix to the section 8 program I had originally sought. And subsidized housing facilities like Creative Living cannot accept new students under the section 8 program until a more permanent solution is enacted by this body.

□ 1315

To that end I will continue to work to ensure that facilities like this can continue to house students with disabilities in the future and allow them to pursue their dreams.

Mr. Speaker, I reserve the balance of my time.

Ms. WATERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I would like to thank the gentlewoman from Ohio, Ms. PRYCE; the gentlemen from Ohio, Mr. TIBERI and Mr. HOBSON; and the distinguished chairman of the Subcommittee on Housing and Community Opportunity, from Ohio, Mr. NEY; as well as the ranking member, Mr. BARNEY FRANK; and Chairman OXLEY for their work on this measure. The full Committee on Financial Services reported it out unanimously by voice vote on May 24 of this year. As indicated by my colleague Ms. PRYCE, this bill corrects an unintended consequence of a provision added to the HUD appropriations bill last year that sought to close a loophole in the Section 8 program allowing student athletes and other non-needy students access to subsidized housing.

The fiscal year 2006 Transportation, Treasury, HUD, Judiciary and D.C. Appropriations conference report, codified as Public Law 109-115, included a provision that effectively counted the income of parents when determining whether students under the age of 24 are eligible to receive Section 8 assistance. That provision does not apply to veterans or to students who are married or have children. This bill, H.R. 5117, would additionally exempt students with disabilities from this treatment.

Mr. Speaker, the same appropriations bill included language intended to close the loophole in the Section 8 program which allowed student athletes and other non-needy students access to Section 8 housing intended for low-income persons. While this was not the intention of the appropriators, it created a potential hardship for the disabled community. However, the final rule issued by HUD in response to Public Law 109-115 has the potential to disqualify from Section 8 eligibility those severely disabled individuals under the age of 24 who are enrolled in an institution of higher learning.

H.R. 5117 is prescriptive, Mr. Speaker. It merely adds persons with disabilities to the list of exempt individuals. Of course, the disabled can least afford additional burdens and, therefore, anything that we can do to lessen their burden is well worth it. The final rule issued by HUD included this prohibition, and the sooner it is lifted, we will be able to return a sense of fairness to the Section 8 program, particularly where disabled students are concerned.

So I would urge my colleagues to support the passage of H.R. 5117.

And let me just say that this bill is typical of the kind of work that is getting done on our committee. We have tremendous cooperation from both sides of the aisle to do good work relative to making sure that not only rental opportunities are available to those who need it, but we are doing wonderful work in this committee on home ownership issues. What better month to be able to correct this problem in law than the month of June. This is National home ownership Month, and I think that our committee has certainly recognized this. And while we make this correction, we are working on a lot of other bills.

I am so proud of the work that we are all doing on FHA to bring it up to date and make sure that our opportunities are available for the least of these. I am so proud of the work that we are going to mark up on voucher reform. I am very pleased about the idea that many of us are getting together to try to hold on to HOPE VI.

So in this National home ownership Month, today we stand to send a signal not only to the disabled but to those who somehow get overlooked, forgotten, that we really are on point.

Mr. Speaker, again, let me just thank my colleagues on the committee on both sides of the aisle for the work that we are doing. I thank them today for 5117, for all of the other work that we are doing, and I would say that many others in this House can look at the work that this committee is producing and be proud and perhaps even use it as an example.

And so, Mr. Speaker, I urge passage at this time.

Mr. Speaker, I yield back the balance of my time.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

I just want to say this is a great victory today. We are ensuring that these students do not have to put away their textbooks or even hang up their lab coats because of something that we did when we thought we were correcting a problem. There are enough challenges put in front of individuals with severe disabilities, and worrying about a place to call home while they attend college should not be one of them.

I also appreciate the bipartisan effort on this bill and so many other pieces of legislation that moved through our committee.

And thank you, Ms. WATERS, for joining me in this effort.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. PRYCE) that the House suspend the rules and pass the bill, H.R. 5117, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Ms. PRYCE of Ohio. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on this legislation and insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

RECOGNIZING THE 50TH ANNIVERSARY OF THE INTERSTATE HIGHWAY SYSTEM

Mr. PETRI. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 372) recognizing the 50th Anniversary of the Interstate Highway System.

The Clerk read as follows:

H. CON. RES. 372

Whereas on June 29, 1956, President Dwight D. Eisenhower signed the Federal-Aid Highway Act of 1956 to establish a 41,000-mile National System of Interstate and Defense Highways, known as the "Interstate Highway System", and the Highway Revenue Act of 1956 to create a Highway Trust Fund;

Whereas in 1990, the National System of Interstate and Defense Highways was renamed the "Dwight D. Eisenhower National System of Interstate and Defense Highways" to recognize President Eisenhower's role in the creation of the system;

Whereas in 2006, this web of superhighways, now spanning a total of 46,876 miles throughout the United States, has had a powerful and positive impact on our national life;

Whereas the Interstate Highway System has proven vital in transporting people and goods from one region to another speedily and safely;

Whereas the Interstate Highway System has facilitated trade both within our national borders and globally and helped create unprecedented economic expansion and opportunities for millions of Americans;

Whereas the Interstate Highway System has brought diverse communities throughout our land closer together and kept us connected to one another as well as the larger world;

Whereas the Interstate Highway System has made it easier and often more enjoyable to travel to long-distance destinations and spend time with family members and friends who live far away;

Whereas the Interstate Highway System is a pivotal component in our national system of defense and emergency preparedness efforts;

Whereas the Interstate Highway System remains one of our country's paramount assets as well as a symbol of human ingenuity and freedom; and

Whereas this anniversary provides an occasion to both honor one of the largest public works achievements of all time and reflect on how it can remain effective in the years ahead: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

That Congress—

(1) recognizes the golden anniversary year of the Dwight D. Eisenhower National System of Interstate and Defense Highways;

(2) recognizes the achievements of the Federal Highway Administration (and its predecessor, the Bureau of Public Roads), the State departments of transportation, and the highway construction industry, including contractors, designers, engineers, laborers, materials producers, and equipment companies, for their contributions to the construction of the Interstate Highway System and the quality of life of the citizens of the United States; and

(3) encourages citizens, communities, government agencies, and other organizations to promote and participate in celebratory and educational activities marking this uniquely important and historic milestone.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. PETRI) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. PETRI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 372.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

Thursday, June 29, will mark the 50th anniversary of the Federal law that brought America its unparalleled interstate highway system. This 46,508-mile web of superhighways has transformed our Nation and our Nation's economy. It is a symbol of freedom and it is a tribute to human ingenuity.

As America entered the 20th century, good roads, even paved roads, were not common. In addition, it was rare for roads in one State to link up with roads in adjacent States. Roads might lead outward from cities, even to State lines, but there was no guarantee they would meet other roads in neighboring States. The concept of an interstate system as we know it today can be traced back to a 1939 report to Congress called "Toll Roads and Free Roads."

In 1944, the National Highway Committee, appointed by President Franklin Delano Roosevelt and headed by Commissioner of Public Roads Thomas MacDonald, produced plans for a national system of approximately 34,000 miles of expressways.

However, it was the efforts of President Dwight David Eisenhower that gave us the interstate highway system we have today. Eisenhower personally witnessed the need for a national highway system in 1919, when as a young lieutenant colonel in the Army he helped staff a convoy of 81 military vehicles from Washington, D.C. to San Francisco. It is kind of a modern day Lewis and Clark Expedition. The journey took 62 days, and the convoy averaged 6 miles per hour. On today's interstate system, such a trip could be easily completed in less than a week.

During the journey, Lieutenant Colonel Eisenhower formed the opinion that the United States desperately needed a better highway system. Eisenhower made the creation of an interstate system a keystone of his domestic agenda when he came into office in the early 1950s.

Eisenhower's original effort to pass legislation to create an interstate system went down in defeat in July of 1955. He was unwilling to accept defeat, however, and he resumed his campaign in 1956. Eisenhower's plan required the Federal Government to bear the majority of the construction cost, recognizing this massive public works project was vital to interstate commerce, national defense, and economic growth. His plan also established a user fee-based financing plan through a gas tax and this funding source is still the bedrock of the current Federal Aid Highway Program.

Congress passed the Federal-Aid Highway Act of 1956 in June of 1956, and on June 29, 1956, President Eisenhower signed the bill into law and set in motion the interstate system as we know it today.

I am honored to be here this afternoon to recognize the 50th anniversary of the interstate system, and I look forward to taking part in the other events that are planned throughout this month to honor this historic anniversary.

Mr. Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman from Wisconsin for his very thoughtful historical rendition of the evolution of the interstate highway program.

This resolution honors the golden anniversary of the Dwight D. Eisenhower National System of Interstate and Defense Highways. But the original interstate highway, one that linked several States, was charted by George Washington in 1784, a year after the Revolutionary War concluded. Traveling to the Ohio country on horseback, Washington carefully observed the people and the land. He saw that settlers were trapped, that they could fall under the control, as he wrote, of "the Spaniards on their right or Great Britain on their left." He recognized the need to unite our new Nation by opening, as he called it, a smooth way through the Appalachian Mountains to enable the settlers, again as he put it, "to pass our markets before the trade may get into another channel." A quaint way of saying things.

Washington determined the best route through the mountains was Nemacolin's Trail, a network of old Indian hunting paths that Washington knew well from his early days as a surveyor. It took almost 50 years to convert the trail into the first federally funded interstate highway that we now know as the National Road.

There is little dispute that, as Chairman PETRI mentioned earlier, Thomas Harris MacDonald, chief of the Bureau of Public Roads for 34 years, from 1919 to 1953, was the visionary who developed the initial plans for the present day interstate highway system. In fact, Chief MacDonald's stature was such that when I started here on the Hill as a junior staff person on the Subcommittee on Rivers and Harbors of the Committee on Public Works his name was revered. The people almost bowed in mentioning his name. He really developed the plans for the present interstate highway system.

In 1938, the Congress mandated development of a plan for an interstate highway system. MacDonald laid out the plan in a report entitled "Toll Roads and Free Roads," 1939. Based on that report, Congress in 1944, as it could see the end of World War II, directed the Bureau of Public Roads to undertake a study of a nationwide system of interconnected highways, totaling some 44,000 miles.

□ 1330

That national system of interstate highways directive by the Congress, was carried out by the Bureau of Public Roads, with a plan to link major cities; that is, those of 50,000 population and more. But it did not provide a funding mechanism.

And in the aftermath of World War II, as the Nation rushed to reintegrate the 16 million men and women who served the U.S. in the great war, put aside the development of a highway plan as we rushed to convert to civilian purposes industries that had built machinery of war.

But MacDonald continued working tirelessly with State departments of highways, with urban planners, with others, to continue developing this idea of an interstate highway system. He had sustained it through the Great Depression, he had sustained the idea through World War II.

He was not dismayed by the rush to civilianize the war-time economy of the United States. He kept working on this until his retirement in 1953. Indeed it was, as Chairman PETRI said, President Dwight Eisenhower who exercised the political will and leadership to take this vision to reality.

But there was also another force, the increasing congestion on our Nation's highways, and with it, the increasing death rate on our Nation's highways. It was projected in 1951, 1952, that if we did not do something about the congestion on our highways and the rising death toll, we would be killing 100,000 people a year on America's highways. That was the driving force behind moving to the next stage and bringing the vision of an interstate system to reality.

I will not repeat the very thoughtful and I think erudite presentation that Mr. PETRI cited of President Eisenhower as a lieutenant colonel taking the convoy across the United States. He stated that was an experience that lingered in Colonel Eisenhower, General Eisenhower, President Eisenhower's mind as he confronted this issue.

His great thought was to tap GEN Lucius Clay to head a commission to take the idea of the 1944 Congress report, the MacDonald report, and work with the Governors again, with other interested parties, and develop a plan to finance this system. That is what the Clay Commission report did that was really different.

It set forth a plan for a viable funding mechanism to undertake the interstate highway system with an idea that you would have a dedicated revenue stream so that at the beginning of the project planners could see their way to the end of that project.

That was what truly launched the interstate highway construction program. My predecessor, John Blatnik, who served in this body for 28 years on the Committee on Public Works and was its chairman for 4 years, was one of the five House co-authors. It was largely the House of Representatives that drove this issue forward.

I remember many discussions with Mr. Blatnik talking about the discussions that went late into the evenings and about how to finance the interstate highway system.

President Eisenhower's Secretary of the Treasury favored a bonding program, which would have greatly enriched Wall Street investors, but the House held out for an egalitarian tax that everybody would pay, calling it a fee, a fee to build the interstate highway system.

And that fee started out to be 3 cents, a fuel excise tax. But after one year of experience with the 3-cent tax, they realized this was not going to be enough and came back the following year, in 1957, and passed 1 additional cent, an increase in that fee. That passed this body, if you can imagine it, on a voice vote. We can hardly pass anything on a voice vote today. But that was done in those days, because there was a need to move ahead.

The original authorization was for a system of 42,500 miles and today, as Mr. PETRI already said, it is 46,876 miles. You have to keep asking the Highway Administration how many more miles have been added because some continue to creep in as designated segments of the interstate.

But the States responded immediately. Eisenhower signed the bill into law June 29, 1956. By September, projects were under construction, because the States were ready. They knew they had to move ahead quickly. They knew we needed this system of divided, access-controlled, interconnecting highways that would theoretically allow you to travel from coast to coast or from border to border without a traffic light.

Now, of course today that is not possible, but the principle of coast to coast and border to border travel was realized with the interstate highway system. We now have invested $128.9 billion, the Federal Government in partnership with the States, the Federal share an estimated $114.3 billion.

And the marvel is that this system that represents 1 percent, just a little over 1 percent of the Nation's total public road mileage, carries 24 percent of all the highway travel, 40 percent of all travel by single-unit and combination trucks, 721 billion vehicle miles estimated to travel annually on the interstate highway system.

It is the marvel of the world. Every year there are delegations from other countries who come here to meet with us on the Committee on Transportation and Infrastructure to ask how did you do it? How did you finance it? How do you keep it going? How do you keep it in good shape? It is an engineering marvel of the world.

Washington, President Washington, General Washington's original version of a national road has now been fulfilled.

Mr. Speaker, I reserve the balance of my time.

Mr. PETRI. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. MORAN).

Mr. MORAN of Kansas. Mr. Speaker, I thank the gentleman from Wisconsin for yielding me time.

Mr. Speaker, I rise in support of the resolution. I thank the gentleman from Michigan for his remarks. My particular interest in this legislation, in honoring the interstate transportation system, is the gentleman that has been mentioned in both remarks, and that is President Eisenhower, a fellow Kansan, and that historic moment on June 29, 1956, when our President initiated the interstate highway system, is one that we memorialize in Kansas. We are very much a transportation-dependent State. We are land-locked in the middle of the country and roads and highways that lead elsewhere are lawfully important to us, particularly in the sense of commerce and moving industrial goods and agricultural commodities to market.

But President Eisenhower, in his life and his involvement in the interstate system, is memorialized in Abilene, Kansas, his hometown, at the Eisenhower Center where photographs of the interstate construction are on display.

Mr. Speaker, I rise this afternoon just to again remark about this remarkable individual, this former general, this former President of the United States, who had the foresight as a military leader and commander to bring the country together in regard to a transportation system that is so important to us today.

So as a Kansan, I am here to pay tribute not only to the interstate system, but to President Dwight D. Eisenhower. I thank the committee and the gentleman for yielding me the time and for bringing this occasion to the House floor today. I urge my colleagues to support this historic occurrence that matters so much to Kansas and Americans in 2006, 50 years later.

Mr. OBERSTAR. Mr. Speaker, can I inquire how much time is remaining on our side?

The SPEAKER pro tempore. The gentleman has 9 minutes remaining.

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I thank the ranking member for the time. I too rise to commemorate the 50th anniversary, the great vision of President and GEN Dwight David Eisenhower, in terms of the national highway system.

Fifty years. It is a long time. And now we need to look forward to the next half of the first century of the national highway system, and that is going to constitute quite a challenge. We, just after some lengthy struggle, finally reauthorized the highway program with SAFETEA–LU last summer.

But what we see looming before us is a system that is starting to show its age. The cracked bridge problem in Oregon, failing bridges that were constructed actually with 1950s technology, just before we moved to prestressed concrete, the cast-in-place bridges, and other places around the country. The system is showing its age, the wear and tear. It is showing in places that it is not up to the task of current traffic volumes, and we need to look to the future of this great artery of commerce and transportation and recreation transport for Americans, daily commutes to work, to long trips to far-away places within this wonderful country.

And that is a challenge that the chairman of the committee has begun to address with hearings to look at what the future sources of funding will be to meet even greater demands than the initial construction of this system.

So I rise today both to commemorate the 50th anniversary and the visionaries who gave us this great system, and to join with my colleagues here who I know will be part of the solution about how it is going to be celebrated yet another 50 years from today as still an essential artery for commerce and transportation in the United States, because visionaries in this and some near subsequent Congresses recognized the need to continue to invest, reinvest and enhance the system.

Mr. PETRI. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. GARRETT).

Mr. GARRETT of New Jersey. Mr. Speaker, I thank the chairman for the work on this legislation today and for making note of the anniversary of the interstate highway system, and as we also honor the work of our past President Eisenhower for his work to make sure that we bear the fruits of the system 50 years later.

The 50th anniversary, we come here today on, but perhaps at this time it is appropriate also that standing on his shoulders we could do what he would like to see at this point in time as we move forward to the second half of that century to build upon what he has already done, to create a new system as we honor his work of the past.

You know, this new system would be one in which we return some of the authority that we have now assumed on the Federal level back to the States to give them more discretion, basically to maximize the resources that are out there to create that great transportation system that we have in this country today. We could do that by returning primary transportation authority and responsibility and taxing authority back to the States.

What would this do? This would free State transportation dollars from the Federal micromanagement that we have seen in the past and other budgetary pressures as well. It would let people back at the States, people who actually use these roads and bridges and tunnels and what have you, to help make the decisions to decide when, how and where and how they are going to finance them. They would make the decisions in the future how they would finance it, they would make the decisions how they would be regulated.

You know, Mr. Speaker, I say in conclusion on this that we can honor this President who was indeed a great President for what he did for this country, but you know he was a greater general for all that he did for this country as well. And as a general he knew that sometimes the best decisions were made by those field commanders who were in the field. And I would just suggest to you, Mr. Speaker, that now is the time to allow the States to assume command.

Mr. PETRI. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Speaker and my colleagues, first of all I want to thank the chairman of our Highway Subcommittee and the ranking member for their leadership and taking time to recognize our interstate system. It is one of our most important Federal assets, particularly as we pay tribute now to the 50th anniversary of our interstate system founded in 1956. You have heard some references to President Eisenhower and his vision, a conservative Republican President in 1956.

And actually some of the history of the idea and really the push for an interstate system was delivered by Vice President Nixon on July 12, 1954.

□ 1345

Vice President Nixon was sent to the National Governors Conference in Lake George in New York, where the Governors had assembled. At that conference, in 1954, is where he proposed to all the Governors on behalf of President Eisenhower an interstate system.

Now, you have to put this in perspective, folks, because the Federal budget was $71 billion in 1954, and he was proposing what would be probably a half a trillion dollar system and infrastructure project in that day. I am sure there must have been a couple of people who said, that is going to be a highway to nowhere.

But, again, that is the kind of vision, that is the kind of foresight leadership that has meant so much to this Nation, particularly because our roads, our ports, our airports are all the heart of our infrastructure and allow us to do the business of our country. The business of our country is commerce.

The current state of our interstate. I am sad to rise on the 50th anniversary and say that it is in disrepair. We heard Mr. DEFAZIO talk about it, but we are congested from the Atlantic to the Pacific, from sea to shining sea. Our interstate needs cry out for help. We need new financing. We need new projects and partnerships to move the business of this country on our interstate highways that are clogged.

We do have two problems. One is financing. We are looking, instead of a trillion-dollar system that might have been proposed in 1954, trillions of dollars in infrastructure. The other thing is regulatory reform. These projects get bogged down in delay. We need to speed up that process which in time can also have costs attached to it.

So we need a vision like Richard Nixon proposed to the Governors association in Lake George in 1954. We need the vision of Dwight David Eisenhower, a conservative Republican President who proposed an interstate system which now links one end of this country and all corners of this Nation together.

Again, this is important, not just looking at the past, but looking at the future and building on what we have inherited and the significant milestone and anniversary in the history of our interstate system.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, what was unique about and continues to be unique about the interstate highway system is the Federal-State partnership that I referenced earlier, not public-private financing, not bond financing, as was proposed by Eisenhower's Secretary of Treasury and rejected by this House of Representatives, but a shared partnership, shared in financing 90 percent Federal, 10 percent State, shared in designing the route structure and the system to connect cities of 50,000 or greater population throughout this country, and to vastly enhance safety.

What we are hearing since enactment of SAFETEA–LU that took the Federal highway program to new financing, $286.3 billion, is worry about availability of funds for the future and the surface transportation subcommittee, under the leadership of the gentleman from Wisconsin, has held several very thoughtful, productive, in-depth hearings on how not only the interstate, but how the total national highway system will be financed in the coming years.

We also directed a commission to be established in the enactment of SAFETEA–LU to evaluate financing plans and to report back to the Congress on financing.

I am not enamored of public-private financing issues. I am not enamored and am very much opposed to toll systems. They will not be a sustained program. Toll roads, toll bridges would not have brought us the interstate highway system that we have, we enjoy today that was a marvel of the industrial world.

We need to sustain the highway trust fund, keep it a user-based system, and its inherent genius is that it never has nor can it or ever will it run a deficit. In contrast, the surplus funds in the highway trust fund for many years, from 1968 through 1998, were used to finance, to cover up deficits and finance other activities of the Federal Government. We must not allow that to recur, although it has.

There is a surplus built up where the trust fund is being used to overshadow parts of the deficit. We must continue this sustained financing, self-supporting financing mechanism that does not run a deficit, that is user-based, that is broad-based, that is egalitarian in its application.

For President Eisenhower, I would say history should and has already judged him very warmly, not only for his military leadership, but for what he has done for infrastructure and his support, not just passing, but from personal experience of the interstate highway system, which we have already discussed. But he signed into law the legislation establishing the St. Lawrence Seaway, providing for the U.S. partnership in Canada in opening the fourth sea coast of the United States, and creation of the FAA from the old Civil Aeronautics Authority, the first-ever construction funding to help build runways to accommodate the Jet Age in 1958, which was just dawning upon America.

We didn't know what to do with this new-type civilian aircraft, but we knew and engineers knew that they had to have better runways, better taxiways, better terminals. President Eisenhower understood that and signed into law the legislation not only to create the Federal Aviation Administration and the old CAA, but also funding for the construction of the needed high-quality runways to accommodate the Jet Age.

His legacy is really remarkable when we think back in perspective of what was needed to build the base of America, build our economic strength through our transportation infrastructure. What we celebrate in this legislation today is the accomplishment of that interstate highway system. It is a golden anniversary. As my colleague from Oregon, Mr. DEFAZIO, said, I am looking forward to the next 50 years, provided there is enough fuel to get us there.

I join with my good friend and colleague from the State of Wisconsin (Mr. PETRI). His leadership on the subcommittee of surface transportation has been superb in asking all Members to join in support of this legislation honoring the 50th anniversary of the interstate highway program.

Mr. Speaker, I yield back the balance of my time.

Mr. PETRI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just to conclude and build on the remarks of the dean of our committee, Mr. OBERSTAR, we are celebrating the 50th anniversary of a remarkable thing, a generation of Americans, some have said the Greatest Generation, that thought not just of itself, but of its country and its future and invested in the future.

They were not borrowing against existing assets, against existing assets for current expenses. Instead, they were taxing themselves or paying fees themselves to build for the future to create a greater, productive enterprise here in the United States, one symbol of that, of what we are celebrating today, the 50th anniversary of the interstate highway system, the envy of the world, the backbone of the strongest economy in the world.

I had the opportunity, as a much younger person, to meet Dwight Eisenhower on several occasions. I got out of school when I was in fourth grade to go down to the railway station in Fond du Lac, Wisconsin, one of the last whistle-stop campaign trips, and again once while in high school. These groups come from all over the country to visit their legislators and so on. I was with a group about to meet President Eisenhower in the Rose Garden in the White House.

But in those days Presidents would often, not only Eisenhower, address the country. Not because there was some great crisis, but because they were always trying to rally people to a constructive cause. I remember him often speaking and saying as a former general who had known war that the true strength of a country was not embodied just in its army, though military, though that was a part of it; the true strength of a country was the moral fiber of its people and the productive capacity of its economy.

If those were tended to, you could always build military strength out of that. But if you relied solely on military strength, you would have a hollow strength and would not have the sustainability that the strong economy and character of the people could provide to face any threat.

Part of that strength is our interstate highway system. He led us to build it. It is our job to sustain and to renew it in future generations and, as a part of that, to commemorate its great contribution and success through this resolution. I urge all Members to join us in supporting it.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. PETRI) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 372.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING RESPONSIBLE FATHERHOOD, PROMOTING MARRIAGE, AND ENCOURAGING GREATER INVOLVEMENT OF FATHERS IN THE LIVES OF THEIR CHILDREN, ESPECIALLY ON FATHER'S DAY

Mr. OSBORNE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 318) supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day, as amended.

The Clerk read as follows:

H. RES. 318

Whereas married fathers are more likely to have a close, enduring relationship with their children than unmarried fathers;

Whereas according to a 1996 Gallup poll, 90.3 percent of Americans agree that fathers make a unique contribution to their children's lives;

Whereas in a study of fathers' interaction with their children in intact two-parent families, nearly 90 percent of the fathers surveyed said that being a father is the most fulfilling role a man can have;

Whereas a broad array of the Nation's leading family and child development experts agree that it is in the best interests of children and the Nation as a whole to encourage more two-parent families where the father is actively involved with his children;

Whereas promoting responsible fatherhood can help increase the chances that children will grow up with two caring parents;

Whereas children with fathers at home tend to do better in school, to be less prone to emotional and behavioral problems, and to have more successful relationships;

Whereas boys and girls alike demonstrate greater self-control and ability to take initiative when fathers are actively involved in their upbringing;

Whereas children who are apart from their biological fathers are, in comparison to other children, 5 times more likely to live in poverty, and more likely to bring weapons and drugs into the classroom, commit other crimes, drop out of school, commit suicide, abuse alcohol or drugs, or become pregnant as teenagers;

Whereas the promotion of responsible fatherhood should not denigrate the standing or parenting efforts of single mothers, whose efforts are heroic, lessen the protection of children from abusive parents, cause women to remain in, or enter into, abusive relationships, or compromise the health or safety of a custodial parent; and

Whereas Father's Day is the third Sunday in June: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the millions of fathers who serve as wonderful, caring parents for their children;

(2) calls on fathers across the Nation to use Father's Day to reconnect and rededicate themselves to their children's lives, to spend Father's Day with their children, and to express their love and support for their children;

(3) urges men to understand the level of responsibility fathering a child requires, especially in the encouragement of the moral, academic, and spiritual development of children; and

(4) encourages active involvement of fathers in the rearing and development of their children, including the devotion of time, energy, and resources.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. OSBORNE) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska.

GENERAL LEAVE

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 318.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. OSBORNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H. Res. 318, and I would like to congratulate Representative SULLIVAN on this resolution. The upcoming celebration of Father's Day is time to reflect on the role that fathers play in the development of our children and the stability of our families, and an ever-increasing amount of research supports what common sense has told us all along, that fathers are essential for children's development.

Unfortunately, far too many children today are growing up without the presence of their father, with 24 million children in our country, approximately one-third of all American children, living apart from their biological fathers. Even more alarming, 40 percent of those children, with absent fathers, have not even seen their fathers in the last year. Given what we know about the importance of fathers for children, this statistic is truly alarming.

In my previous profession, I saw firsthand the increase in fatherlessness and witnessed this devastating effect on the young men I worked with. I was excited to receive a call one day from one of my player's fathers who wanted to reestablish contact with his son after many years' absence.

I was really excited and went and found the player, told him his dad had called. I knew that he hadn't seen him for 15 or 20 years. So I told him about this call. I remember the player saying this: he said, you know he really didn't care about me when I was little, and now he only wants to see me because I am doing well in football. The player didn't even call his father back after 20 years. So fatherlessness has become very real to me because of those experiences.

Research performed by the National Fatherhood Initiative has indicated that children, both boys and girls with involved loving fathers, are more likely to do well in school, have healthy self-esteem and avoid high-risk behaviors. But just as the presence of a loving father has positive overwhelming effects on a child, the lack of a father carries extremely negative effects. Children who live absent their fathers are two to three times more likely to use drugs, experience behavioral problems, be victims of abuse, and engage in criminal behavior.

□ 1400

A few years ago, a greeting card company offered free cards to inmates from a prison to send to mothers on Mother's Day. Nearly all the prisoners took the offer and sent cards to their mothers. So the greeting card company was somewhat encouraged by the success and they decided that they would then make the same offer when Father's Day came around. They offered free cards to send to fathers on Father's Day, and they had zero takers. There was no one in that prison who wanted to send a card to his father on Father's Day, which is a real indictment, I think, of the situation in regard to fatherlessness of those who end up in prison.

It is also important for fathers to foster close, caring relationships with their children. Additional research from the National Fatherhood Initiative suggests that adolescents are less likely to smoke, drink or use drugs if they have a close relationship with their father, and adolescents in intact families are also less likely to be negatively influenced by their peers or engage in delinquent behavior.

So what can be done to improve the state of fatherhood? Perhaps the simplest answer can be found in a sound marriage. It is the basic social contract between parents that provides the optimal environment for raising children.

Research by the Fatherhood Initiative says that the concept of marriage is well-supported in America. In fact, nearly 90 percent of survey respondents disagreed with the statement that marriage is old-fashioned and outmoded. Clearly, there is support for the idea of marriage among Americans, yet at the same time half of all first marriages in our country end in divorce. This is linked to the stability of our families, indicating that we must work harder to make sure that marriage and fatherhood is encourage and supported in our society.

I would just say, Mr. Speaker, in concluding my opening remarks, that from my perspective, working with young people for over 36 years, the greatest crisis, the greatest threat facing our country today is not problems with the economy, is not al Qaeda, but it is simply father absence. If we could undo that extreme difficulty with our society, we would solve probably 80, 90 percent of our social problems in our country.

So I strongly support H. Res. 318 and urge its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, marriage rates are down, divorce is up, unemployment is high, and there are many other social and economic factors which have led to a reduction in the leadership of families by two adults. There are more single family homes and more and more absence of fathers from the lives of children.

I have observed these trends for a number of years and, therefore, rise in strong support of H. Res. 318, a bill supporting responsible fatherhood, promoting marriage and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

As we express our support for responsible fatherhood, we should not forget one key aspect of being a responsible father, regular financial contributions. Many low-income, noncustodial parents are barely able to support themselves, let alone their children. For example, as many as one-quarter of noncustodial fathers have incomes below the poverty line. Moreover, they generally experience multiple barriers to employment, including limited work experience, no high school diplomas, no college degrees, criminal histories, transportation restrictions and substance abuse, which really means that they have problems and need help with those problems.

The multiple barriers to employment coupled with child support enforcement rules that are ill-matched to meet the needs of low-income, noncustodial parents often present major disincentives to work or incentives to work in the informal or underground economy, making this population incredibly difficult to recruit and serve within existing fatherhood programs.

Given the widely understood and acknowledged benefits of an actively involved father in the lives of children, we would see that more children have self-control and are less likely to be found within the penal system. From research, we have observed that 63 percent of suicides, 71 percent of pregnant teens, and 90 percent of homeless runaway children are from homes without a father.

Children who develop relationships with their fathers are more likely to develop healthy adult relationships and to feel secure regarding who they are. A father's presence in a child's life is a powerful deterrent to delinquency.

We should work together to remove barriers from employment that affect noncustodial parents and in many instances prevent them from assuming a supportive role in the lives of their children, and we have to find ways to facilitate their involvement.

I have been pleased to work for the last several years with a noted attorney, Jeffrey Levin, who has written a book about father's rights and responsibilities, and every year before Father's Day we convene a full day of activities, seminars, discussions, programs that are designed to help fathers find the way to come back into or reconnect with their children.

I also want to commend the Governor of the State of Illinois, a former Member of this body, Governor Rod Blagojevich, for establishing a fatherhood council for the State and appointing Attorney Levin to be the chairman of that.

So we know that in addition to encouraging fathers to be involved that we need to do more than that. We need to facilitate involvement by promoting male involvement in Head Start and other early childhood education programs, by supporting Little League and other programs and encouraging fathers to be an integral part of those.

So I commend the gentleman for introducing this legislation, express strong support for it.

Mr. Speaker, I reserve the balance of my time.

Mr. OSBORNE. Mr. Speaker, I yield 4 minutes to the gentleman from Oklahoma (Mr. SULLIVAN), the author of this resolution.

Mr. SULLIVAN. Mr. Speaker, I would like to thank my colleague and friend from Nebraska (Mr. OSBORNE) for his work on this. It has been great, and as we anticipate the celebration of Father's Day this weekend, I am proud to have introduced H. Res. 318, which supports responsible fatherhood, promotes marriage and encourages greater involvement of fathers in the lives of their children.

Three of my four children are in Washington with me this week, and I find it very fitting that they are here to share in the passage of this resolution. Being a father is one of the greatest blessings in my life. I love my job, but I look forward to the end of the week when I can head back home to Tulsa and to be with my family.

My children Tommy, Meredith, Sydney and Daniel are my number one priority, and I strive every day to show them they are important. I would like to take this opportunity to remind all fathers, including myself, to spend extra quality time with their children on Father's Day and to continue to do so throughout the year.

I introduced this resolution not only to honor fathers but to call attention to the importance of the job. The role that fathers play in the development of our youth cannot be understated.

According to findings by the National Fatherhood Initiative, which have been reiterated already, the closer adolescents feel to their fathers regardless of the type of family structure in which they live, the less likely it is that they will engage in the use of drugs or delinquent behavior. Involved and proactive fathers help to shape confident and productive future citizens.

So as we honor fathers on Father's Day we should also encourage men to evaluate their own participation in their children's lives, because you can never be too involved.

It is also important to note that this bill includes language recognizing the outstanding efforts of single mothers, grandparents and other caretakers. Their efforts are heroic and should be applauded.

As a cochair of the Fatherhood Caucus, as a father and as a concerned citizen, I ask my colleagues to promote responsible fatherhood and support H. Res. 318.

Mr. DAVIS of Illinois. Mr. Speaker, I don't believe that I have any other requests for time.

Again, I simply want to commend Mr. SULLIVAN for his introduction of this legislation, and I believe that was probably one of his sons on the floor with him, and I can imagine how he feels, and that ought to be an example for other fathers throughout America and throughout the world to recognize the tremendous value of providing the kind of love, affection and involvement in the lives of children that they receive from responsible fathers.

Mr. Speaker, I yield back the balance of my time.

Mr. OSBORNE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Speaker, I rise today in strong support of this resolution.

We often hear about deadbeat and delinquent dads. So it is easy to forget the millions of dads across America who are striving to be good husbands and positive role models for their kids.

Today, we recognize those dads and the tremendous importance of promoting fatherhood in America. There is no denying the invaluable role that a father plays in a child's life.

According to research from the National Fatherhood Initiative, children with involved and loving fathers have a significant advantage in life. They tend to perform better in school, have a healthy self-esteem, exhibit positive social behavior, and avoid drug use and other criminal activity.

But this kind of statistical research really just affirms what we already know to be true: Fatherhood is important. A loving father plays an integral role in the family, and healthy families are the foundation for a healthy society.

This resolution acknowledges that fact, Mr. Speaker, and it is worthy of our consideration and adoption today. I commend the gentleman, Mr. SULLIVAN, for his leadership on the issue and urge support for the resolution.

Mr. OSBORNE. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MCNULTY).

Mr. MCNULTY. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of the resolution. I want to echo what others have said about the importance of family.

When we talk about priorities, we have a long list and wide range of them. I think it is critically important to keep family first.

I enthusiastically support the resolution, and I want to say how much our children, Nancy's and mine, Michele, Angela, Nancy and Maria, mean to us; and how much our five grandchildren mean to us, Teigin, Elijah, Lola, Morgyn and Daniel. They are the light of our lives.

I thank the gentleman for bringing this resolution to the floor. I urge all members to support it.

Mr. McKEON. Mr. Speaker, today I rise in strong support of H. Res. 318 to encourage responsible fatherhood. As we recognize fathers across the country and in celebration of Father's Day, we honor caring, involved fathers and hearten other men to also hold their children and the family unit in the highest regard.

Numerous studies conducted throughout the years have continued to underscore the fundamental role fathers play in a family and highlight the positive effects they have on children. I want to encourage men who are not already doing so to take the responsibility of fatherhood seriously and to understand that there are considerable consequences to broken-families where there is no male role model for the children.

Children in father-absent homes have a tendency to live in poverty, use drugs, commit crimes, drop out of school, and in the case of young women—become pregnant as teenagers. Conversely, children in homes with fathers who are dependable and active tend to do better in school, are less prone to depression and demonstrate the ability to form more successful relationships.

The role of a father is one to be celebrated. A father provides safety, security, love, and support. Children inherently covet and require these qualities as they mature into young adults, and they deserve the opportunity to prosper and learn in a stable home.

Fathers who dedicate their time, energy, and resources to their children harvest the rewards of their efforts as they watch their children become productive citizens. A father or male-guardian who is committed and dependable acts also as a mentor—leading by example and demonstrating the standards by which we expect young people to live.

Mr. Speaker, as we approach Father's Day, I would like to commend the millions of fathers who already serve as wonderful parents for their children, and I ask my colleagues to also support this resolution for the improvement and encouragement of other men nationwide.

Mr. TIAHRT. Mr. Speaker, I rise in strong support of House Resolution 318 which promotes responsible fatherhood. I am a proud cosponsor of this resolution but an even prouder father of three. My children are the joy of my life and my wife Vicki and I have thoroughly enjoyed each stage of their lives as they have grown up. I would like to encourage all fathers to realize the impact we have on our children. It is imperative that we not only love our wives as Jesus Christ loved His church, but that we show that love to our children. Our children must be our priorities, and that is exceedingly hard in this world. I challenge all of us fathers to work at maintaining a loving and active relationship with our children.

Whether it is attending sporting events, going hunting and fishing, or playing guitar with your children, Almighty God has placed in our lives the gift of children and we must honor Him by our example. My own father is a man of God and an example to me of a godly leader and solid Christian. Thank you, Dad, for the impact you have been in my life and the lives of my children. Happy Father's Day.

Mr. OSBORNE. Mr. Speaker, I would like to thank Mr. DAVIS for his participation. It seems like we often are involved in these kinds of issues together.

I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURPHY). The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and agree to the resolution, H. Res. 318, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. OSBORNE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

□ 1415

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Adoption of H. Res. 862, by the yeas and nays;

Suspending the rules and passing H.R. 4894, by the yeas and nays;

Suspending the rules and agreeing to H. Res. 318, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 862, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 221, nays 194, not voting 17, as follows:

[Roll No. 258]

YEAS—221

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Pastor
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—194

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chabot
Chandler
Clay
Cleaver
Clyburn
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)

Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Paul
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—17

Barton (TX)
Berkley
Conyers
Deal (GA)
DeLauro
Evans
Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Owens
Payne
Ramstad
Reichert
Sessions
Strickland

□ 1441

Messrs. GONZALEZ, AL GREEN of Texas, McGOVERN, HIGGINS, and Mrs. JONES of Ohio changed their vote from "yea" to "nay."

Mr. WAMP changed his vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CERTAIN ACCESS TO NATIONAL CRIME INFORMATION DATABASES

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4894, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4894, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 1, not voting 16, as follows:

[Roll No. 259]

YEAS—415

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—16

Barton (TX)
Berkley
Conyers
Deal (GA)
DeLauro
Evans
Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Payne
Ramstad
Reichert
Sessions
Strickland

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1450

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING RESPONSIBLE FATHERHOOD, PROMOTING MARRIAGE, AND ENCOURAGING GREATER INVOLVEMENT OF FATHERS IN THE LIVES OF THEIR CHILDREN, ESPECIALLY ON FATHER'S DAY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 318, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. OSBORNE) that the House suspend the rules and agree to the resolution, H. Res. 318, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 407, nays 0, answered "present" 8, not voting 17, as follows:

[Roll No. 260]

YEAS—407

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED "PRESENT"—8

Capuano
Honda
Lee
Lofgren, Zoe
McDermott
Miller, George
Stark
Tierney

NOT VOTING—17

Barton (TX)
Berkley
Conyers
Deal (GA)
DeLauro
Evans
Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Payne
Reichert
Sessions
Slaughter
Strickland
Waters

☐ 1502

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. REICHERT. Mr. Speaker, on June 13, 2006, I missed the following rollcall votes:

1. Rollcall vote No. 259, H.R. 4894: To provide for certain access to national crime information databases by schools and educational agencies for employment purposes.

2. Rollcall vote No. 260, H. Res. 318: Supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

Had I been present, I would have voted "yea" to rollcall vote No. 259, and "yea" to rollcall vote No. 260.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2048

Ms. SOLIS. Mr. Speaker, I ask unanimous consent that my name be withdrawn as a cosponsor of H.R. 2048, the Motor Vehicles Owners' Right to Repair Act.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. LINCOLN DIAZ-BALART of Florida. From the Committee on Rules, submitted a privileged report (Rept. No. 109–501) on the resolution (H. Res. 865) providing for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that, during consideration of H.R. 5576 pursuant to

House Resolution 865, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clause 9 of rule XX.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 865 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 865

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with "to" on age 5, line 23 through the comma on line 24; beginning with the colon on page 6, line 22 through "year" on line 26; beginning with "for" on page 13, line 1 through "Code" on line 6; beginning with the colon on page 13, line 17 through "expended" on line 25; and sections 120, 127, 129, 206, 530, 707, and 931. Where points of order are waived against part of a paragraph, points of order against language in another part of such paragraph may be made only against such other part and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. When the committee rises and reports the bill back to the House with a recommendation that the bill do pass, the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) is recognized for 1 hour.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, the rule provides 1 hour of general debate evenly divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. It also provides one motion to recommit, with or without instructions.

I would like to take a moment to reiterate that we bring this rule forward under an open rule. Historically, appropriations legislation has come to the House governed by open rules, and we continue to do so in order to allow each and every Member of the House the opportunity to submit amendments for consideration as long as they comply with the rules of the House.

The legislation that we bring to the floor today appropriates over $67 billion for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, the District of Columbia, and independent agencies, an increase of 6 percent over last year. And yet the bill is fiscally sound. It also represents our commitment to provide the necessary resources for programs and projects across the Nation ranging from transportation to housing, the judiciary, the executive office of the President, and the District of Columbia.

The Nation's transportation infrastructure is the backbone of the economy. Its continued strength is essential to foster economic growth, and the bill that we bring to the floor today ensures that we have a reliable and stable transportation infrastructure, that we continue to do so, so that the economy can continue to grow.

The bill includes $39.1 billion in funds for our highway system, representing an increase of $3.5 billion. Included in the bill is $900 million for Amtrak. It includes significant financial and management reforms. In addition, the DOT Inspector General is required to report back regularly to Congress on Amtrak's progress on financial reforms.

The bill that we bring to the floor also includes over $15 billion for the Federal Aviation Administration, an increase of $1.4 billion. Included in that amount is $16 million to hire and train 132 new air traffic controllers. That is vitally important as air traffic controllers begin to retire and yet air traffic continues to grow. This is essential, for example, in my district, which is the home of Miami National Airport, the third largest international airport in the country. Without an increase in the number of air traffic controllers, Miami International would not be able to continue its projected growth and continue to serve as the Hub of the Americas.

The Department of Housing and Urban Development is funded at $35 billion, an increase of $1.7 billion. These funds will permit the Department to administer programs and assist the public with their housing needs, economic and community development and fair housing opportunities. Under HUD the bill includes funding for such important programs as Tenant Based Rental Assistance, also known as section 8, and project-based rental assistance. These two programs serve almost 3.5 million households with vouchers and project-based housing. The bill includes over $21 billion in funds for the program, an increase of over $800 million.

H.R. 5576 provides $6.1 billion for the Federal Judiciary, an increase, Mr. Speaker, of almost 6 percent. This funding will enable the courts to effectively process priority criminal, civil, and bankruptcy cases.

This legislation was introduced by Chairman JOE KNOLLENBERG and reported out of the Appropriations Committee on June 6 by a voice vote. It is good legislation, essential to our continued commitment to the security and safety of all citizens and residents of the United States; and we bring it forth, as I stated before, under a fair and open rule.

I would like to thank Chairman KNOLLENBERG and Ranking Member OLVER for their leadership on this important issue. I urge my colleagues to support both the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Florida, my good friend, Representative DIAZ-BALART, for yielding me time. And I rise today in opposition to this rule and with great concern and reservation about the Transportation, Treasury, Housing and Urban Development Appropriations bill for fiscal year 2007.

While the underlying legislation is a significant improvement over President Bush's proposed budget, I am deeply troubled that Republicans continue to use their inability to manage the fiscal needs of our country as a convenient scapegoat for underfunding or completely eliminating programs of critical importance to the neediest of Americans.

Let me say from the outset I do believe that the subcommittee, led by Chairman KNOLLENBERG and Ranking Member OLVER, did all that it could do with the unreasonable fiscal constraints that the majority of this body gave them to work with. At the same time, this is the eighth appropriations bill for fiscal year 2007 that the House has considered; and in almost every single bill, the wants of the well-to-do are trumping the needs of the less fortunate. The underlying legislation is following this very unfortunate trend, and its priorities are short-sighted.

While no one single area was completely spared from funding cuts, the Department of Housing and Urban Development and the critical public housing assistance programs funded in this important Department are, without doubt, the worst off in this bill.

Fair housing activities, the Community Development Financial Institutions fund, rental assistance, the Public Housing Capital fund, Community Development Block Grants, and elderly housing, let me go back to that, elderly housing programs, all that I just identified are just some of the many programs whose budgets have been placed on the chopping block in this bill.

I find it incomprehensible as to why the majority in this body continues to cut funding for public housing assistance at a time when people need it most. Do my colleagues realize that it costs much less to keep someone in a home or apartment than it does to put a roof over their head once they have become homeless?

I ask: Where is Congress's commitment to keeping people in their homes? Where is our commitment to helping those most in need? If we are committed to them, then we certainly have a weird way of showing it around here.

Later today, Representative AL GREEN and I are going to offer an amendment to restore funding for fair housing activities at HUD. I am hopeful that the House will approve our amendment along with others who would seek to restore funding for section 8 vouchers, rural housing programs, and the HOPE VI program, which is completely eliminated in this bill.

□ 1515

Additionally, the underlying legislation cuts Amtrak's funding next year by more than one-third to a level that is barely half of what Amtrak has identified to continue operating at its current level.

Yesterday in the Rules Committee, the subcommittee's ranking Democrat, my good friend, Representative OLVER, asked that his amendment restoring $400 million in Amtrak funding cuts be made in order under the rule.

Why did he need a waiver? Because unlike other amendments that will be offered today, Mr. OLVER's amendment would have paid for itself by rolling back a small portion of the tax cuts to those making $1 million or more. The rule, however, blocks Mr. OLVER from offering his amendment. As a result, the House will never have the opportunity to vote on restoring funding cuts to Amtrak.

I find it so difficult to believe that we think that it is okay to have a second-hand rail system in this country. That is foolish. And somehow or another we must preserve the integrity of the last remaining rail system of consequence for people in a corridor to be transported.

Finally, I intend to offer an amendment which prohibits the Federal Aviation Administration from consolidating or eliminating Terminal Radar Control Centers, or TRACONs, at airports in federally designated high threat urban areas.

In some places, FAA's TRACON consolidation program is leaving entire States without an approach radar system to coordinate and oversee approaching air traffic in that State. In other instances, consolidation runs the risk of placing undue stress on nearby TRACONs already having to deal with larger air spaces and staffing shortfalls.

The consolidation of these centers in high risk urban areas which are already considered to be at greater risk for terrorist attack or for natural disasters is not good policy. Do we really want to limit the capacity of our air traffic radar systems during national emergencies, especially if Congress can do something about it?

I hope that my colleagues will support my amendment later today. Case in point. In West Palm Beach, Florida, what we find is that one is being consolidated into Miami. And if that whole radar system goes down, when we have a natural hurricane disaster, as is always the potential, then we do not have, if the Miami system goes down, the backup of the West Palm Beach radar system. Mr. Speaker, I find it very difficult to believe that FAA does not understand that.

Mr. Speaker, in my 14 years in the House, I have been fond of saying that the budget and appropriations bills present Congress with the opportunity to outline its priorities. The underlying transportation appropriations bill provides the American people with the grim reality that the majority in this body would rather cut the taxes of those of us in our society who are better off financially, they would rather cut our taxes than pay for housing assistance programs which benefit the less fortunate in our country.

This is not political rhetoric, as some on the other side of the aisle may suggest today. On the contrary, it is the obvious and very real fiscal mess which we have all brought upon ourselves. How we get out of this mess will be up to the American people in just a few short months. I urge my colleagues to oppose this rule.

Mr. Speaker, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply would reiterate that the legislation we bring to the floor today by this rule appropriates 6 percent more for the Departments of Transportation and Treasury and Housing and Urban Development, and the Judiciary and District of Columbia and other agencies, 6 percent more than last year.

And we are proud of the legislation we bring forth. I know that Chairman KNOLLENBERG has worked long and hard, as well as many of our members of the Appropriations Committee on this legislation, to prioritize needs and to bring forth as fair a piece of legislation as possible.

With regard to the area of housing, the bill, as I stated before, includes funding for important programs such as the tenant-based rental assistance, also known as Section 8, and as a matter of fact, the bill includes over $21 billion for the program, an increases of over $800 million from last year.

I think Chairman KNOLLENBERG has done a very good job, and he deserves our commendation, as do the other members of the committee.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, before yielding to Mr. OLVER, I would just respond to my friend who brags about a 6 percent increase. He and I have districts that are very close to each other, we adjoin each other, but we evidently live in different sections of south Florida where fair housing programs are being cut in this program, with a 2.2 percent reduction.

Community development financial assistance, a cut of $15½ million; tenant-based rental assistance program that you just talked about, my good friend from Florida, is funded at $14.3 billion. You say that is a great increase. Guess what the administration requested? $100 million more that they did not get.

Project-based rental assistance is cut $200 million. Cost-share requirement for HUD earmark, the bill requires that HUD earmarks in the bill is subject to a 40 percent cost sharing. Rural housing received a cut. Public housing capital fund, $261 million, 10 percent below for fiscal year 2006.

How in the world can you all make increases out of cuts, when in fact people are hurting and need adequate housing?

Mr. Speaker, I yield 6 minutes to the distinguished gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. I thank the gentleman from Florida for yielding me the time.

Mr. Speaker, once again, I am going to dwell upon what my Member from the Rules Committee has already spoken about. The majority of the House shows its true priorities.

The rule that we have before us today does not make in order my amendment that reflects some very important national priorities. My amendment would have added a badly needed $1.7 billion to the bill. Specifically it would have provided increases for the following programs: First, $400 million for Amtrak, which would bring total funding to $1.3 billion, just barely above last year's $1.294 billion, and allow Amtrak to continue to provide national intercity passenger rail service.

Remember that the Transportation, Treasury, HUD bill proposes a $900 million amount for Amtrak, which is below, $394 million below the 2006 enacted, which would at least require substantial cuts in service provided, and probably in routes, the termination of routes in order to manage to get through the year. And without that money, they would have no chance of dealing with the huge backlog of infrastructure improvements that affect reliability and safety of the system.

Second, the amendment would have provided a $636 million increase for public housing operating fund. That is the level of funding of $3.56 billion that is already there, but that account funds the operating costs that exceed the rents that the public housing authorities may legally collect, and provides for major operating costs, including building maintenance, utilities and services for residents.

Remember that public housing authorities operate in every single congressional district in the country and serve the lowest income elderly people, for the most part, in that process. And the President's request, according to HUD's figures, only provide 85 percent of the authorities' operating requirement.

Third, the amendment would have provided a $261 million increase for the public housing capital fund, which is funded in the bill at 10 percent below fiscal year 2006. Funding for this has declined steadily since 2001 when $3 billion was provided, and there is a $20 billion backlog in public housing capital repair needs, which really goes to the backlog of modernization, rehabilitation and replacement of housing units.

Fourth, $144 million was provided in my amendment for tenant-based voucher programs, which just would restore funding levels to the President's request in the President's budget for this year.

Fifth, $100 million was provided in my amendment for the HOPE VI program for revitalization of public housing. The bill before us provides no funding for HOPE VI. This is the fourth year in a row that the administration has proposed eliminating the program, and it is zeroed out in the committee bill before us as the program for revitalizing severely distressed public housing.

Sixth, there was a total of $89 million provided for increases in construction for housing for the elderly and housing for the disabled, which with what is provided in the bill would bring the total for that pair of accounts to less than 1 percent above the enacted level of 3 years ago, and this at a time when all of the demographic studies show that the average age of our population is rising steadily, and our over-80 elder population represents the fastest growing cohort.

Seventh, $30 million increase for the CDFI program, which has been enormously successful in leveraging, by at least 20–1, additional private investment in underserved communities. $40 million is appropriated for the CDFI fund, and while the subcommittee bill is an improvement over the President's request, it is still a 25 percent cut from the 2006 enacted number.

Eighth, there was a $30 million amount for the rural housing and economic development program that is zeroed out in the bill before us. My amendment was fully offset by a 4.11 percent reduction to the tax cuts for individuals making over $1 million annually. That represents a $4,700 on average cut from the $114,000-plus tax cut for those millionaire individuals.

The chairman of the subcommittee had faced difficult choices in this bill. The President's budget was inadequate in many respects, and left holes that had to be filled. The chairman did his best to provide a fair allocation of money within the amount assigned to the subcommittee, and in spite of the chairman's creativity, many problems still remain because of the majority party's decision to make tax cuts to the wealthiest 1 percent their number one priority. The majority party would rather help those that do not need help than those that do. My amendment would have corrected some of this imbalance.

I urge all of my colleagues to put our national priorities first and oppose this rule.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I simply reiterate that we bring this legislation forth with an open rule, which means that any Member of the House who has an idea for more funding for one program, less funding for another, they can bring forth any amendment as long as they obviously follow the rules of the House.

So we are bringing forth this appropriations bill with an open rule, we look forward to debate. We think it is good legislation.

Mr. Speaker, I reserve the balance of my time.

☐ 1530

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), my good friend and classmate.

Mr. BLUMENAUER. Mr. Speaker, I will be brief. I appreciate the gentleman's courtesy; and I agree, this is a difficult challenge that the committee has faced. I look forward to full and vigorous debate.

I would just call attention to one element here on page 77, where the committee expresses its reservations about using land use and economic development as measures for new starts in terms of transit projects; and I would respectfully suggest that we need to have a serious conversation with the committee and staff, because they are sort of missing the boat in terms of what we did laboriously in the transportation and infrastructure committee for the last 2 years. There are 84 communities around the country that are interested in streetcars under the Small Starts Program to be able to move forward in something that isn't as expensive as light rail or heavy rail.

The whole reason communities are interested is because it has very powerful economic development impact, and it can prevent congestion in the first place because it encourages development along that streetcar line. The streetcar line can be built quickly, cheaply; and it prevents people from having to move out to vast stretches of the countryside and then come in.

I would hope that we would be able to work with the subcommittee to be able to give them examples of what is happening around the country and why people in Chicago and Charlotte are interested in what has already happened in my community in Portland, Oregon.

The subcommittee's suggestion that somehow this money come from HUD community block grant funding is a little off base because my understanding is those monies aren't supposed to be for transportation. The streetcar program, the Small Starts Program, is very definitely transportation, very definitely transit; and it enables us to avoid some of that congestion in the first place.

I look forward to a conversation with the committee at a later date.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, we have no further speakers on this side of the aisle, and I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, I rise today to ask my colleagues to oppose the previous question. I do not think it is appropriate to let this bill go through without an up-or-down vote on whether or not Congress should have an increase in its own pay.

The effect of this legislation is that is exactly what is going to happen. Here we are in a circumstance where we continue to swim in a lake of red ink. $8 trillion now. Our debt is above that now.

We just voted on a $94 billion supplemental earlier today. I don't think it is appropriate to have this cost increase, this increase in salary for Members of Congress go through without an up-or-down vote. That is why I encourage my colleagues to oppose the previous question, because a "no" vote on the previous question will give Members the opportunity to vote up or down on the automatic cost-of-living pay raise for Members of Congress.

If the previous question is defeated, I will offer an amendment to this rule. My amendment will block the fiscal year 2007 cost-of-living pay raise for Members of Congress. I urge my colleagues to vote "no" on the previous question so that we can have a debate and vote on this issue in the light of day.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I have no further speakers at this time, and I yield back the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, again I am very proud of the work of Chairman KNOLLENBERG and the rest of the Members who have worked hard on this appropriation bill. We think it is a good bill. It is fair. We bring it forward to an open rule, which permits any germane amendment to be introduced, discussed, debated by this House.

I look forward to the debate. We are proud of the underlying legislation as well as the rule that we bring it forth with.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MATHESON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting, if ordered, on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 249, nays 167, not voting 16, as follows:

[Roll No. 261]

YEAS—249

Abercrombie
Ackerman
Akin
Alexander
Andrews
Baca
Bachus
Baker
Baldwin
Barton (TX)
Bass
Beauprez
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Bonilla
Bonner
Bono
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capuano
Cardin
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Davis (AL)
Davis (FL)
Davis (IL)
Davis, Tom
DeGette
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Dreier
Ehlers
Engel
English (PA)
Eshoo
Everett
Farr
Fattah
Feeney
Ferguson
Foley
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gohmert
Gonzalez
Goodlatte
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Harris
Hastings (FL)
Hastings (WA)
Hefley
Herger
Hinchey
Hinojosa
Hobson
Hoekstra
Honda
Hostettler
Hoyer
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (CA)
Linder
Lipinski
Lowey
Lucas
Lungren, Daniel E.
Mack
Marchant
Markey
Matsui
McCarthy
McCotter
McCrery
McDermott
McGovern
McHugh
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller, Gary
Miller, George
Mollohan
Moore (WI)
Moran (VA)
Murtha
Musgrave
Myrick
Nadler
Neal (MA)
Ney
Nunes
Oberstar
Olver
Ortiz
Owens
Oxley
Pallone
Pascrell
Pastor
Pelosi
Pence
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rangel
Regula
Rehberg
Reyes
Reynolds
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schmidt
Scott (VA)
Serrano
Shadegg
Shaw
Sherman
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Solis
Souder
Stark
Sullivan
Sweeney
Tancredo
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)
Holden
Holt
Hooley
Hulshof
Inslee
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
Kucinich
Kuhl (NY)
LaHood
Langevin
Latham
Leach
Lewis (KY)
LoBiondo
Lofgren, Zoe
Lynch
Maloney
Marshall
Matheson
McCaul (TX)
McCollum (MN)
McHenry
McIntyre
McKinney
McMorris
Melancon
Mica
Michaud
Miller (FL)
Miller (NC)
Moore (KS)
Moran (KS)
Murphy
Napolitano
Neugebauer
Northup
Norwood
Obey
Osborne
Otter
Paul
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Renzi
Rogers (KY)
Rogers (MI)
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sanders
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Shays
Sherwood
Shimkus
Shuster
Simmons
Snyder
Sodrel
Spratt
Stearns
Stupak
Tanner
Taylor (MS)
Taylor (NC)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Walden (OR)
Wamp
Westmoreland
Whitfield
Wu

NAYS—167

Aderholt
Allen
Baird
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berry
Bishop (NY)
Boozman
Boren
Boswell
Boustany
Bradley (NH)
Brown (OH)
Brown-Waite, Ginny
Burgess
Capito
Capps
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cuellar
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
DeFazio
Delahunt
Dent
Doggett
Drake
Duncan
Edwards
Emanuel
Emerson
Etheridge
Filner
Fitzpatrick (PA)
Flake
Forbes
Ford
Fossella
Foxx
Gerlach
Gibbons
Gingrey
Goode
Gordon
Green (WI)
Hall
Hart
Hayes
Hayworth
Hensarling
Herseth
Higgins

NOT VOTING—16

Berkley
Boehner
Conyers
Deal (GA)
DeLauro
Evans
Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Payne
Reichert
Sessions
Strickland
Weldon (PA)

☐ 1605

Mr. MURPHY, Mr. DUNCAN, Mrs. DRAKE, Mr. JENKINS, Mr. FLAKE, Mrs. MALONEY, Messrs. KIND, COBLE, SHIMKUS, NORWOOD, RYAN of Wisconsin, MILLER of Florida, PAUL, PICKERING, FOSSELLA, HAYES, PETERSON of Minnesota, HENSARLING, Mrs. CAPITO, Messrs. ROGERS of Kentucky, RENZI, BURGESS, GERLACH, CARTER, DAVIS of Kentucky, SCHWARZ of Michigan, WESTMORELAND, LATHAM, and HALL changed their vote from "yea" to "nay."

Mr. FATTAH, Ms. SLAUGHTER, Messrs. GENE GREEN of Texas, RANGEL, STARK, WAXMAN, NADLER, OWENS, and PASTOR changed their vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 221, noes 194, not voting 17, as follows:

[Roll No. 262]

AYES—221

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berman
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McDermott
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

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Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Flake
Ford
Frank (MA)
Gonzalez
Goode
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (OH)
Kanjorski
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larson (CT)
Lee
Levin
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Peterson (MN)
Platts
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
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NOT VOTING—17

Berkley
Brady (TX)
Conyers
Deal (GA)
DeLauro
Evans
Kennedy (RI)
Lewis (GA)
Manzullo
Miller (MI)
Nussle
Payne
Reichert
Sessions
Strickland
Weldon (PA)
Wu

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes left in this vote.

☐ 1614

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. REICHERT. Mr. Speaker, on June 13, 2006, I missed the following rollcall votes:

(1) Rollcall No. 261, Previous Question on H. Res. 865.

(2) Rollcall Vote No. 262, Adoption of H. Res. 865, the Rule for H.R. 5576—Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act for FY07.

Had I been present, I would have voted "nay" to rollcall vote 261, and "aye" to rollcall vote 262.

PERSONAL EXPLANATION

Mr. WELDON of Pennsylvania. Mr. Speaker, on rollcall No. 261 and 262, I was unavoidably detained giving a speech to a policy conference sponsored by Brookings Institute.

Had I been present, I would have voted "no" on 261 and "aye" on 262.

GENERAL LEAVE

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5576, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 865 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5576.

☐ 1616

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. KNOLLENBERG) and the gentleman from Massachusetts (Mr. OLVER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

I am pleased to present the House H.R. 5576, the fiscal year 2007 Transportation-Treasury-HUD appropriations bill, which was passed out of committee by a voice vote on June 6.

As you know, this is only the subcommittee's second year with its current jurisdiction, and I believe the product before the House is worthy of strong support. It is a fiscally responsible bill funding high priority programs and eliminating Federal funds for other programs that are duplicative or ineffective.

I am aware of a number of amendments that would seek to undo these decisions, but I want people to know we made these decisions by looking at program performance, effectiveness and a balance of other priorities in the bill.

The bill before us is at our 302(b) allocation of $67.8 billion in BA, and provides total budgetary resources, including transportation obligation limitations and mandatory spending of $139.7 billion, an increase of $8.5 billion over last year and $1 billion over the request.

Many of the increases over the budget request are due to House rule mandating certain funding levels for highways, transit and aviation programs; restoring CDBG funding in the bill; and some scoring differences between CBO and OMB.

Mr. Chairman, I would like to salute the hard work of the subcommittee members, both on the majority and minority side of the aisle. The bill before us is the product of numerous budget hearings and thoughtful input of each member of the subcommittee, and they deserve to be saluted.

Mr. Chairman, I also want to acknowledge the role the subcommittee's ranking member, the gentleman from Massachusetts, played in assembling this bill. I consider Mr. OLVER a partner in creating the product before you because his input has been invaluable. I believe this bill is stronger because of the input that Mr. OLVER has provided.

And without much fanfare, I would like to give a quick overview of what we have been able to accomplish under our allocation.

In transportation, we have met all of the guarantees for surface transportation and safety and aviation infrastructure as included in SAFETEA–LU and Vision-100. For FAA operations, we have provided funds for 132 net new controllers, plus an additional $16 million over the request for safety inspectors.

I realize there will be a lot of attention paid to Amtrak today, tonight, and perhaps even tomorrow. The bill provides $900 million, the same as the budget request, and $394 million below last year's enacted level. The bill continues our tough stance requiring Amtrak to reduce losses and achieve operational efficiencies with close supervision by the Inspector General.

I would emphasize this is not the "Amtrak" bill. There are a number of priorities in this bill and any amendment seeking to just slash other accounts, accounts that everyone will agree cannot sustain the cuts proposed by these amendments, is just plainly irresponsible.

The subcommittee had two priorities to meet for HUD in 2007. First and foremost was the full funding of Section 8 renewals. Failure to fully meet these commitments would have resulted in thousands of families losing their assistance and becoming homeless. We have met those needs.

Our second priority is to restore, to the maximum extent possible, the formula funding for cities and towns across America through the Community Development Block Grant. As you know, the administration proposed to cut this program by $1 billion which was funded at $4.2 billion last year. I am pleased to say we were able to fully restore funding for CDBG for fiscal year 2007.

To achieve this, however, the committee had to do a broad sweep of duplicative and lower priority programs throughout the Department, including boutique programs that have typically been funded by reducing the amounts in the formula CDBG program. It is never easy to stop funding a program once it starts getting Federal funds, but we have to make these decisions in order to meet our main funding objectives.

For the IRS, the bill provides $10.5 billion, $110 million below the budget request and $63 million below last year's enacted level. This level of funding will allow the IRS to maintain current services with some hard choices. I should warn everyone that further cuts to the IRS would severely impact their ability to meet their mission. I also note we took the first step to restructure the IRS accounts to more closely align with their core missions, taxpayer services and enforcement.

For the Judiciary, the bill provides sufficient funding to maintain the current services of the Federal Judiciary, including rent and personnel increases.

For the District of Columbia, we provided the budget request for Federal payments to the District for tuition assistance, court costs and school improvement. We were able to fund the Navy Yard Metro Station through FTA's New Starts program, and provide $1 million for the Central Library improvements. As for the District of Columbia's local budget, the bill appropriates the budget and financial plan by reference, carries many of the same general provisions of the past, and includes no new riders.

We restored funding for the High Intensity Drug Trafficking Areas Program to $227 million, slightly more than last year. Executive Office of the President programs are funded at the requested levels.

All in all, after much hard work and discussion, I believe we have a balanced bill before us. No, we didn't fund every program, but we did fund the higher priorities under our jurisdiction that will deliver the best results to the most people, and that I believe is our responsibility. Also, we have included Member priorities in this bill.

I would especially like to note that Member projects in this bill are less than one-third of what they were in last year's bill. I will repeat that: Less than one-third of what they were in last year's bill, demonstrating yet again the committee's commitment to earmark reform and the fact that it is real. Each project was a part of the budget request or authorized under an existing program in law, and requested by a Member of Congress as being important to the district and the people they represent.

This is a fiscally sound bill, scored repeatedly by CBO. There are no gimmicks, no date changes, no unreal savings.

Again, Mr. Chairman, this is a balanced bill and I urge the Committee's support for it.

Mr. Chairman, I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, at the outset I want to thank the gentleman from Michigan and his staff for the constructive relationship we continue to build. As Chairman KNOLLENBERG put this bill together, he and his staff considered concerns raised by the majority and the minority coming from subcommittee members, full committee members, and the general membership of the House. Where he could help, he resolved many of those concerns, and I thank him for that.

I also want to thank the excellent staff on both sides of the aisle for their hard work on this legislation. On the majority side, Dena Baron, the majority clerk, Cheryle Tucker, Jason Woolwine, Tom McLemore, Tammy Hughes, David Napolielo, Alice Hogans and Peter Lee.

And on the minority side, Kate Hallahan and Bob Bonner, and from my staff Matt Washington and David Pugach.

This is only the second time this complex bill has come to the House floor, and I appreciate the work and the long hours that each and every one of those staff members have put in.

I am grateful for the increase in the subcommittee's outlay allocation adopted in the full Appropriations Committee, but I said in the subcommittee markup and full committee markup as well that the allocation to this subcommittee is inadequate to meet the needs, and that is still true. The allocation, even as revised, forced Chairman KNOLLENBERG and staff into a struggle to plug as many holes as they could as creatively as they could. In that process, several serious omissions and cuts proposed in the President's budget have been restored, notably CDBG funding, essential air services, additionally safety inspectors under FAA, and for construction of elderly and disabled housing, and for funding the important Navy Yard Metro Station in our capital city. That was no small feat.

I particularly want to commend Chairman KNOLLENBERG for his thoughtful approach to our capital city's budget which is part of this bill. While the District of Columbia makes up only a small portion of our combined bill, the value of the initiatives funded through this bill cannot be understated, and I thank Chairman KNOLLENBERG for his commitment to ensuring no new policy riders were placed on the District of Columbia. I sincerely hope that we can continue to work on striking a balance between the congressional responsibilities for the District of Columbia with the desire of Washingtonians to have a direct say with how the District is governed.

Mr. Chairman, I will support this bill on final passage, but if this were a conference report I would have to oppose its passage, and I want to take a few minutes to examine what I believe drives this bill this year and in the future.

Mr. Chairman, I am very concerned about the impact that meeting SAFETEA–LU guarantees is having on other agencies and accounts in the bill. I believe that the transportation guarantees placed on this subcommittee by the authorizers ties the hands of this committee from properly funding other domestic programs included in this bill that are just as important.

As this bill was drafted, authorized guarantees had to be met or this bill is subject to a point of order. For example, in FHWA the President's budget met all of the SAFETEA–LU guarantees. However, in FAA and FTA, the President's budget was well below the authorized level. The President's request was $607 million below the authorized level in the facilities and equipment account and $950 million below in airport improvement. In FTA, the Capital Investment Grants Program was $100 million below the authorized level. These shortfalls come to a total of over $1.6 billion. The monies being added to the subcommittee's allocation allowed the chairman to bring these items to the guaranteed level.

I believe that the transportation guarantees are strangling other agencies in our bill. Without honoring the SAFETEA guarantees, the gentleman from Michigan could have increased funding for several key programs in this bill. For example, in HUD we could have used these funds for brownfields, HOPE VI and rural housing, which were all zeroed out. The additional funds could have been used to shore up the underfunded public housing operating fund and the public housing capital fund, or to add to section 8 tenant and project-based voucher programs which were cut below the President's request. The items that I have listed are only the tip of the iceberg, and the process I have described can only get worse as the years go by.

Most of these shortfalls that I believe must be improved are within HUD, but also includes the lone transportation item that does not have the protection of an authorization; namely, Amtrak. I had planned to offer an amendment to increase funding for these programs; but, unfortunately, the majority of this House has once again shown that tax cuts for the wealthiest few in our society are more important than housing programs for our most needy citizens.

Mr. Chairman, I am troubled by the cuts that we have been forced to bring forward. I hope that we will be able to continue to improve the bill as it moves forward in the process. We are early in the process. There is much work to be accomplished on this bill between now and a final conference report.

Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. JACKSON) for a colloquy with the chairman.

□ 1630

Mr. JACKSON of Illinois. Mr. Chairman, I rise to engage in a colloquy with the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. Chairman, I was disappointed to learn that this bill did not contain funding for the SouthEast Service Line of Metra, the Chicago area's commuter rail service. I have provided the chairman with a letter from Phil Pagano, the executive director of Metra, which I will include in the RECORD.

In the letter, Mr. Chairman, Metra states that it has a package of New Start projects called Metra Connects that were authorized by SAFETEA–LU. The SouthEast Service and the Star Line are two projects in that package that are new rail projects. Both are significant commuter rail projects for the northeastern Illinois region, and both projects currently are progressing on the same time schedule and are at similar stages of development. During the deliberation SAFETEA–LU bill, the Transportation and Infrastructure Committee agreed that both lines would move forward and be funded equitably. Without funding for the SouthEast Service, this agreement is in jeopardy.

I, along with the rest of the Illinois delegation, appreciate and would like to thank the chairman for the money already included for Metra's other new Star projects, and I understand that money overall is tight.

Will the chairman work with me to try to fund this funding in conference?

Mr. KNOLLENBERG. Yes, I most certainly will work with the gentleman from Illinois on this project.

Mr. JACKSON of Illinois. I thank the chairman, and I look forward to working with him to make sure that the transportation needs of northeastern Illinois are met.

NORTHEAST ILLINOIS REGIONAL,
COMMUTER RAILROAD CORPORATION,
Chicago, IL, June 13, 2006.

Chairman JOE KNOLLENBERG,
Appropriation Subcommittee on Transportation, Treasury, Housing and Urban Development, the Judiciary, and District of Columbia, House Committee on Appropriations, House of Representatives, Washington, DC.

DEAR CHAIRMAN KNOLLENBERG: I am writing to express Metra's concern that funds were provided for the STAR Line but not for the SouthEast Service (SES) New Start project as part of the FY '07 Transportation Appropriations Bill.

As you know, Metra has a package of New Start projects called Metra Connects that were authorized in SAFETEA–LU. The SouthEast Service and the STAR Line are two projects in that package that are new rail projects. Both are significant commuter rail projects for the northeast Illinois region. Currently, both projects are progressing on the same time schedule and are at similar stages of development. During the deliberation of the SAFETEA–LU bill, the Transportation and Infrastructure Committee agreed that both lines would move forward and be funded equitably. Without funding for the SouthEast Service, this agreement is in jeopardy.

We urge the chairman to correct this in conference. Thank you again for your support for Metra and our New Start programs.

Sincerely,

PHILIP A. PAGANO,
Executive Director.

Mr. OLVER. And I can assure the gentleman that I too will work to try to correct this inequity.

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. PORTER).

Mr. PORTER. Mr. Chairman, I rise to engage the chairman in a colloquy.

Mr. Chairman, it is my understanding that included in the Transportation, Treasury, Housing and Urban Development Appropriations Act for fiscal year 2007 is $227 million for the Office of National Drug Control Policy's High Impact Drug Trafficking Areas Program, an increase of $2.27 million over last year's enacted level; is that correct?

Mr. KNOLLENBERG. The gentleman is correct.

Mr. PORTER. Mr. Chairman, the Nevada HIDTA office has done an outstanding job making my State's communities safer. Last year alone, they were successful in removing $12 million worth of narcotic from the streets of Nevada. While the HIDTA office is currently funded at a baseline of 1.4 million, rather than the 2.5 million or more that the other 26 HIDTA offices are funded at, in my district in southern Nevada, which sees thousands of new people a month moving into the area and tens of millions of visitors a year, coupled with the epidemic of methamphetamine and other drug abuses, would the chairman agree that the Nevada HIDTA office funding should be increased to a level more reflective of the challenges the district faces?

Mr. KNOLLENBERG. Mr. Chairman, I am happy to respond.

I share your concerns. And I thank my colleague for raising this very important issue today. He correctly points out that the bill includes $227 million for HIDTA, the High Intensity Drug Trafficking Areas program. The subcommittee has funded this important program again this year, even though the President requested that the program be transferred to the Department of Justice at a reduced level of funding.

I would be happy to work with the gentleman from Nevada as this bill moves forward. We can work together to make sure that the issue of methamphetamine and other drug trafficking as it relates to Nevada is forthrightly addressed in the final budget for this account.

Mr. PORTER. Mr. Chairman, I thank the chairman for his offer and look forward to working with him.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ) to engage in a colloquy.

Ms. VELÁZQUEZ. Mr. Chairman and ranking member, some public housing authorities nationwide are feeling the crunch from several years worth of budget constraints and the New York City Housing Authority, the largest PHA in the country, is not different. NYCHA is facing a $168 million shortfall in part because of lack of flexibility in how they can use the three main funding streams: section 8, public housing operating and capital funds. Limited fungibility of funding streams will go a long way in helping PHAs to creatively address funding constraints.

Mr. Chairman, I am hopeful that as the appropriations process moves forward we can continue to discuss a solution to alleviate these funding constraints by providing limited flexibility in the use of funding streams.

Mr. KNOLLENBERG. I recognize the difficult situation that some PHAs across the country are facing. Providing flexibility to housing agencies while at the same time ensuring that HUD can effectively manage its programs is a no-cost solution that, if administered properly, will ensure continued service to low-income families. However, at the same time, NYCHA and other PHAs need to make sure that they are taking full advantage of the current flexibility that exists between the public housing operating and capital funds. As this process continues, I look forward to working with the gentlewoman from New York.

Ms. VELÁZQUEZ. I appreciate the Chairman's willingness to work on this issue.

Mr. OLVER. I appreciate the gentlewoman for bringing forward this issue. Public housing authorities and the families they serve are struggling. And I thank the chairman for his willingness to continue to engage in these discussions as we have already had part of that discussion at an earlier stage in the process.

Mr. KNOLLENBERG. Mr. Chairman, it is my pleasure now to yield to the chairman of the Appropriations Committee, the gentleman from California (Mr. LEWIS), for whatever time he may wish to consume.

Mr. LEWIS of California. I appreciate very much the chairman. I must say I have come to the floor simply to express my deep appreciation for the work that the chairman is doing on this very important measure, a bill that drives much of the infrastructure of the country, as well as providing housing programs. He and Mr. OLVER have done a great job on this bill under circumstances where they are under great pressure. There is never quite enough money available to do all that we might like, so it takes very, very positive bipartisan effort to make sure that we provide balance as we restrain spending at the same time.

It is a very fine bill. And I might mention further that these gentlemen, together, are now today producing the eighth bill out of 11 FY 07 Appropriations bills off the floor. It is our intention to complete all those bills by the 4th of July break. You are giving us a fantastic demonstration today that anything is possible if people are willing to work together. So it is great to be with you. And thank you very much for your effort.

Mr. OLVER. Mr. Chairman, I yield 1 minute to the ranking member of the committee, the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Chairman, I just want to explain to the House that at this point it appears that there are more than 70 amendments pending, and that if each and every one of them only takes 10 minutes, 5 minutes a side, we will be here through all of today, through all of Wednesday, through all of Friday and perhaps into next week. So I would ask Members to keep that in mind and, if possible, to relinquish their ability to offer conflicting or duplicative amendments. I think points can be made without beating a dead horse five times over.

Mr. KNOLLENBERG. Mr. Chairman, I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I yield 4 minutes to the gentlewoman from Michigan (Ms. KILPATRICK), who is a member of the subcommittee.

Ms. KILPATRICK of Michigan. Mr. Chairman, I thank Chairman KNOLLENBERG for your leadership, sir, Michigander, appreciate working with you. And to our ranking member, Mr. OLVER, thank you very much for working together. As I always say, when the chairman and ranking members work together, it certainly makes our subcommittee work better.

I rise in support of our TTHUD bill, that is Transportation, Treasury, HUD, IRS and several other agencies put together in an acronym we call TTHUD, the TTHUD bill, some $67 billion bill for transit agencies, for our roads and bridges, for our housing needs, and Treasury and the like.

I think the bill is a good bill for what we had to work with, but it is far short of the needs that America has to fund its highway system, to fund its transit system, also for community development. I think housing in this bill takes a major hit, and it is so unfortunate. HOPE VI, which is a program for distressed housing in mainly urban America, has been zeroed out. I think that is unfortunate. And I know you can't fund a war at over $350 billion and think we can, at the same time, invest in America. That is why I think we must bring our troops home in the most practical time, and redeploy our troops around the theater area so that America is safe, and that we protect our interests at the same time.

But working with the dollars that we have, the HUD part of this bill has been devastated. The brownfield area has been zeroed out. Together, the EPA, which has money in it for remediation of land that will be developed, there is a small amount of money there. It is only there for remediation. The HOPE VI monies are for building, the actual building of houses, and together with the Community Development Block Grant money will help distressed areas and mainly urban areas of our country be able to put people in affordable housing, to have people live in safe housing, to offer their children hope for the future because a house is the most basic thing they need, one of the most basic things. This bill does not do a good job with that. And I know as we go on, you will hear more amendments trying to put back brownfield money, trying to put back HOPE VI money, and I support that.

I also want to bring up in this bill the section 8 housing choice voucher program. The way that the money is distributed in that program needs to be fixed. They take a snapshot of 3 months of the expenses, rather than a 12-month snapshot of the expenses in those section 8 housing use. Thereby, States like mine, we lose millions of dollars that could be helpful in families needing housing, adequate, safe clean housing. So I would hope that as we go on, we take a look at that. And as I asked the chairman last year to take a look at our State's, not just our State's, but our choice house voucher program, where we are being penalized and losing money that we ought to have because of a flawed formula. This does not look at the 12-month expenses, but only the 3-month expenses. And I might add not the 3 months expenses that have the higher home heating costs.

But overall, the TTHUD bill is one that can be supported. There will be amendments offered. Some of them are some that I will support. Housing development and providing assistance to urban America has to be strengthened.

I look forward to working with the chairman and our ranking member to make sure that we can build back some of these real programs that America needs. This administration has no urban program for development, for our schools, for our health centers; and I contend as we move forward in this process, we must pay attention to adequate, safe, clean housing. This bill falls far short.

Mr. KNOLLENBERG. Mr. Chairman, I continue to reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I yield 4 minutes to the gentleman from New Jersey (Mr. ROTHMAN), also a member of the subcommittee.

Mr. ROTHMAN. Mr. Chairman, I thank my distinguished ranking member for the time. Mr. Chairman, I rise to commend our subcommittee Chair, Mr. KNOLLENBERG, and my ranking member, Mr. OLVER. We have a very interesting subcommittee. We cover a lot of ground, a lot of very interesting subject matters. And I must tell you that our chairman not only permits a wide range of debate and discussion and questioning, perhaps he even encourages it, because he certainly hasn't stopped me and he has been very, very generous in the way he has treated the members of the minority, and I thank him.

My ranking member shows great leadership on all of our issues, and his work is reflected in this bill which, while we all wish there were a lot more money because more money is deserving for this bill, I believe he has managed to reach the kind of compromises that were possible, given this shortage in money. Of course, I am disappointed in the amount of money for Amtrak. I am disappointed in some other matters; but as a former mayor, for example, I am delighted at the Community Development Block Grant money because that money is so critical.

□ 1645

And, of course, I would be remiss if I did not thank the majority staff and the minority staff for tolerating my obsession with various items, including Teterboro Airport, and once again the subcommittee has chosen to protect this airport from abuse. It is not a partisan matter, as the majority and minority have acknowledged. It is a matter that appeals to all the people in my district, and, again, I am just so grateful.

I want to again thank the chairman and the ranking member for their kindness and cooperation throughout this year in the consideration of this bill.

Mr. OLVER. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR) for a colloquy.

Mr. CUELLAR. Mr. Chairman, I rise to engage in a colloquy with Chairman KNOLLENBERG on this particular issue.

First of all, I want to thank the chairman and I want to thank the ranking member, Mr. OLVER, for their hard work on this particular bill. I also appreciate this opportunity to speak to Chairman KNOLLENBERG on this issue that is very important to my congressional district.

My congressional district abuts the U.S.-Mexico border, which is very dependent on trade. Interstate Highway 35, the "NAFTA Corridor," runs from Laredo in my district, throughout the San Antonio area, all the way up to San Marcos, all three areas which are large population centers.

Zapata County, which is in my district, is sandwiched between Webb County and Starr County, both Border Commercial Zones. Zapata is not currently designated a Border Commercial Zone, and consequently it loses out on economic development opportunities since Mexican trucks cannot conduct business in Zapata County. The Zapata business community has been asking for this designation. This area of the country is economically challenged, and the opportunity to engage in trade with Mexico will make a big difference in local business community development.

For example, the Zapata County master plan initiative includes an airport expansion project that includes a cargo facility and will offer shorter, direct flights into Zapata from Monterrey, Mexico. Freight companies in Mexico have expressed a desire to build warehouses and open a facility. In order to get a commercial zone, it takes an application process, but it is a long, burdensome process for a goal that is quite simple.

I am asking for your help, Mr. Chairman, to expedite Zapata County's application to be designated a Border Commercial Zone. Getting this locality on the fast track will be good for the local residents and businesses in this area for economic development.

Mr. Chairman, I appreciate your support to help Zapata County apply for and expedite the process to become a Border Commercial Zone, and I thank you for the opportunity.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. CUELLAR. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. I would just say that I agree to work with you on this. I appreciate your bringing it forward. And we will also work with the FMCSA on this issue. So thank you.

Mr. CUELLAR. I thank the chairman.

Mr. OLVER. Mr. Chairman, I would just like to say I would be happy, especially after that trip through his district, to work with the gentleman from Texas on the issue that he has raised.

Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy in permitting me to speak on this bill, and I too understand that there are tremendous challenges that are faced by the subcommittee with its interesting and broad jurisdiction.

I rise to speak on one particular element that actually should help the subcommittee, and that is dealing with the Small Starts provision. The Small Starts provision was carefully crafted in last year's reauthorization after 3 years of work with people around the country to provide a simple, cost-effective way to reduce congestion, to promote economic development, and to streamline the bureaucracy, instead of the massive effort that is undertaken for the New Starts, the elaborate cost-effectiveness, the massive amount of money that is involved, and I know and appreciate that. I appreciate what the committee has done in approving the administration's recommendation for a project in my community. These are difficult, expensive, hard projects. That is why I have been working on the Small Starts. The Small Starts projects are ones that do not need massive Federal outlay. Small Starts do not mean that you have to rip up communities for weeks, months, in some cases years to construct them. The technology is available now to build a streetcar, a trolley, 3 weeks per block face. That's 3 weeks per block. They do not need to be massive projects with huge amounts of money.

The program of Small Starts was designed to be smaller amounts that will deal with relieving congestion and relieving the necessity of other more elaborate efforts for economic development.

We have 84 communities around the country with people that are looking at the streetcar technology and using the Small Starts program. If the committee will work with us and the Transportation and Infrastructure Committee with what we have authorized in SAFETEA-LU, we have the potential of providing the same sort of economic jolt and the relief of congestion without the costs, without the elaborate procedure, without the delay, and without the community disruption that are attendant with light rail and heavy rail.

I was disappointed that the subcommittee decided not to be funding it, but I am more concerned about the language in the subcommittee report that betrays a lack of understanding about why we developed this program to begin with. It is something that can help large cities like Chicago, where there is great interest in it; small cities like Kenosha, Wisconsin; and cities in between like Little Rock and Charlotte. And I would hope that as this legislation works its way through Congress that we will be able to work with the subcommittee and people in the other body to be able to harness the potential savings, economic development, congestion mitigation that can be a part of the Small Starts program.

I would think given the very difficult task that this subcommittee faces, with which I sympathize, that we ought to embrace this approach because in the long run it will give you more bang for the buck, more satisfied communities, more reduction in congestion, and more economic opportunities.

I appreciate the opportunity to talk about this for a moment and look forward to working with the subcommittee.

Mr. KNOLLENBERG. Mr. Chairman, I reserve the balance of my time.

Mr. OLVER. Mr. Chairman, I yield myself such time as I may consume.

I would just like to point out to the gentleman from Oregon that in fact the guarantee, and it is a guarantee under the TEA–LU bill, is included in what is called the Capital Investments Fund. So there is money available there. But I need also to point out that we have been told at the subcommittee level that the Department of Transportation, the FTA, will not have rules and regulations until at least a year from now, maybe 15 months from now, which is the very end of the next fiscal year.

Mr. BLUMENAUER. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, we are having some interesting ongoing conversations with the Department of Transportation. I went across the street to visit with him at FTA immediately after the enactment of the legislation. There is no need for us to delay this process for months and years.

Mr. OLVER. Mr. Chairman, reclaiming my time, I agree with that point. I think that if people from the authorizing committee will make that point strongly to the Department of Transportation, that would be very helpful because I agree with virtually everything the gentleman has said. This is a process that ought to get moving, but the money is there. We can deal with this later on in this process. We are at an early stage in the process. They need to get the rules and regulations out faster than 15 months from now.

Mr. VAN HOLLEN. Mr. Chairman, for the first time in 4 years, I will not offer an amendment to this bill to block the implementation of the May 2003 Office of Management and Budget Circular A–76 regulations for contracting out work that is performed by Federal employees around the country.

The difference this year, Mr. Chairman, is that Chairman KNOLLENBERG and Ranking Member OLVER agreed to my request to include satisfactory language in the bill that is before us. I want to thank them for addressing this issue this year.

Both Federal Government employees and private contractors had serious legitimate concerns and complaints about the A–76 competitive sourcing process. The amendment I offered in past years essentially required OMB to go back to the drawing board and develop a uniform competitive sourcing process that addresses everybody's concerns. Despite strong objections and veto threats from the White House, we had spirited debates in the three previous appropriations cycles on the Van Hollen amendment, and each year the House approved the amendment with bipartisan majorities.

We passed the Van Hollen amendment for the last 3 years because we recognized that the contracting out process was unfair. That was evidenced by the fact that we passed a number of bills to change the contracting out process on an ad hoc basis in numerous Federal agencies, including Defense, Homeland Security, Interior and Agriculture. But the result was a patchwork of inconsistent regulations. The Van Hollen amendment was intended to replace that patchwork of inconsistent regulations with a uniform set of rules fair to all. It did not get rid of the competitive sourcing rules. In essence, it required OMB to go back to the rules that were in place before May 2003 until it fashioned a new set of rules that make sense for everybody.

In fiscal year 2005 the Senate approved language similar to the Van Hollen amendment, but even though both Houses approved similar language it did not survive a closed-door TTHUD conference. Last year, in fiscal year 2006, the Senate approved language that was widely viewed as acceptable to the White House, however begrudgingly, and that language survived the conference and was signed into law. That language provided funding for A–76 competitions that allowed Federal workers to present their own most efficient organization, MEO, bid in a competitive sourcing competition, and required private contractor bids to provide for a minimum cost differential, MCD, savings of at least 10 percent or $10 million over the MEO bid. While these public-private competition requirements did not address all of the concerns of Federal employees pertaining to appeal rights, these requirements were considerable improvements in the competitive sourcing process.

But now, Mr. Chairman, we are in a brand new fiscal year cycle and once again we need to address critical matters related to the contracting out process. We should not have to do this every year in the appropriations process, Mr. Speaker, but we will repeat this debate year after year until Congress takes definitive action and authorizes competitive sourcing regulations that are fair to Federal employees and private contractors.

This year is somewhat different, however. This year, Chairman KNOLLENBERG and Ranking Member OLVER have had the foresight to include competitive souring language in the base fiscal year 2007 appropriations bill that mirrors the MEO/MCD language that was signed into law last year. Therefore, there is no need to offer the amendment I have offered in the past.

In conclusion, Mr. Chairman, the TTHUD appropriations bill on the floor today includes forward-looking language pertaining to A–76 competitive sourcing that precludes the need to offer my amendment again this year. I look forward to working with the leadership of the Appropriations Committee and with the authorizers on the House Committee on Government Reform in the future to devise a permanent fix to the A–76 process that is fair to Federal workers and private contractors and that provides American taxpayers with the efficient, cost-effective and quality services they demand and deserve.

Mr. HOLT. Mr. Chairman, I rise today to express my disappointment that the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies appropriations bill for fiscal year 2007 does not fully fund the Help America Vote Act, HAVA.

HAVA was passed in the wake of the 2000 election, and authorized almost $4 billion to improve the administration of elections in this country. The 2004 election was a strong indication that there is much work yet to be done in the area of election reform in this country. And yet here we are, fast approaching Federal elections which are to be the first ones that take place under virtually all of HAVA's requirements, and hundreds of millions of dollars in funds authorized under the bill remain unappropriated.

Although the appropriations bill before us includes almost $17 million in funding for the Election Assistance Commission, EAC, which is nearly $3 million more than was appropriated to the EAC for fiscal year 2006, it still provides no funding whatsoever to help States meet their voting system requirements—especially the disability and language access requirements—under title III of the act. HAVA authorized $3 billion in so-called "requirements payments," and has to date appropriated only $2.328 billion. States across the Nation are struggling to meet HAVA's voting system requirements, and $672 million in authorized funds remain unappropriated. And not one dime of that amount has been requested in the President's fiscal year 2007 budget nor provided for in this appropriations measure.

HAVA also authorized $100 million to promote access to the polls for disabled voters, of which only $44 million has been appropriated to date, and $40 million for protection and advocacy systems, of which just under $17 million has been appropriated to date. I understand that the Labor and Health and Human Services appropriations bill to be reported out of committee today will include approximately $11 million in funding for the former accessibility grants, and approximately $5 million in additional funding for the latter protection and advocacy systems. However, these new appropriations still leave a total of approximately $63 million in authorized disability access payments unappropriated.

There are certainly many important demands upon us, but I ask you, Mr. Chairman, what is more important in a democracy than the fairness and integrity of the electoral system. I rise today to register my disappointment that the measure before us provides no funding to help States meet their title III requirements under HAVA, and to urge my colleagues to work with me when the Departments and Labor and Health and Humans Services appropriations bill comes to the floor next week to fully fund HAVA's disability access payments.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise in support of H.R. 5576, the appropriations act for the Departments of Transportation, Treasury, and Housing and Urban Development.

I want to note two important Houston-area projects that received funding in this legislation: METRO Solutions and the Harrisburg grade separation.

The $2.5 million for METRO is a very small amount compared to our need for transit investment in Houston, particularly for light rail.

However, we are very grateful for this amount, because in previous years members of our Houston delegation blocked any funding in this bill for Houston light rail.

We will never know how many millions went to other projects around the country because our delegation was not united behind a plan.

Thankfully, this situation has now changed, and we have a commitment from our delegation to pursue $1 billion over 10 years for Houston light rail.

Unfortunately, it does not look like we will be able to meet that commitment. As a result, the process at the FTA is taking on much greater importance.

METRO must cut through the red-tape at FTA and get approval for their project and a full funding grant agreement if the Northside Line and East End Line are going to be a reality.

We are going to need all the funding we can get if we want to upgrade the BRT to light rail as quickly as possible to meet the expectations of the voters in the referendum.

The other important project for Houston is the Harrisburg Grade Separation. The bill contains $300,000 to get this project started in the design phase.

East End Houston has entirely too many inconvenient and unsafe grado crossings, and a grade separation at Harrisburg will provide easy access and prevent rail/auto/truck accidents for area residents.

We have just started construction on our Manchester grade separation, so it is fitting that we are starting at the beginning of the process for another very important intersection.

This project will fit in well with the effort to reorganize the freight rail system for Harris County and surrounding counties, because the most relief from freight rail traffic needs to be in the areas with the most impact.

Mr. Chairman, I want to thank the chairman and ranking member of the subcommittee and the full committee for their work on this bill and also thank our Houston area appropriator, JOHN CULBERSON for his help, particularly with the METRO funding.

Mr. OLVER. Mr. Chairman, I yield back the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 5576

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of the Secretary, $92,558,000, of which not to exceed $2,255,000 shall be available for the immediate Office of the Secretary; not to exceed $717,000 shall be available for the immediate Office of the Deputy Secretary; not to exceed $15,681,000 shall be available for the Office of the General Counsel; not to exceed $11,684,000 shall be available for the Office of the Under Secretary of Transportation for Policy; not to exceed $10,002,000 shall be available for the Office of the Assistant Secretary for Budget and Programs; not to exceed $2,319,000 shall be available for the Office of the Assistant Secretary for Governmental Affairs; not to exceed $25,108,000 shall be available for the Office of the Assistant Secretary for Administration; not to exceed $1,932,000 shall be available for the Office of Public Affairs; not to exceed $1,478,000 shall be available for the Office of the Executive Secretariat; not to exceed $707,000 shall be available for the Board of Contract Appeals; not to exceed $1,286,000 shall be available for the Office of Small and Disadvantaged Business Utilization; not to exceed $2,722,000 for the Office of Intelligence and Security; not to exceed $12,281,000 shall be available for the Office of the Chief Information Officer; and not to exceed $4,386,000 shall be available for the Office of Emergency Transportation: *Provided*, That the Secretary of Transportation is authorized to transfer funds appropriated for any office of the Office of the Secretary to any other office of the Office of the Secretary: *Provided further*, That no appropriation for any office shall be increased or decreased by more than 5 percent by all such transfers: *Provided further*, That notice of any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That not to exceed $60,000 shall be for allocation within the Department for official reception and representation expenses as the Secretary may determine: *Provided further*, That notwithstanding any other provision of law, excluding fees authorized in Public Law 107–71, there may be credited to this appropriation up to $2,500,000 in funds received in user fees.

AMENDMENT OFFERED BY MR. KNOLLENBERG

Mr. KNOLLENBERG. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KNOLLENBERG:

Page 2, line 11, after the first dollar amount, insert the following: "(reduced by $1,000)".

Page 72, line 18, after the dollar amount, insert the following: "(increased by $20,748,000)".

The CHAIRMAN. Is there objection to reaching ahead in the amendment process to get to this point?

Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, following the full committee amendment process, CBO's scoring of our bill resulted in slightly more than $20.7 million in savings.

This amendment will place this funding in the IRS operations support account, which was reduced by $50 million below the President's request.

I understand that this has been cleared with the minority, and therefore I ask for the adoption of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LATOURETTE

Mr. LATOURETTE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LATOURETTE:

Page 2, line 11, after the first dollar amount, insert the following: "(reduced by $23,814,000)".

Page 2, line 11, after the second dollar amount, insert the following: "(reduced by $79,000)"

Page 2, line 13, after the dollar amount, insert the following: "(reduced by $26,000)".

Page 2, line 14, after the dollar amount, insert the following: "(reduced by $650,000)".

Page 2, line 16, after the dollar amount, insert the following: "(reduced by $150,000)".

Page 2, line 18, after the dollar amount, insert the following: "(reduced by $1,602,000)".

Page 2, line 20, after the dollar amount, insert the following: "(reduced by $2,319,000)".

Page 2, line 22, after the dollar amount, insert the following: "(reduced by $3,297,000)".

Page 2, line 24, after the dollar amount, insert the following: "(reduced by $1,932,000)".

Page 2, line 25, after the dollar amount, insert the following: "(reduced by $1,478,000)".

Page 3, line 5, after the dollar amount, insert the following: "(reduced by $12,281,000)".

Page 4, line 6, after the dollar amount, insert the following: "(reduced by $4,090,000)".

Page 37, line 8, after the dollar amount, insert the following: "(reduced by $34.650,000)".

Page 38, line 8, after the dollar amount, insert the following: "(increased by $129,000,000)".

Page 39, line 6, after the dollar amount, insert the following: "(increased by $85,000,000)".

Page 58, line 11, after the dollar amount, insert the following: "(reduced by $2,693,000)".

Page 58, line 21, after the dollar amount, insert the following: "(reduced by $2,693,000)".

Page 192, line 14, after the dollar amount, insert the following: "(reduced by $1,179,990)".

Page 194, line 1, after "2007" insert the following: "(reduced by $559,641,000)".

Mr. LATOURETTE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATOURETTE. Mr. Chairman, I ask unanimous consent that the debate on my amendment and all amendments thereto be limited to 20 minutes, 10 minutes by the proponent and 10 minutes by the opponent, equally divided and controlled by each.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

□ 1700

Mr. LATOURETTE. Mr. Chairman, I rise today offering this amendment with my good friend, Mr. OBERSTAR from Minnesota, the ranking member of the full Transportation Committee. I will yield him half of my time when he arrives on the floor.

Unlike aviation, highways and transit, there is no dedicated funding for investing in our Nation's passenger rail service. This is a pretty simple amendment. All it does is restore $214 million to the Amtrak account, taking it to $1.114 billion, which is still about $300 million less than we had during the course of last year's discussion.

As the chairman of the Railroad Subcommittee, we have had exhaustive hearings, oversight hearings, dealing with the Amtrak situation, and we have done a number of things. The CEO has been fired by the board. We have looked at their food service. They have entered into a new food service contract. If you look at this bill, and I want to commend Mr. KNOLLENBERG, because last year he had an impossible task. The President sent up a budget of zero for Amtrak. We had an amendment process that we went through this time.

This time we are up to $900 million in the bill, which I give him great credit for. But if you look at that $900 million, there is only $500 million for capital expenditures, out of which has to come a debt service of $280 million, which only leaves $220 million for the capital needs of this country for Amtrak, for passenger rail.

There is nothing for operation, and I know that the response to that is going to be that there are some incentive grants in the bill. But that really does not get the thing done.

Mr. Chairman, we have tried to be judicious with this amendment and looked for pots of money located within the bill solely within the jurisdiction of the Transportation and Infrastructure Committee. I think we have achieved that.

I believe it is a good amendment and I urge adoption by my colleagues.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does any Member seek time in opposition to the amendment?

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 10 minutes.

Mr. KNOLLENBERG. Mr. Chairman, this amendment would increase funding for Amtrak by gutting and eliminating critical programs, including safety programs, resulting in reductions in force at several agencies.

This bill was put together by making some very difficult decisions to balance a wide variety of critical needs from some very diverse programs. The amendment would undermine the difficult work done by the subcommittee by haphazardly making unrealistic and undisciplined cuts throughout the bill.

It would cut the Office of the Secretary of Transportation by 25 percent. That is well below the fiscal year for 2006. This will result in reductions in force for OST and will impact mission critical operations, including security planning as well as coordination and response efforts.

These areas proved critical during last year's hurricanes, and we have now entered the hurricane season again. It would eliminate the critical rail safety research programs under the Federal Railroad Administration. This is a little confusing, because several years ago it is this research program that pinpointed the problem associated with Amtrak's brakes on the Acela and found the solution and allowed Acela to get up and running again.

The amendment would severely reduce funds for the Federal Maritime Commission and the Surface Transportation Board, resulting in RIFs for both of these agencies, and cutting the Federal Buildings Fund by $560 million will leave the fund without the resources it needs to build critical, secure crossings on our Southern border with Mexico.

Mr. Chairman, it would not strengthen the Federal buildings against threatening terrorism attacks. Let me repeat this. Vote for this amendment and you are voting against building border crossings on the U.S.-Mexico border and against funding to secure the Federal buildings against terrorism.

Let me go a little further and explain that these cuts would completely eliminate GSA's new construction of six border stations at the crossing at McAllen, Texas, at El Paso, Texas, Santa Teresa, New Mexico, Columbus, New Mexico, Calexico, California, and Nogales, Arizona.

In addition, the amendment would eliminate the Food and Drug Administration Montgomery County, Maryland Project, as well as remove the delivery facility in Anacostia for mail sorting for the Federal Government, something that is sadly needed, and with the threat of anthrax and other deadly substances in government mail.

Repairs and alterations to Federal buildings will be stopped or slowed, repairs and alterations that are needed to secure government workers and the general public from possible terrorist attacks.

Mr. Chairman, cutting border security and funds to protect Federal workers against terrorism is irresponsible. I ask my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. LATOURETTE. Mr. Chairman, can I ask how much time I used, please?

The CHAIRMAN. The gentleman has 8½ minutes remaining.

Mr. LATOURETTE. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. SCHWARZ).

Mr. SCHWARZ of Michigan. Mr. Chairman, while I credit my colleague from Michigan for doing a great deal of work on this bill, and I know it is a tremendously difficult bill, rail passenger service in the United States is the worst in all of the industrialized world.

It does not have to be that way. Germany, France, the United Kingdom, Italy, the Scandinavian countries, Spain and Portugal have better rail service, more rapid rail service, more frequent rail service, more efficient rail service than the United States. It does not have to be this way.

The degradation of the Amtrak system goes on apace, whether it is the right-of-way or equipment. Equipment needs to be replaced. Right-of-way needs to be maintained. The Canton area, the electric, the Canton area in the Northeast Corridor needs to be maintained as well. Witness the blackout just 2 weeks ago.

We need to have a modern, efficient, dependable rail passenger service in the United States. The only way we can do it is to fund it. It is the most efficient way to carry people. And I must say that no system in any industrialized country in the world is profitable. They are all subsidized. It is part of the cost of doing business. It is part of the cost of running an efficient government. It is part of the cost of keeping our economy going.

Please support the LaTourette amendment.

Mr. KNOLLENBERG. Mr. Chairman, could I inquire about how much time is left on our side?

The CHAIRMAN. The gentleman has 7 minutes remaining.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2½ minutes to a member of the subcommittee, TODD TIAHRT from Kansas.

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from Michigan for yielding me time.

Mr. Chairman, the chairman of the Appropriations Subcommittee on Transportation, Treasury, Housing and Urban Development has done a fine job. We are a nation of priorities. Each year we must decide where the resources that have been given to us by the taxpayers will be spent.

This bill is a good example. The chairman from Michigan (Mr. KNOLLENBERG) made good decisions on the allocations within this bill. The subcommittee worked its will, making sure that the allocations were filled to the best of our ability.

Then the bill went to the full committee appropriations process, and the amendments were conducted. And again the will of the committee was worked. Not all of the requests were funded. It is the same with Amtrak. Their request was not funded, and it is because Amtrak is undergoing some financial stress that they have asked for more funding.

But this is not new to our economy. Other portions of our economy have also been under financial stress. For example, the airlines have been faced with similar shortfalls in revenue. And yet when they were faced with these shortfalls, they undertook a search of every cost. They went to their workers. They went to their pilots. They went to their flight attendants. They went to the mechanics. And they asked them, could you help out under this current period of financial stress? And the unions and the workers all weighed in to help with the cost structure.

The same thing happened in our auto manufacturing industry, where the United Auto Workers weighed in and helped bear some of the reductions in costs so that they could keep their companies afloat.

They came to the table, they did the right thing for their jobs, for their families, and they made themselves more competitive in times of financial stress. Now we come to Amtrak. Amtrak has looked at some of their costs, but their workers have never weighed in.

Mr. Chairman, I think when you look at the costs that Amtrak is asking for, we need to look across the spectrum, at the union agreements, at the wages that are being paid, at the benefits, as well as the cost of the infrastructure, the cost to operate, the energy costs, so that each and every facet of Amtrak weighs into these costs. We have done that. The reforms are in place. We hope to see the reforms completed.

Mr. Chairman, I think it is time that we have these reforms that we have put in the bill become enacted, so that we can take each facet of the cost in Amtrak into the formula to come up with a plan to make sure that Amtrak is solvent in the future.

I thank the gentleman from Michigan for spending the time on these allocations within this bill. I think he has done a fine job. I would oppose the gentleman from Ohio's amendment, let the reforms take place and make sure that Amtrak is solvent in the future.

Mr. LATOURETTE. Mr. Chairman, it is my understanding that we still have 7 minutes remaining on our side of the amendment.

The CHAIRMAN. The gentleman has 7 minutes remaining.

Mr. LATOURETTE. Mr. Chairman, I yield 5 minutes to Mr. OBERSTAR from Minnesota, the co-author of the amendment, and ask unanimous consent that he be permitted to yield time from that 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes.

Mr. OBERSTAR. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Massachusetts (Mr. OLVER).

Mr. OLVER. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I think that this amendment shows quite clearly how difficult the job was for the chairman in the first place, and that it is very difficult to find offsets for the kind of money that was necessary to put together this amendment.

But all of the offsets come out of the jurisdiction of the Transportation and Infrastructure Committee, the full Committee on Transportation and Infrastructure. And I think that it makes it clear that if the offsets are used in this way to fund Amtrak, which is needed, that then we will go to the later stages in the process and try to make corrections in the later stages of the process.

Mr. Chairman, it will be no more difficult to re-fund the items that have been taken out of their own jurisdiction, out of the Transportation and Infrastructure Committee's jurisdiction, it will be no more difficult to fund them later than it is to fund Amtrak now.

Clearly with this amendment, we will still be $180 million below the enacted number for 2006, and the Amtrak board has asked this year for $1.598 billion. That is the most recently appointed board of members from the President.

So we are still very far short of what they believe is necessary to run the national rail passenger system. So I am, with some trepidation, supporting the amendment that has been put forward. I certainly intend to vote for the amendment.

Mr. KNOLLENBERG. Mr. Chairman, again I would like to inquire about the time remaining for our side.

The CHAIRMAN. The gentleman from Michigan has 4½ minutes remaining. The gentleman from Ohio has 2 minutes remaining. The gentleman from Minnesota has 3 minutes remaining.

Mr. KNOLLENBERG. Mr. Chairman, by the way, let me thank Mr. LATOURETTE for suggesting the 20-minute situation divided by two. I appreciate that very much.

Mr. Chairman, I yield 2½ minutes to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, my colleagues, giving Amtrak more money would be like giving at this point an alcoholic another drink and asking him to sober up.

I sort of feel like I am repeating, Mr. Chairman, the Ground Hog Day. We have been through this debate over and over, and we keep putting more and more taxpayer dollars into Amtrak. And I have no problem with subsidizing mass transit or any type of long distance service or high speed service. We will need to subsidize it. But, folks, Amtrak has been and remains out of control. I served on the Rail Subcommittee for most of my time in Congress. Let us just review, if we give them a little bit more money, where that is going to go.

Right now we subsidize every ticket for $47. That is absolutely outrageous, ladies and gentlemen. In fact, some tickets are subsidized—I have the report right here, the latest information—$627. Could you imagine that type of subsidy? They will tell you, oh, we give it to airlines. That is not true. No one is subsidized like Amtrak is.

Food service. For every dollar that we take in in food service on Amtrak, it costs the taxpayers $2. That is it, just give them a little bit more money and things work out. Legal services. They spend more money on legal services than they do on equipment.

The debt has risen to some $6 or $7 billion. The maintenance backlog is between $5 and $6 billion. So even if you add additional money, whoever is in this well 1 year from now will be back here trying to feed the Amtrak monster.

We must have the reforms. Some of them are in the bill. The committee has done a great job in trying to get their attention, to try to get their finances in order. Their finances and accounting is worse than Enron's.

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It is time that we demand accountability, that we demand a better operating mass transit and public long distance service; and I have no problem with underwriting that. But we should look at what the private sector can do. They have 26 million, I believe, passengers.

In England, they have a new route, north-south. They have 34 million. They actually have made a profit and turned a dividend and returned it back to the taxpayers.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I find no small irony to what we just heard. This bill contains billions of dollars of subsides to the airline industry on top of hundreds of billions of dollars that was spent in the past for an industry that has produced a net profit of zero in its 75-year history.

Why does Amtrak have problems? We have consistently underinvested in their capital needs. Any objective analysis suggests that they need to be adequately funded for capital, but this Congress consistently underfunds it. We cut it by another $200 million, and we will not even pass the authorizing legislation.

We are not going to kill Amtrak, because the public won't allow Amtrak to be killed; but it is time for us to stop this charade, give a modest amount of money to meet its capital needs, be able to reverse the outrageous act where they fired David Gunn, an operational genius who was dealing with the management problems of Amtrak, and they fired him. It is time to stop the criminal mismanagement of Amtrak by the political process.

Mr. KNOLLENBERG. Mr. Chairman, I would yield 1 minute to the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Chairman, regardless of your opinion about Amtrak, if you are concerned about border security and want to do a better job of protecting our border, you need to vote against this amendment. Because according to the CBO's scoring, this $560 million cut from the Federal Building Fund would come primarily out of the repairs, alterations, and construction account.

The President has asked for six new border stations on the border between Texas, California, New Mexico, and Arizona. These cuts would leave the building fund without the money they need to build secure, critical border crossings with Mexico.

This is not just about Amtrak. This is taking critically needed money to build these border crossings and maintain not just Federal structures across the country but, more importantly, the secure, critical border crossings with Mexico.

I urge Members to vote against this amendment. Whether you oppose Amtrak, you should vote against the amendment, as I would, because I am concerned about Amtrak's accounting, but because I am concerned about border security as the highest priority of this Congress, you need to vote "no" on this amendment so we can build these secure, critical border crossings.

Mr. LATOURETTE. Mr. Chairman, I yield 1 minute to the gentleman from Montana (Mr. REHBERG).

PARLIAMENTARY INQUIRY

Mr. REHBERG. Mr. Chairman, before I begin, may I have a parliamentary inquiry to have unanimous consent to interject a letter into the RECORD? Do I do that during this debate?

The CHAIRMAN. That will have to be done in the full House as opposed to in the Committee of the Whole.

Mr. REHBERG. Mr. Chairman, I rise in support of Mr. LATOURETTE's amendment. One of the things you heard talked about was the fact that Amtrak was making changes. That is absolutely incorrect.

I have an article I am going to interject into the RECORD: "Passenger Railroad Improves Service on Long-Haul Trains to Lure Travelers." The Empire Builder, which is in Montana, is the rolling laboratory for some of these changes.

I represent a district that spans the distance of Washington, D.C. to Chicago. Think about it: Washington, D.C. to Chicago. In many areas, this is the only form of transportation we have. Many of you have airlines. We do not in northern Montana. Many of you have bus service. We do not in northern Montana. We use this service for essential service to get our people to hospitals, to doctors, to school, to visit relatives.

This is not just something we are wasting money on. This is an essential service, an essential product for the people of America. If you are going to build a more secure future for the people of Montana, then you have to be realistic.

You don't gut and undermine the effort that they are attempting to make at this time to improve the service of the Empire Builder in Amtrak. I ask you, please support Mr. LATOURETTE.

[From Business Focus, Mar. 17, 2006]

PASSENGER RAILROAD IMPROVES SERVICE ON LONG-HAUL TRAINS TO LURE TRAVELERS

(By Daniel Machalaba)

SHELBY, MONTANA.—Karyn Hamilton, like many Amtrak riders, had a dim view of the nation's passenger railroad as low-class, uncomfortable and not much better than a bus. But the marketing director of a financial-management firm in Portland, Ore., changed her mind during a trip last August on the Empire Builder, an Amtrak long-distance train undergoing a dramatic makeover that includes new carpeting and colors, pleasant staff, and upgraded food service.

After years of financial and political crisis, Amtrak is making a calculated gamble: To boost revenue on its longer-haul trains, the railroad is altering its longstanding one-size-fits-all approach to passengers.

The changes began with a major makeover of the Empire Builder last summer. Now, Amtrak plans to extend the changes to some other long-haul trains, while also attacking bloated food-service expenses. Amtrak's board also is considering cuts to its headquarters overhead by streamlining repair shops, maintenance operations, reservation call centers and train stations.

The shakeup is an acknowledgment by Amtrak officials that they are running out of chances to stave off pressure from the Bush administration to break up or even liquidate the federally subsidized—and unprofitable—railroad. "We're living on borrowed time," says David Laney, Amtrak's chairman. "We have to demonstrate what we can do on our own before it is taken out of our hands."

Last year the Bush administration proposed eliminating subsidies to Amtrak, which has been kept afloat with $30 billion in federal aid since 1971, according to the Department of Transportation. While Congress approved $1.3 billion in funding for the current fiscal year, the Bush administration latest budget request includes $900 million—a 31 percent cut—for fiscal 2007. And the DOT would hold back nearly half of the money until Amtrak demonstrated continued progress on reform. Yesterday, Amtrak said it would ask Congress for $1.598 billion for fiscal 2007, almost all the increase for capital spending.

As part of the do-or-die overhaul, Mr. Laney fired Amtrak President David Gunn last November. Mr. Gunn had been widely praised for stabilizing Amtrak's finances, jump starting repairs to the Northeast Corridor and restoring credibility with Congress. But Mr. Laney, a Dallas lawyer and Republican loyalist appointed to the Amtrak board in 2002, concluded that Mr. Gunn was standing in the way of more-drastic reforms. Mr. Gunn says he was fired because he opposed the Bush Administration's Amtrak strategy.

Mr. Laney ways the next crucial step for Amtrak is to fix some notorious customer-service problems, ranging from dirty cars to unhelpful and rude onboard employees. About 30 percent of all Amtrak trains are late. Rep. John Mica, a Republican from Florida and longtime Amtrak critic, complains Amtrak can "rival some of the Third World and former Soviet Union rail experiences." Mr. Laney acknowledges that passenger service by Amtrak is "in some cases superb and in some cases miserable."

The restructuring likely puts Amtrak on a collision course with its 17,000 unionized workers, two-thirds of whom haven't had a new contract for about five years. Amtrak officials estimate union restrictions cost the railroad about $100 million a year. Edward Wytkind, president of the AFL–CIO union's Transportation Trades Department, said in a statement that the Bush administration's reform effort is an attempt to "scapegoat workers for the failures of the federal government and the current Amtrak board."

Some of Amtrak's worst problems are beyond its control. Formed to relieve freight railroads of money-losing passenger trains, Amtrak shares nearly 22,000 miles of track with the freight trains, and congestion is worsening. Still, Amtrak believes better service will lure riders and shrink losses on long-distance lines. On long-distance routes that are primarily used by passengers for basic transportation, starting with the Texas Eagle and the City of New Orleans, the railroad is rolling out a new type of dining service that makes greater use of precooked meals and introduces disposable plastic plates. Those changes are designed to cut the number of dining-car employees to three per train from five or six.

Meanwhile, Amtrak is replacing mandatory meal-serving periods with more flexible hours. Over the next few years, it plans to rebuild dining cars to replace traditional table seating and allow passengers to sit at the bar or watch passing scenery from crescent-shaped booths that face the windows. Meal service will then be available as much as 18 hours a day, up from about eight hours now, allowing Amtrak to serve more people and boost revenue. Amtrak hopes to cut $32 million from its annual food-service loss of $123 million.

The Empire Builder is the rolling laboratory for some of the changes. Its on-time record is about 68 percent, and it posted an average loss or $78.57 per passenger in the fiscal year ended Sept. 30.

While the Empire Building is so far sticking with the traditional dining-car format, staffing level and made-to-order food, its added amenities and upgraded service are noticeable. Amtrak put a small fleet of rebuilt passenger cars with hip blue-and-white interiors on the line—a big improvement over the drab orange and brown that dominated older cars. Employees now must introduce themselves to passengers. Conductors must stay up all night in the dining car in case they are needed.

So far, the Empire Builder makeover appears to be enticing more passengers, particularly during the off-season when ridership typically declines. But David Hughes, Amtrak's acting president, says it is impossible to ever make long-distance trains like the Empire Builder profitable. Those trains are expected to generate $382 million in fiscal 2006, or about one-fourth of overall Amtrak revenue, but post losses of more than $493 million, or about $125 for every passenger.

Mr. KNOLLENBERG. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE), the chairman of the Foreign Operations Subcommittee.

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding, and I rise in opposition to the amendment, not to speak against Amtrak, but really where these funds would come from.

As the previous speaker under Mr. KNOLLENBERG's time, Mr. CULBERSON said it comes out of our border security infrastructure. Much of that is right in the heart of Arizona. The Nogales/Mariposa Port of Entry and the San Luis Port of Entry are located on the Arizona-Mexico border, not in my district, but in the area and will enhance security while promoting economic development and improving the quality of life in the border region.

The first project is the reconfiguration of the Nogales/Mariposa Port of Entry. It is the principal commercial crossing on the southern border during much of the year. It processes half of all the winter fruits and vegetables entering the United States. It was built in the 1970s, and it was never built to handle the volume of traffic it now receives.

During the peak season, it is absolutely overwhelmed. Trucks line up for hours and miles and miles and miles into Mexico waiting to cross. In addition the post-9/11 requirements of the Bioterrorism Act and other security measures have added to the congestion of the port. This is a project that would be cut under this amendment.

The second project is the construction of the new port of entry at San Luis, and that is the highest priority on the southern border and President's requested $42 million.

I urge that we defeat this amendment because of where the funds are being taken from.

Mr. Chairman, I rise in opposition to this amendment because the funding it would remove from the bill would be terribly detrimental to our border security infrastructure, at precisely the time when we are finally turning our attention towards fixing our border and stopping illegal immigration.

The Nogales/Mariposa Port of Entry and San Luis Port of Entry are located on the Arizona-Mexico border and will enhance security while promoting economic development and improving the quality of life in the border region and across the country.

The first project is the reconfiguration of the Nogales/Mariposa Port of Entry to expand the port and enhance border security. Mariposa is one of the principal commercial crossings on the southern border; it processes half of the winter fruits and vegetables entering the United States. Built in the 1970's, Mariposa was never intended to handle the volume of traffic it now receives. During the peak season, it is overwhelmed, as trucks line up for miles and wait many hours to cross. In addition, the new post 9/11 requirements under the Bioterrorism Act and other security measures have added to the congestion at the port. U.S. Customs and Border Protection therefore placed this project high on its list of priorities and the President requested $9 million for design funds in his budget. That funding is in this bill and would be cut by this amendment.

The second project is the construction of a new Port of Entry at San Luis. U.S. Customs and Border Protection has also listed this project as its highest priority on the southern border and the President requested $42 million for design funds in the Fiscal Year 2007 budget.

Clearly, these vital projects must not be cut precisely when we are trying to fix our broken borders. In light of our heightened security needs, particularly at our southern border, I urge a "no" vote on this amendment.

Mr. OBERSTAR. Mr. Chairman, I yield myself 30 seconds.

First of all, the gentleman from Texas and the gentleman from Arizona are dead wrong. Our offset does not touch the border stations. In fact, the Nogales is registered in the bill at $9.8 million; San Luis has $42 million. We do not touch any of the border stations.

In fact, the offsets are minor repair and alteration, $375 million. Minor construction, $10 million. Building operations, that is cleaning, $119 million; and the DC Old Executive Office Building at $56 million to cover the offsets for Amtrak. None of this is border stations, none of it.

Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Once again, we are up here fighting for the life of Amtrak, 35 years of service to the public. It just amazes me that constantly people, the Chair of aviation, billions of dollars that we have put in aviation, billions of dollars, and yet it doesn't pay for itself, and we do not want zero funding for Amtrak.

This administration constantly, constantly cut down the funds for Amtrak. This administration has come up with a lot of wacky ideas, but let me tell you something. When gasoline will go up to $4 a gallon, you are going to see a lot of people lining up to take Amtrak.

With the passage of the latest emergency funding, President Bush will have spent over $439 billion on the war in Iraq, but we don't want to spend money for Amtrak. During Hurricane Katrina, the way the victims and first responders were able to leave the gulf region and the New Orleans area was through Amtrak, Amtrak.

Mr. Chairman, this year, Amtrak is celebrating 35 years of public service to this nation through it's commitment to passenger rail.

I travel all over the country and the people I talk to love Amtrak. It is a great way to commute to work, it takes cars off our already congested highways, and in many areas of the country is the only mode of transportation available. In fact, ridership has increased in 8 of the last 9 years reaching a record level of over 25 million passengers last year. It is also important to note that Amtrak's long distance trains are the only inner city passenger trains in half the states in America.

Amtrak was also a First Responder during hurricane Katrina, and helped evacuate thousands of Gulf region residents while President Bush and his Administration were nowhere to be found. Now they are becoming a key part in each states future evacuation plans.

Now what I can't understand is why the Bush Administration is trying to destroy passenger rail in this country. Every Industrialized country in the world is investing heavily in rail infrastructure because they realize that this is the future of transportation. But sadly, as there systems get bigger and better, our system gets less and less money.

President Bush has a lot of wacky ideas for dealing with the high gas prices he created, but I can assure him that as prices climb to $4 per gallon, you are going to see Americans lining up to use a passenger rail system that has been neglected by this very Administration. But what more do you expect when you put J.R. Ewing in the White House.

Once again we see the Bush Administration paying for its failed policies by cutting funds to vital public services and jeopardizing more American jobs. This Administration sees nothing wrong with taking money from the hard working Amtrak employees who work day and night to provide top quality service to their passengers. These folks are trying to make a living for their families, and they don't deserve this shabby treatment from the President.

With the passage of the latest emergency funding for the war, President Bush will have spent over $439 Billion on the war in Iraq, but

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million, major infrastructure projects have been completed. All with a workforce that has been reduced by over 4,000 employees.

We still have a lot of work ahead of us when it comes to Amtrak. But we're starting $900 million dollars closer to our goal, and I know with the help of the American public, we can fully fund Amtrak at $1.6 Billion and keep Amtrak running long into the future.

Mr. LATOURETTE. Mr. Chairman, I yield 1 minute to the gentleman from

New York (Mr. SWEENEY), who offered a similar amendment during the full committee markup to try to save Amtrak.

Mr. SWEENEY. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, in the brief time I have, I want to just say that I want to echo the words of my friend, Mr. REHBERG, that Amtrak is an essential service in my part of the country. But we have had this debate every year, and we go through this process in each of those years.

Last year, in particular, we had a very strong and vigorous debate in which we were threatened with a veto at one point and demanded reforms. This $900 million allocation is a shutdown number for Amtrak, and it would come at the worst possible time to shut down Amtrak.

This is because it is part of those reforms. Amtrak was required to institute new acting procedures. It was required to institute new service contracts and plans. It was required to put in place a new business plan. The Department of Transportation Inspector General just issued a report from September 2005 to March 2006.

Amtrak has saved in excess of $19 million with the institution of these new reform plans that we demanded of them. To now shut them down would go back on our word. Let me also say that Amtrak promotes fuel conservation. At this time, when we are all sensitive about that, it is something that we ought to consider.

A recent study by the Oak Ridge National Laboratory shows Amtrak consumes 17 percent less energy per passenger than automobiles and 18 percent less than planes. Amtrak is an essential service. Support this amendment.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

The Inspector General at the DOT has said to maintain the currently configured system in a steady state of repair, Amtrak would need $1.4 billion. They can't function at a lesser number. But despite chronic underfunding, Amtrak has made significant performance improvements, reducing costs, increasing revenues, implementing reasonable operational reforms, building key infrastructure over its 730 route miles. Even with a starvation budget, this service has performed remarkably.

Support the amendment.

Mr. CASTLE. Mr. Chairman, I rise in support of the amendment to restore funding for Amtrak. I appreciate Mr. LATOURETTE's work on this effort and I thank the chairman for his willingness to work with Members on this extremely important issue.

While I strongly agree that reforming our rail system is essential, and I am supportive of efforts to ensure the Inspector General plays a key role in the rail system's oversight, the level of funding included in this bill is simply unrealistic.

Unlike aviation and highways, there is no dedicated fund for investing in passenger rail development. Although these other modes rely on user fees for a great deal of their funding, they still receive a large amount from the general fund. In addition, these other modes all operate on predominantly federally owned or federally assisted infrastructure, and rely largely on Government-supported security, research, and traffic controllers.

Rather than constantly looking for ways to shortchange passenger rail, we should be working on a comprehensive strategy to make Amtrak the best high-speed rail system in the world.

When you consider the fact that 20 percent of all Americans live in the North-East and approximately 1,700 commuter trains travel the Northeast Corridor everyday, we need to seriously consider the amount of congestion and overcrowding that would occur if these trains stopped running.

Passenger rail can be extremely effective in relieving congestion, cutting pollution, and lowering our demand for oil while creating jobs and increasing security. We have barely scratched the surface of passenger rail's potential, and a commitment from Congress to improving the viability of this system could lead to greatly expanded possibilities.

In addition, it is my firm belief that improving passenger rail service in this country depends on strong and experienced leadership at Amtrak. Unfortunately, over the past year, the Amtrak Board has made several important decisions, despite the fact that close to half of its seats remain empty.

Frankly, I believe the failure to appoint a fully functioning Amtrak Board is disgraceful, and it stands as an enormous disadvantage for this rail system. Members of Congress can stress the need for accountability and reform until we turn blue in the face—but in the end, what Amtrak really needs is leaders with vision, who attend and participate in board meetings and who are genuinely committed to improving passenger rail.

Everything starts with the leadership provided by this board, and as we work to ensure adequate funding for passenger rail, it is crucial that Congress continue to advocate for a fully functioning Amtrak Board of Directors.

The facts are clear; Amtrak needs Federal support to survive, just like highways, ports, and airlines. America is a world leader in all other modes of transportation. When it comes to rail, we are quickly falling behind.

Mr. Chairman, many Americans, including thousands in my state, depend on Amtrak for both business and pleasure. Instead of shortchanging the organization, we should work together to improve passenger rail.

Mr. HOLT. Mr. Chairman, I rise today to support the amendment offered by Representative LATOURETTE to fully fund Amtrak.

In fiscal year 2006, the Bush administration attempted to only provide $360 million to maintain commuter and freight service operated by Amtrak. With a great deal of support from many parts of America, Amtrak funding was restored to $1.3 billion.

Once again we are considering a bill that underfunds Amtrak needs to maintain its current operations. Amtrak is funded at a mere 900 million to continue its operations and make capital improvements. This is 33 percent less than current funding levels for Amtrak. This is $698 million less than Amtrak requested to continue operations and invest in capital. The Oberstar/LaTourette amendment increases funding for Amtrak to $1.114 billion.

The Northeast Corridor relies heavily on Amtrak's infrastructure and skilled workers. New Jersey Transit estimates that over 77 percent of its daily passengers would be affected if—New Jersey Transit could no longer operate its trains over tracks owned by Amtrak.

Many of my colleagues contend that the Northeast Corridor is the only area that depends on Amtrak. This is simply not true. According to a report recently published by the Government Accountability Office, across the country 18 different commuter agencies depend on the infrastructure and services that Amtrak provides, including commuter rail agencies in Dallas and Seattle. There are currently seven new agencies being planned across the country as well. If we do not continue to fund Amtrak at the levels they need to function, a shutdown is imminent. This would be detrimental to commuter rail agencies that depend on Amtrak-owned tracks and infrastructure and skilled Amtrak employees.

The GAO confirms the effect a shutdown of Amtrak would cause: "Given the dependence of more commuter rail agencies on Amtrak for services and infrastructure, an abrupt Amtrak cessation would likely result in major disruption or shutdowns of commuter rail service throughout the country."

We have a responsibility to promote mass transit and provide adequate funding for States and local transit authorities to move passengers effectively. Rail transportation is essential for easing traffic congestion in our most densely populated areas, reducing wear and tear on roads, protecting our environment, and preserving open space across the country.

On May 1, Amtrak celebrated 35 years of service to our Nation. We celebrated Amtrak for its ability to integrate small communities with large cities by providing economic expansion, increased mobility, and environmentally sound transit.

That is why I support the amendment offered by Representative LATOURETTE that would increase Amtrak funding. Now is not the time for us to cut funding for mass transportation. I urge my colleagues to support Amtrak and vote for the Oberstar/LaTourette amendment.

Mr. FITZPATRICK of Pennsylvania. Mr. Chairman, as cochair of the Passenger Rail Caucus, I urge you to support th LaTourette-Oberstar amendment to the FY07 Transportation, Treasury and HUD Appropriations bill. The amendment will increase funding for Amtrak to a total of $1.114 billion, an increase of $214 million.

The FY 2007 TTHUD appropriations bill provides only $900 million for Amtrak, $412 million less than the FY 2006 enacted level and $698 million less than Amtrak requested in order to continue operation and invest in capital. I am concerned that the current funding level in the bill would leave the rail system incapable of providing sufficient service to Amtrak's 25 million customers—many of whom are my constituents of the 8th Congressional District of Pennsylvania on the Northeast Corridor.

The Department of Transportation's Inspector General has stated that the status quo funding option for Amtrak is unsustainable. The Inspector General also stated that postponement of maintenance—especially on heavily traveled Northeast Corridor increases the risk of accident.

Today, as Americans are facing skyrocketing energy prices and increasingly overcrowded roads, it is crucial that we invest in our national passenger rail system.

I urge you to join us in preserving transportation options for our constituents and support the LaTourette-Oberstar amendment.

Mr. REHBERG. Mr. Chairman, I rise today in support of the LaTourette amendment. I would like to enter into the RECORD the following article from the Wall Street Journal that depicts the changes that Amtrak has implemented on Montana's own Empire Builder Line, the most popular long distance train in the United States.

[From the Wall Street Journal, Mar. 17, 2006]

AMTRAK ON AN UPGRADE

(By Daniel Machalaba)

SHELBY, MONTANA.—Karyn Hamilton, like many Amtrak riders, had a dim view of the nation's passenger railroad as low-class, uncomfortable and not much better than a bus. But the marketing director of a financial-management firm in Portland, Ore., changed her mind during a trip last August on the Empire Builder, an Amtrak long-distance train undergoing a dramatic makeover that includes new carpeting and colors, pleasant staff, and upgraded food service. As the silver, diesel-powered train rolled across the prairie, Ms. Hamilton and other first-class passengers were treated toa wine-and-cheese tasting party. They dined on meals made with recipes drawn from the bygone heyday of train travel. At bedtime, she found a fresh-baked chocolate-chip cookie in her spiffed-up sleeping cabin. "It's getting more like a cruise ship," Ms. Hamilton says. After years of financial and political crisis, Amtrak is making a calculated gamble: To boost revenue on its longer-haul trains, the railroad is altering its longstanding one-size-fits-all approach to passengers. Instead, it is courting affluent leisure travellers willing to pay extra for first-class, sleeping-car service. (The differential is substantial. Fares vary by season and day of the week, but if someone were planning to travel, for example, on April 16, a one-way coach fare from Chicago to Seattle would cost $134 for the two-night trip. First-class passengers would pay the basic coach fare plus another $270 for a roomette or $466 for a bedroom).

The changes began with a major makeover of the Empire Builder last summer. Now, Amtrak plans to extend the changes to some other long-haul trains, while also attacking union work rules and bloated food-service expenses. Amtrak's board also is considering cuts to its headquarters overhead by streamlining repair shops, maintenance operations, reservation call centers and train stations.

The shakeup is an acknowledgment by Amtrak officials that they are running out of chances to stave off pressure from the Bush administration to break up or even liquidate the federally subsidized—and unprofitable—railroad. "We're living on borrowed time," says David Laney, Amtrak's chairman. "We have to demonstrate what we can do on our own before it is taken out of our hands."

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As part of the do-or-die overhaul, Mr. Laney fired Amtrak President David Gunn last November. Mr. Gunn had been widely praised for stabilizing Amtrak's finances, jump starting repairs to the Northeast Corridor and restoring credibility with Congress. But Mr. Laney, a Dallas lawyer and Republican loyalist appointed to the Amtrak board in 2002, concluded that Mr. Gunn was standing in the way of more-drastic reforms. Mr. Gunn says he was fired because he opposed the Bush Administration's Amtrak strategy.

Mr. Laney says the next crucial step for Amtrak is to fix some notorious customer-service problems, ranging from dirty cars to unhelpful and rude onboard employees. About 30 percent of all Amtrak trains are late. Rep. John Mica, a Republican from Florida and longtime Amtrak critic, complains Amtrak can "rival some of the Third World and former Soviet Union rail experiences." Mr. Laney acknowledges that passenger service by Amtrak is "in some cases superb and in some cases miserable."

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The Empire Builder is the rolling laboratory for some of the changes. The train which made its first trip in 1929, is one of Amtrak's most popular, carrying nearly 500,000 riders a year. During the daily 2,200 mile trek between Chicago, Seattle and Portland, Ore., the Empire Builder chugs past spectacular scenery. Its on-time record is about 68%, and it posted an average loss or $78.57 per passenger in the fiscal year ended Sept. 30.

While the Empire Building is so far sticking with the traditional dining-car format, staffing level and made-to-order food, its added amenities and upgraded service are noticeable. Amtrak put a small fleet of rebuilt passenger cars with hip blue-and-white interiors on the line—a big improvement over the drab orange and brown that dominated older cars. Employees now must introduce themselves to passengers. Conductors must stay up all night in the dining car in case they are needed.

So far, the Empire Builder makeover appears to be enticing more passengers, particularly during the off-season when ridership typically declines. But David Hughes, Amtrak's acting president, says it is impossible to ever make long-distance trains like the Empire Builder profitable. Those trains are expected to generate $382 million in fiscal 2006, or about one-fourth of overall Amtrak revenue, but post losses of more than $493 million, or about $125 for every passenger.

Mr. SWEENEY. Mr. Chairman, I thank you for your leadership on this bill. I am proud to serve as the Vice-Chairman of this Subcommittee. I want to echo the words of my friend, Mr. REHBERG, because Amtrak is an essential service in my Congressional District and home state of New York.

We have had this debate every year, and we go through this process in each of those years. Last year in particular, we fought possibly the toughest battle in years for passenger rail. We were threatened with vetoes, unless some Amtrak reforms were enacted. So what did we do? We enacted reform. One year later, we have seen evidence these reforms are working.

Yet, here we are today with a proposal to fund Amtrak at $900 million. This allocation is a shutdown number for Amtrak, and it would come at the worst possible time to shut down Amtrak.

This is because we have seen evidence these reforms are working. We required Amtrak put in place a new business plan. We required Amtrak to institute new service contracts and plans. For instance, they had to adopt more efficient accounting procedures. We also demanded they restructure their dining services, which was a big money loser.

The Department of Transportation Inspector General just issued a report on Amtrak business practices. According to this April 6th report, Amtrak has saved $19 million from October 2005 through February 2006, thanks to these reforms. This is better than expected.

Amtrak is saving money because of the institution of these new reform plans that we demanded of them. To now shut them down would go back on our word. They lived up to their end of the deal, now we must live up to ours.

Finally, in these times of record high gasoline prices, allow me to mention that Amtrak promotes fuel conservation. At this time, when we are all sensitive about that, it is something that we ought to seriously consider.

A recent study by the Oak Ridge National Laboratory shows Amtrak consumes 17 percent less energy per passenger than automobiles and 18 percent less than planes. A vote to fund Amtrak is a vote to promote energy independence.

I am not naïve enough to think that this will solve all of our energy problems. Our energy policy should be a multi-faceted approach involving increasing our supply of traditional energy, investing in forms of alternative energy and promoting conservation. Increasing our domestic supply and investing in alternative fuels takes time—years in many cases.

Here is an amendment that is part of this larger solution. Furthermore, this is an amendment that will make an immediate difference. This will not save gasoline 1 year, 5 years, 10 years from now. This will save gasoline tomorrow.

I urge support of the LaTourette Amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. LATOURETTE).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. KNOLLENBERG. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT OFFERED BY MR. KUCINICH

Mr. KUCINICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KUCINICH:

Page 2, line 11, after the dollar amount, insert "(reduced by $70,000)".

Page 37, line 4, after the dollar amount insert "(increased by $70,000)".

Mr. KUCINICH. Mr. Chairman, I rise today out of deep concern for the safety of children who ride school buses over railroad tracks in Ohio and across the country. My amendment will ensure that there is a person working full time in the Federal Railroad Administration who can help us resolve the inadequate reporting.

That reporting is necessary to ensure that railroad crossings frequently used by school buses are in compliance with Federal safety requirements. Title 23, section 646.214 of the Code of Federal regulations requires that crossings be equipped with "automatic gates with flashing light signals" when a "substantial number of school buses cross."

Setting aside the issue that any school bus with children in it is substantial, when it comes to children's safety, it is impossible for school districts, public utility commissions, and the Department of Transportation to know whether any school buses are crossing gated or ungated tracks if this information is not reported.

Mr. KNOLLENBERG. Would the gentleman yield?

Mr. KUCINICH. I certainly would.

Mr. KNOLLENBERG. I would be happy to accept the amendment. Your amendment, I think, is a good one.

Mr. KUCINICH. I want to thank the chairman for his assistance, and I know that the parents of school children all over this country will be grateful to you for your concern. Thank you very much.

The CHAIRMAN. The question is the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was agreed to.

□ 1730

AMENDMENT OFFERED BY MS. BEAN

Ms. BEAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. BEAN:

Page 2, line 11, after the first dollar amount, insert the following "(reduced by $2,700,000)".

Page 2, line 22, after the dollar amount, insert the following: "(reduced by $2,700,000)".

Page 4, line 6, after the dollar amount, insert the following: "(reduced by $4,000,000)".

Page 32, line 22, after the dollar amount, insert the following: "(increased by $6,700,000)".

Page 32, line 23, after the dollar amount insert "(increased by $6,700,000)".

Ms. BEAN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. BEAN. Mr. Chairman, I rise today to offer an amendment that would increase funding for the National Highway Traffic Safety Administration's Operations and Research account by $6.7 million. The amendment offsets this increase by decreasing $2.7 million in funding from the Office of the Assistant Secretary for Administration and $4 million from transportation planning and research account.

The intent of my amendment is to direct the Office of Fuel Economy to use these funds to assess how to best incentivize the auto industry to increase corporate average fuel economy, CAFE, standards by the year 2015. It is my hope that this will accelerate adoption of increased fuel efficiency standards by having the office considering options like tax credits to retooling their manufacturing processes for production of more fuel efficient vehicles. This would provide manufacturers with an economically viable way to increase fuel economy for passenger cars and light trucks.

Particularly in suburban districts like mine, families are plagued by heavy traffic and congestion and are burdened by the price of gasoline. The high gas prices we are facing today can only be addressed by a serious, long-term effort to reduce our dependence on foreign oil.

By voting for my amendment, we can give the Office of Fuel Economy the resources necessary to start providing solutions on the demand side of the energy equation.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

I appreciate the intent of the gentlewoman's amendment. We all want better fuel economy. However, I must oppose the gentlewoman's amendment for a number of reasons.

There are times when throwing additional money at a problem is not going to solve it, and this is one of those times. All that is needed here is time.

Giving the National Highway Traffic Safety Administration more money will not speed up the process whereby fuel economy standards would be raised. Even if Congress passed a bill tomorrow ordering NHTSA to raise fuel economy standards, it would take a minimum of 9 months for a rule to be proposed and finalized. This is because NHTSA would need the detailed product plans from every major auto manufacturer on every model they make before they could draft such a rule, and assembling these documents takes time.

Moreover, under law, there would have to be a reasonable comment period of 90 days so the public could weigh in on any proposed rule.

Finally, any proposed rule would have to be cleared by the Office of the Secretary of Transportation and the Office of Management and Budget, and that is just the beginning.

Auto makers also need time, which they are provided under the law, to retool their product lines to comply with the new regulations. For instance, the auto makers are already developing their product lines for the 2010 model year.

As I said at the beginning, this just takes time, roughly 27 months worth of time. NHTSA has already been tasked with studying the feasibility and effects of reducing the use of fuel for automobiles. This report, required by section 773 of the energy bill, is due to Congress later this year.

I would also like to point out to Members that this committee has already significantly increased funding for NHTSA's CAFE office over the past several years. The office, which was funded at $60,000 in fiscal year 2001, was funded at almost $1.3 million last year. Giving NHTSA's CAFE office an extra $6.7 million would likely result in the money simply being unspent.

I am unsure what benefit will be gained by the public if the CAFE office were to be given $6.5 million that they realistically cannot spend. Certainly, it would not result in fuel economy standards being raised faster, which I assume is the gentlewoman's ultimate intent.

So I strongly urge opposition to this amendment.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am going to support this amendment. It seems to me that if we are to move toward energy independence, and particularly, if we are ever going to get away from our dependence on Middle Eastern oil, with all the uncertainty and all of the problems that go along with that, which we have seen much of, then our largest and fastest gains that can possibly be made are in increasing the efficiency of the use of our motor vehicles.

At least a third of all of the oil that we use in this country goes into our transportation sector and to the use of our motor vehicles, and we desperately need to increase the efficiency of those. That is the fastest thing that we can put into place, much faster than the work on a hydrogen economy or an ethanol economy or fuel cells or any one of those. The efficiency of the present fleet and vehicles to be sold in the near future becomes important.

So I think it is very important that when the Energy and Commerce Committee bill, H.R. 5359, which provides the authority for the Secretary of Transportation to set economy standards for passenger cars, when that which is pending on the House calendar, it has been reported out of the Energy and Commerce Committee and it is pending on the House calendar, that when that is passed that there be the resources available at NHTSA to be able to evaluate the technologies and capability of the automobile industry to improve fuel economy as fast as it can reasonably be done.

When NHTSA was first created 30 years ago, and I guess it was when they were first given the job at looking at CAFE standards, they were given $10 million at the first instance 30 years ago to set fuel economy standards, and now $10 million today would probably be something like $40 million.

All the gentlewoman from Illinois is asking for here is an increase from $1.3 million to which the NHTSA account for fuel economy has been reduced to bring that up to $8 million, and the offsets in this instance are $2.7 million, which still leaves the account for the Office of the Secretary at 7 percent, almost $6 million above what it was in fiscal year 2006, even after that $2.7 million is taken out. The other part of the offset is $4 million taken from the transportation planning research and development which with $9 million left in the account still has more than the President requested in his budget submission by almost $100,000.

So I think this is a worthwhile place to put some money and make certain that NHTSA can deal with that as quickly as possible.

Ms. BEAN. Mr. Chairman, will the gentleman yield?

Mr. OLVER. I yield to the gentlewoman from Illinois.

Ms. BEAN. Mr. Chairman, the American people are looking to Congress for leadership in addressing rising energy costs. In the last few weeks, different proposals for increasing our energy supply have come before us. However, few proposals have been offered to address the demand side of the energy equation.

For too long, Congress has allowed a stalemate on innovation and fuel efficiency. This amendment does not mandate increases but, instead, funds research into options.

My amendment gives this Congress an opportunity to strike a balance between keeping auto makers competitive, by addressing the economic impact on them, with the pressing needs of American drivers, because both manufacturers and consumers are looking for an economically viable solution toward the advancement in the fuel efficiency of the cars and trucks we drive.

Let us help the Office of Fuel Economy facilitate public/private partnership solutions to meet the energy demand challenges our Nation is facing.

I urge my colleagues to support this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Illinois (Ms. BEAN).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. BEAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

AMENDMENT OFFERED BY MR. ISRAEL

Mr. ISRAEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ISRAEL:

Page 2, line 11, after the first dollar amount, insert the following: "(reduced by $4,724,000)".

Page 49, line 8, after the dollar amount, insert the following: "(increased by $9,448,000)".

Page 63, line 20, after the dollar amount, insert the following: "(reduced by $4,724,000)".

Mr. ISRAEL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ISRAEL. Mr. Chairman, my amendment restores funding for certain advanced energy research programs to last year's levels. That research is absolutely critical to reducing our dependence on foreign oil.

The funding in this bill for research and university resource centers is $9,448,000 below last year's levels, and those are the very centers that are researching and developing hydrogen and hybrid and other advanced transportation technologies.

Now, we all understand how vital that research and development is. The President of the United States on this floor during the State of the Union proclaimed that we must reduce our addiction to foreign oil. Anyone in their cars at a gas station today, as we are on the floor, paying over $3 a gallon for gas understands how important it is that we reduce that addiction to foreign oil.

I am a member of the Armed Services Committee. Our military understands how critical that is. Last year, the Department of Defense spent $10 billion on basic energy costs. Of that, $4.7 billion was spent to buy one thing, fuel for Air Force planes.

I was in Iraq last month and was on a wonderful Stryker combat vehicle. It gets about 10 miles to the gallon.

It is dangerous, Mr. Chairman, when we have to borrow money from China to fund defense budgets to buy oil from unstable Persian Gulf countries to fuel our military to protect us from China and unstable Persian Gulf countries.

We have all talked about having men on the Moon, research and development programs to end that dangerous dependence on foreign oil. We have talked about having new Apollo programs to research and develop new vehicles, not lunar landing modules that will put people on the Moon, but hydrogen and hybrid vehicles that will make it easier and safer and less expensive for people to drive on our roads here on Earth. And yet, this bill cuts $9.5 million from the very research centers that are engaged in deploying those vehicles.

This is not a giant leap for mankind. This is not even one small step for mankind. It is a step backwards, and so my amendment does not go above last year's level. It does not take a giant leap that I think we need. All it does is it keeps us steady so we do not continue to lose ground to the very adversaries we have around the world who are willing to use oil as a weapon against us and use oil to blackmail us and compromise our capabilities.

This amendment simply offsets salaries in the Treasury and Transportation accounts and restores $9,448,000 for basic research at the research and university research centers to continue our vital work, and I hope that the House will agree to it and support it.

Mr. KNOLLENBERG. Mr. Chairman, I rise in strong opposition to the gentleman's amendment.

The account he seeks to increase is transit research, not fuel research, and I appreciate his sentiment, but we already gave more than the guarantees, and the guarantees are killing other programs, both transportation and everything else. Repeatedly I see already that the Treasury continues to get hit over and over.

We provide a greater level of funding in 2007 to address two problems. We needed to fix a problem with SAFETEA–LU since the authorizing committee identified more projects and activities than were provided for under the guarantees. We covered that problem and found the money for the fix in order to keep the program going. We added these funds to cover some initiatives important to other Members.

The gentleman proposes to add money for alternative fuels research. However, most of that research is funded out of DOE and NHTSA. This account is for research into transit, as I repeated, and I urge a "no" vote on this amendment.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

This amendment that is offered by my good friend from New York, this amendment does exactly what I had spoken about in my opening remarks in relation to this bill and which the chairman of the subcommittee has pointed out as well, that this amendment starts by adding money, assuring money to already what is one of the guaranteed items under the TEA-LU guarantees, which those guarantees had to be provided in order to bring the bill to the floor at all.

This is not a rearrangement of moneys as the previous case was where I had supported the Amtrak amendment because, in that instance, the Transportation and Infrastructure Committee was moving money around totally within its jurisdiction, and I thought that was something that was worth supporting.

□ 1745

In this instance, what we are doing is taking money from one of the places in the bill which has no guarantees for minima along the way, namely the Treasury, a totally different unit of the bill, a totally different title of the bill, and simply grabs those and moves them over to an area which is already under the guarantees of the TEA-LU bill.

Under those circumstances, I must, regretfully for the gentleman from New York, oppose the amendment; and I hope that it will not be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ISRAEL).

The question was taken; and the Chairman announced that the noes appeared to have it.

RECORDED VOTE

Mr. ISRAEL. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $8,821,000.

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, development activities, and making grants, to remain available until expended, $13,000,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Working Capital Fund, not to exceed $120,000,000, shall be paid from appropriations made available to the Department of Transportation: *Provided*, That such services shall be provided on a competitive basis to entities within the Department of Transportation: *Provided further*, That the above limitation on operating expenses shall not apply to non-DOT entities: *Provided further*, That no funds appropriated in this Act to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency modal administrator: *Provided further*, That no assessments may be levied against any program, budget activity, subactivity or project funded by this Act unless notice of such assessments and the basis therefor are presented to the House and Senate Committees on Appropriations and are approved by such Committees.

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of guaranteed loans for short-term working capital, $495,000, as authorized by 49 U.S.C. 332: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $18,367,000. In addition, for administrative expenses to carry out the guaranteed loan program, $396,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of Minority Business Resource Center outreach activities, $2,970,000, to remain available until September 30, 2008: *Provided*, That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

In addition to funds made available from any other source to carry out the essential air service program under 49 U.S.C. 41731 through 41742, $67,000,000, to be derived from the Airport and Airway Trust Fund, to remain available until expended: *Provided*, That, in determining between or among carriers competing to provide service to a community, the Secretary may consider the relative subsidy requirements of the carriers: *Provided further*, That, if the funds under this heading are insufficient to meet the costs of the essential air service program in the current fiscal year, the Secretary shall transfer such sums as may be necessary to carry out the essential air service program from any available amounts appropriated to or directly administered by the Office of the Secretary for such fiscal year: *Provided further*, That of the funds made available under this heading, $1,000,000 shall be used to carry out the three marketing incentive programs authorized by section 41748 of title 49, United States Code.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I raise a point of order against the paragraph beginning at the words "to be derived from the Airport and Airway Trust Fund," beginning on page 5, line 23, and ending on line 24.

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The provision would provide that funding for payments to air carriers be derived from the Airport and Airway Trust Fund. Authorization in law may exist for this funding from general revenues, but no specific authorization in law exists for this funding to be derived from the trust fund.

The Chair finds that in this latter respect the provision is not supported by an authorization in law. This is consistent with the ruling of the Chair of June 29, 2005. The point of order is sustained and the provision is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

COMPENSATION FOR AIR CARRIERS

(RESCISSION)

Of the funds made available under section 101(a)(2) of Public Law 107-42, $50,000,000 are rescinded.

ADMINISTRATIVE PROVISIONS—OFFICE OF THE SECRETARY OF TRANSPORTATION

SEC. 101. The Administrator of the Federal Aviation Administration may reimburse amounts made available to satisfy 49 U.S.C. 41742(a)(1) from fees credited under 49 U.S.C. 45303: *Provided*, That during fiscal year 2007, 49 U.S.C. 41742(b) shall not apply, and any amount remaining in such account at the close of that fiscal year may be made available to satisfy section 41742(a)(1) for the subsequent fiscal year.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against section 101.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I raise a point of order against page 6, line 22, beginning with "provided, that" through line 26.

This proviso violates clause 2 of rule XXI. It changes existing law, which constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this proviso changes the application of existing law. The proviso therefore constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained and the proviso is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 102. The Secretary of Transportation is authorized to transfer the unexpended balances available for the bonding assistance program from "Office of the Secretary, Salaries and expenses" to "Minority Business Outreach".

SEC. 103. None of the funds made available in this Act to the Department of Transportation may be obligated for the Office of the Secretary of Transportation to approve assessments or reimbursable agreements pertaining to funds appropriated to the modal administrations in this Act, except for activities underway on the date of enactment of this Act, unless such assessments or agreements have completed the normal reprogramming process for Congressional notification.

SEC. 104. None of the funds made available under this Act may be obligated or expended to establish or implement a program under which essential air service communities are required to assume subsidy costs commonly referred to as the EAS local participation program.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities, the operation (including leasing) and maintenance of aircraft, subsidizing the cost of aeronautical charts and maps sold to the public, lease or purchase of passenger motor vehicles for replacement only, in addition to amounts made available by Public Law 108–176, $8,360,000,000, of which $4,843,000,000 shall be derived from the Airport and Airway Trust Fund, of which not to exceed $6,698,728,000 shall be available for air traffic organization activities; not to exceed $997,718,000 shall be available for aviation regulation and certification activities; not to exceed $11,985,000 shall be available for commercial space transportation activities; not to exceed $92,227,000 shall be available for financial services activities; not to exceed $87,850,000 shall be available for human resources program activities; not to exceed $272,821,000 shall be available for region and center operations and regional coordination activities; not to exceed $175,392,000 shall be available for staff offices; and not to exceed $36,799,000 shall be available for information services: *Provided*, That not to exceed 2 percent of any budget activity, except for aviation regulation and certification budget activity, may be transferred to any budget activity under this heading: *Provided further*, That no transfer may increase or decrease any appropriation by more than 2 percent: *Provided further*, That any transfer in excess of 2 percent shall be treated as a reprogramming of funds under section 810 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That none of the funds in this Act shall be available for the Federal Aviation Administration to finalize or implement any regulation that would promulgate new aviation user fees not specifically authorized by law after the date of the enactment of this Act: *Provided further*, That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities, and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further*, That of the funds appropriated under this heading, not less than $8,000,000 shall be for the contract tower cost-sharing program: *Provided further*, That funds may be used to enter into a grant agreement with a nonprofit standard-setting organization to assist in the development of aviation safety standards: *Provided further*, That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further*, That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further*, That none of the funds in this Act may be obligated or expended to operate a manned auxiliary flight service station in the contiguous United States: *Provided further*, That none of the funds in this Act for aeronautical charting and cartography are available for activities conducted by, or coordinated through, the Working Capital Fund: *Provided further*, That none of the funds in this Act may be obligated or expended for an employee of the Federal Aviation Administration to purchase a store gift card or gift certificate through use of a Government-issued credit card.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, technical support services, improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment, as authorized under part A of subtitle VII of title 49, United States Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this heading; to be derived from the Airport and Airway Trust Fund, $3,110,000,000, of which $2,662,100,000 shall remain available until September 30, 2009, and of which $447,900,000 shall remain available until September 30, 2007: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities: *Provided further*, That upon initial submission to the Congress of the fiscal year 2008 President's budget, the Secretary of Transportation shall transmit to the Congress a comprehensive capital investment plan for the Federal Aviation Administration which includes funding for each budget line item for fiscal years 2008 through 2012, with total funding for each year of the plan constrained to the funding targets for those years as estimated and approved by the Office of Management and Budget.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, United States Code, including construction of experimental facilities and acquisition of necessary sites by lease or grant, $134,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 2009: *Provided*, That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, United States Code, and under other law authorizing such obligations; for procurement, installation, and commissioning of runway incursion prevention devices and systems at airports of such title; for grants authorized under section 41743 of title 49, United States Code; and for inspection activities and administration of airport safety programs, including those related to airport operating certificates under section 44706 of title 49, United States Code, $4,171,000,000 to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided*, That none of the funds under this heading shall be available for the planning or execution of programs the obligations for which are in excess of $3,700,000,000 in fiscal year 2007, notwithstanding section 47117(g) of title 49, United States Code: *Provided further*, That none of the funds under this heading shall be available for the replacement of baggage conveyor systems, reconfiguration of terminal baggage areas, or other airport improvements that are necessary to install bulk explosive detection systems: *Provided further*, That notwithstanding any other provision of law, of funds limited under this heading, up to $74,971,000 shall be obligated for administration, up to $10,000,000 shall be available for the airport cooperative research program, up to $12,000,000 shall be available to carry out the Small Community Air Service Development Program, and up to $17,870,000 shall be for airport technology research, to remain available until expended.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. Mr. Chairman, I raise a point of order against page 13, line 1, beginning with "; for grants" through page 13, line 6, ending with the word "Code."

This provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes, again, legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the gentleman's point of order? If not, the Chair is prepared to rule.

The provision proposes to earmark certain funds in the bill. Under clause 2(a) of rule XXI, such an earmarking must be specifically authorized by law. The burden of establishing the authorization in law rests in this instance with the committee or other proponent of the provision.

Finding that this burden has not been carried, the point of order is sustained and the provision is stricken from the bill.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against another provision of the paragraph.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MICA. I raise a point of order against page 13, line 17, beginning with the words "Provided further" through line 25.

This provision also violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriations bill in violation of House rules.

The CHAIRMAN. Does any Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this proviso explicitly supercedes existing law. The proviso, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained and the proviso is stricken from the bill.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment, and I ask unanimous consent to have it considered out of order.

The CHAIRMAN. Without objection, the amendment may be considered at this time.

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman reserves a point of order.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Ms. WATERS:

Page 11, line 8, after each of the dollar amounts, insert the following: "(reduced by $261,000,000)".

Page 85, line 11, after the dollar amount, insert the following: "(increased by $261,000,000)".

Ms. WATERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATERS. Mr. Chairman, I believe that before this bill is enacted into law we must reverse an unwise pattern of disinvestment in the Nation's public housing. Therefore, I am introducing an amendment to restore the $261 million reduction in the Public Housing Capital Fund.

America's public housing inventory is a $100 billion public asset providing affordable housing to 1.1 million families. Just over half of these families are headed by the elderly or persons with disabilities, and children make up approximately 40 percent of all those we help. Public housing helps families and the elderly in large and small communities across the country in every congressional district.

In addition to safe, decent, affordable housing, public housing agencies connect people to the services they need, services that help adults become economically self-sufficient, provide children safe places to grow and learn, and allow the elderly and persons with disabilities to live independently.

Public housing funding has been declining since 2001. Despite the estimated $100 billion value of public housing assets to our communities, this bill does not provide funding necessary to maintain them for the long run. Total Federal funding for public housing has dropped precipitously over this decade. The bill before us provides $1.4 billion less than provided for funding year 2001, that is, the President's budget for funding year 2007 requests nearly $1.5 billion less for public housing than Congress provided for funding year 2001.

This drop in resources has constrained local agencies' ability to address safety and security needs, provide valuable services to those seeking economic self-sufficiency and independent living, and undermines agencies' ability to meet the recent surge in utility costs. This decline in funding is most egregious in the area of capital repair funding.

Public housing faces an estimated $18 billion backlog of capital repairs. According to a HUD-funded study, an additional $2 billion in capital repair needs accrues each year as buildings age. The President's budget and this bill cuts funding for the public housing capital funds for major repairs by $261 million, that is 11 percent compared with last year's funding. In fact, the capital fund has been cut each year since 2001, declining a total of 27 percent over 6 years if this budget is enacted.

The capital funds provided in this bill are barely sufficient to cover annually accruing needs, let alone address the backlog of need. The National Association of Housing and Redevelopment Officials estimates that $3.5 billion is necessary to begin to address the backlog of need in funding year 2007.

At the same time we are cutting basic capital repair funds, this bill also zeros out funding for the HOPE VI program for comprehensive revitalization of the most distressed public housing communities as requested by the administration. My colleague, JOHN OLVER, categorized this approach of cutting annual capital repair funding as, and I quote, "penny-wise and pound foolish," and that is exactly what this is.

Mr. Chairman, I would ask my colleagues to embrace the intent of my capital fund amendment in order to secure the ongoing viability of this valuable affordable housing asset. Unless greater measures are taken by HUD to preserve this affordable asset called public housing, this unique asset and the larger continuum of a sound Federal affordable housing policy will be degraded and eventually lost. And that is a plan that our communities, our seniors, and our families with children cannot afford.

Mr. Chairman, in closing, let me just say that these are our most vulnerable citizens, and they need a safety net. While we want them to improve their lives, we want them to become independent. We are trying to have programs that will transition them to work and out of public housing. It is not going to happen unless we have reasonable and sensible investment to make these safe, sound, and secure places for our citizens to live.

Again, we need this in all of our congressional districts. As a matter of fact, the poor have nowhere else to turn. They are depending on us. I would ask us not to be penny-wise and pound-foolish, but rather to make what I think is one of the most prudent investments we can make.

The CHAIRMAN. The time of the gentlewoman from California has expired.

Ms. WATERS. Mr. Chairman, I ask unanimous consent to proceed for 30 additional seconds to close this out.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentlewoman has asked unanimous consent to proceed for 30 additional seconds.

Is there objection to the gentlewoman's unanimous consent request? If not, the gentlewoman is recognized for an additional 30 seconds.

Mr. OLVER. Mr. Chairman, I moved to strike the last word.

The CHAIRMAN. The Chair recognizes the gentlewoman for an additional 30 seconds.

Ms. WATERS. Mr. Chairman, I appreciate the time that has been allotted and I move to withdraw the amendment. I have not been able to find the funds to replace that which has been cut. I appreciate the time to at least explain it.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

□ 1800

Mr. OLVER. Mr. Chairman, I move to strike the last word.

If I had been allowed to move to strike the last word, I would have been happy to yield 30 seconds to the gentlewoman after I made a comment which relates to the amendment she offered.

The CHAIRMAN. The gentlewoman asked unanimous consent to proceed for an additional 30 seconds, and the Chair responded to her unanimous consent request and granted her the 30 seconds that she requested.

Mr. OLVER. Mr. Chairman, I just want to point out that this is one of those cutting-the-baby-in-two kinds of situations that has been forced upon the TTHUD committee by the allocation and the relationship, the juxtaposition of guarantees under the transportation accounts and no such guarantees under some of the others.

The $261 million that the gentlewoman asked to be provided by an offset which would have placed the bill under point of order and is under point of order if she had not withdrawn the amendment. That $261 million would have protected a very important infrastructure investment that we have.

We have $100 billion worth of housing under the public housing capital fund, and it is that capital fund which does the renovations, the rehabilitations, the replacements of those facilities, and it is a very important piece which I have spoken about at each stage of this process, every one of the stages, even before, Mr. Chairman, your committee just last night about the need for additional funding in the public housing capital fund.

I am very much hopeful that we will be able to find before this process runs its course to the final conference report, that we will be able to find some additional money for the public housing capital fund so we can, in fact, do something about the huge backlog which has been listed by the gentlewoman as close to $20 billion of backlog in needs for capital repair and improvements in our $100 billion of housing stock.

So that is one of the dilemmas that the subcommittee, the chairman and the staff and the committee as a whole has been laboring under, and I hope to find a way to provide some relief for the problem.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the amounts authorized for the fiscal year ending September 30, 2007 and prior years under sections 48103 and 48112 of title 49, United States Code, $25,000,000 are rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION ADMINISTRATION

SEC. 110. Notwithstanding any other provision of law, airports may transfer without consideration to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport-aid program, airport development aid program or airport improvement program grant. *Provided*, That the Federal Aviation Administration shall accept such equipment, which shall thereafter be operated and maintained by FAA in accordance with agency criteria.

SEC. 111. None of the funds in this Act may be used to compensate in excess of 380 technical staff-years under the federally funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 2006.

SEC. 112. None of the funds in this Act shall be used to pursue or adopt guidelines or regulations requiring airport sponsors to provide to the Federal Aviation Administration without cost building construction, maintenance, utilities and expenses, or space in airport sponsor-owned buildings for services relating to air traffic control, air navigation, or weather reporting: *Provided*, That the prohibition of funds in this section does not apply to negotiations between the agency and airport sponsors to achieve agreement on "below-market" rates for these items or to grant assurances that require airport sponsors to provide land without cost to the FAA for air traffic control facilities.

SEC. 113. Amounts collected under section 40113(e) of title 49, United States Code, shall be credited to the appropriation current at the time of collection, to be merged with and available for the same purposes of such appropriation.

SEC. 114. None of the funds appropriated or limited by this Act may be used to change weight restrictions or prior permission rules at Teterboro Airport in Teterboro, New Jersey.

SEC. 115. (a) Section 44302(f)(1) of title 49, United States Code, is amended by striking "2006," each place it appears and inserting "2007,".

(b) Section 44303(b) of such title is amended by striking "2006," and inserting "2007,".

SEC. 116. None of the funds made available in this Act shall be used for engineering work related to an additional runway at Louis Armstrong New Orleans International Airport.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

Necessary expenses for administration and operation of the Federal Highway Administration, not to exceed $372,504,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

None of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $39,086,464,683 for Federal-aid highways and highway safety construction programs for fiscal year 2007: *Provided*, That within this obligation limitation on Federal-aid highways and highway safety construction programs, not more than $429,800,000 shall be available for the implementation or execution of programs for transportation research (chapter 5 of title 23, United States Code; sections 111, 5505, and 5506 of title 49, United States Code; and title 5 of Public Law 109–59) for fiscal year 2007: *Provided further*, That this limitation on transportation research programs shall not apply to any authority previously made available for obligation: *Provided further*, That the funds authorized pursuant to 23 U.S.C. 110 for the motor carrier safety grant program, and the obligation limitation associated with such funds provided under this heading, shall be transferred to the Federal Motor Carrier Safety Administration: *Provided further*, That the Secretary may, as authorized by section 605(b) of title 23, United States Code, collect and spend fees to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal government of servicing such credit instruments: *Provided further*, That such fees are available until expended to pay for such costs: *Provided further*, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, not otherwise provided, including reimbursement for sums expended pursuant to the provisions of 23 U.S.C. 308, $39,086,464,683 or so much thereof as may be available in and derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, $2,000,000,000 are rescinded: *Provided*, That such rescission shall not apply to the funds distributed in accordance with 23 U.S.C. 130(f), 23 U.S.C. 133(d)(1) as in effect prior to the date of enactment of Public Law 109–59, the first sentence of 23 U.S.C. 133(d)(3)(A), 23 U.S.C. 104(b)(5), or 23 U.S.C. 163 as in effect prior to the enactment of Public Law 109–59.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

(INCLUDING RESCISSIONS)

SEC. 120. (a) For fiscal year 2007, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; the highway use tax evasion program; and the Bureau of Transportation Statistics;

(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highways and highway safety programs for previous fiscal years the funds for which are allocated by the Secretary;

(3) determine the ratio that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2), bears to

(B) the total of the sums authorized to be appropriated for Federal-aid highways and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (9) of subsection (b) and sums authorized to be appropriated for section 105 of title 23, United States Code, equal to the amount referred to in subsection (b)(10) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4)(A) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for sections 1301, 1302, and 1934 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; sections 117 (but individually for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users) and 144(g) of title 23, United States Code; and section 14501 of title 40, United States Code, so that the amount of obligation authority available for each of such sections is equal to the amount determined by multiplying the ratio determined under paragraph (3) by the sums authorized to be appropriated for that section for the fiscal year; and

(B) distribute $2,000,000,000 for section 105 of title 23, United States Code;

(5) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraph (4), for each of the programs that are allocated by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code (other than to programs to which paragraphs (1) and (4) apply), by multiplying the ratio determined under paragraph (3) by the amounts authorized to be appropriated for each such program for such fiscal year; and

(6) distribute the obligation limitation provided for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and amounts distributed under paragraphs (4) and (5), for Federal-aid highways and highway safety construction programs (other than the amounts apportioned for the equity bonus program, but only to the extent that the amounts apportioned for the equity bonus program for the fiscal year are greater than $2,639,000,000, and the Appalachian development highway system program) that are apportioned by the Secretary under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users and title 23, United States Code, in the ratio that—

(A) amounts authorized to be appropriated for such programs that are apportioned to each State for such fiscal year, bear to

(B) the total of the amounts authorized to be appropriated for such programs that are apportioned to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations: (1) under section 125 of title 23, United States Code; (2) under section 147 of the Surface Transportation Assistance Act of 1978; (3) under section 9 of the Federal-Aid Highway Act of 1981; (4) under subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982; (5) under subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987; (6) under sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991; (7) under section 157 of title 23, United States Code, as in effect on the day before the date of the enactment of the Transportation Equity Act for the 21st Century; (8) under section 105 of title 23, United States Code, as in effect for fiscal years 1998 through 2004, but only in an amount equal to $639,000,000 for each of those fiscal years; (9) for Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century or subsequent public laws for multiple years or to remain available until used, but only to the extent that the obligation authority has not lapsed or been used; (10) under section 105 of title 23, United States Code, but only in an amount equal to $639,000,000 for each of fiscal years 2005, 2006 and 2007; and (11) under section 1603 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation.

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year, revise a distribution of the obligation limitation made available under subsection (a) if the amount distributed cannot be obligated during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority to those States having large unobligated balances of funds apportioned under sections 104 and 144 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—The obligation limitation shall apply to transportation research programs carried out under chapter 5 of title 23, United States Code, and title V (research title) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, except that obligation authority made available for such programs under such limitation shall remain available for a period of 3 fiscal years and shall be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of the distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highways programs; and

(B) the Secretary determines will not be allocated to the States, and will not be available for obligation, in such fiscal year due to the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same ratio as the distribution of obligation authority under subsection (a)(6).

(3) AVAILABILITY.—Funds distributed under paragraph (1) shall be available for any purposes described in section 133(b) of title 23, United States Code.

(f) SPECIAL LIMITATION CHARACTERISTICS.—Obligation limitation distributed for a fiscal year under subsection (a)(4) for the provision specified in subsection (a)(4) shall—

(1) remain available until used for obligation of funds for that provision; and

(2) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(g) HIGH PRIORITY PROJECT FLEXIBILITY.—

(1) IN GENERAL.—Subject to paragraph (2), obligation authority distributed for such fiscal year under subsection (a)(4) for each project numbered 1 through 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users may be obligated for any other project in such section in the same State.

(2) RESTORATION.—Obligation authority used as described in paragraph (1) shall be restored to the original purpose on the date on which obligation authority is distributed under this section for the next fiscal year following obligation under paragraph (1).

(h) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the distribution of obligation authority under subsection (a)(4)(A) for each of the individual projects numbered greater than 3676 listed in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against section 120.

The CHAIRMAN. The gentleman may state his point of order.

Mr. MICA. Mr. Chairman, this provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the gentleman's point of order? If not, the Chair is prepared to rule.

The Chair finds that this section imparts direction to the executive. The section, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to 49 U.S.C. 111 may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 122. Notwithstanding any other provision of law, funds authorized under section 110 of title 23, United States Code, for fiscal year 2007 shall be apportioned to the States in accordance with section 1105(f) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144, 1166), except that before allocations in accordance with section 1105(f)(3) of such Act are made, $300,000,000 shall be set aside for the Transportation, Community, and System Preservation Program under section 1117 of such Act (119 Stat. at 1177–1179) and administered in accordance with section 1117(g)(2) of such Act.

SEC. 123. Notwithstanding any other provision of law, funds provided in Public Law 102–143 in the item relating to "Highway Bypass Demonstration Project" shall be available for the improvement of Route 101 in the vicinity of Prunedale, Monterey County, California.

SEC. 124. Of the unobligated balances made available under Public Law 101–516, Public Law 102–143, Public Law 102–240, Public Law 103–331, Public Law 105–178, Public Law 106–346, Public Law 107–87, and Public Law 108–7, $12,177,193.53 are rescinded.

SEC. 125. Of the unobligated balances made available under section 188(a)(1) of title 23, United States Code, as in effect prior to the date of enactment of Public Law 109–59, and under section 608(a)(1) of such title, $100,000,000 are rescinded.

SEC. 126. Of the amounts made available under section 104(a) of title 23, United States Code, $14,460,721 is rescinded.

SEC. 127. Of the unobligated balances made available for fiscal year 2005, under title 5 of Public Law 109–59, for the implementation or execution of programs for transportation research, $37,815,112 is rescinded.

POINT OF ORDER

Mr. MICA. Mr. Chairman, I raise a point of order against section 127.

The CHAIRMAN. The gentleman may state his point of order.

Mr. MICA. Mr. Chairman, this provision violates clause 2 of rule XXI. It changes existing law and therefore constitutes legislating on an appropriation bill in violation of House rules.

The CHAIRMAN. Does any other Member wish to be heard on the gentleman's point of order? If not, the Chair is prepared to rule.

Under clause 2(b) of rule XXI, the Committee on Appropriations may recommend rescissions only of appropriations that were contained in prior appropriations Acts, but not rescissions of contract authority that is contained in other laws.

Therefore, the point of order is sustained. The section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 128. Notwithstanding any other provision of law, funds provided under section 378 of the Department of Transportation and Related Agencies Appropriations Act, 2001 (Public Law 106–346, 114 Stat. 1356, 1356A–41), for the reconstruction of School Road East in Marlboro Township, New Jersey, shall be available for the Spring Valley Road Project in Marlboro Township, New Jersey.

SEC. 129. Notwithstanding any other provision of law, none of the funds made available or limited by this Act shall be used for (1) the development, planning, design, or construction of a bridge joining the Island of Gravina to the Community of Ketchikan, Alaska; (2) the development, planning, design, or construction of the Knik Arm Bridge, Alaska; or (3) any administrative expense of the Federal Highway Administration to provide payment or reimbursement for any expense incurred by the State of Alaska in carrying out an activity described in paragraph (1) or (2).

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out sections 31102, 31104(a), 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109–59, $294,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of $294,000,000, for "Motor Carrier Safety Grants"; of which $197,000,000 shall be available for the motor carrier safety assistance program to carry out sections 31102 and 31104(a) of title 49, United States Code; $25,000,000 shall be available for the commercial driver's license improvements program to carry out section 31313 of title 49, United States Code; $32,000,000 shall be available for the border enforcement grants program to carry out section 31107 of title 49, United States Code; $5,000,000 shall be available for the performance and registration information system management program to carry out sections 31106(b) and 31109 of title 49, United States Code; $25,000,000 shall be available for the commercial vehicle information systems and networks deployment program to carry out section 4126 of Public Law 109–59; $3,000,000 shall be available for the safety data improvement program to carry out section 4128 of Public Law 109–59; and $7,000,000 shall be available for the commercial driver's license information system modernization program to carry out section 31309(e) of title 49, United States Code.

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in the implementation, execution, and administration of the motor carrier safety operations and programs pursuant to section 31104(i) of title 49, United States Code, and sections 4127 and 4134 of Public Law 109–59, $223,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That none of the funds derived from the Highway Trust Fund in this Act shall be available for the implementation, execution or administration of programs, the obligations for which are in excess of $223,000,000, for "Motor Carrier Safety Operations and Programs", of which $10,296,000, to remain available for obligation until September 30, 2009, is for the research and technology program and $1,000,000 shall be available for commercial motor vehicle operator's grants to carry out section 4134 of Public Law 109–59: *Provided further*, That none of the funds under this heading for outreach and education shall be available for transfer.

MOTOR CARRIER SAFETY

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts made available under this heading in prior appropriations Acts, $27,122,669 in unobligated balances are rescinded.

NATIONAL MOTOR CARRIER SAFETY PROGRAM

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts made available under this heading in prior appropriations Acts, $3,419,816 in unobligated balances are rescinded.

ADMINISTRATIVE PROVISIONS—FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

SEC. 130. Funds appropriated or limited in this Act shall be subject to the terms and conditions stipulated in section 350 of Public Law 107–87, including that the Secretary submit a report to the House and Senate Appropriations Committees annually on the safety and security of transportation into the United States by Mexico-domiciled motor carriers.

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary, with respect to traffic and highway safety under subtitle C of title X of Public Law 105–59, chapter 301 of title 49, United States Code, and part C of subtitle VI of title 49, United States Code, $122,000,000, of which $48,405,000 shall remain available until September 30, 2009: *Provided*, That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 403, $107,750,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2007, are in excess of $107,750,000 for programs authorized under 23 U.S.C. 403.

(RESCISSION)

Of amounts made available under this heading in prior appropriations Acts, $6,772,751 in unobligated balances are rescinded.

NATIONAL DRIVER REGISTER

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out chapter 303 of title 49, United States Code, $4,000,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $4,000,000 for the National Driver Register authorized under chapter 303 of title 49, United States Code.

(RESCISSION)

Of amounts made available under this heading in prior appropriations Acts, $8,553 in unobligated balances are rescinded.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out the provisions of 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, to remain available until expended, $587,750,000 to be derived from the Highway Trust Fund (other than the Mass Transit Account): *Provided*, That none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 2007, are in excess of $587,750,000 for programs authorized under 23 U.S.C. 402, 405, 406, 408, and 410 and sections 2001(a)(11), 2009, 2010, and 2011 of Public Law 109–59, of which $220,000,000 shall be for

"Highway Safety Programs" under 23 U.S.C. 402; $25,000,000 shall be for "Occupant Protection Incentive Grants" under 23 U.S.C. 405; $124,500,000 shall be for "Safety Belt Performance Grants" under 23 U.S.C. 406; $34,500,000 shall be for "State Traffic Safety Information System Improvements" under 23 U.S.C. 408; $125,000,000 shall be for "Alcohol-Impaired Driving Countermeasures Incentive Grant Program" under 23 U.S.C. 410; $17,750,000 shall be for "Administrative Expenses" under section 2001(a)(11) of Public Law 109–59; $29,000,000 shall be for "High Visibility Enforcement Program" under section 2009 of Public Law 109–59; $6,000,000 shall be for "Motorcyclist Safety" under section 2010 of Public Law 109–59; and $6,000,000 shall be for "Child Safety and Child Booster Seat Safety Incentive Grants" under section 2011 of Public Law 109–59: *Provided further*, That none of these funds shall be used for construction, rehabilitation, or remodeling costs, or for office furnishings and fixtures for State, local or private buildings or structures: *Provided further*, That not to exceed $500,000 of the funds made available for section 410 "Alcohol-Impaired Driving Countermeasures Grants" shall be available for technical assistance to the States: *Provided further*, That not to exceed $750,000 of the funds made available for the "High Visibility Enforcement Program" shall be available for the evaluation required under section 2009(f) of Public Law 109–59.

(RESCISSION)

Of amounts made available under this heading in prior appropriations Acts, $5,646,863 in unobligated balances are rescinded.

ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

SEC. 140. Notwithstanding any other provision of law or limitation on the use of funds made available under section 403 of title 23, United States Code, an additional $130,000 shall be made available to the National Highway Traffic Safety Administration, out of the amount limited for section 402 of title 23, United States Code, to pay for travel and related expenses for State management reviews and to pay for core competency development training and related expenses for highway safety staff.

FEDERAL RAILROAD ADMINISTRATION

SAFETY AND OPERATIONS

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $150,083,000, of which $13,870,890 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $34,650,000, to remain available until expended.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided*, That pursuant to section 502 of such Act, as amended, no new direct loans or loan guarantee commitments shall be made using Federal funds for the credit risk premium during fiscal year 2007.

CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

To enable the Secretary of Transportation to make quarterly grants to the National Railroad Passenger Corporation for the maintenance and repair of capital infrastructure owned by the National Railroad Passenger Corporation, including railroad equipment, rolling stock, legal mandates and other services, $500,000,000, to remain available until expended, of which not to exceed $280,000,000 shall be for debt service obligations: *Provided*, That the Secretary of Transportation shall approve funding for capital expenditures, including advance purchase orders, for the National Railroad Passenger Corporation only after receiving and reviewing a grant request for each specific capital grant justifying the Federal support to the Secretary's satisfaction: *Provided further*, That none of the funds under this heading may be used to subsidize operating losses of the National Railroad Passenger Corporation: *Provided further*, That none of the funds under this heading may be used for capital projects not approved by the Secretary of Transportation and on the National Railroad Passenger Corporation's fiscal year 2007 business plan.

EFFICIENCY INCENTIVE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

(INCLUDING TRANSFER OF FUNDS)

For an additional amount to be made available to the Secretary for efficiency incentive grants to the National Railroad Passenger Corporation, $400,000,000, to remain available until expended: *Provided*, That the Secretary may make grants to the National Railroad Passenger Corporation for an additional sum for operating subsidies at any time during the fiscal year for the purpose of maintaining the operation of existing or new Amtrak routes: *Provided further*, That nothing in the previous proviso should be interpreted either to encourage or discourage the Corporation with respect to adjusting existing routes or frequencies: *Provided further*, That the Secretary of Transportation shall reserve $60,000,000 of the funds provided under this heading and is authorized to transfer such sums to the Surface Transportation Board, upon request from said Board, to carry out directed service orders issued pursuant to section 11123 of title 49, United States Code, to respond to the cessation of commuter rail operations by the National Railroad Passenger Corporation: *Provided further*, That the Secretary of Transportation shall make the reserved funds available to the National Railroad Passenger Corporation through an appropriate grant instrument not earlier than September 1, 2007 to the extent that no directed service orders have been issued by the Surface Transportation Board as of the date of transfer or there is a balance of reserved funds not needed by the Board to pay for any directed service order issued through September 30, 2007: *Provided further*, That upon the receipt and approval of Amtrak's fiscal year 2007 business plan and if the Secretary deems it in the best interests of the transportation system, in his sole discretion, the Secretary may make grants to the Corporation at such times and in such amounts for intercity passenger rail, including coverage of operating losses of the Corporation: *Provided further*, That the Secretary shall approve funding to cover operating losses for the Corporation only after receiving and reviewing a grant request for each specific train route: *Provided further*, That each such grant request shall be accompanied by a detailed financial analysis, revenue projection, and capital expenditure projection justifying the Federal support to the Secretary's satisfaction: *Provided further*, That the Corporation is directed to achieve savings through the operating efficiencies including, but not limited to, modifications to food and beverage service and first class service and efficiencies in overhead: *Provided further*, That the Inspector General of the Department of Transportation shall report to the House and Senate Committees on Appropriations beginning three months after the date of the enactment of this Act and quarterly thereafter with estimates of the savings accrued as a result of all operational reforms instituted by the Corporation: *Provided further*, That if the Inspector General cannot certify that the Corporation has achieved operational savings by July 1, 2007, none of the funds in this Act may be used after July 1, 2007, to subsidize the net losses of food and beverage service and sleeper car service on any Amtrak route: *Provided further*, That not later than 120 days after enactment of this Act, Amtrak shall transmit to the House and Senate Committees on Appropriations a detailed plan to improve the financial performance of food and beverage service and a detailed plan to improve the financial performance of first class service (including sleeping car service) so that these services are revenue neutral or better on a fully allocated cost basis no later than October 1, 2008: *Provided further*, That these plans shall include milestones and target dates for implementation and projected cost savings in fiscal years 2007 and 2008 and that Amtrak shall report quarterly to the House and Senate Committees on Appropriations on its progress in implementing these plans, quantify savings realized to date on a monthly basis compared to those projected in the plans, identify any changes in the plans or delays in implementing these plans, and identify the causes of delay and proposed corrective measures: *Provided further*, That not later than 120 days after enactment of this Act, Amtrak shall transmit to the House and Senate Committees on Appropriations a report on its overhead expenses as of October 1, 2006, identifying those that are directly associated with a specific route or group of routes or lines of business and those system overhead expenses not directly charged to specific trains, routes or other lines of business, and a plan to reduce system overhead expenses by 10 percent annually through strategic investments, transfer of responsibilities to entities that request Amtrak provide specific services, and other measures: *Provided further*, That as part of its report and plan to reduce overhead expenses, Amtrak shall include a report on the expenses associated with intercity passenger rail reservations and ticketing, including a comparison of such expenses to those associated with domestic airlines and intercity bus service, and a plan, including milestones and target dates, for reducing the expenses associated with its reservations and ticketing including technology enhancements, the use of electronic ticketing, and such other measures that will result in expense savings, enhanced revenue, and assure accurate manifests of passengers on specific trains at all times: *Provided further*, That not later than October 1, 2008, Amtrak shall reduce its system overhead expenses by 10 percent from the level identified as existing on October 1, 2006, and in each subsequent fiscal year, reduce system overhead expenses by 10 percent of the level existing on October 1 of the immediate preceding year: *Provided further*, That if the Inspector General deems it necessary for the continued development and implementation, not less than $5,000,000 of the funds provided under this section shall be expended for the managerial cost accounting system, which includes average and marginal unit cost capability: *Provided further*, That within 30 days of the development of the managerial cost accounting system, the Department of Transportation's Inspector General shall review and comment to the Secretary and the House and Senate Committees on Appropriations upon the strengths and weaknesses of the system and how it best can be implemented to improve decision making by the Board of Directors and management of the Corporation: *Provided further*, That no later than 120 days after enactment of this Act, Amtrak shall transmit to the House and Senate Committees on Appropriations a detailed plan, including milestones, target dates and cost estimates, to improve its management cost accounting system and integrate such system with the Corporation's other processes including budgeting, financial forecasting and modeling, and accounting, to permit more informed decisions by management and the Board of Directors as to the financial ramifications of proposed changes to routes and services: *Provided further*, That, as part of the plan to improve its management cost accounting system, Amtrak shall include a plan to improve or replace the Corporation's Route Profitability System (RPS) to provide more current, accurate, and clear information on revenues and expenses on all of the Corporation's routes and services, including the allocation of expenses not directly charged to specific trains, routes, or other business lines: *Provided further*, That not later than 60 days after the enactment of this Act, the Corporation shall transmit, in electronic format, to the Secretary, the House and Senate Committees on Appropriations, the House Committee on Transportation and Infrastructure, and Senate Committee on Commerce, Science, and Transportation a comprehensive business plan approved by the Board of Directors for fiscal year 2007 under 49 U.S.C. 24104(a): *Provided further*, That the business plan shall include, as applicable, targets for ridership, revenues, and capital and operating expenses: *Provided further*, That the plan shall also include a separate accounting of such targets for the Northeast Corridor; commuter service; long-distance Amtrak service; State-supported service; each intercity train route, including Autotrain; and commercial activities including contract operations: *Provided further*, That the business plan shall include a description of the work to be funded, along with cost estimates and an estimated timetable for completion of the projects covered by the business plan: *Provided further*, That the Corporation shall continue to provide monthly reports in electronic format regarding the pending business plan, which shall describe the work completed to date, any changes to the business plan, and the reasons for such changes, and shall identify all sole source contract awards which shall be accompanied by a justification as to why said contract was awarded on a sole source basis: *Provided further*, That none of the funds in this Act may be used for operating expenses, including advance purchase orders, not approved by the Secretary and in the Corporation's fiscal year 2007 business plan: *Provided further*, That the Corporation shall display the business plan and all subsequent supplemental plans on the Corporation's website within a reasonable timeframe following their submission to the appropriate entities: *Provided further*, That none of the funds under this heading may be obligated or expended until the Corporation agrees to continue to abide by the provisions of paragraphs 1, 2, 3, 5, and 11 of the summary of conditions for the direct loan agreement of June 28, 2002, in the same manner as in effect on the date of enactment of this Act: *Provided further*, That the Secretary may, at his discretion, condition the award of efficiency incentive grant funds on reform requirements for the Corporation and his assessment of progress towards such reform requirements: *Provided further*, That none of the funds provided in this Act may be used after March 1, 2006, to support any route on which Amtrak offers a discounted fare of more than 50 percent off the normal, peak fare.

ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD ADMINISTRATION

SEC. 150. The Secretary may purchase promotional items of nominal value for use in public outreach activities to accomplish the purposes of 49 U.S.C. 20134: *Provided*, That the Secretary shall prescribe guidelines for the administration of such purchases and use.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $85,000,000: *Provided*, That of the funds available under this heading, not to exceed $1,063,000 shall be available for the Office of the Administrator; not to exceed $7,654,000 shall be available for the Office of Administration; not to exceed $4,273,000 shall be available for the Office of the Chief Counsel; not to exceed $1,394,000 shall be available for the Office of Communication and Congressional Affairs; not to exceed $8,403,000 shall be available for the Office of Program Management; not to exceed $9,259,000 shall be available for the Office of Budget and Policy; not to exceed $4,876,000 shall be available for the Office of Demonstration and Innovation; not to exceed $3,272,000 shall be available for the Office of Civil Rights; not to exceed $4,718,000 shall be available for the Office of Planning; not to exceed $22,420,000 shall be available for regional offices; and not to exceed $17,668,000 shall be available for the central account: *Provided further*, That the Administrator is authorized to transfer funds appropriated for an office of the Federal Transit Administration: *Provided further*, That no appropriation for an office shall be increased or decreased by more than a total of 5 percent during the fiscal year by all such transfers: *Provided further*, That any change in funding greater than 5 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That any funding transferred from the central account shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That none of the funds provided or limited in this Act may be used to create a permanent office of transit security under this heading: *Provided further*, That of the funds in this Act available for the execution of contracts under section 5327(c) of title 49, United States Code, $2,000,000 shall be reimbursed to the Department of Transportation's Office of Inspector General for costs associated with audits and investigations of transit-related issues, including reviews of new fixed guideway systems: *Provided further*, That upon submission to the Congress of the fiscal year 2008 President's budget, the Secretary of Transportation shall transmit to Congress the annual report on new starts, including proposed allocations of funds for fiscal year 2008.

FORMULA AND BUS GRANTS

(LIQUIDATION OF CONTRACT AUTHORITY)

(LIMITATION ON OBLIGATIONS)

(INCLUDING RESCISSION)

For payment of obligations incurred in carrying out the provisions of 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, 5316, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, $3,925,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended: *Provided*, That funds available for the implementation or execution of programs authorized under 49 U.S.C. 5305, 5307, 5308, 5309, 5310, 5311, *5316*, 5317, 5320, 5335, 5339, and 5340 and section 3038 of Public Law 105–178, as amended, shall not exceed total obligations of $7,262,775,000 in fiscal year 2007: *Provided further*, That $28,660,920 in unobligated balances are cancelled.

RESEARCH AND UNIVERSITY RESEARCH CENTERS

For necessary expenses to carry out 49 U.S.C. 5306, 5312–5315, 5322, and 5506, $65,000,000, to remain available until expended: *Provided*, That $9,300,000 is available to carry out the transit cooperative research program under section 5313 of title 49, United States Code, $4,300,000 is available for the National Transit Institute under section 5315 of title 49, United States Code, $7,000,000 is available for university transportation centers program under section 5506 of title 49, United States Code: *Provided further*, That $49,400,000 is available to carry out national research programs under sections 5312, 5313, 5314, and 5322 of title 49, United States Code.

CAPITAL INVESTMENT GRANTS

(INCLUDING RESCISSION)

For necessary expenses to carry out section 5309 of title 49, United States Code, $1,566,000,000, to remain available until expended: *Provided*, That $17,760,000 in unobligated balances are cancelled.

ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 160. The limitations on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation.

SEC. 161. Notwithstanding any other provision of law, funds made available by this Act under "Federal Transit Administration, Capital investment grants" and bus and bus facilities under "Federal Transit Administration, Formula and Bus Grants" for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 2009, and other recoveries, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 162. Notwithstanding any other provision of law, any funds appropriated before October 1, 2006, under any section of chapter 53 of title 49, United States Code, that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 163. During fiscal years 2007 and 2008, each Federal Transit Administration grant for a project that involves the acquisition of rehabilitation of a bus to be used in public transportation shall be for 100 percent of the net capital costs of a factory-installed or retrofitted hybrid electric propulsion system and any equipment related to such a system: Provided, That the Secretary shall have the discretion to determine, through practicable administrative procedures, the costs attributable to the system and related-equipment.

SEC. 164. Notwithstanding any other provision of law, unobligated funds made available for a new fixed guideway systems projects under the heading "Federal Transit Administration, Capital Investment Grants" in any appropriations Act prior to this Act may be used during this fiscal year to satisfy expenses incurred for such projects for activities eligible in the year the funds were appropriated.

SEC. 165. Hereinafter, the non-Federal share of the net project cost of the San Gabriel Valley Metro Gold Line connecting Los Angeles, South Pasadena and Pasadena shall be counted toward satisfying the Federal matching requirements under 49 U.S.C. 5309 on any phase of the San Gabriel Valley Gold Line Foothill Extension continuing from Pasadena to Montclair.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operations and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $17,425,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

MARITIME ADMINISTRATION

MARITIME SECURITY PROGRAM

For necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $154,440,000, to remain available until expended.

OPERATIONS AND TRAINING

For necessary expenses of operations and training activities authorized by law, $116,442,000, of which $24,009,000 shall remain available until September 30, 2007, for salaries and benefits of employees of the United States Merchant Marine Academy; of which $14,850,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; and of which $7,920,000 shall remain available until expended for the State Maritime Schools Schoolship Maintenance and Repair.

SHIP DISPOSAL

For necessary expenses related to the disposal of obsolete vessels in the National Defense Reserve Fleet of the Maritime Administration, $25,740,000, to remain available until expended.

MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS AND RESCISSION)

For administrative expenses to carry out the guaranteed loan program, not to exceed $3,317,000, which shall be transferred to and merged with the appropriation for Operations and Training: *Provided*, That of the unobligated balances available under this heading, $2,000,000 are cancelled.

NATIONAL DEFENSE TANK VESSEL CONSTRUCTION PROGRAM

(RESCISSION)

All unobligated balances under this heading are rescinded.

ADMINISTRATIVE PROVISIONS—MARITIME ADMINISTRATION

SEC. 170. Notwithstanding any other provision of this Act, the Maritime Administration is authorized to furnish utilities and services and make necessary repairs in connection with any lease, contract, or occupancy involving Government property under control of the Maritime Administration, and payments received therefore shall be credited to the appropriation charged with the cost thereof: *Provided*, That rental payments under any such lease, contract, or occupancy for items other than such utilities, services, or repairs shall be covered into the Treasury as miscellaneous receipts.

SEC. 171. No obligations shall be incurred during the current fiscal year from the construction fund established by the Merchant Marine Act, 1936 (46 App. U.S.C. 1101 et seq.), or otherwise, in excess of the appropriations and limitations contained in this Act or in any prior appropriations Act.

PIPELINE AND HAZARDOUS MATERIALS SAFETY ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Pipeline and Hazardous Materials Safety Administration, $17,721,000, of which $639,000 shall be derived from the Pipeline Safety Fund.

HAZARDOUS MATERIALS SAFETY

For expenses necessary to discharge the hazardous materials safety functions of the Pipeline and Hazardous Materials Safety Administration, $27,225,000, of which $2,111,000 shall remain available until September 30, 2009: *Provided*, That up to $1,200,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination, and for travel expenses incurred in performance of hazardous materials exemptions and approvals functions.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

(OIL SPILL LIABILITY TRUST FUND)

For expenses necessary to conduct the functions of the pipeline safety program, for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $75,735,000, of which $18,810,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2009; of which $56,925,000 shall be derived from the Pipeline Safety Fund, of which $24,000,000 shall remain available until September 30, 2009: *Provided*, That not less than $1,000,000 of the funds provided under this heading shall be for the one-call State grant program.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5128(b), $198,000, to be derived from the Emergency Preparedness Fund, to remain available until September 30, 2008: *Provided*, That not more than $28,328,000 shall be made available for obligation in fiscal year 2007 from amounts made available by 49 U.S.C. 5116(i) and 5128(b)–(c): *Provided further*, That none of the funds made available by 49 U.S.C. 5116(i), 5128(b), or 5128(c) shall be made available for obligation by individuals other than the Secretary of Transportation, or his designee.

RESEARCH AND INNOVATIVE TECHNOLOGY ADMINISTRATION

RESEARCH AND DEVELOPMENT

For necessary expenses of the Research and Innovative Technology Administration, $6,367,000, of which $1,120,000 shall remain available until September 30, 2009: *Provided*, That there may be credited to this appropriation, to be available until expended, funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $64,143,000: *Provided*, That the Inspector General shall have all necessary authority, in carrying out the duties specified in the Inspector General Act, as amended (5 U.S.C. App. 3), to investigate allegations of fraud, including false statements to the government (18 U.S.C. 1001), by any person or entity that is subject to regulation by the Department: *Provided further*, That the funds made available under this heading shall be used to investigate, pursuant to section 41712 of title 49, United States Code: (1) unfair or deceptive practices and unfair methods of competition by domestic and foreign air carriers and ticket agents; and (2) the compliance of domestic and foreign air carriers with respect to item (1) of this proviso.

SURFACE TRANSPORTATION BOARD

SALARIES AND EXPENSES

For necessary expenses of the Surface Transportation Board, including services authorized by 5 U.S.C. 3109, $25,618,000: *Provided*, That notwithstanding any other provision of law, not to exceed $1,250,000 from fees established by the Chairman of the Surface Transportation Board shall be credited to this appropriation as offsetting collections and used for necessary and authorized expenses under this heading: *Provided further*, That the sum herein appropriated from the general fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2007, to result in a final appropriation from the general fund estimated at no more than $24,368,000.

GENERAL PROVISIONS—DEPARTMENT OF TRANSPORTATION

(INCLUDING TRANSFER OF FUNDS)

. SEC. 180. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 181. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 182. None of the funds in this Act shall be available for salaries and expenses of more than 110 political and Presidential appointees in the Department of Transportation: *Provided*, That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 183. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 184. (a) No recipient of funds made available in this Act shall disseminate personal information (as defined in 18 U.S.C. 2725(3)) obtained by a State department of motor vehicles in connection with a motor vehicle record as defined in 18 U.S.C. 2725(1), except as provided in 18 U.S.C. 2721 for a use permitted under 18 U.S.C. 2721.

(b) Notwithstanding subsection (a), the Secretary shall not withhold funds provided in this Act for any grantee if a State is in noncompliance with this provision.

SEC. 185. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Federal-Aid Highways" account, the Federal Transit Administration's "Research and University Research Centers" account, and to the Federal Railroad Administration's "Safety and Operations" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 186. Notwithstanding any other provisions of law, rule or regulation, the Secretary of Transportation is authorized to allow the issuer of any preferred stock heretofore sold to the Department to redeem or repurchase such stock upon the payment to the Department of an amount determined by the Secretary.

SEC. 187. None of the funds in this Act to the Department of Transportation may be used to make a grant unless the Secretary of Transportation notifies the House and Senate Committees on Appropriations not less than 3 full business days before any discretionary grant award, letter of intent, or full funding grant agreement totaling $1,000,000 or more is announced by the department or its modal administrations from: (1) any discretionary grant program of the Federal Highway Administration other than the emergency relief program; (2) the airport improvement program of the Federal Aviation Administration; or (3) any program of the Federal Transit Administration other than the formula grants and fixed guideway modernization programs: *Provided*, That no notification shall involve funds that are not available for obligation.

SEC. 188. Rebates, refunds, incentive payments, minor fees and other funds received by the Department of Transportation from travel management centers, charge card programs, the subleasing of building space, and miscellaneous sources are to be credited to appropriations of the Department of Transportation and allocated to elements of the Department of Transportation using fair and equitable criteria and such funds shall be available until expended.

SEC. 189. Amounts made available in this or any other Act that the Secretary determines represent improper payments by the Department of Transportation to a third party contractor under a financial assistance award, which are recovered pursuant to law, shall be available—

(1) to reimburse the actual expenses incurred by the Department of Transportation in recovering improper payments; and

(2) to pay contractors for services provided in recovering improper payments or contractor support in the implementation of the Improper Payments Information Act of 2002: *Provided*, That amounts in excess of that required for paragraphs (1) and (2)—

(A) shall be credited to and merged with the appropriation from which the improper payments were made, and shall be available for the purposes and period for which such appropriations are available; or

(B) if no such appropriation remains available, shall be deposited in the Treasury as miscellaneous receipts: *Provided*, That the Secretary shall report annually to the House and Senate Committees on Appropriations the amount and reasons for these transfers: *Provided further*, That for purposes of this section, the term "improper payments", has the same meaning as that provided in section 2(d)(2) of Public Law 107–300.

This title may be cited as the "Department of Transportation Appropriations Act, 2007".

TITLE II

DEPARTMENT OF THE TREASURY

Departmental Offices

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business, $223,786,000, of which not to exceed $8,760,000 is for executive direction program activities; not to exceed $8,741,000 is for general counsel program activities; not to exceed $41,947,000 is for economic policies and programs activities; not to exceed $27,086,000 is for financial policies and programs activities; not to exceed $45,401,000 is for terrorism and financial intelligence activities; not to exceed $18,534,000 is for Treasury-wide management policies and programs activities; and not to exceed $73,317,000 is for administration programs activities: *Provided*, That the Secretary of the Treasury is authorized to transfer funds appropriated for any program activity of the Departmental Offices to any other program activity of the Departmental Offices upon notification to the House and Senate Committees on Appropriations: *Provided further*, That no appropriation for any program activity shall be increased or decreased by more than three percent by all such transfers: *Provided further*, That any change in funding greater than three percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That of the amount appropriated under this heading, not to exceed $3,000,000, to remain available until September 30, 2008, for information technology modernization requirements; not to exceed $100,000 for official reception and representation expenses; and not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: *Provided further*, That of the amount appropriated under this heading, $5,114,000, to remain available until September 30, 2008, is for the Treasury-wide Financial Statement Audit and Internal Control Program, of which such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: *Provided further*, That this transfer authority shall be in addition to any other provided in this Act.

Department-Wide Systems and Capital Investments Programs

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $34,032,000, to remain available until September 30, 2009: *Provided*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to support or supplement "Internal Revenue Service, Operations Support" or "Internal Revenue Service, Business Systems Modernization".

Office of Inspector General

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $17,352,000, of which not to exceed $2,500 shall be available for official reception and representation expenses.

Treasury Inspector General for Tax Administration

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed $6,000,000 for official travel expenses; and not to exceed $500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, $136,469,000; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

Air Transportation Stabilization Program Account

In fiscal year 2007, the Air Transportation Stabilization Board may charge fees to a borrower for the costs to the Air Transportation Stabilization Board associated with bankruptcy proceedings of the borrower. Such fees shall be collected and deposited in the Air Transportation Stabilization Program Account, to be available for such costs.

Financial Crimes Enforcement Network

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to

Federal law enforcement agencies, with or without reimbursement, $84,066,000, of which not to exceed $14,012,000 shall remain available until September 30, 2009; and of which $8,651,000 shall remain available until September 30, 2008: *Provided*, That funds appropriated in this account may be used to procure personal services contracts.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $233,654,000, of which not to exceed $9,220,000 shall remain available until September 30, 2009, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $92,604,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2007 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $30,200,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $180,789,000, of which not to exceed $2.500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until September 30, 2009, for systems modernization: *Provided*, That the sum appropriated herein from the general fund for fiscal year 2007 shall be reduced by not more than $3,000,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2007 appropriation from the general fund estimated at $177,789,000. In addition, $70,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994 (Public Law 103–325), including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $40,000,000, to remain available until September 30, 2008, of which up to $12,800,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to $6,000,000 may be used for the cost of direct loans, and up to $250,000 may be used for administrative expenses to carry out the direct loan program: *Provided*, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $11,000,000.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,059,151,000, of which up to $4,100,000 shall be for the Tax Counseling for the Elderly Program, and of which $8,000,000 shall be available for low-income taxpayer clinic grants.

ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $4,757,126,000, of which not less than $55,584,000 shall be for the Interagency Crime and Drug Enforcement program: *Provided*, That up to $10,000,000 may be transferred as necessary from this account to the Internal Revenue Service Operations Support appropriation solely for the purposes of the Interagency Crime and Drug Enforcement program: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to operate and support taxpayer services and tax law enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 US.C. 1343(b)); and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,438,404,000, of which $1,447,451,000 shall be for information systems and telecommunications support; of which not to exceed $1,000,000 shall remain available until September 30, 2009, for research; of which not to exceed $1,500,000 shall be for the Internal Revenue Service Oversight Board; and of which not to exceed $25,000 shall be for official reception and representation: *Provided*, That of the amount made available for information systems and telecommunication support, $75,000,000 shall remain available until September 30, 2008, for information technology support.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service for the business systems modernization program, $212,310,000, of which not less than $167,310,000 shall remain available until September 30, 2009, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That none of the funds for capital asset acquisition of information technology systems may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

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AMENDMENT OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

Mr. GARY G. MILLER of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARY G. MILLER of California:

Page 73, line 8, after the first dollar amount, insert the following: "(reduced by $15,000,000)".

Page 92, line 12, after the dollar amount, insert the following: "(increased by $15,000,000)".

Mr. GARY G. MILLER of California. Mr. Chairman, I have a modest amendment to ensure HUD can continue to work the redevelopment of brownfield sites to local communities.

I would like to commend Chairman KNOLLENBERG. I am on the Financial Services Committee and Transportation Committee, and he has worked very hard and responsibly to fund the Nation's housing and transportation needs during this very, very tight budget year. I am pleased that the bill boosts highway spending, supports aviation, addresses America's critical housing needs, supports national antidrug efforts.

This amendment today basically keeps the BEDI program going, which redevelops brownfields through the HUD administration. The estimate is 450,000 vacant sites lay idle throughout this country. They are underused industrial sites as a result of environmental contamination caused by chemical compounds and other hazardous substances.

The basic year's budget transfers all the funding to EPA. EPA has a completely different objective than HUD does through the BEDI Program. BEDI grants are basically used for economic development. We passed out a bill I offered last year, H.R. 280, that is in the

Senate today to restructure the BEDI Program, making a simpler program more usable to local communities. Currently, to get a BEDI grant you have to apply for a section 108 loan, then in repayment you have to guarantee your CDBG funds and pledge those to repay that loan. Some communities don't receive CDBG funds directly, so they could not apply for section 108. And the other communities who can, don't want to readily pledge those CDBG funds because many community organizations and efforts are undertaken with the utilization of these funds. These brownfield sites threaten our groundwater. They cost local communities jobs and revenues. It is estimated if we could clean these 450,000 brownfield sites up, it would generate an additional 550,000 jobs throughout this country and $2.4 billion in new tax revenues for its cities and towns.

The communities I represent and communities throughout this country want this program. The problem they have had is it has been a complex program in the past. I thank Chairman KNOLLENBERG. Last year you accepted an amendment of mine which kept this program going. And the understanding I had was we need to do legislation to modify the program in order to make it more accessible to communities. We have done that. It passed out of this floor on unanimous consent. It is in the Senate currently. And we hope to have that addressed in the Senate and made into law so we can keep this viable program going.

EDDIE BERNICE JOHNSON has been a true partner working with me on this, and I yield to the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I want to begin by commending the gentleman from Michigan, Chairman KNOLLENBERG, and the ranking member, the gentleman from Massachusetts (Mr. OLVER), for their good work on this bill in the midst of an extremely tight budget environment. Both gentlemen have had to make some very unpopular decisions.

However, as I stated last year, eliminating the funding for brownfield redevelopment programs should be reconsidered. As a result, I rise today in strong support of the Miller-Johnson amendment to H.R. 5576.

Similar to last year, the gentleman from California and I offered this amendment today because we both feel that it is time for this body to get really serious about eliminating the Nation's estimated 500,000 brownfields.

The amendment increases the Department of Housing and Urban Development Brownfields Redevelopment Program account by $15 million.

In its present form, H.R. 5576 provides no funding for a program that has helped to transform communities, large and small, throughout the country.

The amendment calls for a corresponding offset through a reduction of $15 million within the Business Systems Modernization Account in the Treasury title. Currently, the Business Systems Modernization Account is $45 million above the administration's request, and $15.3 million above last year's request.

While I respect the committee's view that HUD funding is no longer essential or appropriate due to the EPA's expanded authority and increased appropriations, this is certainly a view that I do not share.

First of all, I believe it is important to note that there are clear distinctions between EPA's Brownfields Program relative to HUD's.

Although both are equally important, EPA's program focuses primarily on cleanup, whereas the focus of HUD's program is on redevelopment of brownfield sites once cleanup is complete.

It is true that the authority of the EPA has been expanded. However, the consistent and chronic underfunding of the Brownfields Program by the President and the Congress leave much to be desired in terms of corresponding appropriations.

In fact, appropriations for brownfields assessment and cleanup peaked.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. GARY G. MILLER of California was allowed to proceed for 30 additional seconds.)

Mr. GARY G. MILLER of California. I yield to the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Appropriations for brownfields assessment cleanup peaked at $97.7 million in fiscal year 2002 and is only $89 million in this year's interior and environment appropriations bill.

Last week before the Subcommittee on Water Resources and Environment, where I serve as ranking member, an EPA assistant administrator testified that for fiscal year 2006 EPA received nearly 700 proposals for Brownfield Grants. Unfortunately, EPA funded less than 45 percent of these.

Mr. Chairman, our communities are very deserving of these strong HUD-administered brownfields programs. If you watch the game tonight, look at the American Center. Oh, you won't see that one. It will be in Miami tonight. But that was a brownfield in Dallas.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word.

I have always felt very strongly about Mr. MILLER and his ideas. I do have a problem with this particular amendment. I oppose any amendment to continue the Brownfields Program, which is recommended for elimination as part of a broad sweep of lower priority programs. We must reduce or eliminate these duplicative programs in order to free up the funds for the highest priorities in HUD, which is, among other things, assistance to extremely low-income families and restoring funds for community development.

Last year Congress recognized the lack of use of this program and rescinded $10 million in unused prior-year appropriations. The money wasn't being spent.

The activities of the Brownfields Program remain, as they have been, eligible uses for CDBG funds. States and communities can use these funds for this purpose if they choose to do so.

In addition, there are nearly two dozen Federal programs that can help communities in one way or another to assess, clean up and reuse brownfield sites.

EPA's Brownfield Program has awarded 883 assessment grants totaling $225.4 million, 202 revolving loan fund grants totaling $186.7 million, 238 cleanup grants totaling $42.7 million.

By comparison, HUD's program has been extremely slow and funds are often used as a loan loss reserve, rather than as grants for reconstructing sites.

HUD grants are a tiny fraction of project development costs. They represent just 2.3 percent of the total development costs on average. For each HUD dollar, there was $28 in private and $12 in State and local funds committed with an average of five State, local, and private sources of funding or financing for each project. HUD funding is not critical to any decision to proceed with a project or makes any difference to the completion of a project.

This amendment, and we are being hit already early in title II, this amendment cuts the IRS's Business Systems Modernization Program by $15 million. While it appears this account is $45 million above the President's request, it is actually just a restructuring of the IRS accounts. In fact, BSM is currently funded below last year's level. Cutting this $15 million will force IRS to lay off many of the 317 personnel. Let me repeat that: 317 personnel who are currently working on the BSM project, delaying all work on the modernization of IRS legacy systems.

So it is for those reasons that I urge a "no" vote on this amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to make a final plea for this program. Even if there might be a few people less in these Departments, it does not compare with what a small investment does to get rid of brownfields anywhere they are, because once this property is put back on the tax rolls, it generates more than ever than what is put into it.

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And I want to express my appreciation to Mr. KNOLLENBERG because he has been helpful. But I would make a plea that this is a lot larger than what was requested, and that is the reason why we chose to take it from there.

We all have to tighten our belts. We all have to give up a little more than what we had. But I can assure you that allowing property to not be on a tax roll will go a lot longer way when you put the money there, just a small amount of money, than doing without two or three staff people.

I just imagine that any Department in this Nation can function with just a few less staff than what they have now and do the same job. If we cannot, then we are not doing as well as the private industry because they have cut half of their staff and are still doing the same job. That is called higher productivity, and maybe that is what we need in some of these Departments is higher productivity, while half of the people at home and the other half are doing the full job. But this will offer jobs. It puts property back onto the tax rolls by allowing it to be redeveloped, and I do not know a single city or rural area that could not use a little brownfield encouragement through their funds.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to point out that this is the second year in a row that we have had this discussion, and it is predicated on the idea that somewhere there is a sense that the EPA has a program for brownfields that does the same thing that this HUD program for brownfields does.

Now, to the very best of my knowledge, and very recently rechecked, the EPA does assessments of hazardous materials on old industrial sites but does nothing to redevelop those sites so that this program is, to the best of my knowledge, the only place that we have done redevelopment of otherwise old hazardous material sites, industrial sites that can be put back into use.

Now, last year, even though it had been zeroed out, we ended up with a final budget of $9.9 million by amendment adopted on the floor. The offset here is an unpalatable offset. But, again, my belief is that the Brownfields Program is at least as important as the IRS Business Systems Program. If this amendment is defeated, I will assure the gentlewoman from Texas that I will do my best to see that something better comes out of the final process and the conference process on this legislation.

In the meantime, I will join her in support of the legislation.

Ms. WATERS. Mr. Chairman, I rise to support the Miller Brownfields amendment. The Amendment provides $15 million in funding for the Brownfields program.

Again, let me thank the Chairman of the Subcommittee, JOE KNOLLENBERG and the Ranking Member, JOHN W. OLVER, for their work on this bill. HUD programs, however, have witnessed major cuts over the past several years. What I find interesting about this bill is that it does not provide any funding for the Brownfields Economic Development Initiatives (BEDI) program, but instead includes Brownfields redevelopment as an eligible activity under the Community Development Block Grant (CDBG) program. Of course, this does not take into account the existence of numerous Brownfields sites across the country. These sites are often located in strategically important areas of a city or county, where economic development projects have been planned. Without funding for the Brownfields program many of these projects will not be undertaken.

The estimate of the number of vacant and underused sites around the U.S. is more than 500,000. If we could put these sites into productive economic development uses we stand to increase jobs by 500,000 million, while generating $2.4 billion in new tax revenues. The Brownfields program that I would like to see funded is truly an economic development tool that has been very effective in assisting communities to reclaim important parcels of underused land. To the extent that we eliminate funding for the BEDI program we will seriously undermine economic development efforts across-the-board. In the City of Los Angeles and in Los Angeles County, the BEDI program supports a wide variety of projects, including developments with a strong business attraction, expansion and/or retentions component, as well employment creation.

One example is the use of a $1.75 million BEDI grant that was used to convert a contaminated 130 acre oil production and storage site facility into a warehouse and distribution center, which produced 679 jobs—the City of Sante Fe Springs Golden Springs Development Park.

As many of you know, the House last year unanimously approved an amendment to provide $24 million for Brownfields, and the conference report provided $10 million. In addition, the House recently passed H.R. 280, the Brownfields Redevelopment Enhancement Act to provide greater access to the BEDI program.

Whether you agree with the $15 million funding level is not important. What is really critical is that the program be in place to continue to assist communities to clean-up the mess made by industry, as well as the inadequate federal response. Many communities are at a critical stage in revitalizing themselves. A major tool at their disposal has been the BEDI program. As such, I urge your support for the Miller amendment.

Mr. PASCRELL. Mr. Chairman, I rise in strong support of the Miller-Johnson amendment to restore funding for the HUD Brownfields program.

I want to congratulate the gentleman from California for his amendment. As a former mayor, I believe that this amendment will have a very positive impact on our Nation's cities.

Since the inception of its Brownfield programs, the federal government has allocated over $800 million in brownfield assessment and cleanup funds.

In addition, this investment has leveraged over $8 billion in cleanup and redevelopment dollars, a better than 10-to-1 return on investment. It has resulted in the assessment of more than 8,000 properties and helped create over 37,000 jobs.

This is because EPA and HUD grants work in conjunction with funding from state, local and private sources to address cleanup of brownfield sites.

Brownfields sites include inactive factories, gas stations, salvage yards, and abandoned warehouses.

These sites drive down property values, provide little or no tax revenue, and contribute to community blight.

HUD's brownfields program serves as a catalyst to spur private sector investment, job creation and economic development in communities.

HUD's program supports sustainable economic development that leverages investments from other public and private sources.

In comments from last year's floor debate, an opponent of the HUD Brownfields program stated that "HUD funds on average are just about 2.3 percent of the total development cost of each project. Moreover, for each HUD dollar, there are $28 in private and $12 in State and local funds committed to the project."

These statistics were cited as a reason to eliminate the HUD Brownfields program, but instead they demonstrate its unique value.

An initial influx of capital is often the greatest barrier to remediation of brownfields sites, and HUD's program provides that essential start up money.

The HUD program has been remarkably effective at leveraging private and local financial resources to achieve new successes on old properties.

This is an exciting time in the brownfields marketplace. Federal brownfields programs have provided the foundation on which state initiatives have flourished.

New Jersey has taken the lead creating a Federal Brownfields Inter-Agency Working Group comprised of 14 federal and state agencies.

This unprecedented coordination of agencies, community partners and private investors has enabled New Jersey to solve environmental problems while providing businesses a place to locate, create jobs, build housing and entertainment venues—all without having to go into farmlands and areas with open space.

This new business activity, housing or other types of redevelopment can restore the proud heritage of successful enterprise to our historic cities and other locales.

Throughout New Jersey and the country, there are thousands of abandoned structures that were once thriving businesses, often part of large industrial centers.

Economic development matched with environmental cleanup has resulted in the rebirth of many industrial and commercial properties and surrounding neighborhoods.

Anyone who cares about our nation's cities celebrates these successes, and welcomes the flexibility of the program. HUD's particular expertise in incorporating brownfields remediation into a larger strategy for economic development and community revitalization is essential to the success we have had and will continue to have in the future.

I urge my colleagues to support this very worthwhile amendment to restore funding for the HUD Brownfields program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GARY G. MILLER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. GARY G. MILLER of California. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. KNOLLENBERG. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMMONS) having assumed the chair, Mr. DREIER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

LIMITING AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 5576 in the Committee of the Whole pursuant to House Resolution 865, notwithstanding clause 11 of rule XVIII, no further amendment to the bill may be offered except:

pro forma amendments offered at any point in the reading by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate;

an amendment by Ms. HARRIS or Mr. DAVIS of Alabama regarding funding for Public Housing Capital Fund, which shall be debatable for 20 minutes;

an amendment by Mr. FRANK of Massachusetts regarding funding limitation on tenant-based section 8 vouchers, which shall be debatable for 20 minutes;

an amendment by Mr. YOUNG of Alaska regarding funding for certain highway projects in Illinois;

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an amendment by Mr. YOUNG of Alaska regarding funding for certain highway projects in Illinois;

an amendment by Mr. KUCINICH regarding certain IRS enforcement activities;

an amendment by Mr. AL GREEN of Texas regarding funding for the HUD-FHIP program;

an amendment by Mr. GARY G. MILLER of California regarding funding for the HUD Community Development Fund;

an amendment by Mr. THOMAS regarding section 209 of this bill;

an amendment by Mr. NADLER regarding the funding level for tenant-based section 8 vouchers;

an amendment by Mr. INSLEE regarding funding level for the Public Housing Capital Fund;

an amendment by Mr. NADLER regarding the funding level for the HOPWA program;

an amendment by Ms. JACKSON-LEE of Texas to change the funding availability for the HOME downpayment assistance program;

an amendment by Mr. JINDAL to make eligible certain individuals for HUD project-based rental assistance;

an amendment by Ms. HARRIS regarding funding levels for the HUD Elderly and Disabled program;

an amendment by Ms. JACKSON-LEE of Texas regarding eligibility for HUD elderly housing;

an amendment by Ms. SLAUGHTER regarding the funding level for HUD lead-based paint activities;

an amendment by Ms. MILLENDER-MCDONALD regarding Election Assistance College Poll Work Program;

an amendment by Mr. FRANK of Massachusetts regarding section 325 of this bill;

an amendment by Ms. WATERS regarding funding for HUD section 108 loan guarantee program;

an amendment by Mr. SHAYS regarding the Privacy and Civil Liberties Board;

an amendment by Mr. SHAYS regarding the Privacy and Civil Liberties Board;

an amendment by Ms. HOOLEY regarding funding for HIDTA program;

an amendment by Mrs. MALONEY regarding the Privacy and Civil Liberties Board;

an amendment by Mr. WYNN regarding funding level for OPM administrative expense;

an amendment by Mr. BAIRD regarding funding limitation on transportation projects that fail to comply with section 1928 of SAFETEA-LU;

an amendment by Mr. BISHOP of New York regarding the 10th anniversary of TWA Flight 800;

an amendment by Mr. CLEAVER regarding item No. 87 of section 1702 of SAFETEA-LU;

an amendment by Mr. CUELLAR regarding limitation on obligations;

an amendment by Ms. DELAURO regarding funding limitation on corporate expatriation;

an amendment by Mr. DOOLITTLE regarding funding limitation on FEC certifications;

an amendment by Mr. ENGEL regarding funding limitation on purchase of alternative fuel vehicles;

an amendment by Mr. FLAKE regarding funding limitation on Monterey Bay Sanctuary Scenic Trail in California;

an amendment by Mr. FLAKE regarding funding limitation on Fairfax County Virginia Park Authority field improvements in Annandale, Virginia;

an amendment by Mr. FLAKE regarding funding limitation on Strand Theater Arts Center in Plattsburg, New York;

an amendment by Mr. FLAKE regarding funding limitation on William Faulkner Museum in Oxford, Mississippi;

an amendment by Mr. FLAKE regarding funding limitation on multipurpose facility in Yucaupa, California;

an amendment by Mr. FLAKE regarding funding limitation on renovations to a city-owned pool in Banning, California;

an amendment by Mr. FLAKE regarding funding limitation on Agricenter Interchange in Tulare, California;

an amendment by Mr. FLAKE regarding funding limitation on Fairmont Gateway Connector System in West Virginia;

an amendment by Mr. FLAKE regarding funding limitation on road improvements in Monroe County, New York;

an amendment by Mr. FLAKE regarding funding limitation on the Bakersfield Beltway system in California;

an amendment by Mr. FLAKE regarding funding limitation on construction on the Spirit of South Carolina in Charleston;

an amendment by Mr. FLAKE regarding funding limitation on facilities construction in Weirton, West Virginia;

an amendment by Mr. FLAKE regarding funding limitation on construction of an Audubon Nature Center in Columbus, Ohio;

an amendment by Mr. FLAKE regarding funding limitation on religious activities in Cuba;

an amendment by Mr. GARRETT of New Jersey regarding travel to overseas conferences;

an amendment by Mr. GARRETT of New Jersey regarding a study on State transportation funding;

an amendment by Mr. GORDON regarding funding limitation on energy efficiency;

an amendment by Mr. HASTINGS of Florida regarding TRACON consolidation in high-threat urban areas;

an amendment by Mr. HEFLEY regarding reduction of funds;

an amendment by Ms. JACKSON-LEE of Texas regarding denial of noise mitigation grants;

an amendment by Ms. JACKSON-LEE of Texas regarding regulations on noise mitigation;

an amendment by Mr. KENNEDY of Minnesota regarding funding limitation on FTA ratings system on the Northstar Corridor Rail project;

an amendment by Mr. KING of Iowa regarding funding limitation on naming of certain public works projects or programs;

an amendment by Mr. KING of Iowa regarding funding limitation on contracting practices based on racial preferences;

an amendment by Mr. KING of Iowa regarding funding limitation on construction of a center in Los Angeles;

an amendment by Mr. KIRK regarding funding limitation on certain bridge construction in Alaska;

an amendment by Ms. LEE regarding funding limitation on restrictions on education travel to Cuba;

an amendment by Mr. LIPINSKI regarding funding for rail line relocation program;

an amendment by Mr. MCHENRY regarding funding limitation on an interchange located at exit 131 in Catawba County, North Carolina;

an amendment by Mr. MORAN of Kansas regarding funding limitation on restrictions on agricultural trade with Cuba;

an amendment by Mr. OBERSTAR regarding funding limitation on implementation of a final rule on certain air carriers;

an amendment by Mr. RANGEL regarding funding limitation on enforcement of economic embargo of Cuba;

an amendment by Mr. TIAHRT regarding competitiveness of U.S. businesses;

an amendment by Mr. TIAHRT regarding IRS services; and

an amendment or amendments by Mr. KNOLLENBERG regarding funding in the bill.

Each such amendment may be offered only by the Member named in this request or a designee, or by the Member who caused it to be printed in the RECORD or a designee, shall be considered as read, shall not be subject to amendment except that the chairman and ranking minority member of the Committee on Appropriations and the Subcommittee on Transportation, Treasury, and Housing and Urban Development, Judiciary, District of Columbia, and independent agencies each may offer one pro forma amendment for the purpose of debate; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

Except as otherwise specified, each amendment shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent. An amendment shall be considered to fit the description stated in this request if it addresses in whole or in part the object described.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. OBEY. Mr. Speaker, reserving the right to object, I simply under the reservation would like to point out to the House that if this is strictly adhered to, there are 67 amendments that are provided for under this UC request. It will take approximately 11 hours just for the debate time, not allowing for slippage, not allowing for other Members yielding or the natural sliding that we have in the House. That means that it will take at least 13 to 14 hours to finish these amendments plus the time that is needed for voting.

Assuming that only one-third of these amendments are put to a record vote, we could have a total of around 16 to 17 hours before this bill is finished. That will certainly take us through tonight, all of tomorrow, and well into Friday and perhaps beyond. So I would ask Members to again think through whether or not they feel the need to offer every one of these amendments. If they are, we will be here for a long, long time with other competing business being squeezed to the end of the week.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 865 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5576.

☐ 1845

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, a request for a recorded vote on the amendment offered by the gentleman from California (Mr. GARY G. MILLER) had been postponed and the bill had been read through page 74, line 5.

Pursuant to the order of the House of today, no further amendment to the bill may be offered except those specified in the previous order of the House of today, which is at the desk.

AMENDMENT OFFERED BY MS. MILLENDER-MC DONALD

Ms. MILLENDER-McDONALD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. MILLENDER-MCDONALD:

Page 73, line 8, insert after the first dollar amount the following: "(reduced by $250,000)".

Page 190, line 10, insert after the first dollar amount the following: "(increased by $250,000)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MILLENDER-McDONALD. Mr. Chairman, I rise today to offer this amendment to the Transportation-Treasury Appropriations bill for fiscal year 2007, to provide more funding for the training of college students to be poll workers.

As ranking member on the Committee on House Administration, I am pleased that the Appropriations Committee fully funded the budget request for the Election Assistance Commission, commonly referred to as EAC.

I am also pleased that the committee report suggests that $250,000 of the EAC's funding be allocated to the College Worker's Poll Grant Program, authorized by the Help America Vote Act, HAVA.

However, Mr. Chairman, I do believe that this funding is not sufficient to meet the critical challenges facing the administration of elections in this country.

I am offering this amendment to increase the funding.

Mr. KNOLLENBERG. Mr. Chairman, will the gentlewoman yield?

Ms. MILLENDER-McDONALD. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I would be happy to accept your amendment.

Ms. MILLENDER-McDONALD. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-MCDONALD).

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107-210), $14,846,000.

ADMINISTRATRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading "Enforcement" may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 202. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with taxpayers, and in cross-cultural relations.

SEC. 203. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 204. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1-800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1-800 help line service.

SEC. 205. Of the funds made available by this Act to the Internal Revenue Service, not less than $166,249,000 shall be available for operating expenses of the Taxpayer Advocate Service, of which not less than $166,101,000 shall be made available from the "Taxpayer Services" account and $148,000 shall be made available from the "Operations Support" account.

SEC. 206. None of the funds appropriated or otherwise made available by this or any other Act or source in this or any future fiscal year may be used to develop or provide taxpayers with free individual income tax electronic preparation and filing products or services other than through the Free File program and the Internal Revenue Service's Taxpayer Assistance Centers, Tax Counseling for the Elderly, and volunteer income tax assistance programs: *Provided*, That no such funds may be used to develop or implement direct interactive online electronic individual income tax preparation or filing services or products, or a return-free system as described in section 2004 of the Internal Revenue Service Restructuring and Reform Act of 1998.

POINT OF ORDER

Mr. THOMAS. Mr. Chairman, I raise a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. THOMAS. Mr. Chairman, I raise a point of order against section 206 of this bill, H.R. 5576, on the grounds that this provision violates clause 2(b) of House rule XXI, because it is legislation included in a general appropriations bill.

The CHAIRMAN. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this section addresses funds in other Acts. As such, the section constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the section is stricken from the bill.

The Clerk will read.

The Clerk read as follows:

SEC. 207. Appropriations for the Internal Revenue Service for the taxpayer service and tax law enforcement programs for fiscal year 2007 and thereafter shall be made up of three accounts, "Taxpayer Services", "Enforcement", and "Operations Support" for fulfilling the taxpayer service and enforcement programs.

SEC. 208. Amounts made available for fiscal year 2007 under the "Taxpayer Services", "Enforcement", and "Operations Support" accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Internal Revenue Service accounts after notice of the amount and purpose of the transfer is provided to the Committees on Appropriations of the Senate and House of Representatives and a period of 30 days has elapsed: *Provided*, That the limitation on transfers is 20 percent in fiscal year 2007.

SEC. 209. None of the funds made available in this Act may be used to enter into, renew, extend, administer, implement, enforce, or provide oversight of any qualified tax collection contract (as defined in section 6306 of the Internal Revenue Code of 1986).

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 211. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 212. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 213. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: *Provided*, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 214. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the $1 Federal Reserve note.

SEC. 215. The Secretary of the Treasury may transfer funds from Financial Management Services, Salaries and Expenses to Debt Collection Fund as necessary to cover the costs of debt collection: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 216. Section 122(g)(1) of Public Law 105-119 (5 U.S.C. 3104 note), is further amended by striking "8 years" and inserting "9 years".

SEC. 217. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 218. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; the House Committee on Appropriations; and the Senate Committee on Appropriations.

SEC. 219. Section 3333(a) of title 31, United States Code, is amended by striking paragraph (3) and inserting the following:

"(3) The amount of the relief, and the amount of any relief granted to an official or agent of the Department of the Treasury under section 3527 of this title, shall be charged to the Check Forgery Insurance Fund under section 3343 of this title. A recovery or repayment of a loss for which replacement is made out of the fund shall be credited to the fund and is available for the purposes for which the fund was established."

This title may be cited as the "Department of the Treasury Appropriations Act, 2007".

TITLE III

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PUBLIC AND INDIAN HOUSING

TENANT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of tenant-based rental assistance authorized under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, $15,776,400,000, to remain available until expended, of which $11,576,400,000 shall be available on October 1, 2006, and $4,200,000,000 shall be available on October 1, 2007: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $14,436,200,000 for renewals of expiring section 8 tenant-based annual contributions contracts (including renewals of enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act): *Provided*, That notwithstanding any other provision of law, from amounts provided under this paragraph, the Secretary for the calendar year 2007 funding cycle shall provide renewal funding for each public housing agency based on the amount public housing agencies were eligible to receive in calendar year 2006, and by applying the 2007 Annual Adjustment Factor as established by

the Secretary, and by making any necessary adjustments for the costs associated with deposits to Family Self-Sufficiency Program escrow accounts or the first-time renewal of tenant protection or HOPE VI vouchers: *Provided further*, That the Secretary shall, to the extent necessary to stay within the amount provided under this paragraph, pro rate each public housing agency's allocation otherwise established pursuant to this paragraph: *Provided further*, That public housing agencies participating in the Moving to Work demonstration shall be funded pursuant to their Moving to Work agreements and shall be subject to the same pro rata adjustments under the previous proviso: *Provided further*, That up to $100,000,000 shall be available for additional rental subsidy due to unforeseen exigencies as determined by the Secretary and for the one-time funding of housing assistance payments resulting from the portability provisions of the housing choice voucher program;

(2) $149,300,000 for section 8 rental assistance for relocation and replacement of housing units under lease that are demolished or disposed of pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134), conversion of section 23 projects to assistance under section 8, the family unification program under section 8(x) of the Act, relocation of witnesses in connection with efforts to combat crime in public and assisted housing pursuant to a request from a law enforcement or prosecution agency, enhanced vouchers under any provision of law authorizing such assistance under section 8(t) of the Act, HOPE VI vouchers, mandatory and voluntary conversions, and tenant protection assistance including replacement and relocation assistance: *Provided*, That additional section 8 tenant protection rental assistance costs may be funded in 2007 by utilizing unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual Contributions for Assisted Housing", the heading "Housing Certificate Fund", and the heading "Project-based rental assistance", for fiscal year 2006 and prior years notwithstanding the purposes for which such amounts were appropriated;

(3) $47,500,000 for family self-sufficiency coordinators under section 23 of the Act;

(4) $5,900,000 shall be transferred to the Working Capital Fund; and

(5) $1,137,500,000 for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program, of which up to $30,000,000 shall be available to the Secretary to allocate to public housing agencies that need additional funds to administer their section 8 programs, with up to $20,000,000 to be for fees associated with section 8 tenant protection rental assistance: *Provided*, That $1,107,500,000 of the amount provided in this paragraph shall be allocated for the calendar year 2007 funding cycle on a pro rata basis to public housing agencies based on the amount public housing agencies were eligible to receive in calendar year 2006: *Provided further*, That all amounts provided under this paragraph shall be only for activities related to the provision of tenant-based rental assistance authorized under section 8, including related development activities.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER:

Page 80, line 24, after the dollar amount, insert the following: "(increased by $70,000,000)".

Page 80, line 25, after the dollar amount, insert the following: "(increased by $70,000,000)".

Page 81, line 3, after the dollar amount, insert the following: "(increased by $70,000,000)".

Page 113, line 16, after the dollar amount, insert the following: "(reduced by $100,000,000)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would increase funding for Section 8 housing vouchers by $70 million to enable an additional 10,000 low-income families to afford safe, decent housing.

To offset this increase, the amendment cuts the Working Capital Fund for a poorly managed computer upgrade program. Even with the reduction, the bill would still provide $94 million in working capital funds for IT projects in eight accounts scattered around the bill other than the Working Capital Fund itself.

We have a choice, Mr. Chairman. Do we want to help thousands of families obtain affordable housing, or do we think it is more important to have a somewhat faster computer upgrade in HUD? If we support American families, we should support this amendment.

We all understand the budget is extremely tight and that many programs are facing cuts. Our amendment, therefore, does not seek to restore the amount to the amount that the President recommended, which is $144 million more than the committee recommends, it seeks merely to restore $70 million, or about half of what the difference is to what the President recommended.

This is less than the bare minimum of what is needed. We have hundreds of thousands of families on waiting lists, waiting 8, 9, 10 years for decent housing for Section 8 vouchers.

This amendment will enable us to provide vouchers to about 10,000 of those families. That is our choice. The Section 8 housing voucher program provides safe, affordable housing to approximately 2 million American families in urban and rural communities in our country.

Those vouchers are often the only resource for low-income families confronted by our Nation's affordable housing crisis.

Mr. Chairman, many Republicans support this amendment. We passed a similar amendment last year with Republican support. 141 Members have signed a letter in support of fully funding the President's request, which would be twice the size of this amendment. 225 Members, including 30 Republicans, voted for an essentially similar amendment last year.

I urge everyone on both sides of the aisle to vote for this amendment.

Finally, let me say that we may be told that the offset would leave no funds in the computer account. The fact is the committee has been very ingenious in squirreling away money in different accounts.

Mr. Chairman, I have here a list of all of the places in the bill where money is squirreled away for these computers. There is a total of $194 million. With this amendment it would still leave $94 million for this purpose.

Mr. Chairman, I thank the chairman. I urge everyone to vote for this amendment.

Mr. Chairman, I would offer this chart for the RECORD. I am pleased to announce also that the amendment has gained the support of the AARP and the National League of Cities. Once again, the choice is, will we provide 10,000 families with safe, decent housing, at the price of slightly slowing down a computerization program for the bureaucrats at HUD?

That is the choice. I hope everyone will vote yes on the Nadler-Velazquez Amendment.

Programs descriptions	Additional descriptions	Amount	Page/Line
Public Indian Housing	Tenant Based Rental Assistance	$5,900,000	pg. 83 ln. 14.
Public Housing Capital Fund		14,850,000	pg. 86 ln. 1.
Community House and Development	Housing Opportunities for People with AIDS	1,485,000	pg. 92. ln. 4.
Home Investment Partnerships Program		3,465,000	pg. 94 ln. 22.
Homeless Assistant Grants		2,475,000	pg. 97 ln. 20.
Housing Programs Project Based Rental Assistance		3,960,000	pg. 99 ln. 24.
Housing for the Elderly		1,980,000	pg. 101 ln. 7.
Housing for Persons with Disabilities		990,000	pg. 102 ln. 5.
Federal Housing Administration	Mutual Mortgage Insurance Program Account	23,562,000	pg. 105 ln. 6.
General and Special Risk Program Account		10,692,000	pg. 106 ln. 22.
Management and Administration	Salaries and Expenses	15,000,000	pg. 112 ln. 25.
Working Capital Fund		100,000,000	pg. 113 ln. 16.

Programs descriptions	Additional descriptions	Amount	Page/Line
Section 325	Administrative Contract Expenses	10,000,000	pg. 133. ln. 21.
		$194,359,000	

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, the bill before us fully funds the renewal of Section 8 vouchers. Additional funds, especially ones at the expense of critical programs, are simply not necessary. The cost of Section 8 vouchers are remaining constant and in some markets are actually decreasing.

As such, this funding level will not only maintain the current level of vouchers, but also provide funds to restore vouchers that may have been lost in recent years.

The proposed reduction to the Working Capital Fund leaves a funding level that is not sufficient to support HUD's existing needs and will cause delays in critically needed efforts to modernize antiquated legacy systems in such areas as HUD's core financial systems and FHA mortgage program systems.

More importantly, the funds of the Working Capital Fund are the funds that ensure that HUD is able to make Section 8 payments on time. Ironically, cutting this program to boost Section 8 will have a very real and negative impact on the Section 8 program.

So therefore, I must urge a no vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. NADLER. Mr. Chairman, how much time do we have remaining?

The CHAIRMAN. The gentleman has 2 minutes remaining.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the fact is we have waiting lists in many of our cities of 8, 9, and 10 years for Section 8 vouchers. We could do much, much more than this amendment would do and shorten these waiting lists to 5 and 6 years.

Mr. Chairman, it is wrong for low-income Americans to have to wait 8, 9 and 10 years for decent, safe housing. This amendment will go a little ways toward supplying that need.

The chairman says that the committee's proposal funds all of the Section 8 vouchers. It funds enough Section 8 vouchers to continue a waiting list of 8, 9, and 10 years.

Now, it is true the offset takes some money away from a computerization account at HUD, but it leaves $94 million for that purpose. The computerization at HUD can go a little more slowly, and 10,000 additional families will have decent housing.

That is the choice. HUD can do, and do very well, with $94 million for this computerization program squirreled away in different sections of the bill as I have here outlined.

But 10,000 families might not have to wait 9, 10 years for decent housing. Mr. Chairman, that is the choice in the amendment. That is why I urge everyone to vote for the amendment.

Ms. VELÁZQUEZ. Mr. Chairman, I rise in strong support of restored funding for Section 8 vouchers. Our Nation is in the midst of an affordable housing crisis—and hard working families are bearing the brunt of the short fall. Yet again Section 8 is funded below the President's request—this year $144 million less than proposed

The Nadler-Velázquez amendment will restore $70 million for Section 8, providing vouchers for approximately 10,000 families. This increase will ensure that families working to create a better life for their children will have a safe, decent place to call home—something that is critical to positive outcomes for the future.

The Section 8 program is a lifeline for millions of families struggling to make ends meet and end the cycle of poverty so common in low-income communities. In my district—and districts around the country—families have been waiting upwards of ten years for vouchers. We cannot turn our backs on families striving to achieve more for their children against the odds.

Mr. NADLER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

□ 1900

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

HOUSING CERTIFICATE FUND

(RESCISSION)

Of the unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development under this heading, the heading "Annual contributions for assisted housing", the heading "Tenant-based rental assistance", and the heading "Project-based rental assistance", for fiscal year 2006 and prior years, $2,000,000,000 is rescinded, to be effected by the Secretary no later than September 30, 2007: *Provided*, That, if insufficient funds exist under these headings, the remaining balance may be derived from any other heading under this title: *Provided further*, That the Secretary shall notify the Committees on Appropriations 30 days in advance of the rescission of any funds derived from the headings specified above: *Provided further*, That any such balances governed by reallocation provisions under the statute authorizing the program for which the funds were originally appropriated shall be available for the rescission.

PUBLIC HOUSING CAPITAL FUND

(INCLUDING TRANSFERS OF FUNDS)

For the Public Housing Capital Fund Program to carry out capital and management activities for public housing agencies, as authorized under section 9 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g) (the "Act") $2,178,000,000, to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law or regulation, during fiscal year 2007, the Secretary may not delegate to any Department official other than the Deputy Secretary and the Assistant Secretary for Public and Indian Housing any authority under paragraph (2) of section 9(j) regarding the extension of the time periods under such section: *Provided further*, That for purposes of such section 9(j), the term "obligate" means, with respect to amounts, that the amounts are subject to a binding agreement that will result in outlays, immediately or in the future: *Provided further*, That of the total amount provided under this heading, up to $10,890,000 shall be for carrying out activities under section 9(h) of such Act: *Provided further*, That up to $14,850,000 shall be transferred to the Working Capital Fund: *Provided further*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended: *Provided further*, That of the total amount provided under this heading, up to $19,800,000 shall be available for the Secretary of Housing and Urban Development to make grants, notwithstanding section 305 of this Act, to public housing agencies for emergency capital needs resulting from unforeseen or unpreventable emergencies and natural disasters occurring in fiscal years 2007 and 2008: *Provided further*, That of the total amount provided under this heading, $23,760,000 shall be for supportive services, service coordinators and congregate services as authorized by section 34 of the Act and the Native American Housing Assistance and Self-Determination Act of 1996: *Provided further*, That of the total amount provided under this heading up to $7,920,000 is to support the costs of administrative and judicial receiverships: *Provided further*, That of the total amount provided under this heading up to $15,345,000 shall be to support the ongoing Public Housing Financial and Physical Assessment activities of the Real Estate Assessment Center (REAC).

AMENDMENT OFFERED BY MR. DAVIS OF ALABAMA

Mr. DAVIS of Alabama. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DAVIS of Alabama:

Page 85, line 11, after the dollar amount, insert "(increased by $30,000,000)".

Page 111, line 3, after the first dollar amount, insert "(reduced by $30,000,000)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Alabama (Mr. DAVIS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. DAVIS of Alabama. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, thank you for the recognition. I have an amendment at the desk which is a repetition of a bipartisan amendment that was brought to the floor of the House a year ago, and it has to deal with the HOPE VI housing program. Many of our colleagues on both sides of the aisle have seen their districts benefit from HOPE VI.

It is a program that was launched under the George Herbert Walker Bush administration. In fact, its chief architect was former Secretary of Housing and Urban Development Jack Kemp. It is a program which has been in place for 16 years now, and it has literally changed the face of public housing in numerous communities around our country.

I have seen it happen three times in Birmingham, Alabama and Tuscaloosa, Alabama. Abandoned, near dilapidated public housing projects, which had been given up, have now been turned into mixed-income developments. And whole communities of Birmingham and Tuscaloosa, which had been squandered, are now on the road toward economic revitalization and recovery.

That has been the story of Birmingham and Tuscaloosa. It has been a story that has spread all over this country.

When we brought this amendment to the floor last year, no less than 59 Republicans joined in support of it with 188 Democrats, one of the strongest levels of bipartisan support that any amendment has commanded. I simply ask the House to do essentially what it has done before.

The President attempted to zero out funding. The committee has not added funding. We propose to add $30 million from the Administration and Management Fund to the Working Capital Fund. The reason, Mr. Chairman, that it goes in the Working Capital Fund is we have a reauthorization issue around HOPE VI. As of September 30, the program will have lapsed. It is our full expectation that it will be extended.

There has been a unanimous voice vote in the Financial Services Committee to reauthorize it, and there has been strong support on the other side of the Capitol in the Senate to reauthorize it. What we simply want to do is make sure that when the program is reauthorized, that the money is being held so these projects can go forward. $30 million is a very conservative amount of money.

The average HOPE VI project is indeed around 20 or $30 million. But what this commitment of resources will do is to in effect preserve the HOPE VI program and effectuate the intent of the Financial Services Committee that HOPE VI be reauthorized.

Let me thank someone who is not in the Chamber at this point, my colleague from Florida, Congresswoman KATHERINE HARRIS. She worked very hard to bring this amendment to the floor last year. She has worked very hard to give us support for it tonight. I certainly thank her for her bipartisan commitment.

But it is a very simple statement, Mr. Chairman. If we value a future for public housing, if we want to transform the lives of these communities, this is a small nominal amount in a massive Federal budget of $3.7 trillion. It is literally a drop in the bucket, but it is a very meaningful drop in the bucket for many families who are living in urban centers all around this country.

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIRMAN (Mr. GOODLATTE). The gentleman from Michigan is recognized for 10 minutes.

Mr. KNOLLENBERG. HOPE VI was intended to demolish 100,000 units of severely distressed public housing units, and the program has accomplished that goal. However, there is currently $80 million in unobligated funds going back as far as 10 years-plus. And get this, an additional $2 billion remains in unexpended balances. That is money.

These unobligated and unexpened balances mean the program will be spending out for years to come. As of the end of fiscal year 2005, only 23 percent of all projects have been completed. We need to focus on completing what has already been approved, not adding to the already large backlog of unfinished work. Therefore, I urge a "no" vote on this amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. DAVIS of Alabama. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Chairman, I just want to rise in support of the amendment. A number of us have worked hard for a number of different years to save, reauthorize, and fund the HOPE VI program.

The gentleman is right: they have funds in the process, but you can't revitalize communities overnight. They seem to have lost sight of the fact that it takes a long time to rebuild a community that starts off being dilapidated public housing. You have to tear it down, you have to enter into public-private ventures around that community to restore housing, and that takes time.

When people criticize the fact that there is money in the pipeline that has not been expended, that simply reaffirms the purpose for which HOPE VI was initiated in the first place, to restore communities, not to just build houses. That takes time. We need this money to continue the process.

Mr. DAVIS of Alabama. Mr. Chairman, I yield 3 minutes to the gentlewoman from Florida (Ms. HARRIS) and thank her for her outstanding work on this issue.

Ms. HARRIS. Mr. Chairman, I rise today to offer an amendment with my friend and colleague from Alabama (Mr. DAVIS). This would restore the funding for the Department of Housing and Urban Development's HOPE VI programs.

Created in 1992 to renovate existing public housing sites and replace them with new mixed-income housing, the HOPE VI grant program has been remarkably successful at revitalizing some of our most troubled and distressed communities. We have all seen stories of the conditions that exist in public housing developments throughout the Nation, dilapidated buildings and homes, infestations of insects and rodents, barely functional plumbing and sewage, high rates of violence and crime. These are the conditions that have overtaken too many of our public housing facilities, the conditions in which too many families are struggling to live and raise children.

This program is aptly named because hope is exactly what these grants bring to communities. I can speak firsthand of the outstanding results of this program. In the City of Bradenton, Florida, we have already been completely revitalized as a result of HOPE VI grants.

The result is Bradenton Village, a successful partnership between the local government, the private sector, and the Federal Government to restore and revitalize a community that only a few years ago was crumbling and suffering. Today, Bradenton Village is a vibrant and thriving area and a testament to HOPE VI grants. That success is not limited to Florida.

This remarkable program has been responsible for rebuilding substandard housing and replacing it with quality, affordable housing across the country. It is not just about bricks and mortar. By creating more options, giving a consumer more and better choices in housing, education, job training and job placement, HOPE VI grants transform lives.

If this amendment is adopted, the HOPE VI program can continue to deliver upon its promises. The Davis-Harris amendment seeks to restore $30 million to the HOPE VI program so that they can continue in their mission of revitalizing American communities. This $30 million is a far cry from the funding HOPE VI has received in the past; it is less than a third of the $99 million that the program received last year, for example, but it is enough to keep the program alive so that we can continue to help these communities where it is making such a tremendous difference.

The amendment is fiscally responsible, as the $30 million we are requesting for HOPE VI will be offset by reducing funding HUD's Management and Administrative Salaries and Expense Funds. Additionally, according to the Congressional Budget Office, the amendment budget authority is neutral and as a result, a net outlay savings of $22 million.

I know some of my colleagues have been concerned about the administration of the HOPE VI program. There have been complaints that the funds are not dispersed as swiftly or as efficiently as they could be. I share some of those concerns, and I want to see the program operate at maximum efficiency and effectiveness.

If the management of the program can be made more effective, by all means let us make it more effective. But let us not give up on the program just when it is making a difference in people's lives. Let us not give up on HOPE VI. Let us not give up on the strength and possibilities of our communities. I urge my colleagues to support the Davis-Harris amendment. Let us keep hope alive.

Mr. DAVIS of Alabama. Mr. Chairman, I yield myself the balance of my time.

Let me put several things in perspective. Mr. WATT made the obvious point that these projects take awhile to succeed. Therefore if we stop the funding flow, it will make it impossible for commitments to be made that have been kept.

Observation number two, we need this appropriation of funds to effectuate the intent of Congress. The committee that has jurisdiction over HOPE VI, the Financial Services Committee, has voted unanimously on a voice vote to reauthorize HOPE VI.

The Senate has expressed or manifested the same plan to reauthorize HOPE VI. If we don't put funding forward, the clear-cut congressional intent will be undercut in this instance.

Third of all, there is a strong, clear congressional intent from the last several budget cycles. Four times in a row now, the administration has tried to zero out HOPE VI. Every single time Congress has put it back.

The Senate had put $100 million back last year. The House, in a strong bipartisan vote, put $60 million back. We anticipate the Senate will put another significant amount back into this budget.

The next point, talk to the people who have seen this work on the ground. The League of Cities, a bipartisan collection of mayors and leaders of municipalities, has endorsed this amendment. They are an eloquent testament to the fact that HOPE VI revitalizes neighborhoods.

The National Home Builders, a strong bipartisan group, has given its endorsement to this amendment. They have a statement it meets important private sector and public sector goals.

We don't have to look very far other than the quotes of some of our own colleagues. CHARLIE DENT from Pennsylvania, a Republican the last time I checked, this "project will be a catalyst for the revitalization of the entire community and it will serve as a model of what public housing can and should be, a path to homeownership for its residents."

FRED UPTON, a Republican from Saint Joseph, Michigan: "This is tremendous news for the Benton Harbor community. It is another example of folks from the local State and Federal levels coming together for the betterment of Benton Harbor."

ANNE NORTHUP, our colleague from Louisville, a Republican: "A HOPE VI grant, great news for Louisville, a major investment in the downtown neighborhood."

My good friend and our colleague, CHIP PICKERING from Mississippi, a Republican the last time I checked: "The full range of this project will not only improve the lives of the residents in my district, but also their children for years to come. The HOPE VI grant represents a significant investment to the overall economic development and renewal of the East Mississippi region."

Our colleague from Connecticut (Mr. SHAYS), a Republican the last time I checked, talks about the wonderful collaboration of the Stamford Housing Authority, the Fairfield Resident Council and the City of Stamford to make this project a reality.

There is an overwhelming statement from our colleagues on both sides of the aisle about the utility of HOPE VI. So for this body to fail to pass this Davis-Harris amendment will not only be in contradiction of what we say in our press releases, it would be in contradiction of what the U.S. Senate seeks to do and would be in contradiction of what we do with our own votes.

While the administration fails to get the message, I think that our colleagues in this body tonight will get the message. I urge passage of this bipartisan amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama (Mr. DAVIS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. DAVIS of Alabama. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

AMENDMENT OFFERED BY MR. INSLEE

Mr. INSLEE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. INSLEE:

Page 85, line 11, after the dollar amount, insert the following: "(increased by $261,000,000)".

Page 194, line 1, after "2007", insert the following: "(reduced by $261,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this would restore $260 million to the Public Housing Capital Fund. As Members know, this is a critical fund that delivers housing services to make sure that our public housing is up to snuff and our citizens can live in safe housing.

This is a fund that makes sure that the roofs don't leak on our citizens, air ventilation doesn't cause asthma, and we don't allow termites to infest our public housing facilities. Despite the criticality of that fund, the current bill as proposed would cut $260 million, an 11 percent slash out of this budget of this very important fund.

Mr. Chairman, we will simply restore that cut to go back to the status quo of the level of funding for the Public Housing Capital Fund.

☐ 1915

The reason we suggest this is that our offset for this would be a small cut to the Federal building budget. It would essentially result in about a 3.5 percent cut to the Federal building budget, and what we suggest by this amendment is that in difficult times, if we are going to have to have cuts in these Federal budgets, it should first come out of where we house our Federal agencies and, second, come out of where we house our citizens.

Our citizens ought to have first claim to the money. The kids that we are trying to avoid an epidemic of asthma, some of which we believe is caused by poor housing, they ought not to be suffering right now if we have to slash some budget. If we have to delay some bureaucracy, getting an upgrade in an agency, that is really a delay that kids in public housing cannot take a slash in the health of these budgets.

I just want to point out the one thing that this public housing fund does that is so effective.

One of the problems of our folks in public housing are their energy costs. A lot of these people pay 50 percent and more of their income in housing costs, and their energy costs eats them alive.

I looked at St. Paul. Over 26 percent of all the evictions there were essentially caused because of high utility costs, and one of the things this public housing fund can do is help get better weatherization, more efficient heating/cooling systems to reduce energy costs. In fact, if we reduce our energy costs by 10 percent, we will save $20 billion of these folks in public housing.

So our amendment does some things that are very common sense. It will go back to status quo. It will restore a $260 million slashed cut to public housing. It will offset that by a 3.5 percent cut to the Federal budget. Let us give first priority to our citizens and their housing and second priority to a small cut to housing some of our Federal agencies. It is the right thing to do. It is common sense.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I oppose this amendment and would point out that this is not an amendment that simply cuts money out of the bureaucracy. It is not a bureaucratic cut.

The cuts proposed by the amendment are irresponsible in today's atmosphere where immigration and terrorism threats to the government and U.S. citizens are real.

Cutting the Federal buildings fund by $261 million would leave the fund without the resources it needs to build critical, secure crossings on our southern border with Mexico and strengthen the Federal buildings against the threat of terrorism.

Let me repeat that. Vote for this amendment and you are voting against building border crossings on the U.S.-Mexico border and against funding to secure Federal buildings against terrorism.

The amendment would completely eliminate GSA's new construction of six border stations at the crossings in McAllen, Texas; El Paso, Texas; San Luis, New Mexico; Columbus, New Mexico; Calexico, California; and Nogales, Arizona. In addition, the amendment would eliminate the Food and Drug Administration's Montgomery County, Maryland project, as well as the remote delivery facility in Anacostia for mail sorting for the Federal Government, something that is sadly needed with the threat of anthrax and other deadly substances in our government now.

Funds would be cut that are needed to secure Federal buildings to protect workers and the general public from possible terrorist attacks.

As much as higher funding for the capital fund would be nice, there are more pressing needs in this bill.

This amendment is irresponsible, and I would urge its defeat, Mr. Chairman.

Mr. Chairman, I reserve my time.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

Well, while I respect my friend's argument, it is quite artful, but not every dollar spent by the Federal Government goes to terrorism, as the suggestion would be.

Let us be real here in this discussion. We will leave $7.44 billion in the Federal building fund, and in that fund the vast majority of those dollars are spent for housing Federal office workers, not Border Patrol, and to suggest that somehow that if this cut takes place we are going to be bombarded by immigrants is a great stretch, artful perhaps, but a tremendous stretch.

What we are really talking about, we are talking about delaying perhaps for a year expanded Federal bureaucracies and the square footage they have in their Federal offices and office buildings scattered all across America. We are talking about suggesting that that delay in expanding the square footage for Federal office workers, as hard as they work and I respect them a bunch, is something that we ought to figure is a common-sense thing to do, instead of cutting $260 million when people are living in substandard housing that has an $18 billion backlog.

So, let us look at the real life and not get wrapped around the argument that anything that changes a Republican budget somehow smacks of being soft on terrorism. That is a great stretch, and I do not think that dog will hunt.

We are talking about a small reduction of 3.5 percent in a $7.7 billion budget for office budgets. Let me just give you an example of what we are talking about.

There is $4.3 billion for rental space, $277 million in current funding in this budget. Maybe a little bit of that could be deferred. There is $2 billion for building operations, $119 million, 6 percent more than cut funding. That is common sense.

Let us give first priority to our housing.

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would point out to my good friend that I probably, more than any other Member in this body, have great understanding of what public housing funds are for. I grew up in public housing. Nevertheless, this bill is about balancing the priorities that we need in this age of terrorism and threat of terrorism. In this age of immigration reform, I think that these funds need to fully be kept in as they have been appropriated by the committee.

Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from New York.

I am pleased that the gentleman from the State of Washington is concerned about the expanding Federal bureaucracy, and I look forward to working with him to make sure that our Federal Government does not grow at fast of a pace because when it does it makes us less competitive, but the issue here is whether we should divert money to the issue that the gentleman would like to have it diverted to.

$260 million is a lot of money. There has been a lot of preparation in the allocation of the money that has come to the subcommittee and to the full Committee of Appropriations. Difficult decisions were made, but more importantly, this money that would be taken from the GSA is to address a very important, vital need in our society today, and that is the immigration challenge that we are facing today.

Many of you have received bricks in your office from constituents. Those bricks represent the necessity of building a stronger border along the southern part of this country. This money that is being diverted in this amendment would take money from six border stations: McAllen, Texas; El Paso, Texas; San Luis, New Mexico; Columbus, New Mexico; Calexico, California; and Nogales, Arizona. People are coming across because we have not established our own borders in this country. We have not established our southern border. These six border stations will help do this establishment of our borders.

Now, there is always something that people feel like is a higher priority, but today, if you stop the first 12 people on Main Street, America, and ask them do what you want with this $260 million going to this Federal housing project or do you want it to go to the border to stop the illegal flow of immigrants coming in, I guarantee you that all of them will say to you, let us stop the flow of illegal immigrants into the country. First, let us take care of the ones that are here, find a system that incorporates them into our work needs and into our culture, and then let us move on to something else. Let us move on to the needs that we have in meeting the challenges of those who are lower income groups.

This amendment would take away from that goal of fixing our borders, and I would suggest that we vote it down.

Mr. SWEENEY. Mr. Chairman, I yield myself the remaining time.

In conclusion, let me just say I strongly oppose this amendment because of its impact on some vital security needs. I would point out to the gentleman and my friends, of the $261 million he diverts over into public housing, 20 percent of it could be used for administrative costs in the current form of the structure that it is used.

This money is needed and has been prioritized as such, and I would urge my colleagues to vote "no."

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

The amendment was rejected.

Mr. INSLEE. Mr. Chairman, I request a recorded vote.

The Acting CHAIRMAN. The gentleman's request is untimely.

The Clerk will read.

The Clerk read as follows:

PUBLIC HOUSING OPERATING FUND

For 2007 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), $3,564,000,000: *Provided*, That all funds made available under this heading shall be allocated to public housing agencies in accordance with the terms, conditions, criteria and methodology set forth in the Housing and Urban Development Department Correction for Formula Implementation Date notice (Correction Notice) published in the Federal Register on October 24, 2005 and shall not be allocated using any other formula unless approved by the Committee: *Provided further*, That of the total amount provided under this heading $9,900,000 in bonus funds shall be provided to public housing agencies that assist program participants in moving away from dependency on housing assistance programs: *Provided further*, That of the total amount provided under this heading, $5,940,000 shall be for technical assistance related to the transition and implementation of asset-based management in public housing: *Provided further*, That, in fiscal year 2007 and all fiscal years hereafter, no amounts under this heading in any appropriations Act may be used for payments to public housing agencies for the costs of operation and management of public housing for any year prior to the current year of such Act: *Provided further*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

NATIVE AMERICAN HOUSING BLOCK GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), $625,680,000, to remain available until expended: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race Census data and with the need component based on multi-race Census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, $990,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; $3,465,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance: *Provided further*, That of the amount provided under this heading, $1,980,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed $14,938,825: *Provided further*, That for administrative expenses to carry out the guaranteed loan program, up to $148,500 from amounts in the third proviso, which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), $8,815,000, to remain available until expended, of which $299,211 shall be for training and technical activities.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a), $3,960,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $116,276,000, to remain available until committed.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $247,500 from amounts in the first paragraph which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b), $1,010,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $43,000,000, to remain available until committed.

In addition, for administrative expenses to carry out the guaranteed loan program, up to $35,000 from amounts in the first paragraph which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

COMMUNITY PLANNING AND DEVELOPMENT

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), $300,100,000, to remain available until September 30, 2008, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2009: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: *Provided further*, That the Secretary may use up to $1,485,000 of the funds under this heading for training, oversight, and technical assistance activities and $1,485,000 shall be transferred to the Working Capital Fund.

AMENDMENT OFFERED BY MR. NADLER

Mr. NADLER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. NADLER:

Page 91, line 20, after the dollar amount, insert the following: "(increased by $10,000,000)".

Page 105, lines 5 and 6, after each of the dollar amounts, insert the following: "(reduced by $10,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would increase the appropriation for the Housing Opportunities for Persons With AIDS program, or HOPWA, by $10 million.

Frankly, this is a very modest amount. Earlier this year, more than 100 Members joined me and Representatives ROS-LEHTINEN and CROWLEY in asking the Appropriations Committee for $424 million in HOPWA funding for fiscal year 2007.

I am relieved that the President finally asked for a $14 million increase over last year in HOPWA funding, and I am very grateful to Chairman KNOLLENBERG and Ranking Member OLVER for meeting his request and funding the program at this level.

But the sad truth is that this year's HOPWA level barely keeps up with inflation. Three years ago in 2004, HOPWA was funded at $295 million. That the program will see an increase in 2004 to 2007 of $5 million in 3 years is not enough even to meet inflation.

Housing needs have grown faster than inflation. Adequately meeting the housing needs of all those living with HIV and AIDS would take over $2 billion. Nationwide, thousands of people are now on waiting lists for HOPWA-funded housing, and with 91 percent of HOPWA recipients having family incomes of less than $1,000 per month, program recipients simply cannot afford the shortfall.

The costs associated with new AIDS treatments often force people to choose between essential medications to enable them to survive and the necessities such as housing. Without adequate HOPWA funding, AIDS patients will continue to flood our emergency rooms and our Medicaid rolls and will be forced to live on the streets.

This HOPWA funding does not simply get people with HIV and AIDS off of the streets. Recent studies have shown that housing in many cases equates directly to HIV prevention because people with housing are much more likely to know their HIV status and, therefore, less likely to transmit the disease to others. Improvements in housing status also lead to lower rates of high-risk behavior, such as intravenous drug use, which can lead to the spread of the disease.

HOPWA is an extremely fiscally sound program. It is locally controlled and provides maximum flexibility to States and communities to design approaches that best respond to local housing needs. In fiscal year 2006 alone, HOPWA funds will support the delivery of services to roughly 71,500 households in all 50 States.

I realize that, given the record deficits that we have, funding HOPWA at the $2 billion level it should have is not realistic. The financial constraints that we face put us in an unfortunate bind. There is much room for improvement.

I, again, thank the chairman and ranking member for the increase that they proposed, but given the scarce resources of this bill, a $10 million increase beyond that, which means we will have an increase by $5 million in 3 years, is I think more than warranted, and that is what this amendment is.

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I am grateful for HOPWA's increase this year, but I urge a further increase of $10 million, so it is a net increase of $5 million in 3 years.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I would ask the gentleman from New York if his intention is to withdraw the amendment, as we were led to believe.

Mr. NADLER. Mr. Chairman, I will withdraw the amendment if necessary.

Mr. SWEENEY. It is necessary.

Mr. NADLER. I regret to hear that, but I will withdraw the amendment.

Mr. SWEENEY. Mr. Chairman, I thank the gentleman, and I yield back the balance of my time.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMMUNITY DEVELOPMENT FUND

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, $4,200,000,000, to remain available until September 30, 2009, unless otherwise specified: *Provided*, That of the amount provided, $3,872,580,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the "Act" herein) (42 U.S.C. 5301 et seq.): *Provided further*, That unless explicitly provided for under this heading (except for planning grants provided in the second paragraph and amounts made available under the third paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That $57,420,000 shall be for grants to federally-recognized Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 305 of this Act), up to $3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

Of the amount made available under this heading, $250,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the statement of managers accompanying this Act: *Provided*, That none of the funds provided under this paragraph may be used for program operations: *Provided further*, That, for fiscal years 2005, 2006, and 2007, no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction: *Provided further*, That funds awarded to each grantee under this paragraph shall be matched by 40 percent in funding by each grantee.

Of the amount made available under this heading, $20,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives: *Provided*, That amounts made available under this paragraph shall be provided in accordance with the terms and conditions specified in the statement of managers accompanying this Act: *Provided further*, That funds awarded to each grantee under this paragraph shall be matched by 40 percent in funding by each grantee.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, $1,891,890,000, to remain available until September 30, 2009: *Provided*, That of the total amount provided in this paragraph, up to $41,580,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968, and $9,000,000 shall be available for contracts to provide counseling of prospective HECM borrowers as required by subsection (f) of section 255 of the National Housing Act (12 U.S.C. 1715z–20): *Provided further*, That $3,465,000 shall be transferred to the Working Capital Fund: *Provided further*, That up to $9,900,000 shall be available for technical assistance.

In addition to amounts otherwise made available under this heading, $24,750,000, to remain available until September 30, 2009, for assistance to homebuyers as authorized under title I of the American Dream Downpayment Act.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 95, line 3 strike "September 30, 2009" and insert "December 31, 2009".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the distinguished chairman of the committee, the ranking member, Mr. OLVER, and the chairman of this committee for the hard work that has been done. This truly does go, very briefly, to the American Dream. Interestingly enough, it is a bipartisan dream. It is a commitment that we have made over the years, which is to ensure the opportunity for homeownership for all Americans. This is made possible by the authorizing legislation, the American Dream Downpayment Act, which was a combination of Members, both Republicans and Democrats.

This amendment does a very simple act, and it is an act that we could consume and has a de minimis impact, except for those who are still trying to seek the American Dream. It allows them to do so until December 31, 2009. This amendment extends the availability of funding on the American Dream Downpayment Act for an additional 3 months.

On December 16, 2003, the President signed the American Dream Downpayment Act, a program that provides grants to help home buyers with downpayment and closing costs. The Home Improvement Partnership Program is funded at $1.9 billion in FY 2007, an increase of $159 million, or 9 percent above FY 2006, and equal to the President's request.

Since its inception, the HOME program has assisted more than 300,000 families to become homeowners, 55 percent of whom are minorities. More than two dozen organizations are working to create more than $1 trillion in mortgage financing for minority home buyers.

As we look at the landscape of America, one natural disaster after another, we know that we are in a crisis on either homeownership or the rebuilding of homes. So, Mr. Chairman, I think it is important if we have a program that appears to be working that we give those extra added months in order to help Mr. and Mrs. Jones, Mr. and Mrs. Garcia, Mr. and Mrs. Smith, Mr. and Mrs. Johnson, just Mr. and Mrs. America who are eligible for this program.

I would say to you that because 55 percent are minorities, that means that 45 percent are all of America. This is a 100 percent program that responds to working Americans. The purpose of this program is to increase the homeownership rate, especially, as I indicated, among minority groups, but not limited to such. It gives the opportunity to hardworking Americans, single parents, single individuals, married individuals, and people who want to invest in their community.

It allows communities that have lower rates of homeownership when compared to the national average to be engaged in the home-buying business. It provides them with lower closing costs by approximately $700 per loan in order to stimulate homeownership for all Americans.

About 3 years ago, Mr. Chairman, I had a homeownership fair where 6,000 Houstonians showed up. Six thousand, looking for the opportunity. This amendment is a simple statement that we are committed to homeownership and allows for the homeownership to go forward until December 30, 2009.

Mr. Chairman, I rise to offer an amendment to H.R. 5576, which replaces "September 30, 2009" with "December 31, 2009" as the date where funds made available for the American Dream Down Payment Act are available.

This amendment extends the availability of the funding under the American Dream Down Payment Act for an additional three months.

On December 16, 2003, President George W. Bush signed the American Dream Downpayment Act, a program that provides grants to help home buyers with downpayments and closing costs. The HOME Investment Partnerships Program is funded at $1.92 billion in FY 2007, an amount increase of $159 million (9 percent) above FY 2006 and equal to the President's request.

Since its inception, the HOME Program has assisted more than 300,000 families to become homeowners, 55 percent of which are minorities. More than two dozen organizations are working to create more than $1 trillion in mortgage financing for minority home buyers.

The purpose of the program is to increase the home ownership rate, especially among minority groups, who have lower rates of home ownership when compared to the national average, and to lower closing costs by approximately $700 per loan in order to stimulate home ownership for all Americans.

This amendment will help first-time home-buyers by allowing funds appropriated to be available through December 30, 2009, to coincide with typical lease calendars, and provide increased flexibility for purchasing.

I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I do so in opposition to this amendment which I understand takes part of the program and makes it available into the first quarter of fiscal year 2010. The problem with that is that this adds an unneeded complication to the administration and accounting of the HOME program and is unnecessary since under existing rules, if the funds are obligated on time, they will be available to homeowners during the last quarter of the year.

Mr. Chairman, this causes a great deal of problems in the administration of this program, so I would urge my colleagues to vote "no" on this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, how much time remains?

The Acting CHAIRMAN. The gentlewoman from Texas has 1½ minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me just say to the distinguished chairman that I would like to err on the side of hardworking, taxpaying Americans who have invested their taxes and look forward to a return back home to them.

There are all kinds of complications, and I would suggest that the extra added time frame for this program to be extended would in fact be a plus for hardworking Americans seeking an opportunity for the American Dream. I frankly think the procedural, if you will, barrier can be remedied by this extension and my amendment.

I would ask all of my colleagues, Republicans and Democrats, to invest in the American Dream by voting to extend this particular provision and this particular investment in allowing them to buy the one singular investment that all Americans should have an opportunity to have: young couples, retiring couples, working couples of all races, colors and creeds, and particularly the very positive impact it has on minority Americans.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I have no further speakers and I will close on this side.

Ms. JACKSON-LEE of Texas. Do I have the opportunity to close, Mr. Chairman?

The Acting CHAIRMAN. The gentleman from New York has the right to close.

Ms. JACKSON-LEE of Texas. Not having any other speakers, and you have no other speakers, let me again simply say that 55 percent of the individuals impacted by the American Dream program through the HOME monies are in fact minorities.

Having suffered through the travesty of Katrina, having suffered through Wilma and Rita, we know many are in the process of rebuilding and buying homes. Why not give them the extra added opportunity of a mere 3 months to be able to do what is right for them so that the American Dream is not extinguished because we are selfish on the floor of the House.

I am delighted to ask my colleagues in a bipartisan manner to support the Jackson-Lee amendment to invest in the American Dream for all Americans, and that is to have an opportunity to buy and live in your own home.

I yield back the balance of my time.

Mr. SWEENEY. Mr. Chairman, once again I reiterate the opposition by the committee to this amendment. It is unnecessary and is an unneeded complication. But I would make the final point that already in existing appropriations the problem of the first quarter of next year will be satisfied with $25 million that has been appropriated next year, which will overlap between the 2007 and 2008 cycle, meaning this amendment is not only unnecessary but wouldn't have the impact which is already covered in the bill, in prior bills passed.

I urge my colleagues to vote "no."

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

The Clerk will read.

The Clerk read as follows:

SELF-HELP AND ASSISTED HOMEOWNERSHIP OPPORTUNITY PROGRAM

For the Self-Help and Assisted Homeownership Opportunity Program, $60,390,000, to remain available until September 30, 2009: *Provided*, That of the total amount provided in this heading $21,920,000 shall be made available to the Self Help Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That $32,000,000 shall be made available for capacity building, of which $31,000,000 shall be for capacity building for Community Development and affordable Housing for LISC and the Enterprise Foundation for activities authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997, and $1,000,000 shall be made available for capacity building activities administered by Habitat for Humanity International: *Provided further*, That $3,500,000 shall be made available to the Housing Assistance Council; $1,980,000 shall be available as a grant to the National Housing Development Corporation for operating expenses and a program of affordable housing acquisition and rehabilitation: *Provided further*, That up to $990,000 shall be made available for technical assistance.

HOMELESS ASSISTANCE GRANTS

(INCLUDING TRANSFER OF FUNDS)

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, $1,535,990,000, of which $1,515,990,000 shall remain available until September 30, 2009, and of which $20,000,000 shall remain available until expended: *Provided*, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing: *Provided further*, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: *Provided further*, That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as determined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That up to $10,395,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further*, That $2,475,000 of the funds appropriated under this heading shall be transferred to the Working Capital Fund: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2007.

HOUSING PROGRAMS

PROJECT-BASED RENTAL ASSISTANCE

(INCLUDING TRANSFER OF FUNDS)

For activities and assistance for the provision of project-based subsidy contracts under the United States Housing Act of 1937, as amended (42 U.S.C. 1437 et seq.) ("the Act" herein), not otherwise provided for, $5,475,700,000, to remain available until expended: *Provided*, That the amounts made available under this heading are provided as follows:

(1) $5,326,240,000 for expiring or terminating section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for amendments to section 8 project-based subsidy contracts (including section 8 moderate rehabilitation contracts), for contracts entered into pursuant to section 441 of the McKinney-Vento Homeless Assistance Act, for renewal of section 8 contracts for units in projects that are subject to approved plans of action under the Emergency Low Income Housing Preservation Act of 1987 or the Low-Income Housing Preservation and Resident Homeownership Act of 1990, and for administrative and other expenses associated with project-based activities and assistance funded under this paragraph.

(2) $145,500,000 for performance-based contract administrators for section 8 project-based assistance: *Provided*, That the Secretary may also use such amounts for performance-based contract administrators for: interest reduction payments pursuant to section 236(a) of the National Housing Act (12 U.S.C. 1715z–1(a)); rent supplement payments pursuant to section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s); section 236(f)(2) rental assistance payments (12 U.S.C. 1715z–1(f)(2)); project rental assistance contracts for the elderly under section 202(c)(2) of the Housing Act of 1959, as amended (12 U.S.C. 1701q, 1701q–1); project rental assistance contracts for supportive housing for persons with disabilities under section 811(d)(2) of the Cranston-Gonzalez National Affordable Housing Act; project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667); and loans under section 202 of the Housing Act of 1959 (Public Law 86–372; 73 Stat. 667).

(3) No less than $3,960,000 shall be transferred to the Working Capital Fund.

(4) Amounts recaptured under this heading, the heading "Annual Contributions for Assisted Housing", or the heading "Housing Certificate Fund" may be used for renewals of or amendments to section 8 project-based contracts or for performance-based contract administrators, notwithstanding the purposes for which such amounts were appropriated.

HOUSING FOR THE ELDERLY

(INCLUDING TRANSFER OF FUNDS)

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, $734,580,000, to remain available until September 30, 2010, of which amount up to $603,900,000 shall be for capital advance and project-based rental assistance awards, of which amount up to $59,400,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which amount up to $24,750,000 shall be for grants under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary: *Provided*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance projects: *Provided further*, That no less than $1,980,000 of the total amount made available under this heading shall be transferred to the Working Capital Fund: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

AMENDMENT OFFERED BY MS. HARRIS

Ms. HARRIS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HARRIS:

Page 100, line 18, after the dollar amount, insert the following: "(increased by $12,000,000)".

Page 102, line 3, after the dollar amount, insert the following: "(increased by $3,000,000)".

Page 111, line 3, after the first dollar amount, insert the following: "(reduced by $12,000,000)".

Page 195, line 4, after the dollar amount, insert the following: "(reduced by $3,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Florida (Ms. HARRIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. HARRIS. Mr. Chairman, I rise today to address an affordable housing crisis facing this Nation's most vulnerable populations.

Let me begin by recognizing the work of Chairman KNOLLENBERG and the committee in crafting this bill. In particular, I commend the committee's work in addressing critical housing needs. However, I rise today to offer an amendment to strengthen an extremely important housing program for our Nation's low-income seniors and persons with disabilities.

HUD's section 202 Supportive Housing for the Elderly Program funds capital development grants and rental assistance contracts for nonprofit housing sponsors to develop and maintain housing.

Since its inception in 1959, the program has demonstrated how a successful partnership between public-private entities can maximize efficiency and quality of a Federal housing program as well as enhancing the sense of independence and self-reliance so important to the mental health of our seniors.

HUD's section 811, Disabled Housing Program, is the only HUD program that offers accessible and affordable supportive housing for nonelderly, low-income persons with disabilities. The program provides safe and affordable housing for people with the most severe disabilities who rely on SSI income of $600 or less per month.

Funds in this program are used to develop and improve fully wheelchair-accessible units of permanent supportive housing and to foster the integration of citizens with disabilities into open housing rather than confining them to nursing homes, public institutions, or imposing them on families and friends.

The section 811 program is supported by groups including the United Cerebral Palsy Association, the National Alliance for the Mentally Ill, and the Arc of the United States.

As importantly, the restoration of funds would be offset by $12 million reductions in Housing and Urban Development Management and Administration and $3 million in General Services

Administration costs, so there is no additional cost to America's taxpayers. In fact, CBO scores this amendment as a net outlay savings of $11 million.

Mr. Chairman, my amendment would not bust the budget, nor would it expand the size of government. Simply put, it would increase the opportunities available to seniors and the disabled to find the affordable, safe and secure housing that they deserve. I strongly encourage my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, while I recognize that the gentlewoman from Florida has great intentions here, this bill, as we have said, is all about choosing priorities and making some difficult choices. The proposed reduction in HUD S&E funds, combined with the need to absorb a one-half percent increase in the Federal pay raise, will necessitate a further reduction in HUD's staffing level of several hundred full-time equivalent staff positions, making it more difficult for HUD to provide sufficient oversight and risk management in its significant housing and community development program delivery.

Regarding the cuts to GSA, I make note that we are at the start of the hurricane season, and these funds that would be cut support the Office of Citizen Services and Communications, the Nation's focal point for information and services offered by the Federal Government. This infrastructure has been a resource in the time of crisis or unexpected events, most recently as a means to provide valuable information to citizens after Hurricane Katrina. Reductions could impact the hours of operation of our call centers for victims of hurricanes this year.

These accounts also fund GSA's real and personal property utilization and disposal programs from which we transfer assets no longer needed by the Federal Government to State and local governments and nonprofit organizations, saving millions of dollars.

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Cutting these funds delays in transferring properties to eligible recipients and delays in generating sales proceeds from disposal actions.

The amendment would cut funds for the Office of Governmentwide Policy, which carries out various policy functions assigned by Congress that is separate from GSA's operations. For example, these are the folks who set per diem rates and travel policy for government employees.

Mr. Chairman, cutting GSA operating expenses is the surest way to bring the operations of the Federal Government to a grinding halt. And while "government" bashing may be popular with many folks, we found out with the devastating hurricane season last year that many citizens want their government to respond to them in times of need. I ask Members to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. HARRIS. Mr. Chairman, I yield myself the balance of my time.

I want to commend the chairman for the bill which addresses important issues, including transportation, the war on drugs and Judiciary, and critical housing needs.

I acknowledge that there are robust funding levels for these programs in the underlying bill. However, our Nation's seniors in their golden years deserve access to affordable housing. We owe it to persons with disabilities to provide them with the opportunity to live their lives to the fullest.

This additional $15 million for these important programs is judicious from budgets of tens of hundreds of millions of dollars. But nonetheless, Congress must demonstrate its resolve to forthrightly pursue these important and noble goals.

I strongly urge my colleagues to step up and show your commitment to tackle the affordable housing crisis facing our Nation's most vulnerable citizens such as our seniors and persons with disabilities.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Florida (Ms. HARRIS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. HARRIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

Page 101, line 9 after "Fund;", "*Provided further*, that all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants".

Mr. SWEENEY. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

I offer my appreciation to the ranking member, Mr. OLVER, and Mr. KNOLLENBERG, and of course the chairman and the ranking member of the full committee.

This is a difficult task, but as I stand here today, I argue that it is a difficult posture to be in, to be elderly in America and to be without housing. We have already heard the stories about the choices that our elderly citizens have to make, sometimes between food, prescription drugs and, of course, housing.

In my own community in Houston as we are hosting thousands of Hurricane Katrina survivors, we have found the most vulnerable to be senior citizens, individuals who are without income or a future in terms of the work world and need to have some housing.

This is a simple amendment. This amendment says all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants. Who could be against this simple statement?

I would ask my colleagues on the other side of the aisle to consider the vast numbers of the growing population of elderly, and let's try to do something about their plight.

In the year 2000, the elderly made up 12.4 percent of the population. The total number of elderly increased 12 percent from 1990 to the U.S. Census in 2000. More than 7.4 million elderly households pay more than they can afford for their housing. The number of elderly rental households rose to 1.2 million between 1999 and 2001, an increase of 14 percent.

This extension or this compliance with the idea of having elderly housing remain available for rental I think is a statement that responds to the changing demographics of America, the problems of low-income seniors facing multiyear housing assistance. Waiting lists are exacerbated by the shrinking supply of suitable, affordable housing as some owners convert existing units to market-rate housing.

Ask the many cities across America and the rural areas how many thousands of individuals are on the Section 8 housing, if you will, and they will respond thousands. And many of them are senior citizens. Nearly 21 percent of elderly 65 and older reported not being able to afford moderately priced housing in the area in which they live. Of those individuals, 79 percent of those renting housing reported not being able to afford rent prices in their own areas.

What can we do about it? We can simply acknowledge the fact that tenant-based housing should be available for the elderly. Thirty-four percent of older African American households and 41 percent of older Hispanic households rent their household, compared with only 19 percent of older white households. There is a population for rental assistance for the elderly, and particularly in view of the evacuation, the largest evacuation we can ever have imagined following Hurricanes Katrina, Rita and Wilma.

This is an important amendment that I hope my colleagues would support. But more importantly, I hope my dear friend would yield to waiving the point of order so this amendment might be able to be passed by this body.

Mr. Chairman, I rise to offer an amendment to H.R. 5576 that emphasizes that all tenant-based assistance made available under this heading shall continue to remain available to all eligible elderly applicants.

In the year 2000, the elderly made up 12.4 percent of the population. The total number of elderly increased 12 percent from 1990 (U.S. Census 2000).

More than 7.4 million elderly households pay more than they can afford for their housing. The number of elderly rental households with worst-case housing needs rose to 1.2 million between 1999 and 2001, an increase of 14 percent.

The problems of low income seniors facing multi-year housing assistance waiting lists is only exacerbated by the shrinking supply of suitable, affordable housing as some owners convert existing units to market-rate housing.

Nearly 21 percent of elderly 65 and over reported not being able to afford moderately priced housing in the areas in which they live. Of those individuals, 79 percent of those renting housing reported not being able to afford rent prices in their areas. (U.S. Census 1995, Housing Affordability)

Thirty-four percent of older African American households and 41 percent of older Hispanic households were renter households, compared with only 19 percent of older white households. (1995 American Housing Survey)

Approximately 19 percent of elderly African American and 11 percent of older Hispanic households reported moderate or severe problems regarding the physical condition of their housing units.

New tools are needed to help preserve these units and to provide the supportive services that are so necessary for an aging population.

Housing for the Elderly and Housing for Persons with Disabilities are funded at the FY 2006 levels of $735 million and $237 million respectively. The President's budget cut Elderly Housing by $190 million (26 percent) and Housing for Persons with Disabilities by $118 million (50 percent).

This amendment emphasizes the intent of the funding under this heading to assist the elderly, only and specifically the elderly, with rental housing.

I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. SWEENEY. I do, Mr. Chairman.

POINT OF ORDER

Mr. SWEENEY. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "An amendment to a general appropriations bill shall not be in order if changing existing law." The amendment is not merely perfecting and adds additional legislation.

I ask for a ruling from the Chair.

The Acting CHAIRMAN. Does the gentlewoman from Texas wish to be heard on the point of order?

Ms. JACKSON-LEE of Texas. Am I able to speak after the ruling of Chair on the point of order?

The Acting CHAIRMAN. The gentlewoman may speak in advance of the ruling by the Chair.

Ms. JACKSON-LEE of Texas. Mr. Chairman, let me simply say that I have asked respectfully for the opposing side, for the Republicans, to acknowledge the plight of the elderly, and the percentage of them who are suffering without having the ability to have housing.

The Acting CHAIRMAN. The gentlewoman must confine her remarks to the point of order.

Ms. JACKSON-LEE of Texas. My position is that the enormity of the need warrants a waiver of the point of order, and I would ask the majority to waive the point of order so the elderly might be served in rental housing so the choice they make is not health care or housing.

I ask for a ruling from the Chair in favor of my amendment.

The Acting CHAIRMAN. The paragraph to which the amendment has been offered is a legislative provision permitted to remain under the rule.

The amendment offered by the gentlewoman from Texas proposes not merely to perfect the language permitted to remain but to add additional legislation thereto; namely, a requirement that certain housing assistance remain available.

The amendment therefore constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

HOUSING FOR PERSONS WITH DISABILITIES

(INCLUDING TRANSFER OF FUNDS)

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act, for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, $236,610,000 to remain available until September 30, 2010: *Provided*, That no less than $990,000 shall be transferred to the Working Capital Fund: *Provided further*, That, of the amount provided under this heading up to $74,745,000 shall be for amendments or renewal of tenant-based assistance contracts: *Provided further*, That all tenant-based assistance made available under this heading shall continue to remain available only to persons with disabilities: *Provided further*, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That amounts made available under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 811 Capital Advance Projects.

OTHER ASSISTED HOUSING PROGRAMS

RENTAL HOUSING ASSISTANCE

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–1) in State-aided, non-insured rental housing projects, $24,750,000, to remain available until expended.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to $16,000,000 to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That for the dispute resolution and installation programs, the Secretary may assess and collect fees and charges from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, subject to amounts made available under this heading, may use such collections, as well as fees collected under such section 620, for necessary expenses of such Act: *Provided further*, That in addition to amounts made available under this heading, and notwithstanding the requirements of such section 620, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services: *Provided further*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2007 so as to result in no final fiscal year 2007 appropriation from the general fund, and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2007 appropriation.

FEDERAL HOUSING ADMINISTRATION

MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2007, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of $185,000,000,000.

During fiscal year 2007, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed $50,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative expenses necessary to carry out the guaranteed and direct loan program, $351,450,000, of which not to exceed $347,490,000 shall be transferred to the appropriation for "Salaries and expenses"; and not to exceed $3,960,000 shall be transferred to the appropriation for "Office of Inspector General". In addition, for administrative contract expenses, $52,400,000, of which no less than $23,562,000 shall be transferred to the Working Capital Fund, and of which up to $10,000,000 may be for education and outreach of FHA single family loan products: *Provided*, That to the extent guaranteed loan commitments exceed $65,500,000,000 on or before April 1, 2007, an additional $1,400 for administrative contract expenses shall be available for each $1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below $1,000,000), but in no case shall funds made available by this proviso exceed $30,000,000.

GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z–3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, $8,600,000, to remain available until expended: *Provided*, That commitments to guarantee loans shall not exceed $35,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National Housing Act, shall not exceed $50,000,000, of which not to exceed $30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed $20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

In addition, for administrative expenses necessary to carry out the guaranteed and direct loan programs, $229,086,000, of which $209,286,000 shall be transferred to the appropriation for "Salaries and Expenses"; and of which $19,800,000 shall be transferred to the appropriation for "Office of Inspector General".

In addition, for administrative contract expenses necessary to carry out the guaranteed and direct loan programs, $72,778,000, of which no less than $10,692,000 shall be transferred to the Working Capital Fund.

GOVERNMENT NATIONAL MORTGAGE ASSOCIATION

GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN GUARANTEE PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed $100,000,000,000, to remain available until September 30, 2008.

For administrative expenses necessary to carry out the guaranteed mortgage-backed securities program, $10,700,000, to be derived from the GNMA guarantees of mortgage-backed securities guaranteed loan receipt account, of which not to exceed $10,700,000, shall be transferred to the appropriation for "Salaries and Expenses".

POLICY DEVELOPMENT AND RESEARCH

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, $55,787,000, to remain available until September 30, 2008: *Provided*, That of the total amount provided under this heading, $5,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative: *Provided further*, That of the amounts made available for PATH under this heading, $2,500,000 shall not be subject to the requirements of section 305 of this title: *Provided further*, That of the funds made available under this heading, $20,394,000 is for grants pursuant to section 107 of the Housing and Community Development Act of 1974, as amended: *Provided further*, That activities for the Partnership for Advancing Technology in Housing Initiative shall be administered by the Office of Policy Development and Research for Alaska Native serving institutions and Native Hawaiian serving institutions as defined under the Higher Education Act as amended, tribal colleges and universities, the Historically Black Colleges and Universities program, and the Hispanic Serving Institutions Programs.

FAIR HOUSING AND EQUAL OPPORTUNITY

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, $44,550,000, to remain available until September 30, 2008, of which $18,800,000 shall be to carry out activities pursuant to such section 561: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, $114,840,000, to remain available until September 30, 2008, of which $8,712,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan (LEAP), or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That not less than 90 percent of the funds made available under this paragraph shall be used exclusively for abatement, inspections, risk assessments, temporary relocations and interim control of lead-based hazards as defined by 42 U.S.C. 4851: *Provided further*, That each recipient of funds provided under the first proviso shall make a matching contribution in an amount not less than 25 percent: *Provided further*, That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a Notice of Funding Availability.

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. SLAUGHTER:

Page 109, line 14, after the dollar amount, insert the following: "(increased by $35,000,000)".

Page 111, line 3, after the first dollar amount, insert the following: "(reduced by $35,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from New York (Ms. SLAUGHTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. SLAUGHTER. Mr. Chairman, I would like to ask a favor. Mr. TERRY and I want to split this 5 minutes exactly in half, and so if you would be kind enough to tell me when my time is up.

The Acting CHAIRMAN. The gentlewoman is recognized for 2½ minutes.

Ms. SLAUGHTER. Mr. Chairman, I rise today in strong support of the Slaughter-Velázquez-Terry amendment to restore funding to HUD's critically important Office of Lead Hazard Control.

This funding is necessary if we ever hope to eradicate childhood lead poisoning by 2010, a imperative national goal. HUD's Office of Lead Hazard Control provides grants to cities and States working to correct serious lead hazards in low income and high-risk homes. The grants are targeted to help the most vulnerable of our citizens, children under the age of 6.

Mr. Chairman, this is not an isolated problem. Lead poisoning affects nearly 434,000 American children each year between the ages of 1 and 5, and it is unacceptable. High blood levels in children have been linked to asthma, brain damage, hearing loss, hyperactivity and environmental delays. We must not let that happen to our children. In extreme cases, exposure to lead has caused seizures, comas and death.

In my district alone, over 2,000 children fall victim to lead poisoning each year. Over 50 percent of the homes in Niagara and Erie Counties were built before 1950 and are likely to contain lead paint. In Erie County, 1,000 children will be found to have unsafe lead levels.

A $1.5 million lead hazard control grant that went to the City of Buffalo has been essential in local efforts to protect the children from lead poisoning.

The City of Rochester is among the top 10 U.S. cities with the worst lead paint problems. In 2004, 900 children in Monroe County were exposed to lead poisoning. To combat the problem, Monroe County and the City of Rochester have worked together using funding from HUD's lead hazard control grant to make nearly 300 housing units lead free and safe for children.

Lead hazard control grants work, but they are threatened by a lack of funding. In fiscal year 2006, the Office of Lead Hazard Control received $1.548 million, and that is $16 million less than in 2005. The 2007 appropriations bill makes it worse and cuts it more by $35 million. The need far outpaces the resources and slashing the funding will significantly jeopardize the progress we have made.

I urge Members to support the Slaughter-Velázquez-Terry amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I rise in opposition.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I recognize noble intentions are at work here, but I am very opposed to increasing this program at the expense of other critical programs, and there are a number of reasons.

The committee mark fully funds the amount requested by the administration and fully funds the program that has been in place for the past decade. These funds go to State and local governments to abate lead-based paint in homes that will not be restored through privately funded modernization or resale.

Three years ago the Senate began a new demonstration program and added between $50 and $75 million in additional funds. The House has not included these funds in subsequent years, and the Senate has attempted to continue the demonstration program each year. They may well try to do it again.

The committee is simply not in a position to absorb a $35 million increase in funding for this demonstration program at the expense of other programs that are being funded at the 2005 level or below.

Once again, the proposed reduction in S&E funds, combined with the need to absorb a one-half percent increase in the Federal pay raise, will necessitate a further reduction in HUD's staffing level of several hundred full-time equivalent staff positions, making it more difficult for HUD to provide sufficient oversight and risk management in its significant housing and community development program delivery.

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Therefore, Mr. Chairman, I would urge a "no" vote on this amendment.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Chairman, I yield the remaining time to Mr. TERRY.

The Acting CHAIRMAN. The gentleman from Nebraska is recognized for 2½ minutes.

Mr. TERRY. Mr. Chairman, I thank the gentlewoman from New York for not only sponsoring this, but yielding me the time.

I rise in support of this amendment as a coauthor, cosponsor of this important amendment. What this amendment does is it restores $35 million to help States combat childhood lead poisoning.

I happen to represent a district where a significant geographical portion has been declared a Superfund site because of lead contamination. Although the lead contamination in the soil is a different issue and a different agency, the reality is one agency, EPA, cleans up the yards from lead contamination. What they are finding is that part of the contamination is also from the lead-based paint from the outside or exterior of the home. At the same time, we have the lead paint interior issues in these older, poorer parts of my city. So what happens is we clean up one area and leave other contaminated areas. It makes sense that we do a more holistic approach and clean up lead paint at the same time in those homes.

But, unfortunately, the fund that deals with the lead paint for houses has been cut. This program has already fallen from a previous level of $175 million in fiscal year 2003. This appropriations bill under consideration today would further cut the funding from $150 million in fiscal year 2006 to about $115 million in fiscal year 2007. I realize the budget is tight, and we try to take this out of the administrative salary side so we don't have to take it out of the programs that Mr. SWEENEY had referenced.

This is important to the health and safety of children in many inner-city urban areas, and I respectfully request my colleagues support this amendment.

Mr. SWEENEY. Mr. Chairman, let me just conclude by reiterating my remarks that this is, as Mr. TERRY pointed out, a year of very tough budget numbers. But not only that, we need to control our spending here.

The committee understands that, but also understands that it needs to meet other priorities. The mark fully funds the amount requested by the administration and fully funds the program that has been in place the past decade. The cuts that are proposed as offsets would be too substantial to absorb in the other programs. It would have a devastating impact.

I would urge our colleagues to vote "no."

Ms. VELÁZQUEZ. Mr. Chairman, lead paint hazards still threaten communities with exposure to toxins in the home triggering asthma at a great cost to American families and the national economy. Those most vulnerable are low-income and minority children living in older, substandard housing.

Despite these facts and the continued bipartisan support for HUD's lead hazard control grants, this bill cuts funding by approximately $35 million. With only one-third of the HUD requests from cities and States being funded, these cuts would only further jeopardize the health and safety of children and families across the Nation.

I, therefore, rise today to urge you to support the Slaughter-Velázquez-Terry amendment which restores funds for this critical program that will help with prevention efforts and move us closer to the national goal of eradicating lead poisoning altogether. Last year, a similar amendment passed the House with bipartisan support.

Voting for this amendment will ensure that children and families nationwide will have a safe place to call home, free from the worry of harm from household toxins.

Mr. SWEENEY. I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. SLAUGHTER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York will be postponed.

The Clerk will read.

The Clerk read as follows:

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary administrative and non-administrative expenses of the Department of Housing and Urban Development, not otherwise provided for, including purchase of uniforms, or allowances therefore, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $25,000 for official reception and representation expenses, $1,141,117,000, of which $556,776,000 shall be provided from the various funds of the Federal Housing Administration, $10,700,000 shall be provided from funds of the Government National Mortgage Association, $148,500 shall be provided by transfer from the "Native American housing block grants" account, $247,500 shall be provided by transfer from the "Indian housing loan guarantee fund program" account and $35,000 shall be transferred from the "Native Hawaiian housing loan guarantee fund" account: *Provided*, That funds made available under this heading shall only be allocated in the manner specified in the statement of the managers accompanying this Act unless the Committees on Appropriations of both the House of Representatives and the Senate are notified of any changes in an operating plan or reprogramming: *Provided further*, That no official or employee of the Department shall be designated as an allotment holder unless the Office of the Chief Financial Officer (OCFO) has determined that such allotment holder has implemented an adequate system of funds control and has received training in funds control procedures and directives: *Provided further*, That the Chief Financial Officer shall establish positive control of and maintain adequate systems of accounting for appropriations and other available funds as required by 31 U.S.C. 1514: *Provided further*, That for purposes of funds control and determining whether a violation exists under the Anti-Deficiency Act (31 U.S.C. 1341 et seq.), the point of obligation shall be the executed agreement or contract, except with respect to insurance and guarantee programs, certain types of salaries and expenses funding, and incremental funding that is authorized under an executed agreement or contract, and shall be designated in the approved funds control plan: *Provided further*, That the Chief Financial Officer shall: (1) appoint qualified personnel to conduct investigations of potential or actual violations; (2) establish minimum training requirements and other qualifications for personnel that may be appointed to conduct investigations; (3) establish guidelines and timeframes for the conduct and completion of investigations; (4) prescribe the content, format and other requirements for the submission of final reports on violations; and (5) prescribe such additional policies and procedures as may be required for conducting investigations of, and administering, processing, and reporting on, potential and actual violations of the Anti-Deficiency Act and all other statutes and regulations governing the obligation and expenditure of funds made available in this or any other Act: *Provided further*, That up to $15,000,000 may be transferred to the Working Capital Fund: *Provided further*, That the Secretary shall fill 7 out of 10 vacancies at the GS-14 and GS–15 levels until the total number of GS–14 and GS–15 positions in the Department has been reduced from the number of GS–14 and GS–15 positions on the date of enactment of Public Law 106–377 by 2½ percent.

WORKING CAPITAL FUND

(INCLUDING TRANSFER OF FUNDS)

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related development activities, $100,000,000, to remain available until September 30, 2008: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $107,000,000, of which $23,760,000 shall be provided from the various funds of the Federal Housing Administration: *Provided*, That the Inspector General shall have independent authority over all personnel issues within this office.

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For carrying out the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, including not to exceed $500 for official reception and representation expenses, $62,000,000, to remain available until expended, to be derived from the Federal Housing Enterprises Oversight Fund: *Provided*, That the Director shall submit a spending plan for the amounts provided under this heading no later than January 15, 2007: *Provided further*, That not less than 80 percent of the total amount made available under this heading shall be used only for examination, supervision, and capital oversight of the enterprises (as such term is defined in section 1303 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4502)) to ensure that the enterprises are operating in a financially safe and sound manner and complying with the capital requirements under subtitle B of such Act: *Provided further*, That not to exceed the amount provided herein shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund: *Provided further*, That the general fund amount shall be reduced as collections are received during the fiscal year so as to result in a final appropriation from the general fund estimated at not more than $0.

ADMINISTRATIVE PROVISIONS

(INCLUDING RESCISSION)

SEC. 301. Fifty percent of the amounts of budget authority, or in lieu thereof 50 percent of the cash amounts associated with such budget authority, that are recaptured from projects described in section 1012(a) of the Stewart B. McKinney Homeless Assistance Amendments Act of 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the case of cash, shall be remitted to the Treasury, and such amounts of budget authority or cash recaptured and not rescinded or remitted to the Treasury shall be used by State housing finance agencies or local governments or local housing agencies with projects approved by the Secretary of Housing and Urban Development for which settlement occurred after January 1, 1992, in accordance with such section. Notwithstanding the previous sentence, the Secretary may award up to 15 percent of the budget authority or cash recaptured and not rescinded or remitted to the Treasury to provide project owners with incentives to refinance their project at a lower interest rate.

SEC. 302. None of the amounts made available under this Act may be used during fiscal year 2007 to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons, including the filing or maintaining of a nonfrivolous legal action, that is engaged in solely for the purpose of achieving or preventing action by a Government official or entity, or a court of competent jurisdiction.

SEC. 303. (a) Notwithstanding section 854(c)(1)(A) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)(1)(A)), from any amounts made available under this title for fiscal year 2007 that are allocated under such section, the Secretary of Housing and Urban Development shall allocate and make a grant, in the amount determined under subsection (b), for any State that—

(1) received an allocation in a prior fiscal year under clause (ii) of such section; and

(2) is not otherwise eligible for an allocation for fiscal year 2007 under such clause (ii) because the areas in the State outside of the metropolitan statistical areas that qualify under clause (i) in fiscal year 2007 do not have the number of cases of acquired immunodeficiency syndrome (AIDS) required under such clause.

(b) The amount of the allocation and grant for any State described in subsection (a) shall be an amount based on the cumulative number of AIDS cases in the areas of that State that are outside of metropolitan statistical areas that qualify under clause (i) of such section 854(c)(1)(A) in fiscal year 2007, in proportion to AIDS cases among cities and States that qualify under clauses (i) and (ii) of such section and States deemed eligible under subsection (a).

(c) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of New York, New York, on behalf of the New York-Wayne-White Plains, New York-New Jersey Metropolitan Division (hereafter "metropolitan division") of the New York-Newark-Edison, NY-NJ-PA Metropolitan Statistical Area, shall be adjusted by the Secretary of Housing and Urban Development by: (1) allocating to the City of Jersey City, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Hudson County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS; and (2) allocating to the City of Paterson, New Jersey, the proportion of the metropolitan area's or division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan area or division that is located in Bergen County and Passaic County, New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The recipient cities shall use amounts allocated under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in their respective portions of the metropolitan division that is located in New Jersey.

(d) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to areas with a higher than average per capita incidence of AIDS, shall be adjusted by the Secretary on the basis of area incidence reported over a three year period.

SEC. 304. During fiscal year 2007, in the provision of rental assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) in connection with a program to demonstrate the economy and effectiveness of providing such assistance for use in assisted living facilities that is carried out in the counties of the State of Michigan notwithstanding paragraphs (3) and (18)(B)(iii) of such section 8(o), a family residing in an assisted living facility in any such county, on behalf of which a public housing agency provides assistance pursuant to section 8(o)(18) of such Act, may be required, at the time the family initially receives such assistance, to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such a percentage or amount as the Secretary of Housing and Urban Development determines to be appropriate.

SEC. 305. Except as explicitly provided in law, any grant, cooperative agreement or other assistance made pursuant to title III of this Act shall be made on a competitive basis and in accordance with section 102 of the Department of Housing and Urban Development Reform Act of 1989.

SEC. 306. Funds of the Department of Housing and Urban Development subject to the Government Corporation Control Act or section 402 of the Housing Act of 1950 shall be available, without regard to the limitations on administrative expenses, for legal services on a contract or fee basis, and for utilizing and making payment for services and facilities of the Federal National Mortgage Association, Government National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Financing Bank, Federal Reserve banks or any member thereof, Federal Home Loan banks, and any insured bank within the meaning of the Federal Deposit Insurance Corporation Act, as amended (12 U.S.C. 1811–1831).

SEC. 307. Unless otherwise provided for in this Act or through a reprogramming of funds, no part of any appropriation for the Department of Housing and Urban Development shall be available for any program, project or activity in excess of amounts set forth in the budget estimates submitted to Congress.

SEC. 308. Corporations and agencies of the Department of Housing and Urban Development which are subject to the Government Corporation Control Act, as amended, are hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of such Act as may be necessary in carrying out the programs set forth in the budget for 2007 for such corporation or agency except as hereinafter provided: *Provided*, That collections of these corporations and agencies may be used for new loan or mortgage purchase commitments only to the extent expressly provided for in this Act (unless such loans are in support of other forms of assistance provided for in this or prior appropriations Acts), except that this proviso shall not apply to the mortgage insurance or guaranty operations of these corporations, or where loans or mortgage purchases are necessary to protect the financial interest of the United States Government.

SEC. 309. None of the funds provided in this title for technical assistance, training, or management improvements may be obligated or expended unless HUD provides to the Committees on Appropriations a description of each proposed activity and a detailed budget estimate of the costs associated with each program, project or activity as part of the budget justifications. For fiscal year 2007, HUD shall transmit this information to the Committees by March 15, 2007 for 30 days of review.

SEC. 310. The Secretary of Housing and Urban Development shall provide quarterly reports to the House and Senate Committees on Appropriations regarding all uncommitted, unobligated, recaptured and excess funds in each program and activity within the jurisdiction of the Department and shall submit additional, updated budget information to these Committees upon request.

SEC. 311. (a) Notwithstanding any other provision of law, the amount allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), to the City of Wilmington, Delaware, on behalf of the Wilmington, Delaware-Maryland-New Jersey Metropolitan Division (hereafter "metropolitan division"), shall be adjusted by the Secretary of Housing and Urban Development by allocating to the State of New Jersey the proportion of the metropolitan division's amount that is based on the number of cases of AIDS reported in the portion of the metropolitan division that is located in New Jersey, and adjusting for the proportion of the metropolitan division's high incidence bonus if this area in New Jersey also has a higher than average per capita incidence of AIDS. The State of New Jersey shall use amounts allocated to the State under this subsection to carry out eligible activities under section 855 of the AIDS Housing Opportunity Act (42 U.S.C. 12904) in the portion of the metropolitan division that is located in New Jersey.

(b) Notwithstanding any other provision of law, the Secretary of Housing and Urban Development shall allocate to Wake County, North Carolina, the amounts that otherwise would be allocated for fiscal year 2007 under section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)) to the City of Raleigh, North Carolina, on behalf of the Raleigh-Cary, North Carolina Metropolitan Statistical Area. Any amounts allocated to Wake County shall be used to carry out eligible activities under section 855 of such Act (42 U.S.C. 12904) within such metropolitan statistical area.

(c) Notwithstanding section 854(c) of the AIDS Housing Opportunity Act (42 U.S.C. 12903(c)), the Secretary of Housing and Urban Development may adjust the allocation of the amounts that otherwise would be allocated for fiscal year 2007 under section 854(c) of such Act, upon the written request of an applicant, in conjunction with the State(s), for a formula allocation on behalf of a metropolitan statistical area, to designate the State or States in which the metropolitan statistical area is located as the eligible grantee(s) of the allocation. In the case that a metropolitan statistical area involves more than one State, such amounts allocated to each State shall be in proportion to the number of cases of AIDS reported in the portion of the metropolitan statistical area located in that State. Any amounts allocated to a State under this section shall be used to carry out eligible activities within the portion of the metropolitan statistical area located in that State.

SEC. 312. The Department of Housing and Urban Development shall submit the Department's fiscal year 2007 congressional budget justifications to the Committees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 313. That incremental vouchers previously made available under the heading "Housing Certificate Fund" or renewed under the heading, "Tenant-Based Rental Assistance," for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 314. A public housing agency or such other entity that administers Federal housing assistance in the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public housing agency or other entity that administers Federal housing assistance under section 8 in the States of Alaska, Iowa and Mississippi shall establish an advisory board of not less than 6 residents of public housing or recipients of section 8 assistance to provide advice and comment to the public housing agency or other administering entity on issues related to public housing and section 8. Such advisory board shall meet not less than quarterly.

SEC. 315. The funds made available for Native Alaskans under the heading "Native American Housing Block Grants" in title III of this Act shall be allocated to the same Native Alaskan housing block grant recipients that received funds in fiscal year 2005.

SEC. 316. No funds provided under this title may be used for an audit of the Government National Mortgage Association that makes applicable requirements under the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

SEC. 317. Incremental vouchers previously made available under the heading, "Housing Certificate Fund" or renewed under the heading, "Tenant-Based Rental Assistance", for family unification shall, to the extent practicable, continue to be provided for family unification.

SEC. 318. Notwithstanding any other provision of law, the recipient of a grant under section 202b of the Housing Act of 1959 (12 U.S.C. 1701q-2) after December 26, 2000, in accordance with the unnumbered paragraph at the end of section 202b(b) of such Act, may, at its option, establish a single-asset nonprofit entity to own the project and may lend the grant funds to such entity, which may be a private nonprofit organization described in section 831 of the American Homeownership and Economic Opportunity Act of 2000.

SEC. 319. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child; and

(6) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher

Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002)), shall be considered income to that individual, except for a person over the age of 23 with dependent children.

(c) Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue final regulations to carry out the provisions of this section.

SEC. 320. The Secretary of Housing and Urban Development shall give priority consideration to applications from the housing authorities of the Counties of San Bernardino and Santa Clara and the City of San Jose, California to participate in the Moving to Work Demonstration Agreement under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134, April 26, 1996): *Provided*, That upon turnover, existing requirements on the re-issuance of Section 8 vouchers shall be maintained to ensure that not less than 75 percent of all vouchers shall be made available to extremely low-income families.

SEC. 321. The Secretary of Housing and Urban Development may, notwithstanding any other provision of law, approve additional Moving to Work Demonstration Agreements, which are entered into between a public housing agency and the Secretary under section 204, title V, of the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (Public Law 104–134, April 26, 1996), but at no time may the number of active Moving to Work Demonstration Agreements exceed 32.

SEC. 322. For fiscal year 2007 and every fiscal year thereafter any obligated balances of contract authority or any obligated balances derived from contract authority from fiscal year 1974 and prior years shall be deobligated and cancelled upon contract expiration or termination.

SEC. 323. Notwithstanding any other provision of law, in fiscal year 2007, in managing and disposing of any multifamily property that is owned or held by the Secretary and is occupied primarily by elderly or disabled families, the Secretary of Housing and Urban Development shall maintain any rental assistance payments under section 8 of the United States Housing Act of 1937 that are attached to any dwelling units in the property. To the extent the Secretary determines that such a multifamily property owned or held by the Secretary is not feasible for continued rental assistance payments under such section 8, the Secretary may, in consultation with the tenants of that property, contract for project-based rental assistance payments with an owner or owners of other existing housing properties or provide other rental assistance.

SEC. 324. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to develop or impose policies or procedures, including an account structure, that subjects the Government National Mortgage Association to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.). This section shall not be construed to exempt that entity from credit subsidy budgeting or from budget presentation requirements previously adopted.

SEC. 325. (a) Paragraph (2) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(2)) is amended—

(1) in subparagraph (A)—

(A) by striking the subparagraph designation and all that follows through the end of clause (i) and inserting the following:

"(A) not to exceed the lesser of—

"(i) the median house price in the area, as determined by the Secretary; or";

(B) in clause (ii)—

(i) by striking "87 percent of";

(ii) by striking "for Fiscal Year" and inserting a comma; and

(iii) by striking "48 percent" and inserting "65 percent"; and

(2) by striking subparagraph (B) and inserting the following:

"(B) not to exceed the appraised value of the property, plus any initial service charges, appraisal, inspection and other fees in connection with the mortgage as approved by the Secretary.";

(b) Paragraph (9) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(9) is amended by striking the paragraph designation and all that follows through "*Provided further*, That for" and inserting the following:

"(9) Be executed by a mortgagor who shall have paid on account of the property, in cash or its equivalent, an amount, if any, as the Secretary may determine based on factors determined by the Secretary and commensurate with the likelihood of default. For".

(c) Section 203(c) of the National Housing Act (12 U.S.C. 1709(c)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by striking "Notwithstanding" and inserting "Except as provided in paragraph (3) and notwithstanding"; and

(2) by adding at the end the following new paragraph:

"(3) FLEXIBLE RISK-BASED PREMIUMS.—

"(A) IN GENERAL.—For any mortgage insured by the Secretary under this title that is secured by a 1- to 4-family dwelling and for which the loan application is received by the mortgagor on or after October 1, 2006, the Secretary may establish a mortgage insurance premium structure involving a single premium payment collected prior to the insurance of the mortgage or periodic payments, or both, without regard to any maximum or minimum premium amounts set forth in this subsection. The rate of premium for such a mortgage may vary during the mortgage term as long as the basis for determining the variable rate is established before the execution of the mortgage. The Secretary may change a premium structure established under this subparagraph but only to the extent that such change is not applied to any mortgage already executed.

"(B) ESTABLISHMENT AND ALTERATION OF PREMIUM STRUCTURE.—A premium structure shall be established or changed under subparagraph (A) only by providing notice to mortgagees and to the Congress, at least 30 days before the premium structure is established or changed.

"(C) CONSIDERATIONS FOR PREMIUM STRUCTURE.—When establishing a premium structure under subparagraph (A) or when changing such a premium structure, the Secretary shall consider the following:

"(i) The effect of the proposed premium structure on the Secretary's ability to meet the operational goals of the Mutual Mortgage Insurance Fund as provided in section 202(a).

"(ii) Underwriting variables.

"(iii) The extent to which new pricing under the proposed premium structure has potential for acceptance in the private market.

"(iv) The administrative capability of the Secretary to administer the proposed premium structure.

"(v) The effect of the proposed premium structure on the Secretary's ability to maintain the availability of mortgage credit and provide stability to mortgage markets.".

(d) Section 255 of the National Housing Act (12 U.S.C. 1715z–20) is amended—

(1) in subsection (g)—

(A) by striking the first sentence; and

(B) by striking "established under section 203(b)(2)" and all that follows through "located" and inserting "limitation established under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a 1-family residence"; and

(2) in subsection (i)(1)(C), by striking "limitations" and inserting "limitation".

(e) The Secretary of Housing and Urban Development shall by notice establish any additional requirements that may be necessary to immediately carry out the provisions of this section. The notice shall take effect upon issuance.

(f) In addition to amounts otherwise made available by this Act, $10,000,000 for administrative contract expenses, including amounts to be transferred to the Working Capital Fund, for Federal Housing Administration program and systems development for single family mortgage insurance.

SEC. 326. Notwithstanding any other provision of law, the cities of Alton, Illinois, and Granite City, Illinois, shall be considered metropolitan cities, for purposes of title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.), for a period of time not less than the time period covered by the enactment of this Act and the implementation of modifications pursuant to the 2010 decennial census.

AMENDMENT OFFERED BY MS. WATERS

Ms. WATERS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. WATERS:

Page 134, after line 8, insert the following new section:

SEC. 327. For the cost of guaranteed loans, as authorized by section 108 of the Housing and Community Development Act of 1974, and the amount otherwise provided in this title for "MANAGEMENT AND ADMINISTRATION—SALARIES AND EXPENSES" is hereby reduced by, $2,970,000.

Mr. SWEENEY. Mr. Chairman, I reserve a point of order.

The Acting CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of today, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I would like to thank Chairman KNOLLENBERG, as well as Ranking Member JOHN OLVER for their hard work on this bill, H.R. 5576.

The purpose of my amendment is to restore funding of $2.97 million to the section 108 loan guarantee program offset from the Salaries and Expenses Account for the Department.

The program is designed to leverage economic and community development project activities. While the administration supports this consolidation of this program, consolidation is a shortcut to eliminate the section 108 loan guarantee program.

Mr. Chairman and Members, many districts have benefited from the section 108 loan guarantee program. I discovered this program in law some 12 years ago. At that time, it was scored and it was basically guaranteed by CDBG funds. Section 108 loan guarantee funds evolved to the point where many cities were using them for economic development projects that created jobs and converted old town projects into real vibrant, vital economic engines for those cities.

This is an important program. With this program we are able not only to create jobs and to spur economic development, this is what you call a real investment in our cities and our towns, both in the urban communities and in the rural communities. This is the kind of investment that will help to get people off welfare, get people working, create new business opportunities, and help to grow these areas in these cities and these communities.

It is beyond my understanding why an investment program that is designed to create jobs, designed to help cities grow and develop would be consolidated or would be placed at risk.

If you talk with many of the Members of this Congress, you will find that they do not know that the section 108 program is in jeopardy. I was just looking at a program in the western part of L.A. County, a gateway retail project that got $8 million in section 108 loan guarantees and a $2 million BEDI grant. These funds were used to convert an old car wash into a retail center that created 750 jobs in that community.

Many communities have relied on the section 108 loan guarantee program, not only to spur economic development, but they know they could never otherwise undertake this kind of activity. Section 108 is a complement to many of the other economic development tools that are available to distressed communities around the country. As such, I would urge you to support this amendment as one tool that will be made available to communities like mine, as well as yours, to facilitate their economic development strategies.

Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. Does the gentleman from New York insist upon his point of order?

Mr. SWEENEY. Yes, I do, Mr. Chairman.

POINT OF ORDER

Mr. SWEENEY. I will make the point order against the amendment because it provides an appropriation for an unauthorized program and therefore violates clause 2 of rule XXI. Clause 2 of rule XXI states in pertinent part: "An appropriation may not be in order as an amendment for an expenditure not previously authorized by law."

Mr. Chairman, the amendment proposes to appropriate funds for a program that is not authorized. The amendment, therefore, violates clause 2 of rule XXI.

I ask for a ruling on the point of order.

The Acting CHAIRMAN. Does the gentlewoman from California wish to be heard on the point of order?

Ms. WATERS. Yes, Mr. Chairman.

On the point of order, I would object to the characterization of this program as unauthorized.

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As a matter of fact, it is my understanding that the program indeed is authorized. It is couched in something called consolidation, which means that it really is authorized, and I would challenge the gentleman on the opposite side of the aisle for thinking or saying that this is an unauthorized program. And if that is his reason for objecting to the program, I would ask that you certainly make a ruling based on the facts and we could move forward with including funding for this program to make sure that it is retained.

The Acting CHAIRMAN (Mr. GOODLATTE). Does any other Member wish to be heard on the point of order?

Mr. SWEENEY. Mr. Chairman, I withdraw the point of order, and I will reserve the time in opposition.

The Acting CHAIRMAN. The gentleman from New York withdraws the point of order and will control the time in opposition.

Ms. WATERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as I have stated, this is an economic development program that has served our country well. As I just took a look at the number of cities that have benefited from this program, I have hundreds of cities that have benefited from this program all over the country. This will be traumatic to all of a sudden pull the rug out from under a program that creates investment in cities and towns all over America, that is helping them not only to create jobs but to create opportunities for small businesses, to redo dilapidated areas, to create new possibilities with these old towns that are being developed, to take these old dilapidated buildings and turn them into productive centers.

I do not think that perhaps my colleague on the opposite side of the aisle realizes the damage he may be causing even to his own area. And just as perhaps he thought it was not authorized when it really is, I would ask him to take a second look and not object to this program.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Ms. WATERS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the gentlewoman for her leadership. She has been a consistent leader in helping cities' economic development. I want to point out this seems to me a particularly odd thing to do. Cities which use this are not getting additional funding. They pay it back.

The Acting CHAIRMAN. The time of the gentlewoman from California has expired.

Mr. SWEENEY. Mr. Chairman, I rise in opposition to the amendment, and I would urge my colleagues to do so.

The Acting CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. SWEENEY. Mr. Chairman, I will make these very quick points: First, that section 108 is an eligible use of economic development funds. And, therefore, there is no reason to have a separate set-aside of funds, as is proposed here in this amendment. In fact, in this bill we have added $1 billion in CDBG funds for the fiscal year. So there will be plenty of opportunities for States to do exactly as the gentlewoman calls for, and we believe that is the best way the program should be run.

With that, I urge my colleagues to vote "no."

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. WATERS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. SWEENEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

I yield to my colleague from Massachusetts (Mr. FRANK) who may have two things to speak about at this point.

Mr. FRANK of Massachusetts. Mr. Chairman, I thank the ranking member of the subcommittee for yielding.

I was hoping to be able to offer an amendment, but we ran into a CBO scoring problem and I was told that therefore it would not be supported. I deeply regret this.

There is in this bill a very good set of provisions in general, expanding the ability of the FHA to be responsive. It came from work we did in the authorizing committee. Frankly, I was surprised to see it plucked in part from the authorizing version and stuck into this bill. It is authorizing language. On the whole it is a good thing. The Appropriations Committee took from the authorizing committee much of what we did, but they did not take everything. Now, they are entitled, obviously, to pick and choose, but there is one grave omission here. One of the things this bill will do will be to give the FHA the authority the ability to extend loans to people who might be of lower credit risk. That is, it will try to help get to people who might not have been able to get loans by stricter standards. That is a good thing. And it says that those people will have to pay a higher upfront fee. It could be as much as double, from 1.5 percent to 3 percent of the loan, and they will also be forced to pay a higher fee going forward. With people who are just starting out, I will accept the need to do that.

What my amendment would have accomplished, and it was something we were ready to do in the authorizing process and we lost the ability to do that, it was to say that a low income borrower, a borrower with some credit risk, who was meeting his or her obligations after a period of 5 years would be eligible to get back the extra money. In other words, without that provision the Federal Government is going to be something of a predatory lender. It will lend money to the lower income people with the higher credit risk and charge them more for that loan. Now, as a starting point that might be a reasonable idea. But once a borrower in that category, having borrowed the money, has demonstrated over 5 years a capacity and willingness to make the payments, why does the Federal Government continue to penalize that person?

People have said, well, there might be some losses here. If there are losses, why should the responsible low income borrower be forced to bear all that cost? Why should that not be shared among all the borrowers? Why should the cost of paying for those loans that may default, a small percentage but there will still be some, why should that not go for everybody?

So right now if you are getting the maximum FHA loan, it is irrelevant to you if these people default. We are making the poor pay for the poor. You are making in this a predatory lender of the Federal Government. Without the amendment that I was told would not be accepted, so I will not push it here, low income people who borrow money from the FHA will be charged more upfront, they will be charged more going forward, and no matter how well they meet their obligations, no matter how responsible they are, they will continue to pay more for the loan. The poor pay more under this bill. And what the CBO said as well, there is a certain element of subsidy here for the low income borrowers, and this would increase the subsidy. That is right, for the low income borrowers.

I do think it is worth trying to reach out to the lower income people, and I understand this means that some will default, but I do not understand why one low income individual or 10 or 20 low income individuals who meet their obligation ought to be the ones who bear the burden for those who do not. Now, as I said, I understand, because CBO said it was going to score it negatively, I was not going to be able to get it adopted. But I hope, to the committee, that this will not be the end of it.

Please, we are talking, Mr. Chairman, about ending predatory lending. Without the language I was talking about, we, the Federal Government, become an entity that charges you more if you are poor than if you are wealthy, that charges you more if you are in the low income bracket because you are asked to shoulder the burden of people in the same bracket who will default. That is unworthy of us. It also, of course, retards the very purpose of the bill because you say you want to expand home ownership by reaching out to people and then you charge them more because they have to pay not only the price of their own home but they are going to be saddled with the price of other people in their income level and their credit rating level who default.

That is an inappropriate thing for the Federal Government to do. And while I accept the fact that I cannot get this accepted now, I hope we can talk about this.

By the way, the overall bill will raise money for the Federal Government. This would simply reduce it by a small amount. That is the least we can do for low income people.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

This title may be cited as the "Department of Housing and Urban Development Act, 2007".

TITLE IV

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344: not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $63,405,000, of which $2,000,000 shall remain available until expended.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $12,959,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $26,000,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $16,182,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $4,556,114,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $3,952,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under the Criminal Justice Act of 1964, as amended (18 U.S.C. 3006A); the compensation and reimbursement of expenses of persons furnishing investigative, expert and other services under the Criminal Justice Act of 1964 (18 U.S.C. 3006A(e)); the compensation (in accordance with Criminal Justice Act maximums) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); and for necessary training and general administrative expenses, $750,033,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), $63,079,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $400,334,000, of which not to exceed $15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $73,800,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $23,500,000; of which $1,800,000 shall remain available through September 30, 2008, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $54,000,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $800,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $3,500,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $15,500,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

SEC. 401. Appropriations and authorizations made in this title which are available for salaries and expenses shall be available for services as authorized by 5 U.S.C. 3109.

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 805 and 810 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. Notwithstanding any other provision of law, the salaries and expenses appropriation for "Courts of Appeals, District Courts, and Other Judicial Services" shall be available for official reception and representation expenses of the Judicial Conference of the United States: *Provided*, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 404. Within 90 days of enactment of this Act, the Administrative Office of the U.S. Courts shall submit to the Committees on Appropriations a comprehensive financial plan for the Judiciary allocating all sources of available funds including appropriations, fee collections, and carryover balances, to include a separate and detailed plan for the Judiciary Information Technology fund.

SEC. 405. Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended—

(1) in the second sentence, by inserting "the district of Kansas," after "Except with respect to"; and

(2) by inserting after the second sentence the following: "The first vacancy in the office of district judge in the district of Kansas occurring 20 years or more after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled.".

This title may be cited as "The Judiciary Appropriations Act, 2007".

TITLE V

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $35,100,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: *Provided further*, That not more than $1,200,000 of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $8,533,000, to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: *Provided*, That any amount provided under this heading shall be available only after such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

DISTRICT OF COLUMBIA COURTS

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $219,629,000, to be allocated as follows: for the District of Columbia Court of Appeals, $9,401,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $89,646,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $46,653,000, of which not to exceed $1,500 is for official reception and representation expenses; and $73,929,000, to remain available until September 30, 2008, for capital improvements for District of Columbia courthouse facilities: *Provided*, That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: *Provided further*, That the solicitation and contract shall contain the clause "availability of Funds" found at 48 CFR 52.232-18: *Provided further*, That funds made available for capital improvements shall be expended consistent with the General Services Administration master plan study and building evaluation report: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than $1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4 percent of the funds provided under this heading for facilities.

Defender Services in District of Columbia Courts

For payments authorized under section 11-2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code, and payments for counsel authorized under section 21–2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $43,475,000, to remain available until expended: *Provided*, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the $73,929,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the $73,929,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia and the Public Defender Service for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $181,653,000, of which not to exceed $2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which not to exceed $400,000 for the Community Supervision program and $160,000 for the Pretrial Services program, both to remain available until September 30, 2008, are for Information Technology infrastructure enhancement acquisitions; of which $135,457,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which $46,196,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *Provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the D.C. Government for space and services provided on a cost reimbursable basis.

Federal Payment to District of Columbia Public Defender Service

For salaries and expenses of the District of Columbia Public Defender Service, $32,710,000: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies.

Federal Payment to the District of Columbia Water and Sewer Authority

For a Federal payment to the District of Columbia Water and Sewer Authority, $7,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

Federal Payment to the Criminal Justice Coordinating Council

For a Federal payment to the Criminal Justice Coordinating Council, $1,300,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

Federal Payment to the Office of the Chief Financial Officer of the District of Columbia

For a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, $5,000,000: *Provided*, That these funds shall be available for the projects and in the amounts specified in the Statement of the Managers on the conference report accompanying this Act: *Provided further*, That each entity that receives funding under this heading shall submit to the Office of the Chief Financial Officer of the District of Columbia (CFO) a budget and a report on the activities to be carried out with such funds no later than March 15, 2007, and the CFO shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate no later than June 1, 2007.

Federal Payment for School Improvement

For a Federal payment for a school improvement program in the District of Columbia, $40,800,000, to be allocated as follows: for the District of Columbia Public Schools, $13,000,000 to improve public school education in the District of Columbia; for the State Education Office, $13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2008; for the Secretary of the Department of Education, $14,800,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 126), of which up to $1,800,000 may be used to administer and fund assessments.

District of Columbia Funds

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: *Provided*, That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (D.C. Official Code, section 1–204.50a) and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2007 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $8,996,915,000 (of which $5,079,758,000 shall be from local funds, $2,011,321,000 shall be from Federal grant funds, $1,897,951,000 shall be from other funds, and $7,885,000 shall be from private funds), in addition, $170,052,000 from funds previously appropriated in this Act as Federal payments: *Provided further*, That of the local funds, $175,292,000 shall be derived from the District's general fund balance: *Provided further*, That of these funds the District's intradistrict authority shall be $523,004,000: *Provided further*, That in addition for capital construction projects there is appropriated an increase of $2,400,757,000, of which $1,756,306,000 shall be from local funds, $54,281,000 from Highway Trust funds, $52,000,000 from the Local Street Maintenance fund, $15,000,000 from revenue bonds, $18,200,000 from Certificates of Participation financing, $63,000,000 from financing for construction of a baseball stadium, $229,970,000 from Federal grant funds, and a rescission of $65,859,000 from local funds appropriated under this heading in prior years, for a net amount of $2,334,898,000, to remain available until expended: *Provided further*, That the amounts provided under this heading are to be subject to the provisions of and allocated and expended as proposed under "Title II—District of Columbia Funds" of the Fiscal Year 2007 Proposed Budget and Financial Plan submitted to the Congress of the United States by the District of Columbia in June 2006: *Provided further*, That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further*, That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: *Provided further*, That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2007, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 501. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 502. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

SEC. 503. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 504. (a) Except as provided in subsection (b), no part of this appropriation shall be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

(b) The District of Columbia may use local funds provided in this title to carry out lobbying activities on any matter other than—

(1) the promotion or support of any boycott; or

(2) statehood for the District of Columbia or voting representation in Congress for the District of Columbia.

(c) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any of the issues referred to in subsection (b).

SEC. 505. (a) None of the funds provided under this title to the agencies funded by this title, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this title, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) reestablishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center, unless in the case of federal funds, the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the reprogramming and in the case of local funds, the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2007 and October 1, 2007, setting forth detailed information regarding each such local funds reprogramming conducted subject to this subsection.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds in excess of $3,000,000 from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2007 and October 1, 2007, setting forth detailed information regarding each reprogramming conducted subject to this subsection, except that in no event may the amount of any funds transferred exceed 4 percent of the local funds in the appropriations.

(c) The District of Columbia Government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through September 30, 2007.

SEC. 506. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 507. (a) Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2-139; sec. 1-601.01 et seq., D.C. Official Code), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (sec. 1-204.22(3), D.C. Official Code), shall apply with respect to the compensation of District of Columbia employees. For pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

(b) Notwithstanding section 8344(a) of title 5, United States Code, the amendment made by section 2 of the District Government Reemployed Annuitant Offset Elimination Amendment Act of 2004 (D.C. Law 15-207) shall apply with respect to any individual employed in an appointive or elective position with the District of Columbia government after December 7, 2004.

SEC. 508. No later than 30 days after the end of the first quarter of fiscal year 2007, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate the new fiscal year 2007 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2008. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 509. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6-85; D.C. Official Code, section 2-303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical, but only if the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

SEC. 510. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3-171; D.C. Official Code, section 1-123).

SEC. 511. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9-114; D.C. Official Code, section 32-701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 512. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b)(1) No such Federal, private, or other grant may be obligated, or expended pursuant to subsection (a) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council has reviewed and approved the obligation, and expenditure of such grant.

(2) For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the obligation, and expenditure of a grant if—

(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A).

(c) No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

(d) The Chief Financial Officer of the District of Columbia may adjust the budget for Federal, private, and other grants received by the District government reflected in the amounts appropriated in this title, or approved and received under subsection (b)(2) to reflect a change in the actual amount of the grant.

(e) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia, to the Committees on Appropriations of the House of Representatives and Senate, not later than 15 days after the end of the quarter covered by the report.

SEC. 513. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) the Mayor of the District of Columbia; and

(4) the Chairman of the Council of the District of Columbia.

(b) The Chief Financial Officer of the District of Columbia shall submit by March 1, 2007, an inventory, as of September 30, 2006, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 514. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2007 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer of the District of Columbia, pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, section 2–302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making the appropriations for the year and its legislative history.

SEC. 515. (a) None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 516. (a) None of the funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 517. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted: *Provided*, That the Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and Senate by April 1, 2007 and October 1, 2007, a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 518. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 519. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate quarterly reports addressing—

(1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets;

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs;

(3) management of parolees and pre-trial violent offenders, including the number of halfway houses escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency for the District of Columbia;

(4) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools and the District of Columbia public charter schools;

(5) improvement in basic District services, including rat control and abatement;

(6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received; and

(7) indicators of child well-being.

SEC. 520. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, section 1–204.42), for all agencies of the District of Columbia government for fiscal year 2007 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency where the Chief Financial Officer of the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 521. (a) None of the funds contained in this Act may be made available to pay—

(1) the fees of an attorney who represents a party in an action or an attorney who defends an action brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in excess of $4,000 for that action; or

(2) the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer, or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

(b) In this section, the term "action" includes an administrative proceeding and any ensuing or related proceedings before a court of competent jurisdiction.

SEC. 522. The Chief Financial Officer of the District of Columbia shall require attorneys in special education cases brought under the Individuals with Disabilities Education Act (IDEA) in the District of Columbia to certify in writing that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under the IDEA from the District of Columbia. As part of the certification, the Chief Financial Officer of the District of Columbia shall require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients as part of this certification. The Chief Financial Officer shall prepare and submit quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA. The Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

SEC. 523. The amount appropriated by this Act may be increased by no more than $42,000,000 from funds identified in the comprehensive annual financial report as the District's fiscal year 2006 unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, and economic vitality.

(2) The District of Columbia may only use these funds for the following expenditures:

(A) One-time expenditures.

(B) Expenditures to avoid deficit spending.

(C) Debt Reduction.

(D) Program needs.

(E) Expenditures to avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 524. (a) To account for an unanticipated growth of revenue collections, the amount appropriated as District of Columbia Funds pursuant to this Act may be increased—

(1) by an aggregate amount of not more than 25 percent, in the case of amounts proposed to be allocated as "Other-Type Funds" in the Fiscal Year 2007 Proposed Budget and Financial Plan submitted to Congress by the District of Columbia; and

(2) by an aggregate amount of not more than 6 percent, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify—

(A) the increase in revenue; and

(B) that the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this Act.

(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 525. The Chief Financial Officer for the District of Columbia may, for the purpose of cash flow management, conduct short-term borrowing from the emergency reserve fund and from the contingency reserve fund established under section 450A of the District of Columbia Home Rule Act (Public Law 93-198): *Provided*, That the amount borrowed shall not exceed 50 percent of the total amount of funds contained in both the emergency and contingency reserve funds at the time of borrowing: *Provided further*, That the borrowing shall not deplete either fund by more than 50 percent: *Provided further*, That 100 percent of the funds borrowed shall be replenished within 9 months of the time of the borrowing or by the end of the fiscal year, whichever occurs earlier: *Provided further*, That in the event that short-term borrowing has been conducted and the emergency or the contingency funds are later depleted below 50 percent as a result of an emergency or contingency, an amount equal to the amount necessary to restore reserve levels to 50 percent of the total amount of funds contained in both the emergency and contingency reserve fund must be replenished from the amount borrowed within 60 days.

SEC. 526. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 527. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 528. The authority that the Chief Financial Officer of the District of Columbia exercised with respect to personnel and the preparation of fiscal impact statements during a control period (as defined in Public Law 104-8) shall remain in effect until September 30, 2007.

SEC. 529. The entire process used by the Chief Financial Officer to acquire any and all kinds of goods, works and services by any contractual means, including but not limited to purchase, lease or rental, shall be exempt from all of the provisions of the District of Columbia's Procurement Practices Act of 1985: *Provided*, That provisions made by this section shall take effect as if enacted in D.C. Law 11-259 and shall remain in effect until September 30, 2007.

SEC. 530. (a) DIRECT APPROPRIATION.—Section 307(a) of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2—1607(a), D.C. Official Code) is amended by striking the first 2 sentences and inserting the following: "There are authorized to be appropriated to the Service in each fiscal year such funds as may be necessary to carry out this chapter.".

(b) CONFORMING AMENDMENT.—Section 11233 of the Balanced Budget Act of 1997 (sec. 24—133, D.C. Official Code) is amended by striking subsection (f).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2007 and each succeeding fiscal year.

SEC. 531. (a) The item relating to "Federal Payment for School Improvement" in the District of Columbia Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2512) is amended by striking "$13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2007" and inserting the following: "$13,000,000 to expand quality public charter schools in the District of Columbia, of which $4,000,000 shall be for the direct loan fund and shall remain available until expended, $2,000,000 shall be for credit enhancement and shall remain available until expended, and the remainder shall remain available until September 30, 2007".

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2006.

SEC. 532. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this title.

This title may be cited as the "District of Columbia Appropriations Act, 2007".

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Mr. KNOLLENBERG (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 176, line 11 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OFFERED BY MR. KNOLLENBERG

Mr. KNOLLENBERG. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KNOLLENBERG:

On page 175, line 16, through page 176, line 6, strike Section 531.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Michigan (Mr. KNOLLENBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, my amendment strikes section 531 of the bill. We included this correcting provision at the request of the D.C. Education Office to assist them with some funds management.

Unfortunately this provision creates an advance appropriation and, therefore, violates the budget resolution. I ask for the amendment's adoption.

The CHAIRMAN. The question is on the amendment offend by the gentleman from Michigan (Mr. KNOLLENBERG).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TITLE VI

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code.

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, $51,952,000: *Provided*, That of the funds appropriated under this heading, up to $1,500,000 shall be for the Privacy and Civil Liberties Oversight Board.

AMENDMENT OFFERED BY MR. SHAYS

Mr. SHAYS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. SHAYS:

Page 177, line 15, after the dollar amount, insert the following: "(increased by $750,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Connecticut (Mr. SHAYS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. SHAYS. Mr. Chairman, this amendment would add $750,000 to an account that has $1.5 million in it. Mrs. MALONEY and I both had legislation adding $1.5 million on top of the $1.5 million to the Civil Liberties Board.

Mr. Chairman, it is my understanding that the chairman will accept this amendment at 750, and I advise Mrs. MALONEY of that fact. What we want to do, Mr. Chairman, is to support a Civil Liberties Board that hopefully over time will do more than it is presently doing.

When we give the executive branch more power, we need to have more oversight, more congressional oversight, stronger whistleblower protection. And the 9/11 Commission suggested a strong Civil Liberties Board.

I would like to ask the chairman if this is in fact an amendment that he would accept.

Mr. KNOLLENBERG. I would be happy to accept the amendment with the provision that it would be at the $750,000 level.

Mr. SHAYS. Mr. Chairman, I reserve the balance of my time.

The Acting CHAIRMAN. For what purpose does the gentlewoman from New York rise?

Mrs. MALONEY. I rise and would like to express—

The Acting CHAIRMAN. Is the gentlewoman opposed to the amendment?

Mrs. MALONEY. No, I am not opposed to it.

I am opposed to it because I feel we should have gotten more money.

The Acting CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Mrs. MALONEY. Mr. Chairman, I had an amendment with Mr. UDALL which would have raised the funding amount to $3 million. I feel that the $750,000 is certainly welcomed and needed, but I regret that we were not able to achieve the additional $1.5 million.

One way that this Congress and the President can show their support for a program is the level of funding that is appropriated, and when we passed the very important intelligence reform bill, a very important provision of this bill, and a recommendation, one of the top recommendations of the 9/11 Commission, was the creation of a governmentwide Privacy and Civil Liberties Oversight Board.

This board, if given the proper funding and authority, has the opportunity to enhance our security and protect our Nation's core values as we fight to prevent terrorism. The bill before us provides up to $1.5 million in funding, as part of the Executive Office of the President. The Maloney-Tom Udall amendment would have increased the amount of the board to $3 million.

This board is to be funded from the $52 million account provided for in the Executive Office of the President, and our amendment would further draw from this account. We had hoped that it would have passed. I want to say that if we value human rights and civil liberties, we should be funding this board.

We had a hearing on it earlier, and they only had one staff member and one administrator. And certainly, for an oversight board for civil liberties, they should have more funding to protect the civil liberties of Americans. We asked them if they had looked at the many challenges before this country now, the surveillance of phones, the surveillance in the libraries, the surveillance of private lives of people, and we questioned why they had not taken this up.

They said they had just been formed. But I would say that another reason they have not taken it up is that they do not have enough staff working with them.

And clearly any governmentwide board tasked to perform oversight regarding privacy civil liberties will need more than three permanent staffers to get the job done.

Mr. FRANK of Massachusetts. Mr. Chairman, will the gentlewoman yield?

Mrs. MALONEY. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, like my colleague from New York, I am glad we are getting something additional. This is symptomatic of this bill. It will provide too little money for a lot of very important programs.

And we will be told, yes, it is a good program, but we do not have the money. I believe the members of the subcommittee did the best possible job. I commend them for doing the best possible job in the circumstances.

The problem is that the majority created the circumstances. This is the consequence of too many tax cuts with wars at the same time, and a budget that then leaves too little money. So in case after case after case, we will be told, you are right, that is a very important function, we do not have enough money.

This particularly troubles me because I would like to build the consensus in the country for the kind of vigorous law enforcement that we need to protect ourselves in the face of this new threat.

When the oversight board on civil liberties and privacy that the 9/11 Commission recommended is starved for money, you lose the opportunity to achieve that balance that would increase support for law enforcement.

And while no one says it is a bad idea, except maybe the Vice President, but he did not say that openly, I just guessed, no one says that it is doing a bad job. There is too little money left because the priorities are tax cuts, the war in Iraq, and then everything else gets stiffed.

And this is an example of a very good program. The committee did the best it could, and the amendment of the gentleman from Connecticut makes a bad situation somewhat better. I am glad that it is here, but we are in this situation because this is an example of the price the country is paying for a very distorted set of priorities.

Mr. Chairman, I thank the gentlewoman, who has been a leader in this fight.

Mrs. MALONEY. Mr. Chairman, reclaiming my time, I would like to contrast this office with the Privacy Office at the Department of Homeland Security. There they have 25 staff members. Here we have three staff members at the governmentwide office, and 25 for the office within just one department.

Just beyond the challenge of staffing, the additional funding will allow the board to develop the infrastructure they need to do their job and will send a message that Congress fully intends to support the important work of the board.

We need to support them. The 9/11 Commission gave this an "F." We would like to get it funded and up and running, and we must find ways of doing this. I appreciate the efforts of my colleagues.

Mr. SHAYS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I just first would thank Mr. KNOLLENBERG for adding $750,000 to the $1.5 million that is already there. I particularly want to thank my colleague, Mrs. MALONEY, who has worked tirelessly on the 9/11 Commission with me and others. I appreciate her willingness to accept this amendment. I appreciate the work that she has done, and she is right about this.

With the Government getting more power, with the PATRIOT Act and the war on terrorism and, and, and, there needs to be stronger legislative oversight. We need to make sure that our whistleblower statutes protect those in the intelligence community.

We need a much stronger Civil Liberties Board. This money will allow the Civil Liberties Board to get started and to do what they need. I know we will be back asking Mr. KNOLLENBERG for more as it proves its viability and effectiveness.

Mr. Chairman, at this time I urge acceptance of this amendment.

My amendment would add a modest $750,000 for the Privacy and Civil Liberties Oversight Board. This board was created by the Intelligence Reform and Terrorism Prevention Act and is based on a key recommendation of the 9–11 Commission.

The Commission provided the nation with 41 important recommendations to address the terrorist threat and improve our homeland security and recognized the need to balance civil liberties and security. It recommended the following: At this time of increased and consolidated government authority, there should be a board within the executive branch to oversee adherence to the guidelines we recommend and the commitment the government makes to defend our civil liberties.

Unfortunately, the authority of the Privacy and Civil Liberties Oversight Board is not as broad as proposed because the legislation that created it does not provide subpoena power, and Board investigations can be vetoed by the U.S. Attorney General. The need for the Board to have strong oversight power was the subject of a recent hearing held in the Subcommittee on National Security, Emerging Threats and International Relations, which I chair.

The limitations on debate prevent my offering an amendment that would expand the Board's powers as is proposed in H.R. 5000, which I co-authored with Representative Maloney, but we can take an important step to ensure the Board will function to the best of its ability under current law.

During our Subcommittee hearing, the chair and vice-chair of the Board testified that they currently only have two staff members and are considering hiring one additional permanent staff member. Mr. Chairman, how can a board with responsibilities for protecting privacy and civil liberties operate like this?

With increased executive power must come increased oversight. These additional funds will help the Board establish its infrastructure and begin performing the robust oversight needed to make it successful, and ensure it can protect all citizens' privacy and civil liberties.

Mr. UDALL of New Mexico. Mr. Chairman, I am pleased to be a cosponsor of this amendment, which is a simple and straightforward step to ensure the privacy rights and civil liberties are being adequately protected.

Recognizing that many of their recommendations called for the government to more effectively protect our Nation, 9/11 Commissioners unanimously expressed the need for a viable Privacy and Civil Liberties Board. The Board was created to help ensure that as we take steps to protect our Nation, it was not done at the expense of our civil liberties.

Unfortunately, this vital board, which was established by the Intelligence Reform bill almost two years ago, has only recently had its Members appointed and confirmed and has held its first meetings. It now has to organize, hire staff, and begin fulfilling its responsibilities, all of which takes time and resources. However, in the 9/11 Commission's report card on the implementation of its recommendations, which was released in December, the Commission noted the Board's insufficient funding. This problem persists in this year's appropriations bill, which will severly hinder the Board's ability to complete these tasks.

Following the revelations about the National Security Agency's various spy programs, it is more evident that we need the Privacy and Civil Liberties Board to be implemented now more than ever. However, the current level of funding is clearly inadequate. $1,500,000 is not enough for a Board charged with monitoring privacy and civil liberties implications of federal regulations, executive branch policies and procedures, and public law.

The Maloney/Udall amendment increases the amount reserved for the Board to $3 million—the same amount that was initially given to the 9/11 Commission. And the level of funding in the bill for the Executive Office of the President will remain the same. This amendment simply gives the Board the funding it needs to do the job is was created to do.

I urge a "yes" vote on this amendment.

Mr. SHAYS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut (Mr. SHAYS).

The amendment was agreed to.

The Acting CHAIRMAN. The Clerk will read.

The Clerk read as follows:

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $12,041,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $1,600,000, to remain available until expended, for required maintenance, safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $4,002,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $3,385,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $8,405,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $91,393,000, of which $11,397,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United

States Code, $76,185,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made and shall be allocated in accordance with the terms and conditions set forth in the accompanying statement of the managers except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That the preceding shall not apply to printed hearings released by the Committees on Appropriations: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and Appropriations Committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days of the end of the OMB review period based on the notification from the Director, Congress shall assume OMB concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $26,928,000; of which $1,316,000 shall remain available until expended for policy research and evaluation: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $19,600,000, which shall remain available until expended, consisting of $9,600,000 for counternarcotics research and development projects, of which up to $1,000,000 is to be directed to supply reduction activities, and $10,000,000 for the continued operation of the technology transfer program: *Provided*, That the $9,600,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $227,000,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities: *Provided*, That up to 49 percent, to remain available until September 30, 2007, may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which not less than $2,000,000 shall be used for auditing services and associated activities, and at least $500,000 of the $2,000,000 shall be used to develop and implement a data collection system to measure the performance of the High Intensity Drug Trafficking Areas Program.

AMENDMENT OFFERED BY MS. HOOLEY

Ms. HOOLEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. HOOLEY:

Page 184, line 17, after the dollar amount, insert the following: "(increased by $8,000,000)".

Page 205, line 18, after the dollar amount, insert the following: "(reduced by $8,000,000)".

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. HOOLEY. Mr. Chairman, today I rise to offer an amendment with Congressman HULSHOF and Congressman SKELTON that would provide an $8 million increase to the High Intensity Drug Trafficking Area Program.

Mr. Chairman, for the past 5 years, HIDTA has essentially been levelly funded despite the increasing threat from the spread of methamphetamine throughout our country.

This amendment would enable the Office of National Drug Control Policy to maintain full funding to existing HIDTAs as well as provide additional resources for the establishment of new HIDTAs.

Mr. Chairman, in my three decades of public service, I have not seen a problem as pervasive or as damaging as Oregon's meth epidemic. The production, distribution and use of meth is a serious threat to public health and safety.

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I have traveled around the State talking to policymakers and law enforcement leaders about the meth problem. I have heard one message loud and clear: local law enforcement lacks the resources needed to extinguish Oregon's meth wildfire, and I know Oregon is by no means alone in this fight.

HIDTA provides State and local law enforcement with critical Federal resources to fight meth abuse. It is particularly effective because these resources are targeted at the areas most adversely affected by drug trafficking. It allows communities to develop and implement a comprehensive strategy to combat meth and other illegal drugs, one that addresses enforcement, treatment, prevention education, and control of precursor chemicals.

Last year, I offered a similar amendment to the FY 06 meth appropriation bill that added $9 million to HIDTA. While this amendment passed overwhelmingly, the funding was stripped from the final conference report. HIDTA deserves the support of this Congress because it not only helps law enforcement identify and dismantle labs, but also helps break the cycle of other crimes associated with meth use, crimes from domestic violence and child abuse to identity theft. We must continue to support this valuable initiative so our communities have the resources they need to stop the spread of methamphetamine.

I urge you to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, first let me state that I am a supporter of the High Intensity Drug Trafficking Areas program. I think it is apparent from the recommended level of funding in our bill.

Mr. Chairman, the President requested that this program be transferred to the Department of Justice, a Department not under the jurisdiction of this subcommittee, at a level of $207 million. Given the wide support for this program, we retain the oversight of the program in the TTHUD subcommittee and increased funding above the President's request $20 million to that $227 million level.

I would support my colleague's amount if this were not a zero-sum situation. But this increase has to come from another program, in this case the National Archives and Records Administration, or NARA. NARA has a projected $12 million shortfall right now, even if they receive full funding for fiscal year 2007. A hiring freeze goes into effect on the beginning of July. A cut of $12 million could result in serious staffing issues at the National Archives.

Additionally, there is a projected reduction in research hours and hours open to the public and other measures that have to be taken even with full funding. A $12 million cut would impose further reductions on operating hours, something that I oppose; and I urge my colleagues, therefore, to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. HOOLEY. Mr. Chairman, if the gentleman will answer a question, this was $9 million, not $12 million.

Mr. KNOLLENBERG. Well, the whole point is that it isn't just one thing; it is two or three things that are the problem. Already, they are down $12 million. Then there is the possibility that yours would strike some more money.

Finally, what do they do about the servicing? How do they even get along with that situation when they know they are going to lose some people. They are going to lose some people.

Ms. HOOLEY. Mr. Chairman, reclaiming the balance of my time, this amendment is really about priorities. The National Archives is an excellent program, and one I fully support; but this amendment still leaves them with $281.6 million for operating expenses. It is an increase. HIDTA is at level funding, and it allows HIDTA to improve and expand its services for the first time in 5 years, at a time when communities across this country are facing an increasing problem with methamphetamine.

Everybody knows this is a huge problem, one of the fastest-growing drug problems in the Nation. I think we need to provide HIDTA with the funding they need. It is not that I don't support the archives program; it is terrific. But HIDTA has been funded at a level that it already had an increase, and I think we need to fund this. This is a horrific epidemic in this country, and I think we need to fund it.

Mr. HULSHOF. Mr. Chairman, I rise today in support of the Hooley-Hulshof-Skelton amendment to increase funding for the HIDTA program. For the past 5 fiscal years, the HIDTA program has essentially been level funded at $226 million. Our amendment increases the fiscal year 2007 amount by $8 million for a new total of $235 million. This increase is offset by reducing the bill's funding level for the National Archives by $8 million, which will leave Archives with an estimated $1.4 million increase over last year's funding level.

I would like to thank the gentlelady from Oregon for working with my office on this amendment. I know Oregon has a significant meth problem just like Missouri, and I'm glad that we can work together to combat this horrific drug. I also would like to thank my good friend from Missouri, Mr. S5kelton, for his support.

Methamphetamine use and production is a serious problem in my home State of Missouri. Since 2002, Missouri has led the Nation in the number of reported cladestine meth labs. These labs are an insidious problem. Not only are these labs highly volatile and prone to explosions, they create environmental hazards and pose significant health risks for those living in surrounding areas. The highly toxic byproduct that meth makers leave in their wake pollutes the environment and groundwater, leaves homes uninhabitable and puts law enforcement and clean-up crews in peril.

But most importantly, we must take every step possible to stop the spread of this drug because of the terrible toll it is taking on people in our communities. Sadly, I think it is safe to say that all my colleagues are all too aware of the irreparable harm this drug takes on the physical health of its users. Many of you have seen the before and after photographs of these emaciated, scarred—both mentally and physically—and often toothless users.

The recent enactment of the Combat Meth Act was a step in the right direction. This law is a preventive measure designed to limit meth makers access to cold medicines containing pseudoephedrine, which is a common precursor to meth. While I am hopeful that this law will help curb domestic production, we must remain vigilant in our efforts to combat meth tracking. That is why it is so crucial we continue to provide funding for law enforcement programs, such as HIDTA.

This joint endeavor between Federal, State, and local law enforcement has been highly effective in combating the trafficking of legal narcotics. In 2005, Midwest HIDTA, which encompasses Missouri and five other States, arrested more than 9,000 individuals for various drug violations, seized more than 650 pounds of meth, almost 7,000 pounds of cocaine and seized 1,700 firearms. Of these individuals, roughly 1,400 were charged with methamphetamine offenses.

This program is a key component of our national drug enforcement policy. HIDTA's greatest strength is that it is a cooperative endeavor among local and national officials who coordinate and devise a strategy to effectively curtail drug trafficking in the U.S. I believe this is a worthwhile amendment and I encourage my colleagues to support its adoption.

Ms. HOOLEY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Ms. HOOLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon will be postponed.

The Clerk will read.

The Clerk read as follows:

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), $194,000,000, to remain available until expended, of which the amounts are available as follows: $100,000,000 to support a national media campaign, as authorized by the Drug-Free Media Campaign Act of 1998: *Provided*, That the Office of National Drug Control Policy shall maintain funding for non-advertising services for the media campaign at no less than the fiscal year 2003 ratio of service funding to total funds and shall continue the corporate outreach program as it operated prior to its cancellation; $80,000,000 to continue a program of matching grants to drug-free communities, of which $2,000,000 shall be a direct grant to the Community Anti-Drug Coalitions of America for the National Community Anti-Drug Coalition Institute, as authorized in chapter 2 of the National Narcotics Leadership Act of 1988, as amended; $1,000,000 for the National Drug Court Institute; $1,000,000 for the National Alliance for Model State Drug Laws; $8,500,000 for the United States Anti-Doping Agency for anti-doping activities; $1,500,000 for the United States membership dues to the World Anti-Doping Agency; and $1,980,000 for evaluations and research related to National Drug Control Program performance measures: *Provided further*, That such funds may be transferred to other Federal departments and agencies to carry out such activities: *Provided further*, That of the amounts appropriated for a national media campaign, not to exceed 10 percent shall be for administration, advertising production, research and testing, labor and related costs of the national media campaign.

UNANTICIPATED NEEDS

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000.

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,352,000.

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $317,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

GENERAL PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 601. From funds made available in this Act under the headings "White House Office", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisors", "National Security Council", "Office of Administration", "Office of Policy Development", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, 15 days after giving notice to the House and Senate Committees on Appropriations, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50 percent by such transfers: *Provided further*, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

SEC. 602. The President shall submit to the Committees on Appropriations not later than 30 days after enactment, and prior to the initial obligation of funds appropriated under the heading "Office of National Drug Control Policy", a financial plan on the proposed uses of all funds under the heading on a project-by-project basis, for which the obligation of funds is anticipated: *Provided*, That up to 20 percent of funds appropriated under this heading may be obligated before the submission of the report subject to prior approval of the Committees on Appropriations: *Provided further*, That the report shall be updated and submitted to the Committees on Appropriations every six months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: *Provided further*, That any new projects and changes in funding of ongoing projects shall be subject to the prior approval of the Committees on Appropriations.

This title may be cited as the "Executive Office of the President Appropriations Act, 2007".

TITLE VII

INDEPENDENT AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $5,956,590: *Provided*, That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $500 for official reception and representation expenses, $62,370,000.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002, $16,908,000, of which $4,950,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $26,256,000, to be derived from the Bank Insurance Fund, the Savings Association Insurance Fund, and the FSLIC Resolution Fund (or any successor to these Funds).

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $57,138,000, of which no less than $6,500,000 shall be available for internal automated data processing systems, and of which not to exceed $5,000 shall be available for reception and representation expenses: *Provided*, That the FEC is authorized to establish, modify, charge, and collect registration fees for FEC hosted conferences: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to attend the campaign finance conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $25,218,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL MARITIME COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Maritime Commission as authorized by section 201(d) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1111), including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); and uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, $21,474,000: *Provided*, That not to exceed $2,000 shall be available for official reception and representation expenses.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATION ON AVAILABILITY OF REVENUE

To carry out the purposes of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 592), the revenues and collections deposited into the Fund, shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract: *Provided*, That notwithstanding any other provision of this Act, in an amount not more than the aggregate amount specified under this heading in the Report of the House Committee on Appropriations to accompany the Transportation, Treasury, Housing and Urban Development, the Judiciary, The District of Columbia, and Independent Agencies Appropriations Act, 2007, and that such aggregate amount shall remain available until expended in such amounts for individual real property projects and activities as provided in that accompanying Report: *Provided further*, That any proposed increases or decreases to the amounts contained in such report shall be subject to prior approval of the Committee on Appropriations.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109, $52,550,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; providing Internet access to Federal information and services; agency-wide policy direction and management, and Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses, $83,032,000.

AMENDMENT OFFERED BY MR. WYNN

Mr. WYNN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. WYNN:

Page 195, line 4, after "$83,032,000" insert "(reduced by $1,000,000)".

Page 209, line 15, after "$100,178,000" insert "(increased by $1,000,000)".

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Maryland (Mr. WYNN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. WYNN. Mr. Chairman, I rise to offer an amendment that would fund a study to increase health and wellness for the Federal workforce, our employees. Specifically, the amendment would fund a study by the Office of Personnel Management to develop recommendations to create incentives to boost the level of physical fitness and in return the productivity of Federal employees and their families.

Increasing the level of Federal employees' physical fitness would indeed boost the productivity of workers, reduce chronic illness, and decrease the Federal workforce's health care costs.

Let me talk for a minute about the nature of the problem. Today, approximately 127 million adults in the United States are overweight. I know a little about that. Sixty million are obese and nine million are severely obese. Obesity has been linked to an increase in chronic diseases such as coronary artery disease, type 2 diabetes, osteoporosis, high blood pressure and certain types of cancer.

According to the Centers for Disease Control and Prevention, the medical care costs, and this is what is important, the medical care cost of people with chronic diseases accounts for more than 75 percent of the Nation's $1.4 trillion in medical costs.

You know, on this floor, Mr. Chairman, we offer you the phrase, we need to run government like a business. I think that is a good idea. What you will find is businesses are increasingly turning to wellness programs to reduce rising health care costs and most believe that these programs will have a long-term impact according to a survey by the Deloitte Center For Health Solutions and the ERISA Industry Committee.

For example, Lafarge North America, a Herndon, Virginia, building materials manufacturer with 650 employees reimburses its employees for half of their monthly gym fees up to $500 per year. Employees of Aetna can earn financial incentives of up to $345 a year for participating in weight management and fitness courses.

Could this business approach apply to the Federal workforce? I think so. This amendment would provide funding to study best ways to improve employee health and fitness, thereby improving productivity. Some of the issues under study would include lunchtime walking and running clubs, creating accessible biking trails or bike routes, providing periodic incentive programs, promoting physical activities, health risk appraisals for all employees, contract with health plans to offer free and reduced cost memberships to health clubs allowing flexible work schedules so employees can exercise; discounting health insurance premiums and/or reduce copayments and deductibles in return for an employee's participation in specified health promotion or disease prevention program, constructing gyms in the workplace, such as we have here at the House; sponsoring exercise classes, providing employees with a stipend, full or partial, for gym membership.

Mr. Chairman, let me conclude by saying this: this amendment is designed to call attention to the link between Federal employees' fitness and greater productivity and ultimately taxpayer savings on health insurance costs. I would like to work with the chairman and the ranking member in the future to increase the level of physical fitness in the Federal workforce. I believe it is a win/win for the taxpayer and Federal employees.

At this time, Mr. Chairman, I would ask unanimous consent to withdraw my amendment in the hope of further discussion as we go forward.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I just want to thank the gentleman from Maryland for his interest in this area. I certainly agree that to the extent we can, we should promote and encourage physical activity as a way to prevent chronic health problems. I would just say that I look forward to working with you on this matter and make sure that these efforts lead to some decent results.

Mr. Chairman, I ask unanimous consent that the remainder of the bill through page 252, line 2 be considered as read, printed in the RECORD, and open to amendment at any point.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the remainder of the bill through page 252, line 2 is as follows:

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $44,312,000: *Provided*, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, $3,000,000, to remain available until expended: *Provided*, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138, $3,030,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

FEDERAL CITIZEN INFORMATION CENTER FUND

For necessary expenses of the Federal Citizen Information Center, including services authorized by 5 U.S.C. 3109, $16,866,000, to be deposited into the Federal Citizen Information Center Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Information Center activities in the aggregate amount not to exceed $35,000,000: *Provided further*, That appropriations, revenues, and collections accruing to this Fund during fiscal year 2007 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

SEC. 701. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 702. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 703. Funds in the Federal Buildings Fund made available for fiscal year 2007 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 704. Except as otherwise provided in this title, no funds made available by this Act shall be used to transmit a fiscal year 2008 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: *Provided*, That the fiscal year 2008 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 705. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 706. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 707. ACQUISITION SERVICES FUND.—(a) 40 U.S.C. 321 is amended as follows:

(1) In the heading, by striking "**GENERAL SUPPLY**" and inserting "**ACQUISITION SERVICES**".

(2) In subsection (a), by striking "General Supply" and inserting "Acquisition Services" and adding "(the Fund)" following "Acquisition Services Fund"; and after the initial sentence, by adding the following new paragraph: "The Fund shall replace the General Supply Fund and the Information Technology Fund. Capital assets and balances remaining in the General Supply Fund and the Information Technology Fund as in existence immediately before February 1, 2007 shall be transferred to the Acquisition Services Fund and shall be merged with and be available for the purposes of the Acquisition Services Fund. Any liabilities, commitments, and obligations of the General Supply Fund and the Information Technology Fund as in existence immediately before February 1, 2007 shall be assumed by the Acquisition Services Fund.".

(3) In subsection (b)—

(A) by striking the text of paragraph (1) and inserting the following: "The Fund is composed of amounts authorized to be transferred to the Fund or otherwise made available to the Fund.";

(B) by striking the text of paragraph (2) and inserting the following: "The Fund shall be credited with all reimbursements, advances, and refunds or recoveries relating to personal property or services procured through the Fund, including—

"(A) the net proceeds of disposal of surplus personal property;

"(B) receipts from carriers and others for loss of, or damage to, personal property; and

"(C) receipts from agencies charged fees pursuant to rates established by the Administrator.";

(C) by striking the heading and text of paragraph (3) and inserting the following: "COST AND CAPITAL REQUIREMENTS.—The Administrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall develop a plan concerning such requirements in consultation with the Chief Financial Officer of the General Services Administration. Any change to the cost and capital requirements of the Fund for a fiscal year shall be approved by the Administrator. The Administrator shall establish rates to be charged agencies provided, or to be provided, a supply of personal property and non-personal services through the Fund, in accordance with the plan."; and

(D) by adding at the end the following new paragraph:

"(4) DEPOSIT OF FEES.—Fees collected by the Administrator under section 313 of this title may be deposited in the Fund, to be used for the purposes of the Fund.".

(4) In subsection (c)(1)(A)—

(A) by striking "and" at the end of clause (i);

(B) by inserting "and" after the semicolon at the end of clause (ii); and

(C) by inserting after clause (ii) the following new clause:

"(iii) personal services related to the provision of information technology (as defined in section 11101(6) of this title);".

(5) In subsection (d)(2)(A)—

(A) by striking "and" at the end of clause (iv);

(B) by redesignating clause (v) as clause (vi); and

(C) by inserting after clause (iv) the following new clause:

"(v) the cost of personal services employed directly in providing information technology (as defined in section 11101(6) of this title); and".

(6) By striking subsection (f) and inserting the following:

"(f) TRANSFER OF UNCOMMITTED BALANCES.—Following the close of each fiscal year, after making provision for a sufficient level of inventory of personal property to meet the needs of Federal Agencies, the replacement cost of motor vehicles, and other anticipated operating needs reflected in the cost and capital plan developed under subsection (b), the uncommitted balance of any funds remaining in the Fund shall be transferred to the general fund of the Treasury as miscellaneous receipts.".

(7) CONFORMING AND CLERICAL AMENDMENTS.—

(A) 40 U.S.C. 322 is repealed.

(B) The table of sections for chapter 3 of title 40, United States Code, is amended by striking the items relating to sections 321 and 322 and inserting the following:

"321. Acquisition Services Fund.".

(C) 40 U.S.C. 573 is amended by striking "General Supply Fund" both places it appears and inserting "Acquisition Services Fund".

(D) 40 U.S.C. 604(b) is amended in the heading and the text by striking "General Supply Fund" and inserting "Acquisition Services Fund".

(E) 40 U.S.C. 605 is amended—

(i) in the heading and the text of subsection (a) by striking "General Supply Fund" and inserting "Acquisition Services Fund"; and

(ii) in subsection (b)(2), by striking "321(f)(1)" and inserting "321(f)" and by striking "General Supply Fund" and inserting "Acquisition Services Fund".

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $36,531,000, together with not to exceed $2,579,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), $2,000,000, to remain available until expended, of which up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107-289) notwithstanding sections 8 and 9 of Public Law 102-259: *Provided*, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $2,000,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents and the activities of the Public Interest Declassification Board, and for the hire of passenger motor vehicles, $289,605,000: *Provided*, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings.

ELECTRONIC RECORDS ARCHIVES

For necessary expenses in connection with the development of the electronic records archives, to include all direct project costs associated with research, analysis, design, development, and program management, $45,455,000, of which $31,680,000 shall remain available until September 30, 2008.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $13,020,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, $7,500,000, to remain available until expended: *Provided*, That of the funds provided in this paragraph, $2,000,000 shall be transferred to the operating expenses account for operating expenses of the National Historical Publications and Records Administration.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2007, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq., shall not exceed $1,500,000,000: *Provided*, That administrative expenses of the Central Liquidity Facility in fiscal year 2007 shall not exceed $331,000.

COMMUNITY DEVELOPMENT CREDIT UNION REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $941,000, shall be available until September 30, 2008 for technical assistance to low-income designated credit unions.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–15; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902) $81,594,000, of which not to exceed $2,000 may be used for official reception and representation expenses.

(RESCISSION)

Of the available unobligated balances made available under Public Law 106–246, $1,664,000 are rescinded.

Neighborhood Reinvestment Corporation

Payment to the Neighborhood Reinvestment Corporation

For payment to the Neighborhood Reinvestment Corporation for use in neighborhood reinvestment activities, as authorized by the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8101–8107), $119,790,000.

Office of Government Ethics

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $11,489,000.

Office of Personnel Management

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $111,095,000, of which $6,913,170 shall remain available until expended for the Enterprise Human Resources Integration project; $1,435,500 shall remain available until expended for the Human Resources Line of Business project. In addition, $100,178,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2007, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

Office of Inspector General

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $1,597,860, and in addition, not to exceed $16,165,710 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

Government Payment for Annuitants, Employees Health Benefits

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.

Government Payment for Annuitants, Employee Life Insurance

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

Payment to Civil Service Retirement and Disability Fund

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

Office of Special Counsel

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), as amended, the Whistleblower Protection Act of 1989 (Public Law 101–12), as amended, Public Law 107–304, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $15,937,000.

Selective Service System

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $24,255,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

United States Interagency Council on Homelessness

OPERATING EXPENSES

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms, and the employment of experts and consultants under section 3109 of title 5, United States Code) of the United States Interagency Council on Homelessness in carrying out the functions pursuant to title II of the McKinney-Vento Homeless Assistance Act, as amended, $2,000,000.

United States Postal Service

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $108,915,000, of which $79,915,000 shall not be available for obligation until October 1, 2007: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2007.

United States Tax Court

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $47,110,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VIII—GENERAL PROVISIONS THIS ACT

(INCLUDING TRANSFERS OF FUNDS)

SEC. 801. Such sums as may be necessary for fiscal year 2007 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 802. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 803. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 804. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 805. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 806. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

SEC. 807. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 808. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

SEC. 809. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a–10c).

SEC. 810. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the statement of the managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations: *Provided*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the Senate and of the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 811. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2007 from appropriations made available for salaries and expenses for fiscal year 2007 in this Act, shall remain available through September 30, 2008, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

SEC. 812. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—

(1) such individual has given his or her express written consent for such request not more than 6 months prior to the date of such request and during the same presidential administration; or

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 813. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

SEC. 814. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office pursuant to court approval.

SEC. 815. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefits program which provides any benefits or coverage for abortions.

SEC. 816. The provision of section 815 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 817. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in the Buy American Act (41 U.S.C. 10a et seq.), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

SEC. 818. None of the funds made available in the Act may be used to finalize, implement, administer, or enforce—

(1) the proposed rule relating to the determination that real estate brokerage is an activity that is financial in nature or incidental to a financial activity published in the Federal Register on January 3, 2001 (66 Fed. Reg. 307 et seq.); or

(2) the revision proposed in such rule to section 1501.2 of title 12 of the Code of Federal Regulations.

SEC. 819. No funds in this Act may be used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use: *Provided*, That for purposes of this section, public use shall not be construed to include economic development that primarily benefits private entities: *Provided further*, That any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water-related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownsfield as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

TITLE IX—GENERAL PROVISIONS GOVERNMENT-WIDE

Departments, Agencies, and Corporations

SEC. 901. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

SEC. 902. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2007 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 903. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: *Provided*, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101-549 over the cost of comparable conventionally fueled vehicles.

SEC. 904. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 905. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992 (Public Law 102–404): *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 906. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 907. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 908. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided*, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 909. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 910. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 911. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service or under the charge and control of the Postal Service. The Postal Service may give such guards, with respect to such property, any of the powers of special policemen provided under 40 U.S.C. 1315. The Postmaster General, or his designee, may take any action that the Secretary of Homeland Security may take under such section with respect to that property.

SEC. 912. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a joint resolution duly adopted in accordance with the applicable law of the United States.

SEC. 913. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2007, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2007, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2007, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2007 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2007 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2006, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2006, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2006.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 914. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 915. Notwithstanding section 1346 of title 31, United States Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

SEC. 916. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of National Intelligence or the Office of the Director of National Intelligence.

SEC. 917. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for the current fiscal year shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964 (Public Law 88–352, 78 Stat. 241), as amended, the Age Discrimination in Employment Act of 1967 (Public Law 90–202, 81 Stat. 602), and the Rehabilitation Act of 1973 (Public Law 93–112, 87 Stat. 355).

SEC. 918. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 919. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

SEC. 920. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling: *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

SEC. 921. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

SEC. 922. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.

SEC. 923. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.

SEC. 924. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofor authorized by the Congress.

SEC. 925. (a) In this section the term "agency"—

(1) means an Executive agency as defined under section 105 of title 5, United States Code;

(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and

(3) shall not include the Government Accountability Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

SEC. 926. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, funds made available for the current fiscal year by this or any other Act to any department or agency, which is a member of the Federal Accounting Standards Advisory Board (FASAB), shall be available to finance an appropriate share of FASAB administrative costs.

SEC. 927. Notwithstanding 31 U.S.C. 1346 and section 910 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, and the Chief Acquisition Officers Council for procurement initiatives): *Provided further*, the total funds transferred or reimbursed shall not exceed $10,000,000: *Provided further*, such transfers or reimbursements may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 928. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 929. Nothwithstanding section 1346 of title 31, United States Code, or section 910 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 930. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: *Provided*, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

SEC. 931. Subsection (f) of section 403 of Public Law 103-356 (31 U.S.C. 501 note), as amended, is repealed.

SEC. 932. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF INDIVIDUALS' INTERNET USE.—None of the funds made available in this or any other Act may be used by any Federal agency—

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—

(1) any record of aggregate data that does not identify particular persons;

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

(c) DEFINITIONS.—For the purposes of this section:

(1) The term "regulatory" means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term "supervisory" means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 933. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

(b) Nothing in this section shall apply to a contract with—

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.

(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 934. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 935. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A-126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

SEC. 936. Notwithstanding any other provision of law, none of the funds appropriated or made available under this Act or any other appropriations Act may be used to implement or enforce restrictions or limitations on the Coast Guard Congressional Fellowship Program, or to implement the proposed regulations of the Office of Personnel Management to add sections 300.311 through 300.316 to part 300 of title 5 of the Code of Federal Regulations, published in the Federal Register, volume 68, number 174, on September 9, 2003 (relating to the detail of executive branch employees to the legislative branch).

SEC. 937. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 938. (a) No funds shall be available for transfers or reimbursements to the E-Government Initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the Committees on Appropriations by the Director of the Office of Management and Budget and receipt of approval to transfer funds by the House and Senate Committees on Appropriations.

(b) The report in (a) shall detail—

(1) the amount proposed for transfer for any department and agency by program office, bureau, or activity, as appropriate;

(2) the specific use of funds;

(3) the relevance of that use to that department or agency and each bureau or office within, which is contributing funds; and

(4) a description on any such activities for which funds were appropriated that will not be implemented or partially implemented by the department or agency as a result of the transfer.

SEC. 939. (a) REQUIREMENT FOR PUBLIC-PRIVATE COMPETITION.—

(1) Notwithstanding any other provision of law, none of the funds appropriated by this or any other Act shall be available to convert to contractor performance an activity or function of an executive agency, that on or after the date of enactment of this Act, is performed by more than 10 Federal employees unless—

(A) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function; and

(B) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the executive agency by an amount that equals or exceeds the lesser of—

(i) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(ii) $10,000,000.

(2) This paragraph shall not apply to—

(A) the Department of Defense;

(B) section 44920 of title 49, United States Code;

(C) a commercial or industrial type function that—

(i) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47); or

(ii) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act;

(D) depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code; or

(E) activities that are the subject of an ongoing competition that was publicly announced prior to the date of enactment of this Act.

(b) USE OF PUBLIC-PRIVATE COMPETITION.—Nothing in Office of Management and Budget Circular A-76 shall prevent the head of an executive agency from conducting a public-private competition to evaluate the benefits of converting work from contract performance to performance by Federal employees in appropriate instances. The Circular shall provide procedures and policies for these competitions that are similar to those applied to competitions that may result in the conversion of work from performance by Federal employees to performance by a contractor.

SEC. 940. (a) The adjustment in rates of basic pay for employees under the statutory pay systems that takes effect in fiscal year 2007 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 2.7 percent, and this adjustment shall apply to civilian employees in the Department of Defense and the Department of Homeland Security and such adjustments shall be effective as of the first day of the first applicable pay period beginning on or after January 1, 2007.

(b) Notwithstanding section 913 of this Act, the adjustment in rates of basic pay for the statutory pay systems that take place in fiscal year 2007 under sections 5344 and 5348 of title 5, United States Code, shall be no less than the percentage in paragraph (a) as employees in the same location whose rates of basic pay are adjusted pursuant to the statutory pay systems under section 5303 and 5304 of title 5, United States Code. Prevailing rate employees at locations where there are no employees whose pay is increased pursuant to sections 5303 and 5304 of title 5 and prevailing rate employees described in section 5343(a)(5) of title 5 shall be considered to be located in the pay locality designated as "Rest of US" pursuant to section 5304 of title 5 for purposes of this paragraph.

(c) Funds used to carry out this section shall be paid from appropriations, which are made to each applicable department or agency for salaries and expenses for fiscal year 2007.

SEC. 941. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 942. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act) or of section 552.224 of title 48 of the Code of Federal Regulations.

SEC. 943. Each executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government travel charge card. The department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: *Provided*, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

The Acting CHAIRMAN. Are there any points of order to that portion of the bill? If not, are there any amendments to that portion of the bill?

The Clerk will read.

The Clerk read as follows:

SEC. 944. Except as expressly provided otherwise, any reference to "this Act" contained in this title shall not apply to title V.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. LATOURETTE of Ohio.

Amendment by Ms. BEAN of Illinois.

Amendment by Mr. ISRAEL of New York.

Amendment by Mr. GARY G. MILLER of California.

Amendment by Mr. NADLER of New York.

Amendment by Mr. DAVIS of Alabama.

Amendment by Ms. JACKSON-LEE of Texas.

Amendment of Ms. HARRIS of Florida.

Amendment by Ms. SLAUGHTER of New York.

Amendment of Ms. WATERS of California.

Amendment by Ms. HOOLEY of Oregon.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. LA TOURETTE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. LATOURETTE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 266, noes 158, not voting 8, as follows:

[Roll No. 263]

AYES—266

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conyers
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Garrett (NJ)
Gerlach
Gilchrest
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Green, Al
Green, Gene
Gutierrez
Harman
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pelosi
Peterson (MN)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Rehberg
Reyes
Reynolds
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh
Wasserman Schultz
Waters
Watson
Watt
Waxman

Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—158

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Chocola
Coble
Conaway
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Everett
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Gibbons
Gillmor
Gingrey
Granger
Graves
Green (WI)
Grijalva
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
Kingston
Kline
Knollenberg
Kolbe
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCrery
McHenry
McMorris
Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Otter
Oxley
Pastor
Paul
Pearce
Pence
Peterson (PA)
Petri
Pitts
Poe
Pombo
Price (GA)
Putnam
Radanovich
Ramstad
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salazar
Schmidt
Sensenbrenner
Shadegg
Shaw
Sherwood
Shuster
Simpson
Smith (TX)
Sodrel
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Walden (OR)
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)

NOT VOTING—8

Evans
Hyde
Manzullo
Miller (MI)
Payne
Reichert
Sessions
Strickland

☐ 2121

Messrs. SALAZAR, CHOCOLA, SIMPSON, MARCHANT, Mrs. SCHMIDT and Mr. SULLIVAN changed their vote from "aye" to "no."

Messrs. HINOJOSA, GUTIERREZ, BURTON of Indiana and Ms. MCKINNEY changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. BEAN

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Illinois (Ms. BEAN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 234, noes 190, not voting 8, as follows:

[Roll No. 264]

AYES—234

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capps
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Foxx
Frank (MA)
Gerlach
Gibbons
Gohmert
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Renzi
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Woolsey
Wu
Wynn
Young (FL)

NOES—190

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capuano
Carter
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Flake
Forbes
Fortenberry
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Sherwood
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Taylor (NC)
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—8

Evans
Hyde
Manzullo
Miller (MI)
Payne
Reichert
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

☐ 2127

Mr. THOMAS changed his vote from "aye" to "no."

Mr. SHAYS changed his vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. REICHERT. Mr. Chairman, on June 13, 2006, I missed the following rollcall votes:

(1) Rollcall vote No. 263, an amendment to H.R. 5576, the Transportation, Treasury,

Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007—an amendment to increase funding—by offsets—for Amtrak by $214,000,000. Had I been present, I would have voted "no."

(2) Rollcall Vote No. 264, an amendment to H.R. 5576, the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007—an amendment to increase funding—by offsets—for the National Highway Traffic Safety Administration Operations and Research by $6,700,000. Had I been present, I would have voted "aye."

AMENDMENT OFFERED BY MR. ISRAEL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. ISRAEL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 197, noes 228, not voting 7, as follows:

[Roll No. 265]

AYES—197

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bishop (NY)
Blumenauer
Boehlert
Boren
Boswell
Boucher
Brown (OH)
Brown, Corrine
Burgess
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cuellar
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Duncan
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gibbons
Gonzalez
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kelly
Kennedy (RI)
Kildee
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murtha
Nadler
Napolitano
Ney
Oberstar
Obey
Ortiz
Owens
Pallone
Pascrell
Pelosi
Pomeroy
Porter
Price (GA)
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Ross
Rothman
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wu

NOES—228

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cooper
Cramer
Crenshaw
Cubin
Culberson
Davis (AL)
Davis (KY)
Davis, Tom
Deal (GA)
Delahunt
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kennedy (MN)
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Marchant
Markey
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (VA)
Murphy
Musgrave
Myrick
Neal (MA)
Neugebauer
Northup
Norwood
Nunes
Nussle
Olver
Osborne
Otter
Oxley
Pastor
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Stearns
Sullivan
Sweeney
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

☐ 2131

Mr. MORAN of Virginia changed his vote from "aye" to "no."

Mr. BOEHLERT changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARY G. MILLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 286, noes 139, not voting 7, as follows:

[Roll No. 266]

AYES—286

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baldwin
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Campbell (CA)
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Duncan
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gohmert
Gonzalez
Gordon

Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wilson (NM)
Woolsey
Wu
Wynn

NOES—139

Aderholt
Akin
Alexander
Baird
Baker
Barrett (SC)
Barton (TX)
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Buyer
Camp (MI)
Cannon
Cantor
Carter
Chocola
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Emerson
English (PA)
Everett
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Inglis (SC)
Istook
Jenkins
Johnson, Sam
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
Leach
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCrery
McHenry
Mica
Miller (FL)
Moran (KS)
Moran (VA)
Musgrave
Myrick
Northup
Norwood
Nunes
Oxley
Pearce
Pence
Petri
Pitts
Poe
Price (GA)
Putnam
Regula
Rehberg
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ryan (WI)
Saxton
Schmidt
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Stearns
Sullivan
Sweeney
Taylor (NC)
Terry
Thomas
Thornberry
Upton
Walsh
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

☐ 2136

Mr. ROHRABACHER, Mr. CONYERS and Miss McMORRIS changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NADLER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. NADLER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 178, not voting 11, as follows:

[Roll No. 267]

AYES—243

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Ford
Fossella
Frank (MA)
Gerlach
Gilchrest
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOES—178

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Calvert
Camp (MI)
Campbell (CA)
Cantor
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Everett
Feeney
Flake
Foley
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Inglis (SC)
Istook
Jenkins
Johnson (IL)
Johnson, Sam
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCrery
McHenry
McKeon
McMorris

Mica
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryun (KS)
Saxton
Schmidt
Schwartz (PA)
Schwarz (MI)
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Buyer
Cannon
Evans
Hyde
Manzullo
Miller (MI)
Payne
Radanovich
Sessions
Strickland
Thomas

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). The Chair advises Members there is 1 minute remaining in this vote.

☐ 2139

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. DAVIS OF ALABAMA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. DAVIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 262, noes 162, not voting 8, as follows:

[Roll No. 268]

AYES—262

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Bono
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Ford
Frank (MA)
Gerlach
Gibbons
Gilchrest
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Harris
Hart
Hastings (FL)
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Mack
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Pelosi
Peterson (MN)
Petri
Pickering
Platts
Poe
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Rogers (AL)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Woolsey
Wu
Wynn

NOES—162

Aderholt
Akin
Alexander
Baker
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Green (WI)
Gutknecht
Hall
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hunter
Inglis (SC)
Istook
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Marchant
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Murphy
Musgrave
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Pitts
Pombo
Price (GA)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Evans
Harman
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). The Chair advises Members 1 minute remains in this vote.

☐ 2142

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 193, noes 230, not voting 9, as follows:

[Roll No. 269]

AYES—193

Abercrombie
Ackerman
Allen
Andrews
Baca
Baldwin
Barrow
Barton (TX)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dingell

Doggett
Doyle
Emanuel
Emerson
Engel
Eshoo
Etheridge
Fattah
Filner
Fitzpatrick (PA)
Ford
Gibbons
Gilchrest
Gonzalez
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harris
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Ortiz
Owens
Pallone
Pascrell
Paul
Pelosi
Pomeroy
Porter
Rahall
Ramstad
Rangel
Renzi
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shadegg
Sherman
Shimkus
Skelton
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Wu
Wynn

NOES—230

Aderholt
Akin
Alexander
Bachus
Baird
Baker
Barrett (SC)
Bartlett (MD)
Bass
Bean
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cooper
Cramer
Crenshaw
Cubin
Culberson
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
English (PA)
Everett
Farr
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Kelly
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Matheson
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Miller, George
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Olver
Osborne
Otter
Oxley
Pastor
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shaw
Shays
Sherwood
Shuster
Simmons
Simpson
Slaughter
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Woolsey
Young (AK)
Young (FL)

NOT VOTING—9

Evans
Harman
Hyde
Manzullo
McHenry
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining on this vote.

□ 2145

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. MCHENRY. Mr. Chairman, on rollcall No. 269 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MS. HARRIS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. HARRIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 335, noes 90, not voting 7, as follows:

[Roll No. 270]

AYES—335

Abercrombie
Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp (MI)
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Fitzpatrick (PA)
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gohmert
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hayworth
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Ney
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (MI)
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thompson (CA)

Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walden (OR)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—90

Alexander
Baird
Baker
Barrett (SC)
Blunt
Boehner
Bonilla
Boustany
Brady (TX)
Brown (SC)
Buyer
Campbell (CA)
Cannon
Cantor
Carter
Conaway
Culberson
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
English (PA)
Feeney
Filner
Flake
Forbes
Foxx
Garrett (NJ)
Gingrey
Goode
Goodlatte
Granger
Graves
Hastings (WA)
Hayes
Hefley
Hensarling
Herger
Hoekstra
Inglis (SC)
Istook
Jindal
Johnson, Sam
King (IA)
Knollenberg
Kolbe
Larsen (WA)
Lewis (CA)
Linder
Lucas
Marchant
McCrery
McDermott
McHenry
Miller (FL)
Miller, Gary
Musgrave
Myrick
Neal (MA)
Neugebauer
Northup
Norwood
Nunes
Olver
Oxley
Pence
Radanovich
Rangel
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ryan (WI)
Sabo
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sullivan
Sweeney
Tancredo
Thomas
Thornberry
Visclosky
Walsh
Westmoreland
Wilson (SC)
Young (AK)

NOT VOTING—7

Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

☐ 2149

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. SLAUGHTER

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. SLAUGHTER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 190, not voting 9, as follows:

[Roll No. 271]

AYES—233

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Ford
Fortenberry
Gerlach
Gibbons
Gilchrest
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Pelosi
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Woolsey
Wu
Wynn

NOES—190

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
Everett
Feeney
Flake
Foley
Forbes
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Keller
Kelly
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Murphy
Musgrave
Myrick
Neal (MA)
Neugebauer
Northup
Norwood
Nunes
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—9

DeLauro
Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Smith (TX)
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

☐ 2151

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. WATERS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WATERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 207, not voting 7, as follows:

[Roll No. 272]

AYES—218

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird

Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Foley
Ford
Frank (MA)
Gallegly
Gerlach
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hart
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McCotter
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOES—207

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chocola
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Inglis (SC)
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
McCaul (TX)
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—7

Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there is 1 minute remaining in this vote.

☐ 2155

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. HOOLEY

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 348, noes 76, not voting 8, as follows:

[Roll No. 273]

AYES—348

Abercrombie
Ackerman
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrow
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Bono
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Frank (MA)
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lungren, Daniel E.
Lynch
Mack
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Pickering
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (KY)
Rogers (MI)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)

Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—76

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Bartlett (MD)
Boehner
Bonilla
Bonner
Boozman
Brady (TX)
Brown (SC)
Campbell (CA)
Cantor
Carter
Crenshaw
Cubin
Davis (KY)
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Everett
Feeney
Flake
Foxx
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Goode
Hall
Hayes
Hensarling
Inglis (SC)
Johnson, Sam
Knollenberg
Kolbe
Lewis (CA)
Linder
Lucas
Marchant
McCrery
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (VA)
Musgrave
Northup
Norwood
Olver
Oxley
Paul
Pence
Peterson (PA)
Petri
Pitts
Price (NC)
Radanovich
Regula
Rogers (AL)
Rohrabacher
Ros-Lehtinen
Royce
Schmidt
Shuster
Smith (TX)
Sodrel
Tancredo
Taylor (NC)
Visclosky
Watt
Weldon (FL)
Westmoreland
Wilson (SC)
Young (AK)

NOT VOTING—8

Evans
Hyde
Manzullo
Miller (MI)
Payne
Sessions
Strickland
Thomas

☐ 2159

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Mr. KNOLLENBERG. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PRICE of Georgia) having assumed the chair, Mr. DREIER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5576), making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

JOB-KILLING TRADE AGREEMENTS

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, the People's Republic of China, Communist China, announced today that they have a $13 billion trade surplus for the month of May only. China last year with the U.S. had a $203 billion trade surplus, which, according to the U.S.-China Economic Security and Review Commission, a government agency, said that accounts in my State alone for a loss potentially of 42,000 manufacturing jobs.

Too many of our Senators, too many of our House Members voted for these trade agreements that outsourced jobs, these job-killing trade agreements that devastate our communities. When places like Mansfield and Chillicothe and Portsmouth and Zanesville and Lima lose these kinds of industrial manufacturing jobs, they hurt our schools, they mean fewer police on the street, they mean weaker fire protection, they mean hardship for our families.

Mr. Speaker, it is time that Members of Congress stood up and quit passing these job-killing trade agreements.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PRICE of Georgia). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE FEDERAL CONSENT DECREE FAIRNESS ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. BLUNT) is recognized for 5 minutes.

Mr. BLUNT. Mr. Speaker, I am here today to talk about the Federal Consent Decree Fairness Act that I hope we see on the floor during this Congress. Mr. GARRETT from New Jersey and Mr. BISHOP from Utah and other members of the Congressional Constitution Caucus are also speaking on behalf of this important legislation tonight. I would also like to thank the gentleman from Tennessee (Mr. COOPER), who is the lead cosponsor of this legislation along with me.

I am pleased to be the sponsor of the Federal Consent Decree Fairness Act. I would like to start by explaining what it is not about. This bill is not about reining in an activist judiciary or about ending consent decrees. This legislation is about increasing the responsibility and accountability of elected officials. This is really focused on what elected officials are elected to do.

Consent decrees are too often used by elected officials as an excuse not to solve the problems they have been elected to solve. The principal goal of this legislation is to return the responsibility for public policy-making and the governing of public institutions to elected officials. When a consent decree lasts for decades, as many of them do, many elected officials never have the opportunity to take responsibility for important public services. A politician can say, I would really like to do something about the transportation system in Los Angeles County, for example, but I cannot because of that consent decree. Or I would like to spend more on education in this State, but I really cannot because our budget is determined by these consent decrees on other issues or even on education itself. And their successors in that office can and often do say the same thing.

Consent decrees, in my view, have become a hiding place for public officials, relieving them of responsibility in the area that the consent decree affects. So let me again repeat, this is a bill, an act, that would really make public officials take responsibility for the things they have been elected to do.

This bill would create an obligation on the part of newly elected public officials that they would have an opportunity to look at every consent decree that their predecessors were part of and defend why the consent decree should continue or go to the courts and explain why the consent decree no longer applies. If the plaintiff can explain to the judge why it is important that the consent decree continue, then the decree stays in place.

Our goal is to return public responsibility to public officials. Too many people in the country today, too many public officials who even try to take on these issues find that the consent decrees that were entered into decades before by their predecessors prevent them from doing the hard things that need to be done.

The only consent decrees that could be dissolved under this action are those in which the plaintiff is incapable of proving a continued need for court supervision. If there is no longer a need for court supervision, would it not be undemocratic not to return the policy decisions to elected officials and in turn to the voters?

IRAQ WEEK IN THE HOUSE OF REPRESENTATIVES

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent to claim the time of the gentlewoman from New York (Mrs. MCCARTHY).

The SPEAKER pro tempore. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. MCDERMOTT. Mr. Speaker, this is Iraq Week in the House of Representatives, called by the Republican majority in hopes that they can stop the bleeding, not on the ground in Iraq, but in the opinion polls in this country.

They want to capitalize on the success of the U.S. military last week and define progress in Iraq all over again. Over the last 3 years, the definition of progress by the Republican majority has been as elusive as the President's plan for Iraq.

Still, later this week after lots of Republican speech making, the majority leader will force-feed the American people a new resolution telling them what to think about the Iraq war. In the fine print is a desperate effort by the Republicans to cling to power in the November election. That is what this week is all about.

Republican leaders hope to commandeer the news cycle and convince the American people that Republicans deserve to stay despite their record on Iraq. In other words, Iraq Week is a staged Republican campaign event.

The resolution the Republicans will force through the House of Representatives on Friday will have nothing to do with increasing the safety of our Nation or the security of our soldiers on the ground in Iraq. It is about the security of the Republican grip on power. The Republicans fear the American people have answered Newt Gingrich's question. Do you remember it? "Had enough?" Well, they have. Poll after poll says the American people indeed have had enough of Republican power. The American people always have accepted sacrifice when it comes to defending the Nation. But one thing they have never accepted is being misled by their leaders. The American people have heard enough to know the trust they placed in the President over his justification to invade Iraq was misplaced.

The American people have seen enough to know this administration and the Republican Congress have no plan except to keep declaring progress. The words, however, pale compared to the images they see on TV every day. Enough facts have emerged for the American people to know that Iraq has become a grim lesson we learned a long time ago in Vietnam. But instead of transferring responsibility, the President declares the tide has turned, U.S. troops will stay in Iraq, and there will be difficult days ahead.

That is a Presidential declaration that more American soldiers will die, more American soldiers will suffer grave physical injuries, more American soldiers will be exposed to depleted uranium, and more American soldiers will return home traumatized by post-traumatic stress disorder.

This is today's reality, and the truth is there is no end in sight. And you will not hear that from the President. Earlier this year, U.S. military commanders talked about significant force reductions by the end of the year. They have stopped talking about it. That is because the reality on the ground in Iraq defies the Republican spin.

But the spinning goes on. Yesterday at Camp Neocon, that is what they used to call Camp David, the President called together the administration in a new effort to define progress. It was a campaign meeting meant to manage the news the American people receive about Iraq. Today, the President made a surprise visit to Iraq, not unlike landing on an aircraft carrier to declare mission accomplished. It wasn't then and it isn't now.

Soon, the Republican leaders will tell the American people what to think, without the information on which to make an informed decision. Here is something they do not want to talk about: the U.S. is building Fortress Iraq, a $600 million embassy, the biggest in the world.

What lurks ahead for the United States is another grim and painful lesson we learned a long time ago. The administration would like to divert your attention while it orders the military to pour concrete runways and bunkers across Iraq. Tens of thousands of U.S. soldiers are going to be stationed in Iraq indefinitely. These bases will be called something else for the American people, but they will still be targets for the insurgents.

Not everyone has access to enterprise journalism being produced by the mainstream news organizations. So in the interest of promoting a resolution of truth about Iraq, I will enter into the RECORD two recent news articles. The first is from the Los Angeles Times entitled: "Give the Defense Department an F." "A Roadblock to Unity in Iraq" was published in the Salt Lake City Tribune. Read them. Make up your own mind.

The definition of progress in Iraq is not a Republican resolution force-fed to the Congress, as they would have you believe. The definition of progress is bringing our soldiers home, all of them, in significant numbers every month from this moment on until they are out of harm's way and we are out of the war that we should never have been in in the first place.

[From the Los Angeles Times, June 3, 2006]

GIVE THE DEFENSE DEPARTMENT AN F

(By Anthony H. Cordesman)

If the United States is to win in Iraq, it needs an honest and objective picture of what is happening there. The media and outside experts can provide pieces of this picture, but only the U.S. government has the resources and access to information to offer a comprehensive overview.

But the quarterly report to Congress issued May 30 by the Department of Defense, "Measuring Stability and Security in Iraq," like the weekly reports the State Department issues on Iraq, is profoundly flawed. It does more than simply spin the situation to provide false assurances to lawmakers and the public. It makes basic analytical and statistical mistakes, fails to define key terms, provides undefined and unverifiable survey information and deals with key issues by omission. It deserves an overall grade of F.

The report provides a fundamentally false picture of the political situation in Iraq and of the difficulties ahead. It does not prepare Congress or the American people for the years of effort that will be needed even under "best-case" conditions nor for the risk of far more serious forms of civil conflict. Some of its political reporting is simply incompetent. For example, the report repeatedly states that 77 percent of the Iraqi population voted in the December 2005 election. Given that the CIA estimates that almost 40 percent of the population is 14 or younger, there is no conceivable way that 77 percent of the population could have voted. The report says 12.2 million voters turned out. The CIA estimates Iraq's population is 26.8 million. This means roughly 46 percent of the population voted.

The far more serious problem, however, is the spin the report puts on the entire Iraqi political process. Political participation surely rose. But that wasn't because of acceptance of the new government or an embrace of a democratic political process; it reflected a steady sharpening of sectarian divisions, as Sunnis tried to make up for their decision to boycott earlier elections.

The report touts a "true unity government with broad-based buy-in from major electoral lists and all of Iraq's communities." But its own data tell a different story. The one largely secular party won only 9 percent of parliament. The sectarian Shiite party, the United Iraqi Alliance, got 47 percent. The equally sectarian Sunni Iraqi Accordance Front got 16 percent, and the Kurdish Coalition got 19 percent. That hardly adds up to "unity."

The five-month delay in forming a government after the elections, the failure to appoint ministers of defense or interior and the fact that former Prime Minister Ibrahim Jafari relinquished his post only after strong pressure from the United States and from Grand Ayatollah Ali Sistani are signs that progress is likely to be slow in the future as well. Sectarian conflict has become almost as serious a threat as the insurgency.

It is scarcely reassuring to be told by the Defense Department that the February attack on the Golden Mosque in Samarra marked a defeat for the insurgents and Islamic extremists because it did not instantly lead to all-out civil war. It is hard to think of a worse definition of victory.

The economic section of the report contains useful data and reflects some real progress in the Iraqi financial sector. However, its analysis is flawed to the point of being actively misleading. No meaningful assessment is provided of the successes and failures of the U.S. aid effort, and no mention is made of the massive corruption and mismanagement of U.S. aid discovered by the special inspector general for Iraqi reconstruction.

Nor is there meaningful analysis of oil developments, budget and revenue problems or future needs for aid. More than $30 billion in U.S. funds and nearly $35 billion in Iraqi money is involved, yet there is a serious risk that the Bush administration will do more than omit the inspector general's report. In fact, some State Department officials and Republicans in Congress are trying to put the inspector general out of business.

The report's handling of the key issue of Iraqi unemployment is symptomatic of the victory of spin over content. The report quotes vague national figures of 18 percent unemployment and states that other estimates range between 25 percent and 40 percent. By saying that unemployment and poverty "remain concerns" but that there are "substantial difficulties in measuring them accurately," it glosses over one of the most destabilizing aspects of Iraq. It ignores the failure of the aid program to create real jobs, especially for young men in areas of high crime and insurgency. Unemployment is not a casual macroeconomic factoid; it is central to bringing stability and security and to defeating the insurgency.

The Defense Department's reporting on the Iraqi police forces simply cannot be trusted. Death squads rampage in police uniforms, but there is only passing mention of staff problems, corruption, sectarian tensions or horrific prison abuses. There is no meaningful analysis of problems so severe that the U.S. has called for a "year of the police" and Iraq's new prime minister, Nouri Maliki, is considering reorganizing the entire force.

The United States is making real progress in some aspects of building the Iraqi regular military. Yet there is still a tendency to promise too much, too soon, to understate the risk and the threat, and to disguise the fact that the U.S. must be ready to support Iraq at least through 2008 and probably through 2010.

The U.S. cannot afford to repeat the mistakes it made in Vietnam. Among them was dangerous self-delusion. The strategy President Bush is pursuing in Iraq is high risk. If it is to have any chance of success, it will require bipartisan persistence and sustained American effort. This requires trust, and trust cannot be built without integrity. That means credible reporting.

The American people and Congress need an honest portrayal of what is happening, not halftruths by omission and spin.

[From the Salt Lake Tribune, June 8, 2006]

A ROADBLOCK TO UNITY IN IRAQ

(By Trudy Rubin)

BAGHDAD, IRAQ.—The air-conditioning has been broken for three months in the cavernous convention center where Iraq's national assembly meets, so the members were sweating profusely in the 115-degree heat.

Male delegates in Shiite turbans or the flowing robes of sheikhs or shirts and slacks, along with women in enveloping black chadors and colorful Kurdish dress—and a few females with uncovered hair—gathered in clusters Sunday as they waited for the session to begin.

This was supposed to be the meeting that finally confirmed the key members of an Iraqi government, five months after elections last December. This is supposed to be the national unity government of Shiites, Kurds—and Sunnis—on which the Bush administration counts to undermine the Sunni-led insurgency. The success of this national unity government is a key to bringing American troops home.

The delay in forming this government has sparked the worst chaos in Baghdad since Saddam Hussein fell. So delegates were eager for Prime Minister Nouri al-Maliki to keep his pledge to name the ministers of interior and defense. Those ministers are essential to restoring some security to Iraq.

Suddenly a buzz rippled through the hall.

The session had been canceled.

Squabbles among fellow Shiites over who should get the ministries had prevented Maliki from keeping his promise. That day painted a stark picture of the challenges confronting this national unity government, on which Iraqi and U.S. hopes hang.

Rather than bring Iraqis together, this government has reflected Iraq's fragmentation. The situation may be salvaged, but it will take determined leadership from a handful of key Iraqi politicians, as well as from the U.S. ambassador to Iraq, Zalmay Khalilzad.

Maliki tried from the start to act like a leader. He promised a new plan to secure Baghdad and flew to the key oil city of Basra to try to halt wars between Shiite militias and gangs. He made the pledge to name the ministers.

But Iraq's new constitution keeps the prime minister impossibly weak—a reaction to the Hussein dictatorship. And the Iraqi political culture ties him in knots.

In order to choose his two ministers, Maliki first had to get seven Shiite factions to agree among themselves on the names (they couldn't), then win over Sunnis and Kurds and Khalilzad. The prime minister lacks the power to take decisions on his own.

"We all feel sympathy for the prime minister," I was told by Adnan Ali al-Kadhimi, an adviser to the former prime minister, Ibrahim al-Jaafari. "The constitution puts too many ties on the prime minister, and political leaders give themselves too many privileges."

Indeed, the current system, in which ministries are doled out like fiefs to ethnic and religious parties, has led to incredible corruption.

"Political position in Iraq has become a way to steal money and then leave the country," says one official in the defense ministry, where tens of millions of dollars vanished. With few exceptions, the new crop of ministers, also picked by party, does not appear much better than the old.

This system has made many Iraqis sour on democracy quickly. They are hungry for strong leadership. Over and over, I've heard Iraqis say Hussein could have restored order in two weeks.

This is why it is so crucial for Maliki to be able to act as a national leader who stands above the interests of sectarian parties. But it isn't easy for Maliki to make that leap. For one thing, he has virtually no experienced staff; much of what he does have is limited to his Shiite religious party, the Dawa.

I asked one of the bright lights in the new government, Deputy Prime Minister Barham Salih, what was to be done. Salih, a Kurd whom I met over a kebab feast in his garden with his peshmerga (Kurdish militia) guards, manages to combine ethnic loyalty with a commitment to building an Iraq for all its people.

"Prime Minister Maliki says he wants to transcend his Shia affiliation and act as a national leader," Salih said. "It is incumbent on all of us in Iraq and Iraq's friends in the international community to help us realize that objective."

It is unclear how or if that can be done. But the prospects for Iraq and for U.S. troop withdrawals depend on whether Maliki can lead.

□ 2215

ALTERNATIVE FUELS RESEARCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. GOODE) is recognized for 5 minutes.

Mr. GOODE. Mr. Speaker, I rise tonight to tell the House and the United States that leading edge research into the development of alternative fuels is happening as we speak in the Fifth District of Virginia at the Institute for Advanced Learning and Research in Danville, Virginia. The institute is a mission of Virginia's land grant institution, Virginia Tech. The institute anchors the technology economy of southside Virginia, and one of its research initiatives focus on sustainable and renewable resources.

In particular, the scientists working in this field are directing their efforts toward generating alternative energy from renewable resources such as switchgrass and hybrid poplars. The scientists believe that these renewable resources can be used in biofuels, biodiesels and bioenergy. The research being conducted at the institute is not just laboratory work, it is applied research. In that light, the institute has formed a partnership with Wendy Acres Nursery in Gretna, Virginia, also in the Fifth District. At Wendy Acres, they are growing species of switchgrass and hybrid poplar which have a low ash content when processed. This characteristic makes these plants better suited for bioenergy and biofuels. These species are being bred and investigated for use in short-rotation woody plant species and herbaceous perennials as feedstocks by the Institute for Sustainable and Renewable Resources to determine the most efficient production of bioenergy and biofuels.

Mr. Speaker, I have here a container of wood chips. I also have a container of switchgrass. What the scientists have come up with is this biofuel. This is just steps away from being able to be utilized in vehicles all across this Nation. I look forward to the day when we have no dependence on Venezuela and Mr. Chavez for our oil needs. I look forward to the day when we have no dependence on the Middle East and sheiks there for our oil needs. I look forward to the day when we are free of foreign fossil fuel. And I hope all across America we can do as they are doing in Danville and other places, making our own fuel and giving us energy independence.

AMERICA'S AGRICULTURE

Mr. ROSS. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. ROSS. Mr. Speaker, I come to the floor tonight deeply concerned about the future of our Nation's farm economy and the well-being of our farmers and ranchers. America's farm families provide the most safe, reliable and abundant source of food and fiber in the world. The security of our Nation's domestic food supply is critically important to the security of our homeland. We must continue to provide our farm families with the tools and resources necessary to continue producing our food and fiber to ensure we never become as dependent on foreign countries for our food as we are for our oil today.

I was extremely disappointed in this Republican Congress and their decision to cut agriculture disaster funding during conference committee negotiations of the emergency supplemental appropriations bill last week. I was also struck by the fact that the administration even weighed in by threatening its first veto ever of this supplemental if it contained disaster assistance for our farm families. Making these cuts on the backs of our farmers and ranchers when they are struggling to make ends meet is unconscionable.

Mr. Speaker, it is about priorities, and the decision made by this Republican Congress and administration does not reflect the commonsense priorities and values that many Arkansans and I were raised on and still believe in.

Agriculture is Arkansas' largest industry and ranks among the top 10 States in the production of rice, poultry, cotton, catfish and baitfish. In fact, one in every five Arkansas jobs is directly related to agriculture. According to a forecast by USDA's Economic Research Service, farm income is estimated to decline by $16.5 billion in 2006 as a result of increased production costs and reductions in market assistance. Reduction in farm income, combined with the hardships experienced during the 2005 crop year, will lead our Nation's farm economy into the worst decline of the 21st century.

As you can see from the poster here, Mr. Speaker, the red line, the top line, indicates the amount of money that it costs our farmers to grow crops. The bottom line demonstrates the amount of money they have received. They are losing money. In 1985, farmers spent anywhere from $80,000 to $85,000 on a new tractor. Today, a farmer will spend anywhere from $140,000 to $150,000 on a new tractor.

As the chart shows, our farm families have seen a steady increase in the cost to produce their crops, while at the same time the prices they receive for their crops remain the same and are lower than they were 10 years ago. In fact, in 1980, cotton was going for 60 cents a pound. Today, it is 42 cents a pound. Rice was going for $11.50 per hundred weight. Today, it is $7 per hundred weight. Soybeans, in 1980, $5.71 a bushel. Today, just a slight increase, at $6.09 a bushel.

In 2005, our Nation's farm families faced severe droughts, hurricane damaging winds and other natural events causing damage and devastation to their crops and livestock. Americans have been hit hard by the drastic increase in gasoline, diesel and natural gas prices. Our Nation's farm sector relies heavily on diesel fueled farm equipment to plant, harvest and transport their products to market. Increased fuel, fertilizer and other record high input costs have pushed many farmers out of business altogether, forcing them to auction off their family farms.

I have been urging this Republican Congress and administration to pass disaster assistance for our farm families since September of last year. I stand here tonight holding this binder, a binder recently presented to me by Ken Shea of Dumas, Arkansas. It is filled with farm auction after farm auction, fliers, notices of bankrupt farm families from Arkansas. Even if a disaster bill was passed today, it would be too late for these farm families and many others who are trying desperately to avoid bankruptcy. Every day that passes without providing disaster assistance, more families are auctioning off their farms.

I am a cosponsor of H.R. 3702, an agriculture disaster assistance bill which was introduced in September of last year.

Mr. Speaker, I stand here tonight urging the Republican leadership to give us a hearing and a vote on this bill.

CONGRESSIONAL CONSTITUTION CAUCUS' CONSTITUTION HOUR—CONSENT DECREES

Mr. GARRETT of New Jersey. Mr. Speaker, I rise to claim my time out of order.

The SPEAKER pro tempore. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. GARRETT of New Jersey. I do thank you, Mr. Speaker.

Tonight, I come here as we do each week as members of the Constitutional Caucus come here on a regular basis to present a series of 5-minutes following the day's activities and the day's votes. We do so tonight to focus on really one of the most important and significant issues dealing with our Constitution and threats to our constitutional rights as well.

Before I do that, let me just say this, that I wish to show my utmost appreciation earlier this evening for the majority whip coming out and joining us to discuss a piece of his legislation that goes to this very fundamental issue and also for his efforts to work to protect those basic liberties of every American.

The threats that I am referring to is our Founding Fathers' principles of self-government and the jeopardy that comes in the form of consent decrees. For those of you who are not familiar with exactly what consent decrees are, in essence, they are simply this. They are judicial actions that are entered into between opposing parties, in this case by the party bringing the action, private individuals, usually, and State or local entities. State or local governments are basically compelled at the end of a court case to enter into these agreements. They are then, therefore, called consent decrees. In their name and on their face, they sound innocent enough. In reality, they simply can be because they are protecting rights of some sort or the other. But they can also have in the long-term a cumulative effect, a threat to the legislative process and also to the hardworking American taxpayer who supports it as well.

These decrees have resulted in judges engaging themselves in affairs outside of their constitutional job description, outside of the very framework of the protections that we have established in our documents of checks and balances. I say that their intents are noble and good in many cases, and that is to protect our rights, but by engaging in such blatant activism, they are actually threatening self-government itself, rights outside what our Founding Fathers intended.

I agree with what the majority whip had indicated before. This is not simply a case of dealing with judicial activism because it really goes beyond that and does not engage in that at all times. It is an understanding that our Founding Fathers had, and we have reminded those who have listened to these programs, listened to us coming to the floor each week to discuss constitutional issues, that we must be very mindful always of protecting those rights set forth by the Fathers, especially the rights of States as established in the 10th amendment. All rights not specifically delegated to the Federal Government are retained by the people and the States, respectively.

Consent decrees, therefore, can place an undue burden on the States and local officials. They can last literally for decades, long after the local officials or State officials who may have been involved with those cases in the first instance have long since left office. Newly elected officials may have come into place to find they are bound by those previously entered into decrees. They are now unable to place in policies that could rectify the situation, unable to put in policies that could solve the situation for future generations, and unable to put in policies that basically could save the taxpayers money at the end.

Judges have already tried to engage in other ways in activism, obviously of taking away our rights as we have discussed before, taking away our property rights and the democratic right to construct our marriage institutions.

But consent decrees go one step further. They chip away at the authority of our local officials, allowing judges and not the people who were democratically elected to represent them. This is not just a decision and opinions of Members of Congress. The Supreme Court has also spoken on this. In fact, in a unanimous decision back in 2004, the U.S. Supreme Court called for limiting these types of decrees in the case of Frew v. Hawkins. The court proclaimed there that Federal consent decrees could encroach on State and local power. They continued that these decrees may "improperly deprive future officials of their designated and executive powers." They may also lead "to Federal court oversight of State programs for long periods of time even absent an ongoing violation of the law."

Mr. Speaker, for these reasons, I am more than proud to support my good friend from Missouri and his legislation, H.R. 1229, the Federal Consent Decree Fairness Act. This is legislation that would provide relief to newly elected mayors and other State officials who inherit these overly broad and outdated decrees. It would limit their ability to govern. And it would be able to respond to priorities of their constituents for the future.

This legislation will put term limits on existing decrees while setting out guidelines for the future. We must ensure that they are limited in nature, not opening the doors for future violations. Again, I commend the gentleman from Missouri.

RED INK CONTINUES TO PILE UP

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to reclaim my time and to address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentlewoman from Ohio is recognized for 5 minutes.

There was no objection.

Ms. KAPTUR. Mr. Speaker, the red ink continues to pile up, both in our budget deficit and in America's trade deficit. The Commerce Department reported on Friday that the trade deficit is rising again, pushed up by oil prices and a flood of more imports from China. With oil imports over $70 a barrel, we know this trade deficit is going to swell as the year proceeds. The Commerce Department reported that the gap between what the United States sells abroad and what it imports rose to $63.4 billion in April, 2.5 percent higher than the March imbalance of $61.9 billion. We know that the trade deficit in both February and March just fell a tad, but it had hit an all-time high this January of $66.2 billion. And while economists noted that the April deficit was smaller than the $65 billion that had been expected, it is still the sixth largest trade deficit on record.

☐ 2230

This is a chart that takes a look at what has been happening ever since this Congress unfortunately passed NAFTA back in the early 1990s, followed by permanent normal trade relations with China, and what could be normal about that? Every single year the red ink gets deeper.

Through the first 4 months of this year, the trade deficit is running 1.9 percent above the same period a year ago putting our country on track to run up a record deficit again for a fifth straight year. Last year's deficit, as this chart indicates, was three-quarters of $1 trillion, three-quarters of $1 trillion.

To cover this red ink, we have to borrow. We have to import capital to offset what we are not exporting in goods. America is in uncharted waters. We have never, ever experienced this situation before. Some people have commented that our country is handing over $2 billion a day to foreigners to cover this trade gap. The increase in the April trade deficit reflected a .7 percent rise in imports which climbed to $179.1 billion, the second highest level on record. In other words, the trend is in the wrong direction.

In addition to higher oil bills, imports of autos and auto parts were up and shipments of consumer goods from China such as furniture, televisions, video recorders and toys all rose. More imports coming in, fewer imports going out. Major U.S. companies like La-Z-Boy are having trouble in the market, because products are coming in from China where workers make pennies a day.

We have lost our entire television industry. Not a single television is made in this country any more. Companies in the automotive parts industry like Delphi are trying to struggle to hang on.

We are living through the hollowing out of our country. We are propping up this loss of real wealth and production capacity with borrowed capital. We are in uncharted waters. America has never been here before.

The markets are reflecting it. Today, in the New York Times, major headline: Broad economic worries drive global sell-off. What is happening is there are huge drops in the market. Standard & Poor 500 stock index fell 1.3 percent, erasing all of its gains for this year and closing at its lowest level since November. The NASDAQ fell more than 2 percent and the Dow Jones Industrial Average fell almost 1 percent. Damage was far worse in markets around the world.

American manufacturers claim, well, you know, the problem is just with China that their currency is undervalued by as much as 40 percent. But I can remember when they said that to me about Japan 16 years ago. MARCY, when the yen-dollar relationship comes into balance, we will have a trade surplus with Japan. No, no.

No trade surplus with Japan because they still have a closed market, and we act like they don't. So we take their products, but they don't take our products. So Japan has now become our largest financer, and every day we pay them interest on their greater and greater loans to us.

Mr. Speaker, America cannot continue on this course. In fact, analysts are saying the deficit will set an even higher record this year, probably close to $1 trillion, if we keep going at the rate that we are going today. The deficit with Japan rose by 2.8 percent in April to $7.8 billion.

The deficit with Canada rose 16.3 percent to $6.1 billion in April, while our imbalances with Mexico, with Korea, well, gosh, with about every other country in the whole world, just kept going up. The sad thing for our country is it looks like this year will be the first year in our history we will import more agricultural goods than we export. This is not the America we should be leaving to our children and grandchildren.

Let's elect people to this Congress and to this Presidency who will put America's financial house in order and make us independent again.

[From the New York Times, June 13, 2006]

Broad Economic Worries Drive a Global Sell-Off

(By Vikas Bajaj and Jeremy W. Peters)

Fears about higher interest rates, rising inflation and a slowing economy sent stocks sharply and broadly lower yesterday, with emerging markets taking the biggest hit.

In the United States, the Standard & Poor's 500-stock index fell 1.3 percent, erasing all of its gains for the year and closing at its lowest level since November. The Nasdaq fell more than 2 percent and the Dow Jones industrial average fell almost 1 percent.

But the damage was far worse in some other parts of the world. Trading at the Colombian stock exchange was briefly halted after its benchmark index fell more than 10 percent. Mexico's benchmark stock index fell 4.3 percent, its biggest one-day decline in more than 3 years. Markets in India, Brazil and Hungary also tumbled.

Emerging markets had enjoyed a strong surge in recent years because low interest-rate policies around the world pumped cheap money into the global economy, analysts said.

"Global liquidity has helped drive a lot of these risky assets," said Larry Adam, chief investment strategist at Deutsche Bank Alex Brown. "And now you are seeing this flight to quality," including cash and investments in developed countries, he said.

At first glance, stocks in the United States and Western Europe do not appear to have benefited from the emerging-market retreat, but money coming out of emerging markets may be helping to cushion the blow, Mr. Adam said.

Yesterday's sell-off started early and gathered pace throughout the day. Some analysts suggested that a major catalyst was a speech by the president of the Federal Reserve Bank of Cleveland, Sandra Pianalto, in which she said that inflation was higher than her "comfort level."

Ms. Pianalto was the latest Fed official to express concerns about inflation in the last several days, a drumbeat that many investors think is a not-so-subtle message that the central bank will raise short-term interest rates, now at 5 percent, at its next meeting on June 29. Earlier, the Fed had indicated that it might pause in its two-year campaign of raising rates.

The Fed is "adding to a little of this hysteria that is building," said James W. Paulsen, chief investment strategist at Wells Capital Management.

To be sure, Ms. Pianalto, who is one of the 11 officials who vote on Fed's interest rate policies, said that inflation, though worrisome, was not an ominous threat to the economy.

"Measures of long-term inflation expectations have been mixed lately, but, on the whole, I regard them as remaining contained," she said to a gathering of the Broadcast Cable Financial Management Association in Florida. The challenge of Fed policy makers, she said, "is to make sure that they stay contained."

The government will issue reports on wholesale and consumer inflation today and Wednesday. Excluding energy and food prices, economists expect both the producer price and consumer price indexes to have risen 0.2 percent in May, a rate considered to be modest by most experts.

The biggest loser yesterday, as in the last few weeks, was the technology industry. Many large technology companies, struggling to match past growth as they mature, have been lowering their profit projections.

For the second quarter, the technology area's profits are expected to to fall 2 percent from the same period last year while the overall increase in the S.& P. 500 is expected to be 10 percent, noted Howard Silverblatt, senior index analyst at Standard & Poor's. "This is supposed to be a growth industry," he said.

The Nasdaq was led downward by Qualcomm, the maker of wireless technology, which fell 5 percent yesterday after it filed a complaint against its rival Nokia as part of a lengthy patent fight.

Shares of Apple fell almost 4 percent, apparently reflecting investors' concerns about efforts by some European countries to force the company to open up its music software to devices other than the iPod.

One of the few exceptions to yesterday's broad sell-off was General Motors, which rose 43 cents, or 1.7 percent, to $25.78. It was the Dow's biggest gainer. The shares moved higher as the president of the United Automobile Workers, the company's biggest union, told members that the union would have to rethink its traditional positions to ensure the domestic automobile industry's survival.

The stock also appeared to be reflecting investors reaction to news of an agreement late Friday that could avert a costly strike at G.M.'s largest supplier, Delphi.

Many market experts remain convinced that the recent correction in stock prices will prove temporary and will be contained to a few areas. They note that inflation, though rising, remains low by historical standards.

But the market's volatility has intensified and will probably remain high, analysts say.

"It is a retrenchment," Mr. Silverblatt said. But "companies are still in good shape."

The Dow fell 99.34 points, to close at 10,792.58, its lowest level since Feb. 7. The S & P 500 declined 15.90 points, to 1,236.40. The Nasdaq fell 43.74 points, to 2,091.32. The Russell 2000 stock index of smaller-capitalization companies, fell 18.2 points, or 2.6 percent, to 683.19. Declining issues led advancing stocks by 3½ to 1 on the New York Stock Exchange.

Treasuries fell slightly. The price of the benchmark 10-year note fell $^{1}/_{32}$, to $^{101 4}/_{32}$. The yield, which moves in the opposite direction of the price, rose to 4.98 percent, from 4.97 on Friday.

Here are the results of yesterday's auction of three- and six-month Treasury bills:

[000 omitted in dollar figures]

	3-Mo. Bills	6-Mo. Bills
Price	98.786	97.510
High Rate	4.800	4.925
Investment Rate	4.926	5.121
Low Rate	4.760	4.880
Median Rate	4.780	4.905
Total applied for	$39,754.505	$34,750.526
Accepted	$22,838,196	$20,264,834
Noncompetitive	$2,150,786	$1,697,043

Both issues are dated June 15, 2006. The three-month bills mature on Sept. 14, 2006 and the six-month bills mature on Dec. 14, 2006.

THE FAVORITES—STOCKS HELD BY LARGEST NUMBER OF ACCOUNTS AT MERRILL LYNCH

Stock	Close	Change (%)	
		Day	2006
AT&T Inc	26.66	+0.2	+8.9
Avaya	11.31	−1.6	+6.0
BkofAm	48.41	−0.8	+4.9
Chevron	57.59	+0.1	+1.4
Cisco	19.48	−2.5	+13.8
Citigroup	49.33	−0.9	+1.6
Comcast	32.47	−0.6	+25.3
ExxonMob	58.24	−1.0	+3.7
GenElec	33.87	−0.6	−3.4
Home Dep	36.26	−1.9	−10.4
Intel	16.86	−1.7	−32.5
IBM	77.02	−0.8	−6.3
JPMorgCh	41.60	−1.2	+4.8
JohnJn	61.38	*	+2.1
Lucent	2.41	−1.6	−9.4
Microsft	21.71	−1.0	−17.0
Pfizer	23.29	−1.0	−0.1
ProctGam	54.31	−0.3	−6.2
TimeWarn	17.20	−0.9	−1.4
VerizonCm	31.33	−0.5	+4.0

LIMITING CONSENT DECREES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Utah (Mr. BISHOP) is recognized for 5 minutes.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate joining the majority whip, Mr. BLUNT of Missouri, as well as the chairman of the Constitution Caucus, Mr. GARRETT of New Jersey. For several weeks now we have tried to come before this body and talk about issues in which the Federal Government in its effort to be helpful has actually caused greater harm than good.

We have talked about the significance of sunset reviews, reviewing administrative decisions, mandates, States that would put on specific pieces of legislation that would help solve some of those problems. Again we come before you today, and I am grateful to be able to talk with these good gentlemen about once again the Federal Government, in an effort to be helpful, not malicious but helpful, tipping the balance of power with the net result that people are harmed, not by design, but that is the way that has happened.

Consent decrees, which shift the horizontal balance of power, have had the net effect of actually harming individuals. It is something that is a phenomenon that every State has experienced. Federal consent decrees are enforced in all 50 States, which end with judges running prisons, schools, welfare agencies, health care systems and on and on, usually on decisions that are based upon the advice of the advocates who brought original lawsuits in the first place.

It has been mentioned there have been a couple of Supreme Court decisions that have talked about these phenomena. The case of Jenkins v. Missouri is one of those great ones in which the Kansas City school district was taken over by a Federal judge. In an effort to try to improve the school system, not only did they use the executive authority to control hires and fires as well as curriculum, they assumed the legislative authority by actually advancing a property tax on the citizens of Kansas City, Missouri, in an effort to try to improve the education system. At least at that time the Supreme Court said in a 5–4 decision that they had gone too far.

That kind of usurpation of other authorities does not actually produce the better result. In the case that Mr. GARRETT spoke about, Frew v. Hawkins in 2004, the Supreme Court once again said this can lead to the Federal court's oversight programs for long periods of time, even when there is no violation of the law still in effect.

Now what does this do for individuals? Let me give you a couple of examples. In a west coast city, they recently entered into a 5-year consent, actually in 2001 they went to a 5-year consent decree, in which certain practices would be done by the police department of this particular city. They recently conducted an independent review on how they had done in compliance with the consent decree.

The consent decree had said that every time a police officer uses nondeadly force such as perhaps twisting an arm of a suspect to handcuff him, the captain or above has to write a report of the incident within 14 days. There was a 94 percent compliance with that provision, but not enough to satisfy the consent decree.

The police commissioner was supposed to report within 45 days the quarterly discipline report. He actually took 15 days longer than that and was once again out of compliance. The department took 21 days rather than 7 days to send in its audit report to the Inspector General and was therefore out of compliance.

In fact, it would be possible to comply with all the decisions of this consent decree if the police department actually hired more personnel to keep the paperwork going. In fact, that is exactly what they did. They did hire more personnel to do the paperwork that was necessary to fulfill the details of the consent decree.

One article in the National Review talks about how the city's police department and their supervisors would meet to discuss the issues of the police department, and their topics of conversation tend to go almost universally to how to fulfill the provisions of the consent decree.

If I could quote from one article, they said for more than 2½ hours they gathered captains, sergeants lieutenants, and detectives spoke of nothing but processing the paperwork. Not a single word was uttered about reducing crime or otherwise how to improve the quality of life of people in the area in which they serve. The supervisor who attended this meeting simply called the process pathetic.

Oddly enough in the report of how they were doing in fulfilling their consent decree, it also mentioned that what the city needed were more personnel on the street and more supervisor oversight for the officers in the field, which oddly enough, in one of those ironies of life, they could have done had they not spent their money to hire the personnel to do the paperwork for the consent decree.

In New York City, they have had, since 1974, a consent decree mandating bilingual education in some of the city schools that has now been going on for 30 years, well past the original intent of it, even though the parents do not want to participate in this particular program.

Another west coast city was issued a consent decree in 1991 for their school districts, again claiming there were too few experienced teachers. Again the court stepped in increasing the taxes of these individuals by $11 million a year, and now, 15 years later, finally, the judge declared herself satisfied and declined to extend this decree for yet another 5 years.

The problem with consent decrees is very simple. Once entered into, those who are subject to those decrees have no recourse. There is no balance, there is no kind of protective area in which to go, in which case in that particular situation it is why the majority whip has asked us to introduce this piece of legislation to put a time limit on consent decrees.

THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. PRICE) is recognized for half the remaining time until midnight as the designee of the majority leader.

Mr. PRICE of Georgia. Mr. Speaker, I appreciate the opportunity once again to come before the House. I want to thank the leadership and the conference for their providing us the opportunity to come and talk this evening for a while and share some views with the Members of the House about a very important topic.

We have coined this on occasion the Official Truth Squad. This is the House Official Truth Squad, the Republican conference Official Truth Squad that grew out of a general frustration on the part of many Members of the freshmen class, 25, 26 strong, who are now about 18 months into our first term in Congress.

And after about 6 months, we met and shared conversation and thoughts about the House of Representatives and where we are going as a Nation. There was some real concern about what we sensed as the politics of division and the politics of deception that seemed to be practiced by many here in this Chamber and across the land, frankly.

So we organized what we called the Official Truth Squad and come to the floor of the House on many occasions, as often as possible, at least try to do it at least once a week. We broadened that participation in the Official Truth Squad, Mr. Speaker, because I think other Members of the conference felt that was an appropriate thing to do, to try to bring some light, shed some light and truth on the issues that we talk about here in the United States House of Representatives, because it is so doggone important to make certain that we have truth and facts when we are talking about issues. Because if you don't have the right facts, the truth of the matter is, it is tough to get to the appropriate solution.

□ 2245

We have adopted a slogan or a quote that we like to call on by the late Senator Daniel Patrick Moynihan and he had a quote that he used often. He said everyone is entitled to their own opinion, but they are not entitled to their own facts, and I think that kind of crystallizes the genesis of the Official Truth Squad and why we felt it was so important to come to this floor and talk about various issues.

So, Mr. Speaker, tonight is a topic that is extremely important, and it is a discussion that is important, and it is a topic that demands the truth.

Tonight, we are going to talk a bit about the war on terror, and it is one of those areas where, yes, people can have their own opinions, and it is important but it is also important to make certain that we think and talk about the facts of the war on terror.

I am going to be joined by a number of colleagues this evening, but I wanted to start off by outlining or by citing actions, events that have occurred in the war on terror. And many people have differing opinions as to when the war on terror actually began, when did the terrorism begin to threaten us. I think it probably was in 1979, and we will talk about that a little bit, but I want to just highlight a list of terrorist activities that I think bring real focus to the war on terror and that, Mr. Speaker, are terribly sobering, but I think they are important as we kick off this discussion about the war on terror.

There are literally tens, if not hundreds, of events that one could cite as being associated with the acts of terrorism around the world, but I would like to just highlight a number of them here.

I am going to go in chronological order. I am going to start in 1961 when the first U.S. aircraft was hijacked on May 1, 1961.

A number of events occurred over the next decade, but we all remember the Munich Olympic massacre on September 5, 1972.

The ambassador to the Sudan was assassinated on March 2, 1973, U.S. ambassador to Sudan Cleo Noel. Other diplomats assassinated at the Saudi Arabian embassy in Khartoum.

There was the attack and hijacking at the Rome airport in December, December 17, 1973.

The United States ambassador to Cypress, Rodger Davies, and his Greek Cypriot secretary were shot and killed on August 19, 1974.

Ambassador to Afghanistan was assassinated on February 14, 1979, and of course, the Iran hostage crisis began in November of 1979 when Iranian radicals seized the U.S. embassy in Tehran and took 66 American diplomats hostage, holding 53 of them for 444 days.

Grand mosque seizure, November 20, 1979, in Mecca.

U.S. installation bombing, August 31, 1981 in Ramstein, West Germany.

Assassination of President Sadat, the Egyptian President, on October 6, 1981.

Murder of missionaries on December 4, 1981 in El Salvador.

The bombing of the U.S. embassy in Beirut, April 18, 1983. Sixty-three people, including the CIA's Middle East director, were killed. Islamic Jihad claimed responsibility.

Naval officer assassinated in El Salvador on May 25, 1983.

Bombing of the marine barracks, Beirut, October 23, 1983. There were simultaneous suicide truck bomb attacks made on American and French compounds in Beirut, killing 242 Americans and 58 French troops killed when a 400-pound device was deployed at a French base. The Islamic Jihad claimed responsibility.

Facts, Mr. Speaker.

Naval officer was assassinated in Greece, November 15, 1983.

Kidnapping of an embassy official and the murder of political officer William Buckley in Beirut, Lebanon, March 16, 1984.

Restaurant bombing in Spain, April 12, 1984. Eighteen U.S. servicemen were killed, 83 people injured.

TWA hijacking June 14, 1985.

Achille Lauro hijacking, October 7, 1985.

Aircraft bombing in Greece, March 30, 1986.

Berlin discotheque bombing, April 5, 1986, two U.S. soldiers killed and 79 American servicemen injured.

Bus attack, April 24, 1987, 16 U.S. servicemen riding in a Greek air force bus near Athens were injured.

Kidnapping of William Higgins on February 17, 1988. He was kidnapped and murdered by Iranian-backed Hezbollah.

Naples USO attack on April 14, 1988.

Attack on U.S. diplomat in Greece, June 28, 1988. Defense attache to the U.S. embassy in Greece was killed when a car bomb was detonated outside his home in Athens.

Pan Am 103 bombing, December 21, 1988. Pan Am 103 was blown up over Lockerbie, Scotland, by a bomb believed to have been placed by Libyan terrorists, 259 people killed.

And then of course, Mr. Speaker, the first World Trade Center bombing, February 26, 1993, when a car bomb, planted by Islamic terrorists, exploded in an underground garage leaving six people dead and 1,000 people injured.

Something we oftentimes forget or very few people talk about, there was an attempted assassination on President Bush by Iraqi agents on April 14, 1993.

Saudi military installation attacked November 13, 1995.

Khobar Towers bombing June 25, 1996, in Dhahran, killing 19 U.S. military personnel, wounding 515 persons including 240 U.S. personnel.

Empire State Building sniper attack in February of 1997.

The murder of a U.S. businessmen in Pakistan, November 12, 1997.

U.S. embassy bombings in east Africa, August 7, 1998, a bomb exploded at the rear entrance of the U.S. embassy in Nairobi, Kenya, killing 12 U.S. citizens and 32 foreign service nationals and 247 Kenyan citizens. Almost simultaneously a bomb detonated in Tanzania, killing 7 foreign service nationals, 3 Tanzanian citizens and injuring 1 U.S. citizen and 76 Tanzanians.

It is sobering, Mr. Speaker.

Attack on USS *Cole*, October 12, 2000, a small dinghy carrying explosives rammed the destroyer USS *Cole* killing 17 sailors.

Manila bombing in December 2000.

Philippines hostage incident, May 2001.

And then the attack on September 11, 2001, on the U.S. homeland, four planes, two colliding with the twin towers in New York, one crashing in a field in southern Pennsylvania and one crashing into the Pentagon, 3,025 United States citizens and other nationals killed.

Mr. Speaker, you can have opinions about what is going on here, but you cannot dispute the facts. That the war on terror should have begun long ago. The terrorism has plagued our Nation for years. This is a long, long battle, and it is a real war.

So to talk about some of those facts tonight I am pleased to be joined by some very good friends and colleagues. Representative ERIC CANTOR is the deputy majority whip from the State of Virginia, and he joins us this evening to talk a little bit about the war on terror and to share some perspective during this week when we have had actually some very, very good news and some very good facts come out on the war on terror.

I am pleased to yield to my good friend from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, I thank the gentleman from Georgia, and Mr. Speaker, I want to commend the gentleman for his meticulous research in recounting the numerous incidents of terrorist acts against American citizens over the last several decades, and I think that the gentleman makes a point that will really be the focal point, the central point of the debate of the floor of this House on Thursday, and that is, that the war in Iraq, the war in Afghanistan and all of the other incidents that the gentleman speaks of is part of a greater war against terrorists.

I want to respond to a statement that was made earlier from a colleague from the other side of the aisle. He ended his remarks by mentioning the war in Iraq and portraying it as a vicious war we should never have been in anyway.

I think, Mr. Speaker, that the gentleman from Georgia has just laid out the facts as they are. We did not ask for this war. The terrorists started this war. We must respond in order to secure our citizenry, in order to secure America.

I would, however, like to pick up from where the gentleman left off and the fact that we have experienced some victories over the last week, one in which we saw the killing of Zarqawi who was a leader in a terrorist activity in Iraq against American citizens and others, and it demonstrated, Mr. Speaker, that we are making progress, that we are able to penetrate and begin to dismantle this terrorist infrastructure that frankly has identified Iraq as the front in their war against America.

I would also like to call the House's attention, Mr. Speaker, to another victory that we experienced last week.

On June 8, which was Thursday, Mr. Speaker, the guided missile destroyer USS *Cole* joined two Iwo Jima Expeditionary Strike Group on their way to the Middle East. This marked the USS *Cole*'s first return to Middle Eastern waters since the October 12, 2000, surprise terrorist attack on the ship while it refueled in Aden Harbor, Yemen.

On a somber note, this viscous, unprovoked terrorist attack by al Qaeda terrorists on this U.S. warship claimed the lives of 17 U.S. sailors. Among these brave sailors was Hull Maintenance Technician 2nd Class Kenneth Eugene Clodfelter who was a constituent of mine.

His loss will forever be felt and his service never forgotten by any of us, by the citizens of his home county, Hanover County, Virginia, and in fact, the entire Nation.

It is a fitting tribute that the ship on which Kenneth served and gave his life returns to those same waters, reborn, resilient and again ready to bring the fight to the enemy, the Islamic fascist terrorists who seek only death and oppression.

Mr. Speaker, I believe this statement by the USS *Cole*'s newest commanding officer, Commander Bradley Roberson, says it best, and Commander Roberson said: "We draw strength from this being a very stout and resolute hull. The crew reflects that and the fighting spirit of the navy. I think the ship symbolizes America, its determination, its fortitude and the resolve that we will be around no matter what."

Mr. Speaker, I would also like to take a moment to commend and honor the thousands of Virginian National Guard and Reserve soldiers, sailors, airmen and marines who have served in our struggle to rid the world of Islamic-fascist terror.

As we speak, more than 1,000 brave men and women in dozens of Army Reserve, Army National Guard, Marine Corps Reserve, Navy Reserve, Air National Guard units from central Virginia continue in this struggle.

So, Mr. Speaker, I would again like to thank the gentleman from Georgia for his leadership, not only on the Official Truth Squad, but on this very, very important topic of the war against the terrorists, a war against an enemy that frankly harbors a view of the world very different from those of us in this country and one in which we will not stand down.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentleman for his comments and his keen perspective and dedication to the support of our men and women in the military who are waging this incredibly important battle and incredibly important war. Thank you so much for your participation tonight in bringing a little light, a little vision and a little truth to the discussion.

We are also joined tonight by Congresswoman MARSHA BLACKBURN from Tennessee who is almost a regular on the Official Truth Squad that brings some truth and light to so many topics, and she has a clear vision as well and a great perspective on the importance of truth in this discussion but also the importance of waging this war on terror, and I am happy to yield to my good friend from Tennessee.

□ 2300

Mrs. BLACKBURN. I thank the gentleman from Georgia for yielding. He is so appropriate in his remarks this evening as we talk about the big picture of what is happening with the war on terror and reminding us that this is not something that happened last week, last month, last year, or just within the last decade. This is something that started happening four decades ago and has grown more and more and more repetitive in attacks and actions and outward expressions of aggression as we have moved through the past four decades.

Yes, what has happened is we have moved from responding to these terrorist attacks as acts of civil disobedience to getting to the point after September 11 that we said, no, this is not just civil disobedience, this is an act of war. This is now a global war on terror and, indeed, it is important, it is imperative that we win in the battles in Afghanistan and that we win in the battles in Iraq. And as the gentleman from Georgia has mentioned, this is not something that is going to be quick and easy. This is going to be a long fight and a long struggle.

We must be certain that we all realize that our enemy is not an enemy that is located in one single place. There are terrorist cells all around the globe. At this point, yes, indeed, primarily they are drawn into Iraq because of the battle that is there, and that is one of the reasons it is important that we fight and that we win.

As the gentleman from Georgia knows, Mr. Speaker, we are winning. And we hear this from our men and women in uniform. We hear it from them in the stories that they recount to us. We hear it from their families. And we are very, very grateful to every one of these families and every man and woman in uniform who stands and fights and who understands the mission of why we fight.

Mr. PRICE of Georgia. If the gentlewoman will yield.

Mrs. BLACKBURN. I would be glad to yield to the gentleman.

Mr. PRICE of Georgia. A couple of points you make are so important for this discussion. One is about the quality and nature of our enemy. It is unlike any enemy we have ever faced because it is not an enemy who is attaining ground or territory. This is an enemy that hates us because of who we are, what we are, and what kind of government we have. They clearly have stated that democracy is their enemy. It is not a territory.

And you mentioned about the troops being behind our actions virtually 100 percent. I was so heartened to see the President in Baghdad earlier today in the tape we saw and the welcome he received from our U.S. troops. It was just incredibly moving to see our President visit our troops there and to visit the new government in Iraq.

I yield back.

Mrs. BLACKBURN. Indeed, it is heartening to see that. And what a source of encouragement for those men and women in uniform to be in their day working in Baghdad and all of a sudden they receive the news that their Commander in Chief has flown through the night to come and say thank you to them for that work; thank you for what they are doing for this country.

And as the gentleman just mentioned, we fight because we have an enemy that would destroy what this country is built on. It would destroy what we stand for. It is imperative that we win so that we continue with America as we know America, so that we continue to live our lives in freedom, so that our children go to school not in fear but go ready to learn and with a sense of security, so that we live in our homes, so that we go to work, so that we have our daily life and carry on our business and do it without the fear of being interrupted by terrorist threats, by terrorist strikes, by terrorist fighting that would take place in our streets, in our cities here in America.

Mr. PRICE of Georgia. If the gentlewoman will yield once again.

Mrs. BLACKBURN. Be happy to.

Mr. PRICE of Georgia. I think it is important because when we talk about opinions and facts, a lot of people have their opinions about the nature of our enemy and what their goal is, but the fact of the matter is you don't have to look too far because you can look to their words. You can look to their words, and we have a quote here from al-Zarqawi, who was finally brought to justice in the past couple of days, and what he said in January of 2005.

These are his words, now. These are not our words but his words: "We have declared a fierce war on this evil principle of democracy and those who follow this wrong ideology." That is the nature of our enemy. That is why it is unlike any enemy that we have ever, ever had before.

And I yield back to the gentlewoman.

Mrs. BLACKBURN. The gentleman is so correct in that, and for them it is a fierce war to bring down the pillars of free enterprise, to bring down those underpinnings of democracy that allow us to be a productive society, that allow us to be a free society.

I know that I join the gentleman from Georgia in looking forward to the debate we are going to have in this body this week, and I want to again thank the leadership for setting aside this time for us to focus once again on why we fight and why we must win and why it is imperative that we have a democratic ally in the Middle East and that we break apart the stranglehold that terrorism has had on that region of the world.

I thank the gentleman for the time, and I yield back to him.

Mr. PRICE of Georgia. I appreciate so much your participation tonight, and I join you in looking forward to our discussion and our debate on Thursday. We will spend the majority of the day here in the United States House of Representatives talking about the war in Iraq and talking about the war on terror and the importance of it and bringing a perspective that I think is so needed for the American people to see and appreciate as we recognize the longevity of the battle that has occurred already and the challenges that we have before us.

I am so pleased to be joined by my colleague from Georgia this evening, Congressman PHIL GINGREY, my good physician colleague from Georgia and also congressional colleague from Georgia. He is an individual also who recognizes the extreme importance of the support of our military forces and the gravity of the war in which we are engaged now, this war on terror.

I am pleased to have you join us tonight and yield to you.

Mr. GINGREY. I thank my colleague from Georgia for yielding. I certainly, certainly appreciate, Mr. Speaker, the Official Truth Squad that the gentleman has led, and particularly tonight in regard to this subject.

The gentleman spent 10 or 15 minutes actually going through a historical perspective, taking us, Mr. Speaker, all the way back to the 1960s, as he outlined the attacks that have occurred against this country, and made the point that this policy that we have had heretofore prior to our President's response to 9/11, on September 11, 2001, this so-called policy of containment that has proven itself to be a dismal failure because of these attacks, one right after another, as the gentleman pointed out, Khobar Towers, USS *Cole*, first attack on the World Trade Center, and finally leading up to the horrendous killing of over 3,000 people on September 11.

We didn't start this fight, Mr. Speaker; and I think that is the gentleman's point. It was just astounding to me to hear someone from the other side earlier this evening imply that we started this battle, that we have got no business defending freedom and standing up for the rule of law.

Edmund Burke once said that "all that is necessary for the triumph of evil is that good men do nothing." And quite honestly, Mr. Speaker, over the last 40 years, as the gentleman from Georgia has pointed out, we basically did nothing. It was like turning the other cheek, or I dare you to do that again, or I double dog, even triple dog dare you to strike at us again, and on and on and on. And finally this President and this Congress had the courage to stand up and take it to the enemy. And I would point out that at that particular time, Mr. Speaker, this battle was not against any one individual but this was a long slog, that it was going to be tough, that the global war on terrorism would not end with just one battle.

It is so interesting, as we hear from the other side, that finally the tracking down and the killing of Zarqawi was almost a nonevent. It doesn't matter. They are going to replace him with someone just as terrible and we won't even notice the difference. That would be like saying that Knute Rockne was going to be replaced at Notre Dame, or a Lou Gehrig was going to be replaced by the New York Yankees and nobody would know the difference.

This guy was the worst of the worst. And I think that what we have done last week in killing Zarqawi is a tremendous accomplishment for our military, for the Iraqi people, for the intelligence that was brought to bear that led to the success and also, Mr. Speaker, in regard to the Iraqi Government finally, very carefully vetting individuals to place as ministers of defense, ministers of interior, and minister of their national security. These are huge items of success.

I want to say to my colleagues on the other side that we will, as the gentleman from Georgia has pointed out, we will discuss this thoroughly, and every Member in this body will have an opportunity to have their say about what we are trying to do and whether we support continuing this battle or whether we decide that it is time that, as the gentleman from the State of Washington said earlier this evening, to bring our troops home. I think it is very simple. I hear the Members on the other side of the aisle saying, well, the American people are against this, the American people have turned against this. Well, if that is the case, when we have this simple resolution on Thursday or Friday morning, then they will have an opportunity then to vote the way they think the American people want.

I, Mr. Speaker, refute that. I think the American people stand strong and understand that when you are in a contest, you don't say, we are going to play the game for 60 minutes, but if it happens to go into overtime then we are going to pull our team off the field because we don't want to go any further. This is what this is all about.

And, again, I want to thank the gentleman from Georgia for leading the Official Truth Squad. As he said at the outset, you are entitled to your own opinion, but you are not entitled to your own facts, and these are the facts that Congressman PRICE has brought to us as he outlined what has happened over the last 40 years.

It is time that we stood up. We are going to win this battle, and we want to make sure that every Member of this body has an opportunity to vote yea or nay. So I commend the gentleman from Georgia, and I yield back to him.

Mr. PRICE of Georgia. I thank the gentleman for joining us tonight, and I appreciate your perspective and your commitment to our servicemen and -women and for the sober reflection that you gave on the situation that we find ourselves in today and the importance, the real importance of this war. And it is a real war. It is a real war, and you know and understand that as well as anybody.

I also appreciate your reminding folks again that on Thursday we will be spending time on this floor discussing the war on terror and the importance of it and why America has found itself in this situation, why it is important that we respond in the way that we have.

When I am at home, I hear people talk about the war in Iraq. And whenever I discuss this with some of my constituents, I oftentimes will say it is important for us to remember that this war in Iraq is really just the battle in Iraq in the larger war on terror. And the gentleman from Georgia just described it extremely well, that the policy of containment that we had used in the past, prior to 9/11, was a dismal failure. And so this is truly a war. It is a real war. It is a real war in which we must engage, and it wasn't of our choosing. It wasn't of our choosing, Mr. Speaker.

I want to spend the final few moments that I have to talk about an issue that is related to the war on terror and the battle in Iraq that we have right now, because you hear so many people say, how are we going to know when it is over? How are we going to know what victory is? How will we know when we win?

It is difficult. I understand that. It is difficult because this, again, is a war unlike any war we have ever had. Victory in Iraq will not come in the form of our enemy surrendering, because our enemy doesn't hold any territory. It is not like they can say, okay, I give up, I am not going to fight any more. And it won't be signaled by a single particular event.

For folks who remember past wars and past ends to past wars, there will be no Battleship *Missouri* signing. There will be no Appomattox signing. The ultimate victory in the battle in Iraq will be in stages. And I think it is important to point out that these stages have been defined by members of the military and members of this administration and have been articulated by the administration as well as members of the United States House of Representatives leadership and others.

□ 2315

And they have been defined in the short term, in the medium term and in the long term. I would like to run through those briefly because I think it is important for the American people to appreciate that yes, indeed, there are benchmarks that one can follow, and that we have made incredible progress, not just in the war on terror but in the battle in Iraq.

In the short term, we have an Iraq that is fighting the terrorists and neutralizing the insurgency, meeting political milestones, which they have done to a remarkable degree, building democratic institutions and standing up robust security forces. We hear over and over that those security forces number around 250,000, which is truly remarkable. They are destroying terrorist networks and maintaining security and tackling key economic reforms to lay the foundation for a sound economy.

So in the short term, those are the kinds of benchmarks that we should be looking at. Many of them have been accomplished.

In the medium term, an Iraq that is in the lead defeating terrorists and insurgents and providing its own security with a constitutional, elected government in place. Mr. Speaker, that is a medium-term goal that has been described for a number of years and in fact has now been accomplished, providing an inspiring example to reformers in the region, and well on its way to achieving its own economic potential.

And then in the longer term, Mr. Speaker, we will know that victory in Iraq has been obtained when an Iraq has defeated the terrorists and neutralized the insurgency, an Iraq that is peaceful and united and stable and democratic and secure where Iraqis have the institutions and resources that they need to govern themselves justly and to provide security for their own country, and an Iraq that is a partner, a partner in the global war on terror and the fight against the proliferation of weapons of mass destruction, integrated into the international community and an engine for regional economic growth and proving the fruits of democratic governments to the region.

Mr. Speaker, those are the kinds of benchmarks we ought to be looking at. There won't be a surrender. There won't be a signing. There won't be a waving of the white flag certainly by our enemy. We just hope Members in this body and across the Nation do not wave the white flag. This is an important battle. It is a part of the war on terror. It is imperative that we wage this with the vigor and enthusiasm and the spirit that we saw on the faces and heard in the voices of American soldiers as they greeted President Bush as he made his visit to Baghdad.

Mr. Speaker, America is a wondrous and a glorious nation. Freedom's light is strong here. We are a vessel of liberty and a beacon of hope to so many people around the world. The work that we do here is so important as we continue to provide that American leadership, international leadership, and show that light, show that light of freedom.

I am so proud to have the opportunity to stand here with my colleagues and to highlight some of the truthful and honest efforts that this government, this administration, this House of Representatives is taking to make certain that that vessel of liberty and that beacon of hope rings true around the world.

CROSSROADS IN IRAQ

The SPEAKER pro tempore (Mr. MACK). Under the Speaker's announced policy of January 4, 2005, the gentleman from Missouri (Mr. SKELTON) is recognized for the remaining time until midnight as the designee of the minority leader.

Mr. SKELTON. Mr. Speaker, tonight I wish to speak about Iraq, a separate and distinct war from the war on terrorism. Those who are terrorists with their genesis in Afghanistan have a goal of creating a fundamentalist Muslim caliphate all across the Middle East. The insurgents are Baathists and Sunnis in Iraq who have as their goal a separate and distinct one of toppling the government that is there and creating their own.

My friends on the other side of the aisle wish to confuse the battle against terrorists and the battle against insurgents in the country of Iraq. Tonight I wish to speak about Iraq because we are at a strategic crossroads as a Nation regarding that war.

I wish to speak about the health of our military that is being drained by the war in Iraq. As a matter of fact, we are sustaining a battalion's worth of casualties every month wounded and killed in Iraq and Afghanistan. The number of attacks on the American and allied forces is at the highest level since the insurgency began despite the increase of America combat operations and the introduction of some 40 new Iraq security forces and battalions.

An ABC poll shows that 60 percent of Americans disapprove of the situation in Iraq. What is responsible for us arriving at this point? I have to say a lot of good words about our military, the finest we have ever had, they are doing a superb job. I am proud of them, and every American should be. But there have been operational strategic mistakes sadly made by the administration that has brought us to this point at a crossroads in Iraq.

First, allowing the looting; second, not having a plan for the aftermath, although duly warned; by dismissing the Iraqi Army rather than giving them a paycheck and a shovel; failure to plan and have American civilian professionals from the State Department, Transportation Department, Agriculture Department, and Judiciary with the right skills to advise the Iraqis when they took over their governmental ministries; the failure to react to the wartime collapse of the Iraqi military and security police forces; and the decision to disband the Army, as I mentioned; failure to have a sufficient number of American troops at the beginning and later as General Eric Shinseki warned.

This is a year of transition in Iraq. The bill that we passed last year, the defense bill, stated that calendar year 2006 should be a period of time of significant transition to full Iraqi sovereignty with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of the United States forces from Iraq.

If we are not able to redeploy our forces from Iraq, the health of our military will be seriously endangered. We are wearing the troops out. Not just the troops, but the equipment. As a matter of fact, Mr. Speaker, 13,849 members of the selected reserves have had three deployments, and 10,408 have been deployed more than three times. Well, where do we go from here?

We have to do our best to train those Iraqis, let them and their government know that the ball is in their court. We have to make sure they are properly equipped, and I might also say that the equipment of the Army and Marines Corps ground equipment is wearing out. Some of it is wearing out from two to nine times the peacetime rate.

We have global interests, potential threats from elsewhere, North Korea, Iran, Taiwan Straits and the like. We must be prepared for any future threat. That is why it is important that this be a transition year, 2006.

Mr. Speaker, at this time I yield to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I thank the gentleman for yielding and I want to commend his efforts as the ranking Democrat on the Armed Services Committee for making sure, as other Democratic members have, that the men and women who serve this country get the equipment that they need to succeed. Many of us were stunned to see so many of our men and women put into harm's way without having enough uploaded Humvees and Kevlar vests.

I also want to acknowledge the gentleman for considering the casualties that we are taking. I believe the gentleman said a battalion per month. A battalion per month.

What effect is this going to have on the long-term implications for national security and our military? One of the things a country has to do in a time of war is tell the truth about what is happening in Iraq and Afghanistan. Yet the administration continues to think that the American people cannot handle the truth or do not want the truth. We experience setbacks. We have strategies that do not work. They continue to tell us we should stay the course and everything will be all right. We have no accountability on the part of the Congress, either the House or the Senate, to hold the administration accountable for what their policies are or aren't.

Members of the Armed Services Committee tonight, Democrats on that committee that have served on the committee traveled, I think every Democrat has been to Iraq at least twice, will follow me and tell you that the administration is simply not being candid, honest and truthful with the American people about the situation in Iraq. As Mr. SKELTON indicated, we went into Iraq without enough troops. General Shinseki told us we were going to need a few hundred thousand troops. What did they do at the Pentagon, they put him out to pasture as if he did not know what he was talking about.

The reality is that the situation in Iraq is deteriorating. Mr. SKELTON talked about the insurgency in Iraq. Ninety to 93 percent of the insurgents in Iraq are from within Iraq. There is an outside group of somewhere between 8 and 10 percent terrorists that have come over the border. It makes you wonder why the President said to every terrorist in the world, Bring it on. Bring it on.

There are more attacks today in Iraq by the insurgency than ever. The situation is growing worse because the insurgency is growing stronger. Sectarian violence is becoming more common, and violent crime is on the rise. I am not just saying these things, the facts support these things. Despite the claim that the available combat power of the Iraqi security forces is increasing and the operational tempo has significantly stepped up, violent insurgent attacks have increased every month this year. That is a fact.

Violent crime in Baghdad is at its highest level since August 2003. That is a fact.

Insurgent attacks have increased every month this year, and that is a fact. But we keep hearing about how things are getting better. Insurgency is as large today as it has been at any point in Iraq. That is a fact.

The administration has been stressing to us that reconstruction is going well and that progress is being made, and certainly in some parts of the country that is true. But you cannot look at the totality of the circumstances and say that the administration is being honest or truthful with the American people.

While we debate here tonight, residents of Baghdad receive 3.9 hours of electricity per day. Let me repeat that: 3.9 hours of electricity per day. So it is great that those satellite dishes are up, but people are unable to use them. Before the war, people in Baghdad could depend on 16 to 24 hours a day of electricity, and this past month, it is only 17 to 20 percent of the prewar output.

It is really hard to focus on democratization when you live by candlelight and cannot store your food. Drinking water is not readily available either. Back in 2003, the Coalition Provisional Authority stated that the goal was to have 23 million of the 26 million Iraqis with access to potable water.

□ 2330

Do you know where we stand today in that goal? Just a little over 8 million Iraqis have safe access to drinking water. This is significantly lower than pre-war levels and about a third of what the CPA was aiming at. We have failed to do our jobs in terms of providing electricity, providing the water, providing the economic development, providing jobs. Any country in the world with a 40 percent unemployment rate is going to have an insurgency.

Now, maybe the administration could point to success in building a train station, but we can't have success without providing the necessities of life. So the administration talks about how much safer things are. But the reality is, if you look at the facts, you see that staying the course is just not an option for the United States. We have to look at the facts. We have to look at the fact that the challenges in Iraq are growing every day. Our military is stretched to the limits. 20,000 Americans, brave American soldiers have either been injured, seriously injured, or have been killed. So what we would like is a debate on Iraq, not some kind of political statement that merges Iraq with Afghanistan, with Spain, with London, and put it all together and call it the war on terror and say we support our troops. We all want to win the war on terror. We all want to make sure that we support our troops. But we really ought to have a discussion of what is going on in Iraq. And there are members of the Armed Services Committee who have been trying to get that discussion, trying to get that accountability who are here today. And I want to yield to the gentlewoman from California to continue this discussion.

Mrs. TAUSCHER. I thank the gentleman for yielding. I think many of us find ourselves deeply distressed that we are here to talk about a so-called week about the war on terrorism when we were promised months ago by the majority leader a debate on Iraq.

There is a convergence here of themes that have been deeply disappointing to me for well over the last 2 years, as I saw the administration begin to use terms like the "global war on terror" to begin to cover for what has clearly been a mistake in Iraq. I am here tonight because I believe it is high time for a change of direction in Iraq.

I honor the sacrifice of our fighting men and women and their families. With 2,498 American deaths in Iraq today since the beginning of the military operations, it is time that the Bush administration finally levels with the American people. I think we first have to go back to where, the beginning, to when, after the September 11 attacks and after this House, Democrats, Republicans, along with the Senate and the American people, agreed that we had to topple the government, the Taliban government in Afghanistan that had harbored the al Qaeda terrorists that had attacked us on September 11.

And after we took that government out and began to move that operation toward, hopefully, a successful Afghanistan, we began to hear the drumbeat of talk out of the administration that Iraq was a big threat to us, that we had mushroom clouds in our future, that this was a country with a leader in Saddam Hussein who was an imminent threat to the United States. Many of us in the post-September 11 time believed that we had to do something more than just fly flights over Iraq and deal with those issues that we had to really move and to do things to create the kind of coalition of not only the willing but the capable that we had when George Bush's father went after Saddam Hussein in the first gulf war.

The real issue right now is what have we done in Iraq to make sure that we can actually succeed. And I think that what we have, unfortunately, has been a number of mistakes by the civilian leadership in the Pentagon. We have heard them all before. The litany is long and getting longer. It begins with not really understanding the context of Iraq. It begins with not really understanding that we needed more troops on the ground after we took Saddam Hussein's government down than we actually need to do the taking down of the government.

It began with not really understanding the context and the construct of those, the sects in Iraq and the enmity and the fear and the kind of reprisals that you would see if the Sunni minority that had been in power during the Saddam time actually had the Shiia come back into power and realized how badly they had been treated for 25 years. We have had multiple governments in Iraq, and this mission has morphed and constantly been redefined by the administration to fit the latest catastrophe.

What I really hope we can do over the next few days is have a Democratic position begin to emerge. Our friends on the other side like to talk about truth. And Daniel Patrick Moynihan did have that great saying about people can have their own opinion, but they can't have their own set of facts. Well, my grandmother from Ireland used to tell me that saying it doesn't make it so. And what is really clear is that we have to have a movement forward by this administration to not only admit the mistakes that have been made, but to be sure that we actually can bring our troops home sooner and safer. We want to honor the sacrifice of our troops, but at the same time we want to bring them home sooner and safer.

I am happy to yield to my colleague from New Jersey who is going to continue this conversation, Mr. ANDREWS.

Mr. ANDREWS. I thank my friend for yielding. The job of the American troops in Iraq is to fight for the cause for which we have sent them to fight, and they are doing an honorable and brave and magnificent job; and we are all proud of them and we all support them. The job of the President, as the leader of the executive branch and the Commander in Chief is to make policy decisions as to how and where to use those forces. And we have grave doubts about whether he has made the right decisions in Iraq. In fact, the record shows he has made a series of poor decisions that put the country in great trouble.

But the job of the Congress is to oversee and ask the questions as to whether the policymakers in the executive branch, from the President on down, are doing the job that we want them to do. This Congress, this majority in Congress has failed to do that job, has failed to ask the questions that need to be asked:

Why did the Pentagon ignore the advice of the Chief of Staff of the Army, General Shinseki, and send fewer than half the number of troops that he recommended? Why did the administration ignore the advice of their own State Department experts and immediately disband the Baathist Party, the whole thing? Why did they further ignore the advice of those experts and disband the Iraqi Army, the whole thing?

Why did they not guard the ammo dumps that are now providing the fire power that is making IEDs that are killing Americans every day? Why did they not properly set up supervision of the prisons so that we have the national scandal of Abu Ghraib and the grave damage it has done to the reputation of this country around the world?

And I think the central question that vexes us tonight is why have we still not organized our intelligence functions on the ground such that we can't predict and stop the actions of maybe 25,000 people in a country of 24 million people? Why is it that the resistance is always a step ahead, that the ability to stop them is a rare occurrence? The fact of the matter is the Congress hasn't done the job that it needs to do because the majority is serving as a rubber stamp for the policies of the administration, rather than as a coequal branch asking the tough questions that ought to be asked.

Let's start with these: Do we have the intelligence forces on the ground to figure out where the resistance fighters are, who the resistance fighters are, and what they might do next? Have we reached out to our allies in the Arab and Muslim world who deal with this problem on a daily basis to get the best of their practices and the best of their advice? The numbers of Iraqi forces, we were told before the 2004 election in this country, that several hundred Iraqi security forces were trained and ready to step up and defend their own country. Rather than growing, it seems that number is shrinking. It dropped precipitously after the 2004 election in this country. It has never been predictable. It has never been stable. It has never been measurable.

The job of the Congress is to ask the hard questions and come up with the right answers. But if you deny the fact that the questions have to be asked, as the majority has, you will never come up with the right answers. You will lose the faith of the American people, and you will undercut the mission of those in the field. We support, respect, and admire the efforts of those in the field. That is why we should be asking the hard questions.

I would like to yield to my friend from California who is not only asking good questions but providing some of the answers, my friend Mrs. DAVIS.

Mrs. DAVIS of California. I want to raise an issue that I think has really not gotten a lot of attention, and that is the fact that our troops have been asked to play roles that they really didn't train for. One moment our troops are being asked to work with civilians in Iraq and with the local governments. They are being asked to teach them negotiating skills. And then in the next minute, they are being asked to go outside and control the chaos that is swarming in the streets. Well, you know what? We know that our soldiers have answered these calls, and they do it better than anyone could have ever expected them to. But the fact that they have had to perform these different roles is disturbing evidence of the way the President and his civilian leaders have planned so poorly for this war and the aftermath that we are still in today.

But don't listen to me. Listen to General McCaffrey who has made numerous trips to Iraq and to Afghanistan and he has publicly stated that that critical interagency coordination that was really important to get the kind of provincial reconstruction themes are just beginning to emerge now up and running. What disturbs me is not just the fact that our military has been asked to perform those tasks; but in the place of people who should have been performing those tasks, we have very inexperienced and young individuals who really have never played that role before.

So just now we see some changes; we see that they are trying to put together the right Foreign Service officers in the field. Even today, Secretary Rice said she is still struggling to do that in many cases. What was needed was a plan for post-occupation Iraq that honored the sacrifices of our troops. And instead they have been given this burden unnecessarily and at great cost.

I join in applauding my colleagues, as we all are, trying to raise the facts and the realities of Iraq today. And I yield to Mr. SKELTON.

Mr. SKELTON. I thank the gentlewoman from California. This is the year of transition. It is up to the Iraqi people. It is up to the Iraqi Government. It is up to the Iraqi forces. They are going to have to take it upon themselves with the assistance of the wonderful Americans that are there to make this transition work.

I yield to the gentleman from Arkansas, Dr. SNYDER.

Mr. SNYDER. Last week, Mr. Speaker, all 28 Democrats of the House Armed Services Committee signed a letter to Chairman DUNCAN HUNTER asking for the reinstatement of the Subcommittee on Oversight and Investigations. Now why do we do this? Because 10 years ago when the Republicans took over control of Congress that subcommittee on the House Armed Services Committee was eliminated and the intent was that oversight, bipartisan oversight was to be conducted by the other subcommittees. That has been a failure and we have seen that as members of this committee, some of us for almost a decade now. It has been a failure particularly during this time that our Nation is at war.

Our troops deserve the kind of effective government oversight that they deserve. So what are we talking about? We have had corruption, we have had fraud, we have had gross mismanagement; and it undermines the war in Iraq. Anthony Cordesman, the noted expert from CSIS, concluded that we have wasted about half of the $22 billion of U.S. funds that have been spent so far in reconstruction, and much of the $34.6 billion of Iraqi funds. The Special Inspector General for Iraq reconstruction concluded that "corruption is another form of insurgency in Iraq." So what are we talking about? We have spent about $1.8 billion on electricity reconstruction projects, but the prewar capacity has not yet been reached for electricity generation.

We have spent $650 million of USAID money on oil production infrastructure, but we still have not reached the pre-war level production capacity. We have spent about $690 million of U.S. dollars on water and sanitation projects in Iraq, and yet the percentage of Iraqis with access to drinkable water has fallen to 32 percent from the prewar level of 50 percent, and the percentage of Iraqis with access to sewer and sanitation has dropped from 24 percent to 20 percent.

Here is the problem: our troops are dying and bleeding to give the Iraqi people a chance to do well for themselves and their family, to have drinkable water, to have a safe place to raise children, to have the kind of electricity and the kind of things they need for modern civilization. And yet, because of the inadequacies of the way the administration is conducting the war and monitoring the payments of these monies, that work is not getting done and the Democrats on the House Arms Services Committee are saying tonight we have got to do better.

I would now like to yield to Mr. RICK LARSEN from the State of Washington, also a member of the House Armed Services Committee.

Mr. LARSEN of Washington. I rise today as we reexamine why Congress and the administration diverted attention from our fight against terrorists and terrorism in order to invade Iraq.

☐ 2345

The current administration has gotten too many things wrong in Iraq and has totally misinterpreted the lessons of the post-9/11 world. It is up to Democrats to get things right in Iraq so we can refocus our military efforts to fighting terrorists around the world who want to harm us.

Today I ask my colleagues: Will we realistically confront terrorists and terrorism with all the elements of our national power, or will we continue to ignore a proven approach to follow a shop-worn, idealistic approach that drains our military of its resources and America of its good will with the very partners that we need to fight terrorism? That is the choice our country faces.

The administration has made countless mistakes since the start of the war in Iraq. As Congress looks to clean up the mistakes that have been made, Democrats must speak out against this administration's tendency to overlook problems and instead push for a policy that centers on oversight of U.S. taxpayer dollars. We must respond to the public's frustrations by creating a secure future for our military and reestablish a foundation for American efforts to fight terrorists and terrorism around the globe.

We can only do that by confronting and repairing the waste, fraud, and abuse that plagues our efforts in Iraq. We need to emphasize that our commitment to U.S. taxpayers is equally as important as the commitment we have made to the Iraqi people.

I ask the American people to consider the legacy this administration has handed us in the defense budget as we spend billions of U.S. taxpayer dollars without the tools and ability to track these dollars. Will we tolerate the squeeze that will force choices between weapons and warriors because of a lack of administration foresight and lack of congressional oversight? I believe the answer is no.

We must consider the legacy of waste, fraud, and abuse in Iraq. Why are we not getting results for our taxpayer dollars? We do not know because the institution endowed by the Constitution that is responsible for protecting your taxpayer dollars is practicing overlook instead of oversight. Parents who are monitoring their children on the Internet are providing more oversight than the United States Congress.

We learn of events and stories through the media once the waste, fraud, or abuses have reached comic proportions. We know that Halliburton has overcharged both the U.S. Government and the Development Fund for

Iraq by over $260 million. The Department of Justice brought criminal indictments against a former CPA contracting official and a contractor for a series of frauds costing taxpayers $13 million, and the CPA lost control of $19.6 billion in Iraqi oil funds.

As Congress overlooks expenditures of billions of U.S. taxpayer dollars in Iraq, it ignores responsibility to provide a secure future for our military.

Just in closing, I join my colleagues in commending our U.S. military working in conjunction with Iraqi security and Iraqis themselves for locating and eliminating Abu Musad al-Zarqawi. His terrorist violence is gone. But we have learned in Iraq that fighting a "classic guerrilla-type war" means that a victory like killing Zarqawi cannot be celebrated too long. Much remains to be done in Iraq, and Democrats have to make right where the administration has gone wrong. Our obligations compel us to ask the tough questions that are currently ignored.

Mr. SKELTON. Mr. Speaker, at this time I yield to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I thank my friend, the gentleman from Missouri, for yielding.

This is a very, very important subject. We, the members of the House Armed Services Committee, support our troops and we are for victory in Iraq, Afghanistan, and in the global war on terror. We welcome the recent good news. We are glad that they took out Zarqawi. But there is more work to be done.

I also serve on the House Committee on the Budget. I am particularly interested that we pay for this war, that we do not borrow the money to support our troops from China and Iran and nations like that because those nations are increasingly large creditors of our country at a crucial time when we do face a global war on terror.

And where are we getting so much of this money to fund this war? From foreign nations. Where are the war bonds for this war? Where are we borrowing from our own people to pay for this war? What are we paying with for our troops? It is simply not being done by this administration.

But I am joined tonight by two outstanding military veterans who are also members of the House Armed Services Committee. First to speak is the gentleman from Texas, Mr. SOLOMON ORTIZ, who has got terrific experience not only in the military but in preparing our troops for war.

Mr. ORTIZ. Thank you so much, JIM.

Tonight we want to begin an honest discussion about where this Nation stands in the war that we are prosecuting. And I think that we owe this to the young men and women whose lives are on the line each day, their families, their futures.

Supporting the troops has got to mean more than bumper stickers on pickup trucks, my friends. We need to give them what they need. You know, it wasn't too long ago when my good friend Congressman REYES and I and about eight other bipartisan Members took a trip to visit 25 military bases around this country. In 4 days we visited 25 bases that were in deplorable condition. We were here in this facility on 9/11 having a press conference to let the American people know where we stood and the conditions of the bases that we inspected, the infrastructure. A few minutes after that, a plane struck the Pentagon. We never were able to give the American people the conditions of the military bases.

I have been to Afghanistan, and I have been to Iraq. But nobody has been to Iraq more than my good friend Congressman REYES. And I would like for him to give us an assessment. He is a veteran. He has been to Iraq more than any other Member. My friends, let us be honest with the American people and tell the American people what we need to do.

Mr. REYES. Mr. Speaker, tonight we start what I hope is the first of a series of honest discussions with the American people, something we have been unable to do up to now.

There are a number of issues, a number of problems with where we find ourselves as a Nation tonight. One of the biggest problems is we have not shared the sacrifice.

As we speak here tonight, 2,498 of our Nation's finest have been killed in Iraq and Afghanistan; 18,000 have been wounded with over 8,500 unable to return back to duty.

Do we honor and revere and love our troops? Absolutely. Do we respect and honor the sacrifices that their families have made and are making? Absolutely. Are we concerned about those that are yet to fall, those that are yet to come back with wounds? Absolutely.

Part of the debate that we want to have on this particular issue is to make sure that we do not debate other auxiliary things except Iraq. Iraq is the area, ground zero, for the kinds of issues that we are dealing with, the kinds of things that my colleagues have spoken about tonight. The kinds of things we have failed to do as a Congress in exercising our oversight responsibilities.

I have been to Iraq six times, to Afghanistan 12. I have visited with our troops. I have seen them. I have shared the environment that they share. As a veteran who served 13 months in Vietnam, which seems like in a different era, I can relate to the kinds of things that are going on in the theater of combat. But the one thing that has been missing for us, in my opinion, has been the ability of this Congress to hold the administration accountable, to do the oversight that is necessary and so vitally important. That is the debate that we want to have on this very important topic.

So with that, my good friend and colleague, a member of the Armed Services Committee, Congressman UDALL, will now speak.

Mr. UDALL of Colorado. Mr. Speaker, I know the hour draws near, and we have to conclude the day's business. And I want to join my colleagues from across the country who serve with me on the Armed Services Committee to make the point that this is just the beginning of this discussion. We have not had time tonight to talk about recruiting and retention and the developments that have occurred in those areas. We have not talked about equipment and the need to replenish the equipment that not only the active duty force is using and leaving behind but the National Guard as well.

I know my colleague Mr. COOPER from Tennessee hears, as I do, from returning soldiers and marines about all the equipment that is not coming home that would be available in my part of the country to fight fires and respond to natural disasters, to help on our border in the southern regions. Just recently I had a chance to visit with the Marine Corps leadership; and if I am not mistaken, the number that they shared with me that is necessary to replenish all the equipment that the Marine Corps is leaving behind is on the order of $5 billion, a very significant number.

So I know we want to leave a little bit of time for Mr. SPRATT and Mr. SKELTON to conclude, but I hope that this discussion will continue, particularly that we can focus on the real changes we face when it comes to retention and recruiting; and I know my good friend Mr. SKELTON is well aware of this in the part of our country in the Midwest.

Mr. SKELTON. Mr. Speaker, I thank the gentleman.

Victory in Iraq is of primary importance. But it is really up to the Iraqi Government, the Iraqi security forces, and the Iraqi people. We are and we have been doing and, of course, we will continue to be of great assistance. The primary importance is that the Iraqis assume more and more of their own security and of their own destiny.

Mr. Speaker, I now yield to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I thank Mr. SKELTON for yielding.

Mr. Speaker, the mission in Iraq has been plagued from the start by poor intelligence, by poor planning for the post-war, and by disdain for the advice from our allies and even our officials. Ignoring the Army's Chief of Staff, the Secretary of Defense deployed too few troops, failing to foresee the insurgency that followed the war. Many of those deployed were not properly equipped with body armor or armored vehicles, forced to improvise in the field. The troops were assigned duty that they were not trained for. But let me add here they have performed magnificently. They rose to the challenge. They showed they still have that GI genius for field expedience. They improvised.

But the lack of planning and the lack of preparation has cost us dearly; 2,514 Americans have paid the ultimate price: they have died. 17,774 have been seriously wounded.

Since this is the end of the debate, let me go to the bottom line. First of all, let me say the most important cost we have incurred is for the precious lives that were lost, 2,514; 1,774 who were wounded. But the costs also are considerable. They are not a determinant, obviously. We have troops in the field and are unstinting in our support of them. But when the costs run into hundreds of billions of dollars, they have to be considered.

Here is what the cost of the first Persian gulf war was: $61 billion. Of that our allies chipped in in kind $10.6 billion, in cash $48 billion. The total cost to the United States out of pocket was $2.1 billion. That is what happens when you form a real coalition and have allies and do not go it alone.

Here is what happens when you go it alone. This has been the ascending cost of the war in Iraq, Iraqi Freedom: starting out at $51 billion, it rose to $77 billion in 2004, to $87 billion in 2005, and to $100.4 billion this year, the estimated cost. And here is what the cost per month is: $8.4 billion. That is what the current cost works out to. That is a burn rate in Pentagon jargon; $8.4 billion a month is the cost of the war currently.

Finally, adding all of that up, through the year 2006, you can see that the cost of Operation Iraqi Freedom has been $318.5 billion. The cost is not the determinant. We can afford whatever it takes to defend this country. We want to be, as I said, unstinting in support of our troops. But when the cost gets to be $318 billion, $8.4 billion a month, it has to be a consideration. And that is similarly what we are saying tonight.

The President spoke several weeks ago and said that probably his successor in 2010 would be the person who decides whether or not and when American troops would be redeployed. He did not even mention the cost of the current undertaking. It is not just a dollar cost. It is an opportunity cost. For every dollar consumed here is a loss of dollars otherwise that could be spent on modernization and on the transformation of our forces.

Last year when we passed the Defense Authorization Act for 2006, the House and Senate, and the President by signing the bill, enacted a provision that 2006 would be the year of transition, when Iraqi troops would begin to take primary responsibility.

This is simply what we are calling on the President to do, to begin moving us in that direction as we resolved we should have done last year, particularly in view of the cost.

Mr. SKELTON. Mr. Speaker, I thank the Speaker for allowing us to speak tonight. This is a very, very important debate.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MANZULLO (at the request of Mr. BOEHNER) for today and June 12 on account of wife's surgery.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for June 12 on account of a travel delay due to a mechanical malfunction.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. TAUSCHER) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. ROSS, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

(The following Members (at the request of Mr. HAYES) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, June 20.

Mr. BISHOP of Utah, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

ADJOURNMENT

Mr. SKELTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Wednesday, June 14, 2006, at 10 a.m.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> "I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 109th Congress, pursuant to the provisions of 2 U.S.C. 25:

BRIAN P. BILBRAY, California, Fiftieth.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8014. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Mortgagee Time Limits for Supplemental Claims for Additional Insurance Benefits [Docket No. FR-4957-F-02] (RIN: 2502-AI31) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8015. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — Change in Default Reporting Period [Docket No. FR-4916-F-02] (RIN: 2502-AI20) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8016. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Truth in Savings (RIN: 3133-AC57) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8017. A letter from the Chief, U.S. Army Freedom of Information Act and Privacy Office, Department of Defense, transmitting the Department's final rule — The Freedom of Information Act Program (RIN: 0702-AA45) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8018. A letter from the Acting Senior Procurement Executive, (OCAO), GSA, National Aeronautics and Space Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-09; Introduction [Docket FAR-2006-0023] received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8019. A letter from the Regulatory Contact, National Archives and Records Administration, transmitting the Administration's final rule — National Historical Publications and Records Commission Grant Program (RIN: 3095-AB45) received May 19, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8020. A letter from the Chairman, National Indian Gaming Commission, transmitting the Commission's final rule — Freedom of Information Act Procedures (RIN: 3141-AA21) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8021. A letter from the Acting Director, Office of Government Ethics, transmitting the Office's final rule — Revisions to the Executive Branch Confidential Financial Disclosure Reporting Regulation (RIN: 3209-AA00) (RIN: 3209-AA09) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8022. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Airplanes [Docket No. FAA-2004-19680; Directorate Identifier 2003-NM-215-AD; Amendment 39-14558; AD 2006-08-04] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8023. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200C and -200F Series Airplanes [Docket No. FAA-2005-22423; Directorate Identifier 2005-NM-068-AD; Amendment 39-14556; AD 2006-08-02] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8024. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes Powered by Pratt & Whitney Engines [Docket No. FAA-2004-19140; Directorate Identifier 2004-NM-84-AD; Amendment 39-14548; AD 2006-07-21] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8025. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Model Avro 146-RJ Airplanes [Docket No. FAA-2006-23840; Directorate Identifier 2005-NM-232-AD; Amendment 39-14549; AD 2006-07-22] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8026. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757 Airplanes [Docket No. FAA-2005-22471; Directorate Identifier 2005-NM-142-AD; Amendment 39-14550; AD 2006-07-23] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8027. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200 and -300 Series Airplanes [Docket No. FAA-2005-20688; Directorate Identifier 2004-NM-165-AD; Amendment 39-14551; AD 2006-07-24] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8028. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-8-11, DC-8-12, DC-8-21, DC-8-31, DC-8-32, DC-8-33, DC-8-41, DC-8-42, and DC-8-43 Airplanes, Model DC-8F-54 and DC-8F-55 Airplanes; Model DC-8-50, -60, -60F, -70, and -70F Series Airplanes; Model DC-9-10, -20, -30, -40, and -50 Series Airplanes; Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), and DC-9-87 (MD-87) Airplanes; and Model MD-88 Airplanes [Docket No. FAA-2005-20797; Directorate Identifier 2004-NM-256-AD; Amendment 39-14552; AD 2006-07-25] (RIN: 2120-AA64) Received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8029. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospatiale Model ATR42 Airplanes [Docket No. FAA-2006-23816; Directorate Identifier 2005-NM-247-AD; Amendment 39-14553; AD-2006-07-26] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8030. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes [Docket No. FAA-2004-19866; Directorate Identifier 2004-NM-25-AD; Amendment 39-14541; AD 2006-07-14] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8031. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes [Docket No. FAA-2006-23798; Directorate Identifier 2005-NM-162-AD; Amendment 39-14543; AD 2006-07-16] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8032. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727, 727C, 727-100, 727-100C, and 727-200 Series Airplanes [Docket No. FAA-2006-23672; Directorate Identifier 2005-NM-237-AD; Amendment 39-14544; AD 2006-07-17] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8033. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120, -120ER, -120FC, -120QC, and -120RT Airplanes [Docket No. FAA-2006-23674; Directorate Identifier 2005-NM-234-AD; Amendment 39-14545; AD 2006-07-18] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8034. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospatiale Model ATR42 Airplanes and Model ATR72 Airplanes [Docket No. FAA-2006-23635; Directorate Identifier 2005-NM-245-AD; Amendment 39-14546; AD 2006-07-19] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8035. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Makila 1 A2 Turboshaft Engines [Docket No. FAA-2006-24239; Directorate Identifier 2006-NE-09-AD; Amendment 39-14547; AD 2006-07-20] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8036. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2006-24252; Directorate Identifier 2006-NM-062-AD; Amendment 39-14528; AD 2006-05-11 R1] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8037. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Airplanes [Docket No. FAA-2005-21593; Directorate Identifier 2002-NM-328-AD; Amendment 39-14537; AD 2006-07-10] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8038. A letter from the Deputy Chief Counsel, Regulations, Department of Homeland Security, transmitting the Department's final rule — Air Cargo Security Requirements [Docket No. TSA-2004-19515; Amendment Nos. 1520-4, 1540-7, 1542-2, 1544-5, 1546-2, and 1548-2] (RIN: 1652-AA23) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

8039. A letter from the Director, Regulatory Management Division, Office of Executive Secretariat, Department of Homeland Security, transmitting the Department's final rule — Changes to the Procedures for Notifying the Public of Premium Processing Service Designations and Availability [DHS Docket No. USCIS-2005-0038; CIS No. 2367-05] (RIN: 1615-AB40) received May 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Homeland Security.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. House Concurrent Resolution 372. Resolution recognizing the 50th Anniversary of the Interstate Highway System; with amendments (Rept. 109–499). Referred to the House Calendar.

Mr. OXLEY: Committee on Financial Services. H.R. 5117. A bill to exempt persons with disabilities from the prohibition against providing section 8 rental assistance to college students (Rept. 109–500). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINCOLN DIAZ-BALART of Florida. Committee on Rules. House Resolution 865. Resolution providing for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109–501). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. REYNOLDS (for himself, Mr. English of Pennsylvania, Mr. Hayworth, Mr. Weller, Mr. Lewis of Kentucky, Mr. Foley, Mr. Linder, Mr. Sweeney, Mr. McCotter, Mr.

WILSON of South Carolina, Mrs. JO ANN DAVIS of Virginia, Mr. SCHWARZ of Michigan, Ms. HARRIS, Mr. TIBERI, Mr. FERGUSON, Mr. McHUGH, Mrs. DRAKE, Mr. GARRETT of New Jersey, Mr. GILLMOR, Ms. GINNY BROWN-WAITE of Florida, Mr. CONAWAY, Mr. KINGSTON, Mrs. MYRICK, Mrs. BONO, Mr. SESSIONS, Mr. WESTMORELAND, Ms. JACKSON-LEE of Texas, Mr. KUHL of New York, Mr. SIMMONS, Mr. SMITH of Texas, Mr. WICKER, Mrs. KELLY, Mr. KLINE, Mr. KENNEDY of Minnesota, Mr. MURPHY, and Mrs. BIGGERT):

H.R. 5590. A bill to amend the Internal Revenue Code of 1986 to provide individuals relief from the alternative minimum tax; to the Committee on Ways and Means.

By Mrs. TAUSCHER (for herself and Mr. GEORGE MILLER of California):

H.R. 5591. A bill to name the national cemetery being constructed in Dixon, California, as the "Solano National Cemetery"; to the Committee on Veterans' Affairs.

By Mr. WELLER:

H.R. 5592. A bill to amend the Energy Policy Act of 1992 to direct the head of each Federal agency to ensure that, in areas in which ethanol-blended gasoline is reasonably available at a generally competitive price, the Federal agency purchases ethanol-blended gasoline containing at least 10 percent ethanol rather than nonethanol-blended gasoline, for use in vehicles used by the agency that use gasoline; to the Committee on Government Reform.

By Mr. SMITH of Texas (for himself, Mr. BERMAN, and Mr. CONYERS):

H.R. 5593. A bill to amend title 17, United States Code, to provide for the partial distribution of royalty fees in certain circumstances; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself, Mr. UDALL of Colorado, Mr. WAMP, Mr. EHLERS, Mr. BOEHLERT, Mr. BROWN of Ohio, Mr. BACHUS, Mr. DOGGETT, Mr. SIMMONS, Mr. McCAUL of Texas, Mr. BARTLETT of Maryland, Mr. CARDIN, Mr. BASS, Mr. HAYWORTH, and Mr. BUTTERFIELD):

H.R. 5594. A bill to direct the Secretary of Energy to establish a photovoltaic demonstration program, and for other purposes; to the Committee on Science.

By Mr. FOSSELLA (for himself, Mr. CROWLEY, and Mr. REYNOLDS):

H.R. 5595. A bill to authorize the Urban Areas Security Initiative Grants Program of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. GILLMOR:

H.R. 5596. A bill to provide for a special enrollment period in 2006 for enrollment under the Medicare prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GREEN of Wisconsin:

H.R. 5597. A bill to amend the Immigration and Nationality Act to render deportable all aliens convicted of a criminal offense resulting in a sentence of incarceration, and for other purposes; to the Committee on the Judiciary.

By Mr. GUTIERREZ (for himself, Mr. MORAN of Virginia, Mr. HONDA, Mr. FARR, Ms. JACKSON-LEE of Texas, Mr. WEXLER, Mr. FRANK of Massachusetts, Mrs. CAPPS, Ms. LEE, Mr. MILLER of North Carolina, Ms. WOOLSEY, Mr. McGOVERN, Mr. STARK, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. MEEHAN, Mr. CROWLEY, Mr. NADLER, Ms. SCHAKOWSKY, Mr. WYNN, Mr. BROWN of Ohio, Mr. JEFFERSON, and Mr. LARSEN of Washington):

H.R. 5598. A bill to prohibit departments, agencies, and other instrumentalities of the Federal Government from providing assistance to an entity for the development of course material or the provision of instruction on human development and sexuality, if such material or instruction will include medically inaccurate information, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERSETH:

H.R. 5599. A bill to require the Government Accountability Office to submit a report to Congress on the compliance of the United States Postal Service with procedural requirements in the closing of the postal sorting facility in Aberdeen, South Dakota, and for other purposes; to the Committee on Government Reform.

By Mr. PASCRELL (for himself, Mr. DOYLE, Mr. KUCINICH, Mr. BISHOP of Georgia, Ms. JACKSON-LEE of Texas, Mr. CONYERS, Mr. CLEAVER, and Mr. WYNN):

H.R. 5600. A bill to amend the Internal Revenue Code of 1986 to reduce the earned income threshold applicable to the refundable portion of the child tax credit, to increase the age limit for such credit, and to impose an individual income tax surcharge; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. DOYLE, Mr. CLEAVER, Ms. NORTON, Mr. PAYNE, and Mr. WYNN):

H.R. 5601. A bill to amend the Internal Revenue Code of 1986 to strengthen the earned income tax credit; to the Committee on Ways and Means.

By Mr. RAMSTAD (for himself, Mr. THOMPSON of California, Mr. RYAN of Wisconsin, Mr. KLINE, Mr. McDERMOTT, Mr. WELLER, Mr. HERGER, Mr. JEFFERSON, Mr. EVANS, Mr. BLUMENAUER, Mr. MEEKS of New York, Mr. CROWLEY, Mr. CARDOZA, Mr. CASE, Mr. CUELLAR, Mr. DICKS, Mr. EMANUEL, Ms. ESHOO, Mr. HINOJOSA, Mr. MORAN of Virginia, Mr. SMITH of Washington, Mr. LEACH, Mrs. BIGGERT, Mrs. JOHNSON of Connecticut, Mr. McCRERY, Mrs. TAUSCHER, Mr. LEWIS of Kentucky, Mr. KOLBE, Mr. MATHESON, Mr. BOSWELL, Mr. CRAMER, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MALONEY, Mr. SERRANO, Mr. SKELTON, Mr. BRADY of Texas, Mr. DREIER, Mr. DAVIS of Alabama, Mr. KIND, Ms. HOOLEY, and Mr. GILCHREST):

H.R. 5602. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam; to the Committee on Ways and Means.

By Mr. BUYER:

H. Con. Res. 427. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to commemorate the 75th anniversary of the establishment of the Department of Veterans Affairs; to the Committee on House Administration.

By Mr. McCOTTER (for himself, Ms. ROS-LEHTINEN, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. BURTON of Indiana, Mr. ENGEL, Mr. MACK, Mr. FLAKE, Mr. SMITH of New Jersey, Ms. WASSERMAN SCHULTZ, Mr. ROHRABACHER, Mr. CHABOT, Mr. ROYCE, Mr. WEXLER, Mr. ACKERMAN, Mr. PENCE, Mr. GALLEGLY, and Mr. FOLEY):

H. Con. Res. 428. Concurrent resolution expressing the sense of Congress in support of United States diplomatic personnel stationed at the United States Interests Section in Havana, Cuba; to the Committee on International Relations.

By Mr. MEEKS of New York (for himself, Mr. OWENS, Ms. MOORE of Wisconsin, Ms. KILPATRICK of Michigan, Mrs. CHRISTENSEN, Mr. SCOTT of Georgia, Mrs. MALONEY, Mr. HINOJOSA, Mr. KUCINICH, Mr. CLAY, Ms. MILLENDER-McDONALD, Mr. WYNN, Mr. JEFFERSON, Mr. CLYBURN, Mr. DAVIS of Alabama, Mr. THOMPSON of Mississippi, Mr. DAVIS of Illinois, Mr. BUTTERFIELD, Mr. JACKSON of Illinois, Mr. LEWIS of Georgia, Mr. WATT, Mr. FORD, Mrs. JONES of Ohio, Ms. WATSON, Mr. CLEAVER, Ms. WATERS, Mr. MEEK of Florida, Mr. BISHOP of Georgia, Mr. GUTIERREZ, Ms. McCOLLUM of Minnesota, Mr. RUSH, Mr. AL GREEN of Texas, Mr. TOWNS, Ms. LEE, Ms. CORRINE BROWN of Florida, Mr. RANGEL, Mr. SERRANO, Ms. JACKSON-LEE of Texas, Mr. HASTINGS of Florida, Mr. CONYERS, Mr. PAYNE, Mr. CUMMINGS, Mr. BACA, Mr. PASTOR, Ms. VELÁZQUEZ, Mr. CROWLEY, Mr. ISRAEL, Mrs. LOWEY, Mr. ENGEL, Mr. LARSON of Connecticut, Ms. McKINNEY, Mr. McNULTY, Mr. ACKERMAN, Mr. LANTOS, Mr. WU, Mr. SCOTT of Virginia, Mr. WEINER, Mr. GONZALEZ, Ms. SOLIS, Mr. FILNER, Mr. HINCHEY, Mr. LYNCH, Mr. DELAHUNT, Ms. CARSON, Mr. FATTAH, Mr. ROTHMAN, Mr. HIGGINS, Mrs. McCARTHY, Mr. CAPUANO, Mr. FRANK of Massachusetts, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WASSERMAN SCHULTZ, Mr. MOORE of Kansas, Mr. GRIJALVA, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. ROYBAL-ALLARD, Mr. REYES, Mr. BECERRA, Mrs. NAPOLITANO, Ms. NORTON, and Mr. CUELLAR):

H. Con. Res. 429. Concurrent resolution recognizing the low presence of minorities in the financial services industry and minorities and women in upper level positions of management, and expressing the sense of the Congress that active measures should be taken to increase the demographic diversity of the financial services industry; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILLMOR:

H. Res. 866. A resolution recognizing Sam Hornish, Jr. for winning the 90th running of the Indianapolis 500; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

347. The SPEAKER presented a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 147 urging the Congress of the United States to authorize and appropriate funds to allow all members of the armed forces reserve component to access the Tricare Program; to the Committee on Armed Services.

348. Also, a memorial of the Legislature of the State of Kansas, relative to Senate Concurrent Resolution No. 1618 memorializing the President of the United States and Congress of the United States regarding federal funding of education; to the Committee on Education and the Workforce.

349. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 104 urging the President of the United States and the Congress of the United States to provide states with the necessary funding to implement the goals of the No Child Left Behind Act of 2001 and other education-related programs and to offer states waivers or exemptions from related regulations when federal funding for elementary and secondary education is decreased; to the Committee on Education and the Workforce.

350. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 105 urging the Congress of the United States to support changes to the No Child Left Behind Act of 2001; to the Committee on Education and the Workforce.

351. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 15 suporting the goal of eliminating suffering and death from cancer by the year 2015; to the Committee on Energy and Commerce.

352. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 741 urging the President of the United States and the Congress of the United States to take immediate action in assisting with the peacekeeping mission and efforts to resolve the conflict in the Darfur region of Sudan; to the Committee on International Relations.

353. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2002 urging the Congress of the United States to authorize funding for the Navajo Health Foundation/Sage Memorial Hospital; to the Committee on Resources.

354. Also, a memorial of the Legislature of the State of Kansas, relative to House Concurrent Resolution No. 5037 memorializing the Congress of the United States to extend certain provisions of the Voting Rights Act of 1965; to the Committee on the Judiciary.

355. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial No. 2011 urging the Congress of the United States to permanently repeal the death tax, to dissolve United States membership in the United Nations and to remove specific areas relating to faith from the jurisdiction of the United States Supreme Court; to the Committee on the Judiciary.

356. Also, a memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 523 encouraging the Congress of the United States to take action on federal immigration reform, which would provide for family unification as part of comprehensive immigration reform; to the Committee on the Judiciary.

357. Also, a memorial of the Senate of the State of Illinois, relative to Senate Resolution No. 578 urging the Illinois Congressional Delegation and all of Congress to support "the Secure America and Orderly Immigration Act of 2005"; to the Committee on the Judiciary.

358. Also, a memorial of the House of Representatives of the State of Missouri, relative to House Resolution No. 1475 encouraging the Missouri federal delegation to support the Constitutional Restoration Act (CRA) that is pending before the Congress of the United States; to the Committee on the Judiciary.

359. Also, a memorial of the Legislature of the State of Oklahoma, relative to Senate Concurrent Resolution No. 39 commending the Republic of China (Taiwan) for its close ties with the State of Oklahoma and calling for enactment of a free trade agreement between the United States and the Republic of China (Taiwan); to the Committee on Ways and Means.

360. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 6 urging the President of the United States and the Congress of the United States not to privatize social security; to the Committee on Ways and Means.

361. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1003 urging the Congress of the United States to reject attempts to lower the mortgage index deduction from the Internal Revenue Code; to the Committee on Ways and Means.

362. Also, a memorial of the Legislature of the State of Arizona, relative to House Concurrent Memorial 2007 urging the Congress of the United States to repeal the federal excise tax on telecommunications; to the Committee on Ways and Means.

363. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 188 memorializing the President of the United States and the Congress of the United States to use flexibility in the implementation of rules to allow use of an enhanced drivers license under the Western Hemisphere Travel Initiative which requires all citizens of any age of the United States, Canada, and Mexico, and Bermuda to have a passport or other secure documentation to enter or re-enter the United States; to the Committee on Homeland Security.

364. Also, a memorial of the Legislature of the State of Hawaii, relative to Senate Concurrent Resolution No. 170 requesting the the House of Representative of the United States support and pass H.R. 4259, "the Veterans' Right to Know Act"; jointly to the Committees on Armed Services and Rules.

365. Also, a memorial of the Senate of the State of Hawaii, relative to Senate Resolution No. 114 requesting that the House of Representatives of the United States support and pass H.R. 4259, "the Veterans' Right to Know Act"; jointly to the Committees on Armed Services and Rules.

366. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 727 urging the Congress of the United States to extend the Medicare Part D prescription drug deadline to December 31, 2006; jointly to the Committees on Energy and Commerce and Ways and Means.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 21: Mr. CHANDLER.

H.R. 328: Ms. CARSON.

H.R. 389: Mr. GORDON.

H.R. 503: Mr. KUCINICH.

H.R. 550: Mr. THOMPSON of Mississippi.

H.R. 615: Ms. CARSON.

H.R. 697: Mr. FITZPATRICK of Pennsylvania.

H.R. 865: Mr. INGLIS of South Carolina.

H.R. 899: Mr. NADLER.

H.R. 1155: Mr. MEEHAN and Ms. MATSUI.

H.R. 1167: Mrs. MILLER of Michigan.

H.R. 1241: Mr. DELAHUNT.

H.R. 1246: Mr. ORTIZ, Mr. PICKERING, Mr. KENNEDY of Minnesota, and Mr. ROTHMAN.

H.R. 1298: Mr. ROSS and Ms. LORETTA SANCHEZ of California.

H.R. 1329: Mrs. CAPPS.

H.R. 1384: Mr. LARSEN of Washington, Mr. AKIN, and Mr. BILIRAKIS.

H.R. 1816: Mr. HEFLEY.

H.R. 2037: Mr. WELDON of Florida.

H.R. 2061: Mr. ROSS and Mr. FORTENBERRY.

H.R. 2178: Mrs. TAUSCHER.

H.R. 2238: Mr. SHAW.

H.R. 2646: Ms. LORETTA SANCHEZ of California.

H.R. 2682: Mr. STUPAK.

H.R. 2730: Ms. LINDA T. SÁNCHEZ of California and Mr. BLUMENAUER.

H.R. 3197: Ms. HARMAN and Mr. MEEK of Florida.

H.R. 3318: Ms. HERSETH.

H.R. 3360: Mr. WELLER.

H.R. 3559: Mr. ENGEL and Mr. GOHMERT.

H.R. 3760: Mr. CLEAVER and Mr. ROTHMAN.

H.R. 3882: Mr. BOSWELL.

H.R. 3883: Mr. BOYD.

H.R. 4033: Mr. LATOURETTE, Ms. SLAUGHTER, and Mr. RYAN of Ohio.

H.R. 4157: Mr. BOUSTANY, Mr. FITZPATRICK of Pennsylvania, Mrs. BIGGERT, Mr. NUNES, Mrs. BLACKBURN, and Mr. HEFLEY.

H.R. 4212: Mr. YOUNG of Alaska.

H.R. 4341: Mr. HAYWORTH and Mr. CAMP of Michigan.

H.R. 4384: Mr. LANTOS.

H.R. 4403: Mr. ROTHMAN.

H.R. 4542: Mr. KENNEDY of Rhode Island.

H.R. 4547: Mr. BACHUS and Mr. BILIRAKIS.

H.R. 4703: Ms. BORDALLO.

H.R. 4736: Mr. GONZALEZ.

H.R. 4761: Mr. AL GREEN of Texas and Mr. FLAKE.

H.R. 4806: Mrs. MUSGRAVE.

H.R. 4913: Mr. WELDON of Pennsylvania.

H.R. 4993: Mr. WAXMAN.

H.R. 5005: Mr. REYNOLDS and Mr. BACHUS.

H.R. 5017: Mr. BROWN of Ohio.

H.R. 5081: Mr. PETERSON of Minnesota, Mr. BROWN of Ohio, and Mr. WOLF.

H.R. 5099: Mr. SANDERS.

H..R. 5106: Mr. VAN HOLLEN, Mr. STARK, and Ms. MATSUI.

H.R. 5150: Mr. CHANDLER, Ms. SOLIS, and Ms. ZOE LOFGREN of California.

H.R. 5185: Mr. WEXLER and Mr. HINCHEY.

H.R. 5189: Mr. RUPPERSBERGER.

H.R. 5204: Mr. LOBIONDO and Mr. JACKSON of Illinois.

H.R. 5206: Mr. SOUDER.

H.R. 5249: Mr. CARNAHAN.

H.R. 5250: Mr. PUTNAM.

H.R. 5289: Mrs. JO ANN DAVIS of Virginia.

H.R. 5315: Mr. MICHAUD and Mr. DAVIS of Tennessee.

H.R. 5334: Mr. DAVIS of Florida.

H.R. 5337: Mr. GARRETT of New Jersey, Mr. REICHERT, Ms. WASSERMAN SCHULTZ, Mr. BISHOP of New York, Mr. CLEAVER, Mr. GUTIERREZ, Ms. LEE, Mr. MEEK of Florida, Mr. LUCAS, Mr. LYNCH, Mr. MILLER of North Carolina, Mr. GILLMOR, Mr. PRICE of Georgia, and Mr. LATOURETTE.

H.R. 5361: Mrs. BLACKBURN, Mr. CARTER, Mr. FORD, and Mr. HYDE.

H.R. 5405: Mr. SHADEGG.

H.R. 5420: Mr. LAHOOD.

H.R. 5455: Mr. PETERSON of Minnesota and Mr. GOODE.

H.R. 5457: Mrs. MYRICK, Mr. KINGSTON, Mr. GOHMERT, Mr. SULLIVAN, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 5466: Mr. SHUSTER.

H.R. 5472: Mr. REYES, Mr. UPTON, Ms. SOLIS, Ms. WOOLSEY, Mrs. BLACKBURN, Mr. KILDEE, Mrs. CHRISTENSEN, Mr. LEACH, Ms. KILPATRICK of Michigan, Mrs. JO ANN DAVIS of Virginia, Mr. DELAHUNT, Mr. VAN HOLLEN, Ms. JACKSON-LEE of Texas, Mrs. LOWEY, and Ms. MATSUI.

H.R. 5473: Ms. JACKSON-LEE of Texas, Mr. CLEAVER, Mr. RAHALL, Mr. BUTTERFIELD, Mr. BROWN of Ohio, and Mr. WYNN.

H.R. 5476: Mr. FEENEY.

H.R. 5523: Mrs. MYRICK.

H.R. 5536: Mr. SWEENEY.

H.R. 5542: Mr. DAVIS of Tennessee.

H.R. 5550: Ms. WOOLSEY, Mr. DAVIS of Illinois, Mr. PASCRELL, Mr. STARK, Mr. GONZALEZ, and Ms. HARMAN.

H.R. 5557: Mr. FRANK of Massachusetts and Mr. MORAN of Virginia.

H.R. 5563: Mr. NADLER.

H.R. 5588: Mr. FRANK of Massachusetts, Mr. DINGELL, Ms. PELOSI, Mr. MICHAUD, Mr. CAPUANO, Mr. BROWN of Ohio, Mr. GONZALEZ, and Mr. LANGEVIN.

H.J. Res. 88: Mr. BARROW, Mr. BURGESS, Mr. GOHMERT, Mr. MCCAUL of Texas, Mrs. NORTHUP, Mr. OSBORNE, Mr. PETERSON of Minnesota, Mr. TURNER, and Mr. WOLF.

H. Con. Res. 172: Mr. MOORE of Kansas.

H. Con. Res. 235: Mr. HONDA.

H. Con. Res. 391: Mr. WU.

H. Con. Res. 415: Mr. WOLF, Mr. WELDON of Pennsylvania, Mr. WEXLER, and Mr. BISHOP of New York.

H. Res. 20: Mr. DENT.

H. Res. 461: Mr. BERMAN, Mr. LANTOS, Mr. BLUMENAUER, and Ms. WATSON.

H. Res. 745: Mr. RUPPERSBERGER, Mr. MEEHAN, and Mr. FITZPATRICK of Pennsylvania.

H. Res. 759: Mr. WOLF, Mr. MCCAUL of Texas, and Mr. ISSA.

H. Res. 779: Mr. DOOLITTLE.

H. Res. 800: Mr. JENKINS, Mr. MEEKS of New York, and Mr. WYNN.

H. Res. 822: Mr. JACKSON of Illinois.

H. Res. 825: Mr. GORDON.

H. Res. 841: Mr. CRAMER, Mr. COSTA, Mr. ROSS, Mr. BOREN, Ms. HARMAN, Mr. SALAZAR, Mr. THOMPSON of California, Ms. HERSETH, Mr. BARROW, Mr. BOSWELL, MR. MELANCON, Mr. MICHAUD, and Mr. COOPER.

H. Res. 858: Mr. AL GREEN OF TEXAS, Mr. ANDREWS, Mr. BISHOP of New York, Mr. WEXLER, Mr. SAXTON, Mr. FRANK of Massachusetts, Mr. WEINER, and Mr. ETHERIDGE.

H. Res. 863: Mr. HONDA, Mr. HASTINGS of Florida, Mr. BRADY of Pennsylvania, and Mr. CAPUANO.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from pubic bills and resolutions as follows:

H.R. 2048: Ms. SOLIS.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

119. The SPEAKER presented a petition of the Board of Commissioners of the County of Saginaw, Michigan, relative to Resolution C supporting the increase in the minimum wage at both the state and federal levels; to the Committee on Education and the Workforce.

120. Also, a petition of the Legislature of Rockland County, New York, relative to Resolution No. 169 requesting the Congress of the United States and the President of the United States to enact legislation to protect wetlands by defining same as one acre or more in size or bodies of water adjacent to protected water ways; jointly to the Committees on Resources and Transportation and Infrastructure.

121. Also, a petition of the City of Miami Commission, Florida, relative to Resolution No. R-06-0214 supporting the legalization, not criminalization, of immigrants in the United States and urging the Congress of the United States to reconsider House Bill 4437 and instead adopt the Senate Judiciary Committee's bill; jointly to the Committees on the Judiciary and Homeland Security.

122. Also, a petition of the Milwaukee County Board of Supervisors, Wisconsin, relative to a resolution urging the passage of a comprehensive U.S. immigration reform law known as The Secure America and Orderly Immigration Act; jointly to the Committees on the Judiciary, Homeland Security, International Relations, Energy and Commerce, and Education and the Workforce.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5576

OFFERED BY: MR. JINDAL

AMENDMENT NO. 4: Page 100, after line 7, insert the following new paragraph:

Nctwithstanding any other provision of law, after providing a first right of return to all households in the St. Bernard, Orleans, Plaquemines, Jefferson, and St. Tammany Parishes eligible for project-based housing assistance under this heading and under this heading in division B of Public Law 109–148, owners may then offer remaining available dwelling units to city and parish employees and volunteers from those parishes for a period of not to exceed 24 months: *Provided*, That workers or volunteers engaged in recovery activities, employees or volunteers of the site, as well as workers or volunteers providing healthcare and/or other home and community-based services to seniors—and the return of such housing to the affordable housing stock when no longer needed as temporary housing.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available in this Act may be used for the construction, expansion, renovation, or building of the Los Angeles Gay and Lesbian Center.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 6: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used by the Federal Highway Administration to implement contracting practices based upon racial preference.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 7: Page 205, after line 8, insert the following:

REDUCTION OF FUNDS

The amounts otherwise provided in this title for "Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund" and "Environmental Dispute Resolution Fund" are hereby reduced to $0.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 8: Page 204, strike line 13 and all that follows through page 205, line 3.

H.R. 5576

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 9: Page 205, strike lines 4 through 8.

H.R. 5576

OFFERED BY: MR. LIPINSKI

AMENDMENT NO. 10: At the end of the bill (before the short title), insert the following:

SEC. . The amounts otherwise provided by this Act are revised by reducing the amount made available for "Department of Treasury—Departmental Offices—Salaries and Expenses", by reducing the amount made available for "Internal Revenue Service—Business Systems Modernization", and by increasing the amounts made available for the Secretary of Transportation, for carrying out the Rail Line Relocation Projects as authorized by section 9002 of SAFETEA-LU, by $10,000,000, $20,000,000, and $30,000,000, respectively.

H.R. 5576

OFFERED BY: MS. HARRIS

AMENDMENT NO. 11: Page 100, line 18, after the dollar amount, insert the following: "(increased by $12,000,000)".

Page 102, line 3, after the dollar amount, insert the following: "(increased by $3,000,000)".

Page 111, line 3, after the first dollar amount, insert the following: "(reduced by $12,000,000)".

Page 195, line 4, after the dollar amount, insert the following: "(reduced by $3,000,000)".

H.R. 5576

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 12: At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available by this Act may be used to apply the assumption contained in section A150.101(d) of title 14, Code of Federal Regulations.

EXTENSIONS OF REMARKS

CONGRATULATING DR. PATRICIA DONOHUE FOR BEING NAMED RECIPIENT OF THE WILKES-BARRE CHAMBER OF BUSINESS AND INDUSTRY'S ATHENA AWARD

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Dr. Patricia Donohue, president of the Luzerne County Community College, in Nanticoke, Pennsylvania, who was a recipient of the Wilkes-Barre Chamber of Business and Industry's prestigious "Athena Award."

The Athena Award honors women who show excellence in business accomplishments, community service, personal achievements, and assisting the efforts of other women working toward their full leadership potential.

The concept started in 1980 when Martha Mayhood Mertz, then serving on the Board of Directors of the Lansing Michigan Regional Chamber of Commerce, realized that only one woman was recognized for excellence in her Chamber in 75 years. Since its inception in Michigan, thousands of ATHENA Awards have been presented throughout North America, Eastern Europe, Asia, and the Middle East.

The Greater Wilkes-Barre Chamber has honored local women for their achievements since 1985. MotorWorld Automotive Group has remained a sponsor of the Greater Wilkes-Barre Chamber's ATHENA Award during that tenure.

Dr. Donohue oversees a $36 million budget and remains active in the community volunteering her time with several organizations. She has spent countless hours providing guidance and mentorship to female professionals and young women.

Dr. Donohue is a member of the board of directors of the Luzerne Foundation, Osterhout Free Library, F.M. Kirby Center and the Greater Wilkes-Barre Chamber. She is a member of the Council of Presidents of Luzerne County and serves on the board and executive committee of the Joint Urban Studies Center.

Dr. Donohue has made a lifelong commitment to Girl Scouting and serves on the Executive Committee of the Girl Scouts of Penn's Woods Council. She served as the first chair of the NEPA Technology Institute and is a graduate of the Leadership Wilkes-Barre Executive Leadership program and the Lackawanna Leadership Executive Program.

She is a member of the National Institute for Leadership Development and has sponsored/mentored more than 50 women for leadership training. Dr. Donohue serves on the Board of the American Association of Women in Community Colleges and on the United Way Campaign Cabinet.

Among her many awards are the Outstanding Leadership Award from the American Association of University Women, Harrisburg and the Central Penn Technology Council's Outstanding Service Award. She has been recognized by Who's Who in America and the Outstanding Young Women of America and is the recipient of the Outstanding Service Award from the American Cancer Society, the Merit Recognition Award from Harrisburg Area Community College, and was named Community Woman of the Year by the American Business Women's Association.

Mr. Speaker, please join me in congratulating Dr. Donohue on this important occasion. Dr. Donohue's commitment to the advancement of women and her devotion to community service have enhanced the quality of life greatly in the Wyoming Valley. It is fitting, indeed, that she be selected for this unique honor.

TRIBUTE TO NATIONAL ASSOCIATION OF THE WOLVES

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. HART. Mr. Speaker, I would like to take this opportunity to recognize the National Association of the Wolves and its member dens for all of their work in the community.

The National Association of the Wolves was founded approximately seventy-five years ago by a group of Italian-American businessmen in New Castle, Pennsylvania. With over 400 members in 14 dens (12 in Western Pennsylvania and 2 in Eastern Ohio), the Wolves promotes higher education among high school students by awarding college scholarships. Over the years, the National Association of the Wolves has raised over $6.1 million for 2,537 students. In addition to providing scholarships, the Wolves have established endowments at colleges and universities across Western Pennsylvania.

The National Association of the Wolves will hold their national convention August 18 and 19, 2006 at the Avalon Inn in Warren, Ohio.

I ask my colleagues in the United States House of Representatives to join me in recognizing the National Association of the Wolves. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a dedicated group like the National Association of the Wolves.

PERSONAL EXPLANATION

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. JOHNSON of Illinois. Mr. Speaker, I rise today to explain my missed votes of yesterday June 12, 2006. Unfortunately, due to maintenance problems with numerous airplanes I was not able to arrive into Washington, DC until the votes had already closed. Had I been here for rollcall votes 521, 522, 523, 524, and 525 I would have voted aye on all 5 votes.

Mr. Speaker, for far too long the Nation of China has had a record of abusive and abhorrent human rights violations. I am pleased that H. Res. 608, H. Res. 804, and H. Res. 794 were brought to the House floor to bring attention to the continued religious persecution and to remember the horrible events in Tiananmen Square. We must continue to hold China accountable for its actions and these resolutions were a step in the right direction.

I am also glad that H. Con. Res. 338 was brought to the floor again calling on the nations of the Western Hemisphere to work together in combating Islamist terrorist organizations. Terrorism will never be an issue on which we can rest and we must ensure that all nations are working together to secure our borders and our nations against terrorist activities.

Again, I am sorry I was unable to be here for the votes on June 12, 2006, but I hope this explanation adequately conveys my support for these 5 votes.

IN HONOR OF THE 25TH ANNIVERSARY OF THE CORNELIA DE LANGE SYNDROME FOUNDATION

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise today to recognize and congratulate the Cornelia de Lange Syndrome Foundation on its 25th anniversary of Reaching Out, Providing Help and Giving Hope to children and their families across the country.

The CdLS Foundation is an outstanding organization that has been serving people and families living with Cornelia de Lange Syndrome since 1981. Their national headquarters is located in the Fifth District of Connecticut, which I represent. The Foundation is a nonprofit, family-support organization that works to promote early and accurate diagnosis of CdLS, advance research into the causes of the condition, and assist those with CdLS throughout their lives. Their efforts impact the lives of people throughout the United States.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Mr. Speaker, CdLS is a congenital condition, which means it is present from birth. It impacts on virtually all of a person's being. Physical and mental manifestations of CdLS may include: missing limbs or fingers; severe reflux; feeding difficulties; cleft palate; eye problems; hearing loss; seizures; and behavioral issues. Overall, cognitive and physical development is slowed, and delays in speech and communication are even more pronounced.

The foundation celebrated a medical and scientific breakthrough in April 2004 when a research team led by scientists at the Children's Hospital of Philadelphia identified a gene on chromosome 5 that, when mutated, causes CdLS. NIH recently made a substantial grant to support continued research designed to help families and scientists alike understand the cause of CdLS and improve care for people living with this diagnosis.

As a result of this discovery, we now know that CdLS affects approximately 1 in 10,000 live births, and it is thought to be present in as many as 20,000 children who have not been diagnosed. The foundation faces a significant challenge as it attempts to reach out to families who have a child with CdLS, especially those with more mild cases. Interventions and strategies for managing the syndrome and caring for these children can only be utilized once the presence of the syndrome has been confirmed.

In order to raise the visibility of the syndrome, the foundation distributes publications to families and medical professionals, and hosts meetings and conferences where researchers and families can meet to exchange information. The foundation also acts as a facilitator between families and the medical community, utilizing the expertise of its Clinical Advisory Board, a team of more than 40 clinical and education professionals who act as on-call advisors.

Once a family understands that their child has been touched by the syndrome, the foundation relies on its strong volunteer network to support children and families affected by CdLS, as well as educate local community members, government officials, and media about the syndrome. Most of these volunteers are family members of someone living with CdLS.

Mr. Speaker, I am proud that an organization with such integrity and willingness to help their fellow citizens has called Avon, CT its home. I ask my colleagues to join me in thanking and recognizing the Cornelia de Lange Syndrome Foundation for its tremendous efforts.

PAYING TRIBUTE TO DR. TOMMY CROOKS

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. BACHUS. Mr. Speaker, doctors of optometry from around the Nation will convene in Las Vegas, NV, June 22–26 for the American Optometric Association's 109th annual convention. On Saturday, June 24, they will elect Dr. Tommy Crooks as the association's 85th president.

Doctors of optometry are the Nation's largest eye care profession, serving patients in nearly 6,500 communities across the country, in more than 3,500 of these communities; they are the only eye doctors. The American Optometric Association is the professional society for optometrists nationwide and has more than 34,000 members. Dr. Crooks will lead the association on its mission to improve eye and vision care in the United States.

Dr. Crooks is a resident of Birmingham, AL. He is a native son, a 1975 graduate of the University of Alabama and a 1979 graduate of the University of Alabama's School of Optometry who has practiced optometry in our State for 27 years. He is currently president and CEO of Eyecare Associates, Inc., in Birmingham, AL, a group practice consisting of 19 locations and 33 doctors.

Dr. Crooks has been a leader in his profession at the State, regional and national levels. He has been a member of the Alabama Optometric Association since 1979, serving as president in 1990. In 1985, the Alabama Optometric Association named Dr. Crooks Alabama Optometrist of the Year. He is also a past president of the Southern Council of Optometrists and the Birmingham Area Optometric Society and in 1990 was named University of Alabama-Birmingham Alumnus of the Year.

At the national level, Dr. Crooks has been a member of American Optometric Association, AOA, since 1979, and has served in the association's volunteer structure since 1989. He was elected to the AOA Board of Trustees in 1999 and was re-elected in 2002.

Dr. Tommy Crooks has built a distinguished record of service and leadership in his profession and in his community. I am confident that he will have a very successful term as president of the American Optometric Association. I join his wife Kaye and their two sons, his friends and colleagues in congratulating him on this achievement and wishing him good luck and good health.

RECOGNIZING THE INDUCTION OF LIEUTENANT COLONEL FRED H. CARLEY INTO THE MOBILE, AL, HALL OF FAME

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. MILLER of Florida. Mr. Speaker, it is a great honor for me to rise today to extend my congratulations to LTC Fred H. Carley for his induction into the Mobile Alabama Hall of Fame. As a resident in my district, Mr. Carley has left a great and lasting impact on Northwest Florida and Southeastern Alabama.

Fred Carley has always served as an active member in his community, be it encouraging young people through physical fitness and activities or proudly serving his country as an officer in the Air Force. A native of the Fowl River community in south Mobile County, AL, Fred Carley earned three degrees during his two active military tours at Auburn University, where he excelled in athletics, the arts, and academics.

During his professional career as an engineer, he still found time to coach both the Murphy High School and University of South Alabama track and cross-country teams, which went on to win many awards. Since his transfer to Eglin Air Force Base in 1969, Fred Carley has contributed to the fitness and well-being of countless young athletes in Northwest Florida, often leading them to national records and championships. He has also served as a member of the Senior Bowl Committee, SEAAU chairman of athletics, and president of the Air Force Engineering Association.

Lieutenant Colonel Carley has received many awards for his achievements. He was honored with the Presidential Physical Fitness Leadership Award, selected as 1 of 12 in the Nation, in 1964. He was also elected to the U.S. Military Packaging Hall of Fame for his work with the Department of Defense.

Mr. Speaker, the dedication that Frank Carley has shown to his students, community, and country is immeasurable. His service as a coach, mentor, U.S. Air Force officer, and engineer has benefited so many in Florida's First District and its surrounding areas for over 50 years. I congratulate LTC Frank Carley for his induction into the Mobile Alabama Hall of Fame and wish to thank him on behalf of the United States Congress for serving as a strong role model for generations to come.

TRIBUTE TO DONNIE IRIS

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. HART. Mr. Speaker, I would like to take this opportunity to recognize Donnie Iris, an entertainer who hails from my district, Beaver Falls, Pennsylvania.

Donnie Iris, a singer, first learned how to sing from his mother. In 1970, as a member of the Jaggerz, he earned a gold record for writing and singing the song "The Rapper". He then formed "Donnie Iris and the Cruisers" with his friend Mark Avsec. The band had the hit song "My Girl" and began to tour non-stop in 1980.

In August 2004, the band celebrated their 25th anniversary. This past May they released the album "Ellwood City". The title track "Ellwood City" is reminiscent of Iris's childhood growing up in the area. On Saturday, June 17, 2006 Armstrong cable is hosting an event honoring the musical achievements of Donnie Iris at the Folino Entertainment Stage in Ewing Park.

I ask my colleagues in the United States House of Representatives to join me in recognizing Donnie Iris and all of his musical and entertainment accomplishments. It is an honor to represent the Fourth Congressional District of Pennsylvania.

CONGRATULATING THE GREATER HAZLETON CAN-DO ON ITS 50TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to the Greater Hazleton CAN-DO organization on the occasion of its 50th anniversary.

In 1956, when the deep anthracite coal mines were closing and regional unemployment reached 30 percent, Dr. Edgar Dessen, a local radiologist, formed a new committee to investigate how best to go about economic development.

Realizing that they would need funds to pursue their objectives, they began collecting dimes solicited from the regional citizenry. The unusual fundraiser netted about $14,000, enough to buy more than 800 acres of land that became the Valmont Industrial Park. Eventually, it would grow into a 4,000-acre industrial corridor that would need major investment for infrastructure.

Dr. Dessen set a goal of $500,000 to be raised in 3 weeks. A local banker told him "You can't do that!" But, he replied, "Yes, we can do." Thus was born the CAN-DO organization, an acronym that preceded the title which later was proclaimed to be the "Community Area New Development Organization."

Indeed, in that first major fundraiser, CAN-DO did not raise $500,000; it raised $740,000. Two more fund drives followed. One yielded $830,000, while the second raised $710,000.

The Valmont Industrial Park development was so successful that CAN-DO eventually acquired 1,150 more acres of land and created the Humboldt Industrial Park nearby.

Over the years, CAN-DO has been responsible for the development of over 3,500 acres for economic development, created 20,000 new jobs, increased the area's payroll by $240 million, leveraged private investment of more than $1.5 billion, and increased the local tax base by 20 percent.

Mr. Speaker, please join me in congratulating the CAN-DO organization on this auspicious occasion. Those associated with CAN-DO over the past 50 years have made significant contributions to the quality of life in the greater Hazleton area and, for that, we should all be grateful.

TRIBUTE TO JEWISH AMERICAN HERITAGE MONTH

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to reflect on the inaugural Jewish American Heritage Month, which was celebrated across the country throughout the month of May. With the history of racial intolerance our country has witnessed, I believe we must remain steadfast in providing future generations opportunities to learn about the varied faiths and cultures that make this country so great.

I am especially pleased that my colleague Congressman JOE BACA hosted a Special Order condemning hate crimes and racial intolerance. We must fight intolerance and stop the spread of hate-inspired acts and images, and I thank Congressman BACA for leading this important discussion.

Mr. Speaker, we have seen how the national observance of Black History Month and Hispanic Heritage Month have brought, through education, greater awareness of the African American and Hispanic communities' contributions to our country. This past May, the many accomplishments of American Jews were recognized by the proclamation of Jewish American Heritage Month, issued by President Bush.

When the Jewish community in Miami approached me with the idea to help designate a month to honor the contributions of American Jews, I realized the potential impact of this endeavor. It is my hope that Jewish American Heritage Month will make a difference in the fight against anti-Semitism.

To those who would teach hate to their children, it might surprise them to learn that a Jewish man, Haym Salomon, was one of the largest financiers of the American Revolutionary War. To those who would paint graffiti on Jewish buildings, they should know that they have benefited from advances in medicine, trends in popular culture, and technological inventions, all developed by many famous and not-so-famous American Jews.

Fortunately, we have leaders in government, the business community, law enforcement, and education who work to eliminate hateful words and actions and encourage acceptance and sensitivity to diversity.

I am grateful to my colleagues who recognized the benefits that Jewish American Heritage Month would bring to the country, and I thank them for their unanimous support.

Mr. Speaker, thank you for your support and commitment. Throughout the process, you were an instrumental and invaluable advocate.

Leader PELOSI, Whip HOYER, and Congressman WAXMAN, thank you for your leadership and guidance.

And I'd especially like to thank Chairman HENRY HYDE—who was the lead Republican cosponsor of the House resolution.

Chairman HYDE helped immensely with spreading awareness of this resolution to our colleagues and the White House. I'd also like to acknowledge and thank Senator ARLEN SPECTER who introduced and worked to pass identical legislation in the Senate. And once again, I would like to thank my colleagues, who unanimously passed the resolution.

The amount of support for this initiative has been nothing short of inspirational:

As the inaugural Jewish American Heritage Month comes to an end, national prominence of American Jewish heritage continues in communities across the country. In fact, many Jewish communities began their observances even prior to May.

At the end of April, the Jewish Museum of Florida held a press conference with several community leaders to announce the Proclamation's release.

At the beginning of May, the American Jewish Committee incorporated a celebration of Jewish American Heritage Month into their 100th Anniversary celebration here in Washington.

On May 11th, the National Museum of American Jewish History in Philadelphia honored Senator SPECTER and celebrated the establishment of Jewish American Heritage Month at their annual gala dinner. On May 23rd, the Jewish Historical Society of Greater Washington hosted a breakfast reception in the Capitol where several Members including Representatives HYDE, RANGEL, CARDIN, BERKLEY, and LEWIS. And just last week, Mayor Michael Bloomberg recognized the conclusion of the inaugural Jewish American Heritage Month at a Jewish Heritage New York event at Gracie Mansion.

Like so many of the ideas that generate in this body, the creation of Jewish American Heritage Month all started with one community that wanted to make a difference.

I would like to thank two talented and dedicated women who helped lead this effort in Miami: Marcia Zerivitz of the Jewish Museum of Florida and Judy Gilbert-Gould of the Jewish Community Relations Council of the Greater Miami Jewish Federation.

Finally, Mr. Speaker, I would like to thank the Jewish Historical Society of Greater Washington and its Lillian & Albert Small Jewish Museum, who brought the celebration of Jewish American Heritage Month to the Capitol Building.

I respectfully request that the remarks made by their Executive Director Laura Apelbaum and their President Peggy Pearlstein be placed into the CONGRESSIONAL RECORD.

May 23, 2006 Jewish Historical Society of Greater Washington event honoring the presidential proclamation of May as American Jewish Heritage Month.

Laura Apelbaum, Executive Director:

Good Morning. I am Laura Apelbaum, the Executive Director of the Jewish Historical Society of Greater Washington and its Lillian & Albert Small Jewish Museum. On behalf of our board of directors and members, I want to welcome you today to this very special event.

I think we all can appreciate that as Jews living in America we are called upon to have a little bit of knowledge about a lot of history—ancient history, biblical history, Talmudic history, and Holocaust history to name just a few. Lesser known in our community and less well understood are the rich stories of American Jewish history—the stories beyond our own personal history that tie us to the Jewish community and to the national American story.

In 1795, shortly after the site of the nation's capital was selected, the first Jew arrived in the new federal district of Washington. Fittingly, he was a real estate developer who built office townhouses for new federal government offices of the Department of War and State. Over the next two centuries, he was followed by tens of thousands of Jews, all of whom have become part of our community's history. Their lives and deeds tell a unique story of both a hometown and a capital city.

The story of Washington's Jewish community is in many ways similar to that in other communities across the country. Many of Washington's early Jews, my great grandfather among them, arrived in port cities and to avoid the sweatshops of New York and Chicago made their way to DC to open small Mom & Pop shops—groceries, furniture stores, tailors, jewelers. The presence of the federal government had a profound effect. Their clientele included Presidents, Supreme Court Justices and Congressmen. The few who served in the federal government for the century preceding the New Deal gave way to a wave of young intellectuals who arrived to serve a burgeoning federal government in the 1930s and '40s.

By the 1950s many of the small shops had grown into large downtown department stores, Hecht's, Landsburgh's and Kann's or other stores that spread with the community to the suburbs. Along the way the Jewish community organized synagogues and Jewish communal organizations.

Continued growth and prosperity in the post WWII era and into the "modern" era have created a community that spans three jurisdictions—DC and the Maryland and Northern Virginia suburbs and includes more than 215,000 members. We are now the sixth largest Jewish community in the country.

The Jewish Historical Society of Greater Washington is the nation's central archives for this special community. Our collections are open to community members and researchers. Our programs, publications, and exhibits recount our unique communal history—at once local and national.

We first learned of the effort to create a special month to call attention to Jewish American heritage from a colleague, Marcia Zerivitz, the dynamic director of the Jewish Museum of Florida. It seemed to us entirely appropriate to mark the creation of this special month by honoring the many representatives and Senators—our friends and neighbors—that introduced the Congressional Resolution that led to President Bush recently proclaiming May 2006 as Jewish American History month.

Presentation—Society President Peggy Pearlstein: Ms. Wasserman Schultz, Chairman Hyde, Chairman Specter, special guests and friends:

In 1654, 23 Jews fled Recife, Brazil, and landed in New Amsterdam (now lower Manhattan) in search of political and religious freedom. These men, women, and children were the first of millions of Jews to seek refuge in America—the vanguard of today's American Jewish community—now the largest in the world.

One hundred and thirty years ago on June 9, 1876, a small yet committed Jewish congregation gathered to see their dreams of building their own shul come to fruition. In the presence of President Ulysses S. Grant, they dedicated a small but beautiful synagogue building that stands just at the foot of Capitol Hill at 3rd and G Streets, NW.

That building has been a witness to the history of the Jewish community, our city and our nation. It stands as a testament to the endurance of our community and to the commitment we have to preserving and caring for our past as we face the future.

Our Jewish Historical Society is committed to restoring this special building and to educating our community especially its youngest members about immigrant history, city history, and the continuing story of Jewish life in and around our capital city.

To commemorate the 130th anniversary of our local treasure, we have begun a major restoration initiative to ensure the buildings' existence for many years to come. The building stands as a reminder of where we came from and its legacy, an important part of where we are going.

You can learn more about our community at a comprehensive exhibit now on display at the National Building Museum through July 4th. This exhibit, Jewish Washington: Scrapbook of An American Community, recounts the role that Washington area Jews have played in American Jewish life and in the nation's history.

This past year, Representative Wasserman Schultz and members of her district coordinated a nationwide effort to support passage of a resolution calling for a Jewish American Heritage month. They were joined in their efforts by Representative Hyde and Senator Specter resulting in unanimous approval, in both houses of Congress for the resolution. In April, President Bush signed the proclamation declaring the inauguration of Jewish American Heritage Month in May.

We have gathered to celebrate this Presidential Proclamation and to honor the three members of Congress who introduced the resolution supporting that proclamation:

It is my pleasure to present each of them with a very special gift.

This is a tzedakah box that is a miniature of the historic 1876 synagogue which our organization stewards. It was the first permanent home to Adas Israel Congregation. I hope that it will remind you of our appreciation for your role in commemorating Jewish American Heritage.

Congresswoman Debbie Wasserman Schultz, 20th District of Florida.

Congressman Henry Hyde, 6th District of Illinois.

Senator Arlen Specter, State of Pennsylvania.

We also would like to take this opportunity to present a tzedakah box to President Bush and ask Jay Zeidman to accept on the president's behalf.

I want to thank everyone for attending what we hope will become an annual event.

INTRODUCTION OF THE "SOLAR UTILIZATION NOW (SUN) ACT OF 2006"

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. SMITH of Texas. Mr. Speaker, today I have introduced the "Solar Utilization Now (SUN) Demonstration Act of 2006."

The "SUN Act" encourages state governments and private industry to team up to apply for federal grants. This will enable them to buy solar energy panels at nearly half the cost.

This bill is good for our energy security, national security and environmental security.

The answer to much of our energy needs comes up every morning. Solar power is clean, plentiful and has zero emissions and zero waste.

All states are eligible to participate and are required to contribute at least 10 percent of the funding. The federal government matches the grant at a maximum of 40 percent. The rest of the money comes from utilities or private industry.

Congress has a responsibility to help promote this new technology and I am pleased that this bill already has significant bipartisan support.

RECOGNIZING THE JAVITS-WAGNER-O'DAY PROGRAM AND THE SAN ANTONIO LIGHTHOUSE FOR THE BLIND

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. GONZALEZ. Mr. Speaker, I rise today in support of the Javits-Wagner-O'Day Program, often referred to as JWOD. This important federal program provides needed employment opportunities for people with disabilities. In fact, JWOD provides more than 40,000 Americans who are blind, or who have other severe disabilities, with the job skills and training necessary to earn good wages and benefits, allowing them to gain greater independence and quality of life.

People with disabilities are often underserved in this nation. They traditionally face an unemployment rate of 70 percent, and thus rely heavily upon social support programs. JWOD empowers these Americans by helping them enjoy full participation in their community and marketing their JWOD skills into other public or private sector jobs. This, in turn, increases their independence and self-esteem.

The National Industries for the Blind (NIB) and NISH work with local nonprofit organizations nationwide to create new employment opportunities for people with blindness or severe disabilities. Such efforts benefit my constituency in San Antonio, Texas. Demonstrating a superlative federal-private sector partnership, NIB, NISH, and local nonprofits, such as San Antonio Lighthouse for the Blind, enhance opportunities for economic and personal independence for people who are blind or who have other severe disabilities, primarily through creating, sustaining, and improving employment.

Through the JWOD program, San Antonio Lighthouse for the Blind provides employment opportunities and training for over 5,000 people each year with visual and other severe disabilities. This enables them to lead more productive and meaningful lives, support their families, and gain important work experience.

On behalf of people with disabilities, I recognize and honor the important contributions of JWOD and the San Antonio Lighthouse for the Blind. Their tireless work to enhance employment opportunities for people with visual and other severe disabilities does a great service to the city of San Antonio and its citizens.

TRIBUTE TO HOUR OF POWER FULL GOSPEL TABERNACLE, INC.

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Hour of Power Full Gospel Tabernacle, Inc. of Farrell, Pennsylvania on its 30th anniversary.

On Saturday July 1, 2006 the Hour of Power Full Gospel Tabernacle, Inc. will hold its 30-year anniversary celebration at the

Shenango Valley Senior Center in Hermitage, Pennsylvania. At the celebration the church will also hold a Recognition Banquet.

I ask my colleagues in the United States House of Representatives to join me in congratulating Hour of Power Full Gospel Tabernacle, Inc. on its 30th Anniversary. It is an honor to represent the Fourth Congressional District of Pennsylvania.

HONORING THE CITY OF MERIDEN, CONNECTICUT ON THE OCCASION OF ITS 200TH ANNIVERSARY

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise today to honor the City of Meriden, Connecticut, on the occasion of its 200th Anniversary on June 16, 2006.

This city was known as the North Farms area of nearby Wallingford until 1806, when it was officially recognized as the Town of Meriden. The 1800s saw the beginnings of what would become a torrent of manufacturing activity in the city. Belts, hoops, pewter, guns, cutlery, nails, buttons, lamps, ivory combs, tin ware, organs, coffee grinders, and silver—the product that would lend its luster to Meriden's reputation as the "Silver City"—were all manufactured here. Stately mansions were constructed as manufacturers prospered. As the thriving city's population grew to over 24,000 in 1900, the Castle Craig was dedicated in Hubbard Park and the Curtis Memorial Library opened soon thereafter.

In the 1920s, the airport was built and the downtown traffic tower erected. Although the world wars and the depression brought hardships to the city as well as to the rest of the country, in March 1944, Meriden was proudly honored as "The Nation's Ideal War Community" for its industrial and patriotic contributions to the Nation.

During the mid-1900s, some of the city's older businesses, including International Silver, moved or closed. Urban redevelopment changed the look of some sections, but the "pleasant valley"—possibly the ancient meaning of the name Meriden—endured. Newly arriving immigrants added their own energy to the growing town. Civic groups grew in numbers and in service; daffodils, long planted at Hubbard Park, became the city's official flower with the celebration of the inaugural Daffodil Festival in April 1978.

In recent years, Meriden's downtown has undergone a renaissance, as a new hospital was erected and many corporate headquarters relocated to the east side of town on Research Parkway. City manufacturing firms produce electronics, nuclear instruments, automotive devices, plastics, gaskets, communications equipment, filters, vaccines, jewelry, food, candy, pewter, tools, and machines. The city is proud of its past as it eagerly embraces its future.

Mr. Speaker, I am proud to represent the city of Meriden in the United States House of Representatives, and I extend my best wishes to the city and its citizens for another 200 years of prosperity.

IN RECOGNITION OF HAYLEY HEATH FOR OUTSTANDING ACADEMIC ACHIEVEMENT THROUGH NATIONAL HISTORY DAY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. MILLER of Florida. Mr. Speaker, it is a great honor for me to rise today to extend my congratulations to Hayley Heath, a student in my district whose academic achievement in her National History Day project will be shared with the Nation.

National History Day encourages students to examine the past in order to create a better future. The students' projects allow for creativity in displays through exhibits, documentaries, and performances as they focus on a specific event or time period in history. In shaping America's future leaders, educators share a certain responsibility in allowing young people the opportunity to thoroughly examine and analyze the subject of history.

Hayley Heath, a student at the PATS Center in Pensacola, Florida, is one student who is seizing this opportunity. Her National History Day project, entitled "Forcing Justice: James Meredith Takes a Stand against Segregation at Ole Miss," won her great recognition at the district and State levels. Hayley was chosen as one of the twelve students selected from over thousands of entries across the Nation to display her National History Day exhibit in the White House Visitor's Center on June 15, 2006.

Mr. Speaker, on behalf of the United States Congress, I would like to offer my sincere congratulations to a student who serves as a shining example of the hope we invest in the future of our Nation. I congratulate Hayley for her achievement and the recognition she will receive, and commend her for all of her hard work and dedication. I join with the citizens of Florida's First District in wishing her the best in all her future endeavors and thanking her teachers for their guidance as they continue to strive for academic excellence.

IN SUPPORT OF H.R. 850

HON. TIMOTHY V. JOHNSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. JOHNSON of Illinois. Mr. Speaker, in the course of my excused absence from official duties on Thursday, June 8, 2006, I regrettably missed the vote on the question of consideration of H. Res. 850, providing for consideration of the bill H.R. 5252, the Communications Opportunity, Promotion, and Enhancement Act of 2006. A point of order arose on the grounds that the bill included unfunded mandates as defined by the Congressional Budget Office, CBO.

It was argued that based on supposed intergovernmental mandates identified by CBO, the threshold required under the rule for identifying the unfunded mandate had been met, and thus was subject to a point of order. CBO stated that in implementation of the COPE Act, new entrants along with incumbent cable providers, while engaged in a national franchise as proposed by the bill would be required to pay each franchise authority six percent of their gross revenues as a fee to support use of local rights-of-way and local Public Education Government channels. This payment was seen as an unfunded mandate.

However, under all franchise agreements across the country, companies are required to pay this type of fee in some form. It is not something newly mandated. I believe that the bill merely continues, and in most estimates, could exceed, the current flow of money from cable providers to local franchise authorities. In doing this, I believe the bill's authors intended to make sure that cities would not lose revenue they counted on from local franchise agreements, and I fully support that cause.

Due to this, I would have supported the opportunity to consider H.R. 5252, so that a true debate could continue on the underlying provisions of the bill.

PERSONAL EXPLANATION

HON. SPENCER BACHUS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. BACHUS. Mr. Speaker, I was inadvertently detained and missed rollcall votes No. 251–254. Had I been present I would have voted "aye" on each.

"BLUSTER BACKFIRES"

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. FRANK of Massachusetts. Mr. Speaker, anyone who doubts the wisdom of the constitutional requirement that important officials be confirmed by the Senate before taking up their jobs should ponder the disastrous example of John Bolton, whom the Senate declined to confirm as Ambassador to the U.N., and who received a recess appointment from President Bush. His tenure has been disastrous, leading to a diminution of American influence and a failure to accomplish legitimate American goals.

Like many other Americans, I greatly regretted the fact that Deputy Secretary General Mark Malloch Brown recently gave a speech strongly critical of America's role regarding the U.N., but my regret was aimed not at Mr. Brown for giving the speech, but at the Bush administration, and specifically Ambassador Bolton, for actions that led to the speech. As a Member of Congress, I am troubled by the fact that I have to agree with the substance of a speech so sharply critical of our Government, but I believe that Mr. Brown did us a service in speaking out, because it may alert my colleagues in Congress and the American people in general of the need to press for a change in the disastrous policies that Ambassador Bolton pursues in the President's name.

In the Washington Post on Monday, June 12, Sebastian Mallaby wrote a thoughtful and persuasive piece about the Bolton record. Because the current situation regarding our representation of the U.N. does so much damage to legitimate American interests, Sebastian Mallaby's column is particularly welcome and I hope will be strongly considered by President Bush, Secretary Rice, and other policy makers in this administration. It is also very important for those of us in Congress to understand his points and I ask that his column be printed here.

[From the Washington Post, June 12, 2006]

AT THE U.N., BLUSTER BACKFIRES

(By Sebastian Mallaby)

Last month President Bush issued a rare apology. "Saying 'Bring it on,' kind of tough talk, you know, that sent the wrong signal," he confessed. "I think in certain parts of the world it was misinterpreted."

Well done, Mr. President, you've understood that bluster can backfire. Now how about sharing this insight with your ambassador to the United Nations?

John R. Bolton, the ambassador in question, has a rich history of losing friends and failing to influence people. He was notorious, even before arriving at the United Nations last year, for having said that 10 stories of the U.N. headquarters could be demolished without much loss; he had described the United States as the sun around which lesser nations rotate—mere "asteroids," he'd branded them. Perhaps not surprisingly, the Senate refused to confirm Bolton as U.N. ambassador. "Arrogant," "bullying," and "the poster child of what someone in the diplomatic corps should not be," Sen. George Voinovich called him.

Bush sent Bolton anyway, bypassing the Senate by appointing him during a congressional recess. It soon turned out that dismissing foreign ambassadors as asteroid dwellers was merely a warm-up. As soon as Bolton got to New York, he blew up the preparatory negotiations for a gathering of heads of state, insisting that the other 190 members of the world body immediately agree to hundreds of changes in the summit document.

If Bolton had picked a fight on a worthwhile issue, this might have been justified. But one of the chief aims of his edits was to eliminate all mention of the anti-poverty Millennium Development Goals, even though these targets for reducing child mortality and so on are inoffensive. After a week of Bolton-induced bureaucratic battles, Secretary of State Condoleezza Rice weighed in, explaining that the administration actually had nothing against the development goals. When the summit convened, Bush himself had to declare during his speech that he supported the targets that his ambassador had repudiated.

Bolton's next triumph was to demand U.N. reform, or rather to pretend to do so. An effort to create a credible human rights council was underway, but Bolton skipped nearly all of the 30 or so negotiating sessions. Then, when the negotiators produced a blueprint for the new council, Bolton declared it unacceptable, leaving furious American allies to wonder why he hadn't weighed in earlier to secure a better outcome. "The job now is to get clarity on what the U.S. wants," the British ambassador said icily. But what Bolton really wanted was quite clear: to allow the negotiations to falter and then to condemn whatever they produced, throwing red meat to his U.N.-hating allies on the right of the Republican Party.

Next, Bolton blundered into U.N. management reform, an issue that may soon precipitate a crisis. The top U.N. officials, led by Secretary General Kofi Annan, had laid out a menu of radical changes, designed to eliminate useless conferences and reports and to move staff to departments that most needed them. Bolton added his own brand of bluster to this plan: If poor countries carried on resisting management reforms, rich countries would stop paying for the organization. The deadline for agreeing on reform is the end of this month, but no breakthrough is in sight. Officials are wondering what to do if U.N. checks start bouncing.

Not many reformers at the United Nations believe that the budget threat achieved anything. To the contrary, Bolton has so poisoned the atmosphere that the cause of management renewal is viewed by many developing countries as an American plot. And if Bolton carries through on his threat to cut off money for the United Nations, the United States will be more isolated than ever. Refusing to fund U.N. officials who are planning for a peacekeeping mission in Darfur is not a winning strategy.

Last week the U.N. deputy secretary general, a pro-American Briton named Mark Malloch Brown, went public with his Bolton frustrations. He pointed out that the United Nations serves many American objectives, from deploying peacekeepers to helping with Iraq's elections. Given this cooperation, the powers that be in Washington should stick up for the United Nations rather than threatening to blow it up. They should not be passive in the face of "unchecked U.N.-bashing and stereotyping."

This merely stated the obvious. If you doubt that U.N.-bashing and stereotyping goes on, ask yourself what gallery Bolton is playing to—or check out the latest cover of the National Rifle Association magazine, which features a wolf with U.N. logos in its eyeballs. But Malloch Brown's speech didn't seem obvious to Bolton. "This is the worst mistake by a senior U.N. official that I have seen," he thundered in response. "Even though the target of the speech was the United States, the victim, I fear, will be the United Nations."

Which would suit Bolton and his allies perfectly. But it should not suit Bush, at least not now that he's grasped that bluster can backfire. Arriving at the U.N. summit last September, a different Bush greeted the secretary general and gestured at Bolton; "has the place blown up since he's been here?" he demanded, teasingly. Well, it's now time for the new Bush to acknowledge that Bolton's tactics aren't funny. The United States needs an ambassador who can work with the United Nations. Right now, it doesn't have one.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Monday, June 12, 2006, I was unavoidably detained due to a prior obligation.

I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted as follows:

Rollcall No. 251: "yes" on agreeing to H. Res. 804; rollcall No. 252: "yes" on agreeing to H. Res. 794; rollcall No. 253: "yes" on agreeing to H. Res. 608; rollcall No. 254: "yes" on agreeing to H. Con. Res. 338; rollcall No. 255: "no" on agreeing to the previous question during consideration of H. Res. 857.

HONORING LIEUTENANT COLONEL DONALD P. LAUZON ON THE OCCASION OF HIS RETIREMENT FROM THE UNITED STATES ARMY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to my dear friend LTC Donald P. Lauzon as he retires from a distinguished career in the U.S. Army and as the Commander of the U.S. Army Corps of Engineers for the Detroit District.

Born in Rhode Island and earning his Bachelor of Science from Rhode Island College, LTC Lauzon was commissioned into the Army in 1986. He served bravely overseas in Bosnia, in Iraq, and as the Company Executive Officer of the 547th Combat Engineer Battalion in Germany. Before arriving in Detroit, LTC Lauzon served as Chief of the Department of Military Training, National Geospatial and Intelligence Agency at Fort Belvoir in Virginia. His military awards and decorations include the Bronze Star, the National Defense Service Medal, the Defense Meritorious Service Medal, and nearly a dozen other illustrious awards and badges. LTC Lauzon has also earned two Master's degrees: one in Military Operational Art and Science from the U.S. Air Force and another in construction management from Colorado State University.

While serving as the Commander in the Detroit District, LTC Lauzon's inspired leadership guided others through the quickly shifting business environment as well as towards a more organized and efficient Lakes and Rivers Division. The numerous successful projects he oversaw are a tremendous credit to his skill as an engineer and his abilities as a manager. LTC Lauzon has been a big player in the ongoing efforts to expand the Detroit River International Wildlife Refuge—a project that is near and dear to my heart.

In retirement, I know LTC Lauzon will have more time to improve his golf game and spend more time hand making golf clubs. But most importantly LTC Lauzon will be able to spend quality time with his wife Kathleen and his two children Lauren and Zachary.

Mr. Speaker, I would ask you and all of my colleagues to join me as we honor the retirement of LTC Lauzon from the Army and the U.S Army Corps of Engineers for the Detroit District. Though his leadership will be sorely missed, his past efforts and his foresight will be appreciated long into the future.

A TRIBUTE TO METROPOLITAN BAPTIST CHURCH

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Metropolitan Baptist Church in Altadena, California. Metropolitan Baptist Church is one of the oldest congregations in the Altadena/Pasadena area and will celebrate 100 years of dedicated service to the community this month.

Founded on June 6, 1906 by Reverend J.D. Bushnell and 13 members, the church was located at 134 Waverly Drive in Pasadena. In 1911, the cornerstone was laid and articles of incorporation were filed with the Secretary of State. For many years, the church was located in Pasadena on Waverly and Bellevue Drive and then on Mentone and Claremont Streets. About 40 years ago, Metropolitan Baptist Church built their current church on N. Fair Oaks Avenue in Altadena.

Some of the programs that the church established over the last century include Music Ministry, Home Mission Society, Young People's Union, Mother's Board, Day Nursery, a Boy Scout Troop, Young Adult Choir, Bible Study, Children's Church, Prayer Warriors, Prayer Line, Hospitality Ministry, Senior Citizen Luncheon, and Health Fair.

In 1990, Reverend Tyrone Skinner began his tenure with Metropolitan Baptist Church. Reverend Skinner has been instrumental in establishing many new ministries, such as Praise Team, Praise Dancers, Petals Ministry, 40 Stomp Team, and Mass Choir within the church, as well as establishing the Metropolitan Community Action Services Corporation. The church also serves the community by feeding and clothing the homeless at Union Station, and the Pantry and Covered Dish Ministries.

Metropolitan Baptist Church is a place where the community at large is warmly welcomed. Many local religious, educational, and civic groups, such as the Interdenominational Ministerial Alliance, the NAACP, and the Pasadena Association of African American Educators use the facilities. In addition, the Young African American Male Conference and numerous community events honoring Martin Luther King, Jr. are held at Metropolitan Baptist Church.

It is my great honor to recognize Metropolitan Baptist Church upon its 100 years of ministry to the people of Altadena and Pasadena. I ask all Members to join me in wishing Metropolitan Baptist Church many more fruitful years of service to the community.

IN RECOGNITION OF DOYLE MOONEYHAM

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. CARDOZA. Mr. Speaker, it is with the greatest pleasure that I rise today to honor Mr. Doyle Mooneyham upon his retirement from the United States Postal Service after nearly 50 years of dedicated service.

In 1958, Doyle began his impressive career with the United States Postal Service as a letter carrier in Merced, California. Just a few years later, in 1961, Doyle was transferred to the Winton Post Office, in Winton, California where he has remained for the last 45 years. Throughout his extraordinary career, Doyle's work has clearly remained his priority. During his tenure with the Winton Post Office, Doyle has exemplified the unofficial U.S. Postal Service's motto as "neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds." Throughout his nearly 50 years of service, Doyle never used a sick day until he underwent hip replacement surgery in 2005. Even after taking a year off of work to recuperate, Doyle still has 2,926 hours of sick leave, the equivalent to a year and a half of work. This is quite a remarkable accomplishment that very few individuals achieve in their lifetime. It is truly reflective of Doyle's commitment to his work, the community and the United States Postal Service.

Mr. Speaker, it is my honor and privilege to join Doyle Mooneyham's family, co-workers and friends in recognizing his lifetime of service to our community, and to congratulate him on his retirement from the U.S. Postal Service. Our community benefits greatly from the splendid example that he has set throughout his career. It is with the greatest sincerity and respect that I ask my colleagues to join me in offering Mr. Doyle Mooneyham best wishes for continued success and happiness in the years ahead.

PERSONAL EXPLANATION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. MATSUI. Mr. Speaker, I was participating in a very important briefing by the Army Corps of Engineers on flood protection in my district on Monday, June 12, 2006 and missed 5 votes. Please note in the appropriate place in the CONGRESSIONAL RECORD that had I been present, I would have voted as noted below:

Rollcall vote 255: "nay"; rollcall vote 254: "yea"; rollcall vote 253: "yea"; rollcall vote 252: "yea"; rollcall vote 251: "yea."

PERSONAL EXPLANATION

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, today I was unavoidably absent and missed rollcall votes Nos. 251 through 255. Had I been present, I would have voted:

"Yes" on rollcall No. 251, H. Res. 794—Recognizing the 17th anniversary of the massacre in Tiananmen Square, Beijing, in the People's Republic of China, and for other purposes;

"Yes" on rollcall No. 252, H. Res. 804—Condemning the unauthorized, inappropriate, and coerced ordination of Catholic bishops by the People's Republic of China;

"Yes" on rollcall No. 253, H. Res. 608—Condemning the escalating levels of religious persecution in the People's Republic of China;

"Yes" on rollcall No. 254, H. Con. Res. 338—Expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere, and

"No" on rollcall No. 255.

ON HATRED AND VIOLENCE RELATED TO IMMIGRATION

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. SOLIS. Mr. Speaker, today I rise to express concern about the sharp rise in hate crimes and racial intolerance, and to urge acceptance in our Nation.

A recent report from the Southern Poverty Law Center stated that there were 803 hate groups in the USA last year. This is up from 762 in 2004 and is a 33 percent increase since 2000. The center's report stated the national debate that has focused on immigration has been "the single most important factor" in spurring activity among hate groups and has given them "an issue with real resonance."

Hundreds of thousands of people marched peacefully throughout the Nation to give a voice for immigrants in this country. Half a million in Los Angeles, 300,000 people in Chicago, 40,000 in Washington, DC, and 20,000 in Milwaukee and Phoenix marched to defend the hopes and dreams of immigrant families. Nearly 40,000 students across Southern California, including students at several schools in my district, marched for the rights of immigrants.

Those who marched did so peacefully. I encourage everyone to remember the great history of change driven by nonviolent action, which is such a vibrant part of our Nation's fabric. Everyone is entitled to their own opinion, but I urge that such expression be done in a peaceful and nonthreatening manner.

OUTSTANDING HIGH SCHOOL SENIORS—FIRST CONGRESSIONAL DISTRICT OF NEW MEXICO

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mrs. WILSON of New Mexico. Mr. Speaker, the following high school students from the First Congressional District of New Mexico have been awarded the Congressional Certificate of Merit. These are exceptional students that serve the community and participate actively in school and civic activities. It is my pleasure to be able to recognize these outstanding students for their accomplishments.

Their parents, their teachers, their classmates, the people of New Mexico, and I are proud of them.

Certificate of Merit Award Winners 2005: Juanita Martinez, Albuquerque High School; Robert Cardwell, Monzano High School; Britten Smith, Highland High School; Gary R. Stinnett, La Cueva High School; Robert Sanchez, Rio Grande High School; Cameron Banes, Creative Education Preparatory Institute; David Gullett, Temple Baptist Academy; Ashley Martin, West Mesa High School; Leanne Raskob, St. Pius X High School; Jane Yein Song, Sandia High School; Dorothy Billau, Cornerstone Christian School; Jordan Spence, Evangel Christian Academy; Makenzi Williamson, Hope Christian Schools; Aaron Sims, Menaul High School; Emily Wildsmith, Southwest Secondary Learning; Nicholas Trumbley, Albuquerque Evening School; Karl Nieman, Career Enriched Center; Takesha Haynes, New Future High School; Suzia Van Swol, East Mountain High School; Erika Anaya, Moriarty High School; Samuel Lujan, Charter Vocational High School; Jessica R. Siegel, Sandia Preparatory School; Felicia Fuentes, South Valley Academy; Maggie Elizabeth Crank, Albuquerque; Danielle Threadgill, Bernalillo High School; Ruth Ann Huning, Los Lunas High School; Marie Jiron, Career Academy; Jesse Rafael Torres, Mountainair High School.

TRIBUTE TO JOHN L. "JACK" ASHER

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. SHUSTER. Mr. Speaker, I rise today to honor John L. "Jack" Asher, who has played a vital role in the development of Asher's Chocolates, in Lewistown and Souderton, Pennsylvania, over the last 51 years. Started by his grandfather in 1892, Jack has led the company since 1966.

With over 1,000 molds, Asher's can be respected as one of the largest candy molding companies, and one of the oldest family owned and operated candy manufacturers in America. The time-tested recipe for success is epitomized in the daily operation of one of the foremost confectioners in the country. I owned a small business for years and I understand, along with many others across Pennsylvania, the day-in and day-out work it takes to succeed. I applaud Jack for his commitment to his community and his business.

In early April, Jack was bestowed with the national honor of induction into the Candy Hall of Fame. This award recognizes Jack for his life's achievements and dedication to the company, as his contributions to the business and the confectionery industry are immeasurable.

As our economy continues to move in the right direction, our small businesses are the driving force. These businesses make up our communities, neighborhoods and towns. The Pennsylvanians who have benefited from the efforts of Asher's Chocolates—as employees, chocolate lovers and more—would certainly join me in thanking Jack for his contributions to the community and the economy, as well as serving as an inspiration for the spirit of familial virtue.

PERSONAL EXPLANATION

HON. CHRISTOPHER SHAYS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. SHAYS. Mr. Speaker, on June 12, 2006, I was speaking to a group of professionals in New York City about my work in Congress and, therefore, missed five recorded votes.

I take my voting responsibility very seriously, and had I been present, I would have voted "yes" on recorded vote No. 251, "yes" on recorded vote 252, "yes" on recorded vote 253, "yes" on recorded vote 254, and "yes" on recorded vote 255.

HONORING QUEBECOR WORLD PUBLICATIONS

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mrs. BLACKBURN. Mr. Speaker, I ask my colleagues to join me today in honoring Quebecor World Publications as they mark the publication of the one billionth copy of Highlights magazine.

Few things in this world are as consistent and positive as Highlights magazine has been for the past 60 years. Since 1946, Highlights magazine has kept parents and kids smiling. As a parent, I remember sharing time with my two children, Mary Morgan and Chad, while reading this wonderful magazine. Countless Americans have enjoyed decades of good memories thanks to Highlights.

In an era when we have to guard our kids' access to information like never before, it's nice to know that America can still depend on Quebecor and Highlights magazine not only to entertain but to teach the morals and values we hold dear.

TRIBUTE TO MR. CHARLES HAUGHEY

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. MARKEY. Mr. Speaker, I would like to bring to the attention of my colleagues the passing of Mr. Charles Haughey, former Taoiseach of the Republic of Ireland, and to offer my deepest condolences today to the Irish nation and to Mr. Haughey's family and loved ones, including especially his wife Maureen, his daughter Eimear and his sons Conor, Cian and Sean.

Mr. Haughey served both his constituency and the Irish nation with distinction and honor over his 35-year career in Dail Eireann. He will be most remembered for his key roles in laying the foundations for Ireland's economic rebirth, and in promoting and furthering progress towards a lasting peace in Northern Ireland.

John Hume, the Nobel Peace Prize laureate, praised Haughey, saying "he worked very closely with me in preparation for the whole movement to get a lasting peace and an end to violence with The Downing Street Declaration. He privately worked with me in the preparation of that Declaration . . . Charles Haughey made a positive contribution to ending violence and achieving peace on our streets."

Charles Haughey was a major figure in the history of the Irish Republic, and his work for peace and prosperity at home will forever be remembered by friends of this small island so important to the history of our own country.

IN RECOGNITION OF EUGENE SLAY

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize Eugene Slay, a fine member of the St. Louis Community in my home state of Missouri. Mr. Slay is the son of immigrant grandparents, who came from Lebanon to settle in the city of Saint Louis. In 1920, Gene's grandfather, John Slay, created Slay Industries, a shipping company that has been a great addition to the area's proud legacy of transportation commerce. Gene Slay gathered the reins of the institution in 1952, and ever since has blazed the corporation down a path of success, currently employing more than 800 persons and deriving an annual revenue of more than $100 million.

Of course, Gene Slay has not only been an effective and outstanding leader in business, but in the St. Louis community as well, giving his time to help those less fortunate. Gene Slay has always committed himself to activities that strive to give every person a chance to succeed. Specifically, I would like to recognize his work as an exceptional director of the Boys' Club of St. Louis. Mr. Slay has served as a member of the institution's Executive Board for 33 years and as its president for 14 years. Gene Slay has been a vital asset to the Boys' Club, building its endowment to $4.4 million, allowing the organization to be a helping hand to more than 5,000 youth.

With these accomplishments in mind, I am proud to recognize Gene Slay as a prominent St. Louisan and I thank him for his efforts in our community. It is my great honor to announce that the Boys' Club of St. Louis will now be renamed the Gene Slay's Boys' Club of St. Louis, to acknowledge all of Mr. Slay's hard work and dedication. I congratulate Gene Slay on this honor and praise him for all the young people that he has helped and will help in the future.

CELEBRATING THE 150TH ANNIVERSARY OF THE PERRY COUNTY FAIR

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 150th Anniversary of the Perry County Fair which is held each year in Pinckneyville, Illinois.

While no records exist of the first fair in 1856, oral accounts passed down from those who attended describe the Pinckneyville town square decorated with tall corn stalks and the owners of the prize livestock showing them in the street. Although much has changed since that initial event 150 years ago, the Perry County Fair remains a premier venue of agricultural and horticultural exhibition, as well as a place where families come to be entertained and old friends renew acquaintances once a year.

As the "oldest consecutive running fair in Illinois," the Perry County Fair has seen much of our Nation's history. The Civil War, Prohibition, the Great Depression, both World Wars, the ushering in of two centuries and a millennium all occurred during the time that the Perry County Fair has been in operation.

The Perry County Agricultural Society was established as the governing body of the fair and continues today as the organization entrusted with planning, funding and organizing the Perry County Fair. Early records note that a $1.00 contribution was good for family entry to the first fairs and that $10.00 provided for a lifetime family membership. As the fair has expanded through the years, the balance of providing a first class fair that is affordable to all families continues to be a struggle.

Competition of livestock, produce and the tasty results of many closely-guarded family recipes have been a staple of the fair since its inception. Other attractions at the fair through the years have been horse racing, beauty pageants, musical entertainment, rides and, always, good food.

Several generations have now enjoyed the Perry County Fair and it has become an event that not only draws families and friends together from Perry County but also attracts fairgoers from throughout Southern Illinois.

Mr. Speaker, I ask my colleagues to join me in celebrating the 150th anniversary of the Perry County Fair. May it continue to provide entertainment for Southern Illinois families well into the future.

HONORING THE CONSECRATION OF ELIZABETH CHAPEL UNITED METHODIST CHURCH

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. MILLER of Florida. Mr. Speaker, it is with tremendous joy and celebration that I rise today to honor the consecration of the Elizabeth Chapel United Methodist Church in Chumuckla, Florida where my wife Vicki and I have been members since 2001.

Elizabeth Chapel has been a home for me; a place of solace where I can go to be closer to God and get back in tune with what is really important in my life. Likewise, the church family has acted as a true family to my wife and me, continuously offering us their support, encouragement, and kindness.

Elizabeth Chapel United Methodist Church has served a vital role in the community of Chumuckla since 1937. Originating from the marriage of two smaller/churches in the late 1930's, the church has remained a quaint group of adamant believers whose moral fiber and strength is unwavering.

On September 16, 2004, Hurricane Ivan tore through the area, leaving damage, destruction, and heartbreak in its wake. The hurricane left the church building irreparable and it was soon leveled to begin new construction. Though many members of the congregation lost their homes or had significant damage to their own property in the storm, in the week that followed the hurricane, members of the church and others in the community came together descending on the church grounds to help FEMA distribute over 60,000 MRE's as well as ice and water to those in need.

In the months that followed, with the glorification of God's work in their hearts, the community, congregation and other churches in the surrounding area came together to begin rebuilding Elizabeth Chapel. It has been nearly 2 years since Ivan devastated the Gulf Coast, and the reconstruction is complete. On Sunday, June 11, 2006, I will join in the fellowship and celebration of the consecration of the Elizabeth Chapel United Methodist Church.

Mr. Speaker, I truly represent an incredible group of people. It warms my heart that the community, congregation, and other churches have come together, through the hardships and heartache that have been prevalent since hurricane Ivan, to once again provide a house of worship to the amazingly resilient members of Elizabeth Chapel United Methodist Church.

PERSONAL EXPLANATION

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. OXLEY. Mr. Speaker, I was absent from the House floor during Friday's rollcall votes on 5 amendments to H.R. 5522, the Fiscal Year 2007 Foreign Operations appropriations measure.

Had I been present, I would have voted "no" on rollcalls 245, 246, 247, 248, and 249.

I would have voted in favor of final passage of H.R. 5522.

CONDEMNING HATE CRIMES AND RACIAL INTOLERANCE

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. LANTOS. Mr. Speaker, I first want to thank my friend and fellow Californian, Congressman JOE BACA for organizing this Special Order to condemn hate crimes and racial intolerance, and particularly to address the very dangerous and growing problem of the use of the Internet to spread racism, bigotry, prejudice and anti-Semitism.

Mr. Speaker, I can speak personally of the horrors that can result from the propagation of hate. Such messages can be spread in many ways, but perhaps the most recent medium, the Internet, is the most effective and therefore the most dangerous. Modern technology has given us the ability to spread information and ideas far and wide almost instantly, and, as a result, the world has become very small indeed. Hate messages can circle the globe in minutes or even seconds. The circumstances of the terrorist arrests in Canada, the United States, and Europe just this last week are a reflection of how quickly messages of intolerance and exhortations to violence can be widely spread on the Internet.

Because of my deep concern for human rights, I co-founded the Congressional Human Rights Caucus in 1983. In 1995, a number of colleagues joined me in founding the Congressional Task Force Against Anti-Semitism to address more specifically problems of racial intolerance, bigotry, prejudice, and anti-Semitism. I continue to co-chair both groups and remain steadfastly committed to fighting such ugly and vicious hatred. This is a battle in which we must all be engaged. We confront a central danger to America's national interests and cannot be complacent in the face of such threats.

Mr. Speaker, the Anti-Defamation League, which monitors far-right extremists, reports that neo-Nazis and white supremacists have capitalized on the recent immigration reform debate and have ratcheted up their anti-Hispanic action. Racist use of the national debate to further their ideology in pursuit of a "Whites only" America is a hateful display and reminds us of the insidious racism, prejudice, and anti-Semitism that exists and that is spread on the Internet.

The Anti-Defamation League reports a disturbing trend of increased violence against Hispanics and of persistently troubling levels of anti-Semitism. Games that target particular immigrant, ethnic or religious groups are indicative of the deeply-rooted hatred that we confront. The recent up-tick in the spread of racist shoot-to-kill video games on the Internet is very disconcerting. The level and intensity of attacks against Hispanics has reached dangerous new highs, with right-wing extremists joining anti-immigration groups. The recent racist protests and rallies held across our nation are a disgrace to our country and a threat to American stability.

Immigration is likely the most important factor in the growth of extremist groups, and in their gaining new members. We must be vigilant is guarding against the racist, xenophobic sentiments surrounding our immigration debates. While such hatred is sadly not new, our recent debates and legislation are attracting the attention of extremists. Over the weekend, the Ku Klux Klan and neo-Nazis protested nearby at the Antietamm National Battlefield in Sharpsburg, Maryland. Under the auspices of speaking out against "black on white crime" and illegal immigration, the message vocalized could not have been clearer: as a Klan member said, "Mexicans, Jews, all these immigrants, we want them out of here . . ." Such rhetoric is frightening.

There is no gain, but loss by all, when hatred and anger are spread. Hispanics, regardless of their citizenship or immigration status, are increasingly becoming the targets of hatred and violence from white supremacists.

In an attempt to call attention to some of the problems of modern tools for spreading hate, the Congressional Task Force Against Anti-Semitism sponsored a briefing last September that highlighted the importance of fostering international cooperation in combating internet hate, and of working with organizations like the OSCE to combat anti-Semitism globally.

Mr. Speaker, I encourage my colleagues to join in working together to find ways to stop the use of the Internet to spread hate, so that we will not suffer horrible consequences. As I learned personally and tragically over six decades ago, words have consequences. Hate, intolerance, bigotry, prejudice, and Anti-Semitism lead to actions that a free society such as ours can—and must—never tolerate. We must speak out, we must take action.

LADY FALCONS SOAR TO VICTORY

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. COBLE. Mr. Speaker, I am pleased to report that public high schools in the Sixth District of North Carolina are not the only ones housing state championships these days. Now O'Neal School in Moore Country, North Carolina is able to sit in the same seat of glory having won the North Carolina Independent School Athletic Association 2A conference competition in women's soccer.

The Falcons endured fierce competition in the pursuit of their ultimate goal battling through two overtimes (one in the quarterfinals and the other in the semifinals). The fact that the road which they traveled to victory was so rocky made the end result all the more sweet. The women beat out their rival, Calvary Baptist Day School, 1–0 in the final game of the championship.

Freshman Syd McIlwain made everyone proud with the excessive determination required for a defender to score the only goal of the game. The goal occurred on a corner kick in which sweeper Caroline Cordell kicked it perfectly for McIlwain to head it in. After the game McIlwain said, "I was just thinking that I had to get some part of my body on it," according to the Moore County Independent. It's a good thing that she did because that split-second decision was crucial to victory.

We are pleased to recognize all members of the O'Neal School soccer team who contributed to this nearly perfect championship season. Members of the team include: Alex Allen, Carey Averbook, Kristin Black, Caroline Cordell, Margaret Cross, Cate Dahl, Kathryn Davis, Jessica Gregory, Sarah Griffin, Kelsey Hukee, Meagan Johnson, Kate King, Lauren Krahnert, Kathryn Maples, Syd McIlwain, Anna Post, Nicole Poteat, Kate St. John, Allaire Welk, and Stephanie White.

The women's outstanding record was achieved largely due to their ability to work together on and off the field. Responsibility for this close bond rests in the hands of Head Coach Kyle Kegl and Assistant Coach Jason Byrd whose hard work throughout the season was imitated by the players cumulating in ultimate victory among private schools at the state level.

On behalf of the citizens of the Sixth District of North Carolina, we congratulate the O'Neal Falcons for completing the first ever state championship and doing so with only one loss the entire year. Congratulations to Headmaster John Neiswender, Athletic Director Steve Dahl, the teachers, staff, students, parents, and fans for bringing home a state championship to our community.

INTRODUCTION OF THE GUARANTEE OF MEDICAL ACCURACY IN SEX EDUCATION ACT

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. GUTIERREZ. Mr. Speaker, today I am introducing the "Guarantee of Medical Accuracy in Sex Education Act," a bill that prohibits the federal government from funding sex education curricula that contain medically inaccurate information.

Currently, the federal government is spending millions on abstinence-only education that includes medically inaccurate and misleading information. In 2004, the House Government Reform Minority Staff prepared a report that found more than two-thirds of federally funded abstinence-only programs use curricula that contain false, misleading, or distorted information about reproductive health.

The federal government should not be in the business of funding sex education that is rife with errors and examples of medically inaccurate information. Specific examples in current sex education courses include:

The first player spins the cylinder, points the gun to his/her head, and pulls the trigger. He/she has only one in six chances of being killed. But if one continues to perform this act, the chamber with the bullet will ultimately fall into position under the hammer, and the game ends as one of the players dies. Relying on condoms is like playing Russian roulette." From Me, My World, My Future, Revised HIV material, p. 258.

AIDS can be transmitted by skin-to-skin contact. From Reasonable Reasons to Wait, Teacher's guide, Unit 5, pg. 19.

Couples who use condoms for birth control experience a first-year failure rate of about 15 percent in preventing pregnancies. This means that over a period of 5 years, there could be a 50 percent chance or higher of getting pregnant with condoms used as the birth control method. From Choosing the Best PATH, Leader Guide, pg. 18.

Since 1998, the federal government has spent nearly $1 billion on abstinence-only education. These programs that contain inaccurate information regarding contraception and STD/HIV prevention can make sex education both dangerous and counterproductive. Responsible sex education, by contrast, is an important component of a strategy to reduce unintended pregnancies, reduce the number of abortions and lessen the spread of STDs. The American Medical Association, the Institute of Medicine and the National Institutes of Health support the use of sex education that is medically accurate.

Mr. Speaker, I urge my colleagues to support this legislation and join me in ensuring that sex education curricula contain accurate medical information that can help young people develop a healthy understanding of their sexuality, so they can make responsible and educated decisions throughout their lives.

PERSONAL EXPLANATION

HON. JIM GIBBONS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. GIBBONS. Mr. Speaker, I rise today to explain how I would have voted on several votes during the weeks of June 5th and June 12th during the second session of the 109th Congress. I was not able to be in Washington to cast these votes, as I remained in my district to attend my son's high school graduation.

On rollcall vote No. 223, on agreeing to the King of Iowa amendment, I would have voted "yes."

On rollcall vote No. 224, on agreeing to the Kingston amendment, I would have voted "yes."

On rollcall vote No. 225, on the motion to Table the Appeal of the Ruling of the Chair, I would have voted "yes."

On rollcall vote No. 226, on passage of H.R. 5441, the Department of Homeland Security Appropriations Act for FY 2007, I would have voted "yes."

On rollcall vote No. 227, on Ordering the Previous Question, I would have voted "yes."

On rollcall vote No. 228, on agreeing to H. Res. 842, I would have voted "yes."

On rollcall vote No. 229, on passage of H.R. 5521, I would have voted "yes."

On rollcall vote No. 230, on motion to Suspend the Rules and Agree to S. 193, I would have voted "yes."

On rollcall vote No. 231, on motion to Recommit with Instructions H.R. 5254, I would have voted "no."

On rollcall vote No. 232, on passage of H.R. 5254, I would have voted "yes."

On rollcall vote No. 233, on motion to Suspend the Rules and Agree to H.R. 5449, I would have voted "yes."

On rollcall vote No. 234, on motion to Suspend the Rules and Agree to S. 2803, I would have voted "yes."

On rollcall vote No. 235, on consideration of H. Res. 850, I would have voted "yes."

On rollcall vote No. 236, on agreeing to the Obey amendment, I would have voted "no."

On rollcall vote No. 237, on agreeing to H. Res. 850, I would have voted "yes."

On rollcall vote No. 238, on agreeing to the Smith of Texas amendment, I would have voted "yes."

On rollcall vote No. 239, on agreeing to the Markey amendment, I would have voted "no."

On rollcall vote No. 240, on motion to Recommit with Instructions, I would have voted "no."

On rollcall vote No. 241, on passage of H.R. 5252, I would have voted "yes."

On rollcall vote No. 242, on agreeing to the McGovern No. 7 amendment, I would have voted "no."

On rollcall vote No. 243, on agreeing to the McGovern No. 8 amendment, I would have voted "no."

On rollcall vote No. 244, on agreeing to the Weiner amendment, I would have voted "yes."

On rollcall vote No. 245, on agreeing to the King of Iowa amendment, I would have voted "no."

On rollcall vote No. 246, on agreeing to the Kucinich amendment, I would have voted "no."

On rollcall vote No. 247, on agreeing to the Sanders amendment, I would have voted "no."

On rollcall vote No. 248, on agreeing to the Hefley of Colorado amendment, I would have voted "yes."

On rollcall vote No. 249, on agreeing to the Blumenauer of Oregon amendment, I would have voted "no."

On rollcall vote No. 250, on passage of H.R. 5522, I would have voted "no."

On rollcall vote No. 251, on Motion to Suspend the Rules and Agree to H. Res. 794, I would have voted "yes."

On rollcall vote No. 252, on Motion to Suspend the Rules and Agree to H. Res. 804, I would have voted "yes."

On rollcall vote No. 253, on Motion to Suspend the Rules and Agree to H. Res. 608, I would have voted "yes."

On rollcall vote No. 254, on Motion to Suspend the Rules and Agree to H. Con. Res. 338, I would have voted "yes."

On rollcall vote No. 255, on ordering the previous question on H. Res. 857, I would have voted "yes."

IN RECOGNITION OF THE SKANEATELES HIGH SCHOOL GIRLS LACROSSE CLASS-C NEW YORK STATE TITLE

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. WALSH, Mr. Speaker, I rise today to praise the Skaneateles High School Girls Lacrosse program on their New York State Class–C State Title. The Lakers of Skaneateles fought hard to defeat Penn Yan Academy by a margin of 6–5.

Down 4–1 in the first half, Skaneateles battled through a tough defense to come up big and ultimately defeat Penn Yan. Late in the game, the Lakers managed to tie the game and ultimately, with a last minute goal, solidify their Class–C title. This classic hard earned victory marks the second straight state crown for Skaneateles.

I commend these young women on all their hard work and countless hours of devotion each of them have put into earning this success. On behalf of the people of the 25th District of New York, I congratulate the team, coaches, faculty, administration, and families who played an important role in this victory.

Head Coach Bridget Marquardt, Assistant Coach Steve Rice, Whitney Johnson, Kelsey Nangle, Jessica Haswell, Stephanie Rice, Shannon Tierney, Maggie Tierney, Amy Riehlman, Libby Johnson, Katie Schoener, Claire Hennigan, Emily Murphy, Jenna Lotkowictz, Alex Sherman, Emma Heuber, Karen Vitkus, Meg Dwyer, Abby Duggan, Laura Trenti, Emily Gaffney, Jessica Chalupnicki, Kaitlin Clark, Gigi Vaughn, Maragaret Shanley, and Heather Mullen.

ACADEMIC EXCELLENCE COUPLED WITH ATHLETIC CHAMPIONSHIP

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. COBLE. Mr. Speaker, I am pleased to report that the women of Ragsdale High School in the Sixth District of North Carolina have proven their amazing athletic ability with state championship titles in both tennis and track and field.

The outstanding athletes who run, jump, relay, throw, and ultimately put their entire heart into the sport, better known as the track and field team, have been battling in a tremendously competitive district. The past two seasons they achieved second place and were fearful that this year would produce similar results. The old cliché, however, proved true: "The third time's the charm!" This year the Tigers' hard work paid off and Ragsdale finished first in the state.

We are pleased to recognize all the members of the Ragsdale track and field team who contributed to this impressive victory. Members include: Rachael Acquaye, Courtney Brandenburg, Laura Brentnell, Chloe Christian, Courtney Cole, Kierra Crutchfield, Naadia Crutchfield, Julia Gomez, Asha Gray, Dionne Harp, Tyera Herbin, Shea Jackson, Tay Jackson, Portia Jordan, Emily Kimmel, Savannah Lloyd, Jessica McCray, Raven McKlver, Albiana Mustafa, Charlse Nelson, Lakeya O'Neal, Briana Overdiep, Cary Quillian, Mercia Perry, Nikkita Rowlings, Paisley Robinson, Mollie Rogers, Eunique Singleton, Rachel Smith, Caitlin Thornley, Cecilia Woke, Antioinette Walker, Katherine Webb, Amy Wenner, and LaNisha Woods.

After 25 years of coaching, Head Coach Sam Bays capped a tremendous career by bringing in a state title. The players recognize him as the reason for much of their success, and he is obviously proud of them in turn. Neither the coach nor the track and field team could have jumped this hurdle without the help of Assistant Coaches Ronnie Smith, Tommy Norwood and Zachary Crutchfield.

We are late in congratulating the Ragsdale women's tennis team for capturing the state tennis title last year. Congratulations to: Tianna Carter, Cameron Chatman, Chelsea Chatman, Sruthi Cherkur, Kiera Crutchfield, Naadia Crutchfield, Jeanette Edwards, Ashley Johnson, Grace Kennerly, Hanae Matsui, Sirena Pickett, Paris Sims, Jessica Wise and Catherine Wood. Congratulations also to Head Coach Zachary Crutchfield for leading this group of extremely talented women to victory.

On behalf of the citizens of the Sixth District of North Carolina, we congratulate the Ragsdale Tigers on the amazing achievements of both teams. Congratulations to Principal Dr. Kathryn Rogers, Athletic Director Mike Raybon, the teachers, staff, students, parents, and fans of Ragsdale High school for bringing academic as well as athletic excellence.

50TH ANNIVERSARY OF ANOKA CITY HALL

HON. MARK R. KENNEDY

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. KENNEDY of Minnesota. Mr. Speaker, I rise today to recognize the rededication of the City Hall building in Anoka, Minnesota on it 50th anniversary.

This building, with its unique construction in the shape of a revolver, was furnished to the city as a gift from its largest employer, Federal Cartridge. Anoka has had a long and proud history of dedication and sacrifice to our country.

Anoka rightly takes pride in its status as the first city to provide volunteers to the Union Army during the Civil War. These brave men exemplified Minnesotans' enduring commitment to freedom, and proved their courage during the First Minnesota Regiment's famous charge at the battle of Gettysburg.

I am delighted, today, to join the city of Anoka in celebrating its proud history. I know this is only the beginning of what's to come.

CONGRATULATING THE CITY OF DESOTO FOR BEING NAMED AN ALL-AMERICAN CITY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to commend DeSoto on being named an All-American City by the National Civic League. Each year, the All-American City Award is given to ten communities that exemplify the true American spirit, and show outstanding abilities to identify problems and collectively conquer community-wide issues.

It takes collaboration from the whole community to be an All-American City, and DeSoto serves as a shining example of what can be accomplished when community members, government, businesses and non-profit organizations work together to address critical local issues.

I would like to congratulate my outstanding constituents in DeSoto; especially Mayor Michael Hurtt and the DeSoto City Council. Through their leadership, DeSoto has produced several exceptional grassroots initiatives including: DeSoto Dining and Dialogue, the Empowered Homeowners Associations Program, and the Youth Initiatives including the Hip Hop Summit.

DeSoto might be a small suburb of Dallas but has done a huge job in bettering the lives of average Texans through cooperation and grassroots initiatives. The accolades DeSoto is receiving are imminently well deserved, and I am confident of continued success for years to come.

RECOGNIZING THE START OF THE U.S.-KOREA FTA NEGOTIATIONS

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. BURTON of Indiana. Mr. Speaker, negotiations for a free trade agreement (FTA) between the United States and the Republic of Korea commenced last week in Washington, DC. I would like to recognize this historic undertaking and emphasize the significance of a U.S. trade accord with the Republic of Korea.

On February 2, 2006, then-U.S. Trade Representative (USTR) Rob Portman and Korean Minister of Trade Hyun-Chong Kim announced our two countries would negotiate an FTA. Both sides hope to complete negotiations by March 2007.

I applaud the decision by the United States to negotiate a bi-lateral, free and fair trade agreement with a country that is not only a strong economic partner, but an important geographic ally as well. As my good friend and former USTR Rob Portman has noted, this agreement, if successfully concluded, will constitute the largest and most commercially significant FTA the United States has negotiated in 15 years.

The numbers are truly impressive. Korea is the 10th largest economy in the world with a GDP or nearly $1 trillion and a per capita income of over $20,000. It is the United States' 7th largest trading partner and our 5th largest market for U.S. agricultural products.

Trade between our countries surpassed $72 billion last year alone and U.S. exports to Republic of Korea reached nearly $28 billion during the same year, and included important goods like computer chips, industrial machinery, organic chemicals, agricultural produce, and civilian aircrafts.

Bolstered by an FTA, U.S. exports to Korea will no doubt increase substantially. A study by the U.S. International Trade Commission in 2001 revealed that an FTA with Korea could increase U.S. exports by over 50 percent, and agricultural exports by more than 200 percent within four years.

South Korea's average tariff on goods is just over 11 percent—three times higher than the U.S. equivalent. The average tariff applied by Korea on agricultural products is even higher—52 percent, An FTA will lock in duty-free access and help to reduce other non-tariff barriers for U.S. goods and agricultural products, providing significant opportunities for U.S. businesses, farmers, and ranchers, and provide another lucrative market for America's auto manufacturers and U.S. beef and beef-product exporters.

This FTA will also help to stimulate job growth in the United States, not only as a result of increased trade but increased domestic investment as well. Koreans have invested nearly $20 billion in the United States, and have created American jobs through companies like Hyundai Motors, Samsung Electronics, and Kia Motors. And as the largest investor in Korea, the United States already has a leading presence in that country as well.

An FTA would also benefit the great State of Indiana, which I proudly represent in Congress. Korea is Indiana's 10th largest export market, and Indiana exports $303 million in goods to Korea annually. And outside the realm of international economics, almost 10,000 Korean-Americans reside in the State of Indiana and more than 2,000 Korean students study at Indiana's prestigious academic institutions.

In fact, Indiana Governor Mitch Daniels and his staff are actually preparing to return to Asia to visit Japan and South Korea later this week so they can develop better economic and trading partnerships between Indiana and Asia. Governor Daniels is determined to make long-lasting economic relationships in Asia, especially with Korean companies, as he works to improve Indiana's economy, create new and better Hoosier jobs, and ultimately drive ahead Indiana's economy well into the 21st Century.

In addition to being a strong economic partner, Korea is a key U.S. ally and a very important one strategically. The United States and Korea have a mutual defense treaty that dates back to 1953, and Korea has supported U.S. military efforts abroad, as recently as in both Iraq and Afghanistan.

Further, in the aftermath of Hurricane Katrina, Korea pledged over $30 million in aid for relief and recovery efforts—the 4th largest amount donated by any foreign country.

This new partnership between the United States and South Korea is sure to be a win-win for both of our countries. I look forward to working closely with the U.S. and Korean negotiators as talks proceed, so that we can ensure the best opportunities for all Americans.

Mr. Speaker, thank you for allowing me to extend my remarks to recognize the historic occasion of the start of formal trade negotiations between the United States and the Republic of Korea last week. I strongly encourage my colleagues to offer their own expressions of support for this important endeavor.

ONE SCHOOL, TWO STATE CHAMPIONSHIPS

HON. HOWARD COBLE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 13, 2006

Mr. COBLE. Mr. Speaker, I am pleased to report that a school in the Sixth District of North Carolina, in addition to continued promotion of academic excellence, has produced not one but two state championships recently. The first victory for Ledford High School was brought home by sophomore, Megan Williams, in the pole vault competition of the track and field championship. The second was achieved by Ledford's golf team.

In only her second year as a pole vaulter, Megan Williams battled through a knee injury to claim the title. All nerves resulting from an imperfect freshman season seemingly disappeared, allowing the true champion athlete to break through. Although not new to state level competition, with two previous cheerleading titles to her credit, this event appeared to be especially meaningful because of her success in the face of little experience. The combination of her determination, gymnastic skills, and training from her dedicated coach, Shawn Loggins, drove Megan to continue pursuing and obviously achieving excellence. Looking forward to new poles and new heights, it's no wonder that Megan Williams was named athlete of the week by The (Lexington) Dispatch.

The golfing Panthers of Ledford High School showed extreme poise under the pressure of defending a state title as they defeated Cardinal Gibbons by a remarkable 13 shots in their final performance of the year. Head Coach John Ralls was quoted by The High Point Enterprise as beaming, "Today we had six scores in the 70s . . . we had six guys who were capable." These scores are themselves an amazing feat, but more impressive is that Ledford has won in back-to-back years in such a difficult conference.

We are pleased to recognize all the members of the Ledford golf team who contributed to the victory. Players include: seniors Paxton Davis and Zack Smith, juniors Jake Dykhoff, Nick Goins (whose individual score placed him third in the state), and Logan Peck, and sophomores Jeff Boyan, Curtis Brotherton, Matt Lawson, Chris Moore, Jordan Stiles, and Ethan Worley.

The fantastic individual efforts of the players would not have been enough to bring home a championship, but through the collaborated efforts of the entire squad and the excellent coaching staff including Head Coach John Ralls and Associate Head Coach Jim Brotherton, it was possible to work together and clench the title as a team. The coaches were no doubt proud of their players as they led the Ledford High School golf team to yet another state championship.

On behalf of the citizens of the Sixth District of North Carolina, we congratulate the Ledford Panthers golf team as well as Megan Williams and the rest of the track and field team. Congratulations to Principal Bill Butts, Athletic Director Don Palmer, the teachers, staff, students, parents, and fans of Ledford High School.

SENATE—*Wednesday, June 14, 2006*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of truth and love, source and end of our believing and loving, You alone are worthy of our praise and we celebrate Your great Name. Thank You for the gift of Your dynamic presence in our lives and for the power we receive from knowing You.

Be near our Senators today. Lift them from any discouragement, and give them a sure sense of duty and service. Pour fresh energy into them and use their work to transform disorder into harmony, beauty, and peace. Guide them with Your undying love so that the reign of Your kingdom will become a reality in our world.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. McCONNELL. Mr. President, today we will have a period of morning business with the first 15 minutes under the control of the minority and the final 15 minutes under the control of the majority. Following morning business, we will resume consideration of the emergency supplemental appropriations conference report. Under the time agreement that was reached yesterday, we have a little over an hour and a half of debate this morning. The vote on the adoption of the conference report is set for tomorrow at 10 a.m.

Today we will continue work on the Department of Defense authorization bill. Senators who have amendments should consult with the bill managers, Senator WARNER and Senator LEVIN. Votes on amendments to this bill can be expected to occur throughout the day.

Mr. President, I yield the floor.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 30 minutes, with the first half of the time under the control of the Democratic leader or his designee and the second half of the time under the control of the majority leader or his designee.

Who yields time?

The Senator from Connecticut.

TRIBUTE TO SENATOR ROBERT C. BYRD

Mr. DODD. Mr. President, I want to take a minute or 2, if I can, to join my other colleagues who over the last several days have paid tribute to our colleague from West Virginia, my seatmate, Senator ROBERT BYRD, who, on Monday, celebrated the unique landmark of serving longer than any other person in the history of this remarkable institution.

I said to Senator BYRD, my colleague and seatmate, yesterday, his longevity is impressive but his record as a U.S. Senator is really what excels. While serving for 47 years in this institution is certainly remarkable, what he has done during those 47 years is what is truly remarkable. His contribution to the public discourse and debate of our country throughout that time has been truly exemplary.

I noted the other day, in fact, that when Senator BYRD was first elected to the House, there was a wonderful picture taken that appeared with Senator BYRD and several other Members of newly minted Congressmen who had been elected in 1952 at the White House with Dwight Eisenhower. In that group of pictures was also a newly minted Congressman from Connecticut by the name of Thomas Dodd, my father.

Senator BYRD and my father were elected to the House together in 1952, and came to this body together in 1958. So during these many years of public service, ROBERT C. BYRD has had to serve with two Dodds in the U.S. Congress, my father and myself. I sit next to Senator BYRD by choice. I have been his seatmate for almost 15 or 16 years now, and do so because I have enjoyed his company, his wisdom, and listening to his contributions to the debate and his knowledge of the Senate and its procedures.

I know we have a new group of pages who have arrived to serve in our Nation's Capitol here in the U.S. Senate in the last few days. As someone who sat on the steps of the Democratic side back in the early 1960s as a page, I say to the pages, I would strongly urge you to listen to ROBERT C. BYRD. If you want to have truly a great lesson during your tenure here as pages, then listen to the remarkable Senator from West Virginia, and you will learn more in the short period of time you are here than almost anything else I could advise you to do, except to read his two-volume history of the U.S. Senate, which you may not have time to do during your 2 of 3 weeks here as pages.

Senator BYRD, of course, has had significant accomplishments. And I think of the time when I served as a page, an unpaid page, back many years ago, and the giants of the Senate in those days: certainly people such as Lyndon Johnson, Mike Mansfield, Richard Russell, Everett Dirksen, Margaret Chase Smith, Hubert Humphrey, John Sherman Cooper, Stuart Symington—and so many others who served during those years who were truly giants in many ways.

They were Senators in the very fullest sense of the word. They represented an institutional spirit that in many ways is lacking today, and I regret that deeply. But it was critical to the success of our democratic Republic how they related one to the other. It is a spirit of independence and understanding that all Senators are equal in this body, regardless of the positions they hold in the institution. All 100 of us are equal Members representing our respective States and constituencies. It is a spirit that allows us to debate—sometimes very vigorously—our differences, while still obliging us to seek common ground for the common good of our country.

ROBERT BYRD certainly epitomizes that spirit—a vigorous debater but also someone who recognizes it is vitally important to reach common goals for the common good. It is a spirit that refuses to submit to the encroachments of any other institution or office in the land, including that of the Executive.

I cannot count the times that ROBERT C. BYRD would correct someone who said: I served under a President here. I served under seven Presidents. ROBERT BYRD will quickly tell you: You do not serve under any President. You serve with Presidents. You are a Member of a coequal branch of the U.S. Government as embodied in the Constitution of the United States.

And how right he is. As Senators understand, ROBERT BYRD understands

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

implicitly that the Senate is a coequal, powerful branch of Government, that our Founders wanted it to be of equal weight in the deliberations of our country.

I carry with me a copy of the U.S. Constitution. I have had this for many, many years, and it was given to me by my seatmate, ROBERT C. BYRD. It is getting rather worn, but his inscription inside is something I will cherish for the rest of my days and life—that I carry a copy of the Constitution given to me by this person who cherishes and loves the Constitution as much as ROBERT C. BYRD does. One of the reasons I care so deeply about this particular copy is of course it was given to me by him and inscribed by him.

I think it is only fitting that someone who cares so much about that document and this institution is now the Senate's longest serving Member.

In his close to five decades of Senate service, Senator BYRD has had an enormous impact on his State and on our country. He, more than any other Member that I can think of in the last half century, has worked to preserve the delicate system of checks and balances conceived by the Founders of our great Republic. That work is typified by his opposition to the line-item veto and his insistence on preserving the prerogatives of this institution in relation to the other branches of Government.

But more than that, he has also helped to bring good jobs, better schools, and decent health care not only to the constituents of West Virginia but also to millions of people across this country because of his leadership.

He has never forgotten the good, hard-working people who sent him here from his beloved West Virginia or why they did so; that is, to make our Nation a stronger, more prosperous, and more hopeful Nation for all of its citizens.

Senator BYRD has had the courage and strength of character to admit past errors—something that too few of us do in this Chamber—and to seek genuine understanding for the good of our country.

In his history of the U.S. Senate, Senator BYRD has written that:

> After 200 years, the Senate is still the anchor of the Republic, is still the morning and evening star in the American constitutional constellation.

More than any other U.S. Senator in this body, I believe Senator BYRD has helped to ensure that this U.S. Senate retains that unique distinction.

So I am pleased to join with my other colleagues in wishing him well. I know more than anything else he would have loved to have his beloved Erma here with him in these days to celebrate this achievement. Of course, he lost Erma just a few months ago. But I am certain, as all of us are, that she is watching, with a great big smile, as she celebrates with all of us the distinction that our colleague from West Virginia has achieved this last Monday—47 years in the U.S. Senate.

Mr. President, I yield the floor.

Mr. HARKIN. Mr. President, the distinguished senior Senator from West Virginia, our friend ROBERT BYRD, has achieved yet another historic milestone. He is now the longest-serving Senator in the history of the Senate. But what is most remarkable about Senator BYRD is not his longevity, but his unique stature and accomplishment within this body.

Senator BYRD is renowned for his unmatched knowledge of the Senate's history. So he remembers very well that our former colleague, Philip Hart of Michigan, was known as the "conscience of the Senate." Well, I believe that history will remember the senior Senator from West Virginia as the soul of the Senate.

No individual in my memory has been a more tenacious champion of the traditions, prerogatives, and rules of this body. No individual has had greater reverence for the Constitution, and for the Founders' vision of an assertive, independent, co-equal legislative branch. As the Almanac of Americans says in its profile of Senator BYRD, and I quote, he "may come closer to the kind of Senator that the Founding Fathers had in mind than any other." By the way, if anyone here on the Senate floor needs to look something up in the Constitution, we know where to turn; Senator BYRD always carries a copy in his left breast pocket, directly over his heart.

I have always had a special affinity for Senator BYRD, because we are both the sons of coal miners, both raised in humble circumstances. Reading about the Senator's early years, lifting himself out of poverty as a welder and meat cutter before running for the West Virginia Legislature in 1946, I am reminded of Thomas Edison's remark that "opportunity is missed by most people because it is dressed in overalls and looks like work." Well, ROBERT BYRD made his own opportunities with relentless work, self-education, and striving. And that incredible work ethic continues right up to this day.

One product of that work ethic, and of Senator BYRD's always impressive erudition, is his two-volume history of this body. It is recognized as the definitive history of the Senate during its first 200 years, and widely praised for its graceful writing. On this score, Senator BYRD has much in common with Winston Churchill. Both were prolific writers. And both were major players in the events that they chronicled.

On a personal note, let me just say that I have always valued Senator BYRD's friendship, wisdom, and advice. And I will always appreciate the way he tutored me in the ways of the Senate when I first came to this body in 1984.

So I join with my colleagues from both sides of the aisle in saluting our friend. Senator BYRD is the longest-serving Member of this body. But there are still many chapters yet to be written in the career of this great Senator. As the late Senator Paul Wellstone used to say, "The future belongs to those with passion." By that standard, Senator BYRD is very much a man of the future.

I say to my friend, it has been an honor to serve with him.

Ms. LANDRIEU. Mr. President, I rise to pay tribute to a man who may be the most important friend that the people of West Virginia have ever sent to Washington or ever will send to Washington. He is the senior Senator of West Virginia, and today he becomes America's senior Senator.

The Senate is housed in this beautiful Chamber of marble columns and intricate architecture. But the Senate is not a building; it is not a seal or a symbol or an idea. The Senate is a group of 100 men and women who are chosen by the people to craft the laws that define and govern the American People.

While the Senate is not a building, it does have individuals who serve as pillars upon which the rest of us place our trust and reliance. Today, we salute one such pillar. The senior Senator from West Virginia enters the record books as the longest serving Senator.

Note, I say that he enters the record books, not the history books. I say that because I expect the senior Senator from West Virginia to be making history on this floor for many years to come.

In an earlier time, we would have called ROBERT BYRD a renaissance man in the mold of such American luminaries as Jefferson or Franklin. Consider that he is a poet, an accomplished musician, an author, the foremost historian of this Chamber, a parliamentary expert, an intensely devout Christian, an unrivaled legislator, a scholar of our Constitution, and earned a J.D. while a Member of this Chamber.

Yet all of these accomplishments as an individual are dwarfed by what he has done and will continue to do for the people of West Virginia. He has brought mew industries like biotechnology, biometrics and other high tech, high skilled work to West Virginia. He has fought for dams, roadways, hospitals, and highways. It is hard to imagine that one man might have such a transformative impact on a State. Yet friend and foe alike would concede this point to ROBERT BYRD.

I say today that Senator BYRD becomes America's senior Senator. In many ways, he always has been. No man or woman more rigorously defends the role of this Chamber in our governmental structure, and no man or woman fights more ardently to preserve that beautiful document he carries in his breast pocket—the U.S. Constitution. One of the first things I did when I was sworn in as a Member of this body was to take the whole Landrieu family to see Senator BYRD and have him give us a talk on the Constitution and the role of the Senate.

For the last 6 years, it has been my pleasure to serve under Senator BYRD's leadership on the Senate Appropriations Committee. In that capacity, he has proven repeatedly that he is a friend to the people of Louisiana and understands the tragedy that has befallen them. I thank him for that help and friendship.

Of course, I would be remiss if I didn't mention that today is a bittersweet anniversary, for it is also Erma's birthday. A woman whose life, and now memory, Senator BYRD so obviously cherished.

So, Mr. President, I thank America's senior Senator for his service to this country and for his friendship.

I conclude my remarks, as he so often does, with a verse of poetry—one of the Senator's favorites—the final verse of "The Building of the Ship" by Longfellow:

Thou, too, sail on, O Ship of State!
Sail on, O UNION, strong and great!
Humanity with all its fears,
With all the hopes of future years,
Is hanging breathless on thy fate!
We know what Master laid thy keel,
What Workmen wrought thy ribs of steel,
Who made each mast, and sail, and rope,
What anvils rang, what hammers beat,
In what a forge and what a heat
Were shaped the anchors of thy hope!
Fear not each sudden sound and shock,
'Tis of the wave and not the rock;
'Tis but the flapping of the sail,
And not a rent made by the gale!
In spite of rock and tempest's roar,
In spite of false lights on the shore,
Sail on, nor fear to breast the sea
Our hearts, our hopes, are all with thee,
Our hearts, our hopes, our prayers, our tears,
Our faith triumphant o'er our fears,
Are all with thee,—are all with thee!

The PRESIDENT pro tempore. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I ask unanimous consent that I have 5 minutes in morning business.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

Mr. AKAKA. Mr. President, I note my deep disappointment that the conference agreement for the emergency supplemental appropriations bill now pending before the Senate does not include the supplemental funding for VA health care that was included in the Senate-passed measure.

Despite the fact that the Senate spoke strongly on the need to ensure that VA has enough resources during the balance of this fiscal year to be able to treat our Nation's veterans in an effective and timely manner, my amendment to add $430 million to the VA health care account was not included in the final compromise.

Back in April and May, when we debated the supplemental appropriations measure here in the Senate, I was delighted that my amendment, cosponsored by 21 of our colleagues, to secure a relatively modest amount of emergency funding for VA health care was included in the legislation. The reasons we gave then in support of this funding were clear, and they remain so today.

First, Vet Centers and other mental health programs need to be given more support if VA is to continue to be able to reach out to veterans in need of readjustment counseling or other psychological treatment, especially those returning from service in a war zone.

Secondly, across the VA system, facilities need some additional funding to ensure that VA is able to continue to provide quality of care and availability of services for all veterans.

At the time of the Senate debate, after a slight modification to the amendment so as to require the President to request the emergency funding in order for VA to receive it, the Senate voted 84–13 to adopt the amendment and include it as part of the supplemental package.

My colleagues indicated their overwhelming support of the measure through that vote. In light of that show of support, the failure to include this VA funding in the pending measure is all the more regrettable, all the more unacceptable.

Having just traveled to Iraq to see for myself what the situation is like on the ground there, I am even more steadfast in my belief that VA must have the resources it needs to care for returning servicemembers.

Programs to transition our men and women in uniform who require mental health, prosthetic rehabilitation, or other specialty health care services back into civilian life are a clear, continuing part of the overall cost of war. These services are more important than ever, and we must do our part to support them.

Although we did not succeed in keeping this additional funding in this measure, we will not give up the fight and will do our utmost to ensure that VA has the funding it needs.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VITTER). Without objection, it is so ordered.

IRAQ

Mr. BOND. Mr. President, I rise to talk about all of the interesting things going on in Iraq. We saw yesterday the surprise, very important visit by the President to the new Iraqi Cabinet under Premier Nouri Kamal al-Maliki. This marks one more significant step in efforts to bring national unity to Iraq. We all must remember that just a few short years ago, Iraq was ruled by a murderous tyrant, Saddam Hussein. According to the Iraqi Survey Group's Charles Dilfer, Iraq was a far more dangerous place even than we knew. We may not have had the intelligence right, but the intelligence was focusing on the fact of how dangerous this place was. Dilfer said that Iraq was overrun with terrorists, like Abu Musab al-Zarqawi who was then in al-Ansar Islam and later changed that to al-Qaida in Iraq, the butcher who brazenly beheaded innocent Americans and others on television.

Dilfer said that Saddam Hussein had the ability to produce chemical and biological weapons that he had in the past and he was willing and able to sell them to terrorists who could deliver them to our country. This milestone, unfortunately, received not enough attention or appreciation in the media. This is not an isolated example of people trying to downplay good news in Iraq. As Peter Wehner wrote in the Wall Street Journal on May 23:

> Iraqis can participate in three historic elections, pass the most liberal constitution in the Arab world, and form a unit government despite terrorist attacks and provocations. Yet, for some critics of the President, these are minor matters.

We have seen time and again the focus of our media, and thus, what many Americans hear is just the killings, the slaughter of innocents in bombings and suicide attacks. We read the tragic stories of the loss of Americans. But the real story, when you talk to our troops on the ground, is how much good they have been doing. They have been completing their mission. They have been pacifying large areas of the country. Schools and hospitals are being built. Women are enjoying newfound freedom. Yet for television, if it bleeds, it leads. That is the only stuff we hear about.

We are told of massacres and chaos, but we aren't told that millions of Iraqis who fled to other countries as refugees by the millions in past years under Saddam Hussein are returning; 1.2 million refugees have returned to their homes. We rarely see positive stories about seminaries which, under Saddam, held only a few dozen students and now have 15,000 pupils from 40 different countries. We don't read about the increase in the value of the Iraqi dinar, the record number of media outlets, the tremendous growth in small businesses forming the economic foundation for Iraq, and the revival of Iraqi agriculture. These stories were told very well by a well-known Iranian journalist, Amir Taheri, who published an article in Commentary magazine available on their Web site talking about how Iraq has improved—a man who has watched Iraq for 40 years.

I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE REAL IRAQ

(by Amir Taheri)

Spending time in the United States after a tour of Iraq can be a disorienting experience these days. Within hours of arriving here, as I can attest from a recent visit, one is confronted with an image of Iraq that is unrecognizable. It is created in several overlapping ways: through television footage showing the charred remains of vehicles used in suicide attacks, surrounded by wailing women in black and grim-looking men carrying coffins; by armchair strategists and political gurus predicting further doom or pontificating about how the war should have been fought in the first place; by authors of instant-history books making their rounds to dissect the various fundamental mistakes committed by the Bush administration; and by reporters, cocooned in hotels in Baghdad, explaining the carnage and chaos in the streets as signs of the country's impending or undeclared civil war. Add to all this the day's alleged scandal or revelation—an outed CIA operative, a reportedly doctored intelligence report, a leaked pessimistic assessment—and it is no wonder the American public registers disillusion with Iraq and everyone who embroiled the U.S. in its troubles.

It would be hard indeed for the average interested citizen to find out on his own just how grossly this image distorts the realities of present-day Iraq. Part of the problem, faced by even the most well-meaning news organizations, is the difficulty of covering so large and complex a subject; naturally, in such circumstances, sensational items rise to the top. But even ostensibly more objective efforts, like the Brookings Institution's much-cited Iraq Index with its constantly updated array of security, economic, and public-opinion indicators, tell us little about the actual feel of the country on the ground.

To make matters worse, many of the newsmen, pundits, and commentators on whom American viewers and readers rely to describe the situation have been contaminated by the increasing bitterness of American politics. Clearly there are those in the media and the think tanks who wish the Iraq enterprise to end in tragedy, as a just comeuppance for George W. Bush. Others, prompted by noble sentiment, so abhor the idea of war that they would banish it from human discourse before admitting that, in some circumstances, military power can be used in support of a good cause. But whatever the reason, the half-truths and outright misinformation that now function as conventional wisdom have gravely disserved the American people.

For someone like myself who has spent considerable time in Iraq—a country I first visited in 1968—current reality there is, nevertheless, very different from this conventional wisdom, and so are the prospects for Iraq's future. It helps to know where to look, what sources to trust, and how to evaluate the present moment against the background of Iraqi and Middle Eastern history.

Since my first encounter with Iraq almost 40 years ago, I have relied on several broad measures of social and economic health to assess the country's condition. Through good times and bad, these signs have proved remarkably accurate—as accurate, that is, as is possible in human affairs. For some time now, all have been pointing in an unequivocally positive direction.

The first sign is refugees. When things have been truly desperate in Iraq—in 1959, 1969, 1971, 1973, 1980, 1988, and 1990—long queues of Iraqis have formed at the Turkish and Iranian frontiers, hoping to escape. In 1973, for example, when Saddam Hussein decided to expel all those whose ancestors had not been Ottoman citizens before Iraq's creation as a state, some 1.2 million Iraqis left their homes in the space of just six weeks. This was not the temporary exile of a small group of middle-class professionals and intellectuals, which is a common enough phenomenon in most Arab countries. Rather, it was a departure en masse, affecting people both in small villages and in big cities, and it was a scene regularly repeated under Saddam Hussein.

Since the toppling of Saddam in 2003, this is one highly damaging image we have not seen on our television sets—and we can be sure that we would be seeing it if it were there to be shown. To the contrary, Iraqis, far from fleeing, have been returning home. By the end of 2005, in the most conservative estimate, the number of returnees topped the 1.2-million mark. Many of the camps set up for fleeing Iraqis in Turkey, Iran, and Saudi Arabia since 1959 have now closed down. The oldest such center, at Ashrafiayh in southwest Iran, was formally shut when its last Iraqi guests returned home in 2004.

A second dependable sign likewise concerns human movement, but of a different kind. This is the flow of religious pilgrims to the Shiite shrines in Karbala and Najaf. Whenever things start to go badly in Iraq, this stream is reduced to a trickle and then it dries up completely. From 1991 (when Saddam Hussein massacred Shiites involved in a revolt against him) to 2003, there were scarcely any pilgrims to these cities. Since Saddam's fall, they have been flooded with visitors. In 2005, the holy sites received an estimated 12 million pilgrims, making them the most visited spots in the entire Muslim world, ahead of both Mecca and Medina.

Over 3,000 Iraqi clerics have also returned from exile, and Shiite seminaries, which just a few years ago held no more than a few dozen pupils, now boast over 15,000 from 40 different countries. This is because Najaf, the oldest center of Shiite scholarship, is once again able to offer an alternative to Qom, the Iranian holy city where a radical and highly politicized version of Shiism is taught. Those wishing to pursue the study of more traditional and quietist forms of Shiism now go to Iraq where, unlike in Iran, the seminaries are not controlled by the government and its secret police.

A third sign, this one of the hard economic variety, is the value of the Iraqi dinar, especially as compared with the region's other major currencies. In the final years of Saddam Hussein's rule, the Iraqi dinar was in free fall; after 1995, it was no longer even traded in Iran and Kuwait. By contrast, the new dinar, introduced early in 2004, is doing well against both the Kuwaiti dinar and the Iranian rial, having risen by 17 percent against the former and by 23 percent against the latter. Although it is still impossible to fix its value against a basket of international currencies, the new Iraqi dinar has done well against the U.S. dollar, increasing in value by almost 18 percent between August 2004 and August 2005. The overwhelming majority of Iraqis, and millions of Iranians and Kuwaitis, now treat it as a safe and solid medium of exchange.

My fourth time-tested sign is the level of activity by small and medium-sized businesses. In the past, whenever things have gone downhill in Iraq, large numbers of such enterprises have simply closed down, with the country's most capable entrepreneurs decamping to Jordan, Syria, Saudi Arabia, the Persian Gulf states, Turkey, Iran, and even Europe and North America. Since liberation, however, Iraq has witnessed a private-sector boom, especially among small and medium-sized businesses.

According to the International Monetary Fund (IMF) and the World Bank, as well as numerous private studies, the Iraqi economy has been doing better than any other in the region. The country's gross domestic product rose to almost $90 billion in 2004 (the latest year for which figures are available), more than double the output for 2003, and its real growth rate, as estimated by the IMF, was 52.3 per cent. In that same period, exports increased by more than $3 billion, while the inflation rate fell to 25.4 percent, down from 70 percent in 2002. The unemployment rate was halved, from 60 percent to 30 percent.

Related to this is the level of agricultural activity. Between 1991 and 2003, the country's farm sector experienced unprecedented decline, in the end leaving almost the entire nation dependent on rations distributed by the United Nations under Oil-for-Food. In the past two years, by contrast, Iraqi agriculture has undergone an equally unprecedented revival. Iraq now exports foodstuffs to neighboring countries, something that has not happened since the 1950s. Much of the upturn is due to smallholders who, shaking off the collectivist system imposed by the Baathists, have retaken control of land that was confiscated decades ago by the state.

Finally, one of the surest indices of the health of Iraqi society has always been its readiness to talk to the outside world. Iraqis are a verbalizing people; when they fall silent, life is incontrovertibly becoming hard for them. There have been times, indeed, when one could find scarcely a single Iraqi, whether in Iraq or abroad, prepared to express an opinion on anything remotely political. This is what Kanan Makiya meant when he described Saddam Husseins regime as a republic of fear.

Today, again by way of dramatic contrast, Iraqis are voluble to a fault. Talk radio, television talk-shows, and Internet blogs are all the rage, while heated debate is the order of the day in shops, tea-houses, bazaars, mosques, offices, and private homes. A catharsis is how Luay Abdulilah, the Iraqi short-story writer and diarist, describes it. This is one way of taking revenge against decades of deadly silence. Moreover, a vast network of independent media has emerged in Iraq, including over 100 privately owned newspapers and magazines and more than two dozen radio and television stations. To anyone familiar with the state of the media in the Arab world, it is a truism that Iraq today is the place where freedom of expression is most effectively exercised.

That an experienced observer of Iraq with a sense of history can point to so many positive factors in the country's present condition will not do much, of course, to sway the more determined critics of the U.S. intervention there. They might even agree that the images fed to the American public show only part of the picture, and that the news from Iraq is not uniformly bad. But the root of their opposition runs deeper, to political fundamentals.

Their critique can be summarized in the aphorism that democracy cannot be imposed by force. It is a view that can be found among the more sophisticated elements on the Left and, increasingly, among dissenters on the Right, from Senator Chuck Hagel of Nebraska to the ex-neoconservative Francis Fukuyama. As Senator Hagel puts it, You cannot in my opinion just impose a democratic form of government on a country with no history and no culture and no tradition of democracy.

I would tend to agree. But is Iraq such a place? In point of fact, before the 1958 pro-Soviet military coup detat that established a leftist dictatorship, Iraq did have its modest but nevertheless significant share of democratic history, culture, and tradition. The country came into being through a popular referendum held in 1921. A constitutional monarchy modeled on the United Kingdom, it had a bicameral parliament, several political parties (including the Baath and the Communists), and periodic elections that led to changes of policy and government. At the time, Iraq also enjoyed the freest press in the Arab world, plus the widest space for debate and dissent in the Muslim Middle East.

To be sure, Baghdad in those days was no Westminster, and, as the 1958 coup proved, Iraqi democracy was fragile. But every serious student of contemporary Iraq knows that substantial segments of the population, from all ethnic and religious communities, had more than a taste of the modern worlds democratic aspirations. As evidence, one need only consult the immense literary and artistic production of Iraqis both before and after the 1958 coup. Under successor dictatorial regimes, it is true, the conviction took hold that democratic principles had no future in Iraq—a conviction that was responsible in large part for driving almost five million Iraqis, a quarter of the population, into exile between 1958 and 2003, just as the opposite conviction is attracting so many of them and their children back to Iraq today.

A related argument used to condemn Iraq's democratic prospects is that it is an artificial country, one that can be held together only by a dictator. But did any nation-state fall from the heavens wholly made? All are to some extent artificial creations, and the U.S. is preeminently so. The truth is that Iraq—one of the 53 founding countries of the United Nations—is older than a majority of that organizations current 198 member states. Within the Arab League, and setting aside Oman and Yemen, none of the 22 members is older. Two-thirds of the 122 countries regarded as democracies by Freedom House came into being after Iraq's appearance on the map.

Critics of the democratic project in Iraq also claim that, because it is a multi-ethnic and multi-confessional state, the country is doomed to despotism, civil war, or disintegration. But the same could be said of virtually all Middle Eastern states, most of which are neither multi-ethnic nor multi-confessional. More important, all Iraqis, regardless of their ethnic, linguistic, and sectarian differences, share a sense of national identity—uruqa (Iraqi-ness)—that has developed over the past eight decades. A unified, federal state may still come to grief in Iraq—history is not written in advance—but even should a divorce become inevitable at some point, a democratic Iraq would be in a better position to manage it.

What all of this demonstrates is that, contrary to received opinion, Operation Iraqi Freedom was not an attempt to impose democracy by force. Rather, it was an effort to use force to remove impediments to democratization, primarily by deposing a tyrant who had utterly suppressed a well-established aspect of the country's identity. It may take years before we know for certain whether or not post-liberation Iraq has definitely chosen democracy. But one thing is certain: without the use of force to remove the Baathist regime, the people of Iraq would not have had the opportunity even to contemplate a democratic future.

Assessing the progress of that democratic project is no simple matter. But, by any reasonable standard, Iraqis have made extraordinary strides. In a series of municipal polls and two general elections in the past three years, up to 70 percent of eligible Iraqis have voted. This new orientation is supported by more than 60 political parties and organizations, the first genuinely free-trade unions in the Arab world, a growing number of professional associations acting independently of the state, and more than 400 nongovernmental organizations representing diverse segments of civil society. A new constitution, written by Iraqis representing the full spectrum of political, ethnic, and religious sensibilities was overwhelmingly approved by the electorate in a referendum last October.

Iraq's new democratic reality is also reflected in the vocabulary of politics used at every level of society. Many new words—accountability, transparency, pluralism, dissent—have entered political discourse in Iraq for the first time. More remarkably, perhaps, all parties and personalities currently engaged in the democratic process have committed themselves to the principle that power should be sought, won, and lost only through free and fair elections.

These democratic achievements are especially impressive when set side by side with the declared aims of the enemies of the new Iraq, who have put up a determined fight against it. Since the country's liberation, the jihadists and residual Baathists have killed an estimated 23,000 Iraqis, mostly civilians, in scores of random attacks and suicide operations. Indirectly, they have caused the death of thousands more, by sabotaging water and electricity services and by provoking sectarian revenge attacks.

But they have failed to translate their talent for mayhem and murder into political success. Their campaign has not succeeded in appreciably slowing down, let alone stopping, the country's democratization. Indeed, at each step along the way, the jihadists and Baathists have seen their self-declared objectives thwarted.

After the invasion, they tried at first to prevent the formation of a Governing Council, the expression of Iraq's continued existence as a sovereign nation-state. They managed to murder several members of the council, including its president in 2003, but failed to prevent its formation or to keep it from performing its task in the interim period. The next aim of the insurgents was to stop municipal elections. Their message was simple: candidates and voters would be killed. But, once again, they failed: thousands of men and women came forward as candidates and more than 1.5 million Iraqis voted in the localities where elections were held.

The insurgency made similar threats in the lead-up to the first general election, and the result was the same. Despite killing 36 candidates and 148 voters, they failed to derail the balloting, in which the number of voters rose to more than 8 million. Nor could the insurgency prevent the writing of the new democratic constitution, despite a campaign of assassination against its drafters. The text was ready in time and was submitted to and approved by a referendum, exactly as planned. The number of voters rose yet again, to more than 9 million.

What of relations among the Shiites, Sunnis, and Kurds the focus of so much attention of late? For almost three years, the insurgency worked hard to keep the Arab Sunni community, which accounts for some 15 percent of the population, out of the political process. But that campaign collapsed when millions of Sunnis turned out to vote in the constitutional referendum and in the second general election, which saw almost 11 million Iraqis go to the polls. As I write, all political parties representing the Arab Sunni minority have joined the political process and have strong representation in the new parliament. With the convening of that parliament, and the nomination in April of a new prime minister and a three-man presidential council, the way is open for the formation of a broad-based government of national unity to lead Iraq over the next four years.

As for the insurgency's effort to foment sectarian violence strategy first launched in earnest toward the end of 2005 this too has run aground. The hope here was to provoke a full-scale war between the Arab Sunni minority and the Arab Shiites who account for some 60 percent of the population. The new strategy, like the ones previously tried, has certainly produced many deaths. But despite countless cases of sectarian killings by so-called militias, there is still no sign that the Shiites as a whole will acquiesce in the role assigned them by the insurgency and organize a concerted campaign of nationwide retaliation.

Finally, despite the impression created by relentlessly dire reporting in the West, the insurgency has proved unable to shut down essential government services. Hundreds of teachers and schoolchildren have been killed in incidents including the beheading of two teachers in their classrooms this April and horrific suicide attacks against school buses. But by September 2004, most schools across Iraq and virtually all universities were open and functioning. By September 2005, more than 8.5 million Iraqi children and young people were attending school or university, an all-time record in the nation's history.

A similar story applies to Iraq's clinics and hospitals. Between October 2003 and January 2006, more than 80 medical doctors and over 400 nurses and medical auxiliaries were murdered by the insurgents. The jihadists also raided several hospitals, killing ordinary patients in their beds. But, once again, they failed in their objectives. By January 2006, all of Iraq's 600 state-owned hospitals and clinics were in full operation, along with dozens of new ones set up by the private sector since liberation.

Another of the insurgency's strategic goals was to bring the Iraqi oil industry to a halt and to disrupt the export of crude. Since July 2003, Iraq's oil infrastructure has been the target of more than 3,000 attacks and attempts at sabotage. But once more the insurgency has failed to achieve its goals. Iraq has resumed its membership in the Organization of Petroleum Exporting Countries (OPEC) and has returned to world markets as a major oil exporter. According to projections, by the end of 2006 it will be producing its full OPEC quota of 2.8 million barrels a day.

The Baathist remnant and its jihadist allies resemble a gambler who wins a heap of chips at a roulette table only to discover that he cannot exchange them for real money at the front desk. The enemies of the new Iraq have succeeded in ruining the lives of tens of thousands of Iraqis, but over the past three years they have advanced their overarching goals, such as they are, very little. Instead they have been militarily contained and politically defeated again and again, the beneficiary has been Iraqi democracy.

None of this means that the new Iraq is out of the woods. Far from it. Democratic success still requires a great deal of patience, determination, and luck. The U.S.-led coalition, its allies, and partners have achieved most of their major political objectives, but that achievement remains under threat and could be endangered if the U.S., for whatever reason, should decide to snatch a defeat from the jaws of victory.

The current mandate of the U.S.-led coalition runs out at the end of this year, and it is unlikely that Washington and its allies will want to maintain their military presence at current levels. In the past few months, more than half of the 103 bases used by the coalition have been transferred to the new Iraqi army. The best guess is that the number of U.S. and coalition troops could be cut from 140,000 to 25,000 or 30,000 by the end of 2007.

One might wonder why, if the military mission has been so successful, the U.S. still needs to maintain a military presence in Iraq for at least another two years. There are three reasons for this.

The first is to discourage Iraqs predatory neighbors, notably Iran and Syria, which might wish to pursue their own agendas against the new government in Baghdad. Iran has already revived some claims under the Treaties of Erzerum (1846), according to which Tehran would enjoy a droit de regard over Shiite shrines in Iraq. In Syria, some in that countrys ruling circles have invoked the possibility of annexing the area known as Jazirah, the so-called Sunni triangle, in the name of Arab unity. For its part, Turkey is making noises about the Treaty of Lausanne (1923), which gave it a claim to the oilfields of northern Iraq. All of these pretensions need to be rebuffed.

The second reason for extending Americas military presence is political. The U.S. is acting as an arbiter among Iraqs various ethnic and religious communities and political factions. It is, in a sense, a traffic cop, giving Iraqis a green or red light when and if needed. It is important that the U.S. continue performing this role for the first year or two of the newly elected parliament and government.

Finally, the U.S. and its allies have a key role to play in training and testing Iraqs new army and police. Impressive success has already been achieved in that field. Nevertheless, the new Iraqi army needs at least another year or two before it will have developed adequate logistical capacities and learned to organize and conduct operations involving its various branches.

But will the U.S. stay the course? Many are betting against it. The Baathists and jihadists, their prior efforts to derail Iraqi democracy having come to naught, have now pinned their hopes on creating enough chaos and death to persuade Washington of the futility of its endeavors. In this, they have the tacit support not only of local Arab and Muslim despots rightly fearful of the democratic genie but of all those in the West whose own incessant theme has been the certainty of American failure. Among Bush-haters in the U.S., just as among anti-Americans around the world, predictions of civil war in Iraq, of spreading regional hostilities, and of a revived global terrorism are not about to cease any time soon.

But more sober observers should understand the real balance sheet in Iraq. Democracy is succeeding. Moreover, thanks to its success in Iraq, there are stirrings elsewhere in the region. Beyond the much-publicized electoral concessions wrung from authoritarian rulers in Egypt and Saudi Arabia, there is a new democratic discourse to be heard. Nationalism and pan-Arabism, yesterday's hollow rallying cries, have given way to a big idea of a very different kind. Debate and dissent are in the air where there was none before a development owing, in significant measure, to the U.S. campaign in Iraq and the brilliant if still checkered Iraqi response.

The stakes, in short, could not be higher. This is all the more reason to celebrate, to build on, and to consolidate what has already been accomplished. Instead of railing against the Bush administration, America's elites would do better, and incidentally display greater self-respect, to direct their wrath where it properly belongs; at those violent and unrestrained enemies of democracy in Iraq who are, in truth, the enemies of democracy in America as well, and of everything America has ever stood for.

Is Iraq a quagmire, a disaster, a failure? Certainly not; none of the above. Of all the adjectives used by skeptics and critics to describe today's Iraq, the only one that has a ring of truth is messy. Yes, the situation in Iraq today is messy. Births always are. Since when is that a reason to declare a baby unworthy of life?

Mr. BOND. This follows closely the story we found when on a codel with my colleagues, Senators BAYH and OBAMA, in Iraq in January. We talked to our people, military and civilians. We had a great meeting with President Talabani and top-elected Sunni and Shi'a officials at the time who all pledged they were going to work together for a unity government.

Now that the President and Prime Minister Nouri al-Maliki have formed a Cabinet, this is one more significant step. It is a big step, and it has been completely overshadowed by the killing of al-Zarqawi. But for the long term, this formation of a government is one more step that is vitally important. I am delighted the President was there to highlight it.

It doesn't mean the violence is over. The killing of al-Zarqawi was widely celebrated by our troops abroad and at home because they knew this ruthless butcher was the face, the media darling of al-Qaida in Iraq. There is a supreme irony that he went out with his spiritual adviser. Good time to have your spiritual adviser with you. For al-Zarqawi, he and his spiritual adviser are going to find out at the same time just how good the spiritual advice Sheik Rahman gave him was.

We know his loss will be a significant loss because of his ability to play the media with his ruthless killings. But we know he will be replaced. They are bringing up another successor to him already. Let us hope that successor has the same short shelf life that al-Qaida's operation commanders, such as Khalid Shaykh Muhammad, Abu Faraj al-Libi, and Hamza Rabia, have had. They have all been captured or killed. We hope we will be able to continue that effort.

We hear some of our colleagues from the other side saying what a few in the media are saying, that we need to bring our troops home immediately. We have sorrowful parents who are very much concerned about their children going into harm's way. They want them brought home immediately. Let me speak to that directly. As a father of a son who was in Iraq and is preparing to go back, I can tell you that it is not without a good bit of concern that we see our young people going into harm's way. But we are very proud of them. We are very proud of them to know that they are willing to stand up and take the risk of going to war to defend our freedom and peace and security in the world. They are doing a good job. Yes each death of an American soldier or marine or airman is a tragedy. As a parent, you suck in a little wind and say a prayer when you hear about them. But these brave young men and women who are volunteers go there because they know they have a higher mission. By carrying the fight to the terrorists, they help make our country safer.

It is no accident that our country has not had a major attack since September 11, not only because of homeland security but because of the strong efforts we have taken in Afghanistan and Iraq to disrupt terrorist strongholds, the safe havens for terrorists.

Our young men and women over there are in harm's way. But they are not afraid of taking the risk of war. Let me tell you what they really fear. They fear that a lack of political will in this body and in the United States will cause a premature withdrawal of our troops before the Iraqi Government has adequate military and police in place to provide the security that country needs to continue to grow and flourish and be safe from terrorism. They worry that if we bring our troops back before the Iraqi military and police are able to secure the country, there will be chaos—chaos which fosters the rejuvenation of terrorist groups, chaos which will permit a form of state-sponsored terrorism, preparation of chemical and biological weapons that could be used against us, so the next 9/11 might be with a weapon of mass destruction. They know there is a danger that violence between the factions, the Shi'a and the Sunnis, could engulf Iraq and maybe the rest of the Middle East.

They want to complete their mission. They didn't go there and take the risk and make the sacrifice and see some of their colleagues lose their lives and have to take inventories of their personal belongings and send them home. Yet they fear the lack of political will to continue and succeed in the necessary battle more than they fear the dangers of the battlefield. If we walk away, the sacrifices of these brave men and women will have been in vain. We have to complete the transformation and the transition in Iraq to a functioning government of national unity, able to defend the country against terrorists and insurgents.

I hear some of my colleagues talking about how tragic the activities were in Haditha. They have seized on reports of horrible incidents. They are presuming the American soldiers are guilty without having a hearing. They want to set up a 9/11-type commission. What a tragedy it would be if we were to follow the political game plan to make guilty parties out of soldiers who have not even had their day in court in order to win political points against the Department of Defense and the President.

As we all well know, these events will be thoroughly investigated. If there was wrongdoing, it will be prosecuted. We prosecuted the out-of-line soldiers who were at Abu Ghraib. We don't tolerate those things. We don't tolerate misconduct. Our military justice system will prosecute any who are guilty. But please, let us not jump to the conclusion that they are presumed guilty because of reports of outrageous actions. There are other sides to the story. Let the normal process work. There could be hearings in the appropriate committees, the Armed Services Committee or the Appropriations Committee, if they are warranted. But to set up another commission now is a dangerous political game and one I hope we will not accept. Instead of demanding more commissions, we should be demanding that the facts come out. If any wrongdoing took place, those who did it will be punished accordingly.

There are those who want to continue to take cheap shots at the administration over anything that goes wrong in the war. When you have wars, unfortunately, things go wrong. There is no guaranteed success rate. It is not an unbroken path of success. We need to look at what went on in Haditha. The negative news reports will continue, and we expect the news media, when there are negative things, to report on them. But we would hope they would also report on the positive things that are done. If we had followed the advice of all the naysayers earlier this year who dominate our television with their defeatist political rhetoric, we would not have seen free elections in Iraq, a unity government, or the elimination of al-Zarqawi. He would be running free, plotting his next attack and seeking to reach out beyond Iraq to neighbors, possibly in the United States. Thankfully, we did not pull out of Iraq. Iraq is a much different place, a much more hopeful place because America and its brave men and women are committed to making the world a safer place.

I sincerely and deeply urge my colleagues not to let our troops down, not to bring them home because parents are concerned about them. We value and honor their service. Let them do their jobs and let the process of the military justice system go forward before we jump to the conclusion that American soldiers are guilty because we don't happen to agree with the war or the efforts they are making.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, I ask unanimous consent that I be allowed to proceed for no more than 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, like my colleague from Missouri, I come today to address the Senate and my fellow countrymen on the developments in Iraq and to speak to the American public about the war and our efforts in the Middle East.

Before I begin, let me quickly state that, like many Americans across the country, I have and will maintain steadfast and strong support for our men and women in uniform. Also, like many Americans across the country, I, too, over the last good many months have had moments of doubt regarding the progress in Iraq and the overwhelming challenges that the Iraqis and Americans and coalition forces have faced there. When I go out to Walter Reed Hospital to visit with our young men and women who are having new parts put on their bodies as a result of the explosions and bombings in Iraq, and I feel their spirit and desire to continue to serve and I speak to them of the mission they were involved in, I come back to my office on Capitol Hill more dedicated than ever to assure that these young men and women are allowed to continue to work to finish their mission.

However, seeing through the fog of war, seeing through the interpretation by the liberal media is a frustration that most Americans are consumed with at this moment. Only the bad is reported and rarely the good. But the other day something good happened that could not be denied by the media of this world. That was the annihilation of Zarqawi and the unquestionable proof that intelligence and informants have the al-Qaida on the run in Iraq. The liberal media could not step away from the reality of that message. Two 500-pound bombs delivered it loudly around the world. While it says a lot about our own intelligence, it is my opinion and I am told it says a great deal about the Iraqi people who are fed up with the way they are being treated by the insurgent forces in Iraq, and many of those forces are from outside their country.

Some in this country, and even some in this body, are saying: Well, that was just then, and we have to deal with now and into the immediate future. Let's get out of there, let's cut and run. It is time we bring our soldiers home.

I suggest that it may be time to adjust tactics. They have a new government in Iraq. It is now whole, it is stood up, it is running, and it is putting its own people out in front in defense of its country, both in the military and in the civilian police. Now is not the time to leave this fledgling new country standing alone. Our tactics may change and we may step back a bit, but I believe we have to be there to continue to strengthen and allow them to grow. The message of turning away from the recent successes and turning away from Iraqi men and women and children who are on the verge of freedom for the first time sends a phenomenal ill-fated doomsday message to the Iraqi people and speaks loudly to the world. And, most importantly, it sends a strong message to the terrorists that all they have to do is be patient, take their losses along the way, because America's will will melt and we will leave.

First and foremost, if we cannot and won't finish the job we set out to do, we will forever question our own future, and the people around the world will question our resolve. Simply put, we are at, I believe, a defining moment not only in the future of Iraq, but in the future of our own Nation with the message we send around the world. Therefore, it is imperative that this country and the people of this country stand up and send a message to the terrorists and to the Iraqi people that we will not be deterred, we will finish our job in cooperation with the Iraqi Government. I believe that is the message our President delivered in the last 24 hours as he flew to Iraq to visit with the new Government and our troops.

Right now, there is a new al-Qaida leader somewhere in Iraq. I will bet he is not sleeping at night. I will bet he is running from house to house. My guess is that his immediates around him are doing the same thing because we receive now thousands and thousands of informant messages, and this man, while he has a new title of leader, is being hunted by a young man from Twin Falls, ID, or from Manchester, England, or from Kirkut. Those are the realities of war.

That is why we stand on the Senate floor talking on behalf of this country's future and the men and women who wear our uniform and the mission we have sent them to do.

Removing U.S. forces, that are standing side-by-side with Iraqi and coalition forces, will effectively and instantly remove the fear that we have now embedded within al-Qaida members now on the run in Iraq.

I am certain that those Members in this body advocating for the U.S. to pull out fully understand and appreciate the role foreign assistance played in helping our colonies become the great Republic it is today. Without French military and economic assistance the will of the American Revolutionaries would have been broken long before our final push was fought to gain a free, independent, and sovereign republic.

To cut and run today, especially in light of our recent successes, would be equivalent to the U.S. colonies fighting without French assistance.

Simply put, without foreign military assistance to this country none of us would be standing here today in the world's greatest deliberative body and the bell of liberty would never have rang.

So, today, I ask my friends on the other side of the aisle to step up, look in the mirror, and recall how our very own country was established. Failure to stay the course on this endeavor is short-sighted, hypocritical, and goes squarely against the principles and the very reason this country was conceived and founded upon.

Mr. President, we have much to be thankful for today. As such, I urge my colleagues to help give the Iraqi people what this country so desired in 1776, freedom.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the conference report to accompany H.R. 4939, which the clerk will report.

The assistant legislative clerk read as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, having met, having agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. REID. Mr. President, the supplemental appropriations bill has had a long and arduous course getting here. I congratulate the chairman and ranking member for working so hard to get it here.

This legislation will provide funds to support the brave men and women who risk their lives every day in Iraq and Afghanistan on behalf of our country. The legislation will provide assistance to those in the gulf coast still struggling to recover from Hurricanes Katrina and Rita, and also will help bolster border security and prepare for the threat of bird flu. These matters are all vitally important, so I expect the conference report to win broad support in the Senate. It should.

But while I strongly support the goals of this legislation, I also have real concerns about the many Senate-backed provisions that have been left out of this conference report.

For example, the Senate included $648 million to bolster port security. One would think that protecting our ports would be a priority for this Congress, given the ongoing threat of terrorism and the grossly inadequate safeguards for our Nation's ports. But the House leadership completely rejected any additional funds for port security. That is a serious mistake.

We learned during the Dubai Port debacle, the Dubai Port what I call scandal in our country, of the inadequacy of the security of our ports. We knew it before that, but it was certainly much worse than we ever expected.

The House conferees almost completely eliminated the relief the Senate proposed for farmers who have been suffering from recent drought conditions. Many of these farmers, particularly in the Midwest, are struggling financially, just as farmers in regions directly affected by Katrina. Yet they will be shut out from any assistance under this legislation.

This is very typical. Always the farmers, it seems, when there is an emergency, look to the Democrats for help, as they should, because if history is any example—and it usually is—Republicans simply don't pay attention to farmers' and ranchers' problems.

I have talked about port security, I have talked about the ranchers and farmers, but there is something else that was dropped in conference, and that is the proposal to beef up VA medical care for our Nation's veterans. As Senator MURRAY said yesterday and Senator AKAKA today, our Nation's veterans are in peril, but in this bill the move to help them was dropped.

Another proposal to include compensation to health professionals, first responders, and others who may be harmed in the future by experimental flu vaccine has also been dropped.

I wonder why the majority leadership is so opposed to improving port security and helping farmers and veterans. I don't understand. They say they are concerned about cost. It is hard to take such statements seriously when we consider what else has happened in the Senate this week. Costs? At the same time the majority was stripping a few hundred million dollars to bolster port security, to help our farmers, and to help veterans, they, the majority, proposed spending $1 trillion to provide a windfall to a handful of our Nation's wealthiest families. When I say "handful," I mean that of a country of 285 million or 290 million people, they want to help, at the most, 12,000 individual estates, less than two-tenths of 1 percent. At the same time they are asking for this trillion dollars that would have to be borrowed—of course, we have borrowed from China, Japan, Saudi Arabia; more than half the money we use to finance our country's operations is borrowed from foreign countries. At the same time they are dropping help for veterans, farmers, and port security, the majority has proposed a tax break worth—for example, they say Paris Hilton's tax break alone would be in the $14 million–$15 million bracket.

At the same time they are eliminating these programs I have mentioned for farmers, ranchers, veterans, and security for our country, they are proposing a tax break for the family of the former Exxon CEO worth $164 million, all paid for by more debt, largely from countries, as I have indicated, such as China, Japan, and Saudi Arabia.

So I think we should erase from the equation the majority's commitment to fiscal responsibility. The Republican majority in the Senate has proven, along with President Bush, that fiscal responsibility is not part of their mantra. When it comes to helping average Americans and the middle class, Washington leaders are all for spending cuts. When it comes to handing out tax breaks that explode the deficit, they insist no billionaire be left behind.

I am disappointed by what has been left out of this conference report and by the values and priorities these decisions reflect. Still, at the end of the day, the items contained in this legislation are vitally important. We must support our troops. We must assist the gulf coast. We must tighten border security and prepare for a possible bird flu outbreak. But this legislation should never be here. Why? Because it should have been included in our regular budget. We are in the fourth year of the war in Iraq—the fourth year—but he didn't put it in his budget. Why?

Because it would demonstrate clearly when that budget was given to us how much more red ink there was in the budget.

I read in the papers that Senator JOHN MCCAIN of Arizona is going to offer legislation on the bill that we will have before us this afternoon, the Defense authorization bill, to no longer let the President do that, to no longer use the unusual procedure; that is, we are in the middle of the war, we have ongoing expenses, not to include these expenses in his budget.

As I read the paper this morning, Senator MCCAIN said he is going to offer legislation to stop that. If that is the case, and I understand it, I would certainly join with him. What was done to make this an emergency spending bill is wrong. We ought to have that part of the budget and debate it like we do everything else.

I am sorry it took so long to get to the point where we are to get the money for the troops, but it is here. I accept that.

I want to make one other point about what is so unusual about this legislation. The Senate voted that they would have an extra $7 billion to take care of education and labor issues. That is the Health-Education-Labor Subcommittee that is operated by Senator SPECTER and Senator HARKIN. We have an extra $7 billion. Even with that money, it wouldn't keep up with last year's numbers. But the House didn't want that. Therefore, the House and Senate couldn't agree in an open hearing, like we usually have with a conference report. So what happened—sometimes in the middle of the night—is that item was dropped, and they came up with something called a deeming resolution, which is a mechanism for setting the total level of discretionary spending for the upcoming fiscal year, totally apart from the normal budget. It is used only when the normal budget process breaks down. It obviously hasn't broken down.

A deeming resolution is an admission of failure and used as a last resort. Yet here we are only a few weeks after the House completed its budget, and the majority is already throwing up hands in defeat. Apparently, they are not even going to produce a budget. That is a sad commentary on the state of affairs.

Mr. President, I will use my leader time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, that is a sad state of affairs in Washington. It is very clear that a point of order lies against this supplemental. That means someone could raise a point of order, and it would take under rule XXVIII a simple majority to overrule because it is clear it would properly lie. It remains to be seen if anyone is going to raise that point of order, but clearly it is available to anyone in the Senate.

I hope in the future we can have a regular process for budgeting and a regular process for conference committees to meet. We have talked about doing that before. Under the Republican majority, conferences are not really the way we used to do them—publicly. The Republicans run these committees privately. There are no public votes most of the time. It is a sad commentary how they have run things here, but as I said before, during the 4½ years the President has been in office—I guess it is 5½ years now, I am sorry—we have not had three branches of Government. We haven't had legislative, executive, and judicial branches of Government. We have had two. We have had the executive and judicial branches. There have been no Presidential vetoes. There has been no need for a Presidential veto because the President gets anything he wants, as indicated with this legislation going forward now.

I hope my friends in the majority will once again recognize congressional oversight is important, to have some oversight hearings to find out what is going on in Iraq, to find out what is going on with domestic spying, to find out what is going on with global warming and other issues of that nature, and not have a deaf ear to our responsibilities as a legislative branch of Government, a separate but equal branch of Government, as so defined by our Founding Fathers.

Ms. CANTWELL. Mr. President, we are here today discussing the emergency supplemental conference report, which appropriates over $70 billion for Iraq and Afghanistan. Tomorrow we will return to the Defense authorization bill that will include more discussion of our efforts in those countries. The last week had events that this Senator considers very positive: the finalization of a new government in Iraq with the naming of Ministers of Defense and Interior, the U.S. military's success of killing Al-Zarqawi, and the safe return of the President just today from Iraq. While we have had these successes, I think it is important for Congress, as we discuss both the supplemental bill and the DOD authorization legislation, to keep in mind the challenge ahead of us.

While Prime Minister Maliki has moved forward with his new government, we know that national security experts warn that Iraq is still in bad shape. I believe that Congress must do its job in holding the administration accountable as we consider these two pieces of legislation and make sure that 2006 is a year of significant transition in Iraq. That is, specifically, that while we have understood the challenges and mistakes that have been made, that we need to make sure we are moving forward, and we need to make sure we are turning the security efforts over to the new Iraqi Government.

While we have seen some promising developments in Iraq in the last week, we need to remind ourselves that sectarian violence in the last several months has been on the increase, and that the challenge for Iraqi and U.S. forces remains high. The challenge before us as a Congress is to remain vigilant on the accountability of the administration as we consider this legislation I believe is paramount.

U.S. ground forces have been stretched and placed under enormous stress. Sectarian militias are responsible for waves of increasing violence, and there are now over 1.2 million internally displaced persons throughout Iraq. And as I said, while we have had some successes, not everything has gone as planned. There has been mismanagement, contract abuses, fraud in various levels of our reconstruction, and some lack of accountability on exactly how U.S. taxpayer dollars have been spent. Electricity and oil production are below prewar levels. This all has to change.

This year the United States has been spending about $8 billion per month in Iraq, and Congress has appropriated to date about $320 billion for Iraqi operations. We need to know where the President is going from here.

Everyone should be thankful that Saddam Hussein is gone, but we should learn from the mistakes that have been made so far and rebolster our efforts to get more international support for what the Iraqi Government and the United States are trying to accomplish. No matter where the world community was prior to the U.S. involvement in Iraq, everyone should rise to help the new Iraqi Government meet our growing challenges. So this Senator wants to make sure that we are reaching out and being effective at a broader international effort.

I call on President Bush to name a special envoy to Iraq to promote regional diplomacy and to make sure the United Nations and the World Bank are fully engaged. The President could name someone with the stature and leverage of former President Bill Clinton or former President George H.W. Bush, who was so instrumental in building an international coalition before the first gulf war. I believe that again today diplomatic collaboration is vital. A special envoy could help garner the international support for both Iraqi reconstruction and security. As I said, regardless of what foreign governments thought about the administration's decision to go to war, everyone should share the same desire to help Iraq succeed as a sovereign nation. The international donor community has pledged approximately $13.5 billion for Iraq and for reconstruction efforts but has only delivered about $3.5 billion of that total. That must change. If nothing else, a U.S. envoy could make its primary mission the financial contribution by these countries to help shoulder the burden of stabilizing this very important region of the world.

Second, I believe the United States should not hesitate in calling a Dayton-like summit with our allies, with Iraqi neighbors, with the United Nations, to make sure we are moving forward on answering any political and security questions that will help in stabilizing the region. We should also support the Arab League's plan to hold its own international conference on reconciliation in Iraq. The international community should work together to help the Iraqis reach a comprehensive agreement to guarantee regional security, protect Iraq's borders, supplant the militias with Iraqi Security Forces, and revive the reconstruction efforts, especially in Baghdad. We cannot allow the political process to drift. The international community must demand that Iraqis continue making compromises necessary to end the sectarian violence and to make sure that any amendments to the Iraqi constitution, if necessary, take place in short order.

Third, I believe that the United Nations should become more involved. The United Nations should encourage the creation of a U.N. High Commissioner for Iraq similar to the U.N. High Representative for Bosnia, which was created to work with the international community to ensure a peaceful, viable state in Bosnia and Herzegovina. Creating a U.N. High Commissioner of Iraq could open up the doors for countries that might have otherwise been hesitant to participate. The U.N. can call on its wide network of trained personnel and specialized resources, saving U.S. taxpayers money and providing a genuine boost for our efforts in Iraq.

We must also make sure that we are serious about last year's amendment, the Warner-Frist amendment, which declared that "2006 should be a period of significant transition to full Iraqi sovereignty with Iraqi security forces taking the lead for the security creating the conditions for phased redeployment of the United States from Iraq." We pushed for greater oversight and required the administration to provide Congress with quarterly reports, and while we have received some information, the latest reports have not had sufficient information about sectarian divisions and the risk of civil war and our response to those risks.

The Department of Defense aims to train and equip about 325,000 Iraqi troops and police by the end of the year. I want to make sure that Congress, in our budget process, holds them accountable for meeting these goals. For the sake of the U.S. troops that are on the ground, we must make sure that the Iraqi government knows that we want the security responsibilities transitioned to them. And we must make it clear that the United States is not going to stay in Iraq indefinitely.

I take Prime Minister Maliki at his word. He basically has said that the Iraqi forces could take complete control of security within the next 18 months and that the new Iraqi Government could deal with the militias and that the Iraqi Security Forces would take control as quickly as possible. I think we need to continue to push that issue and to make sure that we are meeting the milestones that will help that to occur as soon as possible.

We also need to make sure that the efforts on reconstruction move forward. The United States should help the Iraqis concentrate on security and development efforts in certain areas to ensure that we are demonstrating meaningful economic progress. I think again particularly in Baghdad.

Protecting the Iraqi people and the civilian infrastructure should be our highest priority. Sunnis, Shiites and Kurds alike must have faith in their government's ability to provide access to reliable electricity, clean water, and proper sanitation.

We must remember that we have to honor our commitment to our troops—the U.S. military who have sacrificed so much. And no one on the Senate floor will ever forget the awful cost of war. In Iraq, the loss of nearly 2,500 members of our Armed Forces, and I am deeply concerned about the 18,000 that have been wounded.

And just as our troops have been stretched to the limit, it is time for us to realize that our capacity for veterans' health care has also been challenged. Based on credible projections from the independent budget, composed by Veterans Service Organizations, the Federal Government is underfunding veterans' health care by at least $2 billion and the demands on the system are growing.

In March, the VA told Congress they are seeing 38 percent more Iraq war veterans than they had budgeted for. So what is the impact? Some veterans are waiting more than 18 months just to get access to VA health care, and thousands of others across the country are waiting for access to care. As of the last month, more than 2,900 veterans in Washington State were waiting over 30 days to gain access to outpatient care that they deserve and have not been able to get because we have not adequately funded the veterans' health care system.

Some experts suggest that one-third of the soldiers coming home from Iraq seek mental health services, and we need to make sure that we are adequately funding mental health. A lack of capacity in the veterans' mental health system has caused a VA official recently to remark that when it comes to mental health the waiting list renders care virtually inaccessible. I believe this is unacceptable and that we have to do our job and do not shortchange veterans' health care. We must give those who have stood up for us the access to care that they deserve.

The United States must make sure that it does not ever condone indiscriminate or deliberate killings of civilians. The overwhelming majority of men and women in uniform are honorable and understand the rules of war and requirements of the Geneva Conventions. Any accusations of misconduct must be handled fairly by the military justice system. We should also play our oversight role here in Congress and make sure that Congress is not leaving the investigation of this issue simply up to the Department of Defense.

We need to make sure that Congress is also investigating this issue and providing the accountability and oversight that everyone deserves. Whether it is detainee abuse or Haditha, we need to make sure that the U.S. image is not damaged and our efforts to win the hearts and minds both in Iraq and the war on terror are not hurt. We must make sure that we have aggressive oversight and accountability of all agencies of the Federal Government.

The United States should be an example of leadership committed to treating people humanely and abiding by the rule of law and promoting opportunity and a common vision.

I know that recently when British Prime Minister Tony Blair was here, he gave a speech that said: This should be a moment of reconciliation not only in Iraq, but the international community. The war split the world. The struggle of Iraqis for democracy should unite it.

I believe that is what we must move forward on now too as we consider these two pieces of legislation. Congress must be aggressive in its oversight and accountability on these goals for 2006 and in turning over control to the Iraqi people. And we must make sure that we engage the international community to help us move forward in this effort. The United States should lead the way, but it should do so with sufficient international support.

And then I believe we must get on to our larger goals, one that the 9/11 commission recommended to us when it said: Just as we did in the Cold War, we need to defend our ideals abroad vigorously. If the United States does not act aggressively to define itself in the Islamic world, the extremists will gladly do the job for us.

So besides these objectives, we need to move forward in fighting terrorism by promoting American ideals.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, I would like to commend my colleague from the State of Washington for her statement. I believe that she has outlined several things that should be taken into serious consideration by this administration. A special envoy would be I think a dramatic and important step forward in changing the battlefield in Iraq to a more constructive environment. I also think the idea of the United Nations appointing a high commissioner for this purpose will also be extremely helpful. I associate myself with her remarks, and I thank her for her observations on this war in Iraq.

The President visited Iraq yesterday. It was a surprise visit. I am sure it did a great deal to help the morale of our soldiers to know that our President would take this dangerous journey to be there with them, even if it was for a brief period of time. I am looking forward to the President's report to the American people today on what he found and what he proposes. We are all hopeful that this war will come to an end soon, that American troops will come home, and that at some point very, very soon, we truly will have our mission accomplished.

This morning's newspaper informs us that we have lost 2,493 of our best and bravest young men and women serving this United States in Iraq. I asked a member of my staff to check when we lost 2,000 soldiers, and the date was October 25 of last year. It appears that in a very short period of time, we will pass the 2,500 mark. At the time that we recorded the 2,000th military death in Iraq, I asked, along with other Senators, for a moment of silence on the floor of the U.S. Senate to acknowledge their great contribution to our country and in respect for their memory. When the time comes that 2,500 have given their lives, I will make that same unanimous consent request. Since there are no Republican Senators on the floor at this moment, I won't make it at this time, but I want the majority to know that I think, on a bipartisan basis, Senators from both parties should come to the floor when we have recorded the 2,500th death in Iraq and observe a moment of silence in memory of our fallen warriors and in prayer for their families whose lives will never be the same because of their loss.

At that time too we should reflect on those who have gone to serve and have returned broken in body and some in spirit. Over 2,000 have come back from Iraq with serious head injuries. Many of them are struggling now to regain the basic faculties and strengths which they need to lead a normal life. Another 15,000 or 16,000 soldiers have returned who have lost an arm or leg or other grievous injury. They, too, are struggling with their families and with the help of the Veterans Administration to get back to a position where their lives can return to normal.

We know we are not spending enough money at the Veterans Administration. We promised these men and women, if you swear an oath to the United States, if you wear our uniform and our colors, if you will march behind the flag for America's security and interests, we will stand with you. When you come home, we will be there. If you need help in a hospital, we will provide it. If you need help paying for your education or your future, we will help you.

We are not keeping our promise. In too many cases across America, the Veterans Administration is not adequately staffed, not adequately prepared to meet the returning veterans' needs.

I have seen it in my State. Post-traumatic stress disorder is a serious problem. Men and women who are in combat are under extreme stress. They are involved in actions which can leave a lasting imprint on their minds. They are separated from their families, some for long and repeated periods of time, and some come back needing a helping hand. They need to sit down with a friendly counselor, a professional who can bring them back through some of the terrible experiences they have had.

I have met with these soldiers, these Marines and others. They are brave enough to stand up and say, I need help, and we need to help them so that their lives will be restored to normal. Unfortunately, the bill we are now considering, the supplemental appropriations bill, doesn't include an adequate amount for our Veterans Administration. We tried to add it in the conference committee. There was a motion made by the Senator from Washington, PATTY MURRAY, to put more funds into the Veterans Administration so we would not shortchange our soldiers. It was defeated.

We have been through this before. It was only last year we went through the same debate, and finally, after several months, the Bush administration came in and said: I guess we just don't have enough money for the veterans. And we added some. Why do we go through that every year? We know these veterans are returning and they need our help and we need to have the professionals there to give them that helping hand.

It is unfortunate that this supplemental appropriations bill is the way we fund this war. This is at least the fourth time we have had such a bill. These bills are supposed to be for unforeseen emergencies—hurricanes, earthquakes, things that occur that God has wrought and we have to deal with but not for things that we can ordinarily anticipate; that is what our budget is for.

The administration every single year takes the cost of the war and puts it in an emergency bill, saying: We were surprised; we still have a war going on.

We should not be surprised. We know that we have been in Iraq now for over 3 years and that we are likely to be there for some time to come. Putting this in a supplemental appropriations bill allows the administration to say it is not part of the ordinary budget; therefore, it is not part of the budget, not part of the budget deficit. That is not true.

This $90-billion-plus bill is added to the debt of this Nation, and we should be honest with the American people about it. This bill is not an honest portrayal of the true cost of this war.

I am also really disappointed; when there are natural disasters across America, one of the first victims is usually an American farmer. These are people trying to make a living growing our food and fiber, and changes in the weather, whether it is a drought or a flood, can make all the difference in the world in their success. I cannot tell you how many times in my congressional career I have been asked to come to the rescue of farmers across the United States in virtually every State in the Union, and I have done it because I know my agricultural community is vulnerable as well and a time may come when they need help.

This is such a time. Last year we had a drought in the State of Illinois, a terrible drought that cost us dramatically when it came to our corn crop and other production. I sat down with the Secretary of Agriculture and said, Why don't you help our farmers? We always help farmers in these situations.

He said: I looked at the statistics and, on average, the farmers in Illinois are just fine.

On average? Farmers don't farm on average. They farm their acreage. On average you may have one prosperous farmer near one who was wiped out in the drought. On average both of them did just fine, but we know the reality. The reality is that one farmer and his family are suffering.

I urged this administration to do their best to help when it came to this disaster assistance. Over 6,000 producers nationwide wrote to my office and the offices of Senators PRYOR, LINCOLN, DORGAN, SALAZAR, DAYTON, and JOHNSON urging this disaster assistance. Major farm organizations supported us. This drought we faced last year was the worst in over a century. At least 10 counties in Illinois sustained a 20 percent loss in corn yield. The value of the Illinois corn crop was down $1.1 billion. The Illinois Department of Agriculture estimates that drought of 2005 lowered yields and resulted in a $443 million loss to producers.

Now the farmers, coming back in the field, face extraordinarily high energy prices because America does not have an energy policy. There has been no leadership in Washington. The cost of fertilizer, the cost of diesel fuel, the cost of gasoline has gone up dramatically, up to $25 an acre for farmers over the last several years right out of the bottom line.

What we asked for in this bill was to give the farmers a helping hand as we have for the farmers in the Gulf Coast States. I see my colleague and friend, the Senator from Louisiana. The farmers in that State we have helped, as we should, and Mississippi and Alabama, as we should. But I think, when it comes to this national challenge, that we should have stepped forward to help farmers across the board. This bill does not do that, and I am disappointed.

There is another element in this bill which I think needs to be addressed.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. GRAHAM). There are 5 minutes and 48 seconds remaining.

Mr. DURBIN. Mr. President, that element relates to what is known as the deeming resolution. That is Senate talk for the budget resolution, which is kind of the broad outline of how we will spend money this year. Instead of passing the budget resolution as we ordinarily do, at the last minute in this conference committee the Republican leadership in the House and Senate plugged this resolution into this spending bill. It has been done before but not very often. It is an unusual approach. What it means is the overall spending limitations for the whole budget are now plugged into this special appropriations bill.

There is nothing sinister or wrong about that on its face, until you look at the resolution itself. What they put in as the resolution is President Bush's budget. Let me tell you that budget, sadly, is some $16 billion below the budget resolution that the Senate approved on a bipartisan basis.

Let me give an example of what the President's budget will cut. These are choices that have been made and will be made in the weeks ahead. One of the areas that troubles me most is President Bush's proposal to cut funding at the National Institutes of Health. That is the agency of our Government that does research on medical diseases and challenges: Lou Gehrig's disease, autism, heart disease, stroke, cancer, diabetes—the list goes on and on. President Bush's budget cut $1 billion from the National Institutes of Health since 2003 and continues to cut funding there.

There was a bipartisan commitment in Congress that we would dramatically increase medical research, believing that most families in America would applaud that expenditure of their tax dollars, and I think they would. Now, if we are going to follow the President's budget, we will be cutting back on medical research. Any family that faces a serious medical illness understands that research is the one lifeline you cling to. You pray for the best outcome, you hope for the best doctor, but you are also counting on the National Institutes of Health and other medical research to be looking for that cure.

Why would we cut back on it? And we do.

This President's budget also lowballs the spending for the Veterans Administration. As I said before, last year they were proven wrong. It means that instead of acknowledging the obvious, when we promise our soldiers we will be with them when they come home we try to shortchange it and then catch up with them later. It is no way to run a government. It is no way to keep your promise to the men and women in uniform who served our country so well.

There is one another particular issue as well that the President's budget threatens about which I am concerned. We passed the budget resolution and the Senate recognized that the global AIDS epidemic was a major priority. Our budget included a bipartisan amendment to increase funding for the global fund to fight AIDS, TB and malaria by $566 million. On average, $100 million contributed to the global fund will mean 630,000 people around the world will have chemically treated nets around their beds to avoid malaria, one of the No. 1 killers of children in the developing world; 150,000 treatments for malaria for each $100 million to the global fund; 80,000 treatments for tuberculosis; 370,000 people with HIV tests; 11,000 people with AIDS treatment.

This resolution strips $16 billion out of the budget that we just passed, and that means there will be less money to fight these global epidemics.

Why should we care? We should care, not just because of basic values that many of us hold that they are our neighbors, they are our brothers and sisters, but also because if disease is rampant in the world it will visit the United States. If the avian flu becomes an epidemic moving from animals to humans in some part of the world, we will have 21 days before it spreads around the world.

A century ago many of these diseases didn't survive the voyage on the trip from the old world where now they survive the 8, 10, and 12-hour airplane trips and come into cities and towns and counties all around the world, including the United States, so our efforts on public health around the world are not only for the right reason, they are also to protect us.

As this President's budget cuts back on spending, threatens the spending for the global fund, unfortunately, people will die as a result of it and, unfortunately, we will live in a more vulnerable world.

Budgets are about choices and usually hard choices, but the Senate made those choices in March. Unfortunately, the bill before us from this conference committee reverses that decision and makes threatening cuts in the National Institutes of Health in the areas of veterans care and in global AIDS, to mention just a few.

This President's budget had the deepest cuts in education of any President in the last several years at a time when we need schools to be the very best for the 21st century to create the opportunity that our people and our children certainly deserve.

Members of the Senate are faced with a quandary. Here is a bill that funds the war. Even those of us who voted against the war believe we have to provide the resources so our soldiers have the equipment and training and supplies they need to come home safely with their mission accomplished, and I voted for every penny the President has asked for that purpose. But within this is a budget resolution with which I do not agree. If you could split your vote on this, I certainly would, voting for the money for the soldiers but voting against this budget resolution which will force us to make cuts in critical areas of importance for America's future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I come to the floor to speak about the supplemental.

As I begin, I would like to underscore some of the points the Senator from Illinois just made about the disturbing deficiencies in this particular supplemental relative to the underfunding of many ongoing critical issues that he so eloquently outlined. But I would like to say that there are some extraordinarily helpful items in this supplemental, which is why I am going to support it, why I was pleased to be a part of crafting the supplemental through the appropriations process as a member of that committee, and why I would like to say a particular thank you to the senior Senator from West Virginia, ROBERT BYRD, and—I see the chairman of the Appropriations Committee on the floor—to thank the Senator from Mississippi, Mr. COCHRAN, for his work in fashioning through this Senate a bill that will bring so much help and urgently needed support to the gulf coast.

It is not too soon for us to do this, considering hurricane season started last week and there is a tropical storm out in the gulf as we speak here on the floor. Throughout all the gulf coast, from Pascagoula all the way to Beaumont and in parts of Florida as well, of course, people are sitting on pins and needles, hoping and praying that this season that we are entering is not as catastrophic as the one we just left and looking to this Congress, looking to this Senate, looking to the House, looking to our Governors of our States, to give them support and encouragement. That is what this supplemental bill will do.

Within this supplemental bill, despite the real shortcomings that Senator DURBIN has outlined and the real dilemma for those who want to support the troops in Iraq and support real disaster funds, there is an unfortunate choice of having to cut some overall funding that is critical to the country. But, from our perspective, representing the State of Louisiana—and trying to speak as well as I can for the whole gulf coast—we have to get this supplemental passed today.

The leadership of the Appropriations Committee has tried, on the Senate side, to push a robust, strong supplemental bill through to help the people of the gulf coast.

I would like to spend just a moment talking about some of the things that we were successful with in this bill, starting with $3.7 billion to repair and armor hurricane-protected levees throughout Louisiana, in the southeastern part of our State as well as other parts of our State.

The reason this is so critical is, as I have said many times, it wasn't the hurricanes which necessarily did us in in Louisiana. Hurricanes Katrina and Rita, but what really put us at risk and what really caused substantial damage and loss of life—1,300 people died in the last hurricane season in the United States, a record we could not even believe we would hit or a number we would hit, not in the year 2006, not with the warning we have, not with all the sophisticated technology we have today, but 1,300 people lost their lives in large measure because the Federal levee system collapsed. It broke in multiple places because of underfunding over the years and because of lack of integrity in the design. That report was released only 12 weeks ago. Repairing those levees, armoring them, and building them better, we are not able to do on a wish and a prayer. We need to do that with real money, and the real money is in this bill.

I thank Senator COCHRAN and the administration for stepping up and realizing that their original request was billions of dollars short. Without this extra money, the people of south Louisiana and in large measure the gulf coast of Mississippi—which, by the way, is protected by the levee systems and the coastal system of Louisiana—would be very vulnerable. We have added almost $2 billion through the process from the original $1.9 billion. Without the strong support of Senator BYRD and Democratic Members as well as the leadership of Senator COCHRAN, this would not have been possible.

I also wish to say that a very strong part of this bill we will find in the $5.2 billion for community development block grants. The original request by the administration was only about $4 billion. While we were extremely happy for that because it was directed to Louisiana, we were able to put an additional $1 billion for community development block grants to make sure that Texas, Mississippi, Alabama, to some degree Florida, and, of course, Louisiana get the help they need, not through FEMA, which even on its best day is not working very well, not through other agencies that have not been designed or are not functioning well, but directly to our Governors and to our legislators and local officials who can put this community development block grant to good use—rebuilding 200,000 homes in Louisiana that were destroyed, 10 times more than Hurricane Andrew, which was the most expensive storm to hit Florida or the United States prior to Hurricanes Katrina and Rita. We are very grateful and very hopeful that this community development block grant funding can go to rebuilding, to setting up a new approach to rebuilding houses.

The saddest thing was that many people didn't have insurance because they weren't in the flood plain. They didn't have insurance because they had already paid for their homes. Their homes were paid in full, on high ground, not in a flood plain. Then the levees broke, and middle-income families, wealthy families, and poor families lost their largest asset—their security for their retirement, their emotional security, having worked a whole lifetime to build assets of a home, washed away. For some parents and for some grandparents, this was the way they were going to send their children or grandchildren to college. Gone. Without this community development block grant, they have no hope of restoring their asset or rebuilding their equity—no hope.

Mississippi has developed a plan that is slightly different from Louisiana's plan. I am not sure either one of them is perfect, but it is the plan they came up with. Our job is to get them the money and urge them to do the very best they can with giving people a start.

This is just a picture of one house. I am sure Senator COCHRAN and Senator LOTT have others. I will literally show you pictures of homes of all different shapes and sizes. Over 275,000 of them look like this. Again, it wasn't just a regular hurricane, which we are used to in the gulf. When the levees broke and a tsunami, a wave of 20 feet of water, poured into the city of New Orleans out of Lake Pontchartrain, this is what was left. That is what people came back to.

People ask: Senator, why isn't everybody scurrying around rebuilding? Well, if this were my house—and my brothers' and sisters' houses look like this; four of them lost their houses; this is what they look like. When they showed up, I, frankly, know how they felt. They do not know where to begin. Even if they can clean up their house, every house to the left and every house to the right and every house as far as the eye can see looks like this, and they are not sure they want to be the only one back in the neighborhood, with no water, no lights, et cetera.

This is a problem of huge magnitude for the gulf coast. As I said, this is not a place which is inconsequential to the Nation; this place is the heart of America's energy coast. One of the reasons the price of oil is so high is because these hurricanes shut down the oil and gas industry for the most part in the gulf when they hit. Anytime a hurricane comes to the gulf, we have to relocate within 24 hours about 6,000 to 7,000 oil workers who make their living on these platforms out in the gulf. These are cities out in the gulf. Every time those waves kick up, to great credit to the industry, I am not sure we had one loss of life. I could be wrong, but I am not sure. I am almost sure there was no loss of life to the workers here because we got them off of those rigs, tied those rigs down, and buckled down for those storms. When the storms pass, we all go back out and we set this up again.

Not only were these storms category 4 and 5 and we are still only 75 percent up, but the communities that serve them—like the community of St. Bernard where a lot of people live who work in these oilfields lost 59 percent of their houses, and 90 percent of all their businesses were destroyed because the levees broke. We are asking these people who live in those houses which you just saw to go out to these rigs every day to work to turn the lights on in this Chamber. They do a real good job of that. I am proud of the work they do. But this supplemental will help them rebuild their homes, rebuild their schools, and rebuild their businesses. The least we can do is pass it without any more time lapse to give them a chance to get back.

I hope members of the Appropriations Committee and the authorizing committees will really grab this opportunity; that is, we fought to get some additional money in this bill, and we ended up with $400 million for some alternative housing.

Let me say as a Senator from Louisiana that I have been through these storms. Can we please move past the plan to put people in trailers? It is costing the Federal Government $70,000 to put people in a trailer. We could practically build a house for $70,000 and let people live there temporarily until they can get back into their real houses. It is an extraordinary waste of money. We are wasting it at rates that stagger people. We have to think about a new way of not putting everybody in trailers.

Another problem with putting people in trailers is when the next hurricane season comes along, their trailers could literally blow away if they are not tacked down the way they should be, or secured. And FEMA has just let all the people living in trailers know that they are not to take the trailers with them. Even though they are travel trailers, they cannot take them with them if they have to evacuate because they might steal them.

Here we are going to have thousands of people who are living in trailers which cost $70,000 each to hook up—and contractors made a lot of money off of this system—and the people who have to live in them only get a little bit of space to live. Some are living in them with three or four children, which makes for an exciting opportunity for families. These trailers cannot be moved when the hurricane comes. I hope the winds don't get up to 150 miles an hour because we will have a lot of trailers flying around. I don't know what is going to happen there.

I am so happy that we could fight for this $400 million. That sounds like a lot of money, but considering we are spending billions of dollars on trailers, to think maybe we could do this a better way next time—that is in this bill.

Another part in this bill which we fought hard to keep—and we got knocked down quite a bit, but we managed to save a piece of it—was for the colleges and universities. Mississippi has two colleges that were very severely damaged. I believe that is correct. I could be wrong. If I am, I will correct the record. But Louisiana has 12 major universities—Tulane, Loyola, the University of New Orleans, Xavier, Dillard, McNeese on the western side—and 45,000 people are employed by these universities, and there are 40,000 students at these universities. Dillard University, one of the historic Black colleges in our country, a private college with an excellent reputation, small—the kids are still at the Hilton Hotel taking classes and eating their meals in the dining room of the Hilton Hotel because their whole campus was destroyed. Their insurance is slow. They are having a hard time getting back. But it is a beautiful, historic campus.

We have $50 million in this bill to try to give out grants. They have borrowed as much as they can. Their boards of directors are fighting to keep these universities up and running. Besides the great history of these universities, they are the economic engine that is going to pull the gulf coast up from its knees and pull it back. If not our universities, who is going to do the job? Instead of having our universities lay off people, our universities should be hiring people. These are people getting good jobs that pay $50,000 and $100,000. We need our researchers, teachers, and our professors leading the way, and we need our students leading the way to rebuild this great part of America. We have some money in this bill for that. I am proud that we got bipartisan support for that effort on the Senate side.

Finally, I wish to mention two other things. In the city of New Orleans, where the water flooded 80 percent of the east bank of the city, one of the facilities we lost was the veterans hospital. We have over 400,000 veterans in Louisiana. I think we probably have about 300,000 in Mississippi. Between the gulf coast of Mississippi and New Orleans, we had a very good system of health care for our veterans, who really deserve our very best. All Americans deserve good health care, but for men and women who spent their early years, their teenage years, in their early twenties in foxholes, the least we can do for them for defending this country and holding up the flag—today is Flag Day—is make sure when their hospitals and clinics are destroyed that we not only build them back but we build them back better and stronger. If they were too close to the coast, we will move it back.

This hospital was safely in downtown New Orleans, not anywhere near a coast, not anywhere near a lake, not anywhere near the ocean. Because the levees broke, that building was flooded, and now we have veterans without a hospital.

The money for that hospital is in this bill. My colleagues have committed to pass the prerequisite authorization we need to get that done. We will build up in the next couple of months a better health care system for veterans in the gulf coast, and do it smartly with taxpayer money because we are partnering with LSU and perhaps even with Tulane to do a very interesting build of this new hospital that serves veterans and the public alike as we rise up with a better health care system for the gulf coast.

Finally, small businesses. I don't know what makes me sadder. I can't even decide what is the saddest thing about this because it is all so sad. We lost 20,000 businesses. Just as people lost their home, their greatest asset, people struggle their whole life to build a business. It might not have been a huge business, but it was their business. It might not have been a $50 million business, but it employed three or four people. It made a living for the business owner, and it contributed to the society and to the strength of the community. Many of those businesses are gone.

We have been very slow to recognize the extraordinary magnitude of this disaster, saying to our businesses: Just go to the Small Business Administration and get a loan.

I will spend 1 minute on this. Senator KERRY and I sat through 3 hours of testimony, 7 hours on the ground at a small business tour in New Orleans. I want to tell you what people said: Senator, this makes no sense to me. I got my loan. I asked for a $400,000 loan. I applied for it. After 4 or 5 months, I finally got approved. But I don't really need $400,000. My husband and I decided we really only want to borrow about $200,000 because we do not want to take on that much debt. We are afraid we can't really pay it back. But the Small Business Administration told us we have to borrow the $400,000 because if we don't, we cannot get a loan.

That is what is going on whether people want to believe it or not. And it gets worse. Not only are they forced to borrow more money than they need and more money than they really want, the Small Business Administration only sends them, say, $20,000 of the $400,000. Guess what their monthly amortization payment is on. It is not on the $20,000 that they have in hand, they have to pay based on the total amount. Every month, they are paying principal and interest on the $400,000, not the $20,000 they have in hand. That is the system under which our small businesses are operating.

I am begging the Senate to send more money, not through the regular channels, but this money will go through a different channel to give different grants and loans to these businesses in hopes we can save many of them. Some of them have been lost and can never be rebuilt. The business owners have moved and gone to other places. But there are many extraordinarily brave business owners who not only want to build their businesses back but build their communities back. The least we can do is give them programs that actually meet them halfway, that really work, and stop burying them in paperwork and redtape, rules that make no sense. It is enough to make someone want to quit. I would not blame them. But people are not going to quit in the gulf coast.

As we pass the supplemental, it adds to some additional funding we already passed. We will keep working until we get it right, building a better school system, a better health care system, building levees and support to protect this area because the people of the gulf coast contribute much more than they take to the strength of this national economy.

Off of this coast, wealth is created not just for the people who live there but for this Nation. We are going to prepare ourselves for this next hurricane season, pass the supplemental, and look with confidence to the future as we continue to make progress.

Mr. COCHRAN. Has the time allocated under the order for the Democratic side been used?

The PRESIDING OFFICER. Senator HARKIN has 15 minutes.

Mr. COCHRAN. Mr. President, I am happy to proceed at this point to point out some of the changes made in the conference committee which enabled us to get a conference report agreed to between the House and Senate conferees and to be consistent with the requirements of the administration.

The administration had sent a pretty clear message that a veto of this conference report could be expected if the total amount exceeded the amount requested by the President for emergency appropriations for the war on terror and other needed expenses to help with the recovery from the hurricanes that damaged the gulf coast area of our State.

The Senate Committee on Appropriations had numerous amendments offered during the markup of this legislation, many of which were related to other issues and other needs, all of which our committee thought were legitimate and requests which should be met.

In the conference with the House, it became apparent we were going to have to yield on some provisions we agreed to and put in our bill. The House, likewise, recognized their bill was not perfect either, it could be improved, and some of the Senate suggestions for additional funding in some areas were agreed to by the House.

We wound up with a conference report which recommends $94.43 billion for operations in Iraq and Afghanistan, principally in connection with the war on terror; hurricane recovery benefits are made available, principally to the gulf coast region of our country; preparations for a possible pandemic flu problem, which has been a cause for concern in which funds were requested by the administration specifically for that purpose; and other activities related to these principal subjects.

The level of funding is $14.47 billion below the Senate-passed bill but is $2.48 billion above the House-passed bill.

There are some specific areas of interest that were debated in the Senate which I am pleased to report were recognized by the conference committee as worthwhile expenditures and investments of Federal funds. Principally, in our State of Mississippi, the Navy retirement home located in Gulfport, MS, which was virtually destroyed by the hurricane, there was no specific request made by the administration for funding of that. The House hadn't put money in the bill to deal with that specific issue. The Senate did include substantial funding, over $100 million, to deal with that problem. The conferees agreed, yielded to the Senate on that issue. The administration has indicated it will not veto the bill over that provision.

There are other similar provisions along the line where the Senate had insisted that funds be included. Agriculture disaster assistance, for example, had not been requested by the administration.

While keeping with the challenge to restrict the funding for benefits related to damages caused by hurricanes, we did provide, for example, $37.5 million for the Foreign Service Agency to respond to damages caused by the hurricanes of 2005. Neither the President's request nor the House-passed bill included similar funding.

Of this spending, $5 million is for additional salaries and expenses incurred by the Foreign Service Agency to respond to damages, and $32.5 million is for the Emergency Conservation Program. Real benefits are going to flow from this conference report because of action the Senate had taken and defended successfully in conference with the House. We are assured the administration will use these funds to try to help those landowners and those involved in production agriculture recover from the devastation of these hurricanes.

There are other individual accounts, including one for $25 million for the working capital fund of the Department of Agriculture. This was requested by the President, I point out.

This conference report reflects a fair compromise between what we were trying to do in the Senate bill, point out some areas we thought had been underfunded or left out of other requests by the administration for disaster relief, and still deal with the reality that we have to be responsive and we have to stay within the restraints dictated by good conscience, good government.

This conference report meets that challenge. I am pleased to be able to present it on behalf of the Committee on Appropriations for the Senate and urge it be agreed to.

I don't know if any Senators have requests for time for debate of this bill, but inasmuch as there is time remaining on the Democratic side, I will reserve the remainder of the time allocated to our side of the aisle.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, parliamentary inquiry: Are we under an order right now with a time limit? I have the floor, but I would like to know how much time I am allotted.

The PRESIDING OFFICER. The Senator has 15 minutes.

Mr. HARKIN. Fifteen minutes?

The PRESIDING OFFICER. Yes.

Mr. HARKIN. I thank the Presiding Officer.

Mr. President, first of all, I want to say I have a great friendship with, a liking of, and respect for the chairman of our committee, the distinguished Senator from Mississippi. It is always a tough job when you are bringing an appropriations bill out on the floor, especially a supplemental. And I respect the effort that has gone into this. However, I must say that there are a lot of things that I find very, very problematic about this appropriations bill.

Again, there are some critical provisions included in this bill. There is funding for our Nation to prepare for a possible avian flu pandemic. Obviously, there is funding for our men and women in Iraq and Afghanistan, and we want to support them in every way, with the equipment they need to maximize their safety. There is also funding for the U.S. Institute of Peace democracy-building activities in Iraq and Afghanistan. So there are things in here that are very necessary that we must provide.

On the other hand, however, there are some very disturbing and I think sort of ominous precedent-setting things that are in this bill that could lead to some real problems down the road.

I am extremely disappointed this bill includes a deeming resolution for the budget. First of all, it should not be in here. Now, I tried to explain a deeming resolution to one of my constituents the other day. Try to explain it to someone. Try to explain it to someone who is not sort of in this body—a "deeming" resolution. You see, we pass a budget, but then the budget cannot get passed by the House, so, therefore, we then are going to pass a deeming resolution to deem something that we cannot pass as passed because we deem it passed.

Now, just try explaining that to the average citizen of this country. They would think we have lost all our marbles in trying to do something like this. I am hopeful we will reach some point in the Senate and the House where this is absolutely forbidden in the future: putting something like a deeming resolution on an emergency supplemental.

Now, we want to pass an emergency supplemental for the reasons I just mentioned, but then to have to swallow something which makes no sense whatsoever and which, quite frankly, is harmful and which the Senate rejected before flies in the face of what I think is legitimate legislative activity.

So the Senate voted 2 months ago overwhelmingly in favor of an amendment that Senator SPECTER and I offered—bipartisan—to add $7 billion to the President's budget. The Senate voted 73 to 27. That is a pretty overwhelming vote around here: 73 to 27. The aim was clear: to allow Congress to fund our education, health, human services, and labor bill. And it was not an increase but just to fund it at the same level as in fiscal year 2005, 2 years ago. It was not radical. We were not asking for a lot, not asking for the keys to the Treasury.

We said: Let's just spend the same amount of money we did 2 years ago, not even accounting for inflation.

The Senate said: Let's stop cutting the programs that support working families, people with disabilities, and students who cannot afford college. Let's end the cuts to research on cancer and other diseases.

Seventy-three Senators agreed. They voted that way. Then the Senate reconfirmed its position in conference. When this deeming resolution was proposed, Senator BYRD offered an amendment that proposed the same thing as what we passed in the Senate—the Specter-Harkin amendment. Again, a majority of the Senate conferees voted to add the $7 billion. Two times the Senate demanded this additional funding for health, education, and labor programs, and human services.

Now, where is the $7 billion? Where did it go? It just vanished—vanished. It is gone. The deeming resolution—again, try explaining that to someone, to the average person. The deeming resolution that is in this bill is at exactly the same level as the President's budget, which we rejected in the Senate 2 months ago.

So what happened? The conferees from the majority party went behind closed doors and stripped out the $7 billion. It is as if the 73-to-27 vote in the Senate never even happened.

So what does this mean? What is the impact? Well, let's look at what happens. Under this now, the President's budget will cut funding for cancer research by $40 million. Eighteen of the 19 National Institutes of Health will face reductions.

This deeming resolution will now cut Social Services Block Grants by $500 million. It completely eliminates the Community Services Block Grant program. These are the two biggest discretionary programs for the poor. They are kind of the glue that holds the human services delivery system together.

The number of children served by Head Start will be reduced. The Meals on Wheels Program will be cut.

In education, this deeming resolution, now following the President's budget, will have the largest cut to Federal education in 26 years. The No Child Left Behind Act will be underfunded by $15.4 billion. Title I, serving our most needy children in school, will be frozen at last year's level.

I could go on and on, but this is what we mean by passing a deeming resolution on the supplemental.

At a time when Congress has just passed an additional $70 billion in tax cuts, mostly for the wealthiest in our country—and we had an effort a week ago to eliminate estate taxes, but, fortunately, we stopped it. But I hear it may come back, another tax cut that will benefit only 3 families out of every 1,000 families in America. We are going to have another attempt, and that will cost us, I understand, a half trillion dollars over 10 years. And it will go only to the wealthiest in our society. Yet we are going to cut Meals on Wheels, Head Start, cut education, title I, eliminate Community Services Block Grants, cut funding for the National Institutes of Health.

What is going on here? Have we taken leave of our senses? This deeming resolution, as I said, was not in the House bill, and it was not in the Senate bill. There is a rule. We are supposed to live by rules in our society. We have laws. People obey laws. We have rules to live by so we know what the game is, so we know what we are expected to do.

We have a rule that says anything that is added in conference that was not in either bill is subject to a point of order. A point of order now lies on this floor against this bill.

Now, why isn't anyone raising the point of order? Well, I am told that the point of order will not be raised because the Chair, you see, will have to agree with the point of order that this violates rule XXVIII; therefore, the whole bill then falls.

What does that mean? Why, it means they would have to go back to conference and strip out the deeming resolution. That might take a couple of hours. Then it would come back, and then we would have a supplemental appropriations without this "deeming resolution."

So why isn't rule XXVIII being invoked? Why aren't we raising the point of order? I understand that what would happen is the Chair would uphold the point of order, the majority party would move to override the ruling of the Chair—and that takes 51 votes—and I am told the majority party would have the 51 votes to override the ruling of the Chair, and that would do away, basically, with rule XXVIII.

Well, what is so wrong with that? What is the good of having a rule if you do not abide by the rules? I am reminded of one of my favorite lines from "Finnegan's Rainbow." It is a play. It goes like this: For life is like cricket. We play by the rules. But the secret which few people know that keeps men of class far apart from the fools is to make up the rules as you go.

That is what we are doing around here. We are making up the rules as we go. You never know from one year to the next what the rules are going to be. The rules are only what the majority party deems the rules ought to be at any given point in time. That is no way to run a democracy. It is no way to run a legislative chamber. It is no way to run the Congress.

So we have this threat: If you raise a point of order—which should be raised—that whole rule falls. I question whether the rule is even worth having any longer.

A couple of other notes.

How much time do I have remaining, Mr. President?

The PRESIDING OFFICER. Three minutes 50 seconds.

Mr. HARKIN. Mr. President, let me just note that upon the passage of this supplemental appropriations bill, Congress will have provided over $318 billion for the war in Iraq—almost all of it through emergency supplemental appropriations.

Now, again, we must support our troops. They have no control over how their operations and equipment are funded. So we want to support them. But I have grave concerns about the way the Bush administration has gone about funding the war—only through emergency supplemental appropriations.

The war in Iraq has gone on for 3 years now. There have been eight separate emergency supplemental appropriations measures to fund our operations in Iraq.

This is how an emergency is defined by our own budget rules: "Suddenly, quickly coming into being . . . not building over time . . . an urgent, pressing and compelling need requiring immediate action . . . unforeseen, unpredictable and unanticipated and not permanent."

That is how our budget rules define "emergency appropriations." Three years? War in Iraq? It is unforeseen, unpredictable, unanticipated, sudden? Wait a minute, this does not meet the definition of "emergency." It is not unforeseen.

Why isn't the President sending us, then, a regular budget at the beginning of the year to fund the war in Iraq and Afghanistan? Because they do not want to admit how much money they are spending there. They want to mask it.

I am going to support this bill. I will vote for it because it has some things in it and because I want to make sure our troops have the equipment. But I want to go on record as saying I also have a resolution that I introduced in the Senate that says three things. It says: No. 1, we will not establish permanent bases in Iraq; No. 2, we will not seek to control the oil in Iraq; and, No. 3, that we ought to begin redeploying our troops out of Iraq by the end of this year.

So this may be the last time I will vote for any appropriations for the Iraq war, because I believe we should start withdrawing and redeploying our troops by the end of this year. I want to give them everything they need for their safety and their well-being, but enough is enough. And I also want to make it clear that this may be the last time I will ever vote for an emergency supplemental appropriation for the war in Iraq.

If it comes to the regular appropriations process, we will have our hearings. We will see what is happening. But under an emergency, we don't do that. The war in Iraq, we were told by Mr. Wolfowitz before it started, would be paid for by oil; the cost to the American people would be minimal. That is what Secretary Rumsfeld told us. We are up to $318 billion and counting. It is time that Secretary Rumsfeld and this administration start making some tough decisions about what they can cut out of the Pentagon's bloated annual budget in order to fund the war in Iraq.

Quite frankly, we know there is a lot of waste, fraud, and abuse going on in Iraq. It has to end. As long as we keep having emergency supplemental appropriations, we will never eliminate the waste, fraud, and abuse.

We all strongly support our troops. I will vote for this bill because it contains funding for the troops, for avian flu, and other items, but it is time that the war in Iraq only comes through the regular appropriations process. It is time for us to start getting our troops out of there by the end of this year.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Mississippi.

Mr. GREGG. Will the Senator yield?

Mr. COCHRAN. I am happy to yield to the Senator from New Hampshire.

Mr. GREGG. Will the Senator allow me to propound a unanimous consent request for the purpose of getting time? I ask unanimous consent that upon all time being yielded back or all time being used relative to the supplemental, that I be recognized for 15 minutes under morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. HARKIN. Mr. President, may I ask what the unanimous consent request was? I couldn't hear.

The PRESIDING OFFICER. The Senator requested 15 minutes as in morning business at the conclusion of the debate on the supplemental.

Mr. HARKIN. I reserve the right, only if I could ask that the same 15 minutes be allotted to the ranking member of our Budget Committee, the Senator from North Dakota.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. I withdraw my request, then. I find that to be a request that has very little relevance.

The PRESIDING OFFICER. The request is withdrawn.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it is not my intention to use all of the time available to this side. I have had no requests for speaking time for any Senator on our side on the conference report. So the disagreement can be obviated very quickly with my assurance that I am going to speak for no more than 3 or 4 minutes, and then I was going to yield back all the time remaining under this conference report under my control. I advised the Senator from New Hampshire of that. That is why he made the request, because it was not going to infringe on anybody's time, considering the order under which we are operating.

I will proceed to conclude the debate on the conference report and let everybody work out their differences on who speaks next and for how long.

I am pleased we were able to get a bipartisan agreement on this conference report. Senate conferees worked together, Republicans and Democrats, to identify the priorities, to have suggestions fully considered and fairly considered. I am proud of the work product of our Committee on Appropriations in the Senate. I am particularly grateful for the support of the distinguished Senator from West Virginia, who is the ranking member of the Committee on Appropriations. He cooperated in every respect in terms of scheduling hearings, working to make sure that our committee had all the facts we needed to proceed to making a decision on the President's request.

Our staff members are the very best. We are very fortunate in the Senate to have the benefit of the services of Keith Kennedy, who is staff director of the Appropriations Committee, and his counterpart on the other side, Terry Sauvain, is equally dutiful and dependable in his efforts on behalf of our committee. Chuck Keiffer managed much of the floor activity and was at the markup session that we had that ran way past midnight the night we were completing action on this conference report. He was very supportive of the efforts and the needs of our committee. Senator TED STEVENS, former chairman of the full committee, is chairman of the Defense Appropriations Subcommittee. He and his counterpart, DAN INOUYE, are two of the finest Senators who have ever served in the Senate. Their responsibility was to deal with the request relating to defense issues. This was mainly a Defense appropriations request the President submitted for the war on terror. But there were other provisions as well related to that conflict and our effort to defend our security interests. There were State Department accounts involved. We had the benefit at the hearings of the Secretary of Defense, the Secretary of State, the Chairman of the Joint Chiefs of Staff, all talking about the needs for funding of our activities to protect our country's security.

The chairman of the subcommittee that has responsibility for those accounts in the State Department and foreign operations is MITCH MCCONNELL, who is a distinguished Senator from Kentucky and our assistant leader. He turned in yeoman work, along with his counterpart on the other side, PAT LEAHY of Vermont. These are examples of how the committee came together, Republicans and Democrats, and made the decisions that had to be made, negotiated hard and diligently with the House to work out differences between our two bills and considered every request the administration made of the Congress for these appropriations.

I want to single out two other subcommittee staff members. All of the clerks worked hard because almost every subcommittee had a role to play in shaping the final outcome. But on the Defense Subcommittee, Sid Ashworth, who is the clerk, Charlie Houy, who is the Democratic counterpart on that committee, are so dependable and so experienced and dedicated to their jobs, it reflects great credit on the Senate for people such as those I have mentioned today who worked so hard on this conference report. I am delighted to be associated with them and honored to chair the committee. They make my job so much more easy than could possibly be imagined because of their skill and their professionalism and the hard work they turned in to achieve the result we did, not just to pass this bill but to serve the interests of our country.

I am happy to recommend this conference report to the Senate. I yield back the remainder of the time available under the order.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, under the standing order, is not the Senate now to return to the annual authorization Defense bill?

The PRESIDING OFFICER. The clerk will report the pending business.

The legislative clerk read as follows:

A bill (S. 2766) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pending:

Levin (for Lautenberg) amendment No. 4205, to provide a temporary prohibition on an increase in copayments required under the retail pharmacy system of the pharmacy benefits program of the Department of Defense.

Warner amendment No. 4211, to name the CVN–78 aircraft carrier the USS Gerald Ford.

Mr. WARNER. Mr. President, we are ready to proceed. The work achieved yesterday resulted in unanimous acceptance of a bipartisan amendment sponsored by the Senator from Virginia and the joint leadership. We then proceeded to an amendment under an arrangement whereby the minority was able to offer an amendment by Senator LAUTENBERG. I had the opportunity to speak briefly with him this morning. There was some indication that he would be willing to accept a proposal I had to make a slight modification, in which case I would hope we could proceed to either an acceptance by voice vote or schedule a vote at a time so desired by the leadership of the Senate.

I assume at some point in time I will be able to obtain information on that point. Absent that, I see my distinguished colleague, the Senator from Michigan. I was advising the Senate that the pending amendment is the Lautenberg amendment. On another committee where we were together in a markup session, there was some indication that he would be amenable to a modest modification to bring his amendment in parallel with what the committee had done. That is the pending business. We then turn to an amendment by the Senator from Virginia which I would like to discuss with my senior colleague in a minute or two before we turn to that. Unless there is a matter to address the Senate on, I would suggest we place a quorum call in for a few minutes.

Mr. LEVIN. If I may ask the Senator from Virginia, did the Senator from New Jersey want to debate his amendment further?

Mr. WARNER. I was not able, in a busy markup session, to ascertain that.

Mr. LEVIN. Maybe we could ascertain that. He is on his way to the floor. I know he was willing to make the modification. It is helpful to put the date of his amendment in line with our bill, the fiscal year, as I understand it.

Mr. WARNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

Ms. STABENOW. Madam President, I rise to speak in support of the Lautenberg-Stabenow amendment. I understand Senator LEVIN has offered it and Senator LAUTENBERG will be coming shortly to speak on our amendment.

This is an incredibly important amendment for the men and women who are currently serving us so bravely, courageously around the world. We all know that prescription drug costs are one of the largest drivers of health care costs, rising every year at double or even triple the rate of inflation. This is certainly an area where I have been focused for much of my Senate career—on the high cost of prescription drugs. We all know that is the case.

Like every manufacturer, small business, and State Medicaid Program, the military is facing the same challenges of controlling prescription drug prices. Instead of supporting policies that would lower prescription drug prices, such as reimportation of prescription drugs from other countries like Canada, which is very close to Michigan, or focusing on more generic, lower cost drugs that can be brought to the market and create competition to bring down prices, or allowing Medicare to negotiate pricing, unfortunately, this administration wants to put the costs on the backs of our men and women in uniform and their families. I strongly oppose that policy.

The President's budget proposed increasing the prescription drug copays for our troops and their families, almost doubling copays for both generic and brand-name drugs.

The proposed pharmacy copay increases represent a 70-percent increase for military beneficiaries over the next 5 years—far in excess of the 24-percent increase in military pay, or the 14-percent increase in retiree pay over the same period. These increased copays will affect Active-Duty members of the Armed Forces and their families, members of the Guard and Reserve and their families, and retired members of the Armed Forces and their families, as well as surviving spouses who are enrolled in TRICARE and get their prescription drugs from retail pharmacies.

Unfortunately, the Senate Defense authorization bill only rejects the increases if people use mail order pharmacies for their prescriptions. While mail order may work for some, many military families cannot wait 2 weeks or more to get the medicine they need right now. The vast majority of our military families purchase their drugs at pharmacies. Of all TRICARE prescriptions filled, about 43 percent are through retail, going to local pharmacists, 51 percent are through military pharmacies, and only 6 percent are through mail order.

Unfortunately, in Michigan, there are no military pharmacies for the 64,000 military men and women and their families who call Michigan home. So this will impact the families in Michigan who are serving us abroad—the troops as well as their families.

Are we going to tell an Active-Duty mother to wait 2 weeks to get the antibiotics that her children need? Are we going to say to our troops that their family should have to pay more for prescriptions while they are serving and protecting us in Iraq?

The Lautenberg-Stabenow amendment makes sense. It would temporarily freeze retail copays at their current rate through the end of next year. I understand there has been a request from the chairman of the Committee on Armed Services to change that to the end of the fiscal year. I don't object to that. The amendment is consistent with the committee's findings that military beneficiaries should be held harmless from TRICARE fee increases until Congress is satisfied that the Defense Department has done all it can to constrain health care costs, without shifting the costs to our military families.

Clearly, Madam President, we have not done all we can to cut health care costs, and we ought not to be shifting this burden to our military families. If we don't pass this important amendment, our soldiers and their families will be asked to pay an additional $200 million next year for their medicine.

I was fortunate enough to spend Memorial Day with our troops in Iraq and saw firsthand, as so many of my colleagues have, their dedication and courage under incredibly difficult circumstances. We have an obligation to support these men and women, and that means not raising their prescription drug copays while they are fighting to protect us.

I hope the Senate will unanimously support this effort that would stop the doubling of copays for our military families for their medicine. I am hopeful that we will be able to do that as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. Madam President, I will give a little background, if I could, about this subject matter and area of inquiry.

The Department of Defense initiated early on this year, and part of last year, a fairly dramatic increase in TRICARE premiums for military retirees and family members. The TRICARE program is, I think our membership knows, a military health care system for Active-Duty people and also for those who are retired, up to age 65. This is a provision for those 65 who can continue during Medicare eligibility.

The health care part of the military budget is just growing leaps and bounds. Our chairman is sort of the champion of the TRICARE program, and it has been a wonderful program for military members and their families and retirees. But in 2015, it is going to be 12 percent, if nothing changes in the entire military budget. It is on an unsustainable course. We have not had a premium increase since TRICARE's inception.

I will take a back seat to no one in wanting to help the troops, but the best thing we can do is create a benefit that is sustainable and not have to pick between health care benefits and armament and new weapons and all of the operational needs of the military, which are going to be eventually squeezed. In committee, Senator NELSON and myself, along with the chairman and ranking member, said to the Department of Defense: Stop, don't pass go, no fee increases.

We are going to have the GAO and other groups look at ways to save money before you have to ask for fee increases. And, secondly, give us some idea if the Department of Defense numbers are accurate. Are they accurate in terms of the growth explosion in the cost of this program? So we are going to get information to make a good decision and basically put a hold on the fee increases for participation of TRICARE.

That got us into the area of prescription drugs. One of the things that we have done for military members, and retirees in particular, is we have made prescription drugs very affordable and reasonably priced. What we are trying to do to save money is to allow an increase in retail prescription drug costs, which have again been static since the inception of the program, from $3 to $5 for a 30-day prescription for generic drugs, from $9 to $15 for a 30-day prescription of brand drugs. To counter that, we were going to have a zero copayment for those who chose to get their prescriptions filled through the mail. If you had a maintenance prescription, a drug need that would be recurring, and you used the mail system, there would be no copay at all.

What we are trying to do there is get people into purchasing drugs in a way that is cost effective for the military and have some cost increase to keep the program sustainable. That is what this debate is about.

I appreciate the chairman, who has been a great leader in this, working with Senator LAUTENBERG to try to find a way to get us past 2007.

I will end on this note. This problem is going to get worse. Over time, the military health care footprint within the Department of Defense budget is on an unsustainable course. TRICARE is a great program, but we are going to have to look at ways to make it more efficient, look at cost savings and, eventually, we are going to have to go back to the military community and ask for some increased participation to make this sustainable for the next generation of military retirees and their families. If we don't, we are going to be in a dilemma we would not want to be in as a nation, having to pick between operational needs and health care needs.

As a member of the Guard and Reserve—and I have done some time on active duty—I want to be as generous and as fair with the benefit package as the country can afford, but no benefit can be locked in time without some reevaluation and adjustment. After 2007 passes, we are going to have to start making hard choices. I promise all the Members of this body and those who may be listening to the military community that we are going to do it in a way that is acceptable, humane, rational, and not ask more than people can bear. The idea of trying to have a zero copayment if you would get your prescriptions filled through the mail is a great idea. It will be good for the military members participating in the prescription drug program, and I am convinced—and we will see after this year—that it will save a lot of money, specifically for those drugs recurring in need.

The increases on the generic and brand names through the retail system are appropriate, and we will revisit that issue after this year.

I just want the Members of the body to know that if we don't get ahead of the growth of TRICARE and try to implement changes in a systematic, incremental way, we are going to wind up one day where this body in the next decade is going to have to make some draconian choices. The way to prevent making draconian choices is to phase in changes that the force can accommodate and that will relieve the pressure on TRICARE. It is a wonderful program, and it needs to be on a sustainable footing. Right now it is on an unsustainable path. We will find out more information about how to reform it at the end of this year.

Madam President, I say to the chairman of the committee, I appreciate all the effort he has given to create TRICARE. He worked in a bipartisan manner to create a health care program that has been very valuable to the men and women in the military, their families, and particularly retirees. This program, like every other program at the Federal level, is going to have to be looked at anew in terms of sustainability. I look forward to working with the chairman and others to make it sustainable.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I thank my distinguished colleague. For years, Senator GRAHAM has been on the Armed Services Committee and has really specialized in health issues and other issues relating to the welfare of the men and women of the Armed Forces and their families. I, like him, share concerns about the rising costs of these programs. How well he and I understand that there is only so much money allocated under the process of our budget to the men and women in the Armed Forces. They need equipment. They need training. They need housing. They need medical care. If we constantly begin to chip away, it ends up those moneys are withdrawn from the modernization account.

I thank the Senator.

Mr. GRAHAM. Madam President, if I may add, the projections are that the military health care program will be $65 billion in costs by 2015, 12 percent of the DOD's budget. We will be getting a real hard look to see if those moneys are accurate and ways to save money. Madam President, 2007 will be a year in which we look at the true cost component of TRICARE projected out in the future and try to think of ways to make it sustainable, because if the projections are anywhere near accurate, this program becomes unsustainable over time. It is worth saving, and I think anyone in the military would want it to be saved. We are just going to have to be honest with them about the cost. They cannot be locked in time forever.

AMENDMENT NO. 4205, AS MODIFIED

Mr. LAUTENBERG. Madam President, I ask unanimous consent that my amendment be the pending business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Madam President, I send a modification to the amendment to the desk.

The PRESIDING OFFICER. Is the Senator asking consent to modify the pending amendment?

Mr. LAUTENBERG. I am.

The PRESIDING OFFICER. Is there objection to the modification? Without objection, the amendment is so modified.

The amendment (No. 4205), as modified, is as follows:

At the end of subtitle A of title VII, add the following:

SEC. 707. TEMPORARY PROHIBITION ON INCREASE IN COPAYMENTS UNDER RETAIL PHARMACY SYSTEM OF PHARMACY BENEFITS PROGRAM.

Subsection (a)(6) of section 1074g of title 10, United States Code, as amended by section 702(b) of this Act, is further amended by adding at the end the following new subparagraph:

"(D) During the period beginning on October 1, 2006, and ending on September 31, 2007, the cost sharing requirements established under this paragraph for pharmaceutical agents available through retail pharmacies covered by paragraph (2)(E)(ii) may not exceed amounts as follows:

"(i) In the case of generic agents, $3.

"(ii) In the case of formulary agents, $9.

"(iii) In the case of nonformulary agents, $22.".

Mr. LAUTENBERG. Madam President, I wish to now discuss my amendment, which is fair and simple. It prohibits increases in the pharmacy copayments of our military families and military retirees they purchase at retail pharmacies.

These families are part of the military's health insurance program called TRICARE.

The price of everything going up so rapidly now hardly seems the time to ask the people who have sacrificed for our country—many who have been in harms way—to pay more for their prescription drugs. It is incomprehensible.

My amendment, cosponsored by Senators STABENOW, BINGAMAN, HARKIN, LINCOLN, MENENDEZ, MIKULSKI, LANDRIEU, LIEBERMAN, KERRY, and MURRAY, is very simply a prohibition on increasing, at this point in time, the copayments that veterans and active duty families have to pay for prescription drugs.

The amendment is very simple. It says no, n-o, at increase on pharmacy copays through the end of fiscal year 2007.

We ask our military families to make enormous sacrifices for our country, and now we want to saddle them with higher health care costs? It doesn't make sense. The administration is proposing to increase the cost of TRICARE prescription drug copayments from $9 to $15 for brand-name drugs. This is, indeed, a hardship. It means that over a 5-year period, prescription drug prices will rise by 70 percent for military families—far outstripping the 24-percent increase in military pay or the 14-percent increase in retirement pay over the same period. If we don't stop this increase we will have taken away those increases that they worked so hard to get.

If you can go to a military base to purchase your prescriptions you don't need to pay a copayment, but in the real world that is always not possible. Too many veterans and military families don't live on or near a base, particularly when it comes to the National Guard and Reserve.

In New Jersey, for instance, there are seven military installations, but only three have pharmacies and none of these facilities are in the northern part of the State. Driving long distances, especially with gas costing $3 a gallon or more, is not the solution.

Families and veterans have the option of getting prescription drugs at no cost by mail order. But many times people can't wait for a week or two to fill a prescription. If you have a sick child at home who needs an antibiotic right away, who will wait for mail delivery. Also, many people, especially older veterans, prefer to get their prescription drugs from the local pharmacy where they can also get consultations with pharmacists and other services. TRICARE beneficiaries deserve the ability to choose where they want to go to get their prescriptions.

Retail pharmacies account for about 43 percent of the prescription drugs purchased through TRICARE. One large pharmacy chain estimated that it fills more than 7 million TRICARE prescriptions every year. Close to 9 million individuals are enrolled in the TRICARE program. The increases proposed by the administration would affect a large number of military families and veterans.

We know how the Guard and Reserves have been disproportionately affected by deployments in Iraq and Afghanistan. To raise their health care costs, I think that is unconscionable.

John F. Kennedy said:

> To govern is to choose.

Last Thursday, all but two Republican Senators voted to repeal the inheritance tax permanently, a move that would cost $989 billion over 10 years. Remember that fewer than one-half of 1 percent of all estates incur tax liability. We are talking about a tax break for the wealthiest Americans, the very people presumably who benefit the most from the freedom that our men and women in uniform protect. Now we are being told that we cannot afford to freeze these copayments that these men and women have to make and their families have to pay for the medicines they need. It is really unbelievable.

CBO, the Congressional Budget Office, says my amendment will cost $290 million in fiscal year 2007.

In good conscience can we repeal the inheritance tax on the super-rich while imposing a pharmacy tax on our men and women in uniform, our veterans, and their families?

American's appreciate so much the sacrifices asked of our Nation's military families and veterans. I'm certain they would be willing to cover the cost of my amendment.

This amendment freezes pharmacy copayments at their current levels. It will send a message to our military men and women. It will tell them that just as they protected us, we are concerned about them and their families. I urge my colleagues to support my amendment.

Mr. WARNER. Madam President, I wish to advise the Senator that we have carefully examined the amendment and we are prepared to accept it on this side.

Mr. LAUTENBERG. Madam President, I appreciate that and am pleased that we are going to make a statement here that we don't want those people who are on TRICARE, to have to pay more at this time. It just would be the wrong thing to do.

I am not surprised that the Senator from Virginia, with a sound military record and having been involved in Government for many years in terms of military affairs, stands up and delivers that agreement. I thank him very much, and I thank my colleague from Michigan also, for the opportunity to introduce this amendment. Without further ado, I assume that it will now be accepted.

Mr. WARNER. Madam President, for those following the debate, I certainly would acknowledge that the Senator from New Jersey had a distinguished record in World War II in the U.S. Army in Europe and understands very well, through firsthand experience, the hardships faced by those particularly in the enlisted ranks.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. First let me commend the Senator from New Jersey for his leadership in this matter and for his identifying a real problem which needs to be corrected. It would be, it seems to me, unconscionable for us to be increasing these copays in the middle of a conflict. For the men and women in the military and their families to face additional copays at this point is very, very inadvisable. I thank Senator LAUTENBERG of New Jersey for identifying this problem, and to all of his cosponsors, the same thank you and gratitude is owing. I very much support the amendment, and I hope it will be promptly adopted.

Mr. WARNER. Madam President, I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 4205), as modified, was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4211

Mr. WARNER. Madam President, I believe we now return to amendment No. 4211.

The PRESIDING OFFICER. That is the pending amendment.

Mr. WARNER. Madam President, I ask unanimous consent the distinguished President pro tempore of the Senate, Senator STEVENS, be made a cosponsor, and the distinguished ranking member of the Armed Services Committee, the Senator from Michigan, Mr. LEVIN, be made a cosponsor of amendment No. 4211.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Madam President, we are going to accept this amendment by voice vote. I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 4211) was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Madam President, I rise today to speak on this amendment that will direct the first ship of the Navy's future class of air carriers, heretofore known as CVN-78, shall be named the USS *Gerald Ford*, in honor of our great statesman and leader, whose distinguished career of service to our Nation has spanned more than six decades. I can think of no finer tribute to our Nation's 38th President and indeed to the United States Navy than to add his name to a warship.

Gerald Ford joined the Navy in February of 1942, along with millions and millions of other Americans who responded to the call following Pearl Harbor. It was just weeks after Pearl Harbor that he volunteered, in those first dark hours of the United States' entry into World War II. Leaving behind a family and a profession to serve in a distant corner of the globe, he exemplified his generation often referred to as the greatest generation and truly all generations of young Americans who have sacrificed to defend our freedom—be it freedom from tyranny or freedom from terror.

As a young lieutenant, Gerald Ford came within inches of being swept overboard while selflessly performing his duties in the raging storm that battered Admiral "Bull" Halsey's fleet during action in the Philippine Sea. He was aboard a small aircraft carrier at that time. It was the USS *Monterey*, CVL–26. That ship, the *Monterey*, earned 10 battle stars for her role at Makin Island, Kwajalein, Truk, Saipan, the Philippines, and other major engagements in the Pacific theater. Lieutenant Ford had volunteered for that service aboard that ship and sailed in harm's way with many others. This memorable footnote in history of that one action where he selflessly performed lifesaving duties aboard his ship would instill in the future President a lifelong respect and appreciation for the hardships and dangers that surround our brave men and women in uniform. His military experience proved invaluable to his service as commander in chief and President of the United States.

Following World War II, Gerald Ford again answered duty's call, gaining election in 1948 to the House of Representatives where he would ultimately serve our Nation for a quarter of a century. During those tumultuous years in our history, as Congress acted on grave and often divisive issues surrounding the Cold War, nuclear weapons policy, war in Korea and Vietnam, the assassination of a beloved President, the civil rights movement, and the resignation of a Vice President of the United States, Congressman Ford distinguished himself by his calm, steady guidance, his plain-spoken wisdom, his extraordinary character, and his openness. He was respected by all for his decency.

These qualities propelled Gerald Ford to the forefront of his party. From 1965 to 1973, as minority leader of the House of Representatives, he was a unifying force in the Congress, serving not merely his party and constituency, but reaching across the aisle to find common ground and resolve for the greatest issues of the day.

The history of the ensuing years is well known as a turning point in our modern history as a Nation, when the great system of checks and balances forged into our Government framework by the Founding Fathers met one of its greatest challenges. There was neither past precedent nor a clear path forward for the change of power that would take place. There was only certainty that the man who was to ultimately assume the responsibility of the office of the President of the United States must be a leader of uncommon integrity, one who would reach ably across the aisle as a leader of all the people, and one whose credibility at home and abroad would be a unifying force—a foundation for the future.

In that hour of crisis, when public confidence in the Office of the President had ebbed, and the division between the executive office and the Congress had widened to its greatest extent in a century, our Nation placed its hope and trust in Gerald Ford to restore the faith of the people of the United States in the Office of the President of the United States and Commander in Chief of the Armed Forces.

President Gerald R. Ford brought closure to the crisis with characteristic straight talk at his inauguration in August of 1974, when he humbly declared to the American people that: "Our long national nightmare is over. Our Constitution works." With those words, our Nation moved forward under his leadership.

During his administration, President Ford's policies at home pursued the path of healing and rebuilding—addressing the wounds of Watergate and the end of the war in Vietnam. He halted the postwar decline of our Armed Forces and set an early course for our Nation's defense posture, which proved a well-placed step toward ending the Cold War.

Abroad, President Ford worked to achieve peace in the Middle East, to preserve detente with the Soviet Union, and to limit the spread of nuclear weapons. Furthermore, with a clear vision towards a prevailing freedom in Eastern Europe, President Ford advanced the cause of human rights and perhaps charted a way and new course for these people long oppressed under the Soviet regime with the signing of the final act of the conference on security and cooperation in Europe, commonly known as the Helsinki Agreement.

In the three decades since departing the White House, President Ford has continued his relentless pursuit of the ideals which mark America's greatness. To this day, Gerald Ford remains an international ambassador of American goodwill, a champion for higher education, a strong supporter of human rights, an ardent proponent of strong national defense and international leadership by the United States, and a trusted adviser to the succession of Presidents who have built upon his foundation.

I believe my colleagues will agree that it is entirely fitting that CVN–78 be named for a former carrier sailor, the USS *Gerald Ford*.

I acknowledge the help and guidance and assistance of many in bringing up this amendment, notably among them John March, a friend of mine and an acquaintance, a fellow public servant. We both came out of World War II and met at Washington and Lee University. He went on to become a distinguished Member of the House of Representatives, serving there for 14 years. Then he was counsel to President Ford at the time of these difficult decisions that I have referred to. He then served as Army Secretary, and I think to date he is the longest serving Army Secretary in the history of our country.

Likewise, a wonderful man, former Secretary of Defense Melvin Laird. He was Secretary when I was privileged to serve under him as Under Secretary and Secretary of the Navy, again a lifelong friend and admirer of Gerald Ford. Also, the Ford Foundation members, and so many others. I spoke with Vice President DICK CHENEY yesterday. Indeed, he was Chief of Staff to President Ford in his years of the Presidency, and Don Rumsfeld also served and was appointed by President Ford as Secretary of Defense when he first served with great distinction.

So I introduce this amendment, now acted upon by the Senate, with the deepest sense of humility and gratitude to this fine man who touched my life, who helped form my career, who held a Bible on the steps of the Senate with me when I was sworn in as head of the Nation's bicentennial, having then just stepped down as Secretary of the Navy; again served under President Ford in that capacity, to take on the direction of that brief chapter of America's history where our country, together with 22 other nations, recognized the magnificent achievement of our great framework of Government beginning in 1776.

So I do so, and I am very heartened that I am joined by the distinguished President pro tempore of the Senate, Senator STEVENS, who has been a lifelong friend. It is not entirely coincidental that I am joined by my distinguished colleague, friend, and coworker here in the venue of the Armed Services Committee for these 28 years that we have served together, the distinguished Senator from Michigan, from whence Gerald Ford came to serve his country as Congressman and Vice President.

Madam President, I ask unanimous consent that the timeline of President Gerald R. Ford's life and career be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TIMELINE OF PRESIDENT GERALD R. FORD'S LIFE AND CAREER

July 14, 1913—Gerald R. Ford is born as Leslie Lynch King, Jr. in Omaha, Nebraska.

February 1, 1916—Dorothy King marries Gerald R. Ford, Sr., a Grand Rapids businessman.

1918–1925—Young Ford attends elementary school at Madison Elementary in Grand Rapids, MI. He briefly attends East Grand Rapids Elementary while the family lived there.

1925—On his twelfth birthday, Ford joins the local Boy Scout Troop 15 of Trinity Methodist Church in Grand Rapids, MI. In November 1927 he attains the rank of Eagle Scout.

1925–1931—Ford attends South High School in Grand Rapids, MI for junior high and high school. He excels at football, being named to the "All-City" and "All-State" teams. He also works at his father's paint factory and a local hamburger stand.

1931–1935—Ford attends the University of Michigan. He plays center on the football team and is named Most Valuable Player on the 1934 team. He also joins the Delta Kappa Epsilon fraternity.

1935—Ford plays in the East-West Shrine Game and receives pro football contract offers from the Green Bay Packers and the Detroit Lions.

June 1935—Ford graduates from the University of Michigan with a B.A. in Economics.

September 1935—Yale University hires Ford to be an assistant football and boxing coach.

December 3, 1935—He legally changes his name to Gerald R. Ford, Jr.

Summer 1936—Ford works as an Intern Forest Ranger at Yellowstone Park's Canyon Station.

Summer 1937—Ford attends law classes at the University of Michigan in Ann Arbor.

February 1938—Ford is accepted to Yale University Law School. He begins classes in the fall while continuing to coach. While at Yale, Ford supports the isolationist America First Committee as America sees war spread across Europe.

Summer 1938—Ford attends law classes at the University of North Carolina in Chapel Hill.

Fall 1940—Ford volunteers for the Wendell Willkie presidential campaign in New York City. As a volunteer, he attends his first Republican convention in Philadelphia.

Spring 1941—Ford graduates in the top third of his law school class at Yale.

May 1941—Ford returns to Grand Rapids and partners with friend Philip Buchen to open a law firm located in Suite 621 of the Michigan Trust Building. He also becomes active in local politics helping launch a reform group opposed to the Republican political machine of Frank D. McKay.

February 1942–May 1942—With the U.S. entrance into World War II, Ford volunteers for the Navy. He is assigned to the Navy's V–5 pre-flight program in Annapolis, Maryland to become a physical training instructor. Upon completion, he is sent to Chapel Hill, North Carolina as an athletic training officer.

Summer 1943–December 1944—Ford is assigned to sea duty aboard the carrier USS Monterey as the ship's athletic officer and one of the ship's gunnery officers. He sees action in the Pacific Theater aboard the USS Monterey in the Battle of Makin. The ship also takes part in attacks against Kwajalein and Eniwetok, New Guinea, Saipan, Guam, and Formosa. He also survives a typhoon in the Pacific that batters the Monterey on December 18, 1944.

Spring 1945—Ford is promoted to Lieutenant Commander and assigned to Glenview, Illinois, to train new naval officers for sea duty.

Fall 1945—Ford returns to Grand Rapids and rejoins his friend Philip Buchen with the law firm of Butterfield, Keeney, and Amberg. He becomes active in many civic affairs and charities including chapters of the Red Cross, the American Legion, and the VFW. Influenced by his experience in the war and the internationalist views of Senator Arthur Vandenberg, Ford resumes his involvement in reforming Grand Rapids politics.

August 1947—Ford is introduced to Elizabeth (Betty) Bloomer Warren by mutual friends.

June 1948—Ford announces his candidacy for the Republican nomination for U.S. House of Representatives, Fifth Congressional District of Michigan. He challenges the isolationist foreign policy approach of incumbent Bartel Jonkman, a McKay associate.

September 14, 1948—Ford defeats Jonkman 23,632 to 14,341 in the Republican primary.

October 15, 1948—Ford and Betty Bloomer Warren wed at Grace Episcopal Church in Grand Rapids. Marrying in the middle of his congressional campaign, the couple honeymoon briefly in Ann Arbor, attend the University of Michigan-Northwestern football game, and then drive to Owosso, Michigan to attend a rally for Republican Presidential candidate Thomas Dewey.

November 2, 1948—Ford is elected to his first term as a U.S. Congressman from Grand Rapids, receiving 60.5% of the vote.

January 3, 1949–1950—Ford is sworn in as a member of the Eighty-First Congress. During his first year in the House, he is assigned to the Public Works Committee. As a member he is invited to tour the White House by President Truman. He also helps organize the "Chowder and Marching Club" of young Republican Congressmen with fellow House member Richard Nixon.

March 14, 1950—The Fords' first child, Michael Gerald Ford is born.

November 7, 1950—Ford wins his second term as Congressman from the fifth district with 66% of the vote.

January 1951–1952—At the start of his second term in the House, Ford is appointed to the Appropriations Committee. Ford invites Richard Nixon to Grand Rapids to give the annual Lincoln Day Speech. In February 1952 he and other young Republican Congressmen send a letter urging General Eisenhower to enter the Presidential race.

March 16, 1952—The Fords' second son, John Gardner "Jack" Ford is born.

November 4, 1952—Ford wins his third term as Congressman from Grand Rapids with 66% of the vote.

1953–1954—Ford is a member of the only Republican controlled House from 1949 to 1995. He is appointed to the Appropriations Subcommittee on Defense Spending, and is made Chairman of the Army Panel on spending. As a member of this committee he witnesses test firings of project NIKE that developed the first operational anti-aircraft missile, the Nike-Ajax.

August 1953—Ford takes a three week tour of U.S. military installations in Asia and the Pacific. He visits Saigon in French Indochina, and during a visit to Korea, witnesses a POW exchange.

November 4, 1954—After declining a run for U.S. Senate, Ford wins his fourth term as Congressman.

1955–56—Ford continues to serve on the Appropriations Committee in the House, and in 1956 is appointed to the Intelligence Subcommittee, which oversees the CIA's budget. He serves on this subcommittee for ten years and learns of programs such as U–2 and Bay of Pigs. He also visits NATO headquarters in Paris, and the Allied and Russian Zones of Berlin. He visits a Hungarian refugee camp in Austria.

Spring 1955—The Fords move into their newly completed house in Alexandria, Virginia.

May 19, 1956—The Fords' third son, Steven Meigs Ford is born.

November 6, 1956—After declining an opportunity to run for Michigan Governor, Ford wins election to his fifth term as Congressman.

1957–1958—During his fifth term, Ford is appointed to the "Select Committee on Astronautics and Space Exploration," chaired by Senator Lyndon Johnson, which would recommend the creation of NASA. He also attends an address of South Vietnamese President Ngo Dinh Diem to a joint session of Congress in May 1957.

July 6, 1957—The Fords' youngest child, daughter Susan Elizabeth Ford is born.

November 4, 1958—Ford wins his sixth term as U.S. Congressman.

1959–1960—In January, Ford joins the Republican colleagues in replacing their House leader Joseph Martin with Charles Halleck. In September 1959 Ford spends 3 days touring Moscow and 10 days in Poland on fact-finding missions.

July 1960—The Michigan delegation at the Republican Convention in Chicago supports Ford as a favorite son candidate to Richard Nixon's running mate. Ford gives the nominating speech for the eventual Vice-Presidential nominee, Ambassador Henry Cabot Lodge.

November 1960—Ford is re-elected to a seventh term in Congress.

1961–1962—Ford becomes the ranking Republican on the Defense Appropriations Subcommittee. However, he supports many of President Kennedy's foreign aid initiatives. He is also awarded the Congressional Distinguished Service Award from the American Political Science Association.

January 26, 1962—Ford's stepfather, Gerald Ford, Sr., dies in Grand Rapids, Michigan.

November 6, 1962—Ford is re-elected to his eighth term, despite declining Republican numbers in the House.

January 2, 1963—In a Republican caucus revolution led by Congressmen Charles Goodell and Robert Griffin, Ford defeats Charles Hoeven of Iowa for House Republican Conference Chairman.

November 29, 1963—A week after President Kennedy's assassination, President Johnson appoints Ford to the seven member Warren Commission to investigate Kennedy's death. On September 27, 1964 they would publish their conclusion that there was no evidence of a conspiracy in the assassination of President Kennedy. Ford would later publish a book about the assassination, Portrait of an Assassin, with friend Jack Stiles.

November 3, 1964—Lyndon Johnson is elected President in a landslide over Barry Goldwater. Ford is elected to his ninth term as Congressman.

December 19, 1964—After meeting with fellow Republican House members Donald Rumsfeld, Robert Griffin, and Charles Goodell, Ford announces that he will challenge the incumbent, Charles Halleck of Indiana for the post of House Minority Leader.

January 4, 1965—Ford unseats Halleck as House Minority Leader by a vote of 73–67.

1965–1966—In his first term as House Minority Leader, Ford offers Republican alternatives to the Great Society legislation of the Johnson administration. He appears with Senate Minority Leader Everett Dirksen of Illinois in weekly press conferences (known as the "Ev and Jerry Show") to offer critiques of Johnson administration policies. He also campaigns on behalf of Republican candidates during the 1966 midterm elections.

November 8, 1966—Ford wins his tenth election as Congressman with 68 percent of the vote. Republicans make strong gains in the mid term elections.

1967–1968—Ford in his second term as House Minority Leader begins attacking Johnson's position on the war in Vietnam asking in an August 8, 1967 speech, "Why are we pulling our best punches in Vietnam?"

September 17, 1967—Ford's mother, Dorothy Gardner Ford, dies in Grand Rapids, Michigan.

August 5, 1968—Ford presides as Permanent Chairman of the Republican Convention held in Miami Beach, Florida. Following Richard Nixon's nomination, Ford supports New York City Mayor John Lindsay for running mate in conversations with Nixon. Nixon, however, chooses Maryland Governor Spiro Agnew.

November 5, 1968—Nixon is elected President; Ford is elected to his eleventh term as House member.

1969–1970—As House Minority Leader under a Republican President, Ford consistently supports Nixon's polices in the House.

April 15, 1970—In a speech on the House floor, Ford calls for the removal of Justice William O. Douglas' from the Supreme Court for what Ford believes to be inappropriate judicial conduct. The matter is later turned over to the House Judiciary Committee where the issue dies.

November 3, 1970—Ford is elected to his twelfth term.

June 17, 1972—Five burglars break into Democratic National Headquarters at the Watergate Hotel in Washington, D.C.

June 23-July 7, 1972—Building upon President Nixon's trip to the People's Republic of China in February 1972, Ford and Congressman Hale Boggs of Louisiana visit and meet with Premier Chou En-Lai.

August 19-22, 1972—Ford chairs the Republican National Convention in Miami Beach, Florida, where President Nixon and Vice-President Agnew are re-nominated.

November 7, 1972—Ford is elected to his thirteenth and final term as a Congressman from Michigan. Despite Nixon's landslide victory, the Republicans do not gain many House seats. Realizing he may never achieve his goal to become Speaker of the House, Ford contemplates retirement after 1976.

October 10, 1973—Spiro Agnew, under investigation for accepting bribes and income tax evasion, resigns as Vice President of the United States.

October 12, 1973—Ford is nominated to be Vice President by Richard Nixon. He is the first Vice President nominated under the 25th amendment to the Constitution.

November 1, 1973—The Senate begins hearings on Ford's nomination as Vice President.

November 15, 1973—The House Judiciary Committee begins its hearings on Ford's nomination as Vice President.

November 27, 1973—The Senate approves Ford's nomination by a vote of 92–3.

December 6, 1973—The House approves Ford's nomination by a vote of 387-35. Ford takes the oath as the fortieth Vice President of the United States in front of a joint session of Congress.

January–July, 1974—With Nixon embroiled in the growing Watergate scandal, Vice President Ford travels the country speaking on behalf of the administration's policies. Ford remains an advocate and spokesman for the Republican Party, attending fundraisers and campaign events for Republican candidates.

April 30, 1974—Nixon releases edited versions of the Watergate tapes containing White House conversations.

May 9, 1974—The House Judiciary Committee begins impeachment proceedings against President Nixon.

July 24, 1974—The Supreme Court orders Nixon to turn over the unedited versions of the White House tapes.

July 27–30, 1974—The House Judiciary Committee approves three articles of impeachment against Richard Nixon.

August 1, 1974—Nixon's Chief of Staff, Al Haig, advises Ford that he should prepare for a transition to the Presidency.

August 6, 1974—Ford attends a cabinet meeting and tells Nixon that while he will continue to support Nixon's policies, he can longer speak on the issue of Watergate to the media and the public.

August 8, 1974—Nixon announces his decision to resign in a televised address.

August 9, 1974—Ford is sworn in as the 38th President of the United States. In his swearing-in remarks, Ford announces "Our long, national nightmare is over."

August 12, 1974—Ford addresses a Joint Session of Congress. He states, "I do not want a honeymoon with you. I want a good marriage." He also states his first priority is to bring inflation under control, declaring it "public enemy number one."

August 19, 1974—Ford delivers a major speech to the Veterans of Foreign Wars convention in Chicago, supporting earned clemency for Vietnam War draft evaders.

August 20, 1974—Ford nominates Nelson Rockefeller, former Governor of New York, to be Vice President.

August 28, 1974—Ford holds his first press conference as President. Many of the questions concern unresolved issues surrounding Watergate.

September 8, 1974—Ford pardons Nixon for any crimes he may have committed as President. The surprise announcement stuns the country and Ford plummets in the polls.

September 26-28, 1974—Betty Ford is diagnosed with breast cancer and undergoes surgery.

September 27–28, 1974—The White House convenes a "summit conference" on inflation and the economy.

October 8, 1974—Ford announces his Whip Inflation Now program to a joint session of Congress.

October 15, 1974—Ford signs the Federal Election Campaign Act Amendments of 1974, which seek to regulate campaign fundraising and spending.

October 17, 1974—Ford appears before the House Judiciary Subcommittee on Criminal Justice to explain the facts and circumstances that were the basis for his pardon of former President Richard Nixon.

October 17, 1974—Ford vetoes the Freedom of Information Act Amendments believing not enough protection is given to sensitive and classified intelligence documents. Congress overrides Ford's veto on November 21, 1974 making the bill law.

November 1, 1974—Ford meets with an ailing Richard Nixon in a Long Beach, California hospital.

November 5, 1974—Republicans lose 40 seats in the House and 4 in the Senate, widening the Democratic majority in Congress during the mid-term elections.

November 17, 1974—Ford departs for a visit to Japan—the first visit to that country by an American President—and to South Korea and the Soviet Union.

November 23, 1974—Ford and Leonid Brezhnev, General Secretary of the Communist Party of the U.S.S.R., meet in Vladivostok, U.S.S.R.

December 19, 1974—Following Congressional approval, Nelson Rockefeller is sworn in as the forty-first Vice President of the United States.

January 1, 1975—Ford signs the Privacy Act of 1974.

January 4, 1975—Ford names a Blue Ribbon panel, chaired by Vice President Rockefeller, to review CIA activities within the United States in response to allegations made in a December New York Times article by Seymour Hersh.

January 13, 1975—Ford delivers a "fireside chat" to the nation, outlining his proposals to fight inflation, the economic recession, and energy dependence.

January 15, 1975—In his first State of the Union Address, Ford announces bluntly that "the state of the Union is not good: Millions of Americans are out of work. Recession and inflation are eroding the money of millions more. Prices are too high, and sales are too slow." To remedy these problems, Ford proposes tax cuts for American families and businesses, and strongly advocates for the reduction of government spending.

February 7, 1975—Ed Levi is sworn in as the new Attorney General of the United States replacing William Saxbe, whom Ford appoints as U.S. ambassador to India.

April 10, 1975—As North Vietnamese Army Divisions approach Saigon; Ford addresses a joint session of Congress to request, unsuccessfully, financial assistance for South Vietnam and Cambodia. During the speech two freshman Democrats, Toby Moffett of Connecticut and George Miller of California walk out in protest.

April 12, 1975—Ford evacuates the U.S. mission in Cambodia as the communist Khmer Rouge advance on the capital Phnom Penh. The Khmer Rouge take over the country on April 17, 1975.

April 23, 1975—In a speech at Tulane University, President Ford declares that the Vietnam War "is finished as far as America is concerned."

April 28, 1975—Ford orders the emergency evacuation of American personnel and high-risk South Vietnamese nationals, as Saigon falls to Communist forces.

May 12, 1975—Newly Communist Cambodia seizes the U.S. merchant ship, Mayaguez. Ford orders Marines to rescue the ship's crew.

May 28, 1975—Ford departs on trip to Europe for a NATO summit meeting, to visit Spain and Italy, and to meet in Austria with President Sadat of Egypt.

July 8, 1975—Ford formally announces his candidacy for the Republican presidential nomination in 1976.

July 26, 1975—The President departs on his second trip to Europe—"a mission of peace and progress"—for visits to West Germany and Poland, and finally Helsinki to meet leaders of 34 other nations to sign the final act of the Conference on Security and Cooperation in Europe. He concludes his trip with visits to Romania and Yugoslavia.

September 1, 1975—Ford announces a joint Egyptian-Israeli agreement on troop disengagement in the Sinai Peninsula. The agreement is the culmination of 34 days of shuttle diplomacy by Secretary of State Henry Kissinger.

September 5, 1975—Charles Manson follower, Lynette "Squeaky" Fromme attempts to assassinate President Ford in Sacramento, California.

September 22, 1975—Sara Jane Moore, a woman with ties to leftwing radical groups, attempts to assassinate President Ford in San Francisco, California.

October 2–3, 1975—Ford hosts Japanese Emperor Hirohito and Empress Nagako for a state visit. This is the first state visit for an Emperor and Empress of Japan to the United States.

October 29, 1975—Ford urges financial restraint and a financial review for New York City during its budget crisis. Ford refuses to support Federal help for New York at this time. He proposes bankruptcy legislation to ensure the City undergoes an orderly default process. On November 26, 1975, after he believes city leaders have begun to adequately address the crisis, he authorizes Congress to extend the City a line of credit.

November 4, 1975—In what the press dubs the "Halloween Massacre," President Ford orders a reorganization of his cabinet. He names Donald Rumsfeld as Defense Secretary, Elliot Richardson as Commerce Secretary, George Bush as CIA Director, and Richard Cheney as White House Chief of Staff. Henry Kissinger remains Secretary of State; however, he turns over his duties as National Security Advisor to Brent Scowcroft. Under pressure from Republican Party Conservatives, Vice-President Nelson Rockefeller withdraws his name from consideration as Ford's 1976 running mate.

November 15–17, 1975—Ford attends an economic summit at Rambouillet, France with President Valery Giscard d'Estaing of France, Chancellor Helmut Schmidt of West Germany, Prime Minister Aldo Moro of Italy, Prime Minister Takeo Miki of Japan, and Prime Minister Harold Wilson of the United Kingdom.

November 20, 1975—Former California Governor Ronald Reagan announces that he will challenge Gerald Ford for the Republican presidential nomination in 1976.

November 28, 1975—Ford nominates Judge John Paul Stevens of the Seventh Circuit of the Court of Appeals in Chicago to the United States Supreme Court to replace retiring Justice William O. Douglas. The Senate unanimously approves Stevens by a 98–0 vote. He is sworn in on December 19, 1975.

November 29, 1975—Ford departs for visits to People's Republic of China, the Philippines, and Indonesia.

December 19, 1975—Ford opposes to the Tunney Amendments of the Defense Appropriations Bill but the Senate passes them. The amendments prohibit funding for US covert operations in Angola aimed at defeating the Soviet and Cuban backed MPLA factions in the Angolan Civil War.

January 2, 1976—Ford vetoes the Common Situs Picketing Bill.

February 18, 1976—In an effort to reform the U.S. intelligence community, Ford signs Executive Order 11905 to "establish policies to improve the quality of intelligence needed for national security, to clarify the authority and responsibilities of the intelligence departments and agencies, and to establish effective oversight to assure compliance with law in the management and direction of intelligence agencies and departments of the national government." This executive order also prohibits the United States from engaging in political assassination.

February 26, 1976—Ford edges Reagan by 1,250 votes in New Hampshire primary, taking 17 of 21 delegates. This begins a string of primary victories for Ford which include Florida and Illinois before a series of losses from challenger Reagan in North Carolina, Texas, Georgia, Alabama, and Indiana.

March 25, 1976—Ford sends a message to Congress requesting a special appropriation for the National Swine Flu Immunization Program. He signs the measure into law on August 12, 1976.

June 20, 1976—Ford orders the evacuation of the US embassy in Beirut, Lebanon following the assassination of embassy officials on June 16.

July 4, 1976—America's Bicentennial of independence. The year is marked by numerous head of state visits and state gifts to the United States. On July 4, President Ford attends events at Valley Forge, PA; Operation Sail in New York City; and in Philadelphia, PA.

July 7, 1976—President and Mrs. Ford welcome Queen Elizabeth II to the White House for a state dinner as part of the Bicentennial celebration.

August 18, 1976—When North Korean soldiers axe-murder two U.S. soldiers on a tree-pruning mission in the Demilitarized Zone, Ford weighs strong military action but decides on other measures.

August 19, 1976—Ford is nominated at the Republican Convention edging out former California Governor Ronald Reagan. Ford names Senator Robert Dole of Kansas as his running mate. Public opinion polls following the convention have Ford trailing the Democratic nominee Jimmy Carter by wide margins. The Gallup poll favors Carter 56% to 33% and the Harris poll favors Carter 61% to 32%.

September 13, 1976—Ford signs the Government in the Sunshine Act requiring that many government regulatory agencies must give advance notice of meetings and hold open meetings. The new law also amends the Freedom of Information Act "by narrowing the authority of agencies to withhold information from the public."

September 15, 1976—Ford kicks off his general election campaign at the University of Michigan in Ann Arbor.

September 23, 1976—First presidential campaign debate between President Ford and Governor Jimmy Carter in Philadelphia. This is the first presidential candidate debate since the Nixon-Kennedy debates in 1960.

October 6, 1976—Second presidential candidate debate, on foreign policy and defense issues, in San Francisco. During the debate Ford comments that, "there is no Soviet domination of Eastern Europe and there never will be under a Ford administration." This misstatement is fodder for the press and public for the next several days.

October 22, 1976—Third and final presidential candidate debate in Williamsburg, Virginia.

November 1–2, 1976—President Ford attends his final campaign rally in Grand Rapids, Michigan at the Pantlind Hotel. He casts his vote on November 2 and attends the unveiling of the Gerald R. Ford mural by artist Paul Collins at the Kent County Airport before returning to Washington.

November 3, 1976—Ford concedes the Presidential election to Jimmy Carter of Georgia. Ford loses the Electoral College 297–240 and receives 39,147,793 votes (48% of the votes cast) to Carter's 40,830,763 (50.1 % of the votes cast).

December 14, 1976—Ford sends a letter to the Archivist of the United States and the President of the University of Michigan offering to deposit his papers in a Presidential Library to be built on the University of Michigan campus.

January 12, 1977—In his final State of the Union Address, Ford tells Congress and the American People, "I can report that the state of the union is good. There is room for improvement, as always, but today we have a more perfect Union than when my stewardship began."

January 20, 1977—Carter is sworn in as the 39th President of the United States. In his inaugural address, Carter states, "For myself and for our Nation, I want to thank my predecessor for all he has done to heal our land." Ford retires to Palm Springs, California and Vail, Colorado. During his retirement, Ford serves on various corporate boards, participates in many charitable causes, remains involved in many national and international causes and issues, participates in many Republican Party functions, and is called to service several times by later Presidents.

March 9, 1977—President and Mrs. Ford sign contracts to publish their memoirs.

March 24, 1977—Ford returns to the White House for the first time since he left office and meets with President Carter in the Oval Office. They meet for an hour and a half discussing a range of national and international issues.

June 6, 1979—Ford's memoir, A Time to Heal, is published.

Fall 1979—Ford considers another run for the Presidency in the 1980 election.

March 16, 1980—Ford officially takes himself out of consideration for the Republican Presidential nomination, stating ". . . America needs a new President. I have determined that I can best help that cause by not being a candidate for President, which might further divide my party."

July 1, 1980—At the Republican National Convention in Detroit, Michigan, representatives of Ronald Reagan and Gerald Ford attempt to work out the details of having Ford on the ticket as Vice Presidential nominee, but to no avail. However, many newspapers inaccurately report that Ford has been selected for the post.

November 1, 1980—Ford appears on NBC's Meet the Press to discuss the Iranian hostage situation and stump for candidate Reagan.

April 27, 1981—Ford dedicates his Presidential Library in Ann Arbor, Michigan.

September 18, 1981—Ford dedicates his Presidential Museum in Grand Rapids, Michigan.

October 10, 1981—At the request of President Reagan, Ford joins former Presidents Richard Nixon and Jimmy Carter as part of the official American delegation attending the funeral of assassinated Egyptian President Anwar Sadat.

October 3, 1982—The Betty Ford Center is dedicated.

November 10, 1982—Ford hosts a conference on the Presidency and the War Powers Act at the Ford Library in Ann Arbor, Michigan.

December 1983—Ford makes a cameo appearance with Henry Kissinger on the ABC show Dynasty.

November 15, 1984—Ford joins former President Carter for a symposium at the University of Michigan on "New Weapons Technologies and Soviet-American Relations."

September 17-19, 1986—Ford hosts the symposium "Humor and the Presidency" at the Ford Museum in Grand Rapids, Michigan.

January-February, 1987—To mark the bicentennial of the U.S. Constitution, Ford participates in conferences with former President Carter at both the Carter and Ford Libraries entitled, "The Presidency and the Constitution."

October 1, 1987—Ford publishes Humor and the Presidency drawn from the September 1986 conference at the Ford Presidential Museum.

November 18, 1988—Former Presidents Jimmy Carter and Gerald Ford meet with President-elect George H.W. Bush to present the recommendations of the American Agenda Group, an organization of experts and former administration officials who studied the most critical issues confronting the United States.

April 6-8, 1989—Ford and many members of his administration participate in a conference at Hofstra University that examines the Ford presidency.

October 8, 1994—The University of Michigan retires President Ford's football jersey number 48 at halftime of the Michigan State game. It is only the fifth football number to be retired by the university.

August 12, 1996—Ford speaks at the Republican National Convention in San Diego, California on behalf of his former running mate and Republican presidential nominee, Robert Dole.

December 22, 1998—Following the House of Representatives' impeachment of former President Clinton, Ford co-authors a New York Times Op-Ed piece with former President Carter. They argue for a bipartisan resolution of censure as an alternative to an impeachment trial.

August 8, 1999—Ford writes an Op-Ed piece in the New York Times defending the University of Michigan's system of admission standards that use affirmative action.

August 11, 1999—Ford is awarded the Presidential Medal of Freedom, the Nation's highest civilian award, by President Clinton.

October 27, 1999—Ford receives the Congressional Gold Medal, the highest award bestowed by the Legislative branch.

September 12, 2000—Ford is present as The University of Michigan's School of Public Policy is renamed for him.

May 21, 2001—The John F. Kennedy Foundation presents Ford with the Profiles in Courage Award for putting the Nation's interest above his own political future with the pardon of Richard Nixon.

January 30, 2001—Former Presidents Ford and Carter are honorary Co-Chairmen of the National Commission on Federal Election Reform. The Commission presents its findings to the White House on July 31, 2001.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, first let me thank the chairman of the Armed Services Committee for his wisdom in identifying an appropriate way—one of the many, but very appropriate ways—we can honor President Ford. Jerry Ford is a dear friend to Members of Congress and probably thousands of others. Regardless of party, he was someone who knew how to reach across the aisle. It was a matter of pride for him to reach Democrats as well as Republicans, to pull together in common causes.

We are particularly proud of Jerry Ford in Michigan. He is a proud son of Michigan. He went to the University of Michigan. He represented a district in west Michigan for a long period of time in the Congress. His Presidential library and his Presidential museum are both in Michigan, and they are the objects of a great deal of reverence, not just for the people of Michigan but for people who visit Michigan as well.

He came to be President at a time when we needed a healer, when we needed someone who would unify this Nation in a time of great turmoil.

We were in the middle of the Watergate crisis and the Watergate crimes. It was fortuitus that it would be Jerry Ford who would become President when President Nixon resigned.

Senator WARNER has read from one line of Jerry Ford's remarks on taking the oath of office as President. I thought I would close by reading a few other lines because he captured the sentiment and the feel of our Nation at a very critical moment in our history. Jerry Ford started his remarks on taking his oath in August of 1974 by saying:

> The oath that I have taken is the same oath that was taken by George Washington and by every President under the Constitution. But I assume the Presidency under extraordinary circumstances never before experienced by Americans. This is an hour of history that troubles our minds and hurts our hearts.

He went on to say:

> I have not sought this enormous responsibility, but I will not shirk it. . . . It is only fitting then that I should pledge to [all of the people] that I will be the President of all of the people.

A little later in his remarks, in addressing the people of other nations, he said:

> I pledge an uninterrupted and sincere search for peace. America will remain strong and united, but its strength will remain dedicated to the safety and sanity of the entire family of man, as well as to our own precious freedom.

And then he said:

> I believe that truth is the glue that holds government together, not only our Government but civilization itself. That bond, though strained, is unbroken at home and abroad. In all my public and private acts as your President, I expect to follow my instincts of openness and candor with full confidence that honesty is always the best policy in the end.

And then he added, as Senator WARNER has quoted:

> My fellow Americans, our long, national nightmare is over.

The only other line I would choose to quote from his remarks is the following. It speaks so much of Jerry Ford and what he stood for and the reason he is held in such affection and esteem by all of our people, particularly by the people of Michigan.

> As we bind up the internal wounds of Watergate, more painful and poisonous than those of foreign wars, let us restore the golden rule to our political process, and let brotherly love purge our hearts of suspicion and of hate.

So spoke Jerry Ford, and that is the way he lived his life.

I am delighted that Senator WARNER has taken the lead, as he has, to so identify this new class of nuclear-powered aircraft carrier. I thank him again for his graciousness, his sensitivity, and his wisdom in identifying this specific class of aircraft carriers to be named after a truly great man and wonderful son of Michigan, Jerry Ford.

Mr. WARNER. Madam President, I thank my dear friend, Senator LEVIN. I am deeply moved by this occasion, as you can tell. This is my last opportunity as chairman of the committee to present a bill to the Congress, and to have this amendment a part of the bill is very special, and to be joined by the distinguished Senator from Michigan to share in the honors of putting this to the Senate. You and I earlier discussed the traditions of naming ships. I draw on my knowledge as former Secretary of the Navy that it more often originates in the executive branch, for which I have the greatest respect. But somehow I felt it appropriate, since President Ford is a truly remembered part of the legislature of America, the legislative branch, having served so long there, that the naming of this ship have its origin here in the Congress which he so dearly loved. So we have joined together for that purpose.

Mr. LEVIN. And as Vice President, we will also claim him as a Member of the Senate as well.

Mr. WARNER. Oh, yes, once upon a time he occupied that chair, I say, with respect to the Presiding Officer, the President of the Senate, the one and only function and duty enumerated in the Constitution of the Vice President.

Madam President, I invite any other Senators who so wish to be added as cosponsors. I have asked unanimous consent that their names be added as they indicate to the Chair, the Presiding Officer, their desire and that be kept open until the hour of, say, 5 o'clock tonight.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Madam President, I think we are concluded on the amendments. We are proceeding in an orderly fashion. The amendment pending is that of the Senator from Illinois, Mr. DURBIN; am I correct, or has that been put forward yet?

Mr. LEVIN. I wonder if we could inquire of the Chair whether the Durbin amendment has been offered. I don't believe it has yet. We agreed yesterday it would be next in line; however, there is an effort being made to work out the Durbin amendment, and I suggest Senator DORGAN be recognized.

The PRESIDING OFFICER. The Durbin amendment has not been entered.

Mr. LEVIN. We asked Senator DORGAN to come over and take over that spot.

Mr. WARNER. We ask that following that, we try to alternate amendments. The next amendment would come from our side, and I ask unanimous consent that the Senator from Pennsylvania be recognized for purposes of offering an amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LEVIN. If the Senator will yield, I wonder if we could keep Senator DURBIN in line after Senator SANTORUM, subject to the work being completed on his amendment?

Mr. WARNER. Sure, the amendment would come next.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Let me thank Senators WARNER and LEVIN for their leadership on this legislation. This is a very difficult task, to put together the authorization for military expenditures and military operations.

I want to especially say I just walked in while they were talking about naming an aircraft carrier after former President Gerald Ford. That is a wonderful thing to have done. Gerald Ford gave great service to his country in the Congress, as Vice President, and as President of our country. I join them in acknowledging the significant achievements of President Ford and what he accomplished not only for himself but for this country as well. It is a great way to honor him, by naming an aircraft carrier for him.

Mr. WARNER. I thank the Senator.

AMENDMENT NO. 4230

Mr. DORGAN. Madam President, I send an amendment to the desk and ask for its immediate consideration. This amendment is sent to the desk on behalf of myself and Senators BINGAMAN, BOXER, DAYTON, FEINGOLD, JOHNSON, KERRY, KOHL, LAUTENBERG, LEAHY, MIKULSKI, NELSON of Florida, PRYOR, REID of Nevada, HARKIN, and WYDEN. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

> The Senator from North Dakota [Mr. DORGAN] for himself, Mr. BINGAMAN, Mrs. BOXER, Mr. DAYTON, Mr. FEINGOLD, Mr. JOHNSON, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Ms. MIKULSKI, Mr. NELSON of Florida, Mr. PRYOR, Mr. REID, Mr. HARKIN, and Mr. WYDEN, proposes an amendment numbered 4230.

Mr. DORGAN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. WARNER. Would the Senator allow me a brief unanimous consent request? The distinguished Senator from Michigan and I wish to alert the Senate that following Mr. DORGAN's amendment comes the amendment of Mr. SANTORUM and then Mr. DURBIN. So the order of amendments is Dorgan, Santorum, then we come back to Senator DURBIN, and then I ask unanimous consent that Senator MCCAIN be recognized for the purpose of offering an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I advise the Senate we are, as we say in the Navy, well underway on this bill. The Senator from Michigan and I are anxious to learn from Senators their desire to have amendments. We will do the best we can to accommodate them because it appears now we will be able to remain in session somewhat longer this evening than originally anticipated due to the cancellation, I understand, of the White House picnic. I will consult with the leadership. It is my hope we can work on into the early evening.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. This amendment is a rather comprehensive amendment. I offer it on behalf of a good many of our colleagues.

I wish to describe why I offer this amendment. As I do that, I wish to acknowledge the outstanding work done by my colleagues, Senator WARNER and Senator LEVIN, in dealing with all of these issues. There is an area, however—given what has happened with respect to wartime expenditures in the military and also contracting outside of the military in the issue of reconstruction spending in the country of Iraq—there is an issue which I believe is of great seriousness. I think we have had some of the most significant waste, fraud, and abuse in the history of this country just in recent years, with a massive amount of money that is pushed out of this Congress, pushed out of the administration into the hands of contractors, into the hands of subcontractors, and then subcontractors, and subcontractors from them in the country of Iraq. There is a massive amount of waste, fraud, and abuse. The fact is, we are not dealing with it the way we should.

I want to show a picture. This picture shows a fellow standing here whom I have actually met. This is a picture that was taken in the country of Iraq. These are one-hundred-dollar bills, wrapped in Saran wrap. This is $2 million. These one-hundred-dollar bills were wrapped in Saran wrap to be the size of a small football. This fellow, by the way, said they actually threw some of these around as a football there in this office.

What they were doing here as they took this picture, they were preparing to pay a contractor in Iraq named Custer Battles, named after two men, Mr. Custer and Mr. Battles. Why were they paying in cash? Because, according to this fellow, the word was: You bring a bag, we pay in cash. He said it was like the Wild West. So here is a couple of million dollars. This was going to go to Custer Battles. Let me just tell the story of Custer Battles. I will abbreviate it, but the story is these two guys show up in Iraq. They don't have a great deal of experience, have very little money, but they decide they are going to be a company now. They are going to be a company in Iraq, and they are going to provide security. They start bidding on security contracts. All of a sudden, they are given a contract to provide security at the Baghdad airport. The money starts rolling in. It turns out, before this is all over with, from what I have learned, Custer Battles Company got more than $100 million in contract money for various things. This is just a part of the payment—in cash.

They have been charged with criminal behavior and fraud and other things. The allegations were that they took the forklift trucks off the Baghdad airport, put them in a warehouse, repainted them blue, and then sold them back to the Coalition Provisional Authority which was then running Iraq, which, of course, was us because the CPA was created by a document signed by the Secretary of Defense. So this company allegedly took the forklift trucks that existed at the Baghdad airport, for which they were providing security, put them in a warehouse someplace, repainted them, and then sold them back to the CPA. They also then created offshore subsidiaries in Lebanon and elsewhere to run money through and beyond.

We had a hearing on this subject. Here is what the director of security at the Baghdad airports said in a memo to the Coalition Provisional Authority that hired Custer Battles:

> Custer Battles have shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows.

That is a direct quote, yes. Let me read it again.

> Custer Battles have shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows.

Why do I raise this issue? It has been on "60 Minutes." We have had a hearing about it. It is an example of what has been happening in contracting, particularly in Iraq.

Let me just say that the minute you talk about contracting in Iraq, you have to talk about Halliburton. The minute you talk about Halliburton, there will be those who will say: Aha, you are trying to talk about Vice President CHENEY, aren't you? No, not true. Vice President CHENEY is long gone from Halliburton. This is all about Halliburton in Iraq. It has nothing to do with Vice President CHENEY.

I want to go through some stories because they are very important.

There is a woman who was the top civilian contracting official at the Corps of Engineers over at the Pentagon. Her name is Bunnatine Greenhouse. Some have written about Bunnatine. She received a top evaluation over two decades from her superiors as one of the top procurement people in this country. She knew the law. She knew the procedure. She had worked over two decades and had always received top recommendations from her superiors. She was tough as nails and dedicated to safeguarding the taxpayers' money.

Then the Pentagon decided to award a very large no-bid, sole-source contract to a Halliburton subsidiary, Kellogg, Brown & Root, something called "Restore Iraqi Oil," or the RIO contract, which a number of my colleagues are familiar with.

Mrs. Greenhouse protested that the way this was done was in violation of proper contracting procedures. She later found that Halliburton was found by auditors to have overcharged $61 million on a piece of the contract for fuel delivery, and instead of taking the company to task for Defense Department auditors finding $61 million in overcharges, the top leadership of the Corps of Engineers rushed to Halliburton's assistance and provided the company with a waiver for the overcharges, a waiver of normal cost reporting rules, concluding that the prices were fair and reasonable. That waiver was provided without the approval of the top contracting official who was required to have signed it.

They kept the top contracting official, Mrs. Greenhouse, in the dark, and did so deliberately. She learned about the waiver when she read about it in the newspaper. When she spoke up, she was bypassed, ignored, and then ultimately forced to resign or be demoted.

This is what she told us. This relates to meetings that were held in the Pentagon prior to bidding. Halliburton was present in the meeting. She complained about the meetings being in violation by the way of the rules. Here is what Bunny Greenhouse said:

> I can unequivocally state that the abuse relating to contracts awarded to KBR represents the most blatant and improper contract abuse I have witnessed during the course of my professional career.

This from the top civilian contracting official in the Corps of Engineers.

Does anybody care about this?

This woman, by all accounts, was judged to be at the top of her profession, with outstanding reviews always, until she blew the whistle on what she believed were abuses in contracting. When she blew the whistle, then things started to change very, very quickly.

She was demoted for having the courage to tell the truth. When she spoke out, they decided that they would replace Mrs. Greenhouse with a different Pentagon official. That different Pentagon official is now in this job. That person has over 40 years of Government service, but has none of that service related to procurement. So that person was selected to take this job knowing nothing about the job. They now have that person in training, going to school and training.

We have had plenty of examples of cronies. I believe seven of the top jobs in FEMA were filled not with people who knew anything about disasters but with cronies, people who needed a job. Stick them at FEMA. And then a hurricane hits and we have an agency that does not know what it is doing because you have a bunch of cronies involved in that agency.

Now we have a woman who was the top procurement official who blew the whistle on improper contracting, on both the Pentagon and also the company, and for that she was demoted and replaced by someone who is not certified as an acquisition professional and doesn't have the ability. She is now, according to General Strock, "being brought up to speed on what it is she needs to know as a contracting official."

That is absurd.

Let me describe some of the firsthand eyewitness issues in Iraq.

Brand new $85,000 trucks that were left on the side of the road because of a flat tire and then subsequently burned; 25 tons, 50,000 pounds, of nails ordered by Kellogg, Brown & Root, the wrong size, that are laying in the sands of Iraq; ordering hand towels for soldiers embroidered with the "KBR" logo, so they could double the price of the hand towels paid for by the American taxpayers; 42,000 meals a day charged to the taxpayers by Halliburton, by KBR, 42,000 meals a day being served to the troops each day paid for by taxpayers for the soldiers and only 14,000 are actually served; leasing an SUV in Iraq for $7,500 a month; serving food at a cafeteria in Iraq for the soldiers, and a man named Roy who was the supervisor in the food service kitchen said that the food was date-stamped "expired." In other words, it had a date stamp, which meant the food wasn't good anymore, and he was told by superiors that it doesn't matter. Feed it to the troops. It doesn't matter that they had an expired date stamped—feed it to the troops.

What we have discovered is pretty unbelievable. I will not go on at great length because I have done it before about the water contracts. We have direct testimony from physicians, Army doctors, and others about providing nonpotable water for shaving, brushing teeth, and so on that is in worse condition as water than the raw water coming out of the Euphrates River.

What was going on with respect to this contracting is unbelievable. I have just mentioned a couple of companies. There are more. I will not go on at great length.

I think when you are at war, when a massive quantity of money is being pushed out the door, that we ought to decide to get tough on those who would be engaged in war profiteering. The amendment I have offered has a number of provisions in it.

First, it punishes war profiteers with significant punishment. It is a piece of legislation that has been introduced separately here in U.S. Senate. That legislation was previously introduced by Senator LEAHY, but it is now made a piece of this larger piece of legislation.

We have a provision that would crack down on contract cheaters by restoring a rule that this administration rescinded, which the previous administration put in place as a rule, that says that if a contracting company exhibits a pattern of failing to comply with the law, they can be debarred and suspended. That ought to be the rule. If you have a pattern of cheating you ought to be suspended.

I have seen circumstances where we have had major defense contractors over in criminal court being judged guilty on the same day that they were over in the Pentagon signing a new contract. It is a slap on the wrist, a pat on the back. That isn't the way we ought to be dealing with this.

Punishing war profiteers, cracking down on contract cheaters, forcing real contract competition—it gets back to what Mrs. Greenhouse indicated. You can't do these no-bid, sole-source contracts for billions of dollars and decide it does not matter to the taxpayer. Of course, it matters. They are going to end up paying through the nose—and that is exactly what has happened.

There is another provision that would end cronyism in key positions. I know it doesn't deal just with defense with respect to that, but we ought to be expecting that people have some qualifications when they come to their job. The top procurement official at the Corps of Engineers has to be sent to training because she doesn't have the background. Why do they have the opening? Because they demoted the person that had the background, was given excellent recommendations in every performance evaluation, but was demoted because she had the courage to stand up and call the old boys network wrong when they tried to violate contracting rules.

The amendment also strengthens whistleblower protection. I think it is really important that we strengthen protections for those who have the courage to stand up as whistleblowers and are willing to tell us what is happening when waste, fraud, and abuse occurs. I think we need to know about it and take action.

I have offered previously—and will again—legislation that would establish a Truman committee here in the U.S. Senate. The Truman committee was established in the 1940s when the Senator from Missouri went around this country to military bases and discovered substantial waste and fraud.

We should do that again. I believe we ought to have a Truman committee. I have offered it I think three times on the floor. I will offer it again.

But this amendment is different. This amendment is called Honest Leadership and Accountability in Contracting. It is a separate bill by over 30 my colleagues here in Senate, and I offer it in total as an amendment to the underlying Defense authorization bill.

My hope is we can have a discussion about this. I have simply scratched the surface about waste, fraud, and abuse that we have uncovered. It is pretty unbelievable. The American taxpayer shouldn't stand for it, and neither should the U.S. Congress, and we ought to take action right now on this piece of legislation. There is no better time than right now to decide we are going to do something about this on behalf of the taxpayers of this country.

I yield the floor.

Mr. WARNER. Mr. President, the ranking member, together with our leadership, had hoped to have a vote. That will not occur at this time. We are contemplating having that vote, which would be on the Dorgan amendment, at 3:45 today. At this time, I cannot speak to the finality of that. The leadership is considering that issue. In the meantime, I will address the Dorgan amendment.

The committee has been active in exercising oversight on the Department of Defense contracting, particularly in Iraq, and held a hearing earlier this year focused specifically on recent findings of the Special Inspector General for Iraqi Reconstruction. In addition, the committee held several acquisition reform and general contract oversight hearings this year.

I was particularly taken by some of the remarks of the distinguished Senator from North Dakota, Mr. DORGAN. We do not take lightly the message that he spoke to today. The Special Inspector General for Iraqi Reconstruction was established by Congress in October 2004 to provide oversight of the Iraqi relief and reconstruction fund and all obligations, expenditures, and revenues associated with reconstruction and rehabilitation activities in Iraq.

The SIGIR oversight is accomplished via independent audit, field inspections, and criminal investigations into potential fraud, waste, and abuse funds. The SIGIR submits quarterly and semiannual reports to Congress, the latest of which contains 29 audits of specific projects and activities. The SIGIR operates a hotline for reports of possible waste, fraud, and abuse and has uncovered criminal activity that has been referred for prosecution.

There are three separate GAO reviews ongoing specifically to review contracting practices in Iraq—DOD's efforts to identify and resolve cost issues on Iraqi reconstruction contracts, Iraq reconstruction contracts, and agency competition requirements for Iraq reconstruction contracts since fiscal year 2004.

The proposed amendment covers a range of policies introduced under the jurisdiction of multiple committees, including Homeland Security, Governmental Affairs, Judiciary, and Armed Services. Careful consideration and deliberation is required on a number of proposed provisions in the amendment. For example, one provision in the amendment addresses the issue of the role of contractors in performing inherently governmental functions. Definitions of "inherently governmental functions" and the role of contractors in supporting the Federal workforce in a variety of duties is an important issue, the resolution of which would have wide-ranging consequences and impacts. It deserves investigation and debate, not a few pages with a larger amendment attached to a major bill.

Another provision addresses broad workforce policy issues. The amendment contains a number of other problematic provisions with undefined terms of statutory requirements and disclosure requirements with questionable benefits. I know the committees of jurisdiction, including Judiciary and Governmental Affairs, will also want to review the details and impact of the proposed legislation and to relate it to the current statute and regulations. The Armed Services Committee conducted oversight on the larger policy issues related to emergency or contingency contracting and held a previous hearing in May 2004 specifically on contract management in Iraq.

The committee has also held a number of Iraqi related hearings and briefings where Iraqi contracting issues have been discussed.

Frequent bipartisan staff briefings on Iraqi contracting have been conducted with DOD, GAO, DOD IG and SIGIR officials. Issues identified in the May 2004 hearing and in these briefings related to security contractors in Iraq and insurance costs have been the subject of legislation in the last two authorization bills. This year's authorization bill builds on these reforms with legislation specific to effective and accountable management of large programs and projects in hostile environments.

Problems identified such as improper billing, overcharges, and fraud against the government are addressed through existing mechanisms to identify these acts and punish those who defraud the government. For example the False Claims Act provides for criminal and civil sanctions. It is important we adhere to due process protections for debarments and suspension of contractors.

Department of Defense 7640.2—Contract Audit Followup system—implements OMB Circular A-50—requires tracking of all audit reports with significant audit findings and is monitored by the DOD Inspector General, and includes semi-annual reports to Congress. Virtually all Defense Contract Audit Agency audits are subject to this followup tracking system.

The PRESIDING OFFICER (Mr. THUNE). The Senator from Pennsylvania is recognized.

AMENDMENT NO. 4234

Mr. SANTORUM. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SANTORUM] proposes an amendment numbered 4234.

Mr. SANTORUM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. SANTORUM. Mr. President, this is an amendment that I spoke about yesterday and which I wanted to bring to the floor. I think it is a very important one. It is an amendment that is embodied in the bill I introduced last year dealing with Iran. It now has 61 cosponsors.

We have had lots of debates on the floor of this Senate. We have not had a debate on what I believe is the greatest foreign policy threat to this country at this time; that is, Iran, what our policies should be toward Iran, and what we as a Congress and the Senate should do with respect to supporting the President's policy or modifying the President's policy with respect to Iran.

This legislation which I have introduced as an amendment brings together a couple of pieces of legislation into this one amendment. Before I describe what the amendment is about, let me describe what I believe is the problem that faces us and then lay out a prescription of what Congress can do in the interim to support the process of a diplomatic or peaceful solution to the problem that I am about to describe.

It is not a surprise to anyone reading the papers that Iran is in pursuit of a nuclear weapon. They are fairly clear about their desire to gain more nuclear technology. They have been very clear about their desire to enhance their ability to reprocess uranium. It is also clear to observers that they are doing so with the intent of developing nuclear weapons.

As a result of that, the United States has been engaged in discussions, both with multinational organizations, as well as with some of our allies who are similarly concerned about this attempt by Iran to develop this type of capability, to get them to cease to do so. We have had attempts by the Russians to get them to rely on them for this technology. We have now seen recent efforts by the United States and a group of countries to approach Iran in multilateral talks about the possibility of getting a different type of nuclear reactor there that does not lead to the potential for development of nuclear weapons. We have seen a whole host of attempts on the part of the world to keep nuclear weapons out of the hands of this regime.

The question is, Why? What is the great concern about Iran? Why do we have more concerns about them than, say, other countries in the Middle East and in southeast Asia which have, in fact, developed nuclear weapons?

The answer to me is obvious, but it is important we lay that out as to what the great threat to this world is if Iran has the nuclear capability they seek to develop.

We are fighting a war right now and everyone focuses on the war in Iraq. Certainly that is important and that is the major field of battle right now, but the war in Iraq is part of a broader war. The President described it as a war on terror. I prefer to describe it as a war on Islamic fascism, Islamic extremism. The President has referred to it as Islamic totalitarianism. It is a movement within Islam, within the Middle East, within southeast Asia, but it actually goes beyond the Middle East and southeast Asia that believes in, eventually, the domination of the entire world, the Islamization of the entire world under this rather radical ideology, this fascist ideology.

This is not one particular group or one particular faction that is in charge. This is not one group—al-Qaida or Islamic jihad or the nation State of Iran—but it is a mosaic of different organizations, some of which are not necessarily allied with each other but coordinated with each other.

We saw that the other day when Abu Mus'ab al-Zarqawi was killed. We saw Hamas come forward and call this al-Qaida leader a brother in the struggle. These are not organizations, at least from all of our intelligence, that are closely tied, but they have a common theme. Even though they have different views of Islam, they have a general idea of a war, a jihad, against the West and against the infidels, if you will.

So we have this mosaic of different organizations, different Islamic fascist organizations. They are commonly called within the media terrorist organizations. Terrorism is just the tactic they use. What ties them together is not just their terrorism but their ideology. Although there are different strains and different ideas, they are tied together in a common theme at a common enemy, more importantly.

The largest piece of this mosaic, the dominant piece of this mosaic—and it is the dominant piece because it happens to be the biggest piece with the biggest wallet, the most resources—is Iran. The mosaic is a big mosaic, but the major piece which tends to touch all of the other pieces in one way or another is Iran. Iran not only supports these organizations—some of them very directly, others very indirectly—but it is itself a threat to the world.

How do we understand what this threat is to America? We only need to look at the new leader of the country: Ahmadinejad is the new President. To Americans, the President is the leader of the country. In Iran, the President is an important position but traditionally has not been the most important position within the country of Iran. However, it seems to be that Ahmadinejad has taken that position to a new level because of his support from the ruling clerics within the country. As we know, this is a country ruled by these clerics, these mullahs. And the lead mullah is a spiritual adviser to Ahmadinejad, a supporter of his. He has been very forthright about what his design is. He has been very forthright. He has stated publicly that he would like to wipe out Israel off the face of the Earth. This is a leader of a country that is trying to develop nuclear weapons, that has the resources and the capability if not stopped to do so, that has been very clear about its desire to use these weapons to eliminate the State of Israel.

He has also made a lot of other comments that would lead one to believe he does not want to stop there with respect to his designs on the war against the "infidels."

So we have in the person of this President a character that has the resources, is developing the technology, has the desire, and wants to use this capability if it was developed, and has said so publicly, repeatedly. That is a pretty serious threat. In fact, I can think of no other threat that is more serious than that. This man and this country is actively pursuing the development of these weapons. I don't know of anyone in the world who does not believe that is what Iran is doing.

The Senate has, so far, not taken any action to try to deter that development, to try to change the political dynamic within Iran. Obviously, we have not taken any action to pursue any military force to stop them from doing so.

These are our three options, the way I see it: to get some sort of political dynamic going on within the country to change the regime; to impose sanctions or to get collaboration with other governments to stop them from developing these weapons; or, third, a military option.

I don't think we are prepared at this point to offer a military option, but with this amendment I am offering the other two. I am offering an amendment that will both support and codify Executive Order sanctions already in place against Iran; impose additional sanctions, not on Iran but on other entities that are doing business with Iran; and then try to impose a prohibition on importing into this country nuclear fuel assemblies made outside of this country if they do business with Iran.

Companies have to make a choice whether they want to do business with Iran or whether they want to do business with the United States. That is the sanctions part of it. So we need to enact these provisions because a lot of what is in place right now is done through Executive Orders. Part of the amendment directs the President to cut off foreign assistance to the host country of a company investing more than $20 million in Iran's energy sector; allow the President to waive that under certain circumstances—and, by the way, that is a prospective investment. It is very important we send a signal to companies and countries that if they are going to continue to support this development within Iran, there are consequences to the country and to the company for continuing to do that.

There are a variety of different sanctions we place in this legislation. By the way, the sanctions portion of this legislation has already passed the House of Representatives. It passed by a vote of over 300 votes in the House—well over 300 votes in the House. So the House has already spoken on this issue, has already said we want to codify the sanctions that are in place. We want to impose new sanctions on companies and countries that do business with Iran, particularly in their energy sector, and we want to make companies choose between doing business in the United States with respect to the nuclear program versus Iran and the nuclear program.

Mr. WARNER. Will the Senator yield?

Mr. SANTORUM. I am happy to yield.

Mr. WARNER. Could the Senator state the time when the House cast that vote?

Mr. SANTORUM. April of this year.

Mr. WARNER. It seems to me that vote preceded some remarkable developments which have taken place in the international forum within our country. With the great leadership of the Secretary of State, Condoleezza Rice, we have taken some strong initiatives to try and resolve primarily the issue of the desire to proceed with the weapons of mass destruction effort, but there are a lot of collateral ramifications to these important talks.

The House vote is of record, but we should let our colleagues know that vote took place way before what I regard as rather dramatic developments with respect to the international consortium of nations—Great Britain, France, United States, and now recently both Russia and China participating in some way.

Does the Senator think the amendment is wise in light of what is taking place now?

Mr. SANTORUM. Mr. President, I would say that the developments have been—I would not call them dramatic. I would say they are modest in this respect: they are modest in the sense that the United States, for the first time, has decided to join with other countries in making an offer to Iran. The wisdom of that can be debated.

What would be dramatic is if Iran would seriously consider doing what is being suggested, and I don't see any indication they are willing to do so nor do I anticipate their willingness to do so.

My concern is—and the President has been very clear about this—that Iran is already jockeying around, seeming to extend the time for consideration and drawing this out, certainly, to their advantage. If you are developing a program, and you are actively pursuing developing a capability, the longer you can stall any action by your adversaries to stop you from doing so, buying that time is of great value to Iran.

What we are seeing with this development already, Iranians are trying to buy time.

The President has said, and I am not sure the other countries have been quite as firm as the United States has—that they have weeks, not months, to make this decision.

However, I have seen no indication that the Iranians are anywhere near accepting this proposal. I will make the argument that this is actually a very good time for the Senate to speak and say we see this as a very serious issue, that we need to at this point speak into this very critical juncture.

I would say it is more important now that we have this vote, or more important now that we pass this, to show the Iranians that both Chambers support this President in his desire, our country's desire, a bipartisan desire, to see that Iran does not develop this capability. The Senate going on record, codifying sanctions, increasing sanctions and, the point I did not get a chance to discuss but I will momentarily, funding prodemocracy, authorizing funding for prodemocracy groups, and for more communication, public diplomacy within the country of Iran to communicate to the dissidents within Iran and encourage the dissidents within Iran is exactly the kind of message we want to send if we want to force the Iranians' hand to actually come to the table.

I think pulling this back, in my mind, would be seen by the Iranians as a sign that the U.S. Senate does not support this President, does not support getting tough. Because the President has been very clear: If the Iranians do not come to the table here, they are going to seek resolutions at the U.N. to begin the process toward a different way of resolving this dispute—maybe that is the best way to put it—in a way that could be a lot more confrontational.

So I think the Senate speaking at this moment is actually critical for us to force the Iranians' hands. I am not particularly hopeful, by the way, that the Iranians will come to the table or will agree to any of the provisions that the groups have laid out. I understand why the President has done so. I do not believe they have any desire to comply.

I think it is important for us not to blink. I think this is a moment for us to deal with this issue, to debate it here, and to vote on it or to approve this amendment to send a very clear message to the Iranian Government that we stand four square behind this President and this administration in doing what we can here at this point in time both from the standpoint of sanctions as well as supporting a change of regime from within Iran.

Mr. WARNER. Mr. President, I thank my colleague.

Yesterday, the Senate had an opportunity to visit with the Secretaries of State and Defense. I believe my distinguished colleague from Pennsylvania was there, as was I. And while those discussions are private in nature, I just simply say that with those discussions, combined with other discussions and communications I have had with the Department of State, I am somewhat more encouraged about the prospects of the negotiations now taking place than perhaps my colleague from Pennsylvania.

My main concern is, given the fragility of the situation with regard to these negotiations, the almost overriding importance of the question of the weapons-of-mass-destruction issue, and the need to have Iran publicly begin to cooperate with the IAEA and other organizations to prevent the proliferation of that type of weapon—I just wonder, had the Senator thought about maybe an effective date of this amendment to give some reasonable period of time for these negotiations to take place as to the effective date of the amendment?

Mr. SANTORUM. Mr. President, what I would certainly say to the chairman is, this is the Defense authorization bill. We will probably be here the remainder of this week and maybe going into next week finishing this bill. Usually, the Defense authorization bill takes months to be able to discern the differences between the two bodies, of which this amendment, pending in this legislation, will be part of that discussion.

So I do not anticipate there will be any final resolution to this particular amendment that I am offering until several months. If the President is serious about what the President has said, that they do not have months but weeks, I do not anticipate that anything we do here today will have any impact on the deadline or any of these negotiations.

I think what they will do is signal to the Iranians that not only is the House serious about this, but even now that they are engaged potentially in a negotiated settlement, that the Senate is serious about pursuing this if, in fact, the Iranians do not come forward with an agreement.

If there is an agreement, we may want to take another look at this. But I do not think any harm is done by passing this legislation and putting us in the conference so if, in fact, things do not go well or if, in fact, we believe—whatever the result is of these negotiations—that it is important for us to go on record on some of these or all of these things, that we are in a position to produce a bill relatively quickly and send that message.

Mr. WARNER. Mr. President, I certainly respect the views of my colleague who once served on the Armed Services Committee. I regret that the Senator felt there were other areas where he could serve his country other than in our committee. But we still consider him a member of the committee.

The Senator is quite accurate that it is likely that this bill will be before this body into next week. I am hoping to conclude next week. Then, of course, there will be a period of time thereafter in which we will have a deliberation between the two bodies in the conference.

But I would like to have some additional time today for purposes of consultation. I assure the Senator, he has a right to move forward, as he has sought to do at this time. I say to the Senator, if you can indulge the chairman in trying to schedule such action as may take place on this amendment at some point today, a little later than now, I would be appreciative of that.

Mr. SANTORUM. Mr. President, I have tremendous respect for my former chairman. I say to the Senator, I served 8 absolutely remarkable and wonderful years on your committee, and got to serve under Senator Thurmond and then your great leadership. I certainly will do everything I can to work with you to make sure we can come to some agreement as to how we can dispose of this amendment, whether it is a vote or whether it is accepted or whatever the case may be. I am certainly not going to push for a vote today if that is not what you desire. But, obviously, this is a very important issue.

I remind the chairman there are 61 cosponsors on a similar piece of legislation, and it has very broad support here in this body from both sides of the aisle. It passed, as I said, with well over 300 votes in the House. And this issue is quite timely. So I would be happy to suspend any request for votes until we can negotiate how we would dispose of this amendment.

Mr. WARNER. Mr. President, I thank my colleague. He is recognized as one of the leaders of our party, and he is very cooperative with regard to all legislative matters.

My understanding is the Dorgan amendment is the pending amendment; is that correct?

The PRESIDING OFFICER. The Santorum amendment is now pending.

Mr. WARNER. I see. And we did not move on the Dorgan amendment as of yet.

The PRESIDING OFFICER. The Dorgan amendment was set aside.

Mr. WARNER. Set aside. At the appropriate time, will the distinguished Senator from Pennsylvania, when he completes his remarks, move to have this amendment set aside for the time being?

Mr. SANTORUM. I would be happy to do so after we have had discussions about how we can dispose of this amendment, absolutely.

Mr. WARNER. I thank the Chair.

Mr. President, I see our colleague from Maine, a member of the committee, and in due course I expect, after the completion of the Senator's remarks, the Senator from Maine can be recognized.

Mr. SANTORUM. Thank you, Mr. Chairman.

Mr. President, if I can just finish the explanation of the legislation, I talked about the sanctions portions of this legislation. The final component of the legislation deals with what we call the pro-democracy side. This is very interesting. I introduced this legislation last year. Actually, I introduced it 3 years ago. It provided, at the time we introduced it 3 years ago, $10 million for the pro-democracy component of this.

I felt very strongly this was really the key to this legislation. In fact, just meeting a few weeks ago with a student dissident who had recently escaped from Iran, I am even more convinced there is a strong anti-regime movement within Iran. There is a very strong pro-American component of the Iranian population that understands the tremendous effort that our country has put forward in Iraq and Afghanistan, and, like most people around the world, seek self-determination and freedom. It is very important for us to communicate that in unequivocal terms.

One of the concerns I have with the diplomatic efforts being taken right now is that we are potentially muddying the waters somewhat with respect to our opinion of the regime in Iran. I want to make it very, very clear that personally that regime is the greatest threat to this country and must be removed. That is how I feel. Now, that is not in this legislation. But that is, to me, one of the highest national security priorities of this country.

I think the best way to do that under the current circumstances is to support pro-democracy groups, to support groups that would like to see changes within Iran and peaceful changes.

The one gentleman I met with just recently, a couple weeks ago, was very clear about the intention of at least the student movement within Iran to be a peaceful movement, similar to what happened in the old Soviet Union. They believe they can, in fact, rally support. But they need support. They need resources. They need to communicate. One of the things this legislation does is provide not $10 million but $100 million for that purpose. The reason I talk about the difference is that in the interim the President, thankfully, took some of the provisions of the Iran Freedom Support Act, which is the bulk of this amendment that I am proposing today, and proposed that in the emergency supplemental that he sent up and that we will be voting on, in all likelihood, tomorrow. So that money is being appropriated, in this case, before it is being authorized. But this is the authorization, and sets an authorization level of $100 million, which is what the President's request was.

Excuse me, the President's request was $75 million. We make it $100 million.

So we think this is important to send another strong signal that we support efforts for peaceful change within Iran, that we support those who on the evening of 9/11 stood in the city of Tehran in candlelight vigils in support of Americans. We support the Iranian people who would like to see the oppression end in that country that they have suffered under now for over 25 years. So this is a vitally important component of this authorization, and it is a very important signal to the people of Iran.

When I met with that student leader a few weeks ago, he told me how evil this regime was on a personal level, not only with his imprisonment for leading student protests, but also with the current group of students who are, in the eyes of the regime, a great threat to the future of that regime. He talked about how his sister, who is a student at one of the universities in Iran, recently had to sign a document as a condition of attending the university. The document was a commitment to be a suicide bomber.

So now every student in colleges within Iran has to sign a document pledging their commitment to be a suicide bomber. In fact, shortly after those documents were signed in every university in Iran, they conducted training courses for the students on how to strap on and detonate a suicide bomb.

This is the enemy we are confronting. This is why I think it is important for us to step forward now and have this debate, to step forward now and pass this legislation, to send a signal now, while they are deciding whether to engage the United States and the free world in the pursuit of peaceful nuclear energy as opposed to nuclear warheads. It is important for the Senate to act. This is our moment in history. This is the great threat that faces us. This is the war we are currently engaged in, and this is the principal player on that stage today. We must act.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, is the floor open to debate on the underlying bill, or would the Presiding Officer advise me as to the pending business?

The PRESIDING OFFICER. The Senator may debate the underlying bill.

Ms. COLLINS. I thank the Chair.

I rise in strong support of the fiscal year 2007 National Defense Authorization Act. This legislation provides essential resources to our troops, whether they are engaged in combat in Iraq and Afghanistan, in training and service at home, or in deployments in other countries around the world. I thank my colleagues, the distinguished chairman and ranking member of the Armed Services Committee, Senators WARNER and LEVIN, for putting together an excellent bill and also for their strong commitment to our Nation's Armed Forces.

Through the leadership of Chairman WARNER and Senator TALENT, the Seapower Subcommittee chairman, the legislation before us strengthens our Nation's shipbuilding program by authorizing construction of eight new ships and by providing $12.1 billion in shipbuilding moneys, an increase of $1.5 billion above the President's request. This legislation wisely focuses on the declining size of the Navy fleet and takes significant strides toward strengthening the shipbuilding program. It also provides some much needed stability for the industrial base that will be called upon to build and sustain the current force and the future fleet.

The Chief of Naval Operations, Admiral Mullen, has put forward a 313-ship long-range Navy shipbuilding plan that is a genuine effort to address longstanding congressional concerns that

Navy shipbuilding has been inadequately funded and has lacked stability from year to year. Past instability has made it difficult for shipbuilders to plan their businesses. That degree of instability, coupled with less-than-economic production rates, has contributed to significant cost growth in naval shipbuilding programs. The CNO's plan, combined with more robust funding from Congress, will begin to reverse the dangerous decline in Navy shipbuilding.

I am pleased that this bill provides full funding for the DD(X) destroyer program, including split funding of the first two ships' detailed design and construction. The DD(X) is so important to our future national security. This ship will have high-tech capabilities that currently do not exist on the Navy's surface combatants. These capabilities include far greater offensive and precision firepower, advanced stealth technologies, numerous engineering and technological innovations that will allow for reduced crew size and thus help to reduce the lifecycle cost of the ship and sophisticated, advanced weapons systems such as the electromagnetic rail gun.

Constructing the first two DD(X)s in 2007 and 2008 will contribute to the sustainment of our Nation's highly skilled shipbuilding workforces, including the employees at Bath Iron Works in my home State of Maine. I am very proud of these highly skilled workers and their contributions to our Nation's defense. Split funding between the first two DD(X) ships is a key component of the CNO's 313-ship plan and will make an important contribution to stabilizing a critical naval shipbuilding program, allowing for a more steady plan for the fragile dual-source service combatant shipbuilding industrial base, and achieving long-term program affordability through stability and other ongoing Navy and industry initiatives.

Split funding for the DD(X) also supports cost-effective construction activities at both of our shipbuilding yards that concentrate on surface combatants. That will help stabilize and preserve two shipyards in order to meet future Navy requirements. If there were ever any doubt about the need to have two shipyards capable of constructing surface combatants, surely those doubts were put to rest by the extensive damage that Hurricane Katrina caused at the Ingalls Shipyard. We simply cannot afford to have only one shipyard that is capable of responding to the needs of our Navy for capable advanced surface combatants. That is why it is so critical that our procurement strategies recognize that and are developed and designed to sustain both yards.

In doing so, we are helping the Navy meet its needs. Our naval fleet has been declining for far too many years. This bill will take a significant step toward stability and meeting the requirements that exist.

The high priority placed on the DD(X) program in the Senate version of the Defense authorization bill stands in stark contrast to the House Defense authorization bill that recommends full funding for the procurement of only one DD(X) and does not adopt the critical split funding approach. Failure to support the budget for two DD(X)s would exacerbate the production gap facing BIW in Maine and would pose a significant risk to the DD(X) program that the CNO has so strongly endorsed and that the committee has consistently supported. Navy officials testified before the Senate Armed Services Committee that authorizing only one DD(X) in fiscal year 2007 would result in the following negative consequences.

First, it would cause significant program delay and disruption. Second, it would increase program costs. Third, it would have a negative impact on the shipbuilder industrial base. Fourth, it would defer the planned competitive contract awards from 2009 until at least 2011. And, finally, it would force the Navy into a lead-follow scenario that would require an additional $450 million in shipbuilding funds. Approval of split funding is, therefore, critical to moving the DD(X) program forward. It strives to keep both DD(X) shipbuilders on an equal footing during this key transitional period.

Furthermore, the House version of the DOD authorization bill recommends reducing the overall DD(X) program to only two ships, a significant decrease from the Navy's requirement for a minimum of seven DD(X)s as part of the 313-ship plan. At one point a couple of years ago, the Navy said it actually needs 12 DD(X)s. I still believe the military requirements suggest that that is the accurate number. But for the House committee to slash the number of ships under this program to two would seriously jeopardize our national security. I hope we will proceed with the Senate's much better plan to proceed with a minimum of seven DD(X) ships.

I am also pleased that the committee agreed to my request for $25 million in funding to accomplish planning and engineering for the modernization of the DDG–51 Arleigh Burke destroyer class. This program, which has been in effect in the past few years, is already showing significant promise of significant savings to the Navy by applying some of the technology that is being developed for the destroyer of the 21st century, the DD(X), and backfitting the DDG. This has the potential, for example, to reduce crew size on the retrofitted DDGs by about 30 to 40 sailors. That certainly is significant as well.

The Senate's fiscal year 2007 Defense authorization bill also includes funding for other important defense-related projects that benefit Maine and our national security. For example, it includes additional funding for the Mark V fast patrol boat that is being developed at a shipyard in Maine, in conjunction with the University of Maine. It also provides $2 million to the University of Maine's Army Center of Excellence in order to continue the design and testing of lightweight ballistic panel tent inserts made from composite materials. These potentially lifesaving panels protect our troops from insurgent attacks when they are sheltered in temporary dining or sleeping facilities in hostile environments. This is particularly important to the State of Maine because we lost National Guardsmen in Iraq who were eating in an unprotected mess tent. Had we had those composite ballistic inserts for this tent, truly, I believe, lives and injuries would have been saved and avoided.

The legislation also authorizes $9.6 million for the Portsmouth Naval Shipyard and Drydock Waterfront Support Facility in Kittery, ME. This will replace the current submarine support center that is more than 60 years old and poorly designed for current use.

This legislation also provides much needed funds for other national priorities. The legislation authorizes incentive payments for civilian health care providers who provide services to TRICARE beneficiaries in rural and medically underserved areas. I know that is a concern of the Presiding Officer as well. Any of us who represent rural States realize how difficult it is to ensure an adequate supply of health care providers.

It also follows on the Senate's action earlier this year by repealing provisions of the Survivor Benefit Plan that require the offset of military retirement annuity payments by amounts received for dependency and indemnity compensation. It authorizes acceleration of the effective date of the paid-up provision from October 1, 2008, to October 1, 2006, for retirees who reach age 70 and have paid premiums for 30 years.

Finally, let me again, since the distinguished chairman is now in the Chamber, commend him for his extraordinary leadership and dedication to the men and women who are serving in our Armed Forces. We are very fortunate to have such a talented and committed chairman and ranking minority member as we do on this committee. I am very proud to be a member. I offer my full support to the important legislation before us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank our distinguished colleague from Maine. She is a valued member of the Senate Armed Services Committee. She has taken enormous interest in shipbuilding. Obviously, she has one of the world's finest yards in her State.

Nevertheless, naval power and seapower are of great interest to the Senator from Maine. I thank her for her remarks and her strong participation as a member of the committee.

Ms. COLLINS. I thank the chairman.

Mr. WARNER. Mr. President, at this time, it is our hope and expectation that we will have another amendment soon brought to the floor.

AMENDMENT NO. 4230

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I want to particularly commend the Senator from North Dakota for sections 1521 and 1522 of his amendment which address the issue of competition in contracting. This is an issue that I have been concerned about since I worked with Senator Bill Cohen to enact the Competition in Contracting Act in 1984.

Sections 1521 and 1522 in Senator DORGAN's amendment build on the principle that the Federal Government, taxpayers, and Government contractors all benefit from the competitive award of Federal contracts. I was pleased to work with Senator DORGAN and his staff in drafting these particular provisions of his amendment.

Over the last 10 years, the Government Accountability Office, the Department of Defense Inspector General, and others have documented numerous shortcomings in the application of competition rules by Federal agencies. These problems have included, one, numerous unjustified sole-source awards under Government-wide, multiple-award contracts. Some studies have indicated that more than 50 percent of such awards have been made on a sole-source basis. Second, the award of huge what are called indefinite delivery/indefinite quantity, or IDIQ, contracts—some of them in the billions of dollars—go to individuals, individual contractors, rather than multiple contractors.

These single awards—these indefinite delivery and indefinite quantity contracts—basically give a single contractor the right to sole-source award of innumerable highly lucrative projects. Such contracts include the highly visible contracts awarded to Halliburton relative to Iraq.

Sections 1521 and 1522 of the Dorgan amendment would address these problems by prohibiting, with limited waiver authority, the issuance of long-term, open-ended contracts, like Halliburton's LOGCAP contract, to a single company. Federal agencies would be required to issue such contracts to more than one company so that they could compete with each other for work, unless the agency makes a determination that it is not practical to do so and reports that determination to Congress. That section of the amendment would also extend to civilian agencies a legislative provision that we wrote 4 years ago to eliminate abusive sole-source awards and ensure competition when Department of Defense officials place work orders under multiple-award contracts, and we would authorize bid protests for task orders in excess of $500,000 under multiple-award contracts.

So I commend our colleague from North Dakota for offering this important amendment. I support this amendment. I hope the Senate will adopt it and not table it because it includes many important reforms and changes in our contracting process to address some of the abuses that have been identified by the expert agencies that we actually utilize and hire to do these kinds of reviews.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DEMINT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, the Senator from Florida desires to speak regarding the National Guard. For that purpose—oh, yes, Mr. President, I had indicated to the distinguished Senator from Texas that she could speak. She wanted how much time?

Mrs. HUTCHISON. I wanted 10 minutes.

Mr. WARNER. Why doesn't the Senator from Texas go first.

Mr. LEVIN. The two Senators will be recognized in that order?

Mr. WARNER. Yes. The Senator from Texas and the Senator from Florida.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

SUPPLEMENTAL APPROPRIATIONS

Mrs. HUTCHISON. Mr. President, I thank the distinguished senior Senator from Virginia for allowing me to take this time to speak about the supplemental appropriations bill. I certainly want to start by saying that I think the authorization bill that is before us is a good bill that will authorize the spending for our troops in the field. I plan to speak separately on that later in the week.

Today, I want to talk about the supplemental appropriations bill that the Senate will pass at 10 o'clock tomorrow because this is a very important emergency supplemental. Obviously, the majority of this bill, $70.4 billion, is for our military. It is to make sure that we support our men and women in the very important mission that we have asked them to do. I cannot imagine sending our troops into harm's way and not assuring that they have the equipment they need to do the job. So we are doing that in this bill—$70.4 billion for uparmoring of vehicles, for more aircraft, and the Bradley fighting vehicle upgrades that they so desperately need.

I am going to take this opportunity to say what a tremendous achievement we have had this week with the death of Abu Mus'ab al-Zarqawi, the head of the operation in Iraq that was behind the heinous crimes on the streets of Iraq day after day after day that we have been seeing. The man who was the mastermind of those atrocities is now gone. It is a significant victory for the intelligence capabilities of our country and our military personnel who achieved this remarkable feat. I hope this will begin another phase in the stabilization of Iraq.

Clearly we need to assure that our troops have what they need to do the job. Part of what is in this supplemental appropriations bill is money for training of Iraqi troops, because if we are going to stabilize Iraq, it is going to be with Iraqi security forces. That is what the Iraqis want, it is what we want, it is what our allies want, and it is certainly what the people of the world who believe in freedom want for the people of Iraq.

The other part of the bill is one that is very important to my home State of Texas, as well as to Louisiana, Alabama, Mississippi, and the other States that have suffered so much from hurricanes last season. We have never seen the ravages of a hurricane like we saw after Katrina and then Rita following so closely after that.

This bill, for the first time, has begun to acknowledge the part that my home State of Texas played in this recovery effort. We had a situation we have never had before in the history of our country. The first hurricane, Hurricane Katrina, did not hit Texas, but Texas had a major part in the disaster recovery. That is because 500,000 people were moved from Louisiana to Texas almost overnight. It was the biggest migration from one State to another in our country's history.

It has been a costly endeavor for the people of Texas, one which they have stood up and handled with grace beyond any imagination. But it is time that we reimburse the people of Texas because some of our communities are having to increase taxes to carry the burden, and that is not right. It was a natural disaster for which Texans stepped up to the plate, because we are a neighboring State, to try to handle, and now we have suffered the consequences. This bill helps us in that recovery effort.

The first part that is so important for us is the equity in reimbursement rates for the communities hit by Hurricane Rita. Since Hurricane Rita hit in September of 2005, the counties on the Louisiana side of the Sabine River have been able to put up 10 percent, with a 90-percent Federal reimbursement. This has been very helpful to the people of Louisiana. But on the other side of the Sabine River, where the same hurricane hit, our counties have had to put up 25 percent of the cleanup. The result is that much debris has never been cleaned up.

Furthermore, we have infrastructure that has not even begun to be repaired. Some counties, in doing the original cleanup, contemplated bankruptcy. They have talked now about having to raise the property tax rates to pay for the cleanup, and some have borrowed money and issued bonds to try to do the cleanup. Bond issues should never be used for that kind of an emergency or any kind of operational expenditure. Bonds are for capital expenditures. They knew that it was not good public policy, but they had no alternative because these are counties which are rural, not rich in property values, and it was a huge strain.

In this bill, those 22 counties in East Texas will get the reimbursement rate that has been given on the Louisiana side. I am so grateful to the Senate for doing this in a way that does allow equity for the first time since last September. This has been such a relief to these counties. I have had calls from mayors and county judges who were almost giving up hope because they did not know how they would manage this crisis, and now they see light at the end of the tunnel.

I thank my colleagues for supporting this bill. I know the bill will pass. I particularly thank Senator COCHRAN, Senator BYRD, Senator GREGG, Senator COLLINS, Senator SPECTER, Senator LIEBERMAN, and Senator KENNEDY. It was these Senators who helped us get through the equity in reimbursement that will so help our East Texas counties.

The other part of this hurricane relief bill is in the educational area. When we had half a million evacuees, we were looking at, of course, educating their children. After an initial enrollment of 43,000 children, mostly in Houston, Dallas, San Antonio, and Austin, some in the East Texas counties that also were hit by Rita, we did agree in a previous supplemental to reimburse these school districts. We authorized impact aid of $6,000 per student to cover the cost of education for students displaced by Hurricane Katrina. However, they were only able to do the reimbursement at a rate of $4,000. So these school districts were taking a hit of $2,000 per student. The current supplemental bridges that gap, which is a huge help for these communities.

Just to give one an idea of the impact of Hurricane Katrina on Texas, it is normal to see a two-page ad in a newspaper that advertises polling locations for elections. One would see in any normal election in a county all of the polling places on election day. This newspaper I am holding up doesn't seem to look that unusual. It is a list of polling places for the New Orleans mayor's race. What is interesting is this is the Houston Chronicle. This same ad over two pages appeared in the Dallas Morning News. That is because the number of Katrina evacuees who were going to vote and did vote in the New Orleans mayor's race was significant enough, with a 500,000-person migration after that hurricane, to make a huge difference.

There is also a picture on the front page of the Houston Chronicle just before that mayor's race with a billboard for New Orleans mayor, Ray Nagin.

We can tell just from these anecdotal pieces of evidence that this is an evacuation which is affecting Texas to a huge extent.

The $235 million in this bill will help these school districts make up for the deficit they have been funding all year and, again, raising property taxes in Texas to pay for it will not now be necessary.

We are going to monitor the enrollment of the number of schoolchildren in these school districts this fall to see if we have large numbers of displaced schoolchildren—because schools are not yet fully open in New Orleans—and we will come back and ask for more supplemental funds for the Katrina evacuees who are not planning to make a permanent home in Texas but are still in our education system.

Because of the fairness of the conference committee—and I particularly mention Congressman KEVIN BRADY, Congressman TED POE, Congressman HAL ROGERS, and Congressman HENRY BONILLA for helping us put forward the case that needed to be made for Texas to show that we had to have some equity in the East Texas counties that were hit by Rita, as well as the educational community that was so affected by the evacuees who came to our State immediately after Katrina. This is going to go a long way toward helping them.

We are also hoping to have some of the money for infrastructure reimbursement after Hurricane Rita that is also included in this bill, but it is at the discretion of the Secretary of Housing and Urban Development.

This is a balanced bill. It is the first time we have been able to recognize that though a State wasn't hit by the first natural disaster, it nevertheless had a huge impact on the economy of the State. Our State stepped up to the plate, and this bill begins to equalize the burden our State has carried.

I appreciate my colleagues listening to me. I appreciate their help in the original Senate bill. I appreciate the members of the conference committee who did so much to help, and I certainly appreciate the chairman, Senator COCHRAN, Senator BYRD, Senator GREGG, Senator COLLINS, Senator SPECTER, Senator LIEBERMAN, and Senator KENNEDY for helping us create the equity that will exist when this conference report is agreed to tomorrow.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. MARTINEZ. Mr. President, I ask unanimous consent that the pending amendment be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4237

Mr. MARTINEZ. Mr. President, I call up amendment No. 4237, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Florida [Mr. MARTINEZ] proposes an amendment numbered 4237.

Mr. MARTINEZ. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that States likely to be effected by the hurricane season in 2007 are afforded a priority in funding for replacement equipment for the National Guard)

At the end of subtitle B of title I, add the following:

SEC. 114. REPLACEMENT EQUIPMENT FOR THE ARMY NATIONAL GUARD.

In allocating amounts authorized to be appropriated by section 101(5) for other procurement for the Army for the procurement of replacement equipment for the National Guard, the Secretary of Defense shall afford a priority in the allocation of such funds to the States likely to experience a hurricane during the 2007 hurricane season.

Mr. MARTINEZ. Mr. President, I ask unanimous consent that Senator BILL NELSON of Florida be added as a cosponsor of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, will the Senator yield? It was my understanding that the Senator from Florida was going to speak on an existing amendment or some other subject, and he now has offered an amendment?

Mr. MARTINEZ. Yes.

Mr. LEVIN. There is a lineup of amendments to which we had previously agreed. It was not my understanding the Senator would be offering an amendment.

Mr. WARNER. Mr. President, if the Senator will yield, I have been trying to work with the Senator from Florida to revise a draft I saw.

Mr. MARTINEZ. Correct.

Mr. WARNER. Mr. President, it seems to me, if the Senator withdraws the amendment, the managers can work with him and then the Senator from Florida can speak to the generic substance of the amendment, which I believe is a very important amendment.

Mr. MARTINEZ. I have no problem doing that. I will be glad to withdraw the amendment.

AMENDMENT NO. 4237, WITHDRAWN

Mr. MARTINEZ. Mr. President, I ask unanimous consent to withdraw amendment No. 4237.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. LEVIN. Mr. President, I wonder if the Senator has additional copies of the amendment he can share.

Mr. WARNER. Mr. President, I say to my colleague, the Senator from Florida is now in the process of rewriting it. I suggest we wait until he has decided on the version he would like to submit at the appropriate time.

Mr. MARTINEZ. That will be fine. I was under the impression Senator LEVIN had seen the amendment. I will make sure he gets a copy.

Mr. LEVIN. I very much appreciate it.

Mr. MARTINEZ. Mr. President, I ask unanimous consent that I be allowed to speak for up to 10 minutes on the subject of the amendment and come back to the issue of calling it up at the appropriate time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Florida is recognized.

Mr. MARTINEZ. Mr. President, the issue of the ongoing war on terror and the very important role the National Guard is playing in this effort is the subject of my amendment. I wanted to start first by congratulating President Bush, who visited Baghdad yesterday. The President once again is showing his commitment and his leadership in this difficult fight. He went to Iraq to show his support for the now-formed Iraqi Government and again to offer his support to the brave men and women who are fighting this war and offer his support to them and their families.

The last 7 days have been historic. The bringing to justice Abu Mus'ab al-Zarqawi, al-Qaida's No. 2 figure in the world, second only to Osama bin Laden, was great news for freedom-loving Iraqis and for the men and women of the U.S. Armed Forces who have patiently and methodically hunted this terrorist to his end, and most of all a crucial step for us in winning the war on terror. For U.S. special operations forces, this was yet another impressive victory in removing an enormous obstacle to peace in Iraq and victory of our Armed Forces. By capturing Saddam Hussein, tracking and killing his sons, Uday and Qusay, and now killing Zarqawi, our special operations forces continue to effectively serve the cause of freedom. Iraq is a better place for these actions, and America will be safer as well.

The President recently reminded us that the fight is far from over. As he has said from the beginning, this war on terror will not be easy or short. Blindly hoping for victory will not result in victory. As Americans, we must be firm in our determination to the task at hand. As the President said while talking to the troops in Baghdad yesterday, the sooner Iraqis can take up the fight, the sooner our soldiers can come home.

Defeatism and hand-wringing and finger-pointing does not constitute a strategy for victory. We cannot and will not be defeated militarily. The only way we will be defeated is by our own lack of resolve. If we had listened to detractors who told us to cut and run, al-Zarqawi would be alive and planning his next killing and the future of a radical caliphate in Iraq. The constant talk about withdrawal and the ceaseless pursuit of establishing a timetable for withdrawing U.S. troops directly undermines the mission. It undermines morale. Why would we ever want to alert our enemies and give them our precise plans? A timetable is only tied to the success of our forces and the political situation on the ground. While we all wish to see the end of the struggle and our troops' safe return home, this must not be determined by an arbitrary deadline that signals retreat in defeat. After all the Iraqis have achieved—peaceful democratic elections, an interim and now permanent government, a police force, and building of the armed forces—how could we think about abandoning this struggle and mission before we meet with success?

The clear goals of this war—to protect America and our vital national interests, to rid the world of radical Islamic terrorists, to reshape the Middle East and bring democracy to one of the darkest and most historically undemocratic corners of the world—is Wilsonian in its vision and Churchillian in its urgency. I commend President Bush for his leadership, Secretary Rumsfeld for his diligence, Generals Abizaid and Casey, the commanders on the field, and the soldiers, sailors, airmen, and marines in the theater for their perseverance, competence, and for their honor; also, our Secretary of State and our very capable Ambassador Khalilzad for their success and the way they have assisted the formation of a new government.

In relation to the continuing war on terror, there is one issue I am concerned with, and that is the process by which our National Guard units are currently being reequipped. Today, we have a situation in our National Guard units from Florida—and I imagine National Guard units from many other States—which are sent to war with their own equipment; that is, the men and women, the trucks, the tanks, the helicopters, the humvees, and all the gear leave the State and go to protect Americans serving in Afghanistan and Iraq. However, when the tour of duty is over, the Guard returns home and the equipment stays behind. This is understandable, since in a war zone and in desert conditions, vital equipment needs to be replaced sometimes more quickly than new equipment can get to the region. As you might imagine, the National Guard then has a resulting deficit of equipment, which is a temporary situation but nonetheless a crucial delay in their completion of their equipment inventory.

With the arrival of this year's hurricane season, I have urged the citizens in our State of Florida, where we are currently and have been previously consistent victims of recent hurricanes, as well as other hurricane-prone States, to do everything they can to prepare for potential storms. But even with the best preparedness, storms have a way of taking unexpected turns, and as we have seen over the past three years, the National Guard plays a crucial role in helping stabilize areas in the immediate hours and days following the disastrous hurricanes we have experienced recently.

For instance, last year alone, the Florida National Guard deployed 5,800 troops within the State of Florida and along the gulf coast during 4 major hurricanes. To support Hurricane Katrina recovery efforts, the Florida Guard sent 2,500 troops to Mississippi as part of the emergency compact agreement the States have with the Guard. They have done their job with dedication and competence.

The point is that during hurricane season, during the war on terror, we cannot sustain the National Guard without prioritizing equipment replacement. They need this equipment for training. They need this equipment for those times when they are needed to be activated in honoring their State and Federal missions here at home.

The Guard wears many hats and plays a vital role in fighting the war on terror and in responding to catastrophes here at home. I have offered an amendment to ensure that their reequipment is not deferred. The amendment directs the Secretary of Defense to place a priority on providing replacement equipment to Guard units, particularly in those States which are prone and historically have been shown to be frequent victims of hurricanes.

The first named storm of the season, Tropical Storm Alberto, just visited the State of Florida. NOAA has told us that we are in for an active hurricane cycle that could last for a decade or more. From New England to Texas to Louisiana to Florida, hurricane-prone States require National Guard units that will be able to meet important missions abroad and at home. Meeting this mission requires prioritizing their reequipping.

So at the right time and in the right order, I intend to bring up such an amendment, which I hope will have broad support in the Senate where I believe all of us understand and appreciate the very vital and crucial role the National Guard continues to play, not only in the crucial war on terror but, equally important, providing that irreplaceable line of assistance at home during the times of hurricanes and other natural disasters.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, is the pending amendment the Dorgan amendment?

The PRESIDING OFFICER. It is the pending amendment.

Mr. WARNER. Mr. President, I move to table the Dorgan amendment. I ask unanimous consent that the vote on the motion to table occur at 3:45 this afternoon; provided further that between now and 3:45, Senator DORGAN be recognized to speak for up to 15 minutes on the amendment.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, my understanding is that there will be a motion, perhaps a motion to table—in any event, a vote on my amendment at 3:45. I had asked that I be allowed time to speak once again on the amendment.

It is an obligatory statement to come to the floor and congratulate the chairman and the ranking member, but in this case I will always mean it. The work of my friend and colleague from Virginia, as chairman of this committee, is really excellent work. So, too, is the work of Senator LEVIN from Michigan. I always say this is a big, big piece of legislation, a difficult piece of legislation. The Defense authorization bill is a real piece of work to put together. It is made even more difficult during wartime to stretch for all of the needs—unlimited wants with limited resources. So I come here understanding that there are things in this legislation that are very important that inure to the credit of the chairman and the ranking member.

I want to describe something that is not in the legislation, however, and the opportunity to offer it to this legislation at this time is very important. This bill will authorize the expenditure of a great deal of money. That is not new. We have authorized the expenditure of a lot of money for a lot of things, particularly with respect to the military expenditures in Iraq and Afghanistan in recent years—something close to $350 billion. That is with a "b." $350 billion has been spent. That was virtually all done as emergency appropriations, not paid for with anything, just added on top of the debt.

Even as we have done that, we in the Congress have also voted for $18 billion in reconstruction funding in the country of Iraq. That $18 billion in reconstruction for the country of Iraq has gone out in various contracts and been spent. What we are hearing now, as a result of a massive amount of money being spent in a fairly short period of time, is the most hair-raising tale of waste and fraud and abuse that I have ever heard.

I dare say that never in the history of this country has so much money been wasted so quickly. And, yes, there is fraud involved, there is abuse involved, and it is the case that there is a dramatic amount of taxpayers' money that is now being wasted.

I went through this morning a description of what is happening in some areas. In our policy committee, we held hearings over 3 years about this issue. This is a photograph which I showed this morning of this man, the man with the brown belt. He was actually in his office in Iraq. These are $100 bills wrapped in Saran Wrap. This represents $2 million, and it was to be paid to a company called Custer Battles, named after Mr. Custer and Mr. Battles. They are two folks who went to Iraq to seek their fortune—one I believe a former Army Ranger. Neither had experience as contractors, but they knew there was a lot of money to be made. They went to Iraq to set up a company. They got there, and the first contract, I believe, which they received was to provide security at the Baghdad Airport, which at that point wasn't open.

As they provided security at the Baghdad Airport, whistleblowers came forward who were working for them and said: What is going on here is really pretty awful. In fact, one of the whistleblowers was threatened. Someone threatened to kill him for speaking out. But they said it is wrong and awful. This company that had the contract for security at Baghdad Airport took forklift trucks off the airport, which belonged to the airport, put them in a warehouse, painted them blue, and sold them back to the Coalition Provisional Authority. It is the sort of thing that was going on.

This picture of $100 bills wrapped in Saran Wrap was $2 million that was paid to this company called Custer Battles. This fellow who was in charge of that money said there was a basement with a vault in this building in Iraq where he said he thought billions and billions of dollars in cash was stored.

The message to the contractors in Iraq was: Bring bags because we pay in cash. Bring a sack because we pay cash.

Then there is the story about a contract for air-conditioning a building in Baghdad. The contract goes to a subcontractor, which goes to another subcontractor, and a fourth-level subcontractor. And the payment for air-conditioning turns out to be payments to four contractors, the fourth of which puts a fan in a room. Yes, the American taxpayer paid for an air-conditioner and, after the money goes through four hands like ice cubes travel around the room, there is a fan put in a room in Iraq.

I mentioned this morning that every time you talk about this you have to talk about Halliburton. Every time you talk about Halliburton, they say you are talking about Vice President CHENEY. Not true. He hasn't run Halliburton for many years, but this company received very large, no-bid, sole-source contracts worth billions of dollars and massive amounts of money have been wasted.

Investigators and inspectors at the Department of Defense discovered this contractor had overcharged. The contracts were in some cases awarded under questionable circumstances.

I described just a few of the examples today, such as $85,000 new trucks that had a plugged fuel pump and left by the side of the road—brand new—to be burned; $85,000 brand new trucks with a flat tire, left beside the road to be torched.

It is pretty unbelievable, the stories we have heard about what is going on with these contractors in Iraq.

The buyer for Kellogg, Brown & Root, a subcontractor for Halliburton, came and testified. He was a purchaser stationed in Kuwait. His job was to purchase things that the Army needed in Iraq. He was told you should purchase hand towels for the military. So he gets about the business of buying hand towels—tens of thousands of hand towels, except he was told by his bosses, KBR, don't buy just the ordinary hand towels. We want to have them embroidered "KBR," for Kellogg, Brown & Root, therefore doubling the price. Buy the towels, doubling the price. It doesn't matter. The taxpayer is paying for all of this, and it has cost-plus. Don't worry, be happy. Charge as much as you can.

And $7,500 a month to lease an SUV; $45 a case for Coca-Cola. It doesn't matter. The taxpayer is paying the bill. Order 25 tons of nails, 50,000 pounds, the wrong size, doesn't matter, lay them on the sand in Iraq. Nobody will know. Just 25 tons of nails.

The stories are pretty unbelievable.

Frankly, one of the great surprises to me is that the Pentagon has not been very interested.

A guy named Rory came over here. He was actually in Iraq. He was a food service supervisor at Kellogg, Brown & Root. He was a supervisor in the food service kitchen. He said the convoys of trucks that were hauling food in would occasionally be attacked. There was shrapnel in the back of the trucks. They were told to go back and pick the shrapnel out of the food, save the bullets as souvenirs for the supervisors, but pull the fragments out of the food and put the food in the food line. And then he said: Routinely we would have food that had an expired date stamp. This food is good until August 22nd, expired; routinely expired food. What did the supervisor say? It doesn't matter. Just feed it to the troops.

I am surprised that Secretary Rumsfeld, for example, didn't become apoplectic about that. You would think he would have a seizure when they were paying contractors to feed the troops and to feed them outdated food and nobody seems to care very much; or feeding 42,000 people, according to the billing record, and only 14,000 people were eating.

I come from really small town of 300 people. We have one little restaurant. You could miss a cheeseburger, or two or three. But to miss 28,000 meals when you say you fed the troops that you didn't feed? In my hometown, we have a word for that sort of thing.

It is unbelievable what is going on and the stories. These aren't stories that we have heard second or thirdhand. Rory, for example, worked there, lived there, served food there in the cafeteria. He was told this.

He said this on the record: When the auditors come around to your base in Iraq and come to your food service operation, you dare not talk to them. If you talk to Government auditors, you are going to be in some real trouble. One of two things will happen. You will either be fired or you are going to be sent to an area that has intense fighting. It turns out that Rory was sent to Fallujah in the middle of hostilities there because he had the gall to talk to Government auditors who were asking questions about what was happening in the food service operation.

No one in this Chamber believes this sort of stuff ought to go on. It shouldn't happen. Yet, I think there is so much money being spent with big, sole-source, no-bid contracts being let.

I described this woman this morning. I am going to do it again because I have met her several times now. I think what has happened to her is a crying shame. Bunnatine Greenhouse, the highest civilian official in the Corps of Engineers, rose to become the highest civilian official to serve in the Corps of Engineers. Well-educated, smart, with a great career that every supervisor said was excellent by every evaluation, this woman knows what she is doing. She is an outstanding public servant. But she ran into some trouble.

The trouble was she saw contracts being let that violated contract provisions. She saw meetings being held in which big companies were part of the meetings, talking about the new contracts that were going to be let. She began to complain, saying: You are violating the rules of contracting. The old-boy network didn't like that at all. Bunnatine Greenhouse got into trouble for speaking out. She was demoted. This woman who had the courage to speak out against waste, fraud, and abuse paid for it with her job.

She said:

> I can unequivocally state that the abuse relating to the contracts awarded to Kellogg, Brown & Root represents the most blatant and improper contract abuse that I have witnessed during the course of my professional career.

A career, I might add, was judged—not by the Department of Defense—to be outstanding by people outside of the Department of Defense who worked with her. For that, she paid with her job. And nobody seems to care.

By the way, this job is now being filled by someone who is unqualified. The general who made the decision to fill this job with someone unqualified said it is true the person they put in that job to replace Bunnatine Greenhouse doesn't have the necessary experience, but she is now being trained.

That is really helpful. I assume that is what they were doing down at FEMA when they put something like seven of the top FEMA officials in place who were cronies who had no experience in disaster preparedness or relief. I guess they were being trained too. The problem is Hurricane Katrina hit and that agency was a mess.

We don't need cronyism. We need good, strong professional people who have the courage to speak out when they see something wrong.

The amendment that I have offered is very simple. The amendment that I have offered deals with war profiteering. Nobody in this Chamber believes that anybody ought to be justified in profiteering from war. If there are people profiteering from war, there ought to be strong sanctions.

This amendment includes a number of different pieces of legislation. The war profiteering amendment is one which Senator LEAHY constructed in the last Congress and brought forward. That is a portion of this amendment. The amendment deals with contract abuse, requiring competition in contracting.

Also, the amendment has protections for whistleblowers. We ought to care about that.

There are about six or eight provisions of this amendment that I described earlier today. But I want to conclude with this.

I mentioned earlier the Custer Battles company. They are the subject at this point of criminal prosecution.

The Custer Battles folks are the two men named Custer and Battles. "60 Minutes" just did a program on them on CBS. We held hearings about Custer Battles. They went to Iraq, as I said earlier, and got a contract for security at the airport. They eventually ended up being paid more than $100 million in contracts. These are people without experience in contracting. They went to Iraq to seek their fortune and to get contracts. And they did.

Here is what the Baghdad airport director of security said in a memo to the Coalition Provisional Authority. That was us. We were running Iraq before they created their new government. Here is what the Baghdad airport director of security said:

> Custer Battles have shown themselves to be unresponsive, uncooperative, incompetent, deceitful, manipulative and war profiteers. Other than that, they are swell fellows.

Isn't that unbelievable? Does anybody dare say now that we didn't know what was going on over there? They knew.

What is still now going on over there is unbelievable.

What we need at this point on behalf of the American taxpayers and on behalf of the troops who put on the uniform and serve this country, and without question put their lives on the line, what we need on their behalf is an understanding that we are doing the right thing here.

This piece of legislation, this authorization bill, is a good bill. It will be a better bill with this amendment because this amendment plugs a very big hole that exists with respect to contracting and profiteering.

I mentioned earlier today that I have previously offered and will again offer an amendment that establishes a Truman Committee here in U.S. Senate. I wasn't around, of course, during the Truman Committee. The Truman Committee was established in the early 1940s at a time when a Democratic Senator with a Democratic President in the White House said we have to investigate waste, fraud, and abuse. And he did on a bipartisan basis. They put together a special committee, and they sunk their teeth into this issue of waste, fraud, and abuse. It was unbelievable what they discovered. The country was better and stronger as a result of it.

I bet sometimes FDR gritted his teeth over the investigations. But it was not about the White House at all; it was about making sure the taxpayers were getting their money's worth, making sure we were doing the right things for the troops. The same is true now.

I don't offer this with any political intent at all. It is just that I sat hour after hour after hour and listened to stories—yes, some of them about Custer Battles, some about KRB, some about Halliburton, and some about other companies—and I have seen unbelievable stories and heard unbelievable stories about waste, fraud, and abuse. I see very little desire at the Pentagon to sink their teeth into it and fix the problems.

The woman who had the courage to stand up and blow the whistle has lost her job. This is not a very hospitable place for people willing to have the courage to speak out. We ought to stand up for Bunny Greenhouse and say we need more like her. When you see something wrong, you report it. When you see something bad, you stop it. We need more people like her.

This amendment is not about her; it is about protecting people who have the courage to stand up for our interests and who care about what is being spent, what is being done, who care about when we are being defrauded and when people are war-profiteering.

I ask consent that Senator KENNEDY and Senator CLINTON be added as cosponsors of the amendment.

The PRESIDING OFFICER (Mr. MARTINEZ). Without objection, it is so ordered.

Mr. DORGAN. Mr. President, let me conclude by saying that this amendment is not aimed at the White House. It is not aimed at some political objective. It is certainly not aimed at the chairman and ranking member of this bill. This is aimed at trying to find common sense in the way we deal with these issues, especially in wartime.

I mentioned this morning that common sense is sometimes described as genius in work clothes. Common sense could take us a long way if we just applied it in these circumstances. We understand what happens when a company gets a special deal—by the way, you get a big old contract worth billions of dollars, you do not have to bid on it, and we will negotiate the terms later. I understand what happens then. That is like leaving the till open. The stories that come from it are unbelievable. On behalf of the American taxpayer, we ought to do something about it.

Perhaps my colleague wishes to respond.

Mr. WARNER. Mr. President, I have listened very carefully to my colleague. I spoke earlier about what our committee had done. The organization is now in place to try to monitor the situations the Senator has enumerated.

We will proceed to a vote at 3:45. I will at that time seek to be recognized for the purpose of tabling the amendment.

I ask unanimous consent to have printed in the RECORD at this juncture a paper provided by the Department of Defense, a copy of which I hand to my distinguished colleague, which recites the Department's understanding with regard to the career of this woman to whom the Senator has referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INFORMATION PAPER

Effective August 27, 2005, Ms. Greenhouse was removed from her position in the Senior Executive Service (SES) as the Principal Assistant Responsible for Contracting at the U.S. Army Corps of Engineers (USACE) and placed in a GS-15 position. Her removal was required by Title 5, Code of Federal Regulations, Section 359.501, because she had received two final performance ratings of "less than fully successful" within three consecutive years.

The two performance ratings at issue covered the rating periods from October 1, 2001 through September 30, 2002 and from October 1, 2002 through December 31, 2003. The second rating period was extended for three months to ensure that Ms. Greenhouse was afforded a minimum of 120 days working under a set of approved performance standards and to give her additional time to demonstrate successful performance. Further, because USACE officials had proposed Ms. Greenhouse's removal from the SES, both of these ratings were reviewed by the Assistant Secretary of the Army for Acquisition, Logistics and Technology (ASA-AL&T), who has functional responsibility for all Army acquisition activities, and the Assistant Secretary of the Army for Manpower and Reserve Affairs, who has responsibility for management of the SES.

On October 5, 2004, Lieutenant General (LTG) Carl Strock, Commanding General, USACE, advised Ms. Greenhouse that she would be removed from the SES and placed in a GS-15 position effective November 13, 2004, based on her receipt of two final ratings of "less than fully successful" performance within three consecutive years. By letter of October 21, 2004, to then Acting Secretary of the Army, R.L. Brownlee, Mr. Michael Kohn, an attorney representing Ms. Greenhouse, requested an investigation into alleged procurement irregularities within USACE and implied that Ms. Greenhouse faced removal from the SES because of her disclosure of these irregularities. Acting Secretary Brownlee directed suspension of the removal action until a sufficient record was available to address the matters raised in Mr. Kohn's letter. Concurrently, Mr. Brownlee directed the forwarding of Ms. Greenhouse's allegations of contracting irregularities to the Inspector General, Department of Defense (IG, DoD) for action as appropriate. There is no record that these allegations are, or have been, the subject of USACE Inspector General inquiry, as set forth in your letter; as detailed below, however, we believe that the IG, DoD is continuing its criminal investigation into procurement matters of interest to Ms. Greenhouse.

On June 3, 2005, LTG Strock forwarded a memorandum through the Department of the Army Inspector General (DAIG) to the Secretary of the Army, requesting authorization to proceed with the removal of Ms. Greenhouse from the SES and placement in a GS-15 position within Headquarters, USACE. In support of his request, LTG Strock enclosed an analysis prepared by his staff that demonstrated that Ms. Greenhouse's removal from the SES was based solely on her "less than fully successful" performance. This record was reviewed by the Department of the Army Inspector General who forwarded it to the Director, Investigations of Senior Officials, Office of the DoD Inspector General (IG, DoD). On June 13, 2005, the Director advised that "The criminal investigation into procurement matters of interest to Ms. Greenhouse is continuing. However, there is no basis to delay actions concerning Ms. Greenhouse pending the outcome of that investigation." Further, the Director found no basis to delay the proposed removal because of a possible reprisal allegation.

Because of the ongoing IG, DoD criminal investigation, it would have been inappropriate for the DAIG to inquire into that matter. However, the DAIG reviewed for regulatory compliance the two "less than fully successful" evaluation reports upon which the proposed removal was based and concluded that the USACE had satisfied applicable regulatory requirements. Accordingly, on July 14, 2005, the Army determined that a sufficient record existed to determine that Ms. Greenhouse's removal from the SES was grounded in a documented record of less than fully successful performance, and not because of any allegations she made of contracting irregularities or her decision to testify before Congress.

Mr. WARNER. Mr. President, we are awaiting the arrival of Senator MCCAIN. I ask unanimous consent that the Senate recognize Senator MCCAIN upon his arrival at the floor.

The Senator may wish to ask unanimous consent to place further material into the RECORD after he has had an opportunity to examine that paper. There may be some material the Senator believes should be added.

Mr. DORGAN. If I might just respond briefly, I don't think this is a substantive answer to the very serious allegations raised by Ms. Greenhouse—not just in her statements, but in other documentation about improper meetings, about improper actions by the Corps of Engineers, in violation of their own regulations. Nowhere do I see the Pentagon officials or General Strock willing to address those in their specifics. I will await their response to that, as I have waited now for 2 years, but that answer is not yet forthcoming.

It is perfectly fine to have this printed in the RECORD. I will, during this debate, evaluate it and also respond to it, but even with this, we have never gotten a straight answer from the Pentagon about these issues. They are very anxious and interested in making sure there are no waves around this on contracting because they have their own way of doing things, and if it does not work out, that is tough, they do not want news coverage.

Mr. WARNER. I got unanimous consent to have this printed in the RECORD but as a courtesy gave the Senator a copy thinking the Senator may wish to supplement it.

Mr. DORGAN. I appreciate the courtesy of Senator WARNER, and I may do so at an appropriate time.

Mr. WARNER. I yield the floor.

Mr. KOHL. Mr. President, these days it seems rare that we debate a nonpartisan issue. Too many of the items that Congress considers have more to do with spin than substance, are based more on politics than policy. It is a disturbing trend and that is why I am proud to rise as a cosponsor of the amendment introduced by my colleague from North Dakota, Senator DORGAN.

The issue addressed by the Senator's amendment—the fleecing of American taxpayers by war profiteers and corrupt contractors—should disturb every American. My colleague from North

Dakota constructed his amendment, which is based on legislation that I have also cosponsored, in reaction to testimony presented at several hearings he held on contracting fraud. At those hearings, witnesses presented example upon example of blatant misuse of taxpayer dollars. Witnesses testified about abuse ranging from the towels given to our troops to the meals they were served. At every opportunity, no-bid contract winners took advantage of the fact that we are at war to fill their own coffers. That is not a partisan issue—that is a crime.

It is a crime that requires punishment, and it is a crime that we could prevent with greater transparency and accountability. That is what this amendment would do. The amendment establishes penalties of up to 20 years in prison and at least $1 million in fines for war profiteering. It also prohibits the award of Federal contracts to companies that have a history of failing to comply with the law. Finally, the amendment requires real competition: For any contract worth more than $10 million, contractors would be allowed to compete, rather than have all the work automatically go to a single contractor.

This is a commonsense approach to an appalling problem. When we ask our troops and their families to make the ultimate sacrifice, it is repugnant to think that there are those who seek to profit off that sacrifice. Contract fraud does more than cost the taxpayers money—it abuses their confidence. We owe it to our troops, and to the American public, to do all we can to protect such abuses. Senator DORGAN's amendment is a step in that direction, and I urge my colleagues to support the amendment.

AMENDMENT NO. 4241

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I ask the indulgence of my friend from Virginia for a very brief two amendments, one which will be very brief—I do not believe he will object too strenuously—and that is to name this act after the distinguished senior Senator from Virginia.

I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. McCAIN], proposes an amendment numbered 4241 for himself, Mr. FRIST, Mr. LEVIN, Mr. INHOFE, Mr. KENNEDY, Mr. ROBERTS, Mr. BYRD, Mr. SESSIONS, Mr. LIEBERMAN, Ms. COLLINS, Mr. REED, Mr. ENSIGN, Mr. AKAKA, Mr. TALENT, Mr. NELSON of Florida, Mr. CHAMBLISS, Mr. NELSON of Nebraska, Mr. GRAHAM, Mr. DAYTON, Mrs. DOLE, Mr. BAYH, Mr. CORNYN, Mrs. CLINTON, Mr. THUNE, Mr. ALLARD, and Mr. ALLEN.

Mr. McCAIN. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To name the Act after John Warner, a Senator from Virginia)

On page 2, strike lines 1 through 3, and insert the following:

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the "John Warner National Defense Authorization Act for Fiscal Year 2007".

(b) FINDINGS.—Congress makes the following findings:

(1) Senator John Warner of Virginia was elected a member of the United States Senate on November 7, 1978, for a full term beginning on January 3, 1979. He was subsequently appointed by the Governor of Virginia to fill a vacancy on January 2, 1979, and has served continuously since that date. He was appointed a member of the Committee on Armed Services in January 1979, and has served continuously on the Committee since that date, a period of nearly 28 years. Senator Warner's service on the Committee represents nearly half of its existence since it was established after World War II.

(2) Senator Warner came to the Senate and the Committee on Armed Services after a distinguished record of service to the Nation, including combat service in the Armed Forces and high civilian office.

(3) Senator Warner enlisted in the United States Navy upon graduation from high school in 1945, and served until the summer of 1946, when he was discharged as a Petty Officer 3rd Class. He then attended Washington and Lee University on the G.I. Bill. He graduated in 1949 and entered the University of Virginia Law School.

(4) Upon the outbreak of the Korean War in 1950, Senator Warner volunteered for active duty, interrupting his education to accept a commission in the United States Marine Corps. He served in combat in Korea as a ground officer in the First Marine Air Wing. Following his active service, he remained in the Marine Corps Reserve for several years, attaining the rank of captain.

(5) Senator Warner resumed his legal education upon returning from the Korean War and graduated from the University of Virginia Law School in 1953. He was selected by the late Chief Judge E. Barrett Prettyman of the United States Court of Appeals for the District of Columbia Circuit as his law clerk. After his service to Judge Prettyman, Senator Warner became an Assistant United States Attorney in the District of Columbia, and later entered private law practice.

(6) In 1969, the Senate gave its advice and consent to the appointment of Senator Warner as Under Secretary of the Navy. He served in this position until 1972, when he was confirmed and appointed as the 61st Secretary of the Navy since the office was established in 1798. As Secretary, Senator Warner was the principal United States negotiator and signatory of the Incidents at Sea Executive Agreement with the Soviet Union, which was signed in 1972 and remains in effect today. It has served as the model for similar agreements between states covering the operation of naval ships and aircraft in international sea lanes throughout the world.

(7) Senator Warner left the Department of the Navy in 1974. His next public service was as Director of the American Revolution Bicentennial Commission. In this capacity, he coordinated the celebration of the Nation's founding, directing the Federal role in all 50 States and in over 20 foreign nations.

(8) Senator Warner has served as chairman of the Committee on Armed Services of the United States Senate from 1999 to 2001, and again since January 2003. He served as ranking minority member of the committee from 1987 to 1993, and again from 2001 to 2003. Senator Warner concludes his service as chairman at the end of the 109th Congress, but will remain a member of the committee.

(9) This Act is the twenty-eighth annual authorization act for the Department of Defense for which Senator Warner has taken a major responsibility as a member of the Committee on Armed Services of the United States Senate, and the fourteenth for which he has exercised a leadership role as chairman or ranking minority member of the committee.

(10) Senator Warner, as seaman, Marine officer, Under Secretary and Secretary of the Navy, and member, ranking minority member, and chairman of the Committee on Armed Services, has made unique and lasting contributions to the national security of the United States.

(11) It is altogether fitting and proper that his Act, the last annual authorization Act for the national defense that Senator Warner manages in and for the United States Senate as chairman of the Committee on Armed Services, be named in his honor, as provided in subsection (a).

Mr. McCAIN. Mr. President, this amendment would name the National Defense Authorization Act for Fiscal Year 2007 after the chairman of the Committee on Armed Services, our distinguished friend and colleague from Virginia, JOHN WARNER. I am pleased to be joined in this effort by Senators FRIST, LEVIN, INHOFE, KENNEDY, ROBERTS, BYRD, SESSIONS, LIEBERMAN, COLLINS, JACK REED, ENSIGN, AKAKA, TALENT, BILL NELSON, CHAMBLISS, BEN NELSON, GRAHAM, DAYTON, DOLE, BAYH, CORNYN, CLINTON, THUNE, ALLARD, and ALLEN.

I am certain that there is not a Senator in this Senate who would not agree that Senator WARNER, with his grace, courtliness, bipartisan attitude, and kindness to all, represents the finest traditions of the Senate. All Senators know that the defense authorization bill occupies a major place in the annual legislative calendar and takes substantial time to complete. Those Senators who do not have the privilege of serving on the Committee on Armed Services may not realize the tremendous amount of work that goes into hearings, formulation of legislative proposals, preparation for markup, and actual markup of this bill—the largest annually recurring piece of legislation in Congress. When one adds to this the oversight of the largest department in the Government, and the processing of thousands of military and civilian nominations each year, the demands on the chairman of the committee and the need for leadership are obvious. For 6 years, JOHN WARNER has provided that leadership, and done it in a manner that has gained him universal respect.

JOHN WARNER is, first and foremost a Virginian—a lifetime resident of that Old Dominion that has stood at the center of American history for over two centuries and has given Nation so many of its eminent men, from Washington forward. JOHN WARNER has continued that tradition of service to country from his youth. The son of a decorated Army physician in World War I, JOHN WARNER left high school to enlist in the Navy late in World War II. He served until 1946, when he was discharged as a petty officer 3rd class. Like millions of other young Americans, he then attended college on the G.I. bill, graduating from Washington and Lee University in 1949. He then entered the University of Virginia Law School. He interrupted his education to serve in the Korean war, volunteering for active duty and accepting a commission in the Marine Corps. He served in the combat zone as a ground officer in the First Marine Air Wing, and remained in the Marine Corps Reserve for several years. Upon returning from the Korean war, he resumed his legal education, graduating from the University of Virginia Law School in 1953.

Upon graduation, JOHN WARNER's outstanding qualities were recognized when he was selected to serve as the law clerk to the late Judge E. Barrett Prettyman of the U.S. Court of Appeals for the District of Columbia Circuit, one of the most outstanding jurists of the period. Many years later, Senator WARNER would be instrumental in naming the U.S. Court House in Washington, DC, for his old mentor. After his clerkship, JOHN WARNER became an Assistant United States Attorney in the District of Columbia, and later was engaged in the private practice of law.

In 1969, President Nixon nominated JOHN WARNER to serve as Under Secretary of the Navy. The Senate confirmed the nomination, and he served as Under Secretary until he was confirmed and appointed as the 61st Secretary of the Navy in 1972. During his tenure as Secretary, the United States and the Soviet Union signed the Incidents at Sea Executive Agreement, for which he was the principal United States negotiator and signatory. This agreement remains in effect today, and has served as a model for similar agreements governing naval vessels and aircraft around the world.

After leaving the Department of the Navy in 1974, JOHN WARNER's next public service was as chairman of the American Revolution Bicentennial Commission. He oversaw the celebration of the Nation's founding, directing the Federal Government's role in a commemoration that enbraced all 50 States and over 20 foreign nations.

In 1978, the voters of Virginia elected JOHN WARNER to a full term in the United States Senate. Upon beginning his service in 1979, he was elected a member of the Committee on Armed Services. Upon leaving the chairmanship next year, he will have served on the committee for 28 years, almost half of the committee's existence. Senator WARNER served as chairman of the committee from 1999 to 2001, and again since 2003. He also served as ranking member from 1987 to 1993, and again from 2001 to 2003. For 14 years of American history, years that saw the end of the cold war, the first gulf war, the attacks on September 11, 2001, and the global war on terror, JOHN WARNER has served in a leadership role on the committee.

No Member of this body has done more for our national security than JOHN WARNER. As sailor, Marine officer, Under Secretary and Secretary of the Navy, and United States Senator, he has always answered his country's call. The dignified and evenhanded way in which he has presided over the business of the committee has enabled it to continue its noble tradition of being an island of bipartisanship in an increasingly unpleasant political era. I submit that it is exceedingly appropriate that this year's defense authorization act, the last which JOHN WARNER will manage as chairman of the Committee on Armed Services, be named in his honor.

If my colleagues will indulge me for just another moment, I would like to relate a personal story, and that has to do with when I returned from prison in Vietnam. JOHN WARNER was then serving as Secretary of the Navy. Secretary Warner greeted us all with the greatest warmth and affection, but very importantly in my case I had requested to attend the National War College as the next tour of duty. That meant objections for several very good reasons, and yet then-Secretary Warner made sure I was allowed to attend that institution of higher learning. He and I have remained friends and comrades since the day I returned home in March of 1973, now some 33 years.

It has been a privilege and an honor to hold my dear friend, JOHN WARNER, in my highest esteem and affection. This is a very small token for the esteem in which all of us hold JOHN WARNER as a great and wonderful leader of this Senate. I could go on for many hours recounting the many wonderful achievements he has made for the people of Virginia and for the people of this Nation, but I will refrain from doing so as I know many of my colleagues will want to add their voices and sponsorship of this amendment to name the Defense authorization bill for 2007 in his name.

I ask the vote to be held at the appropriate time, and whether the yeas and nays are called for would be up to my colleagues.

Mr. WARNER. Mr. President, I am deeply moved by the thoughtful remarks of my longtime friend. I express my everlasting gratitude first and foremost for that friendship and, indeed, the friendship of your father, commander and chief of the U.S. Forces in the Pacific, who helped guide me in those difficult days of Vietnam when I was entrusted with the Department of the Navy.

I say to my friend, it is my fervent hope when I step down as chairman, as prescribed by the rules of our caucus, I will have the privilege to nominate you to become the next chairman of the Armed Services Committee. And I am confident that will be confirmed in our caucus and eventually by the full Senate and that you will lead this committee to greater levels and higher achievements, as has been the case of almost every step of your career.

I wish you well and also your family, dear friend.

Now, Mr. President, I believe we are going to turn to another amendment by the distinguished Senator from Arizona, and I am privileged to be a cosponsor of that amendment.

I commend the Senator. This is a very important step that you are initiating with regard to the future of how financing the Department of Defense is handled in the Congress of the United States.

I yield the floor.

Mr. KENNEDY. Mr. President, I am honored to join my colleague from Arizona and to cosponsor his amendment to name this year's Defense authorization bill after our good friend, Senator JOHN WARNER, the chairman of the Armed Services Committee.

This tribute is eminently well deserved. Senator WARNER has had a long and distinguished career of outstanding service to our Nation. He enlisted in the Navy at the end of World War II and served with distinction. He then attended Washington and Lee University on the GI bill. He volunteered for active duty during the Korean war and served as an officer in the Marine Corps, interrupting his studies at the University of Virginia Law School.

After graduation, he had an impressive legal career. He clerked for Chief Judge Barrett Prettyman of the U.S. Court of Appeals for the District of Columbia Circuit and became a Federal prosecutor in the District of Columbia before entering private practice.

He then returned to Government service as Under Secretary of the Navy in the Nixon administration, and I was honored to support his promotion to be the 61st Secretary of the Navy in 1972.

He was elected to the Senate in 1978 and was a natural for the Armed Services Committee. I joined the committee in 1983, and it has been a very great privilege to serve with him and learn from him for the past two decades. No one cares more about our national defense or our men and women in uniform. As chairman of the committee, he has the immense respect of all of us. His leadership ability, eloquence, and dedication have served the Senate, our Armed Forces, and the Nation brilliantly.

These annual Defense authorization acts demonstrate our chairman at his best, and naming this bill for him is a fitting tribute to his extraordinary leadership and the enduring respect and affection that all of us have for him.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I thank my friend again for his kind words. If I am so fortunate as to succeed him, I would obviously rely on him for his continued guidance and stewardship.

AMENDMENT NO. 4242

Mr. President, I send an amendment to the desk and ask for its immediate consideration. The amendment is on behalf of myself, Senator WARNER, Senator LEVIN, Senator GRAHAM, Senator BYRD, Senator GREGG, Senator HAGEL, Senator CHAMBLISS, Senator COLLINS, Senator COBURN, Senator CONRAD, and Senator REID.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, Mr. WARNER, Mr. LEVIN, Mr. GRAHAM, Mr. BYRD, Mr. GREGG, Mr. HAGEL, Mr. CHAMBLISS, Ms. COLLINS, Mr. COBURN, Mr. CONRAD, and Mr. REID, proposes an amendment numbered 4242.

Mr. McCAIN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require regular budgeting for ongoing military operations)

At the end of subtitle I of title X, insert the following:

SEC. . BUDGETING FOR ONGOING MILITARY OPERATIONS.

The President's budget submitted pursuant to section 1105(a) of title 31, United States Code, for each fiscal year after fiscal year 2007 shall include—

(1) a request for funds for such fiscal year for ongoing military operations in Afghanistan and Iraq;

(2) an estimate of all funds expected to be required in that fiscal year for such operations; and

(3) a detailed justification of the funds requested.

Mr. McCAIN. Mr. President, the amendment would require regular budgeting for ongoing military operations in Afghanistan and Iraq. The war on terror has been going on for nearly 5 years, since that tragic day in September 2001. Yet since that time the administration has sought to fund the war operations almost entirely through emergency supplemental appropriations measures instead of through its annual budget submissions.

The most recent supplemental measure, which the Senate is expected to pass soon, is the ninth supplemental bill since September 2001. With its enactment, we will have provided over $420 billion to pay for ongoing military operations, reconstruction, and training of Iraqi security forces—defense spending that I fully support. And all of that money is designated as "emergency" expenditures—provided without any offsetting revenues, as if it were free money. But it is not. It is not free money.

I think we can fund this war—and, indeed, win this war—while also budgeting for the war. We know the war is going to cost more than the $420 billion to date, and we know the war is not going to end as quickly as most of us would prefer. In fact, many of us see ongoing operations in Afghanistan for an extended period of time, hopefully at a low level, hopefully taken over by NATO, hopefully Americans not in a major role. But certainly as long as NATO is involved, we will continue to see American participation. But we need to continue, and we need to continue our military operations until the job is done. Withdrawing our military presence prematurely is not an option in my view, the view of many of my colleagues, nor the view of the President or his advisers. We are in it to win.

Unfortunately, the administration's unwillingness to budget for the war through the regular process means that neither the White House nor the Congress is making the tough decisions about how we are going to pay for the ongoing wars. If we continue down this same path, that job will be left to future generations because the expenditures are being made regardless, and eventually their impact on our budget will have to be addressed. The longer we wait to make the tough decisions, the bigger the problem will become, and the more difficult making those tough decisions will be.

Our Nation's future economic success rests in part on the decisions we make today—and the ones we put off. We are facing some dire fiscal challenges in the days ahead. According to the Government Accountability Office, the unfunded Federal financial burden—such as public debt, future Social Security, Medicare, and Medicaid payments—totals more than $46 trillion, or $156,000 per man, woman, and child in America. According to David Walker, the head of the GAO, for a family, this burden is "like having a $750,000 mortgage—and no house."

But instead of fixing the problem—and fixing it will not be easy—we are only succeeding in making it bigger, more unstable, more complicated, and much more expensive. And adding hundreds of billions of dollars that are more conveniently designated as "emergency" expenditures—so they do not have to be budgeted for along with other national priorities—is only making our fiscal problems that much greater.

Somehow the concept of true emergency funding bills has gotten lost along the way. Take the most recent supplemental appropriations bill. The President requested a total of $94.5 billion to fund our operations in Afghanistan and Iraq, as well as additional funding to aid in the recovery efforts along the hurricane-affected gulf coast and other urgent needs.

I believe the war funding is the largest amount yet proposed in what is now almost a routine series of supplemental requests to fund this ongoing war. A Senate-passed bill provided $108.9 billion in spending—$14.4 billion above the level the President has indicated he is willing to sign. Despite the efforts of several of us to trim that bill of unrequested earmarks and questionable spending, the Senate did not have the will to do so prior to the bill's passage. It wasn't until conference, with the looming threat of a sustainable veto, that the bill was trimmed. But the fact remains that the funding provided for in that bill is enormous, and it would be more fiscally responsible to be dealt with in the annual authorization and appropriations bills.

Of course, that supplemental is only the most recent example of why this amendment is necessary. Since 2001, the administration and Congress have routinely funded our ongoing operations in Afghanistan and Iraq through emergency supplemental appropriations bills. In addition, many defense-related activities that should have been financed through the normal appropriations process have been funded through these emergency supplementals. And in the process, more and more nondefense-related spending has also been creeping into these bills, greatly undermining the budget process.

There are several criticisms of the supplemental appropriations process that I hope the Senate will agree are egregious enough to lend overwhelming support for the adoption of the amendment.

First, unless we take action, "emergency" funds will continue to be employed as a way to add spending above that contained under the budget caps. It has become all too routine for the administration to omit what should be normal spending items for the budget it sends to Congress in February. Instead, the administration relies on supplementals to fund critical "must-pass items," such as operations in Iraq and Afghanistan, as well as more routine defense spending. Congress then approves these requests and regularly tries to augment them with non-emergency, nondefense items.

Second, supplemental appropriations have diminished responsible budget decisions and proper oversight by Congress. Put aside for a moment that authorizing committees are not consulted with regard to supplemental appropriations in the same manner that occurs during the normal annual budget process. Emergency supplemental appropriations requests are not forwarded to Congress with the same level of budget justification and details that are routinely sent to Congress when the President's annual budget is forwarded in February of each year. If the authorizing and appropriations committees are not allowed to scrutinize fully the effectiveness of defense programs and are unwilling to end programs that are not effective, we will continue to have an ineffectual budget.

Third, budgeting annually through emergency supplemental appropriations bills encourages pork-barrel spending. I think the 2-week debate on the most recent supplemental is fresh in everyone's mind, so I will not mention the many provisions that objections were raised against. But the fact is, unrequested add-ons which ultimately make it into the final supplemental appropriations conference reports are almost never the subject of a hearing in the authorization and appropriations committees. They are seldom, if ever, subjected to a recorded vote in a committee or on the floor of the House or the Senate. These items very often are not even included in legislation initially passed by the House or Senate but are instead added by a conference committee.

Here is a very important aspect of this which I hope all my colleagues will pay attention to because unless we look back in history, it is hard for us to understand how egregious this process has become.

For the Korean war, which lasted 3 years, there was one supplemental appropriations bill.

During the 11-year Vietnam war, there were four supplemental appropriations bills. As soon as troop levels in Southeast Asia stopped climbing, the Johnson and Nixon administrations requested funding for ongoing operations in the regular Defense authorization and appropriations bills.

Since 9/11, there have been nine supplemental appropriations bills, in 5 years, to fund the ongoing war on terror, including two in each of the years of 2002, 2004, and 2005. Over 90 percent of the funding for Iraq and Afghanistan ongoing operations—ongoing operations—has been funded through one to two emergency supplemental appropriations bills each year for the past 5 years. It now totals over $420 billion in emergency supplemental funding.

So we pass budgets, we put caps on budgets, and then we add $80 billion, $90 billion, $100 billion—in total, over the last 5 years, $420 billion—despite the fact that during this time Congress provided over $2.2 trillion for defense-related expenditures in the regular annual defense spending bills.

We are blowing the budget process. We are carving gigantic holes in the system. And we are removing the authorizing committees and, to a degree, the appropriating committees from the scrutiny and oversight that is our responsibility. It is not our privilege to oversight the spending of our taxpayers' dollars and the authorization and appropriation of it; it is our responsibility. When we look at these emergency supplementals, we find more and more items which really have nothing to do with the war in Iraq. They may be replacements for equipment that was used in Iraq, but haven't we reached the point, in both Iraq and Afghanistan, where we can plan ahead in a normal budgetary process?

I wish to emphasize, again, if there is a genuine emergency, I will be the first Member of the Senate to suggest and approve of a genuine emergency. This in no way—this in no way—reduces the executive branch's or the legislative branch's ability to approve emergency supplemental bills if they are genuine emergencies.

Now, if someone objects to this amendment, I wonder how we were able to need only one supplemental appropriations bill during the entire Korean war or why during the entire 11-year Vietnam war there were only four. But somehow, now we have had to have nine emergency supplemental bills in 5 years, and it now totals over $420 billion in emergency supplemental funding.

Now, in the interest of straight talk, if I were a member of the executive branch, I would find this a very convenient way. Isn't it a lot easier to just ask for an emergency supplemental and write out the details of it and have it passed rather than going through the normal budgeting process, which I will admit is somewhat cumbersome? But it was intended to be because of Congress's responsibilities to oversight the taxpayers' dollars.

So this amendment is about fiscal responsibility. Most of us have voted in recent years to support several sense-of-the-Senate amendments stating that the war should be budgeted for in the regular process. In fact, just this past April 27, the Senate voted 94 to 0 to approve such an amendment. I have supported that proposition each time it has been offered. The amendment before us would put real meaning into the positions we have previously voted to support.

Let me also be clear about what this amendment does not do. It does not seek to prevent any future emergency funding requests for war operations. It does require budgeting for the ongoing expenses we know are going to occur. If next year, after the budget is submitted in February, a totally unforeseen expenditure arises that must be urgently addressed, the administration would have the ability to submit a supplemental request. But simple cost-of-doing business expenditures—costs that can be estimated and budgeted for—would not be allowed.

Mr. WARNER. Mr. President, I ask unanimous consent to extend the time for the vote by 5 minutes and that I be recognized at the conclusion of the 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Since my colleagues anticipate a vote, I will be brief.

We could sit down now and figure out probably most of the costs for operations in the coming year, 2 years, in Afghanistan and Iraq. We have a good idea as to what kind of budgeting we are going to have to be involved in and what the necessary authorization and appropriation will be. I want to emphasize: This amendment in no way impairs the ability to enact another emergency supplemental if it is required. What we are doing now is an end run around the authorizing, appropriating, and budgeting processes, and we are lying to the American people when we say we are only going to spend so many dollars on the various functions of Government; in this case, on Defense and military expenditures.

I yield the floor and ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. May I inquire of the distinguished Senator if he has any way of estimating the amount of further debate on this amendment because we could quite likely schedule it for a vote this evening, subject to his concurrence.

Mr. McCAIN. In response, I ask my colleague from Michigan, I don't know of others who have asked to speak on it.

Mr. WARNER. I understand Senator BYRD would like to.

Mr. LEVIN. My remarks in support of the McCain amendment will be fairly brief, but Senator BYRD does wish to speak on the amendment. We are trying to ascertain how much time he desires.

Mr. WARNER. Fine, then I ask unanimous consent that upon the conclusion of the scheduled vote, the Chair recognize the Senator from Arizona for such additional remarks as he may wish to make.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. I ask unanimous consent that Senator STEVENS be added as a cosponsor to my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, let me congratulate Senator McCAIN, not just for his honesty in the budgeting amendment, but also for the previous amendment which he brought up while I was absent from the floor and which I am proud and pleased to cosponsor, which would name this bill after our esteemed colleague, Senator WARNER.

We will have a lot more to say about that later, but it is the right thing to do. I know there will more Members on the Senate floor when we accomplish that wonderful goal.

Mr. WARNER. I thank my longtime colleague and friend, Senator LEVIN, for his remarks.

I advise the Senate at this time we will proceed to the vote. I will momentarily make a tabling motion, and then upon conclusion of the vote, we will return to the McCain amendment. It would be my fervent hope that we can have a vote on that amendment prior to the time the leadership desires that floor activities be terminated.

AMENDMENT NO. 4230

I move to table the Dorgan amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "nay."

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 169 Leg.]

YEAS—55

Alexander
Allard
Allen
Bennett
Bond
Brownback
Bunning
Burns
Burr
Chafee
Chambliss
Coburn
Cochran
Coleman
Collins
Cornyn
Craig
Crapo
DeMint
DeWine
Dole
Domenici
Ensign
Enzi
Frist
Graham
Grassley
Gregg
Hagel
Hatch
Hutchison
Inhofe
Isakson
Kyl
Lott
Lugar
Martinez
McCain
McConnell
Murkowski
Roberts
Santorum
Sessions
Shelby
Smith
Snowe
Specter
Stevens
Sununu
Talent
Thomas
Thune
Vitter
Voinovich
Warner

NAYS—43

Akaka
Baucus
Bayh
Biden
Bingaman
Boxer
Byrd
Cantwell
Carper
Clinton
Conrad
Dayton
Dodd
Dorgan
Durbin
Feingold
Feinstein
Harkin
Inouye
Jeffords
Johnson
Kennedy
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Menendez
Mikulski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Salazar
Sarbanes
Schumer
Stabenow
Wyden

NOT VOTING—2

Kerry
Rockefeller

The motion was agreed to.

Mr. WARNER. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, I will now propound a unanimous consent agreement which I think is in the possession of my colleague.

Mr. LEVIN. It is.

Mr. WARNER. Mr. President, I ask unanimous consent that the time until 5 o'clock today be equally divided between myself and Senator MCCAIN and the Democratic leader or his designee, with 20 minutes of the Democratic leader time under the control of Senator BYRD, and that at 5 o'clock a vote occur in relation to the McCain amendment No. 4242, with no further intervening action or debate, and no second-degree amendments in order prior to the vote.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, and I will not, I wonder if the Senator can make room in there for an additional 3 minutes under our control so I can speak in favor. We can work that out.

Mr. WARNER. I assure the Senator he will have time.

Mr. LEVIN. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I wish to advise colleagues that it may be that we can expedite the vote prior to 5 p.m. So it really, in a sense, is no later than 5 o'clock.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. I thank the Chair.

Mr. WARNER. Mr. President, may we have order, please.

The PRESIDING OFFICER. There will be order in the Senate.

Mr. WARNER. The Senator is entitled to be heard.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. WARNER. Mr. President, I thank the very distinguished senior Senator from West Virginia, the West Virginian, the gentleman from West Virginia.

AMENDMENT NO. 4242

Mr. BYRD. Mr. President, the Senate will soon vote on an emergency supplemental appropriations bill that would bring the total amount of funds appropriated for the war in Iraq to $318 billion. That is $318 for every minute—every minute—since Jesus Christ was born. Think of it. That is a staggering amount of money. The total amount of funds appropriated for the war in Iraq is $318 billion. But that is not the whole story.

According to a recent report by the Congressional Research Service, the monthly cost of the war in Iraq is going up, up, up, right into the stratosphere.

During the opening phases of the war, the cost of the war was estimated to be $4.4 billion per month. According to the new CRS estimates, that pricetag will rise to an average of $8.1 billion for each month of the next year $8.1 billion. In other words, $8.10, or more, for every minute since Jesus Christ was born. How can this be? How is it that after 3 years of war the cost of operations in Iraq has gone up by 80 percent?

Part of the problem is that funding for the war is being hidden—yes, hidden. Where is it?—hidden from the normal budget authorization and appropriations process. Instead of the President providing Congress with an estimate of how much the wars in Iraq and Afghanistan—there are two of them—how much the wars in Iraq and Afghanistan will cost each year, the administration has chosen to hide those costs. Where? In emergency spending bills.

Since the war in Iraq began in March 2003, the Congress has enacted eight emergency supplemental appropriations bills. None of these measures received the full scrutiny—the full scrutiny—that is so necessary for such massive expenditures. The President refuses to include the full cost of these wars in his regular budget request. Instead, the President sends to the Congress emergency requests with little or no detailed justification.

Five times I have offered amendments in the Senate urging the President to budget for the cost of the two wars in Iraq and Afghanistan. Five times. And five times those amendments have been approved, most recently on April 24, 2006, by a unanimous vote—hear me, a unanimous vote—of 94 to 0. However, the White House has shown no sign that it will take the fiscally responsible course of beginning to budget for the cost of the wars.

There are two wars going on. One, I supported the war in Afghanistan. The other war in Iraq, I did not support our invasion of Iraq for constitutional reasons.

I am pleased to work with my colleague, Senator MCCAIN, to build on my previous efforts to urge the administration to budget for the war. We are there. We are in there. Our men and women are there, and we are going to support them. I didn't support the policies that sent them there, but I support them, the men and women, our men and women who are over there.

The amendment before the Senate, of which I am a proud cosponsor, would create a requirement in law to force the administration to give a full year's estimate of the cost of military operations in Iraq and Afghanistan. What is wrong with that? The amendment before the Senate, of which I am a proud cosponsor, would create a requirement in law—a requirement in law—to force the administration to give a full year's estimate of the cost of military operations in Iraq and Afghanistan.

The amendment also requires the administration to submit a detailed justification of the administration's budget request. As the ranking member of the Appropriations Committee, I expect that this justification would include a breakdown of the funding request by each appropriations account and detailed information about prior years' war spending. The very last thing that Congress wants to see is a gargantuan request of scores of billions of dollars in the form of a slush fund or a no-strings-attached transfer account.

This is the people's money. Do my colleagues know that? Think about it. Whose money is this that we are talking about? It is the people's money, those people out there who are watching this Senate through those lenses. That is their money, the people's money that we are talking about, and the American public has the right to demand accountability.

With this amendment, the Senate is charging a fiscally responsible course which can generate a real debate on the cost of these wars. That is a debate that is long overdue—long overdue—and I urge my colleagues to support this important amendment.

FLAG DAY

Mr. BYRD. Mr. President, "Hats off! Hats off! The flag is passing by. Hats off! The flag is passing by."

Those are the powerful words of Henry Holcomb Bennett in his stirring poem, "The Flag Goes By."

I recite those words because today, this day, is June 14, Flag Day. Yes, Flag Day. There by the President's desk, that flag. This day is Flag Day, the day that Americans pause to celebrate and show our respect for our great national emblem, the American flag. This, unfortunately, is not a Federal holiday but, in my opinion, is one of the most important days of the year. This is a day filled with so much meaning, so much symbolism, so much history.

It was on June 14, 1777, that the Continental Congress adopted the Flag Act that established the official flag of the United States of America. The 13 Colonies assembled in the Continental Congress took this action because they understood the need for a symbol of our national unity.

During the early days of the American Revolution, the Colonial Armies were fighting under the banners of their individual Colonies or, in some cases, of their local militia units. The banner of New England, for example, was the Liberty Tree. Do you remember the Liberty Tree? It showed a green pine tree on a field of white, with the words "An Appeal To Heaven." Oh, the Liberty Tree, which showed a green pine tree on a field of white, with the words "An Appeal To Heaven." The Minutemen from Culpepper County, VA waved a flag with a coiled rattlesnake which carried the motto "Liberty or Death" and the warning "Don't Tread on Me." The flag of militia units in Charleston, SC proclaimed "Liberty" in white letters on a field of blue.

This diversity of flags seemed to reflect a lack of unity among the Colonies. Feeling the need to establish a symbol of national unity, on June 14, 1777, 229 years ago today, the Congress resolved:

> That the flag of the thirteen United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field, representing a new constellation.

Mr. President, I have always been impressed with the wisdom and the foresight of the Founders of our country, and here again, we can see their brilliance. The simplicity of that chosen pattern, alternating stripes and crisp new stars, white stars on a field of blue, allowed our flag to evolve along with the ever-changing map of America. The flag they chose has become the most visible symbol of our Nation. The flag they chose has become our most beloved and respected national icon. That flag symbolizes our Nation's strength, our Nation's honor, our Nation's ideals, and our national purpose. It recognizes our glorious past while it celebrates a more glorious future.

Legends abound regarding who actually created the first American flag. The American Naval hero John Paul Jones and Francis Hopkinson, a signer of the Declaration of Independence, have both been cited as possible creators, as has John Hulbert of Long Island, NY. Tradition, of course, generally attributes the first flag to Betsy Ross. I like to believe in that version of the story, because it appeals to my sense of the American spirit and to my belief that each and every citizen has a responsibility to our Nation. It is a story of the powerful father of our country visiting a humble needle woman in her house and asking her to undertake the monumental task of making the first American flag.

Whoever created the first flag, within a few months of its unveiling, the flag was under fire for the first time in the battles of Bennington and Brandywine. A few months later, on November 1, 1777, our national banner went to sea for the first time when Captain John Paul Jones set sail in his sloop, the "Ranger," from Portsmouth, NH, for France. When the French fleet saluted his ship off the coast of that country on February 14, 1778, it marked the first time that foreign vessels had acknowledged the American flag. With the winning of independence in 1783, the American flag was recognized as the banner of the United States of America throughout the world.

Twenty years later that flag was under fire again, this time in the War of 1812. On the night of September 13, 1814, British ships on their way to Baltimore, not far from here, bombarded Fort McHenry, which blocked their entry. When morning came—yes, when morning came, the star spangled banner was still waving, revealing to Francis Scott Key that the enemy had failed to penetrate the American lines of defense. Impressed by this awesome, awesome, glorious sight, Francis Scott Key was inspired to write the immortal lyrics that Congress later adopted as our National Anthem.

How we all love to recall the stirring words from the second stanza.

> 'Tis the Star-Spangled Banner: O long may it wave O'er the land of the free and the home of the brave.

In 1824 came that eventful day in Salem, MA, when a group of women presented a beautiful 12- by 24-foot flag to Sea Captain William Driver, who was about to embark upon a global voyage. After the flag was hoisted from the ship's masthead, Captain Driver looked at the flag waving so heroically in the wind, and he exclaimed, "Old, Glory! Old Glory!" Ever since that time, the name has been used to symbolize our love and our respect for our national emblem.

There it is, Old Glory.

In our dangerous and uncertain world, Old Glory has always been there. It was there before you were born, before I was born—yes. It was there, always there, guiding us, inspiring us, giving us hope as well as direction.

President Woodrow Wilson—I was born during his administration—President Woodrow Wilson once remarked, "Though silent, it speaks to us." How right he was. Its mere presence stirs emotions. Look at it there by the President's desk. Its mere presence—there it stands—its mere presence stirs emotions.

The flag embodies our ideals of freedom, justice, and brotherhood, values that are deeply rooted in the best of our political and spiritual emotions and traditions. The flag means home, the safety and security of home, and tells us that freedom still lives in this land we love.

The flag symbolizes our values and ideals as well as our power, our economic and military might. The flag rallies the courage of American men and women and children.

Our flag has been a guide and an inspiration to our Armed Forces. It has inspired our men and women to deeds of valor and sacrifice. Who can think of the American flag without thinking of the marines heroically planting that flag on top of Iwo Jima during World War II or American astronauts planting it on the moon or those New York City firefighters hoisting the American flag in the rubble of the Trade Towers on September 11, 2001?

Flag Day was first officially observed in 1877 to celebrate the 100th anniversary of the selection of the American flag. For the next 70 years, people and movements across the country promoted efforts to establish a national

Flag Day. In one of those attempts, Congressman Joseph Goulden of New York, in 1914, introduced legislation to make June 14 a national holiday, to celebrate Flag Day. In testimony to the House Judiciary Committee, Congressman Goulden explained:

> We would honor ourselves by making it a holiday. I think the love and devotion we all have for the flag and what it represents will tend to make us better citizens.

And so it was on August 3, 1949, that Congress approved a joint resolution that designated June 14 as Flag Day, in commemoration of the adoption of the flag of the United States by the Continental Congress.

How glad I am that Congress took this action. The American flag sums up all the best of our Nation, all that is good and decent in America. Throughout our history, it has transcended our differences. It has affirmed our common bond as a people and our solemn unity as a Nation.

Unfortunately and tragically, some people will always try to use this national icon to stir disunity. This is a shame and a sham because, above everything else, our flag is representative of our national unity:

> One nation, under God, indivisible, with liberty and justice for all.

"Indivisible, with liberty and justice for all," those words, of course, come from the Pledge of Allegiance to the Flag, our oath to generations past and future that we stand together as one great Nation. Think of how often throughout the course of the history of our country, our Nation, citizens have risen, hands over their hearts, and uttered those words together, knowing that their destinies were interwoven. We are bound together like the threads that form the fabric of that flag. We should put our energies to strengthening that bond, not unraveling it.

That pledge to our flag was originally written in 1892 by Francis Bellamy and was first used at the dedication of the World Fair in Chicago. The pledge initially read:

> I pledge allegiance to my flag and the Republic for which it stands, one nation indivisible—with liberty and justice for all.

The original wording was altered slightly in 1923 and 1924. In 1954—and I was there in the House of Representatives when Congress added the phrase "under God" to the pledge, which President Eisenhower explained:

> In this way we are reaffirming the transcendence of religious faith in America's heritage and future; in this way we shall constantly strengthen those spiritual weapons which forever will be our country's most powerful resource in peace and in war.

That was Dwight Eisenhower.

As a result, the Pledge of Allegiance to the Flag now reads:

> I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

So on this birthday of Old Glory, Flag Day, 2006, I join with my colleagues and my fellow citizens in urging that we protect the American flag as a force to unite us, not as a tool to divide us. As Henry Holcomb Bennett says in his poem, "more than a flag is passing by."

Hats off!

Along the street there comes
A blare of bugles, a ruffle of drums,
A flash of color beneath the sky:
Hats off! The flag is passing by!

Blue and crimson and white it shines,
Over the steel-tipped, ordered lines.
Hats off!
The colors before us fly;
But more than the flag is passing by.

Sea-fights and land-fights, grim and great,
Fought to make and to save the State:
Weary marches and sinking ships;
Cheers of victory on dying lips;

Days of plenty and years of peace;
March of a strong land's swift increase;
Equal justice, right and law,
Stately honor and reverend awe;

Sign of a nation, great and strong
To ward her people from foreign wrong:
Pride and glory and honor, all
Live in the colors to stand or fall.

Hats off!
Along the street there comes
A blare of bugles, a ruffle of drums;
And loyal hearts are beating high:
Hats off!
The flag is passing by!

Happy birthday, Old Glory. Long may you wave. "O'er the land of the free, and the home of the brave."

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, may I commend our distinguished senior colleague, former majority leader of the Senate, for that brilliant speech, most appropriate on this day. I am certain that speech will be carried and viewed by our troops wherever they are in the world. In well over 60-some nations our men and women are standing guard tonight, protecting our freedoms.

I congratulate you, sir. Thank you very much.

Mr. BYRD. Mr. President, I thank the very distinguished—yes, very distinguished Senator from the great State of Virginia.

Mr. WARNER. I thank my colleague.

Mr. President, I fully support the McCain amendment.

This amendment would require regular budgeting for ongoing military operations in Afghanistan and Iraq.

Since 2001, the administration and Congress has funded our ongoing operations in Iraq and Afghanistan through emergency supplemental appropriation bills, as has been the case in previous times in our Nation's history. As the Congressional Research Service noted in a June 13, 2006 report, "Supplementals have been the most frequent means of financing the initial stages of military operations."

The report continues:

> In general, however, past administrations have requested, and Congress has provided, funding for ongoing military operations in regular appropriations bills as soon as more accurate projections of costs can be made.

Operations have stabilized to an extent that accurate estimates of future years' costs of the operations in Iraq and Afghanistan may be made. And, it is now time for the administration to present these costs as part of the regular budgeting process.

Emergency supplemental appropriation requests are not forwarded to Congress with the same level of budget justification and details that are routinely sent to Congress when the President's annual budget is forwarded in February each year. If the authorizing and appropriation committees are not allowed to scrutinize fully the effectiveness of defense programs, we are not providing the taxpayer with the full diligence due for scrutinizing the President's budget request. While, I—and I am sure all my colleagues—fully support our troops, and want to ensure they have all the resources they need, we must also provide strong budgetary oversight.

We have not always funded our war efforts through routine supplemental appropriations measures. It is worth examining history to perceive how the practice has been exploited beyond all reasonable defense, as Senator MCCAIN recently recounted, and it bears repeating:

For the Korean war, which lasted 3 years, there was only one supplemental appropriations bill;

During the 11-year Vietnam War, there were four supplemental appropriation bills. As soon as troop levels in Southeast Asia stopped climbing, the Johnson and Nixon administrations requested funding for ongoing operations in the regular defense authorization and appropriation bills;

Since 9/11, there have been nine supplemental appropriation bills in 5 years to fund the ongoing war on terror, including two in each of the years of 2002, 2004, and 2005. It now totals over $420 billion in emergency supplemental funding.

Most of us have voted in recent years to support several Sense of the Senate amendments stating that the war should be budgeted for in the regular process. Just this past April 27, the Senate voted 94–0 to approve such an amendment. I fully supported that proposition each time it has been offered. Now, this amendment before us would put real meaning into the positions we previously voted to support.

Let me also be clear about what this amendment does not do. It does not seek to prevent any future emergency funding requests for war operations. But it does require budgeting for the ongoing expenses we know are going to occur. If next year, after the budget is submitted in February, a totally unforeseen expenditure arises that must be urgently addressed, the administration would have the ability to submit a supplemental request. But simple "costs of doing business" expenditures—costs that can be estimated and budgeted for, but are more conveniently funded without any offsets—would not be allowed.

I simply say that this amendment goes a long way to restore the proper balance, as we lay down our Senate procedures in committees, between the authorizing process and the appropriators. I do not suggest in any way that the appropriators intentionally encroached on the authorizing process. To the contrary. It was because of the exigencies, the difficulty in predicting the expenditures associated with the current military operations that necessitated these large appropriations. But this amendment will go a long way to restore that.

I urge my colleagues to support the amendment.

I know my distinguished colleague from Michigan has a few words, and then we will go to the vote.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I will be brief. First, let me thank the Senator from West Virginia. He, as always, speaks eloquently. If I can make the claim, he speaks for all of us when he talked about our flag and what it means to him. I think he reflected the spirit of every Member of this body. I thank him for it.

I also thank Senators BYRD and MCCAIN. The McCain-Byrd amendment, which restores honesty and truthfulness to our budget process by reflecting the cost of war, is absolutely essential if we are going to have a realistic budget. Regardless of whether one supports or doesn't support our going to war or how the operations have taken place, it is critically important that we pay the cost and know what we are paying for and that the budget reflect those costs.

The effort has been made year after year to do that but so far without success because it was not put into law. This amendment of Senator MCCAIN and Senator BYRD will put this requirement in law. It is essential. I commend both of them for it.

I believe all Members of this body, regardless of the differences we may have about our policy on Iraq, should agree that we should budget for and pay for these operations. This week Congress will send to the President the second FY2006 supplemental which includes another $70 billion on the operations in Iraq and Afghanistan, on top of the $50 billion provided in December. That means in the current fiscal year we will spend $120 billion, or $10 billion a month, on these operations—and none of it was included in the President's 2006 budget. I can think of no clearer evidence of the need for this amendment.

In February, I included the following statement in my letter to the Budget Committee:

> [T]hese costs should be moved into the regular budget process, rather than continuing to treat them purely as emergency spending. These expenses are not, to use the words of section 402 of last year's budget resolution, "unforeseen, unpredictable, and unanticipated". Calling them emergencies does nothing to reduce their impact on our federal deficit and debt. Furthermore, the Quadrennial Defense Review released by the Department of Defense last month asserts that our military is fighting a "long war" that "may last for some years to come". If this is so, all the more reason to start recognizing the ongoing costs of this "long war" in our budget, so we can start paying for it. So far, these costs have been financed entirely by deficit spending. That may be necessary for a short, unforeseen war, but if a "long war" is part of our national security reality, it must become part of our fiscal reality, and we must pay for it.
>
> There is an additional reason why these costs should be built into our regular budget process. Supplementals are not subjected to the oversight of the authorizing committees. I believe it is time for that to change. The costs of war are enormous, and these costs, starting with the $50 billion budget amendment the administration intends to submit, should receive more oversight, and putting this funding through the normal budget process will help Congress do its oversight job better, which will better serve the American public.

As I also stated at our Armed Services Committee hearing with Secretary Rumsfeld in February that:

> Reponsible budgeting means making choices and setting priorities. This budget request fails that test. It understates the true cost of our defense program because it does not fully recognize or pay for the cost of ongoing operations in Iraq and Afghanistan in 2007. Funds for those will apparently be requested later this year on an emergency, non-paid for, basis. That is not responsible budgeting. Those costs should be planned on and paid for now. Honest budgeting requires no less.

It is essential that our budget begin to reflect reality and recognize the enormous cost of these ongoing military operations. I congratulate Senator MCCAIN and Senator BYRD for this amendment, and I urge my colleagues to support it.

Mr. WARNER. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to this amendment: Senators SNOWE, ENSIGN, LIEBERMAN, OBAMA, INOUYE, AKAKA, and SALAZAR.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4242. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KERRY) and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I further announce that if present and voting, the Senator from Massachusetts (Mr. KERRY) would vote "aye."

The result was announced—yeas 98, nays 0, as follows:

[Rollcall Vote No. 170 Leg.]

YEAS—98

Akaka
Alexander
Allard
Allen
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Boxer
Brownback
Bunning
Burns
Burr
Byrd
Cantwell
Carper
Chafee
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Cornyn
Craig
Crapo
Dayton
DeMint
DeWine
Dodd
Dole
Domenici
Dorgan
Durbin
Ensign
Enzi
Feingold
Feinstein
Frist
Graham
Grassley
Gregg
Hagel
Harkin
Hatch
Hutchison
Inhofe
Inouye
Isakson
Jeffords
Johnson
Kennedy
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Salazar
Santorum
Sarbanes
Schumer
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Talent
Thomas
Thune
Vitter
Voinovich
Warner
Wyden

NOT VOTING—2

Kerry
Rockefeller

The amendment (No. 4242) was agreed to.

AMENDMENT NO. 4236

Mr. LUGAR. Mr. President, I am submitting an amendment today that addresses the issue of military assistance to foreign countries. Senators WARNER and LEVIN have tried to be responsive to an administration request for increased funding and flexibility in providing assistance to countries that are partners with us in the war against terrorism. I applaud their efforts and will enumerate the problems that I do not have with the overarching purpose of section 1206.

I agree that there should be a new program that specifically addresses the shortcomings that many of our partners in the war against terror face in tracking and finding terrorists on their soil or in nearby seas.

I understand that current security assistance programs, the Foreign Military Financing program, for example, require a long lead time, sometimes 2½ to 3 years from request to delivery of equipment. There are urgent cases now where we need to respond more quickly than we currently can.

Nor do I object to providing significant funding for the program. The request of the administration for $750 million does not seem exorbitant given the threats that we are trying to address. Nonetheless, I respect the opinion of my fellow authorizers on the Armed Services Committee that there is only $400 million that can be devoted to the problem at this time from the Defense budget.

While on the ground floor of organizing such a new activity, however, my concern is that we get the decision-making mechanism right. We must make certain that the recipients chosen, the design of the programs, and implementation are in the best foreign policy interests of the United States. We are in this war on terror for the longterm. This is an important program that will go through many changes. Recipient countries will change. Areas of the globe where it must focus may change. The propensity of subsequent administrations may change as they have to make their own hard choices.

We need to get the basics right now so that we are not faced with a situation some years down the road where we have Cabinet Secretaries at odds, struggling with decisions on which countries should receive the aid, when it should be delivered, and how it should be implemented.

Those are decisions that we must insist be overseen by the Secretary of State on behalf of the President. Foreign policy must drive foreign assistance decisions. We cannot have military aid decisions drive foreign policy.

This amendment provides the funding that the Senate Armed Services Committee has authorized for the new program while safeguarding the primacy of the State Department in guiding and overseeing the program. My amendment this year builds on an amendment offered by Senator INHOFE last year on the same subject. That amendment passed the Senate unanimously when it was accepted by Senators WARNER and LEVIN as the proper way to proceed. It, unfortunately, emerged from conference altered to authorize a Department of Defense program that is "jointly formulated" with the Secretary of State and requiring the Secretary of Defense to "coordinate" with the Secretary of State in program implementation. My amendment is more explicit. While the Inhofe amendment allowed a direct transfer of funds from the Defense Department to the State Department, this amendment explicitly creates a new counterterrorism train-and-equip account that is designed for use by the Department of Defense but is under the authority of the State Department. The Department of Defense would be authorized to contribute to and withdraw from the fund and would implement the train-and-equip programs funded by the account. Proceeding this way would clarify lines of authority and would safeguard the Secretary of State's role as the President's chief foreign policy advisor and manager of bilateral relationships.

My amendment retains an important interagency study due at the end of this year on the issue of military assistance that was contained in last year's section 1206.

The Department of State is now better organized to manage the new account established in this amendment. We can expect decisions to be made quickly and efficiently. Randy Tobias is now double-hatted. He has been named as the Secretary's foreign assistance advisor in addition to his role as the Administrator of USAID. Under his overall guidance, the Department can perform the necessary coordination both with Ambassadors in the field and with regional bureaus to ensure that such a program would be a constructive addition to the bilateral relationship with the recipient country and would contribute to regional stability. These are judgments that our Government must make about every foreign assistance program and the President is best advised on these matters by the Secretary of State.

I hope that my fellow Senators will take a serious look at this proposal and join me in offering it as an amendment to the bill. While the current language of section 1206 requires Secretary of State and ambassadorial involvement, it is difficult to legislate cooperation between agencies. A blurring of roles is inevitable if section 1206 stands unamended, at a time when foreign policy needs to be coherent, persuasive, and successful in the war against terror.

AMENDMENT NO. 4252

Mr. REID. Mr. President, I spoke yesterday about the terrible courthouse shooting that took place in Reno on Monday, and what we can do in the Senate to help prevent such incidents. In order to move that process forward, I will offer the text of Court Security Improvement Act of 2005 as an amendment to the Defense authorization bill.

First, however, I would like to take a moment to update everyone on Judge Chuck Weller's condition. Judge Weller, if you remember, was hit by a sniper's bullet while standing in the window of his Reno office.

According to the latest reports, the judge is in "good spirits" and "out of the woods." The bullet seems to have missed his vital organs, and for that, we all thank God.

Now that Judge Weller seems to be stabilizing, it is incumbent on all of us to do whatever it takes to prevent similar violence—whether in Reno or any other city. Judges like Chuck Weller, their clerks and jurors must be free to serve without threats to their lives.

The amendment I will offer would improve protections for both Federal and State judges. I want to thank Senators SPECTER and LEAHY for all the work they have done in putting this legislation together, and for cosponsoring it today.

On the Federal level, the amendment allows for better cooperation between the judiciary and the U.S. Marshal Service. It also puts in place strong measures to protect the personal information of those who sit on the Federal bench.

At the State level, the amendment would authorize Federal grants to improve security at State courts, like the Reno Family Court where Judge Weller works.

These Federal grants might be used by States to strengthen courthouse infrastructure, such as adding bulletproof windows, or it might be used to hire additional security personnel in the courthouse. In the wake of Monday's shooting, I know the city of Reno and the Washoe County Commission are looking into both of these steps, and I also know they could use our help.

States such as Nevada should always take the lead in protecting their own judicial officers, but we can and should make the Federal Government a better, stronger partner.

In our country, we have 32,000 State and local court judges and approximately 2,400 Federal judges. Our democracy depends on these men and women. They must be able to do their jobs and uphold the law without fearing for their safety.

The time for us to act is now, not after another wake-up call.

The shooting of Chuck Weller is a terrible tragedy, but by passing this legislation, we can ensure at least some small measure of good results.

The PRESIDING OFFICER. Who seeks time?

The senior Senator from Oklahoma.

MORNING BUSINESS

Mr. INHOFE. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

REVIEW OF INTELLIGENCE AUTHORIZATION ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the following letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
OFFICE OF THE MAJORITY LEADER,
Washington, DC, June 14, 2006.

Hon. TED STEVENS,
President Pro Tempore,
Washington, DC.

DEAR TED: At the request of Senator John Warner, Chairman of the Committee on Armed Services, and Senator Carl Levin, Ranking Member of the Committee, and pursuant to section 3(b) of Senate Resolution 400 of the 94th Congress, as amended by Senate Resolution 445 of the 108th Congress, I request an additional five session days, ending June 22, 2006, on their behalf, to enable the Committee on Armed Services to complete its review of S. 3237, the Intelligence Authorization Act for Fiscal Year 2007.

Sincerely yours,
WILLIAM H. FRIST, M.D.,
Majority Leader, U.S. Senate.

GOLDEN GAVEL

Mr. FRIST. Mr. President, today I have the pleasure of announcing that the Senator from South Carolina, Mr. DEMINT, is the latest recipient of the Senate's Golden Gavel Award, having completed 100 hours of presiding over the Senate at 2:15 this afternoon.

The Golden Gavel Award has long served as a symbol of appreciation for the time that Senators contribute to presiding over the Senate—a privileged and important duty. Since the 1960s, Senators who preside for 100 hours have been recognized with this coveted award. Most Members recognize that sitting in that chair is the best way to learn Senate procedure, and Senator DEMINT has done so with excellence, especially on those late nights when we were in dire need of help for the Chair.

On behalf of the Senate, I extend our sincere appreciation to Senator DEMINT for presiding during the 109th Congress.

HONORING OUR ARMED FORCES

Mr. COLEMAN. Mr. President, today I rise to remember the sacrifices of James Lee Krull, Richard Bruce Apland, Victor Art Rabel, David Aaron Ritzschke, and Richard Lee Lohse, five individuals from Herman, MN, who gave their lives for the United States during the Vietnam war.

On July 9, 2006, the Herman High School Class of 1967 will gather at the Vietnam War Memorial to remember and memorialize the 36th anniversary of the death of classmate James Lee Krull, as well as four other brave men from Herman who during the Vietnam war made the ultimate sacrifice.

James Lee Krull was born on November 23, 1949, the older of two children to Mr. and Mrs. Lean Krull. He attended high school in Herman, MN, and graduated with the class of 1967. After graduating from high school he studied welding at Alexandria Technical College and in 1969, he was engaged to be married to Donna Hutchinson.

He began his tour of duty in Vietnam on March 11, 1970, as an Army corporal serving as a medic with the 1st Battalion, 7th Cavalry, 1st Cavalry Division.

On July 9, 1970, Jim died from wounds he received on June 14, 1970, while on patrol in Cambodia.

Jim was a highly decorated soldier. Prior to his death, Jim was awarded the Army Commendation Medal for heroism, the Purple Heart, the National Defense Service Medal, the Vietnam Service Medal, the Vietnam Campaign Medal, and the Expert badge with automatic rifle bar. Posthumously he was awarded the Bronze Star, the Purple Heart, the Army Commendation Medal, and the Combat Medical Badge.

Herman, MN, also lost other sons in Vietnam, who we should pause to recognize today.

PFC Richard Bruce Apland of the 82nd Airborne died on January 19, 1969, as a result of injuries suffered while serving in Vietnam.

LCpl Victor Art Rabel of the Marine Corps died on February 23, 1969, as a result of injuries suffered while serving in Vietnam.

PFC David Aaron Ritzschke of the Marine Corps died on July 15, 1967, as a result of injuries suffered while serving in Vietnam.

PFC Richard Lee Lohse of the 101st Airborne died on May 12, 1968, as a result of injuries suffered while serving in Vietnam.

James Lee Krull once wrote, "many great men have come from small towns, and now here I am." These five men embody this statement. It is because of this kind of heroism that America remains the greatest nation the world has ever known.

Again, I thank James Lee Krull, Richard Bruce Apland, Victor Art Rabel, David Aaron Ritzschke, and Richard Lee Lohse for their sacrifice and extend my heartfelt sympathy to the families and friends of those brave men.

MARINE LANCE CORPORAL RICHARD Z. JAMES

Mr. CARPER. Mr. President, I would like to set aside a few moments today to reflect on the life of Marine LCpl Richard "Rick" Z. James. Rick epitomized the best of our country's brave men and women who fought to free Iraq and to secure a new democracy in the Middle East. He exhibited unwavering courage, dutiful service to his country, and above all else, honor. In the way he lived his life—and how we remember him—Rick reminds each of us just how good we can be.

Rick was born to Carol and Kenneth "Jake" James of Seaford in November 1985. He had two older siblings, Jeff and Tina, and a younger brother, Jonathan. Rick was a 2004 graduate of Seaford Christian Academy, where he played soccer, basketball, and baseball. His friends and family remembered him at his memorial service, describing Rick as having a playful, somewhat mischievous nature and as an enthusiastic athlete who thrived on competition and gave his all on the playing field. Fellow U.S. Marine Cpl. Kevin Martens of Salisbury described his friend of 10 years as "fun, energetic, always trying to make people laugh. He was a great guy to be around."

His enthusiasm and thirst for excitement led to his decision to join the Marines shortly before graduation from Seaford Christian Academy in June of 2004. His mother Carol stated, "That's all he ever wanted to do, and he was thrilled when he was doing military duty." Rick's father, when speaking to several hundred friends, family, and members of the community gathered for his son's memorial service, said that "He always wanted to have the hardest job. In baseball, he wanted to be the catcher. In soccer, he wanted to be center-midfielder. He wanted to be involved." Above all, Mr. James reminded us that "Rick had a dream and he followed it." He then urged us all, "If you have a dream, follow it."

This was Rick's second tour of duty in Iraq serving with Kilo Company, 3rd Battalion, 8th Regiment, 2nd Marine Division, II Marine Expeditionary Force. The day the young lance corporal lost his life, he was providing security at an over-watch position within a building when he was struck by small arms fire near Ramadi, Iraq. Ramadi is one of the most dangerous spots for our troops in Iraq where, according to an embedded reporter on assignment for USA Today, "about 8 out of 10 of Kilo's foot patrols engage in contact with the enemy." On a daily basis, our marines in Ramadi face threats of sniper attacks and catastrophic roadside bombs.

Rick James grew up in the tightly knit community of Seaford, DE. News of Rick's death rocked the community, as he was the second Marine from Seaford to die in a week's span, and the town's third Iraq war fatality since operations began in 2003. With two funerals within days of one another, the city of Seaford turned out in force to support the families of the fallen soldiers, lining the streets with American flags, in a demonstration of overwhelming compassion and patriotism.

One always wonders how a family survives a tragedy like this. After spending time with Rick's loved ones, it was very clear to me that this family, and their son Rick, found their strength through an unwavering faith in God and the support of their family, friends, and community. Pastor John Reynolds, the lance corporal's cousin said, "Rick had a passion for his family. Rick had a passion for the Marine Corps. Rick knew beyond a shadow of a doubt that if something were to happen he'd spend eternity with his God. Rick died offering himself for the sake of others." Pastor Donnie Reynolds who spoke at the service for Rick perhaps said it best. "Rick did not just exist. He lived out God's plan. I believe Rick James is an American hero." The evening before, during a quiet moment as we paid our respects to the family, Rick's father said, "People now refer to his son as a hero, but he has always been a hero to me."

I rise today to commemorate Rick, to celebrate his life, and to offer his family our support and our deepest sympathy on their tragic loss.

FLAG PROTECTION AMENDMENT

Mr. BURNS. Mr. President, I rise today, Flag Day, in support of S.J. Res. 12, which seeks to establish a constitutional amendment to ban the desecration of our flag.

From the time of our Revolutionary War to this very moment, Old Glory has been the undying symbol of our Nation. While it is a symbol that has many different meanings to many different people, it is the one symbol that represents the hopes and dreams of millions of people who have fled tyranny in another land and fought to preserve freedom here at home. More than anything else, it represents the selfless sacrifices of previous generations who have willingly laid down their lives so that we can live in the most prosperous and free nation in the history of the world.

As a Marine, I served under our flag as I proudly do now as the Senator from the great State of Montana. Thus, I know a thing or two about what our flag stands for—as does most every veteran who served and sacrificed under our flag, or who has fired and been fired upon in combat defending what our flag stands for. Countless millions of American soldiers have done and continue to do the same. As we speak, there are over 14,000 Montanans in the service of their country, 1,365 of whom are now serving overseas.

It is simply an insult to these brave Americans that the sacrifices they have made in the name of liberty under the American flag are spit on by people who would burn, trample, or otherwise willfully desecrate our flag. While we rightly honor the brave men and women who have sacrificed their lives, we do not yet honor the symbol for which those sacrifices were made by protecting our flag. That is why we need a constitutional amendment.

Some argue that that it is a form of speech. However, it is sad that someone cannot defend their arguments or clearly state their national hatred without setting a fire? Frankly, if the totality of your argument can be summed with gasoline and matches, then you just do not have much of an argument to begin with.

Even more striking is that these people, devoid of new ideas, resort to tactics used by our enemies abroad. Look at the video of those who would destroy us—protests in Iran, for example. Our enemies burn our flag while calling for our deaths because they know it is our symbol They want to destroy us and have no respect for our freedoms and way of life. Sadly, there are some in this country that, while they may or may not share that goal, do share that tactic.

We owe it to the generations who came before us and to the brave men and women who protect us now to protect the symbol which meant so much to them. Far too many have sacrificed too much serving under our flag for me to sit on the sidelines and do nothing. That is why I see it as my duty to voice my support on behalf of all Montanans for a constitutional amendment prohibiting flag desecration.

RETIREMENT OF SUPERINTENDENT JAMES McCANN

Mr. LEVIN. Mr. President, I am honored to recognize James McCann, a tireless and dynamic educator, on his retirement after 40 years of service in Michigan. For 20 years, Jim has served as district superintendent of the Lamphere School District with unparalleled leadership and vision. His efforts have led to numerous opportunities for his teachers, staff, students, and their families, as well as others across Michigan, and have earned the Lamphere School District many awards and achievements over the years. I know I join many in Michigan in congratulating him on a stellar career that has spanned decades and has inspired generations of students to strive for excellence.

After earning a teaching degree from Eastern Michigan University and a master's degree in educational administration from the University of Michigan, Mr. McCann has focused his efforts in southeast Michigan. He began as an educator with the Archdiocese of Detroit. Five years later, he accepted a position with the Lamphere Schools. During his tenure with the Lamphere Schools, he served as an administrative assistant, assistant principal, and a principal at various schools in the district, and in 1986, he was named the district superintendent.

Jim's passion for integrating technology into the classroom has earned him national recognition, and I am familiar with Jim's energetic and passionate approach to educating young people. I have been privileged to work with Jim on an effort to enhance learning across Michigan, and that project has benefited greatly from his innovation and enthusiasm.

In 1982, Jim attended a summer institute at Harvard University that emphasized the importance of using technology to teach multiple learning styles. Recognizing an urgent need to train teachers and staff in the district in computer networking, programming and software use, he developed an innovative plan to install cable and wiring in classrooms and to provide a 2-week training program for his teachers. This innovative approach led to Lamphere being the first district in Michigan to have Internet access in the classroom, which occured in 1992.

Jim has been the chairman of the Oakland County Superintendents' Committee for Instructional Technology since 1992 and through this position has helped to improve and advance the use of educational technology in schools throughout Oakland County. In 1996, he was instrumental in bringing the JASON Project to Michigan. This effort established the Lamphere School District as a JASON Project Primary Interactive Network site for Michigan. As host for JASON, Lamphere Schools helped thousands of Michigan students experience exciting scientific adventures. In 2001, Mr. McCann received the first-ever "Tech-Savvy Superintendent Award" for his leadership and vision in the area of educational technology, one of only 10 educators nationwide to earn this distinction by "eSchoolNews."

I know my Senate colleagues join me in congratulating James McCann on his retirement. I am proud to recognize his contributions to education and the indelible mark he has made in teaching with technology in Michigan. I wish him and his family many more years of good health and happiness.

RURAL HOSPITAL AND PROVIDER EQUITY ACT

Mr. THUNE. Mr. President, I rise today to emphasize the importance of enacting into law S. 3500, the Rural Hospital and Provider Equity Act of 2006. I would also like to thank the chairman of the Senate Rural Health Caucus, Senator THOMAS, along with Senators ROBERTS, CONRAD, and HARKIN, for taking the lead on this important piece of legislation.

There should be no difference between the quality of care that my constituents in South Dakota receive and constituents in urban States such as New York receive. Cancer, diabetes, and other diseases do not discriminate between people in rural or urban areas and there should be no discrimination between the health care services available in Lemmon, SD, and health care services available in New York City.

The Rural Hospital and Provider Equity Act extends and builds upon the important rural equity provisions included in the Medicare Modernization Act. These provisions can mean the difference between traveling 5 miles to the Wagner Community Memorial Hospital or 110 miles to Avera McKennan Hospital in Sioux Falls. These provisions—in more graphic terms—can mean the difference between a fatal heart attack and the successful stabilization of a heart attack patient.

In order to give a better picture of the benefits of this legislation, I would like to tell you a little bit about the challenges of ensuring health care access in South Dakota. My State has 66 counties and an average of 9.9 persons per square mile. The national average for individuals per square mile is 79.6.

Of these 66 counties, 44 are classified as medically underserved areas, areas that have insufficient health resources, manpower, or facilities to meet the medical needs of the population. The sheer vastness of South Dakota poses significant challenges in meeting the health care needs of our population. The Rural Hospital and Provider Equity Act includes hospital, physician, home health, ambulance, and telehealth provisions that can make the distances of South Dakota more manageable and give my constituents access to the quality health care they deserve.

This legislation contains many provisions that will allow critical access and sole community hospitals, as well as rural doctors, to continue providing services to individuals who need it most. I would also like to highlight the telehealth provisions included in this bill that would continue serving rural beneficiaries and expand access to the type of care provided in more urban areas.

Telehealth uses telecommunications and information technologies to provide health care services at a distance. It provides individuals in remote underserved areas access to specialists and other health care providers through the use of technology. Additionally, the practice of telehealth brings medicine to people—people who live in medically underserved areas and people who are too frail or too ill to leave the comfort of their homes.

Section 19 of the Rural Hospital and Provider Equity Act requires the Secretary of the Department of Health and Human Services to create demonstration projects that would encourage home health agencies to utilize remote monitoring technology. Utilizing technology in the home health setting would reduce the number of visits by home health aides while still providing quality care.

Each demonstration project is required to include a performance target for the home health agency. This target would be used to determine whether the projects are enhancing health outcomes for Medicare beneficiaries, as well as saving the program money. Each year, the home health agency participating in the pilot would receive an incentive payment based on a percentage of the Medicare savings realized as a result of the pilot project.

The demonstration projects would be conducted in both rural and urban settings because medically underserved areas exist across the country. Three projects, however, are required to be conducted in a State with a population of less than 1 million.

Although numerous studies have praised the ability of telehealth to deliver care to individuals in remote areas, it has been continually underutilized and hampered by legal, financial, and regulatory barriers. Section 20 of the Rural Hospital and Provider Equity Act directs the Secretary of the Department of Health and Human Services to work with health care stakeholders to adopt provisions allowing for multistate practitioner licensure across State lines for the purposes of providing telehealth services. This provision is a step in the right direction of breaking down the barriers that prevent the adoption of telehealth.

Technology is improving each and every day and health care systems in rural America should be taking advantage of technology to provide quality health care in remote underserved areas. The telehealth provisions included in the Rural Hospital and Provider Equity Act help promote the adoption of technology and have the potential to expand access to quality health care.

Individuals living in rural areas like my State of South Dakota deserve the same caliber of health care that individuals living in urban areas receive. The Medicare Modernization Act was a great start to placing rural health care providers on the same level playing field with providers located in urban areas. The Rural Hospital and Provider Equity Act continues and expands this level playing field, ensuring that rural Americans have access to high-quality health care services.

I thank Senator THOMAS for his leadership on this and other rural health issues and encourage my colleagues to support this important piece of legislation.

INTERNET SAFETY ACT

Mr. CORNYN. Mr. President, I rise today to speak about S. 3499, the Internet SAFETY Act, a bill that I have cosponsored with Senator KYL and other Members of this body.

This legislation targets child pornographers, and it continues the important progress this Congress has made to crack down on those who commit crimes against children.

Earlier this year, the Senate passed S. 1086, which would require lifetime registration by sex offenders throughout the United States and would substantially increase punishments for those convicted of sex crimes against children. The House has passed its own sex offender bill, which contains many sensible provisions. And the two Chambers are negotiating to resolve their differences. Hopefully we will soon reach an agreement—and a tough, smart bill will be reported to the President.

I firmly believe there is only one way to deal with those who prey on children: they must be caught sooner, punished longer and more stringently, and they must be watched much more closely than they are today. I began advancing this law enforcement theme while I served as Texas attorney general. There, I created a specialized unit known as the Texas Internet Bureau to coordinate and direct efforts to fight Internet crimes such as fraud, child pornography, and privacy concerns. The Texas Internet Bureau successfully identified several Internet predators that were caught, prosecuted and convicted.

I will continue to work in the Senate to ensure that law enforcement agencies have every tool they need to bring these criminals to justice. The Internet SAFETY Act will play an integral part in bringing child crime predators to justice.

This bill creates a new Federal offense for financially facilitating access to child pornography on the Internet, mandates penalties for Web site operators who insert words or images into their internet source codes with the intent to deceive persons into viewing obscene material on the internet; and requires commercial Web site operators to place warning marks prescribed by the Federal Trade Commission on Web pages that contain sexually explicit material.

It is critical that this legislation become law. The supposed anonymity of the Internet has apparently emboldened child pornographers. The availability of child pornography on the Internet is staggering, as is the presence of those who would prey on innocent children. To illustrate this point, consider that in 1998 the National Center for Missing and Exploited Children's CyberTipline received 3,267 reports of child pornography. In 2004, the CyberTipline received 106,119 of these reports, marking more than a thirtyfold increase in child pornography reports in just a 6-year period. This is more than a disturbing trend, and it shows no sign of slowing down.

The Internet is uniquely suited to facilitate the creation and replication of pornographic images of children, as well as the speed and anonymity to distribute them. And, not surprisingly, criminal enterprises spring up for the purpose of distributing child pornography and feeding the insatiable desire of those who target children.

Let me provide an example from my home State of Texas. Several years ago, the U.S. Postal Inspection Service, in cooperation with Dallas's Internet Crimes Against Children, ICAC, task force, was able to locate and dismantle a multimillion-dollar child pornography enterprise conducting business over the Internet. This effort, dubbed Operation Avalanche, resulted in over 7,000 searches and more than 4,000 arrests around the world.

This Congress simply cannot stop working until we are certain that we have provided all of the resources necessary to stop those who commit crimes by exploiting children. And so this bill, in addition to providing additional legal authorities, also creates an Office on Sexual Violence and Crimes Against Children within the Department of Justice to coordinate sex offender registration and notification programs, directs the Attorney General to provide grants to state and local governments for child sexual abuse prevention programs, and authorizes 200 additional child exploitation prosecutors in U.S. attorneys offices around the country and 20 additional Internet Crimes Against Children, ICAC, task forces.

I urge my colleagues to study this bill carefully. I am hopeful that we can garner enough support to quickly bring it to a vote and pass it out of the Senate.

SUMMER OF PEACE: AMONG THE NIMIIPUU

Mr. CRAIG. Mr. President, I rise today as cochair of the Lewis and Clark Bicentennial Congressional Caucus, which has helped communities and tribes across the country commemorate the bicentennial of the Lewis and Clark expedition. Our goal is to provide resources that promote and enhance tourism opportunities that reflect unique local characteristics, interests, and history along the Lewis and Clark Trail.

Over the last 3 years, America has commemorated this historic journey to the West, celebrating culture and life. This Saturday, we will again recognize the daring journey of the Lewis and Clark expedition that helped discover the West and her vast resources and viewscapes we enjoy today.

The Summer of Peace Signature Event in Idaho is an opportunity for all of us to evaluate the long chain of cause and effect that links past, present, and future.

From the journal entries, we have learned the explorers were not only discoverers and describers of the unknown land, but also sightseers whose experiences depended on the good will and assistance of strangers.

The Lewis and Clark Expedition entered the Nimiipuu, Nez Perce, aboriginal homelands in September of 1805, and with this first chance encounter, they were met with caution. After crossing the daunting Rocky Mountains, the explorers were in dire need of food and shelter. They described the Nimiipuu as friendly, hospitable, and gracious hosts who assisted the expedition.

Without the assistance of tribes such as the Nimiipuu, Lewis and Clark and their party would have likely become lost or died from starvation. The expedition itself heavily relied on those who inhabited the land—their survival depended on American Indians' willingness to share knowledge about the land, its resources, and practical routes across it.

Today, the Nez Perce, Lemhi Shoshone, and other American tribes are working diligently to preserve the heritage and culture that was such a large part of the Lewis and Clark Expedition, and that played such a significant role in the history of the West. The leadership of these tribes of yesterday and today has helped shape the identity of America and the West.

The Nez Perce Tribe in particular has become very closely involved with the commemoration, and has been an integral part of planning and preparing for Idaho's part of the celebration, including events like the Summer of Peace Signature Event. This event not only honors the contributions of the Nimiipuu then, it recognizes the tradition of peaceful and meaningful relationships that characterize the American West.

ADDITIONAL STATEMENTS

ESTABLISHMENT OF THE HAROLD KELLER PUBLIC SERVICE LEADERSHIP AWARD

• Mr. COCHRAN. Mr. President, each year many of America's best and brightest high school students come together to compete in the John C. Stennis National Student Congress. For nearly 30 years Harold Keller has been the driving force behind this event, which has provided thousands of young people an opportunity to develop leadership skills and learn about Congress.

Harold Keller is known as "Mr. Congress" within the National Forensic League, which encompasses the National Student Congress as part of its comprehensive national speech and debate program. Each year he has worked tirelessly to make the week-long competition run smoothly and fairly. But perhaps more importantly, he has also made time to provide personal encouragement and guidance to many of those who take part.

It is this commitment and compassion that has made him not only an integral part of the National Student Congress but also a memorable force in the lives of many students who have participated through the years.

In addition to his leadership of the Student Congress, Harold Keller is a tireless champion of speech and debate education throughout the Nation. He has spent many weekends away from home conducting local and district tournaments and seminars. Despite retiring as a speech and debate teacher at West High School in Davenport, IA, in 2003, Mr. Keller continues his service on the Executive Council of the National Forensic League and continues to provide leadership and inspiration not only to students, but also to teachers and coaches who view him as a mentor. It was in recognition for his lifelong efforts that the National Forensic League inducted him into its Hall of Fame.

Mr. Keller has faithfully lived his life by the philosophy expressed on a poster which hangs in his office quoting the words of Forest Witcraft:

> A hundred years from now it will not matter what my bank account was,
> The sort of house I lived in or what kind of car I drove.
> But the world may be different because I was important in the life of a child.

When the 2006 John C. Stennis National Student Congress convenes in Grapevine, TX, June 18–23, with over 420 competitors from throughout the United States, the Stennis Center for Public Service, which sponsors the event, will honor Harold Keller by establishing the Harold Keller Public Service Leadership Award. Beginning next year, the Keller Award will be presented annually to a former Student Congress competitor who has made significant contributions to his or her community, State, or Nation through public service leadership. The Harold Keller Award will recognize individuals who have best applied the lessons learned through participation in the Student Congress to become outstanding leaders in public service.

There is perhaps no better way to recognize and honor Mr. Keller's commitment and leadership than through this award. Each year, the winner will return to the National Student Congress to serve as a role model and inspiration to the newest class of participants.

In recognition of the establishment of this award and of Mr. Keller's many years of selfless leadership, the Stennis Center will present him with a replica of the small, handleless gavel which sits on the rostrum of this Chamber today. This gavel, a very significant symbol of the Senate, was used by Vice President John Adams to call the first Senate to order in 1789 in New York and has, according to tradition, rested on the rostrum of the Senate during its meetings since then. The replica of the original ivory gavel is sculpted from marble that was once part of the Capitol.

It is hoped that Harold Keller will receive the replica of this historic Senate gavel as a symbol of our gratitude for his patriotism and tireless leadership in providing opportunities for young men and women to prepare for public service. Ultimately, however, the greatest reward for him, and for our Nation, must be the quality and character of the leadership that will come from those who benefited from his hard work, teaching, and guidance.

We pay tribute to Harold Keller for the wonderful leadership opportunities he has provided over the past three decades for American youth participating in the John C. Stennis National Student Congress, and congratulate him on the well deserved honor of having a national award for public service leadership established in his name.•

TRIBUTE TO DR. CAROL CARTWRIGHT

• Mr. DEWINE. Mr. President, today I pay tribute to a distinguished leader in the field of higher education, Dr. Carol Cartwright, president of Kent State University in Ohio. Dr. Cartwright is stepping down after 15 years of valuable service in her role as president.

Dr. Cartwright is a visionary, who oversaw significant growth at Kent

State during her tenure as president. She provided guidance as Kent State dramatically increased enrollment, research development, and community outreach. Dr. Cartwright has left a lasting impression on higher education in Ohio, and I thank her for her commitment, drive, and optimistic spirit. She has served as an inspiration to both her students and her peers.

Not only has Dr. Cartwright provided outstanding leadership during a time of change at Kent State, but she also has worked to expand the institution's relationship with the surrounding community. For example, she helped establish a meaningful partnership between Kent State and the Oak Clinic for Multiple Sclerosis in Green to help discover why multiple sclerosis, MS, which typically strikes during the early adult years, is four times more prevalent in northeast Ohio than anywhere else in the world. Dr. Cartwright's dedication to Kent State's research facilities and equipment improvements allowed for this collaboration and will help people in the region receive treatment, regardless of income. Physicians and researchers will be able to work toward a better understanding of MS, the development of new treatments, and the ultimate goal of finding a cure.

Dr. Cartwright's commitment to the community led her to focus on improving the quality of education for children well before the commencement of their college years. Kent State has become a national center for research on the use of technologies for teaching and learning. The College and Graduate School of Education is home to the Research Center for Educational Technology, which opened in 1999. The center provides a network for university researchers and K-16 educators who are working to understand the impact of technology on teaching and learning.

These are but a few examples of the years of work that Dr. Cartwright has contributed to Kent State University and the entire State of Ohio. In a recent interview in Crain's Cleveland Business: On the Web, Dr. Cartwright said, "I'm driven by the opportunity to make a difference. In the end, I will be honored if—in their own way, building on their own example, or their own experience—people will say 'she made a difference for Kent State.'"

Indeed, Dr. Cartwright has made a significant difference to Kent State University and thousands of students. I thank her for her vision and dedication to students, faculty, community members, and all those individuals who have been or will someday be positively affected by her work.●

COMMENDING JEAN PICKER FIRSTENBERG

● Mrs. FEINSTEIN. Mr. President, I wish to offer my sincere congratulations, commendation, and gratitude to Ms. Jean Picker Firstenberg, who announced last week that she will be stepping down as chief executive officer of the American Film Institute after 26 years of dedicated and exceptional leadership.

During a tenure lasting nearly three decades, Jean's vision and leadership has placed AFI at the forefront of national recognition with respect to the history of film in this country. Her efforts dramatically widened the scope and magnitude of AFI's activities, and she has proven instrumental in moving the organization through times of tremendous change at AFI and in the film world as well.

Founded in 1967, AFI was established to educate the next generation of American filmmakers and preserve the Nation's film heritage. Jean not only fulfilled this vital need but worked to greatly expand AFI's mission. Thanks to her efforts, AFI now stands as the largest nonprofit film exhibitor in the country, represents a preeminent voice celebrating excellence in American film and television, and has proudly championed new film and television media.

Perhaps Jean's greatest challenge came when the National Endowment for the Arts funding which had been AFI's primary source of financial support since the organization's inception disappeared virtually over night. But thanks to Jean's firm dedication to our Nation's film heritage and her boundless energy, she transformed AFI into the self-sufficient entrepreneurial organization it is today with a strong and diverse financial foundation.

Beyond placing AFI on firm financial grounding, Jean's tenure has also seen myriad accomplishments that will forever cement her legacy at AFI and in the film and television world. Under her direction, AFI acquired the beautiful campus in Los Angeles it calls home, greatly expanded its educational opportunities, and opened the Silver Theater and Cultural Center in nearby Silver Spring, MD.

Jean Firstenberg is an American treasure, and her presence as head of AFI will be sorely missed. It is truly a pleasure to honor and thank her for all she has done for film in America, and I am deeply proud to call her my friend. She plans to spend more time now traveling and writing, but she will always be the strongest of advocates for America's rich artistic heritage.●

100TH ANNIVERSARY OF THE FOUNDING OF CRESBARD, SOUTH DAKOTA

● Mr. JOHNSON. Mr. President, today I wish to pay tribute to the 100th anniversary of the founding of the city of Cresbard, SD. Cresbard, which is a small, friendly community, is home to various businesses, in addition to a museum and an excellent community center.

Cresbard was originally located about 3 miles northwest of its present location and named after John A. Cressey and George A. Baird. In 1883, Mr. BAIRD circulated a petition for establishment of the Cresbard post office which was located in Mr. Cressey's home. On June 15, 1892, Mr. Cressey granted James A. Ward a right-of-way for the Duluth, Pierre, and Black Hills Railroad. The railroad grade was built across the counties of Faulk, Hughes, Sully, Hyde, Edmunds, and Brown. Despite this attempt, tracks were never laid.

In 1906, surveyors for the Minneapolis & St. Louis Railroad came through, and men from the Dakota Town Lot Company began to develop locations along the newly proposed right-of-way. In 1907, the residents of Cresbard finally heard the sound of a train whistle.

Although having an economy that is predominately agriculturally based, Cresbard is now considered home by several businesses including a post office, hotel/restaurant, automotive service station, and a bank. Cresbard is also home to several churches, and is viewed as a haven for hunters from October through December each year.

I am pleased to announce that Cresbard will be celebrating its centennial from June 30 to July 2. The centerpiece of this anniversary will be the all-school reunion. There are numerous other events scheduled including a car show, hot air balloon rides, 10K run, softball tournament, and street dance. These activities should serve as a reminder to the citizens of Cresbard that the community spirit is alive and well.

Mr. President, I am proud to publicly honor Cresbard on this memorable occasion. This celebration is a great way of recognizing Cresbard's long and productive history, and I am pleased that the citizens of Cresbard, past and present, are being honored and celebrated.●

HONORING RUTH ZIOLKOWSKI ON HER 80TH BIRTHDAY

● Mr. JOHNSON. Mr. President, I wish today to recognize and honor Ruth Ziolkowski on the occasion of her 80th birthday.

Ruth Ziolkowski deserves great recognition for her dedication to the establishment of the Crazy Horse Memorial Foundation. She is the president of the board of directors and chief executive officer of the foundation, which is a nonprofit educational and cultural project established in 1949. Ruth assumed leadership of the project after the 1982 death of her husband, Crazy Horse sculptor Korczak Ziolkowski. Work on the memorial is now a family endeavor, with many of Ziolkowski's five sons and five daughters working as a team to advance the project.

Native American leaders chose the figure of Crazy Horse for his devotion to serving his people and preserving their culture. He was known not only for his skill in battle but also for his loyalty to his people. Ruth Ziolkowski, in many ways, reflects his character.

When completed, the Crazy Horse Memorial will be the world's largest sculpture. In 1998, the completion of the face of Crazy Horse made it the world's largest single sculpted portrait. However, the goals of the Crazy Horse Memorial Foundation go beyond completion of the physical structure. The foundation works for reconciliation and harmony between races, and provides services such as the Crazy Horse Memorial Native American Scholarship Program, which assists students from the nine South Dakota reservations.

Ruth Ziolkowski holds honorary doctorate degrees from South Dakota School of Mines and Technology and the University of South Dakota. In 1997, she received the Free Spirit Award from the Freedom Forum, which is a nonpartisan, international foundation dedicated to free press, free speech, and free spirit. In addition, Korczak and Ruth Ziolkowski have been accepted into the Hall of Fame of Sales and Marketing Executives International, Inc.

On June 26, 2006, Ruth Ziolkowski's 80th birthday, there are plans to bring the mountain alive with Legends in Light, a multimedia laserlight show that tells the story of Native Americans and their contributions throughout the centuries. The celebration's magnitude can only strive to match the vast contributions the Ziolkowski family have made to ensuring that the dream behind the Crazy Horse memorial comes true.

Mr. President, I wish to publicly recognize Ruth Ziolkowski's achievements, and wish her the best on this special occasion.●

TRIBUTE TO CATHERINE CIARLO

● Mr. REED. Mr. President, I rise today to recognize and honor the significant accomplishments of Cranston School Superintendent Catherine Ciarlo. Superintendent Ciarlo is retiring on June 30 after 46 years of working tirelessly to educate and raise the academic achievement of Rhode Island's students.

After graduating cum laude from Rhode Island College with a bachelor's degree in elementary education, Catherine entered the classroom as a reading teacher the beginning of her lifelong commitment to developing and improving the literacy skills of Rhode Island's children.

Horace Mann, considered by many historians to be the father of modern American education, once said, "Teachers teach because they care. Teaching young people is what they do best. It requires long hours, patience, and care." Superintendent Ciarlo consistently exhibited all of these qualities, devoting her life to leading the Cranston school system to new scholastic heights and maintaining a steady focus on providing her students with a high-quality, first-class education.

Catherine was appointed superintendent of Cranston Public Schools in 1997. During her tenure, she has helped foster a strong community of learning for all Cranston students. A potent symbol of her successful efforts as Cranston superintendent is the district's most current State report card where it met or exceeded proficiency targets in math and literacy across all grades and racial subgroups, and for both ESL students and those with disabilities. These scores are also an emblem of what is likely to be Catherine's most enduring legacy her passionate dedication for ensuring that students whom traditionally might have gotten lost in the shuffle were given the necessary support to enable them to thrive academically.

Superintendent Ciarlo's contributions have been recognized in the past, most notably in 2005, when she was named Rhode Island's Superintendent of the Year and as a finalist for National Superintendent of the Year. Countless students owe their academic and professional success and achievements to Superintendent Ciarlo's efforts. Educators such as Catherine form the backbone of American society, providing our children with the essential tools to succeed in an ever-expanding global economy and keeping the United States competitive in the world.

I have a special place in my heart for the Cranston School System. For many years my father worked there, ultimately as the supervisor of custodians. He would be very proud of "his system" under the expert leadership of Catherine Ciarlo. So am I.

Thank you for your exemplary service, Catherine, and for your important contribution to the education of Rhode Island's students.●

CONGRATULATING THE AGRICULTURE FUTURE OF AMERICA ON ITS 10TH ANNIVERSARY

● Mr. TALENT. Mr. President, I rise today to congratulate the Agriculture Future of America, AFA, on its 10-year anniversary. AFA was founded by R. Crosby Kemper, Jr., to encourage and support college students who are preparing for careers in agriculture.

AFA is forming the future of agriculture by preparing the industry's future leaders today. This organization more than any other I know of gives young professionals access to industry leaders and training from professional corporate consultants while they are still in college. In just 10 years, the organization and its members have established an outstanding reputation in the agriculture industry. AFA members can be found in respected positions throughout agriculture and the business world. They are recognized by companies as reliable, effective leaders who can meet the challenges posed by an ever-changing economy.

R. Crosby Kemper, Jr., recognizes the potential of college students coming from rural America especially when coupled with opportunity they otherwise might not have. Mr. Kemper founded AFA with the vision to create an organization that would catalyze further development of these young adults on a professional level. As I travel around Missouri and to other areas, I see that our farmers are aging. We need effective young professionals to be prepared to take over the reins. AFA creates a professional network that respects individuals and promotes lifelong learning as well as building of lifelong alliances.

As I have said so many times before, Americans enjoy the safest, most affordable and most abundant food supply of any country in the world. That is due to the efforts of farmers in Missouri and across the Midwest. AFA is producing leaders who will help us maintain this position as a world leader in production agriculture.

I want to thank the leaders of AFA and its members for their commitment to agriculture. They understand why it is important we continue to support this vital industry. The U.S. food system is the largest industry in the U.S. and is the leading export sector of our economy. Few things are as important to America's future as the health and safety of our food system.

Agriculture is also one of the leading industries in Missouri; more than 14,000 jobs are directly created by agriculture. This number doesn't even include the thousands of jobs supporting this industry. Thankfully, AFA is there to help men and women who are interested in agriculture realize their potential in an exciting and vital industry.

Congratulations to AFA members and leadership on this landmark occasion. I look forward to working with you as an organization and as agriculture leaders in the future.●

100TH ANNIVERSARY OF TEA, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I recognize the city of Tea, which is celebrating its centennial this year.

The community of Tea began as a small German agricultural village originally named Byron. However, when a railroad was built between Sioux Falls and Yankton, a stop was added in the community and the residents decided to establish a local post office. The Postal Service advised the residents that the name "Byron" was already taken by several other locations and suggested that they come up with a new town name. At a town meeting, the residents had listed several possibilities when they decided to take a tea break. The name "Tea" was offered and eventually selected as the town's name. Now, 100 years later, the community of Tea continues to be a place where residents make everyone feel welcome.

It gives me great pleasure to rise with the citizens of Tea in celebrating their centennial anniversary and wish them continued success in the years to come.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Armed Services.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 11:21 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4894. An act to provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children.

H.R. 5117. An act to exempt persons with disabilities from the prohibition against providing section 8 rental assistance to college students.

The message also announced that the House agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 372. Concurrent resolution recognizing the 50th Anniversary of the Interstate Highway System.

H. Con. Res. 408. Concurrent resolution commending the Government of Canada for its renewed commitment to the Global War on Terror in Afghanistan.

H. Con. Res. 421. Concurrent resolution expressing the sense of Congress and support for Greater Opportunities for Science, Technology, Engineering, and Mathematics (GO-STEM) programs.

ENROLLED BILL SIGNED

At 6:01 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1445. An act to designate the facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, as the "William H. Emery Post Office".

MEASURES REFERRED

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 372. Concurrent resolution recognizing the 50th Anniversary of the Interstate Highway System; to the Committee on Environment and Public Works.

H. Con. Res. 421. Concurrent resolution expressing the sense of Congress and support for Greater Opportunities for Science, Technology, Engineering, and Mathematics (GO-STEM) programs; to the Committee on Health, Education, Labor, and Pensions.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–7123. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B4–600, B4–600R, and F4–600R Series Airplanes, and Model C4–605R Variant F Airplanes" ((RIN2120–AA64) (Docket No. 2004–NM–272)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7124. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A318–100 and A319–100 Series Airplanes; Model A320–111 Airplanes; and Model A320–200, A321–100, and A321–200 Series Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–097)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7125. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Aerospatiale Model ATR72 Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–059)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7126. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A318–100 and A319–100 Series Airplanes, A320–111 Airplanes, A320–200 Series Airplanes, and A321–100 and A321–200 Series Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–189)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7127. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330–200 and –300 Series Airplanes; and Model A340–200 and –300 Series Airplanes" ((RIN2120–AA64) (Docket No. 2004–NM–206)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7128. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model EMB–135 Airplanes and Model EMB–145, –145ER, –145MR, –145LR , –145XR, –145MP, and –145EP Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–003)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7129. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 737–600, –700, –700C, –800, and –900 Series Airplanes" ((RIN2120–AA64) (Docket No. 2004–NM–114)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7130. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A321–100 and –200 Series Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–128)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7131. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model DHC–8–102, –103, –106, –201, –202, –301, –311, and –315 Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–249)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7132. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330–200, A330–300, A340–200, and A340–300 Series Airplanes; and A340–541 and A340–642 Airplanes" ((RIN2120–AA64) (Docket No. 2004–NM–67)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7133. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B4–600, B4–600R, and F4–600R Series Airplanes, and Model C4–605R Variant F Airplanes; and Model A310–200 and A310–300 Series Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–098)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7134. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A319–100 and A320–200 Series Airplanes; and A320–111 Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–246)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7135. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A310–200 and –300 Series Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–022)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7136. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc RB211 Trent 500, 700, and 800 Series Turbofan Engines; Correction" ((RIN2120–AA64) (Docket No. 2005–NE–49)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7137. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model CL–600–2B19 (Regional Jet Series 100 and 440) Airplanes" ((RIN2120–AA64) (Docket No. 2006–NM–062)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7138. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault Model Falcon 900EX Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–255)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7139. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 727 Airplanes" ((RIN2120–AA64) (Docket No. 2002–NM–328)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7140. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model CL–600–2B19 (Regional Jet Series 100 and 440) Airplanes" ((RIN2120–AA64) (Docket No. 2006–NM–062)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7141. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Makila 1 A2 Turboshaft Engines" ((RIN2120–AA64) (Docket No. 2006–NE–09)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7142. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Aerospatiale Model ATR42 Airplanes and Model ATR72 Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–245)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7143. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model EMB-120, –120ER, –120FC, –120QC, and –120RT Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–234)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7144. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 727, 727C, 727–100, 727–100C, and 727–200 Series Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–237)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7145. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model DHC 8–400 Series Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–162)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7146. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 767–200, –300, and –300F Series Airplanes" ((RIN2120–AA64) (Docket No. 2004–NM–25)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7147. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Aerospatiale Model ATR42 Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–247)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7148. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Model DC–8–11, DC–8–12, DC–8–21, DC–8–31, DC–8–32, DC–8–33, DC–8–41, DC–8–42, and DC–8–43 Airplanes; Model DC–8F–54 and DC–8F–55 Airplanes; Model DC–8–50, –60, –60F, –70, and –70F Series Airplanes; Model DC–9–10, –20, –30, –40, and –50 Series Airplanes; Model DC–9–81, DC–9–82, DC–9–83, and DC9–87 Airplanes; and Model MD–88 Airplanes" ((RIN2120–AA64) (Docket No. 2004–NM–256)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7149. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 757–200 and –300 Series Airplanes" ((RIN2120–AA64) (Docket No. 2004–NM–165)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7150. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 757 Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–142)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7151. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Model Avro 146–RJ Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–232)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7152. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 757 Airplanes Powered by Pratt and Whitney Engines" ((RIN2120–AA64) (Docket No. 2004–NM–84)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7153. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747–200C and –200F Series Airplanes" ((RIN2120–AA64) (Docket No. 2005–NM–068)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7154. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 767 Airplanes" ((RIN2120–AA64) (Docket No. 2003–NM–215)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7155. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Model GIV–X and GV–SP Series Airplanes" ((RIN2120–AA64) (Docket No. 2006–NM–061)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7156. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Model F.28 Mark 0100 Airplanes" ((RIN2120–AA64) (Docket No. 2006–NM–003)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7157. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sicma Aero Seat; Cabin Attendant Seats Series 150 type FN and Series 151 type WN" ((RIN2120–AA64) (Docket No. 2005–NE–32)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7158. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes" ((RIN2120–AA64) (Docket No. 2004–CE–27)) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7159. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rule: Emergency Groundfish Action Correction" (RIN0648–AU09) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7160. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final 2006 Specifications for the Northeast Multispecies Fishery Management Plan" (RIN0648–AU13) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7161. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic

Zone Off Alaska; Adjustment of Pacific Cod Total Allowable Catch Amounts in the Bering Sea and Aleutian Islands" (I.D. 031406B) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7162. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands" (I.D. 042606A) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7163. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management" (I.D. 042606B) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7164. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Deep-water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (I.D. 042606F) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7165. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Reopening of Directed Fishery for Loligo Squid" (I.D. 042606C) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7166. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (I.D. 042706A) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7167. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Temporary Rule; Inseason Bluefish Quota Transfer from VA to NC" (I.D. 050906A) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EC–7168. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Temporary Rule: 2006 Quota Adjustment (New York Atlantic Bluefish Commercial Fishery)" (I.D. 050906C) received on May 31, 2006; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. SHELBY for the Committee on Banking, Housing, and Urban Affairs.

*Robert M. Couch, of Alabama, to be President, Government National Mortgage Association.

*James B. Lockhart III, of Connecticut, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development for a term of five years.

*Sheila C. Bair, of Kansas, to be Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation for a term of five years.

*Sheila C. Bair, of Kansas, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term expiring July 15, 2013.

*Sheila C. Bair, of Kansas, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for the remainder of the term expiring July 15, 2007.

*Donald L. Kohn, of Virginia, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

*Kathleen L. Casey, of Virginia, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2011.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CORNYN:

S. 3507. A bill to establish a National Commission on Entitlement Solvency; to the Committee on Finance.

By Mr. SUNUNU (for himself, Mr. SANTORUM, and Mr. CARPER):

S. 3508. A bill to authorize the Moving to Work Charter program to enable public housing agencies to improve the effectiveness of Federal housing assistance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VOINOVICH:

S. 3509. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the remediation of contaminated sites; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. ALLEN):

S. 3510. A bill to amend the National Science Foundation Authorization Act of 2002 to authorize grants for Partnerships for Access to Laboratory Science (PALS); to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALLARD (for himself and Mr. REED):

S. 3511. A bill to extend for 5 years the Mark-to-Market program of the Department of Housing and Urban Development; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SMITH (for himself and Mr. SCHUMER):

S. 3512. A bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for State judicial debts that are past due; to the Committee on Finance.

By Mr. BUNNING:

S. 3513. A bill to amend the National Trails System Act to extend the Lewis and Clark National Historic Trail to include additional sites associated with the preparation or return phase of the Lewis Clark expedition, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER:

S. 3514. A bill to amend title 18, United States Code, to restrict the public display on the Internet of the last 4 digits of social security account numbers by State and local governments, and for other purposes; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself, Mrs. BOXER, and Mr. JEFFORDS):

S. 3515. A bill to amend title II, United States Code, to ensure that liable entities meet environmental cleanup obligations, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE (for himself, Mr. AKAKA, Mr. MCCAIN, Mr. LEVIN, Mr. BROWNBACK, Mr. SCHUMER, Mr. DAYTON, Mr. KOHL, and Mr. KENNEDY):

S. Res. 512. A resolution celebrating the 231st birthday of the Army and commending the men and women of the Army as exceptional individuals who live by the values of loyalty, duty, and selfless service; considered and agreed to.

By Mr. REID (for himself, Mr. BROWNBACK, Mr. DURBIN, Mrs. FEINSTEIN, Mr. JOHNSON, Mr. LIEBERMAN, and Mr. SARBANES):

S. Con. Res. 101. A concurrent resolution condemning the repression of the Iranian Baha'i community and calling for the emancipation of Iranian Baha'is; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 58

At the request of Mr. INOUYE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 58, a bill to amend title 10, United States Code, to permit former members of the Armed Forces who have a service-connected disability rated as total to travel on military aircraft in the same manner and to the same extent as retired members of the Armed Forces are entitled to travel on such aircraft.

S. 65

At the request of Mr. INHOFE, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 65, a bill to amend the age restrictions for pilots.

S. 265

At the request of Mr. FRIST, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 265, a bill to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes.

S. 345

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 345, a bill to amend title XVIII of the Social Security Act to deliver a meaningful benefit and lower prescription drug prices under the medicare program.

S. 635

At the request of Mr. SANTORUM, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 635, a bill to amend title XVIII of the Social Security Act to improve the benefits under the medicare program for beneficiaries with kidney disease, and for other purposes.

S. 647

At the request of Mrs. LINCOLN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 647, a bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat medicare beneficiaries without a requirement for a physician referral, and for other purposes.

S. 709

At the request of Mr. DEWINE, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 709, a bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes.

S. 717

At the request of Mrs. LINCOLN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 717, a bill to amend title XVIII of the Social Security Act to provide coverage for kidney disease education services under the medicare program, and for other purposes.

S. 1424

At the request of Mr. ENSIGN, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 1424, a bill to remove the restrictions on commercial air service at Love Field, Texas.

S. 1584

At the request of Mr. HATCH, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 1584, a bill to amend the Internal Revenue Code of 1986 to provide for a nonrefundable tax credit against income tax for individuals who purchase a residential safe storage device for the safe storage of firearms.

S. 1741

At the request of Mr. VOINOVICH, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1741, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area.

S. 1915

At the request of Mr. ENSIGN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1915, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1948

At the request of Mrs. CLINTON, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 1948, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of passenger motor vehicles, and for other purposes.

S. 1998

At the request of Mr. CONRAD, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1998, a bill to amend title 18, United States Code, to enhance protections relating to the reputation and meaning of the Medal of Honor and other military decorations and awards, and for other purposes.

S. 2140

At the request of Mr. HATCH, the names of the Senator from Virginia (Mr. ALLEN), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 2140, a bill to enhance protection of children from sexual exploitation by strengthening section 2257 of title 18, United States Code, requiring producers of sexually explicit material to keep and permit inspection of records regarding the age of performers, and for other purposes.

S. 2566

At the request of Mr. LUGAR, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2566, a bill to provide for coordination of proliferation interdiction activities and conventional arms disarmament, and for other purposes.

S. 2651

At the request of Mr. MENENDEZ, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 2651, a bill to authorize the Secretary of Education to make grants to educational organizations to carry out educational programs about the Holocaust.

S. 2658

At the request of Mr. LEAHY, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 2658, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the Chief of the National Guard Bureau and the enhancement of the functions of the National Guard Bureau, and for other purposes.

At the request of Mr. BOND, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2658, supra.

S. 2750

At the request of Mr. DEMINT, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 2750, a bill to improve access to emergency medical services through medical liability reform and additional Medicare payments.

S. 2831

At the request of Mr. LUGAR, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2831, a bill to guarantee the free flow of information to the public through a free and active press while protecting the right of the public to effective law enforcement and the fair administration of justice.

At the request of Mr. SPECTER, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 2831, supra.

S. 3114

At the request of Mr. NELSON of Florida, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 3114, a bill to establish a bipartisan commission on insurance reform.

S. 3128

At the request of Mr. BURR, the names of the Senator from South Carolina (Mr. DEMINT), the Senator from New Hampshire (Mr. GREGG), the Senator from Georgia (Mr. ISAKSON), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. 3128, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 3255

At the request of Mrs. CLINTON, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3255, a bill to provide student borrowers with basic rights, including the right to timely information about their loans and the right to make fair and reasonable loan payments, and for other purposes.

S. 3325

At the request of Mr. BUNNING, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 3325, a bill to promote coal-to-liquid fuel activities.

S. 3500

At the request of Mr. THOMAS, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 3500, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 3506

At the request of Mr. AKAKA, the names of the Senator from New York (Mr. SCHUMER), the Senator from Washington (Mrs. MURRAY), the Senator from New York (Mrs. CLINTON), the Senator from Maryland (Ms. MIKULSKI) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 3506, a bill to prohibit the unauthorized removal or use of personal information contained in a database owned, operated, or maintained by the Federal Government.

S.J. RES. 35

At the request of Mr. BYRD, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S.J. Res. 35, a joint resolution proposing an amendment to the Constitution of the United States to clarify that the Constitution neither prohibits voluntary prayer nor requires prayer in schools.

S. CON. RES. 96

At the request of Mr. BROWNBACK, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 96, a concurrent resolution to commemorate, celebrate, and reaffirm the national motto of the United States on the 50th anniversary of its formal adoption.

S. CON. RES. 99

At the request of Ms. SNOWE, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. Con. Res. 99, a concurrent resolution expressing the sense of the Congress regarding the policy of the United States at the 58th Annual Meeting of the International Whaling Commission.

S. RES. 460

At the request of Mr. COLEMAN, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. Res. 460, a resolution expressing the sense of the Senate that the United States should increase its support to the people of Somalia in their efforts to end decades of violence, establish lasting peace, form a democratically elected and stable central government, and become an effective partner in eradicating radicalism and terrorism from their country and the region.

S. RES. 482

At the request of Ms. LANDRIEU, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Indiana (Mr. LUGAR) were added as cosponsors of S. Res. 482, a resolution supporting the goals of an annual National Time-Out Day to promote patient safety and optimal outcomes in the operating room.

S. RES. 510

At the request of Mr. MARTINEZ, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. Res. 510, a resolution designating the period beginning on June 28, 2006, and ending on July 5, 2006, as "National Clean Beaches Week", supporting the goals and ideals of that week, and recognizing the considerable value and role of beaches in the culture of the United States.

AMENDMENT NO. 4205

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of amendment No. 4205 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

At the request of Mr. DURBIN, his name was added as a cosponsor of amendment No. 4205 proposed to S. 2766, supra.

AMENDMENT NO. 4206

At the request of Mr. LUGAR, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of amendment No. 4206 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4211

At the request of Mr. WARNER, the names of the Senator from Alaska (Mr. STEVENS) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of amendment No. 4211 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

At the request of Ms. SNOWE, her name was added as a cosponsor of amendment No. 4211 proposed to S. 2766, supra.

AMENDMENT NO. 4215

At the request of Mr. JEFFORDS, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 4215 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4217

At the request of Mr. THUNE, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of amendment No. 4217 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4218

At the request of Mr. SALAZAR, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of amendment No. 4218 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SUNUNU (for himself, Mr. SANTORUM, and Mr. CARPER):

S. 3508. A bill to authorize the Moving to Work Charter program to enable public housing agencies to improve the effectiveness of Federal housing assistance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. SUNUNU. Mr. President, I rise today to introduce the Moving to Work Charter Program Act—legislation that would expand the successful Moving to Work demonstration project. Unfortunately, today's housing programs do not always meet the needs of local communities, and public housing agencies are subjected to one-size-fits-all regulations. National rent policies often times do not satisfy distinct characteristics of individual housing markets. Therefore, my legislation will increase flexibility for PHAs to address their local housing needs.

Congress authorized the Moving to Work demonstration program in 1996, and the program has received temporary extensions since then. While the demonstration was originally intended to only be authorized for 3 years—its success has led to continued support from Congress. Moving to Work, or MTW, has been successful due its innovative and locally-designed approach to housing. Under the program, agencies are given appropriate flexibility to design programs that not only provide affordable housing, but aid residents in becoming self-sufficient. When MTW was established there were three main goals—achieving greater cost-effectiveness, giving housing residents tools to become self-sufficient, and increasing housing choices for low-income families. When one looks at the accomplishments of the agencies that have participated in the program, it is clear that MTW was instrumental in their success in meeting these goals. For this reason, I am eager to apply MTW's proven model to worthy agencies across the country.

My legislation would establish a permanent Moving to Work Charter Program that would include up to 250 PHAs. Participating agencies would possess the same flexibility to design and implement innovative approaches as current MTW participants. While PHAs would have broader discretion, they would still be required to assist substantially the same number of low-income families they currently serve. The local flexibility and independence permitted under MTW will allow agencies to be more responsive to their local conditions, demands, and priorities. Every community has its unique housing needs that are not always best addressed by current HUD regulations.

When looking at current national rent policies, it is evident we have a system in place that encourages dependency, by creating disincentives for individuals to work. Under current law, when an individual's income increases, their rent automatically increases. In essence we are punishing residents for earning more money—money that allows them to live more responsibly and independently. MTW gives agencies the ability to establish rent policies that will encourage residents to increase their income, because they can keep more of their income. In my own state of New Hampshire, the Keene Housing Authority has created a step rent program where tenant contributions to rent are increased on a yearly basis. While their income may increase, their rent will not. This creates an environment where residents are encouraged to work. Increases in tenant rent contributions are phased in each year, providing more certainty for tenants. At the same time, they are preparing residents for entry into the housing market by giving them job training support, tools for financial planning, and homeownership opportunities. This program has resulted in real income growth for residents, without a significant increase to their rents.

The results speak for themselves. At the Keene Housing Authority 46 percent of families were working full time when their MTW program started. Today, 65 percent are working full time. They have also issued more section 8 subsidies than before and have assisted more families in need. MTW has allowed Keene Housing Authority to meet the immediate housing needs of their tenants, while also helping their tenants become more independent.

The MTW program also gives PHAs the ability to merge their funding streams—which is ideal for modernizing or redeveloping their housing stock. PHAs can combine these funds so long as they maintain assistance to the same number of families, and use their funds to continue their efforts to provide affordable housing. Through merging funding streams, Philadelphia has been able to better leverage their federal dollars, and in turn construct hundreds of additional units.

Through community partnerships and innovative thinking at the local level, the Philadelphia PHA has been able to reach more low-income residents, while at the same time reinvigorating community development initiatives. Every community has distinctive housing needs—no one knows those local needs better than the housing agencies that are working every day to provide affordable housing options for community members. MTW allows its participants to maximize efficiency and direct resources where they feel they are most needed to address specific local needs. I specifically want to thank Senator SANTORUM for working with me on this legislation. Obviously, he has seen first hand the success of MTW in this State of Pennsylvania, and I appreciate his input on this bill.

Additionally, I would like to thank Senator CARPER for his support of this legislation. He has also witnessed the benefits of the MTW program in the State of Delaware. The Delaware State Housing Authority's MTW program has been tremendously successful in providing families with the tools to become more independent while still providing affordable housing. I look forward to working with both Senator SANTORUM and CARPER in moving this legislation forward.

By bringing more PHAs into MTW under my bill, more agencies will benefit from streamlined annual reporting and administrative procedures. By doing so, PHAs can focus more of their attention on meeting the housing needs of those they serve. Redundant and burdensome reporting requirements are time-consuming and unnecessary and take the attention away from residents. Under this legislation, PHAs will be able to work with HUD to develop more appropriate reporting requirements that compliment their housing services. For example, PHAs will have the ability to merge their waiting lists, modify inspection standards, and modify lease requirements. Small PHAs and large PHAs are vastly different—HUD should be able to work in collaboration with individual PHAs to determine which requirements pertain to certain agencies. Streamlined reporting will enable PHAs to establish local benchmarks and more purposefully evaluate their programs' effectiveness in providing affordable housing.

My legislation has the support of the local agencies across my State, as well as the endorsement of the Public Housing Authorities Directors Association, the Council of Large Public Housing Authorities, and the National Association of Housing and Redevelopment Officials. I remain committed to working with the PHAs throughout the legislative process to achieve greater flexibility, while ensuring that individuals and families have continued access to affordable housing.

By Mr. MENENDEZ (for himself and Mr. ALLEN):

S. 3510. A bill to amend the National Science Foundation Authorization Act of 2002 to authorize grants for Partnerships for Access to Laboratory Science (PALS); to the Committee on Health, Education, Labor and Pensions.

Mr. MENENDEZ. Mr. President, I rise today with my colleague from Virginia, Senator ALLEN, to introduce a bill designed to improve the science learning experience for students in low-income and rural schools across the country. Investing in education is about investing in our future. Today's young people will be facing a new world when they enter the workforce—a world that is globally integrated and where technology has transformed the boundaries of human capital. Our tax forms, blueprints, and x-rays can all be analyzed halfway around the world. The greatest asset we have in this country is our collective intellect, and the Nation's competitive future will depend on us nurturing the intellect of the next generation of Americans.

In order to be competitive in the coming decades, we need to ensure that we have given our students the tools to be successful in science, engineering, mathematics, and technology. The Protecting America's Competitive Edge, PACE, Acts, which I am proud to be a cosponsor of, helps provide the tools at all levels of our educational system, from kindergarten through graduate school and beyond. Unfortunately, I am concerned that we may not be paying enough attention to those students that are already in the greatest danger of not reaping the full benefits of America's innovative future, such as minorities, women, and students in low-income or rural schools.

For example, according to the National Science Foundation, only 7 percent of our scientists and engineers are Hispanic, African American, or Native American, despite the fact that they make up 24 percent of the total population. A minority scientist is also far less likely to achieve a post-graduate degree. By 2020, one-quarter of the Nation's schoolchildren will be Hispanic, and another 14 percent will be African American. That's 40 percent of our precious human capital, and we can not neglect that tremendous resource when we talk about improving our competitiveness for the future. No business could afford to leave 40% of its capital sitting idle, and neither can the United States.

That is why I introduced an amendment during the committee markup of the PACE-Energy bill, joined by Senator ALLEN, which will create a series of outreach programs designed to get more minority elementary and secondary students excited about science, to make them want to enter these fields that will be such a crucial part of our economic future. A program like this called Hispanic Engineering Science and Technology Week, HESTEC, has been operating very successful for the past few years as the University of Texas—Pan American, and I hope to see that success replicated throughout the Nation.

But these types of programs are only one part of getting students hooked on science. We can spend all the time in the world telling students how exciting it is to be a scientist, but unless we actually let them experience that excitement—unless we let them discover the joy of scientific discovery first-hand—we will still lose them. And that is the job of the science laboratory class. A well-designed, well-equipped, well-staffed high school laboratory can be an incredibly invigorating and illuminating experience for a student. It can teach them far more about scientific principles than they can learn from a book or in a lecture, and more importantly, it teaches them the thrill of actually being a scientist. That, more than anything else, can mean the difference between a student who goes on to become a chemist, an engineer, or a medical researcher, and one who loses interest in science forever.

Unfortunately, a recent report by the National Academy of Sciences, called "America's Lab Report: Investigations in High School Science," made some findings that are extremely troubling for those of us who want to provide all of our students an equal opportunity to succeed in science and technology. It found that schools that have high percentages of minorities and low-income students are "less likely to have adequate laboratory facilities" and "often have lower budgets for laboratory equipment and supplies" than other schools. The study also found that students in those schools "spend less time in laboratory instruction than students in other schools." Rural schools had some of the same problems.

We cannot expect our country to be adequately prepared for the future unless all of our students are adequately prepared for the future. And unless we do something to improve the laboratory experience for our low-income, minority, and rural students, we simply won't be prepared. That is why I am proud to introduce the partnerships for access to laboratory science bill, originally championed by Congressman HINOJOSA, which would authorize partnerships between high-need or rural school districts, higher education institutions, and the private sector, with the goal of revitalizing the high school science labs in those schools. The bill authorizes $50 million in matching grants to help fund comprehensive science instruction improvement plans, with the grant money able to be used for such things as purchasing scientific equipment, renovating laboratory space, designing new experiments or methods of integrating the laboratory with traditional lectures, and providing professional development for high school science lab teachers. This last one is particularly important because one of the key conclusions from the National Academy report is that "improving high school science teachers' capacity to lead laboratory experiences effectively is critical to advancing the educational goals of these experiences."

We need to do a lot to ensure that our Nation stays competitive throughout the 21st century, and this bill is only one small step. But it is a sorely needed step, particularly for those students who need our help the most. I invite my colleagues to join us in support of this bill, and I look forward to working to enact this important piece of legislation.

By Ms. CANTWELL (for herself, Mrs. BOXER, and Mr. JEFFORDS):

S. 3515. A bill to amend title II, United States Code, to ensure that liable entities meet environmental cleanup obligations, and for other purposes; to the Committee on Environment and Public Works.

Ms. CANTWELL. Mr. President, the Wall Street Journal recently reported on a growing phenomenon across the West—towns and cities are struggling to ensure cleanup from decades of environmental contamination on properties formally owned by Asarco, LLC.

For over a century, Asarco mined, smelted, and refined metals at sites across the country, leaving behind a legacy of lead, arsenic, and cadmium contamination in more than 90 sites in 22 Western States. But when Asarco filed for bankruptcy in August 2005 suddenly it became unclear if these contaminated sites would ever get cleaned up. Asarco's outrageous legacy of environmental pollution stretches from Helena, MT, to El Paso, TX, and is estimated to total $1 billion nationwide. That is money that taxpayers, not the polluting company, may now have to pay.

In my State, Asarco operated a 14-acre site in Everett from the 1800s until 1912, and two sites in Ruston, a 67-acre property and the larger 97-acre Superfund site on Commencement Bay. When Asarco declared bankruptcy last August, the citizens of Washington State were left with a $100 million Superfund mess. In Tacoma and Ruston, Asarco contractors abandoned cleanup projects midway through, leaving piles of contaminated soil sitting in resident's backyards. Although cleanup resumed thanks to emergency removal funds from the Environmental Protection Agency, these funds only go so far and eventually taxpayers may have to bear the brunt of the costs.

I wish I could say that Asarco is just an exceptionally bad actor, but there is evidence that the company's irresponsible practices are more common than we knew.

That is why in October 2002, I asked the Government Accountability Office to examine how corporate polluters might be avoiding their responsibility under existing environmental law. I was pleased to be joined in requesting this study by then Environment and Public Works Chairman JEFFORDS, Judiciary Chairman LEAHY, and Superfund and Waste Management Subcommittee Chairwoman BOXER. The report found that the Environmental Protection Agency has faced significant challenges in holding polluting corporations responsible for their environmental cleanup obligations, partly due to bankruptcy laws that allow companies to avoid future cleanup costs on sites that were damaged in the past.

In many ways this report confirms what I feared back in 2002, and what became starkly evident last August, that corporate polluters are using bankruptcy and other regulatory loopholes to get out of their environmental cleanup obligations. The report has a whole section on how "businesses can organize and restructure themselves in ways that allow them to limit their expenditures for environmental cleanups." Whether it is using the shield of bankruptcy to evade their obligations, or engaging in corporate shell games with foreign subsidiaries, the "polluter pays" principle should hold firm.

To quote again from the report, "As a result of EPA's inaction, the federal treasury continues to be exposed to potentially enormous cleanup costs associated with businesses not currently required to provide financial assurances."

Fortunately, the GAO provided not only a thorough analysis of the problem but also a set of detailed recommendations on how to tackle these abuses. Based on their recommendations, I authored the Cleanup Assurance and Polluter Accountability Act of 2006, which I am introducing today along with Senator JEFFORDS, the ranking member of the Environment and Public Works Committee and Senator BOXER, the ranking member of the Environment and Public Works Subcommittee on Superfund and Waste Management.

My bill: Enables the bankruptcy court to examine 10 years of past transactions—instead of 2 years—between a parent company and its subsidiary for evidence that companies transferred assets to avoid environmental cleanup responsibilities; requires the National Bankruptcy Review Commission to evaluate conflicting goals between the bankruptcy code and environmental laws and to provide recommendations for action to Congress; reasserts and expands upon the 1980 requirement that the Environmental Protection Agency develop financial assurance regulations and ensure that businesses maintain appropriate financial assurances, providing evidence that they're able to pay for cleaning up of environmental damage should it occur; and requires companies subject to financial assurance requirements to report declarations of bankruptcy directly to the EPA with an estimation of environmental damage and an explanation of current and former owners or partners of the facility.

These measures will go a long way toward closing these costly loopholes in our bankruptcy code and protecting tax payers from unjust corporate maneuvering to evade cleanup responsibility at polluted sites.

Communities across the country continue to bear the burden of Asarco's irresponsible behavior. The GAO report confirms that this abuse is not specific to Asarco but is increasingly widespread. It will take many more years to clean up the mess that a few bad actors have left behind. We can't afford to stand by and allow another Asarco to happen. We must not ask the taxpayers to continue footing the bill for others' reckless actions. I look forward to working with my congressional colleagues to enact these protections into law.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 512—CELEBRATING THE 231ST BIRTHDAY OF THE ARMY AND COMMENDING THE MEN AND WOMEN OF THE ARMY AS EXCEPTIONAL INDIVIDUALS WHO LIVE BY THE VALUES OF LOYALTY, DUTY, AND SELFLESS SERVICE

Mr. INHOFE (for himself, Mr. AKAKA, Mr. MCCAIN, Mr. LEVIN, Mr. BROWNBACK, Mr. SCHUMER, Mr. DAYTON, Mr. KOHL, and Mr. KENNEDY) submitted the following resolution; which was considered and agreed to:

S. RES. 512

Whereas, from the first Continental Army under General Washington to the beaches of Normandy and the city streets of Iraq, the Army has protected the flame of democracy;

Whereas the citizens of the United States continue to enjoy freedom and spread the light of democracy because the men and women of the Army have stood through adversity, remained steadfast in the most difficult of circumstances, and bravely fought against the enemies of peace throughout the world;

Whereas the sacrifices of those men and women of the Army have called all citizens of the United States, both public and private, to the highest forms of citizenship;

Whereas the Army maintains its presence in 120 countries across the world, including Saudi Arabia, Korea, and Kosovo;

Whereas the accomplishments of the Army in the Global War on Terror have demonstrated the courage and strength of the men and women of the Army;

Whereas, in Iraq, the Army has brought freedom to a population once under tyrannical control, allowing the citizens of Iraq to enjoy the recent election of officials, the formation of a constitution, and the formation of the government under Prime Minister al-Maliki;

Whereas the men and women of the Army continued to provide stability and security to Iraqis by killing Abu Musab al-Zarqawi, who was commonly known among terrorists as the "prince of al-Qaeda";

Whereas Iraq has become a better place and a great ally, which was evident when the ambassador of Iraq presented his credentials to the Secretary of State for the first time in 15 years; and

Whereas those great accomplishments add to the longstanding tradition of the Army and attest to the extraordinary capability of the men and women who serve the United States: Now, therefore, be it

Resolved, That the Senate—

(1) salutes the men and women of the Army;

(2) commends the men and women of the Army as exceptional individuals who live by the values of loyalty, duty, and selfless service; and

(3) recognizes that those great citizens—

(A) are the reason why the Army continues to stand as the best military force in the world; and

(B) continue to perform amazing tasks and uphold the honored traditions of the Army by adhering to the principle expressed by General Douglas MacArthur when he proudly declared that "Americans never quit.".

SENATE CONCURRENT RESOLUTION 101—CONDEMNING THE REPRESSION OF THE IRANIAN BAHA'I COMMUNITY AND CALLING FOR THE EMANCIPATION OF IRANIAN BAHA'IS

Mr. REID (for himself, Mr. BROWNBACK, Mr. DURBIN, Mrs. FEINSTEIN, Mr. JOHNSON, Mr. LIEBERMAN, and Mr. SARBANES) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 101

Whereas in 1982, 1984, 1988, 1990, 1992, 1994, 1996, and 2000, Congress, by concurrent resolution, declared that it deplores the religious persecution by the Government of Iran of the Baha'i community and holds the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas on March 20, 2006, the United Nations Special Rapporteur on Freedom of Religion or Belief, Ms. Asma Jahangir, revealed the existence of a confidential letter dated October 29, 2005, from the Chairman of the Command Headquarters of Iran's Armed Forces to the Ministry of Information, the Revolutionary Guard, and the Police Force, stating that the Supreme Leader, Ayatollah Khamenei, had instructed the Command Headquarters to identify members of the Baha'i Faith in Iran and monitor their activities;

Whereas the United Nations Special Rapporteur expressed "grave concern and apprehension" about the implications of this letter for the safety of the Baha'i community;

Whereas in 2005 the Iranian Government initiated a new wave of assaults, homes raids, harassment, and detentions against Baha'is, and in December 2005, Mr. Zabihullah Mahrami died after 10 years of imprisonment on charges of apostasy due to his membership in the Baha'i Faith; and

Whereas beginning in October 2005, an anti-Baha'i campaign has been conducted in the state-sponsored Kayhan newspaper and in broadcast media: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) condemns the Government of Iran for the October 29, 2005 letter, calls on the Government of Iran to immediately cease such activities and all activities aimed at the repression of the Iranian Baha'i community, and continues to hold the Government of Iran responsible for upholding all the rights of its nationals, including members of the Baha'i community; and

(2) requests the President to—

(A) call for the Government of Iran to emancipate the Baha'i community by granting those rights guaranteed by the Universal Declaration of Human Rights and other international covenants on human rights;

(B) emphasize that the United States regards the human rights practices of the Government of Iran, including its treatment of the Baha'i community and other religious minorities, as a significant factor in the foreign policy of the United States Government regarding Iran; and

(C) initiate an active and consistent dialogue with other governments and the European Union in order to persuade the Government of Iran to rectify its human rights practices.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4221. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 4222. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4223. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4224. Mr. OBAMA (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4225. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4226. Mr. GRAHAM (for himself and Mr. KERRY) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4227. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4228. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4229. Mr. CHAMBLISS (for himself and Mr. TALENT) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4230. Mr. DORGAN (for himself, Mr. BINGAMAN, Mrs. BOXER, Mr. DAYTON, Mr. FEINGOLD, Mr. JOHNSON, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Ms. MIKULSKI, Mr. NELSON, of Florida, Mr. PRYOR, Mr. REID, Mr. HARKIN, Mr. WYDEN, Mr. KENNEDY, and Mrs. CLINTON) proposed an amendment to the bill S. 2766, supra.

SA 4231. Mr. DEWINE (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4232. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4233. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4234. Mr. SANTORUM (for himself and Mr. CORNYN) proposed an amendment to the bill S. 2766, supra.

SA 4235. Mr. ALLARD (for himself and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4236. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4237. Mr. MARTINEZ (for himself and Mr. NELSON, of Florida) proposed an amendment to the bill S. 2766, supra.

SA 4238. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4239. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4240. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4241. Mr. MCCAIN (for himself, Mr. FRIST, Mr. LEVIN, Mr. INHOFE, Mr. KENNEDY, Mr. ROBERTS, Mr. BYRD, Mr. SESSIONS, Mr. LIEBERMAN, Ms. COLLINS, Mr. REED, Mr. ENSIGN, Mr. AKAKA, Mr. TALENT, Mr. NELSON, of Florida, Mr. CHAMBLISS, Mr. NELSON, of Nebraska, Mr. GRAHAM, Mr. DAYTON, Mrs. DOLE, Mr. BAYH, Mr. CORNYN, Mrs. CLINTON, Mr. THUNE, Mr. ALLARD, and Mr. ALLEN) proposed an amendment to the bill S. 2766, supra.

SA 4242. Mr. MCCAIN (for himself, Mr. WARNER, Mr. LEVIN, Mr. GRAHAM, Mr. BYRD, Mr. GREGG, Mr. HAGEL, Mr. CHAMBLISS, Ms. COLLINS, Mr. COBURN, Mr. CONRAD, Mr. REID, Mr. STEVENS, Ms. SNOWE, Mr. ENSIGN, Mr. LIEBERMAN, Mr. OBAMA, Mr. INOUYE, Mr. AKAKA, Mr. SALAZAR, Mr. DODD, and Mr. BURNS) proposed an amendment to the bill S. 2766, supra.

SA 4243. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4244. Mr. BIDEN (for himself, Mr. BINGAMAN, and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4245. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4246. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4247. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4248. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4249. Mr. DOMENICI (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4250. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4251. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4252. Mr. REID (for himself, Mr. LEAHY, Mr. SPECTER, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4221. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 375. REDUCTION IN PETROLEUM CONSUMPTION BY THE DEPARTMENT OF DEFENSE VEHICLE FLEET.

(a) REDUCTION REQUIRED.—The Secretary of Defense shall take appropriate actions to ensure that the amount of petroleum consumed in fiscal year 2009 by the vehicle fleets of the Department of Defense that are subject to the provisions of section 400AA of the Energy Policy and Conservation Act (42 U.S.C. 6374) is at least 10 percent less than the amount of petroleum consumed in fiscal year 2005 by such vehicle fleets.

(b) ACHIEVEMENT OF REDUCTION.—The Secretary may achieve the reduction required by subsection (a) by any mechanism as follows:

(1) Through the use of alternative fuels.

(2) Through the acquisition of vehicles with better fuel economy, including hybrid vehicles.

(3) Through the substitution of cars for light trucks.

(4) Through an increase in vehicle load factors.

(5) Through a decrease in vehicle miles traveled.

(6) Through a decrease in fleet size.

(7) Through any other mechanism that the Secretary considers appropriate.

(c) PILOT PROGRAMS AUTHORIZED.—The Secretary may carry out one or more pilot programs to assess the feasability and advisability of utilizing any mechanism specified in subsection (b), and any other mechanism, to achieve the reduction required by subsection (a).

(d) REPORTS.—Not later than December 31 of each of 2007, 2008, and 2009, the Secretary shall submit to the congressional defense committees a report on the actions taken during the preceding fiscal year to meet the reduction required by subsection (a). Each report shall, for the fiscal year covered by such report, set forth the following:

(1) A description of the actions taken.

(2) An assessment of the effectiveness of such actions in meeting the reduction.

(3) An assessment of the progress of the Department toward meeting the reduction.

SA 4222. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 375. UTILIZATION OF FUEL CELLS AS BACK-UP POWER SYSTEMS IN DEPARTMENT OF DEFENSE OPERATIONS.

The Secretary of Defense shall consider the utilization of fuel cells as replacements for current back-up power systems in a variety of Department of Defense operations and activities, including in telecommunications networks, perimeter security, and remote facilities, in order to increase the operational longevity of back-up power systems and stand-by power systems in such operations and activities.

SA 4223. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 352. REPORT ON MECHANISMS TO REDUCE PETROLEUM CONSUMPTION IN DEPARTMENT OF DEFENSE OPERATIONS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on actions (whether or not currently authorized by law) to be taken to achieve reductions in petroleum consumption in the operations and activities of the Department of Defense, including in the operation of military vehicles, vessels, and aircraft.

(b) ACTIONS REQUIRING ADDITIONAL AUTHORITY.—In the event an action set forth in the report required by subsection (a) cannot be taken without additional authority in law, the report shall include such recommendations for legislative action as the

Secretary considers appropriate to provide adequate authority for such action.

SA 4224. Mr. OBAMA (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 267, beginning on line 24, insert after "mental health" the following: "(including Traumatic Brain Injury (TBI))".

On page 268, line 13, insert "(including Traumatic Brain Injury)" after "mental health".

SA 4225. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of division C, add the following new title:

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

SEC. 3301. TRANSFER OF GOVERNMENT-FURNISHED URANIUM STORED AT SEQUOYAH FUELS CORPORATION, GORE, OKLAHOMA.

(a) TRANSPORT AND DISPOSAL.—Not later than March 31, 2007, the Secretary of the Army shall, subject to subsection (c), transport to an authorized disposal facility for appropriate disposal all of the Federal Government-furnished uranium in the chemical and physical form in which it is stored at the Sequoyah Fuels Corporation site in Gore, Oklahoma.

(b) SOURCE OF FUNDS.—Funds authorized to be appropriated by section 301(1) for the Army for operation and maintenance may be used for the transport and disposal required under subsection (a).

(c) LIABILITY.—The Secretary may only transport uranium under subsection (a) after receiving from Sequoyah Fuels Corporation a written agreement satisfactory to the Secretary that provides that—

(1) the United States assumes no liability, legal or otherwise, of Sequoyah Fuels Corporation by transporting such uranium; and

(2) the Sequoyah Fuels Corporation waives any and all claims it may have against the United States related to the transported uranium.

SA 4226. Mr. GRAHAM (for himself and Mr. KERRY) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 552. CLARIFICATION OF APPLICATION OF UNIFORM CODE OF MILITARY JUSTICE DURING A TIME OF WAR.

Paragraph (10) of section 802(a) of title 10, United States Code (article 2(a) of the Uniform Code of Military Justice), is amended by striking "war" and inserting "declared war or a contingency operation".

SA 4227. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1084. MAINTENANCE OF TROOPS STRENGTHS AND EQUIPMENT OF THE NATIONAL GUARD AND RESERVES PENDING REPORT OF THE COMMISSION ON THE NATIONAL GUARD AND RESERVES.

(a) IN GENERAL.—Notwithstanding any other provision of law, no action described in subsection (b) may be taken until 90 days after the date of the submittal to Congress of the final report of the Commission on the National Guard and Reserves under section 513 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005.

(b) COVERED ACTIONS.—An action described in this section is an action as follows:

(1) To reduce the strength levels of personnel of the reserve components of the Armed Forces.

(2) To disestablish any hardware unit of a reserve component of the Armed Forces.

(3) To reduce the equipment available to the reserve components of the Armed Forces for training.

SA 4228. Mr. CHAMBLISS (for himself and Mr. ISAKSON) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 587. COMPREHENSIVE REVIEW ON PROCEDURES OF THE DEPARTMENT OF DEFENSE ON MORTUARY AFFAIRS.

(a) REPORT.—As soon as practicable after the completion of the comprehensive review of the procedures of the Department of Defense on mortuary affairs, the Secretary of Defense shall submit to the congressional defense committees a report on the review.

(b) ADDITIONAL ELEMENTS.—In conducting the comprehensive review described in subsection (a), the Secretary shall also address, in addition to any other matters covered by the review, the following:

(1) The utilization of additional or increased refrigeration (including icing) in combat theaters in order to enhance preservation of remains.

(2) The relocation of refrigeration assets further forward in the field.

(3) Specific time standards for the movement of remains from combat units.

(4) The forward location of autopsy and embalming operations.

(5) Any other matters that the Secretary considers appropriate in order to speed the return of remains to the United States in a non-decomposed state.

(c) ADDITIONAL ELEMENT OF POLICY ON CASUALTY ASSISTANCE TO SURVIVORS OF MILITARY DECEDENTS.—Section 562(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3267; 10 U.S.C. 1475 note) is amended by adding at the end the following new paragraph:

"(12) The process by which the Department of Defense, upon request, briefs survivors of military decedents on the cause of, and any investigation into, the death of such military decedents and on the disposition and transportation of the remains of such decedents, which process shall—

"(A) provide for the provision of such briefings by fully qualified Department personnel;

"(B) ensure briefings take place as soon as possible after death and updates are provided in a timely manner when new information becomes available;

"(C) ensure that—

"(i) such briefings and updates relate the most complete and accurate information available at the time of such briefings or updates, as the case may be; and

"(ii) incomplete or unverified information is identified as such during the course of such briefings or updates; and

"(D) include procedures by which such survivors shall, upon request, receive updates or supplemental information on such briefings or updates from qualified Department personnel.".

SA 4229. Mr. CHAMBLISS (for himself and Mr. TALENT) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 352. STUDIES ON USE OF BIODIESEL, ETHANOL, AND OTHER ALTERNATIVE FUELS.

(a) STUDY ON USE FOR FORWARD DEPLOYED AND TACTICAL PURPOSES.—The Secretary of Defense shall conduct a review and assessment of potential requirements of the Armed Forces and the Defense Agencies for increased use of biodiesel, ethanol fuel, and other alternative fuels for forward deployed uses and tactical uses, including any research and development efforts required to meet such increased requirements.

(b) STUDY ON USE OF OTHER ALTERNATIVE FUELS FOR MILITARY PURPOSES.—The Secretary shall also conduct a study of the potential use of alternative fuels (other than biodiesel and ethanol fuel) by the Armed Forces and the Defense Agencies that addresses each matter set forth in paragraph

(1) and paragraphs (3) through (7) of section 357(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3207) with respect to such alternative fuels (rather than the fuels specified in such paragraphs).

(c) CONSTRUCTION WITH OTHER STUDY.—The studies required by this section are in addition to the study required by section 357(a) of the National Defense Authorization Act for Fiscal Year 2006.

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the studies conducted under this section.

(e) DEFINITIONS.—In this section:

(1) The term "biodiesel" has the meaning given that term in section 357(d)(2) of the National Defense Authorization Act for Fiscal Year 2006.

(2) The term "ethanol fuel" includes the following:

(A) Fuel that is 85 percent ethyl alcohol.

(B) Fuel that has a lower concentration of ethyl alcohol, such as 10 percent ethyl alcohol blend fuel.

SA 4230. Mr. DORGAN (for himself, Mr. BINGAMAN, Mrs. BOXER, Mr. DAYTON, Mr. FEINGOLD, Mr. JOHNSON, Mr. KERRY, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Ms. MIKULSKI, Mr. NELSON of Florida, Mr. PRYOR, Mr. REID, Mr. HARKIN, Mr. WYDEN, Mr. KENNEDY, and Mrs. CLINTON) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of division A, add the following:

TITLE XV—ELIMINATION OF FRAUD IN GOVERNMENT CONTRACTING

SEC. 1501. SHORT TITLE.

This title may be cited as the "Honest Leadership and Accountability in Contracting Act of 2006".

Subtitle A—Elimination of Fraud and Abuse

SEC. 1511. PROHIBITION OF WAR PROFITEERING AND FRAUD.

(a) PROHIBITION.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

"§ 1039. War profiteering and fraud

"(a) PROHIBITION.—

"(1) IN GENERAL.—Whoever, in any matter involving a contract or the provision of goods or services, directly or indirectly, in connection with a war or military action knowingly and willfully—

"(A) executes or attempts to execute a scheme or artifice to defraud the United States or the entity having jurisdiction over the area in which such activities occur;

"(B) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

"(C) makes any materially false, fictitious, or fraudulent statements or representations, or makes or uses any materially false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; or

"(D) materially overvalues any good or service with the specific intent to excessively profit from the war or military action;

shall be fined under paragraph (2), imprisoned not more than 20 years, or both.

"(2) FINE.—A person convicted of an offense under paragraph (1) may be fined the greater of—

"(A) $1,000,000; or

"(B) if such person derives profits or other proceeds from the offense, not more than twice the gross profits or other proceeds.

"(b) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section.

"(c) VENUE.—A prosecution for an offense under this section may be brought—

"(1) as authorized by chapter 211 of this title;

"(2) in any district where any act in furtherance of the offense took place; or

"(3) in any district where any party to the contract or provider of goods or services is located.".

(2) CLERICAL AMENDMENT.—The table of sections for chapter 47 of title 18, United States Code, is amended by adding at the end the following:

"1039. War profiteering and fraud.".

(b) CIVIL FORFEITURE.—Section 981(a)(1)(C) of title 18, United States Code, is amended by inserting "1039," after "1032,".

(c) CRIMINAL FORFEITURE.—Section 982(a)(2)(B) of title 18, United States Code, is amended by striking "or 1030" and inserting "1030, or 1039".

(d) TREATMENT UNDER MONEY LAUNDERING OFFENSE.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting the following: ", section 1039 (relating to war profiteering and fraud)" after "liquidating agent of financial institution),".

SEC. 1512. SUSPENSION AND DEBARMENT OF UNETHICAL CONTRACTORS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Federal Acquisition Regulation issued pursuant to section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421) shall be revised to provide that no prospective contractor shall be considered to have a satisfactory record of integrity and business ethics if it—

(1) has exhibited a pattern of overcharging the Government under Federal contracts; or

(2) has exhibited a pattern of failing to comply with the law, including tax, labor and employment, environmental, antitrust, and consumer protection laws.

(b) EFFECTIVE DATE.—The revised regulation required by this section shall apply with respect to all contracts for which solicitations are issued after the date that is 90 days after the date of the enactment of this Act.

SEC. 1513. DISCLOSURE OF AUDIT REPORTS.

(a) DISCLOSURE OF INFORMATION TO CONGRESS.—

(1) IN GENERAL.—The head of each executive agency shall maintain a list of audit reports issued by the agency during the current and previous calendar years that—

(A) describe significant contractor costs that have been identified as unjustified, unsupported, questioned, or unreasonable under any contract, task or delivery order, or subcontract; or

(B) identify significant or substantial deficiencies in any business system of any contractor under any contract, task or delivery order, or subcontract.

(2) SUBMISSION OF INDIVIDUAL AUDITS.—The head of each executive agency shall provide, within 14 days of a request in writing by the chairman or ranking member of a committee of jurisdiction, a full and unredacted copy of—

(A) the current version of the list maintained pursuant to paragraph (1); or

(B) any audit or other report identified on such list.

(b) PUBLICATION OF INFORMATION ON FEDERAL CONTRACTOR PENALTIES AND VIOLATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Federal Procurement Data System shall be modified to include—

(A) information on instances in which any major contractor has been fined, paid penalties or restitution, settled, plead guilty to, or had judgments entered against it in connection with allegations of improper conduct; and

(B) information on all sole source contract awards in excess of $2,000,000 entered into by an executive agency.

(2) PUBLICLY AVAILABLE WEBSITE.—The information required by paragraph (1) shall be made available through the publicly available website of the Federal Procurement Data System.

Subtitle B—Contract Matters

Part 1—Competition in Contracting

SEC. 1521. PROHIBITION ON AWARD OF MONOPOLY CONTRACTS.

(a) CIVILIAN AGENCY CONTRACTS.—Section 303H(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h(d)) is amended by adding at the end the following new paragraph:

"(4)(A) No task or delivery order contract in an amount estimated to exceed $100,000,000 (including all options) may be awarded to a single contractor unless the head of the agency determines in writing that—

"(i) because of the size, scope, or method of performance of the requirement, it would not be practical to award multiple task or delivery order contracts;

"(ii) the task orders expected under the contract are so integrally related that only a single contractor can reasonably perform the work; or

"(iii) for any other reason, it is necessary in the public interest to award the contract to a single contractor.

"(B) The head of the agency shall notify Congress within 30 days of any determination under subparagraph (A)(iii).".

(b) DEFENSE CONTRACTS.—Section 2304a(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4)(A) No task or delivery order contract in an amount estimated to exceed $100,000,000 (including all options) may be awarded to a single contractor unless the head of the agency determines in writing that—

"(i) because of the size, scope, or method of performance of the requirement, it would not be practical to award multiple task or delivery order contracts;

"(ii) the task orders expected under the contract are so integrally related that only a single contractor can reasonably perform the work; or

"(iii) for any other reason, it is necessary in the public interest to award the contract to a single contractor.

"(B) The head of the agency shall notify Congress within 30 days of any determination under subparagraph (A)(iii).".

SEC. 1522. COMPETITION IN MULTIPLE AWARD CONTRACTS.

(a) REGULATIONS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to require competition in the purchase of goods and services by each executive agency pursuant to multiple award contracts.

(b) CONTENT OF REGULATIONS.—(1) The regulations required by subsection (a) shall provide, at a minimum, that each individual purchase of goods or services in excess of $1,000,000 that is made under a multiple award contract shall be made on a competitive basis unless a contracting officer of the executive agency—

(A) waives the requirement on the basis of a determination that—

(i) one of the circumstances described in paragraphs (1) through (4) of section 303J(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(b)) applies to such individual purchase; or

(ii) a statute expressly authorizes or requires that the purchase be made from a specified source; and

(B) justifies the determination in writing.

(2) For purposes of this subsection, an individual purchase of goods or services is made on a competitive basis only if it is made pursuant to procedures that—

(A) require fair notice of the intent to make that purchase (including a description of the work to be performed and the basis on which the selection will be made) to be provided to all contractors offering such goods or services under the multiple award contract; and

(B) afford all contractors responding to the notice a fair opportunity to make an offer and have that offer fairly considered by the official making the purchase.

(3) Notwithstanding paragraph (2), notice may be provided to fewer than all contractors offering such goods or services under a multiple award contract described in subsection (c)(2)(A) if notice is provided to as many contractors as practicable.

(4) A purchase may not be made pursuant to a notice that is provided to fewer than all contractors under paragraph (3) unless—

(A) offers were received from at least three qualified contractors; or

(B) a contracting officer of the executive agency determines in writing that no additional qualified contractors were able to be identified despite reasonable efforts to do so.

(c) DEFINITIONS.—In this section:

(1) The term "individual purchase" means a task order, delivery order, or other purchase.

(2) The term "multiple award contract" means—

(A) a contract that is entered into by the Administrator of General Services under the multiple award schedule program referred to in section 309(b)(3) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(b)(3));

(B) a multiple award task order contract that is entered into under the authority of sections 2304a through 2304d of title 10, United States Code, or sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k); and

(C) any other indefinite delivery, indefinite quantity contract that is entered into by the head of an executive agency with two or more sources pursuant to the same solicitation.

(d) APPLICABILITY.—The revisions to the Federal Acquisition Regulation pursuant to subsection (a) shall take effect not later than 180 days after the date of the enactment of this Act, and shall apply to all individual purchases of goods or services that are made under multiple award contracts on or after the effective date, without regard to whether the multiple award contracts were entered into before, on, or after such effective date.

(e) CONFORMING AMENDMENTS TO DEFENSE CONTRACT PROVISION.—Section 803 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 10 U.S.C. 2304 note) is amended as follows:

(1) GOODS COVERED.—(A) The section heading is amended by inserting "**GOODS OR**" before "**SERVICES**".

(B) Subsection (a) is amended by inserting "goods and" before "services".

(C) The following provisions are amended by inserting "goods or" before "services" each place it appears:

(i) Paragraphs (1), (2), and (3) of subsection (b).

(ii) Subsection (d).

(D) Such section is amended by adding at the end the following new subsection:

"(e) APPLICABILITY TO GOODS.—The Secretary shall revise the regulations promulgated pursuant to subsection (a) to cover purchases of goods by the Department of Defense pursuant to multiple award contracts. The revised regulations shall take effect in final form not later than 180 days after the date of the enactment of this subsection and shall apply to all individual purchases of goods that are made under multiple award contracts on or after the effective date, without regard to whether the multiple award contracts were entered into before, on, or after such effective date.".

(f) PROTEST RIGHTS FOR CERTAIN AWARDS.—

(1) CIVILIAN AGENCY CONTRACTS.—Section 303J(d) of the Federal Property and Administrative Services Act (41 U.S.C. 253j(d)) is amended by inserting "with a value of less than $500,000" after "task or delivery order".

(2) DEFENSE CONTRACTS.—Section 2304c(d) of title 10, United States Code, is amended by inserting "with a value of less than $500,000" after "task or delivery order".

Part 2—Contract Personnel Matters

SEC. 1531. CONTRACTOR CONFLICTS OF INTEREST.

(a) PROHIBITION ON CONTRACTS RELATING TO INHERENTLY GOVERNMENTAL FUNCTIONS.—The head of an agency may not enter into a contract for the performance of any inherently governmental function.

(b) PROHIBITION ON CONTRACTS FOR CONTRACT OVERSIGHT.—

(1) PROHIBITION.—The head of an agency may not enter into a contract for the performance of acquisition functions closely associated with inherently governmental functions with any entity unless the head of the agency determines in writing that—

(A) neither that entity nor any related entity will be responsible for performing any of the work under a contract which the entity will help plan, evaluate, select a source, manage or oversee; and

(B) the agency has taken appropriate steps to prevent or mitigate any organizational conflict of interest that may arise because the entity—

(i) has a separate ongoing business relationship, such as a joint venture or contract, with any of the contractors to be overseen;

(ii) would be placed in a position to affect the value or performance of work it or any related entity is doing under any other Government contract;

(iii) has a reverse role with the contractor to be overseen under one or more separate Government contracts; or

(iv) has some other relationship with the contractor to be overseen that could reasonably appear to bias the contractor's judgment.

(2) RELATED ENTITY DEFINED.—In this subsection, the term "related entity", with respect to a contractor, means any subsidiary, parent, affiliate, joint venture, or other entity related to the contractor.

(c) DEFINITIONS.—In this section:

(1) The term "inherently governmental functions" has the meaning given to such term in part 7.5 of the Federal Acquisition Regulation.

(2) The term "functions closely associated with governmental functions" means the functions described in section 7.503(d) of the Federal Acquisition Regulation.

(3) The term "organizational conflict of interest" has the meaning given such term in part 9.5 of the Federal Acquisition Regulation.

(d) EFFECTIVE DATE AND APPLICABILITY.—This section shall take effect on the date of the enactment of this Act and shall apply to—

(1) contracts entered into on or after such date;

(2) any task or delivery order issued on or after such date under a contract entered into before, on, or after such date; and

(3) any decision on or after such date to exercise an option or otherwise extend a contract for the performance of a function relating to contract oversight regardless of whether such contract was entered into before, on, or after such date.

SEC. 1532. ELIMINATION OF REVOLVING DOOR BETWEEN FEDERAL PERSONNEL AND CONTRACTORS.

(a) ELIMINATION OF LOOPHOLES ALLOWING FORMER FEDERAL OFFICIALS TO ACCEPT COMPENSATION FROM CONTRACTORS OR RELATED ENTITIES.—

(1) IN GENERAL.—Paragraph (1) of subsection (d) of section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423) is amended—

(A) by striking "or consultant" and inserting "consultant, lawyer, or lobbyist";

(B) by striking "one year" and inserting "two years"; and

(C) in subparagraph (C), by striking "personally made for the Federal agency—" and inserting "participated personally and substantially in—".

(2) DEFINITION.—Paragraph (2) of such subsection is amended to read as follows:

"(2) For purposes of paragraph (1), the term 'contractor' includes any division, affiliate, subsidiary, parent, joint venture, or other related entity of a contractor.".

(b) PROHIBITION ON AWARD OF GOVERNMENT CONTRACTS TO FORMER EMPLOYERS.—Such section is further amended by adding at the end the following new subsection:

"(i) PROHIBITION ON INVOLVEMENT BY CERTAIN FORMER CONTRACTOR EMPLOYEES IN PROCUREMENTS.—A former employee of a contractor who becomes an employee of the Federal Government shall not be personally and substantially involved with any Federal agency procurement involving the employee's former employer, including any division, affiliate, subsidiary, parent, joint venture, or other related entity of the former employer, for a period of two years beginning on the date on which the employee leaves the employment of the contractor unless the designated agency ethics officer for the agency determines in writing that the government's interest in the former employee's participation in a particular procurement outweighs any appearance of impropriety.".

(c) REQUIREMENT FOR FEDERAL PROCUREMENT OFFICERS TO DISCLOSE JOB OFFERS MADE TO RELATIVES.—Subsection (c)(1) of such section is amended by inserting after "that official" the following: ", or for a relative of that official (as defined in section 3110 of title 5, United States Code),".

(d) ADDITIONAL CRIMINAL PENALTIES.—Paragraph (1) of subsection (e) of such section is amended to read as follows:

"(1) CRIMINAL PENALTIES.—Whoever engages in conduct constituting a violation of—

"(A) subsection (a) or (b) for the purpose of either—

"(i) exchanging the information covered by such subsection for anything of value, or

"(ii) obtaining or giving anyone a competitive advantage in the award of a Federal agency procurement contract; or

"(B) subsection (c) or (d);

shall be imprisoned for not more than 5 years, fined as provided under title 18, Untied States Code, or both.".

(e) REGULATIONS.—Such section is further amended by adding at the end the following new subsection:

"(j) REGULATIONS.—The Director of the Office of Government Ethics, in consultation with the Administrator, shall—

"(1) promulgate regulations to carry out and ensure the enforcement of this section; and

"(2) monitor and investigate individual and agency compliance with this section.".

Subtitle C—Other Personnel Matters

SEC. 1541. MINIMUM REQUIREMENTS FOR POLITICAL APPOINTEES HOLDING PUBLIC CONTRACTING AND SAFETY POSITIONS.

(a) IN GENERAL.—A position specified in subsection (b) may not be held by any political appointee who does not meet the requirements of subsection (c).

(b) SPECIFIED POSITIONS.—A position specified in this subsection is any position as follows:

(1) A public contracting position.

(2) A public safety position.

(c) MINIMUM REQUIREMENTS.—An individual shall not, with respect to any position, be considered to meet the requirements of this subsection unless such individual—

(1) has academic, management, and leadership credentials in one or more areas relevant to such position;

(2) has a superior record of achievement in one or more areas relevant to such position;

(3) has training and expertise in one or more areas relevant to such position; and

(4) has not, within the 2-year period ending on the date of such individual's nomination for or appointment to such position, been a lobbyist for any entity or other client that is subject to the authority of the agency within which, if appointed, such individual would serve.

(d) POLITICAL APPOINTEE.—For purposes of this section, the term "political appointee" means any individual who—

(1) is employed in a position listed in sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule);

(2) is a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service; or

(3) is employed in the executive branch of the Government in a position which has been excepted from the competitive service by reason of its policy-determining, policy-making, or policy-advocating character.

(e) PUBLIC CONTRACTING POSITION.—For purposes of this section, the term "public contracting position" means the following:

(1) The Administrator for Federal Procurement Policy.

(2) The Administrator of the General Services Administration.

(3) The Chief Acquisition Officer of any executive agency, as appointed or designated pursuant to section 16 of the Office of Federal Procurement Policy Act (41 U.S.C. 414).

(4) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

(5) Any position (not otherwise identified under any of the preceding provisions of this subsection) a primary function of which involves government procurement and procurement policy, as identified by the head of each employing agency in consultation with the Office of Personnel Management.

(f) PUBLIC SAFETY POSITION.—For purposes of this section, the term "public safety position" means the following:

(1) The Under Secretary for Emergency Preparedness and Response, Department of Homeland Security.

(2) The Director of the Federal Emergency Management Agency, Department of Homeland Security.

(3) Each regional director of the Federal Emergency Management Agency, Department of Homeland Security.

(4) The Recovery Division Director of the Federal Emergency Management Agency, Department of Homeland Security.

(5) The Assistant Secretary for Immigration and Customs Enforcement, Department of Homeland Security.

(6) The Assistant Secretary for Public Health Emergency Preparedness, Department of Health and Human Services.

(7) The Assistant Administrator for Solid Waste and Emergency Response, Environmental Protection Agency.

(8) Any position (not otherwise identified under any of the preceding provisions of this subsection) a primary function of which involves responding to a direct threat to life or property or a hazard to health, as identified by the head of each employing agency in consultation with the Office of Personnel Management.

(g) PUBLICATION OF POSITIONS.—Beginning not later than 30 days after the date of the enactment of this Act, the head of each agency shall maintain on such agency's public website a current list of all public contracting positions and public safety positions within such agency.

(h) COORDINATION WITH OTHER REQUIREMENTS.—The requirements set forth in subsection (c) shall be in addition to, and not in lieu of, any requirements that might otherwise apply with respect to any particular position.

(i) DEFINITIONS.—In this section:

(1) The term "agency" means an Executive agency (as defined by section 105 of title 5, United States Code).

(2) The terms "limited term appointee", "limited emergency appointee", and "noncareer appointee" have the meanings given such terms in section 3132 of title 5, United States Code.

(3) The term "Senior Executive Service" has the meaning given such term by section 2101a of title 5, United States Code.

(4) The term "competitive service" has the meaning given such term by section 2102 of title 5, United States Code.

(5) The terms "lobbyist" and "client" have the respective meanings given them by section 3 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602).

(j) CONFORMING AMENDMENT.—Section 16(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(a)) is amended by striking "non-career employee as".

SEC. 1542. PROTECTION OF CERTAIN DISCLOSURES OF INFORMATION BY FEDERAL EMPLOYEES.

(a) CLARIFICATION OF DISCLOSURES COVERED.—Section 2302(b)(8) of title 5, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking "which the employee or applicant reasonably believes evidences" and inserting ", without restriction to time, place, form, motive, context, or prior disclosure made to any person by an employee or applicant, including a disclosure made in the ordinary course of an employee's duties, that the employee or applicant reasonably believes is evidence of"; and

(B) in clause (i), by striking "a violation" and inserting "any violation";

(2) in subparagraph (B)—

(A) by striking "which the employee or applicant reasonably believes evidences" and inserting ", without restriction to time, place, form, motive, context, or prior disclosure made to any person by an employee or applicant, including a disclosure made in the ordinary course of an employee's duties, of information that the employee or applicant reasonably believes is evidence of"; and

(B) in clause (i), by striking "a violation" and inserting "any violation (other than a violation of this section)"; and

(3) by adding at the end the following:

"(C) any disclosure that—

"(i) is made by an employee or applicant of information required by law or Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs that the employee or applicant reasonably believes is direct and specific evidence of—

"(I) any violation of any law, rule, or regulation;

"(II) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety; or

"(III) a false statement to Congress on an issue of material fact; and

"(ii) is made to—

"(I) a member of a committee of Congress;

"(II) any other Member of Congress; or

"(III) an employee of Congress who has the appropriate security clearance and is authorized to receive information of the type disclosed.".

(b) COVERED DISCLOSURES.—Section 2302(a)(2) of title 5, United States Code, is amended—

(1) in subparagraph (B)(ii), by striking "and" at the end;

(2) in subparagraph (C)(iii), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(D) 'disclosure' means a formal or informal communication or transmission, but does not include a communication concerning policy decisions that lawfully exercise discretionary authority unless the employee providing the disclosure reasonably believes that the disclosure evidences—

"(i) any violation of any law, rule, or regulation; or

"(ii) gross management, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.".

(c) REBUTTABLE PRESUMPTION.—Section 2302(b) of title 5, United States Code, is amended by amending the matter following paragraph (12) to read as follows:

"This subsection shall not be construed to authorize the withholding of information from Congress or the taking of any personnel action against an employee who discloses information to Congress. For purposes of paragraph (8), any presumption relating to the performance of a duty by an employee who has authority to take, direct others to take, recommend, or approve any personnel action may be rebutted by substantial evidence. For purposes of paragraph (8), a determination as to whether an employee or applicant reasonably believes that they have disclosed information that evidences any violation of law, rule, regulation, gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety shall be made by determining whether a disinterested observer with knowledge of the essential facts known to and readily ascertainable by the employee could reasonably conclude that the actions of the Government evidence such violations, mismanagement, waste, abuse, or danger.".

(d) Nondisclosure Policies, Forms, and Agreements; Security Clearances; and Retaliatory Investigations.—

(1) Personnel action.—Section 2302(a)(2)(A) of title 5, United States Code, is amended—

(A) in clause (x), by striking "and" after the semicolon; and

(B) by redesignating clause (xi) as clause (xiv) and inserting after clause (x) the following:

"(xi) the implementation or enforcement of any nondisclosure policy, form, or agreement;

"(xii) a suspension, revocation, or other determination relating to a security clearance or any other access determination by a covered agency;

"(xiii) an investigation, other than any ministerial or nondiscretionary fact finding activities necessary for the agency to perform its mission, of an employee or applicant for employment because of any activity protected under this section; and".

(2) Prohibited personnel practice.—Section 2302(b) of title 5, United States Code, is amended—

(A) in paragraph (11), by striking "or" at the end;

(B) in paragraph (12), by striking the period and inserting a semicolon; and

(C) by inserting after paragraph (12) the following:

"(13) implement or enforce any nondisclosure policy, form, or agreement, if such policy, form, or agreement does not contain the following statement: 'These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 (governing disclosures to Congress); section 1034 of title 10 (governing disclosure to Congress by members of the military); section 2302(b)(8) (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosures that could compromise national security, including sections 641, 793, 794, 798, and 952 of title 18 and section 4(b) of the Subversive Activities Control Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by such Executive order and such statutory provisions are incorporated into this agreement and are controlling'; or

"(14) conduct, or cause to be conducted, an investigation, other than any ministerial or nondiscretionary fact finding activities necessary for the agency to perform its mission, of an employee or applicant for employment because of any activity protected under this section.".

(3) Board and court review of actions relating to security clearances.—

(A) In general.—Chapter 77 of title 5, United States Code, is amended by inserting after section 7702 the following:

"§ 7702a. Actions relating to security clearances

"(a) In any appeal relating to the suspension, revocation, or other determination relating to a security clearance or access determination, the Merit Systems Protection Board or any reviewing court—

"(1) shall determine whether paragraph (8) or (9) of section 2302(b) was violated;

"(2) may not order the President or the designee of the President to restore a security clearance or otherwise reverse a determination of clearance status or reverse an access determination; and

"(3) subject to paragraph (2), may issue declaratory relief and any other appropriate relief.

"(b)(1) If, in any final judgment, the Board or court declares that any suspension, revocation, or other determination with regards to a security clearance or access determination was made in violation of paragraph (8) or (9) of section 2302(b), the affected agency shall conduct a review of that suspension, revocation, access determination, or other determination, giving great weight to the Board or court judgment.

"(2) Not later than 30 days after any Board or court judgment declaring that a security clearance suspension, revocation, access determination, or other determination was made in violation of paragraph (8) or (9) of section 2302(b), the affected agency shall issue an unclassified report to the congressional committees of jurisdiction (with a classified annex if necessary), detailing the circumstances of the agency's security clearance suspension, revocation, other determination, or access determination. A report under this paragraph shall include any proposed agency action with regards to the security clearance or access determination.

"(c) An allegation that a security clearance or access determination was revoked or suspended in retaliation for a protected disclosure shall receive expedited review by the Office of Special Counsel, the Merit Systems Protection Board, and any reviewing court.

"(d) For purposes of this section, corrective action may not be ordered if the agency demonstrates by a preponderance of the evidence that it would have taken the same personnel action in the absence of such disclosure.".

(B) Technical and conforming amendment.—The table of sections for chapter 77 of title 5, United States Code, is amended by inserting after the item relating to section 7702 the following:

"7702a. Actions relating to security clearances.".

(e) Exclusion of Agencies by the President.—Section 2302(a)(2)(C) of title 5, United States Code, is amended by striking clause (ii) and inserting the following:

"(ii)(I) the Federal Bureau of Investigation, the Office of the Director of National Intelligence, the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, and the National Security Agency; and

"(II) as determined by the President, any executive agency or unit thereof the principal function of which is the conduct of foreign intelligence or counterintelligence activities, if the determination (as that determination relates to a personnel action) is made before that personnel action; or".

(f) Attorney Fees.—Section 1204(m)(1) of title 5, United States Code, is amended by striking "agency involved" and inserting "agency where the prevailing party is employed or has applied for employment".

(g) Disciplinary Action.—Section 1215(a)(3) of title 5, United States Code, is amended to read as follows:

"(3)(A) A final order of the Board may impose—

"(i) disciplinary action consisting of removal, reduction in grade, debarment from Federal employment for a period not to exceed 5 years, suspension, or reprimand;

"(ii) an assessment of a civil penalty not to exceed $1,000; or

"(iii) any combination of disciplinary actions described under clause (i) and an assessment described under clause (ii).

"(B) In any case in which the Board finds that an employee has committed a prohibited personnel practice under paragraph (8) or (9) of section 2302(b), the Board shall impose disciplinary action if the Board finds that the activity protected under paragraph (8) or (9) of section 2302(b) was a significant motivating factor, even if other factors also motivated the decision, for the employee's decision to take, fail to take, or threaten to take or fail to take a personnel action, unless that employee demonstrates, by preponderance of evidence, that the employee would have taken, failed to take, or threatened to take or fail to take the same personnel action, in the absence of such protected activity.".

(h) Special Counsel Amicus Curiae Appearance.—Section 1212 of title 5, United States Code, is amended by adding at the end the following:

"(h)(1) The Special Counsel is authorized to appear as amicus curiae in any action brought in a court of the United States related to any civil action brought in connection with section 2302(b) (8) or (9), or subchapter III of chapter 73, or as otherwise authorized by law. In any such action, the Special Counsel is authorized to present the views of the Special Counsel with respect to compliance with section 2302(b) (8) or (9) or subchapter III of chapter 73 and the impact court decisions would have on the enforcement of such provisions of law.

"(2) A court of the United States shall grant the application of the Special Counsel to appear in any such action for the purposes described in subsection (a).".

(i) Judicial Review.—

(1) In general.—Section 7703(b)(1) of title 5, United States Code, is amended to read as follows:

"(b)(1)(A) Except as provided in subparagraph (B) and paragraph (2), a petition to review a final order or final decision of the Board shall be filed in the United States Court of Appeals for the Federal Circuit. Notwithstanding any other provision of law, any petition for review must be filed within 60 days after the date the petitioner received notice of the final order or decision of the Board.

"(B) During the 5-year period beginning on the effective date of this subsection, a petition to review a final order or final decision of the Board in a case alleging a violation of paragraph (8) or (9) of section 2302(b) shall be filed in the United States Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction as provided under subsection (b)(2).".

(2) Review obtained by Office of Personnel Management.—Section 7703(d) of title 5, United States Code, is amended to read as follows:

"(d)(1) Except as provided under paragraph (2), this paragraph shall apply to any review obtained by the Director of the Office of Personnel Management. The Director of the Office of Personnel Management may obtain review of any final order or decision of the Board by filing, within 60 days after the date the Director received notice of the final order or decision of the Board, a petition for judicial review in the United States Court of Appeals for the Federal Circuit if the Director determines, in his discretion, that the Board erred in interpreting a civil service law, rule, or regulation affecting personnel management and that the Board's decision will have a substantial impact on a civil service law, rule, regulation, or policy directive. If the Director did not intervene in a matter before the Board, the Director may not petition for review of a Board decision under this section unless the Director first petitions the Board for a reconsideration of its decision, and such petition is denied. In addition to the named respondent, the Board and all other parties to the proceedings before the Board shall have the right to appear in the proceeding before the Court of Appeals. The granting of the petition for judicial review shall be at the discretion of the Court of Appeals.

"(2) During the 5-year period beginning on the effective date of this subsection, this paragraph shall apply to any review relating to paragraph (8) or (9) of section 2302(b) obtained by the Director of the Office of Personnel Management. The Director of the Office of Personnel Management may obtain review of any final order or decision of the Board by filing, within 60 days after the date the Director received notice of the final order or decision of the Board, a petition for judicial review in the United States Court of Appeals for the Federal Circuit or any court of appeals of competent jurisdiction as provided under subsection (b)(2) if the Director determines, in his discretion, that the Board erred in interpreting paragraph (8) or (9) of section 2302(b). If the Director did not intervene in a matter before the Board, the Director may not petition for review of a Board decision under this section unless the Director first petitions the Board for a reconsideration of its decision, and such petition is denied. In addition to the named respondent, the Board and all other parties to the proceedings before the Board shall have the right to appear in the proceeding before the court of appeals. The granting of the petition for judicial review shall be at the discretion of the Court of Appeals.".

(j) NONDISCLOSURE POLICIES, FORMS, AND AGREEMENTS.—

(1) IN GENERAL.—

(A) REQUIREMENT.—Each agreement in Standard Forms 312 and 4414 of the Government and any other nondisclosure policy, form, or agreement of the Government shall contain the following statement: "These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by such Executive order and such statutory provisions are incorporated into this agreement and are controlling.".

(B) ENFORCEABILITY.—Any nondisclosure policy, form, or agreement described under subparagraph (A) that does not contain the statement required under subparagraph (A) may not be implemented or enforced to the extent such policy, form, or agreement is inconsistent with that statement.

(2) PERSONS OTHER THAN GOVERNMENT EMPLOYEES.—Notwithstanding paragraph (1), a nondisclosure policy, form, or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that such forms do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

(k) CLARIFICATION OF WHISTLEBLOWER RIGHTS FOR CRITICAL INFRASTRUCTURE INFORMATION.—Section 214(c) of the Homeland Security Act of 2002 (6 U.S.C. 133(c)) is amended by adding at the end the following: "For purposes of this section a permissible use of independently obtained information includes the disclosure of such information under section 2302(b)(8) of title 5, United States Code.".

(l) ADVISING EMPLOYEES OF RIGHTS.—Section 2302(c) of title 5, United States Code, is amended by inserting ", including how to make a lawful disclosure of information that is specifically required by law or Executive order to be kept secret in the interest of national defense or the conduct of foreign affairs to the Special Counsel, the Inspector General of an agency, Congress, or other agency employee designated to receive such disclosures" after "chapter 12 of this title".

(m) SCOPE OF DUE PROCESS.—

(1) SPECIAL COUNSEL.—Section 1214(b)(4)(B)(ii) of title 5, United States Code, is amended by inserting ", after a finding that a protected disclosure was a contributing factor," after "ordered if".

(2) INDIVIDUAL ACTION.—Section 1221(e)(2) of title 5, United States Code, is amended by inserting ", after a finding that a protected disclosure was a contributing factor," after "ordered if".

(n) EFFECTIVE DATE.—This section and the amendment made by this section shall take effect 30 days after the date of the enactment of this Act.

SA 4231. Mr. DEWINE (for himself and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 730. MENTAL HEALTH SELF-ASSESSMENT PROGRAM.

(a) FINDING.—Congress finds that the Mental Health Self-Assessment Program (MHSAP) of the Department of Defense is vital to the overall health and well-being of deploying members of the Armed Forces and their families because that program provides—

(1) a non-threatening, voluntary, anonymous self-assessment of mental health that is effective in helping detect mental health and substance abuse conditions;

(2) awareness regarding warning signs of such conditions; and

(3) information and outreach to members of the Armed Forces (including members of the National Guard and Reserves) and their families on specific services available for such conditions.

(b) EXPANSION OF PROGRAM.—The Secretary of Defense shall, acting through the Office of Health Affairs of the Department of Defense, take appropriate actions to expand the Mental Health Self-Assessment Program in order to achieve the following:

(1) The continuous availability of the assessment under the program to members and former members of the Armed Forces in order to ensure the long-term availability of the diagnostic mechanisms of the assessment to detect mental health conditions that may emerge over time.

(2) The availability of programs and services under the program to address the mental health of dependent children of members of the Armed Forces who have been deployed or mobilized.

(c) OUTREACH.—The Secretary shall develop and implement a plan to conduct outreach and other appropriate activities to expand and enhance awareness of the Mental Health Self-Assessment Program, and the programs and services available under that program, among members of the Armed Forces (including members of the National Guard and Reserves) and their families.

(d) REPORTS.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report on the actions undertaken under this section during the one-year period ending on the date of such report.

SA 4232. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XXVIII, add the following:

SEC. 2814. NAMING OF ADMINISTRATION BUILDING AT JOINT SYSTEMS MANUFACTURING CENTER IN LIMA, OHIO, AFTER MICHAEL G. OXLEY, A MEMBER OF THE HOUSE OF REPRESENTATIVES.

The administration building under construction at the Joint Systems Manufacturing Center in Lima, Ohio, shall, upon completion, be known and designated as the

"Michael G. Oxley Administration and Technology Center". Any reference in a law, map, regulation, document, paper, or other record of the United States to such administration building shall be deemed to be a reference to the Michael G. Oxley Administration and Technology Center.

SA 4233. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D. of title VI, add the following:

SEC. 648. MODIFICATION OF ELIGIBILITY FOR COMMENCEMENT OF AUTHORITY FOR OPTIONAL ANNUITIES FOR DEPENDENTS UNDER THE SURVIVOR BENEFIT PLAN.

(a) IN GENERAL.—Section 1448(d)(2)(B) of title 10, United States Code, is amended by striking "who dies after November 23, 2003" and inserting "who dies after October 1, 2001".

(b) APPLICABILITY.—Any annuity payable to a dependent child under subchapter II of chapter 73 of title 10, United States Code, by reason of the amendment made by subsection (a) shall be payable only for months beginning on or after the date of the enactment of this Act.

SA 4234. Mr. SANTORUM (for himself and Mr. CORNYN) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activites of the Department of Energy, to presceibe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 476, between lines 5 and 6, insert the following:

Subtitle C—Iran Freedom and Support

PART I—CODIFICATION OF SANCTIONS AGAINST IRAN

SEC. 1231. SHORT TITLE.

This subtitle may be cited as the "Iran Freedom and Support Act of 2006".

SEC. 1232. CODIFICATION OF SANCTIONS.

(a) CODIFICATION OF SANCTIONS.—United States sanctions, controls, and regulations with respect to Iran imposed pursuant to Executive Order No. 12957, sections 1(b) through (1)(g) and sections (2) through (6) of Executive Order No. 12959, and sections 2 and 3 of Executive Order No. 13059 (relating to exports and certain other transactions with Iran) as in effect on January 1, 2006, shall remain in effect until the President certifies to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate that the Government of Iran has verifiably dismantled its weapons of mass destruction programs.

(b) NO EFFECT ON OTHER SANCTIONS RELATING TO SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM.—Subsection (a) shall have no effect on United States sanctions, controls, and regulations relating to a determination under section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)), section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a)), or section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)) relating to support for acts of international terrorism by the Government of Iran, as in effect on January 1, 2006.

SEC. 1233. LIABILITY OF PARENT COMPANIES FOR VIOLATIONS OF SANCTIONS BY FOREIGN ENTITIES.

(a) IN GENERAL.—In any case in which an entity engages in an act outside the United States on or after January 1, 2007, which, if committed in the United States or by a United States person, would violate Executive Order No. 12959 of May 6, 1995, Executive Order No. 13059 of August 19, 1997, or any other prohibition on transactions with respect to Iran that is imposed under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and if that entity was created or availed of for the purpose of engaging in such an act, the parent company of that entity shall be subject to the penalties for such violation to the same extent as if the parent company had engaged in that act.

(b) DEFINITIONS.—In this section—

(1) an entity is a "parent company" of another entity if it owns, directly or indirectly, more than 50 percent of the equity interest in that other entity and is a United States person; and

(2) the term "entity" means a partnership, association, trust, joint venture, corporation, or other organization.

PART II—AMENDMENTS TO THE IRAN AND LIBYA SANCTIONS ACT OF 1996 AND OTHER PROVISIONS RELATED TO INVESTMENT IN IRAN

SEC. 1241. MULTILATERAL REGIME.

(a) REPORTS TO CONGRESS.—Section 4(b) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended to read as follows:

"(b) REPORTS TO CONGRESS.—Not later than six months after the date of the enactment of the Iran Freedom Support Act of 2006 and every six months thereafter, the President shall submit to the appropriate congressional committees a report regarding specific diplomatic efforts undertaken pursuant to subsection (a), the results of those efforts, and a description of proposed diplomatic efforts pursuant to such subsection. Each report shall include—

"(1) a list of the countries that have agreed to undertake measures to further the objectives of section 3 with respect to Iran;

"(2) a description of those measures, including—

"(A) government actions with respect to public or private entities (or their subsidiaries) located in their territories, that are engaged in Iran;

"(B) any decisions by the governments of these countries to rescind or continue the provision of credits, guarantees, or other governmental assistance to these entities; and

"(C) actions taken in international fora to further the objectives of section 3;

"(3) a list of the countries that have not agreed to undertake measures to further the objectives of section 3 with respect to Iran, and the reasons therefor; and

"(4) a description of any memorandums of understanding, political understandings, or international agreements to which the United States has acceded which affect implementation of this section or section 5(a).".

(b) WAIVER.—Section 4(c) of such Act (50 U.S.C. 1701 note) is amended to read as follows:

"(c) WAIVER.—

"(1) IN GENERAL.—The President may, on a case by case basis, waive for a period of not more than six months the application of section 5(a) with respect to a national of a country if the President certifies to the appropriate congressional committees at least 30 days before such waiver is to take effect that—

"(A) such waiver is vital to the national security interests of the United States; and

"(B) the country of the national has undertaken substantial measures to prevent the acquisition and development of weapons of mass destruction by the Government of Iran.

"(2) SUBSEQUENT RENEWAL OF WAIVER.—If the President determines that, in accordance with paragraph (1), such a waiver is appropriate, the President may, at the conclusion of the period of a waiver under such paragraph, renew such waiver for subsequent periods of not more than six months each.".

(c) INVESTIGATIONS.—Section 4 of such Act (50 U.S.C. 1701 note) is amended by adding at the end the following new subsection:

"(f) INVESTIGATIONS.—

"(1) IN GENERAL.—The President shall initiate an investigation into the possible imposition of sanctions against a person upon receipt by the United States of credible information indicating that such person is engaged in activity related to investment in Iran as described in section 5(a).

"(2) DETERMINATION AND NOTIFICATION.—

"(A) IN GENERAL.—Not later than 180 days after an investigation is initiated in accordance with paragraph (1), the President shall determine, pursuant to section 5(a), whether or not to impose sanctions against a person engaged in activity related to investment in Iran as described in such section as a result of such activity and shall notify the appropriate congressional committees of the basis for such determination.

"(B) EXTENSION.—If the President is unable to make a determination under subparagraph (A), the President shall notify the appropriate congressional committees and shall extend such investigation for a subsequent period, not to exceed 180 days, after which the President shall make the determination required under such subparagraph and shall notify the appropriate congressional committees of the basis for such determination in accordance with such subparagraph.

"(3) DETERMINATIONS REGARDING PENDING INVESTIGATIONS.—Not later than 90 days after the date of the enactment of the Iran Freedom and Support Act of 2006, the President shall, with respect to any investigation that was pending as of January 1, 2006, concerning a person engaged in activity related to investment in Iran as described in section 5(a), determine whether or not to impose sanctions against such person as a result of such activity and shall notify the appropriate congressional committees of the basis for such determination.

"(4) PUBLICATION.—Not later than 10 days after the President notifies the appropriate congressional committees under paragraphs (2) and (3), the President shall ensure publication in the Federal Register of the identification of the persons against which the President has made a determination that the imposition of sanctions is appropriate, together with an explanation for such determination.".

SEC. 1242. IMPOSITION OF SANCTIONS.

(a) SANCTIONS WITH RESPECT TO DEVELOPMENT OF PETROLEUM RESOURCES.—Section

5(a) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in the heading, by striking "TO IRAN" and inserting "TO THE DEVELOPMENT OF PETROLEUM RESOURCES OF IRAN";

(2) by striking "(6)" and inserting "(5)"; and

(3) by striking "with actual knowledge,".

(b) SANCTIONS WITH RESPECT TO DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION OR OTHER MILITARY CAPABILITIES.—Section 5(b) of such Act (50 U.S.C. 1701 note) is amended to read as follows:

"(b) MANDATORY SANCTIONS WITH RESPECT TO DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION OR OTHER MILITARY CAPABILITIES.—Notwithstanding any other provision of law, the President shall impose two or more of the sanctions described in paragraphs (1) through (5) of section 6 if the President determines that a person has, on or after the date of the enactment of this Act, exported, transferred, or otherwise provided to Iran any goods, services, technology, or other items knowing that the provision of such goods, services, technology, or other items would contribute to the ability of Iran to—

"(1) acquire or develop chemical, biological, or nuclear weapons or related technologies; or

"(2) acquire or develop destabilizing numbers and types of advanced conventional weapons.".

(c) PERSONS AGAINST WHICH THE SANCTIONS ARE TO BE IMPOSED.—Section 5(c)(2) of such Act (50 U.S.C. 1701 note) is amended—

(1) in subparagraph (B)—

(A) by striking ", with actual knowledge,"; and

(B) by striking "or" at the end;

(2) in subparagraph (C)—

(A) by striking ", with actual knowledge,"; and

(B) by striking the period at the end and inserting "; or"; and

(3) by adding after subparagraph (C) the following new subparagraph:

"(D) is a private or government lender, insurer, underwriter, or guarantor of the person referred to in paragraph (1) if that private or government lender, insurer, underwriter, or guarantor engaged in the activities referred to in paragraph (1).".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to actions taken on or after January 1, 2007.

SEC. 1243. TERMINATION OF SANCTIONS.

Section 8(a) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in paragraph (1)(C), by striking "and" at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(3) poses no significant threat to United States national security, interests, or allies.".

SEC. 1244. SUNSET.

Section 13 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in the section heading, by striking "; **SUNSET**";

(2) in subsection (a), by striking "(a) EFFECTIVE DATE.—" ; and

(3) by striking subsection (b).

SEC. 1245. CLARIFICATION AND EXPANSION OF DEFINITIONS.

(a) PERSON.—Section 14(14)(B) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) by inserting after "trust," the following: "financial institution, insurer, underwriter, guarantor, any other business organization, including any foreign subsidiaries of the foregoing,"; and

(2) by inserting before the semicolon the following: ", such as an export credit agency".

(b) PETROLEUM RESOURCES.—Section 14(15) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended by inserting after "petroleum" the second place it appears the following: ", petroleum by-products,".

SEC. 1246. UNITED STATES PENSION PLANS.

(a) FINDINGS.—Congress finds the following:

(1) The United States and the international community face no greater threat to their security than the prospect of rogue regimes who support international terrorism obtaining weapons of mass destruction, and particularly nuclear weapons.

(2) Iran is the leading state sponsor of international terrorism and is close to achieving nuclear weapons capability but has paid no price for nearly twenty years of deception over its nuclear program. Foreign entities that have invested in Iran's energy sector, despite Iran's support of international terrorism and its nuclear program, have afforded Iran a free pass while many United States entities have unknowingly invested in those same foreign entities.

(3) United States investors have a great deal at stake in preventing Iran from acquiring nuclear weapons.

(4) United States investors can have considerable influence over the commercial decisions of the foreign entities in which they have invested.

(b) SENSE OF CONGRESS RELATING TO DIVESTITURE FROM IRAN.—It is the sense of Congress that managers of United States Government pension plans or thrift savings plans, managers of pension plans maintained in the private sector by plan sponsors in the United States, and managers of mutual funds sold or distributed in the United States should, to the extent consistent with the legal and fiduciary duties otherwise imposed on them, immediately initiate efforts to divest all investments of such plans or funds in any entity included on the list.

(c) SENSE OF CONGRESS RELATING TO PROHIBITION ON FUTURE INVESTMENT.—It is the sense of Congress that there should be, to the extent consistent with the legal and fiduciary duties otherwise imposed on them, no future investment in any entity included on the list by managers of United States Government pension plans or thrift savings plans, managers of pension plans maintained in the private sector by plan sponsors in the United States, and managers of mutual funds sold or distributed in the United States.

SEC. 1247. TECHNICAL AND CONFORMING AMENDMENTS.

(a) FINDINGS.—Section 2 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended by striking paragraph (4).

(b) DECLARATION OF POLICY.—Section 3 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in subsection (a), by striking "(a) POLICY WITH RESPECT TO IRAN.—"; and

(2) by striking subsection (b).

(c) TERMINATION OF SANCTIONS.—Section 8 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in subsection (a), by striking "(a) IRAN.—"; and

(2) by striking subsection (b).

(d) DURATION OF SANCTIONS; PRESIDENTIAL WAIVER.—Section 9(c)(2)(C) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended to read as follows:

"(C) an estimate of the significance of the provision of the items described in section 5(a) or section 5(b) to Iran's ability to, respectively, develop its petroleum resources or its weapons of mass destruction or other military capabilities; and".

(e) REPORTS REQUIRED.—Section 10(b)(1) of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended by striking "and Libya" each place it appears.

(f) DEFINITIONS.—Section 14 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended—

(1) in paragraph (9)—

(A) in the matter preceding subparagraph (A)—

(i) by striking ", or with the Government of Libya or a nongovernmental entity in Libya,"; and

(ii) by striking "nongovenmental" and inserting "nongovernmental"; and

(B) in subparagraph (A), by striking "or Libya (as the case may be)";

(2) by striking paragraph (12); and

(3) by redesignating paragraphs (13), (14), (15), (16), and (17) as paragraphs (12), (13), (14), (15), and (16), respectively.

(g) SHORT TITLE.—

(1) IN GENERAL.—Section 1 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended by striking "and Libya".

(2) REFERENCES.—Any reference in any other provision of law, regulation, document, or other record of the United States to the "Iran and Libya Sanctions Act of 1996" shall be deemed to be a reference to the "Iran Sanctions Act of 1996".

PART III—DIPLOMATIC EFFORTS TO CURTAIL IRANIAN NUCLEAR PROLIFERATION AND SPONSORSHIP OF INTERNATIONAL TERRORISM

SEC. 1251. DIPLOMATIC EFFORTS.

(a) SENSE OF CONGRESS RELATING TO UNITED NATIONS SECURITY COUNCIL AND THE INTERNATIONAL ATOMIC ENERGY AGENCY.—It is the sense of Congress that the President should instruct the United States Permanent Representative to the United Nations to work to secure support at the United Nations Security Council for a resolution that would impose sanctions on Iran as a result of its repeated breaches of its nuclear nonproliferation obligations, to remain in effect until Iran has verifiably dismantled its weapons of mass destruction programs.

(b) PROHIBITION ON ASSISTANCE TO COUNTRIES THAT INVEST IN THE ENERGY SECTOR OF IRAN.—

(1) WITHHOLDING OF ASSISTANCE.—If, on or after January 1, 2007, a foreign person (as defined in section 14 of the Iran Sanctions Act of 1996 (50 U.S.C. 1701 note), as renamed pursuant to section 1247(g)(1)) or an agency or instrumentality of a foreign government has more than $20,000,000 invested in Iran's energy sector, the President shall, until the date on which such person or agency or instrumentality of such government terminates such investment, withhold assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to the government of the country to which such person owes allegiance or to which control is exercised over such agency or instrumentality.

(2) WAIVER.—Assistance prohibited by this section may be furnished to the government of a foreign country described in subsection (a) if the President determines that furnishing such assistance is important to the national security interests of the United States, furthers the goals described in this subtitle, and, not later that 15 days before obligating such assistance, notifies the Committee on International Relations and the

Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate of such determination and submits to such committees a report that includes—

(A) a statement of the determination;

(B) a detailed explanation of the assistance to be provided;

(C) the estimated dollar amount of the assistance; and

(D) an explanation of how the assistance furthers United States national security interests.

SEC. 1252. STRENGTHENING THE NUCLEAR NONPROLIFERATION TREATY.

(a) FINDINGS.—Congress finds the following:

(1) Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (21 UST 483) (commonly referred to as the "Nuclear Nonproliferation Treaty" or "NPT") states that countries that are parties to the Treaty have the "inalienable right . . . to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with articles I and II of this Treaty".

(2) Iran has manipulated Article IV of the Nuclear Nonproliferation Treaty to acquire technologies needed to manufacture nuclear weapons under the guise of developing peaceful nuclear technology.

(3) Legal authorities, diplomatic historians, and officials closely involved in the negotiation and ratification of the Nuclear Nonproliferation Treaty state that the Treaty neither recognizes nor protects such a per se right to all nuclear technology, such as enrichment and reprocessing, but rather affirms that the right to the use of peaceful nuclear energy is qualified.

(b) DECLARATION OF CONGRESS REGARDING UNITED STATES POLICY TO STRENGTHEN THE NUCLEAR NONPROLIFERATION TREATY.—Congress declares that it should be the policy of the United States to support diplomatic efforts to end the manipulation of Article IV of the Nuclear Nonproliferation Treaty, as undertaken by Iran, without undermining the Treaty itself.

PART IV—IRANIAN NUCLEAR TRADE PROHIBITION PROVISIONS

SEC. 1261. FINDINGS.

Congress makes the following findings:

(1) Iran has pursued a nuclear program with assistance from foreign entities and foreign governments.

(2) It is important that Iran not seek to develop nuclear weapons under the cover of a civilian nuclear power program.

(3) The Government of Iran has asserted that its nuclear program is for peaceful purposes, however, that Government has supported terrorist organizations and uses harsh rhetoric towards allies of the United States in the Middle East, and the United States has expressed great concern with Iran's nuclear ambitions and has worked with United States allies to end Iran's nuclear program.

(4) In October 2003, the Government of Iran promised it would suspend uranium enrichment activities, but broke that promise less than a year later.

(5) In November 2004, the Government of Iran, in concert with talks with representatives of the Governments of Britain, France, and Germany (the "EU-3") agreed to suspend all uranium enrichment and reprocessing activities related to Iran's nuclear program under the terms of the agreement made between the Islamic Republic of Iran and France, Germany and the United Kingdom, with the support of the High Representative of the European Union (the "Paris Agreement").

(6) The EU-3 agreed to support the United States in taking Iran's nuclear program to the United Nations Security Council if Iran resumed its nuclear activities.

(7) In concert with the Paris Agreement, the President announced that the United States will drop its opposition to Iran's application to join the World Trade Organization and permit, on a case-by-case basis, the licensing of spare parts for Iranian commercial aircraft.

(8) Iran's uranium enrichment program is likely to be dispersed throughout the country, protected in hardened infrastructure, and highly mobile.

(9) The Parliament of Iran passed a nonbinding resolution insisting that the Government of Iran resume developing nuclear fuel.

(10) That resolution stated that Iran should develop enough nuclear fuel to generate 20,000 megawatts of electricity.

(11) In February 2005, the Atomic Energy Agency of Russia announced that Russia would ship nuclear fuel to Iran's Bushehr nuclear reactor.

(12) Russia pledged to provide fuel to this facility for 10 years and, under the commitment, Iran has pledged to return spent fuel to Russia for storage.

(13) Russia remains the only major nuclear fuel market closed to outside competition and 100 percent of Russia's nuclear fuel industry is owned by the Government of Russia.

(14) Iran is the fourth-largest oil producer in the world.

(15) Iran has a wealth of natural gas and crude oil reserves and it is estimated that Iran plans to invest $104,000,000,000 by 2015 in natural gas production and that Iran plans to increase crude oil production to 7,000,000 barrels a day by 2020.

SEC. 1262. SENSE OF CONGRESS ON TRADE RELATIONS WITH STATE SPONSORS OF TERRORISM.

It is the sense of Congress that the countries of the world should choose between trading with state sponsors of terrorism or maintaining good trade relations with the United States.

SEC. 1263. PROHIBITION OF ENTRY OF NUCLEAR FUEL ASSEMBLIES.

The Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended by inserting after section 10 the following new section:

"SEC. 10A. PROHIBITION OF ENTRY TO NUCLEAR FUEL ASSEMBLIES TO THE UNITED STATES.

"(a) IN GENERAL.—Subject to subsection (b), the President shall prohibit the United States, or any entity of the United States, from purchasing nuclear fuel assemblies from any person or government entity, or any entity affiliated with such person or entity, that sells nuclear fuel assemblies to Iran.

"(b) WAIVER.—The President may waive the prohibition in subsection (a) if the President—

"(1) determines that the waiver is in the national security interest of the United States; and

"(2) at least 7 days before the waiver takes effect, notifies the required congressional committees of the President's intention to exercise the waiver.

"(c) DEFINITIONS.—In this section:

"(1) NUCLEAR FUEL ASSEMBLIES.—The term 'nuclear fuel assemblies' does not include low-enriched uranium (LEU). For the purpose of the preceding sentence the term 'low-enriched uranium' means a product produced using blended down weapons-grade and highly-enriched uranium (HEU) that is provided by the Russian entity Techsnabexport (also known as TENEX) in cooperation with the U.S. Enrichment Corporation, a subsidiary of USEC, Inc.

"(2) REQUIRED CONGRESSIONAL COMMITTEES.—The term 'required congressional committees' means the Committee on Armed Services, the Committee on Finance, and the Committee on Foreign Relations of the Senate and the Committee on Armed Services, the Committee on International Relations, and the Committee on Ways and Means of the House of Representatives.".

PART V—DEMOCRACY IN IRAN

SEC. 1271. FINDINGS.

Congress makes the following findings:

(1) The people of the United States have long demonstrated an interest in the well-being of the people of Iran, dating back to the 1830s.

(2) Famous Americans such as Howard Baskerville, Dr. Samuel Martin, Jane E. Doolittle, and Louis G. Dreyfus, Jr., made significant contributions to Iranian society by furthering the educational opportunities of the people of Iran and improving the opportunities of the less fortunate citizens of Iran.

(3) Iran and the United States were allies following World War II, and through the late 1970s Iran was as an important regional ally of the United States and a key bulwark against Soviet influence.

(4) In November 1979, following the arrival of Mohammed Reza Shah Pahlavi in the United States, a mob of students and extremists seized the United States Embassy in Tehran, Iran, holding United States diplomatic personnel hostage until January 1981.

(5) Following the seizure of the United States Embassy, Ayatollah Ruhollah Khomeini, leader of the repressive revolutionary movement in Iran, expressed support for the actions of the students in taking American citizens hostage.

(6) Despite the May 1997 presidential election in Iran, an election in which an estimated 91 percent of the electorate participated, control of the internal and external affairs of the Islamic Republic of Iran is still exercised by the courts in Iran and the Revolutionary Guards, Supreme Leader, and Council of Guardians of the Government of Iran.

(7) The election results of the May 1997 election and the high level of voter participation in that election demonstrate that the people of Iran favor economic and political reforms and greater interaction with the United States and the Western world in general.

(8) Efforts by the United States to improve relations with Iran have been rebuffed by the Government of Iran.

(9) President William J. Clinton eased sanctions against Iran and promoted people-to-people exchanges, but the Leader of the Islamic Revolution Ayatollah Ali Khamenei, the Militant Clerics' Society, the Islamic Coalition Organization, and Supporters of the Party of God have all opposed efforts to open Iranian society to Western influences and have opposed efforts to change the dynamic of relations between the United States and Iran.

(10) For the past two decades, the Department of State has found Iran to be the leading sponsor of international terrorism in the world.

(11) In 1983, the Iran-sponsored Hezbollah terrorist organization conducted suicide terrorist operations against United States military and civilian personnel in Beirut, Lebanon, resulting in the deaths of hundreds of Americans.

(12) The United States intelligence community and law enforcement personnel have linked Iran to attacks against American military personnel at Khobar Towers in Saudi Arabia in 1996 and to al Qaeda attacks against civilians in Saudi Arabia in 2004.

(13) According to the Department of State's Patterns of Global Terrorism 2001 report, "Iran's Islamic Revolutionary Guard Corps and Ministry of Intelligence and Security continued to be involved in the planning and support of terrorist acts and supported a variety of groups that use terrorism to pursue their goals," and "Iran continued to provide Lebanese Hizballah and the Palestinian rejectionist groups—notably HAMAS, the Palestinian Islamic Jihad, and the [Popular Front for the Liberation of Palestine-General Command]—with varying amounts of funding, safehaven, training and weapons".

(14) The Government of Iran currently operates more than 10 radio and television stations broadcasting in Iraq that incite violent actions against United States and coalition personnel in Iraq.

(15) The current leaders of Iran, Ayatollah Ali Khamenei and Hashemi Rafsanjani, have repeatedly called upon Muslims to kill Americans in Iraq and install a theocratic regime in Iraq.

(16) The Government of Iran has admitted pursuing a clandestine nuclear program, which the United States intelligence community believes may include a nuclear weapons program.

(17) The Government of Iran has failed to meet repeated pledges to arrest and extradite foreign terrorists in Iran.

(18) The United States Government believes that the Government of Iran supports terrorists and extremist religious leaders in Iraq with the clear intention of subverting coalition efforts to bring peace and democracy to Iraq.

(19) The Ministry of Defense of Iran confirmed in July 2003 that it had successfully conducted the final test of the Shahab-3 missile, giving Iran an operational intermediate-range ballistic missile capable of striking both Israel and United States troops throughout the Middle East and Afghanistan.

SEC. 1272. DECLARATION OF CONGRESS REGARDING UNITED STATES POLICY TOWARD IRAN.

Congress declares that it should be the policy of the United States—

(1) to support efforts by the people of Iran to exercise self-determination over the form of government of their country; and

(2) to actively support a national referendum in Iran with oversight by international observers and monitors to certify the integrity and fairness of the referendum.

SEC. 1273. ASSISTANCE TO SUPPORT DEMOCRACY IN IRAN.

(a) AUTHORIZATION.—The President is authorized, notwithstanding any other provision of law, to provide financial and political assistance (including the award of grants) to foreign and domestic individuals, organizations, and entities that support democracy and the promotion of democracy in Iran. Such assistance may include the award of grants to eligible independent pro-democracy radio and television broadcasting organizations that broadcast into Iran.

(b) SENSE OF CONGRESS ON ELIGIBILITY FOR ASSISTANCE.—It is the sense of Congress that financial and political assistance under this section be provided to an individual, organization, or entity that—

(1) opposes the use of terrorism;

(2) advocates the adherence by Iran to nonproliferation regimes for nuclear, chemical, and biological weapons and materiel;

(3) is dedicated to democratic values and supports the adoption of a democratic form of government in Iran;

(4) is dedicated to respect for human rights, including the fundamental equality of women;

(5) works to establish equality of opportunity for people; and

(6) supports freedom of the press, freedom of speech, freedom of association, and freedom of religion.

(c) FUNDING.—The President may provide assistance under this section using amounts made available pursuant to the authorization of appropriations under subsection (g).

(d) NOTIFICATION.—Not later than 15 days before each obligation of assistance under this section, and in accordance with the procedures under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394-1), the President shall notify the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

(e) SENSE OF CONGRESS REGARDING COORDINATION OF POLICY AND APPOINTMENT.—It is the sense of Congress that in order to ensure maximum coordination among Federal agencies, if the President provides the assistance under this section, the President should appoint an individual who shall—

(1) serve as special assistant to the President on matters relating to Iran; and

(2) coordinate among the appropriate directors of the National Security Council on issues regarding such matters.

(f) SENSE OF CONGRESS REGARDING DIPLOMATIC ASSISTANCE.—It is the sense of Congress that—

(1) support for a transition to democracy in Iran should be expressed by United States representatives and officials in all appropriate international fora;

(2) representatives of the Government of Iran should be denied access to all United States Government buildings;

(3) efforts to bring a halt to the nuclear weapons program of Iran, including steps to end the supply of nuclear components or fuel to Iran, should be intensified, with particular attention focused on the cooperation regarding such program—

(A) between the Government of Iran and the Government of the Russian Federation; and

(B) between the Government of Iran and individuals from China, Malaysia, and Pakistan, including the network of Dr. Abdul Qadeer (A. Q.) Khan; and

(4) officials and representatives of the United States should—

(A) strongly and unequivocally support indigenous efforts in Iran calling for free, transparent, and democratic elections; and

(B) draw international attention to violations by the Government of Iran of human rights, freedom of religion, freedom of assembly, and freedom of the press.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Department of State $100,000,000 to carry out activities under this section.

(2) OFFSET.—The amount authorized to be appropriated by section 1405(1) for the Army for operation and maintenance for additional costs due to Operation Iraqi Freedom and Operation Enduring Freedom is hereby decreased by $100,000,000.

SEC. 1274. REPORTING REQUIREMENT REGARDING DESIGNATION OF DEMOCRATIC OPPOSITION ORGANIZATIONS.

Not later than 15 days before designating a democratic opposition organization as eligible to receive assistance under section 1272, the President shall notify the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives of the proposed designation. The notification may be in classified form.

SA 4235. Mr. ALLARD (for himself and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 546, after line 22, add the following:

SEC. 2828. REPORTS ON ARMY TRAINING RANGES.

(a) LIMITATION.—The Secretary of the Army may not carry out any acquisition of real property to expand the Pinon Canyon Maneuver Site at Fort Carson, Colorado until—

(1) the Secretary has provided to the congressional defense committees the extent to which the acquisition could be carried out through transactions with willing sellers of the privately held land; and

(2) 30 days after the Secretary submits the report required under subsection (b).

(b) REPORT ON PINON CANYON MANEUVER SITE.—

(1) IN GENERAL.—Not later than November 30, 2006, the Secretary of the Army shall submit to the congressional defense committees a report containing an analysis of any potential expansion of the military training range at the Pinon Canyon Maneuver Site at Fort Carson, Colorado.

(2) CONTENT.—The report required under paragraph (1) shall include the following information:

(A) A description of the Army's current and projected military requirements for training at the Pinon Canyon Maneuver Site.

(B) An analysis of the reasons for any changes in those requirements, including the extent to which they are a result of the increase of military personnel due to the 2005 round of defense base closure and realignment, the conversion of Army brigades to a modular format, or the Integrated Global Presence and Basing Strategy.

(C) A proposed plan for addressing those requirements, including a description of any proposed expansion of the existing training range by acquiring privately held land surrounding the site and an analysis of alternative approaches that do not require expansion of the training range.

(D) If an expansion of the training range is recommended pursuant to subparagraph (C), the following information:

(i) An assessment of the economic impact on local communities of such acquisition.

(ii) An assessment of the environmental impact of expanding the Pinon Canyon Maneuver Site.

(iii) An estimate of the costs associated with the potential expansion, including land acquisition, range improvements, installation of utilities, environmental restoration, and other environmental activities in connection with the acquisition.

(iv) An assessment of options for compensating local communities for the loss of property tax revenue as a result of the expansion of Pinon Canyon Maneuver Site.

(v) An assessment of whether the acquisition of additional land at the Pinon Canyon Maneuver Site can be carried out by the Secretary solely through transactions, including land exchanges and the lease or purchase of easements, with willing sellers of the privately held land.

(c) Report on Expansion of Army Training Ranges.—

(1) In general.—Not later than February 1, 2007, the Secretary of the Army shall submit to the congressional defense committees a report containing an assessment of the training ranges operated by the Army to support major Army units.

(2) Content.—The report required under paragraph (1) shall include the following information:

(A) The size, description, and mission essential training tasks supported by each such Army training range during fiscal year 2003.

(B) A description of the projected changes in training range requirements, including the size, characteristics, and attributes for mission essential training of each range and the extent to which any changes in requirements are a result of the 2005 round of defense base closure and realignment, the conversion of Army brigades to a modular format, or the Integrated Global Presence and Basing Strategy.

(C) The projected deficit or surplus of training land at each such range, and a description of the Army's plan to address that projected deficit or surplus of land as well as the upgrade of range attributes at each existing training range.

(D) A description of the Army's prioritization process and investment strategy to address the potential expansion or upgrade of training ranges.

(E) An analysis of alternatives to the expansion of Army ranges to include an assessment of the joint use of ranges operated by other services.

SA 4236. Mr. LUGAR submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 453, strike line 1 though page 461, line 7, and insert the following:

SEC. 1206. MODIFICATION OF AUTHORITIES RELATING TO THE BUILDING OF THE CAPACITY OF FOREIGN MILITARY FORCES.

(a) Authority.—The President may direct the Secretary of State to work with the Secretary of Defense to provide assistance to help build the capacity of partner nations' military forces to disrupt or destroy terrorist networks, close safe havens, or participate in or support United States, coalition, or international military or stability operations.

(b) Types of Partnership Security Capacity Building.—The partnership security capacity building authorized under subsection (a) may include the provision of equipment, supplies, services, training, and funding.

(c) Availability of Funds.—

(1) Transfer of funds.—The Secretary of Defense may support partnership security capacity building as authorized under subsection (a) by transferring funds available to the Department of Defense to a partnership security building account of the Department of State for use as provided under paragraph (2). Any funds so transferred shall remain available until expended.

(2) Use of funds.—The funds transferred to the partnership security building account under paragraph (1) shall, subject to the approval of the Secretary of State, be made available for use by the Secretary of Defense to carry out activities to build partnership security capacity. The amount of funds made available for such purpose may not exceed $400,000,000 in any fiscal year.

(d) Approval and Notification Requirements.—Not later than 10 days before approving the use by the Secretary of Defense of funds to carry out activities to build partnership security capacity under subsection (c)(2), the Secretary of State shall submit to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives a notification of the countries chosen to be recipients and the specific type of assistance that will be provided, including the specific entity within the recipient country that will be provided the assistance and the type and duration of such assistance.

(e) Applicable Law.—The authorities and limitations in the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109–102) shall be applicable to assistance provided and funds transferred under the authority of this section.

(f) Expiration.—The authority in this section shall expire on September 30, 2008.

(g) Repeal of Superseded Authority and Modification of Existing Reporting Requirement.—Section 1206 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3456) is amended—

(1) in the heading, by striking "authority to build" and inserting "report on";

(2) by striking subsections (a), (b), (c), (d), (e), and (g); and

(3) in subsection (f)—

(A) by striking "(f) Report.—";

(B) by striking "the congressional committees specified in subsection (e)(3)" and inserting "the congressional defense committees and the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives";

(C) in paragraph (1), by striking ", including strengths and weaknesses for the purposes described in subsection (a)";

(D) in paragraph (2), by striking ", including for the purposes described in subsection (a)"; and

(E) in paragraph (3), by striking ", including for the purposes described in subsection (a)".

SA 4237. Mr. MARTINEZ (for himself and Mr. Nelson of Florida) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title I, add the following:

SEC. 114. REPLACEMENT EQUIPMENT FOR THE ARMY NATIONAL GUARD.

In allocating amounts authorized to be appropriated by section 101(5) for other procurement for the Army for the procurement of replacement equipment for the National Guard, the Secretary of Defense shall afford a priority in the allocation of such funds to the States likely to experience a hurricane during the 2007 hurricane season.

SA 4238. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1209. MODIFICATION OF LIMITATIONS ON ASSISTANCE UNDER THE AMERICAN SERVICEMEMBERS' PROTECTION ACT OF 2002.

Section 2013(13)(A) of the American Servicemembers' Protection Act of 2002 (title II of Public Law 107–206; 116 Stat. 909; 22 U.S.C. 7432(13)(A)) is amended by striking "or 5".

SA 4239. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

RESOLUTION

Whereas the name "United Nations" was first coined by United States President Franklin D. Roosevelt, and used in the "Declaration by United Nations" of January 1, 1942;

Whereas, the United Nations is located in the prestigious Turtle Bay neighborhood of Manhattan overlooking the East River, on spacious grounds donated by John D. Rockefeller, Jr.;

Whereas, the United States has shared a unique relationship with the United Nations since its founding as being its home state and largest financial contributor;

Whereas, the United States finances 22 percent of the United Nations' budget and gives even more in voluntary contributions;

Whereas, recently the Deputy to the Secretary General of the United Nations, Mark Malloch Brown, made disparaging comments against the United States and our support of the United Nations by stating—

(1) that "the prevailing practice of seeking to use the U.N. almost by stealth as a diplomatic tool while failing to stand up for it against its domestic critics is simply not sustainable; you will lose the U.N. one way or another";

(2) that "To acknowledge an America reliant on international institutions is not perceived to be good politics at home"; and

(3) that "Exacerbating matters is the widely held perception, even among many U.S. allies, that the U.S. tends to hold on to maximalist positions when it could be finding middle ground";

Whereas, the thrust of this speech was supported by Kofi Annan, Secretary General of the United Nations;

Whereas, such illegitimate accusations are both false and unconstructive for a diplomatic environment;

Whereas the genesis of any negative press regarding the United Nations is not the United States itself, but is openly publicized here due to the well protected freedom of speech and press;

Whereas the United States seeks management reform within the United Nations to strengthen the institution in order to provide for the mission of the United Nations, better international peacekeeping and disaster relief: Now, therefore, be it

Resolved, That the United States Senate does hereby declare that the bleating accusations made by Mark Malloch Brown and supported by Kofi Annan are not constructive for a better United Nations, and that comprehensive reform should be enacted to the organization.

SA 4240. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SECTION ———. UNITED NATIONS FUNDING STUDY.

The Office of Management and Budget shall submit to Congress within 90 days of enactment and on an annual basis thereafter a report listing all contributions for the previous fiscal year from the U.S. federal government and all other sources to the United Nations and United Nations affiliated funds, organizations, programs, and other related bodies, including but not limited to employment of U.S. government and military personnel in support of the United Nations and United Nations affiliated funds, organizations, programs, and other related bodies or their operations, voluntary contributions, in-kind contributions, and any additional costs incurred through intelligence gathering and sharing, logistical support and transportation, and assessed contributions. The report shall provide the amount contributed, the nature of the contribution, the department of the U.S. government or other entity responsible for the contribution, the purpose of the contribution, and the United Nations fund, organization, program, or other related body receiving the contribution. Upon submission to Congress, the report shall be publicly available.

SA 4241. Mr. McCAIN (for himself, Mr. FRIST, Mr. INHOFE, Mr. KENNEDY, Mr. ROBERTS, Mr. BYRD, Mr. SESSIONS, Mr. LIEBERMAN, Ms. COLLINS, Mr. REED, Mr. ENSIGN, Mr. AKAKA, Mr. TALENT, Mr. NELSON of Florida, Mr. CHAMBLISS, Mr. NELSON of Nebraska, Mr. GRAHAM, Mr. DAYTON, Mrs. DOLE, Mr. BAYH, Mr. CORNYN, Mrs. CLINTON, Mr. THUNE, Mr. ALLARD, and Mr. ALLEN) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes: as follows:

On page 2, strike lines 1 through 3, and insert the following:

SECTION 1. SHORT TITLE; FINDINGS.

(a) SHORT TITLE.—This Act may be cited as the "John Warner National Defense Authorization Act for Fiscal Year 2007".

(b) FINDINGS.—Congress makes the following findings:

(1) Senator John Warner of Virginia was elected a member of the United States Senate on November 7, 1978, for a full term beginning on January 3, 1979. He was subsequently appointed by the Governor of Virginia to fill a vacancy on January 2, 1979, and has served continuously since that date. He was appointed a member of the Committee on Armed Services in January 1979, and has served continuously on the Committee since that date, a period of nearly 28 years. Senator Warner's service on the Committee represents nearly half of its existence since it was established after World War II.

(2) Senator Warner came to the Senate and the Committee on Armed Services after a distinguished record of service to the Nation, including combat service in the Armed Forces and high civilian office.

(3) Senator Warner enlisted in the United States Navy upon graduation from high school in 1945, and served until the summer of 1946, when he was discharged as a Petty Officer 3rd Class. He then attended Washington and Lee University on the G.I. Bill. He graduated in 1949 and entered the University of Virginia Law School.

(4) Upon the outbreak of the Korean War in 1950, Senator Warner volunteered for active duty, interrupting his education to accept a commission in the United States Marine Corps. He served in combat in Korea as a ground officer in the First Marine Air Wing. Following his active service, he remained in the Marine Corps Reserve for several years, attaining the rank of captain.

(5) Senator Warner resumed his legal education upon returning from the Korean War and graduated from the University of Virginia Law School in 1953. He was selected by the late Chief Judge E. Barrett Prettyman of the United States Court of Appeals for the District of Columbia Circuit as his law clerk. After his service to Judge Prettyman, Senator Warner became an Assistant United States Attorney in the District of Columbia, and later entered private law practice.

(6) In 1969, the Senate gave its advice and consent to the appointment of Senator Warner as Under Secretary of the Navy. He served in this position until 1972, when he was confirmed and appointed as the 61st Secretary of the Navy since the office was established in 1798. As Secretary, Senator Warner was the principal United States negotiator and signatory of the Incidents at Sea Executive Agreement with the Soviet Union, which was signed in 1972 and remains in effect today. It has served as the model for similar agreements between states covering the operation of naval ships and aircraft in international sea lanes throughout the world.

(7) Senator Warner left the Department of the Navy in 1974. His next public service was as Director of the American Revolution Bicentennial Commission. In this capacity, he coordinated the celebration of the Nation's founding, directing the Federal role in all 50 States and in over 20 foreign nations.

(8) Senator Warner has served as chairman of the Committee on Armed Services of the United States Senate from 1999 to 2001, and again since January 2003. He served as ranking minority member of the committee from 1987 to 1993, and again from 2001 to 2003. Senator Warner concludes his service as chairman at the end of the 109th Congress, but will remain a member of the committee.

(9) This Act is the twenty-eighth annual authorization act for the Department of Defense for which Senator Warner has taken a major responsibility as a member of the Committee on Armed Services of the United States Senate, and the fourteenth for which he has exercised a leadership role as chairman or ranking minority member of the committee.

(10) Senator Warner, as seaman, Marine officer, Under Secretary and Secretary of the Navy, and member, ranking minority member, and chairman of the Committee on Armed Services, has made unique and lasting contributions to the national security of the United States.

(11) It is altogether fitting and proper that his Act, the last annual authorization Act for the national defense that Senator Warner manages in and for the United States Senate as chairman of the Committee on Armed Services, be named in his honor, as provided in subsection (a).

SA 4242. Mr. McCAIN (for himself, Mr. WARNER, Mr. LEVIN, Mr. GRAHAM, Mr. BYRD, Mr. GREGG, Mr. HAGEL, Mr. CHAMBLISS, Ms. COLLINS, Mr. COBURN, Mr. CONRAD, Mr. REID, Mr. STEVENS, Ms. SNOWE, Mr. ENSIGN, Mr. LIEBERMAN, Mr. OBAMA, Mr. INOUYE, Mr. AKAKA, Mr. SALAZAR, Mr. DODD, and Mr. BURNS) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle I of title X, insert the following:

SEC. __. BUDGETING FOR ONGOING MILITARY OPERATIONS.

The President's budget submitted pursuant to section 1105(a) of title 31, United States Code, for each fiscal year after fiscal year 2007 shall include—

(1) a request for funds for such fiscal year for ongoing military operations in Afghanistan and Iraq;

(2) an estimate of all funds expected to be required in that fiscal year for such operations; and

(3) a detailed justification of the funds requested.

SA 4243. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 707. ENHANCEMENT OF COLORECTAL CANCER SCREENING FOR TRICARE BENEFICIARIES OVER AGE 50.

(a) IN GENERAL.—Subsection (a) of section 1074d of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(3) Members and former members of the uniformed services described in paragraph (1) or (2) who are 50 years of age or older shall also be entitled to the colorectal cancer screening tests described in section 1861(pp)(1) of the Social Security Act (42 U.S.C. 1935x(pp)(1)) with such frequency as tests for which payment would be authorized under section 1834(d) of that Act (42 U.S.C. 1935m(d)) without regard to whether such members or former members are at high risk for colorectal cancer (as described in section 1861(pp)(2) of that Act) or have otherwise previously exhibited any symptom of or associated with colorectal cancer.".

(b) CONFORMING AMENDMENT.—Subsection (b)(8) of such section is amended by striking "subsection (a)(2)" and inserting "paragraphs (2) and (3) of subsection (a)".

SA 4244. Mr. BIDEN (for himself, Mr. BINGAMAN, and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 730. MILITARY VACCINATION MATTERS.

(a) ADDITIONAL ELEMENT FOR COMPTROLLER GENERAL STUDY AND REPORT ON VACCINE HEALTHCARE CENTERS.—Section 736(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3356) is amended by adding at the end the following new paragraph:

"(10) The feasibility and advisability of transferring direct responsibility for the Centers from the Army Medical Command to the Under Secretary of Defense for Personnel and Readiness and the Assistant Secretary of Defense for Force Protection and Readiness.".

(b) RESPONSE TO MEDICAL NEEDS ARISING FROM MANDATORY MILITARY VACCINATIONS.—

(1) IN GENERAL.—The Secretary of Defense shall maintain a joint military medical center of excellence focusing on the medical needs arising from mandatory military vaccinations.

(2) ELEMENTS.—The joint military medical center of excellence under paragraph (1) shall consist of the following:

(A) The Vaccine Healthcare Centers of the Department of Defense, which shall be the principal elements of the center.

(B) Any other elements that the Secretary considers appropriate.

(3) AUTHORIZED ACTIVITIES.—In acting as the principal elements of the joint military medical center under paragraph (1), the Vaccine Healthcare Centers referred to in paragraph (2)(A) may carry out the following:

(A) Medical assistance and care to individuals receiving mandatory military vaccines and their dependents, including long-term case management for adverse events where necessary.

(B) Evaluations to identify and treat potential and actual health effects from vaccines before and after their use in the field.

(C) The development and sustainment of a long-term vaccine safety and efficacy registry.

(D) Support for an expert clinical advisory board for case reviews related to disability assessment questions.

(E) Long-term and short-term studies to identify unanticipated benefits and adverse events from vaccines.

(F) Educational outreach for immunization providers and those required to receive immunizations.

(G) The development, dissemination, and validation of educational materials for Department of Defense healthcare workers relating to vaccine safety, efficacy, and acceptability.

(c) LIMITATION ON RESTRUCTURING OF VACCINE HEALTHCARE CENTERS.—

(1) LIMITATION.—The Secretary of Defense may not downsize or otherwise restructure the Vaccine Healthcare Centers of the Department of Defense until the Secretary submits to Congress a report setting forth a plan for meeting the immunization needs of the Armed Forces during the 10-year period beginning on the date of the submittal of the report.

(2) REPORT ELEMENTS.—The report submitted under paragraph (1) shall include the following:

(A) An assessment of the potential biological threats to members of the Armed Forces that are addressable by vaccine.

(B) An assessment of the distance and time required to travel to a Vaccine Healthcare Center by members of the Armed Forces who have severe reactions to a mandatory military vaccine.

(C) An identification of the most effective mechanisms for ensuring the provision services by the Vaccine Healthcare Centers to both military medical professionals and members of the Armed Forces.

(D) An assessment of current military and civilian expertise with respect to mass adult immunization programs, including case management under such programs for rare adverse reactions to immunizations.

(E) An organizational structure for each military department to ensure support of the Vaccine Healthcare Centers in the provision of services to members of the Armed Forces.

SA 4245. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. . EXPANSION OF JUNIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM.

(a) IN GENERAL.—The Secretaries of the military departments shall take appropriate actions to increase the number of secondary educational institutions at which a unit of the Junior Reserve Officers' Training Corps is organized under chapter 102 of title 10, United States Code.

(b) EXPANSION TARGETS.—In increasing under subsection (a) the number of secondary educational institutions at which a unit of the Junior Reserve Officers' Training Corps is organized, the Secretaries of the military departments shall seek to organize units at an additional number of institutions as follows:

(1) In the case of Army units, 15 institutions.

(2) In the case of Navy units, 10 institutions.

(3) In the case of Marine Corps units, 15 institutions.

(4) In the case of Air Force units, 10 institutions.

(c) FUNDING.—

(1) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, DEFENSE-WIDE.—The amount authorized to be appropriated by section 301(5) for operation and maintenance, Defense-wide, is hereby increased by $7,000,000.

(2) AVAILABILITY.—Of the amount authorized to be appropriated by section 301(5) for operation and maintenance, Defense-wide, as increased by paragraph (1), $7,000,000 may be available for activities under this section.

SA 4246. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1044. TEMPORARY NATIONAL GUARD SUPPORT FOR SECURING THE SOUTHERN LAND BORDER OF THE UNITED STATES.

(a) AUTHORITY TO PROVIDE ASSISTANCE.—(1) With the approval of the Secretary of Defense, the Governor of a State may order any units or personnel of the National Guard of such State to annual training duty under section 502(a) of title 32, United States Code, to carry out in any State along the Southern land border of the United States the activities authorized in subsection (b) for the purpose of securing such border. Such duty shall not exceed 21 days in any year.

(2) With the approval of the Secretary of Defense, the Governor of a State may order any units or personnel of the National Guard of such State to perform duty under section 502(f) of title 32, United States Code, to provide command, control, and continuity of support for units and personnel performing annual training duty under paragraph (1).

(b) Authorized Activities.—The activities authorized by this subsection are the following:

(1) Ground surveillance activities.

(2) Airborne surveillance activities.

(3) Logistical support.

(4) Provision of translation services and training.

(5) Provision of administrative support services.

(6) Provision of technical training services.

(7) Provision of emergency medical assistance and services.

(8) Provision of communications services.

(9) Rescue of aliens in peril.

(10) Construction of roadways, patrol roads, fences, barriers, and other facilities to secure the southern land border of the United States.

(11) Ground and air transportation.

(c) Cooperative Agreements.—Units and personnel of the National Guard of a State may perform activities in another State under subsection (a) only pursuant to the terms of an emergency management assistance compact or other cooperative arrangement entered into between the Governors of such States for purposes of this section, and only with the approval of the Secretary of Defense.

(d) Coordination of Assistance.—The Secretary of Homeland Security shall, in consultation with the Secretary of Defense and the Governors of the States concerned, coordinate the performance of activities under this section by units and personnel of the National Guard.

(e) Annual Training.—Annual training duty performed by members of the National Guard under this section shall be appropriate for the units and individual members concerned, taking into account the types of units and military occupational specialties of individual members performing such duty.

(f) Prohibition on Direct Participation in Law Enforcement.—Activities carried out under this section shall not include the direct participation of a member of the National Guard in a search, seizure, arrest, or similar activity.

(g) Duration of Authority.—The authority of this section shall expire on January 1, 2009.

(h) Definitions.—In this section:

(1) The term "Governor of a State" means, in the case of the District of Columbia, the Commanding General of the National Guard of the District of Columbia.

(2) The term "State" means each of the several States and the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.

(3) The term "State along the southern land border of the United States" means each of the following:

(A) The State of Arizona.

(B) The State of California.

(C) The State of New Mexico.

(D) The State of Texas.

SA 4247. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1066. REPORT ON TECHNOLOGIES FOR NEUTRALIZING OR DEFEATING THREATS TO MILITARY ROTARY WING AIRCRAFT FROM PORTABLE AIR DEFENSE SYSTEMS AND ROCKET PROPELLED GRENADES.

(a) In General.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on technologies for neutralizing or defeating threats to military rotary wing aircraft posed by portable air defense systems and rocket propelled grenades that are being researched, developed, employed, or considered by the United States Government or the North Atlantic Treaty Organization.

(b) Content.—The report required under subsection (a) shall include—

(1) an assessment of the expected value and utility of the technologies, particularly with respect to—

(A) the saving of lives;

(B) the ability to reduce the vulnerability of aircraft; and

(C) the enhancement of the ability of aircraft and their crews to accomplish assigned missions;

(2) an assessment of the potential costs of developing and deploying such technologies;

(3) a description of efforts undertaken to develop such technologies, including—

(A) non-lethal counter measures;

(B) lasers and other systems designed to dazzle, impede, or obscure threatening weapon or their users;

(C) direct fire response systems;

(D) directed energy weapons; and

(E) passive and active systems; and

(4) a description of any impediments to the development of such technologies, such as legal restrictions under the law of war, treaty restrictions under the Protocol on Blinding Lasers, and political obstacles such as the reluctance of other allied countries to pursue such technologies.

SA 4248. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. DEFINITION OF MEMBER OF THE SPECIAL EXPOSURE COHORT.

Section 3621(14) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384*l*(14)) is amended by adding at the end the following:

"(D) The employee—

"(i) was so employed by the Department of Energy, or a contractor or subcontractor of that Department, before 1986 on—

"(I) Enewetak Atoll;

"(II) Bikini Atoll;

"(III) Rongelap Atoll; or

"(IV) Utrik Atoll;

"(ii) was exposed to ionizing radiation in the performance of a duty of the employee; and

"(iii) during the time the employee was so employed, was a citizen of the Trust Territory of the Pacific Islands.".

SA 4249. Mr. DOMENICI (for himself and Mr. Bingaman) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 215. ENVIRONMENTAL IMPACT STATEMENT ON WHITE SANDS MISSILE RANGE, NEW MEXICO.

(a) Additional Amount for Research, Development, Test, and Evaluation, Army.—The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby increased by $5,000,000.

(b) Availability of Amount.—

(1) In general.—Of the amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army, as increased by subsection (a), $5,000,000 may be available for the development of a range-wide environmental impact statement with respect to White Sands Missile Range, New Mexico.

(2) Construction with other amounts.—The amount available under paragraph (1) for the purpose set forth in that paragraph is in addition to any amounts available under this Act for that purpose.

(c) Offset.—The amount authorized to be appropriated by section 301(1) for operation and maintenance for Army is hereby reduced by $5,000,000.

SA 4250. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 215. WATER TREATMENT TECHNOLOGIES.

(a) Additional Amount for Research, Development, Test, and Evaluation, Navy.—The amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy is hereby increased by $4,000,000.

(b) Availability of Amount.—

(1) In general.—Of the amount authorized to be appropriated by section 201(2) for research, development, test, and evaluation for the Navy, as increased by subsection (a), $4,000,000 may be available for research and development on water treatment technologies that will reduce the cost of producing safe drinking water through desalinization, contaminant removal, water reuse, and other mechanisms.

(2) Construction with other amounts.—The amount available under paragraph (1) for the purpose set forth in that paragraph is in addition to any amounts available under this Act for that purpose.

(c) Offset.—The amount authorized to be appropriated by section 301(2) for operation and maintenance for Navy is hereby reduced by $4,000,000.

SA 4251. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 573, after line 20, add the following:

SEC. 3121. DECONTAMINATION AND DECOMMISSIONING OF PROCESS-CONTAMINATED FACILITIES.

(a) IN GENERAL.—The Secretary of Energy is authorized to undertake immediate decommissioning and decontamination of process-contaminated facilities located at National Nuclear Security Administration facilities. The Secretary shall allocate not less than $75,000,000 for such activities out of the amount made available under section 3102 for fiscal year 2007 for defense environmental cleanup activities.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Energy shall submit to Congress a report identifying all excess process-contaminated National Nuclear Security Administration facilities and a plan, including a strategy and budgetary requirements, for decontaminating such facilities.

SA 4252. Mr. REID (for himself, Mr. LEAHY, Mr. SPECTER, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title X of division A, insert the following:

SEC. 1084. COURT SECURITY IMPROVEMENTS.

(a) JUDICIAL BRANCH SECURITY REQUIREMENTS.—

(1) ENSURING CONSULTATION AND COORDINATION WITH THE JUDICIARY.—Section 566 of title 28, United States Code, is amended by adding at the end the following:

“(i) The Director of the United States Marshals Service shall consult and coordinate with the Judicial Conference of the United States on a continuing basis regarding the security requirements for the judicial branch of the United States Government.”.

(2) CONFORMING AMENDMENT.—Section 331 of title 28, United States Code, is amended by adding at the end the following:

“The Judicial Conference shall consult and coordinate with the Director of United States Marshals Service on a continuing basis regarding the security requirements for the judicial branch of the United States Government.”.

(b) PROTECTION OF FAMILY MEMBERS.—Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by inserting “or a family member of that individual” after “that individual”; and

(2) in subparagraph (B)(i), by inserting “or a family member of that individual” after “the report”.

(c) EXTENSION OF SUNSET PROVISION.—Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App) is amended by striking “2005” each place that term appears and inserting “2009”.

(d) PROTECTIONS AGAINST MALICIOUS RECORDING OF FICTITIOUS LIENS AGAINST FEDERAL JUDGES AND FEDERAL LAW ENFORCEMENT OFFICERS.—

(1) OFFENSE.—Chapter 73 of title 18, United States Code, is amended by adding at the end the following:

“SEC. 1521. RETALIATING AGAINST A FEDERAL JUDGE OR FEDERAL LAW ENFORCEMENT OFFICER BY FALSE CLAIM OR SLANDER OF TITLE.

“(a) Whoever files or attempts to file, in any public record or in any private record which is generally available to the public, any false lien or encumbrance against the real or personal property of a Federal judge or a Federal law enforcement official, on account of the performance of official duties by that Federal judge or Federal law enforcement official, knowing or having reason to know that such lien or encumbrance is false or contains any materially false, fictitious, or fraudulent statement or representation, shall be fined under this title or imprisoned for not more than 10 years, or both.

“(b) As used in this section—

“(1) the term ‘Federal judge’ means a justice or judge of the United States as defined in section 451 of title 28, United States Code, a judge of the United States Court of Federal Claims, a United States bankruptcy judge, a United States magistrate judge, and a judge of the United States Court of Appeals for the Armed Forces, United States Court of Appeals for Veterans Claims, United States Tax Court, District Court of Guam, District Court of the Northern Mariana Islands, or District Court of the Virgin Islands; and

“(2) the term ‘Federal law enforcement officer’ has the meaning given that term in section 115 of this title and includes an attorney who is an officer or employee of the United States in the executive branch of the Government.”.

(2) CLERICAL AMENDMENT.—The chapter analysis for chapter 73 of title 18, United States Code, is amended by adding at the end the following new item:

“1521. Retaliating against a Federal judge or Federal law enforcement officer by false claim or slander of title.”.

(e) PROTECTION OF INDIVIDUALS PERFORMING CERTAIN OFFICIAL DUTIES.—

(1) OFFENSE.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:

“SEC. 118. PROTECTION OF INDIVIDUALS PERFORMING CERTAIN OFFICIAL DUTIES.

“(a) Whoever knowingly makes restricted personal information about a covered official, or a member of the immediate family of that covered official, publicly available, with the intent that such restricted personal information be used to kill, kidnap, or inflict bodily harm upon, or to threaten to kill, kidnap, or inflict bodily harm upon, that covered official, or a member of the immediate family of that covered official, shall be fined under this title and imprisoned not more than 5 years, or both.

“(b) As used in this section—

“(1) the term ‘restricted personal information’ means, with respect to an individual, the Social Security number, the home address, home phone number, mobile phone number, personal email, or home fax number of, and identifiable to, that individual;

“(2) the term ‘covered official’ means—

“(A) an individual designated in section 1114;

“(B) a Federal judge or Federal law enforcement officer as those terms are defined in section 1521; or

“(C) a grand or petit juror, witness, or other officer in or of, any court of the United States, or an officer who may be serving at any examination or other proceeding before any United States magistrate judge or other committing magistrate; and

“(3) the term ‘immediate family’ has the same meaning given that term in section 115(c)(2).”.

(2) CLERICAL AMENDMENT.—The chapter analysis for chapter 7 of title 18, United States Code, is amended by adding at the end the following:

“Sec. 117. Domestic assault by an habitual offender.

“Sec. 118. Protection of individuals performing certain official duties.”.

(f) PROHIBITION OF POSSESSION OF DANGEROUS WEAPONS IN FEDERAL COURT FACILITIES.—Section 930(e)(1) of title 18, United States Code, is amended by inserting “or other dangerous weapon” after “firearm”.

(g) CLARIFICATION OF VENUE FOR RETALIATION AGAINST A WITNESS.—Section 1513 of title 18, United States Code, is amended by adding at the end the following:

“(g) A prosecution under this section may be brought in the district in which the official proceeding (whether or not pending, about to be instituted or completed) was intended to be affected, or in which the conduct constituting the alleged offense occurred.”.

(h) WITNESS PROTECTION GRANT PROGRAM.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following new part:

“PART JJ—WITNESS PROTECTION GRANTS

“SEC. 3001. PROGRAM AUTHORIZED.

“(a) IN GENERAL.—From amounts made available to carry out this part, the Attorney General may make grants to States, units of local government, and Indian tribes to create and expand witness protection programs in order to prevent threats, intimidation, and retaliation against victims of, and witnesses to, crimes.

“(b) USES OF FUNDS.—Grants awarded under this part shall be—

“(1) distributed directly to the State, unit of local government, or Indian tribe; and

“(2) used for the creation and expansion of witness protection programs in the jurisdiction of the grantee.

“(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this part, the Attorney General may give preferential consideration, if feasible, to an application from a jurisdiction that—

“(1) has the greatest need for witness and victim protection programs;

“(2) has a serious violent crime problem in the jurisdiction; and

“(3) has had, or is likely to have, instances of threats, intimidation, and retaliation against victims of, and witnesses to, crimes.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2006 through 2010.”.

(i) GRANTS TO STATES TO PROTECT WITNESSES AND VICTIMS OF CRIMES.—

(1) IN GENERAL.—Section 31702 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13862) is amended—

(A) in paragraph (3), by striking "and" at the end;

(B) in paragraph (4), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(5) to create and expand witness and victim protection programs to prevent threats, intimidation, and retaliation against victims of, and witnesses to, violent crimes.".

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 31707 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13867) is amended to read as follows:

"SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated $20,000,000 for each of the fiscal years 2006 through 2010 to carry out this subtitle.".

(j) ELIGIBILITY OF STATE COURTS FOR CERTAIN FEDERAL GRANTS.—

(1) CORRECTIONAL OPTIONS GRANTS.—Section 515 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3762a) is amended—

(A) in subsection (a)—

(i) in paragraph (2), by striking "and" at the end;

(ii) in paragraph (3), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(4) grants to State courts to improve security for State and local court systems."; and

(B) in subsection (b), by inserting after the period the following:

"Priority shall be given to State court applicants under subsection (a)(4) that have the greatest demonstrated need to provide security in order to administer justice.".

(2) ALLOCATIONS.—Section 516(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3762b) is amended by—

(A) striking "80" and inserting "70";

(B) striking "and 10" and inserting "10"; and

(C) inserting before the period the following: ", and 10 percent for section 515(a)(4)".

(k) UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS.—Section 7253(e) of title 38, United States Code, is amended by striking "district courts" and inserting "Courts of Appeals".

(l) BANKRUPTCY, MAGISTRATE, AND TERRITORIAL JUDGES LIFE INSURANCE.—

(1) BANKRUPTCY JUDGES.—Section 153 of title 28, United States Code, is amended by adding at the end the following:

"(e) For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, a bankruptcy judge of the United States in regular active service or who is retired under section 377 of this title shall be deemed to be a judge of the United States described under section 8701(a)(5) of title 5.".

(2) UNITED STATES MAGISTRATE JUDGES.—Section 634(c) of title 28, United States Code, is amended—

(A) by inserting "(1)" after "(c)"; and

(B) by adding at the end the following:

"(2) For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, a magistrate judge of the United States in regular active service or who is retired under section 377 of this title shall be deemed to be a judge of the United States described under section 8701(a)(5) of title 5.".

(3) TERRITORIAL JUDGES.—

(A) GUAM.—Section 24 of the Organic Act of Guam (48 U.S.C. 1424b) is amended by adding at the end the following:

"(c) For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, a judge appointed under this section who is in regular active service or who is retired under section 373 of title 28, United States Code, shall be deemed to be a judge of the United States described under section 8701(a)(5) of title 5.".

(B) COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—Section 1(b) of the Act of November 8, 1977 (48 U.S.C. 1821) is amended by adding at the end the following:

"(5) For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, a judge appointed under this section who is in regular active service or who is retired under section 373 of title 28, United States Code, shall be deemed to be a judge of the United States described under section 8701(a)(5) of title 5.".

(C) VIRGIN ISLANDS.—Section 24(a) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1614(a)) is amended—

(i) by inserting "(1)" after "(a)"; and

(ii) by adding at the end the following:

"(2) For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, a judge appointed under this section who is in regular active service or who is retired under section 373 of title 28, United States Code, shall be deemed to be a judge of the United States described under section 8701(a)(5) of title 5.".

(m) HEALTH INSURANCE FOR SURVIVING FAMILY AND SPOUSES OF JUDGES.—Section 8901(3) of title 5, United States Code, is amended—

(1) in subparagraph (C), by striking "; and" and inserting a semicolon;

(2) in subparagraph (D), by adding "and" after the semicolon; and

(3) by adding at the end the following:

"(E) a member of a family who is a survivor of—

"(i) a Justice or judge of the United States, as defined under section 451 of title 28, United States Code;

"(ii) a judge of the District Court of Guam, the District Court of the Northern Mariana Islands, or the District Court of the Virgin Islands;

"(iii) a judge of the United States Court of Federal Claims; or

"(iv) a United States bankruptcy judge or a full-time United States magistrate judge.".

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, June 14, 2006, at 10 a.m., to mark up S. 418 "Military Personnel Financial Services Protection Act," as amended by the committee print; S. 811 "Abraham Lincoln Commemorative Coin Act," and to vote on the nominations of Ms. Sheila C. Bair, of Kansas, to be a member and chairperson of the Board of Directors of the Federal Deposit Insurance Corporation; Ms. Kathleen L. Casey, of Virginia, to be a member of the Securities and Exchange Commission; Mr. Robert M. Couch, of Alabama, to be President of the Government National Mortgage Association; Mr. Donald L. Kohn, of Virginia, to be vice chairman of the Board of Governors of the Federal Reserve System; and Mr. James B. Lockhart III, of Connecticut, to be the Director of the Office of Federal Housing Enterprise Oversight. Immediately following the mark up, the committee will meet in open session to conduct a hearing on "FASB's Proposed Standard on 'Employers' Accounting for Defined Benefit Pension and Other Postretirement Plans.'"

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 14, 2006, at 2:30 p.m., to conduct a hearing on "Extension of HUD's Mark-to-Market Program."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. WARNER. Mr. President, I would like to ask unanimous consent that the Committee on Environment and Public Works be authorized to hold an oversight hearing on Wednesday, June 14, 2006, at 9:30 a.m. to consider whether potential liability deters abandoned hard rock mine clean up.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, June 14, 2006, at 10 a.m. for a business meeting to consider pending committee business.

Agenda

Legislation

1. S. 2145, Chemical Facility Anti-Terrorism Act of 2005;
2. S. 1554, a bill to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security of the United States and to address the homeland security needs of Federal, State, and local governments;
3. S. 1741, Disaster Area Health and Environmental Monitoring Act;
4. S. 1838, Federal and District of Columbia Real Property Act of 2005;
5. S. 2068, a bill to preserve existing judgeships on the Superior Court of the District of Columbia;
6. S. 2146, a bill to extend relocation expenses test programs for Federal employees;

7. S. 2296, Commission on Wartime Relocation and Internment of Latin Americans of Japanese Descent Act;

8. H.R. 3508, 2005 District of Columbia Omnibus Authorization Act.

Post Office Naming Bills

1. S. 2228/H.R. 4456, a bill to designate the facility of the U.S. Postal Service located at 2404 Race Street in Jonesboro, Arkansas, as the "Hattie W. Caraway Station;"

2. S. 2376/H.R. 3934, a bill to designate the facility of the U.S. Postal Service located at 80 Killian Road in Massapequa, New York, as the "Gerard A. Fiorenza Post Office Building;"

3. S. 2722, a bill to designate the facility of the U.S. Postal Service located at 170 East Main Street in Patchogue, New York, as the "Lieutenant Michael P. Murphy Post Office Building;

4. H.R. 4108, a bill to designate the facility of the U.S. Postal Service located at 3000 Homewood Avenue in Baltimore, Maryland, as the "State Senator Verda Welcome and Dr. Henry Welcome Post Office Building;"

5. H.R. 3440, a bill to designate the facility of the U.S. Postal Service located at 100 Avenida RL Rodriguez in Bayamon, Puerto Rico, as the "Dr. Jose Celso Barbosa Post Office Building;"

6. H.R. 4786, a bill to designate the facility of the U.S. Postal Service located at 535 Wood Street in Bethlehem, Pennsylvania, as the "H. Gordon Payrow Post Office Building;"

7. H.R. 4561, a bill to designate the facility of the U.S. Postal Service located at 8624 Ferguson Road in Dallas, Texas, as the "Francisco 'Pancho' Medrano Post Office Building;"

8. H.R. 4688, a bill to designate the facility of the U.S. Postal Service located at 1 Boyden Street in Badin, North Carolina, as the "Mayor John Thompson 'Tom' Garrison Memorial Post Office;"

9. H.R. 4995, a bill to designate the facility of the U.S. Postal Service located at 7 Columbus Avenue in Tuckahoe, New York, as the "Ronald Bucca Post Office;"

10. H.R. 3549, a bill to designate the facility of the U.S. Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the "William F. Clinger Jr. Post Office Building;"

11. H.R. 2977, a bill to designate the facility of the U.S. Postal Service located at 306 2nd Avenue in Brockway, Montana, as the "Paul Kasten Post Office Building;"

12. S. 2690, a bill to designate the facility of the U.S. Postal Service located at 8801 Sudley Road in Manassas, Virginia, as the "Harry J. Parrish Post Office;"

13. S. 3187, a bill to designate the Post Office located at 5755 Post Road, East Greenwich, Rhode Island, as the "Richard L. Cevoli Post Office;"

14. H.R. 5245, a bill to designate the facility of the U.S. Postal Service located at 1 Marble Street in Fair Haven, Vermont, as the "Matthew Lyon Post Office Building."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, June 14, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 374, the Tribal Parity Act and S. 1535, the Cheyenne River Sioux Tribe Equitable Compensation Amendments Act of 2005.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on "Judicial Nominations" on Wednesday, June 14, 2006, at 9:30 a.m. in Dirksen Senate Office Building Room 226.

Witness list:

Panel I: The Honorable F. James Sensenbrenner, Jr. and The Honorable William Kovacic, Commissioner, Federal Trade Commission, Washington, DC.

Panel II: Vinton Cerf, Vice President & Chief Internet Evangelist, Google, Inc., Herndon, VA, David L. Cohen, Executive Vice President, Comcast Corporation, Philadelphia, PA, Walter McCormick, President and CEO, U.S. Telecom Association, Washington, DC, Christopher Putala, Executive Vice President, Public Policy, Earthlink, Inc., Washington, DC, Blair Levin, Stifel, Nicolaus & Company, Inc., St. Louis, MO, Paul T. Morris, Executive Director, Utah Telecommunication Open Infrastructure Agency, West Valley City, UT, John Kuhns, Senior Director of Information Technology, Pennsylvania State University, State College, PA.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. WARNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 14, 2006, at 2:30 p.m. to hold a closed business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TECHNOLOGY, INNOVATION, AND COMPETITIVENESS

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation Subcommittee on Technology, Innovation, and Competitiveness be authorized to meet on Wednesday, June 14, 2006, at 10 a.m. on Alternative Energy Technologies.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Ipar Demir be granted floor privileges during the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I ask unanimous consent that the privileges of the floor be granted to a fellow in my office, Michelle Aykol, for the duration of the Senate's debate on S. 2766, the National Defense Authorization Act for Fiscal Year 2007.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. On behalf of Senator KENNEDY, I ask unanimous consent that his Navy detailee, Tom Crowley, and a State Department fellow, Rick Driscoll, be granted floor privileges during the consideration of the National Defense Authorization Act of fiscal year 2007.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCONNELL. Mr. President, I ask unanimous consent that Michelle Stefanick, a State Department fellow in Senator SNOWE's office, be granted the privileges of the floor during consideration of the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

CELEBRATING THE 231ST BIRTHDAY OF THE ARMY

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 512, which was submitted early today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

> A resolution (S. Res. 512) celebrating the 231st birthday of the Army and commending the men and women of the Army as exceptional individuals who live by the values of loyalty, duty, and selfless service.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SESSIONS. Mr. President, I rise today to pay tribute to our U.S. Army. On June 14, 1775, our Founding Fathers formed the U.S. Army out of a desire to defend their liberties. The Continental Army that emerged in the midst of our war for independence laid a foundation for patriotism, tenacity and courage that remains at the care of the Army of today. Since that time, American Soldiers have fought in more than 10 wars, from the American Revolution to the global war on terror. This 231st birthday serves as a reminder that today's Army continues to stand as the guardian of our nation's freedom. Today, we salute the brave men and women who call the Army home, and those soldiers that have served and died before them, in a celebration of their "Call to Duty."

The American soldier has always been the centerpiece of the Nation's defense. Coupled with the desires to maintain our democracy and freedom, these soldiers continue to march to the sound of the guns by putting "boots on the ground" in more than 120 countries around the world today. From Valley Forge to New Orleans, from Gettysburg to the Marne, from Sicily and the beaches of Normandy to Inchon and the Ia Drang Valley, from Kuwait to Operations Enduring Freedom and Iraqi Freedom, the American Soldier: brave, professional and determined, has not faltered in his duty and stands ready to answer the next call.

Since 1775, millions of men and women, from all backgrounds and parts of our Nation, have raised their right hands and taken an oath to support and defend our Constitution. Today's 231st birthday reminds us that these soldiers are the backbone of our society. Living each day by the "Warrior Ethos," these men and women personify the Army values of loyalty, duty, respect, selfless service, honor, integrity and personal courage.

No tribute to our men and women in uniform, whether they are from Alabama or elsewhere, would be complete without mentioning their families. America salutes our military families and the unspoken burden they bear when their husbands and wives, fathers and mothers or sons and daughters are called away to steamy jungles or unforgiving deserts to defend this great nation and our way of life. The love and support our soldier's families provide through their support and strength. We remember also their sacrifices and the long days they spend apart.

To those currently serving, our thoughts and prayers are with you and your families on this 231st Army birthday. Humbled by your sacrifice and awed by your achievements, we continue to find comfort in knowing you are an eminent presence: resolute in standing watch over our democracy and freedoms. Celebrate this Army birthday and continue to live to a higher standard through the Army values and the Warrior Ethos.

Our celebration of the 231st Army birthday reminds us all of the sacrifice so many have made in the preservation of our Nation. These words are but a small token of the appreciation and thanks that are owed for the dedication to duty and sacrifice these brave men and women make on a daily basis. These soldiers deserve our gratitude, our praise and most importantly our continued support as they continue to drive on with the mission. Happy Birthday to our Army.

Mr. AKAKA. Mr President, I rise today in honor of the Army's 231st birthday. For over two centuries, the Army has served this Nation with honesty, courage, and dignity, and it is my privilege to take this opportunity to commemorate its birth. Both in times of peace, and in times of war, the U.S. Army has been poised and ready to answer the call of duty to defend our Nation. All of our Army units—Active, Guard and Reserve—share the heritage of the first Continental Army which fought so valiantly for the principles of justice, freedom and democracy. The commitment and duty of the Army soldiers who have risked their lives to preserve our freedom have left an indelible mark on this nation. During the Army's 231 year history, tens of thousands of these brave men and women have sacrificed their lives on distant battlefields to keep our nation safe. I salute them for their service to this country.

I also pay tribute to the families of those soldiers who risk their lives for our Nation. Too often the important role that families play goes unacknowledged but their faith and devotion are vital to the Army's success. The families of our soldiers have my deepest appreciation for the sacrifices they make and for the support the give our troops.

As this Nation continues to fight in the global war on terror, the Army has been key to providing the Joint force the capabilities it needs to persist in its struggle for liberty and democracy. Through the efforts of the U.S. Army the world has been made a more secure, prosperous, and better place for all of mankind. As I witnessed, firsthand, during my recent trip to Iraq, the men and women serving in the Army who so courageously defend our Nation represent the best of what our country has to offer and have my deepest respect. Thank you for your selfless service. It is an inspiration to us all.

Mr. HAGEL. Mr. President, I rise today to wish the U.S. Army happy birthday. It was 231 years ago today, June 14, 1775, that the Continental Army of the United States was formed.

Over the past 231 years, millions of men and women have served in the oldest branch of our Armed Forces. Their honor, courage, sacrifice and service are the foundation of America's greatness.

The Army principles of "Duty, Honor, Country" is America. Every generation of Americans who have served in the U.S. Army from the Continental Army to our fighting men and women serving today in Iraq and Afghanistan have been shaped by these principles. The United States Army has shaped lives just as it has shaped our history.

The U.S. Army has protected our democracy and helped make the world more secure, peaceful, and prosperous.

On this 231st birthday of the U.S. Army, we also recognize and thank the individuals who have sacrificed and served our country. They inspire us and will continue to serve as role models for future generations.

"Happy Birthday" to the U.S. Army. And, in the Army's great rich tradition and as a proud Army veteran, I proclaim my annual Senate floor "HOOAH!"

Mr. INHOFE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 512) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 512

Whereas, from the first Continental Army under General Washington to the beaches of Normandy and the city streets of Iraq, the Army has protected the flame of democracy;

Whereas the citizens of the United States continue to enjoy freedom and spread the light of democracy because the men and women of the Army have stood through adversity, remained steadfast in the most difficult of circumstances, and bravely fought against the enemies of peace throughout the world;

Whereas the sacrifices of those men and women of the Army have called all citizens of the United States, both public and private, to the highest forms of citizenship;

Whereas the Army maintains its presence in 120 countries across the world, including Saudi Arabia, Korea, and Kosovo;

Whereas the accomplishments of the Army in the Global War on Terror have demonstrated the courage and strength of the men and women of the Army;

Whereas, in Iraq, the Army has brought freedom to a population once under tyrannical control, allowing the citizens of Iraq to enjoy the recent election of officials, the formation of a constitution, and the formation of the government under Prime Minister al-Maliki;

Whereas the men and women of the Army continued to provide stability and security to Iraqis by killing Abu Musab al-Zarqawi, who was commonly known among terrorists as the "prince of al-Qaeda";

Whereas Iraq has become a better place and a great ally, which was evident when the ambassador of Iraq presented his credentials to the Secretary of State for the first time in 15 years; and

Whereas those great accomplishments add to the longstanding tradition of the Army and attest to the extraordinary capability of the men and women who serve the United States: Now, therefore, be it

Resolved, That the Senate—

(1) salutes the men and women of the Army;

(2) commends the men and women of the Army as exceptional individuals who live by the values of loyalty, duty, and selfless service; and

(3) recognizes that those great citizens—

(A) are the reason why the Army continues to stand as the best military force in the world; and

(B) continue to perform amazing tasks and uphold the honored traditions of the Army by adhering to the principle expressed by General Douglas MacArthur when he proudly declared that "Americans never quit.".

Mr. INHOFE. Mr. President, today, the significance of this resolution is something that needs the attention of this body. We are today honoring the 231st birthday of the U.S. Army.

Throughout the centuries, the noble service of Army soldiers has defended this great Nation. From the first Continental Army under GEN George Washington, to the beaches of Normandy, to the city streets of Baghdad, America's Army has protected the flame of freedom. Their sacrifice calls us all—both public and private—to the highest standard of citizenship. We enjoy our freedoms because they have been steadfast through the most difficult of circumstances and continue to spread the light of democracy to the darkest corners of the world. We stand here today because they continue to willingly put their lives in harm's way.

The Army's history is one of success. During the Mexican-American War our country expanded westward to the Pacific and south to Texas. The Philippine and Spanish-American Wars demonstrated the Army's courage against strong insurgent forces and created the vital posts that exist today in Southeast Asia. The Army continued to fight bravely in World War I and World War II to defeat the Central powers and the Axis in Europe and the Pacific. With the rise of Communism, the Army once again answered freedom's call in Korea and Vietnam.

Today, these courageous soldiers continue the great tradition by serving across the world in the war on terrorism. While the Army maintains a presence in 120 countries across the world in countries such as Djibouti, Korea, and Kosovo, the vast majority of our efforts have been focused in Iraq and Afghanistan.

I just returned from my 11th trip to the Iraqi AOR. While I was over there I observed firsthand the progress being made by our troops. The Army has taken the bulk of the responsibility, and much of what we have accomplished we owe to their outstanding service.

The Army has brought freedom to a population once under tyrannical control. Freedom shines through the recent election of officials, the formation of a constitution, and formation of the first permanent government under Prime Minister al-Maliki. Recently, the first Iraqi Ambassador in 15 years presented his credentials to the Secretary of State. We have taken out the "prince of al-Qaida," al-Zarqawi. These great successes add to the longstanding tradition of our military.

Having just returned from that area, and having been there 11 times, and having talked to our U.S. Army soldiers, as well as with the other services, it is incredible that they are so much like they were in the past. I recall when I was first drafted into the U.S. Army. It was so long ago that I was drafted with Elvis Presley. And he had a little better duty than I did. Nonetheless, you learn something when you become an active member of the U.S. Army. You learn a type of discipline and a type of tradition, and that tradition stays with you all the rest of your life.

It was not long ago that my fellow Army veteran, Senator DANNY AKAKA, and I formed the Army Caucus to bring attention to the work of the Army in the past, the present, and in the future.

To let you know how things change, I can remember only 12 years ago, when I was serving in the other body, in the House Armed Services Committee, someone testified at that time that in 10 years we would no longer need ground troops. To let you know some of the problems we have—and the fact is, yes, there are a lot of smart people around—but nobody knows what contingencies we will have to be facing in the future. And I can assure you, as we proceed into the future, as we modernize our equipment, it will be in use again, and the U.S. Army will come through, as they always have since the days of George Washington.

As the Army continues to fight for freedom today and peace tomorrow, I salute each Army soldier for their sacrifice, dedication, and perseverance in protecting America. These soldiers are exceptional individuals who live by the values of loyalty, duty, and selfless service. It is in this spirit that the Army continues to uphold its highest values and take its rich tradition into the next 231 years.

May God bless the United States Army.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REFERRAL OF DISCHARGED NOMINATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the nomination of Randall M. Fort to be Assistant Secretary of State be discharged from the Committee on Foreign Relations and that it be referred to the Committee on Intelligence.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. As in executive session, I ask unanimous consent that at 3:30 on Monday, June 19, the Senate proceed to executive session for the consideration of the following judicial nomination on the Executive Calendar: No. 699, Sandra Ikuta, to be United States Circuit Judge for the Ninth Circuit, provided further that the time until 5:30 be equally divided between the chairman and ranking member of the Judiciary Committee or their designees; provided further that at 5:30, the Senate proceed to a vote on the nomination, with no intervening action or debate, and that following the vote, the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZATION TO SUBMIT TRIBUTES TO SENATOR ROBERT C. BYRD AND FORMER SENATOR BOB DOLE

Mr. McCONNELL. Mr. President, I ask unanimous consent that Senators be permitted to submit tributes to Senator BYRD and former Senator Dole for the RECORD until Friday, June 16, and that each be printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING THE ACCOMPLISHMENTS OF IGNACY JAN PADEREWSKI

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration and the Senate now proceed to consider S. Res. 491.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 491) recognizing the accomplishments of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist, and commemorating the 65th anniversary of his death on June 29, 1941.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 491) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 491

Whereas Ignacy Jan Paderewski, born in Poland in 1860, was a brilliant and popular pianist who performed hundreds of concerts in Europe and the United States during the late 19th and early 20th centuries;

Whereas Paderewski donated the bulk of the proceeds of his concerts to charitable causes, including the establishment of the American Legion's Orphans and Veterans Fund;

Whereas, during World War I, Paderewski worked for the independence of Poland and served as the first Premier of Poland;

Whereas, in December 1919, Paderewski resigned as Premier of Poland, and in 1921 he left politics to return to his music;

Whereas the German invasion of Poland in 1939 spurred Paderewski to return to political life;

Whereas Paderewski fought against the Nazi dictatorship in World War II by joining the exiled Polish Government to mobilize the Polish forces and to urge the United States to join the Allied Forces;

Whereas, on June 29, 1941, Paderewski died in exile in the United States while all of Europe was imperiled by war and occupation;

Whereas, by the direction of President Franklin D. Roosevelt, the remains of Paderewski were placed alongside the honored dead of the United States in Arlington National Cemetery, where President Roosevelt said, "He may lie there until Poland is free.";

Whereas, in 1963, President John F. Kennedy honored Paderewski by placing a plaque marking his remains at the Mast of the Maine at Arlington National Cemetery;

Whereas, in 1992, President George H.W. Bush, at the request of Lech Walesa, the first democratically elected President of Poland since World War II, ordered the remains of Paderewski to be returned to his native Poland;

Whereas, on June 26, 1992, the remains of Paderewski were removed from the Mast of the Maine at Arlington National Cemetery and returned to Poland 3 days later;

Whereas, on July 5, 1992, the remains of Paderewski were interred in a crypt at the St. John Cathedral in Warsaw, Poland; and

Whereas Paderewski wished his heart to be forever enshrined in the United States, where his lifelong struggle for democracy and freedom had its roots and was cultivated, and now his heart remains at the Shrine of the Czestochowa in Doylestown, Pennsylvania: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the accomplishments of Ignacy Jan Paderewski as a musician, composer, statesman, and philanthropist;

(2) on the 65th anniversary of his death, acknowledges the invaluable efforts of Ignacy Jan Paderewski in forging close ties between Poland and the United States; and

(3) recognizes Poland as an ally and strong partner in the war against global terrorism.

ORDERS FOR THURSDAY, JUNE 15, 2006

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. tomorrow, Thursday, June 15; I further ask that following the prayer and the pledge the morning hour be deemed to have expired, the Journal of the proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period of morning business until 10 a.m., with the time equally divided between majority leader or his designee, and the Democratic leader or his designee, with the first half under the control of the majority and the second half under the control of the minority. I further ask that at 10 a.m. the Senate proceed to vote on the conference report to accompany H.R. 4939, the supplemental appropriations bill, as under the previous order. I further ask that following the vote on the conference report, the Senate resume consideration of S. 2766, the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. McCONNELL. Mr. President, we have made substantial progress today on the Defense Department authorization bill. Two important amendments were voted on and the chairman and ranking member processed a number of voice votes. So we made excellent progress and we intend to do that again tomorrow.

At 10 a.m., we will vote on the supplemental appropriations conference report. That will be the first vote of the day. Following that vote, the Senate will resume consideration of the DOD authorization bill, and we hope to be able to process a number of amendments throughout the day. Chairman WARNER and Senator LEVIN would like to get as many amendments in the queue as possible. The Santorum amendment on Iran is the pending business and we will be scheduling the vote on that in the near term.

I encourage Members to stay rather close to the floor on Thursday so we can make significant progress during tomorrow's session.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in adjournment under the previous order.

There being no objection, the Senate, at 6:01 p.m., adjourned until Thursday, June 15, 2006, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate June 14, 2006:

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL GREGORY A. BISCONE, 7315
COLONEL EDWARD L. BOLTON, JR., 2484
COLONEL JOSEPH D. BROWN IV, 4212
COLONEL GREGORY L. BRUNDIDGE, 7660
COLONEL TIMOTHY A. BYERS, 3484
COLONEL MICHAEL W. CALLAN, 8238
COLONEL DAVID S. FADOK, 5536
COLONEL CRAIG A. FRANKLIN, 5281
COLONEL DAVID L. GOLDFEIN, 0354
COLONEL FRANCIS L. HENDRICKS, 9923
COLONEL JOHN W. HESTERMAN III, 2593
COLONEL JAMES W. HYATT, 8335
COLONEL JOHN E. HYTEN, 3025
COLONEL MICHELLE D. JOHNSON, 7070
COLONEL RICHARD C. JOHNSTON, 2144
COLONEL JOSEPH A. LANNI, 0597
COLONEL KENNETH D. MERCHANT, 4532
COLONEL MICHAEL R. MOELLER, 5228
COLONEL HARRY D. POLUMBO, 6801
COLONEL JOHN D. POSNER, 6335
COLONEL JAMES O. POSS, 4130
COLONEL MARK F. RAMSAY, 6705
COLONEL MARK O. SCHISSLER, 4113
COLONEL LYN D. SHERLOCK, 8452
COLONEL CHARLES K. SHUGG, 4948
COLONEL MARVIN T. SMOOT, JR., 6411
COLONEL ALFRED J. STEWART, 1247
COLONEL EVERETT H. THOMAS, 0760
COLONEL WILLIAM W. UHLE, JR., 9380
COLONEL DARTANIAN WARR, 4090
COLONEL BRETT T. WILLIAMS, 8154
COLONEL TOD D. WOLTERS, 1426

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. FRANK A. CIPOLLA, 8710

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDANT OF THE MARINE CORPS, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 5043 AND 601:

To be general

LT. GEN. JAMES T. CONWAY, 2270

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICHARD F. NATONSKI, 9548

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. ROBERT B MURRETT, 7287

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

CON G. PHAM, 7855

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

DARYL W. FRANCIS, 0697
JOHN J. JANSEN, 9910
TAMMY J. MAAS, 4628
JOHN R. MOSHER, 3433
DANIEL V. PHAN, 3668
KENNETH L. REINER, 0699
DWAINE M. TORGERSEN, 8991

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BRIAN E. BISHOP, 1528
DALE A. HALL, 1312
JEFFREY H. HOLMES, 0594
FRANKLIN C. MCCAULEY, JR., 9257
HEATHER K. MEEDS, 2093
ALAN C. SAUNDERS, 2667

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JOSE R. ATENCIO III, 9198
DAVID R. BROWN, 1259
JOHN H. DOWDLE, JR., 4230
CHRISTOPHER J. MORGAN, 7672

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BRENT E. BRACEWELL, 7856
CHARLES J. GOSSELIN, 3943
ALLEN L. MEYER, 8035

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

BRUCE R. DESCHERE, 3632
DIDAR S. SARAI, 8391
RICHARD STOERMANN, 3530
VICTORIA L. YADON, 6296

To be major

ERIC M. HEINBERG, 1476
DAN C. HUNTER, 5016
ROBERT J. MACMILLAN, 6188
SHAH NAWAZ, 8593
MICHAEL B. ROUNTREE, 5725

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

MICHAEL L. ELLIS, 3277

To be lieutenant colonel

PETER B. DODSON, 3277
KRISTINE KNUTSON, 8112

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

DEBRA R. HERNANDEZ, 8795

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be major

ANNE M. EMSHOFF, 4513

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

ANDREW P. CAP, 2450

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

MARK E. GANTS, 3374
GARY A. VROEGINDEWEY, 1570

To be lieutenant colonel

DEBORAH L. WHITMER, 8289

To be major

LISA M. AMOROSO, 0220
STEVEN A. BATY, 1253
JENNIFER J. BECK, 5227
DONALD L. BECKETT, 0037
AMMON W. BROWN, 6308
ERICA CARROLL, 1748
PATTY H. CHEN, 3266
WILLIAM E. CULP, 5538
CHRISTINE A. EGE, 5804
REBECCA I. EVANS, 5070
SARAH B. HINDS, 6721
JENNIFER M. KISHIMORI, 7721
THOMAS KOHLER, 4066
WENDY E. MEY, 2615
KRINON D. MOCCIA, 8452
MARY A. PARHAM, 6956
SANDI K. PARRIOTT, 8947
GERALD R. SARGENT, 1617
TIMOTHY SETTLE, 0645
LARRY J. SHELTON, 3338
WILLIAM D. SNYDER, 7766
KATHLEEN A. SZABO, 9275
WILLIAM L. WILKINS, 4576
SAMUEL L. YINGST, 6567

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

CATHLEEN A. BURGESS, 5449
JUSTIN A. WOODHOUSE, 8097

To be major

JEFFREY W. ALBRITTON, 9426*ERR03*
JACQUELINE P. ALLEN, 7831
JEAN M. BARIDO, 3372
PATRICK E. BERTZ, 1305
ROBIN R. BLIXT, 9280
ANNE C. BROWN, 1817
ANDREW J. CASSIDY, 5821
ILUMINADA S. CHINNETH, 9630
SHIRLEY B. CRUMPTON, 0460
DONALD D. DENDY, 8562
GERALD M. GATES, 2752
ROBERT G. HARMON, 0051
KEITH F. HOLLIDAY, 1849
JAMES F. HOWELL, 6520
ROBERT L. KENT, 6582
JANET R. KROPF, 3911
REBECCA J. LISI, 7006
JUDITH M. LOGAN, 4123
LEONETTA T. OLIPHANT, 7781
PATRICIA A. ONEALMELLEN, 6639
FLOREYCE A. PALMER, 4934
CYNTHIA N. PHILLIPS, 8144
CINDY S. RENAKER, 8318
DONNA S. RUMFELT, 6660
COLLEEN A. SHIRAISHI, 6455
LORI A. SKINNER, 9908
NANCY M. STEELE, 6203
BRIAN R. THOMAS, 0597
RUTH J. TIMMS, 6018
JEFFREY L. WELLS, 3524

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

HAZEL P. HAYNES, 6554
RICKY J. RODGERS, 4683
STEFAN SHERMAN, 0984
JON A. SHNEIDMAN, 6291

To be lieutenant colonel

MICHAEL D. BARNES, 1691
ROBERT G. HALE, 4394
PHILIP D. PARK, 8343
JACK N. SEIDENBERG, 5663
JAMES WOOD, 3064

To be major

HOLMES C. AITA, 0138
BRIAN D. BARNHART, 3155
ANN BEHRENDS, 9638
RALF C. BEILHARDT, 5784
ROBERT E. BESSEY, 8364
JOHN E. BROCK, 9251
MATTHEW K. BRUNER, 7929
STEPHANIE CALHOUNJAMISON, 1216
JERRY M. CARBONE, 2893
MANUEL CASTILLO, 7731
DEEPTI S. CHITNIS, 5042
MYUNGSOOK CHO, 9063
SO B. CHOI, 9397
JAE W. CHUNG, 5221
CHARLES L. CLARK, 9721
STEPHEN E. CLARY, 0400
DANIEL J. CONVEY, 9980
ROBERT L. CRONYN, 6485
EDA P. DEMETRIUS, 8971
MICHAEL E. DINOS, 5000
EDWARD L. DONALDSON, 4149
DANIEL D. DUNHAM, 1738
RUSSELL S. EDDY, 8365
ALEX EKE, 2238
VESNA ELE, 3523
KENNETH J. ERLEY, 5102
MARK W. FAGAN, 8355
WILLIE R. FAISON, 6451
KURT B. FLECKENSTEIN, 7070
LISA A. FRANKLIN, 3272
ROBERT N. GALBREATH, 9057
ANA L. GARDNER, 2833
CRAIG M. GAYTON, 9915
JAMES J. GLAD, 4853
MICHAEL J. GLIDDON, 4626
MARRERO J. GONZALEZ, 2212
WILLIAM J. GREENWOOD, 9272
MICHAEL K. GREGORY, 9614
RAJDEEP S. GURAYA, 2055
ERIC A. HALL, 6021
BRETT H. HENSON, 1771
HERMANN F. HINZE, 4064
CHRISTENSEN HSU, 7265
MEHTAB HUSAIN, 7442
JAE I. HWANG, 0218
FAISON T. JONES, 9458
HEKYUNG L. JUNG, 0238
MICHAEL R. KERTES, 9833
TODD S. KIMURA, 2687
TIMOTHY A. KUHLMAN, 4848
ERIC J. KUNATH, 3157
DOUGLAS D. LANCASTER, 5345
CHRISTOPHER S. LEA, 5723
WILLIAM H. LOGAN, 0070
ANTHONY MAIORANA, 8720
KENNETH L. MARQUARDT, 3633
THONDIQUE T. MCGHEE, 1518
NEIL E. MOREY, 1623
SANDRA N. MUOGHALU, 8789*ERR03*
RICHARD PADRON, 5802
ANDREW D. PALALAY, 5723
DAVID E. PALO, 6979
DONG S. PARK, 9043
KIMBERLEY L. PERKINS, 0631
TODD E. PIENKOS, 4792
RICHARD V. RITTER, 5018
DAVID C. SCHAEFER, 6911
DAVID C. SCHLENKER, 4210
THOMAS K. SCHREIBER, 3227
JEAN C. SENECAL, 5204
ELIZABETH M. SHIN, 3250
YILDIZ T. SILTA, 2401
JON D. STINEMAN, 5190
ROBERT L. STONE, 0227
JASON C. STRANGE, 9227
JAMES M. SUTTON, 5263
TIMOTHY J. SWANSON, 5506
JOHN T. THOMPSON, 5929
DANIEL L. TREBUS, 8927
MICHAEL S. TROUT, 7642
EDWARD J. VANISKY, 3183
RICARDO J. VENDRELL, 4305
JOSE R. VILLANUEVA, 5308
RYAN J. WANG, 6498
ANDREW J. WARGO, 0122
TRENT WESTERNOFF, 5589
RICHARD L. WILLIAMS, 0609
STEPHEN WOLPERT, 0655
FREDERICK V. WRIGHT, 0686
GIA K. YI, 5162

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

BEN L. CLARK, 9581
RONALD C. HARRISON, 1414
MARY K. ROOU, 3332
STUART W. SMYTHE, 1661
REBECCA M. SPARACINO, 8115
RICHARD A. WALKER, 4838

To be major

JEFFREY H. BLUNDEN, 6733
GREGORY W. BREWER, 5493
MICHAEL G. CAMMACK, 9243
PEDRO A. CASAS, 7945
LYNNE A. CHINTALA, 6720
CHARLES R. DERIVERA, 2745
TAMMY L. FISH, 8568
CAROLYN E. FOTA, 6829
LINDA K. GLISSON, 0283
STANFORD M. LINDQUIST, 3911
JOHN PARSLEY, 6326
SHAWN I. PARSONS, 8404
KEVIN W. ROBERTS, 8694
HAROLD S. SANO, 4945
STEVEN A. SAWYER, 9136
ALAN E. SIEGEL, 4586
HENRY S. SULLY, 1803
JENNIFER L. WILLIAMS, 0391

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATE ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

LYNN F. ABRAMS, 0123
EDWIN L. ANDERSON, 2076
JOHN E. ATWOOD, 3895
DAVID M. BARTOSZEK, 8841
LEO L. BENNETT, 0706
JERRY M. BROWN, 5656
WILLIAM W. CAMPBELL, 6716
JESSE O. CAVENAR, 0880
CRAIG B. COLLIER, 2174
PAUL S. DROHAN, 8692
DAVID T. ESTROFF, 1277
BRUCE D. FRIED, 3896
PAUL E. GAUSE, 5839
THOMAS C. JEFFERSON, 9946
JOHN J. LAMMIE, 1676
BOBBILYNN H. LEE, 2839
MILTON LUM, 9963
DAVID MEYER, 4219
EDWARD J. PIENKOS, 1029
RAMON M. RUBIO, 3630
JAMES M. VEAZEY, 5329
ROCHELLE T. WASSERMAN, 8504

To be lieutenant colonel

GEORGE H. ALBRIGHT, 0718
JON C. ALLISON, 5803
DONALD R. ANDERSON, 8135
ARTHUR R. BAKER, 2577
LISA J. CARDO, 8397
ENRIQUE DELAGUARDIA, 5591
DONALD C. EDELHEIT, 3682
KATHRYN K. ELLIS, 4039
RAYMOND J. EMANUEL, 9637
ROBERT W. ENQUIST, 8256
GERRY B. FARMER, 1148
TINA GARDNER, 3248
DIEGO J. GONZALEZ, 3276
KIRBY R. GROSS, 7844
CARTER J. HALE, 2609*ERR03*
EDWARD C. HORWITZ, 7318
CHARLES J. KESSLER, 5462
AIZENHAWAR J. MARROGI, 0060
RAFAEL V. MORA, 1869
MOSES T. MUKAI, 2025
STEPHEN R. NOVEMBER, 3434
FERNANDO L. ORTIZ, 4557
JOHN J. OSBORN, 6440
ELLEN M. PINHOLT, 9190
JOEL ROSEN, 9763
STEPHEN M. ROSENBAUM, 8888
EUGENE R. ROSS, 7357
GUNTHER J. SHEN, 6871
WILLIAM A. SMITH, 7975
HENRY SPRING, 3150
ROBERT W. STEWART, 5044
RICHARD L. WIGLE, 0526
THOMAS W. WISENBAUGH, 5564

JACINTO ZAMBRANO, 9100

To be major

JACOB W. AARONSON, 4660
VICTOR A. AGNELLO, 5138
ELIZABETH G. AKAKA, 2083
MICHAEL C. ALBRECHT, 2841
TODD S. ALBRIGHT, 7183
GREGORY D. ALES, 3277
NOEL C. ALES, 7241
WARREN L. ALEXANDER, 2229
HERMINEE O. ALEXANIAN, 7395
DONALD W. ALGEO, 0557
RONALD D. ALLEN, 1738
COLEMAN E. ALTMAN, 7412
GAURI V. ALVAREZ, 8761
DARIUS K. AMJADI, 4701
CRAIG J. AMNOTT, 5389
MARIA E. ARCILA, 0438
AMY J. ASATO, 1087
JAYSON D. AYDELOTTE, 0344
DOUGLAS A. BADZIK, 7621
REGINALD L. BAKER, 1459
TIKI BAKHSHI, 8382
TIMOTHY J. BALLING, 9904
LESLEE I. BALLSCOVEL, 8666
DONALD A. BALUN, 3397
TAMRA L. BARKER, 1681
DANIEL R. BARNES, 4541
JEFFREY G. BARNES, 0894
TIMOTHY P. BARRON, 7150
DAVID M. BARRUS, 9037
LEE J. BARTON, 1136
STEVEN J. BAUER, 2528
SUE E. BAUM, 9264
WILLIAM K. BAXTER, 7845
DOUGLAS B. BEECH, 9078
ALEC C. BEEKLEY, 3021
PHILIP J. BELMONT, 0188
THERESA A. BENCHOFF, 7303
ROBERT E. BENJAMIN, 9692
PAUL D. BENNE, 4984
CHRISTOPHER J. BENNETT, 1209
STEVEN P. BENNETT, 7004
ADAM J. BENSON, 6757
JOHN A. BENSON, 6226
MICHAEL J. BENSON, 6323
KENNETH R. BERGMAN, 0447
GREGORY M. BERNSTEIN, 4196
REONO BERTAGNOLLI, 2111
GLENN T. BESSINGER, 4953
RICHARD A. BICKEL, 6256
DANIEL P. BIGLEY, 7023
JOHN S. BIRCHFIELD, 1811
JAMES D. BISE, 8304
RACHEL J. BISHOP, 2853
KELLY S. BLAIR, 1110
ROBERT B. BLANKENSHIP, 1036
JASON R. BOOLE, 8131
MARK E. BOSELEY, 4091
DANIEL J. BOUDREAUX, 5619
BARBARA L. BOWSHER, 2387
STEVEN M. BRADY, 2230
GREGORY T. BRAMBLETT, 8589
JAMES B. BRANCH, 2917
TIMOTHY C. BRAND, 9829
STEPHEN A. BRASSELL, 3391
JOHN P. BRIDE, 8091
MIGUEL A. BRIZUELA, 5401
ROGER D. BROCKBANK, 0421
MARK C. BROWN, 3375
STEPHEN J. BROWN, 1199
ADAM G. BUCHANAN, 6031
CHARLES P. BUCK, 9529
PETER J. BUCKLEY, 4915
STEPHEN J. BUETOW, 1796
RICARDO M. BURGOS, 4675
CLAUDE A. BURNETT, 9320
RICHARD F. BURROUGHS, 7117
DAVID M. BUSHLEY, 2588
RAJ C. BUTANI, 1134
THOMAS E. BYRNE, 4155
TIMOTHY J. CAFFREY, 8787
ARTHUR B. CAJIGAL, 4078
WARNER W. CARR, 9434
SEAN T. CARROLL, 3146
VICTORIA W. CARTWRIGHT, 5598
ANNE L. CHAMPEAUX, 7913*ERR03*
JOHN R. CHANCE, 6392
JAMES H. CHANG, 9933
RODNEY C. CHARLES, 6714
RICHARD Z. CHENG, 2741
AUSTIN H. CHHOEU, 0591
CHARLES J. CHITWOOD, 4109
MARY CHOI, 3050
WANHEE CHOI, 2543
KAO B. CHOU, 5632
DAVID A. CLARK, 3683
ANNETTE R. CLARKBROWN, 8911
MICHAEL E. CLICK, 8992
DAVID S. COBB, 5179
MATTHEW A. CODY, 3357
MICHAEL I. COHEN, 2676
DAVID W. COLE, 5516
MARTHA E. COLGAN, 7441
GEORGE R. COLLINS, 6126
JOHN D. COMPLETO, 3535
BRENDON R. CONNOLLY, 5781
AMY B. CONNORS, 2072
ALAN D. CONWAY, 9877
PATRICK R. COOK, 2080
ELLIS O. COOPER, 7654
MARC A. COOPER, 9132
GEORGE L. COPPIT, 7897
MARK J. COSSENTINO, 7484
CORY N. COSTELLO, 3344
DANIEL J. COSTIGAN, 9680
CHRISTOPHER R. COTE, 0259
MICHEL A. COURTINES, 5836
EUGENE D. COX, 1276
DONALD M. CRAWFORD, 5100
ROBERT F. CROWE, 7292
PETER J. CUENCA, 4415
REID E. CULTON, 5386
GEORGE H. CUMMINGS, 4457
PAUL J. CUNNINGHAM, 4013
TIMOTHY M. CUPERO, 8783
BRIAN B. CUSHING, 9255
SCOTT R. DALTON, 0186
CHRISTINE M. DALY, 2209
GREGORY G. DAMMANN, 2175
JULIET M. DANIEL, 4161
RUSSELL A. DAVIDSON, 4504
JASON L. DAVIS, 0708
KEPLER A. DAVIS, 2552
KURT G. DAVIS, 0282
MICHAEL D. DAVIS, 1040
ROBERT W. DAVIS, 0150
RUSSELL O. DAVIS, 6014
SHELTON A. DAVIS, 8594
KELLY L. DAWSON, 1695
JEFFREY A. DEAN, 8760
ALAN J. DEANGELO, 9400
CARL W. DECKER, 0488
MATTHEW J. DEETER, 5873
WILLIAM S. DEITCHE, 1050
TROY M. DENUNZIO, 9325
PETER G. DEVEAUX, 8685
VICTOR A. DEWYEA, 7264
KENT J. DEZEE, 4056
BART M. DIAZ, 4618
TIMOTHY J. DICKASON, 7214
CHARLES S. DIETRICH, 4772
JENNIFER B. DISMUKES, 7108
MINHLUAN N. DOAN, 5666
KRISTIN J. DOBAY, 8226
MARTIN DOPERAK, 4433
KEVIN M. DOUGLAS, 8429
TIMOTHY J. DOWNEY, 5611
ANDREW E. DOYLE, 3157
JEFFREY DREXLER, 3102
GARY J. DROUILLARD, 8130
TIM D. DUFFY, 3040
PETER M. DUNAWAY, 7010
MARTEN B. DUNCAN, 6791
BASKAR S. DUVAL, 6654
ROBERT E. ECKART, 5870
MARY E. EDGECOMB, 1606
JESS D. EDISON, 8025
KURT D. EDWARDS, 8291
MARSHALL E. EIDENBERG, 5110
ERIC E. ELGIN, 9438
ANTHONY R. ELIAS, 8383
MICHAEL W. ELLIS, 7892
JAY C. ERICKSON, 7217
THERESA M. ESSEN, 5431
ANDRE FALLOT, 0717
TOMAS M. FERGUSON, 6793
CHRISTOPHER A. FINCKE, 7088
LAURENCE D. FINE, 6833
LOUIS N. FINELLI, 9412
ANDREW FLETCHER, 7971
MICHELLE S. FLORES, 4860
JOSEPH M. FLYNN, 5443
LISA M. FOGLIA, 3000
ANTHONY M. FOLEY, 5181
SUSAN R. FONDY, 6398
CHARLES J. FOX, 5092
FRANKLIN W. FREDERICK, 2744
MICHAEL E. FREY, 5856
TODD FUNKHOUSER, 4151
DAVID Y. GAITONDE, 4747
KEVIN J. GANCARCZYK, 1104
VINAYA A. GARDE, 5087*ERR03*
ROBERT P. GARNETT, 6411
PAUL D. GARRETT, 9598
MITCHELL A. GARRISON, 2497
ALAN D. GATLIN, 1831
CASEY J. GEANEY, 5104
ROGER L. GELPERIN, 7575
PHILIP J. GENTLESK, 4918
LYNN M. GIARRIZZO, 0389
MARK C. GIBBONS, 9125
BARNETT T. GIBBS, 0595
JOHN GODINO, 2892
EDUARDO R. GODOY, 6585
DENISE L. GOKSEL, 0661
KIRSTEN A. GOLDHAMMER, 0377
BENJAMIN S. GONZALEZ, 8790
RODNEY S. GONZALEZ, 4501
RAYMOND G. GOOD, 7047
CHARLES M. GOODEN, 8168
CHRISTOPHER G. GORING, 5280
ANDREW C. GORSKE, 3730
JENNIFER L. GOTKIN, 8618
JOSEPH D. GRAMLING, 0073
SHAWN P. GRANGER, 6134
JENNIFER A. GRECO, 6705
JOHN GREEN, 9051
MARK E. GREEN, 3230
JEFFERY P. GREENE, 1714
BRIAN C. GRIFFITH, 7613
KATHLEEN R. GROOM, 2814
BRET A. GUIDRY, 1465
ROBERT J. GUSTAFSON, 7034
THOMAS S. GUY, 3560
DAVID D. HAIGHT, 1350
MARK I. HAINER, 6302
CHARLES G. HAISLIP, 1501
CHAD A. HALEY, 6771
TIMOTHY F. HALEY, 4385
CHRISTOPHER S. HALL, 9002
DANIEL J. HALL, 0595
KATRINA D. HALL, 3181
MARK A. HALL, 4605
ADAM H. HAMAWY, 8243
MARC R. HAPPE, 4073
MOHAMAD I. HAQUE, 0134
KYLE C. HARNER, 4370
MICHAEL C. HARNISCH, 9214
FREDERICK B. HARRIS, 4295
STEPHEN A. HARRISON, 2027
SCOTTE R. HARTRONFT, 1289
BONNIE H. HARTSTEIN, 5224
MICHAEL D. HENRY, 0863
MATTHEW J. HEPBURN, 2551
DAVID S. HEPPNER, 0584
DEMETRICE L. HILL, 5038
KEITH J. HILL, 0988
MICHAEL W. HILLIARD, 2265
JOHN V. HIRSCH, 6745
DARRYL S. HODSON, 9024
CHRIS A. HOFLAND, 1495
ANNA D. HOHLER, 1809
SEAN A. HOLLONBECK, 4550
MICHAEL S. HOOKER, 0782
AARON Z. HOOVER, 0173
LANCE R. HOOVER, 4056
NANCY G. HOOVER, 0600
EDWARD E. HORVATH, 6503
LYNN L. HORVATH, 5222
JOSEPH R. HSU, 0923
CHRISTOPHER W. HUMPHREYS, 3793
HAROLD E. HUNT, 4155
MARC E. HUNT, 6684
FAHEEM HUSSAIN, 3237
THOMAS R. HUSTEAD, 6806
JOHNSON ISAAC, 3383
WILLIAM L. JACKSON, 4207
AARON L. JACOB, 2797
JON R. JACOBSON, 0183
ERIC R. JENSEN, 9931
ROBERT W. JENSEN, 2935
ANTHONY E. JOHNSON, 8417
CHRISTOPHER M. JOHNSON, 1612
JEREMY S. JOHNSON, 5727
JONI J. JOHNSON, 8521
KARIN A. JOHNSON, 9445
DANIEL T. JOHNSTON, 4193
CHRISTOPHER B. JONES, 8375
DAVID P. JONES, 2586
JENNIFER E. JORGENSEN, 3348
ALINA J. JOYCE, 5775
DANIEL B. JUDD, 2688
JENNIFER S. JURGENS, 3696
VALLIE KAPRELIAN, 7582
DEAN E. KARAS, 4563
JEFFREY A. KAZAGLIS, 8951
PAUL B. KEISER, 9156
MATTHEW J. KELLY, 2462
WILLIAM F. KELLY, 0563
DARIN N. KENNEDY, 5431
STEVEN M. KENT, 4236
BRUCE R. KENWOOD, 2001
DAVID J. KERSBERGEN, 7436
LLOYD H. KETCHUM, 7714
ANDREW C. KIM, 9010
JAMES Y. KIM, 6125
SAM Y. KIM, 3911
BOOKER T. KING, 2991*ERR03*
KEVIN M. KING, 3824
ELIZABETH R. KINZIE, 3460
KEVIN KIRK, 1121
DAVID P. KLINGENSMITH, 0093
ROBERT P. KNETSCHE, 6080
JON F. KNICKREHM, 0985
CATHERINE L. KODAMA, 4268
JONATHAN M. KOFF, 0591
JOSEPH F. KOSINSKI, 3891
SEAN C. KOSKINEN, 2640
CHRISTINE M. KOVAC, 0204
KURTIS L. KOWALSKI, 2929
PAUL W. KRANTZ, 6562
TONYA M. KRATOVIL, 7801
GENE L. KRISHINGNER, 6911
MARY V. KRUEGER, 0298
PATRICIA M. KULAS, 2878
KEVIN J. KULWICKI, 4405
MARKIAN G. KUNASZ, 2821
GEORGE M. KYLE, 1446
CRAIG S. LABUDA, 9687
JAVIER E. LAGUNARAMOS, 9163
MICHAEL T. LAKE, 9781
PETER T. LAM, 2131
JAMES G. LAMPHEAR, 8498
ANDREW L. LANDERS, 7133
JENNIFER M. LANE, 0175
JENNIFER T. LANGE, 3398
GEORGE B. LANTZ, 6463
PENNY L. LARSON, 0621
BRENT L. LECHNER, 5625
CHERYL L. LEDFORD, 5657
EVAN H. LEE, 3801
JAMES R. LEE, 9009
JOSEPH Y. LEE, 0785
TIMOTHY C. LEE, 6176

DAVID B. LEESER, 5640
RONALD LEHMAN, 2325
COLLEEN M. LENNARD, 8877
ERIC N. LEONG, 8993
JEFFREY A. LEVY, 3816
JACK E. LEWI, 3805
FELISA S. LEWIS, 5269
ROBERT B. LIM, 7112
ROMEO N. LIM, 4549
KRISTEN M. LINDELL, 3610
PETER A. LINDENBERG, 2073
CHRISTOPHER T. LITTELL, 9928
JOHN D. LIVERINGHOUSE, 7015
JOSEPH K. LLANOS, 8543
ALEX LOBERARODRIGUEZ, 3301
YINCE LOH, 1413
DARA D. LOWE, 8340
KRISTIE J. LOWRY, 4699
JAMES B. LUCAS, 4225
PEDRO F. LUCERO, 5934
VINH D. LUU, 1837
MIGDALIA MACHADO, 9790
CARLINA MADELAIRE, 6927
CHETAN P. MAINGI, 1969
MARSHALL J. MALINOWSKI, 6270
MICHAEL A. MALLOY, 2360
ROBERT F. MALSBY, 3180
ANTHONY C. MANILLA, 4329
UMESH S. MARATHE, 0973
JOHN O. MARSHALL, 4198
CHRISTOPHER R. MARTIN, 3946
GREGORY J. MARTIN, 7115
JONATHAN E. MARTIN, 3136
NICHOLAS A. MARTYAK, 2144
MARYANN MASONE, 3069
PHILLIP L. MASSENGILL, 4097
MATTHEW L. MASTERSON, 6079
PARNELL C. MATTISON, 9486
DOUGLAS MAURER, 7573
JAMES R. MAXWELL, 7230
BRYCE C. MAYS, 0368
JOHN P. MAZA, 9658
TAMARIN L. MCCARTIN, 4269
STEWART C. MCCARVER, 3242
LARRY J. MCCORD, 0351
EDWARD L. MCDANIEL, 2861
MYRON B. MCDANIELS, 1209
GAYLE P. MCDERMOTT, 0983
MICHAEL H. MCGHEE, 1978
LISA H. MCGRAIL, 7079
CHRISTOPHER K. MCGRAW, 2706
BRIAN T. MCKINLEY, 1536
LEAH P. MCMANN, 0163
JOEL W. MCMASTERS, 5704
MARK K. MCPHERSON, 7536
CHRISTOPHER D. MEDELLIN, 1325
COLIN A. MEGHOO, 5491
DAVID E. MENDOZA, 6853
WILLIAM A. MERCANTI, 6078
RANDALL M. MEREDITH, 8321
VINCENT M. MESSBARGER, 1095
JERRY A. MICHEL, 7185
ROBERT L. MILLER, 0681
JEANNE P. MITCHELL, 2222
MICHAEL J. MOFFATT, 9861
MARIA C. MOJICAOROURKE, 3102
MEREDITH L. MONA, 0549
TIMOTHY P. MONAHAN, 4911
SEAN P. MONTGOMERY, 5138
JAIME L. MONTILLASOLER, 1952*ERR03*
VINCENT P. MOORE, 8985
SCOTT C. MORAN, 0508
JEFFREY S. MORGAN, 4255
TOMMY J. MORGAN, 7017
JAMES J. MORRIS, 1986
STEPHEN M. MORRIS, 2924
PAUL M. MORRISSEY, 9284
PABLO M. MOUJAN, 1497
JEANNIE M. MUIR, 7414
BRIAN P. MULHALL, 3134
CHARLES R. MULLIGAN, 0088
JEFFREY B. MUSSER, 4188
OTHA MYLES, 4450
MALCOLM G. NAPIER, 6063
JOHN J. NAPIERKOWSKI, 6225
RAJEEV NARAYAN, 3199
ROBERT J. NEWSOM, 1466
TOM L. NGUYEN, 4063
NHAT NGUYENMINH, 6157
NERIS M. NIEVESROBBINS, 5448
ALEXANDER S. NIVEN, 1209
MARK W. NOLLER, 0133
TIMOTHY C. NUNEZ, 6987
RONALD P. OBERFOELL, 6471
SETH D. OBRIEN, 7591
KATHRYN R. ODONNELL, 7221
FELIX O. ODUWA, 6402
JOHN S. OH, 8441
ROBERT C. OH, 3627
LISA J. OLSEN, 7767
RICARDO C. ONG, 2994
JOSEPH R. ORCHOWSKI, 4405
ERIK C. OSBORN, 5454
ELIZABETH A. OTTNEY, 3967
CLIFTON S. OTTO, 2560
BRETT D. OWENS, 9996
JIMIE D. OWSLEY, 9599
LAURA A. PACHA, 4172
JOHN M. PAGE, 4849
DOUGLAS W. PAHL, 5475
MARK P. PALLIS, 8815
NICHOLE A. PARDO, 9230
JASON D. PARKER, 0303
MICHAEL E. PARKER, 7680
MICHAEL A. PELZNER, 9917
EDUARDO J. PEREZ, 4026
JAMES L. PERSSON, 0207
ANDREW C. PETERSON, 7553
CECILY K. PETERSON, 4173
ANDREW W. PIASECKI, 1877
JUAN S. PICO, 4167
MICHAEL PIESMAN, 4257
JEFFREY D. PINCO, 2066
ROBERT C. PIOTROWSKI, 1799
ROGER D. POLISH, 9705
MEREDITH L. PORTER, 7196
MARK B. POTTER, 2810
CHRISTOPHER R. POWERS, 8548
AMY E. PREEN, 6366
MARTIN T. PREEN, 9996
DAVID N. PRESSMAN, 5374
MICHAEL W. PRICE, 5708
ROBERT C. PRICE, 9552
CHRISTOPHER M. PRIOR, 5589
REAGAN W. QUAN, 8864
DAVID M. QUINN, 5699
AMIR M. RABII, 6881
KRISTOFER A. RADCLIFFE, 6214
MITCHELL J. RAMSEY, 1283
BRADEN R. RANCE, 5751
ELDEN R. RAND, 2545
JOSEPH W. REARDON, 3239
RUTH A. REARDON, 9611
SCOTT T. REHRIG, 8693
SHON A. REMICH, 6131
THOMAS B. REPINE, 9619
JENNIFER N. REYNARD, 0143
JOEL C. REYNOLDS, 6533
MARK E. REYNOLDS, 0786
PAUL R. REYNOLDS, 4528
THOMAS J. RICHARD, 1060
TRAVIS B. RICHARDSON, 8012
ROBERT RIDOUT, 5753
MIN S. RO, 4693
TZVI ROBBINS, 8606
STEPHEN S. ROBERTS, 1314
DONALD W. ROBINSON, 4881
SUSAN M. ROBINSON, 9289
ACEVEDO F. ROBLES, 5438
JONATHAN D. ROEBUCK, 4695
RICHARD A. ROLLER, 2144
JORGE L. ROMEU, 6546
SCOTTIE B. ROOFE, 1466
RICHARD C. ROONEY, 9193
WAYNE L. ROSEN, 0968
ALEX ROSIN, 6136
MICHAEL K. ROSNER, 4981
RONALD D. ROSS, 5400
JASON E. ROTH, 0036
MICHAEL C. ROYER, 6330
ALLEN D. RUBIN, 7449
ROBERT K. RUSSELL, 1617
GAYLE B. RYAN, 4301
SAIRA H. SAINI, 3654
SCOTT A. SALMON, 8556
CHRISTOPHER K. SANBORN, 0477*ERR03*
KENNETH C. SANDS, 8939
HAYRI E. SANGIRAY, 0350
IDA M. SANTIAGOMALDONADO, 4520
ROBERTO J. SARTORI, 4545
ALAN D. SBAR, 7303
CARRIE L. SCHMITT, 9871
BRETT J. SCHNEIDER, 5204
BETH A. SCHULZBUTULIS, 9182
RAFAEL A. SCHULZE, 4253
JENIFER L. SCHWARZ, 0255
DEAN A. SEEHUSEN, 9265
ROBERT F. SETLIK, 3257
ANDREW J. SHAPIRO, 5512
DAVID J. SHAW, 1901
SCOTT B. SHAWEN, 7242
PAULA J. SHEPHERD, 4118
HAN S. SHIN, 1535
ERIC A. SHRY, 3720
GRADY V. SHUE, 3625
CASTANEDA A. SIEROCKA, 3766
MARK L. SIMMONS, 7242
CLAYTON D. SIMON, 7619
JAMES F. SIMON, 4475
CHAD M. SISK, 0552
JOHN F. SLOBODA, 3541
ERIC B. SMITH, 8509
ERIC L. SMITH, 3260
JONATHAN K. SMITH, 6089
KAREN E. SMITH, 5303
MARSHALL H. SMITH, 4838
MICHAEL E. SMITH, 5380
REGINALD M. SMITH, 6976
SIDNEY B. SMITH, 6413
TAIIL T. SONG, 2000
BRIAN J. SONKA, 7807
HARLAN L. SOUTH, 9939
PHILIP C. SPINELLA, 6818
JONATHAN R. STABILE, 7759
MICHAEL G. STANLEY, 0091
MICHAEL J. STARKEY, 2029
SCOTT R. STEELE, 8139
JAMES J. STEIN, 3013
TRENT D. STERENCHOCK, 0908
TRACY K. STEVENS, 3850
CHARLES A. STILLMAN, 2929
DEREK J. STOCKER, 8914
KENNETH E. STONE, 7223
ANN M. STRAIGHT, 8342
WILLIAM J. STRIMEL, 1990
BYRON K. STROTHER, 0712
BRAD STRUMWASSER, 8284
PREM S. SUBRAMANIAN, 7722
PHILIP S. SUH, 6613
RYUNG SUH, 1681
LANCE E. SULLENBERGER, 6760
ANTHONY SULLIVAN, 5956
MARY P. SULLIVAN, 9453
NAOMI R. SULLIVAN, 4794
JAN S. SUNDE, 7181
DANIELLE C. SUYKERBUYK, 4550
STEVEN J. SVOBODA, 9935
CHRISTOPHER W. SWIECKI, 3413
COSIMA C. SWINTAK, 7817
TING J. TAI, 8289
SIMON H. TELIAN, 8297
RENEE Q. THAI, 4398
DARRYL B. THOMAS, 8908
DAVID E. THOMAS, 7450
STEPHEN J. THOMAS, 3976
MARCEL D. THOMPSON, 0173
JOHN E. THORDSEN, 4546
ALVIN Y. TIU, 0527
JOSHUA A. TOBIN, 7723
ERNESTO TORRES, 0646
SEBASTIAN T. TOSTO, 5952
MARK TRAWINSKI, 3185
LEROY J. TROMBETTA, 7605
ALEXANDER G. TRUESDELL, 6715
VU TRUONG, 5588
CREIGHTON C. TUBB, 4220
JULIE A. TULLBERG, 5444
JOSEPH C. TURBYVILLE, 4865
TIMOTHY M. UENG, 3540
NELSON G. UZQUIANO, 2822
FRANK E. VALENTIN, 9310
DAVID J. VANGURA, 8143
MARISOL VEGADERUCK, 9407
JOHN J. VERGHESE, 0417
BRIAN K. VICKARYOUS, 6443
NICHOLAS J. VIETRI, 8656
FELIPE D. VILLENA, 1058
JEFFREY A. VOS, 9446
RODNEY C. WADLEY, 1702
KIRK H. WAIBEL, 9435
MATTHEW C. WAKEFIELD, 8970
ROXANNE E. WALLACE, 8250
PAUL J. WALTING, 9047
SANDRA M. WANEK, 9032
MICHAEL B. WATTO, 7656
BRUCE K. WEATHERS, 5696
CHARLES W. WEBB, 4411
HEIDI L. WEBSTER, 9592
ALBERT C. WEED, 9895
ALDEN L. WEG, 3718
ERIC D. WEICHEL, 4877
ALAN G. WEINSTEIN, 1981*ERR03*
ROBERT R. WELCH, 2093
KENNETH R. WEST, 5863
ROBERT R. WESTERMEYER, 9204
LORYKAY W. WHEELER, 6039
DEREK C. WHITAKER, 5244
CHRISTOPHER E. WHITE, 0222
EDWARD A. WHITE, 2094
WENDY J. WHITFORD, 8089
KEVIN R. WHITNEY, 2927
JEAN S. WHITTEN, 0783
ANNETTE S. WILLIAMS, 3840
MYREON WILLIAMS, 4922
JOHN K. WILSON, 0421
JENNIFER S. WINK, 9193
JOSHUA B. WINSLOW, 3411
JEFFERY L. WOLFF, 6471
DAVID W. WOLKEN, 7953
ROBERT N. WOODMORRIS, 5375
BRADLEY K. WOODS, 5831
JOHNNIE WRIGHT, 3143
TANYA M. WROBLEWSKI, 0348
EYAKO K. WURAPA, 4872
ELINA T. XANOS, 4573
FARIDEH YOOSEFIAN, 6040
GERALD E. YORK, 1898
AMY L. YOUNG, 1646
RICARDO M. YOUNG, 9035
ROBERT T. ZABENKO, 7924

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 531:

To be major

CHRISTOPHER J. GALFANO, 4498
SEAN M. HURLEY, 7031
KRISTA A. MCKINLEY, 5427
MICHAEL W. MONBOUQUETTE, 8627
JEFFREY M. OPSITOS, 2345
RUSSELL W. PARKER, 1015

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ZINA L. RAWLINS, 7269

HOUSE OF REPRESENTATIVES—*Wednesday, June 14, 2006*

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LATHAM).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 14, 2006.

I hereby appoint the Honorable TOM LATHAM to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

Monsignor Edward F. Jordan, Pastor, St. John Neumann Catholic Church, Austin, Texas, offered the following prayer:

O God, we ask Your guidance for the men and women who serve their country in this House of government. Give them the wisdom to understand what is truly good for the citizens who have elected them, and the courage to frame the best possible laws to achieve this good.

Bless and protect their families and friends who have shared with them the challenging tasks of seeking public office and serving their Nation before the gaze of all.

On this day, when we honor the flag, the symbol of our Nation, keep us mindful of those men and women who have given their lives in war and in peace that we may enjoy laws that support our liberty.

Furthermore, we seek Your guidance for all the citizens of this Nation as they offer their chosen representatives both enthusiastic support and civil opposition in their honorable work of governing. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Washington (Mr. INSLEE) come forward and lead the House in the Pledge of Allegiance.

Mr. INSLEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

HONORING MONSIGNOR EDWARD JORDAN

(Mr. MCCAUL of Texas asked and was given permission to address the House for 1 minute.)

Mr. MCCAUL of Texas. Mr. Speaker, I rise today to pay tribute to a great man, a man of God, a man of faith, a man who has devoted his entire career, indeed his entire life, to the service of his fellow man.

Monsignor Edward Jordan, who offered this morning's prayer for the House of Representatives, is revered, admired, and loved by all in his congregation and by all those whose life he has touched. He is the voice and shepherd of our parish at St. John Neumann's Catholic Church in Austin, Texas.

Born in Springfield, Ohio, Monsignor Jordan entered the priesthood after receiving his doctorate in theology from the Angelicum University in Rome. From there he served and strengthened the Catholic Church and its flock in central Texas for over four decades.

It has been a great privilege to call Monsignor Jordan my pastor. And everyone who knows him experiences the true message of Christ. In his words and in his deeds, and above all, in his heart, his example is a beacon of light which draws us all closer to the Creator. His faith and devotion to the life of Christ is an inspiration to us all.

Both as a candidate and as a Member of Congress, Monsignor Jordan gave me the spiritual guidance and taught me the true meaning of sacrifice and public service. He baptized my triplets, not an easy accomplishment, and he administered the Sacrament of Holy Communion to my oldest daughters.

And while his retirement this Sunday marks the end of one spiritual journey, it also marks the beginning of another.

As you move on from your official role within the Church, you will always remain our shepherd, our spiritual leader, and, above all, our friend. Monsignor Jordan, I know that I speak for all of us in the Catholic community when I say that we will miss you, but we know that you will always be there for your flock.

I am reminded of the Gospel of Matthew when Jesus said, "Let your light so shine before men that they may see your good works and glorify your Father who is in heaven." May the peace of Christ be with you and may He hold you in the palm of his hand.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 one-minute speeches on each side.

FEMA IS "THE" DISASTER

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, when hurricane disaster hit Louisiana and Texas, many people suffered, and many people profited on this misfortune. To the rescue was FEMA. But the phrase itself brings fear and trepidation into the hearts and souls of those affected by this disaster.

Why? Many people that needed help never got it and never will. But some people did get help, and they profited on this disaster, and FEMA paid for it. The GAO says FEMA wasted $1.6 billion of taxpayer money, or 16 percent of all funding.

Thieves used unlawful money to get season football tickets, vacation at Hawaiian resorts for 2½ months, paid for a divorce lawyer, go to topless clubs, and, get this, even pay for a sex change operation. FEMA even sent money to prison inmates pretending to be hurricane victims.

Mr. Speaker, this ought not to be. FEMA should only be responsible for passing out toothbrushes to these thieves, because that is all they will need when they go to prison. If employees at FEMA are accomplices they should go to jail too. Hurricane season is back. But do not expect FEMA to help in the next disaster, they are the disaster.

And that's just the way it is.

IMAGE OF THE UNITED STATES

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, a respected opinion poll, just released, shows that the image of the United States has been seriously damaged around the world as we attacked and occupied Iraq.

The U.S. war against Iraq as seen worldwide is a threat to world peace. The poet Robert Burns once wrote, "Oh, would some power God give us to see ourselves as others see us." Because the world is interconnected and interdependent, it would be helpful for us to see why the people of other nations, especially those who have been our friends, not only oppose our actions in Iraq but also question the so-called war on terror.

We have lost so much for a war based on lies. Right after 9/11, many asked, why do "they" hate us? That was the time to begin reaching out to unite the world in our common aspiration for safety and security. Not through war and occupation, but through truth and reconciliation.

The human unity which we celebrate as a Nation under God should remind us that the God which watches over the United States watches over the entire world. We can bomb to pieces but we cannot bomb the world to peace.

This is the time for us to try again to unite the world in our common aspiration for peace and for human unity.

AFGHANISTAN

(Mr. KELLER asked and was given permission to address the House for 1 minute.)

Mr. KELLER. Mr. Speaker, I just returned from Afghanistan. I went there to personally thank our troops and to speak directly with President Karzai and our generals to see how things are going. They told me that the U.S. and Afghan forces are working successfully side by side against the Taliban fighters and al Qaeda terrorists.

They are also working together to build roads, bridges, and schools to help change hearts and minds over the long term. As I rode down the streets of Kabul, I saw little boys and girls skipping on their way to school, carrying their American book bags. When the Taliban was in charge, there were no girls in school, and the country had an 80 percent illiteracy rate.

Now there are 6.7 million Afghan children in school. I met with several of the 68 women who were recently elected to Afghanistan's Parliament. They are excited about their new-found freedom and democracy. The Taliban are hoping that democracy in Afghanistan will fail so they can return to power. But the people there have tasted freedom and they like it.

URGING ACCOUNTABILITY FOR TAXPAYER DOLLARS

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Mr. Speaker, this Congress has cut and run from its responsibility of oversight, to ensure that the taxpayer money is spent wisely. By last count, nearly $10 billion of the funds set aside for Iraq reconstruction cannot be found. Vanished. $10 billion gone.

And now the Government Accountability Office reports that 16 percent of the aid distributed after Katrina, $1.4 billion, was spent fraudulently. Some of the money went to pay for a bottle of Dom Perignon, Caribbean vacations, "Girls Gone Wild" videos.

That may be one heck of a vacation, but it is a horrendous use of the taxpayer dollars. Instead of rooting out incompetence and fraud and waste and abuse, the Congress has actually protected it. No oversight. No accountability.

By failing in their oversight responsibility, by failing to ask the tough questions and hold the administration accountable for their actions, the Republican Congress is a willing accomplice to the greatest taxpayer ripoff since the Teapot Dome. We just sent an additional $94.5 billion to Iraq and the gulf coast without a single act of accountability or oversight. It is time for a change. It is time for a new direction.

FOCUS ON WHAT IS REALLY HAPPENING IN IRAQ

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, democracy dealt terrorism another major blow last week with the defeat of Abu Musab al-Zarqawi, the mastermind behind countless brutal acts of terror.

This was a crucial victory for Iraq's new democracy, and major setback for the terrorists who seek to destroy that democracy.

Mr. Speaker, we all know the sacrifices our military has made to ensure our freedoms and our safety. They fought bravely and served honorably. That is why I cannot understand why some members of the press and some of my colleagues on the other side of the aisle put a negative spin on our military's accomplishments.

These folks need to focus on the great progress we are making and stop listening to liberal newspaper editorial columns. Last week's silencing of al Qaeda's top leader in Iraq should silence their false views on the war on terror.

Mr. Speaker, I would like to close with a quote by an Army major serving his third tour in Iraq. "For every vividly portrayed suicide bombing, there are hundreds of thousands of people living quiet, if often uncertain, lives. For every depressing story of unrest and instability, there is an untold story of potential and hope. The impression of Iraq as an unfathomable quagmire is false and dangerously misleading."

RUBBER-STAMP CONGRESS

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute.)

Mr. McDERMOTT. Mr. Speaker, I brought my rubber stamp to the floor today because I want to remind everyone that tomorrow you have got to bring your rubber stamps to endorse the President's proposal in Iraq.

The majority leader's plan is nothing more than let us do more of the same. Now, there is no plan from the White House. What they say, and listen to these words, when the Iraqis stand up we will stand down.

That gives the control to the clerics, from the Shiia and the Sunni. When they stop the civil war, then we can come home. We have put our troops under the control of the Sunni and Shiia clerics in Iraq. That is not supporting the troops.

We have to have a plan about when they come home. We will decide. We say there are 250,000 trained. And there are only 20,000 of those insurgents out there. How many do they have to train before they can handle 20,000 insurgents?

Well, the Iraqi clerics will tell us. Do not forget your rubber stamp tomorrow.

GUN CONTROL MYTHS

(Mr. McHENRY asked and was given permission to address the House for 1 minute.)

Mr. McHENRY. Mr. Speaker, the Washington Times reported last week that while firearms sales in the United States remained on the rise, gun-related crime and gun accidents are on the decline.

Figures released by the Treasury Department show that retail sales of firearms and ammunition rose by almost 3 percent in 2005. All told, 4.7 million new guns were sold during this past year. Yet government figures and independent statistics revealed that firearm crimes and accidental fatalities, including among youth, all trend downward.

A recent assault on the Mall, ironically involving one of the Capitol Police chief's children who was one of the victims, underscores the importance of making guns available to law-abiding citizens in Washington, DC.

Residents here deserve the same self-defense measures that we do in our individual States. The second amendment applies to all Americans, not just some. It does not take a constitutional scholar to figure that out.

Mr. Speaker, anti-gun activists attacking our second amendment rights are perpetuating a myth of more guns equals more violence. It is not true.

□ 1015

STOP GLOBAL WARMING

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, last week, the President of the Marshall Islands visited Bainbridge Island, Washington. In discussions with me he made a specific plea. He asked America and the U.S. Congress to finally do something about global warming. The reason he said that is that rising sea levels literally could drown his entire nation.

He basically told me that his entire nation could become the first nation state to be environmental refugees, and he said, you know, we don't hardly put any carbon dioxide in the air. You put 25 percent of all the carbon dioxide in the world into the air, and your Congress does nothing. I think he had a pretty good point.

While the science of global warming becomes unambiguous and inarguable and clear, this Congress has lined the pockets of the oil and gas companies with giant subsidies and done absolutely nothing about global warming. It is a tragedy.

You know, we have had a lot of Republicans historically to stand up for the environment, such as Teddy Roosevelt; Bill Ruckelshaus, who met with us yesterday, who said do something about global warming. We need some action instead of passivity.

U.S. FLAG MUST BE PROTECTED

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, it is Flag Day, and I rise in support of the Flag Protection Amendment. February 23, 1945, after surviving the bloodiest battle since Gettysburg, a platoon of marines trudged up Mount Suribachi on Iwo Jima with a simple task, to raise the American flag above the devastation below.

When the flag was raised by SGT Mike Strank and his platoon, history records that a thunderous cheer rose from our troops on land and on sea and in foxholes and on stretchers. By adopting the Flag Protection Amendment, we will raise Old Glory again.

We will raise her above the decisions of a judiciary that were wrong in the law and the history of our values. We will raise her above the cynicism of our time. Out of respect for those who served beneath it and those who died within the sight of it, we must say that there are boundaries necessary to the survival of freedom.

Let us pass the flag amendment and restore to Old Glory the modest protection of the law that she represents.

HOUSE GOP IGNORES THE ECONOMIC CONDITIONS OF AMERICA'S MIDDLE CLASS

(Mr. MEEKS of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEEKS of New York. Mr. Speaker, the House Republican Do-Nothing Congress refuses to do anything to address the economic conditions that have led to large majorities of middle class Americans feeling squeezed to make ends meet.

Since taking control of both the White House and the Congress 5 years ago, Republicans have chosen to focus their attention on America's wealthiest, claiming the benefits would trickle down to the middle class. Well, Mr. Speaker, the American people have waited for 5 years, and they have not seen any results.

Instead, they see a monthly paycheck today that is not much different than the one we received back in 2001. While their wages have stagnated a lot of their monthly costs have increased dramatically. Housing costs are at their highest levels in 14 years. Health care costs for the average family have increased more than $1,200. College tuition is up 40 percent and gas prices have doubled. The middle class is indeed squeezed, and yet they are getting no help from the Republican Congress that chooses to listen only to the wealthiest few.

Mr. Speaker, House Democrats are ready to take America in a new direction. We will start by listening to all of our constituents, not just the wealthy elite.

IRAQ AND THE WAR ON TERROR

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today to thank our brave servicemen and women for their exceptional work in fighting the global war on terror.

I recently spent time in Iraq with the 48th Brigade Combat Unit of the Georgia Army National Guard. This unit was doing some incredible humanitarian work for the Iraqi people, building schools and managing health clinics. Of course, these aren't the stories that you read about on the front page of the New York Times, so I want to share one with you today.

One evening during my trip, I was having dinner with a young sergeant named Keith Weathers. This sergeant would explain to me why his unit was doing so much to help the Iraqi people. Sergeant Weathers said it was because he and most Americans have hope and opportunity, and it was his mission to share the abundant opportunities our Nation enjoys with those struggling to achieve freedom in Iraq.

Mr. Speaker, our soldiers are bringing hope and opportunity for the Iraqi people every day. The war on terror is not an easy fight, nor is it an expedient fight, but it is undoubtedly the right fight.

I hope we all take Sergeant Weathers's words to heart and continue supporting our troops and their mission.

MINIMUM WAGE AMENDMENT

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Ladies and gentlemen, the American people want a new direction. And Mr. Speaker, yesterday the House Appropriations Committee finally acted on something that the House Republican leadership has refused to address for over a decade.

Finally, yesterday, the full Appropriations Committee passed the amendment to the Labor, Health and Human Services appropriations bill that will very gradually increase the minimum wage from $5.15 an hour to $7.25. Do you know that those who were working at the minimum wage in 1968, if today they were getting a comparable compensation, it would be over $9 an hour.

I commend the Appropriations Committee for passing this in a bipartisan fashion, because expanding economic opportunity for over 7 million hardworking wage earners, plus another approximately 9 million members of their family should not be a partisan issue.

Unfortunately, the Republican leadership has said they do not intend to allow us to vote on the House floor on this critical issue. Today's minimum wage is at its lowest level in 50 years. Let's change that for America's hardest working families.

PRISON FELLOWSHIP

(Mr. PITTS asked and was given permission to address the House for 1 minute.)

Mr. PITTS. Mr. Speaker, the Federal activist courts have dealt yet another blow to religious freedom in America. Earlier this month a Federal district court ruled that a faith-based prisoner rehabilitation program in an Iowa prison be shut down. The court ruled that the program sponsored by Prison Fellowship goes too far in blending church and state.

But consider the facts. The program is completely voluntary. The prisoners can opt out of it at any time. It is open to persons of all faiths or no faith, and prisoners are not required to assimilate into any certain faith in order to graduate into the program.

Mr. Speaker, this is sad news for those who wish to see prisoners undergo real change and rehabilitation. This program works. Their recidivism rate is only 8 percent for their graduates compared to about 80 percent for the prison system.

Having worked with Prison Fellowship since its founding 30 years ago, I can personally attest to the tremendous life-changing success it has had in our Nation's prisons for many, many prisoners. This ruling seeks to stop a very successful program of change or renewal. For the sake of our prison population, I hope it is overturned.

THE BUDGET DEFICIT

(Mr. SCOTT of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCOTT of Virginia. Mr. Speaker, I brought this chart along to explain to people what we mean by fiscal responsibility. When Democrats talk fiscal responsibility, we are talking about taking a deficit and turning it into a surplus. Republicans mean take the surplus and create a big deficit.

The 10-year budget, after the Republicans took over, changed a $5.5 trillion surplus to a $5.5 trillion deficit, a swing of $9 trillion. Before you start talking about the war, remember the $300 billion we spent on the war is $.3 trillion. We have had a $9 trillion deterioration. We can do better.

The Democratic Caucus has a better budget. The Congressional Black Caucus has a better budget. The Congressional Black Caucus budget, while the Republican budget is $163 billion in the hole, our budget is balanced.

We did it without increasing taxes on anyone making less than $200,000, and we spent $160 billion more on veterans benefits, education, health care and other priorities. We can obviously do better, and we must do better, because if we don't control the budget today, there will be no Social Security or Medicare in the future.

U.S. COUNTERTERRORISM EFFORTS EXCEL ON THE CENTRAL FRONT OF THE GLOBAL WAR ON TERRORISM

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, throughout the past 3 years, U.S. troops have built an elaborate counterterrorism network that has enabled coalition forces to capture or kill hundreds of terrorists in Iraq.

Their skilled persistence and dedication are saving the lives of countless Iraqi citizens and American families. Last Wednesday evening, the safe houses of terrorist Zarqawi became the final destination of two 500-pound bombs dropped by a single F–16C aircraft. Although this tremendous military achievement occurred within moments, it was actually the work of a coordinated counterterrorism operation involving U.S. troops, Iraqi security forces, coalition troops and Iraqi citizens.

In the wake of this historic event, we must continue to support our troops as they work to achieve victory in Iraq. House Republicans are committed to fulfilling this mission to ensure that our troops sharpen their intelligence capabilities on the battlefields of Iraq instead of the streets of America, protecting American families.

In conclusion, God bless our troops, and we will never forget September 11.

IRAQ AND NATIONAL SECURITY

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, for months the national media and our friends across the aisle have consistently worked to convince the American people that the battle in Iraq plays no significant role in our national security. I know that some are really sincere in that belief, and I also know that there are some who are only looking for political gain.

But the call to disengage, the call to withdraw, based on this argument that our national security is separate from what happens in the battle in Iraq is naive at best.

On this Flag Day, a day we take to honor this national symbol and remember those who sacrificed for this great Nation, I want every member of the United States military to know that what you are doing in Iraq and in Afghanistan and all across the Middle East is important. It is vital to our national security, and it will ensure that our flag proudly waves for freedom for generations to come.

FLORIDA'S HURRICANE PREPAREDNESS

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, this week tropical storm Alberto marked the first challenge of hurricane season for Florida residents. Florida residents again demonstrated their experience and level of preparedness. My district stood in Alberto's path, but the performance of emergency services and utilities proved exemplary, and the storm's disruption proved minimal.

In fact, a silver lining might even be found. Yesterday's rain extinguished 18 wildfires. I applaud Governor Bush for his strong leadership in ordering an evacuation of low-lying areas and declaring a state of emergency. As we learned in the tragedy of Katrina, the threat of tropical weather must be taken seriously.

While Alberto will certainly not be the greatest challenge we will face this hurricane season, we can be proud of our reaction in our State. Dunnellon Police Chief Bob Jackson, in central Florida, demonstrated the right attitude when he said we cannot control the weather, but we can certainly react in a proactive way.

GENERAL LEAVE

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5576, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 865 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5576.

□ 1029

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, with Mr. PETRI (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose on Tuesday, June 13, 2006, the amendment by the gentlewoman from Oregon (Ms. HOOLEY) had been disposed of and the bill had been read through page 252, line 5.

Pursuant to the order of the House of that day, no further amendment to the bill may be offered except those specified in the previous order of the House of that day, which is at the desk.

1030

AMENDMENT NO. 1 OFFERED BY MR. HEFLEY

Mr. HEFLEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HEFLEY:

At the end of the bill (before the short title), insert the following:

SEC. ____. Total appropriations made in this Act are hereby reduced by $678,000,000.

The Acting CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Colorado (Mr. HEFLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. HEFLEY. Mr. Chairman, I yield myself such time as I may consume.

I rise again today to offer an amendment to cut the level of funding in this appropriations bill by approximately 1 percent. The amount equals approximately $678 million.

While the total spending in this bill is significantly less than last year's bill, and I want to commend the chairman on that, this bill is still over $250 million more than the President requested.

Let me just give you an example. I mean, Amtrak for instance, we are going to put $1 billion, more or less, into Amtrak again in this bill. I do not know when we are going to come to the realization that Amtrak just is not going to work. It is not going to survive with the present way we handle it.

We have to draw the line somewhere, and I feel strongly that the projected deficit for next year is too large. We can do something about the deficit right now. It will not solve it, but at least symbolically it says we are interested in trying to get to that goal.

By voting for my amendment, you are stating for the record that the budget deficit is too large and the American taxpayers should not be burdened in the future because we cannot control our spending today.

I have no doubt that some of the good programs in this bill will take a cut. While that is unfortunate, our budget should be no different from the taxpayers' budget at home. When you have less money, you simply spend less money. It is really that simple.

Mr. Chairman, I retain the balance of my time.

The CHAIRMAN. For what purpose does the gentleman from Michigan rise?

Mr. KNOLLENBERG. Mr. Chairman, I rise to oppose the amendment.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

With all due respect to the gentleman, and I do respect this gentleman, I believe this is an unnecessary amendment. The Congress cannot and should not abdicate its responsibility to review individual programs and make individual recommendations based on that review. The desire to hold spending in check should be based on congressional oversight of specific programs. We should not take a "meat axe" approach nor should we yield our power to the executive branch, and so, therefore, I urge a "no" vote on this amendment.

Mr. Chairman, I yield back my time.

Mr. HEFLEY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEFLEY).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. KNOLLENBERG. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT OFFERED BY MR. MCHENRY

Mr. McHENRY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. McHENRY:

At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available in this Act may be used to demolish or restrict use of the interchange located at Exit 131 of Interstate Route 40 and State Route 16 in Catawba County, North Carolina.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from North Carolina (Mr. McHENRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. McHENRY. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very simple. I certainly appreciate Chairman KNOLLENBERG and his able staff working with me to craft this amendment and make this possible. I want to commend the chairman for his hard work and dedication each year on this House floor and in committee to pass a strong budget that restrains spending but funds our major priorities. Thank you and your staff.

My amendment is very simple. It prohibits funds from demolishing a current interchange on interstate I–40. This is something requested by local officials and by the North Carolina Department of Transportation. This buys us 1 year.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. McHENRY. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. Mr. Chairman, I am willing to accept the gentleman's amendment.

Mr. McHENRY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment of the gentleman from North Carolina (Mr. McHENRY).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. LIPINSKI

Mr. LIPINSKI. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. LIPINSKI:

At the end of the bill (before the short title), insert the following:

SEC. . The amounts otherwise provided by this Act are revised by reducing the amount made available for "Department of Treasury—Departmental Offices—Salaries and Expenses", by reducing the amount made available for "Internal Revenue Service—Business Systems Modernization", and by increasing the amounts made available for the Secretary of Transportation, for carrying out the Rail Line Relocation Projects as authorized by section 9002 of SAFETEA–LU, by $10,000,000, $20,000,000, and $30,000,000, respectively.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Illinois (Mr. LIPINSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. LIPINSKI. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I rise in support of this amendment to provide $30 million in funding for the Rail and Relocation and Improvement Grant program. With severe budget constraints, I know hard choices had to be made, and I appreciate the leadership of Chairman KNOLLENBERG and Ranking Member OLVER on this bill.

However, as a Member who represents the rail hub of the country in Chicago, I understand the critical need to fund rail improvements to communities across the country. Rail is a vital mode of transportation, providing numerous public benefits, including efficient freight shipment, fuel conservation, pollution reduction, traffic congestion relief and economic development.

Recognizing that we need to invest in our railroads, Congress authorized $350 million for the rail line improvement program in last year's SAFETEA–LU transportation bill. Unfortunately, the administration proposed zero funding. We are asking for $30 million.

This money would be vital in funding projects that will not only help economic development and create jobs but also alleviate adverse effects of rail traffic on our communities. This includes enhancing safety and motor vehicle flow at road crossings and improving the quality of life in surrounding communities, including quiet zones. All types of rail lines across the country will be eligible for this funding.

This amendment has broad bipartisan support, including the gentleman from Tennessee (Mr. DUNCAN), the gentleman from New York (Mr. FOSSELLA), the gentleman from Illinois (Mr. SHIMKUS), the gentlewoman from California (Ms. MILLENDER-McDONALD) and the gentlewoman from Florida (Ms. CORRINE BROWN), who have all joined me as cosponsors of this amendment.

I urge my colleagues to join me in their support.

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I rise to oppose the amendment.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

I know the gentleman has an honest appeal here in terms of doing what is best for his district, but here is the problem, and we are running into this problem consistently. We ran into it yesterday. More and more people are looking for a source of money, a piggy bank, if you will, and the IRS seems to be one of those targets.

What I would say is that with this money that he is choosing to take, he would subsidize the relocation of rail for private rail companies. This gentleman's amendment proposes to fund these subsidies by taking critical funding from the Treasury. As I mentioned, we have been hit again and again, and it seems as though they are going after the salaries and expenses side of the budget. Pretty soon, you weaken that organization to a point that they cannot do their job. We need to obviously be able to collect and deposit revenues into the Treasury. That is one of their major roles.

This amendment cuts the Treasury's departmental offices by $10 million. That is salaries, that is people, that is personnel that they need. This would significantly damage U.S. global economic and national security interests and cripple the Treasury's ability to fight the financial war on terror, and some of that money may have come out of that. We do not need to go there. We do not need to malign the money that is being used to fight the war on terror.

This amendment also cuts the IRS' business systems modernization program by $20 million, "BSM" as it is commonly called. While it appears to some that this account is $45 million above the President's request, it is actually just a restructuring of the IRS accounts. In fact, BSM is currently funded at the request level, which is already $30 million below last year's level. Cutting this $20 million will force IRS to lay off many of the 317 personnel who are currently working on the BSM project, delaying all work on the modernization of the IRS legacy systems.

So it may seem harmless to take $20 million here and $10 million there, but pretty soon, you rob Peter to put something in Paul's lap. Unfortunately, this leaves us at odds with how we balance the entire bill in the end. We have to have money for this organization, the IRS, and the many areas in which they work. The most recent one added was the involvement in terrorism.

So I would strongly object to the gentleman's amendment on that basis. I understand this is a program that he is very fond of and certainly favorable to, and there are a number of people from Illinois that I believe are on the same side. However, I must object, and I must oppose the amendment. I just wanted to add one other point.

Mr. Chairman, I reserve the balance of my time.

Mr. LIPINSKI. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. FOSSELLA).

Mr. FOSSELLA. Mr. Chairman, I thank the gentleman from Illinois (Mr. LIPINSKI) for yielding, and I also want to compliment the chairman and the ranking member for crafting a very good bill.

I rise in support of the amendment and to echo Mr. LIPINSKI. I think the money in this amendment would actually allow and provide for rail grants throughout the country. It will provide another needed funding stream for States and municipalities wishing to alleviate traffic and improve air quality through rail transportation, whether in Chicago or my hometown of Staten Island.

We face some of the worst commute times in the Nation. And let me be fair: A primary reason for their transportation problems lies with the fact that we have a Metropolitan Transportation Authority which has neglected our borough for decades. Our sole direct transit link to Manhattan remains the Staten Island Ferry and limited express bus routes. The island is also only served with one passenger rail line on its east shore, the State Island Railway.

This amendment will make much needed funding available to enhance and expand rail projects like many being considered on Staten Island. We have been working to reactivate a passenger rail line along the island's north shore. The Port Authority of New York and New Jersey have projected 11,000 to 15,000 passengers would ride this line daily. This amendment will allow the State or the MTA to apply for money to complete studies needed to get the project off the ground, building on money already in this bill for the same purpose.

Other potential projects this amendment could help advance are a light rail along the island's west shore and improvements on the existing Staten Island Railway.

While we would like to see the grant program funded at higher levels, this amendment would be an excellent start in expressing Congress's commitment to passenger rail, and I urge my colleagues to support it.

Mr. KNOLLENBERG. Mr. Chairman, I reserve the balance of my time.

Mr. LIPINSKI. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. MILLENDER-McDONALD).

Ms. MILLENDER-McDONALD. Mr. Chairman, I rise, too, in support of this amendment that provides $30 million for the Capital Grants Railroad Relocation and Improvement program. Those of us who are in regions who have ports and who have the propensity to move goods, movement across our State and across the Nation, understand the importance of this particular amendment.

□ 1045

I have the elevator corridor. It is 37 percent capacity. We need to expand that because of the freight and the goods movement that is coming in from the ships coming into our ports and across the country. We cannot do that without an infusion of capital to help with the security of that cargo as well as the improvement in the quality of life in our communities.

It has been said that when you have rail lines you can help then to increase the quality of life, reduce emissions in the air, provide the type of air quality that is sorely needed, especially in areas like Los Angeles and Long Beach. So I understand why the gentleman has introduced this amendment, and I am part of the cadre of Members who are asking for this to be approved because it is an investment in rail infrastructure and for economic development reasons. It also enhances the quality and safety of our communities.

And so I thank the chairman for his comments; however, I would suggest to him that this really moves rail more efficiently and more effectively, and I ask for this amendment to be approved.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts, the ranking member (Mr. OLVER).

Mr. OLVER. Mr. Chairman, at the outset here I want to say that this is a worthy program. However, the President's request this year for budgeting under the jurisdiction of this subcommittee was at least $3 billion below the enacted levels for the same functions in the previous year's bill, in the 2006 bill.

During every stage of this process, I have pointed out that we had that set of holes, serious holes in the budget that had to be filled, that we needed to try to fill. There is a further problem that under the authorizing legislation there are guarantees for funding for transportation items in highways, in FTA, in FAA, which the President's request was also below. We had to meet those guarantees in order to be able to bring the bill to the floor for debate at all. Otherwise, the point of order would lay against the whole TTHUD bill that we are debating today.

So here we have an amendment which proposes to put money in an item in transportation where there are already heavy guarantees that we have to meet and proposes to take money from another section of the bill, one section of the bill which is about one-sixth as large in total as the transportation portion, and takes money from that where there are no guarantees whatsoever. This is something which I must oppose.

We cannot have this situation where money is being taken from other parts of this legislation, making them even worse off than they were under the President's request and whatever the chairman and his staff have been able to figure out how, as best they could, to fund the issue, and to take it for other items in transportation. We cannot do this at this time in the process, and I must oppose the gentleman's amendment.

Mr. LIPINSKI. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, safe and efficient rail lines are necessary for the continued economic vitality of our Nation, so they require our investment. This amendment would help fund rail projects that would boost economic development, create jobs, increase safety, and improve the quality of life for millions of Americans. That is why this amendment has broad bipartisan support and support from Members across the country.

I urge my colleagues to join us in voting for this amendment. While I appreciate what the chairman and the ranking member have done in crafting this bill, I do urge my colleagues to vote for this amendment to make this needed investment in rail which will help in districts all across the country.

Mr. OLVER. Mr. Chairman, I move to strike the last word, and I yield to the gentlewoman from Florida (Ms. CORRINE BROWN), who is, by the way, the ranking member of the Subcommittee on Rail on the authorizing committee.

Ms. CORRINE BROWN of Florida. Mr. Chairman, it has been over 2 years since the train bombing in Madrid and almost a year since the rail bombing in London and we still have our heads in the sand in this country. We are waiting until another country tries to take over our ports before we get serious about port security. I pray that it doesn't take a disaster for us to care about rail security.

We spend billions and billions of dollars on aviation and highways, but our rail system repeatedly gets shortchanged by this Bush administration and this Congress, even though five times as many people take trains as planes every day and while freight demand is expected to double by 2020.

I was recently in several European countries meeting with their transportation officials about rail security, and I can assure my colleagues that the United States is way behind all other countries in rail infrastructure and investment. Every industrialized country in the world is investing heavily in rail infrastructure because they realize that this is the future of transportation. But, sadly, as this system gets bigger and better, our system gets less and less money.

This amendment, which provides just $30 million in the Rail Line Allocation and Improvement program, is a good start in providing the money that our rail system must have to meet the needs of an ever expanding freight and passenger rail system. It is time that we start investing in improving our rail system in this country, and I encourage all of my colleagues to support the freight and passenger rail by supporting this amendment.

Mr. OLVER. Reclaiming my time, Mr. Chairman, I really want to point out that yesterday we had a huge amendment to add funding to Amtrak, an amendment that involved over $200 million of additional budget outlay for Amtrak. I supported that amendment, and I supported that amendment because in that amendment all of the offsets came out of the transportation area or other areas that were within the authorizing committee's jurisdiction. It was the authorizing committee that offered the amendment, and all of the offsets came out of their jurisdiction.

In this case, this amendment takes money completely outside the authorizing committee's area. We have now heard from the chairwoman, and the ranking member of the authorizing subcommittee for rail, and takes the money out of one of the much smaller segments of this bill. That is why I oppose the amendment, and I will continue to oppose those kinds of amendments which take money out of the smaller areas of this legislation, all of which are equally cut short in a budget which is well below, at least under the President's recommendations, well below the present year's enacted legislation.

So I will oppose those kinds of amendments consistently where they take money out of the smaller areas of the bill to move them to the area of the legislation, namely transportation, which lives under guarantees of minimum funding from the authorizing committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. LIPINSKI).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. LIPINSKI. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word, and I would like to yield to the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. I thank the gentleman for yielding, and I want to commend him for his hard work on this important legislation. And while I strongly support Chairman KNOLLENBERG's bill, I will be voting in support of its passage, I am disappointed that this bill does not provide funding for the Office of Personnel Management's initiative to modernize the Federal Government's retirement systems.

The current antiquated paper system is in desperate need of modernization. A failure to provide funding to establish a more efficient and effective electronic process for handling these retirement claims, especially after the first three contracts have already been awarded, represents a significant setback for the modernization efforts.

While I understand that funds are tight in the current budget climate, unnecessary delays to the modernization of the Federal Government's retirement processing will only end up costing us more in the future, and it will likely lead to additional unnecessary delays and errors in the processing of retirement benefits under the current antiquated system.

I would urge the gentleman from Michigan to work with the Government Reform Committee, the Office of Personnel Management, and other interested stakeholders to explore in conference ways that funding for this important initiative might be restored and contracts continue on track.

Mr. KNOLLENBERG. Reclaiming my time, I appreciate the gentleman's interest on this and other important issues addressed in the appropriations bill, and I would be happy to work with the chairman, Chairman DAVIS, as this legislation moves on to conference.

As the gentleman noted, funds are tight in the current budget climate, and we were unable to provide funding for all the new initiatives proposed this year. But as a Member of Congress and a Federal employee, I understand the importance of modernizing the Federal Government's retirement systems and look forward to working with Chairman DAVIS as we move forward.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just like to point out that since these colloquies, at least when they start over on the other side, remain on the other side, I would just like to point out that this is an issue that I have already indicated my very strong interest in. So I would be very happy to work with my chairman in trying to find the funding to be able to do what the gentleman wants, because it has been a matter of very high priority for me and for our side of the aisle as well.

AMENDMENT OFFERED BY MS. DE LAURO

Ms. DELAURO. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

> Amendment offered by Ms. DELAURO:
>
> At the end of the bill (before the short title), insert the following:
>
> SEC. . None of the funds made available in this Act may be used to enter into any contract with an incorporated entity where such entity's sealed bid or competitive proposal shows that such entity is incorporated or chartered in Bermuda, Barbados, the Cayman Islands, Antigua, or Panama.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentlewoman from Connecticut (Ms. DELAURO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut.

□ 1100

Ms. DELAURO. Mr. Chairman, I yield myself 2 minutes.

This amendment would simply continue current law by extending a provision that was accepted in conference last year. It would prevent the Departments and the agencies under this bill from using any funds to contract with American companies which have incorporated in Bermuda, Barbados, the Cayman Islands, Antigua, and Panama to reduce their tax obligation to the United States.

The Homeland Security Department operates under a similar ban. Recent data shows that despite costing our government $5 billion in lost tax revenue, corporate expatriates will reap more than $15 billion in Federal contracts in the coming years. Four of our top 100 Federal contractors have incorporated in tax-haven countries. One of them actually holds a contract with the IRS; the agency charged with collecting taxes is contracting with a company that is determined to avoid paying them.

Sixty-six percent of the companies that hold government contracts but are incorporated in an overseas tax haven pay no Federal taxes whatsoever. These companies have no business being rewarded by getting new business opportunities with the Federal Government.

The GAO has determined that these companies have an advantage when they compete for Federal contracts. It found that the contractors who are corporate expatriates can "offer a price that wins a contract based more on tax considerations than on factors such as the quality and the cost of producing goods and services." In essence, the American people may not be getting the best product possible because of the loophole.

The amendment will not affect existing contracts, just as it did not this year. It simply ensures that in the future we will favor good corporate citizens with contracts instead of companies who put paying American companies at a competitive disadvantage.

Corporate expatriates have made a clear choice to leave this country to lower their taxes. It is up to us to say if they are going to manipulate the loopholes in our Tax Code, then they will no longer be able to reap the benefit of government contracts. In this amendment, we ask them to make a different choice.

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

First, let me state that of course I do not condone companies relocating for tax purposes overseas. But I oppose the gentlewoman's amendment because I think it is a bad policy, and I will explain.

From a taxation point of view, this language is not necessary. Congress addressed the issue of corporate inversions in the Jobs Creation Act of 2004. The JOBS Act added a new section to the Tax Code which treats U.S. companies that complete a corporate inversion transaction after March 4, 2003 as domestic U.S. corporations for tax purposes.

Second, Congress addressed the issue of corporate inversions by enacting a contracting ban which is still in effect today. Given these two congressional actions, I don't see the need to further punish the people who work in the U.S. for these affected companies.

Companies registered offshore employ hundreds of thousands of U.S. workers, a fact that I believe is lost in these debates. It is easy for Members to vote for amendments such as these until they realize that constituents in their own districts are employed by these very firms and depend upon these firms for a paycheck.

Additionally, I am opposed to the amendment because the U.S. Government enters into billions of dollars' worth of contracts with private sector companies each year. As a proponent of good government, it is essential that competition for these contracts be allowed to go to the company that is the most effective and the most cost efficient.

Agencies under the jurisdiction of this act that would be affected include numerous safety agencies related to aviation and transportation, and they would not have access to many of the best products available ranging from security software, thermal imaging devices, handsets and engineer and data services for critical infrastructure.

This amendment is not necessary. It makes government contracts less effective by restricting competition, and it hurts U.S. workers. I urge my colleagues to vote "no."

Mr. Chairman, I yield the balance of my time to Chairman DAVIS from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I oppose this amendment, and let's make no mistake: Much of the work that is performed under contracts that would be banned under this amendment are performed in the United States by American citizens, and we are taking these people's jobs and eliminating them. It is an ill-considered amendment.

While targeted tax provisions to address the issue of corporate tax policy is appropriate, penalizing companies by prohibiting them from participating in Federal Government contracting harms both the United States Government and its citizens. The government should be able to purchase the best goods and services of world-class companies wherever they are located, absent compelling national interests. We should be able to get the best bulletproof vests, the best body armor, the best armor for our APCs that are going around, wherever the companies happened to be headquartered. The prohibition makes no sense.

We are also banning companies from doing business for activities that were legal at the time they made these corporate decisions. This is like an ex post facto ban.

Do we want the best technology and premier information technology service, or don't we? That is the question. This amendment is a wonderful way to ensure that we don't.

I can understand if this amendment applied to Iran or Syria or North Korea; but Panama, Bermuda, the Cayman Island, they pose no threat to the United States.

Preventing successful firms from participating in the Federal marketplace just because they happen to be incorporated outside the United States rejects the free market principles underlying our full and open competitive Federal acquisition system. Obtaining full and open competition from all firms who wish to participate in our Federal market is the keystone of our acquisition system, ensuring that taxpayers get the most value for their tax dollar.

Domestic source restrictions like this are simply counterproductive; and, I might add, they invite retaliation. Americans are only 4 percent of the world's consumers. When we start putting bans on countries that we are not going to contract with, they put up similar bans. The end result is instead of our ability to expand marketplaces for American companies and American jobs, we end up restricting it to the 4 percent of the world's consumers that happen to live in the United States.

Also, the substance of this amendment is not necessary because Congress addressed the issue of corporate inversion in the JOBS Act, the Jobs Creation Act of 2004. The JOBS Act added a new section to the Tax Code, section 7874, which treats U.S. companies that complete a corporate inversion transaction after March 4, 2002 as domestic U.S. corporations for tax purposes. So we have addressed this issue. This is penalizing companies who make decisions prior to that time.

Critics could argue that companies that have engaged in corporate inversions prior to March 4, 2002 should be covered by the JOBS Act, but Congress shouldn't ban companies from competing for government contracts because of legal transactions they performed more than 2 years ago, at the same time denying American servicemen and the American Government the ability to get the best acquisition products that we can for America.

In recent years, the House has consistently rejected contracting ban amendments. I urge a "no" vote on the DeLauro amendment.

Mr. OLVER. Mr. Chairman, I move to strike the last word, and I yield 3 minutes to the gentleman from Arkansas (Mr. BERRY).

Mr. BERRY. Mr. Chairman, I thank the gentleman from Massachusetts, and I rise to support the DeLauro amendment.

It is a sad day in America when someone comes to this House floor to tell us that we have to depend on companies that renounce their American citizenship to save a few tax dollars to get quality products, workmanship, or services.

We had a great debate a few months ago about allowing a foreign company to take over six of our ports. We almost universally agreed that was a bad idea. It doesn't make any difference, and those companies hadn't renounced their U.S. citizenship, they were foreign companies; I didn't think it was a good idea and I don't know anybody else who did, but I am sure there are those who did. At least the President thought it was.

But why would we think it was a good idea to turn over the Federal business, the business of the American people that is paid for by their tax dollars, to companies that say I don't want to pay my fair share; I want to go to Bermuda or Panama or the Cayman Islands and I am going to pull these little slick tricks, and I am basically not going to pay my fair share, but I want all of the benefits of being an American and all of the benefits of being an American company. I want to get those American tax dollars so that my company can profit even more and pay even less of its fair share. That is what this is all about.

I know a really good attorney. He has got a dog named Loophole. That is what this business is about. We have already covered this. It was covered all right, it was covered with a nice big fat loophole that made it possible for companies that have renounced their American citizenship just so they didn't have to pay their fair share and could still come in and rake in the tax dollars in a way that is most unfair to our own companies.

It gives these foreign companies an advantage over U.S. companies. This is just simply not right. You don't have to be all broke out in brilliance to figure this out. It is time that this House acted. We have done it before, and it is time that we do it again. It is time we start giving people that value their American citizenship as good a deal as it is possible to give them. I would urge support of this amendment.

The CHAIRMAN. The Chair wishes to advise the ranking minority member of the subcommittee that he cannot yield blocks of time under his request to strike the last word. The gentleman controls the entire 5 minutes.

Mr. OLVER. I cannot yield any time?

The CHAIRMAN. The gentleman cannot yield blocks of time. The gentleman may yield to others, but not specific amounts of time to be enforced by the Chair.

Mr. OLVER. Mr. Chairman, thank you very much for the clarification. I apologize for being a little bit off base there.

I yield to the gentlewoman from Connecticut the remainder of the time.

The CHAIRMAN. The gentleman had 2 minutes remaining and the gentlewoman from Connecticut has 3 minutes remaining, so the gentlewoman is recognized for 5 minutes.

Ms. DELAURO. Mr. Chairman, I think we ought to lay something out very clearly here. First of all, the notion that these are folks who are going to compete equally with other corporations that do not have the same tax advantage has been decried by the GAO, the Government Accountability Office. Let me repeat their commentary.

They found that contractors who go overseas for the ostensible purpose of reducing their tax obligation to the United States, and I quote, "They can offer a price that wins a contract based more on tax considerations than on factors such as the quality and the cost of producing goods and services." They have a tax advantage because they do not pay what they are supposed to pay in taxes in the United States.

In fact, let me be very clear again. This amendment simply continues what current law is. It extends the provision that was accepted in conference last year. These companies have not suffered anything with regard to their bottom line. As a matter of fact, they are making profits hand over fist, and they are taking advantage of the tax loophole. Yes, they make that decision; but the decision is ours as to whether or not we allow them to come back and to compete for Federal contracts.

I do not have a preference for what they chose. Under the law, they can do what they want. But they should not be allowed to pretend to be an American company when it is time to get contracts but then claim to be an offshore company when the tax bill comes.

I also want to point out that this does not jeopardize and does not affect existing contracts, just as it did not this year. This is about the future.

I also want to make a point that the 2004 tax bill did not apply to companies who already have moved offshore. There are more than 25 such companies that currently operate with a tax advantage that their U.S. counterparts do not enjoy. So do not bring up the 2004 tax bill because it is not applicable.

Mr. Chairman, what we want to do is have companies be good corporate citizens. We are asking them to pay their fair share of taxes. That is what this is all about.

If we did more to discourage companies from setting up just post offices overseas to reduce their tax burden, we would have more funding available in this bill for other purposes. The notion that countries are going to retaliate, it is almost laughable. Barbados is going to retaliate against the United States, the Cayman Islands, Antigua, Bermuda? It is truly laughable that that would be a part of this debate.

□ 1115

Again, why do we want to encourage companies to go offshore to set up a post office box and not pay their fair share and their obligation in taxes to the United States?

So, I would just say to my colleagues, we have an opportunity here again, and people voted on this last year. I hope those who voted "yes" will continue to do so and that some will have a change of heart, understanding what the nature of this is all about. Let's have people, if they want to go offshore, that is our system. They can do that at the moment. We can take a look at closing tax loopholes at another opportunity. What they can't do is to come back and feed at the Federal trough and not pay their fair share of taxes like everyone else in this country is obligated to do.

Let's keep the loophole closed. Let's not reopen it at a time of record deficits when we can least afford to do it. This is a matter of patriotism and not profit. You want to do something for our friends and our troops overseas, close this loophole. Be a patriot and support this amendment.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word.

I yield to my friend, Chairman DAVIS.

Mr. TOM DAVIS of Virginia. Well, I think if you are a patriot on this issue you oppose this amendment. I guess patriotism can be defined in a number of ways.

First of all, the GAO report that was referred to was a GAO report in February of 2004 before Congress passed the Jobs Act that deals with the tax inequities in this particular area. The companies that are at issue pay full taxes on work and contract work that is performed in the United States. Basically, their offshore incorporation refers to how they look at foreign dollars coming through those and how those are viewed under the Tax Code. But the Jobs Act addressed that, and the GAO report was prior to that Jobs Act.

And finally, let me just add that retaliation, Bermuda is a protectorate of the United Kingdom. Panama is a country and an ally, and this is a very slippery slope once we start getting into which countries can do what that propose absolutely no risk to the United States at all. I think it is a bad amendment and I urge my colleagues to oppose it.

Ms. SLAUGHTER. Mr. Chairman, I rise to support the DeLauro-Berry-Slaughter Amendment. This amendment will prevent new contracts funded under this bill from being awarded to corporations that set up offshore tax havens.

If a corporation is located in the U.S., and conducts most of its business in the U.S., and employs most of its workforce in the U.S., then it should not be allowed to avoid its tax obligations by simply opening a post office box in the Cayman Islands or Bermuda.

Corporate expatriates cost the United States approximately 5 billion dollars a year in tax revenue. Yet they are expected to reap 1 billion dollars annually in federal contracts during each of the next 5 to 10 years.

Mr. Chairman, what kind of message are we sending to Americans that work hard and pay their taxes when corporate expatriates are rewarded for their deliberate and shameless tax evasion with millions of dollars in taxpayer-funded federal contracts?

When we allow corporations to gain an unfair competitive advantage in the Federal marketplace by relocating overseas to skirt tax obligations, what are we telling small business owners who play by the rules?

Corporate expatriates hurt honest U.S. taxpayers by shifting more of the tax burden onto their shoulders.

And they siphon funds from the Federal budget that are desperately needed for essential government services.

To put this in perspective, consider that today we will debate an appropriations bill that slashes funding for affordable housing programs. Last week, we voted on a bill that cut homeland security grants. And just a few weeks ago we approved a budget that guts critical domestic programs, such as education, veterans' health care, public health, environmental protection, and services for families and communities—just to name a few recent acts of this House.

We were told these cuts were necessary—that we just didn't have the money to keep funding these efforts. And yet, at the same time, billions of dollars are being lost to dishonest corporations.

We must stop hard-earned American tax dollars from lining the pockets of companies that exploit tax loopholes.

It is time to send the clear message that if you want to do business with the U.S. Government; you must play by the rules.

This amendment will help guarantee that only responsible companies can benefit from Federal contracts.

It is pro-business . . . it is pro-consumer . . . and it is pro-American.

I, therefore, urge my colleagues to support the DeLauro-Berry-Slaughter amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. DELAURO. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Connecticut will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

Page 252, insert the following after line 5:

SEC. 945. None of the funds made available in this Act may be used to amend section 515.566 of title 31, Code of Federal Regulations (relating to religious activities in Cuba), as in effect on June 14, 2006.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, regardless of where any of us stand on the debate over the broader issue of travel to Cuba, I hope you will agree that there should be an exemption to the restrictions when it comes to travelers who wish to travel for a religious purpose.

In fact, there is a current exemption for religious travelers. The Flake-McGovern-Emerson-Lee amendment would do nothing to weaken or lift restrictions of any kind of travel, religious or otherwise. In fact, my amendment would simply prevent any changes from being made to the exemption as it now exists.

You might wonder, if religious travel is currently permitted by law, why are we proposing this amendment? Well, let me explain.

In 1999, Congress established by law categories of permissible travel, including travel for religious exchanges. But over the past couple of years the Office of Foreign Assets Control, on instruction from the State Department, has published guidelines to accompany these regulations and they have in fact imposed new restrictions on religious travel to Cuba. They have resulted in the denial of travel licenses to many individuals and churches and synagogues, other religions who until recently had longstanding licenses.

This type of regulation runs counter to the spirit of the 1999 law and current administration policy. For example, a woman from Indiana went with her church group to distribute Bibles and participate in religious meetings and events. Soon after her arrival home she was served with a notice of a several thousand dollar fine because she had been to a beach while she was in Cuba. I spoke to this woman. She had been to a beach once to a baptism. This is how ridiculous these restrictions have become.

As a broader example, groups from the Baptist, Methodist, Lutheran, Presbyterian, Episcopal, United Church of Christ and many other faiths have been denied license to travel to Cuba although they have traveled there legally for years. I am afraid we are getting dangerously close to curbing the free exercise of religion in this context and having government impose a religious test. Are you truly religious enough to travel to Cuba? Is this a real religion that you are representing? That is not the business that this government ought to be in.

Mr. Chairman, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, this is one of various amendments that will be brought forth, I believe, today with regard to the issue of our policy toward the Communist totalitarianism in Cuba. In fact, this amendment was brought up by Mr. FLAKE a year ago, and it was one of the amendments brought up last year. Since it was brought to the floor last year, the pro-democracy movement in Cuba, and I think it is of relevance to point out, had an opportunity, despite the extraordinary difficulties of speaking out with regard to issues of public policy, either in Cuba or anywhere else, the pro-democracy movement had an opportunity to speak with regard to the amendments that were introduced last year in this Congress. I think it is of relevance and I would like to make note of their position.

We have a letter from the leaders of the Assembly to Promote Civil Society. Unbelievably, a year ago they were able to hold a convention for the first time in totalitarian Cuba. Many of their delegates were not allowed to arrive at the convention. They were detained. They were harassed. They were stopped before they left their house. Others were arrested. The assembly elected leaders, something which is extraordinary in a totalitarian state, and those leaders signed a letter which I would like to introduce into the RECORD, Mr. Chairman, with regard to the amendments that were brought forth that were made, that were introduced last year. And I would just like to say that as those leaders, one of the three, by the way, has since been arrested, is Mr. René Gomez Manzano, who signed this letter, subsequently was thrown in the gulag where he is today, despite not having been charged but he is there today in the gulag. And they said, as they expressed their opposition to the amendments that were filed last year, including this amendment by Mr. FLAKE, that the adoption of any unilateral measure to completely or partially lift the existing sanctions of the United States could be interpreted by the Cuban regime in Havana, which has given continuous examples of its absolute immovability and of its repressive and anti-democratic vocation as a policy of accommodation. Now, this is the position of the brave pro-democracy movement in Cuba, which I think it is of relevance to listen to. As I say, one of them was thrown in the gulag after making known this position with regard to amendments that were filed last year, including Mr. FLAKE's.

Another point I would like to bring out which I think of is relevance, the Flake amendment, he admits that it is legal to travel for religious purposes to Cuba. I want to reiterate that. It is legal. One of the existing categories for travel to Cuba is religious travel. The administration does fight fraud and abuse, people who go and say, use even the most sacred of subterfuges, including the religious travel mantle. The administration does fight against abuse, and regulations are in place to make sure that people who are going for religious travel go for religious purposes.

Now, that must be reiterated, the fact that it is legal to travel for religious purposes. The Flake amendment says, no funds could be spent to change the current authorization, regulation that authorizes religious travel. So if a future administration wished to change the regulation, make it stricter, make it easier to travel, the regulations couldn't be changed under Mr. FLAKE's amendment.

So I simply, as I oppose this amendment, reiterate that it is legal. One of the 13 categories of travel, legal travel to Communist Cuba is for religious purposes. The Flake amendment is confusing, contingent, prospective, and thus difficult really to analyze with regard to its possible effects on the future.

But, for me, the most important factor in this debate is that the people who are suffering the repression today and who risk their lives when they make a statement like René Gomez Manzano did a year ago in opposition of this amendment, they are clear in their opposition. So I reiterate their position and oppose the Flake amendment.

Havana, June 24, 2005.

Hon. LINCOLN DIAZ-BALART,
Hon. MARIO DIAZ-BALART,
Hon. BOB MENENDEZ,
Hon. ILEANA ROS-LEHTINEN.

DISTINGUISHED COMPATRIOTS: We have recently learned that, at present, the HONORABLE HOUSE OF REPRESENTATIVES of which you are members is considering several proposals—introduced by various Congressmen—seeking to prevent or hinder the implementation of diverse measures related to the embargo decreed by the United States against the totalitarian regime in Havana.

Of course, we respect any decision that sovereign Congress takes on this matter.

However, we do not wish that anyone pretend that such proposals count with the support of the generality of those who within Cuba oppose the ruling system and who fight peacefully for change.

As you know, the signatories of this letter form the Secretariat of the Assembly to Promote Civil Society in Cuba (a group that on May 20 and 21 successfully held in Havana the first congress of Cuban democrats and which is comprised by the majority of the independent entities located in Cuba); and as such we can assure you—and through you the Congress of that great nation—that our coalition does not support the adoption of unilateral measures to completely or partially lift the existing embargo of the United States, which could be interpreted by the Cuban regime in Havana (which has given continuous examples of its absolute immovability, and of its repressive and antidemocratic vocation) as a policy of accommodation.

Respectfully,

FÉLIX ANTONIO BONNE CARCASSÉS.
RENÉ DE JESÚS GOMEZ MANZANO.
MARTHA ROQUE CABELLO.

Mr. FLAKE. Before yielding 1 minute to the gentleman from Massachusetts, let me simply state I have been to Cuba, as have a number of us. We have met with those who have been in prison for their activities and others. There is no one group that represents the pro-democracy movement in Cuba. Many people have encouraged us to do exactly what we are doing.

I yield 1 minute to the gentleman from Massachusetts.

Mr. McGOVERN. Mr. Chairman, I support this amendment.

As an American, I deeply resent any restriction imposed by my government or any other government under freedom of churches and religious organizations to exercise their religion, meet in fellowship with their counterparts in other countries, worship together, collaborate on projects of common interest and celebrate their faith together.

This administration has taken actions contrary to the very soul of what it means to be an American. It has denied U.S. churches and religious organizations that have been meeting with their Cuban counterparts for years, often decades, renewal of their licenses to travel to Cuba. They have imposed arbitrary restrictions and definitions on what it means to be a church, a national religious organization or a religious denomination.

For 5 months a bipartisan group of Members have asked the decisionmakers at the State and Treasury Departments to meet with us and U.S. Catholic, Protestant and Jewish religious leaders to discuss these restrictions, but so far they have refused.

Now they are preparing even more restrictions that will discriminate among the many religious organizations on the island and pick and choose who it is okay to break bread with in faith and fellowship. They will take it upon themselves the right to say what constitutes a church and who is a legitimate person of faith. The United States of America does not and must not take such actions against communities of faith. I urge the people to support the Flake amendment.

Mr. FLAKE. I yield 1 minute to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Chairman, I rise in support of this commonsense amendment to protect the ability of religious groups to continue their ministries in Cuba. I am aware that opponents of this amendment will claim it is misguided and could result in tying the hands of expanded religious travel to Cuba. But experience tells a different story.

Nothing in our experience of working with the administration on Cuba policy leads to a conclusion that a liberalization of our Cuba travel policy is likely. In fact, experience tells a different story, a story of increased regulations, increased hurdles and increased difficulties in all forms of travel and trade with one of our closest neighbors.

It is a tribute to the work being accomplished by religious groups that the religious travel license has received so much support. However, we, the supporters of the right to conduct nonpolitical religious work, must remain vigilant in protecting the ability of those workers to travel to where they are called.

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This amendment will accomplish that goal. Some may call it prospective. Some may call it misguided. Experience would call it necessary.

Mr. OLVER. Mr. Chairman, I move to strike the last word, and I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I want to thank the gentleman for yielding and for his leadership and for helping us sort through this very difficult but important issue.

I am a proud cosponsor of this amendment. I want to thank Mr. FLAKE, Mrs. EMERSON, and Mr. McGOVERN for putting this forward because this is quite sensible. The majority of the American people understand this policy. It only prohibits funding for the Office of Foreign Assets Control, OFAC, for the purpose of enforcing restrictions on religious travel to Cuba.

For years, licensed religious exchanges with Cuban counterparts existed, upholding our right, mind you, our right to our religious freedom. However, the State Department recently reinterpreted this policy, which makes no sense. Consequently, national churches are severely restricted in carrying on their relationship with Cuban churches.

Not only does this new policy create inefficient, bureaucratic hoops, but I am concerned that the administration also cherry-picks when granting licenses for different religious organizations. Also, OFAC is being forced to push aside what should be its focus on tracking terrorists in order to meddle into internal religious matters.

Last year we led about 105 Members of Congress in asking the administration to resolve that. Since then we have followed up with meetings and phone calls and letters and still have no answer. This is unacceptable. That is why this amendment is so important.

Hindering the ability of religious organizations to forge partnerships with their Cuban counterparts really strikes at the very heart of our religious identity and our constitutionally enshrined freedom.

So I urge all of our colleagues to support this amendment and to stand up for religious freedom and for religious rights.

Mr. FLAKE. Mr. Chairman, let me simply say, if we are afraid that the Baptists, the Methodist, the Lutherans, the Presbyterians, Episcopalians, United Church of Christ, and other faiths that are going to Cuba are somehow propping up the Cuban regime, then our worries are misplaced. That regime has been there for 47 years, and to deny missionaries and others the opportunity to go there and convert people to the faith and to work is simply wrong.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ENGEL:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used in contravention of section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212).

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from New York (Mr. ENGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, I yield myself such time as I may consume.

Once again I am here to offer an amendment to push the Federal agencies to follow the law and purchase alternative fuel vehicles. I hope it will be accepted again as it has been accepted under other appropriations bills.

I believe I am, at the very least, getting the attention from our colleagues. My office has received more calls about my amendment to this bill than any other appropriations bill so far. So let me clear up one concern.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. I would be happy to accept your amendment.

Mr. ENGEL. Thank you.

Reclaiming my time, let me just say that this is common sense. We all in a bipartisan fashion would like to see alternative fuels and alternative fuel vehicles on the road.

Once again I am here to offer an amendment to push the federal agencies to follow the law and purchase alternative fuel vehicles. I hope it will be accepted again.

I believe I am at the very least getting the attention of our colleagues. My office received more calls about my amendment to this bill than any other bill.

So let me clear up one concern—this amendment does not affect the purchase of buses or cars or ferries by States and localities or mass transit agencies.

It does seek to have the federal government provide leadership in finally ending our nation's addiction to oil by promoting the purchase of AFVs.

If federal agencies were in compliance with the 1992 Energy Policy Act, last year the federal government would have put more than 25,000 more AFVs on the road.

For the major agencies funded by this bill, DOT and HUD are failing to provide the leadership we need. In FY05 almost 75 percent of its cars were gasoline only. The Department of the Treasury has a sad record of 96 percent of their purchases being gasoline only.

Mr. Chairman, there is no one solution to our addiction to oil. It will take steps and efforts from all levels of government, industry and the public. We know though that small efforts can lead to big changes. The federal government can provide leadership in this effort—in fact we must.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available by this Act may be used by the University of Mississippi in Oxford, Mississippi, for the construction of the William Faulkner Museum.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I ask unanimous consent that all of the gentleman's amendments be read.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I rise today to offer a series of amendments on earmark limitations to the Transportation, Treasury, Housing and Urban Development 2007 appropriation.

While the Appropriations Committee is touting a two-thirds reduction in earmark spending, the sad news is that even with that decrease, the bill still contains more than $930 million in pork-barrel spending. With more than 1,500 earmarks, this bill contains more earmarks than all of the appropriation bills passed in each of the years 1995, 1996, or 1997.

This bill provides for new zoo docks, opera houses, bike paths, hiking trails, and 1,500 other congressional priorities, all paid for at the expense of the taxpayer.

The most disturbing part of this bill is that these earmarks are paid for with "funny money," with fictitious offsets that would have never left the Treasury to begin with. So while you will hear during this debate many times you are not saving money by getting rid of these earmarks, all the Appropriations Committee would have to do is to simply say we are not going to fund earmarks this year. We will take a lower 302(b) allocation or we will apply it elsewhere instead of funding these earmarks. So that argument that you will hear again and again is simply wrong.

We were unable to identify whose earmarks are in this bill many times, who requested them, or how they were chosen, because we were simply given the manager's amendment last Wednesday, I believe, with these 1,500 earmarks. It is very difficult, and you will see with some of these, they are very vague as to what they are actually funding. So I would submit that oversight is tremendously difficult when you do not even know what the earmark is really for.

If it is to fund a facility, a facility could mean a lot of things. We do not even know anything more than that from the manager's amendment. We are left with these limitation amendments as the only means of shining daylight on the process, on these projects and programs and on this spending, and there is plenty to shine in light of this transportation bill. I hope that we will take the time today to actually look at what we are doing.

This first amendment would limit the University of Mississippi in Oxford from spending $1 million on the new William Faulkner Museum. This $1 million is part of nearly $12 million that the State of Mississippi has provided in earmarks in this bill, including nearly $2 million in HUD grant earmarks.

Currently, the University of Mississippi already owns Rowan Oak, which was a family home of the Faulkners for more than 40 years. Currently, Rowan Oak nonstudent visitors pay $5 for the tour. According to the University's Web site, this earmark will go toward building a new wing in the University museums featuring a biographical timeline exhibition dedicated to the author who once wrote "I don't care much for facts, am not much interested in them . . . "

I would say that if we are interested in the facts here, we are spending too much money. We are often told there are criteria when these earmarks come before the committee, strict criteria that these earmarks have to pass or they are not funded. I would ask, please, someone explain what criteria we are using to take money from taxpayers in California or Arizona or elsewhere to pay for the William Faulkner Museum in the State of Mississippi. If you can justify this kind of spending, I would submit you can justify just about anything. If you can just identify it on economic development grounds, what cannot be justified on economic development grounds?

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I rise to oppose the amendment.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, economic development initiatives, EDI grants, are targeted grants designed to address local economic development needs. As representatives of these communities, it is our responsibility to ensure that these needs when present are addressed.

While I appreciate the gentleman's efforts, I cannot help but feel they would be better directed at real earmark reform, including authorizing bills, not the meaningless attack on an individual project.

I urge a "no" on this amendment.

Mr. Chairman, I yield 4 minutes to the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Chairman, perhaps at the end of that 2 minutes, I might ask the Chair's indulgence for a little more time.

I do appreciate the chairman's opposing the amendment, and I think it is instructive at this point to talk about the congressional spending procedures that we have in place. We receive the President's budget, and the Congress then acts on that budget by the adoption of a resolution. We decide at that point the level of discretionary spending this Congress will spend on a variety of issues. It is at that point, at the point of the budget resolution, that we decide how much we will spend on domestic discretionary dollars. In other words, upon our adoption of the budget, the level of spending in the discretionary category is decided.

Now, we find ourselves today further down the process. We are today at the appropriations stage. The level has already been decided. Our decision today is how we allocate the funds we have already decided to spend through our budget resolution. The funds set aside for this subcommittee will be spent. That decision has already been made. The decision that we are going to make today is the question of where those funds will be spent.

Now, having said that, Mr. Chairman, I welcome the opportunity to explain to my colleagues the nature of this project. And I have often thought, Mr. Chairman, if I ever had the chance to speak to a national audience about Rowan Oak and the William Faulkner Museum, I would take that opportunity. If I ever do get such a chance, I will tell my colleagues what an absolute jewel is located in my district in the form of Rowan Oak and the Faulkner legacy.

Of course, William Faulkner is one of the greatest authors in American history. The recipient of the Nobel Prize for literature, the recipient of two Pulitzer Prizes. William Faulkner is one of the preeminent figures in the history of this Nation, and I have in my congressional district, I am fortunate to say, the home where he not only lived for 32 years, between 1930 and 1962, when he died, but where he wrote so many of America's great treasures, including Sanctuary; As I Lay Dying; Light in August; Absalom, Absalom; A Fable; The Unvanquished; Go Down, Moses; and the Reivers.

Thousands and thousands of tourists come to Rowan Oak and the University of Mississippi each year for the express purpose of seeing the legacy of William Faulkner. Our guests have included Prince Edward of England, numerous Members of this Congress, foreign Parliamentarians, and people from all over the world.

I want to congratulate my friend from Arizona, and he is my friend, for being consistent. If it were up to people like my friend from Arizona, perhaps we would never spend any money at the Federal level on higher education. Perhaps no Federal dollars would ever go to a museum of any type. It is an entirely honorable position to say that no local economic development project should ever be funded. That is an honorable viewpoint. I do not think it is the position of the Members of the House of Representatives, but it is a worthy opinion nonetheless.

I would simply say that at this point the decision has been made to allocate the money to the subcommittee. Our decision today is whether the allocation will be spent on priorities outlined by the elected representatives of the people or whether these funds will go back to an agency where a nameless, faceless, bureaucrat will make the decision about where these funds will be spent.

I urge the defeat of the amendment.

Mr. FLAKE. Mr. Chairman, all I can do in response to that is quote William Faulkner. Anyone who believes that we cannot save money by eliminating earmarks does not care much for the facts and is not much interested in them. The notion that this budget is set and now all we can do is spend up to the top of it belies the fact that last week we could have offered a lesser bill, a smaller bill. Earlier in the process when we established the budget, we could have simply said we are not going to fund this year.

□ 1145

Therefore we are going to save billions and billions of dollars. But, no, we passed a bigger budget and then we come here today and say, darn, I wish we could have saved money; we just cannot, it is too late.

Mr. Chairman, I would submit that people are getting tired of hearing that argument. And we simply cannot continue to spend money this way. So with that, I would urge that we accept this amendment, and at least start, at least send some signal that we are going to be better stewards of the taxpayers' money.

Mr. Chairman, I yield back the balance of my time.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment, however well-intentioned it may be. Mr. Chairman, the amendment strikes one item in the Economic Development Initiative under Housing and Urban Development. And I would say that this item is totally consistent with the purpose of the Economic Development Initiative in the first place.

As the gentleman from Mississippi pointed out, William Faulkner is one of our preeminent authors, surely one of the 10 most famous authors of the 20th century here in America. And having William Faulkner's home and museum in honor of him and showing his legacy is certainly an enormous boon to tourism and, more broadly, to tourism generally, but particularly let's say to American authors and English students. People will flock to that place because of the fame of William Faulkner.

And so I would say that Mr. WICKER, the gentleman from Mississippi, knows his district very well and also knows what it is that will have a serious impact on economic impact in his district. And this one is one of those, as so many of them are under this particular initiative, which involves a partnership between the Federal Government, in a relatively small way, very small way in its totality, and the State Government, and local government, and private investment, private donations that will go and have gone to the home and the museum.

I oppose this amendment. I think this is a very, very appropriate expenditure of money.

The CHAIRMAN. The gentleman from Michigan has 30 seconds remaining.

Mr. KNOLLENBERG. Mr. Chairman, I have made my comments pretty clearly. I oppose the amendment. I believe that Mr. WICKER spoke eloquently. I also think that Mr. OLVER made it pretty clear that this is not the resolution that we would look for on this particular situation.

Mr. Chairman, I oppose the amendment. I urge a "no" vote.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used by Fairfax County, Virginia Park Authority for field improvements in Annandale, Virginia.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would bar Fairfax County from using $50,000 in Federal taxpayer dollars for field improvements in Annandale, Virginia.

When I first saw this earmark, I had trouble understanding why the Federal Government was giving $50,000 to the Fairfax County Park Authority in Virginia for field improvements. Fairfax County is the 11th wealthiest county in the United States. I used to live there. It is a wonderful county. Has a wonderful park system and a big budget.

Why the Federal Government is funding this, I just do not know. The county's 2007 available funds will total around $3.38 billion, total county funds. In 2004, the median household income in Fairfax County was $88,133, double the national average of $44,684.

The Fairfax County Park Authority in Virginia received over $100 million in revenue in 2005, and spent under $70 million. Again, this is the park authority that we are funding here, adding over 30 million in net assets in one year alone.

In 2005, the assets of the Virginia Park Authority exceeded its liabilities by more than $419 million. Along with parks, recreation centers and trails, the Fairfax County Park Authority manages seven golf courses.

How should we explain this earmark to the taxpayers in Arizona or Colorado or New Mexico or anywhere else; or Mississippi, for that matter? My amendment would simply prevent funding for this purpose. In this bill, Virginia is expecting more than $24 million in earmarking, with more than $3 million in HUD grants alone.

This is compared to States like Wyoming and Vermont which receive less than $1 million in total earmark funds in this bill. Why is the Federal Government adding to the wealth of the Fairfax County Park Authority by giving it $50,000 for field improvements? How does this earmark relate to the central purpose of HUD programs, which I thought was to help house people?

Mr. Chairman, I welcome the justification for Federal funds in this case.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from Virginia rise to control the time in opposition?

Mr. TOM DAVIS of Virginia. I do.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I appreciate my friend taking the amendment out of turn. I rise in opposition to the Flake amendment. The $50,000 that Mr. FLAKE is trying to strike would go to the Fairfax County Park Authority to renovate fields in Annandale, Virginia.

Baileys Crossroads, Seven Corners, Culmore in the Mason District, is just inside the Capital Beltway in Northern Virginia. Like many areas, they are experiencing significant problems with gangs. They have a heavy immigrant population, and thousands of low-income, low-cost apartments.

I might add, open space is at a premium in these areas. One way we can make a positive impact on the gang problem is to give the kids something to do, and that is just what we are trying to accomplish with this particular earmark.

The playing fields in question are used by youth athletic leagues that bring kids in, offering them any number of positive experiences as alternatives to joining gangs and keeping them out of trouble. This is a much more urbanized part of Fairfax County. It may be in the aggregate a wealthy county, but I can tell you the people that this impacts are the lowest of the low in terms of their incomes.

But we have apartments in this Seven Corners area where you have two or three families living in two-bedroom apartments. This is a more urbanized part of the county. The county has over a million people.

Open space is at a premium. Just a couple of years ago, a soccer field where immigrants used to play soccer was displaced by an Eckerd Drug Store, depriving them of other fields. And gang activity in the Culmore area has thrived. Northern Virginia is rapidly expanding.

With every passing year, there are fewer and fewer places for young people to engage in constructive outdoor activity. And the kids that this affects do not have cars, they cannot take mass transit, they cannot afford taxicabs. This is an area where they can get to and be able to find some alternative to joining a gang and joining into illegal activity.

With every passing day, there seem to be more and more ways for them to get into trouble. Athletic activity is one of the best alternatives to gang activity.

There is an old saying, "You can pay me now or you can pay me later." This investment, if it just saves one kid from a life of crime and a career in the prison system, will be well worth the dollars in this particular case.

But in my district, our constituents frequently tell me there are pressing needs; can we help out over and above what they might be able to get in the political process? A lot of the people that this helps generally have been powerless at the ballot box, they have been unable to get it through the usual allocation of park authority funds, which tend to go out to wealthier areas.

Under the HUD portion of this bill, that is where this earmark comes from. There are programs that are supposed to be used to fund revitalization programs. That is exactly what this is, in the Annandale, Baileys Crossroads area.

This project is good use of these dollars. This project, I think, will help the young people in our district turn away from the influence of gangs and get them into more constructive activities. More importantly, I think it is an investment in the future. So it is for these reasons in this particular case that I rise to oppose the Flake amendment.

Mr. Chairman, I would just reiterate that putting one kid into a gang with the crimes that could be committed and a life in the prison system is worth a lot more than the $50,000 that we have asked for and earmark in this bill that will improve these fields and make them available to a wide array of young people.

Mr. Chairman, I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me simply state again, Fairfax County's available budget funds for 2007 are around $3.38 billion. The Fairfax County Park Authority received over $100 million in revenue in 2005 and spent under $70 million, adding over $30 million in net assets in 1 year alone.

I would submit that it is the county's responsibility to decide what the priorities are, and if they decide that the priorities are not to spend $50,000 where we want to spend it here, then perhaps it ought to be taken up with the county, but not come to the Federal taxpayer again and again and again for these dollars when the local officials have turned them down for whatever reason.

I can go in my own State and say, the city I live in, they will not appropriate money for the Little League field close to my home. I would like there to be funds for that. So, go to the Federal taxpayer. I could do that apparently. It would meet the criteria, but it is wrong. We should not do that.

Mr. Chairman, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield back the balance of my time.

Mr. FLAKE. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used for the city of Banning, California, for renovations to the city-owned pool.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this earmark limitation amendment would prevent $500,000 from being spent on renovations to the Banning, California, city-owned pool.

This $500,000 is part of nearly $12 million provided to the State of California in HUD earmarks. Now, I live in the Southwest. I know the desert can get awful hot, and there is nothing better than taking a swim. But I do not know why we ought to give the Federal taxpayer a bath every time somebody wants a swimming pool.

That being said, again here, I wonder what criteria we use when these earmarks come forward. If we can say that swimming pools, city-owned swimming pools are eligible for Federal funding, then what is not eligible for Federal funding? Do the criteria mean anything in that regard? Is anything open? Why not earmark the entire bill.

If we accept the premise, which we seem to accept in this House, that we know better than the Federal bureaucrats on how to spend this money, why not earmark the whole thing? I might hear agreement there.

That is what we seem to be doing. We keep going more and more and more. In 1994, I think there were a total of fewer than 2,000 earmarks on all appropriation bills. Last year there were over 10,000. The dollar value keeps increasing.

So we simply have to go the other way. In 2006 the transportation appropriation bill included $250,000 for the city of Banning, California for city pool improvements. Similarly, the 2005 transportation bill included $250,000 for the city of Banning, California for construction and renovation of the city pool.

So this is $500,000 tacked onto $250,000, tacked onto $250,000 for a pool, that to my understanding, has not even been built yet.

□ 1200

They are waiting for more funds to come from the Federal Government apparently before they even build this pool. How does this happen? How does the community pool receive a revenue stream out of the Federal Treasury?

I think this is simply the wrong way to do business. We have got to stop. What better place to stop than right here on this amendment and say we are going to send a signal to the taxpayers that we are going to do business differently?

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, every one of these projects relative to the gentleman's comments, must relate to the eligibility of the CDBG program. Every single one. We don't waive the requirements.

In fact, to show how worthwhile we think these projects are, for the very first time this year the committee is imposing a 40 percent match for each of these projects. We think that each EDI is so meritorious that with just a little bit of CDBG seed money, these organizations and cities will be able to leverage other funds for the same goal. They do, and it does work.

Mr. Chairman, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to the amendment as well. The gentleman who presents the amendment has expressed in many ways his commitment to reducing Federal spending across the board. There is not any doubt that he and I disagree relative to the way we should go about reducing the Federal budget and impacting the national debt.

For example, just last week we had an extensive debate regarding the supplemental appropriations bill, which was designed to provide vitally needed funds to fight the war on terror in the Middle East and, above and beyond that, to provide critical funding for relief for those people who are impacted by hurricanes in the gulf coast. The gentleman felt that that spending within that package was unacceptable enough to him that he voted against those efforts.

In contrast, when we attempted to weigh and measure carefully those funding requirements, I thought that supplemental did a fabulous job. I voted in favor of it. So we have a different approach relative to how we would impact the Federal budget.

In this instance, we are talking about very, very small pieces of money. The other involves billions of dollars, but they were critical Federal responsibilities. The gentleman in this instance is addressing by way of a couple of amendments a region in California that has faced very, very explosive growth. The communities within the region are made up of people who are largely older, senior citizen. They do not have an industrial base.

There is, in one instance, a very interesting cooperative project between the community involved, the city, a community college and senior citizen organizations to make sure that there is a recreational activity that will not only assist the schools' physical education programs but also supplement the vital economic needs of that community.

The gentleman has suggested that nothing has been done in the appropriations process regarding reducing spending over these recent years. Let me suggest the reality is much different than that. The fiscal year 2007 House Agriculture appropriations bill includes $35 million less in Member projects than last year's bill.

The Military Quality of Life bill reduced Member projects by $40 million compared to last year. The current House Interior appropriations bill reduced Member projects by $89 million.

We have brought about a small revolution in this last year in the appropriations process. Every one of our bills came in under budget and well ahead of time. Working with the other body, we were able to send all of our conference reports to the President's desk for signature without having an omnibus bill at the other end.

The gentleman, paying lip service to reducing the budget in this amendment, reduces spending by something like .0007 percent. The reality is that whatever money might be theoretically saved by his amendment will go back into the pool and bureaucrats will spend the money.

I believe that the President should and has the responsibility to present the House with a budget. We, in turn, have a constitutional responsibility to control spending. You do that by effective oversight of every one of these programs.

Indeed, in this instance the gentleman seems to have much more confidence in bureaucrats downtown than he has in the Members of the House who do their work every day, day in and day out, year in and year out, in our subcommittees.

Indeed, I strongly object to that style which would suggest a Member's preconceived notion is better than the work of the House. I urge, very strongly, to have the Members vote against these proposed amendments that suggests that either one Member or indeed bureaucrats can do the job better than the committee.

Mr. FLAKE. Mr. Chairman, I appreciate the comments. When the gentleman says that this money will go back into the pool, I hope we are not talking about another swimming pool here.

Let us remind ourselves what we are talking about here. Whether this funding is being spent by a Federal bureaucrat, I would submit that if they are saying that we ought to be spending money to offset the spending of some swimming pool in Gilbert, Arizona in my district, that would be wrong. A Federal bureaucrat, we ought to have oversight and say you shouldn't do that. But that doesn't mean that we ought to do it ourselves. I mean, it is tough for us to make a credible case for oversight of the Federal agencies when we are spending money like this. This is a swimming pool.

The notion that the criteria now has a 40 percent match that we have to get the local folks to kick in money as well, boy, who wouldn't? Who would not offset their budget? What local municipality would not jump at the chance to pay only 80 cents on the dollar or 50 cents on the dollar for a new project that they have, swimming pool or otherwise? Where did this end? Where does this end? It is no better if it is a Federal bureaucrat. But, boy, we look horrible if we say, hey, we spend money better than Federal bureaucrats. We are going to spend it on a swimming pool in Banning, California. Simply wrong.

Mr. Chairman, I yield back the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used for the Bakersfield Beltway System, California.

POINT OF ORDER

Mr. BOOZMAN. Mr. Chairman, I raise a point of order against the amendment offered by the gentleman from Arizona.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BOOZMAN. Mr. Chairman, this amendment violates clause 3 of rule XXI. It reduces obligation authority and associated outlays below the levels provided in Public Law 109–59 in violation of rule XXI, clause 3.

The CHAIRMAN. Is there any Member wishing to be heard on the point of order? If not, the Chair is prepared to rule. The Chair has examined clause 3 of rule XXI, which originally was adopted by the enactment of section 8101(e) of the Transportation Equity Act for the 21st Century as an exercise of rulemaking power, which was amended by section 8004 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in order to conform the rule to the current law authorizing funds for highway and transit programs. Clause 3, in part, reads as follows:

"It shall not be in order to consider a bill, joint resolution, amendment or conference report, that would cause obligation limitations to be below the level for any fiscal year set forth in section 8003 of the Safe, Accountable, Flexible, Transportation Equity Act: A Legacy for Users, as adjusted, for the highway category or the mass transit category, as applicable."

Clause 3 also states:

"For purposes of this clause, any obligation limitation relating to surface transportation projects under section 1602 of the Transportation Equity Act and section 1702 of the Safe, Accountable, Flexible Efficient Transportation Equity Act: A Legacy for Users shall be assumed to be administered on the basis of sound program management practices that are consistent with past practices of the administering agency permitting States to decide High Priority Project funding authorities within State program allocations."

The Chair will make certain findings concerning the language of the rule and the provisions of the existing law.

First, clause 3 of rule XXI, identifying a "floor" below which a proposition may not "cause obligation limitations to be," points to levels set forth in section 8003 of SAFETEA–LU.

Second, section 8003 of SAFETEA-LU, in setting forth levels of obligation limitations, establishes aggregate, annual amounts.

Third, the assumption in clause 3 of rule XXI that obligation limitations will be administered on the basis of past practice of the administering agency is confined to projects under section 1602 of TEA21 and section 1702 of SAFETEA-LU.

Fourth, the project in the amendment offered by the gentleman from Arizona is designated as a Project of National and Regional Significance in section 1301 of SAFETEA–LU.

Fifth, the funding for projects in section 1301 of SAFETEA–LU are part of the level of obligation limitations for fiscal year 2007 established in section 8003 of SAFETEA–LU.

From that review, and as asserted by this point of order, the Chair finds that the point of order established in clause 3 of rule XXI, together with the accompanying statutory scheme, were designed to insulate certain projects specified in SAFETEA–LU from collateral legislative change. Under that statutory scheme, the amount prescribed for the instant project specified in section 1301 correlates directly to, though it does not account entirely for, the level of obligations set forth in section 8003, and the funding specified for that project may not be redirected elsewhere in the program. Consequently, a measure placing a restriction on that project would have a esponding effect on the level of obligations.

The Chair therefore holds that the amendment offered by the gentleman from Arizona, by prohibiting funds in the pending bill for the specified project, would, in the words of clause 3 of rule XXI, cause an obligation limitation for fiscal year 2007 to be below the level set forth in section 8003 of the act.

The point of order is sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available by this Act may be used for Xerox Area Road Improvements, Monroe County, New York.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I won't speak for long on this. This is an amendment that seeks to limit Monroe County in New York from spending $1 million on Xerox Area Road improvements. This is one of 111 earmarks New York received in this bill worth more than $46 million, the fourth highest total of all States.

These earmarks include more than $1.6 million in transportation earmarks in this appropriations bill.

Xerox is a Fortune 500 Company. It is a $15.7 billion global enterprise and a valued employer to Monroe County, New York. The Xerox area they are speaking of is made up of 47 major buildings, 5.5 million square feet. I simply don't know why the Federal Government, Federal taxpayers, are being asked to essentially pave their driveway.

Monroe County has already offered many incentives to Xerox, including a $500,000 loan for new equipment, $100,000 training grant from Empire State Development and incentives through the County of Monroe Industrial Development Agency.

□ 1215

Let me just say how pernicious this becomes when the Federal Government weighs in on behalf of local governments who are seeking to incentivize private companies to locate their facility there. You are inevitably picking winners and losers.

If Xerox is not going to locate their new facilities or more facilities or more employees in Monroe County, they are going to do it elsewhere, in another part of the country, and it is likely that we may have to fund job training or other in that other area where it is moving from.

At what point do we say this is not our business? The Federal Government's business is not to weigh in and aid one local government at the expense of another. That is essentially what we are doing here.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. For what purpose does the gentleman from Michigan rise?

Mr. KNOLLENBERG. To oppose the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

The Transportation, Community and System Preservation program is authorized to fund a wide variety of transportation projects that improve the efficiency of the transportation system in the U.S., reduce the impact of transportation on the environment, and other purposes.

The purpose of this project, and soon I will yield to Mr. WALSH, in question is to rehabilitate several roads in Monroe County, New York to bring them up to acceptable standards and improve safety. These are eligible activities for the program, as defined in law.

Mr. Chairman, I yield as much time as he may consume to the gentleman from New York (Mr. WALSH).

Mr. WALSH. Mr. Chairman, I thank the distinguished chairman for yielding me time and for including this appropriation in his bill.

Clearly, the Constitution provides the power of the purse to the House, and clearly, as elected representatives of the people of New York or Arizona or Michigan, we need to help establish priorities for the spending. The Founding Fathers put that power in our hands. We need to exercise it wisely.

Our committee, under the leadership of Chairman LEWIS, has done a great deal to reduce Federal spending. In fact, nondefense discretionary spending has led us to today in terms of reducing spending, and so great credit should be given to the chairman and to the Appropriations Committee.

This expenditure is very important to New York State. We are involved in a competition not just with other States but with other countries around the globe, and across the country we have seen great American jobs lost to global competition where other countries and those communities are supporting those business' moves to those places. We have seen it happen with UTC, with General Electric, with Kodak, and certainly here with Xerox.

We are working with local municipalities, the town of Webster, the County of Monroe, the State of New York, to incentivize, to try to retain those jobs in upstate New York.

Now, Xerox is a major player. They are investing tens of millions of dollars in the location to build a new building, to put in new processes. Upwards of $50 million is their investment. What we are doing is providing one-fourth of the public investment: one-fourth Federal, a portion local, a portion county, and a portion State, to make the improvements that will facilitate the construction of this facility and the access and egress for the employee. Is that a lot to ask?

I would ask my colleague and friend from Arizona, whose State has benefited from hundreds of millions, if not billions of dollars, of Federal dollars support, taxpayer support, my constituents in New York that helped to build all the water projects across the West, that enabled people to live in otherwise very inhospitable places. I understand they now have designs on the water from the Great Lakes because they cannot sustain the populations in the desert where they have chosen to live. New York taxpayers and Michigan taxpayers and California taxpayers, New Jersey taxpayers, have helped to subsidize the livelihoods of the farmers of Arizona. We do not begrudge them that. We think it is great.

The Salt Road project, other water projects across the southwest are providing a livelihood, the electricity, the air conditioning for the people that Mr. FLAKE represents here. We have provided those moneys other the years without any fight, without any begrudging of that. It is important.

We need to work together as a Nation to strengthen our industry, to strengthen our quality of life, and I would only ask the gentleman to please consider this process that he has brought before us today. This $1 million will leverage tens of millions of private sector investment, will enable hundreds of people to gain their livelihoods in upstate New York, to compete in the globally competitive world and allow us to maintain our tax base and our quality of life.

We support the quality of life for people of Arizona. We would ask no less from the gentleman for the people of New York.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

The gentleman mentions that he does not begrudge those in Arizona seeking water subsidies, for example. I do. I hope the gentleman will join me in voting against the extension of the next farm bill, which gives massive subsidies to cotton farmers in Arizona. They should not have those subsidies. They should not have them anywhere.

So I simply think we have got to start somewhere, and when we say we are going to incentivize and we are going to join with local governments in incentivizing businesses to come, again I have to ask the question. I would love some guidance from the chairman of the committee on what would happen if the city of Newark, New Jersey, for example, said we are trying to lure Xerox to come here and we would like you to help. How does the committee make the decision? Do you look at seniority of the Member who is asking? Do you look at something else? What criteria are then used? When does the Federal Government stop weighing in and picking winners and losers?

Again, if they are relocating facilities, they are relocating from somewhere else. How do we jump in and say we are going to do it here and not elsewhere?

Mr. Chairman, I yield back the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC.   . None of the funds made available by this Act may be used by the city of

Weirton, West Virginia, for planning and design, construction, renovation, and build out of facilities.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

This amendment would limit the city of Weirton, West Virginia from spending $100,000 on a facility. Now, I am not being deliberately vague here. This is all we know. This is all we know about this earmark. Again, city of Weirton, West Virginia, we are spending $100,000 on a facility. I would ask for guidance from the committee as to what that facility is, or the author of the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. MOLLOHAN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from West Virginia is recognized for 5 minutes in opposition to the amendment.

Mr. MOLLOHAN. Mr. Chairman, I yield myself such time as I may consume.

I welcome the opportunity to speak on the floor this afternoon about the needs of work in West Virginia in this particular appropriation. If there is any town in our Nation that is deserving of economic development dollars from this appropriation bill, it is Weirton, West Virginia.

Weirton is a steel town. Growing up around a nearby steel mill started in 1909, the mill and the town grew quickly, and at its peak, the mill employed about 14,000 employees. However, downturns in the steel industry in the late 1970s and early 1980s reduced the number of employees to approximately 7,000; and today, as a result of our Nation's trade policies that are very injurious to basic industry America and, in particular, our steel towns across the Nation, today the number of employees at Weirton Steel hovers around 1,250, down from that 14,000 number several years ago.

The West Virginia congressional delegation, in cooperation with the Independent Steelworkers Union, we fight every day for policies that favor Weirton's hardworking steelworkers and their families.

Well, despite our best efforts, Mr. Chairman, the loss of steel jobs has resulted in some of the highest unemployment rates in my State. Brook County and Hancock County have unemployment rates approaching 7.6 and 8.6 percent.

This grant combats those unemployment rates. As requested by the city of Weirton, these funds, coupled with other funds like CDBG dollars, generally would be used to develop a meaningful regional competitiveness plan. The language in the bill is that the funding is for planning and design, perhaps construction, perhaps renovation, we would hope; but specifically the city wants to use these dollars to evaluate regional economic and business trends and hone in on specific sectors that have the strongest growth potential within Hancock and Brook County. They are looking for economic diversification as an alternative to the condition that they are experiencing.

For example, as an industrial town, Weirton and the surrounding area have a number of brownfield properties. These properties sit idle, but if properly redeveloped and integrated into a sound economic development effort, strategically planned, they could be home to new businesses and could generate high-paying job opportunities for those unemployed constituents.

Examples of those businesses might be a period in this area that would include clean coal technology industry, medical device manufacturing, but moving from brownfields to a thriving economic sector takes careful planning, which is what this funding provides.

Mr. Chairman, I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

Again, I would ask again, we do not know, is it a facility? Is it not a facility? I guess it is planning for perhaps a facility, maybe not. Are we simply subsidizing the city of Weirton, West Virginia? Are we in the practice of subsidizing all cities who are having trouble with their budget? Where do we pick and choose?

Again, we are tasked with providing oversight. How do we provide oversight if we do not even know if we are funding a facility or not?

Let me just give a couple of other examples in this bill, ones that I am not highlighting today. Other examples of vague earmarks, $250,000 to the Salvation Army Family Enrichment Center in Anchorage, Alaska, for the construction of a "blank." The sentence was not completed; $250,000 to the city of Marathon, Florida for the construction of a facility. Again, is it a facility? It may or may not be. We do not know. How can we offer oversight in that case?

This is what it says: $400,000 to the South Valley Community Dental in Albuquerque for the construction of a new, again, "blank." The sentence was not completed; $200,000 in transportation funds for Cedar Bluff, Alabama, no further description; $550,000 to Ed Roberts Campus, Berkeley, California. No other description. What is the money for? We have no idea.

We are, in the Congress, tasked with oversight. This is all we are given from the committee; $750,000 to the city of Temple, Texas for the acquisition and renovation of a facility. There is that dreaded "facility" again. Keeps popping up. We do not know what kind of facility. Yet we are asked to fund it.

My staff went so far as to send an e-mail to the committee staff requesting help in determining the intended use of appropriated funds in some of the particularly cryptic line items. We did not receive anything back. I can understand that. There was a lot going on this past weekend. There were 1,500 earmarks added Wednesday of last week. It is tough to get around to deciding what they are, but I would submit that if we cannot, we should not bring them to the floor and ask Members to vote on them, just to vote on appropriating money for "facility" when it may or may not be a facility.

Mr. Chairman, I retain the balance of my time.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

I had the impression that the gentleman from Arizona is now switching off the issue that we are talking on and raised a whole bunch of others to try to create some sort of a category. I want to go back to this particular one.

No State in our great country has over the past at least two generations, and probably more than that, suffered greater economic distress and greater job loss than West Virginia. Thousands and thousands of families have migrated to other States, to West Virginia's great loss and to the gain of those other States.

Now, Weirton, West Virginia is one of those places that has been right on the point of the sphere of this economic distress and job loss. As the gentleman from West Virginia pointed out, it has had serious losses of jobs in the steel industry, and its population has declined precipitously. Precipitously.

It is very difficult to bring back distressed communities in situations like that, and it is a hard effort to do the planning and to figure out what are the projects that are the greatest chance of success to bring back jobs.

□ 1230

And there can be no greater purpose, it seems to me under the Economic Development Initiative under HUD, than to provide help in communities exactly like that. This project, because of the breadth of it and the need in the area, meets all the criteria that HUD has set; and it is totally consistent with the purposes of the Economic Development Initiative program under HUD.

So I rise in strong opposition to the amendment that has been offered by the gentleman, however well intentioned it may be. I urge a "no" vote on the amendment and hope that that will prevail.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word, and I yield such time as he may consume to the gentleman from Texas (Mr. BONILLA).

The CHAIRMAN. The gentleman from Texas (Mr. BONILLA) is recognized for such time as he may consume.

The gentleman from Michigan (Mr. KNOLLENBERG) will have to remain on his feet.

Mr. BONILLA. Mr. Chairman, I thank the chairman for yielding. It was once said that one of the definitions of insanity is doing the same thing over and over again and somehow expecting a different result. That is what we are seeing here with these amendments that are being presented, and I would say to any Member who would attempt such tactics that there is a demonstration of a lack of consideration for all of the hard work that has gone into putting these bills together.

Questions have been raised by the author of this amendment about the specificity of where some of the money is going on some of these line items that are being discussed, and therein lies an illustration of the problem that exists here. The grunt work in the trenches that is done day in and day out by Members of the subcommittee, by the good professional staff goes back sometimes many weeks and months. And when these kinds of amendments are brought up, without any knowledge that is even acknowledged by the author of the amendment, it is a frivolous waste of time for Members on both sides of the aisle.

So I would ask any Member who would operate using this tactic to take that into consideration. It is like a football team that takes the field every week with the same team and winds up losing 50–0. And some might say that the team that takes the kick in the tail every week, well, they have good heart because they want to come back again and fight another day. But at some point you have to measure what that person's brain is all about as well and what kind of consideration is shown to those who work hard in the trenches every day for the teams and to those "fans" or constituents that are also looking at what we are doing.

So I would ask again that any Member who is using these tactics that it is a great thing to come and present an amendment. Some Members offer amendments on a regular basis that have a true conviction about what they are trying to accomplish, and then they realize that they are not going to accomplish much and they turn around and work on something else.

Wise up, I would say to anyone proposing these kinds of amendments. Again, it is an attempt to do something over and over again and somehow expecting a different result.

I thank the Chairman for yielding.

Mr. FLAKE. Mr. Chairman, I think I am the best intentioned multiple-amendment loser in the House these days, I guess. I keep being told I am well intentioned, but these aren't going anywhere.

Let me just say again. As I mentioned last week or a couple of weeks ago, this is the only opportunity we have. This is it. If we are going to offer any oversight, this is it. And when we get amendments that say for a facility, and let me just say that my staff e-mailed the committee last Friday and said, please, can you give us further explanations so that the authors of these amendments can come to the floor and better defend them? Please let us know what this is. We didn't get anything back from the committee. Nothing. That was 4 or 5 days ago.

Now, I understand it is a difficult thing, but maybe the committee ought to think that maybe 1,500 earmarks in the manager's amendment might give rise to a little suspicion that we can't police this very well; that when we are spending money on swimming pools and facilities that we don't even know whether it is a real facility or not, that we have overstepped our bounds.

I am not going to apologize for standing up and offering 12 amendments, 12 out of 1,500 that we could choose. There is nothing wrong with that. In fact, we ought to be doing it more often. So I would ask for the indulgence of the Members. This process, this is the only opportunity we have. We found out about the amendments last Wednesday. We go to the committee and attempt to look at them. We are told we can only look in the committee at one binder, right there. We can't even take it back to our office to study these amendments. Not until Friday did we get a copy. As soon as we did, we sent an e-mail back saying please give further explanation on these amendments. We heard nothing back.

What else are we to do? I am asking. What else are we to do?

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the city of Yucaupa, California, for the design and construction of a multipurpose athletic facility at Crafton Hills College.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment seeks to limit the City of Yucaipa, California, and I think it was misspelled in the manager's amendment that this is from, from spending $500,000 on an athletic facility at Crafton Hills College. Funding for a California community college project should be under the jurisdiction of the State, not for Congress.

This $500,000 is part of nearly $12 million provided to the State of California in HUD earmarks, which is part of $87 million in total earmark funds included. This is the highest amount of any State in the bill.

You would expect that. California is a big State. But, still, when we are spending HUD monies on athletic facilities at community colleges, I would submit something is wrong. We should not be doing this.

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

The gentleman claims this money should remain apparently in the hands of the bureaucrats downtown, and I would ask him what do bureaucrats know about economic development or constituent needs in Arizona or Detroit or Yucaipa, California? The gentleman from Yucaipa, California, has already spoken eloquently on the needs of the constituents in the City of Yucaipa.

I urge a "no" vote, and I reserve the balance of my time.

Mr. FLAKE. Mr. Chairman, again, I do not know what else to say on this one. I think we have spent enough time on it. This is money for an athletic facility, a HUD grant for an athletic facility in Yucaipa, California. Simply, why we are spending money on that I don't know.

I yield back the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. FLAKE

Mr. FLAKE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used for the Agri-Center Interchange, Tulare, California.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. Mr. Chairman, this amendment would limit the Strand Theater Arts Center from spending $250,000 for conversion of a theater in Plattsburgh, New York, into a performing arts center.

I simply have trouble again understanding why the Federal Government should pay $250,000 to renovate a theater in Plattsburgh, New York. This is not the only frivolous earmark included in the HUD grants in this bill. Others include $100,000 for the Village of Jamestown, Ohio, for building renovations to the Jamestown Opera House.

Mr. MCHUGH. Mr. Chairman, if I may, either the Clerk designated the wrong amendment or the gentleman is on the wrong script.

Mr. FLAKE. I apologize. We will send down the one we intend to do.

The CHAIRMAN. Does the gentleman ask unanimous consent to withdraw the amendment?

Mr. FLAKE. I do.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will report the new amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAKE:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used by the Strand Theater Arts Center in Plattsburgh, New York, to convert the Strand Theater into a performing arts center.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Arizona (Mr. FLAKE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FLAKE. I thank the Chair and the Members for their indulgence, and I apologize to the Member from New York.

As I mentioned here, this is funding for the Strand Theater Arts Center, $250,000 for the conversion of the theater in Plattsburgh, New York, to a performing arts center. There are other earmarks in the bill of this type: $100,000 for the Village of Jamestown, Ohio, for building renovations to the Jamestown Opera House; $100,000 to the Metropolitan Theatre Foundation in Morgantown, West Virginia, for the construction, renovation, and buildout of facilities; $100,000 to the Houston Zoo in Houston, Texas, for the construction of the Outdoor Life Science Learning Center.

It goes on and on and on and on. Again, you have to say, where do we stop? Where do we say this is not the role of the Federal Government? Where do we say local government knows best.

We say that we know better than Federal officials and bureaucrats over in the Department of Transportation or elsewhere where to spend money, then it stands to reason that those at the local level know a lot better than we do about what to spend money on. Sometimes in these cases these are facilities that they have decided specifically not to fund, yet we are going to go ahead and fund them.

That may or may not be the case in this case. But when we are saying we know best, we are going to decide where these monies are going, whether or not it is leveraging local funds, we simply can't justify it to the Federal taxpayer.

We need to remind people again and again we have a deficit this year of somewhere between $300 billion and $500 billion, depending on how you count and what you count. We have a Federal debt approaching $8 trillion, and yet we are spending money to renovate theaters in small towns across the country.

Where do we say we have done enough? This ought to be done at the local level or it shouldn't be done at all. But how can we justify using taxpayer money at the Federal level for projects like this?

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. MCHUGH).

Mr. MCHUGH. Mr. Chairman, I thank the distinguished chairman, and, first of all, Mr. Chairman, I am pleased to say that I wish the record to show I am not only willingly here, I am eagerly here in support of this program.

I know one of the legitimate concerns and criticisms about the process of so-called earmarking has been that where funds are being sought too often they are done anonymously. That is not the case here. I am proud to have penned my name to it, and it is also not the case in any project I have ever sought. I believe it is in the taxpayers' interest to have transparency, and I am proud to be associated with this project. It is the right thing to do.

I am also happy to try to help the gentleman answer some of the questions that he asked. I have to be frank, I am more than a little confused by the assertion on these kinds of motions to strike, and this one in particular, that somehow there is no local participation. In fact, the locals have placed over $1 million in a very small community in support of this. There will be more to follow. Also, under EDI, as I understand the process, a 40 percent local match is required.

And I would note as well that this is an authorized program. The gentleman may have a concern about the authorized program, but this has been an effort that has culminated over more than 12 months to try to qualify under the EDI accounts, which were first authorized back in 1974 under section 108 of the Community and Housing Development Act. So authorization is not the issue.

This is a program that has had congressional votes and presidential signatures over the years, and it has evolved into the current form. This project finds itself on the floor today in virtually every other way over the past 5 years that each and every EDI program has come before us.

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It does not find itself on the floor at this moment by a process of whim or political leverage or whatever other nefarious means the gentleman lies behind it. It is quite the opposite.

I think it is important to note this project was rejected under the EDI process just a year ago. It could not demonstrate that it met the qualifications, that it met the requirements under that program. And there are a number of them. You have to provide proof of resulting job creation. Your funding is restricted so you can have no personnel expenses. You cannot pay for program operations. You cannot reimburse expenses at any level, including debt service.

For more than the past year local citizens who have worked so hard on this initiative have hired professional consultants, have conducted a menu of analysis and feasibility studies, all of it part of the public record and all of it designed to meet the requirements and the initiatives under the EDI account.

I have to say the folks who have put forward that effort and worked so hard would be very, very surprised to hear the gentleman's concern.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. SWEENEY).

Mr. SWEENEY. Mr. Chairman, I thank the chairman for yielding me this time, and I rise in opposition to the amendment and in support of the Strand Performing Arts Center, not because it is in my congressional district, because it is not; but because I recognize it as an important part of economic development in the north country, a part of the State of New York that I partially represent.

Let me suggest that I play a little off of my colleague, Mr. MCHUGH's comments and the notion that what I would suggest the gentleman from Arizona do is direct his angst and his efforts toward the authorizing processes, the processes that created the criteria that many of these projects have had to compete within for many of these years. Maybe that is where the reforms and the oversight would be best directed, because by playing by the rules, the people of the north country have an expectation here that they are going to improve their economic climate, a place that is incredibly distressed, that is in the national interest, I believe, to help assist, and that will be able to improve the quality of life.

Things like being able to recruit good doctors to come to work at the Champlain Valley Physician's Hospital, a place that endeavors to develop a cardiological unit that will provide the opportunity for the people of the north country to not have to drive or relocate their families hundreds of miles away. This adds to the quality of life and the recruitment potential.

I also want to make a brief comment about the comments by Mr. WALSH and associate myself with them. New York State is a donor State. We send tens of billions of dollars every year in Federal tax dollars. New York State taxpayers send to the Federal Government more than they receive in return. A $250,000 earmark for the Strand Theater Arts Center which will help with the economic development in a depressed area is a concern for all of the people of New York, and, I believe, all the people of this Nation.

I think this is an appropriate use of Federal dollars. I think if the gentleman is sincere about his efforts to provide the proper oversight, he ought to direct them towards where they ought to be properly directed, and that is where the rules are made up for it.

Mr. FLAKE. Mr. Chairman, I yield myself such time as I may consume.

I appreciate this debate. As I have said before, this is the only forum we have to try to exercise a little fiscal discipline over this process.

A few speakers prior mentioned it is the definition of insanity to stand up, do the same thing, and expect you are going to get a different result. I don't know that I will ever get a different result here. I understand this process. I understand log rolling. I understand what this is about. But somebody has to stand up at some time.

I think the definition of insanity is assuming that the taxpayers are buying this, that they believe this is a good use of Federal taxpayer dollars. I think they see it for what it is. I simply think you have to stand up at some point and say enough is enough. That is what we are doing here.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. FLAKE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. TIAHRT

Mr. TIAHRT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TIAHRT:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available to the Internal Revenue Service by this Act may be used to develop or provide taxpayers with free individual income tax electronic preparation and filing products or services other than through the Free File program and the Internal Revenue Service's Taxpayer Assistance Centers, Tax Counseling for the Elderly, and the volunteer income tax assistance programs. In addition, no such funds may be used to implement direct interactive online electronic individual income tax preparation or filing services or products, or a return-free system as described in section 2004 of the Internal Revenue Service Restructuring and Reform Act of 1998.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Kansas (Mr. TIAHRT) and a Member opposed each will control 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order against the gentleman's amendment.

The CHAIRMAN. A point of order is reserved.

The Chair recognizes the gentleman from Kansas.

Mr. TIAHRT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is relatively simple. It says that none of the funds in this bill will be made available for an income tax electronic preparation and filing system at the IRS, being prepared by the IRS.

Now this is a stopgap measure for just 1 year until we thoroughly review before the authorizing committee acts upon this. The IRS is attempting to do a return-free tax system where they would write the software and administer the software so people could have their taxes prepared by the IRS.

They first tried to do this in 1998. They announced it during their annual software developers conference. We tried to stop it. Congress was successful. They did not move forward with it.

In 2000, once again, they tried to propose a tax software business inside the IRS. Congress protested and the IRS backed off.

In 2001, they tried a different avenue through the U.S. Postal Service. Again, Congress weighed in and the plans were again dropped.

In 2002, the IRS used its e-government project and EZ tax filing system. Once again the government backed off after Congress intervened.

In 2004 and 2005, they tried through the return-free tax filing system. We intervened and once again they backed down. Last year Chairman KNOLLENBERG, along with myself and the gentleman from California (Mr. DOOLITTLE) had a colloquy clarifying the House's intention to stop the IRS going into the tax preparation business.

The reason why we are opposing this is stated very well by Mr. Alford, president and CEO of the National Black Chamber of Commerce. He believes that the prohibition should be supported. He says, number one, that the current Treasury Secretary, the IRS Commissioner, as well as President Clinton's last IRS Commissioner, are on record of opposing such a plan, and for very good reasons.

I am going to quote Mr. Alford. He said, "It is extremely difficult to fathom that a government agency whose primary responsibility is tax collection and tax compliance would not be biased against helping the individual taxpayer when it comes to maximizing deductions. The IRS and State tax collectors are under constant pressure from lawmakers to maximize revenue intake." He said that they would likely do everything legally possible to minimize deductions on those tax returns if they prepared them.

Following what Mr. Alford said, those that would be impacted most are minorities because they are usually single, one-job, wage-only type taxpayers that use the 1040 EZ form. They would be the ones at greatest risk. It is not the wealthier Americans who spend money to have their taxes prepared by an expert, but it would be more likely that the IRS would minimize the deductions of lower income earners.

Also, Mr. Chairman, it is not really apparent how much this system would cost. The IRS says just to design the system would cost $300 million, and administering, keeping upgrades and maintaining the software is not included in that. And the private sector already has those products. Software is available. I use Tax Cut software to prepare my own taxes.

This is where the government is trying to compete with the private sector. I think it is inefficient. I think that it is difficult for us to believe that they would try to maximize deductions for taxpayers, especially those in lower income levels and those that are minorities.

Number five, lastly, is polling. The Wall Street Journal recently in an on online poll of 3,000 respondents, 70 percent of them said we should oppose the IRS getting into the business of preparing individual tax returns.

Mr. Chairman, I realize that this would be subject to a point of order under clause 5 because of the way our House rules are written.

Ms. ESHOO. Mr. Chairman, I rise in support of this amendment.

This amendment is similar to H.R. 5114, the Tax Return Choice Act, which I'm a sponsor of and which enjoys over 100 bipartisan cosponsors.

This amendment should not be controversial, and I also think it should have the strong support of the Ways & Means Committee.

This amendment simply prevents the IRS from creating its own electronic tax preparation and filing service, or a "Return-Free" tax system, without first coming to Congress and the Ways & Means Committee to present and explain their plans in public and receive congressional authorization for their program.

Rather than infringing on the Committee's jurisdiction—as the Chairman has indicated—this amendment protects the Committee's oversight authority. Our income tax system is highly complicated and burdensome for taxpayers and Congress should work to streamline and simplify the tax code. The solution to these problems is not to empower the IRS to assume an intrusive and complicated role as income tax preparer.

This amendment simply ensures that if the IRS seeks to assume such a role, it must do so with the prior authorization of Congress. A Return-Free tax system would represent a tremendous change in our system of tax collection. Under such a system, the IRS would present taxpayers with a bill which they would have to either challenge or pay. I don't believe the IRS should be in the business of preparing tax returns, and I'm convinced that such a system has dangerous and unavoidable conflicts of interest with the IRS taking control of tax preparation, auditing, and enforcement.

For the first time in the history of our income tax system, the principle of voluntary compliance by U.S. taxpayers would be turned on its head and the federal government would be charged with assessing taxes directly. This structure poses serious implications for taxpayers' rights, privacy and security. Some disagree and think the IRS should be in the business of tax preparation. I think it's inappropriate for this system to be implemented without action by Congress. I don't . . . and I think it is essential that Congress establish the rules if there is to be such a system.

There are too many questions and concerns about a Return-Free system to allow it to move forward without the scrutiny and approval of Congress. This amendment makes certain that the appropriate deliberation takes place.

Mr. DOOLITTLE. Mr. Chairman, I rise today to express my disappointment that section 206 and this amendment will not be a part of the FY07 Transportation, Treasury and Housing and Urban Development Appropriations bill.

Section 206 and Mr. TIAHRT's amendment would have stopped the IRS from spending taxpayer dollars to develop a return-free tax filing system or a direct online interactive tax filing system or web portal.

Having the IRS prepare our taxes is a little like having fox guard the hen house, isn't it? This is a bad idea from start to finish.

Right now there is no way to prevent the IRS from implementing a return-free tax filing system or a direct online web portal.

A return-free tax filing system would burden small businesses, and raises serious privacy and data security concerns.

Such a system would unfairly target low income taxpayers who would not have the resources to fight a bill from the IRS saying they owe money. They would be forced to accept what the IRS sent them, and that outcome is exactly what governments who want these systems expect. Their overall goal is to squeeze additional revenue from people who already pay their fair share of taxes.

In my home state of California, where they have been unsuccessfully trying to implement such a system, a recent poll showed that 67 percent of Californians say they do not want the government to do their taxes.

The Tiahrt amendment would have prevented all of that, and I am disappointed it will not be a part of this bill.

Mr. TIAHRT. Mr. Chairman, I ask unanimous consent to withdraw my amendment not because I believe it is necessary, but because it is under a point of order; but will carry on the battle to make sure that the IRS does not get into the business of competing with the private sector and taking advantage of those in lower income levels.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. OLVER. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I want to thank the ranking member for yielding to me.

Mr. Chairman, I planned to offer an amendment to H.R. 5576 to limit the use of funds within the act to prevent the contracting out of jobs of the postal police officers.

Based on a security assessment that predates either the anthrax attacks of 2001 or 9/11, the Postal Service is proceeding with an ill-conceived plan to decrease the number of professional law enforcement personnel at a number of postal facilities nationwide. In lieu of offering an amendment, the Chairman of Government Reform has agreed to write a joint letter to the Postmaster General outlining our concerns regarding the contracting out of the postal police officers.

Further, the letter will ask the Postal Service to base its security decisions on more recent assessments and to put on hold any plans for cuts or redeployments until updated threat assessments are complete.

Nearly 900 men and women serve as postal police officers. Postal police are fully trained, uniformed law enforcement personnel who have full arrest authority. They ensure a safe environment at postal facilities located in major metropolitan areas that are considered high risk. They are the first responders on the scene of any crime that occurs at postal facilities.

Since 9/11, the Federal Government has moved aggressively to replace contract security personnel with full-time Federal employees to appropriately address terrorist threats. Seeking to protect America from terrorist threats by keeping in-house highly trained law enforcement personnel is sound policy, especially given that the Postal Service is an attractive target for a terrorist attack and given the recent anthrax attacks it endured.

I feel strongly that contracting out the Postal Service police officers with private sector personnel with the training or arrest authority or ability to carry weapons puts constituents, including postal employees and patrons of postal facilities to move in the opposite direction as the war on terror continues.

In short, I believe that the Postal Service's plan is pennywise and pound foolish. I want to thank the ranking member of the Transportation Subcommittee for yielding me this time. I also want to thank the chairman of the Committee on Government Reform for his time and commitment to keeping the highest level of security at postal facilities and helping to ensure the safety and security of not only all of the postal facilities and its employees but the American public and its mail at large.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

Mr. HASTINGS of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HASTINGS of Florida:

At the end of the bill, before the short title, insert the following:

SEC.   . None of the funds made available in this Act may be used to eliminate, consolidate, co-locate, or plan for the consolidation or co-location of a Terminal Radar Approach Control (TRACON).

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today with other colleagues to offer an amendment prohibiting the FAA from eliminating, consolidating, colocating or planning to consolidate or colocate any terminal radar control centers which are referred to as TRACONs.

The TRACON system guides planes within a 40-mile radius of the airport on their takeoffs and final approaches.

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In an effort to save money, the FAA has embarked on an ambitious consolidation and collocation plan which will significantly limit our air traffic capacities in the future.

The FAA's current consolidation proposal seeks to eliminate 14 of 24

TRACONs in 9 States across the United States. In some instances, entire States will be left without any approach radar system within their borders. In other instances, consolidation runs the risk of placing undue stress on nearby TRACONs already having to deal with larger airspaces and staffing shortfalls.

For example, under the FAA's plan, the TRACON in Boise, Idaho, will be consolidated into a TRACON in Salt Lake City, Utah. This will leave the entire State of Idaho with no TRACON at all, and controllers in Utah will be directing approaching aircraft into Idaho airports, well over 300 miles away.

In Florida, the FAA is planning to consolidate the TRACONs of Miami International, Ft. Lauderdale/Hollywood International, and Palm Beach International airports, all within a Federal high risk urban area, into one TRACON.

Once this plan is implemented, if a terrorist attack or a natural disaster were to strike the Miami TRACON, then all three major international airports would lose their approach radar system. Controllers in Jacksonville, which is more than 350 miles away, would be where they would be controlled.

Finally, the southern California TRACON, the busiest in the country, reported 12 close calls between January and May 31 of this year. This total is up from only seven close calls during the same period last year.

Just imagine if southern California controllers already operating in a high risk urban area and facing staffing shortfalls have to direct their daily workload of more than 6,000 flights and those flights in a nearby region.

Mr. Chairman, this is not a question of whether or not consolidation can logistically be done. It can be done and it is being done. On the contrary, this is a question of what should Congress be willing to risk for consolidation to occur?

The FAA's consolidation of TRACONs runs the grave risk of leaving our air traffic system vulnerable during critical times.

Mr. Chairman, I yield the remainder of my time to my colleague from Idaho, Representative OTTER.

The CHAIRMAN. The gentleman from Idaho is recognized for 1 minute.

Mr. OTTER. In my 1 minute, Mr. Chairman, I would like to make a couple of points that were already touched on by Mr. HASTINGS, but are awfully important to the whole idea of the consolidation of TRACON.

First off, the FAA has furnished us with rules on cost savings which are just totally unrealistic.

Number two, in the Boise airport to which Mr. HASTINGS referred we have not only general aviation, commercial aviation and the National Guard control out of the Boise tower, but we also have the National Interagency Fire Center, which attacks the wildfires on BLM and Forest Service ground all over the West.

And finally, I would say this is such a bad idea, but it would be a terrorist dream. To consolidate all of our air traffic control into one center would be a tremendous target for those folks.

And so, with that, Mr. Chairman, once again I thank Mr. HASTINGS for his leadership on this and for the time. And I would like to offer letters from the Governor, from the National Guard Bureau and also from other interested parties for the record.

Mr. Chairman, in support of the amendment offered by Mr. HASTINGS, the FAA has embarked on a plan to collocate TRACON—radar—facilities from airports around the United States.

My colleagues from Idaho and I have had a number of contacts and meeting with FAA on this issue—and still, there are few answers and lots of concerns about the proposed move of the only TRACON located in Idaho—Boise Airport—to collocate facilities at Salt Lake City.

There are lots of reasons I could share about why this move is of concern to my constituents and I: redundancy of TRACON facilities in the vast Intermountain West, dramatic growth in the region, air space flexibility for our biggest airport, which also serves as the home to Idaho's active Air National Guard as well as the National Interagency Fire Center, which serves the whole West.

But there are general concerns that I think speak to why it is important to support the amendment offered by Mr. Hastings:

Poor cost analysis—limited savings: The FAA has only been able to show negligible savings with the proposed collocation. After two meetings and repeated requests for detailed cost information—to include short-term expenses and savings, as well as long-term projected costs, etc.

On April 27, my delegation colleagues and I met with Administrator Blakey, at which time a rudimentary cost savings analysis was provided, claiming only $2.47 million in savings over 25 years—less than $100,000 per year.

More importantly, by the FAA's own admission, this "analysis" does not take into account all personnel costs, such as the need to hire additional controllers due to loss of flexible scheduling, dual training and other efficiencies currently used at the Boise tower, as well as other potential cost increases.

Therefore, the planned move will likely result in greater costs over that 25-year period.

Poor Planning: It appears that the FAA's "alternatives analysis" being conducted on TRACON collocation does not have a long-range plan or vision.

There is no plan on how TRACON facilities will be collocated and/or consolidated around the Northwest—let alone across the country—as they look to maximize use of their new STARS radar system. At least none has been communicated by the FAA when questions have been raised at meetings.

The process, as presented by FAA staff, appears to be based solely on those projects that are currently working on getting funding or those that have funding earmarked and are ready to go to construction.

In the case of Boise Airport, a much needed new air traffic control tower project has been delayed or benched after more than $16 million in earmarks have been worked on over the past 3 years by my Idaho colleagues and me.

This setback will negatively impact the economic development opportunities, security and safety concerns we have expressed to the House and Senate Appropriators in support of funding for this project.

Colleagues, we aren't talking about decreasing the size of government or lowering our costs here. Until FAA can articulate real cost savings and a national strategy for TRACON collocation and consolidation, we ought not go down this path any further. I urge your support for the Hastings/Wexler/Shaw/Foley Amendment.

MILITARY DIVISION,
STATE OF IDAHO,
Boise, ID, January 27, 2006.

Hon. LARRY E. CRAIG,
U.S. Senate,
Washington, DC.

DEAR SENATOR CRAIG: Thank you for all your efforts on behalf of the Idaho National Guard. I know you are aware of a recent Federal Aviation Administration (FAA) proposal to remote the Terminal Radar Approach Control (TRACON) at Boise Air Terminal to Salt Lake International. I would like to voice the Idaho National Guard's strong objection to this proposal.

Aircrews from the Air and Army National Guard operate here on a daily basis and fly thousands of sorties each year. They are experienced at getting into and out of the airport traffic area. Controllers also gain a familiarity with an area and become extremely adept at controlling traffic within that area. The familiarity controllers have of our local area and their knowledge of our local weather phenomena allows them to provide expedited services that will not be feasible with a controller located in Salt Lake. I know of many occasions when their knowledge of the area and its weather patterns has resulted in the safe recovery of our guard airplanes and helicopters as well aircraft from Mountain Home AFB. I am also concerned that this proposed change may restrict our use of the short field approach and landing strip and that its use may be denied when other aircraft are operating on the main runways, significantly limiting our training opportunities. I am doubtful controllers located at Salt Lake will ever gain the familiarity that would allow them to provide the same exceptional service we currently enjoy.

Sir, of utmost concern to me is the margin of safety that will not be possible with a controller in Salt Lake. Whether the separation is between participating traffic and our C-130's operating on the short field, fire fighting aircraft operations or our helicopter operations, we enjoy a relationship with the TRACON that allows us to operate our military aircraft with civilian traffic simultaneously in a safe, expeditious environment. We cannot accept anything less.

Finally, thanks to your great efforts, Boise will complete a new control tower within the next few years. This great addition to the airport combined with the National Guard's efforts to relocate its munitions storage area will allow for a significant growth opportunity at the airport. Attracting major flying operations in the future will depend on the ability of those aircraft to smoothly transition into and out of the airport. To remote the TRACON to Salt Lake will in all likelihood slow down the traffic flow, thus increasing operating costs and making Boise a less attractive location in which to operate.

Thank you for your continued support of the National Guard and the Boise Air Terminal. If I can be of any further assistance, please let me know.

Sincerely,

LAWRENCE F. LAFRENZ,
Major General,
Commanding General.

STATE CAPITOL,
Boise, ID, February 1, 2006.

Hon. NORMAN Y. MINETA,
Secretary, Department of Transportation, Washington, DC.

DEAR SECRETARY MINETA: I am writing to express my concerns regarding recent efforts by the Federal Aviation Administration to evaluate the consolidation of some Terminal Radar Approach Control (TRACON) facilities. It is my understanding that Boise Airport is one of the facilities under consideration.

The Boise Airport serves a region that continues to experience exponential growth, necessitating expansion of the airport's facilities. Over the past few years, I have been working with Idaho's congressional delegation in the effort to secure federal funds for the construction of a new air traffic control tower at the Boise Airport. So far, Congress has designated roughly $16 million to date for this purpose. The federal request has included a budget for construction of a new control tower complete with an electronics suite, including radar approach control.

While I understand and support efforts to streamline government expense, I find little savings opportunity with the removal of radar approach control from the Boise Airport to Salt Lake City. I question the value of this consolidation when other facilities in the region that handle less air traffic are not under consideration for similar consolidation.

I also have several concerns about safety and service for air traffic at the largest airport in our state. I believe that knowledge of the area by the radar controllers is critical to safety. This interest has been expressed by controllers and pilots, both with a vested interest in personal and passenger safety. Additionally, given the unstable weather conditions in the Boise area firsthand updates on local weather conditions are improved by the added ability of a local radar controller to simply look out the window.

Finally, the Boise Airport has National Guard operations co-located at the airport property. These local military operations require a great deal of flexibility that a Salt Lake City approach could not provide. I have a vested interest in maintaining every advantage I can provide to Idaho's Air National Guard. My state has some of the finest guardsmen in our nation and those men and women are serving admirably in the war against terror. I am in disfavor of anything that might affect their ability to train or perform admirably.

If TRACON facilities were to move to Salt Lake City, Idaho would be the only state in the nation without radar approach equipment capability. In addition, consolidation would limit or end the airport's ability to do simultaneous visual approaches, which would effectively make the Boise Airport a one-runway airport and significantly decrease capacity at a time when growth in capacity is imperative.

Given that you are in the process of making a determination on this proposed consolidation, I want to register with you my concerns and urge you to retain radar approach control at the Boise Airport. I appreciate your time and consideration.

Sincerely,

DIRK KEMPTHORNE,
Governor.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. The location of a TRACON has absolutely no effect on controllers' ability to manage aircraft or the capacity or capabilities of any airport. This is because TRACON controllers do not have to have visual contact with aircraft as today's radar technology allows it to see the aircraft.

I understand that the gentleman is concerned about the complexity of the airspace in south Florida and the risk of hurricanes and terrorist attack on south Florida.

The fact is the busiest airspace in America is in New York, Chicago and Atlanta, served by TRACONs located off the airport site that have been consolidated with other facilities.

Although I agree that the airspace in south Florida is complex, the New York airspace, with three major airports located within 10 miles of Manhattan, is far more complex than south Florida. And any one of the three major New York airports serves more traffic than all of the Miami area airports. However, a total of 15 airports in this area receive services from a single TRACON located on Long Island.

Consolidation would not affect continuity of operations during a terrorist attack or during a catastrophic hurricane. There are contingency plans in place to respond to such situations. The backup for the Miami, West Palm Beach facilities is a Miami en route control facility. In fact, the colocation of the West Palm Beach TRACON to Miami actually reduces the risk that a storm could disrupt service. This is because the Miami TRACON is built to withstand a Category 5 hurricane, unlike the West Palm Beach TRACON.

Just a couple of examples of consolidated TRACONs. A single TRACON on Long Island serves 15 airports, including LaGuardia, Newark and JFK and the most complex airspace in America.

The Potomac TRACON serves 10 airports. Five different TRACONs were consolidated in one facility in Warrenton, Virginia. The FAA also operates TRACONs in southern California that include 22 airports and extend from San Diego to LAX, and a northern California TRACON that serves 21 airports.

The fact is we do not have TRACONs at every airport and we don't need them at every airport, not with the technology that we have. We do not need all the TRACONs that exist today.

FAA's only mission is to ensure safety, and there is absolutely no safety issue associated with consolidating these TRACONs.

I urge a "no" vote on the amendment.

I yield the balance of my time to my friend from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, Chairman KNOLLENBERG has done an excellent job in explaining the situation, and security issues raised by this amendment are in fact bogus. There are no negative security consequences resulting from the TRACON consolidation that is being proposed.

In fact, as chairman of the Aviation Subcommittee, I have a report from GAO which talks specifically about the benefits of a TRACON consolidation.

Let's be frank about this issue. This is an issue that does concern some movement of personnel, and some personnel in FAA will be displaced. But what we are doing is we are modernizing the system. We are actually updating and upgrading the system. We are putting in better communications so that we can have backup systems that we don't have now.

With respect to the TRACONs in south Florida, and I represent south Florida, again we will be consolidating three of these. We will still have Jacksonville as a backup. It is just like Houston did in the case of Hurricane Katrina when they picked up the responsibility for the gulf coast.

So we can have safety, security in times of national emergency. We can also have efficiency with the limited taxpayer dollars, and upgrading this technology will do an even better job in these new consolidated TRACONs.

So they are bogus arguments. I would like to try to accommodate and we will try to accommodate replacing these personnel in the least disruptive fashion to their families and to their careers. But this is, unfortunately, a personnel matter within FAA.

It is time to modernize, upgrade and bring together the best, most efficient, safest system for the traveling public and the flying public through consolidation of these TRACONs.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am intending to speak for a few minutes and then I will yield the remainder of my time to the gentleman from Florida to finish the remarks that he wishes to make.

Mr. Chairman, and Members, this is a simple limitation of funds amendment. It would prohibit the use of funds in this appropriation bill for the 2007 fiscal year from being used to eliminate, consolidate, collocate or plan for the consolidation or collocation of a Terminal Radar Approach Control. TRACON, all of them all over the country. That sounds like a fairly strong piece of medicine.

On the other hand, we have seen no plan that I know of. There are very few people who know how many TRACONs there are, though I am sure the gentleman from Florida (Mr. MICA) would be able to tell that exactly. If there are benefits, we have not actually seen what those are. I have not seen them, as the ranking member of this subcommittee with jurisdiction, and I am concerned when a Member from a growing State, growing fast, but a spread out State like Idaho comes and says there will be no TRACON there. That doesn't surprise me particularly. There will be some other States that will not have TRACONs, and if there is low air traffic that may be appropriate. But I have seen no plan justifying what is being planned to be done. We have not been told, and I am concerned in particularly in relatively urban areas about consolidation of these, though that may be exactly where they should be done.

So with the limitation that has been proposed, I am going to support the gentleman's amendment at this time, and hope that that might make certain that I am informed by the bureaucracy at FAA of exactly what their plans are by the next time we end up with this kind of effort on their part.

So with that, I yield the remainder of my time to the gentleman from Florida.

Mr. HASTINGS of Florida. I thank the ranking member for yielding to me. And let me answer quickly what the FAA is weighing in closing some of air traffic control facilities. Reno would go to northern California. Fresno and Bakersfield would go to Las Vegas. Pensacola would go to Meridian, Mississippi—excuse me, Gulfport would go to Meridian and Tallahassee would go to Pensacola. Lincoln would go to Omaha, and Dayton and Columbus would go to Cleveland. Those are just some of the suggestions.

Why I asked for time, Mr. OLVER, is to respond to my good friend from Orlando and central Florida to tell him that I don't think this proposal is bogus at all. I don't think that he can demonstrate to me that Orlando and Jacksonville are ready to handle, either in the event of a natural disaster or a destruction in the nature of the kind of disasters that we prepare for in our homeland, that it would allow, among other things, that it would be a smooth transition. I don't believe that to be the case. Workload is simply added to those facilities where they don't exist today because those centers will be completely gone if the FAA gets its way.

Simply put, during these critical times we should not be limiting our air traffic capacity, and I believe that that is what my amendment remedies. And I certainly didn't bring it here with any thought in mind of it being bogus. All the air traffic controllers that have contacted my office and expressed their concerns, I don't consider them bogus.

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The Acting CHAIRMAN (Mr. GOODLATTE). The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. HASTINGS of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MR. GORDON

Mr. GORDON. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GORDON:

At the end of the bill, before the short title, insert the following new section:

SEC. 945. None of the funds made available by this Act shall be used in contravention of the Federal buildings performance and reporting requirements of Executive Order 13123, part 3 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8251 et seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Tennessee (Mr. GORDON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. GORDON. Mr. Chairman, I yield myself such time as I may consume.

It is my understanding that the chairman of the subcommittee as well as our ranking member have agreed to accept this amendment. So I will be very brief.

Our Federal Government wastes about $250 million a year by not enforcing our own regulations on conservation in our buildings. This amendment simply says that within those areas within this jurisdiction of this committee that they will abide by the current laws, no additional laws, and I think we will wind up saving a lot of money for the taxpayers and be a leader.

This amendment forbids funds to be used in contravention of the buildings performance goals and reporting requirements of the buildings performance requirements of two public laws and one executive order. In doing so, it adds no new statutory or regulatory requirements for Federal agencies. For instance, with historic preservation requirements, or where there are local market conditions, Federal agencies are still authorized to acquire the best available space in support of the agency's mission. Its purpose is to bring attention to the priority the Federal agencies should make of meeting their responsibilities under existing law to significantly reduce energy use in Federal buildings at a time when energy prices are soaring, and to put the executive branch on notice that the Congress expects it to undertake a serious effort in fiscal year 2007 and every year to move aggressively to save energy in Federal buildings. This amendment's requirements can be met by the Office of Management and Budget and the agencies receiving appropriations under this act stepping up to its responsibilities of rigorously carrying out the intent and reporting requirements of section 301 through 303 of Executive Order 13123.

The National Energy Conservation Policy Act as amended, since 1978 has set out a program for making Federal buildings models of energy efficiency. The Energy Policy Act of 2005 updated that act by establishing energy efficiency goals for Federal buildings for fiscal years 2006 through 2015, by establishing a program for metering energy use in Federal buildings, and by upgrading requirements for the procurement of energy efficient products in Federal buildings. The current building performance requirements for Federal buildings we are focusing on are:

Through life-cycle cost-effective energy measures starting in fiscal year 2006, to reduce energy consumption per gross square foot of Federal buildings of the agency by 2 percent per year through 2015;

To design new buildings for all-around sustainability, including energy efficiency, on a life-cycle basis;

To further save energy by procuring Energy Star and FEMP-designated products for use in those buildings;

To reduce greenhouse gas emissions by switching from petroleum to natural gas and renewable energy sources, and by eliminating unnecessary energy use;

To set up metering in Federal buildings that permit energy use to be measured at least hourly; and

To reduce water consumption and associated energy use.

Sections 301 through 303 are the procedures now in place to provide Federal agencies with the funds they need to achieve the building performance requirements and to hold them accountable for achieving their building performance requirements. Section 301 requires that each agency's budget submission to OMB shall specifically request funding necessary to achieve the goals of that order, which essentially are a restatement of the Federal building energy efficiency and water use requirements. Budget submissions are to include the costs associated with Energy Savings Performance Contracts, utility energy-efficiency service contracts, and other contractual platforms for achieving conservation goals, life-cycle cost-effective products, and construction of sustainably designed new buildings, among other energy costs. Section 302 requires each agency to develop an annual implementation plan for meeting its building performance requirements. Section 303 requires annual reports to the President by January 1 of the next fiscal year on agency progress in meeting its goals.

In recent years, funds requested for energy conservation purposes have not kept up with the need, leading inevitably to the many of the goals and requirements not being met despite the fact that on a life-cycle basis, energy efficiency improvements generally save substantial amounts of money. Annual agency reports to the coordinating body, the Federal Energy Management Program, FEMP, and the subsequent FEMP reports to Congress are often several months overdue. Thus budgetary decisions are predicated on data that is at least 1–2 fiscal years behind. Through the inclusion of this amendment in H.R. 5576—Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act for fiscal year 2007, Congress is making clear to the Department of Treasury and other agencies that construct or operate buildings using funds provided under this act, that it expects those agencies and OMB to make energy conservation in buildings a priority and to take all reasonable means both to carry out their responsibilities and to meet the reporting requirements as described above.

Mr. SWEENEY. Mr. Chairman, will the gentleman yield?

Mr. GORDON. I yield to the gentleman from Florida.

Mr. SWEENEY. Mr. Chairman, I thank the gentleman for raising this important issue, and we would be happy to accept his amendment.

Mr. GORDON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee (Mr. GORDON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. KENNEDY OF MINNESOTA

Mr. KENNEDY of Minnesota. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. KENNEDY of Minnesota:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available under this Act may be used to apply the revised cost-effectiveness index rating system established by the Federal Transit Administration (described in its April 29, 2005, "Dear Colleague" letter) to the Northstar Corridor Rail project.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Minnesota (Mr. KENNEDY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. KENNEDY of Minnesota. Mr. Chairman, I rise today because I am deeply concerned about a change of policy that took place last May at the Federal Transit Administration.

In an innocuous sounding "Dear Colleague" letter, FTA announced that it would change its system of recommending New Starts Projects for Full Funding Grant Agreements. In plain English the impact of this change is that transit projects which were formerly able to qualify now have a higher standard.

For some projects this change was an inconvenience. But for the Northstar Corridor Rail Project, a New Starts Project planned to run through my district in Minnesota as well as through the districts of my colleagues, Mr. RAMSTAD and Mr. SABO, this eleventh hour rule change may be an insurmountable obstacle.

I cannot stress enough how problematic and counterproductive FTA's decision to change the rules was given the progress towards a Full Funding Grant Agreement for Northstar. They have made great progress in recent months. They have already received the 50 percent local match requirement funded by the State. They have agreed in principle with BNSF Railway Company. They have completed their environmental review process. They have completed advanced preliminary engineering and the planned stations, maintenance facilities and track improvements. So we have made great progress, but it is clear that we need to make sure that we can move to the next level.

I am not opposed to the new FTA standards. I am just opposed to its being applied in the eleventh hour. Given the time and the energy that we have put into this, we want to make sure this eleventh hour change does not limit this very positive project from moving forward.

I will not force this issue for a vote here today, as I intend to keep working with the FTA, the Department of Transportation, and my colleagues to fix this issue. But I want to bring this attention to the House while we debate funding for our country's important transportation programs.

Mr. SWEENEY. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Minnesota. I will gladly yield to my friend from New York on this issue.

Mr. SWEENEY. Mr. Chairman, I understand the gentleman is withdrawing his amendment, and I know this is an important project in the gentleman's district in Minnesota and that the State and the FTA are working to finalize the details on this commuter rail line.

Let me say for the record, we will watch the progress as this bill moves to conference and as the Northstar line moves to full funding status.

I thank the gentleman for withdrawing his amendment.

Mr. KENNEDY of Minnesota. Mr. Chairman, reclaiming my time, I look forward to working with my good friend from New York and others on the committee. We both support fiscal responsibility and Federal transportation projects, and I know we agree that common sense must be a hallmark of that process.

Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. SWEENEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, as we are seeing, we have got a lot of business at hand here today and a number of amendments yet to come and the desire to try to move forward and finish our work here. But this is an important bill that really establishes the Federal priorities in transportation, really does that at a time when we are faced with great fiscal constraints and the need to move forward.

So I would ask my colleagues, as they come forward to the floor, to really understand the constraints of time that we have and the constraints of floor action because, as we know, tomorrow we will be debating at length the involvements in Iraq and their importance to the Nation, something that the American people will ask us to provide great clarity for them.

So as we move forward, we have discussed a number of issues, including the issues by my friend from Arizona, Mr. FLAKE, on the earmarking process and its appropriateness and whether the process for oversight is appropriate. I want to point out that the process has been appropriate, but earmarks make up a very small percentage, six-tenths of 1 percent of all of Federal expenditures and that this process here, the American people can rest assured that this Congress is doing its job with great diligence.

AMENDMENT NO. 5 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. KING of Iowa:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used for the construction, expansion, renovation, or building of the Los Angeles Gay and Lesbian Center.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, this amendment just simply states that there is a construction project in Los Angeles that would not be available for funding out of this bill, and it is about $300,000.

Mr. Chairman, I reserve the balance of my time.

Mr. SWEENEY. Mr. Chairman, I am willing to accept the gentleman's amendment.

Mr. OLVER. Mr. Chairman, I also accept the amendment.

Mr. KING of Iowa. Mr. Chairman, I urge a "yes" vote on my amendment, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

Mr. SWEENEY. Mr. Chairman, I move to strike the last word.

As I was saying earlier, Mr. Chairman, we have a lot of very important legislation to come and Members are encouraged to participate, but at the same time we need to continue to move forward.

A number of difficult issues face us. Some of them will affect our local districts more than they will affect others. And at the same time, we would urge Members to look at the entirety of what the process is and the entirety of the constraints that we have facing us as we move forward in debate on this important Transportation-Treasury bill.

The committee has worked for hours and months. I need to acknowledge the staff for all of their tremendous work at vetting each of these projects and making sure that the projects meet the budget requirements we are under. As Chairman LEWIS pointed out earlier in the day, the Appropriations Committee has done marvelous work in the 2 years under his leadership, done work in which we have been able to bring appropriation bills in under budget, and in incredibly stealth and quick time we were able to pass these pieces of legislation last year and we will do the same this year before the July 4 recess, thus giving us time to move with our colleagues in the Senate in conference to settle the differences that may exist in each of these spending bills. And as we move forward, Members need to understand that there is a great deal of work left ahead of us.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, because I think that repetition is important, I want to make certain that Members understand what is expected for the rest of the day. My understanding is that the White House event that was scheduled to take place with Members of Congress tonight has been postponed until tomorrow. That means that we had originally not expected that we would be able to finish this bill today. It now appears that we can if we get the cooperation of all of the Members who had intended to offer amendments.

So I would simply urge Members, if they expect to be recognized, to offer their amendments under the unanimous consent agreement. It is important that they get to the floor and actually offer them so that we can get out at a reasonable time tonight and complete action on this bill because tomorrow is expected to be reserved for the Iraqi debate, and I do not think we want to get in the way of that one.

Mr. SWEENEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would be honored to yield to the gentleman from Florida (Mr. YOUNG), the chairman.

Mr. YOUNG of Florida. Mr. Chairman, during the discussion on these appropriation bills, there have been a number of amendments to strike out issues that were added by the committee rather than requested by the administration. I think that is a good application of the process, and I think that each one of these items should stand on their own merit. But I think that it would be a mistake to believe that this was a procedure that was not acceptable under the Constitution.

For example, I am holding a pocket copy of the Constitution that I carry all the time, and I read it very closely, having worked with appropriations for many, many years. And I find nothing at all in this Constitution that says that Congress can only appropriate that money which has been requested by the executive branch of government. There is nothing at all in here that says that, nothing at all that says that we can only consider requests by the executive branch of the government.

But in Article I, Section 9, there is a very specific provision in the Constitution that says the executive branch of government or any of the agencies of the government cannot spend any money that has not first been appropriated by the Congress of the United States.

So I say again that if there are those who are concerned that the process is being abused, the Constitution is being protected by Members who are offering projects to be included in the appropriations bills. And I say again those who are trying to strike those are certainly within their right to do that, and certainly that is part of the process, and each one of those projects should stand on their own merit. But there is absolutely nothing in the Constitution that prohibits the ability of Members of Congress to suggest what should or should not be included in an appropriations bill.

And I repeat the article that I referred to is Article I, Section 9, and I have referred to that many, many times in the past.

I thank the gentleman for yielding to me.

Mr. SWEENEY. Mr. Chairman, I thank the chairman. And reclaiming my time, I would point out, as we did earlier, that some of the disagreements that exist between those who are concerned with the earmarking process may be better rectified or more rectified in looking at the rules and the standards and the criteria established under the authorizing process for the allocation of all of these funds.

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In that instance, we might be able to bring about the kinds of reform that those who advocate against the earmarking process.

I think it is important that the American people understand that as local representatives, we are the closest representatives that they get to their expenditure of Federal tax dollars. Therefore, every 2 years they have the opportunity to voice their pleasure or displeasure with us as Members of Congress in terms of whether we are handling the public purse strings appropriately or not.

I think it is all healthy for the body. We look forward to future debates on it. But as we move forward, I think that people need to stay focused on the priorities that are being established, the process which is meant to vet that priority and protect the American people.

They can rest assured that that process is being fully exercised through the appropriations process.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. LIPINSKI of Illinois.

Amendment by Ms. DELAURO of Connecticut.

Amendment by Mr. HEFLEY of Colorado.

Amendment by Mr. FLAKE of Arizona regarding Banning, California.

Amendment by Mr. FLAKE of Arizona, regarding Weirton, West Virginia.

Amendment by Mr. FLAKE of Arizona, regarding Crafton Hills College.

Amendment by Mr. FLAKE of Arizona, regarding Strand Theater.

Amendment by Mr. HASTINGS of Florida.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. LIPINSKI

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. LIPINSKI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 209, noes 216, not voting 7, as follows:

[Roll No. 274]

AYES—209

Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Coble
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
Dicks
Dingell
Doyle
Duncan
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Fitzpatrick (PA)
Fortenberry
Fossella
Franks (AZ)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Harman
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (MN)
Kennedy (RI)
Kildee
King (NY)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Oberstar
Ortiz
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Peterson (MN)
Pickering
Pomeroy
Porter
Rahall
Rangel
Reyes
Ross
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stearns
Strickland
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weller
Wexler
Wicker
Wu
Wynn

NOES—216

Abercrombie
Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carter
Chabot
Chocola
Cole (OK)
Conaway
Cramer
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Tom
Deal (GA)
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Doolittle
Drake
Dreier
Edwards
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hunter
Hyde
Issa
Istook
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kelly
Kilpatrick (MI)
Kind
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
Leach
Lee
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCollum (MN)
McCrery
McDermott
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Murphy
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Olver
Osborne
Otter
Oxley
Pastor
Pearce
Pence
Peterson (PA)
Petri
Pitts
Platts
Poe
Pombo
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schmidt
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Stark
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Young (AK)
Young (FL)

NOT VOTING—7

Clyburn
Evans
Ford
Miller (MI)
Reynolds
Rothman
Sessions

☐ 1356

Messrs. BILBRAY, CARDOZA, BROWN of South Carolina, BOEHLERT, McHENRY, Ms. DELAURO, Messrs. STARK, McDERMOTT, TOM DAVIS of Virginia, GRAVES and Mrs. KELLY changed their vote from "aye" to "no."

Messrs. JACKSON of Illinois, GUTKNECHT, SCOTT of Virginia, BAIRD, WEXLER, POMEROY and MARKEY changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. DE LAURO

The Acting CHAIRMAN (Mr. GOODLATTE). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Connecticut (Ms. DELAURO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 195, noes 231, not voting 6, as follows:

[Roll No. 275]

AYES—195

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Boucher
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chandler
Clay
Cleaver
Conyers
Cooper
Costa
Costello
Cramer
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dingell
Doggett
Doyle
Duncan
Edwards
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick (PA)
Frank (MA)
Gerlach
Gonzalez
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Harman
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lowey
Lynch
Maloney
Markey
Marshall
McCarthy
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (WI)
Moran (KS)
Murtha
Nadler
Napolitano
Neal (MA)
Northup
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Rahall
Rangel
Reyes
Rohrabacher
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Serrano
Shays
Sherman
Sherwood
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Solis
Stark
Strickland
Stupak
Tauscher
Taylor (MS)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wamp
Wasserman Schultz
Waters
Watson
Waxman
Weiner
Weldon (PA)
Wexler
Whitfield
Woolsey
Wu

NOES—231

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)

Campbell (CA)
Cannon
Cantor
Capito
Carter
Case
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Crowley
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Drake
Dreier
Ehlers
Emanuel
Emerson
English (PA)
Etheridge
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hooley
Hostettler
Hulshof
Hyde
Inglis (SC)
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
Matsui
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Moore (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Sanchez, Loretta
Schmidt
Schwarz (MI)
Scott (VA)
Sensenbrenner
Shadegg
Shaw
Shimkus
Shuster
Simpson
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh
Watt
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Clyburn
Evans
Ford
Miller (MI)
Rothman
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1400

Mr. ROHRABACHER changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 1 OFFERED BY MR. HEFLEY

The Acting CHAIRMAN (Mr. GOODLATTE). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. HEFLEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 87, noes 340, not voting 5, as follows:

[Roll No. 276]

AYES—87

Akin
Barrett (SC)
Bartlett (MD)
Bass
Bean
Beauprez
Bilbray
Bilirakis
Blackburn
Brady (TX)
Brown-Waite, Ginny
Burton (IN)
Campbell (CA)
Cannon
Chabot
Chocola
Coble
Cooper
Davis (KY)
Davis, Jo Ann
Deal (GA)
Diaz-Balart, M.
Duncan
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Graves
Green (WI)
Gutknecht
Harris
Hart
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Hunter
Inglis (SC)
Issa
Jenkins
Johnson, Sam
Jones (NC)
Keller
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
McHenry
Miller (FL)
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Poe
Price (GA)
Radanovich
Ramstad
Rogers (MI)
Rohrabacher
Royce
Ryan (WI)
Ryun (KS)
Sensenbrenner
Shadegg
Shimkus
Stearns
Sullivan
Tanner
Taylor (MS)
Terry
Thornberry
Tiberi
Westmoreland
Wilson (SC)
Young (FL)

NOES—340

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tancredo
Tauscher
Taylor (NC)
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—5

Evans
Ford
Miller (MI)
Rothman
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1405

Mr. ROGERS of Michigan changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding Banning, California, on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 61, noes 365, not voting 6, as follows:

[Roll No. 277]

AYES—61

Akin
Barrett (SC)
Bartlett (MD)
Bean
Biggert
Blackburn
Blumenauer
Bradley (NH)
Burton (IN)
Cannon
Cantor
Chabot
Chocola
Coble
Cooper
Davis (KY)
Deal (GA)
Duncan
Feeney
Flake
Frank (MA)
Franks (AZ)
Garrett (NJ)
Gibbons
Gingrey
Gohmert
Green (WI)
Harris
Hayworth
Hefley
Hensarling
Inglis (SC)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
Linder
Matheson
Meehan
Musgrave
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Poe
Porter
Price (GA)
Ramstad
Ryan (WI)
Schakowsky
Sensenbrenner
Shadegg
Sullivan
Tancredo
Tanner
Tierney
Westmoreland

NOES—365

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Bass
Beauprez
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hastings (FL)
Hastings (WA)
Hayes
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Evans
Ford
Hart
Miller (MI)
Rothman
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

☐ 1409

Mr. GUTKNECHT and Mr. KIRK changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Ms. HART. Mr. Chairman, on rollcall No. 277 I was unavoidably detained. Had I been present, I would have voted "no."

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) concerning Weirton, West Virginia, on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 73, noes 353, answered "present" 1, not voting 5, as follows:

[Roll No. 278]

AYES—73

Akin
Barrett (SC)
Bass
Bean
Beauprez
Biggert
Bishop (UT)
Blackburn
Bradley (NH)
Brady (TX)
Burton (IN)
Cannon
Cantor
Chabot
Chocola
Coble
Cooper
Davis (KY)
Deal (GA)
Duncan
Ehlers
Feeney
Flake
Fossella
Franks (AZ)
Garrett (NJ)
Gibbons
Gillmor
Green (WI)
Gutknecht
Harris
Hayworth
Hefley
Hensarling
Herger
Inglis (SC)
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Keller
Kennedy (MN)
King (IA)
Kirk
Kline
Linder
Lungren, Daniel E.
Matheson
McHenry
Miller (FL)
Musgrave
Myrick
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Poe
Porter
Price (GA)
Ramstad
Ryan (WI)
Sensenbrenner
Shadegg
Shimkus
Stearns
Sullivan
Tancredo
Tanner
Tiberi
Westmoreland

NOES—353

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake

Dreier
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hart
Hastings (FL)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED "PRESENT"—1

Hastings (WA)

NOT VOTING—5

Evans
Ford
Miller (MI)
Rothman
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

☐ 1415

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding Crafton Hills College on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 58, noes 368, not voting 6, as follows:

[Roll No. 279]

AYES—58

Akin
Barrett (SC)
Bartlett (MD)
Bass
Bean
Biggert
Bilirakis
Bishop (UT)
Blackburn
Bradley (NH)
Burton (IN)
Cannon
Chabot
Chocola
Coble
Cooper
Deal (GA)
Feeney
Flake
Franks (AZ)
Garrett (NJ)
Gibbons
Green (WI)
Gutknecht
Hayworth
Hefley
Hensarling
Herger
Inglis (SC)
Johnson, Sam
Jones (NC)
Kennedy (MN)
King (IA)
Kline
Linder
Matheson
Miller (FL)
Musgrave
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Poe
Porter
Price (GA)
Ramstad
Ryan (WI)
Sensenbrenner
Shadegg
Stearns
Sullivan
Tancredo
Tanner
Tiberi
Westmoreland

NOES—368

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Beauprez
Becerra
Berkley
Berman
Berry
Bilbray
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker

Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Evans
Ford
Miller (MI)
Rothman
Sanders
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). There is 1 minute remaining in this vote.

□ 1421

Ms. HARRIS and Mr. TAYLOR of North Carolina changed their vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) regarding Strand Theater on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 61, noes 366, not voting 5, as follows:

[Roll No. 280]

AYES—61

Akin
Barrett (SC)
Bartlett (MD)
Bass
Bean
Beauprez
Biggert
Blackburn
Bradley (NH)
Cannon
Chabot
Chocola
Coble
Cooper
Deal (GA)
Feeney
Flake
Ford
Frank (MA)
Franks (AZ)
Garrett (NJ)
Gibbons
Green (WI)
Gutknecht
Harris
Hayworth
Hefley
Hensarling
Herger
Inglis (SC)
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Kennedy (MN)
King (IA)
Linder
Lungren, Daniel E.
Matheson
Miller (FL)
Musgrave
Neugebauer
Norwood
Otter
Paul
Pence
Petri
Pitts
Poe
Porter
Price (GA)
Ramstad
Ryan (WI)
Sensenbrenner
Shadegg
Stearns
Sullivan
Tancredo
Tanner
Tierney
Westmoreland

NOES—366

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrow
Barton (TX)
Becerra
Berkley
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pombo
Pomeroy
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—5

Evans
Larson (CT)
Miller (MI)
Rothman
Sessions

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 1425

Mr. PENCE changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. HASTINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 166, not voting 5, as follows:

[Roll No. 281]

AYES—261

Abercrombie
Ackerman
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boehlert
Bono
Boozman
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chabot
Chandler
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doyle
Duncan
Edwards
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Ferguson
Filner
Foley
Ford
Fortenberry
Fossella
Frank (MA)
Gohmert
Gonzalez
Goodlatte
Gordon
Green (WI)
Green, Al
Green, Gene
Grijalva
Harman
Harris
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer

Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Johnson (CT)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Mack
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy
Murtha
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Poe
Pombo
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Rehberg
Renzi
Reyes
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shaw
Sherman
Shimkus
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Whitfield
Woolsey
Wu
Wynn
Young (FL)

NOES—166

Aderholt
Akin
Alexander
Allen
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Berkley
Biggert
Bilbray
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chocola
Coble
Crenshaw
Cubin
Culberson
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Dicks
Doolittle
Drake
Dreier
Ehlers
Emerson
Everett
Feeney
Fitzpatrick (PA)
Flake
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Granger
Graves
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jindal
Johnson (IL)
Johnson, Sam
Keller
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Leach
Lewis (CA)
Linder
Lucas
Lungren, Daniel E.
Marchant
McCrery
McHenry
McKeon
Mica
Miller, Gary
Moran (KS)
Moran (VA)
Musgrave
Myrick
Northup
Norwood
Nunes
Nussle
Osborne
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Royce
Ryun (KS)
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shays
Sherwood
Shuster
Smith (TX)
Sodrel
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Tiahrt
Turner
Upton
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)

NOT VOTING—5

Evans
Gutierrez
Miller (MI)
Rothman
Sessions

☐ 1431

Messrs. FORBES, GINGREY, and CAMPBELL of California changed their vote from "aye" to "no."

Mr. POE and Mr. ENGLISH of Pennsylvania changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. ALLEN. Mr. Speaker, on June 14, 2006, through an inadvertent error during voting on H.R. 5576, the Transportation-Treasury-HUD Appropriations bill, I was recorded incorrectly as voting no. I ask that the permanent record indicate that on rollcall vote No. 281, the Hastings amendment, I should have been recorded as having voted in the affirmative.

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

Mr. FRANK of Massachusetts. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN (Mr. GOODLATTE). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. FRANK of Massachusetts:

At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available in this Act may be used by the Department of Housing and Urban Development to implement, administer, or enforce the second sentence of section 6c of the Department's Notice PIH 2006-5 (HA), dated January 13, 2006.

The Acting CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Massachusetts (Mr. FRANK) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Chairman, I yield myself such time as I may consume, and at the conclusion of my remarks I will yield control of the time to the gentleman from New York (Mr. NADLER).

Mr. Chairman, this is the antidisplacement amendment. It is a substantive amendment to current law included in the appropriations bill. Under current law when units are destroyed, made no longer fit for occupation, for habitation, which have had a section 8 voucher inhabitant, the section 8 voucher stays on and can be transferred to another unit as a matter of right.

This bill adds two words, purely substantive. It is not a financial issue. It adds the words "under lease," which means a unit which had been occupied by a section 8 tenant, if it becomes occupied and 2 days later is then subject for demolition, that section 8 voucher is lost to that community.

What we have is this. Communities are dealing with the issue of an overconcentration, in some cases, of low-income people. We all pay at least lip service to the notion of at least genuine integration in our society: racial, economic and in other ways. We have programs that try to promote this, and they often mean let's destroy some of the units that have been too densely packed together for lowest income people and spread them out.

What the addition of the words by the Appropriations Committee does, and it didn't go through the authorizing committee, is to say to a community, when you engage in this process of better distributing and better integrating people, you may lose some of your overall capacity to serve people. That is a terrible choice to put to people. You should not tell a community because you do not want such concentration, you will then be able to accommodate fewer low-income people. That is part of our problem.

You know, there was a time, Mr. Chairman, when urban renewal was known in the black community as Negro removal, because what it meant was you tore down the buildings where all the low-income people lived and you built no replacements.

We now have a policy that say yes, tear down some of them, thin them out, reconfigure them, make them more habitable, but don't have that result in an overall loss of those units which are available for low-income people.

The addition of those two words, "under lease," means more than already is the case; because we have not achieved perfection and the achievement is ideal, we will lose some of the units in communities that decide to deconcentrate poverty and race, will have to pay the price to some extent of having fewer section 8 units available than before. I think that is a very grave error.

Mr. Chairman, I ask unanimous consent to yield the balance of my time to the gentleman from New York (Mr. NADLER) to control that time.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KNOLLENBERG. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 10 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

I rise in strong opposition to the language amendment overturning a HUD regulation concerning the number of units that are placed under lease.

The provision would allow the PHA to essentially create more vouchers for the program than the 2 million vouchers that exist currently. Today the program and the cost of the program is based on the number of units under lease.

If public housing or project-based section 8 units are being demolished, the additional vouchers provided are only for the units actually occupied prior to demolition. The department budgets each year for the number of occupied units it expects to convert from public housing units to vouchers.

Units that are not occupied now are not provided a voucher, since the program only provides a subsidy for those families that are currently receiving a subsidy in public housing.

To provide PHAs with the authority to create vouchers where there are no tenants to protect is simply a backdoor way of creating new vouchers for the program. This cost is not budgeted for in this bill and would be significant.

Approximately 38,000 units in public housing and project-based section 8 are assumed to be demolished in 2007. Of this number, 21,000 are occupied and eligible for a voucher. The cost of these tenant protection vouchers would be $149 million. That is provided for in this bill. If vouchers were made available to those 17,000 units not occupied, as well as those already budgeted for, the costs will skyrocket in 2007 by an additional $122 million and increase every year thereafter.

Mr. Chairman, I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, with all due respect, the explanation of this amendment that we just heard is exactly upside down. Exactly wrong and backwards.

The fact is that our amendment would ensure that the level of housing assistance is maintained at the same level as previously; that it is not automatically reduced when public housing buildings are demolished or sold. It continues the same number of affordable housing units as previously.

Every year we demolish several thousand units. Until January of this year, the policy always was if you demolish 100 units, there are 100 section 8 vouchers issued, so the number of affordable units in the community does not go down.

In January, HUD put out a new regulation which said that we will replace the units under lease with new vouchers so that if 100 units are demolished but 10 of them were not occupied at that moment because people were moving in and out, they would only replace 90 vouchers. In other words, the number of affordable units would go down.

The policy we have always had which this amendment seeks to continue, not to change, is that when you demolish public housing, you maintain the same number of units by issuing the same number of vouchers, not less, not more. Contrary to what the distinguished chairman said, this would not increase the number of vouchers issued, this would maintain it at the same level as we always have had; one-for-one replacement for all of the low-income housing demolished.

The administration seeks to change that policy, first by HUD regulation last January that said we will only replace those actually occupied at that moment. So if 5 percent of the units are under repair or 5 percent of the units have people moving in and out, there is always some churning, we won't replace those. So the number will go down every time we do this. That is pernicious. It means, as the gentleman from Massachusetts said, that if you want to demolish an overconcentrated housing or you want to privatize an existing section 8 building, what will replace it will be fewer units of subsidized housing.

In the bill before us, the distinguished committee violated the rules of the House because they seek to take this policy initiated by HUD by regulation in January and by adding the words "under lease" to the bill, they would say in a broader perspective, in a broader universe than covered by the regulation, we would only replace occupied units.

The Rules Committee said points of order against the bill are waived so we could not raise a point of order against legislating on an appropriations bill. An amendment to take out those words would itself be legislating on an appropriation bill, so it's a one-way racket. The committee can get away with it but we can't unlegislate from the floor.

So this amendment is narrower. It, unfortunately, doesn't prevent the committee from doing what it is doing, which changes the number of units we are replacing to a fraction of those being demolished in some of the housing; but for the public housing at least, which the bill doesn't do but the regulation did, where the regulation said from now on we will only replace occupied units, not the total number of units, this amendment says no funds appropriated shall be used to enforce that regulation. That we can do.

So the CBO scores this amendment as costing zero dollars. All it says is we can't use funds to implement that regulation. It doesn't change the amount of money appropriated for section 8 by a nickel.

What it does say is we will not countenance a change by the department so that the previous policy, which we want to maintain, is if you demolish public housing, you demolish 100 units, you have to have 100 units to replace it, so the total amount of low-income housing in the community is not going down.

They want to replace that by saying they will only replace the units occupied at that moment. So the normal churning effect, people moving in, people moving out, would demolish the number of units replaced.

So this amendment would keep the existing system, the system that has existed for the last few decades, one-for-one replacement, and it is scored by CBO as costing nothing. I would urge the House to adopt this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I yield 2 minutes to the gentlewoman from Kentucky (Mrs. NORTHUP).

Mrs. NORTHUP. Mr. Chairman, I speak against this amendment. You know, I think all of us want the same thing. We want to make sure that affordable housing is available to as many American families as possible.

In 1999 we changed the rules, and we made every community live by a certain number of units, not how far they could stretch those dollars. And our costs exploded. In fact, in the HUD budget the section 8 voucher program went from 33 percent of the HUD budget to over 50 percent of the HUD budget.

□ 1445

Now, if you believe that the Federal Government has unlimited dollars, that wouldn't worry you. But if you believe that we live in a time where we have to measure every dollar and spend it carefully, you begin to ask what we could do better. Let me reiterate. It went from 33 percent of the HUD budget to 51 percent, but it didn't include one additional voucher. Not one additional American family was able to have a voucher based on those increases in costs. And let me say that the dollars were significant, too. We increased the dollars by over 50 percent in the section 8 program, and still not one additional American family was able to be served by a section 8 voucher. The changes that we are making today are going to allow every community to take the dollars that they have and to use them more effectively and more efficiently so that we can begin to use the section 8 which are already an enormous part of our budget to serve more American families in the future. The idea is to help Americans get into the units that their family wants to get into, maybe near where they work, maybe near where their family is that can help them watch their children, maybe into a private housing unit where the budget just makes up the difference in the voucher, so that they can live where they want and become independent American families based on the section 8, and not just the 9,000 families that we have in Louisville, Kentucky today but hopefully many more in the future due to these reforms.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, with all due respect, spurious statistics don't help us get anywhere. The fact is, yes, section 8 is a higher percentage of the HUD budget because this Congress has cut down other programs. We have cut down CDBG by $500 million. So what does that prove?

And the fact is that all this amendment seeks to do is to say not that more people should get more section 8 vouchers; I wish we could do that, and not that more people should get affordable housing, but simply to maintain our previous policy, that if you are demolishing low income housing you replace it with the same number of units. QED. And if the administration is so incompetent that we are wasting a lot of money because we are not administering the program properly, there is money slipping through its fingers because they are not administering the section 8 program properly, let them clean up their act. But the fact is the number of units should remain the same or go up.

This amendment says, and the gentlewoman says we are all in agreement, that as many people as possible should be helped. Well, if as many people as possible should be helped, at least let's agree, and this amendment is the only way to do that, not to cut down the number of section 8 units, not to cut down the number of units available whenever we demolish existing housing. That is all this amendment does. Nothing else. And anybody who says that this amendment increases the availability of housing above the policy of one for one is not telling the truth.

I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I reserve the balance of my time.

I understand that you must have a speaker that wishes to speak at this moment?

Mr. NADLER. No. The other cosponsor had to go back to the committee.

Mr. KNOLLENBERG. Mr. Chairman, let me just say that one thing I don't quite understand about what is taking place here, but I want to get to the bottom of it. Having to provide a subsidy for empty units, and that is what you are doing, with a budget that only assumes least unit cost or least unit risks being unable to assist real families, this will, I think, unfairly, shift section 8 dollars to certain regions of the country for what are now vacant units. And this would be to the detriment of the distribution of those funds.

I reserve the balance of my time.

Mr. NADLER. Mr. Speaker, I must correct the gentleman. That is not what it does at all. There are always, in any housing stock, there are always some vacant units because someone moves out on Monday, it takes a month to prepare the apartment for someone else to move in. It has always been the policy that you replace the number of units that you are tearing down. If you are tearing down 1,000 units, you get 1,000 section 8 vouchers. If you change the policy, such as HUD is now seeking to do, such as the bill is seeking to do and which this amendment opposes doing, then you are saying that if 10 percent are vacant because someone has moved out and someone else hasn't moved in yet, they are cleaning it up, that you replace 90 percent instead of the 100 percent.

All this says is continue the policy we have always had of replacing units, not units occupied, because units occupied is always 80, 90 percent of total units because there are always people moving in and out. Someone died last week and so forth. There is no housing stock on earth 100 percent occupied 100 percent of the time. And if you look at 5 percent or 10 percent that are unoccupied now because three people died and five people moved and no one has moved in again, you are reducing the number of units. And all we are saying is don't do that. If you tear down low income housing, replace it one for one on the basis of the number of units. That has always been our policy. That has always been the law and all this amendment seeks to do is to keep it that way and not change it as the bill would do.

I yield back.

Mr. KNOLLENBERG. Mr. Chairman, at the end of the day, this creates an entitlement for vacant units. These funds are for tenant protection, not unit protection.

I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. FRANK).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT OFFERED BY MR. OBERSTAR

Mr. OBERSTAR. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. OBERSTAR:

At the end of the bill (before the short title), insert the following:

SEC. . None of the funds made available in this Act may be used by the Department of Transportation to finalize or implement the policy proposed in the notice of proposed rulemaking published in the Federal Register on November 7, 2005 (70 Fed. Reg. 67389), or the supplemental notice of proposed rulemaking published in the Federal Register on May 5, 2006 (71 Fed. Reg. 26425), in Docket No. OST–2003–15759.

The Acting CHAIRMAN. Pursuant to the order of the House of June 13, 2006 the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I yield myself 1 minute.

For 65 years, aviation trade has been governed by a fundamental principle and a statute which requires that only an airline that qualifies as a citizen of the United States may provide service between citizens in the U.S. or on international routes. The international trade bureaucrats at the Departments of Transportation and State have decided to change that law by rule. That should not be changed by the bureaucrats. It should be done by act of Congress. We ought to have more than just a couple of hours of hearings. We ought to have in-depth hearings in the House and the Senate and decide whether or not we are going to change that statute to something else.

Secondly, why would we, in the context of an international trade negotiation, trade away the one sector of economics where the United States has a positive balance of trade? Aviation. We have a $9 billion surplus balance of payments with the European Community. If we allow U.S. airlines to be sold to foreign interests, that positive balance of payments will disappear. Gone.

I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN (Mr. PETRI). The gentleman is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, let me try to clarify a few things. First, there are no safety or security impacts associated with the proposed rule on foreign investment. In fact, this rule does not change the statutory requirements that limit foreign investment in the U.S. airlines.

For example, U.S. airlines will still be U.S. airlines. U.S. citizens must be in actual control of the airline. U.S. citizens must own 75 percent of the voting stock. U.S. citizens must comprise two-thirds of board membership.

The proposed rule explicitly walls off any foreign investment proposal that would affect safety, security or defense in any way, including any impact of the Civil Reserve Air Fleet, or CRAF program. No foreign investors will have a say when it comes to safety, security or national defense.

In addition, any control afforded to a foreign investor, such as marketing or product quality, can be revoked at any time.

Further, in response to concerns raised within the last several months, DOT met with General Schwartz, Commander of USTRANSCOM and Robert Jamison, Deputy Administrator of TSA, to double check, I should say to triple check that these agencies have absolutely no safety or security concerns regarding the proposed rule. They did not. The rule itself will strengthen the airline industry in the U.S. The industry will be able to attract additional capital to improve their financial position. Some have indicated that the rule will result in fewer jobs. This makes no sense at all. Strong U.S. airlines result in a stronger aviation community that is ready, willing and able to hire more people, more pilots, more flight attendants, more mechanics.

Further, any open skies agreement between the U.S. and the European Union is predicated on this more modern investment rule. The rule, coupled with a U.S.-EU open skies agreement, will preserve and create new U.S. jobs and expand markets. It will increase the number of international flights operated by U.S. carriers and increase the number of foreign travelers to the U.S. It will also increase service to small and medium cities. This is because international markets must be supported by the robust feed traffic from the non-hub markets.

I am for a strong competitive industry that creates new American jobs, ensures better service, and is a boon for the economy, all without weakening security.

I urge a "no" on this amendment.

I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. LoBIONDO).

Mr. LoBIONDO. Mr. Chairman, for over 60 years we have required U.S. citizens to be in control of operation of our airlines. Make no mistake, the DOT's proposed rule will absolutely reverse this critical policy, allowing operation of our airlines to be controlled by competing and potentially unfriendly foreign interests will undermine our homeland security and result in a loss of U.S. jobs.

Mr. Chairman, no critical U.S. infrastructure should ever be under foreign control. Did we not learn anything from the Dubai ports debacle? Doesn't anyone remember the outrage that you shared over Dubai? This is just as big an outrage. The DOT is using executive fiat to implement a very dangerous and absolutely wrong policy. This amendment will ensure Congress determines what is in the best interest of this country, not the bureaucrats of DOT. Remember the explanation we got from the administration on the Dubai ports, that everyone had thoroughly examined it. And then we found out that it hadn't been thoroughly examined. Critical infrastructure must remain in U.S. operational control.

Mr. KNOLLENBERG. Mr. Chairman, I now yield the remaining time in my allotment to the gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman, and my colleagues, I want to be polite, but let me just say that this is a terrible amendment. It is short-sighted. It is special interest legislation. It is a red herring to prevent, quite frankly, the implementation of an agreement between the United States and the European Union to have open skies.

Now, Mr. Chairman, and my colleagues, if you want to increase jobs in your district, on both sides of the Atlantic, this is not the amendment to vote for. If you want to increase service and have some shot at some international service to your district or your region, you vote for this amendment and you are killing those chances.

The great opportunities for job and expansion of aviation markets in an industry that has been so hard hit from September 11 is expanding these markets, and for the first time we can open those doors and that opportunity. This is all a red herring about investment, trying to tie this to Dubai.

The current limitation of 25 percent foreign ownership continues. It has not changed at all. In fact, we have a guarantee under this that matters of safety and security are off the table to foreign investors.

You know, I am thinking about this. If we use this mentality, Mr. Chairman, and my colleagues, if we used this mentality in the past we would still be trading beads with the Indians. We wouldn't be taking advantage of opening jobs and markets and expanding opportunities for the people in this country.

Simply stated, also, this is a voluntary process in this investment. So this is a protectionist amendment. It benefits a few people to keep things a little cozy the way they are now. And I know people are trying to do that. But it is an enormous step back for the United States aviation industry.

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So I urge you to defeat this amendment, which will do great harm to, again, opening doors and opportunities in American, European, and actually all of our aviation opportunities for the future.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Illinois (Mr. COSTELLO), ranking member of the Aviation Subcommittee.

Mr. COSTELLO. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today in strong support of the Oberstar amendment.

This amendment would stop the Department of Transportation from implementing its proposed rule to open up U.S. air carriers to a greater share of control by foreign owners. For the past 65 years, we have required that U.S. citizens have actual control over all management decisions of U.S. airlines. In a matter of a few months, the Bush administration has sought to make enormous changes by allowing significant opportunities for foreign investors at the expense of America's safety, security, and its workplace.

The proposed rule would change and allow foreign investors to have a greater say on airline economic decisions that would include being able to direct airlines to buy foreign aircraft or have more repair stations overseas; have work performed by foreign citizens; and dictate routes, frequency, pricing, classes of service, advertising, and code sharing.

I am opposed to the change because it will result in the loss of American jobs, hurt rural and small communities, and could severely jeopardize our safety and security. I am very concerned about the outsourcing of jobs for our pilots, flight attendants, and mechanics, and I urge all Members to support the Oberstar amendment.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished chairman of the Armed Services Committee, the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding.

With great respect for Chairman MICA and Chairman KNOLLENBERG, I support this amendment strongly.

This is a matter of priorities, and it is a matter of American ownership in a system that supported and that transported 93 percent of our military personnel to the warfighting theaters. It is a matter of priorities.

Dan McKinnon, Ronald Reagan's head of the Civil Aeronautics Board, who owned and sold North American Airlines and controlled it, said, "As a rescue helicopter pilot with 61 saves, my number one priority would always be American security. If the country needed me, that's where I would send my planes."

That is the kind of control, operational control, we need on American airlines. I strongly support this amendment.

Mr. OBERSTAR. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Texas (Mr. POE).

Mr. POE. Mr. Chairman, I thank the gentleman from Minnesota for yielding.

Likewise, I have great respect for Chairman MICA, but in this particular situation, this is a national security issue, and you cannot separate national security and security of an airline industry with daily operating procedure. We cannot allow some foreign airline to control the operating procedure of American airline companies.

especially in time of war. In time of war, American airlines have always been able to mobilize the American fleet during Iraqi I and Iraqi II; 5,872 missions were flown by American airline companies. Ninety-eight percent of those were my American pilots. If our airline industry is controlled by a foreign country, what makes us think that country will cooperate with us in time of war?

This is certainly a national security issue, and we should not outsource our national security to the European Union.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

In my remaining time, I just want to refute what the distinguished gentleman from Florida said, that domestic aviation will not be affected. It will be affected. Foreign owners will decide routes, fleet size, type of aircraft, service in domestic markets and international markets. We will lose an international trade aviation sector.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

I yield to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, I thank the gentleman for yielding.

This is Dubai Ports all over again. Vociferous people are aware of this change in policy, and they will not say what their position is on it. This will undermine national security.

Any country with an open skies agreement will be able to buy and control a U.S. airline for all practical intents and purposes, including Indonesia. Imagine when we deploy our military on the civilian reserve air fleet flown by Indonesian pilots. Oh, there is a little terrorism problem in Indonesia, isn't there? That will be really good. I think they will feel really secure on those planes.

It is also in pursuit of lame free trade agreements, so-called "open skies," yet another loser for America. The outsourcing of pilot jobs, flight attendant jobs, mechanics jobs, and other executive jobs. And I am not so concerned about the execs.

But we are essentially ceding control of the United States of America in violation of statutory provisions if we do not stop the Bush administration.

This must be adopted. Mr. MICA could not be more wrong. This will undermine security and air service in this country.

Mr. OLVER. Mr. Chairman, I yield to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in strong support of Mr. OBERSTAR's amendment.

It appears to me that we should see that we are in a huge deficit with the guarantees being foreign governments. We have lost jobs. We are selling companies and property to persons from out of this country. Now we are going to sell our airlines. I think that is one of the worst decisions we could make for homeland security. And I rise in strong support of this amendment.

Mr. Chairman, I rise today in strong support of the Oberstar-LoBiondo Amendment to H.R. 5576.

The Bush Administration's most recent proposal to alter policy regarding the role of foreign ownership of U.S. airlines is an issue that, without question, warrants the full attention and oversight of this body.

Yet, despite the expressed consent of Congress in 2003 regarding the "actual control" of U.S. carriers by U.S. citizens, the Administration seems intent on circumventing the will of this body in an effort to fast track an international air service agreement.

While I wholeheartedly support the notion of our aviation industry being afforded every opportunity to excel in the global economy, I do not support the Administration's utter disregard of this body—particularly the Committee on Transportation and Infrastructure.

The Congress should be afforded the opportunity to perform the necessary due diligence, conduct hearings, and debate any proposed changes to foreign ownership laws.

Any modification to laws governing foreign control of domestic carriers will have enormous implications for industry stakeholders and jobs here at home.

As a result, such changes should not be hastily promulgated through a proposed rulemaking introduced in the dead of night.

To characterize DOT's current rulemaking proposal as an artful maneuver would be an understatement.

DOT asserts that in order for the U.S. air transportation industry to remain a leader in the global economy, a reinterpretation of "actual control" is needed to ensure access to capital afforded by global financial markets.

Under DOT's proposed rule, foreign investors would be allowed to exercise decisions over all commercial aspects of domestic carrier operations.

U.S. citizens would be required to control only decisions related to safety, security, organizational documents, and the Civil Reserve Air Fleet.

To think that commercial aspects have no implication on security, safety, and the CRAF program underscores the shortsightedness of this proposal.

I support the halting of DOT from issuing any final rule on "actual control" and urge my colleagues to vote yes on this commonsense amendment.

Mr. OLVER. Mr. Chairman, I now yield to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the ranking member for yielding to me.

I rise in support of the bipartisan LoBiondo-Poe-Oberstar amendment on foreign ownership.

The bottom line on this issue is that the DOT's rulemaking runs very close to violating the law that Congress set down for the airline industry. The statue says that U.S. airlines must be controlled by U.S. citizens. The DOT rule would allow foreign investors to own 49 percent, but the foreign investors would be allowed to effectively control the operations. Unfortunately, I do not see how it is possible to separate safety and military airlifts. If foreign owners can control scheduling, staffing, and maintenance, then U.S. owners are not in control of the safety or the military obligations. The proposed rule does not make sense and the DOT should not give foreign control over U.S. airlines just because the European Community is asking for it. Airlines are not just another business. They are an essential form of transportation with many impacts on public policy.

Foreign investment in airlines is a major decision for Congress, not the Department of Transportation. Therefore, we should support the LoBiondo-Poe-Oberstar amendment and reject the DOT rule.

Mr. OLVER. Mr. Chairman, I now yield to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, I rise in support of this bipartisan amendment, and it is bipartisan, Members on both sides of the aisle.

Congress has rejected, two times already, attempts to change foreign ownership and control requirements. Let us get it right this time. The Congress spoke in unison about the Dubai Ports deal, and they are speaking in unison today to stop this insanity of giving away our assets and having them controlled by foreign investors.

This is not to stop foreign investment. We must have a robust debate. This is a radical change. Altering the foreign control requirement for U.S. airlines does not belong in rulemaking, and that is what you are trying to do today. Being a member of both the Transportation and Homeland Security Committees gives me a unique perspective on the vital role the U.S. airline industry plays in the homeland security and the national defense of our Nation.

I am concerned that the proposed rule is unclear and does not guarantee that heads of security and safety would have complete autonomy from their foreign national leadership. It is no secret that security costs are one of the financial challenges facing our domestic industry. In fact, many additional security measures have been voluntarily undertaken by U.S. carriers.

I hope that both sides of the aisle support what I believe is a very reasonable amendment.

Mr. Chairman, I rise in support of the Oberstar-LoBiondo-Poe Amendment prohibit to the use of funds in this bill to implement a proposed Transportation Department regulation that makes a profound change to federal aviation policy.

I would submit that it is actually a radical change. Altering the foreign control requirement for U.S. airlines does not belong in a rule m aking. We need robust debate—when we didn't have debate you saw what happen the Dubii Ports deal.

In their attempt to complete an Open Skies agreement, the administration has sought to avoid an open debate in the halls of Congress.

Congress has twice rejected attempts to change foreign ownership and control requirements. This time should be no different.

The proposed change is heavy-handed, too vague and leaves too many legitimate questions and concerns unanswered.

Being a member of both the Transportation and Homeland Security Committees gives me a unique perspective on the vital role the U.S. airline industry plays in the homeland security and national defense of our Nation.

For these reasons, unlike most other industries, airlines do not easily lend themselves to foreign control.

I am concerned that the proposed rule is unclear and does not guarantee that heads of security and safety would have complete autonomy from their foreign national leadership.

It is no secret that security costs are one of the financial challenges facing our domestic industry.

In fact, many additional security measures have been voluntarily undertaken by U.S. carriers.

But under foreign control, commercial interests may carry more weight when it comes to cutting costs.

Measured foreign investment may be beneficial for U.S. air carriers.

However, throwing open the floodgates to foreign control is not the answer.

At the very least, Congress should have a vigorous, robust debate on this highly sensitive matter before anything is finalized.

I am confident that most members, upon judicious review, will conclude that this proposed rule change, as it stands, is not in the best interest of our nation.

And I urge my colleagues to vote in favor of the amendment.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just want to cover a couple of points. This protectionist amendment is an enormous step backward for the U.S. airline industry. It denies U.S. airlines the ability to compete with the European carriers on a level playing field. It stops the Department of Transportation from modernizing rules governing investment in U.S. airlines.

The DOT rule does not relax congressionally set limits on foreign investment in the U.S. airlines. U.S. citizens must still control, as I mentioned, 75 percent of U.S. airlines voting stock and comprise 66 percent of their board of directors.

The DOT rule safeguards U.S. airline security and safety. It strictly prohibits any foreign influence over security, safety, or the civil reserve air fleet, or CRAF, program.

The DOT rule will create new U.S. jobs and improve service to small- and medium-sized communities. Further delay and opposition to the DOT rule is a blatant attempt to kill U.S./EU. open skies. Eight months is enough time for review.

At this point I would like to yield to the gentleman from Florida (Mr. MICA) for any comments he might wish to make.

Mr. MICA. Mr. Chairman, I thank the gentleman for yielding, and let me say we are not giving away any assets. This has nothing to do with Dubai. This proposed rule does not change any statute with respect to U.S. control or foreign ownership of U.S. airlines. It now is in the law 25 percent maximum ownership. It is going to be the law after this rule passes. What part of 25 percent do these folks not understand? U.S. carriers can accept foreign investment today, up to 25 percent.

They are arguing that safety and security might be put into question. Under the current provisions, there is no enumeration of safety or security spelled out. This, for the first time, spells out safety and security.

Under the proposed rule, the U.S. carrier has the ability to agree or disagree with the terms put forth by the investor. This is just a clarification of an investor's ability to participate in the investment. Simply stated, the DOT's rule is voluntary; it is not mandatory.

Finally, we have worked closely with the Department of Defense to make certain that any of our defense interests are preserved. So this does benefit the consumer. We will have lower international airfares. It creates jobs, and it will create them throughout the country. It also increases the service to airports and locales that currently do not have the opportunity for international service on both sides of the aisle.

Now, let us face it, a small group of people do have a very vested interest in not changing this. They have got a little corner on the market. They do not want to see this changed. So I have said this is a red herring. I tried to be polite.

I urge defeat of this amendment.

Mr. KNOLLENBERG. Mr. Chairman, very briefly, this rule just came in today, and I think everybody is aware of this. The administration understands that an amendment may be offered today to prohibit the use of funds to implement a final rule regarding the foreign investment in U.S. airlines. The proposed rule would facilitate a landmark agreement with the EU that would provide significant benefits to consumers as well as the domestic passenger and cargo airline industry. The administration has worked with Congress to address these concerns with the final rule and recently extended the final comment period by an additional 60 days. The administration, as you must know, strongly opposes any amendment that would prevent the Department of Transportation from finalizing its rule.

Mr. Chairman, at this time I yield to the gentleman from Georgia.

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Mr. GINGREY. Mr. Chairman, I thank the chairman for yielding. I rise to strongly, strongly oppose the Oberstar-LoBiondo-Poe amendment, because just exactly as the chairman and others have spoken in opposition to this amendment, this would jeopardize the open skies agreement between the United States and the EU.

The domestic airline industry in this country is struggling with fuel costs. This would literally be a knockout blow to them. In regard to the rulemaking, it assures still that 75 percent of stockholders must be Americans on a domestic airline, and two-thirds of the seats on the boards of directors must be United States citizens.

I think we need to move forward with this rulemaking so that we can complete this open skies agreement with the EU. This is a benefit to our airline industry that we have an opportunity to open up the markets to more international flights, more flights of their carriers into our smaller non-hub cities.

Mr. Chairman, this is a jobs bill. I strongly, strongly voice my opposition to this amendment. I ask my colleagues to vote against it.

Ms. BORDALLO. Mr. Chairman, I rise today in support of Mr. OBERSTAR's amendment to prevent implementation of a proposed Department of Transportation rule that would in effect reverse 60 years of precedent on United States policy in the domestic airline industry. Permitting the Department of Transportation to implement a rule that would weaken longstanding policies on domestic ownership of U.S. airlines would permit the reversal of policy that is in place specifically to ensure U.S. control of an industry that, in many ways, is of vital strategic importance to our Nation. As some of my colleagues have noted, domestic airlines fly 92 percent of our troops and 41 percent of our cargo to battlefields in the War on Terror. I believe that allowing the daily operations of our airlines to be controlled by competing and potentially unfriendly foreign interests could undermine U.S. homeland security and national defense. Having an industry that plays such a key role in times of national need be placed outside the hands of U.S. ownership could introduce a degree of unpredictability that our Nation could not afford in such crucial times.

Mr. Chairman, I would like to note that under the current rules, rules that have served the U.S. airline industry very well, that have served U.S. employees in that industry very well, that have served our Nation's traveling public very well and that have served our Nation's security very well, our Nation has successfully established Open Skies agreements with over 75 countries in the last 15 years. Current rules do not inhibit international travel or create untenable positions for trade with foreign countries. Current rules work.

I join Mr. OBERSTAR in opposing changes to those rules, changes that could very well jeopardize U.S. national security. I believe this is unwise and I support the Oberstar amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. OBERSTAR. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT OFFERED BY MR. MORAN OF KANSAS

Mr. MORAN of Kansas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. MORAN of Kansas:

Page 252, insert the following after line 5:

SEC. 945. None of the funds made available in this Act may be used to administer, implement, or enforce the amendment made to section 515.533 of title 31, Code of Federal Regulations, that was published in the Federal Register on February 25, 2005.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from Kansas (Mr. MORAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. MORAN of Kansas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is a bit of history that brings me back to the House floor, an issue related to agriculture, food and medicine trade with Cuba. In July of 2000, this House of Representatives adopted an amendment that I offered to allow the sale of food, medicine, and agriculture commodities to the country of Cuba.

That amendment was adopted in July of 2000 by a vote of 301–116. A majority of Republicans, a majority of Democrats supported that amendment. As a result of that amendment being adopted, in the conference committee significant discussion occurred, and ultimately the new legislation, TSREEA, the Trade Sanction Export Enhancement Act, of 2000 was adopted.

And that law was working reasonably well for a period of time. And then in February of 2005 the Department of Treasury adopted a regulation changing some of the rules related to trade with Cuba. Mr. Chairman, we have had the opportunity now of taking advantage of the opportunity to sell for cash, cash up front, to Cuba agriculture commodities, food and medicine, to the tune of about $400 million in the previous year.

But the regulation that the Department of Treasury adopted in February of 2005, began to seriously limit the opportunity for American farmers to export their agriculture commodities to Cuba. The rule that the Department of Treasury promulgated changes the time frame in which the cash must be paid. Again, let me reiterate what we are talking about here is not whether Cuba must pay cash in advance, but the timing of that payment.

And the rule that was adopted by the Department of Treasury changed that time by a few days. It turns out to be 10 days to 2 weeks. And the issue becomes that the cash must be paid prior to the shipment from the United States as compared to prior to delivery in the port in Havana.

As a result of that, it has increased the cost of doing business with Cuba in a significant way, and, in fact, we have had a significant reduction, 22 percent reduction, in the sale of agriculture products since the adoption of that rule.

This amendment that I offer today, Mr. Chairman, simply is a prohibition against the spending of any money to enforce that regulation and therefore return us to where we were prior to February of 2005.

It is identical language to what was included in the appropriation bill last year in both the House and the Senate. The language was removed in conference. But this House of Representatives and our companion body across the way adopted identical language in the Treasury/ Transportation appropriation bill a year ago.

And the gentlewoman from Missouri (Mrs. EMERSON) has made that effort in 2005, which we all agreed to when this bill was adopted a year ago. So the sole purpose here today is to return us to preFebruary 2005.

We will probably have the opportunity to debate the value of trade with Cuba and what it means to the Castro government. And I welcome that opportunity. It seems to me that unilateral sanctions, we clearly can reach the conclusion that unilateral sanctions by the United States are only harmful to our own agriculture sector, to our own farmers, at a time in which drought affects much of the country. High energy and input costs are dramatically increasing.

It seems to me that there is no reason for us to make these sales more difficult. And, in fact, the reduction of those sales is almost 21 percent of corn, 17 percent of wheat, and 27 percent, 26 percent of meat products from the United States, reduction in those sales since the adoption of this rule.

This amendment is obviously supported by a wide array of farm organizations.

Mr. Chairman, I reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I negotiated the agreement that Mr. MORAN made reference to, along with my dear colleagues, Ms. ROS-LEHTINEN and Mrs. EMERSON. At that time Mr. Nethercutt was here. And the agreement stands.

The agreement authorized sales to the Cuban regime as long as payments were made, cash in advance. Now, the Cuban regime, and let us be clear when we talk about trade with Cuba that we are dealing, there are no Cubans, there are no Cubans who can buy, because it is a totalitarian state, the regime.

Now the dictator started to make purchases after the law was passed in October of 2000. And as is to be expected, then he started engaging in delaying tactics, precisely to create leverage and pressure so that we would see something like we see today. Sure enough, the delaying tactics began by the dictator.

And U.S. financial institutions asked for clarification of what "cash in advance" is. Now, it should not surprise us that the dictator started his delaying tactics, when we see the billions and billions of dollars that he owes to anyone who has given him credit.

It should not surprise anyone that he started, he began delaying tactics. The reality of the matter is, cash sales are allowed. The reality of the matter is that U.S. financial institutions asked for this clarification.

And also I want to make a separate point. President Bush is right, and I thank him once again for, today, having issued another very clear statement of administration policy, when he has stated from the first day of his administration that he has promised to veto any legislation that enriches the Cuban dictatorship or benefits the Cuban dictator's regime.

The President is right. I stand with him. I thank him once again. And I urge all of my colleagues to do the same.

Mr. Chairman, I reserve the balance of my time.

Mr. MORAN of Kansas. Mr. Chairman, I continue to reserve the balance of my time.

The CHAIRMAN. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) has 3 minutes remaining, and the gentleman from Kansas (Mr. MORAN) has 1 minute remaining.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield such time as she may consume to another negotiator of the deal, of the agreement that still stands and has not been changed by this regulation by President Bush, Ms. ROS-LEHTINEN.

Ms. ROS-LEHTINEN. Mr. Chairman, I rise in strong opposition to the Moran amendment. Let us be clear: This amendment is not about agricultural sales to Cuba. This amendment seeks to prevent the implementation of safeguards that have been put in place to ensure that American farmers do indeed get paid.

Under current U.S. law, the sale of agricultural products to Cuba is authorized. There are no sanctions in place for such sales. The law only stipulates that these sales meet four simple conditions: payment of cash in advance, of payment prior to transfer of title, shipping and a licensing provision.

Again, these requirements were put in place to protect American producers, to protect American taxpayers, so that they will in fact get paid by the Cuban regime, and that these sales are in keeping with the U.S. foreign policy and commercial interests.

Given the Castro regime history, and you can see right there in Mr. DIAZ-BALART's currency debt, and its history of insolvency, its poor credit rating, its debt levels, it is incumbent upon us in Congress to undertake necessary steps to protect Americans from getting cheated, from getting swindled, like so many others have by the Castro dictatorship.

Mr. Chairman, we have ample reasons to be concerned about the worthiness of the Castro regime. At $14 billion, Cuba's foreign debt reached an all-time high last year.

Cuba simply refuses to pay its debts. Now, we all know that the Cuban tyrant can afford it. Forbes Magazine recently listed him as among the top ten wealthiest rulers in the world. The U.S. must not allow its citizens to shoulder the burden of a corrupt foreign government, a deadbeat dictator.

Simply put, this amendment promotes lawlessness and the protection of Americans against the Cuban regime's antics. I join Mr. DIAZ-BALART and so many others in hoping that we vote "no" on the Moran amendment.

Mr. MORAN of Kansas. Mr. Chairman, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield 15 seconds to the gentleman from Florida (Mr. MARIO DIAZ-BALART).

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, the bottom line is again, what part of payment, "cash in advance" is hard to understand?

Cash in advance means cash in advance. That is what the rules are right now. There is nothing changing that. That is what we need to keep. That is why we need to defeat this amendment.

Mr. MORAN of Kansas. Mr. Chairman, I continue to reserve the balance of my time.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I yield the remainder of our time to the distinguished gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I rise in opposition to this amendment and insist, again, that in order to deny economic resources to the Castro regime, it is imperative that we maintain the sanction and travel restrictions that are in place, and encourage the ordinary citizens of Cuba, and enable them the benefit of our sanctions that are aimed at trying to free the people of Cuba and end their oppression, end the oppression that they suffer under.

Again, I quote from the administration, "Lifting the sanctions now or limiting our ability to enforce them, would provide assistance to a repressive regime at the expense of the ordinary Cuban people."

The CHAIRMAN. The time of the gentleman from Florida has expired.

The Chair recognizes the gentleman from Kansas to close debate.

Mr. MORAN of Kansas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, again, let me reiterate that this has nothing to do with changing the sanctions that are in place. The law remains. The administration created a new rule a year ago for which there is no commercial basis.

And the argument that farmers will not be paid, it is farm organizations and farmers who are supporting my amendment today. And, finally, the suggestion that we must save taxpayers expense, there are no taxpayer dollars involved in trade with Cuba. There is no subsidy. There is no agricultural credit provided.

This is really about a noncommercial reason, just trying to make the trade more onerous, more expensive, so that our farmers have less of an opportunity to export their goods to Cuba.

Again, Mr. Chairman, I would ask support. Return us to the compromise that was created prior to February of 2005.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas (Mr. MORAN).

The amendment was agreed to.

□ 1530

AMENDMENT OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. RANGEL:

At the end of the bill (before the short title), insert the following:

SEC. 9xx. None of the funds made available in this Act may be used to implement, administer, or enforce the economic embargo of Cuba, as defined in section 4(7) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104–114), except that the foregoing limitation does not apply to the administration of a tax or tariff.

The CHAIRMAN. Pursuant to the order of House of June 13, 2006, the gentleman from New York (Mr. RANGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. RANGEL. Mr. Chairman, this amendment at the desk prevents all spending in support of the embargo against Cuba. I recognize this is a very emotional subject because so many people have personal memories of the dictatorship of Fidel Castro.

But this is not a pro-Castro amendment, this is a pro-American amendment. If we are going to get rid of this fellow, one thing that is clear, the embargo route is not the way to go. For 45 years, he has outlived all of our Presidents by being there. If anything, he has used the embargo as an excuse to continue his dictatorship. It hasn't done anything except hurt the Cuban people by having the negative economic impact on their government.

But more important than anything, it restricts the American people from doing what we should be able to do without being restricted by our government. Americans should be able to travel, period. Nobody should deny us the opportunity to go anywhere that we want to go. If we are going to be restricted because it is a Communist country, then the administration is saying they don't have confidence in us that we are going to be converted to communism.

What about capitalism, the whole idea of changing people's lives and thoughts through exchange of goods and wares? What about our farmers? What about those that want to invest in oil?

But, more importantly, what about those people that believe in not only economic freedom, but cultural freedom, educational freedom, song, dance, get to know people? The Cuban people love us and those who know them love the Cuban people.

It is this rascal that is in charge that we have lost billions of dollars in denying our people the opportunity to have economic exchange. That has not gained us one thing except perhaps a handful of votes in Florida.

Because America has to do what works. The embargo is not working any kind of way, and the meanness of it all, to deny Americans an opportunity to visit their families in Cuba, or to restrict it to once every 3 years, we have to check with the doctor to see whether or not your parents are sick enough or well enough so that you can plan your visit. That is not the American way of life.

The whole idea that you have sick and poor people in Cuba, and you are Cuban American, and you want to send some money to them, that that is being denied because the hard money is going to be used by the government.

I suggest that nobody in this House, even the lovely lady from Florida, is going to say that this program has worked. I know it is a political issue, and I am not belittling that. I know there is a lot of compassion behind it. But I will call this the American amendment, an amendment for Americans to travel where they want, to trade where they want, to entertain where they want, to listen to entertainment where they want, and to send money where they want and never be able to say that these people in Cuba that are being adversely affected are a threat to our national security.

If we love those people, we wouldn't cut off America to them. We would send America there with the American flag, with our young people, with hip-hop, with jeans, with all of the things that the whole world has come to enjoy. But to deny the people in Cuba this because we don't like or we hate or we want to get rid of this man who puts innocent people in jail or who shoots down harmless planes, if you want to get rid of him, bring America to Cuba but don't keep us out.

Mr. Chairman, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Chairman, I thank my good friend from New York (Mr. RANGEL). I know that he called this the For-America amendment, but I think it is the Blame America First amendment, because it says that if there is misery in Cuba, and there surely is, that it is the fault of the American people because of our foreign policy tools that we have been using of sanctioning the government of the regime of Fidel Castro.

I agree with the gentleman that the embargo should be lifted. It is the embargo that Fidel Castro has on the Cuban people, an embargo on freedom and an embargo on expression and an embargo on freedom to worship. That is the embargo that we would like to see lifted.

But here we go again. How interesting that we have this debate on today, of all days. This is Che Guevara's birthday, and Che Guevara, like Castro, was a bloody assassin, even though we have young people wearing his T-shirts. They have no idea what that man stood for.

Like Che Guevara, Fidel Castro continues this bloody, tyrannical rule. Here we have an annual campaign to award an oppressive totalitarian state, a human rights violator, right here in our own hemisphere. If history has taught us nothing about the consequences of appeasing and awarding a brutal power hungry tyrant, we are again being asked to consider an amendment that in practice would lift all sanctions on the Cuban dictatorship as a reward for his good behavior.

In matter of fact, as the Cuban regime intensifies its crackdown on peaceful demonstration, people who are just for democracy, as it systematically harasses and seeks to intimidate our own U.S. Ambassador personnel in the U.S. Interests Section in Havana, as the regime increases its support to pariah states such as Iran and Syria, and the global jihadist organization, we should not, we cannot, we must not resolve that this is going to go unnoticed, that we will not be punishing Fidel Castro, that we will, in fact, be rewarding him for continuing to oppress his own people.

The misery that the Cuban people feel is Castro's own making. It is not the Blame America First crowd that wants you to believe that, but that is so.

There are three major conditions that must be in place before any sanctions are lifted on the Cuban regime. They are very simple. The liberation of political prisoners, the legalization of all political parties, and the holding of free, fair, multiparty, internationally recognized democratic elections.

This amendment suggests that demanding freedom, demanding democracy, demanding respect for human rights first is all too much to ask. I say it is not. The human rights condition in Cuba continues to deteriorate. Cuba's tyrannical rule punishes even harder those who seek to exercise their fundamental freedoms of expression, of assembly, of free association. As the steadily increasing number of Cuban political prisoners demonstrates, conditions are deplorable and the Cuban people are oppressed by this ruthless dictator.

So I ask you, are we to reward the imprisonment of peaceful demonstrators and independent journalists? No, I don't think we should. I don't think that we will.

Labor leaders, local civil rights activists, are being tortured today as we speak. They are being jailed by this tyrannical regime. In addition, sex trafficking is on the rise. According to our own State Department report on sexual trafficking, it says in Cuba women and children are trafficked for the purposes of sexual exploitation and forced child labor.

The Cuban regime does not meet even minimum standards for this so-called thriving sex trade, but rather participates, participates in the commercial, sexual exploitation of these women and children. Are we to reward these violent harassers, this intimidation, these human traffickers? No, we must not.

In a post-September 11 world, Mr. Chairman, Congress should not, we must not, help subsidize trade with a regime that is committed to the destruction of the U.S. Cuba provides safe haven for globally wanted fugitives and pursues even closer ties with Syria and Iran.

Let us not forget then in May of 2001 Fidel Castro said, together, Cuba and Iran will bring America to its knees. The imperialist king will finally fall.

Then, Cuba also voted no on an International Atomic Energy Agency that would have condemned Iran's nonproliferation obligations. I ask my colleagues to stand on the side of political prisoners and reject the Rangel amendment.

Mr. OLVER. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, I think everyone in this Chamber appreciates Ms. ROS-LEHTINEN's commitment to human rights, and I salute her for that. However, I think we have to observe that the embargo hasn't stopped Castro, it hasn't stopped Cuba from progressing. It hasn't forced out Castro.

It certainly provided hurdles and extra expenses that have been felt by every Cuban in every sector of the economy that is desperate for a boost. Proponents of the embargo argue that constricting the Cuban economy will fuel discontent among the Cuban population with the current government and will force out Castro. That hasn't happened in 45 years.

Moreover, it didn't happen when the Cuban economy was at its worst period following the collapse of the Soviet Union in the early 1990s. But the desired outcome by the proponents of the embargo will not be achieved. In the process of forcing the embargo, the United States is paradoxically curtailing the freedom of its own citizens and the human rights and the very things for which the government criticizes Cuba.

Today, I might point out, to my good friend from Florida, it is not only Che Guevara's birthday, but it is also Flag Day in the United States. The values that we hold with our flag we could stand for in saying that the Cuban embargo ought to be taken down. In November of 2005, for the fourteenth year in a row, the U.N. General Assembly passed a resolution with the support of 182 Nations calling on the United States to immediately end its economic embargo against Cuba.

Nearly the whole world is opposing the embargo. Many U.S. allies have voiced concern that the extraterritorial application of U.S. embargo would infringe on their rights. It is time for a change in U.S. policy towards Cuba. It is time to craft a policy that is based on the values of the U.S. Constitution, the United Nations, human rights of pure logic and lift the embargo against Cuba.

I urge my colleagues to support the Rangel amendment and to support a new direction and a new day.

Mr. OLVER. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. RANGEL).

The CHAIRMAN. The gentleman from New York is recognized for a total of 4 minutes.

Mr. RANGEL. Mr. Chairman, thank you so much for your kind indulgence. I know that there is a lot of passion involved in those that oppose anything that would appear to be supporting a ruthless dictator in Cuba. I want you to know that if we had an opportunity to take a vote on this floor for or against Cuba, I would volunteer to get rid of Castro, because we are from Cuba, but we are not for Castro.

There is nothing in the embargo that punishes Castro. Certainly it seems to have enhanced his popularity. But be that as it may, for those people who want to get rid of the ruthless dictator, share with me what good it is to take a Cuban American that is here or a Cuban American that is here in America, and say that they can't send money back to Cuba to their family in a very poor country because we hate Castro.

How can we tell farmers that want to sell food to the Cuban people that you can't do it? We have to get special permission to send medicine and food, and even that is being opposed by some. How do you tell a kid that wants to go to Cuba and to learn not communism but learn about medicine, or why not have Cuban kids be able to come here to learn about our great republic, our great democracy?

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How are we able to say that putting up a wall between the Cuban people and the American people is going to help get rid of this ruthless dictator? It would seem to me that we would have such pride in our ability to change the way people think about democracy by demonstrating it, but when you tell Americans who are so proud of ourselves that we are fortunate enough to live in the greatest Republic in the world, that we can brag about it in every city and every valley and every county in every country, but for God sake do not show the Communists in Cuba how proud you are, people who have never been able to enjoy any of the things that we just take for granted in this country.

But realistically and honestly, has this got anything to do with the people in Cuba over Castro? Or does it have to do with the electoral college system in Florida? Is this not where we concentrate to make certain that we are going to try to find out who hates Castro the most?

I wish we could change this debate around and have it to be who loves and cares for the Cuban people the most. Why can we not expose them to our market of food and medicine and education and the ideals of freedom that was fought for in this country? Why can we not go there and be able to say that we are not afraid of Castro, they cannot lock us up, so if you lock those people who disagree with you up, then we will stand up there and say this is what democracy IS about? Who are the greatest advocates of freedom than free Americans?

I am suggesting that let us take the politics out of this. Let us take the embargo out of this. Let us be proAmerican, and those people who refuse to allow our American flag to be carried by Americans to Cuba, they are the ones that are stopping democracy; because I will suggest to you that any American that is so proud of what we have been able to do, we may have obstacles to overcome, but we love our country. We preach about how great it is, especially when we are overseas. Do not deny Americans the right to be able to say how great democracy is, and do not put a cap on our capitalism. Let us be able to sell to whomever wants to buy from us and do not blame it all on Castro because he is not being hurt.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I thank Chairman KNOLLENBERG.

I was pleased to hear that our colleague from the other side of the aisle said that, I think he said something like he would vote for democracy in Cuba. When we have had opportunities in this Chamber, as late as May of 2005, to condemn the human rights violations, I see that he has voted "no." So I am glad that perhaps some progress on that issue may be being made.

Mr. Chairman, which of the conditions that Ms. ROS-LEHTINEN mentioned, which are in our law for the immediate lifting of U.S. sanctions, the sweeping of trade, the arrival of massive trade and tourism and financing, which of the conditions in our law that make that access to the U.S. market, that are contingent for that access to the U.S. market, which are the conditions mentioned by our colleague, Ms. ROS-LEHTINEN? The liberation of all political prisoners, the legalization of all political parties, labor unions, the press and the holding of free elections, which of those conditions are objectionable?

We want to see the sanctions lifted. What we want to see are the people of Cuba, 90 miles from our shores and oppressed for 47 years by a totalitarian tyrant, we want to see them freed. We want the political prisoners freed. We want their political parties legalized. We want to see them with free elections. Which of the conditions are objectionable?

Is it correct to lift, to reward that tyranny now, unilaterally, while the prisons are full of men and women, prisoners of conscience, who peacefully advocate for freedom and democracy, the freedom that we are here exercising today? For example, one of them, an independent journalist, Guillermo Farinas, is on the verge of death as we speak because he entered a hunger strike 4 months ago for the right as an independent journalist to access the Internet and to be able to have and send e-mail, and he is on a hunger strike, on the verge of death as we speak.

What is objectionable with our insistence to that tyranny that that political prisoner be released and all the others and political parties be legalized and the Cuban people have access like the rest of this hemisphere has to free and fair elections, multiparty elections? What is so objectionable? Why the different treatment? Why is it that we insist on free elections for countries throughout the world, but our neighbors 90 miles away, no, no; for them let us unilaterally reward the tyrant and give him what he seeks.

No, this amendment must be defeated once again, Mr. Chairman.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, will the gentleman yield?

Mr. KNOLLENBERG. I yield to the gentleman from Florida.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, this amendment wants to lift all sanctions unilaterally on the regime that, among other things, has invited the President of Iran to visit in the next few months because the Cuban regime supports Iran's nuclear program. It is on the list of states that sponsor terrorism, and yet, how do some Members, how does this amendment want to deal with that terrorist state? By unilaterally asking nothing in return, helping that regime with billions and billions of dollars from here, from the United States, so that that terrorist regime can continue to oppress and also do what it used to do when it had money.

Let us not forget the American GIs that died in Grenada fighting that regime's thugs. Do we really want to fund an antiAmerican terrorist state just 90 miles away, particularly in a time of war? Absolutely not. It makes no sense. It is absolutely ludicrous.

So I would ask you to once again soundly defeat this amendment. It makes no sense.

Mr. OBEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, with all due respect to the two previous gentlemen who just spoke, the issue is not whether we like Mr. Castro or not. I think Castro has an abominable human rights record. I think he has an idiotic economic record. The issue, rather, is whether or not we trust our fellow citizens.

I would also say that the issue to the question I would ask is why should the United States follow a policy which allows Castro to pretend that the United States and its embargo is one of the reasons for his economic and political failures. I think we make it easier for Castro to survive by our own silliness.

That is why I support the amendment of the gentleman from New York.

Mr. RANGEL. Mr. Chairman, will the gentleman yield?

Mr. OBEY. I yield to the gentleman from New York.

Mr. RANGEL. Mr. Chairman, I hoped we would not distort the argument. If we can have a petition to circulate tomorrow, where we can support the release of all political prisoners, where we can condemn the dictatorship of Castro, hey, I would want to be a part of circulating it.

I do hope that sometime you might try to explain to the American people how we are supporting Castro because we say that a Cuban American that wants to visit their sick parents or their brother and sister, how that compassionate visit is supporting communism.

I would like to know how would supporting Castro, if what we are saying is that we want to send some money to poor families that are there, but we cannot do it because we hate Castro and we would be rewarding him, I would like to know how we are rewarding him when our farmers are denied the opportunity during the time they have to export food, the pharmaceuticals, the people who export the American dream, I would want to know as we put a cap on capitalism, how this is rewarding Castro?

No, I think it has been said by many people. Castro uses us as a vehicle for his dictatorship. And the people who are in prison, I think if we had more Americans there and people from other countries there condemning his conduct, do you think that Americans would be locked up by this dictator if our youngsters were able to go there and protest there as they are so easily able to do it here?

Why do you not open up this door and acknowledge, this is a Floridian problem. This is a political problem. This is who-hates-Castro-the-most type of problem.

I submit to you, if you were to take this and say who likes the American people, who loves the American people the most, how can we help them the best, I would think it is to bring them medical care, to bring them food, to bring them help, to bring them technology and wrap it all up in the American flag and dare them to contest what we are doing because we are the freedom-loving people. We do not ban people from going to places, and I do not want to give up my democracy because of some feeling that people have of their own politics, which has nothing to do with my great country.

Castro is not a threat to the United States of America. He is a threat to whether Republicans or Democrats gets votes out of Florida. The Cuban people are not a threat to our national security. They are always offering to send doctors here, to send blood here, because they love our way of life. If Castro is an impediment for them being able to know and enjoy what America stands for, then let Americans go there, especially Cuban Americans who know the tyranny of Cuba and know the freedom that they have enjoyed in Florida and New Jersey and New York and throughout these States.

Who could be a better ambassador for freedom, an embargo or people who have known the pains of dictatorship and the love and the joy of the American way of life?

So do what you want to do politically, but do not take away Americans' rights to be able to enjoy the hearts, the culture, the education, the music and all of the things that we have been able to enjoy, really, merely because you are trying to pick up a seat or two in the State of Florida. It is not fair to the Cuban people. It is not fair to the American people, and it is not fair to our Constitution.

Mr. FARR. Mr. Chairman, I rise in strong support of the Rangel amendment.

If we want an effective foreign policy that prepares the United States for a post-Castro transition, we need to engage with our Cuban neighbors.

Until very recently this Administration has not engaged with Iran—to the detriment of U.S. national security interests.

Similarly, not engaging with Cuba has resulted in the loss of trade opportunities for U.S. manufacturers and the U.S. agricultural industry, and prevented the opportunity to develop a civil society within Cuba that is sympathetic to U.S. interests.

We need to recognize the failure of silent diplomacy.

This deafening silence will prevent a smooth transition to a post-Castro government—both for Cubans and for U.S. national security.

Now is the time to establish diplomatic relations with Cuba—lifting the embargo will:

Encourage cultural exchanges that build understanding between Americans and Cubans;

Enable Cuban Americans to visit their relatives just like other Americans whose relatives live in places other than Cuba; and

Engage democratic reform.

I urge my colleagues to support the Rangel Amendment and end the embargo against Cuba.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. RANGEL).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. RANGEL. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT OFFERED BY MS. LEE

Ms. LEE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. LEE:

At the end of the bill (before the short title), insert the following:

SEC. 9xx. None of the funds made available in this Act may be used to implement, administer, or enforce the amendments made to paragraphs (a) and (b) of section 515.565 of title 31, Code of Federal Regulations (relating to specific licenses for United States academic institutions and other specific licenses), as published in the Federal Register on June 16, 2004 (69 Fed. Reg. 33772). The limitation in the preceding sentence shall not apply to the implementation, administration, or enforcement of section 515.560(c)(3) of title 31, Code of Federal Regulations.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentlewoman from California (Ms. LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. LEE. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very simple, and it really, quite frankly, should be noncontroversial. It was unanimously approved by this body in 2004, and it deserves to be passed again this year.

This amendment prohibits funds in the bill from being used to enforce regulations promulgated on June 30, 2004 that included severely restricted and, in many cases, eliminated opportunities for American students to study in Cuba. There are no valid reasons for needing to restrict the rights of Americans, especially our young people, to travel abroad and study abroad.

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Whether or not you support the United States embargo against Cuba, you should support American national security interests, educational exchanges, and civil liberties that this amendment promotes.

Mr. Chairman, the Office of Foreign Assets Control within the Department of the Treasury is tasked with tracking the finances of terrorists, international narcotics, and weapons of mass destruction. However, in 2003, the Miami Herald reported that this office had six times more personnel working on Cuba licensing than trafficking bin Laden.

Now, that is a fact, and it doesn't make any sense. OFAC shouldn't waste their time prosecuting and tracking average Americans, especially our students. We have other real pressing national security concerns, and people watching this debate at home should, quite frankly, be outraged, especially when we consider that the State Department and the 9/11 Commission both underscored the importance of students in spreading American values. They are our best goodwill ambassadors.

Patricia Harrison, the former Assistant Secretary of State for Educational and Cultural Affairs, stated repeatedly that "one of our greatest assets in public diplomacy is the American people themselves. Programs that bring Americans and foreign citizens in direct contact can and do have tremendous positive impact." That is what she said.

The bipartisan Commission report, the 9/11 report, recommends that we rebuild the scholarship exchange and library programs that reach out to young people and offer them knowledge and hope. But our policy on Cuba continues to do just the opposite.

Most importantly, this amendment addresses the issue of basic civil liberties. American students should be able to travel freely and gain invaluable experience that only study abroad programs can provide. Our students simply want the opportunity to conduct their studies, learn about other cultures, and make independent judgments for themselves. Students can participate in exchanges with China, why not Cuba?

Simply said, any policy that restricts United States educational exchanges should not be approved or supported. They are in every sense anti-American and contradict our values and our ideals. This amendment is straightforward and should not be controversial, so I urge my colleagues to vote "yes" on the Lee amendment.

I reserve the balance of my time.

The CHAIRMAN. Does the gentleman from Florida seek time in opposition to the amendment?

Mr. MARIO DIAZ-BALART of Florida. I do, Mr. Chairman.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I yield myself such time as I may consume.

A couple of points of clarification. Currently, U.S. law already allows individual members of religious organizations to travel to Cuba for religious purposes. The only requirements, of course, is that they have a specific license, and that is a safeguard in U.S. law to ensure that travel is in fact for the stated purpose and not for the purpose of tourism.

Again, current regulations ensure that the financial donations are not provided to the regime, that terrorist regime, that murderous, terrorist regime, under the guise of religious activity. And the current law seeks to prevent the manipulation of legitimate activities to practice or share as one may believe about the Cuban people.

Why is that important? Well, I have this board here, and I hope you can see it, the American people can see it. Why is it so important that we are careful about how this goes? Because the regime in Cuba is a regime that promotes pedophilia, promotes sexual tourism, including with children. And let me read this quote. "Cuba has a tourism industry, government operated or affiliated, and it engages in promoting child prostitution."

Yes, child prostitution, which is not only trafficking under our law, United States law, but under U.N. protocol. And it is done very openly. This just came out recently. This came out just recently.

So again, yes, the law provides that you can do it, as long as it is real. It is not just to do other things, such as what that terrorist regime promotes and sponsors, like pedophilia and child prostitution.

I will note that the sponsor of this amendment said that the American people would be ashamed, or would be appalled, I guess—I don't want to quote her, but in essence—if they saw this debate. It is ironic that when, for example, myself, and now Senator, then Congressman MENENDEZ proposed resolutions just condemning the crackdown of the dissidents in Cuba, condemning the crackdown against the freedom of press in Cuba, most of this Congress voted in favor of that resolution condemning the crackdown.

Only 22 Members of this House voted against those resolutions, bipartisan resolutions, condemning the crackdown on the free press, condemning the crackdown on the peaceful opposition movement in Cuba. The distinguished Member who was here before who said that he would support a resolution condemning the regime is on record not 20 years ago, not 10 years ago, just last year against even condemning the crackdown against the free press. Against even that. It would be interesting to find out where the sponsor of this amendment was. Was she condemning the crackdown? Did she vote with us to condemn the crackdown, or did she support the Castro regime even when they were doing the crackdown?

The bottom line is this, my dear friends. There is a terrorist regime just 90 miles away from the United States with close ties to Iran, to North Korea, and other nasty, horrible, murderous terrorist regimes. In itself the Cuba regime is a terrorist regime. This is not the time to be helping anti-American terrorist regimes with funding or in ways in which the terrorist regime can obtain more funding.

I would respectfully ask this amendment also once again be strongly defeated.

Mr. Chairman, I reserve the balance of my time.

Ms. LEE. Mr. Chairman, let me first say that if the gentleman would look at what the current regulations do, they are very restrictive in terms of allowing for students to participate in student exchanges. We want to make sure that our American students are allowed to participate in educational exchanges in the same manner in which they participate in educational exchanges with other countries. That is what this amendment is about.

Our young people should not be denied the opportunity to visit countries, to participate in legitimate academic programs. We are not talking about a 2-week summer program, we are talking about a semester, a year, a 2-year program, an academic program that students would like to participate in to be able to gain knowledge of a different culture. As they do with China, they would like to learn that about Cuba.

They would like to participate in their academic curriculum in foreign countries, like they do everywhere in the world. Cuba should not be distinguished. And part of the reason that they can't go should not be because of our United States policy towards Cuba. Students deserve to be able to study abroad.

That is all this amendment does. It provides those options for them to participate in educational exchanges in a country 90 miles away. That is all this is about. Our young people deserve that, and it is amazing to me that we can deny kids the chance to grow and to develop and to say what they believe in terms of a country's culture, foreign policy, and academic institutions. They should be able to do this for themselves, see for themselves, study, and learn. That is what this amendment is about. It is not about U.S. policy toward Cuba.

Finally, let me just say that many groups around the country have supported this amendment. The Emergency Coalition in Defense of Educational Travel, the NAACP, the Washington Office on Latin America, and the Freedom to Travel Campaign.

Mr. MARIO DIAZ-BALART of Florida. Mr. Chairman, I yield the balance of my time to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Chairman, I thank the gentleman for yielding, and I rise in strong opposition to my good friend, Ms. LEE's, amendment.

The proponents of this amendment say that it would allow American students to travel to Cuba. The reality is that under current law educational trips to Cuba by American students are permitted. The restrictions do exist, however, and they are in place in order to ensure that American students studying in Cuba are indeed engaging in legitimate educational activities with substantive academic and cultural components.

This is in contrast to the time before the regulations were put in place in July of 2004. What was happening then? Students were participating in activities with little or no educational merit. These trips were organized under the guise of educational activity but they were in fact spring break getaways and island shopping excursions.

We have to understand and remember that when this amendment was offered last year the elected leaders of the opposition in Cuba wrote a letter to every Member of Congress saying please defeat this amendment; this does not help our cause for freedom.

Mr. OLVER. Mr. Chairman, I move to strike the last word.

To continue this intellectual discussion between Florida and California, I yield to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise to support the Lee amendment to prohibit the use of funds to enforce regulations restricting access to educational programs for students who wish to study in Cuba.

Mr. Chairman, throughout the Cold War, American students studied in the Soviet Union. Many of them went on to become diplomats, scholars, and policymakers who used the knowledge they gained to contribute to the development and implementation of U.S. foreign policy. Similarly, many Americans are studying in the People's Republic of China today. There is no reason to treat study in Cuba differently.

Study abroad provides valuable educational experiences for American students and contributes to the development of knowledge and informed professionals who can use their knowledge to serve our country in the future. I urge my colleagues to support the Lee amendment and support educational opportunities for American students in Cuba and throughout the world.

Mr. Chairman, I have been to Cuba many times. I have been to the great medical university. Castro has trained over 60,000 doctors. I think they will be the first to come forward with a real cure for HIV and AIDS. Don't deny our students the opportunity to share in this very rich culture, despite the fact that we have an embargo.

I would urge support for this amendment.

Mr. OLVER. Mr. Chairman, I yield to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, I thank the gentleman for yielding.

I just want to clarify a couple of points that the opponents of this amendment have said.

First of all, currently the licenses for participation in student exchanges are valid for only 1 year, rather than 2. We want to return back to the 2 years.

Also, only students who are provided educational opportunities in the undergraduate and graduate level institutions can participate in these restricted licenses. No high schools, no other educational institutions are allowed to participate in Cuba travel.

Also, employees who travel under the license must be full-time permanent employees of the licensed institution, which prevents many teachers and many professors from participating with their students as they travel to Cuba.

Also, all people-to-people educational travel was eliminated in 2003, and that ended thousands of educational visits by United States citizens to Cuba for broader educational purposes. Educational activities in Cuba now may be no shorter than 10 weeks, unless they are for the purpose of graduate research. Now, this eliminates scores of valuable educational programs to Cuba that were really a few weeks long.

Finally, let me just say that it doesn't make any sense to deny students, once again, the opportunity to participate in educational programs abroad. Cutting off these opportunities makes no sense. It really is a violation of their civil liberties. It goes against who we are as Americans.

Our young people are hopeful for the possibilities of a new world free of all the politics that we have heard today.

☐ 1615

So why don't we give them a chance to participate?

So all this amendment would do would be to revert back to the 2003 prior regulations which for many of us were very restrictive also, but we are just asking to go back to those regulations so that our young people will have the broadest possible opportunity to participate in educational exchanges, given the unfortunate status of the United States policy toward Cuba.

Mr. KNOLLENBERG. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Chairman, I noted with interest that the distinguished ranking member of the subcommittee stated that he was interested in this intellectual exercise. Perhaps this could be because we are in a free Parliament, in a democracy, and it could be interpreted as an intellectual exercise.

But I will tell you for whom this issue is not an intellectual exercise. When a year ago, despite the totalitarian nature of the Cuban regime, over 100 delegates from the peaceful prodemocracy movement managed to meet. Many others were not able to meet. They were stopped. They were arrested. For many reasons many others were not allowed, but over 100 did manage to meet in assembly. And they elected leaders and principles.

Those leaders sent us a year ago, after their assembly, after this amendment, the same amendment and a few others had been filed, a statement of position with regard to the amendments, including this one that was filed a year ago.

Now, of these three leaders, the elected leaders of the prodemocracy leader in Cuba, one was thrown in the gulag after sending this letter, where he is today. He remains uncharged. Who knows if the dictator will ever charge him? He was sent to the gulag and he is today in that inferno gulag after sending us his position. That is not an intellectual exercise; it is an exercise of extraordinary heroism.

And they stated in the letter that those amendments, and one of them was this one, if any of them would be passed, that Cuban regime in Havana, which has given continuous examples of its absolute immovability and of its repressive and antidemocratic vocation, would consider such amendments unilateral actions by this Congress as a policy of accommodation with the regime. So this is not an intellectual exercise.

We are dealing with a tyranny of 47 years. And let no one be confused. Despite the 47-year duration of that tyranny, let no one be confused that for one single day the Cuban people have failed to fight for their freedom. And they will be free and the tyrant who is about to celebrate his 80th birthday will soon be elsewhere and the Cuban people will be free.

By the way, statements like the resolution that was mentioned recently, that only 22 Members of this House voted against, in support of the prodemocracy movement and in condemnation of the violation of the human rights of the Cuban people, those statements and manifestations by this Congress will always be seen as admirable, admirable statements of solidarity of the people who deserve to be free and who will be free despite 47 years of oppression.

So I ask my colleagues on both sides of the aisle to once again stand for the rights of the Cuban people to live in freedom. And these amendments, like this one which seeks to confuse, because it is already legal for Americans with educational purposes to get a license and study in Cuban, but not to engage in child prostitution and not to engage in the endeavors of the regime, like our State Department has stated publicly just a few days ago on the record, Ambassador John R. Miller, Ambassador-at-Large on International Slavery: Cuba has a tourism industry, government operated or affiliated, which engages in promoting child prostitution, which is not only trafficking under United States law but under United Nations protocol, and it is done very openly.

That is among the realities, the horrible realities of the Cuban tyranny which will soon come to an end but that we must continue to condemn and we must continue to reject unilateral rewards for. So I ask my colleagues to vote down this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. LEE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. LEE. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

At the end of the bill (before the short title), insert the following:

SEC. ___. Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall conduct a study to determine the amount each State department of transportation spent in fiscal year 2005 to comply with laws and regulations of the United States Department of Transportation.

The CHAIRMAN. Pursuant to the order of the House of June 13, 2006, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, many times Members come with their amendments to the floor and say I have a commonsense amendment to present. Sometimes they are common sense and simple, and sometimes they are not. I would hazard the statement that this one is simple and a commonsense amendment that I make today. And it is one that I have made on the floor over the last several weeks with regard to some of the other appropriations bills as well.

It is simply to try to rein in some of the spending that we do here in Washington, to put some sort of a reasonable limit on some of the spending that we do because, you know, when you listen to all of the debates back and forth when we discuss the budget and other such matters, we differ on how we get here on some of these issues, but one thing that we do not seem to differ on is that we are spending too much and our debt is too high in this country.

If we can try to rein that in and bring down some of that debt, it is a good thing. And that is what this amendment does. This amendment puts a reasonable limit on the number of Federal employees that can attend out-of-this-country international conferences.

Mr. KNOLLENBERG. Mr. Chairman, will the gentleman yield?

Mr. GARRETT of New Jersey. I yield to the gentleman from Michigan.

Mr. KNOLLENBERG. I am very willing to accept the amendment. I think it is a good amendment.

Mr. GARRETT of New Jersey. I appreciate that, and I will just briefly conclude by saying that I appreciate the acceptance of the amendment to make sure that as we go forward, the Federal Government limits the number of employees who go overseas. We do not say that there should be no one traveling. We recognize the importance of staff, both here on the floor, and we recognize the importance of staff as far as Federal agencies are concerned, but if we put a reasonable number, as the chairman just accepted, I think we are doing a good thing for the American taxpayer.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (before the short title), insert the following:

SEC. None of the funds made available by this Act may be used to apply the assumption contained in section A150.101(d) of title 14, Code of Federal Regulations.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of June 13, 2006, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

I rise at this time for purposes of engaging in a colloquy with the gentlemen from Michigan and Massachusetts, which was the intent of bringing up the amendment so that we would have an opportunity to discuss a very important issue.

Sometimes it takes money, but sometimes it takes policy. We recognize that one of the advantages of modern life is the convenience of air travel. America's air transportation system is the best and safest in the world, but airports are not quiet. If you ask any resident that lives near a busy airport, you will hear many grievances about the noise level.

Although there is no way to make airports soundproof, it is possible to reduce airport noise so it is less disruptive to the lives of the families that live near some of the Nation's busiest airports, work and pay their taxes.

Under the Airport Improvement Program administered by the FAA, grants are available to airports and local governments to fund noise reduction projects located in areas significantly affected by airport noise above 65 decibels over a 24-hour average, as indicated by the notation 65 dB(A) DNL. Noise mitigation grants are generally not available for areas in which the noise level may be substantial but does not exceed the 65 dB(A) DNL. Thereby, money does not solve the problem; policy does.

However, substantial impacts occur to millions of people well below the 65 decibel level. This value is inadequate for several reasons:

From a scientific perspective, it is not supported by research. The 65 decibel level is derived from the Schultz Curve which correlated people reporting being highly annoyed by noise with noise levels.

Substantial impact occurs well before people become highly annoyed. In addition, the data used in the Schultz Curve for airports shows that "highly annoyed" occurs around 57 decibels, not 65, and that comes from a Journal of the Acoustical Society of America.

The EPA has identified 55 dB(A) DNL as a more appropriate noise level. The day/night average sound level is the level of noise expressed in decibels as a 24-hour average, and averages do not adequately account for the impacts of aircraft noise on individuals.

Research has shown that noise disruption as low as 55 decibels can negatively affect communities near airports. Unfortunately, communities that have a dB(A) less than 65 are precluded from applying for an Airport Improvement Program grant to reduce airport noise. We need to help them. I have even heard from cities in Minnesota. It is all over the country.

It is important to stress that this amendment does not entitle any airport, local government or other eligible entity to receive a noise mitigation grant. Nor does it have any financial impact. This amendment only affects an applicant's eligibility to be considered for an airport noise reduction grant. Each applicant must demonstrate that its proposed project deserves to be funded, but no applicant can be disqualified from consideration merely because the area covered by the grant request does not have a dB(A) DNL greater than 65.

I would ask the gentleman to agree to work with me and, of course, others in this Congress who have similar interests for the betterment of the airports and airlines and airline travel, but also for those hardworking taxpaying communities to provide some relief to these affected communities. And I would yield to the gentleman.

Mr. KNOLLENBERG. My understanding is that the gentlewoman is willing to withdraw the amendment, presuming I will work with you?

Ms. JACKSON-LEE of Texas. I am yielding to the gentleman.

Mr. KNOLLENBERG. If you withdraw the amendment, I am prepared to work with you any way that I can, but the amendment would have to be withdrawn, so I am just asking for a guarantee that the amendment will be withdrawn.

Ms. JACKSON-LEE of Texas. I think the colloquy states.

Mr. KNOLLENBERG. Well, it states it in reverse, and that is my question.

I thank you for the layout of the information here. You certainly raise an important issue, and I pledge to explore the issue with you further.

Ms. JACKSON-LEE of Texas. I thank the gentleman very much for acknowledging the importance of this issue, and that it impacts many communities in addition to Houston and the district that I represent. With that in mind, I hope we will be able to march towards efforts both with the authorizers and the subcommittee to be able to work on this.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment of the gentlewoman from Texas is withdrawn.

There was no objection.

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GARRETT of New Jersey:

At the end of the bill (before the short title), insert the following:

SEC. . Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall conduct a study to determine the amount each State department of transportation spent in fiscal year 2005 to comply with laws and regulations of the United States Department of Transportation.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. The gentleman reserves a point of order.

Pursuant to the order of the House of June 13, 2006, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GARRETT of New Jersey. Thank you, Mr. Chairman, and I recognize the point of order.

Mr. Chairman, it was just yesterday we were on this floor honoring the work of former President Dwight Eisenhower and also celebrating the 50th anniversary of the national interstate highway system.

☐ 1630

That system that he was the champion of for a number of years beforehand and finally got done, that system that we today bear the fruit, enjoy the fruit of. That system that was, in essence, put in place to connect border to border, east to west, north to south, the major urban areas and the city areas of this country, primarily for a national defense purposes was what the President had in mind. That system, as I say, was started 50 years ago. That system, of course, was also completed 20 years ago. And as I mentioned on the floor just yesterday, I believe that the former President and great general that he was, would want us, as we go into the second half of that century to be able to stand on his shoulders of the work that he was able to accomplish and now move on to a more progressive and appropriate system for this century.

Under the current system, it is sort of a top-down approach as far as transportation dollars are concerned. Even though States spend twice as much money on our transportation system in the country than the Federal Government does, we are all aware of the fact that there is an 18-cent gasoline tax in every State. That money comes from your respective State to Washington, D.C., through the hands of the bureaucrats down here where the decisions are made and then reallocated with the things that we read about in the paper as well as far as some of the programs and dollars where they are spent. Things that our taxpayers probably just scratch their head and wonder what is Washington doing with those dollars. I would gather the local officials, county, municipal and State officials also wonder just what Washington is doing with those transportation dollars as well.

To that end, I have introduced legislation called the Surface Transportation and Taxation Equity Act, the STATE Act for short. And that is a piece of legislation that simply says this: That States should be allowed, if they so desire, to opt out of the Federal gasoline and transportation system and make those decisions right at home instead.

See, right now, States are either donor States or donee States. States like the State of New Jersey, which is my own, is a donor State. We send more to Washington as far as gasoline taxes than we ever get back in return, so we are, in effect, subsidizing the other States. But even donee States, even those States that think that they are doing well by this system, may not be. And the reason I say that is this. Even though they are getting a little bit more, a few pennies back on the dollar more than they send to Washington, the problem is there are strings attached to those dollars. Washington just doesn't turn those dollars back to those donee States nor in to the donor States without any restrictions. They don't turn them back carte blanche. Washington, the bureaucrats, put restrictions on them. But what exactly do those restrictions cost the States? What do they cost through the micromanagement that Washington does to those States? What does it cost those respective States inasmuch as they are not able to spend the dollars as the citizens of those States feel are most appropriate? What does it cost at the end of the day in wasted Federal and local taxes?

So what this amendment does, to get to the bottom of it, is simply do a study. Let's get the facts. Let's find out what it is, in fact, costing the States to comply with this top-down, inefficient, outdated system of funding and building our roads and bridges across this country.

This amendment simply asks the U.S. Department of Transportation to conduct a study to determine the amount each State spends to comply with the regulations of the USDOT and whether or not there are programs that they are spending on that the sovereign States do not intend for them to spend it on. So in the end this is simply an amendment asking for a study to ask for full disclosure so that we both in Washington and at the local level and the taxpayers as well know exactly where their dollars are going to, where they are coming from and whether they are being put to the best use.

Mr. Chairman, I reserve the balance of my time.

POINT OF ORDER

Mr. KNOLLENBERG. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states, in pertinent part, an amendment to a general appropriation bill shall not be in order if changing existing law. The amendment imposes additional duties. I ask now for a ruling from the Chair. I think that would be the appropriate step.

Mr. GARRETT of New Jersey. Mr. Chairman, at this point, recognizing the point of order raised and setting it out, I at this point seek unanimous consent for withdrawing the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDMENT OFFERED BY MR. BISHOP OF NEW YORK

Mr. BISHOP of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BISHOP of New York:

At the end of the bill (before the short title), insert the following:

SEC. . (a) Congress finds that (1) Trans World Airlines (TWA) Flight 800 crashed off the coast of Long Island, New York, on July 17, 1996, resulting in one of the worst air disasters in United States history; and (2) since the crash of TWA Flight 800, numerous technological advances have enhanced passenger safety on airlines.

(b) On the occasion of the tenth anniversary of the crash of TWA Flight 800, Congress (1) offers condolences to the surviving families and friends of the 230 passengers and crew who perished as a result of the crash; and (2) recognizes the importance of continually upgrading aircraft technology, particularly with regard to the flammability of fuel tanks, to safeguard the flying public.

Mr. KNOLLENBERG. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The CHAIRMAN. A point of order is reserved.

Pursuant to the order of the House of June 13, 2006, the gentleman from New York (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. BISHOP of New York. Mr. Chairman, my amendment is a straightforward, nonpartisan resolution commemorating one of the worst air disasters in history. Nearly a decade ago, on July 17, 1996, the world witnessed as TWA Flight 800 crashed off the coast of Long Island in the Atlantic Ocean just south of my district. All 230 passengers and crew perished.

Today it is important that we continue to offer our support by joining the surviving families who will recognize the 10th anniversary of that tragedy next month and we must do all that we can to safeguard the flying public against future disasters.

Like other challenging times our Nation has faced, the reaction to the Flight 800 catastrophe brought out the best not only in my constituents but in so many others in the surrounding towns, States and across the Nation who joined New Yorkers in mourning the loss of so many who lost their lives and who helped my community recover from its most horrific tragedy.

New Yorkers, indeed, all Americans demonstrated the great human strength and spirit that makes our country prevail in the face of tremendous adversity. Thousands of volunteers and employees of the Coast Guard, U.S. Navy, Army Corps of Engineers and the NTSB searched the waters below where the plane fell in an unprecedented search and recovery effort. Throughout and despite their grief the families of the victims worked tirelessly to build a permanent memorial with the help of Navy Seabees and thousands of dedicated local building trades union members. Today this solemn monument spirals along a strip of Long Island's south shore and serves as a constant reminder of our community's tremendous loss one decade ago.

As we approach this milestone, it is important to take stock of our progress in preventing air disasters since Flight 800. From a technological perspective, we have made some great strides towards aviation safety, particularly, for example, with design upgrades and an ongoing effort to mitigate fuel tank flammability, the cause of the Flight 800 crash.

It is also important to once again offer our condolences to the families of the Flight 800 disaster and assure them of our steadfast commitment to safety and of our vigilance against preventable catastrophes.

I reserve the balance of my time.

POINT OF ORDER

Mr. KNOLLENBERG. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill. Therefore it violates clause 2 of rule XXI.

The rule states, in pertinent part, an amendment to a general appropriations bill shall not be in order if it is changing existing law. The amendment proposes to state a legislative position. And so I ask for a ruling from the Chair.

The CHAIRMAN. Does the gentleman from New York or any other Member wish to be heard on the point of order?

Mr. BISHOP of New York. Only that in my view this is a very benign, very straightforward amendment. It does just two things. It offers the condolences of the Congress to the survivors of the tragedy and it reasserts our commitment to air travel safety.

I understand the point of order. I guess I would respectfully request that the chairman acknowledge that this is a benign and straightforward amendment and not impose the point of order.

The CHAIRMAN. The Chair is prepared to rule. The amendment proposes to express a legislative sentiment. As such, the amendment constitutes legislation in violation of clause 2 of rule XXI. The point of order is sustained, and the amendment is not in order.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. FRANK of Massachusetts.

Amendment by Mr. OBERSTAR of Minnesota.

Amendment by Mr. RANGEL of New York.

Amendment by Ms. LEE of California.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. FRANK OF MASSACHUSETTS

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. FRANK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 214, noes 214, not voting 5, as follows:

[Roll No. 282]

AYES—214

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Fitzpatrick (PA)
Ford
Frank (MA)
Gerlach
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Harris
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reichert
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—214

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle

Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwartz (PA)
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Brady (TX)
Cannon
Miller (MI)
Rothman
Sessions

☐ 1705

Messrs. SHERWOOD, HULSHOF, WELDON of Pennsylvania, Mrs. EMERSON and Mrs. NORTHUP changed their vote from "aye" to "no."

Ms. ZOE LOFGREN of California, Mr. MURTHA, Mr. PASTOR, Ms. WOOLSEY and Mr. BOREN changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. OBERSTAR

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 291, noes 137, not voting 4, as follows:

[Roll No. 283]

AYES—291

Abercrombie
Ackerman
Akin
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bass
Bean
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Bono
Boren
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Conyers
Costa
Costello
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Drake
Duncan
Edwards
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Foxx
Frank (MA)
Frelinghuysen
Gerlach
Gibbons
Gilchrest
Gillmor
Gohmert
Gonzalez
Goode
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hayes
Hayworth
Hefley
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lynch
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy
Murtha
Myrick
Nadler
Napolitano
Neal (MA)
Ney
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Poe
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Regula
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (MI)
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (VA)
Serrano
Shays
Sherman
Sherwood
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Strickland
Stupak
Sweeney
Tancredo
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—137

Aderholt
Alexander
Bachus
Baker
Barrett (SC)
Barton (TX)
Beauprez
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chocola
Coble
Cole (OK)
Conaway
Cooper
Crenshaw
Cubin
Davis (KY)
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Ehlers
Everett
Feeney
Flake
Fossella
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Goodlatte
Granger
Harris
Hastings (WA)
Hensarling
Herger
Hostettler
Hulshof
Hyde
Inglis (SC)
Issa
Istook
Jenkins
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Latham
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Marchant
McCrery
McHenry
McKeon
Meeks (NY)
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Neugebauer
Northup
Norwood
Nunes
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Pombo
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rehberg
Reichert
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Scott (GA)
Sensenbrenner
Shadegg
Shaw
Shuster
Simpson
Smith (TX)
Sodrel
Souder
Sullivan
Tanner
Taylor (NC)
Terry
Thomas
Thornberry
Van Hollen
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)

NOT VOTING—4

Becerra
Miller (MI)
Rothman
Sessions

☐ 1711

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. RANGEL

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. RANGEL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 245, not voting 4, as follows:

[Roll No. 284]

AYES—183

Abercrombie
Allen
Baird
Baldwin
Bean
Becerra
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Bono
Boozman
Boren
Boswell
Boucher
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Carson
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cummings
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Emerson
Eshoo
Evans
Farr
Fattah
Filner
Flake
Ford
Frank (MA)
Gilchrest
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Harman
Herseth
Hinchey
Hinojosa
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kolbe
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Slaughter
Smith (WA)
Snyder
Solis
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Woolsey
Wynn

NOES—245

Ackerman
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Berkley
Bilbray
Bilirakis
Bishop (UT)
Blunt
Boehner
Bonilla
Bonner
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Cuellar
Culberson
Davis (AL)
Davis (FL)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Engel
English (PA)
Etheridge
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Higgins
Hobson
Hoekstra
Holden
Holt
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oxley
Pallone
Pascrell
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryun (KS)
Salazar
Saxton
Schiff
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Turner
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—4

Blackburn
Miller (MI)
Rothman
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are less than 2 minutes remaining in this vote.

☐ 1718

Mr. GRAVES changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MS. LEE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 236, not voting 9, as follows:

[Roll No. 285]

AYES—187

Abercrombie
Allen
Baird
Baldwin
Bass
Bean
Becerra
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boozman
Boswell
Boucher
Brady (PA)
Brown (OH)
Capps
Capuano
Cardin
Cardoza
Carson
Castle
Clay
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Doggett
Doyle
Edwards
Emerson
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Ford
Frank (MA)
Gilchrest
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Harman
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kolbe
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (WI)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Woolsey
Wynn

NOES—236

Ackerman
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Beauprez
Berkley
Bilbray
Bilirakis
Bishop (UT)
Blunt
Boehlert
Bonilla
Bonner
Bono
Boren
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carnahan
Carter
Case
Chabot
Chandler
Chocola
Cleaver
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Cuellar

Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Drake
Dreier
Duncan
Ehlers
Emanuel
Engel
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Gene
Gutknecht
Hall
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Mica
Miller (FL)
Miller (NC)
Miller, Gary
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Nunes
Nussle
Oxley
Pallone
Pascrell
Pearce
Pence
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (OH)
Ryun (KS)
Salazar
Saxton
Schiff
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

NOT VOTING—9

Blackburn
Boehner
Hunter
Marchant
Meeks (NY)
Miller (MI)
Norwood
Rothman
Sessions

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised there are less than 2 minutes remaining in this vote.

□ 1724

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The Clerk will read the last four lines.

The Clerk read as follows:

This Act may be cited as the "Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007".

Mr. CLEAVER. Mr. Chairman, I want to address two issues in H.R. 5576, the Transportation, Treasury, Housing and Urban Development, Judiciary and District of Columbia Appropriations Act for Fiscal Year 2007 (TTHUD) that are of great interest to the Fifth District of Missouri: first, the need to redesignate funds in the SAFETEA–LU program to address critical traffic problems along a stretch of highway known as "Death Valley," and second, the woefully inadequate resources for housing and community development.

Let me begin by thanking Chairman JOE KNOLLENBERG and Ranking Member JOHN OLVER both of the House Committee on Appropriations Subcommittee on Transportation and Chairman DON YOUNG and Ranking Member JIM OBERSTAR both of the House Committee on Transportation and Infrastructure for all of their hard work on this measure. I know it is through their efforts that we have this bill and I will have the opportunity to help my district fix an alarming problem.

I prepared a very simple amendment to make a technical correction to redesignate funds, and alleviate traffic at one of the most dangerous intersections in Missouri's 5th Congressional District: the intersection of M–291 Highway and Courtney Road in Sugar Creek, Missouri.

Originally, this SAFETEA–LU allocation would have designated $1.6 million for one highway project in my district, and the amendment would have fully transferred the designation to the City of Sugar Creek, so that they could have alleviated the traffic problems along a different stretch of high-traffic highway known as "Death Valley."

Within a 22 month span, there were 31 traffic accidents. In 1997, there were 87 accidents and 2 fatalities. In the summer 1998, five people died within two days in traffic accidents.This stretch has truly earned its nickname, and the area has only grown busier.

Overall, there is a large number of truck and car traffic crossing from the outer roadways of M–291 at an uncontrolled intersection North of Kentucky Road and South of Courtney Road. This redesignation would facilitate construction to finish the East and West outer-roadways to Courtney Road to allow for traffic to move safely through controlled intersections.

Until now, the City has only been able to do minimally protective measures, such as reducing the speed limit and adding a red light violator camera system. This redesignation would improve public safety by finishing the extension of the East and West outer roadways and adding desperately needed traffic outlets.

Mr. Chairman, I withdrew my amendment after conversations and assurances with the good Chairmen and Ranking Members, that a more appropriate vehicle for this technical correction and redesignation would be coming up for consideration shortly. I look forward to working with the Chairmen and Ranking Members so that we can put an end to "Death Valley."

Today, I reluctantly cast my vote in favor of H.R. 5576. While this legislation allows current 2006-level funding for vital programs affecting the citizens of the 5th Congressional District such as Section 202 housing for the elderly and Section 811 housing for the disabled and slightly increases Community Development Block Grants (CDBG) and Home Funds for programs that directly affect low to moderate income families in our neighborhoods, it also zero's out several programs that have had and would continue to have a significant impact on the revitalization and continued growth of the cities and neighborhoods of the 5th District. The programs targeted to receive no funds include the CDBG Section 8 program, Brownfield program, and Youthbuild program.

In Kansas City, Missouri alone the Section 108 and Brownfield programs have been successfully used to fund job producing economic development like the Vista Hotel, the first Section 108 HUD loan in the nation, Quality Hill neighborhood, 18th and Vine, the Westside Industrial Park (DST plant), H & R Block National Equipment Repair Facility on Brush Creek, Swope Park Health Facility and a number of commercial developments, to name a few. Neighborhoods such as Brooklyn Heights (the old Municipal Stadium site), Little Sisters of the Poor Housing Redevelopment, and subdivisions such as Citidal Gardens and Renaissance Place and elderly developments such as the Residences at West Paseo (the old Robinson Hospital) utilized these programs. None of these developments would be here today without Section 108 and Brownfield funds.

Youthbuild programs have provided vocational training and job opportunities for numerous young people in our district to learn building trades. By combining classroom and practical experience, Youthbuild has enabled participants to get decent jobs that pay a livable wage. In Kansas City, Swope Community Builders in KC received a $700K Youthbuild grant this year (2006) to train 60 youth ages 16 to 24 in homebuilding trades and build two affordable houses for sale. Participants can also get a GED if they didn't graduate from high school. Funding for this program was eliminated in the bill.

Because the House majority leadership has chosen to ignore the successes of these programs and turn a blind eye to the needs of cities that require these "community building tools" for future revitalization, I am calling on the Senate, including Missouri's Senators BOND and TALENT, to restore these beneficial programs in the Senate appropriations bill.

Mr. UDALL of Colorado. Mr. Chairman, this bill is far from perfect, but I believe it is worth supporting.

The bill provides important resources to help support our nation's transportation systems, community and economic development. Examples of this include $8.9 billion for federal transit programs, which is an increase above the Fiscal Year 2006 allocation and the request made by the Bush Administration. Included in this funding is support for light rail projects in the Denver Metropolitan Area, which will help to reduce congestion on Colorado roadways.

Communities throughout Colorado and the nation rely on CDBG funds to provide decent housing and expand economic opportunities so I am pleased the legislation rejects the Bush Administration proposal to cut funding to the Community Development Block Grant (CDBG).

I am also pleased the full house has supported projects specific to the 2nd Congressional District including: $4.2 million for a replacement tower at the Jefferson County Airport, $500,000 for construction to relieve peak hour overcrowding, reduce accidents, and improve access for pedestrian and cyclists along the US 36 Interchange and Wadsworth in the city and county of Broomfield, $500,000 for construction of a climbing lane on Interstate 70 in Clear Creek County, $100,000 for property acquisition and renovation costs of a new facility for the National Sports Center for the Disabled (NSCD) located in the town of Winter Park.

Of course, I do not agree with all its priorities included in the legislation. I believe it was shortsighted to eliminate funding for Small Starts in the Department of Transportation (DOT) budget. This much needed program is designed to provide discretionary grant funding for public transportation projects that run along dedicated corridors or guideways. I am hopeful the Senate takes a different approach and provides funding for this vital program.

Additionally, with the increasing federal budget deficits caused by the recent recession, the costs of responding to terrorism and increasing homeland security, and the excessive and unbalanced tax cuts the Bush Administration has pushed through Congress I think the idea of eliminating a cost-of-living increase in Congressional salaries is worth considering.

I thought the House should have been able to have a separate vote on this increase, and voted against the restrictive procedure that prevented that. Unfortunately, I was in the minority on that vote.

I also supported a number of amendments to improve the legislation, including an increase in funding for High Intensity Drug Trafficking Areas Program, the Section 8 Tenant-Based assistance and for the Help America Vote Act (HAVA) which improved the bill.

While the legislation is still not all that I had hoped for, it deserves support and I will vote for it and will hope that it is improved further as the legislative process continues.

Mr. SIMMONS. Mr. Chairman, I rise today in support of important taxpayer-protection provisions that are included in this legislation.

Mr. Chairman, in recent years the IRS has attempted to implement a new program under which it would contract with private companies to collect the taxes of thousands of Americans. In recognition of the inherent risks of such a plan, this legislation wisely prohibits the IRS from using fiscal year 2007 funds provided by this bill to implement or administer a private tax collection contracting program.

All of us want a system that efficiently collects federal taxes, but we cannot do it at the expense of taxpayers' rights or privacy. However, if the IRS were allowed to go forward with its plan to outsource its tax collection duties, millions of taxpayer files would be made available to private debt collection companies who would "contact" taxpayers and collect up to a 24 percent fee from such collections.

This type of incentive system on the part of the collectors would be ripe for abuse and harassment. It is why the IRS specifically prohibits its employees from being assigned quotas with regard to collection activities. It should come as no surprise that the private debt collection industry receives the greatest number of formal complaints as recorded by the Federal Trade Commission than any other business in the nation.

Past experience should also guide us in consideration of this initiative. In 1996, Congress approved a two year pilot program for just such a collection scheme. Not only were there multiple violations of the Fair Debt Collection Practices Act by the private collection companies, but sensitive taxpayer data was not properly protected.After 12 months, the pilot program had cost the U.S. Treasury $17 million and Congress saw fit to cancel the remaining 12 month pilot.

Each year millions of Americans voluntarily disclose personal, sensitive information to the IRS with the expectation that it will be handled with the utmost discretion and protected from erroneous or deliberate disclosure outside of the IRS. Yet the IRS is now leading the effort to disclose this information to third party contractors who have demonstrated previously that they cannot adequately protect taxpayer information.

If the above facts do not cause you concern, imagine the response of your constituents when they learn that these contractors are not required to be American-based or staffed. In fact, foreign companies employing non-US. citizens can bid for this work. When American taxpayers understand that their personal information could potentially be put in the hands of foreign workers toiling in "boiler room" operations in foreign countries, they will rightly ask who supported such a risky and short-sighted scheme.

I can assure my colleagues that you will encounter some mighty unhappy constituents if they find their personal tax information in the hands of a third party overseas. Keep in mind, also, that the most susceptible individuals will be our home-bound seniors and busy single mothers who may have overlooked some aspect of their tax filing. Do we really want to sic commission-hungry tax collection agents on these individuals?

Speaking as a veteran, I recently learned that my personal data had been compromised through a theft. I do not want my personal tax data may end up in unknown hands in unknown places. This bill protects my data.

American citizens deserve to have their taxes collected by American public officials at the Treasury Department. I am glad that this legislation takes steps to ensure this will be the case.

Mr. OBERSTAR. Mr. Chairman, I rise to express my concerns and reservations about a particular matter included in the House Report (H. Rpt. 109–495) accompanying the bill, H.R. 5576, the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for fiscal year 2007.

Under the Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Congress specifically authorized funding to be made available for the execution of the Federal commitment for transit new start projects. Currently, 18 transit new starts have Full Funding Grant Agreements (FFGA) from the Federal Transit Administration (FTA). The FFGAs provide a commitment for the Federal share of the project and serve as a basis for local transit recipients to plan and advance badly needed transit projects that help serve the transportation needs of local and regional communities. Without the Federal commitment, many of these transit projects would not be built.

Unfortunately, the House Report directs the FTA to retain the final payment under the FFGA for one particular transit new start project, the Tren Urbano project in the Commonwealth of Puerto Rico, until the Commonwealth and the project construction contractor resolve outstanding issues and reach a close-out agreement.

Mr. Chairman, the language directing FTA to retain funds authorized in SAFETEA–LU until a contract dispute is resolved by all parties is highly unusual and interjects the Federal Transit Administration in the midst of ongoing judicial proceedings. The Committee direction would have the effect of withholding a Federal commitment of funds that are not related to the amounts under dispute with the contractor of the system and the Commonwealth of Puerto Rico. The Federal funds are not at risk. The amounts under discussion are related to the amounts contracted with local funds. Therefore, the FTA should release the amounts agreed to for the Tren Urbano project.

Based upon FTA's oversight and management reviews, Tren Urbano has received the support of FTA for the release of the remaining amounts that the project is entitled to receive. Unfortunately, the report language would preclude FTA from awarding the final payment for the Tren Urbano project.

Although the Tren Urbano project has encountered a number of construction and management missteps in constructing the project, the government has responded by correcting its management problems, overcoming delays, and safety concerns. To the credit of the Governor of Puerto Rico, our former colleague Anibal Acevedo-Villa, and his Secretary of Transportation, the concerns raised in an audit by the Inspector General and the requirements made by FTA have been fully addressed to the Administration's satisfaction. As a result, the project has recently celebrated its first anniversary with a passenger ridership of more than 17 million passengers, 35 percent over the estimated ridership levels. The turnaround of the project has resulted in an overwhelming transit success.

Mr. Chairman, I rise in strong opposition to the unprecedented language that directs FTA to withhold the final full funding grant payment until both sides reach a close out agreement. Such direction may have the effect of further delaying the resolution of contract disputes. I believe this direction should be rejected by the Federal Transit Administration so that the Tren Urbano project may receive the full funding grant amounts that it is entitled to receive under its agreement with the Federal Transit Administration.

Mr. SIMPSON. Mr. Chairman, in accordance with earmark reform proposals currently under consideration in the House and Senate, I would like to place into the RECORD a listing of Congressionally-directed projects in my home state of Idaho that are contained within the report to this bill. These are projects that I asked the Transportation, Treasury, and HUD Subcommittee to consider this year and I am grateful for their inclusion in this bill.

I'd like to take just a few minutes to describe why I supported these projects and why they are valuable to the nation and its taxpayers.

The bill contains $2,000,000 for the City of Rocks Back Country Byway in my Congressional District. This 16.7 mile long project is located on the popular City of Rocks Back

Country Byway in Cassia County, Idaho and provides the only direct access to the City of Rocks National Reserve. When fully completed, the project will pave a 1.0 mile gravel segment, reconstruct 15.7 miles of deficient roadway, correct deteriorated road and slope conditions, provide a wider road with shoulders and guardrail, and improve the road's alignment by reducing the number and severity of sharp curves and steep grades. These improvements will increase safety for the driving public and provide safer access for bicycle and pedestrian traffic. These improvements will also significantly reduce the amount of ongoing maintenance required to keep the route usable.

This project was requested by the Idaho Transportation Department.

The report contains $500,000 for the I–84, US–93 Interchange project near Twin Falls. This is funding to improve an interchange on a segment of the Interstate Highway System. The project will realign and reconstruct the interchanges south of I–84 at US–93, provide a new grade over US–93, and remove the height-restricted structures which have previously necessitated a signalized intersection. These activities will relieve congestion caused by fast growth and increase safety in the city of Twin Falls.

This project was requested by the Idaho Transportation Department.

The report contains $4 million for the Idaho Transit Coalition's program to improve bus and bus facilities all across the state of Idaho. The funding will assist Ada County Highway District's Commuteride, Boise State University, the Coeur d'Alene Tribe, the City of Ketchum, the Ketchum/Sun Valley Transit Authority (KART), the City of Moscow, the City of Pocatello, the University of Idaho, and Valley Regional Transit. The majority of these projects are identified in the "Idaho Statewide Public Transportation Needs and Benefits Study" compiled by the Idaho Transportation Department in 1996 and subsequent local studies and plans. All projects are identified in the Transportation Improvement and the Statewide Transportation Improvement Plan. The current request represents only a small amount of what will be needed to maintain and expand Idaho's public transportation capital system to meet the demands of the State's rapidly growing population.

The funding was requested by the Idaho Transit Coalition.

The report contains $250,000 for the Magic Valley Boys and Girls Club in Buhl, Idaho. The funding will assist in building a Boys & Girls Club youth center in the town of Buhl, Idaho, which will serve over 800 children and teens annually from the communities of Buhl, Castleford, and Hagerman. This 7000 sq. ft. facility will be adjacent to an existing approximately 7000 sq. ft. gymnasium. These federal funds constitute only a small portion of the overall funding required for this project and will help leverage significant private sector donations.

The funding was requested by the Magic Valley Boys and Girls Club.

The report contains $400,000 for the community of Rexburg, Idaho's Greenways and River Corridor Improvement Project. This funding represents a very small portion of the overall funding for this project. The City of Rexburg itself has jump started the project with a Rexburg Redevelopment Agency infusion of $5,800,000. The funding will help develop public access to the riverfront through river trails, build and improve city streets and parking lots in the river corridor, and construct a public amphitheater.

The funding was requested by the City of Rexburg, Idaho.

I appreciate the opportunity to provide a list of Congressionally-directed projects in my region and, an explanation of my support for them.

Mr. KUCINICH. Mr. Chairman, the misclassification of employees as independent contractors is a significant problem that annually leads to billions of dollars in lost Federal tax revenue. Employers who misclassify workers as independent contractors do not pay payroll and other taxes on those workers. The employers also gain an unfair advantage over their competitors by eliminating a piece of their labor costs. In the construction industry, for example, a contractor who chose to misclassify his workers as independent contractors would be able to easily underbid other construction companies who followed the law. Misclassification hurts workers and fair employers and has a significant monetary impact on government revenues.

The misclassification of employees as independent contractors is not a new problem. Over the past several decades, the IRS and Congress have periodically investigated the issue of misclassification. In 1984, in an estimate of the extent of misclassification for 5.2 million businesses, the IRS found employers had misclassified 3.4 million employees. Approximately 750,000 employers had misclassified employees as independent contractors. More recent estimates in the 1990s have estimated that the percentage of employer misclassifying employees has grown even beyond the 15 percent found in 1984. An independent study issued by Harvard Law School's Labor and Worklife Program, found abuses of the term "independent contractor" led up to 19 percent of workers across all industries being misclassified in the State of Massachusetts. Clearly, this problem is not going away on its own.

This misclassification is not merely a problem for workers who can unfairly be left without workers compensation or unemployment insurance. It also impacts local, State and Federal government revenue streams. In 1984, an IRS review found at least $1.6 billion in Federal tax revenue was lost due to misclassification in that year alone. A 2005 study on the issue in Maine also found a significant loss of State income tax revenue. While the statewide study of misclassification in Maine did not estimate the loss of Federal income tax revenue, it is evident the misclassification issue continues to negatively impact the revenues of the Federal Government as well.

We cannot, in good conscience, continue to ignore the problem of misclassification and its impact on Federal revenues. In a budget climate where many good and necessary programs are shortchanged, we cannot afford to continue losing billions of dollars each year to a problem for which there is no excuse and that we all can agree needs to be fixed.

Mrs. MALONEY. Mr. Chairman, I rise in support of the FY07 Transportation, Treasury, HUD Appropriations bill. I am very pleased that included in this bill is $4 million for the much needed Second Avenue Subway.

This worthy project will ease the incredibly overcrowded Lexington Avenue subway line, which is one of the busiest in the nation. It is unquestioned that the Second Avenue Subway will immediately benefit many tens of thousands of area residents. The 9/11 attack on New York City and the transportation restrictions imposed afterward only further magnify the importance of providing the region with an adequate mass transit system.

Just for some background on the project, construction of the full-length Second Avenue Subway has been divided into four phases, each of which will produce a minimum operating segment that will carry a significant number of passengers. The first phase of the Second Avenue Subway project will include stops at 96th, 86th and 72nd Streets, and tunnels from 99th to 62nd Streets. At 63rd Street, the subway will link onto the existing N and R tracks, providing a one-seat ride from the Upper East Side to Times Square, Wall Street and Brooklyn. When this phase is completed in 2012, 202,000 riders are expected to board the new line each day.

I am very grateful to the Committee for recognizing the importance of the Subway and thank Chairman KNOLLENBERG and Ranking Member OLVER for this essential funding. I would also like to thank the bipartisan Members of the New York delegation for their continued support of this project.

Mr. ETHERIDGE. Mr. Chairman, I rise today in support of H.R. 5576, the Transportation-Treasury-Housing and Urban Development-Judiciary-DC Appropriations Act of 2007.

This bill will provide over $139 billion in budgetary resources, including direct appropriations and funds from the transportation trust fund. Our highways and infrastructure system built this Nation, and we need to maintain them. This legislation brings the funding level to the amount required in the recently passed transportation bill, provides over $1 billion for Amtrak and other rail service, as well as the funds needed to maintain our Community Development Block Grant and elderly housing programs.

But I believe that this could have been a better bill. The proposed cuts to the HUD programs such as Hope VI and Section 8 housing for the elderly should have been rejected.

I support H.R. 5576 as amended, and urge my colleagues to join me in voting for this bill.

Mr. SWEENEY. Mr. Chairman, I rise today to express my disappointment over the exclusion of section 206 as well as this amendment from the FY07 TTHUD bill.

Rep. Tiahrt's amendment—of which neither provision has any negative impact on or shuts down any current IRS program or service—would prevent the IRS from using taxpayer dollars to develop programs such as return-free tax filing systems, interactive tax filing systems and web portals.

These systems would overextend the IRS, expanding it beyond and diluting its core mission of tax collection and regulation. The costs of developing, implementing and maintaining them would total billions of dollars. All this is even more strikingly troublesome given a recent Wall Street Journal poll that found that 70% of Americans don't want the IRS preparing their taxes anyway.

I share the sentiments of the American people. As far as I'm concerned, having the IRS prepare your taxes is a little like sending your dog to the butcher to pick up your order—it doesn't serve your best interest.

Despite the assurances of Secretary Snow and Commissioner Everson, there is currently nothing in statute that stops the IRS from developing and implementing a return-free tax filing system. Yet we already have a program in place that serves the purpose of these costly systems.

It is called the Free File Alliance—of which my home state of New York is a member and it assists people who otherwise cannot afford tax preparation or e-filing. The Free File Alliance is a private sector program, and provides free preparation services to poor and low-income families, and since its inception in 2002 it has provided 15.3 million free Federal tax returns.

Now, the Free File Alliance is not a perfect system yet, and it is still in need of additional oversight and reform. However, its existence means that the infrastructure for such systems is already in place, making the costly development of virtually identical IRS programs unnecessary.

Mr. KNOLLENBERG. Mr. Chairman, I submit the following for the RECORD:

Departments of Transportation, Treasury, and Housing and Urban Development, the
Judiciary, District of Columbia, and Independent Agencies Appropriations, 2007 (H.R. 5576)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF TRANSPORTATION					
Office of the Secretary					
Salaries and expenses	84,052	92,742	92,558	+8,506	-184
Immediate Office of the Secretary	(2,176)	---	(2,255)	(+79)	(+2,255)
Immediate Office of the Deputy Secretary	(691)	---	(717)	(+26)	(+717)
Office of the General Counsel	(15,031)	---	(15,681)	(+650)	(+15,681)
Office of the Under Secretary of Transportation for Policy	(11,534)	---	(11,684)	(+150)	(+11,684)
Office of the Assistant Secretary for Budget and Programs	(8,400)	---	(10,002)	(+1,602)	(+10,002)
Office of the Assistant Secretary for Governmental Affairs	(2,270)	---	(2,319)	(+49)	(+2,319)
Office of the Assistant Secretary for Administration	(21,811)	---	(25,108)	(+3,297)	(+25,108)
Office of Public Affairs	(1,891)	---	(1,932)	(+41)	(+1,932)
Executive Secretariat	(1,428)	---	(1,478)	(+50)	(+1,478)
Board of Contract Appeals	(690)	---	(707)	(+17)	(+707)
Office of Small and Disadvantaged Business Utilization	(1,252)	---	(1,286)	(+34)	(+1,286)
Office of Intelligence and Security	(2,013)	---	(2,722)	(+709)	(+2,722)
Office of the Chief Information Officer	(11,776)	---	(12,281)	(+505)	(+12,281)
Office of emergency transportation	(3,089)	---	(4,386)	(+1,297)	(+4,386)
User fees	(-2,500)	---	---	(+2,500)	---
Spending of user fees	(2,500)	---	---	(-2,500)	---
Subtotal	(84,052)	(92,742)	(92,558)	(+8,506)	(-184)
Office of Civil Rights	8,465	8,821	8,821	+356	---
Rescission of excess compensation for air carriers	---	-50,000	-50,000	-50,000	---
Transportation planning, research, and development	14,850	8,910	13,000	-1,850	+4,090
Working capital fund	(118,014)	---	(120,000)	(+1,986)	(+120,000)
Minority business resource center program	891	891	891	---	---
(Limitation on guaranteed loans)	(18,367)	(18,367)	(18,367)	---	---
Minority business outreach	2,970	2,970	2,970	---	---
New headquarters building	49,500	59,400	---	-49,500	-59,400
Payments to air carriers (Airport & Airway Trust Fund)	59,400	---	67,000	+7,600	+67,000
General Aviation and Fixed Based Operator Reimbursement (sec. 186)	16,830	---	---	-16,830	---
Total, Office of the Secretary	236,958	173,734	185,240	-51,718	+11,506
Federal Aviation Administration					
Operations	8,104,140	8,366,000	8,360,000	+255,860	-6,000
Air traffic organization	(6,562,700)	---	(6,698,728)	(+136,028)	(+6,698,728)
Aviation Safety	(948,957)	---	(997,718)	(+48,761)	(+997,718)
Commercial Space Transportation	(11,641)	---	(11,985)	(+344)	(+11,985)
Financial Services	(50,473)	---	(92,227)	(+41,754)	(+92,227)
Human Resource Management	(69,244)	---	(87,850)	(+18,606)	(+87,850)
Region and Center Operations	(149,237)	---	(272,821)	(+123,584)	(+272,821)
Staff Offices	(140,580)	---	(175,392)	(+34,812)	(+175,392)
Information Services	(35,751)	---	(36,779)	(+1,028)	(+36,779)
Flight Service Stations A-76 transition	(148,500)	---	---	(-148,500)	---
Undistributed reduction	---	---	(-14,000)	(-14,000)	(-14,000)
Subtotal	8,104,140	8,366,000	8,360,000	+255,860	-6,000
Facilities & equipment (Airport & Airway Trust Fund)	2,514,600	2,503,000	3,110,000	+595,400	+607,000
Emergency appropriations (P.L. 109-148)	40,600	---	---	-40,600	---
Research, engineering, and development (Airport and Airway Trust Fund)	136,620	130,000	134,000	-2,620	+4,000

Departments of Transportation, Treasury, and Housing and Urban Development, the
Judiciary, District of Columbia, and Independent Agencies Appropriations, 2007 (H.R. 5576)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Grants-in-aid for airports (Airport and Airway Trust Fund)(Liquidation of contract authorization)	(3,399,000)	(4,000,000)	(4,171,000)	(+772,000)	(+171,000)
(Limitation on obligations)	(3,514,500)	(2,750,000)	(3,700,000)	(+185,500)	(+950,000)
Small community air service development program	(9,900)	---	(10,000)	(+100)	(+10,000)
Airport Cooperative Research Program	(9,900)	---	(10,000)	(+100)	(+10,000)
2007 F&E Pop-up contract authority	513,000	607,000	---	-513,000	-607,000
Rescission of contract authority (BY F&E Pop-up)	-513,000	-607,000	---	+513,000	+607,000
Rescission of contract authority (BY AIP)	-50,000	-950,000	---	+50,000	+950,000
Rescission of contract authority (prior yr Pop-up)	-469,000	-25,000	-25,000	+444,000	---
Subtotal	(2,995,500)	(1,775,000)	(3,675,000)	(+679,500)	(+1,900,000)
War risk insurance program extension	-80,000	---	-125,000	-45,000	-125,000
Total, Federal Aviation Administration	11,228,960	11,606,000	11,479,000	+250,040	-127,000
(Limitations on obligations)	(3,514,500)	(2,750,000)	(3,700,000)	(+185,500)	(+950,000)
Rescissions of contract authority	-1,032,000	-1,582,000	-25,000	+1,007,000	+1,557,000
Total budgetary resources	(13,711,460)	(12,774,000)	(15,154,000)	(+1,442,540)	(+2,380,000)
Federal Highway Administration					
Limitation on administrative expenses	(360,992)	(372,504)	(372,504)	(+11,512)	---
Federal-aid highways (Highway Trust Fund):					
(Liquidation of contract authorization)	(36,032,344)	(39,086,000)	(39,086,465)	(+3,054,121)	(+465)
(Limitation on obligations)	(35,672,021)	(39,086,465)	(39,086,465)	(+3,414,444)	---
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
(Transfer to NHTSA)	(-121,232)	---	---	(+121,232)	---
Rescission of contract authority (Hwy Trust Fund)	---	---	-107,423	-107,423	-107,423
Appalachian development highway system	19,800	---	---	-19,800	---
Emergency relief programs (Highway Trust Fund)					
Emergency appropriations (P.L. 109-148)	2,750,000	---	---	-2,750,000	---
Rescission of contract authority (Hwy Trust Fund)	-1,999,999	---	-2,000,000	-1	-2,000,000
Rescission of contract authority (HTF)(P.L. 109-148)	-1,143,000	---	---	+1,143,000	---
Additional contract authority (sec. 112)	618,000	---	---	-618,000	---
TIFIA (rescission of contract authority)(sec. 125)	---	---	-100,000	-100,000	-100,000
Total, Federal Highway Administration	244,801	---	-2,207,423	-2,452,224	-2,207,423
(Limitations on obligations)	(35,672,021)	(39,086,465)	(39,086,465)	(+3,414,444)	---
(Transfer out)	(-121,232)	---	---	(+121,232)	---
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
Rescissions	---	---	---	---	---
Rescissions of contract authority	-3,142,999	---	-2,207,423	+935,576	-2,207,423
Total budgetary resources	(33,146,790)	(39,825,465)	(37,618,042)	(+4,471,252)	(-2,207,423)
Federal Motor Carrier Safety Administration					
Motor carrier safety operations and programs (Highway Trust Fund)(Liquidation of contract authorization)	(213,000)	(223,000)	(223,000)	(+10,000)	---
(Limitation on obligations)	(210,870)	(223,000)	(223,000)	(+12,130)	---
National motor carrier safety program (Highway Trust					
Motor carrier safety grants (Highway Trust Fund)					
(Liquidation of contract authorization)	(282,000)	(294,000)	(294,000)	(+12,000)	---
(Limitation on obligations)	(279,180)	(294,000)	(294,000)	(+14,820)	---
Total, Federal Motor Carrier Safety Admin	---	---	---	---	---
(Limitations on obligations)	(490,050)	(517,000)	(517,000)	(+26,950)	---
Total budgetary resources	(490,050)	(517,000)	(517,000)	(+26,950)	---
National Highway Traffic Safety Administration					
Operations and research (HTF)	---	---	122,000	+122,000	+122,000
Operations and research (Highway trust fund)					
(Liquidation of contract authorization)	(110,000)	(227,250)	(107,750)	(-2,250)	(-119,500)
(Limitation on obligations)	(108,900)	(227,250)	(107,750)	(-1,150)	(-119,500)
(Transfer from FHWA)	(121,232)	---	---	(-121,232)	---
National Driver Register (Highway trust fund)					
(Liquidation of contract authorization)	(4,000)	(4,000)	(4,000)	---	---
(Limitation on obligations)	(3,960)	(4,000)	(4,000)	(+40)	---

Departments of Transportation, Treasury, and Housing and Urban Development, the
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(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Highway traffic safety grants (Highway Trust Fund)					
(Liquidation of contract authorization)	(578,176)	(583,750)	(587,750)	(+9,574)	(+4,000)
(Limitation on obligations):					
Highway safety programs (Sec. 402)	(214,830)	(220,000)	(220,000)	(+5,170)	---
Occupant protection incentive grants (Sec. 405)	(24,750)	(25,000)	(25,000)	(+250)	---
Safety belt performance grants (Sec. 406)	(123,255)	(124,500)	(124,500)	(+1,245)	---
Alcohol-impaired driving countermeasures grants (Sec. 410)	(118,800)	(125,000)	(125,000)	(+6,200)	---
State traffic safety information system improvement grants (Sec. 408)	(34,155)	(34,500)	(34,500)	(+345)	---
High visibility enforcement	(28,710)	(25,000)	(29,000)	(+290)	(+4,000)
Child safety and booster seat grants	(5,940)	(6,000)	(6,000)	(+60)	---
Motorcyclist safety	(5,940)	(6,000)	(6,000)	(+60)	---
Grant administration	(16,014)	(17,750)	(17,750)	(+1,736)	---
Subtotal	(572,394)	(583,750)	(587,750)	(+15,356)	(+4,000)
Total, National Highway Traffic Safety Admin.	---	---	122,000	+122,000	+122,000
(Limitations on obligations)	(685,254)	(815,000)	(699,500)	(+14,246)	(-115,500)
(By transfer)	(121,232)	---	---	(-121,232)	---
Total budgetary resources	(806,486)	(815,000)	(821,500)	(+15,014)	(+6,500)
Federal Railroad Administration					
Safety and operations	144,490	150,578	150,083	+5,593	-495
Railroad research and development	54,524	34,650	34,650	-19,874	---
Alaska Railroad rehabilitation	9,900	---	---	-9,900	---
National Railroad Passenger Corporation					
Operating subsidy grants to the National Railroad Passenger Corporation	490,050	---	---	-490,050	---
Capital grants to the National Railroad Passenger Corporation	772,200	500,000	500,000	-272,200	---
Rescission (P.L. 109-148)	-8,300	---	---	+8,300	---
Efficiency incentive grants to National Railroad Passenger Corporation	39,600	400,000	400,000	+360,400	---
Total, National Railroad Passenger Corporation	1,293,550	900,000	900,000	-393,550	---
Total, Federal Railroad Administration	1,510,764	1,085,228	1,084,733	-426,031	-495
Federal Transit Administration					
Administrative expenses, general fund	79,200	85,000	85,000	+5,800	---
Office of the Administrator	(916)	---	(1,063)	(+147)	(+1,063)
Office of Chief Counsel	(4,017)	---	(4,420)	(+403)	(+4,420)
Office of Civil Rights	(3,121)	---	(3,053)	(-68)	(+3,053)
Office of Communications and Congressional Affairs	(1,345)	---	(1,432)	(+87)	(+1,432)
Office of Budget and Policy	(8,646)	---	(8,993)	(+347)	(+8,993)
Office of Planning	(4,086)	---	(4,643)	(+557)	(+4,643)
Office of Program Management	(7,906)	---	(8,091)	(+185)	(+8,091)
Office of Demonstration and Innovation	(4,716)	---	(4,768)	(+52)	(+4,768)
Office of Administration	(7,252)	---	(7,218)	(-34)	(+7,218)
Central Account	(16,648)	---	(17,223)	(+575)	(+17,223)
Regional offices	(20,546)	---	(24,096)	(+3,550)	(+24,096)
Subtotal	(79,200)	(85,000)	(85,000)	(+5,800)	---
Formula and Bus Grants (Highway Trust Fund, Mass Transit Account)(limitation on obligations)	(6,910,132)	(7,262,775)	(7,262,775)	(+352,643)	---
Formula and Bus Grants (rescission)	---	-28,661	-28,661	-28,661	---
Subtotal	(6,910,132)	(7,234,114)	(7,234,114)	(+323,982)	---

Departments of Transportation, Treasury, and Housing and Urban Development, the
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	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Research and University Research Centers	74,448	61,000	65,000	-9,448	+4,000
Flexible funding	---	---	---	---	---
Trust fund share of expenses(Mass Transit Account,HTF) (liquidation of contract authorization)	(6,910,132)	(7,262,775)	(7,262,775)	(+352,643)	---
Capital investment grants	1,440,682	1,466,000	1,566,000	+125,318	+100,000
Small stands	---	---	-17,760	-17,760	-17,760
Subtotal	(1,440,682)	(1,466,000)	(1,548,240)	(+107,558)	(+82,240)
Total, Federal Transit Administration	1,594,330	1,583,339	1,669,579	+75,249	+86,240
(Limitations on obligations)	(6,910,132)	(7,262,775)	(7,262,775)	(+352,643)	---
Total budgetary resources	(8,504,462)	(8,846,114)	(8,932,354)	(+427,892)	(+86,240)
Saint Lawrence Seaway Development Corporation					
Operations and maintenance (Harbor Maintenance Trust Fund)	16,121	8,000	17,425	+1,304	+9,425
Maritime Administration					
Maritime security program	154,440	154,440	154,440	---	---
Operations and training	121,027	115,830	116,442	-4,585	+612
Emergency appropriations (P.L. 109-148)	7,500	---	---	-7,500	---
Ship disposal	20,790	25,740	25,740	+4,950	---
Vessel operations revolving fund	---	---	---	---	---
Maritime Guaranteed Loan (Title XI) Program Account:					
Administrative expenses	4,085	3,317	3,317	-768	---
Rescission	---	-2,000	-2,000	-2,000	---
National defense tank vessel program (rescission)	---	-74,400	-74,400	-74,400	---
Ship construction (rescission)	-2,071	---	---	+2,071	---
Total, Maritime Administration	305,771	222,927	223,539	-82,232	+612
Pipeline and Hazardous Materials Safety Administration					
Hazardous materials safety	25,877	27,225	27,225	+1,348	---
Administrative expenses	16,070	17,082	17,082	+1,012	---
Pipeline Safety Fund	639	639	639	---	---
Subtotal	16,709	17,721	17,721	+1,012	---
Pipeline safety:					
Pipeline Safety Fund	57,430	56,925	56,925	-505	---
Oil Spill Liability Trust Fund	14,850	18,810	18,810	+3,960	---
Subtotal	72,280	75,735	75,735	+3,455	---
Emergency preparedness grants:					
Emergency preparedness fund	198	198	198	---	---
Limitation on emergency preparedness fund	(14,157)	(28,328)	(28,328)	(+14,171)	---
Total, Pipeline and Hazardous Materials Safety Administration	115,064	120,879	120,879	+5,815	---
Research and Innovative Technology Administration					
Research and development	5,716	8,217	6,367	+651	-1,850
Office of Inspector General					
Salaries and expenses	61,874	64,143	64,143	+2,269	---

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(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Surface Transportation Board					
Salaries and expenses	26,186	22,925	25,618	-568	+2,693
Offsetting collections	-1,250	-1,250	-1,250	---	---
Total, Surface Transportation Board	24,936	21,675	24,368	-568	+2,693
Total, title I, Department of Transportation	14,304,995	13,262,142	12,714,850	-1,590,145	-547,292
Appropriations	(15,692,265)	(14,999,203)	(15,102,334)	(-589,931)	(+103,131)
Rescissions	(-10,371)	(-155,061)	(-155,061)	(-144,690)	---
Rescission of contract authority	(-4,174,999)	(-1,582,000)	(-2,232,423)	(+1,942,576)	(-650,423)
Emergency appropriations	(2,798,100)	---	---	(-2,798,100)	---
Offsetting collections	---	---	---	---	---
(Limitations on obligations)	(47,271,957)	(50,431,240)	(51,265,740)	(+3,993,783)	(+834,500)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
(By transfer)	(121,232)	---	---	(-121,232)	---
(Transfer out)	(-121,232)	---	---	(+121,232)	---
Total budgetary resources	(62,315,952)	(64,432,382)	(64,719,590)	(+2,403,638)	(+287,208)
Transportation discretionary total	14,304,995	13,262,142	12,714,850	-1,590,145	-547,292
TITLE II - DEPARTMENT OF THE TREASURY					
Departmental Offices					
Salaries and expenses	194,626	223,874	223,786	+29,160	-88
Executive direction	(8,556)	(17,501)	(8,760)	(+204)	(-8,741)
General Counsel	(7,773)	---	(8,741)	(+968)	(+8,741)
Economic policies and and programs	(31,691)	(41,947)	(41,947)	(+10,256)	---
Financial policies and programs	(26,308)	(25,336)	(27,086)	(+778)	(+1,750)
Terrorism and Financial Intelligence	(39,540)	(45,401)	(45,401)	(+5,861)	---
Treasury wide management	(16,675)	(20,372)	(18,534)	(+1,859)	(-1,838)
Administration	(63,094)	(73,317)	(73,317)	(+10,223)	---
Currency manipulation	(990)	---	---	(-990)	---
Subtotal	(194,627)	(223,874)	(223,786)	(+29,159)	(-88)
Department-wide systems and capital investments programs	24,168	34,032	34,032	+9,864	---
Office of Inspector General	16,830	17,352	17,352	+522	---
Treasury Inspector General for Tax Administration	131,953	136,469	136,469	+4,516	---
Air transportation stabilization program account	2,723	---	---	-2,723	---
Community development financial institutions fund program account	54,450	7,821	40,000	-14,450	+32,179
Treasury building and annex repair and restoration	9,900	---	---	-9,900	---
Financial Crimes Enforcement Network	72,894	89,794	84,066	+11,172	-5,728
Total, Departmental Offices	507,544	509,342	535,705	+28,161	+26,363
Financial Management Service	233,881	233,654	233,654	-227	---
Alcohol and Tobacco Tax and Trade Bureau:					
Salaries and expenses	90,215	63,964	92,604	+2,389	+28,640
Spending from proposed user fees	---	28,640	---	---	-28,640
Subtotal	90,215	92,604	92,604	+2,389	---
Bureau of the Public Debt	175,154	177,789	177,789	+2,635	---
Payment of government losses in shipment	1,000	500	500	-500	---
Total, Dept. of Treasury, non-IRS	1,007,794	1,013,889	1,040,252	+32,458	+26,363
Internal Revenue Service					
Processing, assistance, and management	4,095,212	4,045,122	---	-4,095,212	-4,045,122
Rescission	-20,000	---	---	+20,000	---
Taxpayer services	---	---	2,059,151	+2,059,151	+2,059,151
Tax law enforcement	4,678,498	4,762,327	---	-4,678,498	-4,762,327

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(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Enforcement	---	---	4,757,126	+4,757,126	+4,757,126
Information systems	1,582,977	1,602,232	---	-1,582,977	-1,602,232
Operations support	---	---	3,438,404	+3,438,404	+3,438,404
Business systems modernization	197,010	167,310	212,310	+15,300	+45,000
Health Insurance Tax Credit Administration	20,008	14,846	14,846	-5,162	---
Rescission	-9,000	---	---	+9,000	---
Total, Internal Revenue Service	10,544,705	10,591,837	10,481,837	-62,868	-110,000
Total, title II, Department of the Treasury	11,552,499	11,605,726	11,522,089	-30,410	-83,637
Appropriations	(11,581,499)	(11,605,726)	(11,522,089)	(-59,410)	(-83,637)
Rescissions	(-29,000)	---	---	(+29,000)	---
TITLE III - DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT					
Public and Indian Housing					
Tenant-based Rental Assistance:					
Renewals	13,948,858	14,436,200	14,436,200	+487,342	---
Tenant protection vouchers	178,200	149,300	149,300	-28,900	---
Family self-sufficiency coordinators	47,520	47,500	47,500	-20	---
Administrative fees	1,237,500	1,281,100	1,137,500	-100,000	-143,600
Working capital fund	5,841	5,900	5,900	+59	---
Subtotal	15,417,919	15,920,000	15,776,400	+358,481	-143,600
Emergency appropriations (P.L. 109-148)	390,300	---	---	-390,300	---
Advance appropriations	4,200,000	4,200,000	4,200,000	---	---
Less appropriations from prior year advances	-4,200,000	-4,200,000	-4,200,000	---	---
Total, Tenant-based rental assistance	15,808,219	15,920,000	15,776,400	-31,819	-143,600
Project-based rental assistance:					
Renewals	4,890,303	5,526,240	5,326,240	+435,937	-200,000
Contract administrators	145,728	145,500	145,500	-228	---
Working capital fund	1,386	3,960	3,960	+2,574	---
Total, Project-based rental assistance	5,037,417	5,675,700	5,475,700	+438,283	-200,000
Public Housing Capital Fund	2,438,964	2,178,000	2,178,000	-260,964	---
Public Housing Operating Fund	3,564,000	3,564,000	3,564,000	---	---
Revitalization of severely distressed public housing	99,000	---	---	-99,000	---
Native American housing block grants	623,700	625,680	625,680	+1,980	---
Indian housing loan guarantee fund program account	3,960	5,940	3,960	---	-1,980
(Limitation on guaranteed loans)	(116,276)	(251,000)	(116,276)	---	(-134,724)
Native Hawaiian housing block grant	8,727	5,940	8,815	+88	+2,875
Native Hawaiian loan guarantee fund program account	891	1,010	1,010	+119	---
(Limitation on guaranteed loans)	(35,714)	(43,000)	(43,000)	(+7,286)	---
Total, Public and Indian Housing	27,584,878	27,976,270	27,633,565	+48,687	-342,705
Community Planning and Development					
Housing opportunities for persons with AIDS	286,110	300,100	300,100	+13,990	---
Rural housing and economic development	16,830	---	---	-16,830	---
Community development fund	4,177,800	3,032,000	4,200,000	+22,200	+1,168,000
Emergency appropriations (P.L.109-148)	11,500,000	---	---	-11,500,000	---
Section 108 loan guarantees:					
(Limitation on guaranteed loans)	(137,500)	---	---	(-137,500)	---
Credit subsidy	2,970	---	---	-2,970	---
Administrative expenses	743	---	---	-743	---
Brownfields redevelopment	9,900	---	---	-9,900	---
HOME investment partnerships program	1,757,250	1,916,640	1,916,640	+159,390	---
Homeless assistance grants	1,326,600	1,535,990	1,535,990	+209,390	---
Self-help homeownership opportunity program	60,390	39,700	60,390	---	+20,690
Total, Community Planning and Development	19,138,593	6,824,430	8,013,120	-11,125,473	+1,188,690

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	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Housing Programs					
Housing for the elderly	734,580	545,490	734,580	---	+189,090
Housing for persons with disabilities	236,610	118,800	236,610	---	+117,810
Housing counseling assistance	---	44,550	---	---	-44,550
Manufactured housing fees trust fund	13,000	16,000	16,000	+3,000	---
Offsetting collections	-13,000	-13,000	-13,000	---	---
Offsetting collections (leg proposal)	---	-3,000	-3,000	-3,000	---
Rental housing assistance	26,136	24,750	24,750	-1,386	---
Total, Housing Programs	997,326	733,590	995,940	-1,386	+262,350
Federal Housing Administration					
FHA - Mutual mortgage insurance program account:					
(Limitation on guaranteed loans)	(185,000,000)	(185,000,000)	(185,000,000)	---	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Administrative expenses	351,450	351,450	351,450	---	---
Offsetting receipts	-1,309,000	-176,000	-176,000	+1,133,000	---
Move prog to gen/spec risk (legislative proposal)	---	-358,000	---	---	+358,000
Administrative contract expenses	61,974	62,400	52,400	-9,574	-10,000
Additional contract expenses	1,000	---	---	-1,000	---
FHA - General and special risk program account:					
(Limitation on guaranteed loans)	(35,000,000)	(35,000,000)	(35,000,000)	---	---
(Limitation on direct loans)	(50,000)	(50,000)	(50,000)	---	---
Administrative expenses	229,086	229,086	229,086	---	---
Offsetting receipts	-339,000	-476,000	-476,000	-137,000	---
Credit subsidy	8,712	8,600	8,600	-112	---
Non-overhead administrative expenses	71,181	78,111	72,778	+1,597	-5,333
Additional contract expenses	4,000	4,000	---	-4,000	-4,000
Move programs from MMI (leg proposal)	---	358,000	---	---	-358,000
FHA program modernization and reform (Sec. 325)	---	---	-197,000	-197,000	-197,000
Total, Federal Housing Administration	-920,597	81,647	-134,686	+785,911	-216,333
Government National Mortgage Association (GNMA)					
Guarantees of mortgage-backed securities loan guarantee program account:					
(Limitation on guaranteed loans)	(200,000,000)	(100,000,000)	(100,000,000)	(-100,000,000)	---
Administrative expenses	10,700	10,700	10,700	---	---
Administrative expenses (legislative proposal)	---	43,000	---	---	-43,000
Offsetting receipts	-368,000	-181,000	-181,000	+187,000	---
Offsetting receipts (legislative proposal)	---	-43,000	---	---	+43,000
Additional contract expenses	---	7,000	---	---	-7,000
Total, Gov't National Mortgage Association	-357,300	-163,300	-170,300	+187,000	-7,000
Policy Development and Research					
Research and technology	55,787	68,360	55,787	---	-12,573
Fair Housing and Equal Opportunity					
Fair housing activities	45,540	44,550	44,550	-990	---
Office of Lead Hazard Control					
Lead hazard reduction	150,480	114,840	114,840	-35,640	---
Management and Administration					
Salaries and expenses	573,210	594,000	573,210	---	-20,790
Fannie Mae/Freddie Mac fee proposal	---	-4,000	---	---	+4,000
Transfer from:					
Limitation on FHA corporate funds	(562,400)	(556,776)	(556,776)	(-5,624)	---
GNMA	(10,700)	(10,593)	(10,700)	---	(+107)
Community Development Loan Guarantees Program	(750)	---	---	(-750)	---
Native American Housing Block Grants	(150)	(147,500)	(149)	(-1)	(-147,351)

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	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Indian Housing Loan Guarantee Fund Program	(250)	(248)	(248)	(-2)	---
Native Hawaiian Housing Loan Guarantees	(35)	(35)	(35)	---	---
Subtotal	(1,147,495)	(1,305,152)	(1,141,118)	(-6,377)	(-164,034)
Working capital fund	195,030	219,780	100,000	-95,030	-119,780
Office of Inspector General	81,180	83,240	83,240	+2,060	---
(By transfer, limitation on FHA corporate funds)	(23,760)	(23,760)	(23,760)	---	---
Subtotal	(104,940)	(107,000)	(107,000)	(+2,060)	---
Office of Federal Housing Enterprise Oversight	60,000	62,000	62,000	+2,000	---
Offsetting receipts	-60,000	-62,000	-62,000	-2,000	---
Total, Management and Administration	849,420	893,020	756,450	-92,970	-136,570
Rescissions:					
Housing certificate fund	-2,050,000	-2,000,000	-2,000,000	+50,000	---
Revitalization of severely distressed public housing	---	-99,000	---	---	+99,000
Brownfields Redevelopment	-10,000	---	---	+10,000	---
Community Development Fund	---	-356,400	---	---	+356,400
Subtotal	-2,060,000	-2,455,400	-2,000,000	+60,000	+455,400
Total, title III, Department of Housing and Urban Development	45,484,127	34,118,007	35,309,266	-10,174,861	+1,191,259
Appropriations	(33,542,827)	(33,685,407)	(34,217,266)	(+674,439)	(+531,859)
Rescissions	(-2,060,000)	(-2,455,400)	(-2,000,000)	(+60,000)	(+455,400)
Advance appropriations	(4,200,000)	(4,200,000)	(4,200,000)	---	---
Emergency appropriations	(11,890,300)	---	---	(-11,890,300)	---
Offsetting receipts	(-2,016,000)	(-1,234,000)	(-1,030,000)	(+986,000)	(+204,000)
Offsetting collections	(-73,000)	(-78,000)	(-78,000)	(-5,000)	---
(Limitation on direct loans)	(100,000)	(100,000)	(100,000)	---	---
(Limitation on guaranteed loans)	(420,289,490)	(320,294,000)	(320,159,276)	(-100,130,214)	(-134,724)
(Limitation on corporate funds)	(598,045)	(738,912)	(591,668)	(-6,377)	(-147,244)
TITLE IV - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	2,000	2,000	2,000	---	---
Other salaries and expenses	58,143	61,405	61,405	+3,262	---
Subtotal	60,143	63,405	63,405	+3,262	---
Care of the building and grounds	5,568	12,959	12,959	+7,391	---
Total, Supreme Court of the United States	65,711	76,364	76,364	+10,653	---
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	2,000	2,000	2,000	---	---
Other salaries and expenses	21,780	24,300	24,000	+2,220	-300
Total, US Court of Appeals for the Fed Circuit	23,780	26,300	26,000	+2,220	-300
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	2,000	2,000	2,000	---	---
Other salaries and expenses	13,345	14,182	14,182	+837	---
Total, US Court of International Trade	15,345	16,182	16,182	+837	---

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	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	305,312	316,000	316,000	+10,688	---
Judges COLA	4,950	5,000	---	-4,950	-5,000
Other salaries and expenses	3,998,083	4,366,244	4,240,114	+242,031	-126,130
Emergency appropriations (P.L. 109-148)	18,000	---	---	-18,000	---
Subtotal, Salaries and expenses	4,326,345	4,687,244	4,556,114	+229,769	-131,130
Vaccine Injury Compensation Trust Fund	3,795	3,952	3,952	+157	---
Defender services	709,830	803,879	750,033	+40,203	-53,846
Fees of jurors and commissioners	60,705	63,079	63,079	+2,374	---
Court security	368,280	410,334	400,334	+32,054	-10,000
Total, Courts of Appeals, District Courts, and Other Judicial Services	5,468,955	5,968,488	5,773,512	+304,557	-194,976
Administrative Office of the United States Courts					
Salaries and expenses	69,559	75,333	73,800	+4,241	-1,533
Federal Judicial Center					
Salaries and expenses	22,127	23,787	23,500	+1,373	-287
Judicial Retirement Funds					
Payment to judiciary trust funds	40,600	58,300	58,300	+17,700	---
United States Sentencing Commission					
Salaries and expenses	14,256	15,740	15,500	+1,244	-240
Total, title IV, the Judiciary	5,720,333	6,260,494	6,063,158	+342,825	-197,336
Mandatory appropriations	(351,912)	(380,300)	(380,300)	(+28,388)	---
Discretionary appropriations	(5,368,421)	(5,880,194)	(5,682,858)	(+314,437)	(-197,336)
TITLE V - DISTRICT OF COLUMBIA					
FEDERAL FUNDS					
Federal payment for Resident Tuition Support	32,868	35,100	35,100	+2,232	---
Federal payment for Emergency Planning and Security Costs in the District of Columbia	13,365	8,533	8,533	-4,832	---
Federal payment to the District of Columbia Courts	216,723	196,629	219,629	+2,906	+23,000
Defender Services in District of Columbia Courts	43,560	43,475	43,475	-85	---
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia	169,839	181,653	181,653	+11,814	---
Federal payment to the Public Defender Service for the District of Columbia	29,535	32,710	32,710	+3,175	---
Federal payment to the District of Columbia Water and Sewer Authority	6,930	7,000	7,000	+70	---
Federal payment for the Anacostia Waterfront Initiative	2,970	---	---	-2,970	---
Federal payment to the Criminal Justice Coordinating Council	1,287	1,300	1,300	+13	---
Federal payment for Transportation Assistance	990	---	---	-990	---
Federal payment for Foster Care Improvements in the District of Columbia	1,980	---	---	-1,980	---
Federal payment to the Office of the Chief Financial Officer of the District of Columbia	28,908	---	5,000	-23,908	+5,000
Federal payment for School Improvement	39,600	40,800	40,800	+1,200	---
Federal payment for Bioterrorism and Forensics Labs	4,950	---	---	-4,950	---
Federal payment for the National Guard Youth Challenge in the District of Columbia	495	---	---	-495	---
Federal payment for Marriage Development Accounts	2,970	---	---	-2,970	---

Departments of Transportation, Treasury, and Housing and Urban Development, the
Judiciary, District of Columbia, and Independent Agencies Appropriations, 2007 (H.R. 5576)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal payment for Navy Yard Metro Station	---	20,000	---	---	-20,000
Federal payment for Central Library/branch locations	---	30,000	---	---	-30,000
Total, Title V, District of Columbia	596,970	597,200	575,200	-21,770	-22,000
TITLE VI - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
The White House					
Salaries and expenses	---	184,252	---	---	-184,252
Compensation of the President and the White House Office:					
Compensation of the President	450	---	450	---	+450
Salaries and expenses	53,292	---	51,952	-1,340	+51,952
Executive Residence at the White House:					
Operating expenses	12,312	---	12,041	-271	+12,041
White House repair and restoration	1,683	---	1,600	-83	+1,600
Council of Economic Advisers	4,000	---	4,002	+2	+4,002
Office of Policy Development	3,465	---	3,385	-80	+3,385
National Security Council	8,618	---	8,405	-213	+8,405
Office of Administration	88,429	---	91,393	+2,964	+91,393
Total, The White House	172,249	184,252	173,228	+979	-11,024
Office of Management and Budget	76,161	68,780	76,185	+24	+7,405
Office of National Drug Control Policy	26,639	23,309	26,928	+289	+3,619
Federal Drug Control Programs					
High intensity drug trafficking areas program	224,730	---	227,000	+2,270	+227,000
Other Federal drug control programs	192,951	212,160	194,000	+1,049	-18,160
Counterdrug Technology Assessment Center	29,700	9,600	19,600	-10,100	+10,000
Total, Federal Drug Control Programs	447,381	221,760	440,600	-6,781	+218,840
Unanticipated needs	990	11,789	1,000	+10	-10,789
Unanticipated Needs for Natural Disasters (emerg)	---	-11,789	---	---	+11,789
Special Assistance to the President	4,410	4,352	4,352	-58	---
Official Residence of the Vice President: Operating expenses	322	317	317	-5	---
Total, title VI, Executive Office of the President and Funds Appropriated to the President	728,152	502,770	722,610	-5,542	+219,840
TITLE VII - INDEPENDENT AGENCIES					
Architectural and Transportation Barriers Compliance Board	5,882	5,957	5,957	+75	---
Consumer Product Safety Commission	62,370	62,370	62,370	---	---
Election Assistance Commission	14,058	16,908	16,908	+2,850	---
Federal Deposit Insurance Corporation: Office of Inspector General (transfer)	(30,690)	(26,256)	(26,256)	(-4,434)	---
Federal Election Commission	54,153	57,138	57,138	+2,985	---
Federal Labor Relations Authority	25,213	25,218	25,218	+5	---
Federal Maritime Commission	20,294	21,474	21,474	+1,180	---
General Services Administration					
Federal Buildings Fund					
Appropriations	---	(243,025)	---	---	(-243,025)
Limitations on availability of revenue:					
Construction and acquisition of facilities	792,056	690,095	383,956	-408,100	-306,139
Repairs and alterations	861,376	866,194	866,194	+4,818	---
Installment acquisition payments	168,180	163,999	163,999	-4,181	---
Rental of space	4,046,031	4,322,548	4,322,548	+276,517	---

Departments of Transportation, Treasury, and Housing and Urban Development, the
Judiciary, District of Columbia, and Independent Agencies Appropriations, 2007 (H.R. 5576)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
Building operations	1,885,102	2,003,830	2,003,830	+118,728	---
Subtotal	7,752,745	8,046,666	7,740,527	-12,218	-308,139
Repayment of debt	40,000	41,000	41,000	+1,000	---
Emergency appropriations (P.L. 109-148)	38,000	---	---	-38,000	---
Rental income to fund	-7,808,000	-7,844,641	-7,844,641	-36,641	---
Total, Federal Buildings Fund	22,745	243,025	-63,114	-85,859	-306,139
Government-wide policy	52,268	52,550	52,550	+282	---
Operating expenses	98,891	83,032	83,032	-15,859	---
Office of Inspector General	42,976	44,312	44,312	+1,336	---
Electronic Government Fund	2,970	5,000	3,000	+30	-2,000
Allowances and Office Staff for Former Presidents	2,922	3,030	3,030	+108	---
Federal Citizen Information Center Fund	14,850	16,866	16,866	+2,016	---
Total, General Services Administration	237,622	447,815	139,676	-97,946	-308,139
Merit Systems Protection Board					
Salaries and expenses	35,244	36,531	36,531	+1,287	---
Limitation on administrative expenses	2,579	2,579	2,579	---	---
Total, Merit Systems Protection Board	37,823	39,110	39,110	+1,287	---
Morris K. Udall Foundation					
Morris K. Udall Trust Fund	1,980	---	2,000	+20	+2,000
Environmental Dispute Resolution Fund	1,881	693	2,000	+119	+1,307
Total, Morris K. Udall Foundation	3,861	693	4,000	+139	+3,307
National Archives and Records Administration					
Operating expenses	280,215	289,605	289,605	+9,390	---
Electronic records archive	37,535	45,455	45,455	+7,920	---
Reduction of debt	-8,488	-10,026	-10,026	-1,538	---
Repairs and restoration	9,585	13,020	13,020	+3,435	---
National Historical Publications and Records Commission: Grants program	7,425	---	7,500	+75	+7,500
Total, National Archives and Records Admin	326,272	338,054	345,554	+19,282	+7,500
National Credit Union Administration:					
Central liquidity facility:					
(Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	---	---
(Limitation on admin expenses, corporate funds)	(323)	(331)	(331)	(+8)	---
Community development revolving loan fund	941	941	941	---	---
National Transportation Safety Board:					
Salaries and expenses	75,933	79,594	81,594	+5,661	+2,000
Rescission of unobligated balances	-1,000	-1,664	-1,664	-664	---
Emergency Fund (rescission)	---	-1,998	---	---	+1,998
Neighborhood Reinvestment Corporation	116,820	119,790	119,790	+2,970	---
Office of Government Ethics	11,037	11,489	11,489	+452	---
Office of Personnel Management					
Salaries and expenses	121,296	111,095	111,095	-10,201	---
Limitation on administrative expenses	99,017	126,908	100,178	+1,161	-26,730
Office of Inspector General	2,050	1,598	1,598	-452	---
Limitation on administrative expenses	16,166	16,166	16,166	---	---
Govt Payment for Annuitants, Employees Health Benefits	8,393,000	8,780,260	8,780,260	+387,260	---
Govt Payment for Annuitants, Employee Life Insurance	36,000	39,000	39,000	+3,000	---
Payment to Civil Svc Retirement and Disability Fund	10,072,000	10,532,000	10,532,000	+460,000	---
Total, Office of Personnel Management	18,739,529	19,607,027	19,580,297	+840,768	-26,730
Office of Special Counsel	15,172	15,937	15,937	+765	---
Selective Service System	24,750	24,255	24,255	-495	---
United States Interagency Council on Homelessness	1,782	2,000	2,000	+218	---

Departments of Transportation, Treasury, and Housing and Urban Development, the
Judiciary, District of Columbia, and Independent Agencies Appropriations, 2007 (H.R. 5576)
(Amounts in thousands)

	FY 2006 Enacted	FY 2007 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Postal Service					
Payment to the Postal Service Fund	42,917	---	29,000	-13,917	+29,000
Appropriations available from prior year advances	61,092	73,000	73,000	+11,908	---
Advance appropriations	73,000	79,915	79,915	+6,915	---
Less appropriations from prior year advances	-61,092	-73,000	-73,000	-11,908	---
Total, United States Postal Service	115,917	79,915	108,915	-7,002	+29,000
United States Tax Court	47,518	47,110	47,110	-408	---
Total, title VII, Independent Agencies	19,935,947	20,999,133	20,708,069	+772,122	-291,064
Appropriations	(19,825,947)	(20,922,880)	(20,629,818)	(+803,871)	(-293,062)
Rescissions	(-1,000)	(-3,662)	(-1,664)	(-664)	(+1,998)
Advance appropriations	(73,000)	(79,915)	(79,915)	(+6,915)	---
Emergency appropriations	(38,000)	---	---	(-38,000)	---
(By transfer)	(30,690)	(26,256)	(26,256)	(-4,434)	---
(Limitation on direct loans)	(1,500,000)	(1,500,000)	(1,500,000)	---	---
(Limitation on corporate funds)	(323)	(331)	(331)	(+8)	---
Title VIII - General Provisions, This Bill					
Scoring adjustment (for 1% ATB rescission)	-4,707	---	---	+4,707	---
Fed Hwys - addl contract authority (1% rescission)	-6,000	---	---	+6,000	---
Total, General provisions, This Bill	-10,707	---	---	+10,707	---
Grand total (net)	98,312,316	87,345,472	87,615,242	-10,697,074	+269,770
Appropriations	(87,669,993)	(88,585,469)	(88,832,475)	(+1,162,482)	(+247,006)
Emergency appropriations	(14,744,400)	(-11,789)	---	(-14,744,400)	(+11,789)
Offsetting collections	(-73,000)	(-78,000)	(-78,000)	(-5,000)	---
Rescissions	(-2,111,078)	(-2,614,123)	(-2,156,725)	(-45,647)	(+457,398)
Rescission of contract authority	(-4,174,999)	(-1,582,000)	(-2,232,423)	(+1,942,576)	(-650,423)
Negative subsidy receipts	(-2,016,000)	(-1,234,000)	(-1,030,000)	(+986,000)	(+204,000)
Advance appropriations	(4,273,000)	(4,279,915)	(4,279,915)	(+6,915)	---
(Limitation on obligations)	(47,271,957)	(50,431,240)	(51,265,740)	(+3,993,783)	(+834,500)
(Exempt contract authority)	(739,000)	(739,000)	(739,000)	---	---
(By transfer)	(151,922)	(26,256)	(26,256)	(-125,666)	---
(Transfer out)	(-121,232)	---	---	(+121,232)	---
Total budgetary resources	(146,323,273)	(138,515,712)	(139,619,982)	(-6,703,291)	(+1,104,270)
Discretionary total	79,457,954	67,613,412	67,882,732	-11,575,222	+269,320

Mr. KNOLLENBERG. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BASS) having assumed the chair, Mr. DREIER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Pursuant to House Resolution 865, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—ayes 406, noes 22, not voting 4, as follows:

[Roll No. 286]

YEAS—406

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—22

Capuano
Chabot
Cooper
Deal (GA)
English (PA)
Flake
Franks (AZ)
Green (WI)
Hefley
Hensarling
Matheson
Obey
Otter
Paul
Pence
Pitts
Ryan (WI)
Sensenbrenner
Shadegg
Tancredo
Taylor (MS)
Thornberry

NOT VOTING—4

Lewis (CA)
Miller (MI)
Rothman
Sessions

☐ 1745

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 5576, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2007

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 5576, the Clerk be authorized to make technical corrections and conforming changes to the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2048

Mr. STRICKLAND. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2048.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. ALEXANDER). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

IRAQ DEBATE

Mr. DEFAZIO. I ask unanimous consent to take the time of Mr. EMANUEL.

The SPEAKER pro tempore. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Speaker, the House of Representatives has shirked its constitutional duties when it comes to the issue of Iraq.

The most solemn of duties that this body can undertake is the declaration of war, reserved to the United States Congress. Now, in the case of Afghanistan, the known perpetrators of the 9/11 attacks, Osama bin Laden and his collaborators in the Taliban, this Congress did act, with near unanimity. One person dissented. And we passed a resolution that was compliant with the War Powers Act and the Constitution of the United States to authorize an attack on Iraq and others who aided and abetted in the 9/11 attacks.

Now, if George Bush had had proof or had really thought that Saddam Hussein and Iraq were involved in 9/11, he would have needed no further authority. But, clearly, he had no proof, and he couldn't make the case. But he, nonetheless, wanted to attack Iraq. And Congress, reaching a new low point here, in my opinion unconstitutionally, vaguely delegated its solemn duties in the case of the making of war to the President.

Now, I don't believe that Congress can do that, but we did, and the President then, some 5 months later, used that very broad grant of authority to preemptively attack Iraq, ostensibly to remove weapons of mass destruction and the threat of Saddam Hussein, which later morphed into connections to 9/11, which later morphed into any number of other things, and which finally became we went into Iraq to bring freedom and democracy.

Now, since that time, this Congress, this Republican-led Congress, has refused to conduct any meaningful oversight of what happened about the distortion or the misuse of intelligence, about the huge scandals surrounding the more than $10 billion which has disappeared in the so-called reconstruction effort or the actual conduct of the war itself, the unbelievable incompetence of Donald Rumsfeld and his cronies, and the impact on our troops in the military. Not one meaningful hearing. No debates here on the floor of the House.

So, finally, the Republican leadership says, well, we are going to have a meaningful debate. Now, let's see what they mean by meaningful debate. Tomorrow, the House of Representatives will take up a bunch of time, that is good, at least we are going to discuss it on the floor, but it will be to debate a nonbinding resolution; that is, something which has no force of law and no authority. It is a sense of the United States Congress.

And if you read that sense of Congress, you will find a nonbinding resolution which will not be amendable. No Democratic alternative or substitute will be allowed. What the Republicans wrote in secret will be voted on here on the floor of the House. That is it, up or down. This resolution, if you vote for it, is a vote for the status quo. It is a vote for staying in Iraq indefinitely, perhaps a decade or longer. It is to continue the current policies with no end in sight.

On March 21, President Bush himself even said that the question of bringing home U.S. troops from Iraq will be decided by future Presidents. Future Presidents. Remember, unfortunately, he still will be President until 2 years from last January. Now, that is a pretty extraordinary statement for the President to make.

Now, I wish that the Republican leadership really wanted to have a full and fair debate. They could at least allow us to have and debate an alternative. I am a member of the Out of Iraq Caucus. I am a cosponsor of Representative JACK MURTHA's legislation, legislation that would lead to a thoughtful and appropriate redeployment of our troops, and would also say that we would be ready should they need to reintervene in a crisis situation in Iraq. But what it would do is get us out of the business of day-to-day getting between the Shiias, the Kurds, and the Sunnis.

Now, Bush administration said, well, we never could have predicted the Shiias, the Sunnis, and the Kurds wouldn't get along. Rummy said they would welcome us like liberators, with flowers and stuff. He just ignored the last 1,400 years of history, that is all. He also ignored the State Department and the intelligence agencies, other than the little select group he had who said the same thing.

And now, I believe that the Shiias, the Kurds, and the Sunnis, and many others, will not meaningfully move to share power, get their act together and develop a national government as long as we are staying forever, which is what the President and what this resolution says. So I believe that if we go down the path of adopting this resolution that there will be Members of Congress debating this issue years and years from today about what is the U.S. future in Iraq.

IMMIGRATION

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to consume the time of Mr. JONES.

The SPEAKER pro tempore. Without objection, the gentleman from Nebraska is recognized for 5 minutes.

There was no objection.

Mr. OSBORNE. Mr. Speaker, immigration has been the number one concern of many Americans in recent months. The House passed a bill last December which dealt mostly with tough border security. It provided for more Border Control agents, a 700-mile fence, different penalties for illegally entering the U.S., and substantial penalties for employers who employ illegal immigrants.

The Senate, more recently, passed a bill with tight border security but also had language which addresses the problem of the 11 to 12 million illegal immigrants now in the United States. Some believe the Senate's three-tiered approach to dealing with undocumented workers now in the U.S. amounts to what many would refer to as amnesty. Their approach is as follows:

Those illegal immigrants that have been in the United States for 0–2 years would be deported; those who have been illegally in the United States between 2 and 5 years would have to return to the border for processing and then reenter the country receiving a work permit; those who have been in the country for 5 years or more illegally would be able to obtain a legal status by paying a fine and meeting some other requirements.

So many have been concerned about this because it does mean that you could enter the country illegally and gain a legal status while still in the United States, which again many people would refer to as amnesty. So there is obviously tension between the House and the Senate bills, and the concern right now is that there may not be a bill that will be suitable to both bodies that can be achieved in conference.

The big concern I think, in the House at least, is what has been referred to as the three-tiered approach in the Senate. And, obviously, most people who are here illegally at the present time are going to claim they have been here 5 years. It may be very difficult to ascertain how long somebody who is undocumented has been in the country because they are undocumented. It is very hard to ascertain what records are valid, which are not, and how long they have actually been here.

As a result, I have introduced legislation that could represent some common ground. This obviously will be controversial. No one agrees entirely on how we might go about bringing the two bills together, but I have introduced a bill called H.R. 4065, and the basic requirement are as follows:

It would require illegal aliens to return home to apply for a visa. In other words, they would have to return to their country of origin and apply at their home country consulate. Much of the paperwork could be done in the United States before they leave here, but it would have to be stamped in their home country. They then could reenter the country with a legal status and cross that border with papers as documented workers.

Secondly, this would provide for a 3-year visa which is conditional on continuous employment. It would be renewed every 3 years. This would be open to undocumented workers with, first, a demonstrated U.S. employment history. They would have had to have been somebody who is employed in the United States, has been employed satisfactorily, good recommendations by the employers, and then no felony convictions or any other major record of criminal activity or history.

So this would satisfy the argument that these people have come into this country illegally, remained here, and have gained a legal status. They would have to return to their country of origin.

So it establishes a new W visa for those who are classified as undocumented workers but have gone through these steps and stages at the present time.

Congressman PENCE has also introduced legislation which calls for illegal immigrants to leave the United States, report to centers located outside the country before reentering the country with a guest worker visa, which is somewhat similar to what I am talking about here. So this is not necessarily a novel or new idea, and many people have taken a look at it.

The requirement for all illegal immigrants to leave the United States and enter into the U.S. legally with a W visa may serve as a way to create common ground between the House and the Senate bills.

□ 1800

It is important that an immigration bill pass this year. I think the American people are expecting it and hope it will happen. Yet we are so far apart in the two bodies that this may be difficult to effect.

So H.R. 4065 may serve as a catalyst to compromise and final passage. I would like to have my colleagues at least give it some consideration because we will have to think outside the box a little bit. I think it will take some innovative solutions to this problem. It is something that again is something that is really important for this body to accomplish before the end of this session.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H. RES. 861, DECLARING THAT THE UNITED STATES WILL PREVAIL IN THE GLOBAL WAR ON TERROR

Mr. COLE of Oklahoma, from the Committee on Rules, submitted a privileged report (Rept. No. 109–502) on the resolution (H. Res. 868) providing for consideration of the resolution (H. Res. 861) declaring that the United States will prevail in the Global War on Terror, the struggle to protect freedom from the terrorist adversary, which was referred to the House Calendar and ordered to be printed.

FLOOR DEBATE ON GLOBAL WAR ON TERROR

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from New Jersey (Mr. PALLONE).

The SPEAKER pro tempore. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. McDERMOTT. Mr. Speaker, a remarkable document showed up in our mailboxes this afternoon. It is called a "Confidential Messaging Memo" for the floor debate on Iraq and the global war on terror.

This is apparently a memo that Republican leadership provided to Members on their side so they would know how to go about rubber-stamping the President's every thought and deed and could do their best to make sure that we don't have the kind of debate that the American people deserve.

The American people deserve to have us talk about what is really going on in Iraq and how it does or does not make us safer. They deserve to have mistakes acknowledged and paths forward discussed honestly and frankly, admitting problems and working together to make things better.

They deserve a Congress that is more interested in their security than in scoring points for the November election.

According to the Republican leadership's tactical memo, this is precisely what the American people will not get. Instead, there will be confusion and intentional misdirection. There will be ad hominen attacks, and that means attacks on individuals, and attempts to make Saddam Hussein and 9/11 more or less the same thing, attempts to call Democrats' legitimate questions about the administration's rationale for war and conduct of the war into what, and I quote, "policies to concede defeat on the battlefield."

The memo is filled with advice on how to deflect, confuse, conflate and con. I would like to enter that memo into the RECORD so everyone will be able to read it and not be confused when they hear the debate begin tomorrow. They will know what the script is that the other side is following.

Mr. Speaker, let me read some portions now because I think we all have a right to know what Republicans are advising their Members to say and think.

"During this debate, our Republican Conference should be focused on delivering these key points:

"The Importance of Our Actions. It is imperative during this debate that we reexamine the conditions that required the United States to take military action in Afghanistan and Iraq in the aftermath of the attacks of September 11, 2001."

In other words, the Republicans are being told to continue the big lie that Iraq was behind 9/11 or had something to gain from 9/11, and it is all tied together in one neat package.

Secondly, the Republican leadership wants to make the point that they are smart and tough enough because they don't look back, they don't analyze, they don't admit errors, and they don't learn.

Now if they were a baseball pitcher who was this bad, Rumsfeld would have been jerked five innings ago. But, of course, our President ran the Rangers and gave Chicago Sammy Sosa, so we know his judgment in baseball.

Now to do anything else, according to their memo, is to be "prone to waiver endlessly" or "to abandon our efforts" against terrorism. It is as if the Republicans believe there is only one kind of effort against terrorism that has validity, and that any kind of thoughtful consideration of alternatives is a sign of cowardice and weakness.

"Republicans believe," the memo says, "victory in Iraq will be an important blow for terrorism." Yes, of course, it would be. But what is victory in Iraq and how do we get off the path we are on presently and onto that victory path?

We are forbidden to talk about those questions. It would be wrong for 435 fairly well-educated, loyal Americans, who have been sent here by their districts to help govern this country, to start raising questions about what we ought to do.

There will be one proposal with no amendments; that is it. It would be "weak" and "wavering" and a sign of "abandoning our efforts" if we attempt to make those efforts more rational and successful and relate them to the goal of making Americans safer.

We are in trouble in Iraq. We don't have a plan except to keep plowing ahead with the same old policy: a strategy that is getting Americans and Iraqis killed and driving Iraqis to despair and helplessness. We don't have a Congress that can step up and take responsibility and try to make the administration listen to reason.

The President's policy is to put the control of this in the hands of the Iraqis. When they stand up, we will stand down. Who is going to tell the Iraqis when to stand up? The clerics, of course. The Shiia and Sunni clerics will decide when they stand up. What if they don't tell them to stand up? We are there until it ends.

This is a charade. We will go through it tomorrow, but it will not shed any light on where we ought to be going as Americans.

And we don't have a Congress that can step up and take responsibility and try to make the administration listen to reason.

So the Republican leadership scheduled public relations time in the House in an effort to stop the Republican free fall in the polls.

Republican leaders cannot tell the American people what they intend to do except more of the same.

Mr. Speaker, we can do better. I call on the Republicans to abandon the cynical strategy put forth by their leaders and think for themselves.

CONFIDENTIAL MESSAGING MEMO—FLOOR DEBATE ON IRAQ AND THE GLOBAL WAR ON TERROR

This week, the House of Representatives will engage in a debate about the war in Iraq, the Global War on Terror and our efforts to strengthen our national security in a post-9/11 world.

The past week has brought news of several important, positive developments in Iraq and the Global War on Terror:

U.S. military forces eliminated the terrorist Abu Musab al-Zarqawi, al-Qaeda's top commander in Iraq and a cold-blooded killer.

The Iraqi government named new interior, defense and security ministers as part of the new government's continued progress.

Just this morning, President George W. Bush traveled to Baghdad to meet the newly appointed Prime Minister of Iraq, Nouri al-Maliki and to discuss our growing partnership with the new democratic ally.

Clearly, these positive developments are the result of steadfast support of both our military and diplomatic efforts in Iraq and across the globe. We should not refrain from touting such progress.

During this debate, our Republican Conference should be focused on delivering these key points:

THE IMPORTANCE OF OUR ACTIONS

It is imperative during this debate that we re-examine the conditions that required the United States to take military action in Afghanistan and Iraq in the aftermath of the attacks of September 11, 2001.

The attacks we witnessed that day serve as a reminder of the dangers we face as a nation in a post-9/11 world. We can no longer expect oceans between us and our enemies to keep us safe. The plotting and planning taking place in terror camps protected by rogue regimes could no longer go unchecked or unchallenged. In a post-9/11 world, we could no longer allow despots and dictators like the Taliban and Saddam Hussein to ignore international sanctions and resolutions passed by the United Nations Security Council.

So, during this debate we must make clear to the American people that the United States had to take action in the best interests of the security of our nation and the world community. As Republicans who supported military action against Saddam Hussein and terrorists around the globe, the United States had to show our resolve as the world's premier defender of freedom and liberty before such ideals were preyed upon, rather than after standing witness to their demise at the hands of our enemies.

As President John F. Kennedy once stated so eloquently:

> "The cost of freedom is always high, but Americans have always paid it. And one path we shall never choose, and that is the path of surrender, or submission."

A PORTRAIT OF CONTRASTS

This debate in the House of Representatives gives our Republican Conference the opportunity to present the American people our case for strong national security policies whose purpose is to protect the nation against another attack on our own soil.

Similarly, we must conduct this debate as a portrait of contrasts between Republicans and Democrats with regard to one of the most important political issues of our era. Articulating and advocating our core principles will allow the American public to witness Members of Congress debate a fundamental question facing America's leaders:

In a post-9/11 world, do we confront dangerous regimes and the threat of terrorism with strength and resolve, or do we instead abandon our efforts against these threats in the hopes that they will just fade away on their own?

Republicans believe victory in Iraq will be an important blow to terrorism and the threat it poses around the world. Democrats, on the other hand, are prone to waver endlessly about the use of force to protect American ideals. Capitol Hill Democrats' only specific policy proposals are to concede defeat on the battlefield and instead, merely manage the threat of terrorism and the danger it poses.

These are troubling policies to embrace in a post-9/11 world. During this debate, we need to clarify just how wrong the Democrats' weak approach is and just how dangerous their implementation would be to both the short-term and long-term national security interests of the United States.

RESOLVE WILL TRIUMPH OVER RETREAT

As a result of our efforts during this debate, Americans will recognize that on the issue of national security, they have a clear choice between a Republican Party aware of the stakes and dedicated to victory, versus a Democrat Party without a coherent national security policy that sheepishly dismisses the challenges America faces in a post-9/11 world.

Let there be no doubt that America and its allies in the war in Iraq and the Global War on Terrorism face difficult challenges. The American people are understandably concerned about our mission in a post-Saddam Iraq. There have been many tough days since Iraq's liberation and transition to a sovereign democracy.

Democrats are all too eager to seize upon the challenges we face as their rationale or motivation for retreat. As Republicans, we understand the diplomatic and national security hazards of such a move.

We must echo the American public's understanding of just how great the stakes are in Iraq and our long-term efforts to win the War on Terrorism.

Building democracies in a part of the world that has known nothing but tyranny and despotism is a difficult task. But achieving victory there and gaining democratic allies in the region will be the best gift of security we can give to future generations of Americans.

IRAQ DEBATE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

Mr. MCHENRY. Mr. Speaker, we do have an important debate coming before this House tomorrow discussing what we are doing to defend America through what the President calls the war on terror; what I refer to as the war against Islamic extremists.

I had a colleague earlier refer to the big lie. Well, there is a big lie propagated by the left in this country that we have no enemies abroad; and beyond that, we should not fight those enemies where they are.

We are making progress in this war against Islamic extremists. Make no mistake about it, this is a generational fight. While my grandparents fought the Nazis and my parents fought the Communists, very harsh ideologies that sought to destroy our way of life, that sought to destroy who we are as Americans, we too have a generational fight in this war against Islamic extremists.

And I will say in the last week we have seen some very positive prospects coming from Iraq. There are those who want to deny that we are making progress, and they have every right and ability to do that because we have freedom of speech here in the United States because of our constitutional freedoms. We are trying to bring that same level of freedom to those that are living in repressive regimes, which those repressive regimes are the ones that are propagating terror against us in the United States. So if we spread peace and freedom and democracy around the world, we will have fewer enemies that seek to destroy us and to kill Americans.

Now, in the last week we saw the destruction of Zarqawi, a militant extremist in Iraq, a terrorist mastermind, who was seeking to destroy our troops, to hurt our men and women in Iraq and to destroy the progress they are making for themselves in Iraq. But we did root him out. That was a wonderful, positive step. We should be proud of that action.

Beyond that, we saw progress with the government of Iraq taking shape and form with the security ministers being put into place and the final government being put into place. We are making progress there in Iraq and we should be proud of that.

Beyond that, there are extremists in Israel. There are extremists in Afghanistan and throughout the Middle East and some in this country that seek to destroy us. This is the reality of the day. Some would say we should deal with them with a legal strategy. Well, Mr. Speaker, I would say that is really removed from the realities of the war that we are fighting.

Our enemy hates our values. Our enemy hates our freedoms. Our enemy hates our capitalism that we embrace in this country. So we must fight them wherever they are and by any means possible.

But the left in this country, Mr. Speaker, don't want to fight this war. They know it is hard. They know it is difficult. But I would say to the left in this country, Mr. Speaker, that if we do not fight them, the values which they cherish, the freedom of speech and the freedom of dissent which we have in this country, the right to vote, the actual equality that we strive for in this country, although imperfect, the equality that we strive for, whether it be females having a place in society which we embrace here in this country, those extremists would not want that to happen. They want burqas worn by women. They don't want their participation. They don't want them to own property or have freedom of speech, wholly removed from what is our reality here in this country, although imperfect. But we strive for those values, Mr. Speaker.

Mr. Speaker, our enemy will fight us in any way possible. We must have a debate on this House floor on what means we are going to use, what direction we should take in this war on terror. This is a generational fight, and we as Americans must step up to the challenge and embrace the fight or they will destroy us.

IRAQ AND H. RES. 861

The SPEAKER pro tempore (Mr. DAVIS of Kentucky). Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, this morning the President of the United States said this about Iraq: "My message to the enemy is don't count on us leaving before we succeed. Don't bet on American politics forcing my hand because it's not going to happen."

Except, Mr. Speaker, it is completely unclear what constitutes success under these circumstances. Saying we will stand down when they stand up, well, that is just a talking point that gives the American people no clear guide as to when they can expect this war to end.

By leaving this question vague, by defining success entirely on his own secret terms, the President is allowing himself an open-ended commitment and a blank check in Iraq. As for his hand being forced by American politics, what the President calls American politics is actually a majority of Americans, American citizens outraged at the loss of life, the hundreds of billions spent, and the global credibility we have squandered.

Our people see 2,499, as of yesterday, U.S. troops killed; more than 18,000 U.S. soldiers gravely wounded, and thousands of others mentally and physically traumatized from their experience in the war. They see us losing the equivalent of one battalion every month in Iraq.

And they want answers.

All these sacrifices, and for what? None of it is making Americans or Iraqis safer. In fact, the presence of nearly 150,000 American troops in Iraq has become a rallying point for antiAmerican extremists in the Arab world.

This war becomes a bigger catastrophe with every passing day. And yet the President and the Republican majority have no plan to end it. From the President we get the usual platitudes and this week a photo-op in Iraq. And in this body, what is supposed to be the people's House, we are embarking on a pointless debate on a nonbinding Iraq resolution that is long on rhetoric and short on constructive solutions.

It is time we listened to the American people. It is time that the Commander in Chief stepped up by offering a solution instead of dismissing Americans' anxieties as "just politics."

I have outlined a plan that will end the occupation in Iraq while helping Iraq build a free and democratic society. We must engage the international community, including the U.N. and NATO, to establish a multinational interim security force for Iraq. The U.N.'s Department of Peacekeeping Operations is particularly well suited for this task.

We must shift the U.S. role from that of Iraq's military occupier to its reconstruction partner by working with the Iraqi people to rebuild their economic and physical infrastructure, and we must work with the U.N. to establish an International Peace Commission comprised of members of the global community who have experience in international conflict resolution to oversee Iraq's postwar reconciliation process.

□ 1815

They, our troops, have served admirably. They have sacrificed more than enough. We can return them to their families and we can do it without abandoning Iraq. This is what the American people want, Mr. Speaker. They want an end to this war. They are not certain exactly how or when, but it is our job to execute those details. They are looking to us for leadership and it is time the President of the United States, as the Commander in Chief, provided it.

ACTIONS OF MARK MALLOCH BROWN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

Mr. BURTON of Indiana. Mr. Speaker, the United Nations has had a myriad of problems over the last 4, 5, 6 years. There has been tremendous scandals, there has been waste, fraud and abuse. There have been atrocities perpetrated by the U.N. peacekeeping forces in Africa where they raped women and maimed other people. We had the Oil-for-Food scandal. It just goes on and on and on. And as a result our new U.N. Ambassador has been over there trying to clean up that mess and make sure that they start straightening up and dealing with their fiscal problems as well as these other problems.

As a result, the second in command at the United Nations, a U.N. Deputy Secretary, General Mark Malloch Brown, last week made a very aggressive speech about the United States of America. He said that middle America, in effect, was too stupid to understand what the U.N. was all about. He indicated that news broadcasts from valued news resources such as Fox News and news commentators such as Rush Limbaugh were way out of line and didn't understand what was going on at the U.N. And he criticized roundly the entire United States approach to the U.N. and to world problems.

Now, there is an unwritten law at the United Nations and that is that the leadership over there and the people that are involved in leadership don't criticize member states. They just don't do it. Malloch Brown did, and he is the Chief Deputy to Kofi Annan, the Secretary General of the United Nations.

And it is my opinion, because of this terrible misstatement that he made, that he should be replaced. He should either resign or be fired. If we are going to work with the U.N., and we pay 25 percent of the dues over there for the whole world, 25 percent, then we need to have a good working relationship, and this is not conducive to this relationship when the second in command over there is criticizing the United States for taking issue with what is going on.

THE IRAQ WAR

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker, I come this evening to share information that I think the American public must know and understand about what is going on in the Congress of the United States of America and what is going on with this war in Iraq. It is important that I do that this evening because tomorrow there will be on the floor of Congress a so-called debate. But it is a sham debate. This is a debate formed around a resolution, H. Res. 861, that the Republicans have put together in an attempt, one more time, to fool the American people about what they are doing. This resolution was dreamed up after the Republicans determined that the polls were consistently against the way this war is being managed. This resolution was put together after they went home on break and they heard over and over again that the American public is getting fed up with this war, the amount of money that is being spent, the number of lives that are being lost, and so they come to the floor, after having done no oversight, never explaining to the American public how billions of dollars are being spent, never taking the time to find out about the corruption and the mismanagement in Iraq, never investigating the lies and the lack of intelligence and all that has been happening. They have the audacity to come before the public in a so-called debate with the resolution simply designed to trap the Democrats.

It is a resolution that says all kinds of things. Do you love the soldier or don't you? If you don't support our resolution, you are not for the soldiers in Iraq. And so many Democrats are going to get trapped because they claim that in their districts they have half of their constituents for it, this war, and half against it, and they don't know what to do. And so when they have to confront a phony debate and a phony resolution, they may just say yes because they don't want to be criticized for not being patriotic and loving the soldiers and supporting them.

Well, I am here to say tonight it is a sham. And I would hope, overnight, that my colleagues on this side of the aisle would see the light and have the courage to vote against it, to not participate in the sham. But I don't know if they will or not.

But let me just give you the background and the backdrop of why all of this is happening. This war started March 19, 2003. Total number of U.S. troops in Iraq today, about 133,000. Number of soldiers dead, 2,499, as of June 14. Number of soldiers injured, 18,490, as of June 14. Total amount appropriated, including latest supplemental, $320 billion. The cost of the war per month, $6.1 billion, almost $11 million an hour. There were 1,398 reported killings in May alone, more than any other month since the war began in 2006, and that figure doesn't include slain soldiers or civilians killed in bombings. Yet, the President of the United States would make you believe we are winning the war. We are advancing. We are going to be able to turn this mess over to the Iraqis and they are going to be able to contain what is now a civil war.

According to the Pentagon, there are about 600 insurgent attacks each week since the new government took over in February. The rate of insurgent attacks is higher now than it was in 2004. Our soldiers are being killed. It is difficult for them to protect themselves against these bombings, these suicide bombings, these bombings that are set off in cars along the road and dead dogs and on and on and on.

And why are they dying? We are in this war because the President of the United States said that there were weapons of mass destruction that we had to protect against. All that we have encountered is mismanagement, corruption, missteps, a lack of winning this crazy thing. Soldiers dying and some of our young people now being charged with killing innocent people because they put guns in their hands and they told them to go and kill them because they hated it.

These soldiers should not be charged. The President of the United States should be charged. The Republicans should be charged and the Democrats should get some courage and come to this Chamber and make sure that they oppose this war.

ILLEGAL ENTRY INTO TUCSON, ARIZONA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, lawlessness on the border breeds more lawlessness in the United States. And failure to protect our borders is a national security issue. And I come to you tonight with some disturbing news. The threat is even more serious than many Americans know.

Tucson, Arizona is 65 miles from Mexico. I have it here on the map. It is shown by the red dot. It is the route to two interstates, one going north and south and one going east and west. Just southeast of Tucson, Arizona is the University of Arizona Technology Park. On that park, which is surrounded by an old-fashioned chain link fence, is a technology firm called Raytheon. Raytheon is a defense contractor that makes Tomahawk cruise missiles.

Well, neighbors in Tucson, Arizona have sent me some pictures of what appears to be illegal entry into the perimeter of this plant. Here we have the chain link fence. This photograph is taken inside the perimeter. On these premises, 400 acres, is the Raytheon plant. It is true there is another fence around Raytheon that is a fence that is a cable type fence that keeps trucks from coming through. But someone, of course, could crawl underneath or over that particular fence. And you see, Mr. Speaker, there is all types of litter inside the fence. And the question occurs, where does this come from? These are trails that are similar to what you see along the Texas border where I am from, but border towns down in Southeast Texas don't have a plant that makes Tomahawk cruise missiles. Tucson neighbors say these trails are filled with trash, backpacks, water bottles and clothes. And why is that? Well, it seems that the illegals that come from Mexico sneak under this fence and hide on these 400 acres until the human smugglers come back later and pick them up and transport them throughout the United States.

Raytheon public relations officials have said well, they hadn't heard anything about it from the security. And they have strict security procedures to enter that facility. But a supervisor at Raytheon security said yes, illegals have been known to come through the grounds, but they were just passing through. And some illegals have been found working at the Raytheon plant by subcontractors, but they were ordered off the premises.

I would like to show you some more disturbing photographs that the Tucson neighbors have sent me. This is a photograph taken inside the perimeter of the chain link fence. And you see numerous backpacks where illegals have come in to the perimeter, have hidden on the premises. When the human smugglers come to pick them up and take them into the heartland of America, they bring with them the backpacks that allow them to change clothes.

It is somewhat disturbing to me, Mr. Speaker, that we have this contractor that makes Tomahawk missiles that allows this to occur on their premises because, you see, lawlessness on the border breeds more lawlessness in the United States. And you would think that a company that has submitted a border security plan for the Department of Homeland Security just 2 weeks ago would be concerned about their border too. After all, it is a national security issue.

I have one more photograph to show you, taken on the same premises, but on the other end of the perimeter. A similar photograph of backpacks, water bottles left by the people that illegally entered the United States. How ironic that it is that they hide on the premises of a place and an institution that is trying to protect the national security of the United States.

Mr. Speaker, the Raytheon problems are our problems because the U.S.-Mexico border is not secure. We have to stop the illegal entry at the border between the United States and Mexico. Otherwise, we will continue to see these backpacks throughout the United States. And some may have clothes, but some may also bring in to the United States property and explosives that could damage the United States. It is a national security issue. It is a border security issue.

Mr. Speaker, we have an obligation to the American people and have to have the moral will to protect the borders and the dignity of the United States.

And that's just the way it is.

THE WAR IN THE UNITED STATES

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

Mrs. MCCARTHY. Mr. Speaker, you have heard many of my colleagues talk about the debate tomorrow on Iraq and the war that we are facing. We also have a war going on in this country that unfortunately is very quiet, and that is the shooting and killing of people throughout this country.

Most people don't realize how many people die on a yearly basis because each newspaper reports it but we don't hear all that information nationwide. There are answers on how we can get there to stop this kind of killing.

Last month the House Judiciary Committee Subcommittee on Crime, Terrorism and Homeland Security approved my bill, H.R. 1415, the NICS Improvement Act.

□ 1830

This is a bill that would increase the effectiveness of the existing national instant criminal background check system, the database used to check potential firearms buyers for any criminal record or any other disqualifying criteria. Hopefully, the whole committee will take up this important piece of legislation soon so it can pass both Houses before the 109th Congress adjourns.

Overall, NICS has been a very good success. Since 1994 more than 1.2 million individuals have been denied a gun because of a failed background check. NICS also provides the vast majority of honest gun sellers with peace of mind in knowing they are selling their products to citizens who will use them safely and legally.

However, the NICS system is only as good as the information it contains. And, unfortunately, many States do not have the resources necessary to enter all of their disqualifying criteria into the NICS system. The end result is that felons and others who are not permitted by existing law to buy guns are passing background checks and buying guns through legitimate means.

In fact, 28 States have automated less than 75 percent of their criminal history records. In 15 States, domestic violence restraining orders, which are a disqualifying offense, are not accessible through the NICS system.

These and other loopholes, of course, have cost people their lives, including two of my constituents. On March 8, 2002, Peter Troy purchased a .22 caliber semiautomatic rifle from a legitimate gun dealer in New York. He had a history of mental health problems, and his own mother had a restraining order against him as the result of his violent background. Mental adjudication and a restraining order are both NICS disqualifying issues. Yet Peter Troy's NICS background check turned up no red flags. It was illegal for him to purchase a gun, but like so many others, he simply slipped through the cracks in the NICS system because of lack information.

Four days later Peter Troy walked into Our Lady of Peace Church in Lynbrook, New York, my district, and killed two of my constituents.

Peter Troy had no business buying a gun, and the system created to prevent him from doing so simply failed. It is only a matter of time before the system's failings provoke larger tragedies. We must improve the NICS system and allow it to do what it was designed to do.

The responsibility for the accuracy and the effectiveness of the NICS system ultimately belongs to the States. However, many States' budgets are already overburdened. This legislation would provide grants to States and update the NICS system. States would be able to update their NICS database to include felons, domestic abusers, and others not legally qualified to buy a gun. The bill's goal is to have 50 States enter at least 90 percent of their disqualifying information into NICS. States that do not comply or fall short of these goals will be penalized with a 5 percent reduction of their Federal Department of Justice grant allocations.

Also, the bill would provide grants for State courts to promptly enter information into the NICS system. For example, when someone is served with a restraining order stemming from domestic violence, an inefficient NICS system allows him or her to leave the courthouse and head right to the gun store. My bill would make sure all relevant court records are entered into the NICS before a crime of passion can be committed.

It is important to keep in mind that this bill does not infringe on anyone's second amendment rights, which I support. It creates no new gun laws. It simply enforces the laws that are on the books. If H.R. 1415 becomes law, law-abiding citizens who want to buy a gun legally will not experience any delay at the point of purchase.

And this bill proposes no new burdens on gun sellers. In fact, I introduced this bill in 2002 and it was passed here in the House.

I am hoping that we can pass this bill rapidly. We have the opportunity to stop this small war in this country, and we can save lives, which is the most important thing.

THE WAR IN IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I would like to include in the RECORD extraneous materials this evening, particularly an article from the Christian Science Monitor entitled "Prices Rise, and Interest Rates Sure to Follow."

This evening we have heard from many of our colleagues about the ensuing debate tomorrow on a very weak resolution concerning the ongoing war in Iraq. Tonight I would like to direct my comments to the terrible taxes that this war places on the American people. And not just taxes in the conventional meaning of the word because, indeed, this war is causing us to borrow money, which we must pay back, and we are borrowing it back from foreign countries. This war is costing us more every day. Over $300 billion and rising. We have to pay those dollars back because we are borrowing them.

This war is placing a terrible burden on this economy as we now see prices rise and interest rates ticking up, which I will talk about in just a second. And, of course, the greatest tax is on the loss of life and the injury to body and limb of those that we have asked to fight the battles of this Nation, as well as innocent civilians who are being killed and injured across Iraq and the region.

This war in Iraq is also exacting a terrible tax on the people of the Middle East and adjoining regions because it is yielding more terrorism, not less. This war is yielding more repressive regimes in places like Pakistan; in places like Egypt; in the Palestinian Authority; indeed, adjoining nations like Lebanon. The tax on democratizing regimes is getting heavier and heavier every day. There is more instability in the region as we watch the demonstrations in the West Bank and in Gaza, as we see Hamas and Fatah locked in internal struggles. There is more instability, not more stability. And most crushing for our country globally is the United States is losing respect across the world. We have fewer friends and more enemies and those who doubt the United States across the globe.

Here at home we see rising interest rates, and that is the article I will enter into the RECORD tonight. Higher prices for such things as airline tickets, housing, health care, and, of course, gasoline are now starting to eat into consumers' pocketbooks. Indeed, this war is a terrible tax on the American people, and they are feeling it in their pocketbooks.

Wednesday, the Labor Department reported the May consumer price index rose .4 percent after a .6 percent rise in April. This is well above the comfort level of the Federal Reserve, the Nation's chief inflation fighter. The Fed is going to have to raise interest rates more out of a desire to keep the market from thinking the new sheriff in town at the Federal Reserve is not serious about fighting inflation. Prices are rising against a backdrop of weakening housing and other parts of the economy. This war in Iraq is a heavy tax.

Economists are most concerned that rising prices seem to have moved beyond the energy sector and removing food and energy, typically the most volatile prices from the inflation rate, indicates core prices rose in May .3 percent; and over the past 3 months, the core rate of inflation is up to an annual rate of 3.8 percent, the fastest pace in more than a decade. We are seeing a near-term acceleration in the core rate. An increase of half a percentage point at the next Fed meeting is a strong possibility before the Fed decides to back away.

So we look at what this war is yielding on many levels. More terrorism, not less terrorism. Is it yielding more democratic regimes throughout the Middle East? No. The oil regimes continue to be as repressive as they ever were. There is not a single democratic nation anywhere in the region, and there will not be one for a long time to come. The United States ought to decouple itself from the repressive oil regimes it continues to support and become energy independent here at home.

Is there a solution to the Palestinian-Israeli standoff? Are there ongoing negotiations? No. There is just shooting across borders. There are more demonstrations in the street. There is no back channel that is being actively promulgated by this administration to get the warring parties to sit down and finally reach a peace process following on the agreement that was attempted to be negotiated during the Clinton years.

Have we seen freedom on the rise? No. We see repression on the rise, as beheadings and the election of people who are absolutely opposed to the United States without any sense of growing freedom.

There was a gentleman down here on the floor earlier who said that they do want our freedom here in the United States, that is why they hate us so much. Actually, a number of those revolutionaries want freedom from what they see us representing in that region, and that is support of dictatorships, support of oil regimes, and we are yielding the counterreaction to many years of supporting brutal dictatorships in that part of the world.

[From the Christian Science Monitor, June 15, 2006]

Prices Rise, and Interest Rates Sure to Follow

(By Ron Scherer)

It could be a summer of rising interest rates.

That's the sobering prospect for the U.S. economy following news that the inflation rate is running at a quickening pace. Higher prices for such things as airline tickets, housing, healthcare—and of course, gasoline—are now starting to eat into consumer pocketbooks.

Wednesday, the Labor Department reported the May Consumer Price Index (CPI) rose 0.4 percent, after a 0.6 percent rise in April. This is well above the comfort level of the Federal Reserve, the nation's chief inflation-fighter.

The latest numbers just about guarantee the Fed will hike interest rates at the end of the month. Its new chairman, Ben Bernanke, an avowed inflation-fighter, may follow that with yet another increase in August.

The inflation pop, however, comes at a time when the economy may be starting to cool. This could keep the Fed from hitting the brakes too hard.

"The Fed is going to have to raise rates more out of a desire to keep the market from thinking the new sheriff in town is not serious about fighting inflation," says Anthony Chan, chief economist at JP Morgan Private Client Services in Columbus, Ohio. "Prices are rising against a backdrop of weakening housing and other parts of the economy."

Economists are most concerned that rising prices seem to have moved beyond the energy sector. Removing food and energy—typically the most volatile prices—from the inflation rate indicates that "core" prices in May rose 0.3 percent. Over the past three months, the core rate of inflation is up to an annual rate of 3.8 percent, the fastest pace in more than a decade.

"We're seeing a near-term acceleration in the core rate," says Gregory Miller, chief economist at Suntrust Banks in Atlanta. "An increase of half a percentage point at the next Fed meeting is a strong possibility before the Fed decides to back away."

However, Mr. Chan reports that such a large rate hike is not likely. In the past, Mr. Bernanke has said previously, the Fed has tended to "overshoot" by raising rates too high or dropping them too low. The central bank would then have to change directions, confusing the markets.

"I don't think Bernanke is going to put in a strong case for a half a percentage point increase," Chan says. Though the inflation rate is accelerating, the economy has changed considerably since the last major period of inflation in the 1970s, Chan says. Back then, whenever the consumer price index rose, wages automatically ticked up via "cost of living adjustments." Most of those arrangements are now gone, he says, particularly at manufacturing facilities, like General Motors Corp., where total remuneration is being cut, not raised. "A slowing economy will eventually lead to diminished pricing pressures," Chan says.

Until that happens, consumers are starting to feel the effects of rising prices on their pocketbooks. For example, airfares rose 2.6 percent in May, according to the CPI report. Brian Hoyt, a spokesman for Orbitz.com, says airline ticket prices this summer are up 10 percent over last year's.

Amy Kelley of Calverton, N.Y., can attest to this. She's been searching for less expensive tickets for a vacation to Seattle. "I can't find the bargains I used to," she says.

While the higher airline prices are related to the rising cost of jet fuel, the CPI also points to rising medical expenses, which were up 0.3 percent in May. In Philadelphia, Warren West, president of Greentree Brokerage Services, says the cost of providing medical benefits to his employees rose 16 percent this year. "There is no way to pass this on to the end user. We don't have that kind of pricing power," he says.

In fact, inflation in services is a growing issue, says economist Robert Brusca of Fact and Opinion Economics in New York. "The last two months there has been service-sector wage pressure," Mr. Brusca says, pointing out that two-thirds of the jobs in the economy are service-related. "Inflation pressure on goods is not that bad, but in services they seem to be building."

Part of the reason for the service-sector price increases is supply and demand, says Sandy Horwitz, an accountant in Coral Gables, Fla. His firm, Goldstein Schechter Price Lucas Horwitz & Co., has raised its billing rates 5 to 7 percent this year, he estimates. "There is a shortage of accountants and pretty strong demand out there, so we need to meet people's salary requirements," he says.

Miami lawyer Matthew Krieger says demand for his legal specialty, immigration law, is so strong he has been able to increase his billing rates from 10 to 20 percent this year. "There is a shortage of good attorneys in our area," he says. "It's a very complex area of the law."

In terms of prices, "rents" is one of the fastest ascending groups. The government calculates rents by determining what individuals would pay for housing if they were renting to themselves. Last month, rents rose 0.6 percent, the fastest pace in years. Since housing represents 25 percent of the CPI, it is a significant contributor to the overall inflation jump.

In Miami, landlord David Lombardy says tenants are not seeing rents climb—up about 30 percent in the past year, he estimates. A one-bedroom apartment at the Mirador on South Beach is now renting for $1,400 a month, up from $1,000 a month last year, he says.

Still, Mr. Lombardy expects rents to drop eventually due to the rising number of luxury condominiums coming on the market. "All those people who bought on speculation will try to flip them, and when they can't do that they will try to rent them. So this will bring rents down in 12 to 18 months," he says.

THE IRAQ WAR "TALK-A-THON"

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. DOGGETT) is recognized for 5 minutes.

Mr. DOGGETT. Mr. Speaker, America deserves a real choice about our future in Iraq. But, instead, tomorrow it is presented with a false choice. Indeed. not so much a debate about our future in Iraq as a 10-hour or so talk-a-thon. The talk-a-thon is about a resolution that, much like the Iraq policy we have seen over the last few years, is presented to this House without the ability of any Member of the House to change a single word. You cannot dot an "i." You cannot cross a "t." You cannot offer an amendment. You cannot offer a substitute or alternative policy. Once again, in a very constrained and perverse way, the question of Iraq is presented for Members to talk, but not to act.

Indeed, the resolution itself tells the whole story. It is entitled a resolution which is "declaring that the United States will prevail in the 'Global War on Terror.'" Wouldn't it be wonderful if by simply passing a declaration we could declare the "Global War on Terror" won?

But tragically it is paper like this that was offered by those who failed to fulfill their decision-making and oversight responsibilities in this Congress that exposed young men and women from this country to the greatest danger. Instead of Kevlar vests, instead of reinforced vehicles, they got paper resolutions. And paper resolutions could not block the IEDs, and it could not block the bullets that came the way of our brave young men and women in uniform. No. Indeed, other than paper proclamations, the original claim was the main thing our troops would need in Iraq, as they were being sent off to war, was a broom to sweep away all the rose petals that would be thrown at them in gratitude for them invading Iraq. Well. of course. it did not turn out that way.

This false choice that we are being presented with tomorrow without any opportunity to dot an "i" or cross a "t" deserves some consideration. It has a "Whereas" clause that "by early 2003, Saddam Hussein . . . had supported terrorists, constituted a threat against global peace.". The reason that language is there is to perpetuate the lie, and it is a lie, that Saddam Hussein was somehow linked to the tragedy of 9/11.

Now, we know that Saddam Hussein was a villain, a thug, a dictator, and a tyrant. But there has been absolutely no evidence presented to this Congress to support the continued innuendo and suggestion by this administration, time and time again, that he somehow was responsible for 9/11.

Then there is a clause in the resolution that "the terrorists have declared Iraq to be the central front in the war against all who oppose their ideology." Well, the truth is it became a central front only after President George Bush started a war there. He provided the terrorists with the opportunity; he took our young men and women to them, placed them in grave danger, provided an inadequate number of troops so that all these Iraqi ammunition and weapons dumps were open and available to any terrorist who wanted to come in and take their weapons to use against our American forces.

The resolution refers to our "coalition," and, of course, our "coalition" is the United States, the United Kingdom, and a great deal of public relations. Because most of the other countries in the so-called "coalition" have contributed extremely meager resources. They have been there for public relations purposes to try to cover the fact that this was a go-it-alone invasion of Iraq.

And now the "impressive victories" of which this resolution speaks do not take into account that the number of deaths of young Americans is approaching 3,000; 3,000 human beings, 3,000 young people cut down in their lives, removed from their families. We approach another 20,000 who suffered grievous injury, who may never be quite the same because of the injuries that they suffered in courageous service to our country.

And that takes us to why this resolution is being presented in this form. Because from the outset this administration and the leadership in this Congress have never missed a chance to hitch a ride for their failed policies on the coattails of the courageous men and women who have been standing up for our country overseas.

☐ 1845

They know their failed policies can't stand on their own merit, and so they buried them within a resolution honoring the sacrifice of our United States troops. I honor them, but say that our policy must change and must change now.

IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. OWENS) is recognized for 5 minutes.

Mr. OWENS. Mr. Speaker, the war in Iraq is a monster storm. It is a social tsunami battering the positive components of our potentially great society. The billions of dollars being poured into this war could solve dozens of major catastrophic problems that are facing our Nation.

Recently, a new report was released, authored partially by our own Science Committee, which said that we have a dangerously inadequate education system. When I came to Congress in 1983, Ronald Reagan was saying the same thing. He had a commission which came out with a report that said, our Nation is at risk. We still have not done anything of great substance to deal with the problems that were highlighted. We still have not appropriated the money to build laboratories in public schools, junior high schools and high schools. We still don't have adequate libraries. We still don't have the money which pays salaries which would produce the science teachers that are necessary.

We have a crisis in health care. Forty million people are not covered at all and there are many others who are inadequately covered. We have falling standards of living with gross inequities. The assets that reflect wealth among black Americans total less than $20,000 per family. $120,000 per family for white Americans. Both standards are falling, not climbing.

I am a member of the Out of Iraq Caucus. I welcome the opportunity tomorrow to begin a debate which would at least allow us to discuss in an open forum the problems we are facing. Any discussion is important because this is such an important problem. We have employment problems that are mushrooming, we have all kinds of things that should be discussed, and now is the time for all Americans to come forward and make their contribution toward a solution known.

Common sense is welcome. It might shed a lot of light on some of the problems and offer some real solutions. Scientific expertise is welcomed. Mother wit. We need the fresh visions of the young and we need the seasoned wisdom of the elders. Everything we can do is needed in order to solve these problems. Let every question be set forth. Let every possible solution be stated. We Americans are faced with a problem which is far more complex than the inner workings of a nuclear bomb, I assure you. The present explorations of the vast universe by astrophysicists are not as challenging as the need for a meaningful solution to this war blunder in Iraq.

There are many possible questions and solutions that I would urge should be placed on the agenda for discussion. However, I want to focus on just two of them tonight. One is the distribution of oil revenues. The other is the arrangements for the sharing of power among the majority Shiites and the minorities, mainly the Sunnis and the Kurds.

Oil revenues. We need a transparent, open, full discussion of what are the arrangements that have been proposed, or are being proposed, or are already in place for the distribution of the oil revenues from the oil in the ground in Iraq. Oil is their greatest resource. They have one of the greatest resources in the world. They are number three or number four among the nations producing oil. Yet there is very little discussion about what we are doing. To what degree is Halliburton going to control the revenues as their payment for the reconstruction that they have done of some of the oil wells? To what degree are the oil companies going to control revenue because of their arrangements for the pipelines and the shipping and the retail outlets in various countries? What is going to happen to the oil? These are questions that are being asked by the people of Iraq, I assure you. These are questions that are stumbling blocks, I assure you, in the completion of a government. Everybody in every section of the country wants to know how the oil revenues are going to be distributed. If I live in a province where there is no oil, will my area benefit? These things need to be dealt with.

Sharing power relates closely to this. We need to let them know they all share power. Regardless of whether they are Sunnis or Kurds or some other minority, the majority Shiites need to share power in some way.

We have a problem with sharing power across the world. There are many nations now struggling with this problem, so we should bring to bear all of our possible solutions and try to help resolve the problems in Iraq. We need the most creative approaches possible for power sharing which gives all Iraqis a stake in their new democracy. Ending the war in Iraq, ending the massive death and injuries, ending the waste of billions of dollars must be our number one agenda. These problems must be solved. We must pass and implement the Murtha resolution now. We must bring the troops home now.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEEK of Florida. Thank you, Mr. Speaker.

Once again it is an honor to address the House. The 30-Something Working Group is back again to share with the Members what we have been working on the last week and not only coming up with new ideas for America but making sure that we package the ideas that are clogged up in this process here from moving onto the statute books of the United States laws to allow Americans to live a better life and to also put forth policy that will benefit those that are overseas fighting on behalf of this country and what we have asked them to do.

As you know, Mr. Speaker, we have talked a lot about fiscal responsibility. We have talked a lot about the lack of health care in the United States of America. We feel we have proposals that are on the table, ready to be considered if the Republican majority would allow it to be considered. Unfortunately, that has not happened. There has been a lot of discussion on the floor about Iraq, but there has also been a plan that was unveiled in the last few days to share not only with the American people but with the full House that if we can't work together in passing legislation in a bipartisan way that is going to help all Americans, not just Republicans, not just Democrats, not just independents, not just individuals that are wealthy, not just individuals that are poor, not just individuals that are making a way out of no way, to help all Americans so that we can move forth and we can find ourselves in a better situation than what we are in now, then we are willing to take the mantle and to have an opportunity to be the majority in this House.

We have the will and the desire to lead in the areas that we need to lead in. And we have this plan on housedemocrats.gov on the Internet for individuals to go on and take a look at what we are talking about as House Democrats.

When we have the opportunity to put forth this plan, if the American people see fit that that should happen, which I believe they will, hopefully they will, because the situation that we are in right now is dismal and presents a very, very challenging future for our children and for our grandchildren, because so many issues are facing this country in unprecedented ways. I think it is important that you take a good look at that. That's housedemocrats.gov.

In that plan which was unveiled by Leader PELOSI and other Democratic leaders in the Democratic Caucus this week, we talked about making health care more affordable for Americans. This is a major issue, Mr. Speaker, not only for individuals that work on jobs, work for individuals but individuals that are providing jobs. They cannot continue to take on this health care burden without a true plan, a true leadership from the Federal Government. States can't do it alone. Local communities can't do it alone. We are going to have to do it in a way that is going to benefit the people and not the special interests. I think where we are right now, Mr. Speaker, is that the majority here in this House has benefited the special interests as it relates to health care. I think the American people and small business men and women are yearning for some leadership right now.

Also, when we look at lower gas prices to achieve energy independence, this is something that is very, very important. We have pieces of legislation out there that promotes alternative fuels, to see more of E85 so that we can have flex vehicles that are out there, and it is a part of our innovation plan. Again, going on housedemocrats.gov, you can download this information, share it with your friends, with your family, and other Members can take it to their staffs and say, we want to implement this. But, of course, that is not going to happen under the Republican-controlled House of Representatives because I don't think the will and the desire is there to really have true innovation in alternative fuels.

The other thing I want to point out, Mr. Speaker, and I think it is important, a part of our innovation plan that is also endorsed in comments by CEOs in this country, not just Democratic CEOs, independents, individuals who just lost faith in voting that are a part of major companies that are saying that the House Democratic plan, which will hopefully be a bipartisan plan once we are able to take control of this House with the help of the American people because of what is not happening here on behalf of the American people in innovation, they want us to be first in mathematics and science; they want us to be first as it relates to broadband access throughout this country; and they want us to be first in taking the lead and making sure that we push for energy independence in 10 years and develop that and make sure that we promote that through our legislation and through our appropriation. Not just giving dollars to the oil companies and saying, go ahead, we trust you, you do what you wish to do with the taxpayers' money while you continue to make record profits on the backs of the American people and we pay higher gas prices, and we are stuck in neutral with the engine running as it relates to true innovation.

I am not finished with our rollout, but I just want to point this out since I am mentioning profits. As you know, Mr. Speaker, I have read an article time after time again about the secret meeting at the White House in 2001 of the energy task force, that we know now that that task force meeting has worked in the best way for the oil companies and in the worst way for the American people.

Again, I am not a Member of Congress with a conspiracy theory, but I just want to say that we have third-party validators that are here. My staff just handed me this and I think it is important that I read this off: White House documents show that executives from big oil companies met with Vice President DICK CHENEY's energy task force in 2001, something long expected by environmentalists but denied as recently as last week by industry officials testifying before Congress. The document obtained this week, November of 2005, the Washington Post, shows that officials from ExxonMobil, Phillips, Shell Oil Company and BP met in the White House complex with Cheney aides who were developing national energy policy, parts of which became law and parts of which are still being debated.

I am saying that, and I just want to point this out, Mr. DELAHUNT, and I am going to flip it over to you, sir. 2002, it is not a coincidence that profits were up. Profits is not a dirty word but when you have profits and, quote-unquote, price gouging and the American people putting $10 in their tank at a time.

Mr. RYAN of Ohio. And corporate welfare.

Mr. MEEK of Florida. And corporate welfare, you can't help but put this together. $34 billion in profits for Big Oil, 2002. 2003, $59 billion in profits. Looks pretty good. I think that meeting was worth going to. 2004, $84 billion. This meeting is now something that will be placed in the annals of oil industry that this should happen prior to major profits coming on.

□ 1900

Then, on 2005, $113 billion. This will continue to climb because the Republican majority doesn't have the will nor the desire to fight on behalf of the American people as it relates to energy, and the White House has shown that it has the will and the desire to allow special interests to come into the White House, write policy, and then come to the Hill and fight for that policy so that the oil companies can see this. Meanwhile, the American people are paying more for oil and for energy.

Then the individuals from the oil company have the audacity, and I am not going to blame them, because I think it is important that we put the blame where it should be. They don't have a Congressional voting card to vote for a policy to allow these prices to go up like this or profits to go up like this. It takes Members of Congress to do that, and I must say that I am proud to announce that a number, a supermajority of Democrats voted against this philosophy of oil companies having the opportunity on the backs of the American taxpayers, having their hand in the taxpayers' pocket and then, grabbing their wallet out of the other hand, they spend their money for necessities.

We are giving the taxpayers' money out in subsidies, but at the same time the oil companies are winning both ways, at the pump and with the tax dollars that the American Congress has appropriated. That is a fact, that is not fiction, and it is sad that it is a fact.

Mr. DELAHUNT, I am sorry, sir, for having you standing by so long.

Mr. DELAHUNT. I appreciate your observations, but I would just add one other component of what is not a pretty picture. If you don't have the desire, if you don't have the political will, or if there is influence that contradicts the best interest of the consumer, that in an of itself is a recipe for disaster.

But just imagine combining that with incompetence. That is when you have a tsunami, and that is what we are seeing time and time again from this administration without any accountability from the Republican majority. Tomorrow there will be—and it is not going to be a debate, it is going to be a lot of speechifying. There will not be any give and take.

But for the first time in over 3 years since this Congress voted to invade and to authorize the administration to invade Iraq, there will be a discussion of Iraq in the war there for the first time in over 3 years. I think what that tells you is that there is no debate, there is no discourse, there is no willingness to hold the administration accountable for incompetency.

Put aside all of the other concerns that you articulated, Mr. MEEK. But there was a story today in the newspaper that just underscores what you are saying, and I think emphasizes my point regarding the competence of governing or the lack thereof.

Let me read for just a moment. You have got to bear with me. This is from my hometown newspaper, the Boston Globe, and it is today. The government doled out as much as $1.4 billion in bogus assistance to victims of Hurricanes Katrina and Rita, getting hoodwinked to pay for season football tickets, a tropical vacation, and even a divorce lawyer, Congressional investigators have found.

Now, let's be very clear. This was an investigation conducted by a nonpartisan agency that is an adjunct to the United States Congress called the Government Accountability Office. Here is what they found.

Someone stayed in a Hawaiian hotel for 70 days with taxpayer help. These same GAO investigators went undercover to expose the ease of receiving disaster expense checks from FEMA. They provided lawmakers with a copy of a $2,300 U.S. Treasury check for rental assistance that an undercover agent got using a bogus address. The money was paid even after FEMA learned from its inspector that the undercover applicant did not live at the address. When you don't hold people accountable, things get awful sloppy, if you don't hold Federal agencies accountable, whether it be the White House, the Department of Defense sooner or later.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. DELAHUNT. Of course.

Mr. RYAN of Ohio. Both of you have made one overarching point, and that is that the government is broken. The government is not working the way it was meant to work. We have no leadership in Washington, D.C., from the Republican House, to the Republican Senate, to the Republican White House, that is willing to take on the gigantic task of reforming this government.

It is nothing but status quo. It is nothing but the same old tired ideas that get recycled election cycle after election cycle, with no real solutions. Whether you are talking about energy costs, or you are talking about the war in Iraq, or you are talking about Katrina, we have a broken government and nobody in Washington, D.C., with the guts to try to fix it.

Now, when you look at our foreign policy, and it has been mentioned already here, $8.8 billion given to Iraqi ministers by the coalition provisional authority and nobody knows where it is; $45 billion of American taxpayer dollars spent in Iraq on reconstruction, $96 million in cash and receipts remain unaccounted for a specific project, on and on and on. Why is it broke? Why is the American government broke? Because we are not having any success in rehabilitating the Iraqi economy.

Oil production below pre-war levels, electricity is below pre-war levels, 54 percent of Iraqi households lack access to clean water. On and on and on.

But the main line is this, that this country needs to go in a new direction. The American people are tired.

Mr. DELAHUNT. What the American people are demanding, Mr. RYAN and Mr. MEEK, is accountability. Because if there is accountability, then we will have competence in our government. But as you just indicated, whether it be Katrina, whether it be the prosecution of the war in Iraq, there has been no accountability by this Congress, none whatsoever. We are paying the price. We are paying the price in terms of our national treasure. By that, I mean our young men and women who are serving in Iraq.

We have already paid and are heading in the direction of one-half a trillion dollars for the prosecution of that war. What do we have to show for it? Well, we have generals from the Department of Defense who stood up as patriots, condemned what they saw in terms of incompetence by the civilian leadership in the Department of Defense.

I would ask one of you to quote retired Army General John Batiste on Defense Secretary Donald Rumsfeld, who had this to say on April 13.

Mr. RYAN.

Mr. RYAN of Ohio. We went to war with a flawed plan that didn't account for the hard work to build the peace after we took down the regime. We also served under a Secretary of Defense who didn't understand leadership, who was abusive, who was arrogant, and who didn't build a strong team.

That is not TIM RYAN, that is not KENDRICK MEEK, that is not BILL DELAHUNT. That is a retired Army general who had action in the region.

Mr. DELAHUNT. And who served his country well, a highly decorated Army general who was sent to battle, to war, and there was never a plan crafted and designed for the peace.

Three years later, where are we? We are in Iraq, we are mired now in a sectarian battle between militias, insurgents. It has become a breeding ground for terrorism.

General Paul Eaton was responsible for the training of the Iraqi security forces in Iraq. What do we hear now? All we ever hear is that the Iraqis have to do it themselves, or we will stand down when they stand up. We will help them stand up. That was 3 years ago.

How long does it take to train a U.S. Marine or U.S. Delta Force operative or a U.S. Army Ranger, a member of the Airborne or a U.S. Army soldier or Navy? Three years? No, because the civilian leadership of this administration has been incompetent from the beginning.

This is what Paul Eaton had to say about what is happening in our Department of Defense.

Mr. MEEK.

Mr. MEEK of Florida. Go ahead. Mr. RYAN is doing such an outstanding job.

Mr. RYAN of Ohio. This is on Secretary Rumsfeld. He has shown incompetence operationally and tactically and is far more than anyone responsible for what has happened to our important mission in Iraq. Mr. Rumsfeld must step down. That is Paul Eaton, Army Major General's comments.

I think, Mr. DELAHUNT, this all gets back to what has been happening in this country, a refusal, an absolute refusal by this Congress to conduct the kind of oversight that is necessary. Article I, Section 1 of the United States Constitution, the founding document that really organized this country, gives the power to this Chamber.

Mr. DELAHUNT. Mr. RYAN, do you realize that it has been more than 3 years, and this is the first time tomorrow that we will have a conversation about Iraq? There should have been hearings for the past 3 years. These heroes, these American heroes should have been invited to come before the appropriate committees of jurisdiction and allowed to testify about the incompetence of the prosecution of the peace in Iraq by this administration. But, no, they have been shut out, we have been shut out, and the American people don't know what is happening.

Mr. MEEK of Florida. Will you yield, Mr. DELAHUNT?

Mr. DELAHUNT. I yield to my friend.

Mr. MEEK of Florida. Thank you, sir. The bottom line is that we have a Republican majority that rubber stamps everything that the administration hands to them. They can't even put the paper on the desk fast enough before they rubber stamp it. When you start talking about the fact that by the Constitution we are supposed to carry out oversight, that is not a value of the Republican majority.

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Oversight of what? No, see, they are too busy taking care of the special interests. You would think that some Members were more concerned with trying to make sure that special interests got what they needed because we do not want to forget the K Street Project where you pay to play and you get access into this Republican majority House.

So, when you look at the rubber-stamping of what has happened here, I cannot help but have this stamp here because that is how we got here, but what is very, very unfortunate is the fact that we have ourselves in a situation, in a fiscal situation that is going to take a generation almost to recover from. We have ourselves in a situation in Iraq we do not know how many years it may take for us to recover from that, and I am using the President's words now.

We have ourselves in a situation where the White House now, Mr. Speaker, wants to invite Members over to have tea and cookies right now and trying to be nicey-nice, to say we want to hear from you now; but we have men and women caught in the crossfire and we have millions and billions of dollars that have been wasted and stolen in Iraq. I am going to say stolen because of the rubber-stamp Republican majority. Anything that the administration sends down, how can we rubber-stamp it? Matter of fact, I think the Republican majority walks around with a little mini rubber stamp in their pocket, saying oversight: this is the way you want it and how you want it.

The American people HAVE to send a very strong message to this Republican majority here in the Congress that we have three branches of government for a reason, not two branches of government that deals with legislation and policy, but three branches.

We have the judicial branch that is separate and aside, but when you look at the legislative branch we are supposed to carry out oversight. Only a couple of Members of the Republican majority actually gets that and tries to practice it, but they are in a superminority.

And so the reason why we come to the floor is to shed light on the lack of oversight. When it was a Democratic House and a Democratic White House, there was oversight. Call Bill Clinton up and ask him. I think we know that. Republican majority, the reason why you are going to see people around here scratching and fighting and begging and trying to do anything and throwing out the sods and trying to get press releases out, because the White House is very, very concerned that they will no longer be able to send legislation to the U.S. House of Representatives and that it passes through committees that may have a half a meeting on it and come to the floor, not allowing Democrats to do anything to improve the legislation because they are too busy rubber-stamping the process, and it will disrupt that.

It is all about power and influence, and I can tell you right now, the Republican majority has gone too far with this because that is the reason why we are in the situation we are in now, and they are known. They have to shake it and they know it and they deserve the rubber stamp because that is what they have been doing since the President has been in the White House.

I am coming to Ms. JACKSON-LEE. I just want to give you a perfect example of what happens in a rubber-stamp Congress. Exhibit A, how can you borrow, Mr. Speaker, $1.05 trillion in 4 years? I do not even know how that can be achieved in 4 years. The Republican majority has handed President Bush, he cannot do it on his own, we have the Republican Congress right under him from 2001 to 2005, $1.05 trillion, now here is the other kicker, that comes in, and with interest. Forty-two Presidents, 224 years, 224 years, 42 Presidents, were only able to borrow $1.01 trillion.

Mr. Speaker, I rest my case on that. I rest my case on the fact that the Republican majority has given the Bush White House everything they wanted on the backs of the American people. The special interests got what they wanted. The billionaires got what they wanted.

Mr. RYAN of Ohio. Point of clarification. This is foreign money.

Mr. MEEK of Florida. This is just the foreign debt. This is countries that we have borrowed money from and now we owe them.

Now, I am going to be quiet for a minute, but I just want to make this one last point and it is going to be 30 seconds.

Ms. JACKSON-LEE, if I borrowed $100 from you, and let us say I still have not paid you back, our relationship will change. Matter of fact, your respect for me as an individual to be able to handle my own finances will be altered. Even though we are considered friends, our relationship is forever changed.

Now, for the first time in the history of the Republic, Mr. Speaker, unfortunately, the Republican majority has countries like China, Iran, Iraq, Saudi Arabia, Korea, the Caribbean nations, Taiwan, Canada, Germany and the OPEC nations looking at us in a different way, in an unprecedented way. The fact that, man, how can y'all tell me what to do on foreign policy and how can y'all point your finger to me as it relates to war on terror when you cannot even handle your own finances? That is not the American people. That is the Republican rubber-stamp majority. They have allowed this President to run this country into a fiscal nightmare.

So I close with that by saying, Mr. DELAHUNT, for you to say the generals are coming out, they are coming out because the American spirit is coming out of the chest of Americans that have put themselves in harm's way, because this administration and this Congress asked them to put themselves in harm's way.

Mr. DELAHUNT. I would like to ask a question of Representative JACKSON-LEE. If Democrats were the majority in this House, would there be a forum for General Greg Newbold, retired Marine Lieutenant General, to express his opinion before the appropriate committee of jurisdiction so that we could learn and the American people could observe what the truth was in terms of the prosecution of the war and the peace in Iraq? Would that opportunity be afforded to the American people?

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank you, Mr. DELAHUNT. I am honored to be here with my distinguished colleagues from Ohio and from Florida and from Massachusetts because I think you represent the embodiment of the outcry of the American people.

We are in these Chambers but we cannot hear the voice of either rage, confusion or just simply asking why; and, frankly, what you have asked is whether or not we have three distinct branches of government, the executive, the judiciary and, of course, the legislature. Absolutely.

Because if you watched this Congress in the hands of Democrats some years ago, we proceeded with the Watergate hearings. We proceeded with Koreagate and Irangate, giving the American people the opportunity to see our wounds, to see our failures and to try and correct them.

Is it not interesting that in 1991, in the first Iraq War, I understand we were not here, they debated this question for 2, 3 days, hours, so that Members, no matter whether Republican or Democrat, could speak on behalf of the American people. There were three and four resolutions. People expressed themselves passionately, and therefore, they were able at the end of the vote to hold themselves accountable and to hold, of course, the Executive accountable: At that time, President Bush I.

Here we come tomorrow, and I have heard the map that shows that we are hostage as it relates to our deficit. Tomorrow, we come with a mere 5 hours. Somebody says there is a picnic that is going on that may even break through. I think it is important to ask that question because as you list the array of generals, let me share this with you.

I do not know how we can face the American people and not give credence to men and women who have bars of bravery on their chest, some wounded, some because of their service, who had nothing to gain by going against the Commander in Chief. In fact, one said I was about to become a two-star and three-star general. I was a one-star. I walked away.

And the reason why they walked away is because one of their issues is that the military is depleted, that we will have years of rebuilding the United States military, which will take money, and this is not only physical and tangible things, tanks, arms, clothing, but it is a human capital that will have to be rebuilt.

How many of us understand that we have depleted our battalions that are supposed to be in Kuwait? We are down to one. These are the American mothers and fathers, wives and husbands, who are looking to this government to protect their young people, their husbands, their wives, their National Guard, their Reservists, that we have depleted them.

I loved Mr. MEEK in his anecdote, but it is like you run your shoes down. You do not have a heel and you are almost walking on the ground because you have got holes in it. That is, unfortunately, the military that we all love.

So I would say to you in answer to that question, and I thank you for allowing me to share that, the ignoring of the sectarian violence, the Shiias and the Sunnis, the Kurds are holding ground somewhere else. They do not want anybody to bother them. The fact that we still have our soldiers there doing nothing but sweeping up IEDs, that is not a mission of the United States military to sweep up IEDs. I hate land mines. I hate IEDs. Their mission is to finish, and until we hold this Congress accountable to do its job of oversight, until we hold the White House accountable to do its job, until we stop being embarrassed, until we stop losing our nerve, we will not.

Mr. DELAHUNT. This majority is prepared to give this administration, this White House, this Secretary of Defense, a pass on their incompetence.

Ms. JACKSON-LEE of Texas. If you will yield for one moment, you are absolutely right.

We have a picture of these distinguished gentlemen. We know that some have suffered wounds, some may have even been in Vietnam, and to say tomorrow there will be somewhat of. I want to be, if you will, dignified and within the respect of this august body, but tomorrow, we will not be giving it respect.

What we really should do is have a debate into next week and next week, and we should open the doors of our hearing rooms for these generals who have been frustrated and doing op-eds and speaking to the American people from a forum that give them sound bites. We should dignify their service to this country and bring them in for them to be heard, and I hope that we will do that.

Mr. RYAN of Ohio. I think the point that we are trying to make here is we know it is not easy to admit you make mistakes. It goes against your human nature. But when you are elevated to leadership positions like we have been blessed to be here and to represent our country, 700,000 people apiece, it takes courage.

It does not take courage to have oversight to chase a President's peccadillos around the Oval Office. That is not courageous. Courage is trying to say we have made a colossal mistake, and instead of going down the same road even faster, try to stop, reevaluate the situation and let us find out who we need to hold accountable here, who needs to be brought in before the Congress, as you said. That is not easy. That is difficult. That is one of the most difficult things about being an American, and being an American government is that your warts are here for all the world to see. But that is better than the alternative, which is tyranny and suppression and oppression by the government.

This is a part of our process, these problems getting aired out, but at the end of the day, it is part of our greatness because we can quickly then adapt, fix the problem and move on, but when you have leadership that is afraid—

Mr. DELAHUNT. And incompetent.

Mr. RYAN of Ohio.—afraid to address the real issues today, that is the basis of incompetence, whether you are in government, whether you are in business, whether you are in coaching. Does not matter what your field is. If you do not admit you make a mistake, then you are going to have problems. If a coach goes into a game with a certain game plan, and at half-time you are down 21 points, then you change the game plan; it has not worked. Move forward, move on, make the changes necessary to move the country forward.

Mr. DELAHUNT. Tomorrow we are going to hear terms like cut-and-run and defeat.

Ms. JACKSON-LEE of Texas. Absolutely.

Mr. DELAHUNT. That is what we are going to hear on this floor, and I challenge that Republican majority to use those terms when it comes to these generals, to these American patriots who have served their country. Ask them if they even would ever cut and run. They have demonstrated their entire careers, but they had the courage to stand up and say this is rank incompetence.

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You are not doing right by the American soldier and by the American military and you are giving them a pass. You are letting them pass.

Ms. JACKSON-LEE of Texas. How many of those generals are there? I am looking. Is it about nine or ten? Looks like it is about eight.

Mr. DELAHUNT. Every day there is a growing number.

Ms. JACKSON-LEE of Texas. In your lifetime, Mr. DELAHUNT, have you ever heard of this number of generals, and I know Vietnam, I am trying to recount my history, this number of generals and sacrificing their career, offering their great history before us, willing to tell the truth to the American people?

I think this is history that we have not seen in the past; that they have been willing to sacrifice themselves in order to tell the truth to the American people.

Mr. DELAHUNT. That is why, as Mr. MEEK so eloquently observed earlier, it is time to take the country in a new direction. And there are specific proposals out there that will take this country in a new direction. He has enumerated several of them, whether it be health care or education.

How about just plain old common sense when it comes to managing our money? One-half trillion dollars and we are still mired in Iraq, tax cuts that benefit not even the wealthy in this country but the super wealthy, and if you notice this mismanagement, this incompetence in terms of our economic and fiscal policy, it is hurting people. Has anyone observed the Dow Jones? Has anyone called their broker to find out how their 401(k) is doing? There won't be an American left other than the super rich that will be able to retire.

Mr. RYAN of Ohio. If the gentleman will yield, the same type of philosophy with the war, refusing to be accountable and to address the major issues and trying to provide a lot of happy talk for the American people, it is the same with the domestic economy. President Bush says America's economy is strong and benefiting all Americans, yet at the same time, as this graph shows, college tuition is up 40 percent, gas prices are up 47 percent, health care costs are up 55 percent, and median household income down 4 percent. But the President is saying the economy is strong and benefiting all Americans. Where are you living? Not in Youngstown, Ohio; not in Niles, Ohio. Give me a break.

The challenges that the average American person faces today are enormous. The challenges are enormous, and we need to get this country out of this rut we are stuck in and move in a new direction. Let us talk about broadband access for every American, let us talk about fixing the health care crisis in the United States of America so small businesses don't have to pay as much for health care costs. They could reinvest it back into their company and maybe we could shrink the trade deficit just a bit.

We have an economy right now that is very competitive, competing with 1.3 billion citizens in China and 1 billion citizens in India. And they are focused on engineering and science and all of these other issues, yet we are making it more difficult and more costly to go to school. The number of people that have student loans now is going up and up and up, and the amount that they owe back is going up and up and up. I think the stat we used the other night, Mr. DELAHUNT, was that 8 percent of the people who have student loans owe $40,000 a year or more, up from like 1.5 percent 10 years prior to.

We can't make it more expensive, Mr. MEEK. We need to make it more accessible. And I would be happy to yield.

Mr. MEEK of Florida. Well, I would like the Members, Mr. Speaker, to go to housedemocrats.gov, housedemocrats.gov, which has a new direction for America that the Democratic Caucus unveiled this week to let people know exactly what we are going to do.

Real security. We are going to implement all of the 9/11 recommendations to secure this country, our ports and our airports, and make sure that we have hometown and front-line security, so local law enforcement officers and law enforcement agencies don't have to rub two pennies together to make sure they can secure their communities, which are our front line here in America.

Also, we plan to bring about affordable health care along the lines of not only prescription drugs but also making sure that there is a health care system that can work for the private sector, the public sector, GM, and all of those companies that are having issues, including the Federal Government.

Good paying jobs. We will raise the minimum wage. That is not a question, that is a fact. That will happen, and it will pass this House of Representatives here when Democrats get in control of this House.

Affordable college education. We will reverse what the Republican Congress has done as relates to increasing student tuitions by $2,000, which has gone up 57 percent at public universities and in private universities about 32 percent; and also making sure that they have tax deductions for college opportunities.

We will energize America by having flex vehicles and energy independence within 10 years. That is not something, oh, well, maybe; we are thinking about it. No, we are doing that. That is under the new direction that Mr. RYAN was talking about.

And also making sure that people can retire in a dignified way and not privatize Social Security. And that is what that is about, and it goes on and on and on. So I encourage the Members to go on housedemocrats.gov. And if individuals want to talk about a plan, you can see a plan right there.

And we have Ms. JACKSON-LEE, Mr. RYAN, and Mr. DELAHUNT, and the rest of the Members of the 30-something Working Group, the will and the desire to carry out the plan, not just talking about it. We said we had the will and the desire to balance the budget, and we balanced the budget. Period, dot.

And the other thing I just wanted to add real quick, Ms. JACKSON-LEE, it is almost like you see a cliff, okay? You see a cliff. Now, the goal is to stop before you go over the cliff, not to go half speed. Republicans are talking about cutting it in half. Cutting the deficit in half is not going to get us to where we want to be. You want to stop before you go over the cliff and they are going half speed. So eventually they are going over the cliff. I feel in a fiscal way we have gone over the cliff, and we are saying we want to take America in a new direction.

We have the resume for action and for fiscal discipline in this country and passing policies that will help the rich, those that are middle class, the poor, and making sure that businesses can prosper in this society. We have shown it during the Clinton years. Everyone was making money, everyone had hope, and everyone knew that the Congress and the White House had the will and the desire to put forth policies that would help the American people.

I yield to Ms. JACKSON-LEE.

Ms. JACKSON-LEE of Texas. I just want to make this brief point, but you have hammered it on.

What you are saying is that this Congress is going to be action oriented. We are going to act. We are going to do. We are going to not come in and busy ourselves with the special interests.

What we are going to be doing is allowing generals to come in. We are going to be talking about, if you will, a new mission in Iraq, and this funding that has now almost eliminated any resources for any other domestic need, with the $10 billion a month we are spending in Iraq and Afghanistan. We are going to be action oriented.

And I just want to close on this point, because you have laid out not only the agenda of Democrats but our passion. Democrats are going to be focused on the needs of Americans. We are not going to be with the lights out, the doors closed, and the shutters drawn. We are going to be opening our hearing rooms and listening to educators. We are going to be listening to working men and women who are asking why they are not getting a tax cut. We are going to be listening to college students about Pell Grants.

And you know what else? In conclusion, we are going to do something that I hope we will be the champions of: The minimum wage. Because right now it is a disgrace that we are allowing Americans to make $5.15, which is the lowest minimum wage in 50 years.

So I say to you, thank you for laying out the agenda and letting the American people know that we are going to go in here waving the flags on their behalf and the minimum wage is going to be one of our number one items to do.

Mr. RYAN of Ohio. I thank the gentlewoman. This is not about playing gotcha. This is not about saying hey, look, this, this, and that. This is about fixing the problems. We need the information that these generals on the ground will provide us so we can actually fix the problems. And we are going to reach across the aisle and work with the Republicans.

This is not about Democrat or Republican. This is about the United States of America. We need everybody's ideas, we need everybody's intellect, and we need all Americans to participate in this. These are complex problems. There is no liberal or conservative answer.

We are in a new realm. We are well beyond anything we could have ever fathomed with the technology, the innovation, the movement of the economy, globalization, techniques, and the whole nine yards. We are past all the old slogans: Lesser government and big government. We are past that. We are so far beyond that. But the leadership in the country needs to reflect the views of the United States of America and its citizens.

Mr. MEEK of Florida. If the gentleman will yield for just 30 seconds, I have to tell you about the committee I was in today, Mr. Speaker. I leaned over to one of my Republican colleagues, who I respect and who will go unnamed. And I said, you can do something good. Because it was one of those votes that you know Democrats vote one way and Republicans vote the other way and what have you. And I said, you can do something good by voting "yes" for this amendment. And she said, well, a million here and a million there, that adds up eventually, KENDRICK.

I said, you are telling me? I said, believe me, your caucus and your leadership have found a way to borrow as much as you can borrow, and then when you ran out of borrowing where you could domestically, you went over and borrowed $1.05 trillion from foreign nations that some of us have questions about. So you are telling me we know how to spend? You all have broken a record. You have made history in 4 years.

So when you look at it, it is sad, Mr. Speaker, that we can come to the floor with fact and not fiction. Some folks come to the floor with rhetoric and you can see right through it: Like, what is this guy talking about here on the floor? How could he possibly say that? That is not true. But, guess what, what we are talking about is true, unfortunately, because of the bad policies.

And that is the reason why we are saying, Ms. JACKSON-LEE, that we want to head in a new direction and we want the American people, Democrat, Republican, and Independent, to know that, A, we have got the will and we have the desire to lead in that direction. And it will happen. It is not like, well, we may get around to it. We are going to do it, whether the White House wants to do it or not.

I yield to the gentleman.

Mr. RYAN of Ohio. I wanted to make a point that I was going through a GAO study today, and you can get it on the GAO Web site, and it showed two scenarios. One was what happens if we continue going down the same road we are on and we make President Bush's tax cuts permanent for the top 1 percent of the people, and it plays that scenario out through the numbers; what percentage of our budget we would spend on military and this, that, and the other. And one of the issues there was the interest on the debt.

If we keep implementing the Republican proposals that have been going on for the last 5 years for sure, rubber stamped, but much longer than that in the Congress without the check of a Democrat President where they were working together, we will be paying so much money, a higher proportion of our annual revenues to interest on the debt that it will be staggering.

The American people will wholly reject that kind of fiscal policy. Because when you are paying interest on the debt, you get no value from that.

Ms. JACKSON-LEE of Texas. None.

Mr. RYAN of Ohio. You are not investing in education where you have millions of students that are now college educated inventing new things, helping us with alternative energy. You have none of that. You are not investing in health care, where kids and parents are healthier and workers are more productive. You get no benefit. You are giving money to China and they are taking the interest and they are reinvesting it back into their state-owned facilities and wiping out the middle class in America.

Ms. JACKSON-LEE of Texas. Well, Mr. RYAN, if I might just for a moment ask you to yield. What are we doing right now in the United States Congress? We are going through the appropriations process. Every single appropriation bill that comes we are having to tell our communities back home, you can't finish not the road to nowhere but the road this community needs; you can't get rail; you can't fix Amtrak.

They are telling us that the community health clinics that we have all bought into and that have some value, the quasi-public health clinics that so many people are excited about, we can't fund them. We can't provide new monies for the Leave No Child Behind, if you ever invested in that at all. We can't provide any monies for alternative research in energy for our universities.

And we can't provide them any dollars partly because of this misdirected mission with young people dying in Iraq and not being able to refocus, and then of course the fact that this deficit has continued to grow.

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I just want to say, reiterate once again the sadness of how many foreign nations own the United States now.

Mr. DELAHUNT. We have an ownership society.

Ms. JACKSON-LEE of Texas. I didn't think we would see this. I hope the American people who are listening understand that this is serious. And we are not here trying to cast aspersions, but this is serious on behalf of the American people. I hope as Democrats take leadership on these issues, we have a chance to change lives.

Mr. RYAN of Ohio. This is the problem we have. Two final points to wrap it up. Let's get back to the sense of the common good, Mr. DELAHUNT, where everybody benefits and everybody contributes.

We should demand as Democrats that every citizen in the country, able-bodied citizen, contributes to the good of the country and the economy. They get educated and everything else. We need to demand that of everybody. But at the same time those people who have benefited from the system, the economic system, the capitalistic system, democracy in the United States of America, all of these people need to contribute. The more you benefit, the more you are obligated to keep the system running. Everybody contributes and everybody benefits. Let's start focusing on the common good instead of all of these special interests.

It gets back to this, and this is one of the final points I want to make. Over the past 5 years we have figured out that we, myself personally and my constituents back at home, do not trust the judgment of the Republican leadership in the United States Congress and in the Senate and in the White House. It is not personal. They are good people, but their judgment has been very poor over the past couple of years.

And the end result is tuition costs are up 40 percent; gasoline prices up 47 percent; health care costs up 55 percent; median income is down 4 percent; and nothing with the minimum wage, lowering college tuition costs, and all of things that are going to lead, business incubators and downtown revitalization, all the things that this country needs.

Let's take this country in a new direction. I am excited about the opportunities we are going to have being in the majority in January. I think it is going to be an exciting time with new ideas and a lot of things that we can accomplish here in the United States.

Mr. DELAHUNT. Mr. Speaker, I couldn't improve on everything that has been said. I am excited about the challenges ahead. I think we are going to take this country in a new direction. I think it is going to benefit the American people, whether they be Republicans or Democrats or unenrolled.

Mr. RYAN of Ohio. Americans.

Mr. DELAHUNT. It's America.

Ms. JACKSON-LEE of Texas. We simply want to say we are prepared to roll up our sleeves. Nothing is guaranteed. We will be working real hard. And if the Democrats achieve leadership in November, we will have the roll-up-the-sleeve attitude, the open-door attitude, the oversight attitude, and what is best for the American people.

Mr. DELAHUNT. I think that really sums it up. If Democrats take control of this House, it is going to open the doors. It is going to open the windows. We are going to get a breath of fresh air, and accountability will be in vogue once more, for the first time in a long time.

Mr. RYAN of Ohio. Mr. Speaker, it would be an honor for me to watch and listen to you read that with your new glasses.

Mr. DELAHUNT. This is the 30-something Working Group, www.HouseDemocrats.gov/30something.

Mr. RYAN of Ohio. One more time. Read it twice.

Mr. DELAHUNT. This is Leader PELOSI's 30-something Working Group, www.HouseDemocrats.gov/30something.

Mr. RYAN of Ohio. Thank you. Good job.

Mr. MEEK of Florida. With that, Mr. Speaker, we would like to not only thank the Democratic Caucus but also thank Members of the House for allowing us to come to the floor to address the House one more time.

PEAK OIL

The SPEAKER pro tempore (Mr. POE). Under the Speaker's announced policy of January 4, 2005, the gentleman from Maryland (Mr. BARTLETT) is recognized for 60 minutes as the designee of the majority leader.

Mr. BARTLETT of Maryland. Mr. Speaker, today I had a very pleasant visit with a very important person. Matt Simmons came by and we spent about an hour and a half talking. Now, who is Matt Simmons and why should we be interested in a discussion with Matt Simmons?

Matt Simmons is the President's personal energy adviser. He was the primary architect of his energy policy for his first campaign, continued with him through his second campaign. Matt

Simmons is the president and CEO of one of the largest energy investment banks in the world, out of Houston, Texas, and he has written a book which I have here, "Twilight in the Desert."

I would like to read just a little bit from the dust cover of the book:

> Saudi Arabia is the most important oil-producing nation in history. The secretive Saudi Government repeatedly assures the world that its oil fields are healthy beyond reproach, and that they can maintain and even increase output at will to meet the sky-rocketing global demand. But what if they can't?
>
> "Twilight in the Desert" looks behind the curtain to reveal a Saudi oil and production industry that could soon approach a serious, irreversible decline.
>
> In this exhaustively researched book, veteran oil industry analyst Matthew Simmons draws on his own three-plus decades of insider experience and more than 200 independently produced reports about Saudi petroleum resources and production operations.
>
> What he uncovers is a story about Saudi Arabia's troubled oil industry, not to mention its political and societal instability which differs sharply from the globally accepted Saudi version. It's a story that is provocative and disturbing, based on undeniable facts but until now never told in its entirety. "Twilight in the Desert" examines numerous aspects of Saudi Arabia and its looming oil crisis.

Mr. Speaker, we had a discussion, as I mentioned, that was about an hour and a half long. Matt Simmons shared with me his concern that the world is reaching a very critical point in its history, a point at which the oil production of the world will reach a peak, after which it will inevitably decline.

This is a message that I first started talking about exactly 15 months from today. It was March 14 last year, and I have here the exact charts that we used in our discussion, and I would like to go through a few of those charts. These aren't all of them, but all of these charts are charts from that first discussion.

We started with this chart. Recent headlines. This is Washington Post, the third day of February 2005, just a few weeks before our March 14 first discussion of this subject, and the subject was Peak Oil.

You see that is pasted on because we were discussing what should we call this discussion. The Great Rollover was one possibility, and the Great Rollover refers to that time in which there will be a rollover from a consumer's market to a producer's market when you have reached the peak and roll over the top. We finally decided to call it Peak Oil, and that is how most everybody who is talking about this phenomenon refers to it now.

These are headlines, and they could be headlines from today's paper, or yesterday's, because the Dow went up a little today.

This reads, "The Dow dropped 174 points, driven by economic damage from rising oil prices," and they were relatively low 15 months ago compared to what they are today, "the plunging dollar," and the dollar is still plunging, "and growing worries about consumer spending." It could be today's headlines.

"Recent oil price rise of 20 percent is continues to crunch the profits of struggling airlines and is believed to be a factor in disappointing retail sales."

"Dollar slides against the euro and the yen," and it is still sliding.

"Consumer confidence slips in February." These were the headlines of the paper.

What are they talking about? They are talking about some statistics that resulted in 30 of our prominent citizens writing a letter to the President, saying Mr. President, the fact that the United States has only 2 percent of the world's oil reserve and we use 25 percent of the world's oil and we import almost two-thirds of what we use is a totally unacceptable national security risk. We have just got to do something about that.

We represent a bit less than 5 percent of the world's population. We are one person out of 22 in the world, and that one person uses 25 percent of the world's energy and we import almost two-thirds of what we use.

Now we are really good at pumping oil. We have drilled about 530,000 wells in our country. There are on the order of magnitude, and I can't get the exact number, a thousand, more or less, in Saudi Arabia. We have 530,000, and I think there may be 3- or 400 in Iraq. Two percent of oil reserves are producing 8 percent of the world's oil. I think today we are still the world's third largest oil producer. We are far and away the world's largest oil consumer. How did we get here?

To find out how we got here we have to go back about six decades. The next chart shows us a prediction that was made by a scientist of the Shell Oil Company by the name of the M. King Hubbert. He worked for the Shell Oil Company. He observed a phenomenon in oil fields when they were pumped and finally exhausted, that appeared to be a characteristic of oil fields generally, and that was you reached a maximum after which the production dropped off and finally tailed off to near nothing.

He rationalized if he could know how many oil fields there were total in the United States and guess at how many more we would find, that he could then predict when the United States would peak in oil production. He made that prediction in 1956 and on the 8th day of March, just 50 years ago, this last March 8, he gave what would become a very famous speech in San Antonio, Texas to an oil conference and it was published as a paper. In that he predicted that the United States would reach its maximum oil production in 1970. In those days he was talking only about the lower 48.

Shell Oil Company asked him not to give that talk and publish that paper because it would embarrass him and them. He went ahead and did it; and, of course, we did peak in oil production in 1970 and so M. King Hubbert became an institution in his own time.

The smooth green curve here is his prediction. The more ragged green curve is the actual date and you see, right on schedule, it peaked in 1970, and then began falling off.

The red curve here is the former Soviet Union. They have more oil than we. They peaked a bit after us, and then the Soviet Union fell apart and their production capacity did not meet expectations so they are now having a second small peak.

Of the 48 major countries that produce oil, 33 of them have already reached their peak.

The next chart shows us where we have gotten the oil in our country. M. King Hubbert was predicting the production of oil in only the lower 48 and that would be this curve here that I am tracing, because he did not look at Alaska and did not include oil from that source.

Notice that we did peak in 1970 and then it starts downhill. And the very large discoveries in Prudhoe Bay and Dead Horse, Alaska just caused a little blip in the slide down the other side in Hubbert's peak. It did not reverse that. I have been to Dead Horse and Prudhoe Bay. I have seen the beginning of that 4-foot pipeline through which, for a number of years now, a full fourth of our oil production has flowed.

□ 2000

In spite of enormous production from Prudoe Bay, and in spite of a lot of production from the Gulf of Mexico, that is the yellow there. And you may remember, Mr. Speaker, the fabled Gulf of Mexico oil discoveries. They were so large that it would put any worries about oil far, far behind us. That is all the contribution they have made.

And by the way, we really are exploiting those fields because we have 4,000 oil wells out there in the Gulf of Mexico. We had reason to reflect on that last year when the hurricanes went through.

Now, these are the charts, Mr. Speaker, that I used. I had some additional ones too, but these are the charts that I used exactly 15 months ago today. It was the 14th of March. Two very significant things have happened since then. Two major reports paid for by the government have been published. One of those is the Hirsch report. It actually is dated February of 2005. That is just a month before I gave my first floor speech here on this subject. Neither I nor anyone else in the public knew that that research had been done and that report was available because it did not become available for several months after that. This is frequently called the Hirsch report. It is called Peaking of World Oil Production, Impacts, Mitigation and Risk Management. And in just a moment, I will show you a few quotes from that very important study. Then a little later than that, dated last September but not available publicly until just a few months ago, was another major study paid for by the Army, done by the Corps of Engineers, called Energy Trends and Their Implications for U.S. Army Installations. M. King Hubbert predicted that the world would be peaking in oil production about now. And the point I made 15 months ago, Mr. Speaker, was that if M. King Hubbert was right about the United States, and he was right on target, certainly, we are a microcosm of the world. And if he was right about the United States, shouldn't there have been some concern that he might be right about the world? And if in fact he was right about the world, shouldn't we have anticipated that and done something about it? We did not.

Let me show you, now, one of the quotes from the Hirsch report. That is from page 24. We cannot conceive of any affordable government sponsored crash program to accelerate normal replacement schedules. What they are saying is that if the world has peaked in oil production, and they said that it certainly would peak. It wasn't if, it was when. And they weren't really certain when it would peak because you wouldn't know that it had peaked until you were a bit past the peak and looked back. And that is very true. And they looked at all of the things that the government might do to mitigate the consequences of a shortage of liquid fuels. This is not so much an energy crisis as it is a liquid fuels crisis. And they said they could not conceive of any affordable government sponsored crash program to accelerate normal replacement schedules.

The next chart has some very interesting and disturbing words in it. World oil production is going to peak, they said. It will reach a maximum and decline thereafter. That maximum is called the peak. They said that it is not if, it is when. It is going to peak.

Oil peaking presents a unique challenge. And I have highlighted it here. The world has never faced a problem like this. There is no precedent. We cannot look back in history and find any time when the world has faced a problem like this. This is a unique challenge. The world has never faced a problem like this.

And as a consequence of that, the next chart says that the peaking of world oil production presents the United States and the world with an unprecedented risk management problem. As peaking is approached, liquid fuel prices and price volatility will increase dramatically. Just a few years ago it was $10 a barrel. Now it is $70 a barrel and has been as high as $75 a barrel, will increase dramatically and without timely mitigation. The economic, social and political costs will be unprecedented.

These, Mr. Speaker, are quite strong words, unprecedented risk management problem and economic, social and political costs will be unprecedented.

The second report that I mentioned by the Corps of Engineers and the next chart has a quote from their study, reaches the same conclusion; that oil production will peak, that peak is either now present or imminent. And they say oil is the most important form of energy in the world today.

Just a moment's reflection on how important that source of energy is. 70 percent of all of the oil that we use in our country is used in transportation. There is no realistic alternative to liquid fuels for transportation.

Now, we can take oil and make other liquid fuels like ethanol, but for every gallon of ethanol that we burn, we have used at least ¾ of a gallon of liquid fuels, gasoline and diesel, oil to produce that energy.

Oil is the most important form of energy in the world today, and the energy density in oil is just incredible. One barrel of oil, 42 gallons, the energy in that represents the work output of 12 people working all year. So for just a little over $100, $3 a gallon, 42 gallons, a little over $100, you can buy the workout of 12 people working all year for you.

To get some idea that that is probably a realistic number, reflect on how far a gallon of gasoline or a gallon of diesel, by the way, still cheaper than water in the grocery store if you buy it in those little bottles that you drink from, how far that will carry your SUV or your car. You may get 10 miles from a heavy SUV, but try pulling that SUV those 10 miles and see how long it will take you. You can do that with a come-along and trees and guardrail beside the road, but it would take you quite some time to pull it the 10 miles.

I drive a Prius. It gets 52 miles per gallon. And how long would it take me to pull my Prius 52 miles?

Another indication, Mr. Speaker, of the incredible energy density in these fossil fuels is the energy density in electricity. You can work very hard in your yard all day long this weekend, and I will get more work out of an electric motor, more mechanical work out of an electric motor with less than 25 cents worth of electricity. Now, it may be kind of humbling to recognize that we are worth less than 25 cents a day in terms of fossil fuels. But that incredible energy density and the really large supply of this energy source resulted in this statement by the Corps of Engineers. Oil is the most important form of energy in the world today.

Historically, no other energy source equals oil's intrinsic qualities of extractability, transportability, versatility and cost. The qualities that enabled oil to take over from coal as a front line energy source for the industrial world in the middle of the 20th century are as relevant today as they were then. Oil is absolutely essential to our way of life.

The next chart notes some very prominent people. Colin Campbell, more than any other person, he probably inherited the mantle from M. King Hubbert, Jean LaHerrere, Brian Fleay, Roger Blanchard, Richard Duncan, Walter Youngquist and Albert Bartlett. Not a relative of mine, but if you go to the web and pull up Albert Bartlett you can get his speech that he has given more than 1,600 times. I will tell you, Mr. Speaker, that I think you will agree with me it is the most interesting 1-hour lecture you will ever hear.

All of these people have estimated that a peak in conventional oil production will occur around 2005. And then they quote some corporations that have reached a similar conclusion.

The next chart is another quote from this very important study by the Corps of Engineers. In general, all nonrenewable resources follow a natural supply curve, just as M. King Hubbert said 50 years ago. Production increases rapidly, slows, reaches a peak and then declines at a rapid pace, similar to its initial increase.

The major question for petroleum is not whether production will peak, but when. There are many estimates. Most of the authorities agree that it is either now or imminent. Very few push it off more than a decade into the future.

The next chart is really interesting. Now, this is dated just last September. The current price of oil is in the $45 to $57 per barrel range. Now it is $70 to $75, a little under $70 today. But it has been in the $70 to $75 range. And it is expected to stay in that range for several years. It is less than a year later and it is now $70 a barrel. They expected it to stay in the range of $45 to $57 a barrel for 7 years. So even the experts have underestimated the relationship between production and consumption.

Oil prices may go significantly higher. Indeed, they have gone up to $75 just a few weeks ago. And some have predicted prices ranging up to $180 a barrel in a few years.

Now, the next chart shows that not everybody agrees with this. And this is a very interesting chart. This is a chart from our Energy Information Agency, and we have had the two top officials of that agency in our office to talk about these subjects. And this is a chart which shows historically what production has been, and it shows what they think the future looks like.

Now, they use a very interesting and, one might say, bizarre use of statistics. In statistics there is a 95 percent probability; that is, you are 95 percent certain about what is going to happen in the future, and then there is a 50 percent probability, which is obviously less certainty about what is going to happen into the future. And then finally, a 5 percent probability. And boy, that is really uncertain. There is just a big, big envelope out there. Could be anything in a broad field.

Well, what they have done in this chart is really very interesting. They have taken the 95 percent probability, which is the yellow line here, and then they have taken the 50 percent probability, which is the green line. But they took the 50 percent probability only on the plus side of the 95 percent probability. You need to draw another green line that is just as far on the other side of the yellow line. Then they draw the blue line there, which is the 5 percent probability, but they should have drawn another one, which is just as far on this side of the yellow. In other words, the 5 percent probability says you are very uncertain about the future. There could be a whole lot more oil in the future, or there could be a whole lot less oil in the future. But they look at only the whole lot more oil in the future.

And then they make a very interesting designation. They say that the 50 percent probability is the mean. The 50 percent probability, Mr. Speaker, has nothing to do with the mean. And I wanted to make certain, and I did have a course in statistics many years ago. I wanted to make certain that I had not forgotten and was misinterpreting this, so we had experts from the Congressional Research Service come over and discuss this with them. And they said that they agreed that this was a very unusual, one might say bizarre, use of statistics.

Well, Mr. Speaker, you see what has happened since they made this prediction. Here they predicted these three different scenarios, the 95 percent probability, the 50 percent probability, which they said was the mean, the most probable. 95 percent probability is far more probable than 50 percent probability.

But look what reality has been. Look what the red line, look what the actual data points have been. They have been following, as you would suspect they would, the 95 percent probability.

□ 2015

The next chart shows a somewhat expanded application of this use of statistics. A couple of Congresses ago, I was privileged to chair the Energy Subcommittee on Science, and I wanted to determine the dimensions of the problem. So we had the world's experts come in. And they just about all agreed fairly unanimously that we probably had about a thousand gigabarrels of oil remaining in the world, 940 to 1,030, something in that range. Now, we use gigabarrels because, surprisingly, a billion in our country is different than a billion in England. Apparently, a billion in England is a million million. One billion in our country is a thousand million. But everybody knows what a giga is; so we talk about gigabarrels. They now, using what they call the mean, and 50 percent probability, Mr. Speaker, is not the mean, but they say that if that is the mean, then they expect to find roughly another thousand gigabarrels of oil.

Mr. Speaker, even if that is true, this chart shows us a very interesting thing. The black curve here shows the actual production, and we are about at a peak here, and most of the experts believe that it will level off and then fall down, following a curve very much like the upslope here. They believe that there is another thousand gigabarrels of oil out there, roughly, that we are going to find. Eight hundred, roughly, gigabarrels of oil that we are going to find. If that is true, that pushes the peak only to 2016. That is only 10 years from now, Mr. Speaker, even if they are right. And the odds that they are right are very, very small. There is almost nobody else who agrees that this is a proper use of statistics. Even if they are true, it pushes the peak out only 10 years.

In the Hirsch Report, they said that if you did not plan for this peaking at least 20 years ahead that you were going to have rather serious economic consequences of that. Obviously, even if they are right, it is only 10 years ahead; so we do not have 20 years to plan.

This curve shows another very interesting thing, and that is what would happen if you really were very clever and worked very hard and had some breakthroughs so that you could pump the oil more quickly? And what they show there is that that might push the peak out to 2037, roughly another 20 years. But look at the consequences of that, Mr. Speaker. Notice the drop-off. It drops off almost like you have fallen off a cliff. You obviously cannot pump oil that you have not found. And if you pump it now, you cannot pump it later.

Let us read on the next chart what one of the world's experts on energy says about the assumptions that they make here. Now, that was a chart from the Energy Information Agency, but they get their basic data from USGS. And this is what Gene Laherrere says about that: "The USGS estimate implies a fivefold increase in discovery," to give you that, roughly, extra 800, 1,000 gigabarrels of oil, "and reserve addition for which no evidence is presented. Such an improvement in performance is, in fact, utterly implausible given the great technology achievements of the industry over the past 20 years, the worldwide search and the deliberate effort to find the largest remaining prospects."

We now are very good. We have computer modeling. We have 3–D seismic, and there is not much quarrel among the world's experts as to how much oil remains and where it will be. The people actually out there looking for oil do not have the wild disagreements that those who are back modeling with computers have who are using what I think is an unusual application of statistics.

The next chart shows us something that Albert Einstein would encourage you to reflect on. He was asked, after he discovered nuclear energy, "Dr. Einstein, what will be the next great energy force in the world after nuclear energy?" And his response was that the most powerful force in the universe was the power of compound interest. And that is exponential growth, and these several curves here look at exponential growth. The lower straight line there is not exponential growth. It is 2 percent growth, and you extrapolate that out. In other words, it is like putting your money in the bank and it gets some interest, and every time you get some interest, you take the interest out. That is this growth.

This curve line that starts out at the same place is what happens if you leave your money in the bank and you are getting interest on interest. It gets ever steeper and steeper and steeper because the principal on which you are collecting interest grows and grows and grows.

This is a 4 percent curve. This is a 5 percent curve. And, Mr. Speaker, this is a 10 percent curve. It doubles in 7 years.

A good rule of thumb, by the way, is if you take the rate of growth and divide it into 70, that will give you the doubling time. So 2 percent growth into 70 gives you 35 years doubling time. This, by the way, is almost exactly the rate at which China and India are growing. And they are going to need oil, Mr. Speaker, for that growth.

The next chart is a simple schematic which presents us with several realities that we really need to reflect on. This is the 2 percent growth curve. Now, I can make that growth very steep by compressing the abscissa and expanding the ordinate here. But this is a 2 percent growth curve. That yellow area represents the difference between what you will have if we peak here and what you would like to have because this is demand. That is that 2 percent demand curve from the previous chart. And you see that you actually start to have a deficiency some time before peaking. By the way, that yellow area covers 35 years. We know that because this point is half as high as that point, and that is a 35-year period. It doubles in 35 years.

So most of the world's experts believe that we are at or near peaking. Now, this presents us with a couple of real challenges, Mr. Speaker. We now have no surplus energy to invest in alternatives. Every bit of the oil that we are producing is needed by the world's economies. As a matter of fact, they would like to have more. Because there is hardly enough oil to meet the demands, the price has gone from $10 a barrel just a few years ago to $70 a barrel now. So if we are going to have any energy to invest in alternatives, we are either going to have to find a lot more energy somewhere else, and the next chart will show how unlikely that is, or we are going to have to free up some energy by not using all the energy we are using now. In other words, an aggressive conservation program to push this peak down so that we have a little bit of energy here to invest in alternatives. By the way, that maybe is not a little bit.

Let me give you just one example of this investment. If you build a nuclear power plant, it may take you 10 years to permit and build it. Maybe we can shrink that, and I hope we can, to 5 years. That would be pretty quick, Mr. Speaker, to shrink that to 5 years. Our present nuclear power plants, you must operate them 20 years before you get back the energy that you have put into them. Lots of fossil fuel energy is used in making these nuclear power plants. What that means is that with today's permitting and with today's nuclear power plant efficiencies, it would be 30 years, if you started today, before you would get any net energy. Now, maybe we can do better and shrink the permitting and construction to 5 years, and maybe we can have more efficient nuclear power plants so that it only takes 15 years for payback. But even that, Mr. Speaker, 5 plus 15 is 20 years. What that means is if you started today to build nuclear power plants, it would be 20 years, best case, before you had net energy, and in the meantime you are going to have to get the energy to produce the nuclear power plants by depressing the present use of energy because we do not have any spare energy. There is no surplus energy if, in fact, we are at peak oil. That is what it means. That is peak. There is not going to be any more.

The next chart is a really interesting one and shows essentially the same things here. The bar graphs here show the discovery. And you notice that we made some pretty big discoveries way back in the 1940s, some really big ones in about 1950. And, boy, we really learned how to find oil in the 1960s and the 1970s. But at about 1980 our discovery of oil became less than our use of oil. The heavy black line here represents the consumption of oil, how much oil we have used. So for all of these years up until we get to about 1980, we are always finding more oil than we use. We use this much of it under the curve, but all this above the curve is now surplus oil. It is reserve oil that we have to use in the future. We have been eating into that reserve since about 1980 because, you see here, we have found just this amount of oil, but we have consumed this amount of oil; so this shaded area in between them represents the amount of the reserves back here that we have used.

Now, you can within limits make the future look about any way you wish, within some very realistic limits. First of all, you have to decide how much more oil you are probably going to find. The world's experts believe that we have probably found about 95 percent of the oil that we are going to find. As a matter of fact, if I was extrapolating and smoothing this curve, I would come out at a lower curve than they would come out at. But that shaded area there, it is not going to be that smooth, obviously. It has never been smooth. It is up and down. But on average they believe that is the kind of oil that we are going to find in the future.

There is one thing that is an absolute certainty. The area under the consumption curve will not be greater than the area under the discovery curve. That is the quantity that you consumed. If you take the area under that curve, that is the total amount that you have consumed. It is like adding up a whole bunch of little bar graphs. That is what we have here is a bunch of bar graphs. And the area under the discovery curve represents the oil that has been discovered. It is obvious, Mr. Speaker, that you cannot pump what you have not discovered. So if you are going to make the future look much difference than this, you are going to have to make some different assumptions about how much oil you are going to find in the future.

Now, you can get the oil a little more quickly by using some aggressive techniques, enhance the oil recovery by injecting COG, pumping seawater in it. And, by the way, the Saudis are now pumping about almost two-thirds seawater, and they have always pumped some. They flood the periphery of the fields with seawater to push the oil into the center, and then they pump it out, and now they are getting about two-thirds seawater. But never mind. Oil is different from water and separates from water, usually lighter than water; although the heavy crude may not be lighter than water, as the name implies. But it is easily separated from water. So you now, Mr. Speaker, can kind of predict what you think the future will be by looking at this curve, remembering that you cannot pump what you have not found.

I would like to go back for just a moment to the previous chart I showed that shows a challenge that we have, and that is the challenge of the gap. The gap is the difference between what is available and what you would like to use. Now, people have been focusing on filling the gap. I would like to suggest, Mr. Speaker, that for a couple of reasons that ought not be our focus. First of all, I am not sure that we can fill the gap. And, secondly, since there is a finite amount of fossil fuels in the world, if we fill the gap now, there will be less to use later.

I am beginning, Mr. Speaker, to be more and more concerned about a moral element to this discussion. We now are passing on to our children and our grandchildren, not with my vote, but we are now passing on to our children and our grandchildren the largest intergenerational debt transfer in the history of the world. We cannot run our government on current revenues. And we are now going to not only require our children and grandchildren to run their government on current revenues, they are going to have to pay back all of the money that we have borrowed from their generation. Now, Mr. Speaker, should we compound the problems that we are bequeathing to them by pumping now the oil and the gas that they would need to sustain their economy? There is only so much there, Mr. Speaker. If you pump it today, it will not be there tomorrow.

I am opposed to drilling in ANWR, not because of environmental concerns necessarily. I think they do a very good job. They build roads in the winter out of crushed ice. When spring comes, you cannot see where the road was. They have a very small footprint. But, Mr. Speaker, I am having a lot of trouble understanding how it is in our national security interest. If we have only 2 percent of the world's oil and use 25 percent of the world's oil and import two-thirds of what we use, I am having a lot of trouble understanding how it is in our long-term national security interest to pump that little bit of oil we have got as soon as we can. If we could pump ANWR tomorrow, what would we do the day after tomorrow? And the day after tomorrow is when our kids and our grandkids are going to be faced with the necessity of supporting the economy and paying back the enormous amounts of money that we have borrowed from their generation. So I am having a problem, Mr. Speaker, with trying to fill that gap.

The next chart shows us what the SAIC study, the Hirsch Report, suggested as a way to fill the gap.

□ 2030

But notice that if you start now, and zero is now, that you don't have hardly anything for at least 5 years. And then it slowly grows. They are going to fill it with enhanced oil recovery. If we pump it, our kids can't pump it. They are going to fill it with coal liquids. If we use the coal, our kids won't have the coal. They are going to fill it with heavy oil—oil is like the tar sands in Canada and the oil shales in our country—and gas to liquids. If we use those things, our kids aren't going to have those things.

You notice they don't have wind here. They don't have solar there. That is because these now, although they in the future will be enormously important, they provide minuscule contributions now. To ramp those up is going to take more time than they thought was available. And so you could get there quicker in filling the gap with exploiting these finite resources that when they are gone, they are gone.

The only one which is sustainable is efficient vehicles. The average car and light truck is in the fleet about 16 years, the average 18-wheeler for 28 years. And so if you start using more fuel-efficient cars, it takes a long time to turn over that fleet. You notice, they didn't see a thing for about 5 years nearly, and then slowly increasing the contribution that it made.

The next chart, Mr. Speaker, looks at what the options are that we have. Obviously we are going to get our energy from somewhere. As we slide down the other side of Hubbert's Peak, the world will be looking for energy from other sources.

What will they be? Well, we have listed here, at least generically I think, all of the potential sources. We have some finite resources: the tar sands, the oil shales, coal, nuclear, two kinds of fission and fusion.

Just a word about the tar sands. Canada calls them oil sands. It is really tar. Its quality is little better than the asphalt parking lot out here which, by the way, if you put a blowtorch on it will flow. They now are mining that with shovels that have 100 tons in one shovel, dump it in a truck that hauls 400 tons and then they cook it, heat it up, to get the oil out.

You are told a lot of things, Mr. Speaker, and what we really need is an honest broker so that we can have facts that we agree on. I don't know whether this is true or not, but I am told that they are using more energy from stranded gas; stranded gas is gas where there is nobody nearby to use it and it is hard to ship so it is very cheap when it is stranded. They are using more energy from natural gas than they are getting out of the oil that they produce.

Dollarwise, it's a good bet. Eighteen dollars a barrel to produce it. They're getting $70. That is really a moneymaker. But in terms of energy-profit ratio, it obviously wouldn't be something that you would want to do indefinitely. The oil shales in our country are very difficult to exploit. Shell Oil Company has been there. It will be 2013, they tell us, before they will even decide whether it is economically feasible to get that oil. There is an incredible amount of oil there, more reserves there than all of the Middle East. But there is probably also more energy in the tides than all the oil energy in the Middle East, but because it is so diffuse, it is difficult to get out and that is kind of the problem with these tar sands and oil shales. Ultimately we will get them out, but we are not going to get them out in large enough quantities quick enough to fill that gap.

Coal. Let's put the next one up, then I will come back to this. I just want to talk about coal for just a moment, because many people will tell you not to worry about the future because we have got 250 years of coal out there. That is true; 250 years at current use rates. But, Mr. Speaker, you remember those exponential curves we showed and what happens with exponential growth. Albert Einstein says it's the most powerful force in the universe. If you increase your use of coal only 2 percent, and I will submit that when oil starts running down, we are going to increase the use of coal far more than 2 percent to make up that difference. By the way, it is pretty easy to liquefy it with a Fischer-Tropsch technique. Hitler used it. We denied him access to oil, which is, by the way, one of the reasons that he went to a second front in Russia that lost him the war, because he was running out of coal. He needed Russian oil, so he went to that second front in Russia.

With a 2 percent growth, that 250 years now shrinks to about 85 years. But you can't fill the trunk of your car with coal, so if you are going to make a liquid of it or a gas of it, you are going to have to use some energy to do that. So now that shrinks to 50 years. So we have got 50 years of coal left, with only a 2 percent increase in growth if you are going to convert it to a gas or a liquid. By the way, with either a big economic penalty for cleaning it up or a big environmental penalty if you don't clean it up, because almost all the coal we have left in our country and in the world, for that matter, is pretty dirty coal with high sulfur. The good clean stuff we have pretty much used.

Now back to the first chart we were looking at, which goes through the other things that we might use. These are the finite resources. They are there. You need to husband them and use them wisely. We could go to nuclear lightwater reactors, the kind we have now. There is a big argument, by the way, as to whether we ought to go to more nuclear or not. Twenty percent of all of our electricity, 8 percent of our total energy but 20 percent of our electricity is produced by nuclear. In France, that is about 85 percent produced by nuclear. You can either have the lightwater reactors, but there is a finite amount of fissionable uranium in the world, so by and by we will go to breeder reactors, of which we have none. And in transporting that stuff and enriching it, you produce some bomb-grade materials and so you have to be very careful with that. You buy some problems with it. But breeder reactors are what the name implies, breeder reactors, and they make more fuel than they may use.

Then there is fusion. Mr. Speaker, if we get there, we're home free. The analogy I use is if you think you're going to solve your personal economic problems by winning the lottery, then we are probably going to solve our energy problems with fusion. I think the odds are about the same. That doesn't keep me from supporting that. We put about $250 million a year in it. I would vote more if there were more capability out there, because it is the only energy source for the future where we are really home free. So we need to explore it, but I wouldn't bet the ranch that we're going to get there.

Then we have the truly renewable resources. They now are pretty much in the noise level. Solar. Today, 1 percent. That is up. It is growing. It grew 60 percent last year.

Wind. I think that grew about 35 percent last year.

Geothermal. That is real geothermal, tapping down into the molten core of the Earth and getting water that is close enough to there that it is hot. There is not a chimney in Iceland, I think, because they have enough geothermal power.

Ocean energy. A lot of energy there. The tides, the waves, ocean thermal gradients. But it is very diffuse. Very hard to harness. We are trying. We need to do more there.

Agricultural resources. Soy diesel, biodiesel, ethanol, methanol, biomass. In a couple of moments we will come back to talk a little more about those and what confidence you ought to have that they are going to make a really big contribution to our energy supply.

Waste energy is a really good one. That is burning trash instead of burying it out there. There are places doing that. We have a great facility up here in Montgomery County at Dickerson. They will be happy to show you that. It really is very current state of the art.

Hydrogen from renewables. Just a quick word about hydrogen. Hydrogen, Mr. Speaker, is not an energy source. We will always use more energy producing hydrogen than we get out of hydrogen. Else, we will have to suspend the second law of thermodynamics and if we can do that, we can suspend gravity, and then we have lots of opportunities. Always we will use more energy producing the hydrogen than we get out of it.

So why should we even bother? For two reasons. One is when you finally burn it, you get only water. That is really not a pollutant. The second reason is that if we are ever able to perfect economically supportable fuel cells, hydrogen is very convenient to use in a fuel cell.

I drove a fuel cell car the other day. We had an energy-efficient car showcase out in Frederick, Maryland. The major manufacturers came out there and brought their cars. I drove a fuel cell car. It cost a million dollars. The fuel cell will last a couple of hundred hours. We are working on fuel cells, but it will be a while before we get there. But if we get there, and I think we will, then they have at least twice the efficiency of the reciprocating engine. That is why we look at hydrogen. It is not a savior. It will help.

The next chart looks at ethanol. This is an interesting chart. It shows on the top that you need about 1.23 million Btus of fossil fuel energy to get 1 million Btus in the tank of your car. Obviously it takes energy to drill a hole and pump it out and refine it and transport it and so forth.

This slide looks at energy from corn, from ethanol. This is about as good as we will ever get. Many people tell me this is wildly optimistic, but I think we can get there. What this says is that to get 1 million Btus of ethanol energy, you have got to put in .74, three-fourths as many Btus as you get out. What that means, Mr. Speaker, is that every gallon of ethanol that you burn in your car represents three-fourths of a gallon of fossil fuel that it took to make the ethanol. So a gallon of ethanol doesn't offset a gallon of gasoline. If you make ethanol from corn, 13 percent of our corn crop will produce enough ethanol to displace 2 percent of our gasoline. But you have used a lot of fossil fuel energy producing, growing the corn.

This little chart at the bottom shows the energy input in producing a bushel of corn. The big purple slice here, 40-odd percent, is nitrogen fertilizer which today is made from natural gas. Mr. Speaker, I suspect there is almost nobody off the farm who knows that when they are eating broccoli that they are eating recycled natural gas, because that is where the nitrogen came from to grow the broccoli.

These are all the other energy inputs from oil. Planting it, harvesting, building the tractor, making the tires for the tractor.

If we were going to grow corn with the energy from corn, using that, 13 percent of the corn crop would replace 2 percent of our gasoline. We would have to double our corn crop and use all of it for ethanol if we were going to replace just 10 percent of our gasoline.

Mr. Speaker, this gives you something of the dimensions of the problem that we face. There is a lot of talk about ethanol. Brazil makes a lot of it from sugar cane. It is more efficient than corn. You use the whole stock rather than just the kernel and they don't use much fossil fuel energy. You see people down there planting it by hand, harvesting it by hand, and so forth. So they do not have anywhere near the fossil fuel energy input into their ethanol that we have.

By the way, we will never make ethanol from sugar cane in our country because sugar is so high. I don't know how expensive gasoline would have to be before we could afford to make ethanol from sugar, and that is what it is made from. It is made by fermenting sugar.

I have a really interesting analogy that helps us understand this chart. We are very much in our country like a young couple that has gotten married and their grandparents have died and they have a big inheritance and they have now established a lavish lifestyle, where 85 percent of the money they spend comes from their grandparents' inheritance and only 15 percent from their income; but their income is going to give out before they retire so they have obviously got to do something. They have got to make more or spend less. That is exactly where we are. Eighty-five percent of our energy, some people say 86, 85 percent of our energy comes from natural gas, petroleum, and coal and only 15 percent from other sources.

□ 2045

A bit more than half of that comes from nuclear. That could and maybe should grow. We need to talk about the pros. By the way, I have friends who were devoutly anti-nuclear. These were bright people.

But when they considered the alternative, which may be shivering in the dark, nuclear is beginning to look better. Seven percent of the total, and this is year 2000, we are a little better than that today, but only 1 percent of 7 percent, that is .07 percent. That is a trifling amount that came from solar. That has been growing.

Last year it was maybe 60, so now it is not up to .07 percent, but maybe it is 1 percent. But it is still a very small amount. Wood, that is the paper industry and timber industry wisely using a waste product that probably is not available to the rest of us and probably can't grow much to maintain our woodlands. Waste energy that ought to go and could go.

Wind again, 1 percent, that has grown some. That is 1 percent of 7 percent, by the way. It has to get seven times bigger, to be 1 percent of a whole thing. Congressional hydroelectric, that is not going to grow in our country. Micro-hydro might.

China is really exploding in their use of micro-hydro. That is using little streams where you probably don't have the environmental impact that you probably do in the large streams. That could grow in our country. We have not even begun to exploit that here.

Down here is agriculture, alcohol, fuel. That was about 20.07 percent. That is more now. That is growing, but still is very small compared to the total amount of energy used.

Then geothermal. The next chart shows something really challenging. The next chart shows the challenge we have of being more efficient. Most energy you get out of an incandescent bulb is heat. That is the blue here, the dark blue. The light is this little bit on top. Now to get the same amount of light from a fluorescent, you produce only this much heat. But look what happens when you go to a light emitting diode. This is the light that is the heat.

If you think, that is why if you buy an LED flashlight you will forget when you put the batteries in it, because they will last so long compared to the length of time they last, where with the conventional incandescent bulb, what, 90 percent of the energy goes to heat.

The next chart shows an interesting one. I wanted to show this, because many people say not to worry, the market will take care of it. There are many market worshippers out there who believe that the market is both omniscient and omnipotent.

This is a little example of what has happened in this market. This was the oil price by hike that didn't produce any commensurate increase in production of oil. It is because it just wasn't there.

The market will work if there are infinite resources. Mr. Speaker, there are not infinite resources here. The next chart shows that you can live on less and live well. The average Californian only uses about 65 percent of the energy of the rest of us. That is because of the many regulations they have out there with more demand, efficiency.

The next chart shows a very interesting one. This shows a satisfaction with life. This shows satisfaction with life relative to a GDP. Here we are. We have the highest GDP. But we don't have the highest satisfaction with life.

There are a dozen countries that have a much smaller GDP per capita, who are happier with life than we are. It is obvious that you can be happy using less energy than we use.

The next chart is one that just is stunning when you first see it. This is a history of the world. Only of 5,000 years recorded, this is the last 400. We entered industrial age, wood, coal, appropriately black, and then gas and oil.

Look what happened with gas and oil. It just explodes. It is standing on its end. By the way, the population followed that. Half a billion to a billion people here, nearly 7 billion people there.

Now, it will come down the other side as fast as it has gone up that side. What will we do? The age of oil will be about another 100, 150 years, and then we will be through the age of oil.

The next and last chart shows what we have got to do. We have got to buy time. We must depress our use of energy efficiency conservation so we have some energy to invest in alternatives and some time in which to do it. Then we must use it wisely. We need something equivalent of DARPA. ARPA-E is a suggestion, some organization that looks at that time energy we have got and the resources we have got. What is the best bet. Where could we use it to get the most good.

There will be a number of benefits in that. America could again become the industrial capital of the world. We could be exporting this technology. Whether we like it or not, we are a role model. We are one person out of 22. We use 25 percent of the world's energy. I genuinely believe that if Americans understood the problem they face today they would rise to the challenge.

I lived through World War II. Everybody was involved. I believe we are creative and innovative, and we can solve this problem. I think you could sleep really good when you went to bed tonight, recognizing you used less energy today than you were yesterday, and you were happier today than you were yesterday.

We need to face this challenge. We will face it. I think the earlier we face it, the better off we will be.

THE IRAQI WAR DEBATE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Tennessee (Mr. COOPER) is recognized for 60 minutes.

Mr. COOPER. Mr. Speaker, I rise tonight as a Democratic member of the House Armed Services Committee to try to place the upcoming debate we will have tomorrow on the Iraqi war resolution into context.

It is very important that people realize that we do not get to vote on general ideas here in Congress. We get to vote on specific pieces of legislation. The case tomorrow will be H. Res. 861. I encourage not only our colleagues here, but folks across America, to look this up on the Internet and see what you think of it.

My guess is, and while there are many varied opinions on this controversial war, my guess is that when you actually read the resolution, you will find that there is remarkably little in it that is controversial.

Now, you know that resolutions are primarily composed of whereas clauses, which have really no effect, and then there are a few resolved clauses. In this resolution, you will find that there are only seven resolved clauses. Let me read them to you.

They say, resolved that the House of Representatives one, honors all those Americans who have taken an active part in the global war on terror, whether as first responders protecting the homeland, as service Members overseas, as diplomats and intelligence officers or in other roles.

That, to me, is uncontroversial. We must praise our troops.

Point two, we honor the sacrifices of the United States Armed Forces and of the partners in the coalition and of the Iraqis and Afghans who fought alongside them, especially those who have fallen or have been wounded in the struggle, and we honor as well the sacrifice of their families and of others who risked their lives to help defend freedom.

Who is against that?

Point three, we declare that it is not in the national security interest of the United States to set an arbitrary date for the withdrawal or redeployment of U.S. Armed Forces from Iraq.

Now, while that point can be controversial among some individuals, no Member of this House wants to do anything to give our terrorist foes an advantage. So it is very important that we realize that even this point, number three, I think, if seen in the proper light, is pretty uncontroversial.

Point four, we declare that the United States is committed to the completion of the mission to create a sovereign, free, secure and united Iraq. That to me means that Iraq will no longer be a haven of terrorists. It will no longer be a play thing for a brutal dictator like Saddam Hussein. So that to me is another point that should be uncontroversial.

Point five, we congratulate Prime Minister Nouri al-Maliki and the Iraqi people on the courage they have shown by participating and increasing millions in the elections of 2005 and on the formation of the first government under Iraq's new constitution.

I think all Americans were impressed to see some 70 percent of the eligible Iraqi population braving gunfire, braving bullets in order to go vote. I wish we had that level of participation in our own country.

Point six, the resolution calls on the nations of the world to promote global peace and security by standing with the United States and other coalition partners to support the efforts of the Iraqi and Afghan people to live in freedom.

Who is against that?

Finally, point seven, we declare that the United States will prevail in the global war on terror, the noble struggle to protect freedom from the terrorist adversary.

This is a resolution we will debate for some 10 hours tomorrow. I think when you get down to it, there is really very little that is controversial about it. But the context is somewhat controversial, because under the rules of debate tomorrow we will not be allowed to amend or change this document in any way. We will be required to accept it as if it were perfect. Every American has suggestions for change.

There are many ways, countless ways that this document could be made better, but we will not be allowed to consider any of those, because under the procedures laid down by the Republican majority they do not want to hear any alteration to this document.

That is one flaw in the debate we will have tomorrow. Another is that this is really not a debate about how best to win the war on terrorism. This is more of a public relations campaign 3 years into a very controversial war designed to try to make the administration look better.

I am not against any administration trying to improve its public image. But for the safety of our troops, this debate is 3 or 4 years late.

I had the privilege of serving in this House during the first Iraq war, and that debate went down in history under the first President Bush as one of the best debates in modern American history. But that was under the first President Bush.

That first conflict, which followed the rules of the Powell Doctrine of defending an explicit American interest of going in with overwhelming force and having a clear exit strategy, sadly, in this conflict, the Powell Doctrine was not followed, even though General Powell was second as Secretary of State of the George W. Bush administration during the onset of this war.

That is another clear difference from the Iraqi war of the past and another clear flaw in this debate that this resolution will be debated several years late. In a sense this is going to be a debate that is unworthy of our troops, because some 2,500 Americans have already died, almost 20,000 are casualties. Now, the House of Representatives is getting around to having a debate on the war in Iraq, a debate that allows no amendment, no change. We have to accept this as if it were perfect.

There is another lesson that we should take into account, because you know that those who do not remember history are doomed to repeat it. I almost wish we could repeat the experience in the first Iraq war, because under the first President Bush he was so persuasive with a broad coalition of partners around the world that of the $60- to $80 billion cost of that war, the American taxpayer only had to pay for about $2- to $4 billion, $2- to $4 billion, the total cost of the first Iraq war to the American taxpayer. Why? Because our allies were so eager to bear the burden of cost of the war, the first Iraq war.

Now, of course, we are involved in a conflict which has already cost a minimum of $350 billion, but according to other estimates, more likely $450 billion, and it looks as if it is headed towards $1 trillion, and almost all of that burden is put on the backs of the American taxpayer.

Allied contributions verge on the negligible. You may remember that

Jim Baker, former Secretary of State, former Secretary of Treasury, was sent around the world to collect contributions from allies.

Well, where is the money? Show me the money? Our allies have put up a few billion dollars, but the American taxpayer has been required to shoulder the burden of this war. Of course, running massive budget deficits, as the George W. Bush administration has been doing, effectively we have been borrowing much of the cost of the war from foreign nations.

□ 2100

Increasingly Nations like China, increasingly Nations that are oil rich like Saudi Arabia, Iran, Venezuela, Nations like that are seeking to reinvest petro dollars.

I ask, Mr. Speaker, does that make America stronger when we are increasingly dependent on foreign lenders, many of which are not our allies but may, in fact, be adversary? Does that make us a stronger, better Nation?

Mr. Speaker, in the first Iraq War we were very careful not to damage the American military. Our troops went in for a limited purpose, with an overwhelming number, and exited in a very safe and prompt fashion. That is not the policy today, even though President George W. Bush is the son of the first President Bush.

So, all of these changes should worry us, especially those men and women in uniform, because I am an advocate of letting the military be the military. We have never had a finer fighting force than the one we have today. It is an all-volunteer force. Our men and women in uniform are terrifically capable. It is incredible the challenges that they have met and overcome, oftentimes without the help of their superiors, because especially their civilian superiors in this war consistently underestimated the threat that our troops faced.

When our troops first went in, they were told that they might face a few Baathists dead-enders, and of course, our civilian leaders disbanded the Iraqi military, created all sorts of extra problems for our troops. We could not even control looting in Baghdad, the major city in Iraq.

So, soon, disorder prevailed, and pretty soon we were on the verge of an insurgency that our civilian leadership in the Pentagon was claiming it was really not much of a problem. Victory was always around the corner. The President appeared on an aircraft carrier and declared that the mission was accomplished.

Well, that was, at best, premature. Now we are hoping and praying the Nation of Iraq is not on the verge of civil war, and let us not forget Afghanistan, where we have a smaller troop commitment that is still a vital one, and as the NATO forces try to take over from our men and women in uniform, we should be very much concerned because the Taliban seems to be on the rise.

General Barry McCaffrey just returned from Afghanistan and briefed us last week and said that the Taliban fighters were better equipped than the NATO forces, better equipped, in some cases, than the American forces. Well, where is the Taliban getting all its money? Probably from the drug trade because Afghanistan, as most observers are aware, has once again become one of the leading drug exporting countries in the world. Their poppy production has exploded. We have done very little, if anything, about it, and that is financing not only the Taliban but other forms of illicit terrorist behavior, not only in that country but around the world.

So, Mr. Speaker, this debate comes to us in a tough context. It makes it hard for men and women of goodwill to focus on the text of this resolution, as praiseworthy as it is. It also makes it difficult for some Members to acknowledge with a joyful heart the good news that we have received recently in Iraq.

All Americans should be pleased that we have caught and killed Zarqawi, one of the most notorious terrorists in the history of the world, a man who reveled in beheadings of innocent people, who killed fellow Muslims with abandon, all to promote his warped ideology, his non-Islamic ideology.

Mr. Speaker, I had the privilege of being in Baghdad the day that we caught Saddam Hussein. That was a high point in the war in Iraq. That was a moment at which our troops were filled with hope and anticipation that the conflict would not last for many, many years. That the Baathist dead-enders and other Saddam supporters would quickly turn toward more peaceful pursuits.

But sadly, as we know now, we were not ready for what came afterwards. We were not prepared for a franchising or spreading of the terrorist threat. Some people view it as a nationalist threat. Perhaps it is a tribal threat. There certainly are serious divisions between the Kurds, Sunnis and the Shiias, but we should be prepared this time for whatever follows the capture and death of Zarqawi because there are many other enemies in that country who would love to exploit any weakness that they see in the American forces.

Mr. Speaker, I could go on. I see that my colleague from the Intelligence Committee has joined us here tonight, and I do not want to rush him into this, but I welcome Mr. RUPPERSBERGER's participation in this debate. He is an outstanding Member of this body and of the Intelligence Committee which is, of course, privy to our Nation's deepest secrets.

So he bears that position with distinction and honor, and I welcome Mr. RUPPERSBERGER to comment at this point.

Mr. RUPPERSBERGER. Mr. Speaker, I thank my colleague Mr. COOPER for yielding this time to me.

I just returned from my fourth visit to Iraq with Speaker HASTERT and two other Members of Congress, and after this recent trip, I am more convinced than ever that the time has come to change U.S. strategy in Iraq.

The ultimate goal is to establish a free, open and democratic Iraqi government and bring our men and women in uniform home.

I believe the best way to do this is to have the Iraqi security forces, specifically the Iraqi Army and military, take on responsibility of patrolling and securing their own country. I believe we must move American and coalition troops to the perimeter of the urban areas and let the Iraqi military patrol the streets of their cities.

Since the invasion of Iraq in March 2003, more than 2,400 American troops have been killed and more than 20,000 injured. The insurgents and al Qaeda are using IEDs, which are roadside bombs, and suicide bombers. We, at this point, have not been able to defend our military as we should because of these tactics.

I believe a change in strategy in Iraq is now necessary. By moving our troops to the perimeter, it will accomplish numerous things. Number one, it will allow the Iraqi military to be less dependent on the American military and our other coalition forces. It will send a message to the Iraqi people that now they have a new government that has been formed, it will give them the message that this is their country, this is their government, and this is also their Iraqi citizens providing their security.

By moving to the perimeter, it will also allow us to change strategy, to show the Iraqi people and the American people and the world that there is a change in strategy, that we are moving ahead and that the Iraqi people and the Iraqi military will now have less dependence on us.

In order for the Iraqi military to be able to provide the security necessary, we must cut the apron strings. By going to the perimeter, we will be able to do that.

Now, how will we be able to do that? Number one, this is the beginning step to bringing our troops home. We will also continue to backup the Iraqi military when they need help. If they are being overrun, they can contact us. You can be anywhere, and many of us who have been to Iraq know, in a Black Hawk helicopter in Baghdad, as an example, within 10 to 15 minutes.

We have the best special operations forces in the world. Our SEAL teams, our rangers, our marines, we have the best in the world. They have the ability to backup the Iraqi military when they are in need.

But this will also allow our American forces to start using our technology, our air power, our abilities that have made us the strongest country in the world to backup the Iraqi military, but it will also, by doing this, going to the perimeter, it will allow us to be able to focus on high-value targets and let us again start bringing our men and women home.

It will not be necessary anymore for our military to patrol the Iraqi urban areas and get blown up or injured by suicide bombers or roadside bombs because the Iraqi military will now be in those same streets.

This is a very important plan. It is something we should consider very strongly.

Now, it is important that we get our information from our military to make sure that we move forward with this type of plan. I was in Iraq about 2 months ago, and I talked to four of the generals who are really in charge of running everyday operations in Iraq, starting with General Casey, and I asked them, is the Iraqi military ready to start taking on the responsibility of patrolling the urban areas. Their comments to me 2 months ago was that they feel that they are getting close, that they are not ready yet.

When I just came back a week ago, when I went to Iraq with the Speaker, I asked the same generals, how are we doing now, is the Iraqi military, who we have trained for two-and-a-half years, is the Iraqi military ready to take on responsibility of patrolling the urban areas. They said to me, basically, they feel that the Iraqi military could take on responsibility of patrolling at least 70 percent of the urban areas. If this is the case, then it is extremely important and urgent almost that we let the Iraqi military start doing the job, and we will then back them up.

Now, after I came back from Iraq, we were asked by President Bush to come and to brief him about the issues and what our observations were. I explained to the President a month-and-a-half ago about my strategy of moving to the perimeter. He said he would consider that.

When I brought up the issue this time about a week ago, his comment was it could be a good idea but he has to rely on his military, on the strategy of his military commanders, and I understand that. And I told him that my conversation with the military commanders in the presence of other Members of Congress was basically they felt they could start the process of letting the Iraqi military starting to patrol the streets, starting to implement this perimeter plan, which will, again, allow the Iraqi military to start providing the security in their country. It will allow us to start bringing troops home, because if we go to the perimeter, we will not need all of the men and women, our military, to patrol the urban areas. Yet, we will still be there in the perimeter, it would be the green zone, to backup the Iraqi military when in need.

I think this strategy should be considered. I hope it will be considered, and by considering this strategy, it will change our mission. It will be a new strategy. It will say to the American people, it is not the same old-same old, and we know that the American people are getting pretty frustrated when they see in the media every day that men and women are being injured, our men and women are being injured or being killed.

This will then allow us to fight the war on our terms, using our air power, our intelligence to be able to go after the high-value targets like Zarqawi and also to fight the war on terror, because we are in a war against terror, not only in Iraq and Afghanistan but throughout the world, and we must focus and use our specialty and our expertise to fight this war on terror.

Remember, our ultimate goal is to turn this government over to the Iraqi people. Let them start creating job. Let us help them create jobs. Let us start helping them deal with the issue of infrastructure. If you do not have a job, you are not going to have a community, and we have to show to the Iraqi people that their quality of life is better under a democracy than it was under Saddam Hussein, but in order to do this, they must have security. They must have jobs, and I think we can help them do this.

Our ultimate goal is to bring our men and women in uniform home. This perimeter plan is the first step. I respect Congressman MURTHA. I think Congressman MURTHA put this issue on the table so that we in this country and in Congress could start debating the issue about what is the appropriate strategy. My only issue with respect to Congressman MURTHA's issue about a time certain is that I do not believe that we should give any enemy a time certain on when we are going to leave Iraq or Afghanistan, but I do believe that this perimeter strategy is first step to bringing the troops home.

Mr. COOPER. Mr. Speaker, I thank the gentleman from Maryland for his great contribution to the debate, and his proposal is just one of the many ideas that could and should be considered by the House of Representatives.

This is a deliberative body. The debate tomorrow will allow us to focus on only one proposal that was drafted in a secretive, partisan fashion that does not allow ideas like Mr. RUPPERSBERGER's to be considered.

□ 2115

I think if you look at the debate, you will find that the folks who are most short-changed in it are probably our own troops.

I mentioned earlier that the debate will not be worthy of them because the debate is occurring some 3 years late, after 2,500 of them have already been killed in service to our country and another 20,000 wounded, many of them grievously. We should have focused on this earlier.

I was not in Congress when the decision was made to go into this Iraqi conflict, although I was here for the vote on the earlier one, and I think it is important that we hear the voice of our troops and of our military commanders. In many ways, these are the voices that have not been heard because, in many cases, they have been drowned out by the civilian leadership in the Pentagon. That civilian leadership, particularly the Secretary of Defense, Mr. Rumsfeld, and the former Under Secretary, Paul Wolfowitz, have systematically disregarded military advice.

Not only did these two gentlemen consistently underestimate the threat, oftentimes, as General Schwarzkopf, the great commander of the first Iraqi war pointed out, they seem to be enjoying their jobs too much. War is serious business, and I think it is time that we hear or at least read the comments of several of our Nation's top generals right now and see their reaction to Mr. Rumsfeld.

At the top of this poster you see Lieutenant General Greg Newbold say that "What we are living now is the consequence of successive policy failures." Mr. Newbold was top Operations Officer of the Joint Staff, Commanding General of the 1st Marine Division, a recipient of the Legion of Merit, the Navy and Marine Corps Commendation Medals.

Look at the comment from Major General Paul Eaton. "Two-and-a-half more years of that leadership was too long for my Nation and too long for my army and for my family." General Eaton led the initial effort to create an Iraqi army. He was Commander of the Coalition Military Assistance Training Team, Commanding General of the Army Infantry School.

Look at the comment from Lieutenant General John Riggs. "They only need the military advice when it satisfies their agenda. Well, that is not paying proper respect to the professionalism and the valor of our military. When you ignore military advice or use it for your own political purposes, it is betraying the military."

General Riggs was the Director, Objective Task Force, Commanding General of the 1st U.S. Army, and served six tours overseas.

General Wesley Clark said, "They pressed for open warfare before diplomacy was finished. It was a tragic mistake. It was a strategic blunder."

Look at the comments from additional generals. Major General John Batiste. "Rumsfeld and his team turned what should have been a deliberate victory in Iraq into a prolonged challenge." He was the commander of the 1st Division in Iraq, the Chief Military Aid to Paul Wolfowitz and a Brigade Commander in Bosnia.

Look at this comment from General Anthony Zinni. "Rumsfeld has committed acts of gross negligence and incompetence." General Zinni is a former CENTCOM commander. That is the regional command there. One of the most experienced men in the region, and a man whose advice was systematically disregarded by this administration. General Zinni was the recipient of the Legion of Merit, the Bronze Star, and other distinguished awards, including the Distinguished Service Medal.

I happened to visit General Swannack when I was on my first visit to Iraq. He is the former Commander of the 82nd Airborne Division in Iraq. We met in Ramadi, one of the tough towns in the Sunni Triangle. Listen to what General Swannack has to say. "I do not believe Secretary Rumsfeld is the right person to fight that war based on his absolute failures in managing the war against Saddam in Iraq."

That is a vote of no confidence from one of Secretary Rumsfeld's top commanders.

Look at this comment from Lieutenant General Paul Van Riper. "If I was the President, I would have relieved him from duty 3 years ago." General Van Riper is the first President of the Marine Corps University, wounded in action in Vietnam, and a Silver Star recipient and other awards.

You know, Secretary Rumsfeld makes no secret of the fact that he has offered to resign twice and the President has not accepted his resignation. Well, I am proud of Secretary Rumsfeld for having offered to resign, because certainly great blunders have been made. But he has been very reluctant to admit any of those publicly. Perhaps he admitted them to the President.

It is important to realize that Secretary Rumsfeld knew early on in this conflict that he was not really prepared for the job. In a famous leaked October 2003 memo Secretary Rumsfeld himself said something along these lines, that "He did not have the metrics to understand whether we were winning or losing the war against terrorism," but he did know that we were losing the cost-benefit equation; that the terrorists were effectively being able to use $80 IEDs to blow up $2 million tanks and take the lives not only of Americans but of surrounding Iraqis.

So this is an amazing moment. Here we are 3 years later. I have asked Secretary Rumsfeld periodically in hearings something along the lines of every 2 or 3 months, "Mr. Secretary, in October of 2003, after the war had begun, you said you did not have the metrics to understand whether we were winning or losing the war on terrorism. Do you have those metrics today?" Well, I haven't ever heard a good answer to that question.

So I trust our military leaders. I trust our men and women in uniform at all ranks, because so often today in this conflict the folks who have the most combat experience are not the generals in the Pentagon, they are the colonels, the majors, the captains, the lieutenants, the sergeants, and the privates in the field.

And with the advent of advanced military communications, in some cases the plain old Internet, there has been a lot of contact and communication between those officers and enlisted men to find out the best techniques, the best way to pacify a town, the best way to engage in nation-building and get the infrastructure up and going again, the best way to use commander emergency funds, to help employ Iraqis and get the water turned on, get the electricity working, and things like that. But it has been a surprisingly ad hoc effort.

We are the greatest nation on earth. We are the greatest nation in the history of the world. And one of the primary reasons for that is the brilliance and the dedication of our troops. We have a fighting force like the world has never seen before. It is the most forceful group of warriors, the most humane group of warriors, and the most ethical group of warriors ever. And we should appreciate that. We should be grateful for that, because we would not be able to take a breath of freedom without their vigilance for our country.

Too many of us forget that our men and women in uniform are posted in 120 nations around the world every day and every night on lookout to protect our freedom. I repeat, 120 nations around the world. Most Americans, even with an atlas, could not even name those nations. Not only are our soldiers making a terrific sacrifice for us, their families are, their loved ones back home, and we should never, never let a day go by without praying for them and showing our deepest heartfelt appreciation for their sacrifice.

I wish our leaders in the Pentagon would listen to them more, because our men and women in uniform on the front lines of freedom know more about the terrorist adversary than the folks in the Pentagon and know more about tactics and procedures for best dealing with the terrorists. And if as my friend Mr. Ruppersberger said, his proposal for perimeter defense makes sense to those military leaders, then I would hope our civilian leaders in the Pentagon would listen as well.

We have had a lot of controversy because early on in the Iraq war many of our top military leaders said we needed far more troops to go in and work with the Iraqis in order to preserve security so that the nation could be rebuilt. General Shinseki, Eric Shinseki, was probably the leading proponent of that approach. In a Senate hearing he was asked how many troops it would take, and he said a couple hundred thousand. He was retired early for having told the truth, and no leader in the Pentagon attended his retirement ceremony; a clear snub in military culture.

You didn't see General Shinseki's name on this chart because he has been too tight-lipped to really blast the folks who mistreated him in such a grievous fashion, and mistreated him for what? For having told the truth. For having admitted publicly that it would take a couple hundred thousand troops to do the job right.

Mr. Speaker, a lot of Americans don't realize that not only do we have troops posted in 120 nations around the world right now, but our troops are under great stress. In military terms, they call it OPTEMPO. Our troops have the highest OPTEMPO now than our troops have had since World War II. That means greater stress than during Vietnam and greater stress than during Korea. Our troops are stretched pretty thin right now.

Most Americans don't realize that just a short while ago in Iraq, when Tennessee's own 278th Guard unit was there in Iraq, in country, that half or more of the active duty troops in the country were in fact National Guardsmen, what some people view as weekend warriors. These men and women from back home, who are not full-time active-duty soldiers, were called up for tours of duty for 6 months, a year, or more to serve their country in the sandy desert, tough climate, of Iraq. They went willingly, without carping, to serve our Nation.

I am from the Volunteer State, Mr. Speaker. We earned that reputation in many of our Nation's conflicts because when duty called, our men and women back home didn't have to be asked twice to serve. They took their rifle, their horse, whatever they had with them and volunteered for duty. That spirit survives today.

It also survives in the independence of Specialist Wilson, who asked Secretary Rumsfeld that famous question in Iraq about why National Guardsmen had to go scrounging around in garbage dumps to find metal to attach to the Humvees in order to try to protect themselves driving down Iraqi highways. Secretary Rumsfeld, you will recall, was somewhat startled by that question. But Specialist Wilson, a Tennessee guardsman, got more reaction from Secretary Rumsfeld, got more response in terms of really armoring our Humvees and other vehicles in Iraq than the House Armed Services Committee was able to accomplish.

So I am proud of Specialist Wilson's courage, not only in serving his country but in speaking truth to power. Secretary Rumsfeld clearly didn't like to hear what he was saying, but it finally got our military industrial complex working a little harder to uparmor our Humvees, to provide the bullet-proofed vests, and other things that our troops lacked for so, so many months and years in the Iraqi conflict. Why? Because our civilian leadership persistently underestimated the threat.

So all I would ask, Mr. Speaker, is that the upcoming debate tomorrow, the 10 hours, be conducted in a civil fashion, bearing in mind the relatively innocuous text that has been put before us; bearing in mind that the Republican leadership must feel insecure. Even though they command an absolute majority in this House, even though they command the Senate as well, and even though they control the White House, they must feel so insecure that they would not allow any amendment to this resolution.

The context, Mr. Speaker, is that we face a heavily divided country on this issue. The House gave this war such a cursory debate when it was undertaken that most Americans were unprepared, as in fact the civilian leadership of the Pentagon was unprepared, for the length, the duration, the toughness, and the cost of the conflict.

□ 2130

Now there were many people in our government who knew better. Secretary Colin Powell was one, the four-star general who commanded our troops in the first Iraq war, but he was plainly not listened to.

Many other experts in government, experts in nation-building, knew this would be a tough and long struggle. But the Vice President, Mr. CHENEY, Secretary Rumsfeld and others insisted on, created several illusions: One, that we would be greeted as liberators, toasted, greeted with flowers, and that Iraqi oil revenues would somehow pay for the conflict.

Well, that plainly did not happen. Now we are faced with a situation where we are indeed proud of the bravery and valor of our troops, but the administration is still unwilling to pay their bills. Until very recently, there was no money in the regular budget to pay for the war in Iraq. It was always an emergency supplemental. Everything was unexpected. Now, finally, the administration seems to be getting a little more realistic and they are at least willing to call it, as Secretary Rumsfeld said, the long hard slog or the long, long war.

We can get through this. We have overcome all of our adversities in the past. We are the greatest Nation on Earth and the greatest Nation in the history of the world; but we owe that greatness in large measure to our troops, the men and women in uniform, and not too much to our civilian leadership in Washington. In many cases they have not acted in a way to honor our troops.

One of the best ways to honor our troops is to listen to their good advice. In so many cases our military leaders asked for more troops and those troops were not supplied.

Read the book "Cobra II" by General Bernard Trainor. He is another general whose name is not listed on this list but whose advice is very crucial and whose history of the Iraq war is a very timely reminder of what really happened, not only in the early months of the war but later on. It is a truly shocking book that all Americans should read so we never repeat these mistakes again. So that we go into future conflicts better aware of the dangers and better prepared, and so the American people are fully informed in advance so they are not shocked by things, for example, that General Colin Powell knew all along.

Mr. Speaker, it is going to be an interesting debate tomorrow. Ten hours on a largely innocuous resolution. This will probably be used as part of the public relations initiative that we are seeing now. I found the President's trip to Iraq very interesting. I think he stayed a full 5 hours. I hope he learned a lot, because it takes 15 hours to fly over there and 15 hours to fly back, and to stay only 5 hours is not a great learning opportunity.

I hope, too, we will have fuller bipartisan communication. When the President first announced that he was going to speak to the new Iraqi Cabinet by teleconference from Camp David, I thought, that's good. Maybe he can speak to House and Senate leadership the same way, maybe even in person, because there are so few opportunities for that interaction, even though we work at different ends of the same street, Pennsylvania Avenue.

Mr. Speaker, we will get through this conflict. We will bring our troops home safely. Nobody knows exactly when yet, but we must stabilize that tough region of the world. We must bring hope to so many people who have been oppressed, especially Muslim women and religious minorities and people who yearn for freedom. We can and will overcome.

We welcome the good news that we have received recently. We want more good news. I think it will come, but there will be bad patches as well.

As we face the debate tomorrow, I think it is important for all Americans to read the text first before they have a strong reaction to it one way or the other, so they can read and see whether the whereas and resolved clauses are offensive, or whether they find them as I do, largely praise for two central objectives that I think all Americans can agree with: praise for our troops and praise for the valor of the Iraqi people.

We will prevail in this conflict, Mr. Speaker. It is not easy to mark out today a path to victory, but I trust our men and women in uniform. I trust our troops on the ground and our military experts, not our civilian experts, to get us through this because we have the finest fighting force in the history of the world and that will keep America strong.

IRAQ AND IMMIGRATION

The SPEAKER pro tempore (Mr. CONAWAY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I very much appreciate the privilege and the honor to address you and address the House of Representatives and the American people who are viewing these proceedings that take place in these Chambers continually as we deliberate and debate.

I came here to take up another subject matter, but as I listened to the gentleman from Tennessee, he raised a number of points that I am compelled to respond to. I will just say I am glad I have a more optimistic viewpoint about the history of this country, about the current events, about the most recent current events and especially about the last 3½ years within Iraq. Further and longer ago than that, our operations within Afghanistan, about how this Nation has conducted its foreign policy, about how the Commander in Chief has made his decisions on foreign policy, and the direction for the future.

I would just back up to this. I would say that the gentleman from Tennessee, when he states that we are the greatest Nation, I do agree with him. We are the greatest Nation. We are the unchallenged greatest Nation in the history of the world. Often folks on the other side of the aisle disagree with that statement, so I am very refreshed to hear someone on that side of the aisle say we are a great Nation. In fact, I look forward to us becoming an even greater Nation going into the future, and we can't do that if we are going to wallow in guilt and self-pity and pessimism. We have a positive track record. Did we think we could go to war and not face adversity?

Some of the criticism is that Vice President CHENEY and Secretary Rumsfeld and others said we would be greeted as liberators, according to the gentleman. He contends we were not.

I was one of the first Members of Congress to arrive in Iraq after Iraq was liberated, and I recall and I have videotape of traveling down through a Sunni section of Baghdad, where we would be the most hated, according to national news media and the minority party; people that you would think would be throwing grenades and shooting at you, and perhaps throwing stones and making all kinds of vile gestures at American conquerors. In fact, we were liberators. As we rode down through on that convoy on those narrow streets in Baghdad several months after the liberation of Iraq, I looked out the window at military-age Iraqi men, and they looked into the window of my vehicle at me. I couldn't discern what they were thinking. They didn't know who I was. They just knew it was not your normal transportation going through there.

So I did like we do in Iowa. We meet them on the road. We are uncomfortable with silence and without acknowledging someone we see, so I began to wave to these military-age Iraqi men, men between the ages of 16 years up to 45, standing along the sides of the street in groups of two to three, groups up to 18, and they may be 10 to 15 feet away from my vehicle. The instant I did that, they waved back at me. They waved back and smiled with a gleeful smile and gave me thumbs up.

Here is an American in Iraq, a Representative, and just by the fact of the identification of being an American was all they needed, not necessarily a Representative of Congress, there to be part of that city, to see that country that now was for the first time liberated in the history of the world.

No, we were greeted as liberators. We were greeted as liberators in a country that had not been liberated in their history. Of course, there have been difficulties since that period of time. It is odd to me that the gentleman from Tennessee takes issue with the decisions and strategy that were made. In closing, he said he trusts our military experts, not our civilian experts. The experts who put together the strategy to liberate Iraq were essentially the same people that put together the military planning and operational strategy to liberate Afghanistan.

And the criticism of the Iraq operation is essentially the same criticism that we heard of the Afghanistan operation. The difference is that in Afghanistan it was over so quickly and over so successfully, and people there went to the polls and voted and elected themselves new leaders and directed their national destiny and live in freedom for the first time on that spot of the globe for the first time ever in their history. That all took place in Afghanistan, even though the debate over here on this side of the aisle, the debate on the part of the liberal pundits, was it's another Vietnam. You will never succeed in Afghanistan. No Nation has ever been able to go in and invade and occupy Afghanistan and get out of there with their military intact. That is a hostile area that can never be occupied and conquered, and history has proven that. That is the statement with Afghanistan over and over and over again. Afghanistan, another Vietnam.

But, you know, military success, political success and economic success has a tendency to muzzle the critics. And the critics have been flat muzzled on Afghanistan. And yet they draw the same criticism towards Iraq. Afghanistan, 25 million people, liberated. Hostile terrain, couldn't be invaded. We didn't invade them, we liberated them. We worked with the Northern Alliance and we worked with the people in Afghanistan and gave them an opportunity at freedom.

Their struggles are going on yet today. In fact, there has been a reignition of some of the opposition there. But we are not hearing criticism. We are not hearing the other side of the aisle say we never should have gone there because we knew that al Qaeda was operating in Afghanistan. We knew we needed to go in and knock out the Taliban. We knew that was a base of operations for terrorists who were sending people to come to this country to kill us because they believe that their path to salvation is killing people not like them, and we are one of their preferred targets.

So all of this criticism of Afghanistan, 25 million people, mountains and difficult terrain and difficult transportation routes, has been muted by the resounding success in Afghanistan. And the same people gave the same advice on a country with the same population and different terrain, easier terrain but a different location, and different people, different countries surrounding Iraq, and we ended up with being greeted as liberators. And in the aftermath of the greetings as liberators, there was an insurgency that rose up; an insurgency that was founded and supported by a lot of cash dollars, billions in cash dollars that were spirited out of Iraq, American dollars out of the banks of Iraq by Saddam Hussein, his regime, into other countries where that money was used again to pay for terrorists to come back into Iraq and blow themselves up. To detonate and build, and make and set and detonate improvised explosive devices.

Seldom do we see them come out of the shadows and attack our military troops straight up front. But the insurgency, what I call a terrorist-organized operation, as it grew in Iraq, then so did the criticism grow. While this is going on, the lust for power for the White House, the people on the other side of the aisle are willing to put our military men and women at risk so they can achieve their political gain, which would be to win back the White House and seek to take over the majority in the House of Representatives and convince the American people that they know what's best.

Well, Mr. Speaker, I'm not hearing a positive agenda. I am hearing this agenda that says pull out. Pull out to the horizon. Sit and wait until there is a problem and then move in. Somehow this same message that keeps coming from the ranking member of the Armed Services Committee would be one, conflicting with the same message that comes out of sometimes the same mouths that, well, we will pull out to the horizon in a country we should have more troops in, or maybe should have had more troops in, and never mind that we are up now to 267,000 Iraqis in uniform defending Iraqis that are trained, uniformed, equipped, and in these operations and initiating operations as we speak today in that country over there and performing very well.

For the first time Iraq does have a sovereign government that represents a sovereign people and a Nation where they can begin now to build their future. They have a Prime Minister who has named a full Cabinet. And this Cabinet can now resolve many of the sectarian differences that are there within Iraq itself and move them forward since now they have a Secretary of Defense and a Secretary of the Interior, a strong Prime Minister with some vision that has taken a role to lead. It takes time to put these pieces in place, and we have to let the Iraqi people make these decisions and do that, and it is taking place.

So this criticism, why is it brought up now? Why do I hear the question, why did the National Guard have to scrounge around for metal to weld or bolt onto their equipment to protect them from IEDs?

☐ 2145

This issue raised by the gentleman from Tennessee, Secretary of Defense Rumsfeld said, appropriately and accurately, you go to war with the Army that you have. And it implies you go to war with the equipment that you have, and then when the unforeseen happens, and it was unforeseen that Humvees would be used as military vehicles in that kind of a combat environment. No war in the past had seen improvised explosive devices. No war in the past had seen suicide bombers that would run into a crowd of soldiers and blow themselves up or a crowd of women or children, school children. No war had seen terrorists or the likes of Zarqawi. But yet, even though no one had ever seen these circumstances before, somehow the people on the other side of the aisle believe the President, the Secretary of Defense and these civilian leaders that are labeled to be so wrong, should have been able to anticipate something that had never happened before, that there is no pattern for and no indication for, and they want to claim that they were right, but I don't think any one of them are on record predicting we ought to watch out for improvised explosive devices and I don't think any one of them were on the record saying we are going to have suicide bombers in Iraq. And I don't think any one of them are on record saying that these suicide bombers were going to come from any place other than Iraq, coming in from all over the Arab world, places like Jordan or Egypt or Saudi Arabia or Afghanistan or Pakistan. All those countries have supplied suicide bombers to come into Iraq that detonated themselves because they have been trained in those countries to give up their lives in the idea that somehow their path to salvation is in seeking to kill those who are not like them, and that means us.

The civilian leadership that led us into Iraq is the same civilian leadership that led us into Afghanistan. The military leadership that led us into Afghanistan is the same military leadership that led us into Iraq. If we are going to be critical of the judgment, the decisions and the tactics that were used in Iraq, and the people that made the decisions, then let's hear it from the other side. Let's hear their criticism for the same people, for the same decisions, for similar tactics that were utilized in Afghanistan. And the reason we don't hear that is because of the distinction between the easy results as opposed to a distinction between a philosophical or a judgment disagreement.

This is Monday morning quarterbacking, Mr. Speaker, and nothing else, and it is done for political opportunism and no other reason. And while we hear that, however much is said about supporting our military, that language, that talk, Mr. Speaker, undermines our military, weakens their ability to be effective, and they have got to try all the harder. They have got to bolster their spirit all the harder, and they do. And I go over there and I meet them and visit them, and their spirit is strong and their morale is strong. And they did pick up metal and bolt and weld it onto their machines because that is what Americans do. We make do with what we have and we go scrounge and find what we need and we get things in the pipeline as fast as we can to get things up-armored and we did. And today, and for a long time in Iraq there hasn't been any equipment leave the wire that is not fully armored. And it has been a long, long time since anybody left the wire without a bulletproof vest and the right kind of equipment to protect them from the flying bullets and shrapnel that takes place over there. And our medics and our medical corps, all of the people that are taking care of our wounded are doing a better job, far better job than ever in the history of the world and warfare. They have transferred, the last time I checked this number, and it is a little bit dated now, Mr. Speaker, but the last number that I had as I stood as we loaded a C–17 with wounded out of Landstuhl Hospital there in Germany to come over here to land at Andrews Air Force Base, and some of those wounded soldiers would go to Walter Reed, some would go to Bethesda. But as I stood there and lent a small hand in helping load some of those wounded as that plane was loaded, one of the officers there told me that they had transferred 36,000 sick and wounded, those that needed medical care out of that theater in Iraq from Iraq to Ramstein Air Force Base and from Ramstein over to Landstuhl hospital, from there back to the United States. And in those transfers, 36,000 transfers, and some of those people would have been transferred, I think, counted twice, however that worked out, they lost one, one soldier en route. And that one that they lost was due to cardiac arrest that was they believe unrelated to the injuries. It is an astonishing accomplishment. It is something that I can't imagine how one could even dream to have that kind of success. And they are, they are dedicated.

The statement that our Republican leadership must feel insecure or wouldn't bring up this bill and not allow amendments, why would any leadership that was insecure bring up this bill, this resolution that supports and defends our efforts in Iraq? Why would they bring it up at all if they felt insecure, Mr. Speaker? I will tell you that we are very secure in this, very confident in this. The difference is we are not getting this message out to the people. This debate is so the American people can hear the truth about what is going on in this global war on terror, and in particular, the battlefield of Iraq. That is the mission that we are on here tomorrow, to uncover and speak truthfully and illuminate the good things that are happening, the progress that is being made. And I intend to engage in that debate and help with that cause and lend a hand, because every voice that stands on the side of our military is a voice that accelerates the end of the war and every voice that undermines or degrades or is detrimental towards the effort and erodes the credibility of our Commander in Chief, our Secretary of Defense, our General, our Chairman of the Joint Chiefs of Staff Peter Pace, all of our officers, any voice that weakens their credibility delays a successful end to this war. And delaying a successful end to this war doesn't just put our troops at risk, Mr. Speaker. It costs their lives. So I am proud of the work that is being done. I am proud of the character of the people that are serving there. I stand with them every step of the way. I have never met a more honorable people. And I believe in the history of America, in the history of the world, there has never been a better military go off to war than this current crop that we have. Our Army, Navy, Air Force and Marines, our Reserve personnel, and our National Guard personnel. And I don't say that to disparage the efforts of any previous war or any previous engagements or any previous peace time service. But I will just, I say it to build on the honorable record that was built in all of those previous conflicts. And I say this because we have, first of all, an all volunteer military. There is no one over there in that theater that was drafted to go to this war. They all volunteered. And, in fact, everyone that is over there now has re-upped in this same climate of this war. So it wasn't that they happened to be a National Guard soldier that thought they would just train 1 weekend a month and get their 6-week active duty in and pretty much take life easy and cash the check. Those people had a chance to drop out. But they are re-upping in greater numbers than we ever anticipated. That is not a demoralized military. That is a high morale military that is reupping on these tasks, because they believe in this mission, as I believe in their mission. And we have an all volunteer military, and they are getting the best training there is in the world, build upon the culture of efficiency and proud combat, and we add to that the equipment that they have, the modern technology that they have, which eclipses that of anybody anywhere in the world today, let alone in the previous half a decade or more. They have the best equipment, the best training, the best personnel, they are all volunteers. And our active duty personnel are supplemented by our reserve troops and our National Guard troops. And those people bring with them the skills of their professional lives to supplement the skills of the training of their military lives, and that is a great combination for a highly technical military that we have today, and that is how we could have the technical ability to put a laser on a safe house.

Now there is an oxymoron. I bet you that is what Zarqawi is saying in the next life. It is really an oxymoron. There I thought I was in a safe house. Well, it wasn't such a safe house for those people. But to lay a cross-hairs of a laser beam on a, quote, safe house, Mr. Speaker, and seconds later have that safe house just simply detonated by a 500-pound bomb, and then to be sure, just drop a second 500-pound bomb in there.

It puts me in mind of something that Rush Limbaugh said before Desert Storm back in 1991. He said, Mr. Saddam Hussein, I have got some good news and some bad news for you. Now, here's the bad news. Or actually, no, I tell you, here's the good news. He said we have a weapon, at the time he was talking about cruise missiles rather than J–DAMs. We have a weapon, and the bad news is, let's see. I am going to get this right. The good news is for us, we can take this weapon and we can fire it from wherever we choose into the country we choose, and we can fire it into the city within the country, and we can put it in the block within the city, and we can put it within the building within the block, and we can put it through the window of the building within the block within the city within the country that we choose and you know, the good news for you is we just shot off a half a dozen of those missiles and every one of them missed its target. The bad news is the most any of them missed by was an inch and a half, Mr. Saddam Hussein. And that was the way Desert Storm was. And we are more accurate today with the weapons that we have. And it saves lives. And it brings the close of this war closer, and it convinces the enemy that they can not win, and in fact, that they have lost and it is a matter of time, until they resolve to accept the reality.

That is the object of war, after all, Mr. Speaker. And von Klauswitz wrote a book on war. And in that he said, the object of war is to destroy the enemy's will and ability to conduct war. Destroy their will and their ability. You could be sitting there with ranks of tanks and all kinds of missiles and Air Force and Navy, and AK-47s, you can have all of this equipment. You can have an Army with 2 million people, all trained and ready. But if you don't have the will to conduct the war, all of the ability doesn't count because you can't unleash, you can't mobilize that effort. So Klauswitz saw, if you destroyed some of the ability, destroy some tanks, destroy some missiles, destroy some Air Force, take away the ability to provide fuel and food, that would destroy some of the ability, but also would deplete the will. If you could destroy the will to conduct the war, you have destroyed the ability to conduct the war. That was the philosophy of Klauswitz. And for years, since 1832, that has been the definition of war. Object of war, destroy the enemy's will and ability to conduct war.

STEVE KING's definition comes like this. A war is never over till the losing side realizes they have lost. You have to convince them that they have lost. That is all you have to do. And if you can simply send them a letter or go down here on the floor and give a speech, put it in the CONGRESSIONAL RECORD and they would read that and say oh, boy, I guess we can't win against these people. I am going to surrender. Maybe Ahmadinejad would just come to that conclusion, because you know we are not going to give up on that. We are not going to let that man have his nuclear ability. But if we could just simply send a letter and convince them that they will lose the war, then they wouldn't engage in the war, but seldom will they give up quite so easy. And so that means that we have to turn up the pressure, turn up the diplomatic pressure and then maybe do some economic sanctions and then maybe do a blockade and then if things get bad enough, maybe we have to run a little operation in there. But at some point, this deterrent effect that says you are going to have to take us seriously, we will not blink, we are resolved to impose this war, this position of peace on this country, at some point the losing side, in despair, sometimes, but without having hope of coming out of it with any other solution, throws up their hands or as we say in a chess game, tips over their king and says I have lost. I surrender. I am willing to accept the consequences. I gave it my best, but the price is too great. I no longer have the will to conduct war.

That is what we are seeking to do in Iraq. That is what we are seeking to do globally in this global war on terror. And we are a good long ways down that path, and we would be much further down that path and perhaps the battlefield of Iraq would be concluded if the naysayers and the detractors from that side of the aisle hadn't first sent their emissaries over there to surrender before we ever went into Iraq. And we have relentlessly been trying to convince the enemy that we will lose and they will win since that period of time. We will hear some of this debate tomorrow, Mr. Speaker, and I look forward to that and we will knock those arguments down in this chamber. And the American people will understand who supports the military, who doesn't, who supports the Commander in Chief, and who doesn't.

And I would lay another principle out here that is not a negotiable principle, to say you are for the troops and against their mission.

□ 2200

You cannot separate those two. If you are for the troops, you have to ask them will you put your life on the line for the freedom of the people in this country, this great country? And the gentleman from Tennessee and I agree on that. This great country, the United States of America. But you cannot ask someone to put their life on the line for your freedom and tell them "but you are on the wrong mission." You have got to support the mission. You have got to support the troops. And if you separate those two, if you say I am against your mission, it is the wrong mission, you never should have gone, you should not be there, you ought to get out and come home, but if something happens to you, you lost your life and it has been a worthless cause, that is what they are saying over on this side of the aisle. One and the same. You support the mission; you support the troops. You cannot support the troops and not the mission. These things are bound together, and they are bound together because we asked them to risk their lives on a mission that we believe in and we have endorsed that mission.

And so the other morning not that long ago, al-Zarqawi went to meet his maker because of some really good targeting, some good intelligence, some cooperation from some other entities over there, some good work with the coalition forces, good work with the special task force that had been shadowing him and following him for a long time and gathering in all the intelligence and the intelligence tips from 400 a month a year ago to 4,000 a month today. They picked up enough information to track al-Zarqawi and put those bombs right down in on that thing that he thought was a safe house, that we call a safe house, that was not so safe for al-Zarqawi. But you know, blowing up that house made this world a lot safer for the rest of us; so I will call it a safe house by that standard.

And I am pleased and extraordinarily grateful that our military are there doing the job they do with the professionalism that they have, Mr. Speaker. And I am looking forward to this debate tomorrow. It will not go long enough and it will not make enough points to satisfy me. I think we need to do this over an extended period of time. And I will be here to join in that debate.

But I digress. I came to this floor to speak about a different subject matter, Mr. Speaker. And as I listened to the gentleman from Tennessee, I believe that I needed to provide an alternate viewpoint from some of those opinions that came out here. And I do respect the gentleman from Tennessee, and he is one of the more intellectual people that we have in this House Chamber, and his intentions are good and I believe he is a strong patriot. I am just hoping to redirect some of his perspectives and perhaps that of some of the folks that live in that region down there in Tennessee.

But I came here, Mr. Speaker, to talk about another issue, and it is an issue that stands out everywhere most of any of us go in the entire United States of America these days. It is an issue that for perhaps a year has been front and center in all of the discussions that take place in the Fifth District of Iowa that I represent, this western third of Iowa. And certainly wherever else I go around the country, it is a subject that comes up. I see things happen in my office. There might be a group that comes over and they have met and their organization has produced one or two or three or five or maybe six or ten points that they want to discuss with me and their positions of their organization. We all do this on a regular basis. And as I sit down with them, I can see them going through those points kind of quickly, and as they get through those points, they want to reserve some time. And whether it is an issue that seems to be relevant to their organization or whether it is not, they will get down to where there is maybe 15 minutes left in our 30-minute meeting and then they will say, Now some of us want to talk to you about immigration, Congressman, and we have these issues we want to discuss with you and we are concerned a little bit about that. So they begin bringing up the issue. And I engage in those conversations, of course, and sometimes I find a little bit different viewpoint, a little bit different way to solve these problems. But the core of this, middle American knows this and the southern border knows this and even some folks out there on the left coast understand this and some folks over on the right coast also understand this because the American people are great respecters of the rule of law, and we understand that if we did not have the rule of law here in the United States of America, we would not be this great Nation that Mr. COOPER and I agree that we are.

And now I am going on my own judgment here and not representing the gentleman from Tennessee except that we agree it is a great Nation. This Nation was founded upon the philosophy of the Declaration that sits in the back of this book and the Constitution that was written upon the philosophy of the Declaration. And these freedoms that we have and these responsibilities that we have are founded upon these three branches of government, not three coequal branches of government, not separate but equal branches of government, codependent branches of government, not equal. The founders established this country with a constitutional principle, Mr. Speaker, that gives the buck stops here to the legislature because we are the voice of the people.

And so each branch has its own power base. And the executive branch is to carry out and enforce the laws. The legislative branch is to introduce and pass the laws, and here we start all the appropriations and the tax bills and they go over to the Senate where they get processed over there and bounced back here, and then often to the President. But it is our job to initiate the funding, initiate the tax bills, and to establish an immigration policy by a constitutional directive here in this Constitution, Mr. Speaker.

And so the American people respect this rule of law that is built upon this foundation of the rule of law called the Constitution. And when they read that Constitution, they know that the rule of law covers immigration. And they know that we are obligated to establish immigration laws should the will of the people be such. And we have passed that legislation many times throughout the history of this great Nation. But even though we have, I believe, adequate laws to enforce our immigration laws, the American people understand that they have not been enforced. They have not been enforced with anywhere near the vigor required to slow down and stop the flood of humanity that is pouring across our southern border.

As I speak here tonight, I just do a little bit of round number math, and we are in that area of 11,000 illegals a day pouring across our southern border; perhaps 12,000. So that comes down into the area of while I speak here, there will be perhaps 500 people who have illegally crossed the border, just our southern border from Mexico into the United States, while I stand here for this 60-minute period of time, perhaps 500 people. And it does come up, if I remember right, to about one person every 8 seconds coming into the United States.

I have gone down to the border a number of times to get a better feel for what is going on down there. I have been there on what they call the red carpet tour with the Border Patrol. I met with the ICE people. I have flown in the helicopters over that border at night with the giant lamp that they have on some of those choppers, and I have done it also with infrared, infrared optical equipment. I have been to the stations. I have talked to the Border Patrol officers. I have gone back down on my own and slipped in on a surprise trip and arrived at the ports of entry and gone in and talked to our Border Patrol people to get a feel of what it is really like on the ground.

And I have gone down to one of the most dangerous and active crossings on that entire border and sat there at night in the dark for hours, in utter silence, and listened as the cars came up across the desert from Mexico, stopped by a big mesquite tree. They opened the doors, let their people out. You can hear their backpacks hit the ground, pick them back up again. You could hear them infiltrate back through the brush to climb through the fence and come into the United States of America on a night where there was just about a three-quarter moon, not enough to actually be able to tell you exactly what I saw, but I know exactly what I heard. As I would hear those vehicles come down there, there is only one they would come there, and they came on a regular basis about every 20 minutes, shuttling people down, dropping them off, shuttle people down and dropping them off, and there they would come back across the border into the United States.

Some of these people just want to come into the United States, they say, for a better life. And as I listened to that, I imagine that is true with some of them. And it is a fact that there are a fair number that are here that are working, that are raising their families, and are good citizens so far as we can see. And they are our neighbors, and they have actually built a pretty good appreciation and affinity within these communities. They have made themselves useful, and when that happens, they make themselves good neighbors.

But the fact remains that those who came into the United States illegally are criminals. I see the signs in the streets that say "I am not a criminal." Yes. If you violated the Criminal Code of the United States of America, you are a criminal. And if you came into the United States illegally, you are a criminal.

And the penalty for illegal entry into the United States is 6 months in a Federal penitentiary and then forceable deportation. That is what is written into the law. I cannot think of a time when that law has been utilized and the penalty has been imposed. And the time that I have served on the Immigration Subcommittee here in the House Judiciary Committee, not one that I know of. It may be the case that it actually has been utilized, but I cannot think of a single time.

So people come in and violate our immigration laws. If they get caught, sometimes they get a bus ride down to the border. Sometimes they promise to appear. Sometimes they promise not to come back into the United States, and we know that people who break our Criminal Code probably are not going to keep their promise if it does not suit them to do so.

So we have this border that is 2,000 miles long, 2,000 miles long, with 11,000 people a day pouring across that border, 500 an hour, one every 8 seconds. And where they will go is they will follow the path of least resistance. It is like electricity, just a natural equation.

If you go to San Diego and build a wall there, which we have done and it is not quite finished but we are working on it, if you build that, they will go around the end. If you put some more pressure on there and put Border Patrol there, they go into Arizona and cross the border in the middle of the desert. And they will walk 20 to 25 miles from Mexico to get to the border sometimes. Sometimes they are dropped off very near the border. Sometimes they walk quite a ways. Sometimes they will walk 20, 25 miles up into the United States to get to a highway where there is a predetermined pickup place and they will jump in the back of a truck or in a van or in a vehicle, and as soon as they are on that highway and gone, that is the case. They are gone.

And with the illegal drugs that come into the United States, the difficulty that comes with shutting that off, a lot of pressure says to push those drugs into the United States. So if we are successful in shutting those drugs down at our points of entry, and I am not convinced that we are, but if the odds are a little better to drive a truck across the desert and drive across the border into the United States, they do a lot of that. Stray trucks, sometimes a semi right down the highway even, with a whole load of marijuana in it.

In fact, I was down there not too long ago, within about the last month, and as I was near the border, they picked up a white pickup and it was driven by an individual that was covered with tattoos from his waist to his neck, and he had a "13" tattooed on the inside of his forearm right here, and that "13" indicates MS–13, Mr. Speaker. And that is the most vile and violent gang this hemisphere has ever seen. And below in a false bed of that pickup truck, when we took the jaws of life and opened it up, there was about a 7-inch thick false floor in there with a false chamber. And in that chamber it was packed full of bags of marijuana, each one weighing a little over ten pounds. So approximately 180 pounds or more of marijuana under the bed of that pickup. And this MS–13 individual, he had gotten into the United States. We were 20 miles inside the United States, but he looked suspicious, drove erratically. And they converged on him, brought the helicopter, chased him around with a Black Hawk, brought the ground people in, and finally corner him and collared him.

Now, why would someone who had 180 pounds of marijuana drive erratically and tip off the officers to go chase him down? Mr. Speaker, I would submit that 180 pounds of marijuana was a decoy, that it was a decoy that was designed to pull the helicopter in, to bring all of the Border Patrol officers in and the enforcement officers in so that when they converged upon that vehicle with that 180 pounds of marijuana, the vehicle with 2,000 pounds of marijuana could shoot on through the gap. It happens all the time. The officers tell me that on a regular basis. Sometimes they are able to catch the decoy and the other load. That is how they know. Sometimes that load goes through and they are unable to catch them.

So those are the circumstances down there. And this border that sometimes is not marked at all, and in much of New Mexico it has a concrete pylon from ridge to ridge, as you can see through an old style transit, put the crosshairs on there. That is how the border is marked.

□ 2215

A vehicle can drive across that border anywhere. How do you control a border like that when you have $65 billion worth of illegal drugs coming across that border? That's billion with a B. $65 billion, a powerful force.

I want to someday look that up and see just how that ranks in the gross domestic product of nations. Just the illegal drugs coming out of Mexico into the United States. Ninety percent of the illegal drugs in America come through the Mexican border. That is $65 billion worth. If you couple that with the $20 billion worth of wages that are earned here, much of it by illegals and wired back down to Mexico, those two things add up to $85 billion.

How much is $85 billion, Mr. Speaker? I don't know. It is beyond my comprehension. But I can tell you, by comparison, the oil revenue from Mexico is $28 billion. Yet they have $65 billion worth of illegal drugs, another $20 billion worth of wages that come out of the gross domestic product of the United States. That is a powerful force.

And so if we shut down some of these illegal drugs that are coming across our ports of entry, shut down some of the illegal people traffic across our ports of entry, then they simply go around, they go out in the desert, they cut through somewhere, and then we do this other thing, this other wise tactic, I will say, and put that in quotes, we build a vehicle barrier along on the border. That consists of some 5-inch square tubing, drill a hole, set it in it, pour concrete in it and take this square steel tubing and set it up and then weld another piece of 5-inch square tubing, oh, about headlight high on a vehicle that runs along there. That is a vehicle barrier. It is not a fence. It keeps out cars and trucks. It is designed to let antelope and snakes and any other animals go back and forth because surely we couldn't upset Mother Nature by defending ourselves from all the illegal drug traffic that is going on. It is designed to let wildlife go through. Of course, if you can't drive a semi through there or a straight truck or a pickup any longer, then you just simply get your human mules there because they can climb through there as easily as an antelope can climb through that vehicle barrier.

So they climb through with their 50-pound pack of marijuana and a human pack train of seven or eight or 10 or 20 or 25 or even, I heard one report, as high as 100 young men each with 50 pounds of marijuana on their back, trekking across the desert, crossing the vehicle barrier by throwing their pack through, go through, put their pack back on and walk across the desert, 25 miles to a highway, where there is a predetermined pickup location, throw their marijuana in the back of a truck, their bags of marijuana, some get in the truck and go on, now they are in the United States to stay if they choose. Some turn around and walk back to Mexico to get another load. This is going on night after night after night, bringing these illegal drugs into the United States of America.

Sixty-five billion dollars worth, 11,000 people a day, 77,000 people a week, 4 million people a year. And we are spending $8 billion a year to protect our southern border. That is $4 million a mile. $4 million a mile, and we can't stop $65 billion worth of illegal drugs? And why not?

And so as I go down there and sit on that border and listen and I talk to the Border Patrol officers and ICE and the other officers down there. I am always asking them that question, how do we get to this point where we're successful? First of all, how do you define success? And how do we set things up so that we can shut off illegal human traffic and shut off the illegal drug traffic? In fact, I believe the illegal drug traffic is more dangerous than the illegal human traffic but they come together in a package, illegals carrying illegal drugs. They come in a package.

And it is sometimes terrorists coming into the United States, people that are from nations of interest. Isn't that a nice politically correct phrase for a terrorist nation, a nation of interest? And we have caught people down on the southern border who come from terrorist nations, nations of interest, whose identification was in the high risk database for the Department of Homeland Security. When that happens, that is the last we hear of that. I don't know how many there are. I know it happens. I know it has happened fairly recently. I know that if we caught some, more got away. Those that came here to do us ill are going to pay more money to get brought into the United States through the illegal traffic route across our southern border because they have the resources to do that. When they have the resources to do it, and instead of paying a thousand or $1,500, now I hear that the coyote prices have maybe gone up as high as $2,000. Instead of paying a couple of thousand bucks to come in, it is a $30,000 ticket on some of them, which means it is essentially a guarantee that you are going to be here. Once they are here, these are not the people that are carrying in 50 pounds of marijuana. They are the people that are in here to be part of an enclave, to be part of a cell that one day will rise up against us here in this country the way they rose up in France and in Spain and in Great Britain and also just most recently in Canada. It will eventually happen here as we are infiltrated by people who believe again that their path to salvation is in killing us.

And so, Mr. Speaker, the solution to this is not a simple one. It is not a single component solution. But I have an addition to this component that is a very constructive one and an essential component to the solution. That, Mr. Speaker, is the necessity for us to not just build a vehicle barrier, not just build a simple fence, but to build a wall, to build a wall that can actually be utterly effective in keeping illegals out of the United States of America. If we can do that, we can shut down 90 percent of the illegal drugs that come into this country at the same time. We can force all of the traffic to go through our ports of entry. And if it is all coming through the ports of entry, then we can turn many more of our resources on our ports of entry, where now we have thousands of Border Patrol agents that are out there trying to chase people down in the desert that are scattered all over the place, they can patrol this wall that I propose we build, but they can focus a lot more resources on the ports of entry.

I simply put it this way. This cardboard box I have represents the desert floor. The desert floor in a lot of these areas where it will be suitable working conditions. Sometimes we are going to run into rocks, sometimes into mountains. When you hit the rock, you don't have to dig any deeper. They're not going under there. So we will just pour the concrete on the rock and put some pins in there to tie it together and we will be fine.

This represents the desert floor and a trench that I would dig through there to build this concrete wall. This looks at it from the end, a cross-sectional view, I would say. Sock a trencher in and trench this. At the same time we do it, we would pour a footing in here with a slot in it. And I would demonstrate, Mr. Speaker. This would be the footing that I would put in there. This would be a slip form footing, which means that the style that you see here with a slot in it that would receive precast concrete panels, the bottom of this would be 5 feet deep. So it would be a trencher that you would sock in here. You would have some augers here on the side. You would pull that together. As you pull this down, you pump concrete in right behind it.

I would put it this way. I would sock in here, dig this trench, and as this trench moved on, I would be pouring concrete in that trench. Maybe the way to go would be from about this end. Let's just say that we are pouring concrete here and trenching this way. As the trencher comes along, the concrete pours right behind the trencher, and you move along at the pace that you can deliver the concrete to it and dig the trench. This concrete will set up, and you would leave this slot in the middle. The reason for this slot, then, in the middle is so that it can receive the precast panels.

So now I have this concrete footing. Actually the earth would be right to the top of this concrete here on each side. It sets in the ground 5 feet. It has got the stability that is there. It has got the strength. It has got a place to receive these panels.

Then, Mr. Speaker, I would have trucks pulling in within about 2 days of cure time. We would start setting in precast concrete panels. They would be a finished height to 12 feet and about 10 feet wide. They would weigh about, oh, 9,800 pounds or so, 6 inches thick. They would beef them up a little on the bottom, taper them a little on the top. You would just take a crane and drop these in.

I would tell you that our little old construction company would not be bidding this, I don't know if you would call it a conflict of interest or not, we wouldn't be down there bidding in Arizona but it has the kind of work we could do, Mr. Speaker. I would add that we could put together about a mile of this a day, just dropping this in with a crane, swing them in place. Actually they would go together a little better than that. Take these off the bed of the truck, swing them in, drop them in just like that, they drop in the slot, the slot holds them up. It's firm. It's fixed. And it's that easy to put together a 12-foot tall concrete wall, 6 inches thick, precast panels, reinforced, of course, tied together with tongue and groove in this kind of a fashion. And when we are done with this, this is a wall that they are not going to climb through and they are not going to cut through. They may try to climb over and they may try to dig under. It has not going to be that easy to dig under because we are deep, remember, 5 feet deep. Maybe we should go a little bit deeper. I wouldn't disagree with that.

So they don't go over the top, Mr. Speaker. I happen to have this handy dandy little piece of concertina wire that I would put right on top here and install this wire like this. We could have a little bit more concentrated concertina wire so we could put two rolls on here. On top of this concrete we could also put on any kind of optical equipment, vibration sensers, any other kind of surveillance equipment that we so choose. This wall would not go exactly on the border in my mind but it would be back north of the border perhaps 60 to 100 feet so that there is a patrol zone between. I would have a fence right on the border and that would be the fence that thou shalt not cross. In fact, I would hang a sign on the south side in Spanish that says, check this web page, you can go to the U.S. consul and apply to come to the United States legally and that is what you ought to do. I would put that every mile. I would have a nice sign there that would say, You're welcome to apply. We welcome all people to come apply and come to the United States legally, but don't cross this path because you're violating our laws.

Fifty-eight percent of the people in Mexico believe they have a right to come to the United States. And so this wall would have a value to keep out illegals. It would slow dramatically down. I think it would take 90 percent of the human traffic down. I think it would take 90 percent of the drug traffic down. And it sends a message to the south side of the border that says, You don't have a right to come here. We're a sovereign nation and we take our applications at the U.S. consul.

But this would be an effective structure that would free up the Border Patrol. They would still have to patrol. They would drive back and forth. They would cut sign here. They would check for tracks. If they caught anybody out here in no man's land, they would be picked up immediately. And if they got across this wall, it would be rare and we would see the tracks and we would be able to chase them down and I think we could catch nearly every one of them that did that.

Maybe they would want to come with a ladder. Somebody said, well, if you show me a 90-foot wall, I'll show you a 90-foot ladder. It is hard to carry a ladder across one fence and get it to the next one, Mr. Speaker. If so, we have an opportunity to catch them in between. I don't think they are going to carry that many ladders across that many miles of desert. We will know what kind of tactics they are using, we can beef it up, but they are not going to breach this wall easily. They are not going to go underneath this thing in any short period of people. They are not going to go over it easily. They are going to look at it and try to find another way. Some of them will decide, now the transaction cost is too high. I believe I'm just going to stay here in Mexico and maybe go to work and help improve that country, because that country needs its productive people if they are going to have any economic future. You empty a nation out of its vitality and what do you expect is going to happen? I don't know why it is Vicente Fox is willing to see his best people come to the United States, because the solution to what is wrong in that country is within the people that are leaving, especially the people that are leaving.

They aren't all good folks that are coming here. A lot of them are but they come here for about three reasons. One of them is to come here and go to work, one of them is they are running away from something and maybe they are running away from the law down there, maybe they are running away for some other reason and maybe they are coming up here to do us harm. That is about the only three reasons why people are coming here. I cannot fathom why Vicente Fox would promote the exodus of his own people. In fact, 10 percent of the population of Mexico is here in the United States. That is a number that I believe is probably on the low side. The population of Mexico before the exodus was 104 million. If 10 million of them are here, let's just say that number is inflated a little bit. Let me round this down to 90 million just for the sake of discussion. If there are 90 million people left in Mexico and we pass the Senate version of this immigration that they passed here some weeks ago, and that version according to Robert Rector of the Heritage Foundation, the lowest number he has is that it brings in 59 million people over the next 20 years.

□ 2230

That is 59 million people, added to at least another 20 million people. So we are up to 79 million people coming into the United States. That is the lowest number.

The highest numbers were pretty astonishing, up there around 200 million, but I think that range falls between 59 million and probably 92 million.

Let us just say 92 million people in the next 20 years, and are 90 million people left in Mexico? Some will come from those other countries down there. But I will say this that everyone who wants to come under the Senate version, everyone who wants to come to the United States will come to the United States under that bill.

It will not be an immigration policy that is designed for the interests of the United States. It will be the immigration policy that is designed for the wants of people who want to come here. We have never had a policy like that in the past, Mr. Speaker. It is not the intent of our founders when they gave us the charge in this Congress to write immigration law.

We are charged by our constituents, by the people in the United States of America, to devise an immigration policy for the economic, social and cultural well-being of the United States of America and nothing else.

We cannot be a safety valve for all of the poverty in the world. For every 1 million people that we could bring in across our southern border, there are another 10 or 12 million people in the same region down there that are born. But for every person, the average citizen of Mexico, their average standard of living, there are still 4.6 billion people on the planet with a lower standard of living than the average citizen of Mexico.

So if it does our heart good to not say no to some of people who are our neighbors, what do we have to say to people that aren't our neighbors who live in much greater poverty. What do we say to the poverty in Bangladesh, and what do we say to the poverty in Africa?

The Senate bill leaves a lot of that open as well. The difference is it is easier to travel here from Mexico than it is from Bangladesh or Africa. So we would get more Mexicans than we would Bangladeshis. But that bill is wide open, and the future of this country, the destiny of this country, hangs in the balance.

As the American people do this debate, we need to come to an agreement. The message needs to get over to the Senate, and it needs to get to the White House, that we are going to stand on the rule of law, Mr. Speaker, and that we are going to have enforcement of our immigration laws in this country, and that we cannot have, we cannot have an immigration policy that is essentially a guest worker, temporary worker, amnesty plan, that is built upon the false promise of enforcement, when we have had 20 years to enforce our immigration laws and over the last 20 years, there has been less and less enforcement and more and more accusation of that.

Of the illegals coming into America, the numbers that were presumably 1 million in 1986 became 3 million by the time the amnesty was done. Now these numbers, we are talking with a straight face, 10- to 12 million people, and saying it is not amnesty.

But in reality, this 10- to 12 million is more like 20 million, 22 million, 27 million, somewhere in that category. The bill that has been passed in the Senate takes us up to 59 million or 70 million or 92 million. The cumulative total for all the immigration legally in the history of America, from the time we began to keep records until the last numbers we could total in, and those numbers would be 1820 to the year 2000, the cumulative total, Mr. Speaker, was 66.1 million people coming into the United States.

That is the immigration total for all of our history. Maybe it is off a couple or 3 million because I can't add those before 1820 and I can't add those after the year 2000. Statistics aren't available. There are 66 million people. The Senate version eclipses the grand cumulative total for the history of America all in one fell swoop. They say it is not amnesty, and it really isn't any big deal. We can do this because we need somebody to trim our lawns and trim our nails and wait on us in our mansions and change our bedding and cook our steaks.

How much of this work is not essential work? How much of this work is convenient because it is cheap? I can use a lot of servants, if they are cheap. So why can't I, you know, that is the attitude. We have this new ruling class in America. They made a lot of money hiring illegal labor, cheap labor.

And they have got this attitude that they ought to be able to hire this cheap labor also to wait on them in their mansions and trim their lawns and wait on them and drive their cars. They want to be able to hire them cheap and make a lot of money, and they want to hire them cheap so when they spend their money they can be well taken care of.

This is what is happening. The middle class is diminishing and shrinking. That strength of America has been a broad powerful middle class, not a shrinking middle class. We have never been an elitist country. We have never been an upper or lower class stratification. But the ruling class and the servant class are all that will be left if we let the open borders crowd rule in this immigration debate in America.

Mr. Speaker, I stand first on enforcement first and enforcement only. If I am able to see a demonstration of that enforcement being effective, and it has to be demonstrated for a number of years before I am going to believe there is a commitment. Then in that case I am willing at some point to have a discussion about what to do with the people that might be left here.

But in the meantime, I want to build this wall, and I want to put this wire on top, and I want to shut off illegal traffic at our border, and I want to shut off illegal drugs at our border. I want to end birthright citizenship, and I want to shut off the jobs magnet, and I want to hold the line on this until we can see that we have been effective.

When that day comes, maybe there is time for another debate. But until that time we have this bleeding patient, and we have got to stop the bleeding. We can worry about what the therapy program is if this patient recovers.

With that, Mr. Speaker, I thank you for your indulgence.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROTHMAN (at the request of Ms. PELOSI) for today after 12:00 p.m. on account of a family obligation.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. ROSS, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Ms. MCCARTHY, for 5 minutes, today.

Mr. DOGGETT, for 5 minutes, today.

Ms. KILPATRICK, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Mr. DELAHUNT, for 5 minutes, today.

Mr. KUCINICH, for 5 minutes, today.

(The following Members (at the request of Mr. COLE of Oklahoma) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, on June 21.

Mrs. FOXX, for 5 minutes, today.

Mr. BISHOP of Utah, for 5 minutes, today.

Mr. CARTER, for 5 minutes, on June 21.

Mr. OSBORNE, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1445. An act to designate the facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, as the "William H. Emery Post Office".

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 36 minutes p.m.) the House adjourned until tomorrow, Thursday, June 15, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8040. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Azoxystrobin; Pesticide Tolerance [EPA-HQ-OPP-2005-0540; FRL-8063-2] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8041. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Boscalid; Pesticide Tolerance [EPA-HQ-OPP-2003-0246; FRL-8064-4] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8042. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Dimethenamid-p; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2006-0216; FRL-7770-8] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8043. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Flumioxazin; Pesticide Tolerance [EPA-HQ-OPP-2004-0398; FRL-8057-5] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8044. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Fomesafen; Pesticide Tolerance [EPA-HQ-OPP-2006-0073; FRL-8062-6] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8045. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Glufosinate Ammonium; Pesticide Tolerance [EPA-HQ-OPP-2005-0301; FRL-8060-3] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8046. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Potassium Silicate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2006-0299; FRL-8069-6] received June 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8047. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Methoxyfenozide; Pesticide Tolerance [EPA-HQ-OPP-2006-0404; FRL-8069-5] received June 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8048. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pendimethalin; Pesticide Tolerance [EPA-HQ-OPP-2005-0056; FRL-8070-2] received June 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8049. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Fenarimol; Pesticide Tolerance [EPA-HQ-OPP-2005-0297; FRL-8061-4] received June 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8050. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans: Revisions to the Tennessee Nitrogen Oxides Budget and Allowance Trading Program [EPA-R04-OAR-2003-TN-0001, EPA-R04-OAR-2004-TN-0001-2004 13(a); FRL-8163-3] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8051. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Texas [EPA-R06-OAR-2005-TX-0034; FRL-8164-6] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8052. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone; The 2006 Critical Use Exemption from the Phaseout of Methyl Bromide [FRL-8163-1] (RIN: 2060-AN18) received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8053. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Community Right-to-Know; Toxic Chemical Release Reporting Using North American Industry Classification System (NAICS); Final Rule [EPA-HQ-TRI-2002-0003; FRL-8180-2] (RIN: 2025-AA10) received June 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8054. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone; Recordkeeping and Reporting Requirements for the Import of Halon-1301 Aircraft Fire Extinguishing Vessels [EPA-HQ-OA-2005-0131; FRL-8181-2] received June 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8055. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revision of December 2000 Clean Air Act Section 112(n) Finding Regarding Electric Utility Steam Generating Units: and Standards of Performance for New and Existing Electric Utility Steam Generating Units: Reconsideration [EPA-HQ-OAR-2002-0056; FRL-8180-6] (RIN: 2060-AN50) received June 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8056. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [EPA-R07-OAR-2006-046 2; FRL-8181-8] received June 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8057. A letter from the Principal Deputy Associate Administrator, Environmental Protetcion Agency, transmitting the Agency's final rule — Missouri: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R07-RCRA-2006-0026; FRL-8163-4] received April 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8058. A letter from the Director, Defense Security Cooperation Agency, transmitting reports in accordance with Section 36(a) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

8059. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Raytheon Model DH.125, HS.125, and BH.125 Series Airplanes; Model BAe.125 Series 800A (C-29A and U-125), 800B, 1000A, and 1000B Airplanes; and Model Hawker 800 (including variant U-125A), and 1000 Airplanes [Docket No. FAA-2005-20969; Directorate Identifier 2005-NM-017-AD; Amendment 39-14443; AD 2006-01-04] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8060. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, Model A340-200 and -300 Series Airplanes, and Model A340-541 and A340-642 Airplanes [Docket No. FAA-2006-23611; Directorate Identifier 2005-NM-250-AD; Amendment 39-14453; AD 2006-02-01] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8061. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Arrius Models 2B, 2B1, and 2F Turboshaft Engines [Docket No. 2000-NE-12-AD; Amendment 39-14423; AD 2001-08-14R1] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8062. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney JT8D Series Turbofan Engines [Docket No. 98-ANE-48-AD; Amendment 39-14398; AD 2005-25-05] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8063. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Artouse III Series Turboshaft Engines [Docket No. 99-NE-33-AD; Amendment 39-14434; AD 2005-26-13] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8064. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland (Formerly Rolls-Royce plc) Models Tay 650-15 and 651-54 Turbofan Engines [Docket No. 2001-NE-02-AD; Amendment 39-14439; AD 2005-26-16] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the

Committee on Transportation and Infrastructure.

8065. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF6-45A, CF6-50A, CF6-50C, and CF6-50E Series Turbofan Engines [Docket No. FAA-2005-22124; Directorate Identifier 2005-NE-21-AD; Amendment 39-14427; AD 2005-26-06] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8066. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A320-111, -211, -212, -214, -231, -232, and -233 Airplanes [FAA-2005-23400; Directorate Identifier 2005-NM-217-AD; Amendment 39-14429; AD 2005-19-16 R1] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8067. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-400 Series Airplanes [Docket No. FAA-2005-22403; Directorate Identifier 2005-NM-144-AD; Amendment 39-14426; AD 2005-26-05] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8068. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-1A11 (CL-60), CL-600-2A12 (CL-601), and CL-600-2B16 (CL-601-3A and CL-601-3R) Airplanes [Docket No. FAA-2005-22627; Directorate Identifier 2005-NM-156-AD; Amendment 39-14425; AD 2005-26-04] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8069. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aviointeriors S.p.A. (formerly ALVEN), Series 312 Box Mounted Seats, Correction [Docket No. FAA-20848; Directorate Identifier 2005-NE-02-AD; Amendment 39-14323; AD 2005-20-26] (RIN: 2120-AA64) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8070. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes [Docket No. FAA-2005-20918; Directorate Identifier 2004-NM-269-AD; Amendment 39-14539; AD 2006-07-12] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8071. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnel Douglas Model DC-9-10, DC-9-20, DC-9-30, DC-9-40, and DC-9-50 Series Airplanes [Docket No. FAA-2005-23197; Directorate Identifier 2005-NM-109-AD; Amendment 39-14535; AD 2006-07-08] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8072. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318-100 and A319-100 Series Airplanes; Model A320-111 Airplanes; and Model A320-200, A321-100, and A321-200 Series Airplanes [Docket No. FAA-2005-22794; Directorate Identifier 2005-NM-097-AD; Amendment 39-14536; AD 2006-07-09] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8073. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Aeries Airplanes) [Docket No. FAA-2006-24124; Directorate Identifier 2004-NM-272-AD; Amendment 39-14534; AD 2006-07-07] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8074. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-81 (MD-81), DC-9-82 (MD-82), DC-9-83 (MD-83), DC-9-87 (MD-87), MD-88, and MD-90-30 Airplanes [Docket No. FAA-2005-22062; Directorate Identifier 2003-NM-219-AD; Amendment 39-14538; AD 2006-07-11] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8075. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319-131, -132, and -133, A330-232 and -233; and A321-131, -231, and -232 Airplanes [Docket No. FAA-2005-23142; Directorate Identifier 2005-NM-154-AD; Amendment 39-14532; AD 2006-07-05] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8076. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cirrus Design Corporation Models SR20 and SR22 Airplanes [Docket No. FAA-2005-23023; Directorate Identifier 2005-CE-49-AD; Amendment 39-14533; AD 2006-07-06] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8077. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A310 Airplanes, Model A300 B4-600 Series Airplanes, Model A300 B4-600R Series Airplanes, Model A300 F4-600R Series Airplanes, and Model A300 C4-605R Variant F Airplanes [Docket No. FAA-2006-24288; Directorate Identifier 2006-NM-068-AD; Amendment 39-14540; AD 2006-07-13] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8078. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-301, -311, and -315 Airplanes [Docket No. FAA-2005-20628; Directorate Identifier 2004-NM-51-AD; Amendment 39-14529; AD 2006-07-02] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8079. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A321-100 and -200 Series Airplanes [Docket No. FAA-2005-22456; Directorate Identifier 2005-NM-128-AD; Amendment 39-14530; AD 2006-07-03] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8080. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes [Docket No. FAA-2005-20110; Directorate Identifier 2004-NM-114-AD; Amendment 39-14531; AD 2006-07-04] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8081. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 Airplanes and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MO, and -145EP Airplanes [Docket No. FAA-2005-20728; Directorate Identifier 2005-NM-003-AD; Amendment 39-14527; AD 2006-07-01] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8082. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318-100 Series Airplanes; Model A319-100 Series Airplanes; Model A320-111 Airplanes; Model A320-200 Series Airplanes; Model A321-100 Series Airplanes; and Model A321-200 Series Airplanes [Docket No. FAA-2005-20453; Directorate Identifier 2004-NM270-AD; Amendment 39-14524; AD 2006-06-15] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8083. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes; and Model A340-200 and -300 Series Airplanes [Docket No. FAA-2005-20452; Directorate Identifier 2004-NM-206-AD; Amendment 39-14522; AD 2006-06-13] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8084. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A318-100 and A319-100 Series Airplanes, A320-111 Airplanes, A320-200 Series Airplanes, and A321-100 and A321-200 Series Airplanes [Docket No. FAA-2005-23314; Directorate Identifier 2005-NM-189-AD; Amendment 39-14523; AD 2006-06-14] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8085. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospatiale Model ATR72 Airplanes [Docket No. FAA-2005-21909; Directorate Identifier 2005-NM-059-AD; Amendment 39-14521; AD 2006-06-12] (RIN: 2120-AA64) received May 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8086. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Implementation of the Great Lakes Legacy Act of 2002 [FRL-8163-8] received April 28, 2006, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8087. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Pollutant Discharge Elimination System — Final Regulations to Establish Requirements for Cooling Water Intake Structures at Phase III Facilities [OW-2004-0002, FRL-8181-5] (RIN: 2040-AD70) received June 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLE of Oklahoma: Committee on Rules. House Resolution 868. Resolution providing for consideration of the resolution (H. Res. 861) declaring that the United States will prevail in the Global War on Terror, the struggle to protect freedom from the terrorist adversary (Rept. 109–502). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KELLER (for himself, Mr. McKeon, Mr. George Miller of California, Mr. Tiberi, Mr. Kildee, and Mr. Hinojosa):

H.R. 5603. A bill to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DANIEL E. LUNGREN of California (for himself, Ms. Loretta Sanchez of California, Mr. Shays, Mr. Thompson of Mississippi, Mr. Simmons, Ms. Harman, Mr. Pearce, Ms. Harris, and Mr. McCaul of Texas):

H.R. 5604. A bill to require motor vehicle operators transporting security sensitive material in commerce to obtain a permit from the Secretary of Homeland Security, and for other purposes; to the Committee on Homeland Security.

By Mr. WU (for himself and Mr. Hall):

H.R. 5605. A bill to authorize the National Science Foundation to award grants to institutions of higher education to develop and offer education and training programs; to the Committee on Science.

By Mr. HALL (for himself and Mr. Gohmert):

H.R. 5606. A bill to designate the Federal building and United States courthouse located at 221 and 211 West Ferguson Street in Tyler, Texas, as the "William M. Steger Federal Building and United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. KUHL of New York:

H.R. 5607. A bill to amend the Internal Revenue Code of 1986 to allow a $2,000 refundable credit for individuals who are active members of volunteer firefighting and emergency medical service organizations; to the Committee on Ways and Means.

By Mr. HALL (for himself and Mr. Pallone):

H.R. 5608. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to intensify programs with respect to research and related activities concerning falls among older adults; to the Committee on Energy and Commerce.

By Mrs. BONO (for herself and Mr. Capuano):

H.R. 5609. A bill to require automobile dealers to disclose to consumers the presence of event data recorders, or "black boxes", on new automobiles, and to require manufacturers to provide the consumer with the option to enable and disable such devices on future automobiles; to the Committee on Energy and Commerce.

By Ms. JACKSON-LEE of Texas (for herself, Mr. Cleaver, Mr. Davis of Illinois, Ms. Corrine Brown of Florida, Ms. Kilpatrick of Michigan, Ms. Watson, Ms. Millender-McDonald, Ms. Eddie Bernice Johnson of Texas, Mr. Engel, Mr. Cummings, Mr. Cuellar, Mr. Lewis of Georgia, and Mr. Scott of Georgia):

H.R. 5610. A bill to prevent sex offenders from using immigration laws to bring innocent, unsuspecting victims into the United States; to the Committee on the Judiciary.

By Mr. CONAWAY (for himself, Mr. Upton, Mr. Hall, Mr. Towns, and Mr. Gene Green of Texas):

H.R. 5611. A bill to provide for the establishment of a partnership between the Secretary of Energy and appropriate industry groups for the creation of a transportation fuel conservation education campaign, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DEAL of Georgia (for himself and Mr. Norwood):

H.R. 5612. A bill to establish the Mountaintown National Scenic Area in the Chattahoochee National Forest, Georgia, and to designate additional National Forest System land in the State of Georgia as components of the National Wilderness Preservation System; referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH:

H.R. 5613. A bill to amend the Internal Revenue Code of 1986 to allow a tax credit for charitable contributions to private, nonprofit charities providing health insurance premium assistance and drug co-payment assistance, thereby transitioning uninsured Americans into private insurance and transitioning Medicaid patients into private insurance, and for other purposes; to the Committee on Ways and Means.

By Mrs. KELLY:

H.R. 5614. A bill to amend title 14, United States Code, to vest in the Coast Guard primary responsibility in the Federal Government for the naval defense of nuclear power facilities located on navigable waters of the United States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE (for himself and Mr. Stark):

H.R. 5615. A bill to amend title II of the Social Security Act to waive the 24–month waiting period for Medicare coverage of individuals disabled with distant stage cancer; to the Committee on Ways and Means.

By Mr. PETERSON of Minnesota:

H.R. 5616. A bill to establish a National Commission on the Infrastructure of the United States; to the Committee on Transportation and Infrastructure.

By Mr. YOUNG of Alaska (for himself and Mr. Dicks):

H.R. 5617. A bill to amend the Alaska Native Claims Settlement Act to provide an equitable distribution of land to the 13th Alaska Native Regional Corporation; to the Committee on Resources.

By Mr. THOMAS (for himself, Mr. Blunt, Ms. Pryce of Ohio, Mr. Bishop of Utah, Mrs. Blackburn, Mr. Chandler, Mr. Clyburn, Mr. Cole of Oklahoma, Mr. Costa, Mr. Crowley, Mr. Tom Davis of Virginia, Mr. Delahunt, Mr. Fossella, Mr. Frelinghuysen, Mr. Green of Wisconsin, Ms. Harris, Ms. Hart, Mr. Hastings of Florida, Miss McMorris, Mr. Hoyer, Mr. Ney, Mr. Pastor, Mr. Rohrabacher, Mr. Rogers of Kentucky, Mr. Rogers of Michigan, Mr. Royce, Mr. Walden of Oregon, Mr. Weldon of Pennsylvania, and Mr. Weller):

H. Con. Res. 430: Concurrent resolution recognizing the accomplishments of the American Council of Young Political Leaders for providing 40 years of international exchange programs, increasing international dialogue, and enhancing global understanding, and commemorating its 40th anniversary; to the Committee on International Relations.

By Ms. MOORE of Wisconsin (for herself, Mr. Abercrombie, Ms. Baldwin, Mr. Berman, Mr. Blumenauer, Mr. Brown of Ohio, Ms. Bordallo, Ms. Carson, Mr. Cleaver, Mr. Clyburn, Mr. Conyers, Mr. Crowley, Mr. Cummings, Ms. DeGette, Mr. Dingell, Mr. Engel, Mr. Fattah, Mr. Ford, Mr. Frank of Massachusetts, Mr. Al Green of Texas, Mr. Green of Wisconsin, Mr. Grijalva, Mr. Gutierrez, Mr. Hastings of Florida, Mr. Hayworth, Mr. Hoyer, Mr. Hyde, Mr. Jackson of Illinois, Mr. Jefferson, Ms. Eddie Bernice Johnson of Texas, Ms. Kaptur, Mr. Kennedy of Rhode Island, Ms. Kilpatrick of Michigan, Mr. Kind, Mr. Kucinich, Mr. Lantos, Ms. Jackson-Lee of Texas, Ms. Lee, Mr. Lewis of Georgia, Mrs. Maloney, Ms. Matsui, Mr. Meeks of New York, Mr. Meek of Florida, Mr. Melancon, Mrs. McCarthy, Ms. McCollum of Minnesota, Mr. McDermott, Ms. McKinney, Mr. McNulty, Mr. George Miller of California, Mr. Murtha, Mr. Nadler, Mr. Ney, Mr. Oberstar, Mr. Obey, Mr. Owens, Mr. Pascrell, Ms. Pelosi, Mr. Petri, Mr. Rangel, Ms. Ros-Lehtinen, Mr. Rothman, Mr. Ryan of Wisconsin, Ms. Loretta Sanchez of California, Ms. Schakowsky, Mr. Scott of Virginia, Mr. Scott of Georgia, Mr. Sensenbrenner, Ms. Slaughter, Mr. Snyder, Ms. Solis, Mr. Thompson of Mississippi, Mr. Towns, Mrs. Jones of Ohio, Ms. Wasserman Schultz, Ms. Waters, Ms. Watson, Mr. Watt, Mr. Waxman, Mr. Weiner, Mr. Wexler, Mr. Wolf, Ms. Woolsey, Mr. Wynn, Mr. Bishop of Georgia, Mr. Butterfield, Mr. Clay, Mr. Davis of Alabama, Mr. Davis of Illinois, Ms. Norton, Mr. Payne, and Mr. Rush):

H. Res. 867. Resolution honoring the life and accomplishments of James Cameron; to the Committee on Government Reform.

By Mr. McCOTTER:

H. Res. 869. Resolution informing the American people of our Nation's progress in the world War on Terror, defining the situation and the stakes in the battle against the terrorist enemy in the sovereign, democratic, and united nation of Iraq, and declaring the unwavering dedication of the United States to defend humanity, expand liberty, defeat the terrorist enemy, and win the world War on Terror; referred to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER (for himself, Mr. HOYER, Mr. CARDIN, Mr. GILCHREST, Mr. WYNN, Mr. BARTLETT of Maryland, Mr. CUMMINGS, and Mr. VAN HOLLEN):

H. Res. 870. Resolution congratulating and commending the Port of Baltimore on the occasion of its 300th anniversary; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CANNON:

H.R. 5618. A bill to extend the patent term for the badge of the American Legion Women's Auxiliary, and for other purposes; to the Committee on the Judiciary.

By Mr. CANNON:

H.R. 5619. A bill to extend the patent term for the badge of the American Legion, and for other purposes; to the Committee on the Judiciary.

By Mr. CANNON:

H.R. 5620. A bill to extend the patent term for the badge of the Sons of the American Legion, and for other purposes; to the Committee on the Judiciary.

By Mr. DAVIS of Illinois:

H.R. 5621. A bill for the relief of Eqbal Shaikh; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 517: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GRIJALVA, Mr. COSTA, Mrs. TAUSCHER, Ms. HARMAN, and Mr. ORTIZ.

H.R. 550: Mr. BOSWELL.

H.R. 559: Mr. MOORE of Kansas.

H.R. 583: Mr. EDWARDS.

H.R. 676: Mr. BISHOP of Georgia.

H.R. 699: Mr. COSTELLO and Mr. CANNON.

H.R. 807: Mr. MORAN of Virginia.

H.R. 910: Mr. YOUNG of Alaska.

H.R. 920: Mr. CRENSHAW.

H.R. 994: Mr. PICKERING, Ms. CORRINE BROWN of Florida, and Mr. RENZI.

H.R. 1217: Mr. GORDON.

H.R. 1264: Mr. OBERSTAR.

H.R. 1298: Mr. PORTER, Mr. LEACH, and Miss MCMORRIS.

H.R. 1426: Mr. NORWOOD.

H.R. 1438: Mr. SESSIONS and Mr. MCHENRY.

H.R. 1996: Mr. FALEOMAVAEGA, Ms. JACKSON-LEE of Texas, and Mr. STARK.

H.R. 2089: Mr. HASTINGS of Washington.

H.R. 2206: Mr. CLEAVER and Mr. KUHL of New York.

H.R. 2230: Mr. ANDREWS.

H.R. 2317: Ms. NORTON.

H.R. 2560: Mr. LEWIS of Georgia.

H.R. 2717: Mr. SCOTT of Georgia.

H.R. 2730: Mr. TOWNS.

H.R. 3379: Mr. BROWN of Ohio.

H.R. 3380: Mr. BROWN of Ohio and Mr. MOLLOHAN.

H.R. 3437: Mr. PLATTS.

H.R. 3470: Mr. BROWN of Ohio.

H.R. 3471: Mr. BROWN of Ohio.

H.R. 3478: Mr. SCHIFF.

H.R. 3762: Mrs. KELLY.

H.R. 4042: Mr. CARTER and Mr. MCCAUL of Texas.

H.R. 4140: Mr. RUPPERSBERGER and Mr. FRANK of Massachusetts.

H.R. 4157: Ms. GRANGER.

H.R. 4188: Mr. LEWIS of Georgia and Mr. KUCINICH.

H.R. 4304: Mr. ROTHMAN.

H.R. 4366: Mr. KIRK.

H.R. 4400: Mr. HERGER.

H.R. 4435: Mr. SCHIFF.

H.R. 4480: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 4517: Mr. PETRI.

H.R. 4547: Mr. PEARCE.

H.R. 4583: Mr. SIMMONS.

H.R. 4597: Mr. BOOZMAN, Mrs. MUSGRAVE, and Mr. FARR.

H.R. 4600: Mr. WEXLER and Mr. HINCHEY.

H.R. 4641: Mr. WILSON of South Carolina, Mr. FEENEY, Mr. GUTKNECHT, Mr. ROHRABACHER, Mr. BARTLETT of Maryland, and Mr. CARTER.

H.R. 4739: Mr. GONZALEZ.

H.R. 4857: Mr. OSBORNE.

H.R. 4890: Mr. SMITH of Texas, Mr. BAKER, and Mr. SHAW.

H.R. 4903: Mr. WALDEN of Oregon.

H.R. 4956: Mr. BOOZMAN and Ms. CORRINE BROWN of Florida.

H.R. 4980: Mr. PEARCE.

H.R. 5005: Mr. GOHMERT, Mr. HERGER, Mr. AKIN, Mr. PRICE of Georgia, Mr. LARSEN of Washington, and Mr. BILIRAKIS.

H.R. 5009: Mr. BRADLEY of New Hampshire.

H.R. 5013: Mr. BILIRAKIS and Mr. GOHMERT.

H.R. 5022: Mr. SMITH of New Jersey.

H.R. 5134: Mr. NORWOOD and Mr. OBERSTAR.

H.R. 5146: Mr. MCCOTTER and Mr. BUTTERFIELD.

H.R. 5159: Mr. LAHOOD, Mr. CAMP of Michigan, Mr. LYNCH, and Mr. PUTNAM.

H.R. 5182: Mr. CARDIN, Mr. PEARCE, Mr. LARSEN of Washington, Mr. OBERSTAR, and Mr. MCCRERY.

H.R. 5201: Mr. YOUNG of Alaska, Mr. CALVERT, Mr. SCOTT of Virginia, Ms. ZOE LOFGREN of California, and Ms. ROS-LEHTINEN.

H.R. 5225: Ms. HART, Mr. ALLEN, and Mr. MURTHA.

H.R. 5230: Mr. FRANKS of Arizona.

H.R. 5249: Mr. SCHIFF and Mr. TIAHRT.

H.R. 5291: Mr. MARIO DIAZ-BALART of Florida.

H.R. 5321: Mr. CLAY and Mr. OWENS.

H.R. 5328: Mr. BLUMENAUER, Mr. BACA, and Ms. WOOLSEY.

H.R. 5337: Mr. GENE GREEN of Texas, Ms. HARMAN, Mr. PEARCE, Mr. THOMPSON of Mississippi, Mr. BACA, Mrs. MCCARTHY, Mr. CUMMINGS, and Mr. GARY G. MILLER of California.

H.R. 5365: Mr. FILNER.

H.R. 5388: Mr. HOLT.

H.R. 5392: Mr. MCCOTTER.

H.R. 5402: Mr. JEFFERSON and Ms. JACKSON-LEE of Texas.

H.R. 5416: Mr. PORTER, Mr. HAYWORTH, Mr. ISSA, Mr. NUNES, Mr. RADANOVICH, and Mr. COSTA.

H.R. 5417: Mr. ANDREWS.

H.R. 5444: Mr. MILLER of Florida.

H.R. 5455: Mr. BASS, Mr. LANTOS, and Mr. KUCINICH.

H.R. 5457: Mr. TERRY and Mr. MILLER of Florida.

H.R. 5459: Mr. BROWN of Ohio.

H.R. 5466: Mr. PLATTS.

H.R. 5474: Mr. WELLER.

H.R. 5476: Mrs. MYRICK.

H.R. 5526: Mr. BOUSTANY.

H.R. 5550: Ms. MATSUI, Mrs. CAPPS, and Mr. HINCHEY.

H.R. 5554: Mr. KLINE and Mr. MARCHANT.

H.R. 5563: Mr. KUCINICH.

H.R. 5573: Mr. ROSS and Mr. NUNES.

H.R. 5574: Mr. ROSS.

H.R. 5588: Mr. THOMPSON of Mississippi, Mr. STRICKLAND, Mr. ROSS, Mr. MEEKS of New York, Mr. NEAL of Massachusetts, Mr. ORTIZ, Mr. BOSWELL, Mr. SANDERS, Ms. CORRINE BROWN of Florida, Mr. CLYBURN, Mr. DOYLE, Mrs. NAPOLITANO, Ms. CARSON, Ms. BORDALLO, Mr. ABERCROMBIE, Mr. LARSON of Connecticut, Mr. BACA, Mr. KILDEE, Mr. CASE, Ms. LINDA T. SÁNCHEZ of California, Mr. AL GREEN of Texas, Mr. CLAY, Mr. DEFAZIO, Mr. SKELTON, Ms. ZOE LOFGREN of California, and Mr. PASCRELL.

H.R. 5598: Mr. SHAYS.

H.J. Res. 58: Mr. SMITH of Texas.

H.J. Res. 73: Ms. SLAUGHTER.

H. Con. Res. 222: Ms. SCHAKOWSKY.

H. Con. Res. 340: Mr. YOUNG of Florida, Mr. GRIJALVA, and Ms. CORRINE BROWN of Florida.

H. Con. Res. 388: Mr. BROWN of Ohio.

H. Con. Res. 390: Mr. SCHIFF.

H. Con. Res. 411: Mr. FRANKS of Arizona, Mr. WOLF, Mr. BARTLETT of Maryland, Mr. CARTER, Mr. GORDON, Ms. GINNY BROWN-WAITE of Florida, Mr. TURNER, Mr. WELLER, Mr. MORAN of Kansas, Mr. FORTENBERRY, Mr. NORWOOD, and Mr. GOODLATTE.

H. Con. Res. 415: Mr. BURTON of Indiana, Mr. SCHIFF, and Mr. ENGEL.

H. Con. Res. 416: Mr. CONYERS and Mr. GONZALEZ.

H. Res. 295: Mr. HINCHEY.

H. Res. 466: Mr. YOUNG of Florida.

H. Res. 723: Mr. REICHERT.

H. Res. 745: Mr. GORDON, Mr. PETERSON of Minnesota, Mr. FRANK of Massachusetts, and Mr. SHERWOOD.

H. Res. 825: Mr. MARSHALL.

H. Res. 863: Mr. VAN HOLLEN, Ms. CARSON, Mr. PETERSON of Minnesota, Mr. BUTTERFIELD, and Mr. PETERSON of Pennsylvania.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2048: Mr. STRICKLAND.

EXTENSIONS OF REMARKS

RECOGNIZING JIMMY E. STEELE III FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jimmy E. Steele III, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 167, and in earning the most prestigious award of Eagle Scout.

Jimmy has been very active with his troop, participating in many scout activities. Over the many years Jimmy has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Due to Jimmy's hard work and leadership, the Winston R–VI school baseball field now proudly displays a new flag pole and American Flag.

Mr. Speaker, I proudly ask you to join me in commending Jimmy E. Steele III for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CHILD WELFARE LEAGUE OF AMERICA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. RANGEL. Mr. Speaker, I rise today to bring to your attention the outstanding work and commitment of the Child Welfare League of America, CWLA. This organization acts on the premise that every child is valuable and has something to contribute to society. They believe that our children are entitled to nurturance, protection, and the chance to develop to his or her full human potential.

The CWLA testified before the Human Resources Subcommittee of the Ways and Means Committee on May 23, 2006 to review proposals to improve child protective services, all in an effort to highlight the importance of the child welfare system in ensuring that children and families are afforded the necessary resources and services available.

Although the family and the child welfare system have specific responsibilities, we all know that society as a whole shares the responsibility for promoting healthy human growth and development.

I am submitting at this time part I of the testimony given by CWLA and hope that you will find it informative.

Hello, I am Linda Spears, Vice President of Corporate Communications and Development of the Child Welfare League of America, CWLA. I am honored to submit comments on behalf of CWLA, and our nearly 900 public and private nonprofit, child-serving member agencies this afternoon. The attention given by the Human Resources Subcommittee of the Ways and Means Committee focusing on the child protective services system and the reauthorization of the Promoting Safe and Stable Families, PSSF, program further shows the intent to ensure that our children have the appropriate resources and services available to them.

CWLA believes that as a country we must confirm our commitment to prevent child abuse and neglect and to support children who have been abused and neglected. We support strengthened partnerships between federal, state, and local governments and providers in the nonprofit and charitable communities in order to do a better job of protecting our nation's children.

IMPROVING THE CHILD WELFARE SYSTEM

CHILD PROTECTIVE SERVICES

In 2004, an estimated 3 million children were reported as abused or neglected and received an assessment or screening to determine whether or not there was evidence of abuse or neglect. Approximately 872,000 children were substantiated as abused or neglected. These numbers are similar to previous years. Another consistent pattern is that more than sixty percent of child victims were victims of neglect, while eighteen percent were physically abused and ten percent were sexually abused. Thirty percent of victims were age 3 or younger. We also know that 1,490 children died from child abuse in 2004. Overall eighty-three percent of the time a parent or parents were involved in the abuse. Another consistent statistic from year to year is that of the children who have been substantiated as abused or neglected, nearly 40 percent do not receive follow up services.

The foundation on which child protective services, CPS, is established and what should always be the first goal of any CPS response is keeping children safe from child abuse and neglect. The CPS response begins with the assessment of reports of child abuse and neglect. If CPS determines the child is at risk of abuse and neglect or has been abused or neglected, CPS should ensure the child and his or her family receive services and supports from the public child protection agency and the community.

CWLA believes the best ways to ensure children are safe from all forms of maltreatment are comprehensive, community-based approaches to protecting children and supporting and strengthening families. Public and private agencies, in collaboration with individual citizens and community entities, can prevent and remedy child maltreatment, achieve child safety, and promote child and family well-being.

Child protective service, CPS, systems in the fifty states are funded by a variety of sources. In fact, funding goes beyond the two programs specifically targeted for today's hearing, the IV–B part 1 and IV–B part 2 programs. Consistently the Social Services Block Grant, SSBG, serves as a major source of funding with thirty-eight states spending $194 million in SSBG funds in 2004 for child protective services. These funds include some TANF dollars transferred into SSBG. We highlight this because SSBG, which is under the jurisdiction of this subcommittee, is threatened with a potential reduction of $500 million in the President's proposed FY 2007 budget, a thirty percent reduction in funding that would be devastating to CPS and many other child welfare services. State CPS systems also draw from the Child Abuse Prevention and Treatment Act, CAPTA, but funding under the state grants part of that program is limited to $27 million and has never reached its full authorized funding level.

A CPS system that functions well is one that has a fully staffed and competent workforce. When understaffed and overworked, this system of child protection will fail. CWLA cannot emphasize enough the need for a national child welfare workforce strategy that puts well trained and educated workers in place, keeps caseloads at manageable levels, and provides competent supervision and ongoing training.

It is also important to note that CPS is only one part of the child welfare system and it cannot be viewed in isolation. If the efforts at reunification of a family fail, or the adoption fails, or services are not available for families and children who come into contact with the system, then we may find these very same children entering the system again. Children with a prior history of maltreatment are more likely to experience a recurrence of maltreatment than those who were not prior victims.

THE NEED FOR SERVICES

CWLA's vision for an optimal child welfare system encompasses a continuum of services ranging from prevention of abuse and neglect to permanency and stability for children who experience out of home care. Key ingredients of this system are a family-centered approach, an ample, stable, and highly professional workforce, the availability and targeted application of services to prevent child abuse and neglect, maintaining families when maltreatment has occurred and child safety can be reasonably assured, and achieving permanency and stability for children who must experience foster care. These components are consistent with current research and with federal expectations associated with the Child and Family Service Review process.

Family centered approach

Research in child maltreatment, juvenile justice, children's mental health, and parent education supports the effectiveness of interventions that involve the entire family over those targeting the individual parent or child alone. A family-centered approach engages families in addressing the problems that affect the care of their children. Such engagement has been linked positively to compliance with and completion of case plans.

Stable professional workforce

Effective child welfare services are based on accurate differential assessments and require knowledge of human behavior, the factors underlying child maltreatment, and the

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

way in which both risks and protective factors interact to produce an overall picture of a family's needs. Thus, it is not surprising that child welfare workforce research suggests the need for staff that have formal social work education, especially that obtained through specialized child welfare programs such as those developed through Title IV-E-supported agency-university partnerships. Studies further point to the importance of consistent mentoring by competent supervisors, and to a supportive and flexible organizational environment. All of these factors have been linked to reduced staff turnover, which recent research suggests is critically important both to minimize costs associated with frequent hiring and training and to improve outcomes for children and families. Greater amount of caseworker contact with children and parents has also been associated with better outcomes. These findings make it imperative that agencies maintain staff in sufficient numbers to provide manageable workloads that do not require caseworkers to sacrifice the provision of direct services in order to complete administrative tasks and documentation.

Prevention of abuse and neglect

Studies have demonstrated the effectiveness or promise of several approaches to prevention of child maltreatment. Models such as Nurse Family Partnerships and Healthy Families have produced evidence that they positively impact a variety of outcomes for children and families, including prevention of abuse and neglect. Likewise, high quality pre-kindergarten programs like the Chicago Child Parent Centers and Head Start that include parental involvement and supports have also demonstrated effectiveness. Independent studies have found that the financial savings achieved by the most effective of these approaches far exceeds their costs. Rigorous cost-benefit analyses conducted by the Washington State Institute for Public Policy showed cost savings for several pre-kindergarten and home visitation programs as well as for Parent-Child Interaction Therapy, a center-based intervention that provides direct coaching to parents as they interact with their young children.

Several interventions that target older children and their families have also been demonstrated to have benefits in lessening children's problematic behavior and improving family functioning. Family-based therapeutic models such as Functional Family Therapy and Multi-Systemic Therapy have been rigorously tested in sites across the country and, despite some variation in findings, there is substantial evidence of their benefits to youth and their families.

Maintaining families

Many children can be safely maintained in their families through the timely application of interventions that correctly target the underlying causes of maltreatment. A number of studies support the benefits of interventions that have a behavioral, skill-building focus and that address family functioning in multiple domains including home, school, and community. Cognitive behavioral models have been demonstrated to reduce physical punishment and parental aggression in less time than alternative approaches. The most effective treatment involves all members of the family and addresses not only parenting skills, but also parent-child interaction and a range of parental life competencies such as communication, problem solving, and anger control. Attention to immediate, concrete needs has also been identified as a key factor in supporting family engagement and positive outcomes.

Permanency and stability

A wealth of research demonstrates the importance of children being nurtured in a stable family environment, confirming the need to move those who must enter foster care into permanent living situations as quickly as possible. Recent studies suggest that, when children must leave their families, well-supported kinship placements have the potential to provide more stable and normalizing environments than unrelated family care.

Most children who enter foster care are able to return to their families of origin, often within less than one year. However, when that is not possible, alternatives such as adoption or subsidized guardianship can offer long term stability. Cost analyses of child welfare services have linked kinship care and subsidized guardianship to cost savings. One study found the cost of effecting an adoption for children in foster care to range from $6,000 to $28,539, or an average of $19,141, suggesting that this permanency alternative has the potential to achieve a substantial savings over long term foster care.

While research supports the use of family care when deemed appropriate by a full assessment, group care is another placement option that may offer benefits for certain youth when used strategically, for a period of time indicated by ongoing assessment, and as part of a plan to maintain or rebuild family and community connections. However, family care, even in therapeutic foster care settings with multiple supportive services, tends to be substantially less expensive.

Aftercare and transitional services

Data indicate that about 25 percent of all children who exit out-of-home care will return at some point, often within one year. The likelihood of re-entry is especially great when children or parents have more numerous or complex needs or when they are exposed to more extreme environmental stressors. Although the likelihood of maltreatment recurrence and/or subsequent reentry into foster care is undoubtedly related to decision-making and services offered prior to reunification, it strongly suggests a need for aftercare services.

The limited research in family reunification aftercare, indicates that it is most successful when it is initially intensive and includes the availability of concrete services and ongoing assessment of risk. The association of social isolation with failed reunification also suggests the importance of linking with extended family, extra-familial social networks, and informal resources. Tapering off of services should be based on the family's needs rather than on an arbitrary time frame.

Services during and after the adoption process are also an important part of the service continuum. Although the rate of adoption dissolution is quite low overall, research indicates that some placements may have greater needs for follow-up services and supports. One study reported that, while less than 30% of all adoptive families used post-adoption services other than informational resources, most families adopting through a public agency used some type of counseling. This finding was attributed to the larger number of special needs of children placed with these families. As in other types of child welfare intervention, family-focused approaches appear to be the most helpful in supporting adoption stability. Research suggests that adoptive parents may also value participation in support groups, access to literature and seminars, and concrete services like respite care, subsidies, and health benefits.

Services targeting youth who will exit foster care to independence are another important component of a continuum of care. Studies have identified four key elements: school completion, high-intensity supports over time, a work experience component, and the presence of a stable, caring adult as factors leading to successful transition of youth to work and independence. Youth have been shown to benefit from a plan based on systematic assessment, combined with focused skills development, involvement of caregivers as teachers, and re-establishing or maintaining connections to birth/extended family and community.

TRIBUTE TO THE HOUGHTON GREMLINS BASKETBALL TEAM

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. STUPAK. Mr. Speaker, I rise today to honor 12 extraordinary young women and their coaches who showed incredible determination, character and athleticism in winning the 2005 Girls Class-C State of Michigan Basketball Championship.

As the 2005 season commenced, the Houghton Gremlins were considered by many observers to be in a rebuilding phase. However, this dedicated team of young women was determined to shed that label, disprove the skeptics and move beyond the regional level.

The young women of the 2005 Houghton Gremlins were not the tallest team. In fact, not a single one of their players stood above 5 feet and 8 inches. Many of the teams the Gremlins faced had players who were taller than 6 feet. Yet, what the Gremlins lacked in height, they made up for in speed, skill and, most importantly, a tireless desire to succeed. In many ways, they embodied the famous Theodore Roosevelt quote, "What matters is not the size of the dog in the fight, but the size of the fight in the dog."

The Gremlin's regular season record of 18–2 demonstrated their winning attitude. Their undefeated record within the West PAC Conference was yet further evidence of their hard work. However, as the post season began, the Gremlins felt that even with a great regular season, they had not yet accomplished their goal.

Winning in the post season would require living up to a favorite saying of their coach, Julie Filpus: "Winners are like biscuits, when things heat up, they rise to the occasion."

The Gremlins took that advice to heart by earning a trip to the quarterfinals with timely three point shots, accurate free throw shooting and fast break layups. On November 28th, the Gremlins packed their bags and headed downstate to Lansing to compete for a state championship.

In Lansing, the Gremlins proved once more that they simply would not give up. At the end of the first half of the title game, Houghton trailed by ten points. However, the Gremlins refocused, rallied and regained their lead. Ultimately, the Lady Gremlins were victorious, eking out a 50–44 victory over the unbeaten Michigan Center.

Athletics in our public schools are meant to teach young people important life lessons such as the value of teamwork and the importance of hard work. Clearly, the 2005 Houghton Gremlins embody these values.

Mr. Speaker, these young women won not only a trophy, but also the admiration, respect and pride of the entire Houghton and Upper Peninsula community. I therefore commend the players, Callen Richards, Jodi Riutta, Whitney Rivest, Molly Turner, Amy Erva, Brooke Asiala, Nicole Asiala, Madeline Northey, Kristen Reed, Beth Sutherland, Josie Riutta and team captain Alyssa Polso. I also salute their coaches, Julie Filpus, Wayne Henry, Chuck LaPointe and Jen Sundstrom, for serving as role models and mentors to these talented young women.

Mr. Speaker, I ask the U.S. House of Representatives to join me in saluting the Class C Michigan Basketball Champions, the Houghton Gremlins, their coaches and loyal fans.

MICHAEL ADMIRE ELECTED TEXAS YOUTH GOVERNOR

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Michael Admire on being elected Texas Youth Governor by his peers this year as part of the YMCA National Youth in Government program. The national conference of governors is being held this week in Washington, DC.

Mr. Admire is an outstanding student who has proven to be charismatic, ambitious and full of integrity. Part of his official duties as the Texas Youth Governor includes reviewing all proposed legislation with the option to sign or veto specific bills. This task is considerable and brings a great deal of commitment and clear judgment.

The Texas Youth in Government is an outstanding program which allows students to actively participate in the government process. During the program, participating students gain an understanding of local and national government process, an understanding of political systems, as well as obtain an appreciation for the diversity of viewpoints on public issues and a respect for the beliefs of others. Democracy is built upon citizens' active participation in upholding civic responsibilities; the Texas Youth in Government program actively promotes this foundation of democracy.

I extend my sincere congratulations to Michael Admire and his accomplishments as Texas Youth Governor. As a resident of Justin, Texas, in the heart of the 26th Congressional District, I am honored to represent Mr. Admire in Washington. He is an outstanding student and a model to the community.

RECOGNIZING TREVOR TUTT FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Trevor Tutt, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America and in earning the most prestigious award of Eagle Scout.

Trevor has been very active with his troop, participating in many Scout activities. Over the many years Trevor has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Trevor Tutt for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HIV/AIDS TODAY CLAIMS A MORE DIVERSE GROUP OF VICTIMS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD an article, entitled The Changing Face of HIV/AIDS Epidemic, by Tony Best, published in the June 6, 2006 edition of New York Carib News, in the CaribHEALTH section. Mr. Best recalls the first time, twenty five years ago when the U.S. Centers for Disease Control informed the world about a disease that claimed the lives of five homosexual men in California. From then on, this mysterious disease became known as the "gay cancer" and was considered as an immediate sentence for death.

Since then, HIV/AIDS has been responsible for over 25 million deaths worldwide, and the Caribbean Islands have had nothing short of a personal encounter with the disease, as HIV/AIDS claimed 20,000 lives in the region. The most affected countries in the Caribbean have consistently been Haiti, the Bahamas, Guyana, Barbados, Jamaica, Grenada, and Trinidad and Tobago.

Mr. Best quotes U.S. HIV/AIDS expert Dr. Wayne Greaves as stating that "Looking back on what has happened in the 25 years, the picture is still not a bright one." Despite all the innovative treatments that now prolong the lives of HIV/AIDS patients, there is still no cure or even a drug that prevents HIV in the first place.

Another very noteworthy point that Mr. Best emphasizes is that HIV/AIDS, while first distinguished as a homosexual, white, male disease, has now become blind to sexual orientation, gender, and race as it is alarmingly spreading and infecting increasing numbers of Blacks and heterosexual women. Although current census places Blacks as accounting for 12 percent of the U.S. population, they also account for a whopping 51 percent of the new HIV cases in the nation. Furthermore, the diagnosed HIV cases for women have tripled since first cases in 1985.

Mr. Best cites possible theories that may explain these surprising shifts in HIV infection such as low rate of uncircumcised Black males compared with whites, the large Black prison population, and poverty. In essence, the HIV/AIDS epidemic has completely transformed in nature with regards to who is primarily infected by the disease. Akin to the shift in the face of the HIV/AIDS epidemic exists the fact that the HIV virus is able to mutate so easily, making it virtually impossible for scientists to develop a vaccine against the disease.

Nevertheless, Mr. Best cites Dr. Greaves as commenting that while the cure to HIV is a "far way off," in the meanwhile, scientist can still continue to develop medications that can prolong life. This point is well taken in light of the fact that there is no cure for diabetes and hypertension, and yet, science has been able to treat people with these diseases to the point where the public no longer sees them as terminal conditions. Dr. Greaves underscores education and access to beneficial drugs as key elements in the fight against HIV/AIDS.

TWENTY-FIVE YEARS AFTER THE FIRST CASES—THE CHANGING FACE OF HIV/AIDS EPIDEMIC

(Tony Best)

To some, it was the disease from hell, the "gay cancer," that brought death. To others, it was an unfathomable plague whose origins were first believed to be in Haiti. That was a discredited medical theory that scarred a nation, forcing millions from the Caribbean country to fight back to clear their name. To yet another group, the lethal virus that terrorized communities in North America, Europe, the Caribbean and Latin America, is still wreaking havoc, especially in Africa, but much less so in North America and the Caribbean.

The disease: HIV/AIDS.

Twenty five years after the U.S. Centers for Disease Control first told the world in a 1981 report about the deaths of five homosexuals in California from a rare form of pneumonia, few countries, if any have been spared the ferocity if this deadly disease. Some 25 million deaths later, at least 20,000 of them in Haiti, the Bahamas, Guyana, Barbados, Jamaica, Trinidad and Tobago, Grenada, and their neighbors, the world is grappling with the devastation HIV/AIDS has left behind. The Bahamas and Barbados, for instance, are considered success stories in dealing with it, have had more than its fair share of deaths. "Looking back on what has happened in the 25 years, the picture is still not a bright one," said Dr. Wayne Greaves, a Caribbean scientist and an HIV/AIDS expert in the U.S.

For one thing, asserts Dr. Greaves who heads a research laboratory at a large U.S. pharmaceutical firm, "we can argue it is brighter than before, because there are newer and more effective drugs." Even more important, scientists know how to block some, not all, infections that attack the immune functions within the body. Still, there is no drug, which prevents HIV infection in the first place.

"From the epidemiological standpoint it is particularly disconcerting, particularly among Blacks and Hispanics," he said. "In the early days of the epidemic, 95 per cent of the total cases were among men. Two-thirds of those cases were among Caucasians. Blacks made up 20 per cent of the cases. Today, although Blacks account for 12 per cent of the U.S. population they account for 51 per cent of the new HIV cases. For women, the story today isn't very good. The cases diagnosed in the U.S. have increased dramatically among women, tripling among women. From eight per cent in 1985 women accounted for 29 percent of all the cases. It is even higher today."

The hard part is that the pattern of the diseases in Caribbean countries mirrors the trend in the U.S. Globally, more than three million died in 2004 and of the 40 million who succumbed to the disease since 1981, Africa accounted for half of them. In sub-Sahara Africa alone 25.8 million are living with HIV, a 75 per cent jump in the last decade. Sub-Sahara Africa has the world highest rate of infection followed by the Caribbean. In Asia, 8.3 million are living with the disease, an increase of almost 300 per cent since 1981. Indeed, 25 per cent of the new worldwide cases were in Asia last year. In Latin America and the Caribbean an estimated 2.1 million now have the disease, a 75 per cent increase from 1995.

"What is really very troubling in the United States is the high rate of infection among Black men, who are having sex with other men and many are also having sex with women," said Dr. Greaves. ""This is really very troubling." How come such growing infections among Black men? "It's not really quite clear what's happening," Greaves said.

For instance, the causes range from a lack of knowledge about their own HIV status and then having sex with other people; low rate of uncircumcised Black males compared with whites; the prevalence of sex workers in Africa and the Caribbean; and the large Black prison population; to mistrust of the medical community; poverty and conspiracy theories.

"In summary, we are now talking about a different epidemic than the one first reported in 1981," Greaves, explained. "It is more heterosexual transmission than before; less homosexual; transmission through injection drug use remains the same; and a lot more women infected than in the early days of the epidemic." But what about treatment?

If there is a bright spot, it is that HIV positive individuals are living longer, many are leading normal lives, and infection is no longer seen as a death sentence, and that's true if you are in New York, Los Angeles, Toronto, New York, Nassau or Port of Spain where retroviral drugs.

"I am optimistic from the medical and scientific standpoint in terms of the new medicines and drugs but I am not optimistic at all about the behavioral response to the messages which have been put out there in the public arena," he said.

On the horizon, some promising categories of drugs. One is entry-inhibitors, which block the virus from being able to enter the cells of the body, thus causing infections. The other is an enzymes used by the virus to infect the cell. By blocking the enzymes scientists interrupt the process of the virus multiplying and causing destruction of the cell, spawning new viruses.

"These are being developed and they look very promising," he reported. "If these successes continue, they would be useful additions to the existing drugs that we use to treat AIDS." Unfortunately, though, current research is unlikely to lead to a class of drugs anytime soon that would prevent infection. In essence, a cure is a far way off.

The problem is that the HIV virus is able to mutate so easily that scientists have been virtually unable to develop a vaccine that stimulates the right antibodies or cells that would prevent infection. "In the meantime, though, we will continue to develop better drugs and we can still prolong life," Greaves said. "We may not be able to cure the infection but we can keep people alive." After all, there's no cure for diabetes and hypertension but "'we have effective drugs where people can go living virtually a normal life span," he says.

Dr. Greaves gives several Caribbean nations high marks for their efforts in fighting HIV through education and the provision of drugs to victims.

TRIBUTE TO DR. MICHAEL ALLKINS

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. STUPAK. Mr. Speaker, I rise today to honor a man who has dedicated his life to education. Dr. Michael Allkins will retire this month from Bay de Noc Community College, an institution that owes him a debt of gratitude for his tireless work to maintain, improve and strengthen not only the college, but the surrounding community.

Dr. Allkins was appointed president of Bay de Noc Community College (Bay) on August 1st of 1997. During his tenure, President Allkins accomplished much, ensuring that Bay remains one of the finest community colleges in the Nation. On July 1st of 2006, his time at Bay will come to an end as he and his wife Linda begin a much deserved retirement.

During his administration, Dr. Allkins presided over the completion of the Joseph Heirman University Center, remodeled the Student Center, and improved the chemistry and water technology labs on the campus.

Bay was the first college in Michigan to be awarded a Michigan Technical Education Center. This innovative statewide program ensures that community colleges provide training that is relevant to the needs of local employers. It is through Dr. Allkins' leadership that Bay, in Escanaba, Michigan, was able to open the very first such technical training center in the entire State.

That accomplishment alone demonstrates that Dr. Allkins is a forward thinking leader with a strategy for Bay's future. However, Dr. Allkins' accomplishments span well beyond the Technical Education Center. For over 10 years, the staff and faculty of Bay de Noc had been working to expand the college by opening a campus in neighboring Dickinson County. Under the leadership of Dr. Allkins, the college finally succeeded in passing a millage to fund the expansion and better serve Bay's growing student body 55 miles away from the main campus. Dr. Allkins was instrumental in passing the millage and breaking ground for the new facility.

Dr. Allkins also led Bay through a lengthy, 10-year reaccreditation effort. This reaccreditation required improving the curriculum in general education, reviewing and assessing individual programs and making technological improvements a priority. Dr. Allkins also bolstered programs at the college that recognized the achievements of students, faculty and alumni and formalized Bay's graduation ceremonies.

As any president of an educational institution must be, Dr. Allkins was also an effective ambassador for Bay. He was known for working with the Michigan Community College Association and with legislators to lay a stable financial foundation for Bay. Rural community colleges often have to assert themselves to receive their fair share of funding and Dr. Allkins was an effective advocate for Bay, working to see equitable funding for Michigan community colleges.

Dr. Allkins was also involved in a variety of volunteer organizations in Escanaba and Delta counties. He served on the boards of the Delta County Area Chamber of Commerce, the Economic Development Alliance, the Upper Peninsula Great Lakes Educational Technologies, the YMCA and the Saint Francis Hospital Advisory Committee. He is an active member of the Escanaba Rotary Club.

Even prior to coming to Bay de Noc Community College, Dr. Allkins had already enjoyed a career dedicated to education. As Executive Vice President of Instruction and Student Services, Vice President for Academic Affairs, and Interim President at South West Community College in Mount Gay, West Virginia, Dr. Allkins made a number of important contributions to preserving and growing that institution.

Mr. Speaker, Dr. Michael Allkins has clearly made education and rural education, in particular, the focus of his career. Bay de Noc Community College and its surrounding communities are better for having enjoyed his stewardship. Because of his leadership skills and the importance of Bay de Noc Community College to the region, all of the Upper Peninsula benefited from having Dr. Michael Allkins and his wife, Linda Hirvonen, as professional citizens in our region of the country.

I ask the U.S. House of Representatives to join me in congratulating Dr. Michael Allkins on his retirement and in thanking him and Linda for their commitment to education and our communities.

IN RECOGNITION OF LANCE CORPORAL RYAN S. MILLER'S SERVICE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. BURGESS. Mr. Speaker, I rise today to commend Lance Corporal Ryan S. Miller, United States Marine Corps, for receiving a Certificate of Appreciation for superior performance of duty while serving as the Non Commissioned Officer in Charge of the Marine Corps Air Ground Combat Center's Color Detail at Twentynine Palms, California.

Lance Corporal Miller was responsible for posting the Combat Center's colors on a daily basis. As a result of his leadership, motivation, and attention to detail, the Color Detail accomplished its mission in an exemplary manner. Lance Corporal Miller has performed a great duty to our country. Lance Corporal Miller's Certificate of Appreciation is a permanent part of his official record at Headquarters, United States Marine Corps.

A 2004 graduate of Edward S. Marcus High School in Flower Mound, Texas, in the heart of the 26th Congressional District, Lance Corporal Miller is a fine example of how brave Americans stationed both in the United States and abroad are doing their duty faithfully and serving their country admirably.

As a member of the United States Marine Corps, Lance Corporal Miller is a part of a long tradition of military excellence. Due to the Marine's constant vigilance, the borders and freedoms of the United States are protected. The traditions of the United States Marine Corps are as old as the nation itself; Lance Corporal Miller's outstanding service and respect for traditions make him the pride of his community and a model American.

I extend my sincere congratulations to Lance Corporal Ryan S. Miller for receiving a Certificate of Appreciation. His contributions and service are a shining example to us all, and I am honored to be his representative in Washington.

RECOGNIZING CHANCE BROWN FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Chance Brown, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 102, and in earning the most prestigious award of Eagle Scout.

Chance has been very active with his troop, participating in many scout activities. Over the many years Chance has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Chance Brown for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

NEW YORK NEEDS THE MONEY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. RANGEL. Mr. Speaker, with Secretary Michael Chertoff's decision to cut Federal anti-terror funding for both New York and Washington, DC, I would like to introduce an editorial printed in the Daily News on June 7, 2006, that encourages the executive branch to put pressure on the Department of Homeland Security to rectify this decision. The editorial, titled Get N.Y. the money, Mr. President, discusses the extremely negative reception this decision has received.

Both former New York City mayor Rudy Giuliani and former chairman of the 9/11 commission, Tom Kean, two of the most knowledgeable men on protecting our country from terrorism, claim that New York, as the premier target of terrorist attacks, needs to implement several anti-terror programs in order to completely protect itself. The intended programs included an effort to prepare the fire department to adeptly handle multiple attacks at once, to allocate funding to the NYPD counterterrorism bureau which interprets threats to the city, and to create systems that can detect radiation in the water and air.

In deciding how to best allocate homeland security funds, Secretary Chertoff used a complicated scoring system that resulted in the funding of information dissemination and consequentially the rejection of funds required for protecting New York. This editorial endorses an effort to demonstrate the importance of protecting both New York and Washington, DC. The Daily News editors argue correctly that President Bush is the only person with the authority to do this.

The House Homeland Security Committee's chairman, PETER KING, joined by the entire New York delegation in the House and Senate has made spirited efforts to reverse the decision to reduce the allocation to New York. More money is needed for New York, and I certainly hope that the Department of Homeland Security recognizes this as soon as possible.

Therefore I submit for the RECORD an editorial from the June 7, 2006, issue of the Daily News for our consideration.

GET N.Y. THE MONEY, MR. PRESIDENT

No less an authority than Rudy Giuliani has rendered the ultimate verdict on the Department of Homeland Security's decision to slash New York City's federal anti-terror funding. Plainly and simply, Giuliani sees incompetence.

Similarly, Tom Kean, former chairman of the 9/11 commission, says the department turned thumbs down on paying for exemplary programs that "should be a model for the nation." Kean also questioned the wisdom of allowing Homeland Security to base its dollar allocations on the work of anonymous panels operating in secret.

When it comes to emergency preparedness, Giuliani and Kean are two of the smartest guys around. Having studied the war on terror up close, they are experts in the extraordinarily broad range of defenses that a city like New York, the world's No. 1 terror target, must mount if we are to have a chance at fending off disaster.

New Yorkers aren't as versed in the best ways to link emergency communications, or how to pick up radioactivity, or what to make of intelligence reports flowing from abroad—but New Yorkers do have finely tuned B.S. detectors. And so do all the late-night comics who are ridiculing Secretary Michael Chertoff's incompetence. Which starts with the rules his bureaucrats established for selecting anti-terror programs that were worthy of funding.

The regs favored buying things over paying for manpower and training, no matter how vital the manpower or training was. So, Chertoff smiles at paying for armored vests for cops, but he frowns at picking up the salaries of the officers who patrol in them. He's happy to buy haz-mat suits for firefighters, but he doesn't want to train firefighters to wear them.

The shortsighted, wrongheaded outrageousness of Chertoff's thinking screams forth when you run down just some of the ways the city had hoped to spend U.S. anti-terror money. There were plans to:

Prepare the Fire Department to face multiple chemical, biological or nuclear attacks.

Provide continuing emergency response training to firefighters and fire officers.

Devote funding to the NYPD counterterrorism bureau, which analyzes threats, and Operation Atlas, which puts as many as 1,000 anti-terror cops on the street daily.

Boost security for the Brooklyn, Manhattan, Williamsburg and Queensboro bridges.

Create a lower Manhattan security zone, complete with surveillance cameras.

Develop a broadband wireless communication system for public safety agencies across the metropolitan area.

Set up systems to detect radiation and biohazards in the air and water and gauge their movement in winds and currents.

Draft an isolation and quarantine program to be used in an epidemic outbreak.

Buy a boat to enable the FDNY to respond to a chemical, biological or radiation attack by water.

Using a half-baked scoring system as complex as the Tax Code, Chertoff's evaluators gave top marks to a program to disseminate emergency readiness information to the public, including pet owners, while flunking the NYPD counterterrorism center. Nothing could better sum up how disconnected from reality Homeland Security was.

Yet Chertoff is holding fast in refusing to put federal funding where it really belongs. That's in New York and Washington, which also suffered a 40% cut in aid. He needs to change his mind, or be made to change his mind, and all his nutty rules must go. Only one person has the power to compel such action: President Bush.

Rep. Pete King, chair of the House Homeland Security Committee, said yesterday that if Chertoff doesn't come up with more money for New York, he'll take the matter to Bush. That's good, but King shouldn't have to storm the Oval Office. Bush, who has refrained from canning Chertoff, should order him to rectify his incompetence posthaste.

TRIBUTE TO THUNDER BAY QUILT GUILD

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. STUPAK. Mr. Speaker, I rise on this Flag Day to commend a group of my constituents' who are, in their own unique way, honoring our troops and offering comfort to our war injured servicemen and servicewomen.

Most people have never heard of Atlanta, Michigan. However, just because the town is small in population, does not mean it is not big on patriotism. This was demonstrated most recently by the area's Thunder Bay Quilt Guild.

The Thunder Bay Quilt Guild is a group of area women who meet every Thursday to work on quilting projects. Sometimes the quilters work on their own individual projects, but often there is a special project these quilters eagerly undertake.

In the past, the Guild has assisted a variety of important charities. For instance, the Guild has sewn quilts for use in neonatal hospitals to keep children between birth and four years of age warm during their stay in the hospital.

While these dedicated quilters often do admirable work, most recently the Thunder Bay Quilt Guild paid tribute to our fighting men and women who have returned home from Iraq and Afghanistan and could use some basic comfort. Already, the Guild has prepared and shipped 60 "Hero Quilts" to Walter Reed Hospital where they are being distributed to troops who have returned from Iraq and Afghanistan with injuries.

Each quilt is sewn with a red, white and blue pattern and has affixed to it a simple message that reads, "This Hero's Quilt was made for you by members of the Thunder Bay Quilt Guild. It comes with our prayers for your recovery and our heartfelt thanks for your service to our country."

Approximately 60 women belong to the Guild and pitched in on this effort, delivering to our troops a simple reminder that, back home, they are remembered and recognized as heroes.

The impetus for this idea came from Cathy McIntee, another Michigan native who had friends in the Thunder Bay Quilt Guild. Ms. McIntee's son is currently serving in Iraq and Ms. McIntee designed the first "Hero Quilt." The members of the Thunder Bay Quilt Guild then rallied together in support of the cause and began sewing quilts for wounded heroes for delivery to Walter Reed.

Mr. Speaker, quilting enjoys a rich heritage in American history. As the activity has evolved over the years, quilting has become a way to bring people in a community together through quilting guilds or "quilting bees." Quilting is also a way to honor and preserve American history. Many of these organizations are extremely altruistic, generously donating their work to charities, the needy and others.

Clearly, the Thunder Bay Quilt Guild exemplifies that tradition. Their "Hero Quilts" are an impressive example of how even a small community, when inspired and united, can lend support to those who need it most.

As one might expect, the members of the Thunder Bay Quilt Guild are modest about their contributions. As JoEllen Moulton, one of their leading members remarked, "Others have given so much more than us."

Nonetheless, for the wounded servicemen and servicewomen at Walter Reed hospital, I am certain that the arrival of a handmade quilt was a pleasant surprise and a source of comfort. This contribution from the Thunder Bay Quilt Guild in the small town of Atlanta, Michigan was, indeed, a big accomplishment and, Mr. Speaker, I ask you and the U.S. House of Representatives to join me on this Flag Day in thanking these patriotic, dedicated quilters for their work.

RECOGNIZING LANDON CRAWFORD FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Landon Crawford, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 102, and in earning the most prestigious award of Eagle Scout.

Landon has been very active with his troop, participating in many scout activities. Over the many years Landon has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Landon Crawford for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

KOFI ANNAN'S PERSPECTIVE ON IMMIGRATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. RANGEL. Mr. Speaker, I rise today to enter into the RECORD, an article by Mr. Kofi A. Annan, the secretary general of the United Nations. In the article, titled In Praise of Migration, published in the Wall Street Journal on June 6, 2006, Mr. Annan extols the benefits of transnational migration for both the country of origin and the receiving country.

In receiving countries migrants perform essential tasks that residents are unwilling to undertake. Generally they pay more to the state in taxes than they take out in welfare and other benefits. "Nearly half the increase in the number of migrants aged 25 or over in industrialized countries was made up of highly skilled people" who have added talent and dexterity to our economy by strengthening the workforce.

Migrants strengthen the economy of their country of origin as well. "Migrants sent remittances, which totaled around $232 billion last year, $167 billion of which went to developing countries—greater in volume than current levels of official aid from all donor countries combined"—that are vital contributions to economy of the nation of origin. Migrants also encourage investment in their country of origin and are generally willing to supervise and direct these endeavors, leading to increased trade relations.

Irregular or undocumented migrants are most vulnerable to smugglers, traffickers, and other forms of manipulation. If the host government chooses to criminalize those who assist these people in the name of humanity, they will completely be at the mercy of such exploitations. Essentially, we are throwing them to the wolves with the proposed House passed immigration bill. While immigration is not without drawbacks, I condemn the inhumane policies proposed by the bill passed by the House.

[From the Wall Street Journal, June 6, 2006]

IN PRAISE OF MIGRATION—NATIONS THAT WELCOME IMMIGRANTS ARE THE MOST DYNAMIC IN THE WORLD

(By Kofi A. Annan)

Ever since national frontiers were invented, people have been crossing them—not just to visit foreign countries, but to live and work there. In doing so, they have almost always taken risks, driven by a determination to overcome adversity and to live a better life. Those aspirations have always been the motors of human progress. Historically, migration has improved the well-being, not only of individual migrants, but of humanity as a whole.

And that is still true. In a report that I am presenting tomorrow to the U.N. General Assembly, I summarize research which shows that migration, at least in the best cases, benefits not only the migrants themselves but also the countries that receive them, and even the countries they have left. How so? In receiving countries, incoming migrants do essential jobs which a country's established residents are reluctant to undertake. They provide many of the personal services on which societies depend. They care for children, the sick and the elderly, bring in the harvest, prepare the food, and clean the homes and offices.

They are not engaged only in menial activities. Nearly half the increase in the number of migrants aged 25 or over in industrialized countries in the 1990s was made up of highly skilled people. Skilled or unskilled, many are entrepreneurs who start new businesses—from round-the-clock delis to Google. Yet others are artists, performers and writers, who help to make their new hometowns centers of creativity and culture. Migrants also expand the demand for goods and services, add to national production, and generally pay more to the state in taxes than they take out in welfare and other benefits. And in regions like Europe, where populations are growing very slowly or not at all, younger workers arriving from abroad help to shore up underfunded pension systems.

All in all, countries that welcome migrants and succeed in integrating them into their societies are among the most dynamic—economically, socially and culturally—in the world.

Meanwhile, countries of origin benefit from the remittances that migrants send home, which totaled around $232 billion last year, $167 billion of which went to developing countries—greater in volume than current levels of official aid from all donor countries combined, though certainly not a substitute. Not only do the immediate recipients benefit from these remittances, but also those who supply the goods and services on which the money is spent. The effect is to raise national income and stimulate investment.

Families with members working abroad spend more on education and health care at home. If they are poor—like the family in the classic Senegalese film, "Le Mandat"—receiving remittances may introduce them to financial services, such as banks, credit unions and microfinance institutions. More and more governments understand that their citizens abroad can help development, and are strengthening ties with them. By allowing dual citizenship, permitting overseas voting, expanding consular services and working with migrants to develop their home communities, governments are multiplying the benefits of migration. In some countries, migrant associations are transforming their communities of origin by sending collective remittances to support small-scale development projects.

Successful migrants often become investors in their countries of origin, and encourage others to follow. Through the skills they acquire, they also help transfer technology and knowledge. India's software industry has emerged in large part from intensive networking among expatriates, returning migrants and Indian entrepreneurs both at home and abroad. After working in Greece, Albanians bring home new agricultural skills that allow them to increase production. And so on.

Yes, migration can have its downside—though ironically some of the worst effects arise from efforts to control it: It is irregular or undocumented migrants who are most vulnerable to smugglers, traffickers and other forms of exploitation. Yes, there are tensions when established residents and migrants are adjusting to each other, especially when their beliefs, customs or level of education are very different. And yes, poor countries suffer when some of their people whose skills are most needed—for instance health-care workers from southern Africa—are "drained" away by higher salaries and better conditions abroad.

But countries are learning to manage those problems, and they can do so better if they work together and learn from each other's experience. That is the object of the "high-level dialogue" on migration and development that the General Assembly is holding this September. No country will be asked or expected to yield control of its borders or its policies to anyone else. But all countries and all governments can gain from discussion and the exchange of ideas. That's why I hope the September dialogue will be a beginning, not an end.

As long as there are nations, there will be migrants. Much as some might wish it otherwise, migration is a fact of life. So it is not a question of stopping migration, but of managing it better, and with more cooperation and understanding on all sides. Far from being a zero-sum game, migration can be made to yield benefits for all.

RECOGNIZING JEFFREY LLOYD FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Jeffrey Lloyd, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 102, and in earning the most prestigious award of Eagle Scout.

Jeffrey has been very active with his troop, participating in many scout activities. Over the many years Jeffrey has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Jeffrey Lloyd for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I was present and voting during the series of rolled votes that included rollcall No. 261, on ordering the previous question on the role for Transportation, Treasury, Housing and Urban Development, the Judiciary, District of Columbia and Independent Agencies FY 2007. While I was recorded as "yea" on the vote, I intended to cast a "no" vote on rollcall No. 261.

PERSONAL EXPLANATION

HON. KATHERINE HARRIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Ms. HARRIS. Mr. Speaker, I am writing in regards to yesterday's vote ordering the previous question on the rule providing for consideration of the bill (H.R. 5576) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007. During the vote on the previous question, roll no. 261, I inadvertently voted "yes," but intended to vote "no."

RECOGNIZING CLINT RICHARDSON FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Clint Richardson, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 102, and in earning the most prestigious award of Eagle Scout.

Clint has been very active with his troop, participating in many scout activities. Over the many years Clint has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Clint Richardson for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN MEMORY OF PERRY RICHARDSON BASS

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Ms. GRANGER. Mr. Speaker, I rise today to honor one of the leading citizens of District 12 and the Fort Worth community that I serve, Perry Richardson Bass. On June 1, 2006 Mr. Bass died at his home at the age of 91. The Fort Worth Star-Telegram aptly described Mr. Bass as "a Texas oilman who turned his riches into philanthropic gold for Fort Worth, the state and the nation." Mr. Bass's legacy continues in his four sons—Sid, Ed, Robert and Lee—who, in their own right, are business leaders and philanthropists.

Those of us who knew Mr. Bass had an incredible opportunity to see how a man who had worked in the West Texas oil fields had come to be a legend not only in the oil business, but also in the world of high finance, civic and public service endeavors, and the arts. Mr. Bass touched the lives of millions of people in Fort Worth, in Texas and in the United States. Sometimes he did this in dramatic fashion, as with the creation of the marvelous Bass Performance Hall in Fort Worth to which he and his family made a major financial contribution, and other times, he did it in untold ways so people's lives could be bettered.

Mr. Bass was born on November 11, 1914 in Wichita Falls, TX. He was the son of Dr. E.P. Bass, who left an East Texas medical practice for the oil industry, and Annie Richardson Bass. After attending a boarding school in Pennsylvania, Mr. Bass earned a science degree in geology from Yale University in 1937. Mr. Bass became enamored with the Texas oil business as a teen when he assisted his uncle, Sid Richardson, also a legendary Texas oilman. After Yale, Mr. Bass joined his uncle as a business advisor and they formed the Richardson & Bass Co. Upon the death of Mr. Richardson, Mr. Bass created Bass Brothers Enterprises which he operated on behalf of himself and his four sons until 1991 when his oldest son, Sid, took control of the company. Bass Brothers Enterprises flourished into one of American's most successful companies with a wide array of business interests that at one time included a major stake in the Walt Disney Companies. Mr. Bass also was chair of the Sid Richardson Foundation, created by Mr. Richardson, which has been a generous benefactor of District 12, Texas and the Nation.

While he will be remembered for many accomplishments as a superb businessman, Mr. Bass said his proudest accomplishment was his service on the Texas Parks and Wildlife Commission that he chaired. During his tenure on the commission, he was instrumental in the creation of numerous wildlife conservation efforts. Mr. Bass and his family rightfully are credited with transforming downtown Fort Worth into one of the most vibrant downtowns in the U.S. through the construction of high-rise office buildings, the renovation of turn-of-the-century storefronts and by introducing innovative downtown housing. Mr. Bass demonstrated his love of the arts by not only generously funding the arts, but also by serving as a member of the National Gallery of Art's Trustees' Council.

Mr. Bass's life will be best remembered for two things: the love of his family and his generosity. Mr. Bass described his beloved wife Nancy Lee Bass and their four sons as the greatest treasures of his life. He also called his sons Sid, Ed, Robert and Lee his greatest accomplishment. His sons have followed in their father's footsteps by their generosity, creativity, sharp business sense and love of community. Mr. Bass also felt that he should share his successes through his generosity. Nothing epitomizes this deeply held belief than a decision by Mr. and Mrs. Bass to mark their 50th wedding anniversary by contributing $50 million to 50 institutions and organizations.

Mr. Bass's great business skills, his love of wildlife, his generous philanthropy, his absolute devotion to his wife Nancy Lee Bass and sons Sid, Ed, Robert and Lee and their families, and his visions have resulted in a better Fort Worth, a better Texas and a better United States. It is with humility that I honor Perry Richardson Bass as a great American who used his skills and treasures wisely. Mr. Bass will be missed but not forgotten.

RECOGNIZING CODY NICHOLS FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Cody Nichols, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 102, and in earning the most prestigious award of Eagle Scout.

Cody has been very active with his troop, participating in many Scout activities. Over the many years Cody has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Cody Nichols for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING THE PORT OF BALTIMORE ON ITS 300TH ANNIVERSARY

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. RUPPERSBERGER. Mr. Speaker, I rise today to honor the Port of Baltimore on its 300th Anniversary.

Baltimore and the state of Maryland are home to some of the most cherished and enduring symbols of our Nation.

It was during the War of 1812 that Francis Scott Key while sequestered on a boat off the shores of Fort McHenry in Baltimore was inspired by the American Flag to write our National Anthem, the Star Spangled Banner. It was also during that war that Fort McHenry protected the City of Baltimore and the Port of Baltimore.

I believe that today, Flag Day, is an appropriate day to recognize the Port of Baltimore on its 300th Anniversary.

Established in 1706, the Port of Baltimore is here today because it was successfully defended by the American soldiers and militiamen at Fort McHenry and North Point during the War of 1812.

Today, the Port of Baltimore is one of America's busiest international deepwater ports and serves as a critical anchor for Baltimore and the Inner Harbor. It is also an economic engine for the state. From cars to tractors, from coal to paper, from sugar to aluminum, the Port of Baltimore handles 400,000 containers a year filled with goods that help us in our everyday lives. The Port employs more than 19,000 people, supports more than 42,000 jobs related to the maritime industry, and generates more than $2 billion in revenue annually.

A busy Port has ensured a buzzing economy and more jobs for Maryland residents. The hard work and dedication of Baltimore's port workers together with the support of local, state, and federal leaders have ensured that the Port will be a success today as well as tomorrow.

It is impossible to comment on the success of the Port of Baltimore without recognizing the strong commitment to the Port by former Congresswoman Helen Delich Bently. Recently Governor Robert J. Ehrlich, Jr. of Maryland announced that the Port will be renamed the "Helen Delich Bently Port of Baltimore." Former Congresswoman Bently served in the United States House of Representatives from 1985–1995 representing Maryland's Second Congressional District and has since become one of the Port's most staunch supporters.

In honor of the Port of Baltimore, I am introducing a resolution, with the support of the entire Maryland Delegation in the House, to honor the Port of Baltimore on its 300th Anniversary.

I urge my colleagues to join me and the Maryland Delegation and honor the Port of Baltimore on this patriotic day.

PERSONAL EXPLANATION

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. BARTON of Texas. Mr. Speaker, on Monday, June 12, 2006, I was unable to fly to Washington, D.C. for votes. As a result, I missed votes on this day and some votes before returning Tuesday, June 13, 2006. I would have voted on the following rollcall votes, had I been present.

Monday, June 12, 2006:

AYE: On Motion to Suspend the Rules and Agree, as Amended: 362–1 (Roll Call 251). Recognizing the 17th anniversary of the massacre in Tiananmen Square, Beijing, in the People's Republic of China, and for other purposes.

AYE: On Motion to Suspend the Rules and Agree, as Amended: 362–1 (Roll Call 252). Condemning the unauthorized, inappropriate, and coerced ordination of Catholic bishops by the People's Republic of China.

AYE: On Motion to Suspend the Rules and Agree, as Amended: 363–1 (Roll Call 253). Condemning the escalating levels of religious persecution in the People's Republic of China.

AYE: On Motion to Suspend the Rules and Agree: 364–0 (Roll Call 254). Expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere.

AYE: On Ordering the Previous Question: 204–165 (Roll Call 255). Waiving points of order against consideration of the conference report to accompany the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

AYE: On Motion to Suspend the Rules and Agree, as Amended: 409–0 (Roll Call 256). Commending the Government of Canada for its renewed commitment to the Global War on Terror.

AYE: On Agreeing to the Conference Report: 351–67 (Roll Call 257). Making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

AYE: On Agreeing to the Resolution: 221–194 (Roll Call 258). Waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules.

AYE: On Motion to Suspend the Rules and Pass, as Amended: 415–1 (Roll Call 259). To provide for certain access to national crime information databases by schools and educational agencies for employment purposes, with respect to individuals who work with children.

AYE: On Motion to Suspend the Rules and Agree, as Amended: 407–0 (Roll Call 260). Supporting responsible fatherhood, promoting marriage, and encouraging greater involvement of fathers in the lives of their children, especially on Father's Day.

RECOGNIZING JOSH SUTTON FOR ACHIEVING THE RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. GRAVES. Mr. Speaker, I proudly pause to recognize Josh Sutton, a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 102, and in earning the most prestigious award of Eagle Scout.

Josh has been very active with his troop, participating in many scout activities. Over the many years Josh has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Mr. Speaker, I proudly ask you to join me in commending Josh Sutton for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN MEMORY OF JAMES McCLATCHY

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Ms. MATSUI. Mr. Speaker, today I rise in tribute to Jim McClatchy, a legend within the newspaper business who helped set the standards for journalism in northern California and across the globe. As his family and friends gather to honor and remember his life at a funeral service next week, I ask my colleagues to join me in saluting Jim McClatchy for his service to our Nation, to journalism and to the Sacramento community.

The son of C.K. and Phebe McClatchy, Jim McClatchy was born into a family steeped in journalistic tradition. Early on it was clear he would follow his great-grandfather, grandfather and father into the newspaper business. His studies at Stanford University were interrupted by World War II where Jim served our Nation in the Army Air Corps. Jim returned from World War II, completed his Stanford education and went on to earn a Master's in Journalism from Columbia University.

Jim made his mark as a hard-working reporter with both the Sacramento Bee and the Fresno Bee. Early in his career, he covered subjects ranging from State politics to education and advanced through the ranks to the Bee's Washington Bureau where he covered the 1956 presidential election and Congress. While serving the public as a reporter, Jim continued to serve our Nation in the Army Reserves and was called to duty during the Korean War.

In 1980, Jim became Chairman of the Board of McClatchy Newspapers and in 1987 he was elevated to Publisher. He served on the company's board until his retirement in 2004. Throughout his tenure, McClatchy newspapers received numerous Pulitzer Prizes, advancing the family's commitment to excellence in journalism.

Jim's commitment extended beyond Sacramento and the McClatchy family of papers to strengthening the international free press. Jim worked with the Inter American Press Association in 1994 to help write the Declaration of Chapultepec, a document that established the role of a free press in democratic societies. Dozens of heads of state signed the Declaration of Chapultepec, including President Clinton.

Closer to home, Jim was instrumental in actively planning the Central Valley's future. He led the drive to create Valley Vision, a nonprofit that facilitates discussions to solve regional problems. Jim also created an endowment in the name of his mother to support the classics and bilingual education at California State University, Fresno, where he received an honorary doctorate just weeks before his passing.

Mr. Speaker, as Jim McClatchy's family, friends and colleagues gather to honor his legacy, I am privileged to request that the U.S. House of Representatives commemorate his life as a patriot, a community servant and man who always strove for the highest standards of journalistic integrity.

CALLING FOR THE IMMEDIATE RESIGNATION OF UNITED NATIONS DEPUTY SECRETARY-GENERAL MARK MALLOCH BROWN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. BURTON of Indiana. Mr. Speaker, I call for the immediate resignation of United Nations Deputy Secretary-General Mark Malloch Brown.

Last week, Mark Malloch Brown, the U.N.'s number two man behind Secretary-General Kofi Annan, gave an anti-American speech at a left-wing seminar.

The event, entitled, Power and Superpower: Global Leadership in the 21st Century was sponsored by the Century Foundation and the Center for American Progress, which receives funding from the Blame-America-First-Expert, George Soros.

At the event, Malloch Brown derided America's foreign policy objectives and accused American news journalists, such as Rush Limbaugh and those at Fox News channel of detracting and misleading U.N. successes, especially with stealth diplomacy in Middle America. In effect, he criticized Middle America—inferring we don't understand the U.N. and are being manipulated.

Malloch Brown's comments were completely out of line and unwarranted. He singled out a U.N. member-State, the United States, outside of normal protocol, derided the U.S. and its leading contributions to the U.N. reform effort, and involved himself and the U.N. in internal U.S. politics.

I do not have to remind Mark Malloch Brown that the United States provides one quarter of the entire U.N. budget and there are serious calls in Congress, that I believe we should consider, to withhold all future funding to the U.N. until accountable, effective and transparent reform is achieved.

If the United Nations is serious about reform, it has to reform itself from the inside. And that is why, today, I call on Mark Malloch Brown to immediately step down as Deputy Secretary-General, for the good of the United Nations as well as for the pride of the American people.

The United States cannot have faith in the U.N. if its senior leaders have such a biased opinion of the people and policies of the United States.

OPPOSITION TO CURRENT SYSTEM OF AUTOMATIC PAY INCREASES FOR MEMBERS OF CONGRESS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. MORAN of Kansas. Mr. Speaker, I rise in opposition to the current system of automatic pay increases for Members of Congress. This system does not allow for a clear up or down vote on the annual cost-of-living increase in Members' salaries.

This increase is conducted in a manner that only serves to increase cynicism towards the political process and confirms the feeling of many voters that their representatives are out of touch. The American public deserves better. Kansans deserve to see whether or not I support a pay increase. So I would like to share that my vote would be against a salary increase.

The need for a cost-of-living adjustment is not limited to Members of Congress, it also includes the public—veterans, teachers, farmers, the retired. These people, who we represent, deserve responsible government and Congress should not receive an automatic cost-of-living increase during these challenging economic times.

SALUTING OUR SOLDIERS OF TOMORROW

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. SAM JOHNSON of Texas. Mr. Speaker, I salute our soldiers, marines, seamen, and airmen of tomorrow, the service-bound academy students of the Third District of Texas. This district of Texas is home to some of the best and the brightest young people. It is always a tremendous honor to recommend such fine students to our nation's service academies.

Each year, thousands of students apply to these prestigious academies, but only the cream of the crop makes the cut. I am very proud of these future leaders. Their appointments truly are a testimony to their hard work, discipline and strong desire to serve our country.

While they passed the rigors of the nomination and appointment process, the real test has just begun! In just weeks these fine students will report in to begin an intensive basic training program before they begin a tough, and gratifying, four-year education. They have such exciting futures ahead of them. I know they are ready to join the premier military force of the world. To the appointees I say, "God bless you. God bless America. I salute you."

The appointees and their hometowns are as follows:

UNITED STATES MILITARY ACADEMY: John Kottlowski—McKinney, Texas—McKinney North High School, Preston Pham—Plano, Texas—Plano Senior High School, Colin Skowronski—Plano, Texas—Plano East Senior High School. Anil Tilbe—Plano, Texas—Plano Senior High School.

UNITED STATES NAVAL ACADEMY: Lindsay Atwood—Garland, Texas—North Garland High School, Jacqueline Juhn—Plano, Texas—Plano West Senior High School.

UNITED STATES AIR FORCE ACADEMY: Ridge Flick—Plano, Texas—Plano West Senior High School, Daniel Fulcoly—Plano, Texas—Plano Senior High School, Mallory Morgan—Parker, Texas—Pecan Orchard Academy, Vanessa Warwick—Plano, Texas—Ursuline Academy.

UNITED STATES MERCHANT MARINE ACADEMY: John Tosetto—Plano, Texas—Bishop Lynch High School.

AMERICAN COUNCIL OF YOUNG POLITICAL LEADERS

HON. WILLIAM M. THOMAS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. THOMAS. Mr. Speaker, I rise today to introduce a concurrent resolution recognizing the accomplishments of the American Council of Young Political Leaders (ACYPL) as the organization celebrates its 40th anniversary this year.

Since 1966, ACYPL has provided bipartisan international exchange programs, educational forums, and leadership training in order to better prepare young political leaders for future positions of responsibility in local, state, and Federal Government. ACYPL's programs offer young leaders, some who may have never traveled outside the United States, the opportunity to enhance their awareness and understanding of other cultures through in-depth study tours.

Founded during the Cold War, the organization's efforts initially focused on Western Europe. Over the past four decades, however, ACYPL programs have expanded to include over 90 nations throughout the world, including the Middle East, sub-Saharan Africa, the Western Hemisphere, East Asia, and the Pacific Rim.

Many of ACYPL's more than six thousand alumni worldwide have risen to positions of great responsibility. In the United States, alumni include members of Congress, the Cabinet, ambassadors, and many senior level officials who serve in local, state, and national government. Internationally, past participants of ACYPL programs now serve as cabinet members, ambassadors, parliamentarians and as other senior level policymakers. Establishing early relationships among such future leaders helps facilitate international dialogue and strengthen and promote U.S. policy objectives.

As an alumnus of an ACYPL program to the then Soviet Union in the 1970s, I can attest to the effectiveness of citizen-to-citizen exchanges in fostering cross-cultural understanding and cultivating international ties among young political leaders. I applaud ACYPL's work over the past decades and wish them continued success in future efforts.

PERSONAL EXPLANATION

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. OXLEY. Mr. Speaker, I was absent from the House floor during yesterday's rollcall votes on final passage of H. Res. 794, H. Res. 804, H. Res. 608, and H. Con. Res. 338; and on ordering the previous question on H. Res. 857.

Had I been present, I would have voted "yea" on each of these measures.

CONCERNING DESECRATION OF HMONG GRAVE IN THAILAND

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Ms. McCOLLUM of Minnesota. Mr. Speaker, I rise today to urge the Royal Thai Government to immediately cease any further destruction of Hmong burial sites and stop the exhumation of Hmong graves located inside and surrounding Wat Thamkrabok monastery. Furthermore, I would ask that the Royal Thai Government address the serious plight of Hmong-American families that I represent who no longer know where their loved ones' remains are located.

Mr. Speaker, between 1995 and 2003 many Hmong families living in Thailand as refugees from Laos had buried their deceased loved ones in the Wat Thamkrabok sanctuary. In December 2003, the U.S. Department of State announced the last resettlement of 15,000 Hmong refugees residing in the Wat Thamkrabok monastery, which concluded last year by bringing nearly 5,000 new arrivals to Minnesota, a significant number of whom have settled in St. Paul and surrounding communities which I represent.

It has been reported that between November 4 and December 30, 2005, approximately 900 Hmong graves were exhumed with the human remains taken to unknown destinations. Hmong-American families were shocked and profoundly disturbed to see the horrific video images of human remains, possibly of their own loved ones, being treated in a disrespectful and unspeakably offensive manner. To this day, Hmong-Americans remain unable to receive reliable information regarding the whereabouts of their loved ones' remains.

As a Member of Congress representing more than 35,000 Hmong-American constituents, I join them in expressing shock at this disturbing episode. The dignity of their deceased ancestors deserves respect. There can be no doubt that this entire situation has caused considerable anguish and emotional distress to relatives now living in the United States and elsewhere.

The Royal Thai Government is a friend and ally of the United States. Our bilateral relationship is vital and it would be my desire to see a strengthening of all aspects of this relationship. Yet, in Minnesota today, it is very difficult for me to champion this relationship with the pain and distress felt by so many of my constituents as a result of the desecration of their ancestors' graves. Once again, I would urge the Royal Thai Government to work to prevent any further Hmong grave exhumations, while fully investigating the circumstances surrounding this action in order to help facilitate long-lasting healing for those families affected by this terrible situation.

HONORING SEVEN U.S.N. AIRMEN

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. PICKERING. Mr. Speaker, sixty-four years ago today, a twin-engine Navy PBY–5A amphibious reconnaissance aircraft departed the Naval Air Station on Kodiak Island, Alaska as part of the Kiska Blitz—the bombing of Japanese targets in Kiska Harbor at the western end of the Aleutian Islands. On board were Ensign Robert F. Keller, Aviation Machinist Mate First Class Leland L. Davis, Seaman Second Class Elwin Alford, Seaman Second Class Dee Hall, Aviation Machinist's Mate Second Class John H. Hathaway, Aviation Radioman Second Class Robert A. Smith, and Aviation Pilot Third Class Albert J. Gyorfi. Flying into a storm of inclement weather and enemy antiaircraft blasts, the plane was hit and crashed on the side of the Kiska Volcano. None of the crew survived.

In August 1943, the United States successfully retook Kiska Island from the Japanese and the remains of seven men were found amid the wreckage at the crash site. They were buried in a common grave with a wooden marker reading "SEVEN U.S.N. AIRMEN." After the war, the grave could not be located again.

In 2002 a wildlife biologist working in the Alaska Maritime Wildlife Refuge found the wreckage, the grave was located and following positive genetic identification, the bodies were returned to their families. Last month, on May 10, these soldiers were buried at Arlington National Cemetery with full military honors.

I met the family of Elwin Alford and learned of their lives. Alford and his parents were from the Bogalusa, Louisiana—Sandy Hook, Mississippi area. Leland Davis was from Hinds County, Mississippi and his sister and brother finally have peace. Alford, Davis and their brothers-in-arms gave their lives over six decades ago and we still feel their legacy today. So many families lost their loved ones in the great crusade against German Fascism and Japanese Imperialism. And for many, closure comes very late.

I want to take this opportunity to commend the Joint POW/MIA Accounting Command. More than 78,000 Americans are unaccounted for from World War II, another 8,100 from the Korean War and 1,800 from the Vietnam War. But the Accounting Command continues to bring these heroes home and assist with closure for families still bearing the wounds of wars long completed.

Mr. Speaker, today we have brave American men and women fighting in Afghanistan and Iraq and around the world against the forces of terror. In Mississippi, we lost another native son, a lion of liberty, just last week. I hope families know that six weeks from now, six months from now, or sixty-four years from now, those sacrifices will not be forgotten.

TRIBUTE TO MORRIS COUNTY PARK COMMISSION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the Morris County Park Commission, located in Morris County, New Jersey, a county I am proud to represent! On June 15, 2006, the Morris County Park Commission is celebrating its 50th Anniversary with a reception to honor the men and women who have helped shape the first fifty years of the park system.

Established in 1956, the Morris County Park Commission began its rich history with the dedication of 350 acres as Lewis Morris County Park in Morris Township. Today, the park system has grown to over more than 17,500 acres and is the largest park system in New Jersey. The commission manages 38 facilities including historic sites, golf courses, outdoor education and recreational facilities, arboretums, conservation areas, parks, and 150 miles of trails.

The reputation of the Park Commission and its facilities continues to be one of the best in the nation. More than 3.5 million visitors have taken advantage of the programs, special events, and activities provided by a very professional staff. The park system has a positive impact on the quality of life of every Morris County resident and their families, as well as tens of thousands of visitors. The Park Commissions over the years have preserved valuable open space and cultural resources and promoted tourism, conservation and economic vitality. Consequently, the commission continues to receive national recognition for its facilities and programs.

Mr. Speaker, I urge you and my colleagues to join me in congratulating the Morris County Park Commission on its Fiftieth Anniversary.

PERSONAL EXPLANATION

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Ms. BERKLEY. Mr. Speaker, due to a death in the family, I was unable to vote on Rollcall Numbers 251 through 262. Had I been present, I would have voted "aye" on Rollcall Numbers 251, 252, 253, 254, 256, 257, 259 and 260, and "no" on Rollcall Numbers 255, 258, 261 and 262.

FLAG DAY

HON. JULIA CARSON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Ms. CARSON. Mr. Speaker, today is Flag Day. It was established in 1949 by act of Congress for us to take a day to reflect on our flag and past. I was 10 years old when Congress first established Flag Day and I have over the years come to a better realization of the inextricable connection between patriotism, the flag and our soldiers in the field. I don't believe the costs of preserving our flag have ever been as concrete as they are today. I hope that while reflecting on the Flag today we spend some time thinking about the price that has been paid for our flag, our freedom and our country. While we take a moment to think about our flag we cannot do so without giving thanks for our soldiers in the field and the veterans who served under our flag. Francis Scott Key summed it up perfectly in the Star Spangled Banner:

> And the rockets' red glare. The bombs bursting in air, Gave proof through the night that our flag was still there. O say, does that star-spangled banner yet wave O'er the land of the free and the home of the brave.

PERSONAL EXPLANATION

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. HYDE. Mr. Speaker, on June 13, 2006, I was absent for several votes for personal reasons. Had I been present, I would have voted:

Vote No. 263, LaTourette Amendment to H.R. 5576—"no"; Vote No. 264, Bean Amendment to H.R. 5576—"no"; Vote No. 265, Israel Amendment to H.R. 5576—"no"; Vote No. 266, Miller, Gary Amendment to H.R. 5576—"no"; Vote No. 267, Nadler Amendment to H.R. 5576—"no"; Vote No. 268. Davis (AL) Amendment to H.R. 5576—"no"; Vote No. 269, Jackson-Lee Amendment to H.R. 5576—"no"; Vote No. 270, Harris Amendment to H.R. 5576—"no"; Vote No. 271, Slaughter Amendment to H.R. 5576—"no"; Vote No. 272, Waters Amendment to H.R. 5576—"no"; Vote No. 273, Hooley Amendment to H.R. 5576—"no".

RECOGNIZING CONGRESSMAN JOHN LEWIS

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. McGOVERN. Mr. Speaker, I rise today to thank and praise Congressman JOHN LEWIS for visiting New Bedford, Massachusetts, at the end of May. Congressman LEWIS described for students and community members his important involvement in the American Civil Rights Movement, and he reminded all of us how we need to find the courage to continue the Movement.

I'd also like to thank Congressman BARNEY FRANK for inviting Congressman LEWIS to speak to the people of New Bedford. The friendship between these two Members of Congress spans more than 40 years, and as Congressman FRANK states, Representative LEWIS continues to be "one of the great moral forces in this country."

Representative LEWIS, a great hero of mine, spoke to 1400-plus students and teachers at New Bedford High School, sharing his experiences growing up in the segregated South, and his eventual involvement with nonviolent protests.

Congressman LEWIS told the students "that it was the young, like himself and many others who formed the Student Nonviolent Coordinating Committee," who led the way in the Civil Rights Movement.

I would like to place into the RECORD, the following editorial, Timely Message from JOHN LEWIS, which appeared in the June 1, 2006, edition of the New Bedford Standard-Times, which describes why the words of our friend and colleague, Congressman JOHN LEWIS, have such meaning and resonance in all of our communities today.

[From the New Bedford Standard-Times, New Bedford, MA—June 1, 2006]

TIMELY MESSAGE FROM JOHN LEWIS

Whether it was the hand of the Almighty or simply the good sense of our local congressman, Barney Frank, yesterday's visit to New Bedford by U.S. Rep. John Lewis, D-Ga., one of the great heroes of the American Civil Rights Movement, could not have been timed more perfectly.

The 56-year-old Rep. Lewis, who is the son of a sharecropper born in segregated Alabama, brought a message of hope and healing to a city preparing to bury Bernadette DePina, who was shot to death in her home last week, just days after her 23-year-old son David DePina II's arrest on charges of murdering a 20-year-old man.

Rep. Lewis didn't talk about crime or punishment or politics. He talked about growing up poor in the segregated South, about being inspired as a 15-year-old listening to the radio by the actions of the late Rosa Parks and the soaring words of a young black minister, Dr. Martin Luther King Jr., to stand up for the dignity of all and "to find a way to get in the way" of those who would deny others that dignity.

And that's what he did.

Arrested scores of times in nonviolent protest of discriminatory voting practices, segregated schools, lunch counters and public transportation, he was threatened, beaten, spit upon and hated by Southern whites trying to maintain the legalized segregation of the Jim Crow south. He has faced trouble, counted losses and continued his fight as what Congressman Frank—his friend for more than 40 years—calls "one of the great moral forces in this country."

"I am not bitter today, and I am not going to be bitter tomorrow," Rep. Lewis said.

And then he said something important to the community of New Bedford, which some fear has split along racial, ethnic, neighborhood and economic fault lines.

"We are one people," he said in the soaring voice of the preacher he grew up wanting to be, with the same simple conviction that powered Dr. King. "We all need each other. We all live in that same house."

He cautioned 1,400 sophomores and juniors at New Bedford High School not to grow bitter but to become involved in their own mission to make things better for all. He urged the students to register to vote and to vote when they turn 18, a privilege he marched for four decades ago.

The congressman told the students that it was the young, like himself and many others who formed the Student Nonviolent Coordinating Committee, who led the way in the Civil Rights Movement.

"And it will be the children in New Bedford who will say, 'We're going to live in peace because we are all brothers and sisters.' "

His words inspired a standing ovation in the packed high school hall. They stirred the imagination of Stephanie Houtman, 15, a sophomore. "He was talking about how they burned his back with cigarettes," Yet he did not relent. He did not stir from the segregated lunch counter.

Dominick Baptiste, 16, walked out of the auditorium with a broad smile on his face at the end of the speech. "It made me feel good to know that people can fight racism," he said. "The fact that he was able to find the courage to sit at the white table. The fact that he was able to go back again and again."

The congressman's visit reminded the city of what we all know.

What happens to a family on Ash Street or at Monte Park or the United Front or County Street happens to all of us. And unless we let our own bitterness go, unless we reach across the way to our neighbor, we will never be what we want to be, what we should be.

It ought not take a visit by a congressman from Georgia to remind us of that. Deep down, we all know that. Having the courage to do something about it is the real test.

REMEMBERING MAJOR GENERAL DENVER BRACKEEN

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. PICKERING. Mr. Speaker, today I ask Congress to join me in remembering and saluting the life and legacy of Major General Denver Brackeen: a soldier, a sportsman, an administrator, and a coach. Denver passed away at his home in Union, Mississippi on May 29, at the age of 75.

Denver was born on February 10, 1931 in Hickory, Mississippi. At Hickory High School he twice achieved All-State honors for basketball, leading his Bulldogs to a 51–1 record his senior year. He went on to play basketball at East Central Community College and the University of Mississippi. At East Central he was selected the nation's most valuable player and earned All-American honors. At Ole Miss he received All-American honors from the Helms Athletic Foundation, was chosen most valuable player in the Southeastern Conference, twice named to All-SEC teams and selected as the most valuable player for the Southern states.

Denver was drafted by the New York Knickerbockers but soon returned to East Central Community College to begin 28 years of service as coach, guidance counselor, admissions director, dean of students and academic dean. From 1955 to 1963 he coached East Central's basketball Warriors to a 137–52 record, with his final season finishing 22–3 after advancing to the state tournament semi-finals. In 1982, East Central chose Denver as their Alumnus of the Year and the College's physical education building bares his name.

Denver was inducted into the NJCAA Men's Basketball Hall of Fame, the Mississippi Sports Hall of Fame and the University of Hall of Fame. Mississippi Governor Ronnie Musgrove appointed Denver to the State Board for Community and Junior Colleges.

While amassing records and notability on the hardwood courts, and teaching and training a new generation of Mississippians, Denver also served his state and nation in the Mississippi National Guard including a stint in the Korean War. After years of exemplary service he was appointed Mississippi's Adjutant General and retired from military service with the rank of major general.

Mr. Speaker, I hope this Congress joins me in remembering Major General Denver Brackeen's determined leadership and championship character. Mississippi will miss this cherished native son, as will his wife Charlotte and his surviving son Morgan, and his grandchildren Jonathan, Sable, Dillon and Ashlee.

COMMENDING DONALD L. LANGHAM ON THE OCCASION OF HIS RETIREMENT AFTER 40 YEARS OF SERVICE TO THE LABORERS OF SOUTHWEST ALABAMA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. BONNER. Mr. Speaker, today I rise to commend Donald L. Langham of Mobile, Alabama, for his service to south Alabama. For 40 years now, Don has represented the interests of some of Alabama's finest citizens as a labor negotiator.

Don Langham was born in Prichard, Alabama, and educated in the Mobile County public school system. After high school, Don attended the University of Southern Mississippi. He began his distinguished career in labor in Dothan, Alabama, before returning to Mobile to represent the interests of paper mill workers.

During his time in labor negotiations, Don traveled throughout Europe and South America to support the efforts of organized labor. He has met and worked with many of the most important leaders of Alabama and our country.

Due to his recent work with several multinational corporations, Don has gained a keen insight into some of the major issues facing our nation. Don has also done outstanding work as the chairman of the board of trustees of the University of South Alabama, where he has worked tirelessly to raise funds for the South Alabama Cancer Center.

Mr. Speaker, it is my great honor to recognize Mr. Donald L. Langham and commend him for his outstanding service to the people of Alabama. He has dedicated 40 years to improving the lives of workers throughout south Alabama. I know his family and many friends join with me in praising his accomplishments and extending thanks for his many efforts over the years on behalf of the citizens of the First Congressional District and the state of Alabama.

TRIBUTE TO DR. JAMES CAMERON

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to recognize one of our Nation's true civil rights pioneers, a constituent of mine who has graced Milwaukee with his work for justice and equality for over 50 years. Sadly, that man, Dr. James Cameron, died June 11, 2006.

When Dr. Cameron was only 16 years old, he was subject to a horrific, and horrifically common, episode of racial violence when a crowd lynched him and two friends. Though his friends perished in the ordeal, Dr. Cameron was miraculously released—an outcome that he attributed to divine intervention—making him the only known survivor of a lynching. Out of that experience, he built a life and a legacy dedicated to the eradication of racism, the preservation of African American history, and the advancement of civil rights for all.

Following his deliverance, Dr. Cameron focused his life on advancing the cause of equality and civil rights. He founded three chapters of the NAACP in Indiana in the 1940s, and served as first president in the Anderson, IN, chapter. He served as Indiana State Director of Civil Liberties until 1950, in which capacity he investigated and reported to the Governor of Indiana on violations of equal accommodation law. Despite receiving many threats and facing numerous acts of violence, he continued to work toward racial equality. He marched twice with Dr. Cameron and with many others then and later.

Inspired by efforts of members of the Jewish community to document their history of persecution, Dr. Cameron opened America's Black Holocaust Museum in 1988. The museum continues to document the devastating effects of slavery, lynching and racial violence. As a result of his life-long efforts, Dr. Cameron received a public apology from the U.S. Senate for its failure to take decisive action to end the epidemic of lynchings in the south.

Dr. Cameron acted as a courageous visionary. He endeavored to use the lessons of an ugly violent past to build a foundation for real unity. He worked to realize a world in which racism and violence are relegated to history. Dr. Cameron exemplifies the imperative of the civil rights struggle—the call to listen to our humanity over and above our fear. Despite his experiences, Dr. Cameron did not seek safety by trying to carry on a quiet, private life. He embraced the call to work publicly, despite the risks to his own safety, to secure full equality for all. He taught us to be better, not bitter—even though it would have been very easy for him to succumb to a life of anger after surviving such a violent and hateful experience. I am honored to have this opportunity to pay tribute to his singular courage, visionary leadership and unwavering commitment to our community.

INTRODUCTION OF AN AMENDMENT TO THE ALASKA NATIVE CLAIMS SETTLEMENT ACT TO PROVIDE LAND RIGHTS FOR THE 13TH REGIONAL CORPORATION

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. YOUNG of Alaska. Mr. Speaker, there have been many items of unfinished business which flowed from the Alaska Native Claims Settlement Act, ANSCA, which was originally enacted on December 18, 1971. A number of these issues have been resolved over the years. Few of those unfinished items, however, stand out in my mind as much as the need to provide land selection rights to the members of the 13th Regional Corporation, which was formed by ANSCA primarily to represent Alaska Natives residing outside of Alaska at that time. Today, with the 13th Regional Corporation Land Entitlement Act, I address that objective. I am pleased to be joined in this sponsorship by my friend and colleague from Washington State, Congressman NORM DICKS. For me, both of us, this completes a significant goal of the original act. Let me give you the background of this issue and the story of the 13th Region.

In 1971, after years of debate, Congress enacted the Alaska Native Claims Settlement Act of 1971, 43 U.S.C.S. 1601 et seq.—"the Settlement Act"—extinguishing claims by Native Alaskans based on aboriginal land rights. The act divided the State into 12 geographical "regions" which were to be composed as far as practicable of Natives having a common heritage and sharing common interests. In addition, nonresident Natives were given the option either to enroll in one of the 12 Regional Corporations established for each region or to elect, by majority vote, to form a separate 13th Regional Corporation to represent the interests of nonresident Alaskan Natives.

Provision for the 13th was focused upon serving the interests of nonresident Alaska Natives while affording them their fair share of the settlement. Some nonresident Natives had been dislocated during and after World War II, others left their homes to serve in the Armed Forces, many left to attend high schools and colleges in other States, and still others, for economic reasons, migrated south in the hope of attaining employment. Information about the Settlement Act and its implications for nonresident Natives was difficult to obtain, spotty and inconsistent in character, and generally insufficient to enable individual nonresident Natives to make reasoned decisions. In this situation, a majority of nonresident Alaska Natives felt that their interests could best be protected by forming the nonresident 13th to better control and direct their own affairs. Ultimately approximately 4,500 Alaska Natives chose to enroll in the new 13th. Wherever they resided then, or now, however, they were and are Alaska Natives, and we honor them.

In opting to join the 13 however, these nonresident Natives were deprived of the ability to fully participate in the settlement of their claims as that settlement was generally provide by the act. Let me be specific. Monetary payments under the Settlement Act were made through the Alaska Native Fund and distributed among all 13 Regional Corporations on a per capita basis, but land was distributed only among the 12 resident Regional Corporations and the Village Corporations within those regions. No additional money, however, was provided to the 13th to compensate for the absence of land. The Settlement Act also provided that the 12 Regional Corporations would share among themselves some of the revenues from all natural resource development occurring on the lands conveyed to them. The 13th did not receive this right.

In sum, Alaska Natives enrolled in the 13th did not receive any land, and did not receive additional money in lieu of land, and did not get any right to participate in distributions from the pool of natural resource revenue funds in which the other Regional Corporations shared. The 13th, being comprised of nonresident Alaska Natives, was thus denied full participation in the settlement provided by the Settlement Act. While some will claim that this was their choice, it seems clear that it was an inadequately informed choice and resulted in depriving over 4,500 members of the 13th of two of the three major benefits of this act. This bill seeks to resolve at least the absence of an entitlement to land.

Over the years, the effect of this inequity in the act has been to substantially disadvantage the shareholders of the 13th as they tried to build an economically successful corporation and to deny them the benefits of land ownership in Alaska. As an example, the 13th received its pro rata share of the monetary payments under the Act but was obligated to distribute 50 percent of those proceeds immediately to shareholders as they were received over a number of years. The remaining 50 percent provides the only capitalization for the small corporation with many scattered shareholders. Without a land base or resources to develop, the 13th did not have the economic base, nor the crucial development alternatives afforded other Regional Corporations. The corporation did not receive revenues from the development of resources, such as timber harvest which was accomplished in several regions, or a share of sec. 7(i) revenues, including petroleum revenues, which was a source of income for the 12 Regional Corporations. The 13th has survived but with some difficulty, and it is time to provide a fairer share of the settlement to them for their future.

To correct the inequity caused by the Settlements Act's failure to equally compensate nonresident Natives for the extinguishment of their aboriginal land claims, the 13th Regional Corporation Land Entitlement Act will place the shareholders of the 13th on a better footing with shareholders of the other Alaska Native Regional Corporations at least as far as land is concerned.

The proposal authorizes the 13th to select land from the excess lands previously withdrawn by the Secretary of the Department of the Interior on behalf of other Regional Corporations. The proposed legislation gives absolute priority to land selections by the State of Alaska and other Native Corporations—regional and village—and prohibits the selection of lands from within conservation system units—as defined in the Alaska National Interests Lands Conservation Act. The 13th may not select from the National Petroleum Reserve, the Tongass or Chugach National Forests and other sensitive areas. In other words, the 13th is at the very end of the line for its land selections. This is nonetheless far more equitable for the 13th than the present situation.

In proposing this legislation, the shareholders of the 13th are seeking equity by being placed on a stronger and more equal footing with respect to the Native shareholders of the other 12 Native Regional Corporations. This is supported by the Alaska Native community. This proposal has been endorsed by the Alaska Federation of Natives, and by the Association of Regional Corporation Presidents, and it has been thoroughly considered by the Alaska delegation.

My first term in Congress was the one immediately following the enactment of ANSCA in late 1971. I can tell you that neither the act nor its implementation focused much attention on the 13th. They were not fully represented, so Members of the Washington State delegation like the late Congressman Lloyd Meeds and Senator Henry Jackson took their side but were not able to accomplish land rights for the 13th, or a monetary settlement in its stead. Congressman Meeds believed throughout his life that this was a matter that required resolution.

What the 13th will receive under the new bill is, with one major exception, the same per capita land right that all other regional corporations received, no more and no less. The number of acres is arrived at by taking the total number of acres conveyed to the other Regional Corporations pursuant to section 12(c) of ANSCA—15,769,600 acres—and after subtracting Sealaska's shareholders—Sealaska received a separate entitlement—and the shareholders of the 13th—which received no land—dividing this 15,769,600 acres by 60,026, the number of original Native shareholders enrolled to the other 11 Native Regional Corporations. On a per capita basis, the shareholders of the other 11 Regional Corporations received approximately 262.7 acres per original shareholder. This per capita number multiplied by the 4,426 original shareholders of the 13th results in the 1,162,710 acres.

The bill gives absolute priority to land selections of other Native Corporations and the State of Alaska. Additionally, the bill prohibits the 13th from making selections within conservation system units, the Tongass and Chugach National Forests, the National Petroleum Reserve—Alaska, and other potentially sensitive public lands.

The major exception is that all other interests, from the State, to other Native corporations and the conservation community, were able to make their land selections, and win congressional approval, when the land eligible for selection was prime, high on the list of priorities. The 13th comes behind all other priorities, including State and Native selections, national conservation lands, and others. The intent is that the land of the 13th is likely to be selected in a cooperative process with other land owners and can be complimentary to those selections, by other regions or villages, the State or other public purposes. I believe this is not only fair but good policy as Alaska moves forward. It is simply time to resolve this long-standing inequity and to provide the 13th with the right to do what all other Native regions have done. I urge my colleagues to join with me in achieving this goal this year.

HONORING GERRY B. SHREIBER

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. ANDREWS. Mr. Speaker, I rise today to honor Mr. Gerry B. Shreiber for his long-standing dedication to animal welfare and animal rights. On April 6, 2006, Gerry's family, friends, and colleagues gathered at the Mansion on Main Street in Voorhees, NJ, for the Animal Adoption Center Dinner where he was awarded the Southern New Jersey Humanitarian of the Year Award.

Mr. Shreiber is the President and CEO of J and J Snack Foods Corp., which has received numerous awards in the worlds of both business and philanthropy. Gerry is an avid animal lover and contributes significant time and resources to the betterment of animals. He is currently the Director of the North American Wildlife Park Foundation and is a member of many animal welfare organizations including the World Wildlife Fund, National Wildlife Federation, American Anti-Vivisection Society, International Fund for Animal Welfare, Animal Welfare Institute, Greenpeace, and PETA. Gerry has personally saved many animals' lives and currently lives on his New Jersey farm with over twenty animals. He is also active in our community at large including the Juvenile Diabetes Foundation, Jewish Community Center of Atlantic County, and serves on the Advisory Board at the Rutgers School of Business.

Gerry Shreiber's dedication and selfless service to animals and to our greater community is an inspiration to humanitarians everywhere. I thank Gerry, and wish him all the best in his future endeavors.

PERSONAL EXPLANATION

HON. JOHN E. PETERSON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. PETERSON of Pennsylvania. Mr. Speaker, on rollcall No. 273, I was unavoidably detained. Had I been present, I would have voted "aye."

TRIBUTE TO THE ARMY'S 231ST BIRTHDAY

HON. CHET EDWARDS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. EDWARDS. Mr. Speaker, I rise on behalf of myself and Representative JOHN MCHUGH. As the co-chairs the House Army Caucus, we would like to salute the United States Army on its 231st birthday.

On June 14, 1775, more than a year before the ratification of the Declaration of Independence, the Continental Congress created Continental Army, which later became the U.S. Army. That day, as the Americans prepared for war against the British, Congress undertook an effort to raise ten companies of riflemen and accepted responsibility for thousands of men who were already assembled in New England and New York.

From that brave beginning was born the Army that defeated the British and gave us our Nation. From that brave beginning came more than 200 years of accomplishment and tradition and has brought us the unparalleled force we have today.

Through the last 231 years, the United States Army has fought to bring freedom to the American people and then to protect it. It has fought for liberty and against tyranny across the globe, and free people everywhere owe a debt to the sacrifices of individual soldiers, many of whom gave their lives for people they never knew.

Today's Army faces new challenges and new threats, but is still the right arm of freedom in this world. New democracies in Iraq, Afghanistan, Bosnia and Kosovo owe a debt of gratitude to U.S. Army soldiers that have sacrificed on their behalf.

We are representatives today of the House Army Caucus, but each of us have represented thousands of soldiers who have served our Nation in harm's way. Each of us has met with the men and women who are part of this outstanding institution and have devoted their lives to their Nation. These men and women are models of courage and dedication; their selfless service to the Nation will serve as inspiration to citizens in the 21st century and beyond.

Mr. Speaker, on this day, of all days, we recognize that without our Army, we truly would not have a nation in the first place. As we recognize this monumental day, we ask our colleagues to join us in celebrating the contributions, traditions, and service of the Army and its dedication to the past, present, and future of this great Nation.

TRIBUTE TO JUDGE LAWRENCE BIELAWSKI

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. KILDEE. Mr. Speaker, today I ask the House of Representatives to join me in honoring Judge Lawrence Bielawski as he retires from his seat on the Michigan 18th Judicial Circuit Court in Bay County. His retirement will be celebrated at a dinner on June 23 in Bay City, Michigan.

Lawrence Bielawski is a lifelong resident of Bay City. After graduating from St. Stanislaus High School in 1964, he received a Bachelor of Science Degree in Business Administration from Central Michigan University and a Juris Doctor Degree from Detroit College of Law. His first position in the legal field was an Assistant Prosecuting Attorney in Bay County. He went on to private practice until Judge Bielawski became an Administrative Law Judge in the Bureau of Workers' Disability Compensation starting in 1984.

He went on to become a member of the Workers' Compensation Appeals Board and a Workers' Compensation Magistrate before being appointed to the 18th Judicial Circuit Court by Governor James J. Blanchard in 1988. Ten years later he became the Chief Judge of the Court and has served in that capacity since that time.

Staying true to his roots in Bay County, Judge Bielawski is a member of St. Stanislaus Church and is active in the St. Stanislaus Usher's Club and the Athletic Club. He served as the Vice President and Advocate with the latter organization until his appointment to the bench. His father served as the Chair of the Bay County Democratic Party for over 26 years. Judge Bielawski followed in his dad's footsteps and is a lifetime member of the Michigan Democratic Party. Larry Bielawski was the Vice President of the Bay County Democratic Party and the Chairman of the James Blanchard Election Committee for Bay County.

Always serving the community, Judge Bielawski is also affiliated with the Salvation Army Advisory Board, St. Hyacinth Athletic Club, Knights of Columbus, St. George Society, the Lion's Club, and the Bay Area Chamber of Commerce. He married his wife Patricia in 1969 and they have three wonderful children.

Mr. Speaker, I am proud to be able to stand before the House of Representatives and ask you to join me in paying tribute to a dedicated public servant, Judge Lawrence Bielawski, as he embarks upon a new phase in his life. I wish him the best in all his future endeavors.

PERSONAL EXPLANATION

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I was present and voting during the series of rolled votes that included rollcall No. 261, on ordering the previous question on the rule for consideration of H.R. 5576, Transportation, Treasury, HUD, Judiciary, D.C. Appropriations for 2007. While I was recorded as "yes" on the previous question, I intended to cast a "no" vote.

IN SUPPORT OF THE GLOBAL WAR ON TERROR AND THE WORK THAT GOES ON AT GUANTANAMO BAY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. BURTON of Indiana. Mr. Speaker, the suicide of three suspected dedicated terrorists imprisoned at Guantanamo Bay, Cuba, has once again provided fodder for the enemies of the U.S.-led Global War on Terror. They are using the suicides to attack one of the most important components of this war: our ability to detain dangerous men and women and extract important information from them that will help protect American lives.

The critics, who come from the media, Congress, the blame-America first crowd and even the terrorists themselves, have long sought the psychological victory that would come with the closing of the military prison at Gitmo, and now even President Bush has been swayed by their criticism, saying that the prison is damaging the image of the U.S. at home and abroad.

After the fire at the Pentagon was extinguished, the rubble was cleared at Ground Zero, and the remains of the last victim were buried, it seems that the memory of the September 11th attacks has slowly faded away from the minds of many people. I would urge those people to consider that the memory of that day would be a daily reality were it not for the brave men and women who serve in our military and have apprehended the heinous thugs and criminals housed at Guantanamo Bay.

To make matters worse, the blame-America first crowd is not only demanding that we close Guantanamo Bay, but they are also suggesting that those imprisoned there be released, so they can return to their homelands and plot more attacks against America; a move which the Bush administration has said it absolutely would not make. As the President said, "there are some, if put on the streets, who would create grave harm to American citizens and other citizens of the world."

Moving prisoners to another facility would simply move the controversy from Gitmo to a new prison. Creating a Guantanamo Bay military prison somewhere else would do nothing to satisfy its critics, and in fact, would embolden the terrorists by providing them with a marvelous psychological victory by allowing them to praise that Gitmo is no more.

I wish the prison at Gitmo was not necessary and its cells were empty, but that's not the reality we live with today. There are fanatic and committed terrorists and Islamofascists throughout the world who are set on hurting Americans and the West, and they need to be captured and detained. The face of Gitmo may be ugly to some, Mr. Speaker, but so was the sight of human beings jumping from the top of the World Trade Center. The terrorists brought this war to us, and I believe we need to stand firm, and keep Gitmo in business until the Global War on Terror is finally won.

CELEBRATING THE BIRTH OF JOSHUA WILLIAM ALBON

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 14, 2006

Mr. WILSON of South Carolina. Mr. Speaker, today I am happy to congratulate Captain and Mrs. Brian Albon, USMC, of Jacksonville, North Carolina, on the birth of their new baby son. Joshua William Albon was born on June 10, 2006, at 7:42 a.m., weighing 6 pounds and 13 ounces. Joshua has been born into a loving home, where he will be raised by parents who are devoted to his well-being and bright future. His birth is a blessing.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 15, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 19

2 p.m.

Judiciary

Immigration, Border Security and Citizenship Subcommittee

To hold hearings to examine learning from the mistakes of 1986 relating to immigration enforcement at the workplace.

SD-226

2:30 p.m.

Energy and Natural Resources

To hold hearings to examine implementation of the Renewable Fuel Standard in the 2005 Energy Bill and the future potential of biofuels such as biodiesel, cellulosic ethanol, and E85.

SD-366

3 p.m.

Foreign Relations

To hold hearings to examine the nominations of Robert D. McCallum, Jr., of Georgia, to be Ambassador to Australia, and Leslie V. Rowe, of Washington, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands and Ambassador to the Republic of Vanuatu.

SD-419

JUNE 20

9:30 a.m.

Judiciary

To hold hearings to examine implications on repealing the insurers' antitrust exemption relating to the McCarran-Ferguson Act.

SD-226

10 a.m.

Agriculture, Nutrition, and Forestry

To hold hearings to examine the Rural Development Programs of the Department of Agriculture.

SR-328A

Banking, Housing, and Urban Affairs

To hold hearings to examine the reauthorization of the Export-Import Bank of the United States.

SD-538

Homeland Security and Governmental Affairs

To hold hearings to examine the nomination of Paul A. Denett, of Virginia, to be Administrator for Federal Procurement Policy.

SD-342

2 p.m.

Judiciary

To hold hearings to examine the short selling activities of hedge funds and independent analysts.

SD-226

2:30 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, and International Security Subcommittee

To hold hearings to examine United Nations headquarters renovation, focusing on transparency, accountability, financial and ethical integrity at the international body.

SD-342

Banking, Housing, and Urban Affairs

Housing and Transportation Subcommittee

To hold hearings to examine issues for the future relating to the Federal Housing Administration.

SD-538

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine the National Park Service's Revised Draft Management Policies, including potential impact of the policies on park operations, park resources, wilderness areas, recreation, and interaction with gateway communities.

SD-366

JUNE 21

9:30 a.m.

Environment and Public Works

To hold hearings to examine safer technology in the context of chemical site security.

SD-628

Indian Affairs

To hold hearings to examine S. 480, to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe—Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe, and S. 437, to expedite review of the grand River Band of Ottawa Indians of Michigan to secure a timely and just determination of whether that group is entitled to recognition as a Federal Indian tribe.

SR-485

Judiciary
To hold hearings to examine if Congress can protect copyright and promote innovation relating to the analog hold.
SD–226

10 a.m.
Commerce, Science, and Transportation
Surface Transportation and Merchant Marine Subcommittee
To hold hearings to examine economics, service, and capacity in the freight railroad industry.
SD–562

Aging
To hold hearings to examine ensuring seniors don't outlive their savings relating to managing retirement assets.
SD–106

10:30 a.m.
Small Business and Entrepreneurship
To hold hearings to examine the nomination of Steven C. Preston, of Illinois, to be Administrator of the Small Business Administration.
SR–428A

2 p.m.
Judiciary
Constitution, Civil Rights and Property Rights Subcommittee
To hold hearings to examine policy and perspectives and views from the field regarding the Voting Rights Act.
SD–226

2:30 p.m.
Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine the Government Accountability Office report entitled "Wildland Fire Suppression-Lack of Clear Guidance Raises Concerns about Cost Sharing between Federal and Nonfederal entities" (GAO-06-570).
SD–366

Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine accelerating the adoption of health information technology.
SD–562

4 p.m.
Judiciary
To hold hearings to examine pending nominations.
SD–226

JUNE 22

9:30 a.m.
Environment and Public Works
Clean Air, Climate Change, and Nuclear Safety Subcommittee
To hold oversight hearings to examine the regulatory processes for new and existing nuclear plants.
SD–628

Indian Affairs
Business meeting to consider the report on the Indian Lobbying Misconduct Investigation, and other pending matters.
SR–485

10 a.m.
Commerce, Science, and Transportation
Trade, Tourism, and Economic Development Subcommittee
To hold hearings to examine the state of the U.S. tourism industry.
SD–562

2 p.m.
Commerce, Science, and Transportation
Business meeting to markup S. 2686, to amend the Communications Act of 1934 and for other purposes.
Room to be announced

2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 574, to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act, S. 1387, to provide for an update of the Cultural Heritage and Land Management Plan for the John H. Chafee Blackstone River Valley National Heritage Corridor, to extend the authority of the John H. Chafee Blackstone River Valley National Heritage Corridor Commission, to authorize the undertaking of a special resource study of sites and landscape features within the Corridor, and to authorize additional appropriations for the Corridor, S. 1721, to amend the Omnibus Parks and Public Lands Management Act of 1996 to extend the authorization for certain national heritage areas, S. 2037, to establish the Sangre de Cristo National Heritage Area in the State of Colorado, and S. 2645, to establish the Journey Through Hallowed Ground National Heritage Area.
SD–366

JUNE 28

9:30 a.m.
Indian Affairs
To hold an oversight hearing to examine Native American Housing Programs.
SR–485

JUNE 29

10 a.m.
Commerce, Science, and Transportation
Business meeting to consider pending calendar business.
SD–562

JULY 13

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine unmanned aerial systems in Alaska.
SD–562

JULY 19

10 a.m.
Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine high performance computing.
SD–562

SENATE—*Thursday, June 15, 2006*

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Rev. H. Kenneth Dutille of Swans Island Atlantic Baptist Church in Swans Island, ME.

The guest Chaplain offered the following prayer:

Let us pray.

O God of grace and glory, we turn to Thee today for motivation, guidance, and inspiration. Before we turn to today's challenges and opportunities, we would thank You for these few moments of prayer and meditations of heart.

Grant us greatness of spirit, to see Your all-encompassing view of the many traditions and customs from which we come.

The task before us is daunting; we need always to look upon the Almighty for understanding, wisdom, knowledge, and strength. May we be granted this day and in the days that lie ahead clear insight into the many problems and troubles that our great Nation faces.

Bless, O God, our Senators. They serve our Nation with poise and pride. Empower each to fulfill today's manifold responsibilities with courage and grace.

For Thine is the kingdom and the power and the glory, forever and forever. Amen.

The PRESIDENT pro tempore. Thank you very much, Reverend Dutille.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The Senator from Maine is recognized.

SCHEDULE

Ms. COLLINS. Mr. President, this morning, at 10 a.m., the Senate will vote on the supplemental appropriations conference report. Following the vote, the Senate will resume consideration of the Defense authorization bill. The two managers have made substantial progress, but we will need to work through a number of amendments today in order to complete the bill in a timely fashion.

Those Senators who have amendments should be working with Chairman WARNER and Senator LEVIN to get in the queue. The Santorum amendment on Iran is the pending business and we will need to schedule a vote on that today. The majority leader has announced that Members should stay close to the floor so that we can make significant progress during today's session.

WELCOMING THE GUEST CHAPLAIN

Ms. COLLINS. Mr. President, I am delighted that our opening prayer this morning was so eloquently delivered by the Reverend Ken Dutille of Swans Island Atlantic Baptist Church in my home State of Maine. It is a great pleasure to welcome him to the Senate today. In fact, as he offered the invocation in this Chamber 11 years ago, on October 18, 1995, it is a pleasure to welcome him back to the Senate today.

Pastor Dutille's words give direction and purpose to our work. His actions also inspire us; they are a vivid reminder of the commitment and compassion that exists among people of faith throughout our Nation.

His ministry is truly unique. His church is joined with churches on three other islands to form the Maine Sea Coast Mission. This nondenominational organization was founded more than a century ago to provide spiritual guidance and educational opportunities to the remote seafaring communities of Downeast Maine. In its early years, the mission's boat, which was called *Hope*, would deliver a minister to isolated island communities where there were no churches and books where there were no libraries.

Today, the *Sunbeam V* not only continues that vital work, but it also serves as a mobile health clinic bringing medical services—including screenings, inoculations, and telemedicine—to four islands that otherwise would not have access to medical services.

Pastor Dutille is the founder of another outstanding mission project, the Bread of Life Food Pantry on Swans Island. The food pantry is often all that stands between the pangs of hunger and a healthy meal for some people in this disadvantaged area of my State. Although the demands upon the food pantry are always considerable, they increased exponentially this last July when the only grocery store on Swans Island was destroyed by fire. The pastor and the rest of the mission community immediately rose to the challenge with a major fundraising campaign. The power of God was evident in their strength of purpose as they responded to this crisis.

The pastor is a fisher of people and a person of many accomplishments. He is a graduate of the Baptist Bible College in Springfield, MO, as well as of the University of Maine. He holds a master's degree from the California Graduate School of Theology. He has served in churches throughout Maine and has preached throughout New England. He is a published author, too, and a successful small business owner. He has also had experience that all of us can relate to. In a previous community, he served as a town selectman, so he has a keen understanding of the challenges of public service, as his opening prayer demonstrated today.

It is a great pleasure to have such a dedicated spiritual and civic leader with us today and giving the opening prayer. I am sure I speak for all of my colleagues in extending him a warm welcome and in giving thanks for his inspiring prayer.

Thank you, Mr. President.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 10 a.m., with the first half of the time under the control of the majority leader or his designee and the second half of the time under the control of the Democratic leader or his designee.

The Senator from Nevada is recognized.

HONORING OUR ARMED FORCES

Mr. ENSIGN. Mr. President, I just got word that the 2,500th soldier was killed in Iraq. It is a milestone, obviously, that we all mourn deeply in this country. And that is what I rise to talk about, as a few of those who have died in the line of duty were from my State.

Mr. President, May was an especially difficult month for our home State of Nevada. We mourn the loss of four soldiers and marines who were killed in action in Iraq and Afghanistan. One soldier was killed during training. And

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

just last week, another soldier from Winnemucca, NV, was killed. While there is incomparable grief following these deaths, there is also strength and pride that never ceases to amaze me.

I had the opportunity to attend two of the recent funerals: the funeral of 1SG Carlos Saenz at Arlington National Cemetery and the funeral of SGT John Griffith at the Southern Nevada Veterans Memorial Cemetery in Boulder City. Each funeral I have attended and each family who grieves finds a very special place in my heart, and they will always stay with me.

1SG Sergeant Carlos Saenz was born in Mexico. He became a naturalized citizen and considered himself extremely lucky and proud to have been an American, as we all should. And for more than 25 years, he dedicated himself to serving this country. His wife Nanette is a woman of great strength who understood her husband's determination and commitment to our country. They actually met during the first Persian Gulf war. She is proud of him, and we are all blessed that he came to the United States and was willing to make the ultimate sacrifice for his new Nation.

SGT John Griffith lived in Las Vegas most of his life. He told his wife Christa that he was fighting this war so their son would not have to. I will never forget the image of his two young daughters, just as the funeral had ended and they were taking the coffin out. As they were putting it into the hearse, I heard his two young daughters crying, and I heard one of them say: Don't let them take daddy.

That is the real pain of war coming home to a family, and we should all remember the sacrifices that not only the men and women in uniform who have died have made but also the sacrifices and the pain their families go through.

I also had the opportunity to speak with Victoria Legaspi, the mother of SSG Emmanuel Legaspi. Manny was born in the Philippines and signed up in the Army at the age of 32, after living in the United States for only 1 year. He wanted to give back to this country, and he wanted to show his appreciation. Manny should make all of us a little more proud to be Americans.

We live in the greatest country in the world—where brave Americans such as Carlos, John, and Manny, and so many others believe so deeply in our freedom that they are willing to sacrifice their lives so that we can all live safe and free. These men follow a distinguished line of courageous men and women who have paid that ultimate price for this Nation.

They are not the only ones who have made this sacrifice. As I mentioned before, the families, and one woman in particular, Helena Lukac, have touched my heart. Helena Lukac moved to the United States in 1983 from the former Communist Czechoslovakia. Her son John was killed by a roadside bomb attack in Iraq. He was just 19 years old. Helena knows what it means to be free better than most of us. On Memorial Day, just a few weeks ago, Helena said:

> I'm really grateful that we are here, even with this loss. I miss him so much, I feel it on my own skin. This freedom is not free.

Mr. President, freedom is not free. The brave men and women in our military and their families sacrifice greatly for us, and we can never thank them enough, but we can express our gratitude to them.

So today I again say thank you to the men and women who stand tall in defense of this Nation and in support of our freedom. You make us proud. And with a very heavy heart, I thank the families across America and across my State whose pain I cannot even begin to imagine. Your loss is our Nation's loss. God bless you all, and God bless this country.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SUPPLEMENTAL APPROPRIATIONS

Mrs. MURRAY. Mr. President, the Senate is going to be considering in just a few minutes the Emergency Supplemental Appropriations Act. I do want to be clear that like most of my colleagues, I will be voting for this bill because it does provide the funding for our troops that is critically needed to carry out their mission and because it supports recovery efforts along the coast. I do wish to express three concerns I have with the conference report.

First, this bill continues the charade that this war should be funded off budget. Instead of including the money our troops need in the regular budget as requested by the President and sent to us, we keep getting sent emergency supplemental requests. It is clear to me, having been here for 13½ years, that emergency spending bills used to be for emergencies, things we could not foresee such as natural disasters. The need for funding for the war in Iraq is not a surprise. It is not like responding to an earthquake or tornado. By funding the war off budget, I fear we continue to hide the true cost of the war. It is imperative that the Senate and the House get a budget from the President that gives us the true cost of what we need to be funding.

In addition, the administration should not have the sole authority to decide what is worthy of emergency funding and what is not. We have emergencies in our backyard as well as overseas. We should not hand over to the President the final authority on what deserves emergency funding.

The second concern I have is that this bill leaves out very critical funding for areas we considered and adopted in the Senate. They were removed once the bill went to conference. Funding for health care, for port security, emergency transportation assistance in the gulf coast—much of the progress we made in the Senate was thrown out. Why? To meet an arbitrary limit set by the President. That is going to hurt many of our communities in the coming months.

Part of what we did in the Senate in April was to overwhelmingly pass the Murray-Akaka amendment that ensured our veterans would get the help they need. That amendment had broad bipartisan support on the Senate floor. It was removed in conference in the middle of the night. That is a huge setback for the men and women who are coming home from the war today and entering a VA system that is overwhelmed and underfunded. In March, the VA told us they are seeing 38 percent more Iraqi war veterans than they budgeted for. Veterans now have to wait a year to get the specialty care they deserve. Some are waiting more than 18 months before they get the benefits they have been promised. On top of that, we have waiting lists that are thousands of names long at major VA hospitals. I am frustrated that the funding we secured for America's veterans is no longer in the bill before us. Our veterans deserve better.

Funding was also removed for emergency transportation relief in the gulf. In the Senate, we passed $200 million in emergency assistance for transit authorities in the gulf region. FEMA, which is helping to fund transit service in New Orleans, is going to stop the funding for that at the end of this month. That is going to force New Orleans to cut back transit service even more. Cutting off transit routes is not going to help our gulf coast cities recover. Throwing busdrivers on unemployment lines is not going to help them recover.

Another item cut from the legislation was tenant-based rental assistance for the gulf. That funding was intended to serve about 44,000 families, including families that received HUD funding prior to Katrina and many homeless families. The bill we passed in the Senate expanded the purposes of that money to include the reconstruction and repair of HUD projects in the afflicted region, many of them damaged considerably. It provided vouchers for about 4,500 needy citizens in the region, particularly the disabled and homeless. That funding is now gone, and we are going to see some pretty vulnerable families in the gulf coast without any ability to stay in the homes in which they currently are trying to stay.

Finally, this bill improperly includes a budget ceiling that is going to affect every single spending bill we do this year. I believe the supplemental emergency spending bill is the wrong place to enact a budget that never passed the Senate floor. It is going to be hard enough to produce appropriations bills this year that will get broad bipartisan support at the levels the Senate approved back in March. It will be almost impossible to do so if we ignore amendments adopted on the Senate floor and impose the spending ceiling proposed by the President that is now included in the bill.

I am frustrated that the administration keeps funding this war off budget. I am frustrated that critical investments which we approved in the Senate were removed from the bill. I am very frustrated that this bill is now going to result in our hands being tied throughout the appropriations process. I hope in the future we can do much better.

I yield the floor and suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND HURRICANE RECOVERY, 2006—CONFERENCE

The PRESIDENT pro tempore. Under the previous order, the hour of 10 a.m. having arrived, the Senate will proceed to vote on the conference report to accompany H.R. 4939, which the clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

Ms. MIKULSKI. Mr. President, I intend to vote for this emergency supplemental appropriations conference agreement because of the critical funding it will provide to our troops. Our men and women in uniform, and their families, deserve our support, not just in words but with deeds. This bill also provides important support to our fellow Americans in the gulf coast region who continue to rebuild their communities after the devastation of the 2005 hurricane season.

But I am disappointed that important provisions included in the Senate bill were stripped out in conference. With nearly 150,000 U.S. troops serving in Iraq and Afghanistan, it is shameful that this conference report stripped out $430 million for veterans health care. And I am concerned that this bill short changes the U.S. Coast Guard and important port security measures. Through the regular appropriations process, I will continue to fight for our veterans, and to ensure the security of our coast and our ports.

In this bill, we have provided over $15 billion to fix or replace equipment that has been damaged during combat operations and to buy additional force protection equipment desperately needed by our brave men and women on the battlefield.

To help protect our troops from deadly improvised explosive devices, IEDs, this bill creates the Joint Improvised Explosive Device Defeat Fund and provides the fund with nearly $2 billion to develop and field the necessary tactics, equipment, and training to defeat these deadly weapons.

To ensure that we do all we can to care for soldiers when they are injured, this bill includes an additional $1 billion for the Defense Health program. This money ensures that we can continue to provide world-class services including rapid aero-medical evacuation to our most severely wounded soldiers.

The veterans health care system is stretched to the limit at a time when more and more veterans are turning to VA. That is why I cosponsored an amendment by Senator AKAKA to increase veterans funding by $430 million to meet the health care needs of soldiers returning from Iraq and Afghanistan and other war veterans. I am very disappointed that this funding was removed in conference but will continue to fight for our veterans to ensure they have the funding needed to receive the care they deserve.

The rank-and-file employees of the Federal Government are the unsung heroes of this country. Unfortunately, they are often required to work in substandard or often hazardous conditions. It was recently reported that employees within this very building are forced to enter tunnels full of asbestos and on the verge of collapse. That is why I cosponsored an amendment by Senator ALLARD that provides over $27 million for critical emergency structural repairs to the Capitol Complex utilities tunnels. I will continue to fight for our Federal workforce to ensure they have safe working environments and proper safety equipment.

We know that nearly 40 percent of the soldiers deployed today in Iraq and Afghanistan are citizen soldiers who come from the National Guard and Reserves. More than half of these will suffer a loss of income when they are mobilized because their military pay is less than the pay from their civilian job. Many patriotic employers and State governments eliminate this pay gap by continuing to pay them the difference between their civilian and military pay. The reservist pay security amendment, which I worked on with Senator DURBIN, was designed to ensure that the U.S. Government also makes up for this pay gap for Federal employees who are activated in the Guard and Reserves. Again, this important piece of legislation was removed from the bill during conference, but it is not dead with me. I will continue to push for equitable treatment for our Guard and Reserve troops who selflessly serve their Nation.

After 9/11, we realized that our borders were not secure. Since then, we have waged the war on terror and made great strides in protecting our homeland. We have made significant investments in law enforcement and security; however, the infrastructure that supports our border security has been allowed to crumble.

To counter this, I supported an amendment proposed by Senators GREGG and BYRD to add $1.9 billion for border security initiatives to include buying additional vehicles, airplanes, helicopters, and ships. This amendment also provided $600 million for the U.S. Coast Guard, the border protector of our waters. Of this amount, $12 million was for the Mission Effectiveness Program at the U.S. Coast Guard Yard at Curtis Bay, MD. This project is designed to extend the service life and increase the mission performance of the Coast Guard's aging fleet of medium endurance cutters. I regret that in conference the House and Senate agreed to the President's border security proposal which solely focuses on beefing up the National Guard and border agents along the Nation's southwest border.

I am also disappointed that $648 million for additional port security initiatives was stripped from the final conference agreement. The Port of Baltimore, in my hometown, recently celebrated its 300th anniversary. It is my responsibility to see to it that the Baltimore community celebrates the port's 400th anniversary. We must continue to provide adequate funding for our ports in the manner we are for our borders.

We have all seen the devastating effects of natural disasters and terrorism and are working hard to prevent future occurrences from affecting our Nation and the world. We have recently learned of another potential threat: a worldwide flu epidemic that could cost millions of lives if we are unprepared.

In response to this threat, this bill provides $2.3 billion to prepare for and respond to an influenza pandemic. Making this money available now will help expand the domestic production capacity of influenza vaccine and will help develop and stockpile the right vaccines, antivirals, and other medical supplies necessary to protect and preserve lives in the event of an outbreak.

Mr. President, this bill is a Federal investment in supporting our troops and their families and providing relief for those impacted by the devastating hurricanes.

We support our troops by getting them the best equipment and the best protection we can provide. We support them by making it easier for our citizen soldiers in the National Guard and Reserves to serve their country. And we support them by ensuring they are cared for with the best possible medical system when they are injured or ill.

With this bill, we are also helping our neighbors rebuild their homes, their communities, and their lives, and I am proud to give it my support.

Mr. McCAIN. Mr. President, the conference report we have before us contains $94.5 billion in funding for the war on terror, hurricane recovery in the gulf coast, pandemic flu preparation, and border security.

We have to fund our troops. Therefore, I will support passage of this conference report. But I do so with reservations, mainly because resources for the training and equipping of the Iraqi army have been funded well below the level requested by the President. As all of my colleagues know, training and equipping the Iraqi army is imperative to the ultimate success of our mission there. The security of the Iraqi people, ensured by a properly trained and equipped Iraqi army, is our exit strategy.

Unfortunately, the must-pass nature of this bill has led to the inclusion of hundreds of millions of dollars in unrequested, nonemergency spending and typical run-of-the-mill earmarks. Examples of unrequested and nonemergency additions to this emergency spending bill include three Marine Corps V–22 tilt rotor aircraft, two KC–130J tanker aircraft, four C–130J cargo aircraft, the advance procurement of seven C–17 cargo aircraft, and one Predator Unmanned Aerial Vehicle, UAV. It also includes $975 million for SINCGARS tactical radios, $675 million in Army tank and Bradley Fighting Vehicle upgrades, $130 million for Army STRYKER vehicles above combat losses, and $567 million for Army trucks. None of these were requested by the administration, and they are not critically needed to aid in the war on terror.

Let's take a closer look at just one of these add-ons. The conference report includes $230 million to buy three Marine Corps V–22s. The President did not request any money for the V–22 Osprey, which is still in the development and testing stage. In fact, the V–22 has not even been deployed to an operational squadron yet. If continued development and testing goes well, the Marine Corps will send the V–22 to an operational squadron in the summer or fall of 2007. I have to question why funding for a nonoperational aircraft that is still in the development stages is considered to be an emergency in this bill. The answer is that there is no emergency need for this aircraft—if there was, I am more than confident that the President would have requested the appropriate funding in the emergency supplemental submitted last February.

Additionally, the conference report contains a provision which authorizes the Secretary of the Navy to reimburse shipbuilding contractors for "business disruptions" that were incurred during and after Hurricane Katrina. This provision may increase Navy shipbuilding costs by $140 million over what the administration had requested. The provision is expected to primarily benefit Northrop Grumman's shipyard in Pascagoula, MS. This language substitutes Government funding for what insurers would pay to shipbuilders. Northrop Grumman is suing its insurer, Factory Mutual, for those costs associated with Hurricane Katrina. However, in the near term, the appropriators have decided the best course is to arrange a giveaway to an insurance company and a shipbuilder.

Furthermore, the explanatory statement accompanying this conference report contains language stating that the conferees agree with House and Senate language delaying the Department of Transportation, DOT, rulemaking which proposes to give domestic air carriers with foreign investors more control over business matters. Yet this legislative language does not include any related provisions, and rightly so, in my view. This greater control would only be granted for business matters that do not relate to safety or security and only when the investors' home countries provide our airlines with investment and market access. I assure my colleagues this statement was not included by accident, and its intent seems to be to signal to DOT that Congress does not approve of its proposed rulemaking.

Here are some other notable projects funded as "emergencies" in this measure: $16 million for hurricane repair in the State of Pennsylvania; $40 million for sugar and sugarcane disaster assistance in Florida, which was not requested; $40 million for sugar and sugarcane disaster assistance in Louisiana, which was not requested by the President; $400,000 for disaster assistance to sugar cooperatives in Texas, which was not requested by the President. $400,000 to the Chicago Sanitary and Ship Canal Demonstration barrier, which was not requested by the President; $9 million in drought emergency assistance to communities in Nevada and New Mexico; $225,000 to the Missouri Soybean Association for the purchase of a building for use as an incubation center in the Kansas City metropolitan statistical area; $100,000 to the Boys and Girls Club of Greater Washington in Silver Spring, MD for renovation of Boys and Girls Clubs of Greater Washington Clubhouse No. 2, Clubhouse No. 4, Clubhouse No. 10, Clubhouse No. 11, and Clubhouse No. 14 in the District of Columbia; $100,000 to Wesleyan College in Macon, GA, for facility renovation, buildout, and construction; $125,000 to Craig County, VA, for purchase, renovation, buildout, and upgrade of a library.

I think we can fund this war—and indeed win this war—while also budgeting for this war. We know the war is going to cost more than the over $400 billion we will have appropriated to date upon enactment of this conference report, and we know that the war is not going to end as quickly as most of us would prefer. But we need to continue our military operations until the job is done. Withdrawing our military presence prematurely is not an option in my view, the view of many of my colleagues, nor the view of the President or his advisers. We are in it to win.

Instead of fixing the problem, and fixing it will not be easy, we have only succeeded in making it bigger, more unstable, more complicated, and much more expensive. And adding hundreds of billions of dollars that are more conveniently designated as emergency expenditures—so that they don't have to be budgeted for along with other national priorities—is only making the fiscal problem that much greater.

Again, Mr. President, it is unfortunate that, at a time of war and with such a huge deficit and burgeoning debt, we continue to fund unnecessary projects and load up emergency supplemental appropriations bills with nonemergency items. We need to concentrate on providing the resources necessary for our young men and women swerving in Iraq to successfully complete their mission, so that they can return safely to their families, and a grateful Nation.

Mr. KENNEDY. Mr. President, the conference report provides needed funds to meet a number of our national security needs. It includes $65.8 billion of funding for ongoing military operations in Iraq and Afghanistan, to give our troops the armored vehicles, ammunition, medical supplies, and other materials essential for their operations.

The legislation also provides funds for the Commander's Emergency Response Program, which enables commanders on the ground to pay for urgently needed infrastructure, and also to make condolence payments to Iraqi civilians who are injured or killed. That program is intended to build good will with the Iraqis, and I commend the Appropriations Committee for taking such a strong interest in it.

During consideration of the bill, we had a strong debate about whether the nondefense items in the bill were truly emergencies and belonged in this legislation. Most of us believe they do because the budget process does not allow us to respond quickly to urgent needs, and the emergency supplemental process is the only way we can address them.

It is clear that border security, hurricane relief, and pandemic flu preparations all affect our national security. The need for these funds cannot easily be assessed in advance and made part of the regular budget. But no one can disagree that each has a profound impact on our Nation and has to be addressed.

I commend Senator HARKIN for his leadership on the needed funding to prepare for a pandemic flu. Those of us on the authorizing committee look forward to continuing to work with Senator BURR to see that these funds are used effectively to increase the Nation's readiness for this major disease threat.

I am disappointed that the conference report rejected our Senate amendment to compensate first responders injured by experimental flu vaccines. If pandemic flu reaches our shores, Americans will have to rely heavily on nurses, paramedics, emergency technicians, and other first responders. The question is whether these first responders will risk taking an experimental vaccine so that they can stay on the job and protect us all. The least these brave first responders deserve is fair compensation if they are harmed by the vaccine. We know from past experience that without such a compensation program, first responders will be reluctant to take experimental vaccines. The Senate did the right thing, to fund a compensation program, but Republican leaders inexplicably allowed the House conferees to reject the funds. The message we are sending to first responders is obvious—"You're on your own" and a pandemic will be even more disastrous if it hits.

I am very pleased, however, that our colleagues on the Appropriations Committee included critical funding to provide relief to elementary and secondary schools in the gulf region and to schools across the country that generously opened their doors to young students whose lives were turned upside down by Hurricanes Katrina and Rita. This additional funding will help ensure that the schools that educated displaced students are reimbursed for the additional costs incurred during this school year so that they can continue to provide good education for all the children they serve.

The schools, colleges, and universities are a cornerstone of the gulf communities, and their recovery is essential to the successful rebuilding of the region. I am disappointed that the conferees rejected a Senate provision that would have leveraged hundreds of millions of dollars of low-cost loans for these colleges and universities. I am pleased, however, that the conferees increased the grant aid in the bill to help these colleges and universities rebuild. These funds are a step in the right direction to enable these institutions to remain a vital part of the gulf coast.

On the issue of education, we know that countless families across America are struggling to put their children through college. The last thing they need is an increase in interest rates on student loans. I commend the Appropriations Committee for expanding loan consolidation options and resisting efforts by lenders to increase the burden of college debt. Last February, Congress perpetrated the biggest raid on college aid in the history of the program, cutting $12 billion from student loan programs to help pay for tax giveaways to the wealthy. We need to do more to help struggling families afford college, and the committee's action on this bill is a step in the right direction.

This bill includes an important provision to support our objective of promoting democracy in Iraq. It includes $50 million for American nongovernmental organizations helping Iraqis to create the essential building blocks of democracy. The funds will go to seven nongovernmental organizations doing excellent work in Iraq on democracy and reconciliation under extremely difficult and dangerous conditions. We must be clear in our commitment to stand by these organizations that are serving on the front lines in the struggle for democracy in Iraq every day. We need to demonstrate to the Iraqi people that we are committed to Iraq's long-term democratic development. We must have a long-term strategy backed by appropriate resources, and this bill is a start toward achieving our goal.

While this bill contains much that is positive, I strongly oppose the decision of our Republican colleagues to include a deeming resolution in this conference report that will impose an unreasonably low limit on discretionary spending for next year. This cap means that critical domestic programs will be cut. It is a sorry substitute for a real budget.

The deeming resolution completely ignores the Senate-passed budget. It sets a spending cap $16 billion below the level approved by a bipartisan majority of Senators in the Senate budget resolution. It wipes out an amendment passed by the Senate to add $7 billion for urgent health and education needs. It cuts funding for vital medical research by the National Institutes of Health. It underfunds the No Child Left Behind education initiative by $55.7 billion over the next 5 years. It sets the wrong priorities for America.

This deeming resolution indicates a willingness on the part of Republicans in Congress to blindly follow the Bush administration's reckless strategy of cutting essential domestic programs American families depend upon while providing more and more tax breaks for the wealthiest taxpayers in the country. It is outrageous. It is one more failure for a Republican leadership that consistently takes the country in the wrong direction.

Mr. LIEBERMAN. Mr. President, I rise to acknowledge a tangible result of our Federal Government's investment in preparing for a possible flu pandemic. This week, the U.S. Agency for International Development, USAID, and Centers for Disease Control and Prevention, CDC, in partnership with the Wildlife Conservation Society launched the Global Avian Influenza Network for the Surveillance of wild birds, or the GAINS program.

GAINS systematically tests and monitors wild and dead birds to identify the viral strains they carry, to share the virus samples in order to continually update vaccine production options, and to disseminate lab results on a map-based publicly accessible database. Major flyways around the world will be monitored including those running north-south through the Americas.

I wish to recognize Chairman COCHRAN from Mississippi and Senator BYRD from West Virginia, along with my colleagues, Senator HARKIN from Iowa, Senator SPECTER from Pennsylvania, and Senator BROWNBACK from Kansas, for their commitment to avian flu preparedness and for putting in place an effective system for the surveillance of wild birds. GAINS is instrumental to our capacity to prepare communities in the wake of wild birds moving with the virus for a potential outbreak.

At the same time we work to develop a vaccine and procure antivirals, we can also track the movement of the virus in wild birds. GAINS can track wild birds in the same way the National Hurricane Center tracks hurricanes. By analyzing, storing, and reporting using a real-time computerized data mapping system and interface, we can see the viral strains wild birds carry, where they are carrying the virus along migratory routes, and how the virus is genetically evolving. This will make it possible for us to develop vaccines more quickly using the most recent strain available and will help us warn vulnerable populations in wild bird flightpaths should the avian flu strain turn deadly.

I am happy to report that the GAINS program and Dr. William Karesh at the Wildlife Conservation Society have already contributed vital disease samples of the highly pathogenic H5N1 virus from Mongolian swans to the efforts currently under way to develop a human vaccine for avian influenza.

The Wildlife Conservation Society has partnered with USAID and the CDC to spearhead this effort. They are an international conservation organization headquartered at the Bronx Zoo in New York and have offices across the world, including my home State of Connecticut. With more than 3,000 full-time staff working in 60 countries around the world on more than 400 field conservation projects, the Wildlife Conservation Society is well positioned to lead the global efforts to monitor the disease in birds and provide key information to local communities to mitigate the effects of future outbreaks. Our Government's capacity to build partnerships such as this one and continue to fund them with nongovernmental organizations with tremendous expertise and others in the private sector is key to effectively fighting a potential pandemic.

Mr. NELSON of Florida. Mr. President, this supplemental appropriation provides funds that are urgently needed by our Armed Forces to sustain the global war on terror and our operations to stabilize Iraq and Afghanistan. The $70 billion provided in this appropriation for military operations brings America's investment in this fight to over $445 billion since September 11, 2001. Included in this appropriation are funds necessary to keep our Guard strong and ready and to ensure that our reservists have access to essential medical coverage for themselves and their families.

With respect to domestic assistance in this bill, while it is not perfect, because it removed funding for port security and veterans' health care, and greatly reduced the amount of agriculture assistance that was originally included in the Senate passed bill, it does provide immediate aid to the people of the gulf coast to help in their continuing effort to recover from last year's hurricanes.

I thank the chairman and ranking member of the Appropriations Committee, Senator COCHRAN of Mississippi and Senator BYRD of West Virginia, for their leadership and even handedness in crafting this supplemental measure. They have been very kind towards my constituents and I am most appreciative of their efforts. This supplemental addresses three areas critical to the continued recovery and vitality of Florida.

Florida was hit by eight hurricanes in 15 months and the recovery continues, even as Tropical Storm Alberto traversed the State yesterday. I know that my colleagues from the gulf coast are also well aware of the long-term challenges facing their States and are bracing themselves for another active hurricane season. We all learned valuable lessons from the disasters of the past 2 years and we will face the coming months together.

I am pleased that this supplemental includes some relief for the State of Florida's hard hit agriculture industry. In 2005 as in 2004, the Florida agriculture industry sustained more than $2 billion in losses. One of the hardest hit industries was the sugar industry, so the $40 million in assistance this bill provides to the sugar producers will be critical. Our specialty crops and nursery growers also will receive a much-needed share of the $95 million provided in the bill.

The measure also provides the National Oceanic and Atmospheric Administration, NOAA, with emergency funding. I cannot emphasize how important the work of this agency is to Florida. It includes the National Marine Fisheries Service, NMFS, that plays a key role in Florida because of our significant fishing industry—both recreational and commercial. And the National Weather Service whose hurricane forecasts many times mean the difference between life and death for Floridians. This emergency supplemental provides $150 million for mapping for debris removal, oyster bed and shrimp ground rehabilitation, the repair and reconstruction of the NOAA science facility on the Gulf of Mexico and a replacement emergency response mapping aircraft to provide information about hurricane damage—all desperately needed.

Additionally, the conference report maintains the Senate funding level of $5.2 billion for the Community Development Block Grant, CDBG, program. The President's original request was for $4.2 billion to address the utter devastation caused by Katrina in Louisiana. Yet unmet needs from the previous Gulf of Mexico hurricanes still remain in Florida, Alabama, Mississippi, and Texas. This level of CDBG funding will ensure that all States harmed by last year's hurricanes will receive an adequate level of continued support so that they may continue to invest in long-term recovery efforts, provide housing and business assistance, perform infrastructure reconstruction, and undertake mitigation efforts.

Specific to Florida, additional CDBG funds will greatly help Panhandle communities impacted by Hurricane Dennis, who were not eligible for the last round of disaster CDBG funds, and the heavily populated areas of South Florida where insured damages from Wilma were estimated at $7.4 billion. Hurricane Wilma was a major hurricane, the final major storm of last season, causing the highest amount of insured losses to southeast Florida since Hurricane Andrew over a decade ago.

Chairman BOND and Ranking Member MURRAY included a provision in the bill that will help address the backlog of emergency highway repairs. I thank them for their efforts, as this provision is vital to Florida's Panhandle which was pummeled by Hurricane Ivan in 2004 and then by Dennis in 2005. It includes language lifting the mandatory cap of $100 million in spending per state. Florida has about $118 million in damages left over from Dennis, most of it concentrated along US–98, which runs along the coast of Florida from Tallahassee to Pensacola, a distance of over 200 miles.

The assistance contained in the supplemental will go a long way towards the recovery of the gulf coast and I will support this measure.

Mr. COCHRAN. Mr. President, I am pleased that the Senate is approving today the conference report on this supplemental appropriations bill.

The bill provides funding to replenish the spending accounts of the Department of Defense, the Department of State, as well as other agencies and departments of the Government which are engaged in the war on terror. The conference report also makes available needed funding for efforts to repair and rebuild the homes, businesses, and public facilities that were damaged by hurricanes that struck the Gulf Coast region last year.

A bipartisan majority of the conferees have reconciled the differences between the two bills and reached agreement on the conference report. The House also approved the conference report by a vote of 351 to 67.

The conference agreement provides a total of $94.519 billion. Of this amount, over $70 billion is provided to carry out the global war on terror and to cover the expenses of ongoing operations and reconstruction efforts in Iraq and Afghanistan.

Title II of the agreement provides $19.338 billion for hurricane related damage and recovery costs. Title III provides $500 million for agriculture disaster assistance to hurricane affected areas. Title IV includes $2.3 billion for influenza pandemic preparation and response activities. Title V provides $1.9 billion for various border security initiatives. Title VI includes $27.6 million for the Architect of the Capitol to address health and safety concerns in the utility tunnels in the Capitol complex. Finally, title VII includes general provisions and technical corrections.

This conference agreement is the result of hard work and true compromise between the House and Senate, and I am pleased the Senate is prepared to approve it.

Mr. COCHRAN. I ask for the yeas and nays.

The PRESIDENT pro tempore. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the conference report. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER (Ms. MURKOWSKI). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 1, as follows:

[Rollcall Vote No. 171 Leg.]

YEAS—98

Akaka
Alexander
Allard
Allen
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Boxer
Brownback
Bunning
Burns
Burr
Byrd
Cantwell
Carper
Chafee
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Cornyn
Craig
Crapo
Dayton
DeMint
DeWine
Dodd
Dole
Domenici
Dorgan
Durbin
Ensign
Enzi
Feingold
Feinstein
Frist
Graham
Grassley
Gregg
Hagel
Harkin
Hatch
Hutchison
Inhofe
Inouye
Isakson
Jeffords
Johnson
Kennedy
Kerry
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Salazar
Santorum
Sarbanes
Schumer
Sessions
Shelby
Smith
Snowe
Stabenow
Stevens
Sununu
Talent
Thomas
Thune
Vitter
Voinovich
Warner
Wyden

NAYS—1

Specter

NOT VOTING—1

Rockefeller

The conference report was agreed to.

Mr. FEINGOLD. Madam President, today I voted in favor of the fiscal year 2006 Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery conference report despite my serious reservations about using an emergency supplemental bill to fund ongoing U.S. operations in Iraq and Afghanistan and despite the fact that the bill fails to change the flawed and dangerous policy in Iraq that this administration is pursuing. That policy is taking a tremendous toll on our Nation's resources and our national security, and I will continue to look for every opportunity to force the Senate to debate and vote on changing that policy.

I supported the conference report because it included necessary funding for our troops, along with vital assistance to those communities devastated by Hurricanes Katrina and Rita and to those suffering in war-torn countries and those countries in need of immediate funding for their newly formed democracies. I am particularly pleased to see that $618 million is being provided for establishing peace in Darfur and $63 million for supporting the nascent Liberian Government that was recently elected.

Mr. COCHRAN. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Madam President, I thank all Senators for their patience and support during our deliberations on this conference report. I think the vote reflects strong sentiment that we have reached an agreement that is fair. It reflects respect for the administration's budget request and remaining within that budget request.

I appreciate the cooperation of all members of our Appropriations Committee and the full Senate as well.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BURR). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, it is my understanding that the Department of Defense authorization bill is the pending business before the Senate.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2766, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2766) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Pending:

Santorum amendment No. 4234, to authorize, with an offset, assistance for pro-democracy programs and activities inside and outside Iran, to make clear that the United States supports the ability of the people of Iran to exercise self-determination over their own form of government, and to make enhancements to the Iran-Libya Sanctions Act of 1996.

McCain amendment No. 4241, to name the act after John Warner, a Senator from Virginia.

Mr. DURBIN. Mr. President, is there an amendment pending to the Defense authorization bill?

The PRESIDING OFFICER. The Senator is correct, there are two amendments pending.

Mr. DURBIN. I ask unanimous consent that those amendments be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4253

Mr. DURBIN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself, Ms. COLLINS, Mr. INOUYE, Ms. MIKULSKI, Mr. OBAMA, Mr. REED, Mr. MENENDEZ, and Mr. INHOFE, proposes an amendment numbered 4253.

Mr. DURBIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require a pilot program on troops to nurse teachers)

At the end of subtitle E of title VI, add the following:

SEC. 662. PILOT PROGRAM ON TROOPS TO NURSE TEACHERS.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, in coordination with the Secretary of Health and Human Services and the Secretary of Education, conduct a pilot program to assess the feasibility and potential benefits of a program to—

(A) assist nurse corps officers described in subsection (c) in achieving necessary qualifications to become nurse educators and in securing employment as nurse educators at accredited schools of nursing;

(B) provide scholarships to nurse corps officers described in subsection (c) in return for continuing service in the Selected Reserve or other forms of public service; and

(C) help alleviate the national shortage of nurse educators and registered nurses.

(2) DURATION.—Except as provided in subsection (h), the pilot program shall be conducted during the period beginning on January 1, 2007, and ending on December 31, 2012. A nurse corps officer may not enter into an agreement to participate in the pilot program after December 31, 2012.

(3) REGULATIONS.—The pilot program shall be conducted under regulations prescribed by the Secretary of Defense in consultation with the Secretary of Health and Human Services and the Secretary of Education.

(b) DESIGNATION.—The pilot program required by subsection (a) shall be known as the "Troops to Nurse Teachers Pilot Program" (in this section referred to as the "Program").

(c) NURSE CORPS OFFICERS.—A nurse corps officer described in this subsection is any commissioned officer of the Armed Forces qualified and designated as an officer in a Nurse Corps of the Armed Forces who is—

(1) serving in a reserve component of the Armed Forces;

(2) honorably discharged from the Armed Forces; or

(3) a retired member of the Armed Forces.

(d) SELECTION OF PARTICIPANTS IN PROGRAM.—

(1). APPLICATION.—An eligible nurse corps officer seeking to participate in the Program shall submit to the Secretary of Defense an application therefor. The application shall be in such form, and contain such information, as the Secretary may require.

(2) SELECTION.—The Secretary shall select participants in the Program from among qualified nurse corps officers submitting applications therefor under paragraph (1).

(e) PARTICIPANT AGREEMENT.—

(1) IN GENERAL.—A nurse corps officer selected under subsection (d) to participate in the Program shall enter into an agreement

with the Secretary of Defense relating to participation in the Program.

(2) ELEMENTS.—The agreement of a nurse corps officer under the program shall, at the election of the Secretary for purposes of the Program and as appropriate with respect to that status of such nurse corps officer—

(A) require such nurse corps officer, within such time as the Secretary may require, to accept an offer of full-time employment as a nurse educator from an accredited school of nursing for a period of not less than one year; or

(B) require such nurse corps officer—

(i) within such time as the Secretary may require, to successfully complete a program leading to a master's degree or doctoral degree in a nursing field from an accredited school of nursing or to a doctoral degree in a related field from an accredited institution of higher education;

(ii) to serve in the Selected Reserve or some other form of public service under terms and conditions established by the Secretary; and

(iii) upon completion of such program and service, to accept an offer of full-time employment as a nurse educator from an accredited school of nursing for a period of not less than 3 years.

(f) ASSISTANCE.—

(1) TRANSITION ASSISTANCE.—The Secretary of Defense may provide a participant in the Program who enters into an agreement described in subsection (e)(2)(A) assistance as follows:

(A) Career placement assistance in securing full-time employment as a nurse educator at an accredited school of nursing.

(B) A stipend in an amount not to exceed $5,000 for transition to employment referred to in paragraph (1), and for educational training for such employment, for a period not to exceed two years after entry by such participant into an agreement under subsection (e).

(2) SCHOLARSHIP ASSISTANCE.—The Secretary of Defense may provide a participant in the Program who enters into an agreement described in subsection (e)(2)(B) scholarship assistance to pursue a degree described in subsection (e)(2)(B)(i) in an amount not to exceed $30,000 annually for a period of not more than four years.

(g) TREATMENT OF ASSISTANCE.—A stipend or scholarship provided under subsection (f) shall not be taken into account in determining the eligibility of a participant in the Program for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(h) ADMINISTRATION AFTER INITIAL PERIOD.—

(1) IN GENERAL.—The termination of the Program on December 31, 2012, under subsection (a)(2) shall not terminate the entitlement to assistance under the Program of any nurse corps officer entering into an agreement to participate in the Program under subsection (e) that continues in force after that date.

(2) ADMINISTRATION.—The Secretary of Education shall undertake any administration of the Program that is required after December 31, 2012, including responsibility for any funding necessary to provide assistance under the Program after that date.

(i) REPORT.—

(1) IN GENERAL.—Not later than three years after the commencement of the Program, the Secretary of Defense shall, in consultation with the Secretary of Health and Human Services and the Secretary of Education, submit to Congress a report on the Program.

(2) ELEMENTS.—The report shall—

(A) describe the activities undertaken under the Program; and

(B) include an assessment of the effectiveness of the Program in—

(i) facilitating the development of nurse educators;

(ii) encouraging service in the Selected Reserve and other forms of public service; and

(iii) helping alleviate the national shortage of nurse educators and registered nurses.

(j) DEFINITIONS.—In this section:

(1) NURSE EDUCATOR.—The term "nurse educator" means a registered nurse who—

(A) is a member of the nursing faculty at an accredited school of nursing;

(B) holds a graduate degree in nursing from an accredited school of nursing or a doctoral degree in a related field from an accredited institution of higher education;

(C) holds a valid, unrestricted license to practice nursing from a State; and

(D) has successfully completed additional course work in education and demonstrates competency in an advanced practice area of nursing.

(2) SCHOOL OF NURSING.—The term "school of nursing" means a school of nursing (as that term is defined in section 801 of the Public Health Service Act (42 U.S.C. 296)) that is accredited (as that term is defined in section 801(6) of the Public Health Service Act).

(k) FUNDING.—From amounts authorized to be appropriated for the Department of Defense, $5,000,000 may be available for the Program.

Mr. DURBIN. Mr. President, he is not on the floor, but Senator WARNER and I have been discussing this amendment. I would like to at least leave open the option that he will join me in cosponsoring it. It is a bipartisan amendment which I would like to describe at this point, if I can, and ask the Senator from Oklahoma if I may have a few minutes to describe the amendment.

The PRESIDING OFFICER (Ms. MURKOWSKI). The Senator from Oklahoma.

Mr. INHOFE. Yes. Before the Senator from Illinois proceeds, I would like to comment. The Senator has worked very hard on this amendment. There is a problem that the Senator is seeking to correct, and I believe the amendment does correct it. I join him as a cosponsor of this amendment.

Mr. DURBIN. Thank you very much. I am honored that the Senator from Oklahoma would join me as a cosponsor.

In speaking to this amendment, this morning's Washington Post had a front-page story that should startle and trouble all of us. It is a story about the status of emergency rooms in hospitals across America. The organization that represents the emergency rooms and their physicians across America has issued a troubling report which suggests that many of those emergency rooms are not really adequately staffed or prepared to deal with emergencies. Too often, the men and women who are brought there in terrible medical situations can't find the help they need. As a result, they are shipped off to other hospitals or they wait sometimes up to 2 days before they are admitted to a bed in the regular hospital. It is a serious problem.

You might ask: What does that have to do with the Department of Defense authorization bill? Part of the problem facing the emergency rooms is also facing hospitals and clinics across America, and the problem is this: We don't have enough health care professionals; in particular, we don't have enough nurses in America. We know this is a fact.

Just last week, an administrator of a major hospital in Chicago came to see me. She is a wonderful woman. She is a Catholic nun who runs a hospital in one of the toughest parts of Chicago—Inglewood—and she has kept that hospital open. I don't know how she has done it. It has been nothing short of a miracle. The biggest single problem that she faces year in and year out is not just coming up with money but finding nurses.

I said to her: What do you pay a nurse?

And she said: About $50,000 a year. But, she said, if I can't hire that nurse for $50,000 a year, I have to buy what we call contract nurses. There are companies which, when hospitals don't have enough nurses, will send a nurse in to work for a day, a week, or a month. But the contract nurses cost three times as much, $150,000 annualized salary.

She said to me: Senator, I don't know if I can keep this hospital open if I can't find nurses.

This isn't just a problem at that hospital. It is a problem across my State and across our Nation. I am from downstate Illinois, a part of our State dominated by smaller towns, rural areas, struggling to keep hospitals open. We know better than most that when one of our neighbors goes into labor, she may not have the time to make it to the big city where there is a big hospital. She is counting on that rural hospital being open. When she gets there, she is counting on finding a nurse and a doctor to help her.

In many places in rural Illinois and across our country, the same challenge that faces the administrator of that hospital in the Inglewood section of Chicago is facing them: inadequate supplies of professionals, health care professionals.

The ongoing conflicts in Iraq and Afghanistan have increased the need for qualified nurses in military medical facilities. Unfortunately, the military faces the same difficulty in recruiting and in the retention of nurses as the civilian medical facilities which I just described. Neither the Army nor the Air Force has met their nurse recruitment goals since the 1990s. In 2004, the Navy Nurse Corps recruitment fell 32 percent below its target, while the Air Force missed its nurse recruitment target by 30 percent.

Have you seen this special on HBO called "Baghdad ER"? I have watched a little bit of it. As you watch it, you realize the heroic efforts that are being made by the men and women in the military who are providing emergency medical care to our soldiers who are shot in Iraq. It is incredible. It is heartbreaking to think about what they go through every day.

Now, put it in the context where the major sources of military nurses are telling us they can't recruit enough nurses fast enough. Last year, the Army experienced a 30-percent shortage of certified registered nurse anesthetists, as one example.

I have talked about civilian hospitals. According to the American College of Health Care Executives, 72 percent of hospitals have been experiencing a nursing shortage since 2004, and it is growing. This chart that I will show you is an indication of the projected shortfalls and shortages in registered nurses. The dark blue indicates the supply of nurses, which continues to decline, and, of course, the lighter blue, the shortage, which continues to increase. As you can see, our need for nurses is growing, and it is no surprise. We have an aging population that needs help: specialized medical care that requires specialized nurses. Time and again we find ourselves relying and counting on those nurses to be there, and we see from this chart as we project forward for the next 15 years that the problem is going to get much worse.

The U.S. Department of Health and Human Services looked at all licensed nurses, both civilian and military. They found that in the year 2000, our country was 110,000 nurses short of the number needed to adequately provide quality health care—110,000 across our Nation. Five years later, that shortage had doubled to 219,000 nurses that we needed and didn't have in America. By the year 2020, we will be more than 1 million nurses short of what is necessary for quality health care.

Now, the National Institutes of Health can engage in medical research to find new cures and treatments for diseases, and God bless them for all the work they do. The best and brightest minds can get together in laboratories and find new pharmaceuticals and new medical devices that give us a new lease on life. But we know that when the moment comes, when we need this help, we need a nurse. And if we find ourselves in a few short years with a million fewer nurses than we actually need, it will compromise the quality and availability of health care in America. It is not just a problem for the military, as I mentioned earlier, it is a nationwide problem.

To avoid the vast shortages the Department of Health and Human Services is projecting, we have to make a significant and substantial increase in the number of nurses graduating and entering the workforce each year. Just to replace the nurses who are retiring, we need to increase student enrollment at nursing schools by 40 percent. This chart is an indication of where we are, starting in the year 2000. This shows the baseline supply of nurses across America, which you can see is declining. This next line, the green line, shows the demand which is going up dramatically for nurses in our society, and this purple line shows what happens if 90 percent—the supply if 90 percent more grads take place. So even increasing graduate nurses by 90 percent over the next 15 years will still leave us short of our national goal.

Clearly, this is an emergency which has to be addressed. The baseline demand for nurses is rising; the supply is falling. If we increase the number of nurses graduating from nursing school by 90 percent by 2020, we are still not going to have enough.

I might add parenthetically, there is another element to this issue. I have been involved in this as long as I have been in public service. Small hospitals, small towns come to you desperate because they have lost their doctor. They need a doctor, and I do my best to find a doctor. But in 9 cases out of 10, the doctor you find comes from a foreign land. Many doctors have come to the United States from India, from Asia, from Africa, and we welcome them. We greet their families warmly as they have come to our country, and they are meeting our needs. And I thank them for making the decision to come and be a part of the solution to America's health care problem. But I have come to learn that there are two sides to this equation. The other side of the equation, of course, is that these doctors and nurses and health care professionals are leaving a land, too.

Last year, and over the last several years, we have taken 20,000 health care professionals out of Africa: doctors and nurses, people who really are essential in the frontline of defense when it comes to medical care. We have attracted them to the United States, to England, to Germany, and to France, and it is no surprise that they want to be here. Doctors in central Africa are paid $600 a month by the Government, if they are paid. They work in substandard conditions. Despite their education, they struggle to provide even the most basic care. In the area of eastern Congo in Goma, where I visited with Senator BROWNBACK just a few months ago, we learned that there was one doctor for every 160,000 people. Think about that: one doctor for every 160,000 people. What is the number in the United States? We have 549 doctors for every 100,000 people. Also, think about what it means when it comes to specialties like surgery.

I asked them in this hospital in Goma in Congo—where women were lined up in long lines praying that this would be the day or the week or the month when they would finally have the necessary surgery that they had been waiting so long for—I asked them: How many surgeons do you have in this part of Africa? This doctor said to me: We have one surgeon for every 1 million people—one surgeon for every 1 million. What does that mean? It would mean in the United States, three surgeons for the entire city of Chicago. Think about what those poor people face without those medical professionals.

So those who argue that the answer to our need in the United States will be bringing in nurses and doctors and professionals from around the world have to understand that this equation is not a zero sum. We end up bringing in these health care professionals at the expense of other countries and other people who face many more medical challenges than in the United States.

Some would say: Well, that is their problem. They ought to pay their doctors more or train more. But it is our problem, too. If an avian flu epidemic, God forbid, should ever start, if there would be a transmission from an animal to a human, it would likely occur in one of these developing nations. If they don't have the capacity to move immediately to contain that crisis to make sure there are public health officials and doctors and nurses present, and if they don't do it within 21 days, that epidemic can circle the world.

Diseases which used to die on immigrant ships coming across the ocean live quite well, unfortunately, on the airliners that crisscross this globe every single day. So if you take away the medical professionals in some of the poorest nations on Earth, you are opening the possibility that the dread diseases in that part of the world will make it to our part of the world. That is part of this shrinking globe on which we live.

The problem, when you look at the United States, is that there are not enough teachers at schools of nursing. Last year, nursing colleges across America denied admission to 35,000 qualified applicants for nursing school simply because they didn't have enough teachers at the nursing schools. Think about that: 35,000 more nurses that we could train and have serving us and others in the military and civilian life.

In my home State of Illinois, schools of nursing are denying qualified students admittance because they don't have enough teachers. Last year, 1,900 qualified student applicants were rejected from Illinois nursing schools because there weren't enough professors. Northern Illinois University in Dekalb, one of our best, was forced to turn down 233 qualified nursing applicants because they didn't have enough teachers and financial resources.

Illinois State University, another top university in our State, increased its enrollment by 50 percent in nursing over the past 5 years by working with health care systems and seeking grants, but last year, ISU was still forced to reject 100 qualified nursing applicants because they didn't have enough faculty and fiscal resources.

Take a look at this chart which is an indication of what we are being told by nursing schools. Sixty-six percent, or two out of three nursing schools across the United States, tell us that they need additional faculty. We find that in some schools there are no vacancies and no additional faculty needed. That is 18 percent. And in 15 percent, almost 16 percent, there are no vacancies, but they could use additional faculty. They could expand. The American Association of Colleges of Nursing surveyed more than 400 schools of nursing last year. As I said, two out of three reported vacancies in their faculty. Fifteen percent said they are fully staffed but could use more faculty. These statistics paint a bleak picture for the availability of nursing faculties now and into the future.

Take a look at this final chart I will show you which is showing that there is, as in most things in America, a graying of the population that serves us. The median age of doctorally prepared nursing faculty members is 52. The average age of retirement for faculty at nursing institutions is 62. It is expected that 200 to 300 doctorally prepared faculty will be eligible for retirement each year from 2005 to 2012, reducing faculty, even though more than a million are needed. The military recruits nurses.

I want to thank all the men and women who are in nursing in the military and all in our medical professions. But they recruit from the same place that doctors and hospitals also recruit: civilian nursing schools.

Unless we address the lack of faculty, there is going to be a shortage of nurses everywhere. In 1994, the Department of Defense established a program which is a terrific idea. It is called Troops to Teachers. It serves the dual purpose of helping relieve the shortages of math, science, and special education teachers in high-poverty schools and assists military personnel in making transitions from the military to a second career in teaching. It is a terrific idea. As of January 2004—listen to this—more than 6,000 former soldiers have been hired as teachers through the Troops to Teachers Program, and an additional 6,700 are now qualified teachers looking for placements. We need teachers, and the men and women trained and educated in the military who want to serve bring a special quality to this mission.

The amendment which I have before the Senate will set up a pilot program—we call it Troops to Nurse Teachers—to encourage nurses in the Reserves, retiring nurses, or those leaving the military, to pursue a career teaching the future nurse workforce. More than 300 nurses left the Army last year. Historically, about 330 nurses leave the Air Force each year. Between 30 and 40 percent of the nurses in the Navy leave after they fulfill their initial obligation.

The Troops to Nurse Teachers Pilot Program will provide transitional assistance for servicemembers who already hold a master's or Ph.D. in nursing or related field and are qualified to teach. Eligible servicemembers can receive career placement assistance, transitional stipends, and educational training from accredited schools of nursing to expedite their transition. Troops to Nurse Teachers will also establish a pilot scholarship program that will provide financial assistance to officers of the armed services who have been involved in nursing during their military service and help them obtain the education necessary to become nursing educators. Tuition stipends and financing for educational expenses would be provided. Recipients of scholarships must commit to teaching at an accredited school of nursing for at least 3 years in exchange for the educational support they receive. The Secretary of Defense may also require them to continue their service in selected reserve areas or perform other public service in exchange for this program.

The supporters of this amendment include the American Nurses Association, the American Hospital Association, the American Association of Colleges of Nursing, the American Organization of Nurse Executives, the American Health Care Association, and the National League for Nursing.

Let me conclude. We must increase the number of teachers preparing tomorrow's nursing workforce. With the aging of the baby boom generation, long-term needs of growing numbers of wounded veterans and military and civilian health care systems will need qualified nurses more than ever in the years to come. Let's take quality men and women serving in the armed services, who gave so much to this country, and tell them that when they leave the armed services there is an option where they can continue to serve America as professors and teachers in our nursing schools. This will increase the capacity of these nursing schools, provide more nurses for America, which is what we need, and lessen the demand for nurses to come from overseas where they are also desperately needed. I think this is a winning opportunity all across the board, and I encourage my colleagues from both sides of the aisle to support this bipartisan amendment.

I reserve the remainder of my time and yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, first of all, let me acknowledge to my friend from Illinois he is attempting to, and I believe will successfully, resolve a problem. I happen to be more sensitive to this than most people. Two of my kids are doctors, and they assure me that this nurse shortage is nationwide. It is all out there.

One of the concerns I had when this came up was I would not want this to detract from any of the other programs. Right now I have been one to say our military budget, our Defense authorization bill, is really not quite adequate as it is. It is my understanding the Senator has been very cooperative to make sure this doesn't happen.

I have added my name as a cosponsor, and it is my understanding Senator WARNER is going to be here shortly and wants to add his name. So the amendment would give the discretion to the DOD, working with the Department of Education, to structure a program that would achieve the dual goals of creating more nurse educators and more Reserve officers. I think we have the support of the committee on both sides, and I commend the Senator for bringing up this solution.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I spoke with Senator WARNER about this amendment. I would really appreciate his cosponsorship, but I don't want to ask his name be added until we are certain. If there are any difficulties on this amendment, I stand ready to change it. We want to find a good bipartisan response. There are just a few elements we are still working on.

I don't know if the Senator from Oklahoma thinks this is the time for us to move for passage of the amendment or whether we should wait?

Mr. INHOFE. I respond I personally think it is time to pass it. We have limited time. This is one that enjoys support from both sides of the aisle. I am sure the Senator from Virginia can put his name on this and will make his own expression when he gets here.

Ms. MIKULSKI. Madam President, I rise in support of this amendment to create a pilot program on troops to nurse teachers. America is facing a nursing shortage and it is getting worse. America's nurses are overworked, underpaid, and undervalued yet nursing schools are still forced to turn away qualified students. More than 30,000 qualified applicants were turned away last year. In Maryland, nursing programs turned away more than 2,000 qualified students last year. Why are they turning away all of these qualified applicants? Because there aren't enough teachers to teach them. This is the biggest bottleneck in ending the nursing shortage.

The military is also facing a nursing shortage. Medicine is a 24-hour job. Military medicine is even harder. Our military medical professionals have accomplished something truly remarkable in this war: injured troops who make it to a field hospital have a 96 percent rate of survival. That is a testament to our military doctors and nurses on the front lines.

We need to make sure there are enough military nurses to continue to provide this outstanding care. Neither the Army nor the Air Force have met their nurse recruitment goals since the 1990s. In 2004, Navy Nurse Corps recruitment fell 32 percent below its target. The Air Force and Army are also 30 percent below their targets. All branches of the military are offering incentives for nurses to join the Armed Forces. But there simply aren't enough nurses to fill those jobs because there aren't enough teachers to train them. There is a pool of potential nurse educators in our retired nurse corps. We should take advantage of their experience and their dedication to teach the next generation of military nurses.

This amendment would help to train the next generation of military nurses and help to curb the nursing shortage by encouraging nurse corps officers to become nurse educators. It establishes a "Troops to Nurse Teachers" pilot program which will provide scholarships and other financial assistance to nurse corps officers so that they can get advanced degrees to become nurse educators. In exchange for these scholarships, they must teach for at least 3 years in a school of nursing and continue service in either the reserves or another form of public service. This is modeled after the "Troops to Teachers" program which gives incentives to people leaving the military to become teachers. Since 1994, more than 8,000 former soldiers have been hired as teachers through this program.

We must make sure our troops have enough nurses to keep them safe. The nursing shortage affects every State, every city, every town. And it affects our troops in Afghanistan and Iraq. There are so many dedicated military nurses that still want to give back to their country. They can do this by teaching the next generation of military nurses. But we must empower them to choose nurse education—making it more affordable, providing opportunities for advancement—so nurses can move up instead of moving on and so our troops get the care that they need. I thank my colleagues for accepting this amendment.

Mr. DURBIN. Madam President, I urge the adoption of the amendment.

The PRESIDING OFFICER. Is there further debate? The question is on agreeing to the amendment.

The amendment (No. 4253) was agreed to.

Mr. INHOFE. Mr. President, I move to reconsider the vote.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. INHOFE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Madam President, I was outraged this morning when I read a Washington Post article that suggests that the Prime Minister of Iraq is willing to allow an amnesty for those who have taken American lives. In this article, the Prime Minister of Iraq is quoted as saying:

> Reconciliation could include an amnesty for those "who weren't involved in the shedding of Iraqi blood. . . ."

That is where his quote ends. Mr. Prime Minister, how about American blood? Are you willing to have reconciliation on the pool of American blood that has been spilled to give your people and your country a chance for freedom?

Then to read on in this article, where a top adviser to Prime Minister Maliki is asked about clemency for those who attack U.S. troops, he is quoted as saying:

> "That's an area where we can see a green line. There's some sort of preliminary understanding between us and the MNF-I," the U.S.-led Multi-National Force-Iraq, "that there is a patriotic feeling among the Iraqi youth and the belief that those attacks are legitimate acts of resistance and defending their homeland. These people will be pardoned definitely, I believe."

Pardoned definitely? So those who were armed and killed Iraqis, they will not be pardoned. Those who were armed and killed Americans, they will be pardoned? That is outrageous. President Bush, you went to Iraq and you said you wanted to look into the eyes of Prime Minister Maliki to know that he is a man you can trust, a man who will move us forward. I don't know how deep you looked into his soul, but you have to pick up the phone today and tell Prime Minister Maliki that we will not have the ability to pardon anyone with the blood of American soldiers on their hands.

Today we have hit the mark of 2,500 Americans who have given their lives to give the Iraqi people a chance. We have thousands of our young men and women who have returned to America wounded, who have lost their legs, who have lost their limbs, lost their sight, have had half of their faces blown off. Their blood was shed in Iraq. Are we going to stand by and permit an amnesty to be given to those who killed our fellow countrymen?

I intend to, with Senator NELSON, offer a resolution that makes it very clear that the Senate believes the Iraqi Government should not grant amnesty to persons who have attacked, killed, or wounded members of the U.S. Armed Forces serving heroically in Iraq to provide all Iraqis a better future, and that President Bush should immediately notify the Government of Iraq that the U.S. Government opposes granting amnesty in the strongest possible terms. This has to end immediately.

I hope, when we offer that resolution, the Senate will speak with one clear and unequivocal voice that the blood of Americans and the lives of Americans is not subject to any pardoning, and is certainly not part of an offer that can be made that stains the honor and the sacrifices made by Americans.

I yield the floor.

Mr. FEINGOLD. Mr. President, I ask unanimous consent the pending amendment be set aside.

The PRESIDING OFFICER (Mr. ENSIGN). Without objection, it is so ordered.

AMENDMENT NO. 4192

Mr. FEINGOLD. Mr. President, I call up my amendment numbered 4192.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

> The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 4192.

Mr. FEINGOLD. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide for the redeployment of United States forces from Iraq by December 31, 2006)

At the end of subtitle I of title X, add the following:

SEC. 1084. REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ.

(a) REDEPLOYMENT.—The United States shall redeploy United States forces from Iraq by not later than December 31, 2006, while maintaining in Iraq only the minimal force necessary for direct participation in targeted counterterrorism activities, training Iraqi security forces, and protecting United States infrastructure and personnel.

(b) REPORT ON REDEPLOYMENT.—

(1) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to Congress a report that sets forth the strategy for the redeployment of United States forces from Iraq by December 31, 2006.

(2) STRATEGY ELEMENTS.—The strategy required in the report under paragraph (1) shall include the following:

(A) A flexible schedule for redeploying United States forces from Iraq by December 31, 2006.

(B) The number, size, and character of United States military units needed in Iraq after December 31, 2006, for purposes of counterterrorism activities, training Iraqi security forces, and protecting United States infrastructure and personnel.

(C) A strategy for addressing the regional implications for diplomacy, politics, and development of redeploying United States forces from Iraq by December 31, 2006.

(D) A strategy for ensuring the safety and security of United States forces in Iraq during and after the December 31, 2006, redeployment, and a contingency plan for addressing dramatic changes in security conditions that may require a limited number of United States forces to remain in Iraq after that date.

(E) A strategy for redeploying United States forces to effectively engage and defeat global terrorist networks that threaten the United States.

Mr. FEINGOLD. Mr. President, I would like to withdraw that amendment. I had intended to call up another amendment which has to do with the special inspector general for Iraq. Will the Chair tell me what the number of that amendment is? I have to clarify the number of this amendment. In light of that, I yield the floor so Senator SCHUMER can speak.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I read, as many did, in the newspapers this morning that the Prime Minister of Iraq has proposed giving amnesty to those incarcerated by the Iraqi Government who have killed or maimed Americans. It was stated that if Iraqis killed Iraqis they would not be given amnesty, but if Iraqis killed Americans, they would.

That is an outrageous statement. For the Prime Minister of Iraq to offer a "get out of jail free" card to those who have killed American soldiers is an insult to the soldiers, their families, and every American.

Just 2 days ago, the Prime Minister stood with President Bush, and President Bush said he looked in his eyes and saw that he was a good man. We are urging that President Bush call up the Prime Minister of Iraq immediately and get him to retract this pernicious, nasty statement which basically abdicates the great sacrifices that have been made by American soldiers for the people of Iraq.

It is just mind-boggling to believe that the Iraqi Prime Minister would decide that it would be OK to give amnesty to those who hurt Americans. What kind of ally is this? Will he turn on us in 2 months or 6 months? He seems to be the new hope of the new government, and within 24 hours after President Bush leaves Iraqi soil, he defames the sacrifices of American soldiers and their families.

President Bush, you should call your friend the Prime Minister and get him to retract this evil statement immediately. How can we ask America's young men and women to risk their lives in Iraq if those who seek to shoot at them are then absolved of any blame?

This is a statement which should really go down in infamy, and I hope and plead with the President to urge the Iraqi Prime Minister to withdraw the statement and figure out what consequences should follow if the Prime Minister refuses.

I yield the floor.

AMENDMENT NO. 4192, WITHDRAWN

The PRESIDING OFFICER. For clarification, the amendment No. 4192 offered by the Senator from Wisconsin was withdrawn.

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 4256

Mr. FEINGOLD. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD] for himself, Mr. LEVIN, and Mr. LEAHY, proposes an amendment numbered 4256.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To strengthen the Special Inspector General for Iraq Reconstruction)

At the end of subtitle F of title X, add the following:

SEC. 1054. STRENGTHENING THE SPECIAL INSPECTOR GENERAL FOR IRAQ RECONSTRUCTION.

For purposes of discharging the duties of the Special Inspector General for Iraq Reconstruction under subsection (f) of section 3001 of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (5 U.S.C. 8G note), and for purposes of determining the date of termination of the Office of the Special Inspector General under subsection (o) of such section, any funds appropriated or otherwise made available for fiscal year 2006 for the reconstruction of Iraq, regardless of how such funds may be designated, shall be treated as amounts appropriated or otherwise made available for the Iraq Relief and Reconstruction Fund.

Mr. FEINGOLD. Mr. President, I thank my colleagues for their patience. I had identified the wrong amendment. I got that clarified.

What I wish to tell my colleagues is that this amendment strengthens the Special Inspector General for Iraq and ensures that U.S. taxpayer dollars will be spent wisely, efficiently, and within the law.

The Special Inspector General for Iraq, known as "SIGIR," was established in 2003. I worked hard with a few of my colleagues in creating this office to monitor, audit, and report on the expenditure of billions of U.S. taxpayer dollars that this body appropriated to the Iraq Relief and Reconstruction Fund.

My amendment is relatively simple. It recognizes the fact that we need to continue to ensure oversight and monitoring of U.S. taxpayer dollars that continue to support reconstruction efforts in Iraq, which includes over $1.6 billion in the latest supplemental for Iraq reconstruction and in the fiscal year 2006 foreign operations bill. It increases the mandate of the Special Inspector General for Iraq, while also extending the period for which that office will be in existence.

This amendment will strengthen the capabilities of the Special IG to monitor, audit, and inspect funds made available for assistance for Iraq in both the Iraq Relief and Reconstruction Fund—IRRF—and in other important accounts.

I offer this amendment today because it is my firm belief that we should not be pouring tens of billions of dollars into Iraq reconstruction without ensuring there is appropriate oversight and auditing. American taxpayers deserve to know where their money is going in this costly war and that it is being used effectively and efficiently and ending up in the right place.

The SIGIR's work to date has been extremely valuable to the U.S. Government and to Congress. The SIGIR has now completed over 55 audit reports, issued over 165 recommendations for program improvement, and has seized $13 million in assets. Overall, the SIGIR estimates that its operations have resulted in saving the U.S. Government over $24 million, in addition to the considerable wasteful or fraudulent spending that office has uncovered.

Throughout 2005, the Iraq IG provided aggressive oversight to prevent waste, fraud and abuse in the at-times lethal operating environment in Iraq. Its emphasis on real-time auditing—where guidance is provided immediately to management authorities upon the discovery of a need for change—provides for independent assessments while effecting rapid improvements.

In its January report to Congress, the SIGIR concluded that massive unforeseen security costs, administrative overhead, and waste have crippled original reconstruction strategies and have prevented the completion of up to half of the work originally called for in critical sectors such as water, power, and electricity. The Iraq IG's work has resulted in the arrest of five individuals who were defrauding the U.S. Government, and it has shed light on millions of dollars of waste. It is this kind of investigation and reporting that helps shape the direction of reconstruction funding and ensures that the money is being used and allocated as transparently and effectively as possible.

I pushed to create the Special Inspector General for Iraq in order to ensure that there is critical oversight of the

Iraq Relief and Reconstruction Fund allocated for Iraq reconstruction projects. Last year I fought to extend the life of this office, and my amendment today will ensure that the SIGIR has the capability and the life-span to finish up work associated with monitoring, evaluating, and reporting on how U.S. taxpayer dollars are being spent in Iraq for reconstruction purposes.

Let me talk briefly about what my amendment actually does. Because current legislation requires that the SIGIR continue its work until 80 percent of the IRRF had been expended, and unless we do something to change this, the SIGIR will cease to exist before U.S. taxpayer dollars going to Iraq reconstruction have been expended. This means that despite the fact that we continue to support Iraq reconstruction efforts, we are removing our ability to oversee billions of taxpayer dollars.

To help avoid this potentially costly and unnecessary challenge, this amendment considers any money going to Iraq reconstruction efforts—regardless of whether or not it is in the IRRF—be subject to the SIGIR's oversight mandate. It will also help determine when we can ask the SIGIR to stand down.

This amendment is common sense. The SIGIR's great work has more than paid for itself, and it has developed a capacity that is unparalleled by either DoD or State's inspector general offices. The SIGIR is doing great work, and I, along with my distinguished colleagues Senator LEVIN and others, believe that this small change in the law will allow us to tell our constituents that we are making every effort to ensure that their hard-earned taxpayer dollars are being used in the most effective way possible. Let's support the SIGIR, and lets give it the time and mandate to monitor Iraq reconstruction funds.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. WARNER. Mr. President, we should consult with leadership. The yeas and nays having been ordered, I wonder if the Senator would be gracious enough to allow the Senator from Michigan and myself to consult with leadership as to the time for a vote.

Mr. FEINGOLD. Mr. President, if it is all right with the Senator from Virginia, it is my understanding that it will be taken by voice vote.

Mr. WARNER. Is that the intent?

Mr. FEINGOLD. I want to be make sure it has been cleared on the other side.

Mr. LEVIN. Mr. President, it was my understanding that this was either cleared or was going to be supported by the chairman. I did not confirm that with my friend. That is a little bit in limbo. I very much support the Senator's amendment. I hope it can be cleared. If so, apparently the Senator is willing to take a voice vote.

Mr. FEINGOLD. That is correct.

Mr. LEVIN. I wonder if I could proceed with my remarks in support of the amendment while they discuss it.

I support the Feingold amendment to ensure that the Special Inspector General for Iraq Reconstruction has jurisdiction over funds appropriated for the reconstruction of Iraq.

As the Senator from Wisconsin has mentioned, Congress established the Special Inspector General position in a fiscal year 2004 emergency supplemental appropriations bill to ensure effective oversight and audit of relief and reconstruction efforts in Iraq. The Special Inspector General reports jointly to the Secretaries of Defense and State and has responsibility for oversight of operations and programs funded by the Iraq Relief and Reconstruction Fund. The Senator from Wisconsin last year offered an amendment to extend the position. It was very welcome. It was a very useful and important contribution. I commend him for it. It is unfortunate that the most recent emergency supplemental which we just passed today would appropriate funds for Iraq reconstruction without including those funds in the Iraq Relief and Reconstruction Fund. It is important that this amendment be agreed to so as to ensure that this Special Inspector General for Iraq Reconstruction has jurisdiction over all funds appropriated for the reconstruction of Iraq.

Under current law, this funding approach would have the effect of excluding reconstruction projects using these new funds from the jurisdiction of the Special Inspector General.

The State Department says that its Inspector General would be responsible for auditing the use of these funds. However, the State Department IG, unlike the Special Inspector General, does not have a significant presence in Iraq and does not have experience in auditing contracts and ferreting out fraud in the unique environment of Iraq.

For the last 3 years, the Special Inspector General has been the only source of consistent, independent, on-the ground review of reconstruction activities in Iraq. As a result, the Special Inspector General has reported case after case of criminal fraud and egregious waste that would otherwise have gone unremedied. Report after report documents cases—at al Hillah General Hospital, Babylon Policy Academy, Karbala Library, Baghdad International Airport and elsewhere—in which we paid contractors millions of dollars for work without making site visits, issuing performance reports, preparing post-award assessments, or taking other steps to ensure that the work we paid for was actually performed. In case after case, the Special Inspector General determined that either the contractor's performance was deficient or the work was not performed at all.

One particularly egregious case reviewed by the Special Inspector involved a $75 million contract with Kellogg Brown and Root, KBR, to develop a Pipeline River Crossing at Al Fatah, Iraq. The Special Inspector General reported that the project ailed because subsurface geologic conditions made it impossible to carry out the project design. These conditions were identified by a consultant before work commenced, but neither the Army Corps of Engineers nor KBR acted on the consultant's recommendation to perform additional research that would have prevented the failure.

A subject matter expert for the Coalition Provision Authority recognized that KBR had limited experience in this type of project and advised that the project would probably fail because design restrictions provided no flexibility to accommodate site conditions. However, KBR refused to conduct design reviews requested by the subject matter expert.

The Army Corps of Engineers awarded KBR a firm fixed price contract with no performance requirements. As a result, KBR was assured that it would get paid the full contract amount, regardless whether it successfully completed the project.

A KBR subcontractor identified problems with the site conditions at the outset of the project and suggested alternative drilling sites, but was turned down by KBR. KBR prohibited the subcontractor from talking directly to the Army Corps of Engineers and told the Army Corps that detailed cost reports would not be provided, because they were not required by the contract.

As a result, we spent the entire $75 million allocated to the project, but achieved only 28 percent of the planned pipeline throughput. According to the Inspector General, the lack of pipeline capacity resulted in the loss of more than $1.5 billion in potential oil revenues to the Iraqi government.

The Special Inspector General is the only U.S. audit and investigative authority with a significant on-the-ground presence in Iraq. He is the only inspector general who has an experienced staff with hands-on knowledge of how things work in Iraq. He is the only inspector general who has shown the capacity and the desire to turn over rocks in Iraq to identify and address problems of fraud and criminal conduct.

If we are serious about protecting the taxpayer and preventing contractor abuses in Iraq, we will adopt this amendment. I urge my colleagues to support the Feingold amendment.

Mr. WARNER. Mr. President, I thank my distinguished colleague.

We are trying to work this out. There is a problem. The problem is not to the generic virtues of Senator FEINGOLD's amendment—which, incidentally, I support—but it is a question of the allocation of some funding in it and how that impacts on other areas of funding. As soon as I can work that out, I will advise the Senate. I am hopeful we can eventually go to a vote.

Mr. LEVIN. Mr. President, while that is being worked on—I hope we can resolve that because this is a very important amendment. We want that Special Inspector General, who is really doing the only significant oversight on the expenditure of these billions of dollars in Iraq, to perform the same oversight functions on the appropriations, for instance, which we just adopted.

I again commend the Senator from Wisconsin. It was at his instigation and his initiative that we extended this Special Inspector General's Office last year, and it was that initiative which has paid off so handsomely for us. This initiative is critically important or else we might, I think inadvertently, not have the same watchdog looking over the most recent appropriations we adopted.

I also believe the Special Inspector General actually testified before the Chair's subcommittee earlier this year, so the Presiding Officer has had the ability to hear firsthand from the Special Inspector General about his operations.

By the way, I commend our Presiding Officer for those hearings. They were very helpful.

Mr. WARNER. Mr. President, we are prepared to go ahead with a voice vote at this time, if it is agreeable. I add my endorsement of the basic thrust of the amendment. Like others, I have had the opportunity to be debriefed by the inspector general, and I am very impressed with his conscientious service on this matter. He periodically goes over to Iraq, that theatre, and Afghanistan, for periods of time. He has accepted the challenges of this post with enormous enthusiasm and skill.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank both the ranking member and chairman for their comments and support.

My understanding is the chairman wants to take this by voice vote. Therefore, I ask the yeas and nays be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment.

The amendment (No. 4256) was agreed to.

Mr. LEVIN. I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, the leadership and the managers have reached a recommended unanimous consent request which I now propound.

I ask unanimous consent at 12 noon today the Senate proceed to a vote in relation to Santorum amendment No. 4234, to be followed by a vote in relation to a first-degree amendment to be offered by Senator BIDEN related to the same subject; further, I ask unanimous consent that the time until 12 be equally divided between myself, representing Senator SANTORUM and others, and Senator LEVIN, with no second degrees in order to either amendment prior to the votes; provided there be 2 minutes for debate equally divided between the votes.

The PRESIDING OFFICER. Is there objection?

The Senator from Michigan.

Mr. LEVIN. Mr. President, reserving the right to object, is it my understanding that following the disposition of these two amendments that then a Democratic amendment would be the next in order?

Mr. WARNER. Mr. President, I am not able to answer that question. I believe that would be correct. I would be perfectly willing to have it that way because I know we did Senator DURBIN's this morning.

Mr. LEVIN. With that understanding—and there will be a Senator NELSON of Florida amendment, so you are on notice relative to that—I have no objection.

Mr. WARNER. Fine.

Mr. DURBIN. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I first want to apologize to the chairman and ranking member that I came to the floor and realized they were in the process of doing this because I certainly would have spoken to them in advance before making this request. But I hope they will agree to this request.

We have just been informed at the Department of Defense that we have now lost our 2,500th soldier in Iraq. Last October, when we lost our 2,000th, the Senate observed a moment of silence in respect for all of the soldiers and those serving in uniform and their families. I would like to ask if the chairman would consider amending his request so that between the two rollcalls, when Members are on the floor, that they would come to their chairs and we would observe a moment of silence in respect for our troops and for this notification that we have reached this sad milestone.

Mr. WARNER. Mr. President, I so amend the unanimous consent request that there be a time not to exceed whatever is appropriate for this proper recognition by the Senate of the loss of life.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. Thank you.

Mr. LEVIN. Mr. President, I thank the Senator from Illinois for this suggestion.

The PRESIDING OFFICER. Who yields time?

Mr. WARNER. Mr. President, I think we are ready for the Senator from Delaware.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

Mr. WARNER. Let it be charged equally.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Mr. President, I rise today for two purposes: one is to speak against the Santorum amendment relating to Iran—the Iran sanctions—and, two, to offer an amendment relating to the negotiations that are now underway by the President of the United States.

Let's cut right to it, if I may. Are we going to stand aside while the President of the United States of America is trying to stop the development of a nuclear bomb in Iran? The President of the United States of America has made a judgment—I would argue, finally, but he has made a judgment—that the best way to keep the worst thing from happening is to cooperate with our friends to put pressure on the bad guy.

What do I mean by that? The President of the United States, I assume at the urging of the Secretary of State—although it is not relevant, actually—the President of the United States took a more aggressive course about a month ago in attempting to stop the Iranians from developing a nuclear weapon, a weapon that, if developed in conjunction with a missile, could change, in a material way, the dynamics in the Middle East and particularly relating to our interests, notwithstanding the fact that it might not be able to strike the United States—a development that if it occurred would almost assuredly put great pressure on the Sunni Arabs in the region, who have lots of money, to join with possibly Egypt or another country to develop a Sunni bomb. This is not a good thing.

So the President, in conjunction with France, Germany, and the United Kingdom, our three largest European allies, along with China, and Russia, has agreed to and has been sitting down and making a specific proposal, which the President of the United States has pledged the United States to, in order to both entice as well as dissuade the Iranians from pursuing their course. There are two pieces to it. One, it says to the Iranians: If you cooperate and verifiably cease and desist, we, the United States, the three European countries, China, and Russia, will move forward with the following incentives to move you closer to the family of nations as a responsible nation. And there are a set of very specific incentives that the President of the United States of America has signed on to—quote, an "offer," if you will, to the Iranian Government.

It also says, as was reported in the New York Times and the Washington Post today, that the Chinese, as well as the Americans and Russians, have communicated a second piece of information to the Iranians: If you do not cease and desist, these bad things are going to happen to you, and we are all jointly—jointly—going to impose them on you.

I think that was a stroke of significant diplomacy on the part of the President, which basically, as I understand it, the Europeans, Russians, and Chinese said: Will you join us in some of the carrots? And the President, as I understand it, said: Yes, if you join me in the strikes. It is carrots and sticks.

I know of no way to avoid one of two alternatives: one is the resignation to the acceptance of an Iranian weapon, and relying upon deterrence; or, two, the use of military force against Iran to prevent the development of that weapon.

My friend from Pennsylvania, as well as all of us on this floor, have received, I expect, the same extensive briefings I have on just how limited those alternatives are at this point militarily.

So I think the President has chosen a very reasonable course here. But even if you disagree with it, one of the things that—and I have been here during seven Presidents, and I have been very critical of this President's foreign policy—but the idea, in the midst of a negotiation, at the point at which the world is expecting and waiting and wondering what Iran's response will be, that the U.S. Senate would go on record as tying the President's hands in this negotiation—I find that amazing, absolutely amazing.

I spoke this morning with the Secretary of State who authorized me to say, unequivocally, the administration opposes this amendment. It limits their flexibility in doing what we all want: preventing the construction of a nuclear weapon in Iran. How much clearer can the administration be? And as my Grandfather Finnegan from my home State of Pennsylvania used to say: Who died and left you boss? Since when do we negotiate for a President? We are in the midst of a negotiation. The only thing we have going for us now, with China, Russia, and Europe all siding with us, we are about to mess up? Folks, I think this is such a tragic mistake—well-intended but tragic. The underlying amendment, Mr. SANTORUM's amendment, in my view, and in the view of the Secretary of State, actually advocates a policy that would jeopardize President Bush's initiative and, I believe, play directly into the hands of Iranian hard-liners.

I think if you read the language, it also has the potential to damage relations with some of the key countries whose cooperation we need to pressure Iran to abandon its nuclear ambitions. If this approach were adopted, we would be in the untenable position of sanctioning companies located in countries that we are asking to impose sanctions on Iran if they fail to accept the offer put forward by Russia, China, Europe, and the United States.

It does not, with all due respect to my friend, because I have joined him in Iran sanctions legislation in the past—I have joined him—but this is a different amendment and it is a fundamentally different time.

I remember going down to see the President when he was making his first trip to Europe. He asked whether I would come down and speak with him and his staff and I did. It was very gracious of him to ask my opinion, which was very nice of him. He said he was going to Germany. And he said—I am paraphrasing—I understand you have been asked to speak to the Bundestag, the German Parliament.

I said: Yes, I have, Mr. President.

He said: I understand you have turned it down.

I said: Yes, I have, Mr. President.

He said: Why?

I said: Mr. President, we only have one President. You are my President. My disagreements with you on foreign policy—at that time it related to the Balkans and some other things—I think it is totally inappropriate, while you are in Europe, while you are in discussions with the very people who invited me to speak, for me to go and publicly afront you in a foreign capital before their—their—Parliament, the very Parliament you are going to be speaking to. I am not President. You are our President. And he pressed: Well, why?

And I said, somewhat facetiously—and I have had this discussion with Newt—I am not Newt Gingrich. I don't go to the Middle East and speak to Middle Eastern Parliaments while the previous Secretary of State is there negotiating. I think it is inappropriate.

The President of the United States is in the midst of the most important negotiations, absent Korea—and not much is going on there—that we have had since he has been President. And even if everything in here makes sense, why would we now do this?

My plea to my friend from Pennsylvania is: Withhold this amendment. See what happens in the negotiations. If, in fact, they fail—as they have an overwhelming prospect that could happen—then come back to the Senate and the Congress to put on these restrictions.

Mr. President, may I ask how much time the Senator from Delaware has remaining?

The PRESIDING OFFICER. One minute 50 seconds.

Mr. BIDEN. I say to my friend from Pennsylvania—I have not had a chance to speak to him personally—I say to the Senator from Pennsylvania, I have an amendment.

Mr. President, have I sent my amendment to the desk? Is the Biden amendment at the desk?

The PRESIDING OFFICER. It is at the desk but not called up.

AMENDMENT NO. 4257

Mr. BIDEN. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN], for himself, Mr. HAGEL, Mr. DODD, and Mr. LEVIN, proposes an amendment numbered 4257.

Mr. BIDEN. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place, insert the following:

SEC. 1231. UNITED STATE'S POLICY ON THE NUCLEAR PROGRAMS OF IRAN.

(a) FINDINGS.—Congress finds that:

(1) The pursuit by the Iranian regime of a capability to produce nuclear weapons represents a threat to the United States, the Middle East region, and international peace and security.

(2) On May 31, 2006, Secretary of State Rice announced that the United States would join negotiations with Iran, along with the United Kingdom, France, and Germany, provided that Iran fully and verifiably suspends its enrichment and reprocessing activities.

(3) On June 1, 2006, President George W. Bush stated that "Secretary Rice, at my instructions, said to the world that we want to solve the problem of the Iranian nuclear issue diplomatically. And we made it very clear publicly that we're willing to come to the table, so long as the Iranians verifiably suspend their program. In other words, we said to the Iranians [that] the United States of America wants to work with our partners to solve the problem".

(4) On June 1, 2006, the United States, the United Kingdom, France, Germany, the People's Republic of China, and the Russian Federation agreed upon a package of incentives and disincentives, which was subsequently presented to Iran by the High Representative of the European Union, Javier Solana.

(b) SENSE OF CONGRESS.—Congress—

(1) endorses the policy of the United States, announced May 31, 2006, to achieve a successful diplomatic outcome, in coordination with leading members of the international community, with respect to the threat posed by the efforts of the Iranian regime to acquire a capability to produce nuclear weapons;

(2) calls on Iran to suspend fully and verifiably its enrichment and reprocessing activities, cooperate fully with the International Atomic Energy Agency, and enter into negotiations, including with the United States, pursuant to the package presented to Iran by the High Representative of the European Union; and

(3) urges the President and the Secretary of State to keep Congress fully and currently informed about the progress of this vital diplomatic initiative.

Mr. BIDEN. Mr. President, what my amendment does is speak to and support the President's present negotiation. It gives full support to the President of the United States, because if there was ever a time the President should have the world know the Nation stands behind him, it is now. It is now in this negotiation. I don't have time to read the amendment, but I promise you, it is a rendition of the administration's position on negotiations and compliments him for it and says we support him.

Although Senator HAGEL is in a hearing and on his way, there will probably not be much time for him to speak. But he is a cosponsor, along with Senators LEVIN and DODD. I am sure there are others, and I ask unanimous consent that they be able to be added later.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BIDEN. Mr. President, I also want to point out that the distinguished chairman of the Armed Services Committee, if I am not mistaken, yesterday raised significant concerns with the Santorum amendment as well. As I look at the RECORD, they all are pertinent and accurate.

I will conclude by saying, this is no time to be meddling in the midst of a negotiation on one of the most important issues facing the United States, when the President has newly initiated a specific proposal. I urge my friend from Pennsylvania to withhold his amendment until we see what turns out there. If he thinks it is necessary after the negotiations succeed or fail, then come back.

I thank my friend from Pennsylvania for allowing me to probably run over a minute or so.

I yield the floor.

AMENDMENT NO. 4234

Mr. WARNER. Mr. President, I yield such time as our colleague wishes. I ask unanimous consent that each manager have at least 3 minutes to address this at the conclusion of the remarks by the Senator from Pennsylvania.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANTORUM. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. SANTORUM. With respect to the Biden amendment, I was handed a copy of it a couple minutes ago. But having read it, it is a sense of the Senate. I don't see any reason not to support the Biden amendment. I have no problem with the language. It basically says that we hope for a resolution to the diplomatic efforts under way, a positive resolution with respect to Iran not pursuing nuclear weapons. That is no problem for me. But it doesn't do anything other than say we wish you well.

The amendment I have offered is an amendment that is in substance the bill that passed the House of Representatives in April with over 300 votes. At the time it passed, prior to the negotiations that were commenced at the end of May by the administration, as the Senator from Delaware suggested, when it passed in April, the administration opposed it. I suspect, although I will let the Senator from Delaware speak for himself, I know he is not a cosponsor of my bill that is in the Foreign Relations Committee, and, to my knowledge, Senator LUGAR has not supported this legislation. The State Department has not supported my legislation. It is not surprising to me that they don't support this amendment. They don't generally support amendments that have to do with sanctions and forcing them to do things they don't want to do.

We are a coequal branch of Government, and it is vitally important for us at a critical time—and I agree with the Senator from Delaware on this, this is a critical time. I disagree with him on several things. One of the things on which I disagree with him, I think these negotiations are more important than North Korea. I think the threat of Iran and Islamic fascism is more significant than the threat posed by North Korea.

I believe this is a vitally important negotiation. I think it is vitally important during the course of these negotiations to speak to them and to speak in support not only in words but in deeds of what the President is trying to accomplish. The deeds here are very clear. It is twofold. The Senator from Delaware suggested there are not very many good options on the table.

The two options on the table, other than military force, are in this amendment. Those two options are to support prodemocracy efforts within Iran, to try to see if we can get a peaceful transformation of that government. The second is to try to dissuade the Iranians from moving forward and dissuade others, companies and countries, from working with them in development of their nuclear weapons program. Those are the options.

The President is trying to do it through a diplomatic arrangement. I wish him the very best. But I remind everybody here who is going to vote, this is not going to the President today. It is not going to the President next week. It is not going to the President next month. This is an amendment to the Defense authorization bill. It will be months, I am sure. I would be amazed if we were able to get this done before September or October. This bill is not going to be decided upon, this amendment is not going to be concluded and passed on to the President before these negotiations come to a conclusion. What we do here is put ourselves in a position to have an amendment in conference ready to move if these negotiations do not work.

Putting off this amendment is not such an easy thing to do. Putting off this amendment and finding a vehicle to attach it to, particularly over the next few weeks, is not going to be easy to do, as we bring up appropriations bills. So this may be the last vehicle between now and the summer recess in August and potentially the rest of this Congress to debate this issue. It is important for us to speak to this issue now.

This is not a radical piece of legislation. This is a piece of legislation that has 61 cosponsors that passed with over 300 votes in the House of Representatives. It has broad bipartisan support. I understand it is opposed by the Department of State. Senator WARNER was kind enough to show the letter that came from the Department suggesting their opposition. I remind all Members, they opposed this bill and have consistently, not just because of these negotiations but have opposed this bill, period. They opposed it when the House passed it in April. So this is nothing new.

I suggest that the opportunity we have on the most important national security issue facing this country, the threat of Islamic fascism and the threat of Iran as the principal cog in orchestrating, supporting, financing, and encouraging this type of behavior, is to speak into the moment where we are confronting them right now with our administration in their development of nuclear weapons. For the Congress to remain silent, for the Congress to step back and say: We wish you well, Mr. President, but we are not going to go on record of really supporting you, in deed not just in word, will be interpreted one way, in my opinion, the way words are always interpreted. I think the Senator from Delaware said that this will play into the hardliners in Iran. Let me remind the Senator from Delaware, the hardliners run Iran. The hardliner is the President of Iran. The hardliners are the mullahs who run the country. There are not hardliners and then the governing powers of Iran. The hardliners are the governing powers of Iran. They are the ones making the decision. We are not playing into their hands. We are telling them we are serious, as serious as the President is about doing something about their development of nuclear weapons and their desire and explicit statements about their willingness to use those weapons on the State of Israel and others.

This is a very serious debate. This is a very serious vote. This is a very serious message that we either will or will not send. Are we going to send a message to the Iranian hardliners that we are going to stand by our President in word and action and that we are not going to let their talk of maybe possibly down the road potentially coming and talking to us, which is all they are talking about right now, dissuade us from acting while they are acting right now in developing nuclear capability, which they are. They are acting right now. They are developing. They are pursuing. They are saying they are going to use it. All we are going to say is: Well, your talk about maybe talking to us in the future will dissuade us from acting? No, it should not. We should act today. We have 61 cosponsors of this legislation. I hope that all 61 and then some stand by and say to the Iranian hardliners/government that we will stand with our President in word and deed and make sure that we do everything we can through peaceful means, and that is what this amendment is about, to stop them from getting nuclear weapons.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. I ask to speak for up to 4 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized for 4 minutes.

Mr. HAGEL. Mr. President, I appreciate the time from the distinguished chairman of the Armed Services Committee.

I rise to strongly support the Biden amendment. It is the responsible and appropriate position for this body to take on a very serious issue. It is important that we recognize, just as the distinguished Senator from Pennsylvania has noted, that we support our President. I believe President Bush's actions and directions, as they are now playing out, are, in fact, the appropriate, responsible, and relevant actions to take.

I also rise to strongly oppose the Santorum amendment. Again, noting what the distinguished Senator from Pennsylvania said, that we should send a strong message to the world that we are supporting our President, I am not certain how that is accomplished by supporting the Santorum amendment. In fact, as has been noted on the floor this morning, the President's senior foreign policy agent, the Secretary of State, Dr. Rice, is opposed. The Secretary of State of the United States Government is opposed to the Santorum amendment. I am not certain how that connects with what my distinguished colleague from Pennsylvania has noted.

What we are dealing with in the Santorum amendment is a very irresponsible, dangerous direction to take. Let me remind colleagues that we already are at war in two nations. We have 130,000 American troops engaged now in a war in Iraq. The Middle East is in turmoil. We have 20,000 troops in Afghanistan. NATO is in Afghanistan. Many of our allies are with us in Iraq.

We better be careful here. We better be careful in how we are dealing with this issue. It is a serious issue. It is dangerous. But it is complicated. Iran is not a monolithic government that we can ascribe motives to, agreements to. Our best course of action is exactly where the President is going. And that is, engaging Iran, engaging with our allies, strengthening our alliances. If we are not careful, we will find America isolated in the world at a very dangerous time. That is what the Santorum amendment is about.

This is not helping our President. Our President is opposed to it. He is taking a different direction.

Let's be careful. This is not just some amendment. This is the force of the U.S. Senate that could be put into a law in fact limiting the President's options. Is that what we want to do and is that how we describe supporting the President, limiting the President's options? I don't think so. This is dangerous business, very dangerous business. Before our colleagues vote, they better understand what is going to be required.

Again, I thank my distinguished colleague from Virginia for the time. I hope our colleagues, before they vote, will understand the consequences of a dangerous amendment like this. I shall oppose it.

I yield the floor.

Mr. WARNER. Mr. President, first, I ask the distinguished Senator from Pennsylvania, in fairness, I think he should wrap this debate up. How many minutes does he desire?

Mr. SANTORUM. I understand I have 4 minutes.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator has 4 minutes, and the managers have 3 minutes left.

Mr. WARNER. Mr. President, let us establish the hour of 12:15 for the vote, with 5 minutes at the conclusion for the distinguished Senator from Pennsylvania and 5 minutes under the control of the Senator from Virginia and 5 minutes under the control of Senator LEVIN. I ask unanimous consent that be the case.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WARNER. Mr. President, I say to my distinguished colleagues here that in the course of this debate, I have studied this matter very carefully. I spoke out on it yesterday expressing my concerns. I do believe the actions proposed by the Senator from Pennsylvania are not irresponsible. They are a clear matter of conscience and what he thinks is in our best interest.

My concern, which I think is the Senator's concern, is that the timing is unwise. I support the Senator from Nebraska in that observation, as I do the Senator from Delaware, because we have a negotiation of great sensitivity underway at the direction of the President, who, under the Constitution of the United States, has the primary responsibility in the matter of conducting foreign affairs. His chief designee, the Secretary of State, has spoken through Senator BIDEN.

I ask unanimous consent to have printed in the RECORD a letter addressed to me, to which I will refer momentarily, from the Department of State.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, DC, June 15, 2006.

Hon. JOHN WARNER,
Chairman, Committee on Armed Services,
U.S. Senate.

DEAR MR. CHAIRMAN: It is our understanding that the Iran Freedom Support Act (S. 333) will soon be offered as an amendment to the National Defense Authorization Act for FY 2007 (S. 2766). The Administration has serious concerns about S. 333, and therefore opposes its inclusion in S. 2766.

As Secretary Rice recently announced, Iran is being offered a choice: either continue to pursue nuclear weapons and face isolation and progressively stronger sanctions, or verifiably abandon uranium enrichment and reprocessing activities and receive civil nuclear energy and economic cooperation from the international community. We are in agreement with our European partners on the elements of the benefits if Iran makes the right choice, and the costs if it does not. More broadly, we have found support from Russia and China for this approach.

The amendment runs counter to our efforts and those of the international community to present Iran with a clear choice regarding their nuclear ambitions. This amendment, if enacted, would shift unified international attention away from Iran's nuclear activities and create a rift between the U.S. and our closest international partners. Moreover, it would limit our diplomatic flexibility.

By contrast, we endorse the concept of providing support for democracy and human rights in Iran. The Administration has worked closely with the Congress to include funding in the Emergency Supplemental Appropriations Act of 2006 (H.R. 4939) to increase our support for democracy and improve radio broadcasting, expand satellite television broadcasting, and increase contacts through expanded fellowships and scholarships for Iranian students.

The Office of Management and Budget advises that there is no objection to the presentation of this letter from the standpoint of the Administration's Program.

Sincerely,

JEFFREY T. BERGNER,
Assistant Secretary,
Legislative Affairs.

Mr. WARNER. I strongly believe the Senator from Pennsylvania is of clear conscience on this matter.

Regarding the fact that he had these cosponsors and the fact that the House spoke on this in April, since the April timeframe—and I believe his earlier amendment had 60 cosponsors—much has transpired. That has been addressed here today, the sensitivity of these negotiations between our Nation and other nations in line for the interests of the United States and the Government of Iran. Therefore, my concern about this amendment is the timing of it.

I now would like to refer to the letter forwarded to me as chairman, dated today, which was printed in the RECORD. One paragraph reads:

> The amendment runs counter to our efforts and those of the international community to present Iran with a clear choice regarding their nuclear ambitions. The amendment, if enacted, would shift unified international attention away from Iran's nuclear activities and create a rift between the U.S. and our closest international partners. Moreover, it would limit our diplomatic flexibility.

Mr. President, I have to accept the good faith of the Secretary of State on this matter and as communicated to this Chamber.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I am one who has cosponsored a version of the Iranian sanctions amendment which Senator SANTORUM offered now over a year ago. I believed then and I believe now that it may well be necessary for sanctions to be imposed on Iran.

However, I cannot support the amendment that has been offered by Senator SANTORUM for two reasons. One is the fact that it is significantly broader than the other amendment that was introduced by Senator SANTORUM, the Iran Freedom and Support Act of 2005. In many ways, it is broader and it interjects an unrelated issue with respect to Russian pricing for nuclear reactor fuel. It removes the requirement that a person have actual knowledge of the actions for which he is going to be sanctioned. There is a direction here to a United Nations representative, which was not present in the amendment I cosponsored. It changes the threshold which makes it more difficult for the President to waive sanctions. So there are a number of significant differences between this and an amendment I cosponsored.

The other difference is that, of course, there has been significant change which occurred since that time. Senator WARNER has outlined that point. That change is now the decision of the administration—which I support—to engage or participate in direct talks with Iran under specified circumstances. I think that is a policy which should be given a chance to work, and if the policy doesn't succeed and Iran does not work out a negotiation and agreement with all the countries with which there are discussions going on, at that point, it seems to me there is a greater chance we will get those other countries, including Russia, to support sanctions if, in fact, the negotiations and discussions with Iran do not succeed.

So those discussions the President has decided to engage upon are actually a prelude to a much stronger chance to succeed with sanctions down the road because countries that might support us on sanctions, and whose support would be extremely helpful, would then realize we had gone through the negotiation and discussion route with Iran. I believe that policy is wise. It will strengthen our position in getting sanctions, should that be necessary. Also, it is the best chance of having the solution here, which will avoid greater and greater conflict down the road. While it is with some reluctance that I cannot support a sanction amendment relating to Iran, nonetheless, because this is broader than the one that previously I cosponsored, and mainly because of the ongoing negotiations which will strengthen our position if they do not lead to a good resolution, I cannot support the Santorum amendment. I will support the Biden amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, I will address the comments made by my colleagues. I appreciate their thoughtful comments.

First, this is not just a sanctions amendment. This is a sanctions amendment which imposes additional sanctions, but it also has a large prodemocracy component to support prodemocracy efforts and public diplomacy within Iran.

Second, with respect to the sanctions, I agree with some of the criticisms leveled by Senator LEVIN that it adds things which were not in the previous versions. One thing it adds is a nuclear components provision, which says that if you are going to be a company that is doing business with Iran in the development of their nuclear weapons capability, you cannot do business with us in America. If that is objectionable to folks, I find it somewhat remarkable that we would want companies doing business in Iran doing business here. But that is a new sanction; he is correct.

What he is not correct about is that we make it more difficult to waive these sanctions. In fact, we have made it easier to waive sanctions. We have given the President more time to waive sanctions. In fact, the big difference between the House bill and ours is we are much more liberal with respect to the waiver authority of the President. In that respect, the House bill passed—I have the exact vote—by a vote of 397 to 21. That is the bill which passed in the House of Representatives just 2 months ago. It has, with the exception of what I have said, a more liberal waiver authority component that deals with nuclear technology because of, obviously, this concern about the major difference between the two. I suspect that both the increased flexibility and the nuclear component provision would have very strong support in the Senate.

The other thing I wish to talk about is what Senator WARNER referred to in the letter from the Secretary of State. I remind everybody that the Secretary and the State Department have opposed this legislation from the day I have introduced it.

No. 2, I have had discussions with the Secretary personally over at the State Department, and we have had ongoing discussions. They support aspects of this bill. They don't like some of the sanction provisions, specifically the codification of Executive orders. I understand that. That has been sort of an intractable problem we have had during these negotiations.

I also remind everybody here that I bet I could pull out a letter identical to the letter just read by the Senator from Virginia on the issue of the Syrian Accountability Act, which passed here after about 3½ years or 2½ years of work, to try to get the administration on board with that legislation. The State Department opposed it, opposed it, opposed it. The President opposed it. They thought it was the wrong time, something we shouldn't do.

I had three conversations with the President on the Syrian Accountability Act. The first two times, he about tore my head off, saying how inappropriate it was for Congress to act in this regard and try to impose sanctions and mess around with foreign policy. The third conversation I had with him was a conversation where he said he would sign it. Six months later, he gave the State of the Union Address and took credit for the Syrian Accountability Act as one of the great accomplishments of his administration in foreign policy.

I believe the impact of the Syrian Accountability Act is pretty discernible—what happened with the withdrawal of Syrian troops from Lebanon. The Congress, when we act and do so in a responsible fashion, can make a difference. I believe this is an appropriate time and appropriate subject for us to make a difference.

Iran is the great threat before us. If anyone believes that by being weak, by not acting, by not stepping forward, and by not getting involved and saying we are going to hold those who cooperate with the Iranians accountable for their cooperation, if we think that by backing off on that somehow or another we will create some good will with the hardliners who control Iran, you have not been watching how the Iranians behave. They respect one thing and one thing only—we are about to give it to them, I hope—and that is action, deeds, and a credible threat that we will impose sanctions and we will hurt their capability if they do not change their course. That is what we have an opportunity to do here in about 2 minutes. I hope we take that opportunity and do not simply say that we like what the President is doing and we are all for negotiation and we hope everything goes well. It will be interpreted as stepping back, as weakness. We cannot afford that.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WARNER. Have the yeas and nays been ordered?

The PRESIDING OFFICER. Yes.

Mr. LEVIN. Mr. President, I ask for the yeas and nays on the Biden amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. LEVIN. Also, I ask unanimous consent, I believe with the agreement of the chairman, that Senator LAUTENBERG, who has been promised 3 minutes, be given those 3 minutes, and that if Senator SANTORUM needs a minute or two to respond to Senator LAUTENBERG, he be given it.

Mr. WARNER. Yes, 3 minutes to the Senator from New Jersey, with an additional 3 minutes to the Senator from Pennsylvania, and then the vote.

Mr. LEVIN. Yes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, I will try to be quick. I listened with interest to the Senator from Pennsylvania and his presentation. I also looked at the amendment he has produced. In that amendment, we are going to administer sanctions against companies doing business with Iran.

Now, the surprise here is that three times before, when I had an amendment, the Senator from Pennsylvania voted against it, would not include it, didn't want to discriminate against firms that do business with Iran and that provide revenues that kill our kids in Iraq. And now we have a flimsy aspect. We say we are going to impose sanctions; however, it will be out of reach of American jurisdiction. It, therefore, will not apply to the company that owns it—in this case it happens to be a Halliburton—that has a sham corporation operating in Dubai based originally in the Cayman Islands. That should not be allowed, that the grasp of the U.S. Government cannot reach these perpetrators of the kind of indecency that places our soldiers at risk because they are doing business with an avowed enemy of the United States that is providing funds that are lethal to our troops over there.

I hope everybody will take a good close look at this amendment and vote "no."

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SANTORUM. Mr. President, this goes under the old rubric of no good deed goes unpunished. We have attempted in this amendment to meet the Senator from New Jersey halfway. The Senator's amendment has consistently been voted on. I have opposed it and so has most of the Senate, which suggests that those who are currently doing business and have invested should be penalized for their investment. What we say is that on any future investment, you will be penalized. We make the Lautenberg language prospective.

In attempting to meet the Senator from New Jersey halfway, we find out that this is not sufficient and, therefore, we should oppose this amendment. I would think half a loaf is better than no loaf. This, by the way, was not in the Iran Freedom and Support Act. This is one of the provisions Senator LEVIN mentioned that was added, frankly, out of respect for the concerns the Senator from New Jersey raised and has raised on the floor repeatedly.

This is an attempt to make a good-faith attempt—and I do mean that—a good-faith attempt to meet the Senator from New Jersey halfway and to take his policy and put it in place in a prospective manner. If that is not sufficient for the Senator from New Jersey, that is fine. He is welcome to oppose the amendment.

Mr. LAUTENBERG. Will the Senator yield for a question?

Mr. SANTORUM. I will be happy to yield.

Mr. LAUTENBERG. Mr. President, is the Senator aware that the exemption in his amendment would make it almost impossible to hold a U.S. company liable for doing business with Iran through a foreign subsidiary?

Mr. SANTORUM. My understanding is that we crafted this language pursuant to the language the Senator from New Jersey used in the past and put a threshold we thought was—I think it was a $20 million threshold we put in place which we thought was a reasonable threshold of investment to reach the level of sanction.

If the Senator from New Jersey would like to toughen that language or change the threshold, I would be happy to sit down and talk with him about it. I am open to discussion.

My only point, and I think the point we have had in this discussion in the past, is I don't believe it is proper to penalize companies that have investments there, in many cases longstanding investments. What we want to do is discourage future investment. That is what we attempt to do in this amendment. If the Senator does not believe it has been effectively written, I will be happy to sit down with him, in all sincerity, and work to make it effective that future investments are discouraged.

Mr. LAUTENBERG. Mr. President, I have another question, if I may, and that is, would the Senator be willing to move the vote back, if we can do it, so we can discuss the language?

Mr. WARNER. Mr. President, we are under a unanimous consent agreement. The time, I believe, has expired.

The PRESIDING OFFICER. There is 6 seconds remaining.

Mr. WARNER. Will the Senator yield back the 6 seconds so we can get to the vote? I regret we have to move forward.

Mr. SANTORUM. The Senator has heard his answer.

Mr. WARNER. There are Senators who have to go to the Pentagon for a memorial service. The yeas and nays have been ordered.

Mr. LEVIN. Mr. President, there are a number of differences between S. 333 and the Santorum amendment. These differences include a number of new provisions in the amendment that are not in the S. 333. Some of them are:

Remove the requirement that a parent or a subsidiary of a person against whom sanctions have been issued must have actual knowledge of the activities before sanctions can be issued against them.

Remove the requirement that an affiliate of the Company against which sanctions have been issued must have actual knowledge of the activities before sanctions can be issued against them.

Remove Libya from the scope and title of the Iran Libya Sanctions Act.

Would impose an additional condition on the exercise of the President's waiver authority by imposing an additional element in the report that must be submitted to Congress prior to the waiver going into effect. Current law requires, among other elements of the report, an assessment of the significance of the assistance provided to the development of Iran's petroleum production. The new requirement would also require an assessment of the significance of the assistance to the development of Iran's weapons of mass destruction or other military capabilities.

Reduces operations and maintenance funding for the Army for Iraq and Afghanistan by $100 million.

In other instances, there are modifications to provisions in the amendment that are included in S. 333. For instance, both S. 333 and the Santorum amendment would expand the universe of persons against whom sanctions could be imposed to include a private or government lender, insurer, underwriter, reinsurer, or guarantor of a person sanctioned. S. 333 would require that these persons would have to have actual knowledge of the activities of the person sanctioned; the Santorum amendment does not include the requirement of actual knowledge.

Both S. 333 and the Santorum amendment would expand the definition of a person to include a financial instution, insurer, underwriter, reinsurer, guarantor. The Santorum amendment would also include any other business organization, including any foreign subsidiaries of the foregoing.

The PRESIDING OFFICER. All time has expired. The question is on agreeing to amendment No. 4234. The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 53, as follows:

[Rollcall Vote No. 172 Leg.]

YEAS—46

Allard
Allen
Bayh
Bond
Brownback
Bunning
Burns
Burr
Chambliss
Coburn
Coleman
Collins
Conrad
Cornyn
Craig
Crapo
DeMint
DeWine
Dole
Domenici
Ensign
Frist
Graham
Grassley
Hatch
Hutchison
Inhofe
Isakson
Kyl
Lieberman
Lott
Martinez
McConnell
Murkowski
Nelson (FL)
Roberts
Santorum
Sessions
Snowe
Stevens
Sununu
Talent
Thune
Vitter
Voinovich
Wyden

NAYS—53

Akaka
Alexander
Baucus
Bennett
Biden
Bingaman
Boxer
Byrd
Cantwell
Carper
Chafee
Clinton
Cochran
Dayton
Dodd
Dorgan
Durbin
Enzi
Feingold
Feinstein
Gregg
Hagel
Harkin
Inouye
Jeffords
Johnson
Kennedy
Kerry
Kohl
Landrieu
Lautenberg
Leahy
Levin
Lincoln
Lugar
McCain
Menendez
Mikulski
Murray
Nelson (NE)
Obama
Pryor
Reed
Reid
Salazar
Sarbanes
Schumer
Shelby
Smith
Specter
Stabenow
Thomas
Warner

NOT VOTING—1

Rockefeller

The amendment (No. 4234) was rejected.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. FRIST. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, at this moment we do want to honor the 2,500 Americans who have given their lives in Iraq, and their families. We ask all Senators to take their seats and offer that moment of silence.

The PRESIDING OFFICER. Under the previous order, the Senate will observe a moment of silence out of respect for our fallen troops.

(The Senate observed a moment of silence.)

AMENDMENT NO. 4257

The PRESIDING OFFICER. Under the previous order, there are now 2 minutes equally divided prior to the vote on the Biden amendment.

Who yields time?

Mr. BIDEN. Will the manager yield me time to speak to my amendment?

The PRESIDING OFFICER. The Senator has 1 minute.

Mr. BIDEN. Mr. President, our amendment merely states that we support the President's efforts, in a nutshell. I only have a minute. We support the President's efforts in negotiations with our European allies, the Russians, and Chinese to both offer incentives and sanctions to Iran regarding its proceeding with construction of a nuclear weapon.

I yield the floor.

Mr. WARNER. Mr. President, I yield a minute to the distinguished senior Senator from Pennsylvania, Mr. SANTORUM.

The PRESIDING OFFICER. The Senator from Pennsylvania has 1 minute in opposition.

Mr. SANTORUM. Mr. President, as I said during debate, this amendment simply says that we support the President's effort to negotiate a diplomatic resolution to Iran's garnering of nuclear weapons. I support the amendment. I wish the President and those efforts well. I suspect we will be back, talking about this again in the future.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 173 Leg.]

YEAS—99

Akaka
Alexander
Allard
Allen
Baucus
Bayh
Bennett
Biden
Bingaman
Bond
Boxer
Brownback
Bunning
Burns
Burr
Byrd
Cantwell
Carper
Chafee
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Cornyn
Craig
Crapo
Dayton
DeMint
DeWine
Dodd
Dole
Domenici
Dorgan
Durbin
Ensign
Enzi
Feingold
Feinstein
Frist
Graham
Grassley
Gregg
Hagel
Harkin
Hatch
Hutchison
Inhofe
Inouye
Isakson
Jeffords
Johnson
Kennedy
Kerry
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Salazar
Santorum
Sarbanes
Schumer
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Talent
Thomas
Thune
Vitter
Voinovich
Warner
Wyden

NOT VOTING—1

Rockefeller

The amendment (No. 4257) was agreed to.

Mr. GREGG. Mr. President, I move to reconsider the vote, and to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. GREGG. Mr. President, I ask unanimous consent that I be allowed to proceed as if in morning business for up to 25 minutes, and that after I have spoken Senator NELSON of Florida be recognized.

The PRESIDING OFFICER (Mr. VITTER). Without objection, it is so ordered.

(The remarks of Mr. GREGG and Mr. SESSIONS pertaining to the introduction of S. 3521 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. SESSIONS. Mr. President, I see the Senator from Florida is here.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Florida is recognized.

AMENDMENT NO. 4265

Mr. NELSON of Florida. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside.

The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Florida [Mr. NELSON], for himself and Mr. MENENDEZ, proposes an amendment numbered 4265.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To express the sense of Congress that the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States)

At the end of subtitle A of title XII, add the following:

SEC. 1209. SENSE OF CONGRESS ON THE GRANTING OF AMNESTY TO PERSONS KNOWN TO HAVE KILLED MEMBERS OF THE ARMED FORCES IN IRAQ.

(a) FINDINGS.—Congress makes the following findings:

> (1) The Armed Forces of the United States and coalition military forces are serving heroically in Iraq to provide all the people of Iraq a better future.
>
> (2) The Armed Forces of the United States and coalition military forces have served bravely in Iraq since the beginning of military operations in March of 2003.
>
> (3) More than 2,500 members of the Armed Forces of the United States and members of coalition military forces have been killed and more than 18,000 injured in operations to bring peace and stability to all the people of Iraq.
>
> (b) SENSE OF CONGRESS.—It is the sense of Congress that—
>
> (1) the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States; and
>
> (2) the President should immediately notify the Government of Iraq that the Government of the United States strongly opposes granting amnesty to persons who have attacked members of the Armed Forces of the United States.

Mr. NELSON of Florida. Mr. President, a significant hubbub has occurred as a result of stories that have appeared in this morning's Washington Post that directly affect the defense posture of this country. It is stated in the Washington Post that the Prime Minister of Iraq is expected to release within days a "plan [that] is likely to include pardons for those who had attacked only U.S. troops" in Iraq. That is according to a top adviser.

As a matter of fact, the Prime Minister of Iraq is quoted as saying—and I will get to the quote—reconciliation could include an amnesty for those "who weren't involved in the shedding of Iraqi blood." Ergo, there would be amnesty for those who would have been involved in the shedding of American blood.

Now, it is possible—and this Senator hopes that something was lost in the translation because I cannot imagine the Prime Minister of Iraq turning on his heel away from American troops and suddenly—as he is trying to bring about reconciliation in his country—trying to then say as part of that reconciliation we are going to give amnesty for anybody who killed American men and women.

Well, naturally the Government of the United States should not stand for this. That is why Senator MENENDEZ and I are offering this amendment to the Defense authorization bill, so that we can clearly set forth the policy—in this case, the sense of the Senate—that we will not stand for this.

By the adoption of this sense of the Senate amendment, clearly our President should speak to the Iraqi Prime Minister, who he just spoke with a couple of days ago, and he should speak with him immediately to get him to retract this statement. There should be no amnesty for those who murder American troops. American troops continue to serve bravely, and they are fighting for the freedom of all Iraqis. So it brings us to a point that is pretty clear. The Senate should go on record as having said that we repudiate that statement.

I will very clearly state what the Senate sense of the Congress is, that the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States and that the President should immediately notify the Government of Iraq that the Government of the United States strongly opposes granting amnesty to persons who have attacked members of the Armed Forces of the United States.

It is fairly straightforward. I could go on and on with comments. I am awaiting the arrival of Senator MENENDEZ because I want him to make some comments as well.

If you do what a number of us in this body have done in visiting either with the families of those who have borne the brunt of the fighting and have given the ultimate sacrifice or if you have visited with those who return wounded and maimed, then there is no question there should be no obfuscation as to the policy of granting amnesty to those who have killed Americans.

I remember going back to the time that I served as a captain in the Army, which was years and years ago. One of the most dread duties I had was to be the officer who was given the task of notifying the loved ones in the family of a service person who was killed. That, of course, is an exceptionally emotional event. And although it was decades ago, those experiences are seared in my memory because of the trauma and the emotion when you meet with the grieving family of a loved one.

By the same token, there are over 18,000 of our service people who have been wounded. And many of them, because the body armor is working and saving the vital organs, their lives are being saved, but they have been maimed. The extremities are often the part of the body that is the casualty since the body armor is saving the vital organs. As a result, what we see is a lot of soldiers and sailors and Marines who come back, and they are just as optimistic as they can be in their outlook and yet think of the life that they will live with the maiming that has occurred. Their life was spared, but their life is going to be clearly different for the future.

Anyone who would dare suggest that in the formulation of a new government of Iraq, which we, the United States Government, clearly support, anyone who would even contemplate that that government have a policy that, as they try to build reconciliation, they are going to grant amnesty to those who have killed Americans, as we say in the South, they have to have another thing coming, because we are not going to tolerate it.

I offer a simple resolution on behalf of the Senate. I hope it is not going to be controversial. I hope it will be accepted.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I had my fourth trip to Iraq recently and met with a number of leaders over there. I have been impressed with them and have enjoyed them. I know Senator NELSON has also. He and I are the chair and ranking member respectively of the Strategic Forces Subcommittee. We have worked together on many important issues.

I wanted to say a couple things. First, the amendment he has is of value and will be something that can be accepted. I believe it should be. You worry a little bit that maybe language difficulties come into play in how miscommunications can occur. Even among those of us who speak English together, we can have misunderstandings.

I was just handed a CNN interview today. It just came across the wire. It was by a reporter, Daryn Kagan, with the new national security adviser to Prime Minister Maliki in Iraq. He was asked about this very subject because the reporter obviously felt some of the same concerns the Senator from Florida raised. He said this to him.

The reporter:

> Doctor, I know there's a big effort by your government in your country to try to prevent civil war. And as a part of that, the Washington Post reports today that your Prime Minister is considering offering amnesty to Sunnis or to others who perhaps attacked only U.S. troops. This, not surprisingly, is causing great consternation here in the U.S., even talking about it and being raised on the floor of the U.S. Senate today. Is this, indeed, the case? Is your government thinking about offering amnesty to those that attacked only U.S. military?

This is Dr. Rubaie's reply:

> This is not the case. I'm sorry to say that the prime minister of Iraq has been misquoted and misunderstood. He did not mean to give amnesty to those who killed Americans.
>
> As a matter of fact, if you go there in his meeting with the President Bush a couple of days ago, he looked the president in the eye and he said, thank you very, very much for liberating our country. Please thank the American wives and American women and American mothers for the treasure and blood they have invested in this country. It's well worth investing, of liberating 30 million people in this country. And we are ever so grateful.
>
> And we will—the blood of the Iraqi soldier and the blood of Iraqi civilian soldier is as sacred to us as the American soldier. We are fighting the same war, we are fighting together, and this is a joined responsibility. And we will never give amnesty to those who

> have killed American soldiers or killed Iraqi soldier or civilian.
>
> What the prime minister is going to give amnesty to are those who have not committed the crimes, rather they're against Iraqis or coalition. Those who have—still carry arms and they might have probably done some minor mistakes in storing some arms or allowing some terrorists to stay overnight or shelter, give shelter to some of these insurgents. That's it. Basically, it's a goodwill gesture he's extending to the Sunni community, to those who have committed some mistakes in the past.

I don't know exactly how it all came about or how the comments were made. Mr. Maliki is new to being Prime Minister. There are language difficulties. I hope this reflects the firm view of the people of Iraq. I find it consistent with the responses I have had when I talked to the Iraqi leadership.

I thank the Senator from Florida for raising the question. I am pleased to see this very strong response from the national security adviser, Prime Minister Maliki's top adviser on national security.

Mr. NELSON of Florida. Will the Senator yield for a question?

Mr. SESSIONS. I will.

Mr. NELSON of Florida. This Senator hopes, too, as I said at the outset of this Senator's remarks, that there is something lost in the translation, a mistake. But if there is, it is time for Prime Minister Maliki to step forward and clarify it. He can easily clarify it. But that does not diminish the need for the sense of Congress that says that the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States.

Mr. SESSIONS. I thank the Senator from Florida.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. MENENDEZ. Mr. President, I rise in strong support of the amendment Senator NELSON and I have offered on this issue of amnesty for those who have killed American soldiers.

I know the latest statements that have come out. I hope that is ultimately where the intention is. But it became very clear to me. I hope my colleagues have had the opportunity to read today's Washington Post article. It says: "Iraq Amnesty Plan May Cover Attacks On U.S. Military." When you read the statements there, I have to be honest, they were very unequivocal but unequivocal in a way that we could not accept as the U.S. Senate.

As I continued to reread this article, my anger grew. In the article it refers to the Prime Minister of Iraq acknowledging that reconciliation could include an amnesty for those "who weren't involved in the shedding of Iraqi blood." That is where the quote ends. There is not one single mention of American blood. Is that a misinterpretation? Is that an oversight on the day on which we recognize the loss of 2,500 American soldiers and the thousands and thousands who have shed their blood and come back injured? Is that an oversight?

How about American blood and American lives, Mr. Prime Minister? Are you willing to have reconciliation on the pool of American blood that has been spilled to give your country and your people a chance for freedom? Is there so little value to the 2,500 American lives that have been lost and the over 18,000 wounded on behalf of your country that you wouldn't even think about including American lives when you were talking about Iraqi lives? No way. No way.

Then I look at the article and look at the quotes attributed to Adnan Kadhimi, a top adviser to Maliki. What does he say? He says:

> The government has in mind somehow to do reconciliation, and one way to do it is to offer an amnesty . . .

Then he goes on to talk about amnesty. He says:

> We can see if somehow those who are so-called resistance can be accepted if they have not been involved in any kind of criminal behavior, such as killing innocent people or damaging infrastructure, and even infrastructure, if it is minor, will be part of it.

So we have this elaborate plan that talks about even infrastructure, but doesn't talk about American lives. And then, when asked about clemency for those who attacked U.S. troops, he goes on to say—the adviser to the Prime Minister—that "that's an area where we can see a green line."

There is some sort of preliminary understanding between us and the U.S.-led multinational force in Iraq that there is "a patriotic feeling among the Iraqi youth and the belief that those attacks are legitimate acts of resistance and defending their homeland. These people will be pardoned definitely, I believe."

Well, who in the U.S.-led multinational force has an understanding with the Iraqis that it is OK to offer amnesty for those who have killed Americans? I would like to know the answer to that question.

I do believe very strongly that Senator NELSON's and my amendment should be embraced by the entire Senate. We cannot allow to chance that those statements attributed on the record—one directly by the Prime Minister and one directly by his top adviser—can be equivocated on. We have to send a very strong message that we will not tolerate amnesty to those who have taken the lives of American soldiers and for those who have spilled American blood in defense of their country.

Just a little while ago, we had a moment of silence for the 2,500 American soldiers who have died in Iraq. Let's do much more than have a moment of silence in the face of these statements. Let's make sure the taking of American lives can never be rewarded with amnesty. The Senate has an opportunity to make a clear, unequivocal statement that it is unacceptable, and I believe that it should take this opportunity. It is not only with a moment of silence that we show our respect, it is with our deeds that we show our respect.

Let the Senate act unanimously and speak with one voice to make it very clear that this should not even be a thought on behalf of the Iraqi Government. Then we will have honored the lives of those people, our fellow Americans, who gave the ultimate sacrifice on behalf of their country.

With that, I yield the floor.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. REID. Mr. President, yesterday afternoon, I placed a call to a Nevada mother, Jennifer Laybourn. These calls are not easy; they are hard. Like many other Nevada mothers, she lost a boy, 19 years old, her son David, in Iraq. He was performing his duties as a soldier when he was killed by an improvised explosive device. Again, he was 19 years old.

Nevada has lost 39 soldiers in Iraq. Nevada is a small, sparsely populated State. Thirty-nine is a lot of funerals, a lot of sorrow for those of us from Nevada. There is no way we can ever repay those 39 Nevada heroes and their parents, siblings, family, and friends for their sacrifices. But we must always make sure their service is honored, which is why today I compliment and applaud Senators NELSON from Florida and MENENDEZ from New Jersey, and to express my complete shock and outrage that the Iraqi Prime Minister has even considered granting amnesty to the insurgents who have killed our troops.

Up to this day, today, we have lost 2,500 soldiers in Iraq. The mere idea that this proposal would go forward is an insult to the brave Nevadans who have died in the name of Iraqi freedom, and this doesn't take into consideration those Nevadans who have been grievously wounded in battle. It is my hope the President will denounce this proposal immediately—not wait for a retraction by the Iraqis but denounce it immediately. We should remember that the majority of Nevadans killed in Iraq were not killed in acts of warfare, as we historically have known warfare. They were killed in acts of terror.

All of us who are committed to freedom and democracy should recognize that their murders, 39 Nevadans, deserve justice. While I support reconciliation efforts to bring Iraqi political factions together, I don't support amnesty for those who commit acts of terror against Americans.

It sends the wrong signal to our troops, the wrong signal to the Iraqis, and it sends the wrong signal to all Americans. It certainly sends a wrong signal to the insurgents who have now been given the message that they can attack our forces without consequence.

President Bush continually makes a point of saying that a free Iraq means the United States will have a friend in the Middle East. This amnesty proposal is no sign of friendship; it is a sign of hostility which dishonors the sacrifice of our troops. Our troops deserve better. Again, I urge the President to tell the new Iraqi Government to stand down. America will not stand as our troops are dishonored in this way.

It seems so unfortunate that after the President's visit in Iraq, a day later this is floated through the Iraqi Government. It is too bad. We deserve better.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. McCONNELL. Mr. President, I have listened with interest to my good friend from Nevada. I hope Senators will be more supportive of our elected allies who are the Government of Iraq. The national security adviser for the Government of Iraq just said a few hours ago:

> And we will never give amnesty to those who have killed American soldiers or killed Iraqi soldiers or civilians.

So this notion of amnesty about a new, duly-elected Iraqi Government is a sideshow, an effort to divert our attention away from the core issue. Over in the House of Representatives today, they are having a much needed debate on the Iraq war. I had hoped that we would have that debate in the Senate. I read that several of our colleagues on the other side of the aisle were interested in offering an amendment that would codify what they have said publicly, which is that the troops ought to be out by the end of this year. I hope they will come down and offer that amendment. I hope we will have that debate. I think it is a good time to have that debate.

It is a good time to remind the American people that it is no accident that we have not been attacked again since 9/11. Nobody would have predicted that in the fall of 2001. If we asked for a show of hands in the Senate of how many Senators thought we would be attacked again that year, I think every hand would have gone up. Certainly, the American people expected another attack. By going on the offense, which the President suggested we do shortly after 9/11, we have succeeded dramatically in the principal reason for advancing the war on terrorism, and that was to protect us at home. Almost 5 years later, we have not been attacked again. While nobody will predict that we will never be attacked again, it is noteworthy that we have not been attacked again. Believe me, it is not an accident. Why have we not been attacked again? Because we went into Afghanistan and into Iraq. We liberated 50 million people. A lot of the terrorists are dead. Several are at Guantanamo. Many are hiding in their caves. Yes, some are still around doing mischief in Baghdad rather than in Washington or New York.

This is the time we ought to be having the debate about Iraq strategy. We are on the Defense authorization bill. Colleagues on the other side have said they were going to offer an amendment to advocate withdrawal by the end of the year. Let's have that debate. I cannot think of a better time.

Right now in Iraq, according to the latest AP story, since we were able to get Zarqawi last week, we have carried out 452 raids; 104 insurgents were killed during those actions; we have discovered 28 significant arms caches; 255 of the raids were joint operations, with 143 of them carried out by Iraqi forces alone; and the raids resulted in casualties of 759 anti-Iraqi elements. That is just in the last week. So we have them on the run in Iraq.

Why would anybody want to suggest that we ought to run when we have them on the run? But I think that is a legitimate debate. I hoped that we would have it. It is 2:10. I have been waiting anxiously all day, assuming that we would have that amendment laid down by those on the other side of the aisle and get on about the debate. Maybe we should have it in any event because it is time to step up and be counted.

Do we want to stay and finish the job and continue to protect America or do we want to send a message to the terrorists, when we have them on the run, that we are about to cut and run and leave them there to their own devices? I don't know any responsible countries in the world at this point, regardless of how they may have initially felt about the decision to go into Iraq, that think it is a good idea to leave now—particularly as we are making dramatic progress with their new constitution; a new, fully staffed government; the death of the most notorious terrorist in the country; these successful raids that have been carried out in the last week; and the effort underway to clean Baghdad out.

Why in the world would we want to say to those elements in Iraq, which want the country to be a haven for terrorism forever, that you can count on us to be out of here by the end of the year; that we are giving you adequate notice that we are leaving by the end of the year?

I see my colleague from Texas on the Senate floor. I wondered if he had a question.

Mr. CORNYN. Yes. Will the Senator yield for a question at this point?

Mr. McCONNELL. I will.

Mr. CORNYN. Mr. President, I ask the distinguished majority whip, isn't the real difference between those of us who believe war is bad and must never be fought and those of us who believe that war is bad but must sometimes be fought for the right reasons? What is the alternative to fighting the good fight that our troops are fighting in Iraq now? I just ask whether the Senator has heard any alternatives offered by our friends on the other side of the aisle?

Mr. McCONNELL. Mr. President, I say to my friend from Texas, the only alternative I heard suggested, I have read about it in the press—I have not heard it offered on the floor yet—is that we essentially give the terrorists advance notice that we are going to be out of the country by the end of the year.

Look, we all hate, as the Senator from Texas indicated, to read reports of the death of any of our troops. We value human life in this country greatly. We do not, however, honor those who have given their lives in this great cause by giving up when we are making dramatic progress. And it is also important to remember that while we value every single life, we have lost fewer of our soldiers liberating Afghanistan and Iraq—50 million people liberated—than we lost on 9/11 in one morning or in Normandy during the invasion in World War II.

So while we value every life and we regret the loss of each soldier, it is extremely difficult to fight a war and lose absolutely no one.

Mr. CORNYN. Mr. President, if the Senator will yield for an additional question, I ask the distinguished majority whip, what does he believe the consequences in Iraq to be—and not just to Iraq, but to America itself in terms of our own security—if we were to precipitously draw down our forces and leave a void there that might then be filled by enemies of our country and, indeed, terrorists akin to those who attacked our country on 9/11?

Mr. McCONNELL. Mr. President, I say to my friend from Texas, I think one thing that is pretty obvious is the terrorists would have a haven from which to operate, once again, such as they had in Afghanistan for a number of years prior to our clearing that out and giving those folks an opportunity to set up a democratic government. They would have a base of operations right in the Middle East from which to attack our neighbors, to attack the Europeans, and probably attack us again. That would be the consequence of cutting and running just on the heels of making dramatic forward progress in Iraq.

Mr. CORNYN. If the Senator will yield for one final question, I just want to be sure I understood his earlier comments from the National Security Adviser for the Government of Iraq.

There had been some suggestion that the Iraqis were planning on granting amnesty to those who had killed American soldiers. But if I understand the distinguished majority whip, the National Security Adviser said:

> And we will never give amnesty to those who killed American soldiers or who killed Iraqi soldiers or civilians.

If that language is true, that they would never do that, would the Senator care to venture a guess as to what the reason for this supposed sense of the Senate is to condemn some amnesty that will never be given?

Mr. MCCONNELL. It sounds to me, I answer my good friend from Texas, as some kind of diversion from the core issue we ought to be debating in the Senate, which is these suggestions that have been made by a number of our colleagues that we ought to have all the troops out by the end of the year. It is time to have that debate in the Senate, not a sense-of-the-Senate resolution about a proposal, as the Senator from Texas points out, that has been shot down today by the National Security Adviser in Iraq who, as the Senator from Texas indicated, said today:

> And we will never give amnesty to those who have killed American soldiers or who killed Iraqi soldiers or civilians.

What part of "never give amnesty" do our colleagues not understand?

Mr. NELSON of Florida. Will the Senator yield?

Mr. REID addressed the floor.

Mr. MCCONNELL. I believe I have the floor. Would someone like to ask a question?

Mr. NELSON of Florida. Mr. President, will the Senator yield?

Mr. MCCONNELL. I yield to my friend from Florida for a question.

Mr. NELSON of Florida. This Senator clearly doesn't support pulling the troops out of Iraq by the end of the year. This Senator offered an amendment which is a sense-of-the-Senate amendment that the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States based on this morning's story in this newspaper that indicates comments that were made by the Prime Minister.

Is the Senator suggesting that he does not agree with the sense-of-the-Senate resolution being expressed in this amendment as laid down by this Senator from Florida?

Mr. MCCONNELL. Mr. President, answering the question, let me just repeat what the National Security Adviser in Iraq has just said:

> And we will never give amnesty to those who killed American soldiers or who killed Iraqi soldiers or civilians.

Is it helpful to be passing resolutions condemning our allies in Iraq for positions that the National Security Adviser says the Government doesn't hold?

I am pleased to hear that my good friend from Florida opposes the amendment that I hope will be offered later today that calls for an American troop withdrawal by the end of the year. That is a debate I thought we were going to be having, rather than adopting resolutions condemning one part of the Iraqi Government or another—the Iraqi Government, of course, being a great ally of the United States in the war on terrorism.

Maybe that debate will occur later in the day, and I look forward to hearing from the Senator from Florida when we have that debate. I am sure he will be arguing the vote on that should be no, and the Senator from Florida, of course, will be entirely correct; that is exactly how that amendment should be dealt with. I hope it will be defeated overwhelmingly.

Mr. REID addressed the Chair.

Mr. MCCONNELL. Does the Senator have a question or is he seeking the floor?

Mr. REID. I thought the Senator was finished.

Mr. MCCONNELL. I yield the floor.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, my friend from Kentucky and my friend from Texas are involved in a debate that doesn't exist. The amendment before the Senate, which will require a vote, is based on a sense-of-the-Senate resolution offered by the Senator from Florida, Mr. NELSON, and the Senator from New Jersey, Mr. MENENDEZ. Here is what the matter pending before the Senate now says:

> Congress makes the following findings:
>
> (1) The Armed Forces of the United States and coalition military forces are serving heroically in Iraq to provide all the people of Iraq a better future.
>
> (2) The Armed Forces of the United States and coalition military forces have served bravely in Iraq since the beginning of military operations in March of 2003.
>
> (3) More than 2,500 members of the Armed Forces of the United States and members of the coalition forces have been killed and more than 18,000 injured in operations to bring peace and stability to all the people of Iraq.
>
> (b) Sense of Congress.—It is the sense of Congress that
>
> (1) the Government of Iraq should not grant amnesty to persons known who have attacked, killed, or wounded members of the Armed forces of the United States; and
>
> (2) the President should immediately notify the Government of Iraq that the Government of the United States strongly opposes granting amnesty to persons who have attacked members of the Armed Forces of the United States.

That is very clear. That is what we are going to be called to vote on.

Why do we have this before us? Because last night a man by the name of Adnan Ali al-Kadhimi, a top adviser to the Prime Minister of Iraq, said, among other things, the following:

> Asked about clemency for those who attacked U.S. troops, he said: "That's an area where we can see a green line. There's some sort of preliminary understanding between us and the MNF-I," the U.S.-led Multinational Force-Iraq, "that there is a patriotic feeling among the Iraqi youth and the belief that those attacks are legitimate acts of resistance and defending their homeland. These people will be pardoned definitely.

That is the reason for this resolution. It is not about an amendment that will be offered and there will be some other debate. It is about whether the people of Iraq, who are running that government, should pardon those people, grant amnesty to the people who have attacked our forces either through snipers, armed combat, or explosive devices. It is a simple vote.

Further, the man went on to say they would consider taking a look at Iraqi forces who were attacked. They wouldn't necessarily be given amnesty like those who attacked Americans.

That is a pretty clear vote, Mr. President. And that is the issue before the Senate, not some make-believe thing that will come at some later time, maybe. The issue before the Senate today is whether this resolution will be approved, yes or no, based upon statements made by officials in Iraq.

Someone has since then said: We don't like that. Good. We should adopt this resolution anyway. This is no attack on the Iraqi Government other than to say: Be careful, don't tread on our soldiers' graves.

This is the debate before us. I talked about a woman I called yesterday in Nevada who lost her 19-year-old son in Iraq, and to think that anyone in the Iraqi Government—anyone in the Iraqi Government—should pardon an Iraqi who killed this young man is repulsive. That is what the debate is about today. It is not about these terms that my friends like to throw around—cut and run, tax and spend.

The American people know what is going on here. They know what is going on. We all want the Iraqi issue to proceed even though it is costing us $2.5 billion a week, 2,500 dead soldiers, 18,000 or 20,000 wounded, a third of them grievously wounded, 20 percent of them coming back from Iraq with post-traumatic stress syndrome with a Veterans' Administration that is underfunded.

That is what this is all about. It is not about some other issue. It is about whether the Government of Iraq, now or at any other time in the future, should pardon people who harm our soldiers.

Mr. SESSIONS. Mr. President, what is the agreement at this point?

The PRESIDING OFFICER. We are on the Nelson of Florida amendment.

Mr. SESSIONS. The Senator from Georgia is here. I think he would like to offer an amendment. I yield the floor.

Mr. CHAMBLISS. Mr. President, what is the pending business?

The PRESIDING OFFICER. The pending business is the amendment offered by the Senator from Florida.

Mr. LEVIN. Reserving the right to object.

The PRESIDING OFFICER. There is no unanimous consent request pending.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the amendment be set aside and that I be allowed to call up an amendment of mine.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. I object.

The PRESIDING OFFICER. Objection is heard to the unanimous consent request.

Who seeks recognition?

Then Senator from Texas.

Mr. CORNYN. Mr. President, since we are going to be on the amendment of the Senator from Florida for a few minutes, I have a couple other thoughts I would like to offer to our colleagues in response to those offered by the Democratic leader.

First of all, I don't know why, after the Iraqi officials have disclaimed any intent whatsoever to offer amnesty to those who have killed an American soldier, we would gratuitously offer a sense-of-the-Senate amendment to condemn them for doing something they said they are not going to do, unless we are engaged more in gamesmanship than we are in working and passing serious legislation.

The comment was made earlier that perhaps this is just a diversion. I thought we were going to have a serious debate about whether we were going to bring our troops back home and on what kind of timetable we were going to do that, whether it is some arbitrary timetable or, instead, whether it is based on conditions on the ground. I thought that was the kind of debate we were going to have today, not some sort of manufactured debate offering a sense-of-the-Senate resolution to divert public attention from an issue that does not exist about this amnesty that has been suggested which has been expressly disclaimed by the Iraqi leadership.

My suggestion is that we move on to the serious work that the people of this country sent us here to do and not to engage in sideshows, which is clearly what this sense-of-the-Senate proposition is designed to do.

Mr. NELSON of Florida. Will the Senator yield?

Mr. CORNYN. I will be glad to yield for a question.

Mr. NELSON of Florida. Mr. President, since this Senator from Florida is the author of the amendment, I would recall, for the consideration of the distinguished Senator from Texas, that there is nothing in this resolution that says anything about condemnation of the Iraqi Government. It says: It is the sense of Congress that the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States.

I would further call to the attention of the distinguished Senator that the yeas and nays have been ordered on the amendment, and as soon as the leadership is ready to dispose of the amendment, we can vote.

Mr. CORNYN. Mr. President, I don't know what the question was, but let me just respond to the distinguished Senator from Florida. It makes no sense for the Senate to shake its finger at the new Government of Iraq and to criticize them, whether it is a condemnation or a criticism or an admonishment or whatever you want to call it, for something that they have expressed that they have no intention of doing. I don't dispute from a procedural standpoint the Senator's right at some point, perhaps, to have a vote on the sense-of-the-Senate amendment, but I just question the wisdom of proceeding in this way when we are a nation at war.

We have done everything that we could to help the Iraqi people help themselves, from training their security forces to encouraging them and helping them in the development of a new government, something that is really a miracle to behold, if you think about it. Three years ago, they had a blood-thirsty dictator with his boot heel on the back of the neck of the Iraqi people, responsible for killing hundreds of thousands of Iraqis, and a threat to the entire world because of the potential partnerships with terrorists who might export their terror to places such as the United States. Why we would gratuitously take an occasion like this, to distract us from the important business that we are about, to criticize in one way, form, or fashion the new Iraqi Government which is just beginning to show that they are able to take the first small steps toward self-determination and self-governance, why we would take this occasion to admonish them for something they have expressly indicated no intention of doing is beyond me.

Mr. McCONNELL. Would the Senator yield for a question?

Mr. CORNYN. I would.

Mr. McCONNELL. I know the Senator from Texas and I covered this a few moments ago, but I would ask the Senator from Texas again if it is not the case that the national security adviser to the Iraqi Government just this very day said the following: And we will never give amnesty to those who have killed American soldiers or killed Iraqi soldiers or civilians?

Mr. CORNYN. Mr. President, I would answer the distinguished majority whip by saying, that is exactly the quotation. The same individuals went on to say that who the Prime Minister is going to give amnesty to are those who have not committed the crimes, whether against Iraqis or coalition forces. He went on to say, they might probably have done some minor mistakes in storing some arms or allowing some terrorist to stay overnight or provided shelter. But he has expressly said: We will never give amnesty to those who have killed American soldiers or killed Iraqi soldiers or civilians.

Mr. McCONNELL. Would the Senator from Texas yield for an additional question?

Mr. CORNYN. I would.

Mr. McCONNELL. Might it not be just as useful an exercise to try to pass a resolution commending the Iraqi Government for the position they have taken today with regard to this discussion of amnesty?

Mr. CORNYN. I would answer the distinguished majority whip and say, I would feel much better about something that was constructive and encouraging in assisting the Iraqi Government in their determination not to give amnesty than I would in offering criticism where it appears to be gratuitous and where it is a distraction from the debate that I think the American people would want us to have; that is, under what conditions do we want to leave Iraq, and are some of the proposals that some of our colleagues on the Senate floor have made about setting timetables, are those in the best interests of the American people or do they endanger America by allowing perhaps those who are America's enemies, the enemies of all civilization, to plot and plan, and then use that failed state as a platform to export their terrorist activities to other parts of the world?

AMENDMENT NO. 4269 TO AMENDMENT NO. 4265

Mr. McCONNELL. Mr. President, I send an amendment to the desk to the underlying amendment.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 4269 to amendment No. 4265.

Mr. McCONNELL. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To require the withdrawal of United States Armed Forces from Iraq and urge the convening of an Iraq summit)

At the end of the amendment add the following:

SEC. ___. UNITED STATES POLICY ON IRAQ.

(a) WITHDRAWAL OF TROOPS FROM IRAQ.—

(1) SCHEDULE FOR WITHDRAWAL.—The President shall reach an agreement as soon as possible with the Government of Iraq on a schedule for the withdrawal of United States combat troops from Iraq by December 31, 2006, leaving only forces that are critical to completing the mission of standing up Iraqi security forces.

(2) CONSULTATION WITH CONGRESS REQUIRED.—The President shall consult with

Congress regarding such schedule and shall present such withdrawal agreement to Congress immediately upon the completion of the agreement.

(3) MAINTENANCE OF OVER-THE-HORIZON TROOP PRESENCE.—The President should maintain an over-the-horizon troop presence to prosecute the war on terror and protect regional security interests.

(b) IRAQ SUMMIT.—The President should convene a summit as soon as possible that includes the leaders of the Government of Iraq, leaders of the governments of each country bordering Iraq, representatives of the Arab League, the Secretary General of the North Atlantic Treaty Organization, representatives of the European Union, and leaders of the governments of each permanent member of the United Nations Security Council, for the purpose of reaching a comprehensive political agreement for Iraq that addresses fundamental issues including federalism, oil revenues, the militias, security guarantees, reconstruction, economic assistance, and border security.

Mr. McCONNELL. Mr. President, the amendment I have sent to the desk is the amendment that I believe the Senator from Massachusetts, Mr. KERRY, had indicated he was going to be offering today so that we can have an appropriate debate on this very important day about whether it is appropriate to withdraw American troops by the end of 2006. That is the second-degree amendment that I just sent to the desk.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, I don't have a dog in this fight, you might say, but I have been listening to this debate, and I wonder about history. I wonder about the amendment of the Senator from Florida. I remember reading so clearly that after the War Between the States, the North lined up those from the South and took their guns and let some of them take them home. I remember so well that after World War II, we went through a process of trying to urge the governments involved in the access to obtain a pledge from the former members of the military that they would support the new democracy. That was amnesty.

In Japan, we certainly had a period under General MacArthur which was probably the greatest period of amnesty that has ever been known. We helped that country immediately to form a democracy and we never prosecuted the people who killed Americans.

I wonder seriously about what the Senator from Florida is doing by telling this new fledgling democracy that they cannot go through the process of cleansing, go through the process of trying to get people who were misguided, who were part of coalitions that they now are willing to recant, if they are, to come forward and support this new democracy. What are we doing anyway on the floor of the Senate trying to tell the new democracy what they can and can't do? I didn't like that story when I read it in the paper this morning, but I was happy to see the new statement from the security people that clarified what they intend to do.

But the time will come, if that democracy is going to succeed, when they are going to have to fold into their population those who are willing now to give up terrorism, those who are willing to put aside the activities of the past which led them to attack Americans as well as any other—there are 34 other nations over there. Are we saying just those who did kill Americans, they can't get amnesty, but the rest of them can?

What are we doing on the floor of the Senate trying to debate an issue as to how this country is going to come back together again? I am sort of appalled at it, really. I don't know if anyone else is. But it seems to me that we ought to do everything we can to encourage them to bring their people together, to forget the sins of the past, to forget the terrorists of the past, and to pledge themselves to a new future of democracy and have people come forward and say: I am willing to support this new democracy. And if they do, and demonstrate that they do after a period of time, shouldn't they be recognized as being loyal citizens of the new democracy?

This is a debate that disturbs me. It disturbs me to think we are willing to just seize the moment and make a political point—seize the moment and make a point—and not think. It is time we started thinking about how we can assure and take steps to help this country survive as a democracy. If it becomes a democracy in that part of the world, it will be a marvelous success, and I think it will lead to greater consideration by other countries of liberalization of their concepts and giving the people more power.

I believe we ought to try to find some way to encourage that country, to demonstrate to those people who have been opposed to what we are trying to do, that it is worthwhile for them and their children to come forward and support this democracy. And if that is amnesty, I am for it, I would be for it. And if those people who come forward and want to obtain a better life for their families in the future are willing to support that democracy—if they bear arms against our people, what is the difference between those people who bore arms against the Union in the War Between the States? What is the difference between the Germans and the Japanese and all the people we have forgiven?

When I left the war and came home, I had a deep hatred for the Japanese. Today, Mr. President, I have a granddaughter who is Japanese. I have a daughter-in-law who is Japanese. And her parents were involved in World War II. Now, are we to understand that time can heal, heal the pain of the past?

I really wish the Senator from Florida would have the courage to withdraw the amendment, just withdraw it and say it was a political effort. This is nothing but politics. I will vote to table it or vote against it in good conscience.

Mr. CHAMBLISS. Mr. President, will the Senator from Alaska yield for a question?

Mr. STEVENS. Yes.

Mr. CHAMBLISS. Is it not true, Mr. President, that today we have Iraqis who are fighting the war against the insurgents who at one time fought against American troops and other coalition troops as they were marching to Baghdad, who have now come over to our side and are doing one heck of a job of fighting alongside the Americans and coalition forces, attacking and killing insurgents on a daily basis?

Mr. STEVENS. That is absolutely true. I would say to the Senator, I was there and participated in the conversation with some of our military people who were trying to find ways to help the Iraqis take into the regular armed services some of those people who served in the Red Guard under Saddam Hussein. But they are willing to come forward now and see that there is a country they would like to support. And if they asked my opinion about that, I would say I would encourage it. I would encourage it. I think if there is anything that can bring about stability in that country and have them support this new democracy, we should encourage it.

Mr. ALEXANDER. Mr. President, will the Senator from Alaska yield for a question?

Mr. STEVENS. I will, Mr. President.

Mr. ALEXANDER. Mr. President, I wonder if the Senator from Alaska would agree that as he goes through the history of countries that have been torn apart by war, including our country in the Civil War and Japan, after the Second World War, and the processes of reconciliation, whether South Africa might not be an example. And is it not true that Nelson Mandela's courage and his ability to create a process of reconciliation and forgiveness was a major factor in what has been a political miracle in Africa, where White and Black people now are able to live together in a democracy? Is not that process of reconciliation one of the most admired processes in the last century? Nelson Mandela, the winner of a Nobel Peace Prize just for this sort of gesture, would he not fit into the series of examples that the Senator from Alaska used a few moments ago?

Mr. STEVENS. Absolutely. Mr. President, I would say it falls under the concept of the Christian ethic. We are people who believe that you can be converted. You can be a nonbeliever and then become a believer. What is the difference between that and amnesty, between those people who may have been on the wrong side and then will come forward and belong to this new government? And if they pledge and demonstrate to do it, I think it is up to the Iraqis to determine when and how they become full-fledged citizens of the new democracy.

But this amendment would have us say if they indicate they are going to grant amnesty to them, that is wrong. Amnesty ought to be a reward for a pledge of cooperation and support. In this context, the military context, I think you can go through history and find time after time after time where it was successful. But this amendment is a political amendment, and I am tired of these political things coming on the floor. The minute something comes in the paper, before it can even be corrected by the country, we have an amendment saying, oh, here, let's force the majority to vote against this amendment. Baloney. I am proud to vote against it.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I just came to the Chamber a few moments ago. I understand the pending amendment is the Kerry amendment, and although I have not reviewed it in its entirety, I see that it reads that the President——

The PRESIDING OFFICER. The majority leader will be corrected; the pending amendment is the McConnell amendment.

Mr. FRIST. Mr. President, I understand. I will speak to the Kerry amendment. I will read that amendment just so my colleagues will be clear what I am talking to. The amendment says:

> The President shall reach an agreement as soon as possible with the Government of Iraq on a schedule for the withdrawal of United States combat troops from Iraq by December 31, 2006, leaving only forces that are critical to completing the mission of standing up Iraqi security forces.

As I look at this amendment, as we evaluate it, I think the first thing we must do is say: What if we did cut and run? I know we hear that discussion of a rapid withdrawal. In many ways, I am glad this amendment has come to the floor, that it has been put on the floor by Senator KERRY. I think we do have to grasp what is at stake, and if we withdraw from Iraq——

Mr. REID. Parliamentary inquiry, Mr. President?

The PRESIDING OFFICER. The Senator will suspend.

Does the majority leader yield for a parliamentary inquiry?

Mr. FRIST. I will shortly. Let me finish my statement because I think it is important to look at the issue that has been put on the floor. I will be very brief. Then we can do the parliamentary inquiries back and forth.

If we withdraw from Iraq before the Iraqi Government and the Iraqi people are capable of defending their new democracy, I am absolutely convinced that the terrorists would see this as a vindication, a vindication of their strategy of intimidation, of confrontation, and that they would take that vindication and continue to challenge us elsewhere in the world—in Afghanistan, in other countries in the region, overseas, and, indeed, right here at home. If we were to cut and run, the violence in Iraq would certainly increase.

We know there is violence there, and we know how tough it is on our troops who are there and the American people who watch this violence. But I am absolutely convinced that if we cut and run, violence will increase in Iraq, terrorists will increase their attacks on the Iraqi people and on that brandnew Iraqi Government. Clearly, it has only been 5 days. Clearly, the Government itself is not able, completely alone, to defend itself. Chaos would result. Bloody civil war would result. Terrorists and rival militia would tear the country apart. They would kill thousands of innocent Iraqis, and that terrorism would spread through that region, around the world, and, indeed, I believe right here at home.

The unity of Iraq that we celebrated on this floor, the unity of Iraq that has resulted from a democratically elected government through three elections, would be destroyed, would be torn apart; sectarian violence would ensue and would explode. It would split the country apart into segments that, yes, probably would be controlled, but they would be controlled by terrorists, ethnic militias, tribal militias. I am convinced parts of Iraq would become safe havens for terrorists who have spelled out—and we think of the letters and the words of Zarqawi—who have spelled out what their intentions are in terms of us here, right here in the United States.

I believe terrorist bases in Iraq would threaten Middle East security. Although it may be a secondary issue, we do know that energy supplies ultimately would be disrupted. We have seen supply go down, demand go up, and a disruption of energy sources all over the country. Indeed, I believe it would result in a skyrocketing of gas prices in this country.

The terrorists affiliated with bin Laden and Zarqawi have stated in crystal clear terms what their objectives are, their aim of overthrowing moderate governments.

Given the presence in Iraq of many of Saddam Hussein's former weapons scientists—remember Saddam Hussein? Forget about weapons of mass destruction right now, but we actually know that Saddam Hussein and his scientists have developed weapons of mass destruction, chemical and biological weapons, and he has used both of those on his own people. Those scientists are still around. If we cut and run, I believe those scientists once again will pursue and will have the freedom to pursue those weapons of mass destruction: saran gas, anthrax, biological weapons.

President Bush has repeatedly stated that the potential combination of terrorism and weapons of mass destruction does pose the greatest threats to the United States. I believe cutting and running would allow those weapons of mass destruction and that terrorism intent to come back together, to endanger the people of the region but also the people right here in the United States of America.

In some ways, I am glad this amendment has come to the floor, this modification of the amendment. It is clear that those calling for an early withdrawal of American troops from Iraq failed to fully play out, to fully understand the potential implications of leaving prematurely. Cutting and running before Iraq can really defend itself threatens the American people.

The PRESIDING OFFICER. The minority reader.

Mr. REID. Mr. President, two things that do not exist in Iraq and have not are weapons of mass destruction and cutting and running.

This is the McConnell amendment. It is not the Kerry amendment. People have the right to file amendments. They can decide whether they want to offer them or modify them or change them.

I move to table the McConnell amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I reoffer my motion to table. I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the motion. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

The PRESIDING OFFICER (Mr. COLEMAN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 93, nays 6, as follows:

[Rollcall Vote No. 174 Leg.]

YEAS—93

Akaka
Alexander
Allard
Allen
Baucus
Bayh

Bennett
Biden
Bingaman
Bond
Brownback
Bunning
Burns
Burr
Cantwell
Carper
Chafee
Chambliss
Clinton
Coburn
Cochran
Coleman
Collins
Conrad
Cornyn
Craig
Crapo
Dayton
DeMint
DeWine
Dodd
Dole
Domenici
Dorgan
Durbin
Ensign
Enzi
Feinstein
Frist
Graham
Grassley
Gregg
Hagel
Hatch
Hutchison
Inhofe
Inouye
Isakson
Jeffords
Johnson
Kohl
Kyl
Landrieu
Lautenberg
Leahy
Levin
Lieberman
Lincoln
Lott
Lugar
Martinez
McCain
McConnell
Menendez
Mikulski
Murkowski
Murray
Nelson (FL)
Nelson (NE)
Obama
Pryor
Reed
Reid
Roberts
Salazar
Santorum
Sarbanes
Schumer
Sessions
Shelby
Smith
Snowe
Specter
Stabenow
Stevens
Sununu
Talent
Thomas
Thune
Vitter
Voinovich
Warner
Wyden

NAYS—6

Boxer
Byrd
Feingold
Harkin
Kennedy
Kerry

NOT VOTING—1

Rockefeller

The motion was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. KERRY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, my understanding is the Senate now turns to the measure by the Senator from Florida, is that correct?

The PRESIDING OFFICER. The Senator from Massachusetts.

The Senator from Virginia is recognized.

Mr. KERRY. I understand that. I ask the indulgence of the Senator if, after he has finished his business, I could just have a moment.

Mr. WARNER. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCAIN. Reserving the right to object, what is "a moment"?

If the Senator propounds a unanimous consent for an amount of time, I would be glad to not object. I wonder what a moment is?

Mr. KERRY. I ask unanimous consent I be permitted to have 5 minutes.

I thought the concept of "a moment" was not incomprehensible even in the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, following that, I ask unanimous consent the Senator from Arizona be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KERRY. Mr. President, let me just say if I may, earlier today, the distinguished chairman and manager of this legislation came to me and asked me if I was prepared to put my amendment in. I told him then, as he knows, that I said no, because a number of Members were talking, as is the right of the Senator with respect to any amendment filed. So the chairman, the manager, was on notice that we were, in fact, in the process of working on this.

I voted no on this because any Senator reserves that right, No. 1; and No. 2, this is a debate I look forward to. This is a debate I want to have on the floor of the Senate. This is a debate we will have on the floor of the Senate.

I resent the fact that some Senators think the business of the United States is somehow better done by calling up another Senator's amendment, that may or may not be the language presented to the Senate, and having a fictitious vote on it. It is not unlike the war itself where we are in the third war: The first being about Saddam Hussein and weapons of mass destruction; the second being about al-Qaida; and the third, now, the sectarian violence.

I look forward to having a debate on the floor of the Senate. But I look forward to having a debate on the language that I, as a U.S. Senator, present to the Senate in an amendment that bears my name and the name of other Senators that joined me. That has always been the prerogative of the Senator, and it is one that ought to be protected.

I respect and I understand completely what the distinguished minority leader did. He did it in consultation with me. I think it was the appropriate measure for him to take to protect my interests and the interests of those on our side.

The Senate ought to give a more appropriate kind of seriousness of purpose to debate of this kind of consequence. This will be the first time in some time that we will have debated this issue. I suggest some of my colleagues go back and reread the resolution which gave the President the authority to go into Iraq. There is nothing in that resolution that gives authority for what we are doing today.

So, in effect, this is a war of evolution, a war of transformation, and it deserves the kind of serious debate that it will get next week in the Senate.

I thank the Chair.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Arizona is recognized.

Mr. WARNER. Would the Senator from Arizona yield to me for a few minutes?

Mr. McCAIN. For a moment.

Mr. WARNER. Mr. President, the Senator from Massachusetts and I did have a brief conversation just before the conclusion of the vote in the middle of the noon hour. I, in an effort to try and keep momentum on the bill, did inquire of the desire to move forward with his amendment. I only conveyed his response to me, which was not at this time—he was in consultation with colleagues—to my distinguished ranking member, advising him we best look at other amendments to keep the momentum going forward. I then departed for the memorial services at the Department of Defense honoring those who lost their lives on 9/11. And, therefore, when I arrived back we were in the middle of the debate that has been described by the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, I thank you for the recognition, and I thank the distinguished chairman for his explanation of what just transpired.

Mr. President, I rise to discuss the pending Nelson amendment. I think it is very important that, first of all, we try not to react on the floor of the Senate to the headlines that appear in the morning paper—whether they happen to be totally accurate or not.

The second thing I want to point out is that all of us—all of us—are pained when a brave American is killed in this terrible, long, drawn-out conflict which has divided America and cost us so much in American blood and treasure. All of us—no matter where we stand on this conflict—feel the utmost sorrow and regret at the loss or wounding of a single brave, young American man or woman. So this debate is certainly not about the enormous sacrifice that has already been made and probably will be made in the course of this conflict.

But I think we have to be realistic about the way out of this conflict, the way out we have seen time after time throughout history of other conflicts, especially those that in many respects are civil wars.

Nelson Mandela probably had the greatest reason to seek revenge and full accounting not only for the years of imprisonment and mistreatment he personally received but also because of the hundreds if not thousands of his countrymen who were brutalized, mistreated, kept in inferior status, and, in some cases, even massacred by the minority government that ruled his country.

When Nelson Mandela was awarded the Nobel Peace Prize, it was not only because of his bravery and courage while he underwent unspeakable unpleasantries and indignities as a prisoner—I believe the number was 27 years—but primarily because Nelson Mandela realized he had to knit and heal the wounds that had so badly scarred his nation.

Nelson Mandela, in the spirit of forgiveness, for the good of his country, put his personal injuries aside because he realized the only way his nation could move forward is to put those terrible things that happened behind him.

We also saw terrible things happen in El Salvador's civil war. Jose Napoleon

Duarte, a name that some of us have forgotten, was elected President of the country. And he did two things. He vigorously prosecuted the insurgency, and then he reached out his hand to the insurgents because he knew if they did not forgive and even try to forget, that nation would continue a bloodletting that had afflicted it for a long period of time.

In Colombia, the President of Colombia has just attested that 40,000 people—paramilitaries and guerrillas who, again, have carried out these same kinds of attacks and murder and mayhem in their country—have laid down their arms because of an amnesty program that he has extended to them.

I could go on about many of the conflicts in our history. But the fact is that wars end when enemies stop killing each other. After Pearl Harbor we talked with the Japanese. After years of war in Vietnam, we talked to the North Vietnamese in Paris. Time and again, there reaches a point where enemies must if not be forgiven at least be included, as hostilities come to an end and peace begins.

Our brave men and women are working with Iraqis to build a new country, and by co-opting the insurgents, perhaps we can save the lives and fortunes of our own and those who we support.

Things are very difficult in Iraq. And we are angered when we hear of an IED that blows up and kills and maims innocent Americans. We are sometimes driven to frustration and incredible—incredible—sorrow when we hear of the loss of these precious young men and women.

But we also know that the insurgency does not end until the insurgents stop fighting. And the sooner the new Prime Minister, freely elected—freely elected—Mr. Maliki, is able to bring his country back together, the sooner we will find peace, and the sooner Americans can be withdrawn, and the sooner American casualties will end.

I am confident the amendment by the Senator from Florida amendment is well-meaning, and I understand the intentions behind it. But I think it is important we look back and recognize that not only do times change, as in the case of Vietnam—our Secretary of Defense just in the last week visited Vietnam, as we have renewed our relationships, as we have healed the wounds of the Vietnam war, and moved forward in partnership with the Vietnamese.

Mr. President, from a personal standpoint, there are a few Vietnamese I would very much like to see again, people I may not have the most peaceful intentions toward. But the reality is—the reality is—we must heal the wounds of war if we are going to unite a nation and move forward. And that is the case with Iraq, as it has been with almost every other nation in history.

I finally add, as a footnote, I am not sure we here in the U.S. Senate should be dictating to the leaders of Iraq how they should conduct their affairs as they, the freely elected leaders of that nation, attempt to bring about peace and reconciliation in their nation.

But the larger issue here is, I believe, that our goal is to bring an end to the conflict as quickly as possible in Iraq. If that means, in return for laying down their arms, that some are allowed an amnesty or allowed to reenter the society of Iraq, in a peaceful manner, in a productive manner, as has happened in South Africa, El Salvador—and is happening in Colombia—and many other insurgencies throughout history, then I think we should welcome it. And as we place our confidence in the new Government of Iraq, perhaps we should give them some latitude.

I would also like to add, by the way, that that quote in the press may not have been exactly right as to who might be eligible for amnesty and who might not. At least that should be cleared up. But it doesn't obscure the fact that the freely elected government, that we support, of the country of Iraq is now reaching out to attempt to end the fighting and the conflict. I do not think we should be micro managing that from the floor of the U.S. Senate.

I am sure that the enemies we faced in World War II—who the distinguished chairman of the committee fought against in that great war—that there was a time where we had reconciliation with our enemies on both sides of the Atlantic.

Now, were people who were guilty of specific war crimes brought to trial? Absolutely, and punished, in some cases, to the point of execution. But those who fought against us are clearly now our friends.

So I hope that we would understand that this amendment would not be helpful to the process of peace, would not be an endorsement of the freely elected leaders of the country of Iraq, and might even serve, in an unintended fashion, as an impediment to a process of peaceful reconciliation in Iraq rather than helping it.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I say to my very good and longtime friend, we have known each other since the closing months of the war in Vietnam when I was Secretary and he was serving in our naval service and returned. So I just think sometimes of the great fortune of this body to have men such as JOHN MCCAIN, DANIEL INOUYE, and TED STEVENS, and others, who have experience firsthand. I do not claim that same experience that these men had in the mortal combat of the wars.

Senator MCCAIN recounts the history of our Nation very accurately; that is, when the conflicts are over, it has always been the stature and the greatness of this Nation to bind the wounds of war and to move forward with peace.

I say to the Senator from Florida, I have just handed him the corrections that are now in the press, corrected by the national security adviser to the new Prime Minister of Iraq, in which it is very explicit that there was an error in translation. Some misfortune. But he sets it forth here with absolute clarity, and I think that I would want to state for my colleagues exactly what he said. He said the following—and he said it, I presume, with the full knowledge of the Prime Minister.

He said: We thank—and the quote is—"the American wives and American women and American mothers for the treasure and the blood they have invested in this country . . . of liberating 30 million people in this country. And we are ever so grateful."

And further, he affirmed their position of the government that they "will never give amnesty to those who have killed American soldiers or killed Iraqi soldiers or civilians."

It seems to me that puts to rest, as my colleague from Arizona said, this issue. And I wonder if the Senator would consider the withdrawal of his amendment to obviate the necessity on our side to take other steps, and let us move forward with the bill.

Mr. NELSON of Florida. Will the Senator yield?

Mr. WARNER. Yes, of course.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Does the Senator from Florida have the floor or——

The PRESIDING OFFICER. The Senator from Virginia has the floor.

Mr. NELSON of Florida. The Senator from Florida has been seeking recognition for the past hour and has not been able to speak.

Will the Senator from Virginia, the distinguished chairman of our Armed Services Committee, agree to a unanimous consent request that the Senator from Florida would be allowed to speak on this issue immediately after the comments of the Senator from Virginia?

Mr. WARNER. Mr. President, I am delighted to accommodate my colleague. I would hope we could discourse this matter in the traditional way of a colloquy, but if you want the exclusive right to the floor—if that is your desire—then I yield the floor, Mr. President.

Is that your desire?

Mr. NELSON of Florida. It is.

Mr. WARNER. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, what I understand of the parliamentary procedure is that the majority will offer an additional amendment that will be a side-by-side and be voted upon, and the Senate can make its choice.

In the case of the amendment that is being proffered by the majority—indeed, in the copy that has been represented to me as being the accurate one—it will recite the comments of the gentleman to whom in Iraq the chairman has just referred.

Mr. WARNER. Mr. President, if the Senator will yield, that is the national security adviser.

Mr. NELSON of Florida. And that side-by-side amendment will state that the national security adviser of Iraq, on today, had "thanked 'the American wives and American women and American mothers for the treasure and the blood they have invested in the country . . . of liberating 30 million people in this country . . . And we are ever so grateful.' " And that affirms their position that they will never give amnesty to those who would kill American soldiers or those who have killed Iraqi soldiers or civilians. I think that is all well and good. This Senator would certainly intend to vote yes on that side-by-side amendment.

The reason the Senator from Florida has been seeking recognition for the last hour is this Senator's amendment has been characterized in ways that defy what the amendment says. The amendment clearly said that it is the sense of Congress that "the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States; and the President should immediately notify the Government of Iraq that the Government of the United States strongly opposes granting amnesty to persons who have attacked members of the Armed Forces of the United States."

That is what the amendment says.

What this has been causing is a brouhaha because of something being read in to a simple little amendment that came as a result of a front-page story today in the Washington Post in which a top adviser to the Prime Minister, Mr. Adnan Ali al-Kadhimi, who happens to be the former chief of staff to the previous Prime Minister, a high-ranking official in the Dawa Party, he is the one who is quoted in the article as going on to say, when asked about clemency for those who attacked U.S. troops:

> That's an area where we can see a green line. There's some sort of preliminary understanding between us and the MNF-1 that there is a patriotic feeling among Iraqi youth and the belief that those attacks are legitimate acts of resistance and defending their homeland. These people will be pardoned definitely, I believe.

Now, it is very enlightening that the national security adviser has tried to clarify Prime Minister Maliki's comments. The Prime Minister can certainly clarify his own comments. But here we have a high-ranking Iraqi official who is quoted on the front page of the paper today as saying amnesty for those who would have killed American men and women.

This Senator's name has been invoked by several speakers, including the distinguished Senator from Alaska, who I have the greatest and utmost respect for, in talking about the reconciliation process as if this were contrary to the reconciliation process. The Senator from Alaska was even quoting the reconciliation that took place after the Civil War, on which we all agree. The Senator from Alaska was talking about the reconciliation that has taken place in South Africa, of which we all agree, even talk of the reconciliation that took place with regard to Germany and Japan. But that didn't stop those who were responsible for war crimes and the killings of Americans to be brought to justice: in other words, not to have amnesty granted for them. That was not the case in South Africa where they had a process that those who did those criminal acts were brought to justice. That was certainly not the case in Germany after World War II where those who had committed those atrocities were brought to justice.

It just simply, in the opinion of this Senator, ought to be that a policy of the very government that we have helped and have liberated a people should not be amnesty for those who have killed Americans. How much more simple could it be? Yet I suspect, as others have implied politics, I suspect politics has a way of taking over and starting to make something seem like it isn't. It certainly wasn't the intention of this Senator.

As I understand, my wonderful chairman of the committee is going to offer a second-degree or will offer another amendment that will be a side by side amendment to that which I have offered, and we can vote for both. It would be the intention of this Senator to vote for both.

I said at the outset of my remarks, the first thing out of my mouth when I offered the amendment was, I hope there was something lost in the translation of what was reported in this morning's Post.

I don't understand—or maybe I do—all the brouhaha that has occurred over the course of the last 2 hours on such a simple amendment as saying that it is the sense of Congress that the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, first I would like to say to my colleague, we have had a very strong, fervent and heartfelt debate, not a brouhaha by any definition of the use of those terms. We have heard from two of the most respected combat veterans currently serving in this Chamber. It was not in the nature of a brouhaha. They were simply reciting the history of this great Republic since its inception as to how it has dealt with adversaries in the several conflicts that we have had.

I first say to the Senator, I hope that you will reconsider the use of that term.

Mr. NELSON of Florida. Will the Senator yield?

Mr. WARNER. Yes, of course.

Mr. NELSON of Florida. This Senator is referring to the rhubarb that has occurred for the last 2 hours on the floor, where statements were made about my amendment that mischaracterized the amendment and that further, then, allowed a totally different issue, an issue on which this Senator agrees with the chairman of the committee, not withdrawing all of the troops by the end of the year.

The Senator can characterize it as he would like. This Senator will characterize it as he would like.

Mr. WARNER. Mr. President, I so note his comments.

Again, addressing the Senator's amendment, it clearly, in my judgment, restricts in some respects the recognition that this is a sovereign government in Iraq today, in the hands of a duly elected Prime Minister and others, and that this amendment could well be construed as restricting what they can and cannot do. That was so eloquently stated by Senator MCCAIN. I wondered if the Senator would care to try and revise the amendment so it is consistent with the longstanding practices of our country with respect to our adversaries, in some way to recognize that it is not in conflict with that?

Mr. NELSON of Florida. If the Senator would like, we could have a quorum call and discuss exactly that matter.

Mr. WARNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, as a coauthor of the amendment of my distinguished colleague from Florida, I hope he will continue to pursue his amendment. It is incredibly important to send a very clear message on behalf of the United States about what is and is not acceptable as it relates to the future of our young men and women in the armed services of the United States.

We are told on the Senate floor: Don't react to the morning's papers. But, in fact, it is our reaction to it that brings about a clarification from the National Security Adviser of the Iraqi Government that moves us in the direction which should have been the position of the Iraqi Government from the outset.

I am amazed how I have heard some of my colleagues in this Chamber stretch and twist and turn to justify a position which even now the Iraqi Government supposedly rejects. We had some history lessons about amnesty. Most of those were as it related to civil wars. But I remember how President Bush started this engagement. He said to the Nation: You are either with the terrorists or you are with us.

As I listened to my colleagues suggest that amnesty is something we should actually be in favor of for those who have committed acts against the Armed Forces of the United States, for those who have killed American soldiers, for those who have wounded American soldiers, it is beyond my imagination that there are Members of the Senate who believe that is the signal we want to send throughout the world. What happened to "you are either with the terrorists or you are with us"? What happened to making it very clear that our men and women are not sitting ducks for those who think they could ultimately seek to kill them and then walk away and get amnesty? I don't understand—if a terrorist survives our arrest or attack, does that mean that if they suddenly see the light, we will say: Yes, it is up to the Iraqis to give them amnesty? Is that the message the Senate wants to send?

It is beyond my imagination—we hear about the challenges of democracy in Iraq. Democracy is about the rule of law, and then ultimately we would set aside the rule of law and say you can kill American soldiers and we will have no say. Imagine that as the Nation sends its sons and daughters abroad to shed their blood and to give their lives, that we should have no say? That is what we heard on the Senate floor, that we should have no say, that we should let the Iraqi Government pursue even a course which might include amnesty against those who kill American soldiers. That is the message we want to send? I think not.

The essence of the message we want to send is that we do not believe and do not accept and are outraged by the fact that there may have even been a consideration that there could be amnesty for those who killed American soldiers but not amnesty for those who killed Iraqis. That is the world's worst message we could send. We have to send a very clear message that we will not allow our sons and daughters to have their lives lost, and that their lives are not expendable and cannot be bartered for amnesty. That is what Senator NELSON is trying to do with this amendment. Why it is so difficult for the Senate to come together in a bipartisan effort to send that very clear message, not only in Iraq but throughout the world, that this is simply not a standard which is acceptable, is beyond belief.

This amendment is very clear, it is very simple, but it is also very powerful. It is a message that you can't kill our soldiers and walk away with impunity. Truly, you are either with the terrorists or you are with us, but you can't be a terrorist and then suddenly get caught, see the light, and then ultimately walk away with amnesty. That would be a horrible message for the Senate to send.

Mr. President, I yield the floor.

Mr. WARNER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I ask unanimous consent that Senator McCONNELL now be recognized, that the pending amendments be set aside, and that Senator McCONNELL then offer an amendment which is relevant to the Nelson amendment; provided further that if and when the McConnell and Nelson amendments are scheduled for votes—that would be sometime next week—the McConnell amendment would be voted on first. Finally, I ask unanimous consent that following the offering of the amendment, Senator CHAMBLISS be recognized in order to offer an amendment.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. I have no objection.

Mr. WARNER. Mr. President, if I might amend the UC to delete the last sentence which reads:

> Finally, I ask unanimous consent that following the offering of the amendment, Senator CHAMBLISS be recognized in order to offer an amendment.

I ask that sentence be dropped.

Mr. LEVIN. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 4272

Mr. McCONNELL. Mr. President, pursuant to the agreement just entered into, I send an amendment to the desk.

The PRESIDING OFFICER. The pending amendment will be set aside. The clerk will report.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL] proposes an amendment numbered 4272.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To commend the Iraqi Government for affirming its positions of no amnesty for terrorists who have attacked U.S. forces)

Sec.____. Sense of the Congress Commending the Government of Iraq for affirming its Position of No Amnesty for Terrorists who Attack U.S. Armed Forces.

(a) Findings. Congress makes the following findings:

(1) The Armed Forces of the United States and coalition military forces are serving heroically in Iraq to provide all the people of Iraq a better future.

(2) The Armed Forces of the United States and coalition military forces have served bravely in Iraq since the beginning of military operations in March 2003.

(3) More than 2,500 of the Armed Forces of the United States and members of coalition military forces have been killed and more than 18,000 injured in operations to bring peace and stability to all the people of Iraq.

(b) Sense of Congress.—It is the sense of Congress that the new Government of Iraq is commended for its statement by the National Security Adviser of Iraq on June 15, 2006 that—

(1) thanked "the American wives and American women and American mothers for the treasure and the blood they have invested in this country . . . of liberating 30 million people in this country . . . And we are ever so grateful." and

(2) that affirmed their position that they "will never give amnesty to those who have killed American soldiers or killed Iraqi soldiers or civilians".

Mr. McCONNELL. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I now ask that the amendments be laid aside. The leadership is in agreement that there will be no more votes tonight. We will now turn to other matters relating to the bill. My understanding, then, is these two amendments are now the pending amendments; is that correct?

The PRESIDING OFFICER. The McConnell amendment is the pending amendment.

Mr. WARNER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 4278, 4279, 4280, 4200, 4201, 4198, 4281, 4282, 4283, 4284, 4252, AS MODIFIED; 4225, 4218, 4285, 4286, 4199, AS MODIFIED; AND 4287, EN BLOC

Mr. WARNER. Mr. President, on behalf of myself and members of the Armed Services Committee, I send a series of amendments to the desk which have been cleared by myself and the ranking member. Therefore, I ask unanimous consent that the Senate consider these amendments en bloc, the amendments be agreed to en bloc, and the motions to reconsider be laid upon the table. Finally, I ask unanimous consent that any statements related to any of these individual amendments be printed in the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 4278

(Purpose: To provide for the incorporation of a classified annex)

At the end of subtitle A of title X, add the following:

SEC. 1008. INCORPORATION OF CLASSIFIED ANNEX.

(a) STATUS OF CLASSIFIED ANNEX.—The Classified Annex prepared by the Committee on Armed Services of the Senate to accompany S. 2766 of the 109th Congress and transmitted to the President is hereby incorporated into this Act.

(b) CONSTRUCTION WITH OTHER PROVISIONS OF ACT.—The amounts specified in the Classified Annex are not in addition to amounts authorized to be appropriated by other provisions of this Act.

(c) LIMITATION ON USE OF FUNDS.—Funds appropriated pursuant to an authorization contained in this Act that are made available for a program, project, or activity referred to in the Classified Annex may only be expended for such program, project, or activity in accordance with such terms, conditions, limitations, restrictions, and requirements as are set out for such program, project, or activity in the Classified Annex.

(d) DISTRIBUTION OF CLASSIFIED ANNEX.—The President shall provide for appropriate distribution of the Classified Annex, or of appropriate portions of the annex, within the executive branch of the Government.

AMENDMENT NO. 4279

(Purpose: To modify the limitations applicable to payments under incentives clauses in chemical demilitarization contracts)

On page 93, strike lines 23 through 25 and insert the following:

(c) ADDITIONAL LIMITATION ON PAYMENTS.—

(1) PAYMENT CONDITIONAL ON PERFORMANCE.—No payment may be made under an incentives clause under this section unless the Secretary determines that the contractor concerned has satisfactorily performed its duties under such incentives clause.

(2) PAYMENT CONTINGENT ON APPROPRIATIONS.—An incentives clause under this section shall specify that the obligation of the Government to make payment under such incentives clause is subject to the availability of appropriations for that purpose. Amounts appropriated for Chemical Agents and Munitions Destruction, Defense, shall be available for payments under incentives clauses under this section.

AMENDMENT NO. 4280

(Purpose: To repeal requirements for certain reports applicable to other nations)

At the end of subtitle B of title XII, add the following:

SEC. 1223. REPEAL OF CERTAIN REPORT REQUIREMENTS.

(a) REPORTS ON ALLIED CONTRIBUTIONS TO THE COMMON DEFENSE.—Section 1003 of the Department of Defense Authorization Act, 1985 (22 U.S.C. 1928 note) is amended by striking subsections (c) and (d).

(b) COST-SHARING REPORT.—Section 1313 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2894; 22 U.S.C. 1928 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

AMENDMENT NO. 4200

(Purpose: To modify the requirements for contingency program management to require only a Department of Defense plan for such management)

On page 358, strike lines 18 and 19 and insert the following:

SEC. 864. DEPARTMENT OF DEFENSE PLAN FOR CONTINGENCY PROGRAM MANAGEMENT.

On page 358, beginning on line 21, strike "Secretary of Defense" and all that follows through "interagency plan" and insert "Secretary of Defense shall develop a plan for the Department of Defense".

On page 359, beginning on line 1, strike "interagency plan" and insert "plan of the Department of Defense".

On page 359, line 17, strike "United States Government" and insert "Department".

On page 360, line 20, strike "government procedures" and insert "procedures for the Department".

On page 361, between lines 6 and 7, insert the following:

(c) UTILIZATION IN PLAN FOR INTERAGENCY PROCEDURES FOR STABILIZATION AND RECONSTRUCTION OPERATIONS.—To the extent practicable, the elements of the plan of the Department of Defense for contingency program management required by subsection (a) shall be taken into account in the development of the plan for the establishment of interagency operating procedures for stabilization and reconstruction operations required by section 1222.

AMENDMENT NO. 4201

(Purpose: To make a technical correction to section 871, relating to a clarification of authority to carry out certain prototype projects)

On page 362, line 1, strike "by striking" and insert "by inserting".

AMENDMENT NO. 4198

(Purpose: To improve the authorities relating to policies and practices on test and evaluation to address emerging acquisition approaches)

On page 51, between lines 16 and 17, insert the following:

(a) REPORTS ON CERTAIN DETERMINATIONS TO PROCEED BEYOND LOW-RATE INITIAL PRODUCTION.—Section 2399(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

"(5) If, before a final decision is made within the Department of Defense to proceed with a major defense acquisition program beyond low-rate initial production, a decision is made within the Department to proceed to operational use of the program or allocate funds available for procurement for the program, the Director shall submit to the Secretary of Defense and the congressional defense committees the report with respect to the program under paragraph (2) as soon as practicable after the decision under this paragraph is made.".

On page 51, line 17, strike "(a)" and insert "(b)".

On page 51, line 20, insert "and the Director of Operational Test and Evaluation" after "Logistics".

On page 51, beginning on line 22, strike "in light" and all that follows through line 23 and insert "in order to—

(A) reaffirm the test and evaluation principles that guide traditional acquisition programs; and

(B) determine how best to apply such principles to emerging acquisition approaches."

On page 52, line 4, strike "shall issue" and insert "and the Director shall jointly issue".

On page 52, strike lines 7 through 11.

On page 52, line 12, strike "(b)" and insert "(c)".

On page 52, line 13, strike "subsection (a)" and insert "subsection (b)".

On page 53, line 18, strike "(c)" and insert "(d)".

On page 53, line 25, strike "subsection (a)" and insert "subsection (b)".

On page 54, line 4, strike "(d)" and insert "(e)".

On page 54, line 8, strike "subsection (a)" and insert "subsection (b)".

On page 54, line 11, strike "(e)" and insert "(f)".

On page 54, line 15, insert before the period the following ", which length of time may be not more than 6 years from milestone B to initial operational capability".

AMENDMENT NO. 4281

(Purpose: To improve the authorities relating to major automated information system programs)

On page 296, between lines 9 and 10, insert the following:

"(c) INCREMENTS.—In the event any increment of a major automated information system program separately meets the requirements for treatment as a major automated information system program, the provisions of this chapter shall apply to such increment as well as to the overall major automated information system program of which such increment is a part.

On page 297, between lines 11 and 12, insert the following:

"(c) BASELINE.—(1) For purposes of this chapter, the initial submittal to Congress of the documents required by subsection (a) with respect to a major automated information system program shall constitute the original estimate or information originally submitted on such program for purposes of the reports and determinations on program changes in section 2445c of this title.

"(2) An adjustment or revision of the original estimate or information originally submitted on a program may be treated as the original estimate or information originally submitted on the program if the adjustment or revision is the result of a critical change in the program covered by section 2445c(d) of this title.

"(3) In the event of an adjustment or revision to the original estimate or information originally submitted on a program under paragraph (2), the Secretary of Defense shall include in the next budget justification documents submitted under subsection (a) after such adjustment or revision a notification to the congressional defense committees of such adjustment or revision, together with the reasons for such adjustment or revision.

On page 302, between lines 19 and 20, insert the following:

"(g) PROHIBITION ON OBLIGATION OF FUNDS.—(1) If the determination of a critical change to a program is made by the senior Department official responsible for the program under subsection (d)(2) and a report is not submitted to Congress within the 60-day period provided by subsection (d)(1), appropriated funds may not be obligated for any major contract under the program.

"(2) The prohibition on the obligation of funds for a program under paragraph (1) shall cease to apply on the date on which Congress has received a report in compliance with the requirements of subsection (d)(2).

AMENDMENT NO. 4282

(Purpose: To require a report assessing the desirability and feasibility of incentives to encourage certain members and former members of the Armed Forces to serve in the Bureau of Customs and Border Protection)

At the end of subtitle G of title X, add the following:

SEC. 1065. REPORT ON INCENTIVES TO ENCOURAGE CERTAIN MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES TO SERVE IN THE BUREAU OF CUSTOMS AND BORDER PROTECTION.

(a) Report Required.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit to the appropriate committees of Congress a report assessing the desirability and feasibility of offering incentives to covered members and former members of the Armed Forces for the purpose of encouraging such members to serve in the Bureau of Customs and Border Protection.

(b) Covered Members and Former Members of the Armed Forces.—For purposes of this section, covered members and former members of the Armed Forces are the following:

(1) Members of the reserve components of the Armed Forces.

(2) Former members of the Armed Forces within two years of separation from service in the Armed Forces.

(c) Requirements and Limitations.—

(1) Nature of incentives.—In considering incentives for purposes of the report required by subsection (a), the Secretaries shall consider such incentives, whether monetary or otherwise and whether or not authorized by current law or regulations, as the Secretaries jointly consider appropriate.

(2) Targeting of incentives.—In assessing any incentive for purposes of the report, the Secretaries shall give particular attention to the utility of such incentive in—

(A) encouraging service in the Bureau of Customs and Border Protection after service in the Armed Forces by covered members and former of the Armed Forces who have provided border patrol or border security assistance to the Bureau as part of their duties as members of the Armed Forces; and

(B) leveraging military training and experience by accelerating training, or allowing credit to be applied to related areas of training, required for service with the Bureau of Customs and Border Protection.

(3) Payment.—In assessing incentives for purposes of the report, the Secretaries shall assume that any costs of such incentives shall be borne by the Department of Homeland Security.

(d) Elements.—The report required by subsection (a) shall include the following:

(1) A description of various monetary and non-monetary incentives considered for purposes of the report.

(2) An assessment of the desirability and feasibility of utilizing any such incentive for the purpose specified in subsection (a), including an assessment of the particular utility of such incentive in encouraging service in the Bureau of Customs and Border Protection after service in the Armed Forces by covered members and former members of the Armed Forces described in subsection (c)(2).

(3) Any other matters that the Secretaries jointly consider appropriate.

(e) Appropriate Committees of Congress Defined.—In this section, the term "appropriate committees of Congress" means—

(1) the Committees on Armed Services, Homeland Security and Governmental Affairs, and Appropriations of the Senate; and

(2) the Committees on Armed Services, Homeland Security, and Appropriations of the House of Representatives.

AMENDMENT NO. 4283

(Purpose: Relating to energy efficiency in the weapons platforms of the Armed Forces)

At the end of subtitle F of title III, add the following:

SEC. 375. ENERGY EFFICIENCY IN WEAPONS PLATFORMS.

(a) Policy.—It shall be the policy of the Department of Defense to improve the fuel efficiency of weapons platforms, consistent with mission requirements, in order to—

(1) enhance platform performance;

(2) reduce the size of the fuel logistics systems;

(3) reduce the burden high fuel consumption places on agility;

(4) reduce operating costs; and

(5) dampen the financial impact of volatile oil prices.

(b) Report Required.—

(1) In general.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the Department of Defense in implementing the policy established by subsection (a).

(2) Elements.—The report shall include the following:

(A) An assessment of the feasibility of designating a senior Department of Defense official to be responsible for implementing the policy established by subsection (a).

(B) A summary of the recommendations made as of the time of the report by—

(i) the Energy Security Integrated Product Team established by the Secretary of Defense in April 2006;

(ii) the Defense Science Board Task Force on Department of Defense Energy Strategy established by the Under Secretary of Defense for Acquisition, Technology and Logistics on May 2, 2006; and

(iii) the January 2001 Defense Science Board Task Force report on Improving Fuel Efficiency of Weapons Platforms.

(C) For each recommendation summarized under subparagraph (B)—

(i) the steps that the Department has taken to implement such recommendation;

(ii) any additional steps the Department plans to take to implement such recommendation; and

(iii) for any recommendation that the Department does not plan to implement, the reasons for the decision not to implement such recommendation.

(D) An assessment of the extent to which the research, development, acquisition, and logistics guidance and directives of the Department for weapons platforms are appropriately designed to address the policy established by subsection (a).

(E) An assessment of the extent to which such guidance and directives are being carried out in the research, development, acquisition, and logistics programs of the Department.

(F) A description of any additional actions that, in the view of the Secretary, may be needed to implement the policy established by subsection (a).

AMENDMENT NO. 4284

(Purpose: To modify limitations on assistance under the American Servicemembers' Protection Act of 2002)

At the end of subtitle A of title XII, add the following:

SEC. 1209. MODIFICATION OF LIMITATIONS ON ASSISTANCE UNDER THE AMERICAN SERVICEMEMBERS' PROTECTION ACT OF 2002.

Section 2013(13)(A) of the American Servicemembers' Protection Act of 2002 (title II of Public Law 107-206; 116 Stat. 909; 22 U.S.C. 7432(13)(A)) is amended by striking "or 5".

AMENDMENT NO. 4252

(Purpose: To amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes)

At the end of title X of division A, insert the following:

SEC. 1084. COURT SECURITY IMPROVEMENTS.

(a) Judicial Branch Security Requirements.—

(1) Ensuring consultation and coordination with the judiciary.—Section 566 of title 28, United States Code, is amended by adding at the end the following:

"(i) The Director of the United States Marshals Service shall consult and coordinate with the Judicial Conference of the United States on a continuing basis regarding the security requirements for the judicial branch of the United States Government.".

(2) Conforming amendment.—Section 331 of title 28, United States Code, is amended by adding at the end the following:

"The Judicial Conference shall consult and coordinate with the Director of United States Marshals Service on a continuing basis regarding the security requirements for the judicial branch of the United States Government.".

(b) Protection of Family Members.—Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (A), by inserting "or a family member of that individual" after "that individual"; and

(2) in subparagraph (B)(i), by inserting "or a family member of that individual" after "the report".

(c) Extension of Sunset Provision.—Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App) is amended by striking "2005" each place that term appears and inserting "2009".

(d) Protections Against Malicious Recording of Fictitious Liens Against Federal Judges and Federal Law Enforcement Officers.—

(1) Offense.—Chapter 73 of title 18, United States Code, is amended by adding at the end the following:

"SEC. 1521. RETALIATING AGAINST A FEDERAL JUDGE OR FEDERAL LAW ENFORCEMENT OFFICER BY FALSE CLAIM OR SLANDER OF TITLE.

"(a) Whoever files or attempts to file, in any public record or in any private record which is generally available to the public, any false lien or encumbrance against the real or personal property of a Federal judge or a Federal law enforcement official, on account of the performance of official duties by that Federal judge or Federal law enforcement official, knowing or having reason to know that such lien or encumbrance is false or contains any materially false, fictitious, or fraudulent statement or representation, shall be fined under this title or imprisoned for not more than 10 years, or both.

"(b) As used in this section—

"(1) the term 'Federal judge' means a justice or judge of the United States as defined in section 451 of title 28, United States Code, a judge of the United States Court of Federal Claims, a United States bankruptcy judge, a United States magistrate judge, and a judge of the United States Court of Appeals for the Armed Forces, United States Court of Appeals for Veterans Claims, United States Tax Court, District Court of Guam, District Court of the Northern Mariana Islands, or District Court of the Virgin Islands; and

"(2) the term 'Federal law enforcement officer' has the meaning given that term in section 115 of this title and includes an attorney who is an officer or employee of the United States in the executive branch of the Government.".

(2) CLERICAL AMENDMENT.—The chapter analysis for chapter 73 of title 18, United States Code, is amended by adding at the end the following new item:

"1521. Retaliating against a Federal judge or Federal law enforcement officer by false claim or slander of title.".

(e) PROTECTION OF INDIVIDUALS PERFORMING CERTAIN OFFICIAL DUTIES.—

(1) OFFENSE.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:

"SEC. 118. PROTECTION OF INDIVIDUALS PERFORMING CERTAIN OFFICIAL DUTIES.

"(a) Whoever knowingly makes restricted personal information about a covered official, or a member of the immediate family of that covered official, publicly available, with the intent that such restricted personal information be used to kill, kidnap, or inflict bodily harm upon, or to threaten to kill, kidnap, or inflict bodily harm upon, that covered official, or a member of the immediate family of that covered official, shall be fined under this title and imprisoned not more than 5 years, or both.

"(b) As used in this section—

"(1) the term 'restricted personal information' means, with respect to an individual, the Social Security number, the home address, home phone number, mobile phone number, personal email, or home fax number of, and identifiable to, that individual;

"(2) the term 'covered official' means—

"(A) an individual designated in section 1114;

"(B) a Federal judge or Federal law enforcement officer as those terms are defined in section 1521; or

"(C) a grand or petit juror, witness, or other officer in or of, any court of the United States, or an officer who may be serving at any examination or other proceeding before any United States magistrate judge or other committing magistrate; and

"(3) the term 'immediate family' has the same meaning given that term in section 115(c)(2).".

(2) CLERICAL AMENDMENT.—The chapter analysis for chapter 7 of title 18, United States Code, is amended by adding at the end the following:

"Sec. 117. Domestic assault by an habitual offender.

"Sec. 118. Protection of individuals performing certain official duties.".

(f) PROHIBITION OF POSSESSION OF DANGEROUS WEAPONS IN FEDERAL COURT FACILITIES.—Section 930(e)(1) of title 18, United States Code, is amended by inserting "or other dangerous weapon" after "firearm".

(g) CLARIFICATION OF VENUE FOR RETALIATION AGAINST A WITNESS.—Section 1513 of title 18, United States Code, is amended by adding at the end the following:

"(g) A prosecution under this section may be brought in the district in which the official proceeding (whether or not pending, about to be instituted or completed) was intended to be affected, or in which the conduct constituting the alleged offense occurred.".

(h) WITNESS PROTECTION GRANT PROGRAM.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended by adding at the end the following new part:

"PART JJ—WITNESS PROTECTION GRANTS

"SEC. 3001. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—From amounts made available to carry out this part, the Attorney General may make grants to States, units of local government, and Indian tribes to create and expand witness protection programs in order to prevent threats, intimidation, and retaliation against victims of, and witnesses to, crimes.

"(b) USES OF FUNDS.—Grants awarded under this part shall be—

"(1) distributed directly to the State, unit of local government, or Indian tribe; and

"(2) used for the creation and expansion of witness protection programs in the jurisdiction of the grantee.

"(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this part, the Attorney General may give preferential consideration, if feasible, to an application from a jurisdiction that—

"(1) has the greatest need for witness and victim protection programs;

"(2) has a serious violent crime problem in the jurisdiction; and

"(3) has had, or is likely to have, instances of threats, intimidation, and retaliation against victims of, and witnesses to, crimes.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2006 through 2010.".

(i) GRANTS TO STATES TO PROTECT WITNESSES AND VICTIMS OF CRIMES.—

(1) IN GENERAL.—Section 31702 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13862) is amended—

(A) in paragraph (3), by striking "and" at the end;

(B) in paragraph (4), by striking the period and inserting "; and"; and

(C) by adding at the end the following:

"(5) to create and expand witness and victim protection programs to prevent threats, intimidation, and retaliation against victims of, and witnesses to, violent crimes.".

(2) AUTHORIZATION OF APPROPRIATIONS.—Section 31707 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13867) is amended to read as follows:

"SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated $20,000,000 for each of the fiscal years 2006 through 2010 to carry out this subtitle.".

(j) ELIGIBILITY OF STATE COURTS FOR CERTAIN FEDERAL GRANTS.—

(1) CORRECTIONAL OPTIONS GRANTS.—Section 515 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3762a) is amended—

(A) in subsection (a)—

(i) in paragraph (2), by striking "and" at the end;

(ii) in paragraph (3), by striking the period and inserting "; and"; and

(iii) by adding at the end the following:

"(4) grants to State courts to improve security for State and local court systems."; and

(B) in subsection (b), by inserting after the period the following:

"Priority shall be given to State court applicants under subsection (a)(4) that have the greatest demonstrated need to provide security in order to administer justice.".

(2) ALLOCATIONS.—Section 516(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3762b) is amended by—

(A) striking "80" and inserting "70";

(B) striking "and 10" and inserting "10"; and

(C) inserting before the period the following: ", and 10 percent for section 515(a)(4)".

(l) BANKRUPTCY, MAGISTRATE, AND TERRITORIAL JUDGES LIFE INSURANCE.—

(1) BANKRUPTCY JUDGES.—Section 153 of title 28, United States Code, is amended by adding at the end the following:

"(e) For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, a bankruptcy judge of the United States in regular active service or who is retired under section 377 of this title shall be deemed to be a judge of the United States described under section 8701(a)(5) of title 5.".

(2) UNITED STATES MAGISTRATE JUDGES.—Section 634(c) of title 28, United States Code, is amended—

(A) by inserting "(1)" after "(c)"; and

(B) by adding at the end the following:

"(2) For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, a magistrate judge of the United States in regular active service or who is retired under section 377 of this title shall be deemed to be a judge of the United States described under section 8701(a)(5) of title 5.".

(3) TERRITORIAL JUDGES.—

(A) GUAM.—Section 24 of the Organic Act of Guam (48 U.S.C. 1424b) is amended by adding at the end the following:

"(c) For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, a judge appointed under this section who is in regular active service or who is retired under section 373 of title 28, United States Code, shall be deemed to be a judge of the United States described under section 8701(a)(5) of title 5.".

(B) COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—Section 1(b) of the Act of November 8, 1977 (48 U.S.C. 1821) is amended by adding at the end the following:

"(5) For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, a judge appointed under this section who is in regular active service or who is retired under section 373 of title 28, United States Code, shall be deemed to be a judge of the United States described under section 8701(a)(5) of title 5.".

(C) VIRGIN ISLANDS.—Section 24(a) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1614(a)) is amended—

(i) by inserting "(1)" after "(a)"; and

(ii) by adding at the end the following:

"(2) For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, a judge appointed under this section who is in regular active service or who is retired under section

373 of title 28, United States Code, shall be deemed to be a judge of the United States described under section 8701(a)(5) of title 5.".

(m) Health Insurance for Surviving Family and Spouses of Judges.—Section 8901(3) of title 5, United States Code, is amended—

(1) in subparagraph (C), by striking "; and" and inserting a semicolon;

(2) in subparagraph (D), by adding "and" after the semicolon; and

(3) by adding at the end the following:

"(E) a member of a family who is a survivor of—

"(i) a Justice or judge of the United States, as defined under section 451 of title 28, United States Code;

"(ii) a judge of the District Court of Guam, the District Court of the Northern Mariana Islands, or the District Court of the Virgin Islands;

"(iii) a judge of the United States Court of Federal Claims; or

"(iv) a United States bankruptcy judge or a full-time United States magistrate judge.".

AMENDMENT NO. 4225

(Purpose: To require that, not later than March 31, 2007, the Secretary of the Army transport to an authorized disposal facility for appropriate disposal all of the Federal Government-furnished uranium in the chemical and physical form in which it is stored at the Sequoyah Fuels Corporation site in Gore, Oklahoma)

At the end of division C, add the following new title:

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

SEC. 3301. TRANSFER OF GOVERNMENT-FURNISHED URANIUM STORED AT SEQUOYAH FUELS CORPORATION, GORE, OKLAHOMA.

(a) Transport and Disposal.—Not later than March 31, 2007, the Secretary of the Army shall, subject to subsection (c), transport to an authorized disposal facility for appropriate disposal all of the Federal Government-furnished uranium in the chemical and physical form in which it is stored at the Sequoyah Fuels Corporation site in Gore, Oklahoma.

(b) Source of Funds.—Funds authorized to be appropriated by section 301(1) for the Army for operation and maintenance may be used for the transport and disposal required under subsection (a).

(c) Liability.—The Secretary may only transport uranium under subsection (a) after receiving from Sequoyah Fuels Corporation a written agreement satisfactory to the Secretary that provides that—

(1) the United States assumes no liability, legal or otherwise, of Sequoyah Fuels Corporation by transporting such uranium; and

(2) the Sequoyah Fuels Corporation waives any and all claims it may have against the United States related to the transported uranium.

AMENDMENT NO. 4218

(Purpose: To express the sense of the Senate regarding the Chemical Weapons Convention)

On page 437, between lines 2 and 3, insert the following:

SEC. 1084. SENSE OF THE SENATE ON DESTRUCTION OF CHEMICAL WEAPONS.

(a) Findings.—The Senate makes the following findings:

(1) The Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, done at Paris on January 13, 1993 (commonly referred to as the "Chemical Weapons Convention"), requires all United States chemical weapons stockpiles be destroyed by no later than the extended deadline of April 29, 2012.

(2) On April 10, 2006, the Department of Defense notified Congress that the United States would not meet even the extended deadline under the Chemical Weapons Convention for destruction of United States chemical weapons stockpiles.

(3) Destroying existing chemical weapons is a homeland security imperative, an arms control priority, and required by United States law.

(4) The elimination and nonproliferation of chemical weapons of mass destruction is of utmost importance to the national security of the United States.

(b) Sense of the Senate.—It is the sense of the Senate that—

(1) the United States is committed to making every effort to safely dispose of its chemical weapons stockpiles by the Chemical Weapons Convention deadline of April 29, 2012, or as soon thereafter as possible, and will carry out all of its other obligations under the Convention;

(2) the Secretary of Defense should prepare a comprehensive schedule for safely destroying the United States chemical weapons stockpiles to prevent further delays in the destruction of such stockpiles, and the schedule should be submitted annually to the congressional defense committees separately or as part of another required report; and

(3) the Secretary of Defense should make every effort to ensure adequate funding to complete the elimination of the United States chemical weapons stockpile in the shortest time possible, consistent with the requirement to protect public health, safety, and the environment.

AMENDMENT NO. 4285

(Purpose: To improve authorities to address urgent nonproliferation crises and United States nonproliferation operations)

On page 480, between lines 4 and 5, insert the following:

SEC. 1304. REMOVAL OF CERTAIN RESTRICTIONS ON PROVISION OF COOPERATIVE THREAT REDUCTION ASSISTANCE.

(a) Repeal of Restrictions.—

(1) Soviet nuclear threat reduction act of 1991.—Section 211(b) of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102-228; 22 U.S.C. 2551 note) is repealed.

(2) Cooperative threat reduction act of 1993.—Section 1203(d) of the Cooperative Threat Reduction Act of 1993 (title XII of Public Law 103-160; 22 U.S.C. 5952(d)) is repealed.

(3) Russian chemical weapons destruction facilities.—Section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 22 U.S C. 5952 note) is repealed.

(b) Inapplicability of other restrictions.—

Section 502 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (Public Law 102–511; 106 Stat. 3338; 22 U.S.C. 5852) shall not apply to any Cooperative Threat Reduction program.

AMENDMENT NO. 4286

(Purpose: To provide for the applicability of certain requirements to the acquisition of certain specialty metals)

Strike section 822 and insert the following:

SEC. 822. APPLICABILITY OF CERTAIN REQUIREMENTS REGARDING SPECIALTY METALS.

(a) Exemption for Certain Commercial Items.—Subsection (i) of section 2533a of title 10, United States Code, is amended—

(1) by inserting ", Dual-Use Items, and Electronic Components" after "Commercial Items";

(2) by inserting "(1)" before "this section";

(3) in paragraph (1), as so designated, by inserting "described in subsection (b)(1)" after "commercial items"; and

(4) by adding at the end the following new paragraphs:

"(2) This section is not applicable to—

"(A) a contract or subcontract for the procurement of a commercial item containing specialty metals described in subsections (b)(2) and (b)(3); or

"(B) specialty metals that are incorporated into an electronic component, where the value of the specialty metal used in the component is de minimis in relation to the value of the electronic component.

"(3) For purposes of paragraph (2)(A), a commercial item does not include—

"(A) any item that contains noncommercial modifications that cost or are expected to cost, in the aggregate, more than 5 percent of the total price of such item;

"(B) any item that would not be considered to be a commercial item, but for sales to government entities or inclusion in items that are sold to government entities;

"(C) forgings or castings for military unique end items;

"(D) fasteners other than commercial off-the-shelf items (as defined in section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c)); or

"(E) specialty metals.".

(b) Exception for Certain Dual-Use Items To Facilitate Civil-Military Integration.—Such section is further amended by adding at the end the following new subsection:

"(k) Exception for Certain Dual-Use Items To Facilitate Civil-Military Integration.—Subsection (a) does not apply to the procurement of an item from a contractor or a first-tier subcontractor if the Secretary of Defense or the Secretary of a military department determines that—

"(1) the item is or will be produced using the same production facilities, a common supply chain, and the same or similar production processes that are used for the production of similar items delivered to non-defense customers; and

"(2) the contractor or subcontractor has made a contractual commitment to purchase a quality, grade, and amount of domestically-melted specialty metals for use by the purchaser during the period of contract performance in the production of the item and other similar items delivered to non-defense customers that is not less that the greater of—

"(A) the amount of specialty metals that is purchased by the contractor for use in the item delivered to the Department of Defense; or

"(B) 40 percent of the amount of specialty metals purchased by the contractor or subcontractor for use during such period in the production of the item and similar items delivered to non-defense contractors.".

(c) De Minimis Standard for Specialty Metals.—Such section is further amended by adding at the end the following new subsection:

"(l) Minimum Threshold for Specialty Metals.—Notwithstanding the requirements of subsection (a), the Secretary of Defense or the Secretary of a military department may accept delivery of an item containing specialty metals that were not grown, reprocessed, reused, or produced in the United States if the total amount of noncompliant specialty metals in the item does not exceed 2 percent of the total amount of specialty metals in the item.".

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsections (a) and (c) shall take effect on the date of the enactment of this Act, and shall apply with respect to items accepted for delivery on or after that date.

(2) CIVIL-MILITARY INTEGRATION.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act, and shall apply to contracts entered into on or after that date.

AMENDMENT NO. 4199

(Purpose: To authorize a pilot program on the expanded use of mentor-protege authority)

At the end of subtitle E of title VIII, add the following:

SEC. 874. PILOT PROGRAM ON EXPANDED USE OF MENTOR-PROTEGE AUTHORITY.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of treating small business concerns described in subsection (b) as disadvantaged small business concerns under the Mentor-Protege Program under section 831 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 2302 note).

(b) COVERED SMALL BUSINESS CONCERNS.—The small business concerns described in this subsection are small business concerns that—

(1) are participants in the Small Business Innovative Research Program of the Department of Defense established pursuant to section 9 of the Small Business Act (15 U.S.C. 638); and

(2) as determined by the Secretary, are developing technologies that will assist in detecting or defeating Improvised Explosive Devices (IEDs) or other critical force protection measures.

(c) TREATMENT AS DISADVANTAGED SMALL BUSINESS CONCERNS.—

(1) IN GENERAL.—For purposes of the pilot program, the Secretary may treat a small business concern described in subsection (b) as a disadvantaged small business concern under the Mentor-Protege Program.

(2) MENTOR-PROTEGE AGREEMENT.—Any eligible business concerned approved for participation in the Mentor-Protege Program as a mentor firm may enter into a mentor-protege agreement and provide assistance described in section 831 of the National Defense Authorization Act for Fiscal Year 1991 with respect to a small business concern treated under paragraph (1) as a disadvantaged small business concern under the Mentor-Protege Program.

(d) FUNDING.—

(1) IN GENERAL.—Notwithstanding the limitation in section 9(f)(2) of the Small Business Act (15 U.S.C. 638(f)(2)), funds for any reimbursement provided to a mentor firm under section 831(g) of the National Defense Authorization Act for Fiscal Year 1991 with respect to a small business concern described in subsection (b) under the pilot program shall be derived from funds available for the Small Business Innovative Research Program of the Department of Defense.

(2) LIMITATION.—The amount available under paragraph (1) for reimbursement described in that paragraph may not exceed the amount equal to one percent of the funds available for the Small Business Innovative Research Program.

(e) SUNSET.—

(1) AGREEMENTS.—No mentor-protege agreement may be entered into under the pilot program after September 30, 2010.

(2) OTHER MATTERS.—No reimbursement may be paid, and no credit toward the attainment of a subcontracting goal may be granted, under the pilot program after September 30, 2013.

(f) REPORT.—Not later than March 1, 2009, the Secretary shall submit to the appropriate committees of Congress a report on the pilot program. The report shall—

(1) describe the extent to which mentor-protege agreements have been entered under the pilot program; and

(2) describe and assess the technological benefits arising under such agreements.

(g) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committees on Armed Services, Appropriations, and Small Business and Entrepreneurship of the Senate; and

(B) the Committees on Armed Services and Appropriations of the House of Representatives.

(2) The term "small business concern" has the meaning given that term in section 831(m)(1) of the National Defense Authorization Act for Fiscal Year 1991.

AMENDMENT NO. 4287

(Purpose: Expressing the sense of the Senate on the nomination of an individual to serve as Director of Operational Test and Evaluation of the Department of Defense on a permanent basis)

At the end of subtitle C of title IX, add the following:

SEC. 924. SENSE OF SENATE ON NOMINATION OF INDIVIDUAL TO SERVE AS DIRECTOR OF OPERATIONAL TEST AND EVALUATION ON A PERMANENT BASIS.

(a) FINDINGS.—The Senate makes the following findings:

(1) Congress established the position of Director of Operational Test and Evaluation of the Department of Defense in 1983 to ensure the operational effectiveness and suitability of weapon systems in combat.

(2) The Director of Operational Test and Evaluation serves as the principal adviser to the Secretary of Defense on operational test and evaluation and is vital to ensuring the operational effectiveness of weapon systems in combat.

(3) The position of Director of Operational Test and Evaluation has been held on an acting basis since February 15, 2005.

(b) SENSE OF SENATE.—It is the sense of the Senate that the President should submit to the Senate the nomination of an individual for the position of Director of Operational Test and Evaluation as soon as practicable.

Mr. REID. Mr. President, I have an amendment to provide compensation for civilian veterans of the Cold War who contracted cancer as a result of their work at our nuclear weapons facilities.

My amendment will ensure that employees who worked at the Nevada Test Site during the years of above- and below-ground nuclear weapons testing and suffer from radiation-induced cancers as a result of that work finally receive the compensation they deserve. These Cold War veterans sacrificed their health and well-being for their country. We can wait no longer to acknowledge those sacrifices and to try, in some small way, to compensate for the cancers they have suffered as a result of their service to their country.

U.S. citizens have served their country working in facilities producing and testing nuclear weapons and engaging in other atomic energy defense activities that served as a deterrent during the Cold War. Many of these workers were exposed to cancer-causing levels of radiation and placed in harm's way by the Department of Energy and contractors, subcontractors, and vendors of the Department without the knowledge and consent of the workers, without adequate radiation monitoring, and without necessary protections from internal or external occupational radiation exposures.

Six years ago, I worked with President Clinton to pass The Energy Employees Occupational Illness Compensation Program Act of 2000, EEOICPA, to ensure fairness and equity for the men and women who performed duties uniquely related to the nuclear weapons production and testing programs by establishing a program that would provide timely, uniform, and adequate compensation for 22 specified radiation-related cancers.

Research by the Department of Energy, the National Institute for Occupational Safety and Health, NIOSH, NIOSH's contractors, the President's Advisory Board on Radiation and Worker Health, and congressional committees indicates that workers were not adequately monitored for internal or external exposures to ionizing radiation to which the workers were exposed and records were not maintained, are not reliable, are incomplete, or fail to indicate the radioactive isotopes to which workers were exposed.

Because of the inequities posed by the factors described above and the resulting harm to the workers, EEOICPA has an expedited process for groups of workers whose radiation dose cannot be estimated with sufficient accuracy or whose dose cannot be estimated in a timely manner. These workers are placed into a Special Exposure Cohort, SEC. Workers in an SEC do not have to go through the dose reconstruction process, which can take years and be extremely difficult as these workers are often unable to produce information because it was or is classified.

Congress has already legislatively designated classes of atomic energy veterans at the Paducah, Kentucky, Portsmouth, Ohio, Oak Ridge K-25, Tennessee, and the Amchitka Island, AK, sites as members of the special exposure cohort under EEOICPA. Amchitka Island was designated because three underground nuclear tests were conducted on the Island.

Nevada Test Site workers deserve the same designation.

I and many other Nevadans remember watching explosions at the Nevada

Test Site. We were struck with awe and wonder at the power and strength of these explosions. Little did we know that there was another side to those atomic tests—the exposure of men and women working at the site to cancer-causing substances. Now, hundreds, perhaps thousands, of these Cold War veterans face deadly cancers. Many have already passed away.

The contribution of the State of Nevada to the security of the United States throughout the Cold War and since has been unparalleled. In 1950, President Harry S. Truman designated what would later be called the Nevada Test Site as the Nation's nuclear proving grounds and, a month later, the first atmospheric test at the Nevada Test Site was detonated. The United States conducted 100 aboveground and 828 underground nuclear tests at the Nevada Test Site from 1951 to 1992. Out of the 1054 nuclear tests conducted in the United States, 928, or 88 percent, were conducted at the Nevada Test Site.

Unfortunately, Nevada Test Site workers, despite having worked with significant amounts of radioactive materials and having known exposures leading to serious health effects, have been denied compensation under EEOICPA as a result of flawed calculations based on records that are incomplete or in error as well as the use of faulty assumptions and incorrect models.

It has become evident that it is not feasible to estimate with sufficient accuracy the radiation dose received by employees at the Department of Energy facility in Nevada known as Nevada Test Site at all in some cases and in others in a timely manner. In fact, the administration has admitted that it cannot construct internal radiation dose for workers employed on the site during the aboveground test and yet is still balking at full compensation for all of these workers. There are many reasons for this, including inadequate monitoring, incomplete radionuclide lists, and DOE's ignoring nearly a dozen tests conducted at the site that vented. Because of these problems, Nevada Test Site workers have been denied compensation under the act, some of which have waited for decades for their Government to acknowledge the sacrifices they made for their country and compensate them.

Unfortunately, 6 years since the passage of EEOICPA and in some cases decades after their service to their country, very few of those Nevada Test Site Cold War veterans who have cancer have received compensation. In fact, Nevada Test Site workers are receiving compensation at a rate lower than the national average, and many who have waited decades are being told that they have to wait longer. And many have already died while waiting for their compensation.

Last November, I sent a letter to President Bush asking him to initiate this process himself. He still has not responded. However, his administration is trying to rewrite the law via regulation and cut funding to this program in order to delay compensation further and halt it for some workers altogether.

This is unacceptable.

That is why I am committed to ensuring that Nevada Test Site workers through 1993 are designated as a "special exposure cohort." This will streamline and speed up the recovery process for those workers.

My amendment would ensure employees and survivors of employees who worked at the Nevada Test Site through 1993 that they receive compensation. They helped this country win the Cold War, sacrificing their personal health in the process, and after decades of waiting and suffering, it is time the Government honored these sacrifices.

This bill would include within the special exposure cohort Nevada Test Site workers employed at the site from 1950 to 1993 who were present during an atmospheric or underground nuclear test or performed drillbacks, reentry, or cleanup work following such tests; present at an episodic event involving radiation release; or employed at Nevada Test Site for at least 250 workdays and in a job activity that was monitored for exposure to ionizing radiation or worked in a job activity that is or was comparable to a job that is, was, or should have been monitored for exposure to ionizing radiation.

The Nevada Test Site has served, and continues to serve, as the premier research, testing, and development site for our nuclear defense capabilities. The Nevada Test Site and its workers have been, and are, an essential and irreplaceable part of our Nation's defense capabilities. This bill would honor the service of our atomic energy veterans and provide them with the compensation they deserve.

I urge my colleagues to join me in supporting this amendment.

Mr. WARNER. Mr. President, I thank my distinguished ranking member for his always cooperative efforts to move this bill along. I think we have made progress on the bill.

Mr. LEVIN. Somehow or other, we did make progress.

Mr. WARNER. We did make progress. There will be a briefing in S-407 tomorrow with regard to operations in Iraq. Members of the Senate are invited. I expect we will convene in the morning under an order later this evening from the leadership, but we will be back on the bill for some period of time tomorrow.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, you can imagine the surprise, the consternation of so many who woke up this morning and read on the front page of the Washington Post that the Prime Minister of Iraq suggested he would grant amnesty to those who killed, maimed, hurt Americans. This was just appalling.

I rise in support of the resolution offered by my colleagues from Florida and New Jersey to, first, condemn those despicable remarks, and, second, to importune our President, President Bush, to make sure the Prime Minister of Iraq retracts those remarks and registers the strong disapproval of this Senate and of our Nation about what happened.

To give those who shot at, sometimes killed, often maimed Americans a get-out-of-jail-free card is nothing short of despicable and a slap in the face to all Americans. We have been told we are in Iraq for the noblest of purposes—to bring peace and democracy. When the head of state of that country says it is okay if you shot at American troops, it defies belief, it defies credibility.

The bottom line is our President stood with Prime Minister Maliki just a day or two ago and said he looked him in the eye and saw he was a good man. President Bush must have missed something. Clearly, no one can be a good man and state that it would be okay to give amnesty to those who shot at our soldiers.

This is something which calls into question the whole endeavor in Iraq. If this is the man we are relying on to get us out of the morass, to lead a government, and he is able to say that those who shot at our soldiers should be given amnesty while those who shot at Iraqis should not, something is dramatically wrong.

I will never forget when our President said he met President Putin, looked in his eye, and found he was a good man. Yet we have had trouble with President Putin ever since.

Something is desperately the matter. We need to do a few things. We need to pass this resolution immediately and register our condemnation of the remarks.

President Bush, America is asking you to demand a retraction from the Prime Minister of Iraq of these despicable words or America can no longer support sending soldiers to defend Iraqi freedom, to defend Iraqi peace. How can we, our soldiers, and their families go over to Iraq if, when they are shot at by renegade Iraqis, those Iraqis may be given amnesty and a pat on the back? That is despicable. It is so wrong.

I have spent time with families who have lost loved ones in Iraq. I have spent hours seeing our soldiers off to victory, watching as their families, their wives, their husbands, and their children, with tears in their eyes, watched them board the planes and the transports. For these families, while their beloved men and women are over there, to read that the Prime Minister of Iraq would grant amnesty to someone who tried to kill that soldier who is bravely serving, how would they feel?

President Bush must get on the phone, if he has not already, with the Iraqi Prime Minister and demand a retraction. If not, the American people, and particularly the soldiers and their families, deserve an explanation about what is going on over there. Again, to give a get-out-of-jail-free card to those who shoot at American soldiers while those soldiers are trying to defend freedom and peace in Iraq boggles the mind.

Another question: How can we rely on this man, this new Prime Minister Maliki, as an ally if he says this? My faith in him is shaken to the core. What will happen 2 months from now or 6 months from now?

This is a serious issue. I hope my colleagues will pay attention. It is serious because of the honor of our soldiers. It is serious because it casts doubt on the future of whatever plan there is in Iraq. It is serious mostly because it is an inhumane and nasty comment that negativizes all the sacrifices our people have made.

I hope our President will act. He has been silent today. There is no clarification. There is no discussion of a phone call. There is no expression of outrage from the White House. I hope that will change and change soon. If it doesn't, it has to call into doubt everything we are trying to do over there. This was not a happy day for what is going on in Iraq because of that awful newspaper story this morning and what it reported. I hope, I pray, things will change.

I certainly urge my colleagues to support unanimously the resolution offered by my colleague from Florida and my colleague from New Jersey, that I am proud to support, asking for that change.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SARBANES. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SARBANES. Mr. President, I understand the Senate is in morning business?

The PRESIDING OFFICER. We are in morning business with 10-minute grants.

TRIBUTE TO SENATOR ROBERT C. BYRD

Mr. SARBANES. Mr. President, earlier in the week, on Monday to be exact, Senator ROBERT C. BYRD, our very distinguished colleague, became the longest serving Senator in the history of the U.S. Senate. It is obviously a moment to celebrate and recognize his accomplishments in the service of the Nation. Our celebration is tempered only by the fact that his beloved wife Erma, with whom he spent nearly 69 years of marriage, passed away recently.

I want to join my colleagues who, in the course of this week, have paid tribute to the senior Senator from West Virginia. Senator BYRD this year completes his eighth Senate term, having first been elected to the Senate in 1958. Prior to that, he served 6 years in the U.S. House of Representatives and, before that, 6 years in the West Virginia legislature.

In his now almost 48 years in the U.S. Senate, he has held an extraordinary range of committee and subcommittee assignments and has served in leadership positions as secretary of the majority conference, majority whip, minority leader, majority leader, and President pro tempore. His vote has been recorded on nearly 99 percent of all Senate rollcalls since 1958. Indeed, he has cast far more votes than any other Senator in our Nation's history.

It is not for his longevity, however, that we honor our colleague, the senior Senator from West Virginia. It is, rather, the manner in which he has faithfully carried out his responsibilities as a U.S. Senator and his abiding dedication to the Constitution of the United States and the system of government it created. No Member of the U.S. Congress understands better than Senator BYRD the Constitution's role in framing our lives as Americans. As he has written:

> Only the Constitution's genius affords our people the powers and prerogatives that truly keep us a free nation, most centrally through maintenance of the checks and balances and separation of powers.

Over many years, while vigorously and effectively representing the people of West Virginia, Senator BYRD has made the study, exposition, and defense of the Constitution his life's work. In so doing, he has spoken not only for West Virginians but for us all. If, as Senator BYRD has said, the Senate functions as the central pillar of our constitutional system, then I would say that Senator BYRD himself is the central pillar of the Senate. His commitment to the Senate and its history, its custom, and procedures is equaled only by his commitment to the State of West Virginia, our Nation, and our Constitution.

No one is more keenly attuned to the Senate's role in assuring the proper functioning of our constitutional system. He has studied the Senate's origins in Roman and British history. He has, as he puts it, "ponder[ed] the lives of the framers and founders and set down a four-volume history of the Senate." And he has read the journals and other writings of the early Members of this body. He has mastered the Senate rules to a degree that few, if any, others have ever attained. Even in the most contentious debates, Senator ROBERT C. BYRD remains a steady voice for courtesy and civility. Indeed, his is the voice of courtesy and civility.

Senator BYRD begins his autobiography, "Child of the Appalachian Coalfields," with an observation by William James:

> The best use of life is to invest it in something which will outlast life.

This certainly is what he has done.

It was not foreordained that he would some day be a U.S. Senator from West Virginia. Born in North Carolina, he lost his mother in the great influenza epidemic of 1918, when he was a year old, whereupon he was adopted by an aunt and her husband and moved with them to West Virginia. His adopted father was a coal miner, and he grew up in company towns. He was an excellent student, valedictorian of his high school class, "a self-styled sort of somebody," one high school teacher later said, but his prospects were few. As another teacher observed:

> Knowing the background and how hard it would be to move out from that background, I picture him as being an office man or a scrip clerk at one of the mines.

In those years of the Great Depression, there was obviously no money for college. ROBERT BYRD took what jobs he could get: Shop clerk, butcher, a welder in a Baltimore shipyard during World War II. We were honored to have had him in our State.

In 1946, he was elected to the first of three terms in the State legislature. Of the decision to run for office he has said:

> I grew up in a state where we didn't have much hope. I wanted to help my people and give them hope . . .

He did not abandon his hopes of continuing his education. Upon his election to the U.S. House of Representatives in 1952, he enrolled in law school. When he learned that he would be denied a law degree because he had never received a college degree in the law school in which he had enrolled, he transferred to the Washington College of Law at American University where he went to night classes for 10 years and received his law degree cum laude in 1963—a remarkable achievement. By that time he had been a Senator from West Virginia for 5 years. ROBERT BYRD is the only person ever to have served in either House of Congress to begin and complete a law degree while serving.

Twenty years later, the College of Law at American University honored him as the First Distinguished Fellow of the honor society established by the late dean of the college, a most fitting tribute. Eleven years later, in 1994, he received his bachelor's degree in political science from Marshall University in recognition of the credits accumulated there and other places over a period of many years.

Of the many awards he has received in the course of his long and distinguished career, Senator BYRD has said that none means more to him than the tribute from the Governor and legislature of his State in naming him "West Virginian of the 20th Century."

As his colleague here in the Senate for the past 30 years and as one who has the deepest respect and admiration for him and cherishes his counsel and friendship, I submit that he will be remembered not only for his service to his State but for the courage and dedication and tenacity he has shown and continues to show every day in the service of our Nation. It is a privilege to be his colleague here in the U.S. Senate.

I yield the floor.

Mr. AKAKA. Mr. President, it is indeed a privilege and honor for me to join my colleagues in commemorating and honoring my friend and colleague, Senator ROBERT C. BYRD, on the occasion of his becoming the longest serving Senator in the history of our country, passing the old mark of 17,326 days on June 12, 2006. The fact that West Virginians have returned him to the Senate in eight prior elections speaks volumes of the love and affection and respect they feel for him as their Senator who serves them most effectively.

When I first came to the Senate in 1990 from the other side of the Capitol, Senator BYRD was one of the first Senators I met with to get advice and counsel, which he generously shared with me. Of course, he gave me a copy of a pocket edition of the Constitution, the document upon which our country is based and one that is ever-present in his pocket. Over the years, he has been most generous with his friendships, and indeed I feel a sense of kinship and aloha with him. In Hawaii, this feeling of kinship is often referred to as being part of the ohana, or family, and used with love and endearment.

With stewards like Senator ROBERT C. BYRD, we can rest assured that our country is in good hands. I look forward to his continuing friendship and serving with him for many years to come.

Mrs. MURRAY. Mr. President, I do want to talk for a minute about Senator BYRD and recognize he has set a record in the Senate, as many of my colleagues have noted on the floor.

He marked his 17,327th day in office yesterday and became the longest serving Senator in history. That is truly a remarkable accomplishment, and I personally have many fond memories of working with Senator BYRD and look forward to many more.

I remember well when I came here as a freshman Senator 13½ years ago. Senator BYRD at the time brought in all of us freshmen Senators to sit across from him in his very important office and looked down at us and told us that we would be presiding, as is the Presiding Officer today, and told us about our responsibilities and made it very clear he would be watching from his office, and if we were reading any other material or talking to anyone, it would be noted.

I certainly did remember that during the many hours I spent in the Presiding Officer's chair because I knew he was watching. But I think it was a simple reminder to all of us as to the importance of the office we hold here and the respect we have to have for our colleagues.

I remember as well that he invited me to lunch several months later with the Senator from Oregon, Mr. Hatfield, a Republican, to sit down and talk with me about the responsibilities I had as a Senator. And I was so impressed sitting in the room with Senator BYRD and Senator Hatfield, never in my life expecting to have that kind of opportunity. At that meeting they impressed upon me the importance of working across the aisle and respect for the minority and how important everybody's voice is here. It was an important lesson and one I think we all should be reminded of more often.

But just that simple act of inviting me to lunch with two incredible leaders in the Senate is a memory I hold dear, and I thank my colleague for doing that.

But, frankly, I think what I most will remember Senator BYRD for—and is a good reminder to all of us, too—is several years ago when my husband came out here to Washington, DC—he lives in Washington State. I go home every weekend. But he came out here because it was our wedding anniversary, and instead of me having to fly home, he flew out here. He was coming up the steps of the Capitol, and I met him as Senator BYRD was walking out to his car.

Senator BYRD saw my husband, and he said: Welcome. Nice to have you here at this end of the country. What brings you here?

And my husband said: Well, it is our wedding anniversary.

And Senator BYRD, who, as we well know, lost his beloved wife just a few short weeks ago, was about to celebrate I think it was his 67th wedding anniversary. He looked at my husband and said: Which anniversary is this?

And my husband said: It is our 32nd.

Senator BYRD paused and said: Well, it is a good start.

I think the message of that is important for all of us in our everyday lives, in our responsibilities as spouses, and as Senators, to remember it is a good start every day, and you can't rest on your laurels and think back: Well, we have done this for 32 years. The next 32 will be easy. Every day you have to come out and work hard at whatever role you are in at the time.

I certainly say to my good friend, Senator BYRD, how much I respect him and admire him. And today, as he marks his 17,328th day in office, I say to him: It is a good start.

The PRESIDING OFFICER (Mr. CHAFEE). The Senator from Alaska is recognized.

TRIBUTE TO CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. STEVENS. Mr. President, today the Chief Justice and associate Justices of the Supreme Court held a memorial observance honoring Chief Justice William H. Rehnquist. It was a really grand event. I am sorry I could not be there the whole time.

At 2 p.m., resolutions in tribute to the Chief Justice were presented for consideration by members of the Supreme Court bar. There were presentations made by the Solicitor General and by the Attorney General of the United States during a special sitting of the Court, which commenced at 3:15 p.m. this afternoon. Following that, the Supreme Court held a reception for friends of the former Chief Justice.

I think one of the great joys of my life was to be able to say that I was a long-time friend of our former Chief Justice. He and I met here as young lawyers the year we got out of law school. We were very friendly. As a matter of fact, we double-dated during those days. And as the years went on, as I went to Alaska and came back as U.S. Attorney and had various other functions, we kept in touch. We were divided by a continent, but we remained friends.

Years later, when I came to the Senate, he was with the Department of Justice. I can say it was one of the longest friendships I have had, and I was sad when he passed away. I am here really to ask that the Senate review some of the comments made about my friend and former Chief Justice of the United States.

I ask unanimous consent that the schedule of the Supreme Court for today, Thursday, June 15, 2006, and also the resolution of the bar of the Supreme Court of the United States in gratitude and appreciation for the life, work, and service of Chief Justice William H. Rehnquist presented to the Supreme Court today be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUPREME COURT OF THE UNITED STATES

CHIEF JUSTICE WILLIAM H. REHNQUIST MEMORIAL

THURSDAY, JUNE 15, 2006

Meeting of the Supreme Court Bar—Upper Great Hall, 2:00 p.m.

Call to Order—Paul D. Clement, Solicitor General of the United States.

Introduction of Speakers—Ronald J. Tenpas, Associate Deputy Attorney General, Clerk to Chief Justice Rehnquist (1991 Term), Chairman of the Meeting.

Remarks—Allen R. Snyder, Partner (retired) at Hogan & Hartson LLP, Clerk to Justice Rehnquist (1971 Term).

Remarks—James C. Rehnquist, Son of the Chief Justice.

Remarks—Maureen E. Mahoney, Partner at Latham & Watkins, Clerk to Justice Rehnquist (1979 Term).

Remarks—Courtney Simmons Elwood, Deputy Chief of Staff and Counselor to the Attorney General, Clerk to the Chief Justice (1995 Term).

Remarks—James C. Duff, Partner at Baker, Donelson, Bearman, Caldwell & Berkowitz PC, Administrative Assistant to the Chief Justice (1996–2000).

Motion to Adopt Committee Resolutions—Honorable Steven M. Colloton, Court of Appeals for the Eighth Circuit, Clerk to the Chief Justice (1989 Term), Chairman of the Committee on Resolutions.

Call for Second and Closing Remarks—Ronald J. Tenpas, Chairman of the Meeting.

Special Session of the Supreme Court—Courtroom, 3:15 p.m.

Presentation of Resolutions—Paul D. Clement, Solicitor General of the United States.

Request to Accept Resolutions—Paul McNulty, Deputy Attorney General of the United States.

Response—John G. Roberts, Jr., Chief Justice of the United States.

RESOLUTION OF THE BAR OF THE SUPREME COURT OF THE UNITED STATES IN GRATITUDE AND APPRECIATION FOR THE LIFE, WORK, AND SERVICE OF CHIEF JUSTICE WILLIAM H. REHNQUIST, JUNE 15, 2006

Today, the members of the Bar of the Supreme Court honor the life and legacy of a gifted lawyer, a selfless public servant, and a treasured teacher, mentor, and friend. Those who knew William Rehnquist will remember him as one who, in the words of Justice Oliver Wendell Holmes, "lived greatly in the law." To his credit, however, Bill Rehnquist cared less about being "great" than about doing and living well. As President George W. Bush remarked on the occasion of his funeral, "to work beside William Rehnquist was to learn how a wise man looks at the law and how a good man looks at life."

Rehnquist was born in Wisconsin, on October 1, 1924, the son of a paper salesman and a homemaker who also worked as a translator. Christened William Donald Rehnquist at birth, the future Chief Justice changed his middle name to Hubbs—a family name—in high school. His mother, Rehnquist later explained, had once met a numerologist on a train, and Mrs. Rehnquist was advised that her son would enjoy great success in life if his middle name were changed to begin with the letter "H."

Rehnquist was raised in Shorewood, a Milwaukee suburb on Lake Michigan. Early on, he displayed his love of the friendly wager, betting his sister on a Memorial Day weekend that he could dive into the lake more often than she. He won, and contracted pneumonia in the bargain. Rehnquist graduated from high school in 1942, and after a year at Kenyon College, he joined the United States Army Air Corps. Consistent with his lifelong interest in the weather—a fascination that would be the stuff of many jokes and memories among his friends and law clerks—he signed up for a premeteorology program. He was reassigned to work as a weather observer when, as he later put it, "the brass realized that someone had mistakenly added a zero to the number of weather forecasters that would be needed." His war-time service took him not only to Oklahoma, New Mexico, Texas, New Jersey, and Illinois, but also to more exotic destinations such as Casablanca, Marrakesh, Tripoli, and Cairo.

Rehnquist's assignment in North Africa impressed upon him that "if you lived in the right place, you didn't have to shovel snow for four months a year." Accordingly, after discharging from the service as a sergeant, he headed west, and matriculated as an undergraduate at Stanford University in 1946. There, he supplemented the financial assistance he received through the G.I. Bill with odd jobs, including working as a "hasher" in the dormitory of his future colleague, Sandra Day.

After graduation, Rehnquist thought he wanted to become a professor of political science, so he studied government for a year at Harvard and earned his master's degree. But he later decided against continuing his graduate work, and instead took a standardized occupational examination, the results of which suggested that he might thrive as a lawyer. He then returned to the west, and to Stanford's law school, where he flourished. As he recalled, some fifty years later, in his typically understated manner, "the law curriculum came more easily to me than it did to some others." His friend and classmate, the future Justice O'Connor, was more definitive: "[H]e quickly rose to the top of the class and, frankly, was head and shoulders above all the rest of us in terms of sheer legal talent and ability."

One of Rehnquist's professors had been a law clerk for Justice Robert Jackson, and thought highly enough of Rehnquist to recommend him to Jackson as a prospective clerk. When Jackson hired the young lawyer, the position was Rehnquist's first "honest-to-goodness job as a graduate lawyer" and, more significantly, his first exposure to the institution to which he would dedicate thirty-three years of his professional life. Rehnquist later described his clerkship during the 1951 and 1952 Terms as "one of the most rewarding experiences of my life." His time in Washington proved doubly rewarding, for during this period he began dating Natalie "Nan" Cornell, a San Diegan he had met at Stanford. They started with "Thursday night" dates, until Nan was convinced that she liked the young lawyer enough to move on to Saturdays.

After the clerkship, Rehnquist kept in his study a photograph of his boss, inscribed "To William Rehnquist, with the friendship and esteem of Robert H. Jackson." Later, as a member of the Court, Rehnquis would make the same inscription for his law clerks, recounting Jackson's remark, "You may not be impressed, but it might impress your clients." Perhaps most telling, the personal attributes that the young William Rehnquist admired most in Justice Jackson include many of the same qualities his own law clerks remember and appreciate about him: "[H]is own ego or view of his own capacities was never unduly elevated by any of the successes which he achieved"; he "never succumbed to the temptation," so common in Washington, to "become . . . isolated in high public office"; and "[h]e did not have to read the view of some particular columnist, commentator, or editorial writer in order to know what he thought about a particular factual situation."

Characteristically unconventional, Rehnquist passed up opportunities at lucrative East Coast law firms. He thought California too big and too populated, and decided to look for a home in the southwestern United States, hoping to find the American equivalent of the North African climate he so enjoyed. Rehnquist married his beloved Nan in August 1953, and the couple ultimately settled on Phoenix. He later told his law clerks that the descent into Phoenix, without air conditioning, in his 1941 Studebaker, was like "driving into Hell."

He was the ninth lawyer at one of the "large" law firms in Phoenix, and he was paid $300 per month. Two years later, hoping for more courtroom experience, he opened a two-lawyer office, and for a time, Rehnquist took whatever clients came in the door. He volunteered to represent indigent criminal defendants in federal court, but suffered a series of defeats, leading a federal prosecutor to joke that a cell block at Leavenworth had been named after Rehnquist. He delighted in telling stories of his practice before eccentric jurists in Arizona's remote "cow counties." A favorite involved the representation of state legislators in a lawsuit adverse to the state's attorney general, during which Rehnquist made pointed reference to an inconsistency between his adversary's litigating position and previous public statements. Summoned to the judge's chambers after oral argument, young Rehnquist remembered that his "heart almost stopped" as he prepared himself for a trip to the woodshed, only to hear the jurist from Cochise County remark: "I was sure glad to see you tee off on the Attorney General in your argument on that last motion. He's a worthless son-of-a-bitch, and the sooner this state gets rid of him the better off we'll all be."

During his 16 years of private practice, Rehnquist represented a broad array of clients and handled a wide range of litigation matters. He was also active in politics, providing legal advice and draft speeches for the 1964 Goldwater presidential campaign. He wrote op-ed pieces and bar journal articles, spoke before bar and civic groups, served as President of the Maricopa County Bar Association, and was a favorite at continuing legal education seminars. He spent four years as the town attorney for Paradise Valley, was special counsel to the Arizona Department of Welfare, served as Special Assistant Attorney General for the Arizona Highway Department, and represented the State Bar of Arizona in attorney disciplinary matters. In 1971, the Board of Governors of the State Bar of Arizona praised Rehnquist for having "continually demonstrated the very highest degree of professional competence and integrity and devotion to the ends of justice."

Through it all, Rehnquist maintained a balanced life. He would work typically from 8:30 a.m. to 5:00 p.m., then close the law books, and go home for a family dinner. He and Nan were blessed with three children, Jim, Janet, and Nancy. Even when Rehnquist was in trial, the family dinner was sacred, and he would either bring work home or make the ten-minute drive back to the office after dinner. Keeping a schedule that was unusual then, and virtually unheard of today, for the family of a top litigator, the Rehnquists managed to take a month's vacation every year. Rehnquist especially loved camping vacations across the West, visits to a small cabin in the Bradshaw Mountains of Arizona, and driving fast on country roads, telling his children that a double yellow line was "just a recommendation." The Rehnquists also maintained an active family-oriented social life, including bridge, charades, cookouts, and hikes. Later in life, Rehnquist reminisced that he "had the good fortune to realize long ago, instinctively, what I now see very clearly—and that is that time is a wasting asset." Rehnquist spent abundant time with his wife and young children, "not out of any great sense of duty, but just because I enjoyed it so much."

After the 1968 presidential election, Rehnquist's involvement in politics resulted in an opportunity to serve as Assistant Attorney General for the Office of Legal Counsel in the United States Department of Justice. Upon receiving word of this job offer, Rehnquist visited the Phoenix public library to see what he could learn about the office, and he was sufficiently intrigued by what he read to accept the position. The family moved to Washington, but Rehnquist never lost his deep affection for Arizona or his fond memories of these earlier years. He left Phoenix, as he put it, "very much richer for the experience, but having accumulated very little of the world's goods."

As Assistant Attorney General, Rehnquist was "in effect, the President's lawyer's lawyer," as President Richard Nixon would later say. Rehnquist served in the Justice Department during challenging years in the midst of the Vietnam War. He helped to hone the position of the Executive Branch on delicate legal issues and carried the message of the Administration around the country in numerous public appearances. He discharged his responsibilities with such great distinction that President Nixon would declare that "among the thousands of able lawyers who serve in the Federal Government, he rates at the very top as a constitutional lawyer and as a legal scholar." When Justice John Marshall Harlan II retired in 1971, Rehnquist was the President's choice to be the 100th Associate Justice of the Supreme Court.

Confirmed in 1972 at age 47, Rehnquist was one of the youngest Justices of the Supreme Court in modem history. Yet his views on important matters of constitutional law were remarkably well formed. Rehnquist once wrote that "[p]roof that a Justice's mind at the time he joined the Court was a complete tabula rasa in the area of constitutional adjudication would be evidence of lack of qualification, not lack of bias," and Rehnquist's mind certainly was no blank slate.

In 1976, he summed up his judicial philosophy in an essay entitled, "The Notion of a Living Constitution." He rejected the notion that judges "are a small group of fortunately situated people with a roving commission to second-guess Congress, state legislatures, and state and federal administrative officers concerning what is best for the country." That elected representatives had not solved a particular social problem, he wrote, did not necessarily authorize the federal judiciary to act: "Surely the Constitution does not put either the legislative branch or the executive branch in the position of a television quiz show contestant so that when a given period of time has elapsed and a problem remains unsolved by them, the federal judiciary may press a buzzer and take its turn at fashioning a solution." Rehnquist was critical of a mode of constitutional interpretation that would allow "appointed federal judges" to impose on others a rule that "the popularly elected branches of government would not have enacted and the voters have not and would not have embodied in the Constitution." This approach, he warned, was a "formula for an end run around popular government," and "genuinely corrosive of the fundamental values of our democratic society."

As an Associate Justice, Rehnquist emerged as a powerful intellectual force. He authored a number of significant opinions for the Court, but also did not hesitate to express his position in solitary dissent, thus inspiring an early group of law clerks to bestow upon him a Lone Ranger doll as a mantlepiece. When Chief Justice Warren Burger resigned in 1986, it was precisely Rehnquist's powerful intellect, his stellar record on the Court, and his consistent judicial philosophy that made him President Ronald Reagan's pick to lead the Court. But no less important were Rehnquist's leadership qualities and the respect he garnered from all of his colleagues, owing to his pleasant and down-to-earth nature, quiet confidence, quick wit, and basic fairness.

On June 17, 1986, the President announced his nomination of Justice Rehnquist to become the sixteenth Chief Justice of the United States. During the ensuing confirmation hearings, numerous witnesses testified glowingly to Rehnquist's distinguished service on the Court and his high-powered legal mind. Former Solicitor General Rex Lee, for instance, stated: "Of all the lawyers with whom I am acquainted, I know of literally no one who is better qualified to be Chief Justice of the United States." A representative of the American Bar Association reported the "genuine enthusiasm" felt by other Justices and Court employees about Rehnquist's nomination to be Chief Justice: "There was almost a unanimous feeling of joy. . . . [H]e is regarded as a close personal friend of men who are diametrically opposed to him philosophically and politically."

As Rehnquist took his new seat as the leader of the Court in 1986, President Reagan presciently remarked that he "will be a Chief Justice of historic stature." Rehnquist served as Chief Justice for nearly 20 years, and together with his service as an Associate Justice for more than 14 years, this tenure made him one of the Supreme Court's seven longest-serving members. In that time, Rehnquist left an indelible mark on the Supreme Court, on the functioning of the federal Judiciary, and on the face of American law.

Rehnquist's jurisprudential legacy cuts a broad swath, but it is undoubtedly substantial in the areas of criminal procedure and the constitutional rights of criminal defendants. Rehnquist was appointed to the Court shortly after a series of decisions by the Warren Court had expanded the constitutional rights of the accused in criminal cases, and his early opinions made clear that he believed the pendulum had swung too far in that direction. Dissenting from the denial of a stay in California v. Minjares, he called for re-evaluation of the "exclusionary rule" applied to the States in Mapp v. Ohio in 1961. Complaining that evidence was suppressed "solely because of a good-faith error in judgment" on the part of arresting officers, Rehnquist disputed that the exclusionary rule was necessary to preserve the "integrity" of the courts: "[W]hile it is quite true that courts are not to be participants in 'dirty business,' neither are they to be ethereal vestal virgins of another world, so determined to be like Caesar's wife, Calpurnia, that they cease to be effective forums in which both those charged with committing criminal acts and the society which makes the charge may have a fair trial in which relevant competent evidence is received in order to determine whether or not the charge is true." In another early opinion, explaining the controversial 1966 decision in Miranda v. Arizona, Rehnquist wrote for the Court in Michigan v. Tucker that the procedural safeguards recommended by Miranda "were not themselves rights protected by the Constitution but were instead measures to insure that the right against compulsory self-incrimination was protected."

Neither Mapp nor Miranda was overruled during Rehnquist's long tenure on the Court. Indeed, in Dickerson v. United States, the Chief Justice wrote for the Court in 2000 that "[w]hether or not we would agree with Miranda's reasoning and its resulting rule, were we addressing the issue in the first instance, the principles of stare decisis weigh heavily against overruling it now." Yet the pendulum surely swung back, with the Court affording the States more latitude in developing procedures for the prosecution of criminal cases, recognizing the practical needs of the police in investigating crime, and fashioning clearer rules for law enforcement officials and citizens alike. The exclusionary rule remains in effect, but the suppression of evidence seized in "good faith," decried by Rehnquist in his Minjares dissent, is far less common in light of the good-faith exception to the exclusionary rule adopted during Rehnquist's tenure. Miranda remains a "constitutional decision," but exceptions and limitations adopted by the Court ensure that it gives way to competing concerns such as the protection of public safety and the strong interest in making available to the trier of fact all relevant and trustworthy evidence. Testifying in support of Rehnquist's appointment as Chief Justice, former Attorney General Griffin Bell aptly observed that Justice Rehnquist had joined in making the right to counsel, Miranda rights, and the exclusionary rule "more workable," and cited the good-faith exception as "a good example of saving the exclusionary rule from its own excesses."

Another area where Rehnquist's work had a powerful effect on the shape and development of the law is religious freedom and church-state relations. In First Amendment cases, Rehnquist consistently endorsed the idea that governments may, consistent with the Constitution, do quite a bit to accommodate and acknowledge religion, but are not required by the Constitution to provide religious believers with special exemptions from generally applicable laws. It is not an "establishment" of religion, he maintained, for politically accountable actors to act in ways that benefit religious believers and institutions or to recognize religious traditions and teachings. That governments may not "establish[]" religion does not mean, he believed, that religion has no place in public life or civil society. At the same time, he insisted, it is rarely a violation of the free-exercise guarantee for those same actors to apply to religious people and religiously motivated conduct the same rules that apply generally.

As it turned out, Rehnquist's last opinion was for a plurality in Van Orden v. Perry, in which the Justices ruled that Texas had not "establish[ed]" religion by including a Ten

Commandments monument among the nearly 40 monuments and historical markers on the grounds surrounding the State Capitol. He wrote: "Our cases, Januslike, point in two directions in applying the Establishment Clause. One face looks toward the strong role played by religion and religious traditions throughout our Nation's history. . . . The other face looks toward the principle that governmental intervention in religious matters can itself endanger religious freedom. This case, like all Establishment Clause challenges, presents us with the difficulty of respecting both faces. Our institutions presuppose a Supreme Being, yet these institutions must not press religious observances upon their citizens. One face looks to the past in acknowledgment of our Nation's heritage, while the other looks to the present in demanding a separation between church and state. Reconciling these two faces requires that we neither abdicate our responsibility to maintain a division between church and state nor evince a hostility to religion by disabling the government from in some ways recognizing our religious heritage[.]" In this last opinion, Rehnquist returned to themes that he had developed at length in one of his most famous opinions, a dissent in Wallace v. Jaffree.

A third area where Rehnquist's legacy is both striking and significant involves the structure and powers of the federal government created by our Constitution and the role and retained powers of the States. From his earliest to his final days on the Court, Rehnquist was committed to what he called "first principles:" Ours is a national government of limited, delegated, and divided powers, and the government's structure, no less than the Bill of Rights, is a safeguard for individual liberty. Rehnquist's dedication to these principles, and to enforcing the limits and boundaries that our Constitution imposes on federal power, reflected his understanding that our constitutional design leaves ample room for diverse policy experiments and different answers to pressing social questions.

Rehnquist's commitment to judicial enforcement of enumerated powers and the federal-state balance was perhaps most discernible in the Court's cases interpreting the Commerce Clause. As early as 1975, dissenting alone, Rehnquist argued that the federal government must treat the States like sovereign entities, rather than like individuals. Even when Congress has authority under the federal commerce power to regulate private conduct in a particular area, it could not apply that regulation to the States if doing so would interfere with what he called "traditional state functions."

As happened a number of times during his tenure, Rehnquist's position in dissent ultimately was embraced by a majority of his colleagues. In National League of Cities v. Usery, a majority of the Court adopted his "traditional governmental functions" test. Although the Court ultimately overruled National League of Cities nine years later, Rehnquist, in a pithy reply, thought it not "incumbent on those of us in dissent to spell out further the fine points of a principle that will, I am confident, in time again command the support of a majority of this Court." And true to his prediction, Rehnquist's promotion of federalism forged ahead, serving as the basis for the Court's declaration of an anti-commandeering principle, its strengthening of the States' sovereign immunity, and its reaffirmation of the existence of "judicially enforceable outer limits" on the commerce power itself, in United States v. Lopez in 1995.

Rehnquist's dedication to judicial restraint and popular government is perhaps most evident in his writings on the subject of "substantive due process." At his death, Rehnquist was the last remaining member of the Court that had decided Roe v. Wade. He had dissented from the opinion of the Court, comparing the majority's reasoning to the discredited doctrine of Lochner v. New York, and commenting that the Court's opinion in Roe "partakes more of judicial legislation than it does of a determination of the intent of the drafters of the Fourteenth Amendment." While Rehnquist garnered only four votes for his later view that Roe should be overruled, the Court ultimately did adopt his restrained approach to substantive due process. In Washington v. Glucksberg, Chief Justice Rehnquist wrote for the majority and recognized that "[b]y extending constitutional protection to an asserted right or liberty interest, we, to a great extent, place the matter outside the arena of public debate and legislative action." The Court declared that it would "exercise the utmost care" whenever asked to "break new ground in this field, lest the liberty protected by the Due Process Clause be subtly transformed into the policy preferences of the Members of this Court." Thus, Rehnquist's opinion was consistent with the view articulated more than 20 years earlier, in his essay on the "living Constitution," that judicial review under the Fourteenth Amendment should not be employed as an "end run around popular government," in a way that is "genuinely corrosive of the fundamental values of our democratic society." Running through his opinions on any number of questions—from assisted suicide and abortion to Christmas displays, campaign finance, and the death penalty—is a deep commitment to the idea that our Constitution leaves important, difficult, and even divisive decisions to the people.

Rehnquist's legacy on the Supreme Court involves much more than doctrinal contributions and particularly noteworthy decisions. He encouraged and exemplified collegiality, fairness, and graciousness among the Justices, urging them towards greater consensus where possible, and thereby enhancing the respect enjoyed by the Court in American society. To some degree, Rehnquist's achievements as the leader of the Court were the result of a subtle transformation in Rehnquist himself—from Justice Rehnquist, "The Lone Dissenter," to Chief Justice Rehnquist, the consensus-builder.

In his 1986 confirmation hearings, Rehnquist alluded to the role of a Chief Justice in gaining consensus, and allowed that deviation from his personal judicial philosophy may be proper "where there are constraints that there ought to be a court opinion rather than a plurality opinion." Rehnquist later acknowledged, in a 2001 interview, that while his legal philosophy had never changed, since becoming the Chief Justice he had "become a lot more convinced of the need for the Court to get a Court opinion in each case. . . . I'm more conscious of the need for that and also conscious of the . . . lack of need for a lot of concurring opinions."

For those attorneys privileged to argue before the Supreme Court during Rehnquist's long tenure, his legacy is probably as much about his commanding presence on the Bench as his approach to the Constitution or the Conference. Rehnquist's view of oral argument was emblematic of his no-nonsense approach to judging and life. He wrote that oral argument "forces the judges who are going to decide the case and the lawyers who represent the clients whose fates will be affected by the outcome of the decision to look at one another for an hour, and talk back and forth about how the case should be decided."

Rehnquist preferred plain-spoken arguments to flowery rhetoric or pretense. Although he was a kind and easygoing man, he adopted a stern and no-nonsense demeanor on the Bench, running arguments with Nordic precision. The moment the red light came on, the Chief thanked counsel for the presentation, even if the lawyer was in mid-sentence, and then called the next lawyer or case. When one lawyer rose to present his rebuttal, the Chief ended the argument by stating, while breaking a wry smile, "the Marshal says you have 5 seconds left, and under the principle of de minimis non curat lex, the case is submitted."

Rehnquist's dry sense of humor often was on display during argument sessions. During one argument, a lawyer gave what he described as an "honest and principled answer" to another Justice's question, and the Chief quickly replied, "we hope all your answers will be principled." When a lawyer responded to Rehnquist's recitation of a case by saying "you are correct, Chief Justice," the Chief said, "I'm glad to know that." During his last public session on the Bench, Rehnquist observed that seven different opinions had been written in a case, then remarked, "I didn't know we had so many Justices."

As the Chief Justice, Rehnquist presided over not only the Bench and the Conference, but over the entire Judicial Branch as well. He brought to this role the same collegiality, wisdom, effectiveness, and clarity of purpose that marked his leadership of the Supreme Court itself. As with so many things he did, he impressed all with his ability to perform so effortlessly the myriad tasks of running the Judiciary. His colleague Justice Byron White remarked in 1996 that "of the three Chief Justices with whom I have served, the man who now sits in the center chair. . . seems to me to be the least stressed by his responsibilities and to be the most efficient manager of his complicated schedule." Rehnquist, he said, "reminds me of a highly conditioned cross between a quarter horse and racing thoroughbred."

Rehnquist brought his penchant for innovation and efficiency to management of the judicial branch. He adopted changes that dramatically improved the efficiency and operation of the Judicial Conference, including what he termed a "notably strengthened Executive Committee," which became the senior executive arm of the Judicial Conference. He fostered inclusiveness by requiring, for the first time, that members of Judicial Conference committees rotate regularly, and he never asserted his authority as Chief Justice to govern with a heavy hand. A vigorous defender of the Third Branch, Rehnquist effectively used the pulpit provided by his position to support and defend the Judiciary and to improve inter-branch relations. He wisely understood that Congress had an important role to play in overseeing the Judiciary, and he communicated often with congressional leaders, in both formal and less formal settings, to advance the goals of the Judiciary. As he put it, "Judges. . . have no monopoly of wisdom on matters affecting the Judiciary. . . . Legislators and executive officials, no less than judges, are committed to an effective Judiciary."

But Rehnquist also understood full well the importance of an independent and vibrant Judiciary, and he staunchly defended the Judiciary from attacks, often resorting—

as he did in other areas—to lessons from history. In 2004, he addressed congressional suggestions for impeachment of federal judges who issue unpopular decisions by explaining that "our Constitution has struck a balance between judicial independence and accountability, giving individual judges secure tenure but making the federal Judiciary subject ultimately to the popular will because judges are appointed and confirmed by elected officials." His leadership engendered great loyalty from the members of the federal Judiciary, and in the end, one judge captured the sentiment of a great many, saying that Chief Justice Rehnquist "was our wise leader, our strongest supporter and our true friend."

Above and beyond his demanding official duties, Rehnquist pursued and cultivated a rich array of interests and passions. Family, friends, and law clerks remember well his dedication to afternoon swims and weekly tennis matches, his friendly wagering on football, horse races, or even the amount of snowfall, his love for trivia and charades, and his interest and voluminous knowledge of literature, geography, history, and art. Rehnquist also served as Historian-in-Chief, writing books on the history of the Supreme Court, the impeachment trials of Chase and Johnson, the controversial Hayes-Tilden presidential election of 1876, and civil liberties in wartime. Remarkably, Rehnquist himself became the second Chief Justice in history to preside over an impeachment trial, confronted a disputed presidential election in 2000, and led the Court as it decided pressing questions involving civil liberties and security in the context of the war on terror and the attacks of September 11, 2001.

For those who knew, worked with, learned from, and cared about William Rehnquist, his personal qualities—the unassuming manner, the care he took to put people at ease, and his evident desire to serve as a teacher and mentor—are as salient in memories of him as his re-invigoration of the "first principles" of our federalism, his re-focusing of the Fourth Amendment on reasonableness, or his conviction that the religion clauses of the First Amendment do not require a public square scrubbed clean of religious faith and expression. Rehnquist never forgot what it felt like to arrive at the Court as a slightly awestruck and appropriately apprehensive law clerk. He never lost his sense of gratitude for the opportunity to learn and serve the law in that great institution. And he never outgrew or got tired of teaching young lawyers how to read carefully, write clearly, think hard, and live well.

William Rehnquist served well his country, his profession, and the Constitution. All the while, he kept and nurtured a healthy focus on real things and places, and he embraced the value, interest, and importance of ordinary, everyday life. We are reminded of how the Chief had taken to heart Dr. Johnson's dictum that "[t]o be happy at home is the end of all human endeavor." In a 2000 commencement address, he invoked the wonderful old Jimmy Stewart movie, You Can't Take it With You, to urge the assembled, ambitious young lawyers to "[d]evelop a capacity to enjoy pastimes and occupations that many can enjoy simultaneously—love for another, being a good parent to a child, service to your community." He instilled in so many of his friends, colleagues, and law clerks a commitment to building and living an integrated life as a lawyer, a life that is not compartmentalized, atomized, or segregated but that pulls and holds together work, friends, family, faith, and community. Rehnquist understood that the need for such a commitment is particularly acute among lawyers, and he worried that the profession he so thoroughly enjoyed and in which he thrived had become marked, for many, by brutally long hours of well-paid stress and drudgery.

In the final years of his life, he recalled happily that the "structure of the law practice" in Phoenix when he practiced there "was such that I was able to earn a decent living, while still finding time for my wife and children and some civic activities. Lawyers were not nearly as time conscious then as they are now; this meant that they probably earned less money than they might have, but had a more enjoyable life." He exhorted law school graduates to realize that because of their abilities and opportunities, they would have "choices," and that "how wisely you make these choices will determine how well spent you think your life is when you look back at it." Gathered here together, looking back at his life, the Members of the Bar of the Supreme Court are pleased and honored to announce the opinion that his was a great life, and well spent.

Wherefore, it is Resolved, That we, the Bar of the Supreme Court of the United States, express our great admiration and respect for Chief Justice William H. Rehnquist, our deep sense of loss upon his death, our appreciation for his contribution to the law, the Court, and the Nation, and our gratitude for his example of a life well spent; and it is further

Resolved, That the Solicitor General be asked to present these resolutions to the Court and that the Attorney General be asked to move that they be inscribed on the Court's permanent records.

Mr. STEVENS. Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORT FROM THE PRESIDENT OF THE UNITED STATES

Mr. STEVENS. Mr. President, as President pro tempore, I ask unanimous consent that the attached statement from the President of the United States be entered into the record today pursuant to the War Powers Resolution (P.L. 93–148) and P.L. 107–40.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, DC, June 15, 2006.

HON. TED STEVENS,
President pro tempore of the Senate.

DEAR MR. PRESIDENT: I am providing this supplemental consolidated report, prepared by my Administration and consistent with the War Powers Resolution (Public Law 93–148), as part of my efforts to keep the Congress informed about deployments of U.S. combat-equipped Armed Forces around the world. This supplemental report covers operations in support of the war on terror, Kosovo, and Bosnia and Herzegovina.

THE WAR ON TERROR

Since September 24, 2001, I have reported, consistent with Public Law 107–40 and the War Powers Resolution, on the combat operations in Afghanistan against al-Qaida terrorists and their Taliban supporters, which began on October 7, 2001, and the deployment of various combat-equipped and combat-support forces to a number of locations in the Central, Pacific, and Southern Command areas of operation in support of those operations and of other operations in our war on terror.

I will direct additional measures as necessary in the exercise of the U.S. right to self-defense and to protect U.S. citizens and interests. Such measures may include short-notice deployments of special operations and other forces for sensitive operations in various locations throughout the world. It is not possible to know at this time either the precise scope or duration of the deployment of U.S. Armed Forces necessary to counter the terrorist threat to the United States.

United States Armed Forces, with the assistance of numerous coalition partners, continue to conduct the U.S. campaign to pursue al-Qaida terrorists and to eliminate support to al-Qaida. These operations have been successful in seriously degrading al-Qaida's training capabilities. United States Armed Forces, with the assistance of numerous coalition partners in Combined Forces Command, Afghanistan, ended the Taliban regime and are actively pursuing and engaging remnant al-Qaida and Taliban fighters in Afghanistan. Approximately 200 U.S. personnel also are assigned to the International Security Assistance Force (ISAF) in Afghanistan. The U.N. Security Council authorized the ISAF in U.N. Security Council Resolution 1386 of December 20, 2001, and has reaffirmed its authorization since that time, most recently for a 12–month period beginning October 13, 2005, in U.N. Security Council Resolution 1623 of September 13, 2005. The mission of the ISAF under NATO command is to assist the Government of Afghanistan in creating a safe and secure environment that allows reconstruction and the reestablishment of Afghan authorities. Currently, all 26 NATO nations contribute to the ISAF. Ten non-NATO contributing countries also participate by providing military and other support personnel to the ISAF.

The United States continues to detain several hundred al-Qaida and Taliban fighters who are believed to pose a continuing threat to the United States and its interests. The combat-equipped and combat-support forces deployed to Naval Base, Guantanamo Bay, Cuba, in the U.S. Southern Command area of operations since January 2002 continue to conduct secure detention operations for the approximately 460 enemy combatants at Guantanamo Bay.

The U.N. Security Council authorized a Multinational Force (MNF) in Iraq under unified command in U.N. Security Council Resolution 1511 of October 16, 2003, and reaffirmed its authorization in U.N. Security Council Resolution 1546 of June 8, 2004. In U.N. Security Council Resolution 1637 of November 8, 2005, the Security Council, noting the Iraqi government's request to retain the presence of the MNF, extended the MNF mandate for a period ending on December 31, 2006. Under Resolutions 1546 and 1637, the mission of the MNF is to contribute to security and stability in Iraq, as reconstruction continues. These contributions have included assisting in building the capability of the Iraqi security forces and institutions as the Iraqi people drafted and approved a constitution and established a constitutionally elected government. The U.S. contribution to the

MNF is approximately 131,000 military personnel.

In furtherance of our efforts against terrorists who pose a continuing and imminent threat to the United States, our friends and allies, and our forces abroad, the United States continues to work with friends and allies in areas around the globe. These efforts include the deployment of U.S. combat-equipped and combat-support forces to assist in enhancing the counterterrorism capabilities of our friends and allies. United States combat-equipped and combat-support forces continue to be located in the Horn of Africa region, and the U.S. forces headquarters element in Djibouti provides command and control support as necessary for military operations against al-Qaida and other international terrorists in the Horn of Africa region, including in Yemen. In addition, the United States continues to conduct maritime interception operations on the high seas in the areas of responsibility of all of the geographic combatant commanders. These maritime operations have the responsibility to stop the movement, arming, or financing of international terrorists.

NATO-LED KOSOVO FORCE (KFOR)

As noted in previous reports regarding U.S. contributions in support of peacekeeping efforts in Kosovo, the U.N. Security Council authorized Member States to establish KFOR in U.N. Security Council Resolution 1244 of June 10, 1999. The mission of KFOR is to provide an international security presence in order to deter renewed hostilities; verify and, if necessary, enforce the terms of the Military Technical Agreement between NATO and the Federal Republic of Yugoslavia (which is now Serbia); enforce the terms of the Undertaking on Demilitarization and Transformation of the former Kosovo Liberation Army; provide day-to-day operational direction to the Kosovo Protection Corps; and maintain a safe and secure environment to facilitate the work of the U.N. Interim Administration Mission in Kosovo (UNMIK).

Currently, there are 24 NATO nations contributing to KFOR. Eleven non-NATO contributing countries also participate by providing military personnel and other support personnel to KFOR. The U.S. contribution to KFOR in Kosovo is about 1,700 U.S. military personnel, or approximately 11 percent of KFOR's total strength of approximately 16,000 personnel.

The U.S. forces have been assigned to the eastern region of Kosovo. For U.S. KFOR forces, as for KFOR generally, maintaining a safe and secure environment remains the primary military task. The KFOR operates under NATO command and control and rules of engagement. The KFOR coordinates with and supports the UNMIK at most levels; provides a security presence in towns, villages, and the countryside; and organizes checkpoints and patrols in key areas to provide security, protect minorities, resolve disputes, and help instill in the community a feeling of confidence.

In accordance with U.N. Security Council Resolution 1244, UNMIK continues to transfer additional competencies to the Kosovar Provisional Institutions of Self-Government, which includes the President, Prime Minister, multiple ministries, and the Kosovo Assembly. The UNMIK retains ultimate authority in some sensitive areas such as police, justice, and ethnic minority affairs.

NATO continues formally to review KFOR's mission at 6-month intervals. These reviews provide a basis for assessing current force levels, future requirements, force structure, force reductions, and the eventual withdrawal of KFOR. NATO has adopted the Joint Operations Area plan to regionalize and rationalize its force structure in the Balkans. The UNMIK international police and the Kosovo Police Service (KPS) have full responsibility for public safety and policing throughout Kosovo. The UNMIK international police and KPS also have begun to assume responsibility for guarding patrimonial sites and established border-crossing checkpoints. The KFOR augments security in particularly sensitive areas or in response to particular threats as needed.

NATO HEADQUARTERS IN BOSNIA AND HERZEGOVINA

Pursuant to the June 2004 decision made by NATO Heads of State and Government, and in accordance with U.N. Security Council Resolution 1575 of November 22, 2004, NATO concluded its Stabilization Force operations in Bosnia-Herzegovina and established NATO Headquarters-Sarajevo to continue to assist in implementing the Peace Agreement in conjunction with a newly established European Force. The NATO Headquarters-Sarajevo, to which approximately 250 U.S. personnel are assigned, is, with the European Force, the legal successor to SFOR. The principal tasks of NATO Headquarters-Sarajevo are providing advice on defense reform and performing operational supporting tasks, such as counterterrorism and supporting the International Criminal Tribunal for the Former Yugoslavia.

I have directed the participation of U.S. Armed Forces in all of these operations pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive. Officials of my Administration and I communicate regularly with the leadership and other Members of Congress with regard to these deployments, and we will continue to do so.

Sincerely,

GEORGE W. BUSH.

THE WHITE HOUSE, *June 15, 2006*.

EDUCATING NEW MOTHERS

Mr. DURBIN. Mr. President, I rise today to recognize the importance of educating new mothers about postpartum depression. The bill I am introducing today with Senator MENENDEZ will provide screening and education for women who have given birth and will promote research into the causes, diagnoses and treatments for postpartum depression.

The Commonwealth Fund released a study last month that finds postpartum depression inhibits a mother's ability to safely and effectively care for her children after pregnancy. Mothers who are affected by postpartum depression are less likely to provide essential developmental support for the child through playing, talking, showing picture books, and following daily routines.

For many mothers, the depression worsens if it isn't diagnosed, which can lead to substance abuse, loss of employment, divorce, further social alienation, self-destructive behavior, and even suicide.

A few years ago in Chicago, within a 4-week period, several new mothers who were affected by postpartum depression took their own lives.

Melanie Stokes jumped from a 12-story Chicago hotel, taking her life only a few months after her daughter was born. The day before her daughter's first birthday, Amy Garvey's body was found floating in Lake Michigan. Jennifer Mudd Houghtaling, from Wisconsin, jumped in front a subway train in Chicago less than 5 months after giving birth to her son. Five days after giving birth to quadruplets, Ariceli Erivas Sandoval drowned herself in Lake Michigan.

These are tragic, heart-wrenching stories. I wish I could say that is the end of the story, but the problem is far more common than that. Each year, far more than half of women giving birth suffer from postpartum mood changes. The more mild "baby blues" affect up to 80 percent of new mothers. Postpartum mood and anxiety disorders impair 10 to 20 percent of new mothers, and postpartum psychosis strikes 1 in 1,000 women after birth.

The Menendez-Durbin bill authorizes postpartum depression screening and information for mothers before they leave the birthing center. Through a State grant program, health care providers are given the tools they need to recognize signs of depression and to educate women and their families about the disorder and how to access help.

We also call on the National Institutes of Health to convene a series of national meetings on postpartum depression and psychosis and then to expand and intensify research around that consensus.

Our bill has been endorsed by the Illinois Chapter of the American Academy of Pediatrics; the Illinois Psychiatric Association; Postpartum Support International; the Association of Women's Health; Obstetric and Neonatal Nurses, AWHONN; the Family Mental Health Institute, Inc.; the National Mental Health Association and the New Jersey chapter, and the New Jersey Chapter of the American College of Obstetrics and Gynecology, ACOG.

I urge my colleagues to join Senator MENENDEZ and me in supporting the MOTHERS Act, which will ensure that new mothers are educated about postpartum depression and that research will help us prevent and treat postpartum depression in new mothers.

HONORING OUR ARMED FORCES

PETTY OFFICER 2ND CLASS JAIME JAENKE

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to the first female Iowan to have lost her life in the Iraq conflict. Petty Officer 2nd Class Jaime Jaenke was a naval reservist who had been in Iraq for only 3 months. She was killed on Monday, June 5, when the humvee she was traveling in was hit by an improvised explosive device. She was 29 years old and was assigned to the Naval Mobile Construction Battalion 25 at Fort McCoy, WI.

Petty Officer Jaenke has given her life for our country, and I would ask that all Americans join me today in remembering and honoring Petty Officer Jaenke. Her loss will be felt deeply in the town of Iowa Falls. Although she had lived in Wisconsin for a number of years, she returned to Iowa 2 years ago and last fall opened an equestrian business outside Iowa Falls. My thoughts and prayers are with Petty Officer Jaenke's daughter, Kayla, her parents, Susan and Larry, as well as all those other family and friends who are grieving the loss of this young mother.

We owe a huge debt of gratitude to Petty Officer Jaenke for her sacrifice. I am greatly saddened by her passing but deeply proud and grateful for what she gave for America. Her loss remains tragic but she died a true patriot.

MARRIAGE PROTECTION AMENDMENT

Mr. GRASSLEY. Mr. President, I strongly support traditional marriage, the bedrock of our society, and I therefore support the Marriage Protection Amendment.

Like some of my colleagues, I believe that marriage is typically a State issue. Unelected, lifetime-appointed judges, however, have forced our hand on this issue. We can no longer sit idly by while a handful of activist judges lay the groundwork to overturn the Defense of Marriage Act and redefine marriage for the entire Nation.

I voted in favor of the Defense of Marriage Act a decade ago, which reinforced States rights on this issue. Since then, 26 States have passed statutes designed to protect traditional marriage by defining marriage only as the union of a man and a woman. Further, 19 States now have constitutional amendments that contain this same definition. Voters in seven additional States will vote on constitutional amendments this year. Another four State legislature—including that of my own State, Iowa—are considering sending constitutional amendments to voters within the next 2 years. Ballot initiatives are currently underway in three States. Only a handful of States have redefined marriage to include same-sex partnerships, created a version of civil unions, or lack actual or planned protection for traditional marriage.

The states have spoken. A great majority of them have decided that marriage, in their States, shall consist solely of the union of a man and a woman. But, it has become a common prediction that the Federal Defense of Marriage Act will be overturned by the judiciary. In that case, the full faith and credit clause of our Constitution would require every State to recognize so-called marriages performed in States that allow the union of same-sex couples, many only by judicial decree. We cannot allow unelected judges to force their will upon the people, who have acted through the democratic process to defend traditional marriage.

Under our Constitution, Congress has the responsibility to enact legislation. Congress also has the responsibility to initiate the constitutional amendment process. We must fulfill this duty to protect traditional marriage. We must provide the States the opportunity to defend marriage as they have defined it.

SCHOOL SAFETY ACQUIRING FACULTY EXCELLENCE ACT

Mr. ALLEN. Mr. President, I take this opportunity to express my support for H.R. 4894, the School Safety Acquiring Faculty Excellence Act.

As the father of three children, I know that nothing is more important than protecting their safety. We do everything to ensure that our children are safe while they are in our care. But just as important, we must do everything we can to make sure they are safe when we cannot be right there beside them. One of the ways we can accomplish this is to provide for a safe school environment.

We trust teachers, principals, coaches, and other school employees to teach our children, to protect our children, and to nurture our children during the school day. Therefore, it is imperative that our school districts have the necessary tools to thoroughly review all school employees before they ever come into contact with our children.

The School Safety Acquiring Faculty Excellence Act will help school districts better examine job applicants by having the Attorney General and the Department of Justice provide localities with direct access to the FBI's national crime information databases and assistance with fingerprint background checks for potential employees. Currently there are a myriad of laws across the States pertaining to background checks for school employees. This legislation will ensure a more thorough process and encourage information sharing across State borders.

I urge my colleagues to support this important legislation, which is a step forward in promoting safe schools and protecting our children.

CONGRESSIONAL MEDAL OF HONOR RECOMMENDATION

Mr. DORGAN. Mr. President, I rise today to inform my colleagues of my request to Secretary Donald Rumsfeld to strongly recommend the nomination of MSG Woodrow W. Keeble for the Congressional Medal of Honor.

Last week, the Secretary of the Army made a recommendation to the Secretary of Defense that the late MSG Woodrow W. Keeble be awarded the Congressional Medal of Honor. I strongly encourage and request that the Secretary of Defense recommend Mr. Keeble for this award and that action be taken quickly, particularly for the sake of Mr. Keeble's widow, to recommend approval to President Bush.

Mr. Keeble was a full-blooded Sisseton-Wahpeton Sioux, who fought in both World War II and the Korean war. He was born in Waubay, SD, and attended Wahpeton Indian School in North Dakota. While attending Wahpeton Indian School, Mr. Keeble excelled as a baseball pitcher. His outstanding athletic ability, for which he is remembered in the Wahpeton community, would later serve him well during his acts of bravery and courage in the Korean war.

The brave actions that make Mr. Keeble deserving of the Congressional Medal of Honor occurred during Operation Nomad of the Korean war on October 20, 1951. During the Korean war, Mr. Keeble was assigned to Company G, 19th Infantry, 24th Division of the U.S. Army. He was charged with leading the 1st platoon of Company G as master sergeant.

Mr. Keeble's actions on October 20, 1951, were reminiscent of Hollywood movies, but this was real heroism. On that date, Mr. Keeble's company was charged with the mission of taking and securing Hill 765, a steep rocky and well-defended terrain near Kumsong, Korea. As they began to reach their final objective, the lead platoon of Company G was ambushed with heavy fire from three enemy machine gun nests. The platoon's situation became grave as Mr. Keeble, acting platoon leader of a support platoon, left his position of cover and bravely made his way forward and joined the trapped platoon.

It took Mr. Keeble little time to decide that immediate action had to be taken. He courageously crawled directly into the line of fire to take out the enemy machine guns. He successfully crawled up the rocky terrain and neutralized the first two machine gun nests by hurling grenades and rendering them useless. The remaining enemy machine gun nest brought terrific fire down upon him. Undaunted by the rain of concussion and fragmentation grenades, Mr. Keeble proceeded to disable the final enemy position. After missing the enemy with his last grenade, he launched a one-man assault with his M-1 rifle. By this time, he sustained multiple shrapnel wounds. Fearlessly, he took out the final machine gun position with his rifle. While awaiting the arrival of his fellow soldiers, he continued to singlehandedly take out two additional nearby trenches of enemy troops, and he effectively neutralized the enemy stronghold, involving a series of close combat struggles. Mr. Keeble's heroic actions led to the successful accomplishment of Company G's mission and, no doubt, saved the lives of many American troops.

Those who served with Mr. Keeble twice recommended him for the Congressional Medal of Honor, but the recommendations were lost. The first was due to the regiment's move from the Korean theater, and the second was an inability to meet mapping requirements. However, it should be noted that both instances of application only required two signatures, but in each case, all the men in Master Sergeant Keeble's company signed the Congressional Medal of Honor request. Eventually, the deadline for the Medal of Honor consideration passed, but Mr. Keeble's family was granted their request in 2002 that his file be reopened.

For his acts of heroism he was awarded the Purple Heart, the Bronze Star, the Silver Star, and the Distinguished Service Cross. The criteria for the Congressional Medal of Honor include deeds of personal bravery, self-sacrifice, or an action that conspicuously distinguishes the individual above his comrades. Should the President agree to this recommendation, Mr. Keeble would be the first Sioux Indian to be awarded the Nation's highest military honor if he is chosen to receive the Congressional Medal of Honor. Certainly the courageous and patriotic acts exhibited by Mr. Keeble during times of war make him a long overdue and deserving recipient of the Congressional Medal of Honor.

Mr. President, I urge the Secretary of Defense to strongly recommend the nomination of MSG Woodrow W. Keeble for the Congressional Medal of Honor to the President of the United States, and I hope my colleagues will join me in saluting a truly brave and courageous American.

MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT REAUTHORIZATION ACT

Mr. WYDEN. Mr. President, I thank Senators STEVENS and INOUYE, the chair and ranking member of the Senate Commerce Committee, for their efforts in incorporating my amendment into the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2005, S. 2012. My amendment makes Oregon's salmon fishermen eligible for disaster assistance. Their willingness to accommodate my concerns and help Oregon's salmon fishers means that I can withdraw the objection I issued 2 weeks ago to any unanimous consent request for the Senate to act on the Magnuson-Stevens Fishery Conservation Act. I also wish to thank Senator SMITH and Senator BOXER for their important contributions and assistance. I look forward to swift passage of the legislation, as amended.

The inclusion of the disaster declaration in the Magnuson-Stevens authorization is an important first step in getting relief for our salmon fishers and coastal communities that depend on salmon for their livelihoods. After waiting months for a disaster declaration from the administration, our salmon fishers now finally have some movement to help address their immediate financial needs.

Even with this important language, the fight to help Oregon's salmon fishermen is far from over, and I will continue to press for congressional appropriations to fund the disaster assistance fishing families and the coastal fishing communities need.

WORLD ELDER ABUSE AWARENESS DAY

Mr. KOHL. Mr. President, I rise today in recognition of World Elder Abuse Awareness Day. As ranking member on the Special Committee on Aging, I am pleased that the international community has designated this day. It is important to recognize the grim reality of elder abuse, neglect, and exploitation and focus on what we can do to end these horrible crimes.

In the past 40 years, our Nation has struggled to address some of our society's worst ills: child abuse and domestic violence. Now we must confront elder abuse.

For the past 25 years, Congress has held hearings on the devastating effects of elder abuse, yet we have taken no comprehensive action. Abuse of the elderly is nothing new, but as our Nation has aged and the baby boom generation stands on the cusp of retirement, the prevalence of elder abuse will only get worse. The time to act is now. We can no longer ignore or tolerate the shame and scandal of abuse, neglect, and exploitation of our Nation's seniors.

I have long made ending elder abuse a top priority. I worked hard to develop a national criminal background check system for nursing home, home health, and other long-term care employees. While the vast majority of these employees are diligent, dedicated, and professional, it is too easy for people with abusive and criminal backgrounds to find work in long-term care. This is unacceptable. Today, seven States, including my home State of Wisconsin, are engaged in a pilot project based on my legislation which requires long-term care employers to run FBI criminal background checks on potential employees before they are hired and trusted to care for our loved ones. My hope is that upon completion of this pilot project, we will move to a national criminal background check system and protect seniors in all 50 States.

I am also a proud original cosponsor of the Elder Justice Act, which takes a number of steps to prevent and treat elder abuse. It will improve prevention and intervention by funding State and local projects that keep older Americans safe. It will ensure that health officials, social services, law enforcement, long-term care facilities, consumer advocates, and families are all working together to confront this problem; and, it will establish training programs so health professionals in both forensic pathology and geriatrics can better detect elder abuse, neglect, and exploitation.

Finally, the bill will establish victim assistance programs, create "safe havens" for seniors in dangerous living situations, and help train law enforcement officers to prioritize and investigate cases of elder abuse.

Researchers have warned us that the reported cases of elder abuse might only be the tip of the iceberg; that is why World Elder Abuse Awareness Day is so important. We must spread the word: elder abuse, neglect, and exploitation is occurring every day and, if left unchecked, will only grow more prevalent. As I continue my efforts here in the Senate, I encourage my colleagues and Americans everywhere to join me in putting an end to this terrible scourge of elder abuse.

ADDITIONAL STATEMENTS

HONORING 17 OUTSTANDING HOOSIER DADS

• Mr. BAYH. Mr. President, it is my privilege today to pay tribute to 17 Hoosier men whose outstanding commitment to fatherhood serves as example of how responsible, involved dads can promote stronger families and raise exceptional children.

This year, I invited Hoosier children to pay tribute to their dads by writing essays about what makes their father an Outstanding Hoosier Dad.

In a nation that leads the world in absentee fatherhood, it is particularly important this Father's Day to recognize outstanding dads who are doing their part to raise bright, healthy children. Children whose fathers are absent are five times more likely to live in poverty and twice as likely to commit a crime, drop out of school or become substance abusers. The essays provided a touching reminder to all men of the impact they have when they play an active role in their children's lives.

It is an honor today to recognize the 17 Hoosier children who submitted essays and their outstanding dads by reading their names into the CONGRESSIONAL RECORD of the United States.

R. Bradley Allen, father of John Allen, South Bend
Ronnie Asher, father of Jessica Asher, Martinsville
Brian Bolsen, father of Brennan Bolsen, Chesterton
Neil Day, father of Adam Day, Fort Wayne
Chris Dixon, father of William Dixon, Bloomington

Kevin Ford, father of Kimberly Ford, Schererville
Jeff Gratz, father of Clare Gratz, Batesville
Tom Gutzwiller, father of Lawson Gutzwiller, Batesville
Samuel Hale, father of Greg Hale, Granger
Dennis Mansfield, father of Alison Mansfield, Fort Wayne
Matt McKaig, father of Caleb McKaig, Urbana
Jonathan Plucker, father of Paige Plucker, Bloomington
Frederick Richards, father of Corey Richards, Churubusco
Andy Schultz, father of Mary Kate Schultz, DeMotte
Mike Stefanski, father of Matthew Stefanski, Valparaiso
Amitav Thamba, father of Aish Thamba, Fishers
Wiley Traylor, father of Stephanie Traylor, Mooresville•

IN HONOR OF GEORGE WINGATE HIGH SCHOOL

• Mrs. BOXER. Mr. President, I take this opportunity to honor George Wingate High School in Brooklyn, NY. Wingate High School, my alma mater, will graduate its last class on June 27, 2006.

In 1954, Wingate High School accepted its first class of students and had its first graduating class in 1957. It was the first high school built in New York after the end of World War II, and it embodied many of the ideals of the baby boomer generation. Wingate High School was so different from the standard design plan for schools that it became known as "The Banjo School" because of its open design.

Wingate High School was also innovative in its approach to teaching. Instead of focusing strictly on academic classes, Wingate was one of the first high schools in the Nation to offer a comprehensive range of classes in vocational, commercial and academic fields. Wingate High School has been known for its outstanding aviation, culinary arts, nursing and law programs, and many of its students have gone on to become successful pilots, chefs, nurses and attorneys.

Wingate has had a few famous graduates such as former New York State senator and current Brooklyn Borough president, Marty Markowitz, and Roger Brown, a New York City playground legend who went on to greatness in the American Basketball Association. However, thousands of other Wingate graduates have made priceless contributions to their communities, in part because of the valuable lessons they learned there.

I firmly believe that a quality education is the key to our youths' success and our nation's future. I commend Wingate's teachers, faculty, staff, and volunteers for their many years of hard work and dedication to Wingate High School's students. Their work has resulted in thousands of students who are better prepared to face the world and its challenges. I commend them for their commitment to quality education. Their enthusiasm and love of teaching means a brighter future for all of our children.

Wingate High School's motto is: "Ad Astra per Ardua"—"To the stars through struggle." In its 52-year history, George Wingate High School has graduated thousands of students who have gone on to make the world a better place. Though the journey has not always been easy, I know that Wingate's 2006 graduates will go on to do great things.

I give my most sincere congratulations and best wishes for the future to Wingate High School's Class of 2006.•

NATIONAL HISTORY DAY

• Mr. COLEMAN. Mr. President, I rise in support of the National History Day program. A basic knowledge of history is essential for our Nation's children to become active participants in our democracy, and National History Day is promoting history education in Minnesota and throughout the Nation. National History Day empowers teachers to improve history education so that every student will have historical knowledge and skills to contribute to the public good of our Nation. The National History Day program also allows students to create exhibits, documentaries and performances, by using their critical thinking and research skills in the subject of history.

It brings me great pleasure to pay special tribute to Emily Brown, as she is recognized for her scholastic achievements in National History Day.

Emily is a student at Sunrise Park Middle School in White Bear Lake, MN, and was one of 12 students chosen from across America to display and present her history project at the White House Visitors Center on June 15. Emily's project is titled "The Iron Jawed Angel: Alice Paul takes a stand for women's right to vote."

I congratulate Emily as she is honored for her presentation and commend her for her dedication and commitment. I join with the citizens of Minnesota in wishing Emily well in all her future endeavors.•

125TH ANNIVERSARY OF STEELE, NORTH DAKOTA

• Mr. CONRAD. Mr. President, today I recognize a community in North Dakota that will be celebrating its 125th anniversary. On June 30–July 2, the residents of Steele will gather to celebrate their community's history and founding.

Steele is a thriving community in North Dakota. The city was founded by Wilbur F. Steele in 1878. He purchased the land from the railroad and had hopes that the city would house the State capitol. Mr. Steele constructed a building in the city to serve as a place for the legislature to meet. Since Steele was not chosen as the State's capital, the building became the Kidder County Courthouse, which is still in use today.

Steele is best known for its 38½ foot high Sandhill Crane. This piece of art was inspired by the numerous birds and ducks that migrate through Steele each year. Steele has plenty to offer to its residents and visitors, from the golf course and parks to fishing, hunting, and crosscountry skiing.

The community has planned a wonderful weekend celebration to commemorate its 125th anniversary. The celebration includes an all school reunion, parade, fireworks, auction, outdoor concert, a street dance, and much more.

Mr. President, I ask the Senate to join me in congratulating Steele, ND, and its residents on their first 125 years and in wishing them well through the next century. By honoring Steele and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Steele that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Steele has a proud past and a bright future.•

ASSOCIATION OF ENERGY SERVICE COMPANIES 50TH ANNIVERSARY

• Mr. INHOFE. Mr. President, today I wish to recognize the 50th anniversary of the Association of Energy Service Companies and the beneficial contributions it has made to the oil and gas industry since February 1956. This organization has helped unite the oil and gas industry and advocates the most efficient production models for all of the member companies, resulting in vastly superior oil and gas operations across the Nation.

The association formed when six service contractors met and formed the Association of Oil Well Servicing Companies to combat increasing governmental regulations, rising insurance costs, and the rising difficulty in employee recruitment. With Mr. Frank Poole appointed as the first president, the association began to gradually grow and gain prominence in the oil and gas industry. Soon after formation, the group grew to represent 35 wells and 15 trucks and eventually placed an association chapter in 17 oil-producing States.

Over the past 50 years, the organization has blossomed from 6 members to over 400. The association currently boasts representation of over 70 percent of the well-servicing rigs in domestic oil production. In 1996, due to a rapidly growing national membership and expansive chapter representation, the Association of Oil Well Servicing Companies changed their name to the Association of Energy Service Companies.

The AESC continues to lead the oil and gas industry by providing a host of services including safety training and seminars on current and new technology, environmental protection initiatives, monthly meetings of State and local chapters, as well as national meetings, conferences, and tradeshows.

Mr. President, as the members of the AESC prepare to celebrate 50 years of dedicated service, I extend my congratulations to all of those members who have remained committed to excellence in the oil and gas industry. In a world driven by oil and gas production and consumption, this organization has provided guidance and regulation to maintain equal standards in a competitive industry. For the next 50 years and beyond, I sincerely hope this organization's leadership and dedication to fairness remains as strong as it has been the past 50 years.●

TRIBUTE TO ROGER MEIER

● Mr. SMITH. Mr. President, today I pay tribute to a great man, Roger Meier.

The late Oregon Governor Tom McCall once said, "Heroes are not giant statues framed against a red sky. They are people who say, 'This is my community and it is my responsibility to make it better.'"

When Roger Meier passed away on June 5, I lost a trusted friend and Oregon lost a true hero. Through leadership, vision, and generosity, Roger made his community of Portland and his State of Oregon a better place in which to live, work, and raise a family.

Roger was a fourth-generation Oregonian and a descendant of the founders of the Meier and Frank Company, one of Oregon's most beloved institutions. Roger spent 13 years working in the family business before venturing out on his own and serving as president and CEO of a privately owned investment company for more than 30 years.

Roger earned a reputation as a savvy analyst of the business and financial scene. He put his intelligence and knowledge to work for all Oregonians, serving for 13 years as chairman of the Oregon Investment Council, which helps to manage pension funds for Oregon's public employees. Under his stewardship, Oregon's portfolio of investments grew from $400 million to $7 billion.

Roger was also a tireless advocate for and a generous philanthropist to countless worthy causes and charitable organizations, including the Oregon Health Sciences University, Good Samaritan Hospital, and the Oregon Historical Society. Roger and his wonderful and gracious wife of 54 years, Laura, also had a special love of art. Along with their good friends, Pete and Mary Mark, Roger and Laura's generosity has helped to make the Portland Art Museum into a world-class institution.

It was fitting that a memorial tribute to Roger was held at the Portland Art Museum on June 11. My predecessor, Senator Mark Hatfield, spoke at the service and said that there was one word he believed best summed up Roger: gentleman.

Senator Hatfield was right. A man of courtesy, kindness, honesty and integrity, Roger Meier was a true gentleman. He will be greatly missed by Laura, by his daughters Alix and Jill and their families, by his friends, and by the community and State he served so ably.●

125TH ANNIVERSARY OF SOUTH DAKOTA STATE UNIVERSITY

● Mr. THUNE. Mr. President, today I wish to recognize South Dakota State University, which is celebrating its 125th year anniversary.

Over the past 125 years, SDSU has proven to its students, faculty, and alumni that "you can go anywhere from here." South Dakota State University, or SDSU, was founded in 1881 as the primary agriculture university in my home State of South Dakota, and 125 years later it now holds the distinction of being the State's largest university. SDSU not only provides students with an excellent academic environment, but beginning in 2004, the SDSU Jackrabbits started participating in NCAA Division I athletics.

It gives me great pleasure to rise with the students, faculty, and alumni of South Dakota State University in celebrating their 125th year anniversary and wish them continued success in the years to come.●

100TH ANNIVERSARY OF DRAPER, SOUTH DAKOTA

● Mr. THUNE. Mr. President, today I wish to recognize Draper, SD. The town of Draper will celebrate the 100th anniversary of its founding this year.

Located in Jones County, Draper was founded as an agricultural town in 1906. Although 100 years have passed since its founding, the city remains a great example of what makes rural South Dakota a welcoming place to live and raise a family.

I would like to offer my congratulations to Draper on their centennial and I wish them continued prosperity in the years to come.●

MESSAGES FROM THE HOUSE

At 11:32 a.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5576. An act making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes.

ENROLLED BILLS SIGNED

The President pro tempore (Mr. STEVENS) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

S. 1445. An act to designate the facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, as the "William H. Emery Post Office".

At 2:24 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4939. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. STEVENS).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5576. An act making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007, and for other purposes; to the Committee on Appropriations.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-7169. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, the report of proposed legislation relative to the use of gambling devices as technologic aids in Class II gaming in Indian Country; to the Committee on Indian Affairs.

EC-7170. A communication from the Special Assistant to the Secretary, White House Liaison, Department of Veterans Affairs, transmitting, (2) reports relative to vacancy announcements within the Department, received on June 7, 2006; to the Committee on Veterans' Affairs.

EC-7171. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Report on Small Arms Programs"; to the Committee on Foreign Relations.

EC-7172. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to the

Arms Export Control Act, the certification of a proposed manufacturing license agreement involving the manufacture of significant military equipment abroad and the export of defense articles or defense services sold commercially under contract in the amount of $100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–7173. A communication from the Assistant General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Coordinated Communications" (Notice 2006–10) received on June 5, 2006; to the Committee on Rules and Administration.

EC–7174. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation that was declared in Executive Order 13159 of June 21, 2000; to the Committee on Banking, Housing, and Urban Affairs.

EC–7175. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–7176. A communication from the Chairman and President (Acting), Export Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–7177. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Director, Office of Federal Housing Enterprise Oversight, received on June 7, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–7178. A communication from the Director, National Legislative Commission, The American Legion, transmitting, pursuant to law, a report relative to the financial condition of The American Legion as of December 31, 2005; to the Committee on the Judiciary.

EC–7179. A communication from the Chairman, Naval Sea Cadet Corps, transmitting, pursuant to law, the 2005 Audit of the Naval Sea Cadet Corps (NSCC) and the 2005 Annual Report of the U.S. Naval Sea Cadet Corps; to the Committee on the Judiciary.

EC–7180. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, the report of proposed legislation entitled "Restitution for Victims of Crime Act of 2006; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on Finance, without amendment:

S. 3524. An original bill to amend titles XVIII, XIX, and XXI of the Social Security Act to improve health care provided to Indians under the Medicare, Medicaid, and State Children's Health Insurance Programs, and for other purposes.

S. 3525. An original bill to amend subpart 2 of part B of title IV of the Social Security Act to improve outcomes for children in families affected by methamphetamine abuse and addiction, to reauthorize the promoting safe and stable families program, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. SPECTER for the Committee on the Judiciary.

Kenneth L. Wainstein, of Virginia, to be an Assistant Attorney General.

Frank D. Whitney, of North Carolina, to be United States District Judge for the Western District of North Carolina.

Thomas D. Anderson, of Vermont, to be United States Attorney for the District of Vermont for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. COCHRAN, Ms. CANTWELL, Mr. DOMENICI, Mrs. LINCOLN, Mr. JEFFORDS, Ms. COLLINS, Mrs. MURRAY, Mr. HARKIN, Ms. LANDRIEU, Mr. OBAMA, Mr. SALAZAR, and Mr. SESSIONS):

S. 3516. A bill to amend title XVIII of the Social Security Act to permanently extend the floor on the Medicare work geographic adjustment under the fee schedule for physicians' services; to the Committee on Finance.

By Mrs. CLINTON:

S. 3517. A bill to enhance the services available to members of the Armed Forces returning from deployment in Operation Iraqi Freedom and Operation Enduring Freedom to assist such members in transitioning to civilian life, and for other purposes; to the Committee on Armed Services.

By Mr. BENNETT:

S. 3518. A bill to amend the Credit Repair Organizations Act to establish a new disclosure statement; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH (for himself, Mr. CONRAD, and Mr. KOHL):

S. 3519. A bill to reform the State inspection of meat and poultry in the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SNOWE (for herself and Mr. MENENDEZ):

S. 3520. A bill to amend the International Claims Settlement Act of 1949 to allow for certain claims of nationals of the United States against Turkey, and for other purposes; to the Committee on Foreign Relations.

By Mr. GREGG (for himself, Mr. FRIST, Mr. ALLARD, Mr. ENZI, Mr. SESSIONS, Mr. CRAPO, Mr. ENSIGN, Mr. CORNYN, Mr. ALEXANDER, Mr. GRAHAM, Mr. KYL, Mr. THOMAS, Mr. CRAIG, Mr. BROWNBACK, Mr. ISAKSON, Mr. DEMINT, Mr. MCCAIN, Mr. VITTER, Mr. THUNE, Mr. CHAMBLISS, Mr. MCCONNELL, Mr. BUNNING, and Mr. DOMENICI):

S. 3521. A bill to establish a new budget process to create a comprehensive plan to rein in spending, reduce the deficit, and regain control of the Federal budget process; to the Committee on the Budget.

By Mr. WYDEN (for himself, Mr. SMITH, Mr. CRAIG, and Mrs. MURRAY):

S. 3522. A bill to amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2006 through 2012, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself and Mr. KYL):

S. 3523. A bill to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending; to the Committee on Finance.

By Mr. GRASSLEY:

S. 3524. An original bill to amend titles XVIII, XIX, and XXI of the Social Security Act to improve health care provided to Indians under the Medicare, Medicaid, and State Children's Health Insurance Programs, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. GRASSLEY:

S. 3525. An original bill to amend subpart 2 of part B of title IV of the Social Security Act to improve outcomes for children in families affected by methamphetamine abuse and addiction, to reauthorize the promoting safe and stable families program, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. MCCAIN:

S. 3526. A bill to amend the Indian Land Consolidation Act to modify certain requirements under that Act; to the Committee on Indian Affairs.

By Mr. DEWINE (for himself and Mr. KOHL):

S. 3527. A bill to require the Under Secretary of Technology of the Department of Commerce to establish an Advanced Multidisciplinary Computing Software Institute; to the Committee on Commerce, Science, and Transportation.

By Mrs. CLINTON (for herself and Mr. DAYTON):

S. 3528. A bill to provide higher education assistance for nontraditional students, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. DURBIN):

S. 3529. A bill to ensure that new mothers and their families are educated about postpartum depression, screened for symptoms, and provided with essential services, and to increase research at the National Institutes of Health on postpartum depression; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 3530. A bill to revise the limitation on Impact Aid special payments; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. BROWNBACK, Mr. KERRY, Ms. MIKULSKI, Mr. DEWINE, Mr. DEMINT, Mr.

TALENT, Mr. ISAKSON, Mr. OBAMA, Mr. VOINOVICH, Ms. LANDRIEU, Mr. SANTORUM, Mr. DODD, Mr. LOTT, Mr. DURBIN, Mr. CHAMBLISS, Mr. BAYH, Mr. SPECTER, Mr. ALLEN, Mr. BURR, Mr. MCCAIN, Mr. COCHRAN, Mr. BIDEN, Mrs. HUTCHISON, and Mrs. DOLE):

S. Res. 513. A resolution expressing the sense of the Senate that the President should designate the week beginning September 10, 2006, as "National Historically Black Colleges and Universities Week"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANTORUM:

S. Con. Res. 102. A concurrent resolution condemning the decision by the city of St. Denis, France, to name a street in honor of Mumia Abu-Jamal, the convicted murderer of Philadelphia Police Officer Danny Faulkner; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 337

At the request of Mr. GRAHAM, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 337, a bill to amend title 10, United States Code, to revise the age and service requirements for eligibility to receive retired pay for non-regular service, to expand certain authorities to provide health care benefits for Reserves and their families, and for other purposes.

S. 809

At the request of Mr. LAUTENBERG, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 809, a bill to establish certain duties for pharmacies when pharmacists employed by the pharmacies refuse to fill valid prescriptions for drugs or devices on the basis of personal beliefs, and for other purposes.

S. 900

At the request of Mr. MCCAIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 900, a bill to reinstate the Federal Communications Commission's rules for the description of video programming.

S. 914

At the request of Mr. ALLARD, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 914, a bill to amend the Public Health Service Act to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 1353

At the request of Mr. REID, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1353, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1496

At the request of Mr. CRAPO, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1496, a bill to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps.

S. 1524

At the request of Mr. CRAPO, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1524, a bill to repeal the sunset on the reduction of capital gains rates for individuals and on the taxation of dividends of individuals at capital gain rates.

S. 2140

At the request of Mr. HATCH, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2140, a bill to enhance protection of children from sexual exploitation by strengthening section 2257 of title 18, United States Code, requiring producers of sexually explicit material to keep and permit inspection of records regarding the age of performers, and for other purposes.

S. 2246

At the request of Mr. SCHUMER, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2246, a bill to establish within the United States Marshals Service a short term State witness protection program to provide assistance to State and local district attorneys to protect their witnesses in homicide and major violent crime cases and to provide Federal grants for such protection.

S. 2253

At the request of Mr. DOMENICI, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2253, a bill to require the Secretary of the Interior to offer the 181 Area of the Gulf of Mexico for oil and gas leasing.

S. 2354

At the request of Mr. NELSON of Florida, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2354, a bill to amend title XVIII of the Social Security Act to reduce the coverage gap in prescription drug coverage under part D of such title based on savings to the Medicare program resulting from the negotiation of prescription drug prices.

S. 2465

At the request of Mrs. BOXER, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 2465, a bill to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

S. 2548

At the request of Mr. STEVENS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2548, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency.

S. 2563

At the request of Mr. COCHRAN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2563, a bill to amend title XVIII of the Social Security Act to require prompt payment to pharmacies under part D, to restrict pharmacy co-branding on prescription drug cards issued under such part, and to provide guidelines for Medication Therapy Management Services programs offered by prescription drug plans and MA-PD plans under such part.

S. 2599

At the request of Mr. VITTER, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. 2663

At the request of Mr. DODD, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2663, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 2703

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2703, a bill to amend the Voting Rights Act of 1965.

At the request of Mr. SPECTER, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 2703, supra.

S. 2814

At the request of Mr. BURNS, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 2814, a bill to amend title 10, United States Code, to provide for support of funeral ceremonies for veterans provided by details that consist solely of members of veterans organizations and other organizations, and for other purposes.

S. 2915

At the request of Mr. BIDEN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2915, a bill to amend title 10, United States Code, to improve screening for colorectal cancer for TRICARE beneficiaries over the age of 50.

S. 2970

At the request of Mr. KERRY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2970, a bill to require the Secretary of

Veterans Affairs to provide free credit monitoring and credit reports for veterans and others affected by the theft of veterans' personal data, to ensure that such persons are appropriately notified of such thefts, and for other purposes.

S. 3275

At the request of Mr. ALLEN, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 3275, a bill to amend title 18, United States Code, to provide a national standard in accordance with which nonresidents of a State may carry concealed firearms in the State.

S. 3475

At the request of Mr. OBAMA, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 3475, a bill to provide housing assistance for very-low-income veterans.

S. 3506

At the request of Mr. AKAKA, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Colorado (Mr. SALAZAR), the Senator from Minnesota (Mr. DAYTON), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. 3506, a bill to prohibit the unauthorized removal or use of personal information contained in a database owned, operated, or maintained by the Federal government.

S. CON. RES. 20

At the request of Mr. COCHRAN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Con. Res. 20, a concurrent resolution expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month.

S. CON. RES. 96

At the request of Mr. BYRD, the names of the Senator from Utah (Mr. BENNETT) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. Con. Res. 96, a concurrent resolution to commemorate, celebrate, and reaffirm the national motto of the United States on the 50th anniversary of its formal adoption.

S. RES. 482

At the request of Ms. LANDRIEU, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 482, a resolution supporting the goals of an annual National Time-Out Day to promote patient safety and optimal outcomes in the operating room.

S. RES. 507

At the request of Mr. BIDEN, the names of the Senator from Rhode Island (Mr. CHAFEE) and the Senator from Hawaii (Mr. INOUYE) were added as cosponsors of S. Res. 507, a resolution designating the week of November 5 through November 11, 2006, as "National Veterans Awareness Week" to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

S. RES. 508

At the request of Mr. BIDEN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. Res. 508, a resolution designating October 20, 2006 as "National Mammography Day".

S. RES. 512

At the request of Mr. INHOFE, the names of the Senator from Maine (Ms. COLLINS), the Senator from Nebraska (Mr. HAGEL), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Kansas (Mr. ROBERTS), the Senator from South Dakota (Mr. JOHNSON), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Colorado (Mr. ALLARD) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. Res. 512, a resolution celebrating the 231st birthday of the Army and commending the men and women of the Army as exceptional individuals who live by the values of loyalty, duty, and selfless service.

AMENDMENT NO. 4199

At the request of Mr. WARNER, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 4199 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4205

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of amendment No. 4205 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4224

At the request of Mr. OBAMA, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Tennessee (Mr. FRIST) were added as cosponsors of amendment No. 4224 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4234

At the request of Mr. SANTORUM, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of amendment No. 4234 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4243

At the request of Mr. BIDEN, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of amendment No. 4243 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4252

At the request of Mr. REID, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of amendment No. 4252 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. COCHRAN, Ms. CANTWELL, Mr. DOMENICI, Mrs. LINCOLN, Mr. JEFFORDS, Ms. COLLINS, Mrs. MURRAY, Mr. HARKIN, Ms. LANDRIEU, Mr. OBAMA, Mr. SALAZAR, and Mr. SESSIONS):

S. 3516. A bill to amend title XVIII of the Social Security Act to permanently extend the floor on the Medicare work geographic adjustment under the fee schedule for physicians' services; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, I am introducing legislation today with Senators SNOWE, COCHRAN, CANTWELL, DOMENICI, LINCOLN, JEFFORDS, COLLINS, MURRAY, HARKIN, LANDRIEU, OBAMA, SALAZAR, and SESSIONS entitled the "Rural Equity Payment Index Reform Extension Act of 2006." The legislation would extend a provision that was included as part of the Medicare Modernization Act of 2003 and came from my original legislation, S. 881 in the 108th Congress, with Congressman

DOUG BEREUTER of Nebraska to ensure that the work component of the Medicare physician payment formula is set to ensure that no geographic region is paid less than the national average.

The Medicare physician payment formula, known as the Medicare Resource-Based Relative Value Scale, or RBRVS, is based on three components of each service: work, practice expense, and professional liability insurance. The relative value of each service is then multiplied by a geographic adjuster for each Medicare locality, which is known as the Geographic Practice Cost Indices, or GPCIs.

Prior to the enactment of this provision as part of the Medicare Modernization Act of 2003, the physicians in States that have the worst workforce shortages were being paid far less than their counterparts in States with adequate or even an oversupply of physicians due to the GPCI adjustment. For the "work component" in particular, which accounts for about 55 percent of the total Medicare physician payment, an adjustment based on geographic adjustments made little sense. An office visit to a rural physician is no different in time, effort, or workload compared to an office visit to an urban physician.

As National Rural Health Association president Dr. Wayne Myers said on January 7, 2003, prior to the legislation's passage, "An office visit to a rural physician is no different than an office visit to an urban physician. The idea that physicians are reimbursed for their work and their skills at a lower rate simply on the basis that they choose to practice in a rural area and serve our rural communities is completely ludicrous."

In addition, since Medicare beneficiaries pay the same premium for all Part B services, inequitable physician fee payments result in substantial cross-subsidization from people living in low payment States to people living in higher payment States.

Congress determined that such extensive geographic disparities were unfair and, as part of the Medicare Modernization Act of 2003, language from my bill was included that brought all geographic areas up to the national average for the calculation of this piece of the Medicare physician payment formula.

It is important to highlight that the importance of this formula extends well beyond Medicare. According to the American Academy of Pediatrics in its February 8, 2006, update on the Medicare payment formula, ". . . over 74 percent of public and private payors, including state Medicaid programs, have adopted components of the Medicare RBRVS to reimburse physicians, while many other payors are exploring its implementation."

Furthermore, Medicare Advantage plan payments are based in large part on fee-for-service payments made in various geographic locations. Disparities in Medicare Advantage payments are also caused, in part, by such geographic adjustments made to physician payments.

Unfortunately, these disparities will increase if the "work component" in the physician payment rate is allowed to once again fully adjust based on geography. The provision bringing payment levels up to the national average for every geographic area was in effect for 2004–2006 and is set to expire at the end of this calendar year. As a result, physicians, who already face a potential reduction in their overall Medicare payment rate, might also see their payment rates further reduced unless this legislative extension is passed.

According to the November 21, 2005, Federal Register notice, if payment rates were not brought up to the national average, there would be reductions in physician payments to the following States: Alabama, Arizona, Arkansas, Colorado, Florida, Georgia outside of Atlanta, Idaho, parts of Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland outside of Baltimore region, Michigan outside of Detroit, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Mexico, most of New York outside of New York City and suburbs, North Carolina, North Dakota, Ohio, Oklahoma, Oregon outside of Portland, Pennsylvania outside of Philadelphia, Puerto Rico, South Carolina, South Dakota, Tennessee, Texas outside of Houston, Dallas, and Brazoria, Utah, Vermont, Virginia, Washington outside of Seattle, West Virginia, Wisconsin, and Wyoming.

Lack of equitable reimbursement is a critical factor leading to the shortage of physicians in many rural areas, including the State of New Mexico. The extension of the Rural Equity Payment Index Reform Extension Act of 2006 will ensure that the disparity in physician payments between states such as New Mexico and other geographic areas does not once again widen.

I urge prompt passage of this important legislation and ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3516

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Rural Equity Payment Index Reform Extension Act of 2006".

SEC. 2. PERMANENT EXTENSION OF FLOOR ON MEDICARE WORK GEOGRAPHIC ADJUSTMENT.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking "and before January 1, 2007,".

By Mrs. CLINTON:

S. 3517. A bill to enhance the services available to members of the Armed Forces returning from deployment in Operation Iraqi Freedom and Operation Enduring Freedom to assist such members in transitioning to civilian life, and for other purposes; to the Committee on Armed Services.

Mrs. CLINTON. Mr. President, I am pleased today to introduce the Heroes at Home Act of 2006. This legislation would take several important steps toward assisting our brave men and women in uniform in transitioning back home to their families, workplaces, and communities after deployment in Iraq and Afghanistan.

Hundreds of thousands of troops have rotated through Iraq and Afghanistan as part of Operation Iraqi Freedom, OIF, and Operation Enduring Freedom, OEF, including thousands of courageous men and women from New York. More military service members than ever are surviving these conflicts because of better body armor and helmets and improved battlefield medicine.

But surviving these wars and transitioning home can be an uphill battle. Many OIF and OEF service members, including the unprecedented number of National Guard and Reserve members, face readjustment challenges after war, such as medical, mental health, relationship, and work problems. Family members also are affected by the transition as they struggle to reconnect with their war heroes, some who may be deployed two, three, if not more times.

As I meet with returning service members and their families around the State of New York and the country, I hear about the real hardships they battle after deployment—just how difficult it can be to adjust back to life at home.

Several articles and reports have highlighted these struggles. According to a March 2006 study, 19 percent of Iraq veterans and 11 percent of Afghanistan veterans reported mental health problems. Among the OIF and OEF veterans seeking care at Department of Veterans Affairs, VA, hospitals, nearly a third have been diagnosed with mental disorders, with over 40 percent of those posttraumatic stress disorder, PTSD. Another report found that 10 to 30 percent of National Guard members come home from Iraq searching for work. Others return to civilian jobs dissatisfied with old tasks that pale in comparison to wartime responsibilities.

In addition to these challenges, a large number of service members are coming home from Iraq and Afghanistan with life-threatening brain injuries from roadside blasts that can cause brain damage. It is estimated that traumatic brain injuries, TBI, affect more than 25 percent of bomb blast survivors—a percentage thought to be higher than in any other past U.S. conflict, making TBI the "signature" injury of Iraq. The diffuse but debilitating symptoms of TBI can leave service members with cognitive and emotional problems, including the inability to adapt to civilian life. However, TBI frequently goes undiagnosed because returning troops may show no visible wounds or may not realize they suffered a concussion.

Lessons from past wars have taught us that identifying and dealing with problems like PTSD and TBI right away is vital for overcoming them. Yet just last month, a GAO report found that only 22 percent of OIF and OEF service members who may have been at risk for developing PTSD based on post deployment screenings were referred on for further mental health evaluations. In another report from May 2005, the GAO identified that, despite DOD efforts, the needs of demobilizing Reserve and National Guard members for transition assistance were still unmet.

We must do more today to reach out and help our newest generation of war heroes as they transition home after serving bravely in Iraq and Afghanistan. And we must do more to shore up their families, who have courageously maintained family life on the home front during their deployment. That is why I am introducing this legislation today. The Heroes at Home Act would help address returning service members' readjustment to work, PTSD, TBI, and other problems, as well as provide support to their family members.

This bill would involve partnerships with employers and community organizations because—despite more services and resources offered at DOD facilities, VA hospitals, and Vet Centers—returning service members are often reluctant to go to traditional mental health clinics due to stigma and concerns about confidentiality and their military careers. Only 29 percent of the approximately 500,000 separated OIF and OEF veterans have sought VA health care services, including mental health services.

This legislation would identify ways to better assist National Guard and Reserve members in returning to civilian jobs, who are often hurled from civilian life into combat with less preparation and are then expected to reenter the civilian workforce. It would develop an assistance center for employers, employee assistance programs, and other organizations to provide them with best practices and education for ensuring the success of Guard and Reserve members in resuming civilian work after deployment, a win for our businesses, our employers, and our troops.

Under this legislation, demonstration grants would be awarded to organizations in community setting for providing mental health education and assistance to National Guard and Reserve members and their families. Since many of these troops return to local communities scattered across the country far away from military bases and VA hospitals, these pilot projects would help reach them and their loved ones in more convenient places like community colleges, public schools, community mental health clinics, and family support organizations.

With more and more troops injured by improvised explosive devices, IEDs, and bombs in Iraq, we must do more to understand the effects of these blasts on those impacted by them. That is why this legislation also calls for a study on the long-term physical and mental health consequences and rehabilitation needs of traumatic brain injured service members of OIF and OEF. This study would examine ways to help prevent future generations of service members from sustaining such injuries while assessing what types of programs and services are available to treat those who have already been injured in the years ahead.

To further assist the mushrooming number of traumatic brain injured service members and their families, this legislation would establish a TBI family caregiver training curricula. Health professionals at DOD and VA hospitals would use this training to teach family members how to care for traumatic brain injured service members after they leave the hospital. It is crucial that we give family members the tools they need to effectively assist their loved ones at home in their communities.

Those who have proudly served our Nation in OIF and OEF have made extraordinary sacrifices in the battlefield in defense of democracy and freedom. Back home, these heroes deserve our best resources and support to make sure they once again are vibrant and welcomed members in our neighborhoods, our towns, and our cities, at our work sites, and in our families. None of our returning service members should suffer alone in silence. Nor should their families. We all must do our part. I look forward to working with all of my colleagues to ensure passage of this bill that champions the successful transition of our newly returning heroes to their families, workplaces and communities.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3517

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Heroes at Home Act of 2006".

SEC. 2. RESPONSIBILITIES OF TASK FORCE ON MENTAL HEALTH ON TRANSITION TO CIVILIAN LIFE OF MEMBERS OF THE NATIONAL GUARD AND RESERVE RETURNING FROM DEPLOYMENT IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) IN GENERAL.—Section 723 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3348) is amended—

(1) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

"(d) ASSESSMENT AND RECOMMENDATIONS ON TRANSITION TO CIVILIAN LIFE OF MEMBERS OF NATIONAL GUARD AND RESERVE RETURNING FROM DEPLOYMENT IN OPERATION IRAQI FREEDOM AND ENDURING FREEDOM.—

"(1) IN GENERAL.—In addition to the activities required under subsection (c), the task force shall, not later than 12 months after the date of the enactment of the Heroes at Home Act of 2006, submit to the Secretary a report containing an assessment of, and recommendations for improving, assistance to members of the National Guard and Reserve returning from deployment in Operation Iraqi Freedom or Operation Enduring Freedom, and their families, in transitioning to civilian employment upon their return from such deployment, including—

"(A) members who were self-employed before deployment and seek to return to such employment after deployment;

"(B) members who were students before deployment and seek to return to school or commence employment after deployment;

"(C) members who have experienced multiple recent deployments; and

"(D) members who have been wounded or injured during deployment.

"(2) WORKING GROUP.—In conducting the assessment and making the recommendations required by paragraph (1), the task force shall utilize the assistance of a working group that consists of individuals selected by the task force from among individuals as follows:

"(A) With the concurrence of the Administrator of the Small Business Administration, personnel of the Small Business Administration.

"(B) Representatives of employers who employ members of the National Guard and Reserve described in paragraph (1) on their return to civilian life as described in that paragraph.

"(C) Representatives of employee assistance organizations.

"(D) Representatives of associations of employers.

"(E) Representatives of organizations that assist wounded or injured members of the National Guard and Reserves in finding or sustaining employment.

"(F) Representatives of such other public or private organizations and entities as the co-chairs of the task force, in consultation with the members of the task force, consider appropriate.

"(3) REPORT ELEMENTS.—The report required by paragraph (1) shall include recommendations on the following:

"(A) The provision of outreach and training to employers, employment assistance organizations, and associations of employers on the employment, readjustment, and mental health needs of members of the National Guard and Reserve described in paragraph (1) upon their return from deployment as described in that paragraph.

"(B) The provision of outreach and training to employers, employment assistance organizations, and associations of employers on the needs of family members of such members.

"(C) The improvement of collaboration between the pubic and private sectors in order to ensure the successful transition of such members into civilian employment upon their return from such deployment.

"(4) OTHER DUTIES.—In the period between the submittal of the report required by paragraph (1) and the termination of the task force under subsection (h), the task force (including the working group established under paragraph (2)) shall serve as an advisor to the Assistance Center for Employers and Employment Assistance Organizations established under section 3 of the Heroes at Home Act of 2006.

"(5) EMPLOYMENT ASSISTANCE ORGANIZATION DEFINED.—In this subsection, the term 'employment assistance organization' means an organization or entity, whether public or private, that provides assistance to individuals in finding or retaining employment, including organizations and entities under military career support programs.".

(b) REPORT.—Subsection (f) of such section, as redesignated by subsection (a)(1) of this section, is further amended—

(1) in the subsection heading, by striking "REPORT" and inserting "REPORTS";

(2) by striking paragraph (1) and inserting the following new paragraph (1):

"(1) IN GENERAL.—The report submitted to the Secretary under each of subsections (c) and (d) shall include—

"(A) a description of the activities of the task force under such subsection;

"(B) the assessment and recommendations required by such subsection; and

"(C) such other matters relating to the activities of the task force under such subsection as the task force considers appropriate."; and

(3) in paragraph (2)—

(A) by striking "the report under paragraph (1)" and inserting "a report under paragraph (1)"; and

(B) by striking "the report as" and inserting "such report as".

(c) PLAN MATTERS.—Subsection (g) of such section, as redesignated by subsection (a)(1) of this section, is further amended—

(1) by striking "the report from the task force under subsection (e)(1)" and inserting "a report from the task force under subsection (f)(1)"; and

(2) by inserting "contained in such report" after "the task force" the second place it appears.

(d) TERMINATION.—Subsection (h) of such section, as redesignated by subsection (a)(1) of this section, is further amended—

(1) by inserting "with respect to the assessment and recommendations required by subsection (d)" after "the task force"; and

(2) by striking "subsection (e)(2)" and inserting "subsection (f)(2)".

SEC. 3. ASSISTANCE CENTER FOR EMPLOYERS AND EMPLOYMENT ASSISTANCE ORGANIZATIONS.

(a) ESTABLISHMENT OF CENTER.—

(1) IN GENERAL.—The Secretary of Defense shall establish an office to assist employers, employment assistance organizations, and associations of employers in facilitating the successful transition to civilian employment of members of the National Guard and Reserve returning from deployment in Operation Iraqi Freedom or Operation Enduring Freedom.

(2) DESIGNATION.—The office established under this subsection shall be known as the "Assistance Center for Employers and Employment Assistance Organizations" (in this section referred to as the "Center").

(3) HEAD.—The Secretary shall designate an individual to act as the head of the Center.

(4) INTEGRATION.—In establishing the Center, the Secretary shall ensure close communication between the Center and the military departments, including the commands of the reserve components of the Armed Forces.

(b) FUNCTIONS.—The Center shall have the following functions:

(1) To provide education and technical assistance to employers, employment assistance organizations, and associations of employers to assist them in facilitating the successful transition to civilian employment of members of the National Guard and Reserve described in subsection (a) on their return from deployment as described in that subsection.

(2) To provide education and technical assistance to employers, employment assistance organizations, and associations of employers to assist them in facilitating the successful adjustment of family members of the National Guard and Reserve to the deployment and return from deployment of members of the National Guard and Reserve as described in that subsection.

(c) RESOURCES TO BE PROVIDED.—

(1) IN GENERAL.—In carrying out the functions specified in subsection (b), the Center shall provide employers, employment assistance organizations, and associations of employers resources, services, and assistance that include the following:

(A) Guidelines on best practices and effective strategies.

(B) Education on the physical and mental health difficulties that can and may be experienced by members of the National Guard and Reserve described in subsection (a) on their return from deployment as described in that subsection in transitioning to civilian employment, including difficulties arising from Post Traumatic Stress Disorder (PTSD) and traumatic brain injury (TBI), including education on—

(i) the detection of warning signs of such difficulties;

(ii) the medical, mental health, and employment services available to such members, including materials on services offered by the Department of Defense, the Department of Veterans Affairs (including through the vet center program under section 1712A of title 38, United States Code), the Department of Labor, military support programs, and community mental health clinics; and

(iii) the mechanisms for referring such members for services described in clause (ii) and for other medical and mental health screening and care when appropriate.

(C) Education on the range and types of potential physical and mental health effects of deployment and post-deployment adjustment on family members of members of the National Guard and Reserve described in subsection (a), including education on—

(i) the detection of warning signs on such effects on family members of members of the National Guard and Reserves;

(ii) the medical, mental health, and employment services available to such family members, including materials on such services as described in subparagraph (B)(ii); and

(iii) mechanisms for referring such family members for services described in clause (ii) and for medical and mental health screening and care when appropriate.

(D) Education on mechanisms, strategies, and resources for accommodating and employing wounded or injured members of the National Guard and Reserves in work settings.

(2) PROVISION OF RESOURCES.—The Center shall make resources, services, and assistance available under this subsection through such mechanisms as the head of the Center considers appropriate, including the Internet, video conferencing, telephone services, workshops, trainings, presentations, group forums, and other mechanisms.

(d) PERSONNEL AND OTHER RESOURCES.—The Secretary of Defense shall assign to the Center such personnel, funding, and other resources as are required to ensure the effective discharge by the Center of the functions under subsection (b).

(e) REPORTS ON ACTIVITIES.—

(1) ANNUAL REPORT BY CENTER.—Not later than one year after the establishment of the Center, and annually thereafter, the head of the Center, in consultation with the Department of Defense Task Force on Mental Health (while in effect), shall submit to the Secretary of Defense a written report on the progress and outcomes of the Center during the one-year period ending on the date of such report.

(2) TRANSMITTAL TO CONGRESS.—Not later than 60 days after receipt of a report under paragraph (1), the Secretary shall transmit such report to the Committees on Armed Services of the Senate and the House of Representatives, together with—

(A) such comments on such report, and such assessment of the effectiveness of the Center, as the Secretary considers appropriate; and

(B) such recommendations on means of improving the effectiveness of the Center as the Secretary considers appropriate.

(3) AVAILABILITY TO PUBLIC.—The Secretary shall take appropriate actions to make each report under paragraph (2) available to the public, including through the Internet website of the Center.

(f) DEFINITIONS.—In this section:

(1) EMPLOYMENT ASSISTANCE ORGANIZATION.—The term "employment assistance organization" means an organization or entity, whether public or private, that provides assistance to individuals in finding or retaining employment, including organizations and entities under military career support programs.

(2) DEPARTMENT OF DEFENSE TASK FORCE ON MENTAL HEALTH.—The term "Department of Defense Task Force on Mental Health" means the Department of Defense Task Force on Mental Health established under section 723 of the National Defense Authorization Act for Fiscal Year 2006, as amended by section 2 of this Act.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense to carry out this section amounts as follows:

(1) For fiscal year 2007, $5,000,000.

(2) For each of fiscal years 2008 through 2011, such sums as may be necessary.

SEC. 4. GRANTS ON ASSISTANCE IN COMMUNITY-BASED SETTINGS FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE AND THEIR FAMILIES AFTER DEPLOYMENT IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) IN GENERAL.—The Secretary of Defense may award grants to eligible entities to carry out demonstration projects to assess the feasibility and advisability of utilizing community-based settings for the provision of assistance to members of the National Guard and Reserve who serve in Operation Iraqi Freedom or Operation Enduring Freedom, and their families, after the return of such members from deployment in Operation Iraqi Freedom or Operation Enduring Freedom, as the case may be, including—

(1) services to improve the reuniting of such members of the National Guard and Reserve and their families;

(2) education to increase awareness of the physical and mental health difficulties that members of the National Guard and Reserve can and may experience on their return from such deployment, including education on—

(A) Post Traumatic Stress Disorder (PTSD) and traumatic brain injury (TBI); and

(B) mechanisms for the referral of such members of the National Guard and Reserve for medical and mental health screening and care when necessary; and

(3) education to increase awareness of the physical and mental health difficulties that family members of such members of the National Guard and Reserve can and may experience on the return of such members from such deployment, including education on—

(A) depression, anxiety, and relationship problems; and

(B) mechanisms for medical and mental health screening and care when appropriate.

(b) ELIGIBLE ENTITIES.—An entity eligible for the award of a grant under this section is any public or private non-profit organization, such as a community mental health clinic, family support organization, military support organization, law enforcement agency, community college, or public school.

(c) APPLICATION.—An eligible entity seeking a grant under this section shall submit to the Secretary of Defense an application therefor in such manner, and containing such information, as the Secretary may require for purposes of this section, including a description of how such entity will work with the Department of Defense, the Department of Veterans Affairs, State health agencies, other appropriate Federal, State, and local agencies, family support organizations, and other community organization in undertaking activities described in subsection (a).

(d) ANNUAL REPORTS BY GRANT RECIPIENTS.—An entity awarded a grant under this section shall submit to the Secretary of Defense on an annual basis a report on the activities undertaken by such entity during the preceding year utilizing amounts under the grant. Each report shall include such information as the Secretary shall specify for purposes of this subsection.

(e) ANNUAL REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to Congress a report on activities undertaken under the grants awarded under this section. The report shall include recommendations for legislative, programmatic, or administrative action to improve or enhance activities under the grants awarded under this section.

(2) AVAILABILITY TO PUBLIC.—The Secretary shall take appropriate actions to make each report under this subsection available to the public.

SEC. 5. LONGITUDINAL STUDY ON TRAUMATIC BRAIN INJURY INCURRED BY MEMBERS OF THE ARMED FORCES IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) STUDY REQUIRED.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, provide for a longitudinal study on the effects of traumatic brain injury incurred by members of the Armed Forces in Operation Iraqi Freedom or Operation Enduring Freedom. The duration of the longitudinal study shall be 15 years.

(b) SELECTION OF ENTITY FOR CONDUCT OF STUDY.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, select an entity to conduct the study required by subsection (a) from among private organizations or entities qualified to conduct the study.

(c) ELEMENTS.—The study required by subsection (a) shall address the following:

(1) The long-term effects of traumatic brain injury on the overall readiness of the Armed Forces.

(2) Mechanisms for improving body armor and helmets in order to protect members of the Armed Forces from sustaining traumatic brain injuries.

(3) The long-term physical and mental health consequences of traumatic brain injuries incurred by members of the Armed Forces during service in Operation Iraqi Freedom or Operation Enduring Freedom.

(4) The health care, mental health care, and rehabilitation needs of such members for such injuries after the completion of inpatient treatment through the Department of Defense, the Department of Veterans Affairs, or both.

(5) The type and availability of long-term care rehabilitation programs and services within and outside the Department of Defense and the Department of Veterans Affairs for such members for such injuries, including community-based programs and services and in-home programs and services.

(d) REPORTS.—

(1) PERIODIC AND FINAL REPORTS.—After the third, seventh, eleventh, and fifteenth years of the study required by subsection (a), the Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, submit to the appropriate elements of the Department of Defense and the Department of Veterans Affairs, and to Congress, a comprehensive report on the results of the study during the preceding years. Each report shall include the following:

(A) Current information on the cumulative outcomes of the study.

(B) In the case of a report to elements of the Department of Defense—

(i) such recommendations as the Secretary of Defense considers appropriate for programmatic and administrative action to improve body armor and helmets to protect members of the Armed Forces from sustaining traumatic brain injuries; and

(ii) such other recommendations as the Secretary considers appropriate based on the outcomes of the study.

(C) In the case of a report to elements of the Department of Veterans Affairs—

(i) such recommendations as the Secretary of Veterans Affairs considers appropriate for programmatic and administrative action to improve long-term care and rehabilitative programs and services for members of the Armed Forces with traumatic brain injury; and

(ii) such other recommendations as the Secretary considers appropriate based on the outcomes of the study.

(D) In the case of a report to Congress—

(i) such recommendations as the Secretary of Defense considers appropriate for legislative action to improve body armor and helmets to protect members of the Armed Forces from sustaining traumatic brain injuries;

(ii) such recommendations as the Secretary of Veterans Affairs considers appropriate for legislative action to improve long-term care and rehabilitative programs and services for members of the Armed Forces with traumatic brain injury; and

(iii) such other recommendations as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate based on the outcomes of the study.

(2) AVAILABILITY TO PUBLIC.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly take appropriate actions to make each report under this subsection available to the public.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense to carry out this section amounts as follows:

(1) For fiscal year 2007, $5,000,000.

(2) For each of fiscal years 2008 through 2013, such sums as may be necessary.

SEC. 6. TRAINING CURRICULA FOR FAMILY CAREGIVERS ON CARE AND ASSISTANCE FOR MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES WITH TRAUMATIC BRAIN INJURY INCURRED IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) TRAUMATIC BRAIN INJURY FAMILY CAREGIVER PANEL.—

(1) ESTABLISHMENT.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, establish within the Department of Defense a panel to develop coordinated, uniform, and consistent training curricula to be used in training family members in the provision of care and assistance to members and former members of the Armed Forces for traumatic brain injuries incurred during service in the Armed Forces in Operation Iraqi Freedom or Operation Enduring Freedom.

(2) DESIGNATION OF PANEL.—The panel established under paragraph (1) shall be known as the "Traumatic Brain Injury Family Caregiver Panel".

(3) MEMBERS.—The Traumatic Brain Injury Family Caregiver Panel established under paragraph (1) shall consist of 15 members appointed by the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, equally represented from among—

(A) physicians, nurses, rehabilitation therapists, and other individuals with an expertise in caring for and assisting individuals with traumatic brain injury, including those who specialize in caring for and assisting individuals with traumatic brain injury incurred in war;

(B) representatives of family caregivers or family caregiver associations;

(C) Department of Defense and Department of Veterans Affairs health and medical personnel with expertise in traumatic brain injury, and Department of Defense personnel and readiness representatives with expertise in traumatic brain injury;

(D) representatives of military service organizations who specialize in matters relating to disabled veterans;

(E) representatives of veterans service organizations who specialize in matters relating to disabled veterans;

(F) psychologists or other individuals with expertise in the mental health treatment and care of individuals with traumatic brain injury;

(G) experts in the development of training curricula;

(H) researchers and academicians who study traumatic brain injury; and

(I) any other individuals the Secretary considers appropriate.

(4) MEETINGS.—The Traumatic Brain Injury Family Caregiver Panel shall meet not less than monthly.

(b) DEVELOPMENT OF CURRICULA.—

(1) IN GENERAL.—The Traumatic Brain Injury Family Caregiver Panel shall develop

training curricula to be utilized during the provision of training to family members of members and former members of the Armed Forces described in subsection (a) on techniques, strategies, and skills for care and assistance for such members and former members with the traumatic brain injuries described in that subsection.

(2) SCOPE OF CURRICULA.—The curricula shall—

(A) be based on empirical research and validated techniques; and

(B) shall provide for training that permits recipients to tailor caregiving to the unique circumstances of the member or former member of the Armed Forces receiving care.

(3) PARTICULAR REQUIREMENTS.—In developing the curricula, the Traumatic Brain Injury Family Caregiver Panel shall—

(A) specify appropriate training commensurate with the severity of traumatic brain injury; and

(B) identify appropriate care and assistance to be provided for the degree of severity of traumatic brain injury for caregivers of various levels of skill and capability.

(4) USE OF EXISTING MATERIALS.—In developing the curricula, the Traumatic Brain Injury Family Caregiver Panel shall utilize and enhance any existing training curricular, materials, and resources applicable to such curricula as the Panel considers appropriate.

(5) CONSULTATION.—In developing the curricula, the Traumatic Brain Injury Family Caregiver Panel shall consult with the Army Reserve Forces Policy Committee, as appropriate.

(6) DEADLINE FOR DEVELOPMENT.—The Traumatic Brain Injury Family Caregiver Panel shall develop the curricula not later than one year after the date of the enactment of this Act.

(c) DISSEMINATION OF CURRICULA.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Traumatic Brain Injury Family Caregiver Panel, develop mechanisms for the dissemination of the curricula developed under subsection (b) to health care professionals referred to in paragraph (2) who treat or otherwise work with members and former members of the Armed Forces with traumatic brain injury incurred in Operation Iraqi Freedom or Operation Enduring Freedom. In developing such mechanisms, the Secretary may utilize and enhance existing mechanisms, including the Military Severely Injured Center.

(2) HEALTH CARE PROFESSIONALS.—The health care professionals referred to in this paragraph are the following:

(A) Personnel at military medical treatment facilities.

(B) Personnel at the polytrauma centers of the Department of Veterans Affairs.

(C) Personnel and care managers at the Military Severely Injured Center.

(D) Such other health care professionals of the Department of Defense as the Secretary considers appropriate.

(E) Such other health care professionals of the Department of Veterans Affairs as the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, considers appropriate.

(3) SCOPE.—The mechanisms developed under paragraph (1) shall include the provision of refresher training in the curricula developed under subsection (a) for the health care professional referred to in paragraph (2) not less often than once every six months.

(4) PROVISION OF TRAINING TO FAMILY CAREGIVERS.—

(A) IN GENERAL.—Health care professionals referred to in paragraph (2) who are trained in the curricula developed under subsection (b) shall provide training to family members of members and former members of the Armed Forces who incur traumatic brain injuries during service in the Operation Iraqi Freedom or Operation Enduring Freedom in the care and assistance to be provided for such injuries.

(B) TIMING OF TRAINING.—Training under this paragraph shall, to the extent practicable, be provided to family members while the member or former member concerned is undergoing treatment at a facility of the Department of Defense or Department of Veterans Affairs, as applicable, in order to ensure that such family members receive practice on the provision of such care and assistance under the guidance of qualified health professionals.

(C) PARTICULARIZED TRAINING.—Training provided under this paragraph to family members of a particular member or former member shall be tailored to the particular care needs of such member or former member and the particular caregiving needs of such family members.

(5) QUALITY ASSURANCE.—The Secretary shall develop mechanisms to ensure quality in the provision of training under this section to health care professionals referred to in paragraph (2) and in the provision of such training under paragraph (4) by such health care professionals.

(6) REPORT.—Not later than one year after the development of the curricula required by subsection (b), and annually thereafter, the Traumatic Brain Injury Family Caregiver Training Panel shall submit to the Secretary of Defense and the Secretary of Veterans Affairs, and to Congress, a report on the following:

(A) The actions undertaken under this subsection.

(B) The results of the tracking of outcomes based on training developed and provided under this section.

(C) Recommendations for the improvement of training developed and provided under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense to carry out this section amounts as follows:

(1) For fiscal year 2007, $5,000,000.

(2) For each of fiscal years 2008 through 2011, such sums as may be necessary.

By Mr. BENNETT:

S. 3518. A bill to amend the Credit Repair Organizations Act to establish a new disclosure statement; to the Committee on Banking, Housing, and Urban Affairs.

Mr. BENNETT. Mr. President, I rise today to introduce legislation to amend the Credit Repair Organizations Act, CROA, to stop abusive class action lawsuits against companies offering legitimate credit file monitoring products. The following is a summary of why we need to pass this legislation.

Credit-monitoring products are offered by consumer reporting agencies, their affiliates, and resellers. These products help consumers access their consumer report information and credit scores on a regular basis. They include credit alert features when derogatory information appears in the consumer's file or someone obtains the consumer's report. The products give consumers a front-line defense against identity theft, and are routinely made available to victims of security breaches. Credit-monitoring products also educate consumers about their credit scores and credit histories. The market is highly competitive. Banks and other creditors also provide these products to their customers.

These products are threatened by abusive class action lawsuits, based on CROA's language. CROA was to combat the assault on the integrity of accurate credit file data by credit repair organizations and by consumers acting on their advice. Under CROA, a credit repair organization is subject to a number of appropriately harsh and specific requirements. The most significant of these is a prohibition on collecting fees before completion of performance of the promised services. CROA also mandates that consumers be given a written warning that the services cannot result in the change or deletion of negative but accurate data. This "warning" would be confusing and inappropriate if given to a consumer of credit monitoring products or services.

CROA was enacted before credit monitoring products were created. The CROA definition of "credit repair organization" is intentionally broad in order to prevent circumvention of its coverage. Among other things, the definition includes an entity that implies its activities or services can "improve" a consumer's credit record, credit history or credit rating. The breadth of the definition has been used by plaintiffs' lawyers an attempt to obtain statutory damages against consumer reporting agencies and their resellers solely for offering these monitoring products. The class action lawsuits threaten the viability of the credit-monitoring industry.

This result can be prevented through the enactment of a technical amendment to CROA that clarifies the definition of "credit repair organization" as it includes "improving" a consumer's credit record, etc. The amendment can explain that "improving" a consumer's credit record does not include credit monitoring, notifications, analysis, evaluation, or explanations.

Because this is a clarifying amendment, it will not affect the CROA's essential operation or Federal agency enforcement. The Federal Trade Commission has stated that it does not think credit-monitoring products should be subject to CROA. If this amendment is enacted, consumers will continue to enjoy CROA's important rights and protections, including the right to bring private lawsuits against credit repair organizations for violations of the act. The amendment to CROA will also assure the continued availability of credit monitoring products and services for consumers.

I encourage my colleagues to join with me in passing this important legislation.

By Mr. HATCH (for himself, Mr. CONRAD, and Mr. KOHL):

S. 3519. A bill to reform the State inspection of meat and poultry in the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HATCH. Mr. President, today I rise to introduce the Agriculture Small Business Opportunity and Enhancement Act of 2006. Currently, 28 States, including my home State of Utah, have State meat inspection programs. But, outdated Federal laws prohibit the interstate shipment of certain meats inspected under these programs. My legislation would remove that unfair ban.

Let me provide some background on why this legislation is necessary. A 1906 law, the Federal Meat Inspection Act, requires the U.S. Department of Agriculture, USDA, to inspect all cattle, sheep, swine, goats, and horses slaughtered for human consumption. An amendment in 1957, the Poultry Products Inspection Act, added poultry to that list. While the Federal Meat Inspection Act and the 1968 Poultry Products Inspection Act recognized State inspection programs separate from the Federal program, these laws also prohibit certain meats inspected under State programs from being sold in interstate commerce. That ban applies to beef, poultry, pork, lamb, and goat products, but not to specialty meats such as venison, pheasant, quail, rabbit, and numerous others that are typically inspected under State programs.

It is important to point out that this ban is unique. State-inspected beef, poultry, pork, lamb, and goat products are the only food commodities that are banned from interstate shipment. Many perishable products, including milk and other dairy items, fruit, vegetables, and fish, which are inspected under State programs, are shipped freely across State lines.

There is no legitimate reason for the ban on the interstate shipment of State-inspected meats to continue. The State programs are equal or superior to the Federal program. In fact, the 1967 and 1968 Meat and Poultry Inspection Acts require State inspection programs to be "at least equal to" the Federal program. Since 1967, USDA has conducted comprehensive reviews of each individual State inspection program to verify whether or not the program meets the statutory requirement to be "at least equal to" the Federal program. In the nearly 30 years that USDA has been conducting these reviews, the agency has never unilaterally found that a State inspection program should be discontinued due to an inability to meet Federal food safety standards.

Further, the 2002 farm bill required USDA to conduct an additional comprehensive review of State inspection programs. After a 2-year study, USDA issued an interim report which found that State inspection programs are indeed "at least equal to" the Federal inspection program. In addition, three USDA Advisory Committees have recommended that the ban on interstate shipment be lifted.

In short, there is no distinction between the Federal and State inspection programs. Without exception, State inspection programs meet or exceed Federal food-safety requirements, and USDA has verified the safety of these programs for decades.

In Utah, we have 32 establishments that inspect meat under a State's inspection program. These establishments, like the nearly 2,000 similar plants nationwide, are, for the most part, small businesses. And, generally speaking, these establishments cater to the needs of small, family-run farms and ranches. The outdated ban on interstate shipment of State-inspected meats clearly disrupts the free flow of trade, restricts market access for countless small businesses, and creates an unfair advantage for big businesses.

But it gets worse. Current regulations also favor foreign meat producers over small businesses in our Nation. In fact, meat inspected in 34 foreign countries can be shipped anywhere in the U.S. because the USDA has certified that the inspection programs in these foreign countries are equivalent to the Federal program. As I have pointed out, State inspection programs must meet the same Federal equivalency standard. In fact, USDA supervision of State inspection programs is far more frequent and thorough than its oversight of foreign inspection programs.

In my view, it is absurd that meat inspected in 34 foreign countries can be shipped anywhere in the United States without restriction, but small businesses in 28 States are prohibited from shipping their products across State lines, even though these small businesses meet the same Federal food safety requirements as their foreign competitors.

A ban on interstate shipment of State-inspected meat unfairly hinders our Nation's economy. My legislation would remove the outdated, unnecessary, unjust ban that puts our small businesses at such a disadvantage. Removing this prohibition will increase competition and innovation. It will provide farmers and ranchers with increased opportunities to sell their products at a better price. It will not do anything more than level the playing field and ensure that our small businesses have the opportunity to economically compete in the market.

I urge my colleagues to join me in defending America's small businesses by supporting this important legislation.

By Ms. SNOWE (for herself and Mr. MENENDEZ):

S. 3520. A bill to amend the International Claims Settlement Act of 1949 to allow for certain claims of nationals of the United States against Turkey, and for other purposes; to the Committee on Foreign Relations.

Ms. SNOWE. Mr. President, as you know, Turkey invaded the northern area of the Republic of Cyprus in the summer of 1974. At that time, less than 20 percent of the private real property in this area was owned by Turkish Cypriots, with the rest owned by Greek Cypriots and foreigners. Turkey's invasion and subsequent occupation of northern Cyprus displaced people who are to this day prevented by the Turkish armed forces from returning to and repossessing their homes and properties.

A large proportion of these properties were distributed to, and are currently being used by, the 120,000 Turkish settlers brought into the occupied area by Turkey. It is estimated that 7,000 to 10,000 U.S. nationals today claim an interest in such property.

Adding urgency to the plight of Greek-Cypriots and Americans who lost property in the wake of the invasion is a recent property development boom in the Turkish-occupied north of Cyprus. As an ever-increasing number of disputed properties are transferred or developed, the rightful owners' prospects for recovering their property or being compensated worsen.

In 1998, the European Court of Human Rights found that Turkey had unlawfully deprived Greek Cypriot refugees of the use of their properties in the north of the island. The Court ruled that the Government of Turkey was obliged to compensate the refugees for such deprivation, and to allow them to return home.

It is to provide similar redress to the American victims of Turkey's invasion and occupation of Cyprus that my colleague Senator MENENDEZ and I today introduce the American-Owned Property in Occupied Cyprus Claims Act. A substantively identical bill has been proposed in the House of Representatives by Representative PALLONE and 32 of his Republican and Democratic colleagues.

This act would direct the U.S. Government's independent Foreign Claims Settlement Commission to receive, evaluate, and determine awards with respect to the claims of U.S. citizens and businesses that lost property as a result of Turkey's invasion and continued occupation of northern Cyprus. To provide funds from which these awards would be paid, the act would urge the President to authorize the Secretary of State to negotiate an agreement for settlement of such claims with the Government of Turkey.

The act would further grant U.S. Federal courts jurisdiction over suits by U.S. nationals against any private persons—other than Turkey—occupying or otherwise using the U.S. national's property in the Turkish-occupied portion of Cyprus. Lastly, the act would expressly waive Turkey's sovereign immunity against claims brought by U.S. nationals in U.S. courts relating to property occupied by the Government of Turkey and used by Turkey in connection with a commercial activity carried out in the United States.

This bill represents an important step toward righting the internationally recognized wrong of the expropriation of property, including American property, in northern Cyprus in the wake of the 1974 invasion by the Turkish Army. I strongly urge my colleagues to promptly consider and pass this critical piece of legislation.

By Mr. GREGG (for himself, Mr. FRIST, Mr. ALLARD, Mr. ENZI, Mr. SESSIONS, Mr. CRAPO, Mr. ENSIGN, Mr. CORNYN, Mr. ALEXANDER, Mr. GRAHAM, Mr. KYL, Mr. THOMAS, Mr. CRAIG, Mr. BROWNBACK, Mr. ISAKSON, Mr. DEMINT, Mr. MCCAIN, Mr. VITTER, Mr. THUNE, Mr. CHAMBLISS, Mr. MCCONNELL, Mr. BUNNING, and Mr. DOMENICI):

S. 3521. A bill to establish a new budget process to create a comprehensive plan to rein in spending, reduce the deficit, and regain control of the Federal budget process; to the Committee on the Budget.

Mr. GREGG. Mr. President, I rise to introduce a bill which is sponsored by myself and 20 other Members of the Senate.

The purpose of this bill is to put some control over spending—or at least put procedures in—to allow us as a Congress to begin to control spending.

I think we all recognize that in the short run we are headed toward a budget that looks like it may actually move toward balance. We have seen some very significant, positive gains. A deficit that was supposed to be about $425 billion this year is down to about $300 billion, and it may well go below that. That does not solve our problem even though we have gotten things moving the right way because in the outyears we face a fiscal crisis. That is reflected in this chart.

The fact is, there is facing this country a situation where we have a generation known as the baby boom generation which is such a large generation that it has basically overwhelmed the systems of America at each point in its evolution. It started out in the early 1950s and late 1940s. It overwhelmed the school systems it was so big. As it moved forward in the 1960s, it created the civil rights movement, and in the 1980s and 1990s it created the greatest prosperity in the history of our country as a result of its size and productivity.

But now that generation is beginning to retire. It will start to retire in the year 2008. It will be fully retired by the year 2020. It will be the largest retired generation in the history of our Nation by a factor of two. There will essentially be 70 million people retiring during that period.

What are the implications? The implications are rather severe for our Nation's fiscal policy, and especially for our children. All of our retirement systems in this Nation—Social Security, Medicare, Medicaid—all our major safety nets were built around the concept created by FDR, Franklin Delano Roosevelt, that there would always be many more people working than retiring.

In fact, in the early 1950s there were about 12 people working and paying into the Social Security system for every one person taking it out of Social Security. Today there are about three and a half people working for every one person who is retired. By the years 2020 to 2025, there will only be two people working for every one person taking out of the system. That means this pyramid concept goes to a rectangle, and our children and our grandchildren who will then be the working people in America will not be able to support the benefit structure which is in place for the retired.

This chart reflects the dramatic effect of this situation rather starkly. The blue line represents what percent of gross national product the Federal Government usually spends. Historically, since World War II, the Federal Government has spent about 20 percent of the gross national product. The red line represents three programs in the Federal process: Social Security, Medicare, and Medicaid. The red line grows dramatically beginning in about the year 2008 and proceeds at an exponential rate of growth, so that by the years 2025 to 2028 those three programs alone will actually cost more than 20 percent of the gross national product of America.

What does that mean? It means if we were to spend the historic amount we have spent on the Federal Government, those three programs would use up all that money and there would be no money available for education, for national defense, for laying out roads, for health care for everyone else, other than those who are retired, or for anything else the Federal Government is supposed to do. Everything would have to be spent on Social Security, Medicare, and Medicaid. It does not stop there. It continues up at a rather dramatic movement.

The point, of course, is that our children will have to pay the cost. They will find themselves confronted with a dramatic increase in tax burden unless we address the cost of those programs from the spending side.

The point, also, is we really cannot tax our way out of this problem. We cannot possibly raise taxes high enough to keep up with the cost of these programs and still have a viable country. If we did that, we would eliminate the ability of our children to buy a new home, to send their kids to college, to even buy cars. The lifestyle of an American, our children and our grandchildren, would be dramatically reduced—their quality of life—were we to raise taxes to try to keep up with this rate of growth of spending.

Again, it is not a revenue problem; it is a spending problem. That is important to stress. In fact, if you look at the revenues over the last few years, this reinforces this point. Revenues dropped precipitously at the beginning of this President's term for two reasons. One, we had the largest bubble in the history of the world, the Internet bubble, back in the late 1990s, where we were essentially producing false income, paper returns through the issuance of stock which wasn't backed up by productive companies. This bubble burst, and it was the biggest bubble in history, bigger than the tulip or south seas bubble. And the effect of it was to cause our economy to retrench.

Then we had the attack of September 11, which dramatically impacted our psyche as a nation. Obviously, it had a horrific effect in the area of loss of lives, but it had a dramatic effect on our economy. Those two back-to-back events basically forced a significant drop in revenues.

So President Bush came in and said: Let's try to get out of this recession—and it was a shallow recession but would have headed a lot deeper—by cutting taxes and giving people an incentive to be more productive. We have heard a lot from the other side about how it is terrible we cut taxes at the beginning of this administration. But what those tax cuts did was create an atmosphere where people who wanted to be entrepreneurial, who wanted to go out and take risks, who were willing to put their own personal efforts and their dollars behind an effort to be productive, and, thus, create jobs, did exactly that.

Then the economy started to recover. We had 39 straight months of recovery. We had one of the largest expansions of the post-World-War II period. The practical effect of that is that we have created more economic activity, created more jobs, and created more revenue to the Federal Government. So in the last 2 years, the revenue to the Federal Government has actually jumped greater in a 2-year period than at any time in the post-World-War II period. Each of the last 2 years has had historic increases of revenues for the Federal Government.

We are at a point where revenues are essentially at the same place they would be over history as a percent of gross national product. We are essentially generating about the same amount of revenue we have always generated to the Federal Government.

The other side of the aisle says: Let's raise taxes some more. That is not going to help because we are already generating as much revenue as we usually generate. We are doing it the right way, with a fair tax system, telling entrepreneurs to make jobs and create risks. We have created jobs and given revenues to the Federal Government.

The real issue is, you have to be willing to address spending, which is what the chart shows. A group on our side of the aisle said: How do you do this? Probably the way to do it is to put in place a series of processes in the Senate and in the House, which basically forced the Congress to address the public policy issues of reducing the rate of growth and spending for the Federal Government. This is very difficult for an elected body. We know it is a natural tendency of an elected body to spend more money because people come to you and say: We need this for that. Usually the stories are compelling and the purposes are good.

The simple fact is, we cannot afford to spend all the money that people want to spend, and we need to have some mechanisms around here which energize an atmosphere of producing fiscal responsibility, delivering government that is efficient, delivering government that is effective, delivering government that people get what they expect, and, also, get their dollars used efficiently and effectively to produce a government that works.

So we are suggesting a program that basically renews, redesigns; it reforms, it rebuilds the Federal system relative to how we are going to spend money and makes sure we spend it effectively so we give people an affordable government, something that delivers the type of services they need but does it in a way that can be afforded. That is our goal. Our goal, essentially, is to contain spending so that we are able to deliver quality government and still pass on to our children a government that is affordable, a tax burden they can afford that won't overwhelm them and will give them the opportunity to have as good a life as we have had.

The proposal we have come up with has a variety of different elements to accomplish this. First, we follow the ideas put forward by the President, which has eight basic elements. It is a very extensive reform package, renewal package, redesign package, rebuilding package.

The first element is what I call fast-track rescission. I suppose that is too technical. The President calls it the line-item veto. But it says the President has the opportunity to look at bills we have passed in the Senate and say: Listen, we do not need to spend money on that item. That is really an item of earmark, or maybe you might call it pork, or it is just simply not what we need. It is not what the American people have to have their dollars spent on. He gets to put together a package of items, and he sends them to us. He says: These are the items I don't think we need. We think the American people don't need them. We don't think the Government can afford them, and you, the Congress, can take another look at them and vote them up or down. Fast-track rescission. We have to take the vote. It is an opportunity for the executive branch to have a say and for the legislative branch to take a second look. We have done it in a way so neither branch is prejudiced as to our constitutional role which is very important.

The second thing we have done is we have reinstated statutory caps. What is that? It means that we say every year how much the Federal Government is going to spend and we lock it down so that if we spend over that amount we have to go back and cut somewhere else to bring us down to that number.

What has happened around here, we have said we are going to spend X dollars. That is called a cap. But we have not had any enforcement mechanism behind the cap. Those lapsed in 2002. So when we exceed the cap, you get 60 votes and people say: Fine, we will spend the money anyway, even though we said we were not going to spend that much money, and it is ignored. This puts in place a system where we have to be responsible to the number we set out as to what the Federal Government should spend. It is basically truth in budgeting and forces budgeting to be effective and responsive.

The third item we put in, we reduce the deficit so it will move to zero by 2012. This is done by saying essentially this: The deficit today is X percent of gross national product. We are going to say that the deficit should be dropped as a percent of gross national product every year until we get to about 2012 where we expect it to be basically no deficit. If we exceed those numbers—in other words, if the deficit exceeds that percent of gross national product which we set out in the bill—and these numbers are historical numbers and they are obtainable numbers.

In fact, in the first 2 years, the numbers we have set out are basically above where the actual deficit looks like it will hit, and it is about the third and fourth year we may have some issues to keep the deficit moving down—but if the deficit is not moving down, we put in place a process called reconciliation, directed at entitlement spending.

The problem we have as a Federal Government isn't the discretionary side of the ledger. That is spending that occurs every year. Every year you have to spend X dollars on defense, X dollars on education, and you can make a choice regarding how much you will spend here, how much you spend there. Nondefense spending in those accounts has been flat for the last few years, essentially flat if you factor in inflation. The real growth of the Federal Government has been in these accounts that are entitlement accounts, mandatory accounts which I had on the first chart, three of the major ones. They represent, along with the Federal debt, about 60 percent of Federal spending.

What this bill says is that essentially you have to go back and take a look at those accounts if we are not meeting our deficit targets and bring them into line so we will meet those deficit targets.

Now, in order to help accomplish this, this proposal also includes an entitlement commission. There have been a lot of commissions around here and everyone is a little tired of commissions. This commission is different. This commission says take a look at the entitlement accounts of the Federal Government, report back to the Congress, and Congress must act on your proposal. We actually put in place a policy procedure to try to correct the entitlement issue. Then we put in place a budgeting procedure which allows us to legislate changes if the entitlement improvements are not accomplishing our goals.

The purpose is to make these entitlement programs affordable for our children while they still maintain a quality lifestyle for those who are retired. That can be and should be able to be accomplished. But it takes a Congress being willing to step up to the plate and doing it. So far, we have not been willing to do that. We have been burying our head in the sand on that issue.

Another element in this proposal is a BRAC commission, a proposal from Senator BROWNBACK, which essentially looks at the whole Government, independent of the Defense Department, which was looked at under its own BRAC commission. And if you recall, it looked at the entire Defense Department and decided what the Defense Department needed and didn't need and set up a package and we voted on it as a package.

This is a "BRAC Commission" for the Government with very strong, thoughtful people being appointed to the Commission, the same way the BRAC Commission was set up relative to the Defense Department. We will be able to take a look at functions of the Government which maybe should be eliminated or reduced or significantly changed.

It is a good proposal. It is also a proposal that includes biennial budgeting—an idea that is strongly supported by the Senator from Alabama, Mr. SESSIONS, who is managing the bill on the floor right now, and the Senator from New Mexico—so we can have a budget process where we are not always looking at the budget every year and everybody spinning their wheels around the budget but, rather, having a year where we develop a budget and a year where we do a lot more oversight. That is the theory behind that, so we can become more efficient.

Finally, it has reforms to what is known as the reconciliation process. The reconciliation process is the teeth under which we accomplish savings in the budget process. But it can also, unfortunately, be used for expanding spending if it is not handled properly. So these reforms make it clear that reconciliation is primarily for the purposes of controlling spending, not of expanding spending.

So the goal is simple. The goal is to put in place a package which will allow us as a Congress to step up and address the issue of overspending. That is why we call it SOS, "stop overspending." The purpose of that goal is to be able to pass on to our children a government that is affordable, that continues to deliver the services people expect, continues to give high-quality services but does it in an affordable way so our children's quality of life is not overwhelmed by the burden of a government that is trying to support a retired generation that is huge.

Again, I must stress, that you cannot do this on the tax side. You cannot solve the issues of the deficit, you cannot solve the issues of entitlement concerns on the tax side. There is simply too much programmatic commitment in the pipeline to accomplish that.

Let me give you a couple numbers to highlight that fact. The General Accounting Office—the comptroller of the Government—has told us there is presently pending relative to entitlement responsibility for retired people an obligation which we don't know how we are going to pay for—that is called an unfunded liability—of $46 trillion; and that is "trillion" with a "T." So that is $46 trillion of responsibility that we have put on the books in costs that we don't really know how we are going to pay for.

I don't know what $1 trillion is. It is very hard to comprehend $1 trillion. But just to put it in some sort of context, since the beginning of this country, since our Revolution, we have paid something like $43 trillion in taxes. So all the taxes paid since this country started would not pay for the bills we have on the books for our upcoming retired generation. Or to put it in another context, if you took all the assets owned in America today—all the cars, all the homes, all the stock, all the small businesses, all the big businesses—and totaled them up, their total is about $47 trillion in net value. So we have on the books a liability that is essentially the same as the net worth of our Nation. That is a serious problem, and you cannot deal with that problem by simply raising taxes.

The other side of the aisle has not put forward any substantive ideas in this area relative to spending. They have suggested a proposal called pay-go, which is a stalking-horse for tax increases. Fine. That is their position: We should raise taxes to address all problems. But we know from the numbers that are now coming in at the Treasury that we are already taxing Americans at a level which is at our historic level, our traditional level, and that revenues to the Federal Government are jumping significantly because of the good tax policies we have in place, the fair tax policies we have in place.

So we know you cannot solve this problem by continuing to raise taxes on the American people. The total tax burden to the American people today, including State, local, and Federal, is almost at a historic high. How much higher can you put that tax burden on the American people? No, you cannot do it on that side of the ledger. In fact, what we have proven is you generate more revenues by giving people an incentive to be productive and to go out and create jobs by having a fair and reasonable tax rate rather than jumping tax rates to the point where people have a disincentive to be productive and thus start to reduce revenues to the Federal Government.

That was proven by John Kennedy, confirmed by Ronald Reagan, and now confirmed again by George W. Bush. It should be accepted policy around here, but it is rejected by the other side of the aisle, which still subscribes to this 1930s philosophy of governance, which is that you can always raise taxes to meet any problem. No. The problem is that we need to be willing to step up and address spending.

This package, if it were to pass in its entirety—I hope the other side will not obstruct it coming to the floor. We hope to mark it up in Budget next week and report it out, and hope the other side will let us take it up. Let's have a free-flowing debate out here on the floor about how you address this issue.

The outyear threat to our children—which is a function of the fact there is a baby boom generation floating around here that is huge—is not going to go away and is going to demand significant services which will cost a dramatic amount of money.

Our proposal is comprehensive and extensive. It is a rebuilding, retooling approach toward how we manage this Congress and especially our budgets. It is a constructive approach, one that is committed toward delivering an affordable and effective government and a government that does not overburden our children and our grandchildren with taxes. So it will lead to a balanced budget, and it will lead to a government that is affordable.

I thank all my colleagues who have joined me in this effort, and I do hope we can move it forward.

Mr. SESSIONS. Mr. President, will the Senator yield for a question?

Mr. GREGG. Mr. President, I yield to the Senator from Alabama.

Mr. SESSIONS. First, I wish to say to any Americans listening and all our colleagues, when Chairman GREGG speaks about long-term financial challenges facing this Nation, we ought to listen. "E.F. Hutton" speaks. So our "E.F. Hutton" is speaking, and I could not be more proud of the package he has proposed because all of those proposals, in my view, are not only workable but they will work.

What we tend to do around here a lot is we propose packages and ideas, and the ones that pass will not actually work.

I say to Chairman GREGG, you had a chart that showed a declining deficit. Would you put that up? I just want to raise one point about it because it, perhaps, raises a misconception. It shows a reduction of the deficit and, in effect, a zero deficit. But you do not mean by that that to achieve that huge reduction in our current deficit, we have to cut spending; is that correct?

Mr. GREGG. No.

Mr. SESSIONS. Is it necessary we actually cut the current rate of spending to achieve that?

Mr. GREGG. Absolutely not. In fact, under most scenarios, the current rate of spending on almost all of these major programs—such as Medicare, Social Security, and Medicaid—would rise significantly; they just would not rise as fast. Medicare, for example, would probably, over this 5-year period, rise by about 40 percent, instead of 43 percent—something like that. Those are numbers off the top of my head, but those are the types of numbers we are talking about. You are talking about increased spending but at a slower rate and affordable.

Mr. SESSIONS. And even with this long-term 20-, 30-, 60-year projection of larger deficits, if we just contain the growth in the entitlement programs by a realistic amount, we could have a great impact on reducing those projected deficits; isn't that correct?

Mr. GREGG. Mr. President, the Senator from Alabama is absolutely right. We do not have to cut anywhere. All we have to do is slow the rate of growth so it is an affordable rate of growth because the compounding effect of slowing these rates of growth is huge.

Mr. SESSIONS. That is such an important answer.

Let me ask the Senator this.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Mr. President, I ask unanimous consent for 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. With regard to the growth of revenue to our Government—and you had a chart which showed that—as I recall, last year we showed over 14 percent growth, and with this year almost half gone, we are looking at in excess of 11 percent growth. That is after taxes have been cut. Is that correct?

Mr. GREGG. Mr. President, the Senator from Alabama is correct. The rate of growth of revenues to the Federal Government last year was about 14 percent. This year, through the first 6 months, it was about 11 percent and continues to grow dramatically. That is a function of the fact that we now have a tax policy which encourages people to go out and take risks and create jobs, which creates revenue.

Mr. SESSIONS. I thank the Senator because he has given us optimism and hope that we can reduce this deficit, and he has shown us we can do this without slashing our social programs or any other spending but just contain the growth.

BY Mr. WYDEN (for himself, Mr. SMITH, Mr. CRAIG, and Mrs. MURRAY):

S. 3522. A bill to amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2006 through 2012, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, I am pleased to be joined today by Senator GORDON SMITH, Senator LARRY CRAIG and Senator PATTY MURRAY in introducing the Fisheries Restoration and Irrigation Mitigation Act of 2006—or FRIMA. Our legislation extends a homegrown, commonsense program that has a proven track record in helping restore Northwestern salmon runs. Dollar-for-dollar, the fish screening and fish passage facilities funded by our legislation are among the most cost-effective uses of public and private restoration dollars. These projects protect fish while producing significant benefits. That is why it is important that this program be reauthorized and funding be appropriated now.

Since 2001, when the original Fisheries Restoration and Irrigation Mitigation Act of 2000, FRIMA, was enacted, more than $9 million in Federal funds has leveraged nearly $20 million in private, local funding. This money has been used to protect, enhance, and restore more than 550 river miles of important fish habitat and species throughout Oregon, Washington, Idaho, and western Montana. For decades, State, tribal and Federal fishery agencies in the Pacific Northwest have identified the screening of irrigation and other water diversions, and improved fish passage, as critically important for the survival of salmon and other fish populations.

This program is very popular and has the support of a wide range of constituents, including community leaders, environmental organizations, and agricultural producers. Senator SMITH and I are proud of the successful collaborative projects that irrigators and members of the Oregon Water Resources Congress have completed while putting this program to work in our home State. Our program also has the support of Oregon Governor Ted Kulongoski, irrigators throughout the Northwestern States, Oregon Trout, American Rivers and the National Audubon Society.

FRIMA authorizes the Secretary of the Interior to establish a program to plan, design, and construct fish screens, fish passage devices, and related features. It also authorizes inventories to provide the information needed for planning and making decisions about the survival and propagation of all Northwestern fish species. The program is currently carried out by the U.S. Fish and Wildlife Service on behalf of the Interior Secretary.

FRIMA provides benefits by: keeping fish out of places where they should not be—such as in an irrigation system; easing upstream and downstream fish passage; improving the protection, survival, and restoration of native fish species; helping avoid new endangered species listings by protecting and enhancing the fish populations not yet listed; making progress toward the delisting of listed species; utilizing a positive, win/win, public-private partnership; and, assisting in achieving both sustainable agriculture and fisheries. Since FRIMA's enactment in 2001, 103 projects have been installed. This is a true partnership and fine example of how our fisheries and farmers can work together to protect fish species throughout the Northwest.

While he was Governor of Idaho, Interior Secretary Dirk Kempthorne said, ". . . the FRIMA program serves as an excellent example of government and private land owners working together to promote conservation. The screening of irrigation diversions plays a key role in Idaho's efforts to restore salmon populations while protecting rural economies." [from "Fisheries Restoration and Irrigation Mitigation Programs, FY 2002-2004", U.S. Fish & Wildlife Service, Washington, D.C., July, 2005, p. 13]

The bill that we are introducing today specifically extends the authorization for this program through 2012; gives priority to projects costing less than $2.5 million—a reduction in a targeted project's cost from $5,000,000 to $2,500,000; clarifies that projects funded under the act are viewed as recipients of a "pass through program" and not a "grant" program; that any Bonneville Power Administration, BPA, funds provided either directly or through a grant to another entity shall be considered non-Federal matching funds—because BPA's funding comes from ratepayers; requires an inventory report describing funded projects and their benefits; and changes the administrative expenses formula used by the Fish & Wildlife Service and the States of Oregon, Washington, Montana and Idaho, so that administrative costs are scaled in proportion to the amount of funds appropriated for the program each year.

Ultimately, it will take the combined efforts of all interests in our region to recover our salmon. State, Tribal and local governments, local watershed councils, private landowners and the Federal Government need to continue working together. Initiatives such as the bill I am introducing today help to sustain the partnerships upon which successful salmon recovery will be based.

I look forward to working with my colleagues to see this legislation pass.

I ask unanimous consent that the text of the bill and a letter of support from Oregon Governor Kulongoski be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3522

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fisheries Restoration and Irrigation Mitigation Act of 2006".

SEC. 2. PRIORITY PROJECTS; PARTICIPATION IN PROGRAM.

The Fisheries Restoration and Irrigation Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law 106-502) is amended—

(1) in section 3—

(A) in subsection (a), by inserting "as a pass-through program" before "within the Department"; and

(B) in subsection (c)(3), by striking "$5,000,000" and inserting "$2,500,000"; and

(2) in section 4, by striking subsection (b) and inserting the following:

"(b) NONREIMBURSABLE FEDERAL AND TRIBAL EXPENDITURES.—Development and implementation of projects under the Program on land or facilities owned by the United States or an Indian tribe shall be nonreimbursable expenditures.".

SEC. 3. COST SHARING.

Section 7(c) of Fisheries Restoration and Irrigation Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law 106–502) is amended—

(1) by striking "The value" and inserting the following:

"(1) IN GENERAL.—The value"; and

(2) by adding at the end the following:

"(2) BONNEVILLE POWER ADMINISTRATION.—Any amounts provided by the Bonneville Power Administration directly or through a grant to another entity for a project carried under the Program shall be credited toward the non-Federal share of the costs of the project.".

SEC. 4. REPORT.

Section 9 of the Fisheries Restoration and Irrigation Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law 106-502) is amended—

(1) by inserting "any" before "amounts are made"; and

(2) by inserting after "Secretary shall" the following: ", after partnering with local governmental entities and the States in the Pacific Ocean drainage area,".

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 10 of the Fisheries Restoration and Irrigation Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law 106–502) is amended—

(1) in subsection (a), by striking "2001 through 2005" and inserting "2006 through 2012"; and

(2) in subsection (b), by striking paragraph (2) and inserting the following:

"(2) ADMINISTRATIVE EXPENSES.—

"(A) DEFINITION OF ADMINISTRATIVE EXPENSE.—In this paragraph, the term 'administrative expense' means any expenditure relating to—

"(i) staffing and overhead, such as the rental of office space and the acquisition of office equipment; and

"(ii) the review, processing, and provision of applications for funding under the Program.

"(B) LIMITATION.—

"(i) IN GENERAL.—Except as provided in subparagraph (C), a percentage of amounts up to 6 percent made available for each fiscal year, as determined under clause (ii), may be used for Federal (including tribal) and State administrative expenses of carrying out this Act.

"(ii) FORMULA.—For purposes of determining the percentage of administrative expenses to be made available under clause (i) for a fiscal year—

"(I) 1 percent shall be provided if less than $1,000,000 is made available to carry out the Program for the fiscal year;

"(II) 2 percent shall be provided if $1,000,000 or more, but less than $6,000,000, is made available to carry out the Program for the fiscal year;

"(III) 3 percent shall be provided if $6,000,000 or more, but less than $11,000,000, is made available to carry out the Program for the fiscal year;

"(IV) 4 percent shall be provided if $11,000,000 or more, but less than $15,000,000, is made available to carry out the Program for the fiscal year;

"(V) 5 percent shall be provided if $15,000,000 or more, but less than $21,000,000, is made available to carry out the Program for the fiscal year; and

"(VI) 6 percent shall be provided if $21,000,000 or more is made available to carry out the Program for the fiscal year.

"(iii) FEDERAL AND STATE SHARES.—To the maximum extent practicable, of the amounts made available for administrative expenses under clause (i)—

"(I) 50 percent shall be provided to the Federal agencies (including Indian tribes) carrying out the Program; and

"(II) 50 percent shall be provided to the State agencies provided assistance under the Program.

"(iv) STATE EXPENSES.—Amounts made available to States for administrative expenses under clause (i)—

"(I) shall be divided evenly among all States provided assistance under the Program; and

"(II) on request of a project sponsor, may be used to provide technical support to the project sponsor.

"(C) TECHNICAL ASSISTANCE.—

"(i) IN GENERAL.—Amounts expended by the Secretary for the provision of technical assistance relating to the Program shall not be subject to the 6 percent limitation on administrative expenses under subparagraph (B)(i).

"(ii) INCLUSIONS.—For purposes of clause (i), expenditures for the provision of technical assistance include any staffing expenditures (including staff travel expenses) associated with—

"(I) arranging meetings to promote the Program to potential applicants;

"(II) assisting applicants with the preparation of applications for funding under the Program; and

"(III) visiting construction sites to provide technical assistance, if requested by the applicant.".

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 12, 2006.

Hon. PETE V. DOMENICI,
Chairman, Senate Energy and Natural Resources Committee.
Hon. JEFF BINGAMAN,
Ranking Member, Senate Energy and Natural Resources Committee,
Washington, DC.

DEAR SENATORS DOMENICI AND BINGAMAN: I write in support of the re-authorization of the Fisheries Restoration and Irrigation Mitigation Act (FRIMA). In addition, I support the funding level originally authorized by Congress of $25 million per year.

The Fisheries Restoration and Irrigation Mitigation Act is one of the most successful cost share programs in the Pacific Northwest, funding the installation of fish screens and ladders at irrigation diversions in Idaho, Montana, Oregon and Washington. Conservationists support it because it saves wild, migrating Endangered Species Act (ESA) listed fish such as Steelhead, Coho and Chinook salmon, as well as those produced in state and federal hatcheries. Irrigated agriculture supports the program both for its conservation effects and because it helps protect operators from possible federal enforcement actions resulting from take of ESA fish.

It is widely accepted that correcting fish barrier, diversion and screen problems is a very cost-effective investment. Each federal FRIMA dollar has been matched by $1.37 in state or local dollars. Participants have contributed a total of 58 percent toward the cost share—exceeding the legal requirement of 35 percent—and also pay 100 percent of project operation and maintenance costs. The FRIMA projects are completed quickly because existing state fish screening and passage programs are used to implement projects.

The program, which I have summarized for you in the enclosed fact sheet, has resulted in fish-friendly irrigation projects as well as increased spawning and rearing habitat. Since FRIMA's introduction in 2000, 103 projects have been installed, providing fish access to 553 miles of habitat upstream and screening a total volume of water at 1,572,757 gallons per minute. Healthy fish populations produce commercial and recreational fishing opportunities, which are essential to our coastal economies and rural communities that have often lost other industries in recent years.

Due to its popularity and success, there is a backlog of hundreds of potential FRIMA projects. To date, appropriations have averaged only $3 million per year, or $750,000 per state, per year. This amount has jump-started the process, but is inadequate given the magnitude of the available projects and the fish benefits they are designed to provide.

I urge you to increase funding to $25 million per year—the level originally authorized by Congress—so we can continue increasing fish populations, assisting irrigators in installing fish protection devices and bolstering local economies.

Sincerely,

THEODORE R. KULONGOSKI,
Governor.

FRIMA

Re-authorization Fact Sheet

Fisheries Restoration and Irrigation Mitigation Act 2000 (P.L. 106-502).

FRIMA is a highly popular and cost-effective voluntary fish screening and passage partnership program that benefits Idaho, western Montana, Oregon and Washington.

Why do fish need protection at water diversions?

Water diversions redirect water from streams and rivers so it can be used for crop irrigation, power, drinking water, and other beneficial purposes. Water diversions also block the normal migration of fish and pull fish into pumps, irrigation canals, and fields greatly reducing their survival.

Benefits of fish protection 98% of young salmon survive an encounter with a properly designed fish screen that meets accepted state and federal criteria. Fish protection devices benefit by: Keeping fish out of places where they should not be (like an irrigation system); providing safe upstream and downstream fish passage; improving the protection, survival, and restoration of native fish species: achieving both sustainable agriculture and sustainable fisheries.

How the program works

FRIMA is a 65%/35% cost share program requiring that grant recipients contribute at least 35% in non-federal matching funds. Projects must: Be associated with an irrigation, or other water diversion; benefits fish species native to the project area; have a local, state, tribal or federal government sponsor or co-applicant.

Successful cost share 2000–2005: 83 fish screens installed, screening 1,572,757 gallons of water per minute; 20 fishways installed, opening 553 miles of habitat to fish; $1 in FRIMA funds leverage $1.37 in state/local funds; participants have contributed 58% in cost share, which is much more than the required 35%.

Mr. CRAIG. Mr. President, I wish to join my colleagues from Oregon and Washington in introducing S. 3522, the Fisheries Restoration and Irrigation Mitigation Act, FRIMA, of 2006. It is important that we pool our resources and work together in the region to get serious about fish restoration. FRIMA has proven to be cost effective and efficient at this goal and, therefore, should be reauthorized.

The FRIMA program exemplifies the great potential of forward-thinking public-private partnerships, and the wisdom of working closely with local communities. Since it was enacted in 2000, we have achieved real results. In my home State of Idaho, according to the Fish and Wildlife Service, 13 projects have been completed and 206 miles of streams have been "protected, enhanced, or made accessible to fish." One example of work being done is in the Salmon River Basin near Salmon, ID, where partners such as the Lemhi Soil and Water Conservation District and the U.S. Forest Service have installed fish screens on three irrigation water diversions. These screens protect salmon and other fish species and allow farmers to continue to irrigate their farms. And let me emphasize in supporting the reauthorization of this program that there remain important projects such as these yet to be completed.

This program makes sense, especially from a financial perspective. FRIMA extends the reach of Federal dollars by enlisting other interested parties. This results in more money for FRIMA projects and more talent and experience working to achieve success. In fact, from fiscal years 2002 to 2004, local and State government, businesses, irrigation districts, and environmental groups, to name just a few, have shouldered 58 percent of the cost. This cost-sharing surpassed the 35 percent threshold required in the original legislation.

An important aspect of this legislation reduces the hurdles for public and private restoration dollars to participate in the Fish and Wildlife Service's cost-sharing program to protect, enhance, and restore important fish habitat in the Pacific Northwest. This clarification is important so that the Bonneville Power Administration's non-federal dollars can be used to make other Federal and private money go further to recover salmon.

Finally, this program has received the support of our new Secretary of the Interior, Dirk Kempthorne. When he was Governor of Idaho he remarked:

> The FRIMA program serves as an excellent example of government and private land owners working together to promote conservation. The screening of irrigation diversions plays a key role in Idaho's efforts to restore salmon populations while protecting rural economies.

The Idaho Fish and Game Department and the Idaho Water Users Association are also strong advocates of the program.

By Mrs. FEINSTEIN (for herself and Mr. KYL):

S. 3523. A bill to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise to introduce legislation that enhances the innocent spouse equitable relief provision of the Internal Revenue Code. Through only minor legislative modifications, this bill clarifies the statute's original intent, affording innocent spouses the necessary recourse to ensure their cases and circumstances are given a fair hearing.

According to section 6015(f) of the Internal Revenue Code, the IRS may relieve an innocent spouse of liability for unpaid taxes generated through the filing of a joint tax return if “taking into account all the facts and circumstances” it would be inequitable to hold the spouse responsible.

Little recourse exists, however, to prevent the IRS from seizing assets or garnishing wages if a petition for innocent spouse equitable relief is not approved.

Recent decisions of the Eighth and Ninth Circuit Courts of Appeals have denied the Tax Court jurisdiction over petitions for equitable relief under the Innocent Spouse Statute. Consequently, there is no mechanism for review or appeal of these IRS decisions.

The story of one of my constituents provides a stunning example of the problem.

The IRS seized all of her husband's income to pay a tax liability incurred 20 years earlier, before they were married. Because the IRS seized the entirety of the income, the taxes on the income remained unpaid.

When her husband died, the IRS pursued the innocent spouse for the taxes on her husband's income. She was forced to sell her family home and all property owned jointly with her husband. My constituent is employed, but due to financial hardship she must live with friends. Even so, the IRS may have her wages garnished along with funds set aside for her in trust by a probate court.

Because the Tax Court does not have jurisdiction to review claims for innocent spouse equitable relief, my constituent can do little to prevent the IRS from seizing what remains.

The aim of this legislation is to provide an avenue through which innocent spouse equitable relief decisions may be appealed, if originally denied by the IRS.

This bill: Expressly provides that the Tax Court has jurisdiction to review the denial of equitable innocent spouse relief under Internal Revenue Code section 6015(f); and suspends IRS collection activity while a request for relief under Internal Revenue Code section 6015(f) is pending.

I believe that my proposal would provide a straightforward and uncontroversial solution to the unfair treatment of innocent spouses under current law. Moreover, without this bill, an increasing number of innocent spouse equitable relief appeals will remain in limbo—pending, with no method for consideration.

When this body enhanced innocent spouse protections—through passage of the 1998 Internal Revenue Service Restructuring and Reform Act—the goal was to modernize, simplify, and streamline the cumbersome process of seeking relief from liabilities of tax, interest, and related penalties.

Unfortunately, the conference report on the 1998 act included vague language, which ultimately has left innocent spouses with no avenue for appeal.

It is worth noting that the IRS grants fewer than three in 10 requests for innocent spouse relief. This bill in no way guarantees relief, but rather fixes the broken appeals process for these IRS decisions.

I urge my colleagues to support this small change that will have a profound effect on the lives of many innocent spouses—mostly women—who deserve their day in court.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3523

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TAX COURT REVIEW OF REQUESTS FOR EQUITABLE INNOCENT SPOUSE RELIEF.

(a) IN GENERAL.—Paragraph (1) of section 6015(e) of the Internal Revenue Code of 1986 (relating to petition for tax court review) is amended by inserting “or in the case of an individual who requests equitable relief under subsection (f)” after “who elects to have subsection (b) or (c) apply”.

(b) CONFORMING AMENDMENTS.—

(1) Section 6015(e)(1)(A)(i)(II) of the Internal Revenue Code of 1986 is amended by inserting “or request is made” after “election is filed”.

(2) Section 6015(e)(1)(B)(i) of such Code is amended—

(A) by inserting “or requesting equitable relief under subsection (f)” after “making an election under subsection (b) or (c)”, and

(B) by inserting “or request” after “to which such election”.

(3) Section 6015(e)(1)(B)(ii) of such Code is amended by inserting “or to which the request under subsection (f) relates” after “to which the election under subsection (b) or (c) relates”.

(4) Section 6015(e)(4) of such Code is amended by inserting “or the request for equitable relief under subsection (f)” after “the election under subsection (b) or (c)”.

(5) Section 6015(e)(5) of such Code is amended by inserting “or who requests equitable relief under subsection (f)” after “who elects the application of subsection (b) or (c)”.

(6) Section 6015(g)(2) of such Code is amended by inserting “or of any request for equitable relief under subsection (f)” after “any election under subsection (b) or (c)”.

(7) Section 6015(h)(2) of such Code is amended by inserting “or a request for equitable relief made under subsection (f)” after “with respect to an election made under subsection (b) or (c)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to requests for equitable relief under section 6015(f) of the Internal Revenue Code of 1986 with respect to liability for taxes which are unpaid after the date of the enactment of this Act.

Mr. KYL. Mr. President, I am pleased to join my colleague from California, Senator FEINSTEIN, in introducing legislation to clarify the jurisdiction of the U.S. Tax Court in cases involving “equitable relief” for innocent spouse claims.

In general, spouses who sign joint tax returns are held jointly and severally liable for taxes owed on such returns. An individual may be relieved from such liability if she meets the “innocent spouse” test set forth in section 6015 of the Internal Revenue Code. The current standards were put in place by the IRS Restructuring and Reform Act of 1998.

An article published in the New York Times in late 1999 notes that the number of innocent spouse applications increased sharply after the 1998 law and that as many as 90 percent of the people filing innocent spouse applications are women. Clearly, the 1998 law opened an important avenue for ex-spouses to challenge unexpected tax bills they received after their former spouses cheated on their taxes without the knowledge of the "innocent" spouse.

Unfortunately, the 1998 law also left uncertain the Tax Court's jurisdiction to hear appeals from denials of "equitable relief." The Treasury Secretary is authorized to grant equitable relief if a taxpayer does not meet any of the statutorily specified qualifications for being an innocent spouse. But while the Tax Court was given jurisdiction to hear appeals under those specific avenues spelled out in the Code, the Code is silent on whether the Tax Court can hear appeals based on the Treasury Secretary's equitable relief authority. Recent decisions by the Eight and Ninth Circuit Courts of Appeals have held that the Tax Court lacks jurisdiction to hear petitions for innocent spouse equitable relief.

The legislation Senator FEINSTEIN and I have introduced makes clear that the Tax Court has jurisdiction to hear appeals of decisions denying equitable relief. The National Taxpayer Advocate has recommended that Congress pass this legislation, and I am hopeful that we can move this important bill through the Finance Committee in very short order.

By Mr. McCAIN:

S. 3526. A bill to amend the Indian Land Consolidation Act to modify certain requirements under that Act; to the Committee on Indian Affairs.

Mr. McCAIN. Mr. President, I am introducing today a bill to amend various provisions of the Indian Land Consolidation Act, ILCA. Some of these amendments are of a technical or clarifying nature; others have the effect of delaying the effective date of certain provisions of the Indian Probate Code set forth in ILCA section 207.

Section 1 of the bill clarifies the meaning of certain defined terms used in ILCA—"trust or restricted interest land" and "land"—and also delays the application of the act's probate code to permanent improvements located on Indian trust lands until after July 20, 2007. This delay will provide additional time to analyze how the probate code should apply to permanent improvements and determine whether further amendments are needed. The definition of land is amended to clarify that a decedent's interest in such improvements is included in the term "land" only for purposes of intestate succession under ILCA section 207(a) and even then only when the improvements are located on a parcel of trust or restricted land that is itself included in the decedent's estate. Thus, "land" would not include a decedent's interest in permanent improvements located on tribal trust land or for that matter on individually owned trust land if the underlying parcel of land is not itself part of the decedent's estate.

Section 2 of the bill also amends the "single heir rule" of ILCA section 207(a)(2)(D)—which governs the inheritance of interests that are less than 5 percent of the total undivided interest in a parcel of land—by making it inapplicable to any interest in the estate of a decedent who dies during the period beginning on the enactment date of the clause and ending on July 20, 2007, and authorizing the Secretary of Interior to extend this period for up to 1 year.

The bill would also delay until July 21, 2007, the application of the presumption in ILCA section 207(c) that a devise of a trust interest to more than 1 person creates a joint tenancy absent clear language in the will to the contrary. It would amend ILCA section 207(o), which authorizes purchase of interests during probate, in various ways, but most significantly limiting nonconsensual purchases to the Secretary and the Indian tribe; clarifying that the 5 percent threshold applies to the decedent's interest rather than to the interest passing to an heir; and holding the rule allowing nonconsensual purchase at probate of small interests inapplicable to interests in the estate of any decedent who dies on or before July 20, 2007. This section would also authorize the Secretary to extend this period for up to 1 additional year.

The amendments delaying the application of these provisions will give Indian landowners more time to understand how these provisions work and plan their estates accordingly. The delays of the single heir rule and nonconsensual purchase option at probate will also allow the Department more time to have procedures and systems in place to determine whether a given interest is above or below the 5 percent threshold that triggers the application of the rules.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3526

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Indian Land Consolidation Act Amendments of 2006".

SEC. 2. DEFINITIONS.

Section 202 of the Indian Land Consolidation Act (25 U.S.C. 2201) is amended—

(1) in paragraph (4)—

(A) by inserting "(i)" after "(4)";

(B) by striking "'trust or restricted interest in land' or" and inserting the following:

"(ii) 'trust or restricted interest in land' or"; and

(C) in clause (ii) (as designated by subparagraph (B)), by striking "an interest in land, title to which" and inserting "an interest in land, the title to which interest"; and

(2) by striking paragraph (7) and inserting the following:

"(7) the term 'land'—

"(A) means any real property; and

"(B) for purposes of intestate succession only under section 207(a), includes, with respect to any decedent who dies after July 20, 2007, the interest of the decedent in any improvements permanently affixed to a parcel of trust or restricted lands (subject to any valid mortgage or other interest in such an improvement) that was owned in whole or in part by the decedent immediately prior to the death of the decedent;".

SEC. 3. DESCENT AND DISTRIBUTION.

Section 207 of the Indian Land Consolidation Act (25 U.S.C. 2206) is amended—

(1) in subsection (a)(2)(D)—

(A) in clause (i), by striking "clauses (ii) through (iv)" and inserting "clauses (ii) through (v)"; and

(B) by striking clause (v) and inserting the following:

"(v) EFFECT OF PARAGRAPH; NONAPPLICABILITY TO CERTAIN INTERESTS.—Nothing in this paragraph—

"(I) limits the right of any person to devise any trust or restricted interest pursuant to a valid will in accordance with subsection (b); or

"(II) applies to any interest in the estate of a decedent who died during the period beginning on the date of enactment of this subclause and ending on July 20, 2007 (or the last day of any applicable period of extension authorized by the Secretary under clause (vi)).

"(vi) AUTHORITY TO EXTEND PERIOD OF NONAPPLICABILITY.—The Secretary may extend the period of nonapplicability under clause (v)(II) for not longer than 1 year if, by not later than July 2, 2007, the Secretary publishes in the Federal Register a notice of the extension.";

(2) in subsection (c)(2), by striking "the date that is" and all that follows through the period at the end and inserting the following: "July 21, 2007."; and

(3) in subsection (o)—

(A) in paragraph (3)—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii) and indenting the clauses appropriately;

(ii) by striking "(3)" and all that follows through "No sale" and inserting the following:

"(3) REQUEST TO PURCHASE; CONSENT REQUIREMENTS; MULTIPLE REQUESTS TO PURCHASE.—

"(A) IN GENERAL.—No sale"; and

(iii) by striking the last sentence and inserting the following:

"(B) MULTIPLE REQUESTS TO PURCHASE.—Except for interests purchased pursuant to paragraph (5), if the Secretary receives a request with respect to an interest from more than 1 eligible purchaser under paragraph (2), the Secretary shall sell the interest to the eligible purchaser that is selected by the applicable heir, devisee, or surviving spouse.";

(B) in paragraph (4)—

(i) in subparagraph (A), by adding "and" at the end;

(ii) in subparagraph (B), by striking "; and" and inserting a period; and

(iii) by striking subparagraph (C); and

(C) in paragraph (5)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking "auction and";

(II) in clause (i), by striking "and" at the end;

(III) in clause (ii)—

(aa) by striking "auction" and inserting "sale";

(bb) by striking "the interest passing to such heir represents" and inserting ", at the time of death of the applicable decedent, the interest of the decedent in the land represented"; and

(cc) by striking the period at the end and inserting "; and"; and

(IV) by adding at the end the following:

"(iii)(I) the Secretary is purchasing the interest as part of the program authorized under section 213(a)(1); or

"(II) after receiving a notice under paragraph (4)(B), the Indian tribe with jurisdiction over the interest is proposing to purchase the interest from an heir that is not a member, and is not eligible to become a member, of that Indian tribe.";

(ii) in subparagraph (B)—

(I) by striking "(B)" and all that follows through "such heir" and inserting the following:

"(B) EXCEPTION; NONAPPLICABILITY TO CERTAIN INTERESTS.—

"(i) EXCEPTION.—Notwithstanding subparagraph (A), the consent of the heir or surviving spouse";

(II) in clause (i), by inserting "or surviving spouse" before "was residing"; and

(III) by adding at the end the following:

"(ii) NONAPPLICABILITY TO CERTAIN INTERESTS.—Subparagraph (A) shall not apply to any interest in the estate of a decedent who dies on or before July 20, 2007 (or the last day of any applicable period of extension authorized by the Secretary under subparagraph (C)).";

and (iii) by adding at the end the following:

"(C) AUTHORITY TO EXTEND PERIOD OF NONAPPLICABILITY.—The Secretary may extend the period of nonapplicability under subparagraph (B)(ii) for not longer than 1 year if, by not later than July 2, 2007, the Secretary publishes in the Federal Register a notice of the extension.".

By Mr. DEWINE (for himself and Mr. KOHL):

S. 3527. A bill to require the Under Secretary of Technology of the Department of Commerce to establish an Advanced Multidisciplinary Computing Software Institute; to the Committee on Commerce, Science, and Transportation.

Mr. DEWINE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3527

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Blue Collar Computing and Business Assistance Act of 2006".

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Computational science, the use of advanced computing capabilities to understand and solve complex problems, including the development of new products and processes, is now critical to scientific leadership, economic competitiveness, and national security.

(2) Advances in computational science and high performance computing provide a competitive advantage because they allow businesses to run faster simulations of complex systems or to develop more precise computer models.

(3) The Federal Government is one of the investors in research aimed at the development of new computational science and high-performance computing capabilities.

(4) As determined by the Council on Competitiveness, the Nation's small businesses and manufacturers must "Out Compute to Out Compete". However, new computational science technologies are not being transferred effectively from the research organizations to small businesses and manufacturers.

(5) Small businesses and manufacturers are especially well-positioned to benefit from increased availability and utilization of high-performance computing technologies and software.

(6) Current cost and technology barriers associated with high-performance computing and software algorithms often inhibit small businesses and manufacturers from successfully making use of these technologies.

(7) The establishment of an advanced multidisciplinary computing software institute will help make existing high performance computing resources more accessible to small businesses and manufacturers. This will create new opportunities for economic growth, jobs, and product development.

(b) PURPOSE.—The purpose of this Act is to provide grants for the creation of an Advanced Multidisciplinary Computing Software Institute that will—

(1) develop and compile high-performance computing software and algorithms suitable for applications in small business and manufacturing;

(2) effectively carry out the transfer of new computational science and high-performance computing technologies to small businesses and manufacturers; and

(3) actively assist small businesses and manufacturers in utilizing such technologies.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADVANCED MULTIDISCIPLINARY COMPUTING SOFTWARE CENTER; CENTER.—The term "Advanced Multidisciplinary Computing Software Center" or "Center" is a center created by an eligible entity with a grant awarded under section 4.

(2) ADVANCED MULTIDISCIPLINARY COMPUTING SOFTWARE INSTITUTE.—The term "Advanced Multidisciplinary Computing Software Institute" means a network of up to 5 Advanced Multidisciplinary Computing Software Centers located throughout the United States.

(3) NONPROFIT ORGANIZATION.—The term "nonprofit organization" means any organization if such organization is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from tax under section 501(a) of such Code.

(4) SMALL BUSINESS OR MANUFACTURER.—The term "small business or manufacturer" means a small business concern as that term is defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a)), including a small manufacturing concern.

(5) UNDER SECRETARY.—The term "Under Secretary" means the Under Secretary of Technology of the Department of Commerce.

SEC. 4. GRANTS.

(a) IN GENERAL.—The Under Secretary of Technology of the Department of Commerce shall award grants to establish up to 5 Advanced Multidisciplinary Computing Software Centers at eligible entities throughout the United States. Each Center shall—

(1) conduct general outreach to small businesses and manufacturers in all industry sectors within a geographic region assigned by the Under Secretary; and

(2) conduct technology transfer, development, and utilization programs relating to a specific industry sector, for all firms in that sector nationwide, as assigned by the Under Secretary.

(b) ELIGIBLE ENTITIES.—For the purposes of this section, an eligible entity is any—

(1) nonprofit organization;

(2) consortia of nonprofit organizations; or

(3) partnership between a for-profit and a nonprofit organization.

(c) APPLICATION.—

(1) IN GENERAL.—Each eligible entity that desires to receive a grant under this Act shall submit an application to the Under Secretary, at such time, in such manner, and accompanied by such additional information as the Under Secretary may reasonably require.

(2) PUBLICATION IN FEDERAL REGISTER.—The Under Secretary shall publish the requirements described in paragraph (1) in the Federal Register no later than 6 months after the date of the enactment of this Act.

(3) CONTENTS.—Each application submitted pursuant to paragraph (1) shall include the following:

(A) An application that conforms to the requirements set by the Under Secretary under paragraph (1).

(B) A proposal for the allocation of the legal rights associated with any invention that may result from the activities of the proposed Center.

(4) SELECTION CRITERIA.—Each application submitted under paragraph (1) shall be evaluated by the Under Secretary on the basis of merit review. In carrying out this merit review process, the Under Secretary shall consider—

(A) the extent to which the eligible entity—

(i) has a partnership with nonprofit organizations, businesses, software vendors, and academia recognized for relevant expertise in their selected industry sector;

(ii) makes use of State-funded academic supercomputing centers and universities or colleges with expertise in the computational needs of the industry assigned to the eligible entity under subsection (a)(1);

(iii) has a history of working with businesses;

(iv) has experience providing educational programs aimed at helping organizations adopt the use of high-performance computing and computational science;

(v) has partnerships with education or training organizations that can help educate future workers on the application of computational science to industry needs;

(vi) is accessible to businesses, academia, incubators, or other economic development organizations via high-speed networks; and

(vii) is capable of partnering with small businesses and manufacturers for the purpose of enhancing the ability of such entities to compete in the global marketplace;

(B) the ability of the eligible entity to enter successfully into collaborative agreements with small businesses and manufacturers in order to experiment with new high performance computing and computational science technologies; and

(C) such other factors as identified by the Under Secretary.

(d) AMOUNT.—A grant awarded under this section shall not exceed $5,000,000 for any year of the grant period.

(e) DURATION.—

(1) IN GENERAL.—Except for a renewal under paragraph (2), the duration of any grant awarded under subsection (a) may not exceed 5 years.

(2) RENEWAL.—Any grant awarded under subsection (a) may be renewed at the discretion of the Under Secretary.

(f) MATCHING REQUIREMENT.—

(1) IN GENERAL.—An eligible entity that receives a grant under subsection (a) shall provide at least 50 percent of the capital and annual operating and maintenance funds required to create and maintain a Center.

(2) FUNDING FROM OTHER FEDERAL, STATE, OR LOCAL GOVERNMENT AGENCIES.—The funds provided by the eligible entity under paragraph (1) may consist of amounts received by the eligible entity from a Federal department or agency, other than the Department of Commerce, or a State or local government agency.

(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—The Under Secretary may establish a reasonable limitation on the portion of each grant awarded under subsection (a) that may be used for administrative expenses or other overhead costs.

(h) FEES AND ALTERNATIVE FUNDING SOURCES AUTHORIZED.—

(1) IN GENERAL.—A Center established pursuant to this Act may, according to regulations established by the Under Secretary—

(A) collect a nominal fee from a small business or manufacturer for a service provided pursuant to this Act, if such fee is utilized for the budget and operation of the Center; and

(B) accept funds from any other Federal department or agency for the purpose of covering capital costs or operating budget expenses.

(2) CONDITION.—Any Center that is supported with funds that originally came from a Federal department or agency, other than the Department of Commerce, may be selected, and if selected shall be operated, according to the provisions of this section.

SEC. 5. USE OF FUNDS.

An eligible entity that receives a grant under section 4(a) shall use the funds for the benefit of businesses in the industry sector designated by the Under Secretary under such subsection, and the eligible entity shall use such funds to—

(1) create a repository of nonclassified, nonproprietary new and existing federally-funded software and algorithms;

(2) test and validate software in the repository;

(3) determine when and how the industry sector it serves could benefit from resources in the repository;

(4) work with software vendors to commercialize repository software and algorithms from the repository;

(5) make software available to small businesses and manufacturers where it has not been commercialized by a software vendor;

(6) help software vendors, small businesses, and manufacturers test or utilize the software on high-performance computing systems; and

(7) maintain a research and outreach team that will work with small businesses and manufacturers to aid in the identification of software or computational science techniques which can be used to solve challenging problems, or meet contemporary business needs of such organizations.

SEC. 6. REPORTS AND EVALUATIONS.

(a) REPORT.—Each eligible entity who receives a grant under section 4(a) shall submit to the Under Secretary on an annual basis, a report describing the goals of the Center established by the eligible entity and the progress the eligible entity has achieved towards meeting the purposes of this Act.

(b) EVALUATION.—The Under Secretary shall establish a peer review committee, consisting of representatives from industry and academia, to review the goals and progress made by each Center during the grant period.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $25,000,000 for each of the fiscal years 2007, 2008, 2009, 2010, and 2011 to carry out the provisions of this Act.

(b) AVAILABILITY.—Funds provided for the establishment and operation of Centers under this Act shall remain available until expended.

Mr. KOHL. Mr. President, the manufacturing sector is under siege from cheap imports, unfair trade agreements, and escalating heath care and energy costs. Instead of working to alleviate this burden, the Bush administration has turned its back on manufacturing; focusing instead on tax cuts for the rich and their heirs. Indeed, the administration has slashed funding for the Manufacturing Extension Partnership, MEP, and the Advanced Technology Program, ATP, in this year's budget. MEP helps manufacturers streamline operations, integrate new technologies, shorten production times, and lower costs. ATP provides grants to support research and development of high risk, cutting edge technologies. Both MEP and ATP help manufacturers survive and compete with countries like China.

I today offer, with Senator DEWINE, some more help for beleaguered manufacturers. The Blue Collar Computing and Business Assistance Act of 2006 was drafted from recommendations made by the Council on Competitiveness regarding high performance computing. The legislation would provide grants for the creation of five Advanced Computing Software Centers throughout the United States that would transfer high performance computing technologies to small businesses and manufacturers.

High Performance Computing will allow manufacturers to visualize and simulate parts and products before they can be created which will cut the time and cost required to experiment with new materials. General Motors, for example, uses high performance computing to simulate collisions, saving millions of dollars in development costs and substantially shortening design cycle times.

Presently, only large companies like GM have the resources to reap the benefits of high performance computing. This bill would provide grants to small and medium manufacturers to implement this technology and create new opportunities for economic growth, job creation and product development and allow manufacturers and businesses to harness the full potential of high performance computing.

By Mr. MENENDEZ (for himself and Mr. DURBIN):

S. 3529. A bill to ensure that new mothers and their families are educated about postpartum depression, screened for symptoms, and provided with essential services, and to increase research at the National Institutes of Health on postpartum depression; to the Committee on Health, Education, Labor, and Pensions.

Mr. MENENDEZ. Mr. President, I rise today with my good friend Senator DURBIN to introduce the Mom's Opportunity to Access Help, Education, Research, and Support for Postpartum Depression, MOTHERS, Act. Senator DURBIN has been and continues to be a leader on this issue and I am grateful for the opportunity to work with him on this important legislation. I would also like to recognize Representative RUSH, who has been a champion for women battling postpartum depression, PPD, in the House for many years. I am proud to say that his bill, The Melanie Stokes Postpartum Depression Research and Care Act, shares the same goals as the legislation I am introducing today.

In the United States, 10 to 20 percent of women suffer from a disabling and often undiagnosed condition known as postpartum depression. Unfortunately, many women are unaware of this condition and often do not receive the treatment they need. That is why I am introducing the MOTHERS Act, so that women no longer have to suffer in silence and feel alone when faced with this difficult condition.

Recently, the great State of New Jersey passed a first-of-its-kind law requiring doctors and nurses to educate expectant mothers and their families about postpartum depression. This bill was introduced in the State legislature by State Senate President Richard Codey. The attention Senator Codey and his wife, Mary Jo Codey—who personally battled postpartum depression—have brought to the issue is remarkable. Brooke Shields, a graduate of Princeton University, has also shared her struggle with postpartum depression publicly and should be commended for her efforts to bring awareness to this condition. Postpartum depression affects women all across the country, not just in New Jersey, and that is why I believe the MOTHERS Act is so important.

In America, 80 percent of women experience some level of depression after childbirth. This is what people often refer to as the "baby blues." However, each year, there are between 400,000 and 800,000 women across America who suffer from postpartum depression, a much more serious condition. These mothers often experience signs of depression and may lose interest in friends and family, feel overwhelming sadness or even have thoughts of harming their baby or harming themselves.

People often assume that these feelings are simply the "baby blues," but the reality is much worse. Postpartum depression is a serious and disabling condition and new mothers deserve to be given information and resources on this condition so, if needed, they can get the appropriate help.

The good news is that treatment is available. Many women have successfully recovered from postpartum depression with the help of therapy, medication, and support groups. However, mothers and their families must be educated so that they understand what might occur after the birth of their child and when to get help. The legislation I am introducing today will require doctors and nurses to educate every new mother and their families about postpartum depression before they leave the hospital and offer the opportunity for new mothers to be screened for postpartum depression symptoms during the first year of postnatal check-up visits. It also provides social services to new mothers and their families who are suffering and struggling with postpartum depression. By increasing education and early treatment of postpartum depression, mothers, husbands, and families will be able to recognize the symptoms of this condition and help new mothers get the treatment they need and deserve.

The MOTHERS Act has another important component. While we continue to educate and help the mothers of today, we must also be prepared to help future moms. By increasing funding for research on postpartum conditions at the National Institutes of Health, we can begin to unravel the mystery behind this difficult to understand illness. The more we know about the causes and etiology of postpartum depression, the more tools we have to treat and prevent this heartbreaking condition.

We must attack postpartum depression on all fronts with education, screening, support, and research so that new moms can feel supported and safe rather than scared and alone. Many new mothers sacrifice anything and everything to provide feelings of security and safety to their innocent, newborn child. It is our duty to provide the same level of security, safety and support to new mothers in need.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 513—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD DESIGNATE THE WEEK BEGINNING SEPTEMBER 10, 2006, AS "NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK"

Mr. GRAHAM (for himself, Mr. BROWNBACK, Mr. KERRY, Ms. MIKULSKI, Mr. DEWINE, Mr. DEMINT, Mr. TALENT, Mr. ISAKSON, Mr. OBAMA, Mr. VOINOVICH, Ms. LANDRIEU, Mr. SANTORUM, Mr. DODD, Mr. LOTT, Mr. DURBIN, Mr. CHAMBLISS, Mr. BAYH, Mr. SPECTER, Mr. ALLEN, Mr. BURR, Mr. MCCAIN, Mr. COCHRAN, Mr. BIDEN, Mrs. HUTCHISON, and Mrs. DOLE) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions.

S. RES. 513

Whereas there are 103 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities provide the quality education essential to full participation in a complex, highly technological society;

Whereas historically Black colleges and universities have a rich heritage and have played a prominent role in the history of the United States;

Whereas historically Black colleges and universities have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of historically Black colleges and universities are deserving of national recognition: Now, therefore, be it

Resolved,

SECTION 1. DESIGNATION OF NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the President should designate the week beginning September 10, 2006, as "National Historically Black Colleges and Universities Week".

(b) PROCLAMATION.—The Senate requests the President to issue a proclamation—

(1) designating the week beginning September 10, 2006, as "National Historically Black Colleges and Universities Week"; and

(2) calling on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for historically Black colleges and universities in the United States.

SENATE CONCURRENT RESOLUTION 102—CONDEMNING THE DECISION BY THE CITY OF ST. DENIS, FRANCE, TO NAME A STREET IN HONOR OF MUMIA ABU-JAMAL, THE CONVICTED MURDERER OF PHILADELPHIA POLICE OFFICER DANNY FAULKNER

Mr. SANTORUM submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 102

Whereas on the night of December 9, 1981, Police Officer Danny Faulkner was shot and killed in cold blood during a traffic stop in Philadelphia, Pennsylvania;

Whereas in the process of arresting the driver of a car traveling the wrong way down a one-way street, the driver's brother appeared from across the street and proceeded to open fire on Officer Faulkner while his back was turned away;

Whereas the driver's brother was identified as Mumia Abu-Jamal;

Whereas Mumia Abu-Jamal shot Officer Faulkner 4 times in the back;

Whereas, although seriously injured, Officer Faulkner returned fire, striking his attacker;

Whereas Mumia Abu-Jamal was undeterred and stood over Officer Faulkner and shot him in the face, mortally wounding him;

Whereas Mumia Abu-Jamal attempted to flee, but collapsed several feet from the slain Officer Faulkner, murder weapon in hand;

Whereas Mumia Abu-Jamal was charged and convicted of first degree murder by a jury of his peers;

Whereas Mumia Abu-Jamal has had numerous legal appeals, including appeals to the Pennsylvania State Supreme Court and the United States Supreme Court, and his conviction has been upheld each time;

Whereas, on April 29, 2006, the municipal government of St. Denis, a suburb of Paris, dedicated a street in the honor of Mumia Abu-Jamal; and

Whereas the official recognition and celebration of a convicted murderer of a police officer of the United States is an affront to law enforcement officers across the Nation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) condemns the murder of Philadelphia Police Officer Danny Faulkner;

(2) urges the municipal government of St. Denis to take immediate action to change the name of Rue Mumia Abu-Jamal and, if such action is not taken by the municipal government of St. Denis, urges the Government of France to take appropriate action against the city of St. Denis to change the name of Rue Mumia Abu-Jamal; and

(3) commends all police officers in the United States and throughout the world for their commitment to public service and public safety.

Mr. SANTORUM. Mr. President, I rise today to submit a resolution to condemn an action that I find terribly appalling. On April 29, 2006, the municipal government of St. Denis, France, named a street in honor of Mumia Abu-Jamal, the convicted killer of Philadelphia Police Officer Danny Faulkner. Representative FITZPATRICK has introduced a similar resolution in the House of Representatives.

On the morning of December 9, 1981, Officer Danny Faulkner, a 5 year veteran of the Philadelphia Police Department, made a traffic stop at Locust Street near Twelfth Street. The car stopped by Officer Faulkner was driven by William Cook who was driving the wrong way down a one way street. William Cook's brother, Mumia Abu-Jamal, was across the street. As Faulkner attempted to handcuff William Cook, Abu-Jamal ran from across the street and shot the officer in the back. Faulkner was able to fire one shot that struck Abu-Jamal in the chest; the wounded officer then fell to the pavement. Mumia Abu-Jamal stood over the officer and shot him four more times at close range, including one directly in the face. Abu-Jamal was found at the scene of the shooting by officers who arrived there within seconds.

Official ballistics tests on the fatal bullet confirmed that Officer Faulkner was killed by a bullet identical in type, brand, and caliber to the bullet found in Abu-Jamal's gun. Witnesses to the brutal slaying identified Abu-Jamal as the killer both at the scene and during his trial. In July 1982, Mumia Abu-Jamal was convicted of murdering Officer Danny Faulkner and was sentenced to death. Abu-Jamal has had numerous legal appeals, including to the PA State Supreme Court and the U.S. Supreme Court, and his conviction has been upheld each time.

I am outraged that the municipal government of St. Denis, France would make such a thoughtless and insensitive decision as to name a street after the murderer of a Philadelphia police officer. This is a monumental insult to the memory of Danny Faulkner, to his family, and to the courageous men and women who put on a police uniform every day to protect our communities. Officer Danny Faulkner gave his life to keep our nation's streets safe. St. Denis lawmakers have made the chilling decision of choosing to support a cold-blooded killer over a police officer who made the ultimate sacrifice.

I hope my Senate colleagues will join me in condemning the murder of Officer Faulkner, and urging the municipal government of St. Denis to take immediate action to change the name of "Rue Mumia Abu-Jamal." If such action is not taken, this resolution urges the French Government to take appropriate action against the city of St. Denis to change the name of the street. Finally, this resolution appropriately commends all police officers for their commitment to public service and public safety. I urge my colleagues to support this important resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4253. Mr. DURBIN (for himself, Ms. Collins, Mr. Inouye, Ms. Mikulski, Mr. Obama, Mr. Reed, Mr. Menendez, Mr. Inhofe, and Ms. Murkowski) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

SA 4254. Mr. OBAMA (for himself and Mr. Coburn) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4255. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4256. Mr. FEINGOLD (for himself, Mr. Levin, and Mr . Leahy) proposed an amendment to the bill S. 2766, supra.

SA 4257. Mr. BIDEN (for himself, Mr. Hagel, Mr. Dodd, Mr. Levin, Mr. Kerry, and Mrs. Feinstein) proposed an amendment to the bill S. 2766, supra .

SA 4258. Mr. ALLARD (for himself and Mr. Salazar) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4259. Ms. STABENOW (for herself and Mr. Johnson) submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4260. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4261. Mr. CHAMBLISS (for himself, Mr. Hatch, Mr. Isakson, Mr. Inhofe, Mr. Lieberman, Mr. Cornyn, Mr. Thune, Mr. Bennett, and Mr. Stevens) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4262. Mr. FEINGOLD (for himself, Mr. Obama, Mrs. Murray, Mr. Kennedy, and Mr. Reed) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4263. Mr. FEINGOLD (for himself, Mr. Obama, Mrs. Murray, Mr. Kennedy, and Mr. Reed) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4264. Mrs. CLINTON (for herself and Mr. Lautenberg) submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4265. Mr. NELSON, of Florida (for himself, Mr. Menendez, and Ms. Mikulski) proposed an amendment to the bill S. 2766, supra.

SA 4266. Mr. HARKIN (for himself, Mr. Johnson, Mr. Grassley, Mr. Durbin, Mr. Dorgan, Mr. Kerry, Mr. Kennedy, Mr. Wyden, Mr. Lautenberg, and Mr. Lieberman) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4267. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4268. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4269. Mr. McCONNELL proposed an amendment to amendment SA 4265 proposed by Mr. NELSON of Florida (for himself, Mr. Menendez , and Ms. Mikulski) to the bill S. 2766, supra.

SA 4270. Mr. BURNS (for himself and Mrs. Dole) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4271. Mr. BOND (for himself and Mr. Leahy) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4272. Mr. McCONNELL proposed an amendment to the bill S. 2766, supra.

SA 4273. Mrs. CLINTON (for herself and Mr. Bingaman) submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4274. Mr. CONRAD (for himself, Mr. Baucus, Mr. Bennett, Mr. Dorgan, Mr. Enzi, Mr. Hatch, Mr. Salazar, and Mr. Thomas) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4275. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4276. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4277. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4278. Mr. WARNER proposed an amendment to the bill S. 2766, supra.

SA 4279. Mr. WARNER (for himself, Mr. Levin, Mr. Allard, and Mr. Salazar) proposed an amendment to the bill S. 2766, supra.

SA 4280. Mr. WARNER (for himself and Mr. Levin) proposed an amendment to the bill S. 2766, supra.

SA 4281. Mr. WARNER (for himself and Mr. Levin) proposed an amendment to the bill S. 2766, supra.

SA 4282. Mr. WARNER (for himself, Mr. Craig, and Mr. Graham) proposed an amendment to the bill S. 2766, supra.

SA 4283. Mr. LEVIN (for Mrs. Clinton (for herself and Mr. Bingaman)) proposed an amendment to the bill S. 2766, supra.

SA 4284. Mr. WARNER (for Mr. Inhofe (for himself, Mr. Warner, and Mr. Cornyn)) proposed an amendment to the bill S. 2766, supra.

SA 4285. Mr. WARNER (for Mr. Lugar) proposed an amendment to the bill S. 2766, supra.

SA 4286. Mr. WARNER proposed an amendment to the bill S. 2766, supra.

SA 4287. Mr. LEVIN (for Mr. Bingaman) proposed an amendment to the bill S. 2766, supra.

SA 4288. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4289. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4290. Mr. GRAHAM (for himself and Mrs. Clinton) submitted an amendment intended to be proposed by him to the bill S. 2766, supra; which was ordered to lie on the table.

SA 4291. Mr. FRIST (for Mr. Biden) proposed an amendment to the concurrent resolution H. Con. Res. 409, commemorating the 60th anniversary of the ascension to the throne of His Majesty King Bhumibol Adulyadej of Thailand.

TEXT OF AMENDMENTS

SA 4253. Mr. DURBIN (for himself, Ms. Collins, Mr. Inouye, Ms. Mikulski, Mr. Obama, Mr. Reed, Mr. Menendez, Mr. Inhofe, and Ms. Murkowski) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 662. PILOT PROGRAM ON TROOPS TO NURSE TEACHERS.

(a) Pilot Program Required.—

(1) In general.—The Secretary of Defense shall, in coordination with the Secretary of Health and Human Services and the Secretary of Education, conduct a pilot program to assess the feasibility and potential benefits of a program to—

(A) assist nurse corps officers described in subsection (c) in achieving necessary qualifications to become nurse educators and in securing employment as nurse educators at accredited schools of nursing;

(B) provide scholarships to nurse corps officers described in subsection (c) in return for continuing service in the Selected Reserve or other forms of public service; and

(C) help alleviate the national shortage of nurse educators and registered nurses.

(2) DURATION.—Except as provided in subsection (h), the pilot program shall be conducted during the period beginning on January 1, 2007, and ending on December 31, 2012. A nurse corps officer may not enter into an agreement to participate in the pilot program after December 31, 2012.

(3) REGULATIONS.—The pilot program shall be conducted under regulations prescribed by the Secretary of Defense in consultation with the Secretary of Health and Human Services and the Secretary of Education.

(b) DESIGNATION.—The pilot program required by subsection (a) shall be known as the "Troops to Nurse Teachers Pilot Program" (in this section referred to as the "Program").

(c) NURSE CORPS OFFICERS.—A nurse corps officer described in this subsection is any commissioned officer of the Armed Forces qualified and designated as an officer in a Nurse Corps of the Armed Forces who is—

(1) serving in a reserve component of the Armed Forces;

(2) honorably discharged from the Armed Forces; or

(3) a retired member of the Armed Forces.

(d) SELECTION OF PARTICIPANTS IN PROGRAM.—

(1) APPLICATION.—An eligible nurse corps officer seeking to participate in the Program shall submit to the Secretary of Defense an application therefor. The application shall be in such form, and contain such information, as the Secretary may require.

(2) SELECTION.—The Secretary shall select participants in the Program from among qualified nurse corps officers submitting applications therefor under paragraph (1).

(e) PARTICIPANT AGREEMENT.—

(1) IN GENERAL.—A nurse corps officer selected under subsection (d) to participate in the Program shall enter into an agreement with the Secretary of Defense relating to participation in the Program.

(2) ELEMENTS.—The agreement of a nurse corps officer under the program shall, at the election of the Secretary for purposes of the Program and as appropriate with respect to that status of such nurse corps officer—

(A) require such nurse corps officer, within such time as the Secretary may require, to accept an offer of full-time employment as a nurse educator from an accredited school of nursing for a period of not less than one year; or

(B) require such nurse corps officer—

(i) within such time as the Secretary may require, to successfully complete a program leading to a master's degree or doctoral degree in a nursing field from an accredited school of nursing or to a doctoral degree in a related field from an accredited institution of higher education;

(ii) to serve in the Selected Reserve or some other form of public service under terms and conditions established by the Secretary; and

(iii) upon completion of such program and service, to accept an offer of full-time employment as a nurse educator from an accredited school of nursing for a period of not less than 3 years.

(f) ASSISTANCE.—

(1) TRANSITION ASSISTANCE.—The Secretary of Defense may provide a participant in the Program who enters into an agreement described in subsection (e)(2)(A) assistance as follows:

(A) Career placement assistance in securing full-time employment as a nurse educator at an accredited school of nursing.

(B) A stipend in an amount not to exceed $5,000 for transition to employment referred to in paragraph (1), and for educational training for such employment, for a period not to exceed two years after entry by such participant into an agreement under subsection (e).

(2) SCHOLARSHIP ASSISTANCE.—The Secretary of Defense may provide a participant in the Program who enters into an agreement described in subsection (e)(2)(B) scholarship assistance to pursue a degree described in subsection (e)(2)(B)(i) in an amount not to exceed $30,000 annually for a period of not more than four years.

(g) TREATMENT OF ASSISTANCE.—A stipend or scholarship provided under subsection (f) shall not be taken into account in determining the eligibility of a participant in the Program for Federal student financial assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(h) ADMINISTRATION AFTER INITIAL PERIOD.—

(1) IN GENERAL.—The termination of the Program on December 31, 2012, under subsection (a)(2) shall not terminate the entitlement to assistance under the Program of any nurse corps officer entering into an agreement to participate in the Program under subsection (e) that continues in force after that date.

(2) ADMINISTRATION.—The Secretary of Education shall undertake any administration of the Program that is required after December 31, 2012, including responsibility for any funding necessary to provide assistance under the Program after that date.

(i) REPORT.—

(1) IN GENERAL.—Not later than three years after the commencement of the Program, the Secretary of Defense shall, in consultation with the Secretary of Health and Human Services and the Secretary of Education, submit to Congress a report on the Program.

(2) ELEMENTS.—The report shall—

(A) describe the activities undertaken under the Program; and

(B) include an assessment of the effectiveness of the Program in—

(i) facilitating the development of nurse educators;

(ii) encouraging service in the Selected Reserve and other forms of public service; and

(iii) helping alleviate the national shortage of nurse educators and registered nurses.

(j) DEFINITIONS.—In this section:

(1) NURSE EDUCATOR.—The term "nurse educator" means a registered nurse who—

(A) is a member of the nursing faculty at an accredited school of nursing;

(B) holds a graduate degree in nursing from an accredited school of nursing or a doctoral degree in a related field from an accredited institution of higher education;

(C) holds a valid, unrestricted license to practice nursing from a State; and

(D) has successfully completed additional course work in education and demonstrates competency in an advanced practice area of nursing.

(2) SCHOOL OF NURSING.—The term "school of nursing" means a school of nursing (as that term is defined in section 801 of the Public Health Service Act (42 U.S.C. 296)) that is accredited (as that term is defined in section 801(6) of the Public Health Service Act).

(k) FUNDING.—From amounts authorized to be appropriated for the Department of Defense, $5,000,000 may be available for the Program.

SA 4254. Mr. OBAMA (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1084. IMPROVED ACCOUNTABILITY FOR COMPETITIVE CONTRACTING IN HURRICANE RECOVERY.

The exceptions to full and open competition otherwise available under paragraphs (2), (3), (4), and (5) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)) and paragraphs (2), (3), (4), and (5) of section 2304(c) of title 10, United States Code, shall not apply to Federal contracts worth over $500,000 for the procurement of property or services in connection with relief and recovery efforts related to Hurricane Katrina and the other hurricanes of the 2005 season.

SA 4255. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 662. TERMINATION OF CONTRACTS FOR CELLULAR PHONE SERVICES.

(a) IN GENERAL.—

(1) INCLUSION OF CONTRACTS UNDER TERMINATION AUTHORITY.—Subsection (b) of section 305 of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) is amended by adding at the end the following new paragraph:

"(3) CONTRACTS FOR CELLULAR PHONE SERVICE.—A contract for a cellular phone used, or intended to be used, by a servicemember or a servicemember's dependent for a personal or business purpose if—

"(A) the contract is executed by or on behalf of a person who thereafter and during the term of the contract enters into military service under call or order specifying a period of not less than 90 days (or who enters military service under a call or order specifying a period of 90 days or less and who, without a break in service, receives orders extending the period of military service to a period not less than 90 days);

"(B) the servicemember, while in military service, executes the contract and thereafter receives military orders for a permanent change of station outside of the continental United States or to deploy with a military unit for a period of not less than 90 days; or

"(C) the servicemember, while in military service, executes the contract and thereafter receives military orders for a permanent change of station to a location within the continental United States where the contract cannot be transferred at the same rate, terms, and quality of service.".

(2) MANNER OF TERMINATION.—Subsection (c)(1) of such section is amended—

(A) in subparagraph (A), by striking "and" at the end;

(B) in subparagraph (B), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(C) in the case of a contract for a cellular phone, by delivery by the contractee of written notice of such termination, and a copy of the servicemember's military orders, to the contractor or to the contractor's agent.".

(3) EFFECTIVE DATE OF TERMINATION.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

"(3) CONTRACT FOR CELLULAR PHONE SERVICE.—In the case of a contract for a cellular phone described in subsection (b)(3), termination of the contract under subsection (a) is effective on the day on which the requirements of subsection (c) are met for such termination.".

(4) ARREARAGES.—Subsection (e) of such section is amended—

(A) by striking "(e) ARREARAGES AND OTHER OBLIGATIONS AND LIABILITIES.—Rents or lease amounts" and inserting the following:

"(e) ARREARAGES AND OTHER OBLIGATIONS AND LIABILITIES.—

"(1) IN GENERAL.—Rents or lease amounts";

(B) by designating the second sentence as paragraph (2), indenting such paragraph 4 ems from the left margin, and inserting before "In the case of the lease" the following:

"(2) LEASE CHARGES FOR MOTOR VEHICLES.—"; and

(C) by adding at the end the following new paragraphs:

"(3) TERMINATION CHARGES FOR CELLULAR PHONE CONTRACTS.—In the case of a contract for a cellular phone, the contractor may not impose an early termination charge, but may request the return of equipment provided to the contractee as part of the contract which would normally remain the property of the contractee at the end of the contract term if the contractee is given the option of paying a pro-rated amount to retain such equipment based on the original retail price of such equipment, the amount previously paid for such equipment by the contractee, and the time remaining on the contract.

"(4) REACTIVATION FEES.—In the event a contractor and contractee jointly agree to treat the termination of a contract for a cellular phone under this section as a suspension of such contract, the contractor may not impose any fee for reactivation of service under such contract at the completion of suspension of such contract.".

(b) CONFORMING AMENDMENT.—Subsection (a)(1)(B) of such section is amended by striking "or (2)(B)" and inserting ", (2)(B), (3)(B), or (3)(C)".

(c) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

"SEC. 305. TERMINATION OF RESIDENTIAL OR MOTOR VEHICLE LEASES OR CONTRACTS FOR CELLULAR PHONE SERVICE.".

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 305 and inserting the following new item:

"Sec. 305. Termination of residential or motor vehicle leases or contracts for cellular phone service.".

SA 4256. Mr. FEINGOLD (for himself, Mr. LEVIN and Mr. LEAHY) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1054. STRENGTHENING THE SPECIAL INSPECTOR GENERAL FOR IRAQ RECONSTRUCTION.

For purposes of discharging the duties of the Special Inspector General for Iraq Reconstruction under subsection (f) of section 3001 of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (5 U.S.C. 8G note), and for purposes of determining the date of termination of the Office of the Special Inspector General under subsection (o) of such section, any funds appropriated or otherwise made available for fiscal year 2006 for the reconstruction of Iraq, regardless of how such funds may be designated, shall be treated as amounts appropriated or otherwise made available for the Iraq Relief and Reconstruction Fund.

SA 4257. Mr. BIDEN (for himself, Mr. HAGEL, Mr. DODD, Mr. LEVIN, Mr. KERRY, and Mrs. FEINSTEIN) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. 1231. UNITED STATE'S POLICY ON THE NUCLEAR PROGRAMS OF IRAN.

(a) FINDINGS.—Congress finds that:

(1) The pursuit by the Iranian regime of a capability to produce nuclear weapons represents a threat to the United States, the Middle East region, and international peace and security.

(2) On May 31, 2006, Secretary of State Rice announced that the United States would join negotiations with Iran, along with the United Kingdom, France, and Germany, provided that Iran fully and verifiably suspends its enrichment and reprocessing activities.

(3) On June 1, 2006, President George W. Bush stated that "Secretary Rice, at my instructions, said to the world that we want to solve the problem of the Iranian nuclear issue diplomatically. And we made it very clear publicly that we're willing to come to the table, so long as the Iranians verifiably suspend their program. In other words, we said to the Iranians [that] the United States of America wants to work with our partners to solve the problem".

(4) On June 1, 2006, the United States, the United Kingdom, France, Germany, the People's Republic of China, and the Russian Federation agreed upon a package of incentives and disincentives, which was subsequently presented to Iran by the High Representative of the European Union, Javier Solana.

(b) SENSE OF CONGRESS.—Congress—

(1) endorses the policy of the United States, announced May 31, 2006, to achieve a successful diplomatic outcome, in coordination with leading members of the international community, with respect to the threat posed by the efforts of the Iranian regime to acquire a capability to produce nuclear weapons;

(2) calls on Iran to suspend fully and verifiably its enrichment and reprocessing activities, cooperate fully with the International Atomic Energy Agency, and enter into negotiations, including with the United States, pursuant to the package presented to Iran by the High Representative of the European Union; and

(3) urges the President and the Secretary of State to keep Congress fully and currently informed about the progress of this vital diplomatic initiative.

SA 4258. Mr. ALLARD (for himself and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 546, after line 22, add the following:

SEC. 2828. REPORTS ON ARMY TRAINING RANGES.

(a) LIMITATION.—The Secretary of the Army may not carry out any acquisition of real property to expand the Pinon Canyon Maneuver Site at Fort Carson, Colorado until 30 days after the Secretary submits the report required under subsection (b).

(b) REPORT ON PINON CANYON MANEUVER SITE.—

(1) IN GENERAL.—Not later than November 30, 2006, the Secretary of the Army shall submit to the congressional defense committees a report containing an analysis of any potential expansion of the military training range at the Pinon Canyon Maneuver Site at Fort Carson, Colorado.

(2) CONTENT.—The report required under paragraph (1) shall include the following information:

(A) A description of the Army's current and projected military requirements for training at the Pinon Canyon Maneuver Site.

(B) An analysis of the reasons for any changes in those requirements, including the extent to which they are a result of the increase of military personnel due to the 2005 round of defense base closure and realignment, the conversion of Army brigades to a modular format, or the Integrated Global Presence and Basing Strategy.

(C) A proposed plan for addressing those requirements, including a description of any proposed expansion of the existing training range by acquiring privately held land surrounding the site and an analysis of alternative approaches that do not require expansion of the training range.

(D) If an expansion of the training range is recommended pursuant to subparagraph (C), the following information:

(i) An assessment of the economic impact on local communities of such acquisition.

(ii) An assessment of the environmental impact of expanding the Pinon Canyon Maneuver Site.

(iii) An estimate of the costs associated with the potential expansion, including land acquisition, range improvements, installation of utilities, environmental restoration, and other environmental activities in connection with the acquisition.

(iv) An assessment of options for compensating local communities for the loss of property tax revenue as a result of the expansion of Pinon Canyon Maneuver Site.

(v) An assessment of whether the acquisition of additional land at the Pinon Canyon Maneuver Site can be carried out by the Secretary solely through transactions, including land exchanges and the lease or purchase of easements, with willing sellers of the privately held land.

(c) Report on Expansion of Army Training Ranges.—

(1) In general.—Not later than February 1, 2007, the Secretary of the Army shall submit to the congressional defense committees a report containing an assessment of the training ranges operated by the Army to support major Army units.

(2) Content.—The report required under paragraph (1) shall include the following information:

(A) The size, description, and mission essential training tasks supported by each such Army training range during fiscal year 2003.

(B) A description of the projected changes in training range requirements, including the size, characteristics, and attributes for mission essential training of each range and the extent to which any changes in requirements are a result of the 2005 round of defense base closure and realignment, the conversion of Army brigades to a modular format, or the Integrated Global Presence and Basing Strategy.

(C) The projected deficit or surplus of training land at each such range, and a description of the Army's plan to address that projected deficit or surplus of land as well as the upgrade of range attributes at each existing training range.

(D) A description of the Army's prioritization process and investment strategy to address the potential expansion or upgrade of training ranges.

(E) An analysis of alternatives to the expansion of Army ranges to include an assessment of the joint use of ranges operated by other services.

SA 4259. Ms. STABENOW (for herself, and Mr. Johnson) submitted an amendment intended to be proposed by her to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle I of title X, add the following:

SEC. 1084. FUNDING FOR VETERANS HEALTH CARE TO ADDRESS CHANGES IN POPULATION AND INFLATION.

(a) Funding To Address Changes in Populations and Inflation.—(1) Chapter 3 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 320. Funding for veterans health care to address changes in population and inflation

"(a) By the enactment of this section, Congress and the President intend to ensure access to health care for all veterans. Upon the enactment of this section, funding for the programs, functions, and activities of the Veterans Health Administration specified in subsection (d) to accomplish this objective shall be provided through a combination of discretionary and mandatory funds. The discretionary amount should be equal to the fiscal year 2006 discretionary funding for such programs, functions, and activities, and should remain unchanged each fiscal year thereafter. The annual level of mandatory amount shall be adjusted according to the formula specified in subsection (c). While this section does not purport to control the outcome of the annual appropriations process, it anticipates cooperation from Congress and the President in sustaining discretionary funding for such programs, functions, and activities in future fiscal years at the level of discretionary funding for such programs, functions, and activities for fiscal year 2006. The success of that arrangement, as well as of the funding formula, are to be reviewed after 2 years.

"(b) On the first day of each fiscal year, the Secretary of the Treasury shall make available to the Secretary of Veterans Affairs the amount determined under subsection (c) with respect to that fiscal year. Each such amount is available, without fiscal year limitation, for the programs, functions, and activities of the Veterans Health Administration, as specified in subsection (d). There is hereby appropriated, out of any sums in the Treasury not otherwise appropriated, amounts necessary to implement this section.

"(c)(1) The amount applicable to fiscal year 2007 under this subsection is the amount equal to—

"(A) 130 percent of the amount obligated by the Department during fiscal year 2005 for the purposes specified in subsection (d), minus

"(B) the amount appropriated for those purposes for fiscal year 2006.

"(2) The amount applicable to any fiscal year after fiscal year 2007 under this subsection is the amount equal to the product of the following, minus the amount appropriated for the purposes specified for subsection (d) for fiscal year 2006:

"(A) The sum of—

"(i) the number of veterans enrolled in the Department health care system under section 1705 of this title as of July 1 preceding the beginning of such fiscal year; and

"(ii) the number of persons eligible for health care under chapter 17 of this title who are not covered by clause (i) and who were provided hospital care or medical services under such chapter at any time during the fiscal year preceding such fiscal year.

"(B) The per capita baseline amount, as increased from time to time pursuant to paragraph (3)(B).

"(3)(A) For purposes of paragraph (2)(B), the term 'per capita baseline amount' means the amount equal to—

"(i) the amount obligated by the Department during fiscal year 2006 for the purposes specified in subsection (d), divided by

"(ii) the number of veterans enrolled in the Department health care system under section 1705 of this title as of September 30, 2005.

"(B) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the per capita baseline amount equal to the percentage by which—

"(i) the Consumer Price Index (all Urban Consumers, United States City Average, Hospital and related services, Seasonally Adjusted), published by the Bureau of Labor Statistics of the Department of Labor for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

"(ii) such Consumer Price Index for the 12-month period preceding the 12-month period described in clause (i).

"(d)(1) Except as provided in paragraph (2), the purposes for which amounts made available pursuant to subsection (b) shall be all programs, functions, and activities of the Veterans Health Administration.

"(2) Amounts made available pursuant to subsection (b) are not available for—

"(A) construction, acquisition, or alteration of medical facilities as provided in subchapter I of chapter 81 of this title (other than for such repairs as were provided for before the date of the enactment of this section through the Medical Care appropriation for the Department); or

"(B) grants under subchapter III of chapter 81 of this title.

"(e) Nothing in this section shall be construed to prevent or limit the authority of Congress to reauthorize provisions relating to veterans health care.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"320. Funding for veterans health care to address changes in population and inflation.".

(b) Comptroller General Report.—(1) Not later than January 31, 2009, the Comptroller General of the United States shall submit to Congress a report on the extent to which section 320 of title 38, United States Code (as added by subsection (a)), has achieved the purpose set forth in subsection (a) of such section 320 during fiscal years 2007 and 2008.

(2) The report under paragraph (1) shall set forth the following:

(A) The amount appropriated for fiscal year 2006 for the programs, functions, and activities of the Veterans Health Administration specified in subsection (d) of section 320 of title 38, United States Code.

(B) The amount appropriated by annual appropriations Acts for each of fiscal years 2007 and 2008 for such programs, functions, and activities.

(C) The amount provided by section 320 of title 38, United States Code, for each of fiscal years 2007 and 2008 for such programs, functions, and activities.

(D) An assessment whether the amount described in subparagraph (C) for each of fiscal years 2007 and 2008 was appropriate to address the changes in costs to the Veterans Health Administration for such programs, functions, and activities that were attributable to changes in population and in inflation over the course of such fiscal years.

(E) An assessment whether the amount provided by section 320 of title 38, United States Code, in each of fiscal years 2007 and 2008, when combined with amounts appropriated by annual appropriations Acts for each of such fiscal years for such programs, functions, and activities, provided adequate funding of such programs, functions, and activities in each such fiscal year.

(F) Such recommendations as the Comptroller General considers appropriate regarding modifications of the formula under subsection (c) of section 320 of title 38, United States Code, or any other modifications of law, to better ensure adequate funding of such programs, functions, and activities.

(c) Congressional Consideration of Comptroller General Recommendations.—

(1) Joint resolution.—or purposes of this subsection, the term "joint resolution"

means only a joint resolution which is introduced (in the House of Representatives by the Speaker of the House of Representatives (or the Speaker's designee) or the Minority Leader (or the Minority Leader's designee) and in the Senate by the Majority Leader (or the Majority Leader's designee) or the Minority Leader (or the Minority Leader's designee)) within the 10-day period beginning on the date on which Congress receives the report of the Comptroller General of the United States under subsection (b), and—

(A) which does not have a preamble;

(B) the matter after the resolving clause of which consists of amendments of title 38, United States Code, or other amendments or modifications of laws under the jurisdiction of the Secretary of Veterans Affairs to implement the recommendations of the Comptroller General in the report under subsection (b)(2)(F); and

(C) the title of which is as follows: "Joint resolution to ensure adequate funding of health care for veterans.".

(2) REFERRAL.—resolution described in paragraph (1) that is introduced in the House of Representatives shall be referred to the Committee on Veterans' Affairs of the House of Representatives. A resolution described in paragraph (1) introduced in the Senate shall be referred to the Committee on Veterans' Affairs of the Senate.

(3) DISCHARGE.—If the committee to which a resolution described in paragraph (1) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the Comptroller General submits to Congress the report under subsection (b), such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(4) CONSIDERATION.—(A) On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under paragraph (3)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution (but only on the day after the calendar day on which such Member announces to the House concerned the Member's intention to do so). The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(B) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(C) Immediately following the conclusion of the debate on a resolution described in paragraph (1) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(D) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in paragraph (1) shall be decided without debate.

(5) CONSIDERATION BY OTHER HOUSE.—(A) If, before the passage by one House of a resolution of that House described in paragraph (1), that House receives from the other House a resolution described in paragraph (1), then the following procedures shall apply:

(i) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in clause (ii)(II).

(ii) With respect to a resolution described in paragraph (1) of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(II) the vote on final passage shall be on the resolution of the other House.

(B) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(6) RULES OF SENATE AND HOUSE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in paragraph (1), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SA 4260. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —NEVADA TEST SITE VETERANS' COMPENSATION

SEC. 01. SHORT TITLE.

This title may be cited as the "Nevada Test Site Veterans' Compensation Act of 2006".

SEC. ___02. FINDINGS.

(a) Congress makes the following findings:

(1) Employees working on Cold War-era nuclear weapons programs were employed in facilities owned by the Federal Government and the private sector producing and testing nuclear weapons and engaging in related atomic energy defense activities for the national defense beginning in the 1940s.

(2) These Cold War atomic energy veterans helped to build and test the nuclear arsenal that served as a deterrent during the Cold War, sacrificing their personal health and well-being in service of their country.

(3) During the Cold War, many of these workers were exposed to radiation and placed in harm's way by the Department of Energy and contractors, subcontractors, and vendors of the Department without their knowledge and consent, without adequate radiation monitoring, and without necessary protections from internal or external occupational radiation exposure.

(4) The Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384 et seq.) (in this section referred to as "EEOICPA") was enacted to ensure fairness and equity for the men and women who, during the past 60 years, performed duties uniquely related to the nuclear weapons production and testing programs of the Department of Energy, its predecessor agencies, and contractors by establishing a program that would provide timely, uniform, and adequate compensation for beryllium- and radiation-related health conditions.

(5) Research by the Department of Energy, the National Institute for Occupational Safety and Health (NIOSH), NIOSH contractors, the President's Advisory Board on Radiation and Worker Health, and congressional committees indicates that at certain nuclear weapons facilities—

(A) workers were not adequately monitored for internal or external exposure to ionizing radiation; and

(B) records were not maintained, are not reliable, are incomplete, or fail to indicate the radioactive isotopes to which workers were exposed.

(6) Due to the inequities posed by the factors described above and the resulting harm to the workers, Congress designated classes of atomic weapons employees at the Paducah, Kentucky, Portsmouth, Ohio, Oak Ridge K-25, Tennessee, and the Amchitka Island, Alaska, sites as members of the Special Exposure Cohort under EEOICPA.

(7) The contribution of the State of Nevada to the security of the United States throughout the Cold War and since has been unparalleled.

(8) In 1950, President Harry S Truman designated what would later be called the Nevada Test Site as the country's nuclear proving grounds and, a month later, the first atmospheric test at the Nevada Test Site was detonated.

(9) The United States conducted 100 aboveground and 828 underground nuclear tests at the Nevada Test Site from 1951 to 1992.

(10) Out of the 1,054 nuclear tests conducted in the United States, 928, or 88 percent, were conducted at the Nevada Test Site.

(11) The Nevada Test Site has served, and continues to serve, as the premier research, testing, and development site for our nuclear defense capabilities.

(12) The Nevada Test Site and its workers are an essential and irreplaceable part of our nation's defense capabilities.

(13) It has become evident that it is not feasible to estimate with sufficient accuracy in a timely manner the radiation dose received by employees at the Department of Energy facility at the Nevada Test Site for many reasons, including the following:

(A) The NIOSH Technical Basis Document, the threshold document for radiation dose reconstruction under EEOICPA, has incomplete radionuclide lists.

(B) NIOSH has not demonstrated that it can estimate dose from exposure to large, nonrespirable hot particles.

(C) There are significant gaps in environmental measurement and exposure data.

(D) Resuspension doses are seriously underestimated.

(E) NIOSH has not been able to estimate accurately exposures to bomb assembly workers and radon levels.

(F) NIOSH has not demonstrated that it can accurately sample tritiated water vapor.

(G) External dose records lack integrity.

(H) There are no beta dose data until 1966.

(I) There are no neutron dose data until 1966 and only partial data after such date.

(J) There are no internal dose data until late 1955 or 1956, and limited data until well into the 1960s.

(K) NIOSH has ignored exposure from more than a dozen underground tests that vented, including Bianca, Des Moines, Baneberry, Camphor, Diagonal Line, Riola, Agrini, Midas Myth, Misty Rain, and Mighty Oak.

(L) Instead of monitoring individuals, groups were monitored, resulting in unreliable personnel monitoring.

(14) Amchitka Island, where only 3 underground nuclear tests were conducted, has been designated a Special Exposure Cohort under EEOICPA.

(15) Some Nevada Test Site workers, despite having worked with significant amounts of radioactive materials and having known exposures leading to serious health effects, have been denied compensation under EEOICPA as a result of flawed calculations based on records that are incomplete, in error, or based on faulty assumptions and incorrect models.

SEC. _03. INCLUSION OF CERTAIN NUCLEAR WEAPONS PROGRAM WORKERS IN SPECIAL EXPOSURE COHORT UNDER ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) IN GENERAL.—Section 3621(14) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 73841(14)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following new subparagraph:

"(C) The employee was so employed at the Nevada Test Site or other similar sites located in Nevada during the period beginning on January 1, 1950, and ending on December 31, 1993, and, during such employment—

"(i) was present during an atmospheric or underground nuclear test or performed drillbacks, re-entry, or clean-up work following such a test (without regard to the duration of employment);

"(ii) was present during an episodic event involving radiation releases (without regard to the duration of employment); or

"(iii) was employed at the Nevada Test Site for a number of work days aggregating at least 250 work days and was employed in a job activity that—

"(I) was monitored through the use of dosimetry badges or bioassays for exposure to ionizing radiation; or

"(II) worked in a job activity that is or was, comparable to a job that is, was, or should have been monitored for exposure to ionizing radiation through the use of dosimetry badges or bioassay.".

(b) DEADLINE FOR CLAIMS ADJUDICATION.—Claims for compensation under section 3621(14)(C) of the Energy Employees Occupational Illness Compensation Program Act of 2000, as added by subsection (a), shall be adjudicated and a final decision issued—

(1) in the case of claims pending as of the date of the enactment of this Act, not later than 30 days after such date; and

(2) in the case of claims filed after the date of the enactment of this Act, not later than 30 days after the date of such filing.

SA 4261. Mr. CHAMBLISS (for himself, Mr. HATCH, Mr. ISAKSON, Mr. INHOFE, Mr. LIEBERMAN, Mr. CORNYN, Mr. THUNE, Mr. BENNETT, and Mr. STEVENS) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 29, strike lines 6 through 15 and insert the following:

SEC. 146. FUNDING FOR PROCUREMENT OF F-22A FIGHTER AIRCRAFT.

(a) PROHIBITION ON USE OF INCREMENTAL FUNDING.—The Secretary of the Air Force shall not use incremental funding for the procurement of F-22A fighter aircraft.

(b) MULTIYEAR PROCUREMENT.—The Secretary of the Air Force may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear contract beginning with the fiscal year 2007 program year for procurement of not more than 60 F-22A fighter aircraft.

SEC. 147. MULTIYEAR PROCUREMENT OF F-119 ENGINES FOR F-22A FIGHTER AIRCRAFT.

The Secretary of the Air Force may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear contract beginning with the fiscal year 2007 program year for procurement of the following:

(1) Not more than 120 F-119 engines for F-22A fighter aircraft.

(2) Not more than 13 spare F-119 engines for F-22A fighter aircraft.

SA 4262. Mr. FEINGOLD (for himself, Mr. OBAMA, Mrs. MURRAY, Mr. KENNEDY and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 587. IMPROVED ADMINISTRATION OF TRANSITIONAL ASSISTANCE PROGRAMS.

(a) PRESEPARATION COUNSELING.—Section 1142 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "provide for individual preseparation counseling" and inserting "shall provide individual preseparation counseling";

(B) by redesignating paragraph (4) as paragraph (6); and

(C) by inserting after paragraph (3) the following:

"(4) For members of the reserve components who have been serving on active duty continuously for at least 180 days, the Secretary concerned shall require that preseparation counseling under this section be provided to all such members (including officers) before the members are separated.

"(5) The Secretary concerned shall ensure that commanders of members entitled to services under this section authorize the members to obtain such services during duty time.".

(2) in subsection (b)—

(A) in paragraph (4), by striking "(4) Information concerning" and inserting the following:

"(4) Provision of information on civilian occupations and related assistance programs, including information concerning—

"(A) certification and licensure requirements that are applicable to civilian occupations;

"(B) civilian occupations that correspond to military occupational specialties; and

"(C)"; and

(B) by adding at the end the following:

"(11) Information concerning the priority of service for veterans in the receipt of employment, training, and placement services provided under qualified job training programs of the Department of Labor.

"(12) Information concerning veterans small business ownership and entrepreneurship programs of the Small Business Administration and the National Veterans Business Development Corporation.

"(13) Information concerning employment and reemployment rights and obligations under chapter 43 of title 38.

"(14) Information concerning veterans preference in federal employment and federal procurement opportunities.

"(15) Information concerning homelessness, including risk factors, awareness assessment, and contact information for preventative assistance associated with homelessness.

"(16) Contact information for housing counseling assistance.

"(17) A description, developed in consultation with the Secretary of Veterans Affairs, of health care and other benefits to which the member may be entitled under the laws administered by the Secretary of Veterans Affairs.

"(18) If a member is eligible, based on a preseparation physical examination, for compensation benefits under the laws administered by the Secretary of Veterans Affairs, a referral for a medical examination by the Secretary of Veterans Affairs (commonly known as a 'compensation and pension examination').";

(3) by adding at the end the following:

"(d) ADDITIONAL REQUIREMENTS.—(1) The Secretary concerned shall ensure that—

"(A) preseparation counseling under this section includes material that is specifically relevant to the needs of—

"(i) persons being separated from active duty by discharge from a regular component of the armed forces; and

"(ii) members of the reserve components being separated from active duty;

"(B) the locations at which preseparation counseling is presented to eligible personnel include—

"(i) each military installation under the jurisdiction of the Secretary;

"(ii) each armory and military family support center of the National Guard;

"(iii) inpatient medical care facilities of the uniformed services where such personnel are receiving inpatient care; and

"(iv) in the case of a member on the temporary disability retired list under section 1202 or 1205 of this title who is being retired under another provision of this title or is being discharged, a location reasonably convenient to the member;

"(C) the scope and content of the material presented in preseparation counseling at each location under this section are consistent with the scope and content of the material presented in the preseparation counseling at the other locations under this section; and

"(D) follow up counseling is provided for each member of the reserve components described in subparagraph (A) not later than 180 days after separation from active duty.

"(2) The Secretary concerned shall, on a continuing basis, update the content of the materials used by the National Veterans Training Institute and such officials' other activities that provide direct training support to personnel who provide preseparation counseling under this section.

"(e) NATIONAL GUARD MEMBERS ON DUTY IN STATE STATUS.—(1) Members of the National Guard, who are separated from long-term duty to which ordered under section 502(f) of title 32, shall be provided preseparation counseling under this section to the same extent that members of the reserve components being discharged or released from active duty are provided preseparation counseling under this section.

"(2) The preseparation counseling provided personnel under paragraph (1) shall include material that is specifically relevant to the needs of such personnel as members of the National Guard.

"(3) The Secretary of Defense shall prescribe, by regulation, the standards for determining long-term duty under paragraph (1)."; and

(4) by amending the heading to read as follows:

"§ 1142. Members separating from active duty: preseparation counseling".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of title 10, United States Code, is amended by striking the item relating to section 1142 and inserting the following:

"1142. Members separating from active duty: preseparation counseling.".

(c) DEPARTMENT OF LABOR TRANSITIONAL SERVICES PROGRAM.—Section 1144 of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking "paragraph (4)(A)" in the second sentence and inserting "paragraph (6)(A)";

(2) by amending subsection (c) to read as follows:

"(c) PARTICIPATION.—(1) Subject to paragraph (2), the Secretary and the Secretary of Homeland Security shall require participation by members of the armed forces eligible for assistance under the program carried out under this section.

"(2) The Secretary and the Secretary of Homeland Security need not require, but shall encourage and otherwise promote, participation in the program by the following members of the armed forces described in paragraph (1):

"(A) Each member who has previously participated in the program.

"(B) Each member who, upon discharge or release from active duty, is returning to—

"(i) a position of employment; or

"(ii) pursuit of an academic degree or other educational or occupational training objective that the member was pursuing when called or ordered to such active duty.

"(3) The Secretary concerned shall ensure that commanders of members entitled to services under this section authorize the members to obtain such services during duty time."; and

(3) by adding at the end the following:

"(e) UPDATED MATERIALS.—The Secretary concerned shall, on a continuing basis, update the content of all materials used by the Department of Labor that provide direct training support to personnel who provide transitional services counseling under this section.".

SEC. 588. SEPARATION COUNSELING BY VETERANS FOR MEMBERS OF THE ARMED FORCES NEARING SEPARATION AND VETERANS.

(a) DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by adding at the end the following:

"§ 1154. Veteran-to-veteran preseparation counseling

"(a) COOPERATION REQUIRED.—The Secretary shall carry out a program to facilitate the access of representatives of military and veterans' service organizations and representatives of veterans' services agencies of States to provide preseparation counseling and services to members of the armed forces who are scheduled, or are in the process of being scheduled, for discharge, release from active duty, or retirement.

"(b) REQUIRED PROGRAM ELEMENT.—The program under this section shall provide for representatives of military and veterans' service organizations and representatives of veterans' services agencies of States to be invited to participate in the preseparation counseling and other assistance briefings provided to members under the programs carried out under sections 1142 and 1144 of this title and the benefits delivery at discharge programs.

"(c) LOCATIONS.—The program under this section shall provide for access to members—

"(1) at each installation of the armed forces;

"(2) at each armory and military family support center of the National Guard;

"(3) at each inpatient medical care facility of the uniformed services administered under chapter 55 of this title; and

"(4) in the case of a member on the temporary disability retired list under section 1202 or 1205 of this title who is being retired under another provision of this title or is being discharged, at a location reasonably convenient to the member.

"(d) CONSENT OF MEMBERS REQUIRED.—Access to a member of the armed forces under the program under this section is subject to the consent of the member.

"(e) DEFINITIONS.—In this section:

"(1) The term 'benefits delivery at discharge program' means a program administered jointly by the Secretary and the Secretary of Veterans Affairs to provide information and assistance on available benefits and other transition assistance to members of the armed forces who are separating from the armed forces, including assistance to obtain any disability benefits for which such members may be eligible.

"(2) The term 'representative', with respect to a veterans' service organization, means a representative of an organization who is recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 58 of such title is amended by adding at the end the following new item:

"1154. Veteran-to-veteran preseparation counseling.".

(b) DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Subchapter I of chapter 17 of title 38, United States Code, is amended by adding at the end the following:

"§ 1709. Veteran-to-veteran counseling

"(a) COOPERATION REQUIRED.—The Secretary shall carry out a program to facilitate the access of representatives of military and veterans' service organizations and representatives of veterans' services agencies of States to veterans furnished care and services under this chapter to provide information and counseling to such veterans on—

"(1) the care and services authorized by this chapter; and

"(2) other benefits and services available under the laws administered by the Secretary.

"(b) FACILITIES COVERED.—The program under this section shall provide for access to veterans described in subsection (a) at each facility of the Department and any non-Department facility at which the Secretary furnishes care and services under this chapter.

"(c) CONSENT OF VETERANS REQUIRED.—Access to a veteran under the program under this section is subject to the consent of the veteran.

"(d) DEFINITION.—In this section, the term 'veterans' service organization' means an organization who is recognized by the Secretary for the representation of veterans under section 5902 of this title.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 17 of such title is amended by inserting after the item relating to section 1708 the following new item:

"1709. Veteran-to-veteran counseling.".

SA 4263. Mr. FEINGOLD (for himself, Mr. OBAMA, Mrs. MURRAY, Mr. KENNEDY and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title V, add the following:

SEC. 587. DEPARTMENT OF LABOR TRANSITIONAL ASSISTANCE PROGRAM.

(a) REQUIRED PARTICIPATION FOR CERTAIN MEMBERS.—Subsection (c) of section 1144 of title 10, United States Code, is amended to read as follows:

"(c) PARTICIPATION.—(1) Except as provided in paragraph (2), the Secretary of Defense shall require participation by members of the armed forces eligible for assistance under the program carried out under this section.

"(2) The Secretary of Defense need not require, but shall encourage and otherwise promote, participation in the program by the following members described in paragraph (1):

"(A) A member who has previously participated in the program.

"(B) A member who, upon discharge or release from active duty, is returning to—

"(i) a position of employment; or

"(ii) pursuit of an academic degree or other educational or occupational training objective that the members was pursuing when called or ordered to such active duty.

"(3) Members of the armed forces eligible for assistance under this section include—

"(A) members of the reserve components being separated from service on active duty for a period of more than 30 days; and

"(B) members of the National Guard being separated from full-time National Guard duty.

"(4) The Secretary concerned shall ensure that commanders of members who are required to be provided assistance under this section authorize the members to be provided such assistance during duty time.".

(b) REQUIRED UPDATING OF MATERIALS.—Such section is further amended by adding at the end the following new subsection:

"(e) UPDATING OF MATERIALS.—The Secretary concerned shall, on a continuing basis, update the content of the materials used by the National Veterans Training Institute of the Department of Labor and the Secretary's other materials that provide direct training support to personnel who carry out the program established in this section.".

SA 4264. Mrs. CLINTON (for herself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by her to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

Subtitle F—Transition Assistance for Members of the National Guard and Reserve Returning From Deployment in Operation Iraqi Freedom or Operation Enduring Freedom

SEC. 681. SHORT TITLE.

This subtitle may be cited as the "Heroes at Home Act of 2006".

SEC. 682. RESPONSIBILITIES OF TASK FORCE ON MENTAL HEALTH ON TRANSITION TO CIVILIAN LIFE OF MEMBERS OF THE NATIONAL GUARD AND RESERVE RETURNING FROM DEPLOYMENT IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) IN GENERAL.—Section 723 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3348) is amended—

(1) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

"(d) ASSESSMENT AND RECOMMENDATIONS ON TRANSITION TO CIVILIAN LIFE OF MEMBERS OF NATIONAL GUARD AND RESERVE RETURNING FROM DEPLOYMENT IN OPERATION IRAQI FREEDOM AND ENDURING FREEDOM.—

"(1) IN GENERAL.—In addition to the activities required under subsection (c), the task force shall, not later than 12 months after the date of the enactment of the Heroes at Home Act of 2006, submit to the Secretary a report containing an assessment of, and recommendations for improving, assistance to members of the National Guard and Reserve returning from deployment in Operation Iraqi Freedom or Operation Enduring Freedom, and their families, in transitioning to civilian employment upon their return from such deployment, including—

"(A) members who were self-employed before deployment and seek to return to such employment after deployment;

"(B) members who were students before deployment and seek to return to school or commence employment after deployment;

"(C) members who have experienced multiple recent deployments; and

"(D) members who have been wounded or injured during deployment.

"(2) WORKING GROUP.—In conducting the assessment and making the recommendations required by paragraph (1), the task force shall utilize the assistance of a working group that consists of individuals selected by the task force from among individuals as follows:

"(A) With the concurrence of the Administrator of the Small Business Administration, personnel of the Small Business Administration.

"(B) Representatives of employers who employ members of the National Guard and Reserve described in paragraph (1) on their return to civilian life as described in that paragraph.

"(C) Representatives of employee assistance organizations.

"(D) Representatives of associations of employers.

"(E) Representatives of organizations that assist wounded or injured members of the National Guard and Reserves in finding or sustaining employment.

"(F) Representatives of such other public or private organizations and entities as the co-chairs of the task force, in consultation with the members of the task force, consider appropriate.

"(3) REPORT ELEMENTS.—The report required by paragraph (1) shall include recommendations on the following:

"(A) The provision of outreach and training to employers, employment assistance organizations, and associations of employers on the employment, readjustment, and mental health needs of members of the National Guard and Reserve described in paragraph (1) upon their return from deployment as described in that paragraph.

"(B) The provision of outreach and training to employers, employment assistance organizations, and associations of employers on the needs of family members of such members.

"(C) The improvement of collaboration between the pubic and private sectors in order to ensure the successful transition of such members into civilian employment upon their return from such deployment.

"(4) OTHER DUTIES.—In the period between the submittal of the report required by paragraph (1) and the termination of the task force under subsection (h), the task force (including the working group established under paragraph (2)) shall serve as an advisor to the Assistance Center for Employers and Employment Assistance Organizations established under section 683 of the Heroes at Home Act of 2006.

"(5) EMPLOYMENT ASSISTANCE ORGANIZATION DEFINED.—In this subsection, the term 'employment assistance organization' means an organization or entity, whether public or private, that provides assistance to individuals in finding or retaining employment, including organizations and entities under military career support programs.".

(b) REPORT.—Subsection (f) of such section, as redesignated by subsection (a)(1) of this section, is further amended—

(1) in the subsection heading, by striking "REPORT" and inserting "REPORTS";

(2) by striking paragraph (1) and inserting the following new paragraph (1):

"(1) IN GENERAL.—The report submitted to the Secretary under each of subsections (c) and (d) shall include—

"(A) a description of the activities of the task force under such subsection;

"(B) the assessment and recommendations required by such subsection; and

"(C) such other matters relating to the activities of the task force under such subsection as the task force considers appropriate."; and

(3) in paragraph (2)—

(A) by striking "the report under paragraph (1)" and inserting "a report under paragraph (1)"; and

(B) by striking "the report as" and inserting "such report as".

(c) PLAN MATTERS.—Subsection (g) of such section, as redesignated by subsection (a)(1) of this section, is further amended—

(1) by striking "the report from the task force under subsection (e)(1)" and inserting "a report from the task force under subsection (f)(1)"; and

(2) by inserting "contained in such report" after "the task force" the second place it appears.

(d) TERMINATION.—Subsection (h) of such section, as redesignated by subsection (a)(1) of this section, is further amended—

(1) by inserting "with respect to the assessment and recommendations required by subsection (d)" after "the task force"; and

(2) by striking "subsection (e)(2)" and inserting "subsection (f)(2)".

SEC. 683. ASSISTANCE CENTER FOR EMPLOYERS AND EMPLOYMENT ASSISTANCE ORGANIZATIONS.

(a) ESTABLISHMENT OF CENTER.—

(1) IN GENERAL.—The Secretary of Defense shall establish an office to assist employers, employment assistance organizations, and associations of employers in facilitating the successful transition to civilian employment of members of the National Guard and Reserve returning from deployment in Operation Iraqi Freedom or Operation Enduring Freedom.

(2) DESIGNATION.—The office established under this subsection shall be known as the "Assistance Center for Employers and Employment Assistance Organizations" (in this section referred to as the "Center").

(3) HEAD.—The Secretary shall designate an individual to act as the head of the Center.

(4) INTEGRATION.—In establishing the Center, the Secretary shall ensure close communication between the Center and the military departments, including the commands of the reserve components of the Armed Forces.

(b) FUNCTIONS.—The Center shall have the following functions:

(1) To provide education and technical assistance to employers, employment assistance organizations, and associations of employers to assist them in facilitating the successful transition to civilian employment of members of the National Guard and Reserve described in subsection (a) on their return from deployment as described in that subsection.

(2) To provide education and technical assistance to employers, employment assistance organizations, and associations of employers to assist them in facilitating the successful adjustment of family members of the

National Guard and Reserve to the deployment and return from deployment of members of the National Guard and Reserve as described in that subsection.

(c) RESOURCES TO BE PROVIDED.—

(1) IN GENERAL.—In carrying out the functions specified in subsection (b), the Center shall provide employers, employment assistance organizations, and associations of employers resources, services, and assistance that include the following:

(A) Guidelines on best practices and effective strategies.

(B) Education on the physical and mental health difficulties that can and may be experienced by members of the National Guard and Reserve described in subsection (a) on their return from deployment as described in that subsection in transitioning to civilian employment, including difficulties arising from Post Traumatic Stress Disorder (PTSD) and traumatic brain injury (TBI), including education on—

(i) the detection of warning signs of such difficulties;

(ii) the medical, mental health, and employment services available to such members, including materials on services offered by the Department of Defense, the Department of Veterans Affairs (including through the vet center program under section 1712A of title 38, United States Code), the Department of Labor, military support programs, and community mental health clinics; and

(iii) the mechanisms for referring such members for services described in clause (ii) and for other medical and mental health screening and care when appropriate.

(C) Education on the range and types of potential physical and mental health effects of deployment and post-deployment adjustment on family members of members of the National Guard and Reserve described in subsection (a), including education on—

(i) the detection of warning signs on such effects on family members of members of the National Guard and Reserves;

(ii) the medical, mental health, and employment services available to such family members, including materials on such services as described in subparagraph (B)(ii); and

(iii) mechanisms for referring such family members for services described in clause (ii) and for medical and mental health screening and care when appropriate.

(D) Education on mechanisms, strategies, and resources for accommodating and employing wounded or injured members of the National Guard and Reserves in work settings.

(2) PROVISION OF RESOURCES.—The Center shall make resources, services, and assistance available under this subsection through such mechanisms as the head of the Center considers appropriate, including the Internet, video conferencing, telephone services, workshops, trainings, presentations, group forums, and other mechanisms.

(d) PERSONNEL AND OTHER RESOURCES.—The Secretary of Defense shall assign to the Center such personnel, funding, and other resources as are required to ensure the effective discharge by the Center of the functions under subsection (b).

(e) REPORTS ON ACTIVITIES.—

(1) ANNUAL REPORT BY CENTER.—Not later than one year after the establishment of the Center, and annually thereafter, the head of the Center, in consultation with the Department of Defense Task Force on Mental Health (while in effect), shall submit to the Secretary of Defense a written report on the progress and outcomes of the Center during the one-year period ending on the date of such report.

(2) TRANSMITTAL TO CONGRESS.—Not later than 60 days after receipt of a report under paragraph (1), the Secretary shall transmit such report to the Committees on Armed Services of the Senate and the House of Representatives, together with—

(A) such comments on such report, and such assessment of the effectiveness of the Center, as the Secretary considers appropriate; and

(B) such recommendations on means of improving the effectiveness of the Center as the Secretary considers appropriate.

(3) AVAILABILITY TO PUBLIC.—The Secretary shall take appropriate actions to make each report under paragraph (2) available to the public, including through the Internet website of the Center.

(f) DEFINITIONS.—In this section:

(1) EMPLOYMENT ASSISTANCE ORGANIZATION.—The term "employment assistance organization" means an organization or entity, whether public or private, that provides assistance to individuals in finding or retaining employment, including organizations and entities under military career support programs.

(2) DEPARTMENT OF DEFENSE TASK FORCE ON MENTAL HEALTH.—The term "Department of Defense Task Force on Mental Health" means the Department of Defense Task Force on Mental Health established under section 723 of the National Defense Authorization Act for Fiscal Year 2006, as amended by section 682 of this Act.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense to carry out this section amounts as follows:

(1) For fiscal year 2007, $5,000,000.

(2) For each of fiscal years 2008 through 2011, such sums as may be necessary.

SEC. 684. GRANTS ON ASSISTANCE IN COMMUNITY-BASED SETTINGS FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE AND THEIR FAMILIES AFTER DEPLOYMENT IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) IN GENERAL.—The Secretary of Defense may award grants to eligible entities to carry out demonstration projects to assess the feasibility and advisability of utilizing community-based settings for the provision of assistance to members of the National Guard and Reserve who serve in Operation Iraqi Freedom or Operation Enduring Freedom, and their families, after the return of such members from deployment in Operation Iraqi Freedom or Operation Enduring Freedom, as the case may be, including—

(1) services to improve the reuniting of such members of the National Guard and Reserve and their families;

(2) education to increase awareness of the physical and mental health difficulties that members of the National Guard and Reserve can and may experience on their return from such deployment, including education on—

(A) Post Traumatic Stress Disorder (PTSD) and traumatic brain injury (TBI); and

(B) mechanisms for the referral of such members of the National Guard and Reserve for medical and mental health screening and care when necessary; and

(3) education to increase awareness of the physical and mental health difficulties that family members of such members of the National Guard and Reserve can and may experience on the return of such members from such deployment, including education on—

(A) depression, anxiety, and relationship problems; and

(B) mechanisms for medical and mental health screening and care when appropriate.

(b) ELIGIBLE ENTITIES.—An entity eligible for the award of a grant under this section is any public or private non-profit organization, such as a community mental health clinic, family support organization, military support organization, law enforcement agency, community college, or public school.

(c) APPLICATION.—An eligible entity seeking a grant under this section shall submit to the Secretary of Defense an application therefor in such manner, and containing such information, as the Secretary may require for purposes of this section, including a description of how such entity will work with the Department of Defense, the Department of Veterans Affairs, State health agencies, other appropriate Federal, State, and local agencies, family support organizations, and other community organization in undertaking activities described in subsection (a).

(d) ANNUAL REPORTS BY GRANT RECIPIENTS.—An entity awarded a grant under this section shall submit to the Secretary of Defense on an annual basis a report on the activities undertaken by such entity during the preceding year utilizing amounts under the grant. Each report shall include such information as the Secretary shall specify for purposes of this subsection.

(e) ANNUAL REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to Congress a report on activities undertaken under the grants awarded under this section. The report shall include recommendations for legislative, programmatic, or administrative action to improve or enhance activities under the grants awarded under this section.

(2) AVAILABILITY TO PUBLIC.—The Secretary shall take appropriate actions to make each report under this subsection available to the public.

SEC. 685. LONGITUDINAL STUDY ON TRAUMATIC BRAIN INJURY INCURRED BY MEMBERS OF THE ARMED FORCES IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) STUDY REQUIRED.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, provide for a longitudinal study on the effects of traumatic brain injury incurred by members of the Armed Forces in Operation Iraqi Freedom or Operation Enduring Freedom. The duration of the longitudinal study shall be 15 years.

(b) SELECTION OF ENTITY FOR CONDUCT OF STUDY.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, select an entity to conduct the study required by subsection (a) from among private organizations or entities qualified to conduct the study.

(c) ELEMENTS.—The study required by subsection (a) shall address the following:

(1) The long-term effects of traumatic brain injury on the overall readiness of the Armed Forces.

(2) Mechanisms for improving body armor and helmets in order to protect members of the Armed Forces from sustaining traumatic brain injuries.

(3) The long-term physical and mental health consequences of traumatic brain injuries incurred by members of the Armed Forces during service in Operation Iraqi Freedom or Operation Enduring Freedom.

(4) The health care, mental health care, and rehabilitation needs of such members for such injuries after the completion of inpatient treatment through the Department of Defense, the Department of Veterans Affairs, or both.

(5) The type and availability of long-term care rehabilitation programs and services

within and outside the Department of Defense and the Department of Veterans Affairs for such members for such injuries, including community-based programs and services and in-home programs and services.

(d) REPORTS.—

(1) PERIODIC AND FINAL REPORTS.—After the third, seventh, eleventh, and fifteenth years of the study required by subsection (a), the Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, submit to the appropriate elements of the Department of Defense and the Department of Veterans Affairs, and to Congress, a comprehensive report on the results of the study during the preceding years. Each report shall include the following:

(A) Current information on the cumulative outcomes of the study.

(B) In the case of a report to elements of the Department of Defense—

(i) such recommendations as the Secretary of Defense considers appropriate for programmatic and administrative action to improve body armor and helmets to protect members of the Armed Forces from sustaining traumatic brain injuries; and

(ii) such other recommendations as the Secretary considers appropriate based on the outcomes of the study.

(C) In the case of a report to elements of the Department of Veterans Affairs—

(i) such recommendations as the Secretary of Veterans Affairs considers appropriate for programmatic and administrative action to improve long-term care and rehabilitative programs and services for members of the Armed Forces with traumatic brain injury; and

(ii) such other recommendations as the Secretary considers appropriate based on the outcomes of the study.

(D) In the case of a report to Congress—

(i) such recommendations as the Secretary of Defense considers appropriate for legislative action to improve body armor and helmets to protect members of the Armed Forces from sustaining traumatic brain injuries;

(ii) such recommendations as the Secretary of Veterans Affairs considers appropriate for legislative action to improve long-term care and rehabilitative programs and services for members of the Armed Forces with traumatic brain injury; and

(iii) such other recommendations as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate based on the outcomes of the study.

(2) AVAILABILITY TO PUBLIC.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly take appropriate actions to make each report under this subsection available to the public.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense to carry out this section amounts as follows:

(1) For fiscal year 2007, $5,000,000.

(2) For each of fiscal years 2008 through 2013, such sums as may be necessary.

SEC. 686. TRAINING CURRICULA FOR FAMILY CAREGIVERS ON CARE AND ASSISTANCE FOR MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES WITH TRAUMATIC BRAIN INJURY INCURRED IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) TRAUMATIC BRAIN INJURY FAMILY CAREGIVER PANEL.—

(1) ESTABLISHMENT.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, establish within the Department of Defense a panel to develop coordinated, uniform, and consistent training curricula to be used in training family members in the provision of care and assistance to members and former members of the Armed Forces for traumatic brain injuries incurred during service in the Armed Forces in Operation Iraqi Freedom or Operation Enduring Freedom.

(2) DESIGNATION OF PANEL.—The panel established under paragraph (1) shall be known as the "Traumatic Brain Injury Family Caregiver Panel".

(3) MEMBERS.—The Traumatic Brain Injury Family Caregiver Panel established under paragraph (1) shall consist of 15 members appointed by the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, equally represented from among—

(A) physicians, nurses, rehabilitation therapists, and other individuals with an expertise in caring for and assisting individuals with traumatic brain injury, including those who specialize in caring for and assisting individuals with traumatic brain injury incurred in war;

(B) representatives of family caregivers or family caregiver associations;

(C) Department of Defense and Department of Veterans Affairs health and medical personnel with expertise in traumatic brain injury, and Department of Defense personnel and readiness representatives with expertise in traumatic brain injury;

(D) representatives of military service organizations who specialize in matters relating to disabled veterans;

(E) representatives of veterans service organizations who specialize in matters relating to disabled veterans;

(F) psychologists or other individuals with expertise in the mental health treatment and care of individuals with traumatic brain injury;

(G) experts in the development of training curricula;

(H) researchers and academicians who study traumatic brain injury; and

(I) any other individuals the Secretary considers appropriate.

(4) MEETINGS.—The Traumatic Brain Injury Family Caregiver Panel shall meet not less than monthly.

(b) DEVELOPMENT OF CURRICULA.—

(1) IN GENERAL.—The Traumatic Brain Injury Family Caregiver Panel shall develop training curricula to be utilized during the provision of training to family members of members and former members of the Armed Forces described in subsection (a) on techniques, strategies, and skills for care and assistance for such members and former members with the traumatic brain injuries described in that subsection.

(2) SCOPE OF CURRICULA.—The curricula shall—

(A) be based on empirical research and validated techniques; and

(B) shall provide for training that permits recipients to tailor caregiving to the unique circumstances of the member or former member of the Armed Forces receiving care.

(3) PARTICULAR REQUIREMENTS.—In developing the curricula, the Traumatic Brain Injury Family Caregiver Panel shall—

(A) specify appropriate training commensurate with the severity of traumatic brain injury; and

(B) identify appropriate care and assistance to be provided for the degree of severity of traumatic brain injury for caregivers of various levels of skill and capability.

(4) USE OF EXISTING MATERIALS.—In developing the curricula, the Traumatic Brain Injury Family Caregiver Panel shall utilize and enhance any existing training curricular, materials, and resources applicable to such curricula as the Panel considers appropriate.

(5) CONSULTATION.—In developing the curricula, the Traumatic Brain Injury Family Caregiver Panel shall consult with the Army Reserve Forces Policy Committee, as appropriate.

(6) DEADLINE FOR DEVELOPMENT.—The Traumatic Brain Injury Family Caregiver Panel shall develop the curricula not later than one year after the date of the enactment of this Act.

(c) DISSEMINATION OF CURRICULA.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Traumatic Brain Injury Family Caregiver Panel, develop mechanisms for the dissemination of the curricula developed under subsection (b) to health care professionals referred to in paragraph (2) who treat or otherwise work with members and former members of the Armed Forces with traumatic brain injury incurred in Operation Iraqi Freedom or Operation Enduring Freedom. In developing such mechanisms, the Secretary may utilize and enhance existing mechanisms, including the Military Severely Injured Center.

(2) HEALTH CARE PROFESSIONALS.—The health care professionals referred to in this paragraph are the following:

(A) Personnel at military medical treatment facilities.

(B) Personnel at the polytrauma centers of the Department of Veterans Affairs.

(C) Personnel and care managers at the Military Severely Injured Center.

(D) Such other health care professionals of the Department of Defense as the Secretary considers appropriate.

(E) Such other health care professionals of the Department of Veterans Affairs as the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, considers appropriate.

(3) SCOPE.—The mechanisms developed under paragraph (1) shall include the provision of refresher training in the curricula developed under subsection (a) for the health care professional referred to in paragraph (2) not less often than once every six months.

(4) PROVISION OF TRAINING TO FAMILY CAREGIVERS.—

(A) IN GENERAL.—Health care professionals referred to in paragraph (2) who are trained in the curricula developed under subsection (b) shall provide training to family members of members and former members of the Armed Forces who incur traumatic brain injuries during service in the Operation Iraqi Freedom or Operation Enduring Freedom in the care and assistance to be provided for such injuries.

(B) TIMING OF TRAINING.—Training under this paragraph shall, to the extent practicable, be provided to family members while the member or former member concerned is undergoing treatment at a facility of the Department of Defense or Department of Veterans Affairs, as applicable, in order to ensure that such family members receive practice on the provision of such care and assistance under the guidance of qualified health professionals.

(C) PARTICULARIZED TRAINING.—Training provided under this paragraph to family members of a particular member or former member shall be tailored to the particular care needs of such member or former member and the particular caregiving needs of such family members.

(5) QUALITY ASSURANCE.—The Secretary shall develop mechanisms to ensure quality

in the provision of training under this section to health care professionals referred to in paragraph (2) and in the provision of such training under paragraph (4) by such health care professionals.

(6) REPORT.—Not later than one year after the development of the curricula required by subsection (b), and annually thereafter, the Traumatic Brain Injury Family Caregiver Training Panel shall submit to the Secretary of Defense and the Secretary of Veterans Affairs, and to Congress, a report on the following:

(A) The actions undertaken under this subsection.

(B) The results of the tracking of outcomes based on training developed and provided under this section.

(C) Recommendations for the improvement of training developed and provided under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense to carry out this section amounts as follows:

(1) For fiscal year 2007, $5,000,000.

(2) For each of fiscal years 2008 through 2011, such sums as may be necessary.

SA 4265. Mr. NELSON (for himself, Mr. MENENDEZ, and Ms. MIKULSKI) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1209. SENSE OF CONGRESS ON THE GRANTING OF AMNESTY TO PERSONS KNOWN TO HAVE KILLED MEMBERS OF THE ARMED FORCES IN IRAQ.

(a) FINDINGS.—Congress makes the following findings:

(1) The Armed Forces of the United States and coalition military forces are serving heroically in Iraq to provide all the people of Iraq a better future.

(2) The Armed Forces of the United States and coalition military forces have served bravely in Iraq since the beginning of military operations in March of 2003.

(3) More than 2,500 members of the Armed Forces of the United States and members of coalition military forces have been killed and more than 18,000 injured in operations to bring peace and stability to all the people of Iraq.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Government of Iraq should not grant amnesty to persons known to have attacked, killed, or wounded members of the Armed Forces of the United States; and

(2) the President should immediately notify the Government of Iraq that the Government of the United States strongly opposes granting amnesty to persons who have attacked members of the Armed Forces of the United States.

SA 4266. Mr. HARKIN (for himself, Mr. JOHNSON, Mr. GRASSLEY, Mr. DURBIN, Mr. DORGAN, Mr. KERRY, Mr. KENNEDY, Mr. WYDEN, Mr. LAUTENBERG, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 421, between lines 6 and 7, insert the following:

SEC. 1066. REPORTS ON DEPARTMENT OF JUSTICE EFFORTS TO INVESTIGATE AND PROSECUTE CASES OF CONTRACTING ABUSE IN IRAQ, AFGHANISTAN, AND THROUGHOUT THE WAR ON TERROR.

(a) FINDINGS.—Congress makes the following findings:

(1) Waste, fraud, and abuse in contracting are harmful to United States efforts to successfully win the conflicts in Iraq and Afghanistan and succeed in the war on terror. The act of stealing from our soldiers who are daily in harm's way is clearly criminal and must be actively prosecuted.

(2) There are reports that the Department of Defense has lost accountability of significant funding due to theft by corrupt contractors. These taxpayer funds should be recovered and spent on the services and equipment that our troops need to accomplish their mission abroad.

(3) It is a vital interest of United States taxpayers to be protected from theft of their tax dollars by corrupt contractors.

(4) Whistleblower lawsuits are an important tool for exposing waste, fraud, and abuse and can identify serious graft and corruption. Whistleblowers have brought many cases of contractor corruption to light, and must be commended as true patriots and champions of honesty and integrity.

(5) Based on published reports about whistleblower lawsuits initiated under sections 3729 and 3730(b) of title 31, United States Code (commonly known as the "False Claims Act"), to address contractor corruption in Iraq, Afghanistan, and throughout the war on terror, it is unclear if the Department of Justice has brought a sufficient number of these cases to resolution. It is also unclear whether a chain of command and an accountable management structure exists for handling such whistleblower lawsuits, which aim to root out contractor corruption in Iraq, Afghanistan, and throughout the war on terror.

(6) This issue is of paramount importance to the United States taxpayer, and the Congress has not received enough information about the contractor waste, fraud, and abuse taking place in Iraq, Afghanistan, and throughout the war on terror and about the efforts of the Department of Justice to combat these crimes. Sharing of this information will show how seriously the Federal Government, as a whole, takes the issue of contractor theft of United States taxpayer dollars.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary and the Committee on Government Reform of the House of Representatives, and the congressional defense committees a report on efforts to investigate and prosecute cases of waste, fraud, and abuse under sections 3729 and 3730(b) of title 31, United States Code, or any other related law that are related to Federal contracting in Iraq, Afghanistan, and throughout the war on terror.

(2) CONTENT.—Each report submitted under paragraph (1) shall include the following:

(A) Information on all of the organized efforts of the Department of Justice that have been created to ensure that the Department of Justice is investigating, in a timely and appropriate manner, all claims of contractor waste, fraud, and abuse related to the activities of the United States Government in Iraq, Afghanistan, and throughout the war on terror.

(B) Specific information on the cases and investigations of contractor waste, fraud, and abuse in Iraq, Afghanistan, and throughout the war on terror that have been undertaken by United States Attorneys and the Director of the Federal Bureau of Investigation, including the names and locations of these offices, as well as the personnel and financial resources committed to the task and a description of the type, nature, and substance of the allegations made and the amount of funds in controversy for each case and investigation, to the greatest extent possible under the law. Information that would otherwise be prohibited from disclosure by Rule 6(e) of the Federal Rules of Criminal Procedure or by a seal order pursuant to section 3730(b) of title 31, United States Code, shall be submitted in a confidential memorandum to the committees specified in paragraph (1) and shall not be deemed to be a violation of either Rule 6(e) or such seal order. If there is a showing of extraordinary circumstances that disclosure of particular information would pose an imminent threat of harm to a relator and be detrimental to the public interest, then this information should be redacted in accordance with standard practices.

(C) Information on the specific number of personnel, financial resources, and workdays devoted to addressing this waste, fraud, and abuse, including a complete listing of all of the offices across the United States and throughout the world that are working on these cases and an explanation of the types of additional resources, both in terms of personnel and finances, that the Department of Justice needs to ensure that all of these cases proceed on a timely basis.

(D) A detailed description of any internal Department of Justice task force that exists to work specifically on these cases of contractor fraud and abuse in Iraq, Afghanistan, and throughout the war on terror, including a description of its action plan, the frequency of its meetings, the level and quantity of staff dedicated to it, its measures for success, the nature and substance of the allegations, and the amount of funds in controversy for each case. If there is a showing of extraordinary circumstances that disclosure of particular information would pose an imminent threat of harm to a relator and be detrimental to the public interest, then this information should be redacted in accordance with standard practices.

(E) A detailed description of any interagency task force that exists to work specifically on these cases of contractor waste, fraud, and abuse in Iraq, Afghanistan, and throughout the war on terror, including its action plan, the frequency of its meetings, the level and quantity of staff dedicated to it, its measures for success, the type, nature, and substance of the allegations, and the amount of funds in controversy for each case. If there is a showing of extraordinary circumstances that disclosure of particular information would pose an imminent threat of harm to a relator and be detrimental to the public interest, then this information should be redacted in accordance with standard practices.

(F) The names of the senior officials directly responsible for oversight of the efforts to address these cases of contractor waste, fraud, and abuse in Iraq, Afghanistan, and throughout the war on terror.

(G) Specific information on the number of investigators and other personnel that have been provided to the Department of Justice by other Federal departments and agencies in support of the efforts of the Department of Justice to combat contractor waste, fraud, and abuse in Iraq, Afghanistan, and throughout the war on terror, including data on the quantity of time that these investigators have spent working within the Department of Justice structures dedicated to this effort.

(H) Specific information on the full number of investigations, including grand jury investigations currently underway, that are addressing these cases of contractor waste, fraud, and abuse in Iraq, Afghanistan, and throughout the war on terror.

(I) Specific information on the number and status of the criminal cases that have been launched to address contractor waste, fraud, and abuse in Iraq, Afghanistan, and throughout the war on terror.

(J) Specific information on the number of civil cases that have been filed to address contractor waste, fraud, and abuse in Iraq, Afghanistan, and throughout the war on terror, including specific information on the quantity of cases initiated by private parties, as well as the quantity of cases that have been referred to the Department of Justice by the Department of Defense, the Department of State, and other relevant Federal departments and agencies.

(K) Specific information on the resolved civil and criminal cases that have been filed to address contractor waste, fraud, and abuse in Iraq, Afghanistan, and throughout the war on terror, including the specific results of these cases, the types of waste, fraud, and abuse that took place, the amount of funds that were returned to the United States Government as a result of resolution of these cases, and a full description of the type and substance of the waste, fraud, and abuse that took place, including its direct and indirect impacts on United States troops, officers, and other individuals working for the United States Government in Iraq, Afghanistan, and throughout the war on terror. If there is a showing of extraordinary circumstances that disclosure of particular information would pose an imminent threat of harm to a relator and be detrimental to the public interest, then this information should be redacted in accordance with standard practices.

(L) The best estimate by the Department of Justice of the scale of the problem of contractor waste, fraud, and abuse in Iraq, Afghanistan, and throughout the war on terror.

SA 4267. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1223. REPORT ON THE STATUS OF UNITED STATES OBLIGATIONS UNDER THE COMPREHENSIVE NUCLEAR TEST-BAN TREATY.

(a) FINDINGS.—Congress makes the following findings:

(1) On October 13, 1999, the Senate voted not to give its advice and consent to the ratification of the Comprehensive Nuclear Test-Ban Treaty.

(2) Immediately following such vote, then-Secretary of State Madeleine K. Albright sent a letter to, among others, the governments of the countries in the North Atlantic Treaty Organization and of Russia, China, India, Japan, and Australia assuring them that "the United States will continue to act in accordance with its obligations as a signatory under international law, and will seek reconsideration of the Treaty at a later date when conditions are better suited for ratification" (in this section referred to as the "assurances letter").

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall, in consultation with the Secretary of Defense, the Secretary of State, and the Attorney General, submit to Congress a report on the status of United States obligations under the Comprehensive Nuclear Test-Ban Treaty.

(2) CONTENT.—The report required under paragraph (1) shall specifically address each of the following issues:

(A) Whether the assurances regarding United States obligations under the Comprehensive Nuclear Test-Ban Treaty that were provided in the assurances letter are consistent with the current policy of the United States.

(B) If the assurances are not consistent with United States policy, a description of the steps taken by the President to communicate to the foreign governments that received the assurances letter that such assurances are no longer operative.

(C) If the assurances are not consistent with United States policy, whether the President has provided to the foreign governments that received the assurances letter written notice that the letter is no longer operative.

(D) Whether the President agrees with the statement by then-Secretary of State Albright in the assurances letter that the Comprehensive Nuclear Test-Ban Treaty imposes on the United States continuing "obligations as a signatory under international law," irrespective of the October 13, 1999, vote by the Senate not to give its advice and consent to the ratification of the Treaty.

(E) If the President believes that the Comprehensive Nuclear Test-Ban Treaty does not impose on the United States continuing obligations as a signatory under international law—

(i) whether the President believes that the assertion in the assurances letter that such obligations existed was erroneous; and

(ii) if not, a description of the steps taken by the President to terminate the obligations that existed at the time of the assurances letter.

(F) If the President believes that the Comprehensive Nuclear Test-Ban Treaty does impose on the United States continuing obligations as a signatory under international law, a description of the nature and extent of such obligations.

(G) Whether, as a matter of international law, the United States is, as of the time of the report, a signatory to the Comprehensive Nuclear Test-Ban Treaty.

(H) Whether the official list of signatories to the Comprehensive Nuclear Test-Ban Treaty maintained by the depositary of the Treaty accurately reflects whether the United States is still a signatory to the Treaty.

(I) Whether the President has a constitutional duty to ensure that United States international legal obligations conform with domestic legislation subsequently enacted that is inconsistent with such obligations, and whether any such duty extends to reconciling or changing internationally-maintained records that purport to reflect the official status of the United States as a signatory to a treaty the ratification of which has been rejected by the Senate and is no longer supported by the President.

SA 4268. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROHIBITION OF FUNDING FOR THE UNITED NATIONS DISARMAMENT COMMISSION.

None of the funds authorized or otherwise made available by this Act or by any other Act may be obligated or expended in connection with United States participation in, or support for, the activities of the United Nations Disarmament Commission as long as Iran serves as a vice-chair of the Commission.

SA 4269. Mr. McCONNELL proposed an amendment to amendment SA 4265 proposed by Mr. NELSON of Florida (for himself, Mr. MENENDEZ, and Ms. MIKULSKI) to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of the amendment add the following:

SEC. ___. UNITED STATES POLICY ON IRAQ.

(a) WITHDRAWAL OF TROOPS FROM IRAQ.—

(1) SCHEDULE FOR WITHDRAWAL.—The President shall reach an agreement as soon as possible with the Government of Iraq on a schedule for the withdrawal of United States combat troops from Iraq by December 31, 2006, leaving only forces that are critical to completing the mission of standing up Iraqi security forces.

(2) CONSULTATION WITH CONGRESS REQUIRED.—The President shall consult with Congress regarding such schedule and shall present such withdrawal agreement to Congress immediately upon the completion of the agreement.

(3) MAINTENANCE OF OVER-THE-HORIZON TROOP PRESENCE.—The President should maintain an over-the-horizon troop presence to prosecute the war on terror and protect regional security interests.

(b) IRAQ SUMMIT.—The President should convene a summit as soon as possible that includes the leaders of the Government of Iraq, leaders of the governments of each country bordering Iraq, representatives of the Arab League, the Secretary General of the North Atlantic Treaty Organization, representatives of the European Union, and leaders of the governments of each permanent member of the United Nations Security Council, for the purpose of reaching a comprehensive political agreement for Iraq that addresses fundamental issues including federalism, oil revenues, the militias, security guarantees, reconstruction, economic assistance, and border security.

SA 4270. Mr. BURNS (for himself and Mrs. DOLE) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 187, between lines 20 and 21, insert the following:

(c) USE OF ELECTRONIC VOTING TECHNOLOGY.—

(1) CONTINUATION OF INTERIM VOTING ASSISTANCE SYSTEM.—The Secretary of Defense shall continue the Interim Voting Assistance System (IVAS) ballot request program with respect to all absent uniformed services voters (as defined under section 107(1) of the Uniformed Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-6(1))), overseas employees of the Department of Defense, and the dependents of such voters and employees, for elections on or after November 1, 2006.

(2) REPORTS.—

(A) IN GENERAL.—Not later than 30 days after the date of the regularly scheduled general election for Federal office for November 2006, the Secretary of Defense shall submit to the congressional defense committees a report setting forth—

(i) an assessment of the success of the implementation of the Interim Voting Assistance System ballot request program carried out under paragraph (1); and

(ii) recommendations for improvements to the program.

(B) FUTURE ELECTIONS.—Not later than January 15, 2007, the Secretary of Defense shall submit to the congressional defense committees a report detailing plans for expanding the use of electronic voting technology for individuals covered under the Uniformed Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.) for elections on or after for November 1, 2010.

SA 4271. Mr. BOND (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, add the following:

Subtitle D—National Guard Bureau Matters

SEC. 931. SHORT TITLE.

This title may be cited as the "National Defense Enhancement and National Guard Empowerment Act of 2006".

SEC. 9322. EXPANDED AUTHORITY OF CHIEF OF THE NATIONAL GUARD BUREAU AND EXPANDED FUNCTIONS OF THE NATIONAL GUARD BUREAU.

(a) EXPANDED AUTHORITY.—

(1) IN GENERAL.—Subsection (a) of section 10501 of title 10, United States Code, is amended by striking "joint bureau of the Department of the Army and the Department of the Air Force" and inserting "joint activity of the Department of Defense".

(2) PURPOSE.—Subsection (b) of such section is amended by striking "between" and all that follows and inserting "between—

"(1)(A) the Secretary of Defense, the Joint Chiefs of Staff, and the commanders of the combatant commands for the United States, and (B) the Department of the Army and the Department of the Air Force; and

"(2) the several States.".

(b) ENHANCEMENTS OF POSITION OF CHIEF OF THE NATIONAL GUARD BUREAU.—

(1) ADVISORY FUNCTION ON NATIONAL GUARD MATTERS.—Subsection (c) of section 10502 of title 10, United States Code, is amended by inserting "to the Secretary of Defense, to the Chairman of the Joint Chiefs of Staff," after "principal advisor".

(2) GRADE.—Subsection (e) of such section, as redesignated by paragraph (2)(A)(i) of this subsection, is further amended by striking "lieutenant general" and inserting "general".

(3) ANNUAL REPORT TO CONGRESS ON VALIDATED REQUIREMENTS.—Section 10504 of such title is amended by adding at the end the following new subsection:

"(c) ANNUAL REPORT ON VALIDATED REQUIREMENTS.—Not later than December 31 each year, the Chief of the National Guard Bureau shall submit to Congress a report on the requirements validated under section 10503a(b)(1) of this title during the preceding fiscal year.".

(c) ENHANCEMENT OF FUNCTIONS OF NATIONAL GUARD BUREAU.—

(1) DEVELOPMENT OF CHARTER.—Section 10503 of title 10, United States Code, is amended—

(A) in the matter preceding paragraph (1), by striking "The Secretary of the Army and the Secretary of the Air Force shall jointly develop" and inserting "The Secretary of Defense, in consultation with the Secretary of the Army and the Secretary of the Air Force, shall develop"; and

(B) in paragraph (12), by striking "the Secretaries" and inserting "the Secretary of Defense".

(2) ADDITIONAL GENERAL FUNCTIONS.—Such section is further amended—

(A) by redesignating paragraph (12), as amended by paragraph (1)(B) of this subsection, as paragraph (13); and

(B) by inserting after paragraph (11) the following new paragraph (12):

"(12) Facilitating and coordinating with other Federal agencies, and with the several States, the use of National Guard personnel and resources for and in contingency operations, military operations other than war, natural disasters, support of civil authorities, and other circumstances.".

(3) MILITARY ASSISTANCE FOR CIVIL AUTHORITIES.—Chapter 1011 of such title is further amended by inserting after section 10503 the following new section:

"§ 10503a. Functions of National Guard Bureau: military assistance to civil authorities

"(a) IDENTIFICATION OF ADDITIONAL NECESSARY ASSISTANCE.—The Chief of the National Guard Bureau shall—

"(1) identify gaps between Federal and State capabilities to prepare for and respond to emergencies; and

"(2) make recommendations to the Secretary of Defense on programs and activities of the National Guard for military assistance to civil authorities to address such gaps.

"(b) SCOPE OF RESPONSIBILITIES.—In meeting the requirements of subsection (a), the Chief of the National Guard Bureau shall, in coordination with the Adjutant Generals of the States, have responsibilities as follows:

"(1) To validate the requirements of the several States and Territories with respect to military assistance to civil authorities.

"(2) To develop doctrine and training requirements relating to the provision of military assistance to civil authorities.

"(3) To administer amounts provided the National Guard for the provision of military assistance to civil authorities.

"(4) To carry out any other responsibility relating to the provision of military assistance to civil authorities as the Secretary of Defense shall specify.

"(c) ASSISTANCE.—The Chairman of the Joint Chiefs of Staff shall assist the Chief of the National Guard Bureau in carrying out activities under this section.

"(d) CONSULTATION.—The Chief of the National Guard Bureau shall carry out activities under this section in consultation with the Secretary of the Army and the Secretary of the Air Force.".

(4) LIMITATION ON INCREASE IN PERSONNEL OF NATIONAL GUARD BUREAU.—The Secretary of Defense shall, to the extent practicable, ensure that no additional personnel are assigned to the National Guard Bureau in order to address administrative or other requirements arising out of the amendments made by this subsection.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENT.—The heading of section 10503 of such title is amended to read as follows:

"§ 10503. Functions of National Guard Bureau: charter".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1011 of such title is amended by striking the item relating to section 10503 and inserting the following new items:

"10503. Functions of National Guard Bureau: charter.
"10503a. Functions of National Guard Bureau: military assistance to civil authorities.".

SEC. 933. REQUIREMENT THAT POSITION OF DEPUTY COMMANDER OF THE UNITED STATES NORTHERN COMMAND BE FILLED BY A QUALIFIED NATIONAL GUARD OFFICER.

(a) IN GENERAL.—The position of Deputy Commander of the United States Northern Command shall be filled by a qualified officer of the National Guard who is eligible for promotion to the grade of lieutenant general.

(b) PURPOSE.—The purpose of the requirement in subsection (a) is to ensure that information received from the National Guard Bureau regarding the operation of the National Guard of the several States is integrated into the plans and operations of the United States Northern Command.

SA 4272. Mr. MCCONNELL proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

SEC. . SENSE OF THE CONGRESS COMMENDING THE GOVERNMENT OF IRAQ FOR AFFIRMING ITS POSITION OF NO AMNESTY FOR TERRORISTS WHO ATTACK U.S. ARMED FORCES.

(a) FINDINGS.—Congress makes the following findings:

(1) The Armed Forces of the United States and coalition military forces are serving heroically in Iraq to provide all the people of Iraq a better future.

(2) The Armed Forces of the United States and coalition military forces have served bravely in Iraq since the beginning of military operations in March 2003.

(3) More than 2,500 of the Armed Forces of the United States and members of coalition military forces have been killed and more than 18,000 injured in operations to bring peace and stability to all the people of Iraq.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the new Government of Iraq is commended for its statement by the National Security Adviser of Iraq on June 15, 2006 that—

(1) thanked "the American wives and American women and American mothers for the treasure and the blood they have invested in this country . . . of liberating 30 million people in this country. . . . And we are ever so grateful." and

(2) that affirmed their position that they "will never give amnesty to those who have killed American soldiers or killed Iraqi soldiers or civilians."

SA 4273. Mrs. CLINTON (for herself and Mr. BINGAMAN) submitted an amendment intended to be proposed by her to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title III, add the following:

SEC. 375. ENERGY EFFICIENCY IN WEAPONS PLATFORMS.

(a) POLICY.—It shall be the policy of the Department of Defense to improve the fuel efficiency of weapons platforms, consistent with mission requirements, in order to—

(1) enhance platform performance;

(2) reduce the size of the fuel logistics systems;

(3) reduce the burden high fuel consumption places on agility;

(4) reduce operating costs; and

(5) dampen the financial impact of volatile oil prices.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the Department of Defense in implementing the policy established by subsection (a).

(2) ELEMENTS.—The report shall include the following:

(A) An assessment of the feasibility of designating a senior Department of Defense official to be responsible for implementing the policy established by subsection (a).

(B) A summary of the recommendations made as of the time of the report by—

(i) the Energy Security Integrated Product Team established by the Secretary of Defense in April 2006;

(ii) the Defense Science Board Task Force on Department of Defense Energy Strategy established by the Under Secretary of Defense for Acquisition, Technology and Logistics on May 2, 2006; and

(iii) the January 2001 Defense Science Board Task Force report on Improving Fuel Efficiency of Weapons Platforms.

(C) For each recommendation summarized under subparagraph (B)—

(i) the steps that the Department has taken to implement such recommendation;

(ii) any additional steps the Department plans to take to implement such recommendation; and

(iii) for any recommendation that the Department does not plan to implement, the reasons for the decision not to implement such recommendation.

(D) An assessment of the extent to which the research, development, acquisition, and logistics guidance and directives of the Department for weapons platforms are appropriately designed to address the policy established by subsection (a).

(E) An assessment of the extent to which such guidance and directives are being carried out in the research, development, acquisition, and logistics programs of the Department.

(F) A description of any additional actions that, in the view of the Secretary, may be needed to implement the policy established by subsection (a).

SA 4274. Mr. CONRAD (for himself, Mr. BAUCUS, Mr. BENNETT, Mr. DORGAN, Mr. ENZI, Mr. HATCH, Mr. SALAZAR, and Mr. THOMAS) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title I, add the following:

SEC. 147. MINUTEMAN III INTERCONTINENTAL BALLISTIC MISSILES.

(a) FINDINGS.—Congress makes the following findings:

(1) In the Joint Explanatory Statement of the Committee of Conference on H.R. 1815, the National Defense Authorization Act for Fiscal Year 2006, the conferees state that the policy of the United States "is to deploy a force of 500 ICBMs". The conferees further note "that unanticipated strategic developments may compel the United States to make changes to this force structure in the future.".

(2) The Quadrennial Defense Review (QDR) conducted under section 118 of title 10, United States Code, in 2005 finds that maintaining a robust nuclear deterrent "remains a keystone of United States national power". However, notwithstanding that finding and without providing any specific justification for the recommendation, the Quadrennial Defense Review recommends reducing the number of deployed Minuteman III Intercontinental Ballistic Missiles (ICBMs) from 500 to 450 beginning in fiscal year 2007. The Quadrennial Defense Review also fails to identify what unanticipated strategic developments compelled the United States to reduce the Intercontinental Ballistic Missile force structure.

(3) The commander of the Strategic Command, General James Cartwright, testified before the Committee on Armed Services of the Senate that the reduction in deployment of Minuteman III Intercontinental Ballistic Missiles is required so that the 50 missiles withdrawn from the deployed force could be used for test assets and spares to extend the life of the Minuteman III Intercontinental Ballistic Missile well into the future. If spares are not modernized, the Air Force may not have sufficient replacement missiles to sustain the force size.

(b) MODERNIZATION OF INTERCONTINENTAL BALLISTIC MISSILES REQUIRED.—The Air Force shall modernize Minuteman III Intercontinental Ballistic Missiles in the United States inventory such that a sufficient supply of launch test assets and spares is retained to sustain the deployed force of such missiles through 2030.

(c) LIMITATION ON TERMINATION OF MODERNIZATION PROGRAM PENDING REPORT.—No funds authorized to be appropriated for the Department of Defense may be obligated or expended for the termination of any Minuteman III ICBM modernization program, or for the withdrawal of any Minuteman III Intercontinental Ballistic Missile from the active force, until 30 days after the Secretary of Defense submits to the congressional defense committees a report setting forth the following:

(1) A detailed strategic justification for the proposal to reduce the Minuteman III Intercontinental Ballistic Missile force from 500 to 450 missiles, including an analysis of the effects of the reduction on the ability of the United States to assure allies and dissuade potential competitors.

(2) A detailed analysis of the strategic ramifications of continuing to equip a portion of the Minuteman III Intercontinental Ballistic Missile force with multiple independent warheads rather than single warheads as recommended by past reviews of the United States nuclear posture.

(3) An assessment of the test assets and spares required to maintain a force of 500 deployed Minuteman III Intercontinental Ballistic Missiles through 2030.

(4) An assessment of the test assets and spares required to maintain a force of 450 deployed Minuteman III Intercontinental Ballistic Missiles through 2030.

(5) An inventory of currently available Minuteman III Intercontinental Ballistic Missile test assets and spares.

(6) .A plan to sustain and complete the modernization of all deployed and spare Minuteman III Intercontinental Ballistic Missiles, a test plan, and an analysis of the funding required to carry out modernization of all deployed and spare Minuteman III Intercontinental Ballistic Missiles.

(7) An assessment of whether halting upgrades to the Minuteman III Intercontinental Ballistic Missiles withdrawn from the deployed force would compromise the ability of those missiles to serve as test assets.

(8) A description of the plan of the Department of Defense for extending the life of the

Minuteman III Intercontinental Ballistic Missile force beyond fiscal year 2030.

(d) ICBM Modernization Program Defined.—In this section, the term "ICBM Modernization program" means each of the following for the Minuteman III Intercontinental Ballistic Missile:

(1) The Guidance Replacement Program (GRP).

(2) The Propulsion Replacement Program (PRP).

(3) The Propulsion System Rocket Engine (PSRE) program.

(4) The Safety Enhanced Reentry Vehicle (SERV) program.

SA 4275. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 215. ADVANCED ALUMINUM AEROSTRUCTURES INITIATIVE.

(a) Additional Amount for Research, Development, Test, and Evaluation, Air Force.—The amount authorized to be appropriated by section 201(3) for research, development, test, and evaluation for the Air Force is hereby increased by $2,000,000.

(b) Availability of Amount.—Of the amount authorized to be appropriated by section 201(3) for research, development, test, and evaluation for the Air Force, as increased by subsection (a), $2,000,000 may be available for Aerospace Technology Development and Demonstration (PE #603211F) for the Advanced Aluminum Aerostructures Initiative (A3I).

(c) Offset.—The amount authorized to be appropriated by section 301(4) for operation and maintenance for the Air Force is hereby decreased by $2,000,000.

SA 4276. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 215. LEGGED MOBILITY ROBOTIC RESEARCH.

(a) Additional Amount for Research, Development, Test, and Evaluation, Army.—The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby increased by $1,000,000.

(b) Availability of Amount.—Of the amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army, as increased by subsection (a), $1,000,000 may be available for Combat Vehicle and Automotive Technology (PE #602601A) for legged mobility robotic research for military applications.

(c) Offset.—The amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army is hereby decreased by $1,000,000.

SA 4277. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

SEC. 215. ARDEC COMMERCIAL PARTNERSHIP, PROJECT NUMBER 859.

(a) Additional Amount for Research, Development, Test, and Evaluation, Army.—The amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army is hereby increased by $1,000,000.

(b) Availability of Amount.—Of the amount authorized to be appropriated by section 201(1) for research, development, test, and evaluation for the Army, as increased by subsection (a), $1,000,000 may be available for Munitions Standardization, Effectiveness, and Safety (PE #605805A) for ARDEC Commercial Partnership, Project No. 859.

(c) Offset.—The amount authorized to be appropriated by section 301(1) for operation and maintenance for the Army is hereby decreased by $1,000,000.

SA 4278. Mr. WARNER proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle A of title X, add the following:

SEC. 1008. INCORPORATION OF CLASSIFIED ANNEX.

(a) Status of Classified Annex.—The Classified Annex prepared by the Committee on Armed Services of the Senate to accompany S. 2766 of the 109th Congress and transmitted to the President is hereby incorporated into this Act.

(b) Construction With Other Provisions of Act.—The amounts specified in the Classified Annex are not in addition to amounts authorized to be appropriated by other provisions of this Act.

(c) Limitation on Use of Funds.—Funds appropriated pursuant to an authorization contained in this Act that are made available for a program, project, or activity referred to in the Classified Annex may only be expended for such program, project, or activity in accordance with such terms, conditions, limitations, restrictions, and requirements as are set out for such program, project, or activity in the Classified Annex.

(d) Distribution of Classified Annex.—The President shall provide for appropriate distribution of the Classified Annex, or of appropriate portions of the annex, within the executive branch of the Government.

SA 4279. Mr. WARNER (for himself, Mr. LEVIN, Mr. ALLARD, and Mr. SALAZAR) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 93, strike lines 23 through 25 and insert the following:

(c) Additional Limitation on Payments.—

(1) Payment conditional on performance.—No payment may be made under an incentives clause under this section unless the Secretary determines that the contractor concerned has satisfactorily performed its duties under such incentives clause.

(2) Payment contingent on appropriations.—An incentives clause under this section shall specify that the obligation of the Government to make payment under such incentives clause is subject to the availability of appropriations for that purpose. Amounts appropriated for Chemical Agents and Munitions Destruction, Defense, shall be available for payments under incentives clauses under this section.

SA 4280. Mr. WARNER (for himself and Mr. LEVIN) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1223. REPEAL OF CERTAIN REPORT REQUIREMENTS.

(a) Reports on Allied Contributions to the Common Defense.—Section 1003 of the Department of Defense Authorization Act, 1985 (22 U.S.C. 1928 note) is amended by striking subsections (c) and (d).

(b) Cost-Sharing Report.—Section 1313 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2894; 22 U.S.C. 1928 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

SA 4281. Mr. WARNER (for himself and Mr. LEVIN) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 296, between lines 9 and 10, insert the following:

"(c) Increments.—In the event any increment of a major automated information system program separately meets the requirements for treatment as a major automated information system program, the provisions of this chapter shall apply to such increment as well as to the overall major automated information system program of which such increment is a part.

On page 297, between lines 11 and 12, insert the following:

"(c) BASELINE.—(1) For purposes of this chapter, the initial submittal to Congress of the documents required by subsection (a) with respect to a major automated information system program shall constitute the original estimate or information originally submitted on such program for purposes of the reports and determinations on program changes in section 2445c of this title.

"(2) An adjustment or revision of the original estimate or information originally submitted on a program may be treated as the original estimate or information originally submitted on the program if the adjustment or revision is the result of a critical change in the program covered by section 2445c(d) of this title.

"(3) In the event of an adjustment or revision to the original estimate or information originally submitted on a program under paragraph (2), the Secretary of Defense shall include in the next budget justification documents submitted under subsection (a) after such adjustment or revision a notification to the congressional defense committees of such adjustment or revision, together with the reasons for such adjustment or revision.

On page 302, between lines 19 and 20, insert the following:

"(g) PROHIBITION ON OBLIGATION OF FUNDS.—(1) If the determination of a critical change to a program is made by the senior Department official responsible for the program under subsection (d)(2) and a report is not submitted to Congress within the 60-day period provided by subsection (d)(1), appropriated funds may not be obligated for any major contract under the program.

"(2) The prohibition on the obligation of funds for a program under paragraph (1) shall cease to apply on the date on which Congress has received a report in compliance with the requirements of subsection (d)(2).

SA 4282. Mr. WARNER (for himself, Mr. CRAIG and Mr. GRAHAM) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1066. REPORT ON INCENTIVES TO ENCOURAGE CERTAIN MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES TO SERVE IN THE BUREAU OF CUSTOMS AND BORDER PROTECTION.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit to the appropriate committees of Congress a report assessing the desirability and feasibility of offering incentives to covered members and former members of the Armed Forces for the purpose of encouraging such members to serve in the Bureau of Customs and Border Protection.

(b) COVERED MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES.—For purposes of this section, covered members and former members of the Armed Forces are the following:

(1) Members of the reserve components of the Armed Forces.

(2) Former members of the Armed Forces within two years of separation from service in the Armed Forces.

(c) REQUIREMENTS AND LIMITATIONS.—

(1) NATURE OF INCENTIVES.—In considering incentives for purposes of the report required by subsection (a), the Secretaries shall consider such incentives, whether monetary or otherwise and whether or not authorized by current law or regulations, as the Secretaries jointly consider appropriate.

(2) TARGETING OF INCENTIVES.—In assessing any incentive for purposes of the report, the Secretaries shall give particular attention to the utility of such incentive in—

(A) encouraging service in the Bureau of Customs and Border Protection after service in the Armed Forces by covered members and former of the Armed Forces who have provided border patrol or border security assistance to the Bureau as part of their duties as members of the Armed Forces; and

(B) leveraging military training and experience by accelerating training, or allowing credit to be applied to related areas of training, required for service with the Bureau of Customs and Border Protection.

(3) PAYMENT.—In assessing incentives for purposes of the report, the Secretaries shall assume that any costs of such incentives shall be borne by the Department of Homeland Security.

(d) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of various monetary and non-monetary incentives considered for purposes of the report.

(2) An assessment of the desirability and feasibility of utilizing any such incentive for the purpose specified in subsection (a), including an assessment of the particular utility of such incentive in encouraging service in the Bureau of Customs and Border Protection after service in the Armed Forces by covered members and former members of the Armed Forces described in subsection (c)(2).

(3) Any other matters that the Secretaries jointly consider appropriate.

(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term "appropriate committees of Congress" means—

(1) the Committees on Armed Services, Homeland Security and Governmental Affairs, and Appropriations of the Senate; and

(2) the Committees on Armed Services, Homeland Security, and Appropriations of the House of Representatives.

SA 4283. Mr. LEVIN (for Mrs. CLINTON (for herself and Mr. BINGAMAN)) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle F of title III, add the following:

SEC. 375. ENERGY EFFICIENCY IN WEAPONS PLATFORMS.

(a) POLICY.—It shall be the policy of the Department of Defense to improve the fuel efficiency of weapons platforms, consistent with mission requirements, in order to—

(1) enhance platform performance;

(2) reduce the size of the fuel logistics systems;

(3) reduce the burden high fuel consumption places on agility;

(4) reduce operating costs; and

(5) dampen the financial impact of volatile oil prices.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the Department of Defense in implementing the policy established by subsection (a).

(2) ELEMENTS.—The report shall include the following:

(A) An assessment of the feasibility of designating a senior Department of Defense official to be responsible for implementing the policy established by subsection (a).

(B) A summary of the recommendations made as of the time of the report by—

(i) the Energy Security Integrated Product Team established by the Secretary of Defense in April 2006;

(ii) the Defense Science Board Task Force on Department of Defense Energy Strategy established by the Under Secretary of Defense for Acquisition, Technology and Logistics on May 2, 2006; and

(iii) the January 2001 Defense Science Board Task Force report on Improving Fuel Efficiency of Weapons Platforms.

(C) For each recommendation summarized under subparagraph (B)—

(i) the steps that the Department has taken to implement such recommendation;

(ii) any additional steps the Department plans to take to implement such recommendation; and

(iii) for any recommendation that the Department does not plan to implement, the reasons for the decision not to implement such recommendation.

(D) An assessment of the extent to which the research, development, acquisition, and logistics guidance and directives of the Department for weapons platforms are appropriately designed to address the policy established by subsection (a).

(E) An assessment of the extent to which such guidance and directives are being carried out in the research, development, acquisition, and logistics programs of the Department.

(F) A description of any additional actions that, in the view of the Secretary, may be needed to implement the policy established by subsection (a).

SA 4284. Mr. WARNER (for Mr. INHOFE (for himself, Mr. WARNER, and Mr. CORNYN)) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes: as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1209. MODIFICATION OF LIMITATIONS ON ASSISTANCE UNDER THE AMERICAN SERVICEMEMBERS' PROTECTION ACT OF 2002.

Section 2013(13)(A) of the American Servicemembers' Protection Act of 2002 (title II of Public Law 107-206; 116 Stat. 909; 22 U.S.C. 7432(13)(A)) is amended by striking "or 5".

SA 4285. Mr. WARNER (for Mr. LUGAR) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

On page 480, between lines 4 and 5, insert the following:

SEC. 1304. REMOVAL OF CERTAIN RESTRICTIONS ON PROVISION OF COOPERATIVE THREAT REDUCTION ASSISTANCE.

(a) Repeal of Restrictions.—

(1) Soviet nuclear threat reduction act of 1991.—Section 211(b) of the Soviet Nuclear Threat Reduction Act of 1991 (title II of Public Law 102-228; 22 U.S.C. 2551 note) is repealed.

(2) Cooperative threat reduction act of 1993.—Section 1203(d) of the Cooperative Threat Reduction Act of 1993 (title XII of Public Law 103–160; 22 U.S.C. 5952(d)) is repealed.

(3) Russian chemical weapons destruction facilities.—Section 1305 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65; 22 U.S.C. 5952 note) is repealed.

(b) Inapplicability of other restrictions.—

Section 502 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (Public Law 102–511; 106 Stat. 3338; 22 U.S.C. 5852) shall not apply to any Cooperative Threat Reduction program.

SA 4286. Mr. WARNER proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

Strike section 822 and insert the following:

SEC. 822. APPLICABILITY OF CERTAIN REQUIREMENTS REGARDING SPECIALTY METALS.

(a) Exemption for Certain Commercial Items.—Subsection (i) of section 2533a of title 10, United States Code, is amended—

(1) by inserting ", Dual-Use Items, and Electronic Components" after "Commercial Items";

(2) by inserting "(1)" before "this section";

(3) in paragraph (1), as so designated, by inserting "described in subsection (b)(1)" after "commercial items"; and

(4) by adding at the end the following new paragraphs:

"(2) This section is not applicable to—

"(A) a contract or subcontract for the procurement of a commercial item containing specialty metals described in subsections (b)(2) and (b)(3); or

"(B) specialty metals that are incorporated into an electronic component, where the value of the specialty metal used in the component is de minimis in relation to the value of the electronic component.

"(3) For purposes of paragraph (2)(A), a commercial item does not include—

"(A) any item that contains noncommercial modifications that cost or are expected to cost, in the aggregate, more than 5 percent of the total price of such item;

"(B) any item that would not be considered to be a commercial item, but for sales to government entities or inclusion in items that are sold to government entities;

"(C) forgings or castings for military unique end items;

"(D) fasteners other than commercial off-the-shelf items (as defined in section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c)); or

"(E) specialty metals.".

(b) Exception for Certain Dual-Use Items To Facilitate Civil-Military Integration.—Such section is further amended by adding at the end the following new subsection:

"(k) Exception for Certain Dual-Use Items To Facilitate Civil-Military Integration.—Subsection (a) does not apply to the procurement of an item from a contractor or a first-tier subcontractor if the Secretary of Defense or the Secretary of a military department determines that—

"(1) the item is or will be produced using the same production facilities, a common supply chain, and the same or similar production processes that are used for the production of similar items delivered to non-defense customers; and

"(2) the contractor or subcontractor has made a contractual commitment to purchase a quality, grade, and amount of domestically-melted specialty metals for use by the purchaser during the period of contract performance in the production of the item and other similar items delivered to non-defense customers that is not less that the greater of—

"(A) the amount of specialty metals that is purchased by the contractor for use in the item delivered to the Department of Defense; or

"(B) 40 percent of the amount of specialty metals purchased by the contractor or subcontractor for use during such period in the production of the item and similar items delivered to non-defense contractors.".

(c) De Minimis Standard for Specialty Metals.—Such section is further amended by adding at the end the following new subsection:

"(l) Minimum Threshold for Specialty Metals.—Notwithstanding the requirements of subsection (a), the Secretary of Defense or the Secretary of a military department may accept delivery of an item containing specialty metals that were not grown, reprocessed, reused, or produced in the United States if the total amount of noncompliant specialty metals in the item does not exceed 2 percent of the total amount of specialty metals in the item.".

(d) Effective Date.—

(1) In general.—The amendments made by subsections (a) and (c) shall take effect on the date of the enactment of this Act, and shall apply with respect to items accepted for delivery on or after that date.

(2) Civil-military integration.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act, and shall apply to contracts entered into on or after that date.

SA 4287. Mr. LEVIN (for Mr. Bingaman) proposed an amendment to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

At the end of subtitle C of title IX, add the following:

SEC. 924. SENSE OF SENATE ON NOMINATION OF INDIVIDUAL TO SERVE AS DIRECTOR OF OPERATIONAL TEST AND EVALUATION ON A PERMANENT BASIS.

(a) Findings.—The Senate makes the following findings:

(1) Congress established the position of Director of Operational Test and Evaluation of the Department of Defense in 1983 to ensure the operational effectiveness and suitability of weapon systems in combat.

(2) The Director of Operational Test and Evaluation serves as the principal adviser to the Secretary of Defense on operational test and evaluation and is vital to ensuring the operational effectiveness of weapon systems in combat.

(3) The position of Director of Operational Test and Evaluation has been held on an acting basis since February 15, 2005.

(b) Sense of Senate.—It is the sense of the Senate that the President should submit to the Senate the nomination of an individual for the position of Director of Operational Test and Evaluation as soon as practicable.

SA 4288. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 746. STUDY OF HEALTH EFFECTS OF EXPOSURE TO DEPLETED URANIUM.

(a) Study.—The Secretary of Defense, in consultation with the Secretary for Veterans Affairs and the Secretary of Health and Human Services, shall conduct a comprehensive study of the health effects of exposure to depleted uranium munitions on uranium-exposed soldiers and on children of uranium-exposed soldiers who were born after the exposure of the uranium-exposed soldiers to depleted uranium.

(b) Uranium-Exposed Soldiers.—In this section, the term "uranium-exposed soldiers" means a member or former member of the Armed Forces who handled, came in contact with, or had the likelihood of contact with depleted uranium munitions while on active duty, including members and former members who—

(1) were exposed to smoke from fires resulting from the burning of vehicles containing depleted uranium munitions or fires at depots at which depleted uranium munitions were stored;

(2) worked within environments containing depleted uranium dust or residues from depleted uranium munitions;

(3) were within a structure or vehicle while it was struck by a depleted uranium munition;

(4) climbed on or entered equipment or structures struck by a depleted uranium munition; or

(5) were medical personnel who provided initial treatment to members of the Armed Forces described in paragraph (1), (2), (3), or (4).

SA 4289. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

Strike subsection (k).

SA 4290. Mr. GRAHAM (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the bill S. 2766, to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 707. EXPANDED ELIGIBILITY OF SELECTED RESERVE MEMBERS UNDER TRICARE PROGRAM.

(a) GENERAL ELIGIBILITY.—Subsection (a) of section 1076d of title 10, United States Code, is amended—

(1) by striking "(a) ELIGIBILITY.—A member" and inserting "(a) ELIGIBILITY.—(1) Except as provided in paragraph (2), a member";

(2) by striking "after the member completes" and all that follows through "one or more whole years following such date"; and

(3) by adding at the end the following new paragraph:

"(2) Paragraph (1) does not apply to a member who is enrolled, or is eligible to enroll, in a health benefits plan under chapter 89 of title 5.".

(b) CONDITION FOR TERMINATION OF ELIGIBILITY.—Subsection (b) of such section is amended—

(1) by striking "(b) PERIOD OF COVERAGE.—(1) TRICARE Standard" and all that follows through "(4) Eligibility" and inserting "(b) TERMINATION OF ELIGIBILITY UPON TERMINATION OF SERVICE.—Eligibility"; and

(2) by striking paragraph (5).

(c) CONFORMING AMENDMENTS.—

(1) Such section is further amended—

(A) by striking subsection (e);

(B) by redesignating subsection (g) as subsection (e) and transferring such subsection within such section so as to appear following subsection (d); and

(C) by striking paragraph (3) of subsection (f).

(2) The heading for such section is amended to read as follows:

"§ 1076d. TRICARE program: TRICARE standard coverage for members of the Selected Reserve".

(d) REPEAL OF OBSOLETE PROVISION.—Effective October 1, 2007, section 1076b of title 10, United States Code, is repealed.

(e) CLERICAL AMENDMENTS.—Effective October 1, 2007, the table of sections at the beginning of chapter 55 of title 10, United States Code, is amended—

(1) by striking the item relating to section 1076b; and

(2) by striking the item relating to section 1076d and inserting the following:

"1076d. TRICARE program: TRICARE Standard coverage for members of the Selected Reserve.".

(f) SAVINGS PROVISION.—Enrollments in TRICARE Standard that are in effect on the day before the date of the enactment of this Act under section 1076d of title 10, United States Code, as in effect on such day, shall be continued until terminated after such day under such section 1076d as amended by this section.

(g) EFFECTIVE DATE.—The Secretary of Defense shall ensure that health care under TRICARE Standard is provided under section 1076d of title 10, United States Code, as amended by this section, beginning not later than October 1, 2007.

SA 4291. Mr. FRIST (for Mr. BIDEN) proposed an amendment to the concurrent resolution H. Con. Res. 409, commemorating the 60th anniversary of the ascension to the throne of His Majesty King Bhumibol Adulyadej of Thailand; as follows:

On page 2, in the third Whereas clause of the resolution, strike "Agency" and insert "Program".

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, June 22, 2006, at 10 a.m., in room SD–366 of the Dirksen Building.

The purpose of the hearing is to receive testimony on S. 2747, to enhance energy efficiency and conserve oil and natural gas, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact John Peschke at (202) 224–4797 or Shannon Ewan at (202) 224–7555.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 15, 2006, at 10 a.m., to conduct a hearing on "The OFHEO Report of the Special Examination of Fannie Mae."

COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, June 15, 2006, at 10 a.m. to hold a hearing on a nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, June 15, 2006, at 10 a.m. for a business meeting to consider pending committee business.

Agenda

Legislation

1. S. 2145, Chemical Facility Anti-Terrorism Act of 2005;
2. S. 1554, a bill to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security of the United States and to address the homeland security needs of Federal, State, and local governments;
3. S. 1741, Disaster Area Health and Environmental Monitoring Act;
4. S. 1838, Federal and District of Columbia Real Property Act of 2005;
5. S. 2068, a bill to preserve existing judgeships on the Superior Court of the District of Columbia;
6. S. 2146, a bill to extend relocation expenses test programs for Federal employees;
7. S. 2296, Commission on Wartime Relocation and Internment of Latin Americans of Japanese Descent Act;
8. H.R. 3508, 2005 District of Columbia Omnibus Authorization Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, June 15, 2006, at 9:30 a.m., in the Senate Dirksen Office Building, Room 226. The agenda will be provided when it becomes available.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on "Judicial Nominations" on Thursday, June 15, 2006, at 2 p.m., in the Senate Dirksen Office Building Room 226.

Witness list

Panel I: The Honorable Thad Cochran; the Honorable Trent Lott; the Honorable James Inhofe; and the Honorable Luis Fortuño.

Panel II: Jerome A. Holmes to be U.S. Circuit Judge for the Tenth Circuit.

Panel III: Daniel P. Jordan III to be U.S. District Judge for the Southern

District of Mississippi; Gustavo A. Gelpe to be U.S. District Judge for the District of Puerto Rico.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. WARNER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 15, 2006, at 2:30 p.m. to hold a closed briefing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FISHERIES AND THE COAST GUARD

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation Subcommittee on Fisheries and the Coast Guard be authorized to meet on Thursday, June 15, 2006, at 10:30 a.m. on the Coast Guard's Fiscal Year 2007 Budget Request.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SUPERFUND AND WASTE MANAGEMENT

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Superfund and Waste Management be authorized to hold a hearing on Thursday, June 15, 2006, at 9:30 a.m. to conduct oversight of the Superfund Program.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that Michael Pollock and Alison Garfield, detailees with the Defense Appropriations Subcommittee, be granted floor privileges during the consideration of the fiscal year 2007 Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMEMORATING THE 60TH ANNIVERSARY OF THE KING OF THAILAND TO THE THRONE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 409, which was received from the House.

The PRESIDING OFFICER. The clerk will state the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 409) commemorating the 60th anniversary of the ascension to the throne of His Majesty King Bhumibol Adulyadej of Thailand.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the amendment to the preamble be agreed to, the preamble as amended be agreed to, the motion to reconsider be laid upon the table, and that statements relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 409) was agreed to.

The amendment to the preamble was agreed to, as follows:

On page 2, in the third Whereas clause of the resolution strike "Agency" and insert "Program".

The preamble, as amended, was agreed to.

SUPPORTING THE GOALS OF AN ANNUAL NATIONAL TIME-OUT DAY

Mr. FRIST. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 482, and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the concurrent resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 482) supporting the goals of an annual National Time-Out Day to promote patient safety and optimal outcomes in the operating room.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD as if read, without further intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 482) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

(S. RES. 482)

Whereas according to an Institute of Medicine (referred to in this resolution as the "IOM") report entitled "To Err is Human: Building a Safer Health System", published in 2000, between 44,000 and 98,000 hospitalized people in the United States die each year due to medical errors, and untold thousands more suffer injury or illness as a result of preventable errors;

Whereas the IOM report recommends the establishment of a national goal of reducing the number of medical errors by 50 percent over 5 years;

Whereas there are more than 40,000,000 inpatient surgery procedures and 31,000,000 outpatient surgery procedures performed annually in the United States;

Whereas it is the right of every patient to receive the highest quality of care in all surgical settings;

Whereas a patient is the most vulnerable and unable to make decisions on their own behalf during a surgical or invasive procedure due to anesthesia or other sedation;

Whereas improved communication among the surgical team and a reduction in medical errors in the operating room are essential for optimal outcomes during operative or other invasive procedures;

Whereas the Association of periOperative Registered Nurses, the Joint Commission on Accreditation of Healthcare Organizations, the American College of Surgeons, and the American Society for Healthcare Risk Management celebrated a National Time-Out Day on June 23, 2004, to promote the adoption of the Joint Commission on Accreditation of Healthcare Organizations' universal protocol for preventing wrong site surgery errors in operating rooms in the United States;

Whereas the Senate during the 109th Congress supported a National Time-Out Day in 2005 on behalf of the Association of periOperative Registered Nurses, the Joint Commission on Accreditation of Healthcare Organizations, the American College of Surgeons, and the American Society for Healthcare Risk Management to promote the adoption of the Joint Commission on Accreditation of Healthcare Organizations' universal protocol for preventing errors in the operating room;

Whereas the Association of periOperative Registered Nurses, joined by coalition partners, celebrated a National Time-Out Day on June 22, 2005, for the purpose of promoting safe medication administration practices and the Association of periOperative Registered Nurses distributed "Safe Medication Administration Tool Kits" to more than 5,000 hospitals and 13,000 nurse managers or educators;

Whereas the 109th Congress passed the Patient Safety and Quality Improvement Act of 2005 to provide for the improvement of patient safety and to reduce the incidence of events that adversely affect patient safety;

Whereas the Association of periOperative Registered Nurses develops and issues, with coalition partners, universally-accepted authoritative statements, recommended guidelines, best practice guidelines, and competency statements for how to provide optimal care for patients in the operating room:

Whereas there is nationally-focused attention on improving patient safety in all healthcare facilities through the reduction of medical errors:

Whereas the Association of periOperative Registered Nurses, the recognized leader in patient safety in the operating room, promotes the highest quality of patient care during all operative or invasive procedures; and

Whereas the Association of periOperative Registered Nurses designates and celebrates National Time-Out Day on June 21, 2006, and each third Wednesday of June thereafter to promote patient safety and optimal outcomes in the operating room by focusing on the reduction of medical errors, fostering better communication among the members of the surgical team, and collaborating with coalition partners to establish universal protocols to increase quality and safety for surgical patients: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideal of an annual National Time-Out Day as designated by the Association of periOperative Registered Nurses for ensuring patient safety and optimal outcomes in the operating room; and

(2) congratulates perioperative nurses and representatives of surgical teams for working together to protect patient safety during all operative and other invasive procedures.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 706, 707, 708, 709, 710, and 712. I further ask unanimous consent that the nominations be confirmed, en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Robert M. Couch, of Alabama, to be President, Government National Mortgage Association.

James B. Lockhart III, of Connecticut, to be Director of the Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development for a term of five years.

FEDERAL DEPOSITE INSURANCE CORPORATION

Sheila C. Bair, of Kansas, to be Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation for a term of five years.

Sheila C. Bair, of Kansas, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term expiring July 15, 2013. (Reappointment)

Sheila C. Bair, of Kansas, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for the remainder of the term expiring July 15, 2007.

SECURITIES AND EXCHANGE COMMISSION

Kathleen L. Casey, of Virginia, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2011.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

ORDERS FOR FRIDAY, JUNE 16, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Friday, June 16. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period for the transaction of morning business until 10:45 a.m., with Senators permitted to speak for up to 10 minutes each; further, that following morning business, the Senate resume consideration of S. 2766, the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, today we sent the emergency supplemental appropriations conference report to the President with a 98-to-1 vote. We also made some progress on the Defense authorization bill, and we will continue on that bill tomorrow. Chairman WARNER and Senator LEVIN will be here tomorrow. However, we will not have any rollcall votes during Friday's session. Senators should be reminded that there is a rollcall vote scheduled for Monday's session at 5:30 p.m. on a U.S. circuit judge, and there may be additional votes Monday evening on amendments to the Defense bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:07 p.m., adjourned until Friday, June 16, 2006, at 9:30 a.m.

DISCHARGED NOMINATION

The Senate Committee on Homeland Security and Governmental Affairs was discharged, pursuant to an order of the Senate of January 20, 2005, from further consideration of the following nomination and the nomination was placed on the Executive Calendar:

*JON T. RYMER, OF TENNESSEE, TO BE INSPECTOR GENERAL, FEDERAL DEPOSIT INSURANCE CORPORATION.

*NOMINEE HAS COMMITTED TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, June 15, 2006:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ROBERT M. COUCH, OF ALABAMA, TO BE PRESIDENT, GOVERNMENT NATIONAL MORTGAGE ASSOCIATION.

JAMES B. LOCKHART III, OF CONNECTICUT, TO BE DIRECTOR OF THE OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A TERM OF FIVE YEARS.

FEDERAL DEPOSIT INSURANCE CORPORATION

SHEILA C. BAIR, OF KANSAS, TO BE CHAIRPERSON OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM OF FIVE YEARS.

SHEILA C. BAIR, OF KANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM EXPIRING JULY 15, 2013.

SHEILA C. BAIR, OF KANSAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR THE REMAINDER OF THE TERM EXPIRING JULY 15, 2007.

SECURITIES AND EXCHANGE COMMISSION

KATHLEEN L. CASEY, OF VIRGINIA, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2011.

The above nominations were approved subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

HOUSE OF REPRESENTATIVES—*Thursday, June 15, 2006*

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

God of wisdom and love, with the many issues facing the Nation regarding foreign policy, as well as national security and prosperity, Congress, this governing body of the people, by the people, and for the people, is ready to serve.

Send Your light and spirit, Lord, to teach Members the depths of truth in the pursuit of justice. Guide all their actions that the bonds of unity and civility between civilian leadership, military forces and the populace may be strengthened, and in the end, all glory, power and honor be given to Your Holy Name, both now and forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. KIRK) come forward and lead the House in the Pledge of Allegiance.

Mr. KIRK led the Pledge of Allegiance as follows:

> I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The Chair will entertain up to 10 one-minutes on each side.

ZARQAWI AND THE WAR ON TERRORISM

(Mr. KELLER asked and was given permission to address the House for 1 minute.)

Mr. KELLER. Mr. Speaker, I have just returned from visiting our troops in Iraq. I have seen the damage Zarqawi inflicted. I visited the areas where Zarqawi lived and terrorized people. And I have met the brave soldiers who ultimately tracked him down and killed him.

I visited Amman, Jordan, where Zarqawi killed 60 people by bombing three hotels. I toured the special operations command center in Iraq with General Stan McCrystal a three-star general in charge of tracking down Zarqawi. All over the walls of the command center were posters of Zarqawi.

I flew in a Black Hawk helicopter around the area of Ba'Qubah where Zarqawi was ultimately located. I also toured Baghdad where Zarqawi intimidated the U.N. by bombing their headquarters and where al-Jazeera TV once broadcast a videotape showing Zarqawi personally beheading an American citizen.

I was with President Bush at the White House on June 7 when he got the message that al Zarqawi had been killed. However one feels about the war in Iraq, realize that our troops deserve our support 100 percent. God knows they have earned it.

AMERICA NEEDS TO LEAVE IRAQ

(Mr. KUCINICH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUCINICH. Mr. Speaker, we must get out of Iraq. But getting out of Iraq is not enough, because the same thinking that led us to Iraq, the addiction to war and fear, the misunderstanding of the nature of power, the belief that might makes right can lead us into Iran, into Syria, and put us at odds with Russia and China.

The war on terror has become a war of error. We attacked a nation that did not attack us. By pursuing policies based on lies, we have separated ourselves from the world. We must reconnect with the world with our hearts as well as our heads, with the intention of preserving not only our security, but future of all humanity.

Getting out of Iraq is not enough. This is a call for a new role for America in the world, a call for America to put aside unilateralism and interventionism, a call for an America which practices cooperation instead of confrontation.

There is a place for American leadership. Leading the way in diplomacy instead of armaments, leading the way in nuclear abolition and climate protection. The world is waiting for an America which leads by example instead of reaction. The world is waiting for an America to rise up with a new commitment to truth and justice, to truth and reconciliation, to truth and compassion.

OUR TROOPS DESERVE OUR THANKS

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, on Monday this week I had a chance to go to Walter Reed to see one of my constituents who lost a limb in the fight in Iraq. I saw many of his comrades who were similarly situated, who had lost one, two or three limbs.

What I sensed from them was not only a sense of patriotism, but a love of this country. As we begin the debate today, and I know politics seems to permeate everything, I ask that we first think about those young men and women who have risked so much for this Nation, who have lost so much for this Nation, whose families are by their side today giving them the love and dedication they need to overcome this difficult struggle.

Mr. Speaker, they have given the full measure of devotion to this Nation and they deserve our thanks. The invectives and political discourse need to focus on their sacrifice and not on our political ambitions.

URGING RESPECT FOR THE 9/11 WIDOWS

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Mr. Speaker, across the Potomac in Arlington today, we are breaking ground for the 9/11 Memorial at the Pentagon. Our Nation is rightfully honoring the victims of those heinous acts.

It has also been 1 week since I called upon my Republican colleagues to reject Ann Coulter's vicious attacks on the widows of 9/11.

Not a single Republican elected official has stepped forward to reject her hate. So I have to conclude they are comfortable with her as their spokesman. Your silence is deafening. Apparently it is okay to exploit 9/11 to shore up your own sagging poll numbers or make a quick buck.

So rather than see 9/11 as a moment to unite America, Ann Coulter and her followers have chosen to divide and demonize fellow Americans. I am always amazed that the one casualty the American people would accept on 9/11 would be partisanship, and that is the one casualty you are not willing to give.

Ms. Coulter is threatened by the 9/11 widows. They threaten her simplistic world by daring to ask questions. Mr. Speaker, the 9/11 widows have courageously stood up to demand that we

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☐This symbol represents the time of day during the House proceedings, e.g., ☐1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

never forget the horror of September 11.

All Americans who lost loved ones should be honored, as we are doing in Arlington today, not denigrated simply because they do not fit your simplistic world view.

NO NEED FOR FLIP-FLOPPING IN THE WAR ON TERROR

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the sound you hear on the other side of the aisle is the sound of flip-flopping. Democrats may have put off announcing their agenda, but they have managed to perfect the art of the flip-flop.

Just this week the minority leader stated that she voted against the war in Iraq because she had seen the intelligence and it did not support the threat being claimed by the Bush administration.

Strangely, the minority leader had a different opinion during the debate leading up to the vote authorizing the use of military force. Then she said that she was aware that Saddam Hussein was engaging in the development of weapons of mass destruction "which is a threat to countries in the region," and that there was no question he had chemical and biological weapons.

Flash forward to this week, and the minority leader stated that there was never anything in the intelligence that Iraq posed an imminent threat. Mr. Speaker, which is it? As we begin this debate on Iraq and the war on terror, the American people need decisiveness, not flip-flopping. Republicans want to step up and meet the challenge. It is now time for the Democrats to do the same.

IRAQ WAR UNDERMINES FIGHT AGAINST TERRORISM

(Mr. DOGGETT asked and was given permission to address the House for 1 minute.)

Mr. DOGGETT. Mr. Speaker, increasingly Americans are realizing there is a better way to support our troops than just sending more of them off to be killed. Would that more here in Washington had a little of our troops' courage to stand up to the myth-based policies of this Administration.

The good judgment of a strong majority of House Democrats, including the consistent position of our minority leader in opposing President Bush's original invasion of Iraq, was demonstrated again yesterday by a report from over 100 top foreign policy experts across the ideological spectrum.

Eighty-seven percent of them said that the war in Iraq has a negative impact on protecting the American people, that it is undermining the war on terrorism. But ignoring their advice, ignoring one retired general after another, and ignoring the good sense of ordinary Americans across this country, the Administration has consistently pursued a policy that endangers our families' security.

The price of the Administration's deaf ear, $229 million per day, and a price paid in the blood of others every day.

LONE STAR VOICE—C.E. CUNNINGHAM

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, down on the Rio Grande where the sage brush and mesquite trees line the lawless border of the riverbank is the home of generations of Texas ranchers. Their homes, feet from the porous border, they wake up to human smugglers, drug runners and thieves that have trespassed on their soil.

On the border I met crusty rancher, C.E. Cunningham of Quemado, Texas. He has lived on the land for seven decades, and he now writes me about the southern border invasion into America: "We have had our livestock, wildlife killed, vehicles, tools, equipment stolen. I had to move my mother out of her own home when three illegals stole and robbed her. I have taken weapons away from thieves. I have seen the Mexican Army camped out on the riverbank, and I have seen their tracks on our side. I have tried to get the Mexican Government to help with the thieves, but they told me it was best they stole over here instead of Mexico. It seems to me the Mexican government sanctions these crimes against us."

Mr. Speaker, Americans like C.E. Cunningham want their lives back, their land back, and their security back. We have to stop letting the Mexican Army and Generalissimo Fox invade the United States by encouraging illegal entry into our country.

And that's just the way it is.

DO NOT FOCUS TOO HEAVILY ON FEMA

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Mr. Speaker, all of the talk in the media these last few days has been about the fraud in the FEMA individual and housing assistance program.

Now, I am not saying that those who perpetrated the fraud should not be dealt with appropriately, or that FEMA and the Red Cross do not have to clean up their act.

But, folks, this is a disaster the likes of which we have never seen. What would you have had them do in such an emergency, apply miles and miles of red tape and risk not giving service to those who need it quickly?

Colleagues, do not let this be a smoke screen that would cause us to lose sight of the contracting and the purchasing waste, fraud and abuse that the big corporations have perpetrated on our government and all of us, while businesses in the Gulf Region went bust for lack of work.

It is always the little guy who bears the blame while the big ones get away. Our relevant committees in this Congress need to turn our focus to the Halliburtons of the world. When we look at the waste, the fraud, and abuse of these giants, that $1 billion will look like chump change.

□ 1015

ETHIOPIA BORDER DISPUTE

(Mr. KENNEDY of Minnesota asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY of Minnesota. Mr. Speaker, I am here today to call attention to what may become the next tragedy in Africa, the border dispute between Ethiopia and Eritrea.

My constituents in Minnesota remember the destruction and death from the 1998 to 2000 war over the border that cost the lives of 70,000 people. I urge the President and the Secretary of State to leave no stone unturned to bring a peaceful resolution to this matter.

Additionally, I urge my colleagues to join me in cosponsoring the Ethiopian Consolidation Act, which would advance human rights in the Horn of Africa and links U.S. foreign aid assistance to full compliance with the Algiers Agreement. We must see to it that the tragedy of the last decade is not repeated.

HOUSE TO VOTE ON INCREASING THE MINIMUM WAGE

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, next week the House will have its first vote to increase the minimum wage in over 10 years. This is good news for the more than 7 million hardworking Americans who today only make $5.15 an hour. It could also be good news for millions of middle class workers who could see their hourly wage increase as a result of the higher minimum wage.

Despite repeated efforts by the House Democrats to expand economic opportunity for millions of Americans over the last 9 years, the House Republican leadership has refused to allow the floor vote on increasing the minimum wage. Next week they have no choice, however. Thanks to action in the House Appropriations Committee on

Wednesday, the committee voted to gradually increase the minimum wage from $5.15 to $7.25.

The American people should not be surprised that the out-of-touch House Republican leadership is also voicing strong opposition to the wage hike and vows to kill it next week. This would be shameful, and millions of Americans will be affected. They need to have a living wage.

I look forward to the vote next week and hope that the House will finally take action in a new direction to expand economic opportunity for all.

POLITICAL PROGRESS CONTINUES IN IRAQ

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, in only 3 years, the world has watched the nation of Iraq transform from a brutal dictatorship to a promising democracy. Saddam's torture chambers and mass graves have been replaced with democracy's voting booths and legislative referendums.

Today Iraqi citizens are working tirelessly to secure their freedoms. By participating in the election of the transitional assembly in January of 2005, the drafting of an approval of the Constitution by October and the national elections in December, they have demonstrated that they refuse to allow terrorists to determine the fate of their country. Last month, Iraqis achieved another historic victory when they announced their new unity government.

U.S. troops, coalition forces and Iraqi citizens continue to face challenges in establishing a civil society in Iraq, which protects American families by destroying terrorist training camps in the central front of the global war on terrorism.

In conclusion, God bless our troops, and we will never forget September 11.

EXPANDING OPPORTUNITY TO MILLIONS OF AMERICANS BY INCREASING THE MINIMUM WAGE

(Ms. LEE asked and was given permission to address the House for 1 minute.)

Ms. LEE. Mr. Speaker, next week the House will finally have an opportunity to lift millions of hardworking Americans out of poverty. For the first time in a decade, we will have a vote on the House floor to increase the minimum wage so that 7 million Americans can finally make a living wage. I think most Americans, quite frankly, would be stunned to hear that the House Republican leadership has refused to allow a vote to increase the minimum wage for over 10 years now.

Republican inaction has led to the fact that the minimum wage is at its lowest level in 50 years. In fact, if the minimum wage had just kept up with inflation since 1968, it would have been $8.88 in 2005. That is still, quite frankly, a pittance for what people need to live.

House Democrats are committed to expanding economic opportunity to millions of Americans who are just trying to make a living wage. They want to provide a better tomorrow for their families. A majority of the House Appropriations Committee defied Republican leadership earlier this week and supported an increase in the minimum wage to $7.25. That is only fair.

Seven million Americans deserve a minimum wage, an increase in the minimum wage, so let us make sure they get it.

HONORING C.J. FOUTS

(Mr. GINGREY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY. Mr. Speaker, I rise today in memory of C.J. Fouts, a businessman and community leader in the city of Smyrna, Georgia, in my district. Mr. Fouts passed away this week, leaving behind his wife, Betty, three children, eight grandchildren, four great-grandchildren, and a community full of grateful citizens.

Mr. Fouts captured the essence of the American dream, Mr. Speaker. He came to Smyrna at age 18 from rural Georgia in search of work. He started his own business, a service station that later grew into a sales shop for cars, trucks and equipment.

Mr. Fouts gave his time, energy and passion to the Smyrna business community. He has the distinction of possessing the longest active business license in the city of Smyrna, 54 years. Just a few weeks ago the city honored him with a plaque commemorating him as a founding member of the Downtown Development Authority. I am so thankful to have been in attendance.

Mr. Speaker, our communities are blessed with men like C.J. Fouts. Their work ethic boosts our economy, and their determination allows our towns and our cities to flourish. Smyrna, indeed, and the State of Georgia, lost a great man this week, but his work and vision live on throughout the city.

Mr. Speaker, I ask you and my colleagues to join me in honoring Mr. Fouts' memory.

THE HOUSE OF REPRESENTATIVES DEBATE ON THE GLOBAL WAR ON TERROR

(Ms. KILPATRICK of Michigan asked and was given permission to address the House for 1 minute.)

Ms. KILPATRICK of Michigan. Mr. Speaker, today is an important day in the United States Congress. Beginning around noon this afternoon, the House will debate for 10 hours the Iraq war. The question will be should we continue on the course that President Bush and the administration has set or should we have a new plan? We will have 10 hours of debate.

Consider, over 2,500 young men and women killed, over 30,000 amputees, blinded and the like, hundreds of thousands who will have mental health deficiencies when they return. Retired generals have spoken. We need a new direction. The troops should be redeployed. They should be brought home at the most practical time with a plan that we don't now have under this administration.

So, America, listen and look. Should we stay the course, or should we have a plan of redeployment to protect our troops and to protect America?

DEBATING THE GLOBAL WAR ON TERRORISM IN THE HOUSE OF REPRESENTATIVES

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute.)

Mrs. BLACKBURN. Mr. Speaker, today we will hold discussion and a debate about the global war on terrorism and about the battles in Afghanistan and in Iraq. It is appropriate indeed that we do so.

This week, we are celebrating the Army's birthday. We are celebrating Flag Day, and we are continuing to honor the men and women who serve so brilliantly in the U.S. military.

Today, Mr. Speaker, I want to rise for a moment and honor the men and women of the Tennessee National Guard. They have had deployments in the past year, and they have served with distinction. Today many of the junior officers and the commanders of the Tennessee Guard are in town. They were honored at a reception last night, and they are visiting us here on Capitol Hill today.

We welcome them. We honor them, and we thank them and their families for their outstanding service, for their sacrifice, for their commitment to freedom, for loving this Nation and for being the embodiment of that freedom on foreign soil.

LINE-ITEM VETO BILL

(Mr. UDALL of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. UDALL of Colorado. Mr. Speaker, as a cosponsor, I am glad the Budget Committee has approved H.R. 4890, the so-called line-item veto bill. H.R. 4890 is similar to the Ryan-Stenholm amendment to H.R. 4663 from the 108th Congress. I say "so-called" because it does not have the constitutional defects that led the Supreme Court to strike down the line-item veto law passed in 1996.

Instead, like legislation I introduced last year, it would simply enable the President to require Congress to vote on individual spending items or targeted tax breaks included in a larger bill signed into law. Congress would still make the ultimate decision on the basis of a majority vote. There would be no need for a two-thirds vote to override the President. This bill will not solve our budget problems, but it will promote greater transparency and accountability when it comes to taxing and spending. It deserves approval.

THE SUBURBAN AGENDA ON EDUCATION, HEALTH CARE, CONSERVATION AND THE ECONOMY

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, Congress fulfills its potential when we address key problems facing American families. Most Americans in the 21st century live in the suburbs, and the House is now moving a suburban agenda.

The suburban agenda includes bipartisan legislation on education, health care, conservation and the economy. We unveiled the first seven bills for the agenda last month, and this morning I am here to report on the progress we have made.

Yesterday the House passed Congressman PORTER's bill allowing school boards across the Nation to check interstate criminal records before hiring a coach or a teacher. Next week, we will consider Congresswoman JOHNSON's bill to deploy full electronic medical records shown to reduce errors by doctors by over 80 percent.

Action is coming in this Congress to establish 401 Kids tax-deferred savings accounts and new tools for parents to fight against sexual predators who misuse Web sites like myspace.com.

The suburban agenda, it is moving through the Congress and helping this House fulfill its full potential.

SAY NO TO PRIVATIZING SOCIAL SECURITY

(Mrs. McCARTHY asked and was given permission to address the House for 1 minute.)

Mrs. McCARTHY. Mr. Speaker, with so many things going on here in the House, I think it is important to remind people a year ago Democrats, all Democrats from this House, went across the country to talk about why we needed to make sure that Social Security stayed the way it was. We are hearing rumors already that in January of 2007 that they are again going to try to attack Social Security.

May I remind the American people how important Social Security is, not only to our seniors who need it to keep them out of poverty, but also to our widows who are taking care of children, for people with disability.

Social Security is the one plan that has worked since it was conceived here in Congress. Democrats will protect it. I will fight for it. The American people have answered a year ago. We want Social Security.

With everything that is going on here in the House, just remember, Democrats are keeping their eye on everything.

THE UNCHECKED UNITED NATIONS

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Mr. Speaker, I come to the floor this morning to take issue with some of the comments by Mr. Mark Malloch Brown, the Deputy Secretary General of the U.N. Mr. Brown recently stated in a speech that there was "too much unchecked U.N. bashing and stereotyping."

Well, at first I was a little offended by that, and then I got to realizing we haven't been doing enough bashing of the U.N. You look at what is going on.

We have had some problems with criminality in this body. Those are being addressed. As bad as they are, that criminality shows rank amateurism compared to what is going on in the U.N.

We have got families in the U.N. profiting from their other family member's positions. We have got some of the worst violators of human rights in charge of overseeing human rights violations. We even had Libya as chairman of that group back in 2003. Six of the worst, of the worst as designated last year, are on the human rights committee now.

We have got problems with their diplomatic immunity, we have got people where they turn around and try to take credit for things like polio eradication that Rotary International did, when they cannot find anything else to take credit for.

Mr. Speaker, I would just close by saying this, it is time we did some more bashing of the U.N.

RISING COLLEGE EDUCATION COSTS

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Mr. Speaker, as a Nation, we should encourage our young people to strive to achieve their full potential. We must give them the resources and opportunities to make their dreams a reality. For many students these dreams begin with access to higher education.

But after 6 years of Republican rule, access to college is now out of reach for too many of our Nation's youths. Since 2001, tuition and fees at 4-year public colleges have increased by 40 percent. At the same time, Republicans have made drastic cuts to higher education, including underfunding Pell Grants and cutting the higher education budget by $12 billion this year alone.

These cuts not only mean that more students have to take out loans to pay for college, but they will also face higher interest rates as they pay them back unless they refinance by July 1. That is when the Department of Education will raise Federal student loan interest rates to offset the Republican cuts.

As Members of Congress, we should be doing everything in our power to make college more accessible and affordable for all students, rather than cutting critical education dollars to fund tax breaks for the wealthy few.

☐ 1030

PROVIDING FOR CONSIDERATION OF H. RES. 861, DECLARING THAT THE UNITED STATES WILL PREVAIL IN THE GLOBAL WAR ON TERROR

Mr. COLE of Oklahoma. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 868 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 868

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 861) declaring that the United States will prevail in the Global War on Terror, the struggle to protect freedom from the terrorist adversary. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to final adoption without intervening motion or demand for division of the question except: (1) ten hours of debate equally divided and controlled among the chairman and ranking minority member of the Committee on International Relations, the chairman and ranking minority member of the Committee on Armed Services, the chairman and ranking minority member of the Committee on the Judiciary, and the chairman and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit which may not include instructions.

SEC. 2. During consideration of House Resolution 861 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the resolution to a time designated by the Speaker.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Oklahoma (Mr. COLE) is recognized for 1 hour.

GENERAL LEAVE

Mr. COLE of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks, and insert tabular and extraneous material into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COLE of Oklahoma. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, yesterday the Rules Committee met and reported a rule for consideration of House Resolution 861.

Mr. Speaker, the rule is a closed rule providing 10 hours of debate in the House, equally divided and controlled by the chairman and ranking member of the Committee on International Relations, the chairman and ranking member of the Committee on Armed Services, the chairman and ranking member of the Committee on the Judiciary, and the chairman and ranking minority member of the Permanent Select Committee on Intelligence.

It waives all points of order against consideration of the resolution and provides one motion to recommit, which may not contain instructions.

It further provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the resolution to a time designated by the Speaker.

Mr. Speaker, I rise today in support of the rule and the underlying legislation.

Mr. Speaker, in the context of today's debate, I believe there are four relevant questions we must consider. First, should we have entered the war in Iraq? Second, with Saddam Hussein gone, what are the stakes in terms of our involvement in Iraq? Third, what are the chances for success in Iraq? And finally, where will the battle be won or lost? I would like to consider each of those questions in turn.

First, should we have entered the war in Iraq? I remind the Members of this House that it was official policy of the United States Government beginning in 1998, agreed to by both Houses of Congress, to remove Saddam Hussein from power. We had good reason to do so. This is a person who had twice launched regional wars and took over a million lives; who pursued and nearly acquired nuclear weapons on two different occasions; who developed weapons of mass destruction and had used them against his own people; who was a state sponsor of terrorism; who had systematically worked his way out from under the restrictions applied to him by the United Nations; who had expelled weapons inspectors from his own country; who was a continuing threat; and, frankly, who had terrorized and brutalized and killed hundreds of thousands of his own people. The world is better off without Saddam Hussein.

Second, with him gone, what is at stake in Iraq? For that I think we should turn to the enemies that we fight today. al Qaeda, they have designated this and other terrorist groups as the central battlefield in the war on terror. I quote from the chief theoretician of al Qaeda: "Iraq is the greatest battlefield against the infidel and his native allies. It is not the American war machine that should be of utmost concern. What threatens the future is American democracy. To allow Iraq to build a democracy would represent our biggest defeat." So the stakes are certainly worth the effort.

Next, what are our chances of success in Iraq? Frankly, I think they are very good, for two reasons. First, obviously, the skill, the bravery, the professionalism of our own people which was demonstrated only last week when they cornered and killed al Zarqawi, one of the world's worst terrorists; but second, and we ought to note this, the Iraqi people themselves. It is they who stepped up under the most difficult of circumstances and turned out in successfully greater numbers at three different elections. It is they who, in the civil turmoil they are going through, have fashioned a Constitution, have created a permanent government. It is their leaders who run the risk of being killed every single day, and it is their people who are standing up literally by the thousands and fighting back to defend their own country and to move it forward to a hopeful and democratic future. So I think our chances of success in Iraq are good.

Finally, though, where will the battle be won or lost? Finally, Iraq is a crucial theater. What happens there with our military, what happens with the Iraqis is determinative to the outcome; but I would also suggest that the United States is itself a battlefield, a political battlefield. The real question is whether or not we will sustain the will that it takes to ultimately be successful, and that decision will be made not in Iraq but in Congress and in the United States itself.

So what we are about today is a fight, I think, that involves us on the most critical battlefield of all, the battlefield of American public opinion.

Mr. Speaker, today we may hear about the "unfairness" of this resolution. We may hear charges of a rigged process. Let us be clear, Mr. Speaker. The minority was asked to provide their own party substitute to this resolution, and they did not choose to do so. We were ready to make this in order in the Rules Committee. They did not do so, and we moved forward with our resolution.

Mr. Speaker, if the other side of the aisle would like to argue process rather than substance, that is certainly appropriate, and that is their privilege. They should vote against this resolution. If they disagree with the resolution in substance, they should vote against it. If they disagree with the resolution because they consider it ramrodded, they should vote against it. That is their right.

Frankly, I believe their real challenge is that they have no common unified position on Iraq as a party. Whether we are right or wrong on our side of the aisle, we do have a common position, and it is expressed in the resolution.

Mr. Speaker, I urge those on both sides of the aisle who believe that winning the campaign in Iraq is of the utmost important in achieving success in the wider global war on terror to vote for this resolution. I believe that many Members of both parties will.

Mr. Speaker, to that end, I urge the support of the rule and the underlying legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Oklahoma (Mr. COLE) for yielding me the customary 30 minutes, and I yield myself 8 minutes.

Mr. Speaker, we will not be having a real debate on Iraq today. It will be a pretend debate, one that will have absolutely no effect on U.S. policy. No amendments, no substitutes, no chance for Members of Congress to actually do their jobs by making thoughtful changes to the resolution.

The distinguished chairman of the International Relations Committee testified before the Rules Committee that the resolution before us will at least give Members the opportunity to "get things off our chest."

Mr. Speaker, I am not interested in therapy. I am interested in changing this failed policy.

This process is disrespectful to the men and women of our Armed Forces, disrespectful to the people we represent, and disrespectful to the traditions of this House.

The Bush administration is trying to encourage, cajole, and sometimes even strong arm the Iraqi Government into being more inclusive, to respect the rights and privileges of the minority, to embrace the democratic process. Well, I hope the government of Iraq is not watching today, because the Republican majority certainly has no intention of teaching by example.

We are all committed to a sovereign, free, secure and united Iraq. The important question remains, to achieve this goal, is the United States committed to keeping 150,000 or 100,000 or 50,000 American military men and women in Iraq for an indefinite amount of time, perhaps even decades into the future?

Under the current policy, the mission in Iraq is neverending. The resolution before us asks us not just to stay the course, but to stay forever.

The reason why so many of us, Democrats and Republicans, want to have a meaningful debate and meaningful votes on the war in Iraq is because the Bush administration has lost our confidence and our trust.

For too long this Congress has given the administration blank checks and unchecked authority. We have abdicated our responsibilities. We have not done our job, which is to legislate, to conduct oversight, and to shape the policy of this Nation.

Mr. Speaker, the reality of our policy in Iraq is one characterized by corruption, mismanagement, incompetence and self-delusion. 2,493 American soldiers, sailors, marines, and airmen have died since the beginning of the war, 94 percent of them since the President declared, "Mission Accomplished."

And despite unanimous congressional agreements against permanent military base funding, the Republican majority stripped these provisions from the emergency supplemental conference report presented to the House on Tuesday.

In the period leading up to the war, the President said, "Imagine a terrorist network with Iraq as an arsenal and as a training ground." Unfortunately, we do not have to imagine that anymore. The State Department now reports that Iraq is indeed a terror haven. The very thing we wanted to prevent by going to war was actually created by the war.

Certainly the death of terrorist Abu Musab al Zarqawi is welcome news. We did not create Zarqawi, but it was the war in Iraq that offered him the opportunity to kill American soldiers and innocent Iraqi civilians and to inflame sectarian hatreds.

But as we all know, foreign terrorists represent only 6 to 8 percent of those committing violence in Iraq. By far, most attacks are carried out by Iraqi Sunni insurgents and by the growing Shiia and Sunni sectarian groups battling each other.

The American-backed effort to arm tens of thousands of Iraqi soldiers and officers, coupled with a failure to curb a nearly equal number of militia gunmen, has created a galaxy of armed groups, each with its own loyalty and agenda. Sectarian violence has become almost as serious a threat as the insurgency. As former commander of U.S. Central Command General Anthony Zinni said in April, "These militias will be a fact of life after we are gone. No one seems to have a plan for these militias."

It is a disturbingly familiar refrain, Mr. Speaker: No one seems to have a plan.

On the ground, reconstruction is not going well. A plan to build 150 health care clinics has not resulted in much more than empty shells and uneven walls. Power blackouts remain a constant frustration. Only 19 percent of Iraqis today have working sewer connections, down from 24 percent before the war. While most Iraq reconstruction projects are way behind schedule, there is one construction effort that is right on target: the $592 million U.S. embassy, which will be the size of about 80 football fields.

The recent report by the Special Inspector General for Iraq Reconstruction found massive corruption and mismanagement of U.S. aid. Billions of dollars have been lost or squandered through fraud and corruption, much of it by a handful of corporate contractors with special, privileged ties to the administration and a near complete lack of systematic oversight of funds.

And still, Mr. Speaker, there is no accountability for this money and no accountability for this war, not within the Republican White House and not here in this Republican House.

This is a critical point, because this debate must be about more than simply how long we will stay in Iraq.

Where is the accountability for the corruption taking place in our reconstruction projects? Where is the accountability for our troops receiving faulty body armor and other equipment? Where is the accountability for the lack of funding to provide services for all the veterans returning from Iraq and Afghanistan who are dealing with post-traumatic stress and other needs? Where is the accountability for the creation of death squad-type militias within the Iraqi police and security forces? Where is the accountability for the abuse of prisoners and detainees which is costing the United States so much of its credibility and standing in the international community?

It is not the role of the Congress to turn a blind eye to whatever the administration wants to do. Quite the opposite. It is our responsibility to oversee every single taxpayer dollar that is being spent on this war.

The total bill for the wars in Iraq and Afghanistan stands at $450 billion. If we stay in Iraq for just one more year, we will have spent, off budget, off the books, half a trillion dollars on this war, a debt that President Bush and the Republican majority intend to pass on to our children and our grandchildren.

Leadership, Mr. Speaker, requires courage. It requires taking responsibility. It requires accountability. It demands competence. In every single one of these areas, the White House, the Pentagon, this Republican Congress score an F for failure.

Instead, all the American people are getting is a world class PR and spin campaign coming out of the White House.

Make no mistake, H. Res. 861 requires no accountability from the White House or the Congress on the war in Iraq. It will not provide any increased protection for our troops on the ground. It will not protect our tax dollars from further waste, fraud, or abuse.

□ 1045

It won't demand direction, let alone a plan, from the President about how and when our troops will return home.

So here we are, treating the issue of war and the safety of our troops with a resolution that carries the same force of law as a resolution congratulating a sports team. Quite frankly, this process is an outrage and it should be rejected by this House.

I reserve the balance of my time.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 2¾ minutes to the distinguished gentleman from Florida (Mr. LINCOLN DIAZ-BALART).

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I remember the inexorable slide towards the absolute irrelevance of the international system during the decade of the 1990s and the first few years of this decade, Saddam Hussein having in fact purchased just about every relevant United Nations leader and world leader, in fact, even in our friendly continent of Europe, except of course for President Bush and Prime Minister Blair and Prime Minister Aznar. Saddam Hussein and, we must remember, Mr. Speaker, the Oil-for-Food program and its billions of dollars siphoned off to purchase world and United Nations leaders. Saddam Hussein flouted his disdain for the international community and its, according to him, silly norms, laws, and resolutions. Almost 20 of them, Mr. Speaker, he systematically ignored and laughed at.

He called in al Zarqawi of al Qaeda to Iraq, joining next door Afghanistan as a state dedicated to welcoming and fostering international terrorists. In Afghanistan, as my late father Rafael Diaz-Balart would tell me, my late father whose wisdom far exceeded his formal education of five degrees from universities in Europe and one on this continent, he would tell me, "There in Afghanistan is the Taliban, the Taliban who torture women and who have opened that country to the training camps of international terrorists."

And in 1993, we saw the attacks coming from those terrorists to here, to New York City, the World Trade Center,' and then the bombings of American embassies in Africa, and even an attack on a United States ship, the Cole. Nothing happened. But then came 9/11, Mr. Speaker, and it became evident that we could no longer allow despots like Saddam and the Taliban to ignore international sanctions and resolutions passed by the United Nations Security Council, no matter how many billions of dollars they spent purchasing world leaders.

This is, Mr. Speaker, the debate of our era. We cannot wait until international terrorism attacks us. We must take the war to international terrorism and defeat international terrorism before the terrorists attack us. That is the debate of our era, as President Bush has reiterated so often. And that is a debate that we as a country and as a Congress must engage in, and I am pleased to see that we are doing so today.

Mr. McGOVERN. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Missouri, the ranking Democrat on the House Armed Services Committee, Mr. SKELTON.

Mr. SKELTON. I rise to speak against the rule. I take a back seat to no one in supporting our American military and their families. No one. But before us is a resolution that is not the fulfillment of a promise that we were given. We were told we would be able to have a debate on Iraq. That is not the case. This resolution covers the waterfront. Iraq is a singular war that we should discuss at length by itself.

You see, there are two ongoing wars: The war against terror, which has genesis in Afghanistan, and we did the right thing going in there. We are still chasing bin Laden, and some day we will get him. We toppled the Taliban. And then, of course, we went into Iraq based upon the threat of weapons of mass destruction, and we are there.

I sent two letters to the President of the United States warning about the aftermath, warning about what might very, very well happen after our national victory, and it came to pass. We have an insurgency there which is different and distinct from terrorists.

The insurgency is composed of Baathists, Fedayeen, and Sunni, who were basically in charge under Saddam Hussein. This is their attempt to knock down the government that is there and to establish their own, far from being the terrorists that we went after in Afghanistan.

Two wars. That is why this is a disingenuous resolution before us.

Mr. COLE of Oklahoma. Mr. Speaker, at this time I am pleased to yield 2 minutes to the distinguished gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentleman from Oklahoma for yielding time, and I rise in support of this rule and the underlying resolution.

Mr. Speaker, we are engaged in a global war that we did not seek but that was brought to our shores by actions of terrorists on September 11, 2001. The global war on terror is unlike other past wars. In the past the United States fought a clear enemy state. Today we fight an enemy without borders that threatens our free way of life.

When George Washington was elected as our first President, there was a king in France, a czarina in Russia, an emperor in China, and a shogun in Japan. The American President was the only elected leader at that time. Today, countries in every continent elect their own leaders. The number of democracies currently stands at an all-time high and has been growing without interruption for some time. Freedom and self-government is on the march around the world.

Mr. Speaker, why is this important? It is important, Mr. Speaker, because history has shown that those countries who elect their leaders are less belligerent than those who do not. Democracy and freedom are a threat to the terrorist ideology, which is why they fight so hard to keep self-government from taking hold.

The Middle East is an area where democracy has faced significant challenge. It is a region where we have seen entrenched dictatorships, continued violence, and civil unrest.

In an article from the Washington Times on June 12, Mark Stein cites four separate and recent incidents that took place in Baghdad, London, Toronto and Mogadishu. He goes on to say, and I quote, "The world divides those who think the above are all part of the same story and those who figure they are strictly local items of no wider significance." I believe that these events are all rooted in the same ideology, and the United States, as the leader of the free world, stands in the way of this ideology.

We must not forget the sacrifice our military is making for the security and support of our ideals. They are fighting the enemy abroad so we will not have to fight them here. We must continue to support our troops and stay focused on defeating terrorism in Iraq.

Mr. Speaker, I support this rule and the underlying resolution.

Mr. Speaker, I rise in support of House Resolution 868 and the underlying resolution declaring that the United States will prevail in the Global War on Terror, which is essential to the security of the American people.

Mr. Speaker, we are engaged in a global war that we did not seek, but that was brought to our shores by the actions of terrorists on September 11, 2001. The Global War on Terror is unlike all other wars. In past wars the United States fought a clear enemy state—today, we fight an enemy without borders that threatens our free way of life.

When George Washington was elected the first President there was a king in France, a czarina in Russia, an emperor in China, and a shogun in Japan. The American President was the only elected leader at the time. Today, countries on every continent elect their own leaders. The number of democracies currently stands at an all-time high, and has been growing without interruption for some time. Freedom and self-government is on the march around the world. History has shown that those countries who elect their leaders are less belligerent than those that do not.

Democracy and freedom are a threat to the terrorists' ideology, which is why they fight so hard to keep self-government from taking hold. The Middle East is an area where democracy has faced significant challenges—it is a region where we see entrenched dictatorships, continued violence and civil unrest.

In an article from the Washington Times on June 12, Mark Steyn cites four separate and recent incidents that took place in Baghdad, London, Toronto and Mogadishu. He goes on to say, "The world divides into those who think the above are all part of the same story and those who figure they're strictly local items of no wider significance . . ." I believe these events are all rooted in the same ideology. The United States as the leader of the free world stands in the way of this ideology.

Mr. Speaker, this Global War on Terror is protecting the freedoms that terrorists seek to destroy by any means necessary. Throughout this war, the terrorists have been emboldened by weakness, but fortunately it is the brave actions of our military men and women who are proving to our enemy that America will persevere. We must not forget the sacrifice our military is making for our security and in support of our ideals. They are fighting the enemy abroad, so that we will not have to fight them here.

I am proud of the soldiers from my area in Central Washington who have stepped forward to defend our nation's security. In addition to contributing to the Global War on Terror in manpower—my district is home to the Yakima Training Center—where the soldiers of the Stryker Brigade train in settings designed to simulate real battlefield conditions in the War on Terror. They are helping to transform our military into a force that can meet the readiness demands of this new conflict.

As our troops employ the latest techniques to combat terrorism in this modern war—they clearly demonstrate the dedication and honor of military men and women before them. This has been apparent the two times I have traveled to Iraq, and when I visit with troops returning from the front.

Mr. Speaker, the Global War on Terror is not a war we sought, but it is one we must continue to fight and is vital we win. We face a clear choice today. Do we back down in the face of a determined enemy for a temporary reprieve, or do we stand firm and fight the terrorists abroad? I believe the answer is obvious. We must stand firm on the Global War on Terror.

While more work remains—thanks to our troops, America is safer. Saddam Hussein is being brought to justice and Iraq is being stabilized so that it is not a haven for future terrorist activities. We must continue to support our troops and stay focused on defeating terrorism in Iraq and around the world in order to keep American families and communities safe at home.

I urge my colleagues to support the rule and the underlying resolution that the United States will prevail in the Global War on Terror.

Mr. McGOVERN. Mr. Speaker, at this time I would like to yield 7 minutes to the gentlewoman from New York, the distinguished ranking member of the House Rules Committee, Ms. SLAUGHTER.

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, about two centuries ago, almost, this country was facing a war that devastated it for generations. The first day, the first battle was going to be at Bull Run, not far from here in Washington, and I am sure that some Members of Congress and many other citizens of Washington packed up lunches, got in their horse and buggy, and went out to watch the fight. Suddenly, they found the Union forces were being routed, bloodied, and were told to run for their lives.

Today, our brave Union forces are again in the field, are suffering great casualties, and what is happening today when we finally get around to talking about Iraq 4 years after it happened? We are going to have a picnic. So later today everybody will stop and go to the White House and discuss the picnic. There is something so surreal and Alice in Wonderland about all the things that have been going on around here, but let me tell you of a different time.

In 1991, leading up to the first Gulf War, this Congress had a real debate about that conflict, one that was said to be one of the best of the 20th century, because in 1991 the House was a real deliberative body. We had three resolutions to consider; actually, the minority resolution, there were two Democrats and one minority leader resolution, was the one that passed in a Democrat Congress, and every Member who wanted it had 5 minutes to speak their mind. We debated for 20 hours on that, and it was a wonderful time because we all took part in something we cared so deeply about.

Contrast that with what this Republican leadership is giving us now, a day not about policy or progress but about politics and posturing. It is a day designed to provide the majority with a chance to make cheap political attacks against Democrats in anticipation of upcoming mid-term elections at a time when Americans and Iraqis are giving their lives in one of the most brutal wars of our time.

Yesterday, an internal Republican memo was circulated outlining the party's plan of attack for today. It instructs Republicans to paint a picture of "A Democrat Party without a coherent national security policy that sheepishly dismissed the challenges America faces in a post-9/11 world." We are going to hear a lot of that empty propaganda today, I am absolutely sure. But how will that divisive rhetoric help our soldiers abroad, Mr. Speaker? What can it possibly have to do with the war we are fighting?

If this memo didn't show us the real motivations behind today, last night's meeting of the Rules Committee certainly did. My fellow Democrats and I had a simple request at the meeting. We asked for the rule to be an open one. An open rule would have given any Member on any side of the House who wanted to speak a chance to do so. And what is more, an open rule would have permitted Members from both sides of the aisle to present amendments to the resolution so that we could do more than just talk, so that we could try to improve the flawed policies being pursued in Iraq.

But the committee gave us a closed rule. Not one person here from either party will be able to amend this resolution. Now, why would the Republicans do this? Could it be because they are not interested in addressing the serious questions in a forthright way? There are certainly problems to be addressed. Let me give you one example.

Yesterday, I joined a group of Democrats repeating our call for the creation of a Truman Commission to oversee the Iraqi reconstruction. Rampant construction and incompetent Iraq contracting have prolonged our mission there and cost lives, with 75 percent of oil and gas and 50 percent of electricity projects remaining unfinished.

The GAO reports that $7 billion in funds have simply been lost. The Special Inspector General for Iraq Reconstruction, Stuart Bowen, is investigating 72 cases of alleged fraud. Have Republicans dealt with these problems? They have not. They recently elected to block $1.9 billion in new reconstruction funds from being examined. They won't let Mr. Bowen and his team look at that, because he was doing the job too well. So they took the jurisdiction pretty much away from him.

I suppose it shouldn't come as a surprise that today, instead of proposing serious solutions to the problems we are facing, we are being offered a "yes or no" vote on a resolution drowning in patriotic rhetoric and offering us an open-ended fight against an open-ended enemy.

Debate is about choice, but there is no choice here today. What we have is less like our democracy and more like a Soviet election. Americans expect real debate in their Congress. They do not expect their representatives to passively acquiesce to the assertions of a meaningless resolution based on White House talking points. And they expect their elected officials to have a meaningful discussion on the future course of the greatest challenge to our Nation in a generation.

My friends on both sides of the aisle, we can stop this sham in its tracks by voting "no" on this rule. I implore every Member from both parties to realize what is at stake here. If you support the rule, you are saying you don't believe our troops and their families deserve a serious debate on the war. You are saying you don't think the massive troubles of the Iraqi people deserve more than a cursory glance. And you are saying you don't think this Congress should be anything more than the President's rubber stamp. What you are saying is that this war is just a political tool to be used at elections.

My fellow Democrats and I have said a lot about the death of democracy in this House. Over the course of the 109th Congress, of 144 different rules presented by this Republican Party, only one rule that was not an appropriations measure has been made open for debate and amendable by this leadership. One. And if there was ever a rule that should be open, if there was ever a day in which democracy should breathe freely in these halls, even if just for one day, it is this rule and it should be this day.

Your vote on this rule isn't about how you voted on the war, it is about respecting the troops. It is about respecting democracy. How can we ask the fine young men and women of our Armed Forces to die so that Iraqis can have democracy and debate when we are systematically undermining those same principles here? It is unconscionable.

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Whether you are a Democrat or Republican, I implore every Member, everyone to take a stand for the values of democracy and the values of this Nation and vote please against this rule. Defeating this rule will show our troops that we have enough respect for them in this House to have a real debate on their lives and future and of the future of the Nation that we love.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 1¼ minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, on this day of debate while we discuss the merits and perils of our involvement in the war on terror, there is one sentiment that is shared by every Member of Congress: our admiration for our Armed Forces who risk their lives each day in defense of our freedom. Within these Halls of democracy where we passionately represent our constituents, it is important to recommend that the democratic way of life that is at the heart of what we do would not be possible without the men and women of our Armed Forces.

The brave men and women of our military are often called upon to travel great distances away from their families and loved ones to fight for the freedom that all Americans hold dear. Each time one of them enters into battle, it is with the knowledge that they may be asked to make the ultimate sacrifice for their country, giving their lives to secure our great Nation.

In recognition of these heroes, we have placed a memorial display in the Rayburn horseshoe foyer featuring the name of each and every member of our forces who has fallen as a result of the current conflict in Iraq and Afghanistan.

It is my hope that the many Members, staff, visitors, students, and constituent groups who visit the House office buildings each day will take a moment to stop by the memorial and reflect on the gift of freedom given selflessly by these honored individuals to every American.

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. MATSUI), a member of the Rules Committee.

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

Mr. Speaker, today's debate is long overdue. For the past 3 years, the United States has had a military presence in Iraq. In fact, when the authorization for war in Iraq was authorized, I was not a member of this body. Yet this is the first extensive public debate Congress will have had on the most important issue of the day.

Even now, however, the rule put forth by the House leadership asks Members a simplistic question: Do you accept or renounce the President's vague appeal to stay the course and be patient? Such a narrow focus does a disservice to our role as representatives of the people.

The American people want to hear practical, well-thought-out ideas from their elected representatives. Today we could have had that honest, engaged and realistic debate.

I had hoped to discuss the reality of Iraq right now and how we may best help a political solution to emerge. This isn't a debate we should be afraid of. We can have this debate and can have it respectfully. But the House Republican leadership has decided to pass on this opportunity.

What should we be debating? I believe there are several things upon which all Members can agree, Republican and Democratic alike.

The first is that the United States has no desire to control Iraq's oil supply. The second is that we will not build permanent bases in Iraq. Taken together, these statements say clearly to the Iraqi people that the United States presence in Iraq is not permanent. And it says clearly to the administration that our strategy in Iraq must reflect the fact that we will not be there forever.

But, Mr. Speaker, the focus of this House must move beyond these specific details and rapidly toward our broader policies on Iraq. We all want a free, stable and prosperous Iraq, and we have an important diplomatic role to play. But ultimately, it is up to the Iraqis to achieve those goals through the political process.

The United States should continue to offer support for Iraqi security forces; and regardless of our troop deployment, the United States must maintain its responsibility to assist in rebuilding the country's economy and infrastructure.

But beginning to draw down troops stationed in Iraq can be done while keeping all of these goals in mind. I respect several redeployment proposals put forth by Members of this body for those reasons.

The President's exhortations to "stay the course" remain disconnected from the reality on the ground and from a sincere engagement on the policy details.

In contrast, the proposals put forth by several Members of the House were developed after much thought. The Members struggled to mold the chaos in Iraq into a workable solution that upholds the best interests of the Iraqi people and that of the American people.

These proposals and ideas deserve to come to the floor. They deserve to be debated, and they deserve a vote. Unfortunately, under the rule reported out, this will not happen. Instead, we will have a gripping session that yields no results. Congress is part of this government. In fulfillment of its responsibilities, this House should reject this rule and bring real policy to the floor.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Speaker, I am honored to be here and I wish to address the first of the four points that Mr. COLE presented when he introduced this particular rule.

I, like the gentlewoman from California who just spoke, and those of us who were elected for the first time in the last two cycles, was not here for the 1998 debate and piece of legislation passed by 360 of our Members and signed by President Clinton which outlined our foreign policy objectives with Iraq; nor was I here for what I was told was the 17-hour debate on the vote that authorized use of force in Iraq.

Those two, in my opinion, should have been the definitive debate and vote on what our common policy would be as we move forward.

What I would like to talk to you about now is what I find most compelling, and that is the legal rationale for what we are doing in Iraq.

Saddam Hussein's Iraq violated 17 U.N. resolutions, three of which demanded use of force for the violation of those. Saddam Hussein's Iraq had violated the treaty he signed with the United States. His forces were shooting at American servicemen. He put a bounty on the head of every American airman that could be brought to him. He had offered a cash bonus to every family of a suicide bomber who would blow up either an Israeli or an American at the time.

When a foreign country violates its treaty with us and shoots at our servicemen, that is a legal justification for our actions. In fact, it is odd enough that we probably have a greater legal justification for this war than any other conflict with which this country has been involved in the last 50 years.

In Korea, we went in after one U.N. resolution, not 17.

In Vietnam, we made it a national priority because of a treaty we had, not with Vietnam but with an ally, France.

We bombed Serbia and went into Bosnia, not because of a legal pretext or compelling national interest, but because our European allies asked us to assist them with their particular issue.

The quarantine during the Cuban missile crisis was an aggressive act of war that was condemned by the U.N. Secretary General and protested in dozens of cities throughout the world, but was, in my mind, not a legal act but a right act of President Kennedy.

In Iraq, what we are doing is both legal and it is right.

Every war we have had has been littered with protests. Historians tell us in the Revolutionary War a third of Americans were opposed to it and a third were indifferent.

The War of 1812, Mr. MCGOVERN's State tried to secede from the Union.

In the Civil War, we had the greatest riots proportionately we have ever had in this country, and the Governor of New York inflammatorily said President Lincoln's goal was to kill all of the Irish.

In the Spanish American War, the Speaker of the House postwar resigned in protest.

In World War I, the Secretary of State prewar resigned in protest.

Only World War II has been atypical in those concepts of what we had.

As a history teacher, I see mass amounts of parallels with what we are doing now and what has happened in history. I don't have the time to go into any of those.

What I simply hope is for this House and this Nation is that we don't have the tunnel vision of short-term policy and we do not reject the lessons of history that will help us understand what should be the definition of our common potential future and policy towards Iraq.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. LANTOS), the ranking Democrat on the International Relations Committee.

Mr. LANTOS. Mr. Speaker, I thank my friend for yielding, and I urge all my colleagues to reject this rule.

Mr. Speaker, as we embark on this debate, I believe it is important to recall the debate we had during the first Persian Gulf crisis.

In 1991, we were on the brink of war with Iraq over Saddam Hussein's invasion of Kuwait. Emotions were high, and the parties were divided. We Democrats were in the majority then, and we allowed over 30 hours of debate on three different measures representing profoundly differing points of view.

I wish to repeat this, Mr. Speaker: we allowed over 30 hours of debate on three different measures representing profoundly differing points of view.

And the critical vote, Mr. Speaker, was on a proposal of the Republican minority sponsored by the Republican minority leader, Bob Michel. It was supported by some of us on the majority Democratic side, myself included, and it prevailed.

And in 1999, Mr. Speaker, as the people of Kosovo bled from the wounds of Serbian bullets, this House had a highly emotional debate over three different resolutions relating to proposed U.S. action to end the humanitarian disaster. Again, the minority was afforded an alternative which barely lost on a tie vote.

Today we are purportedly debating how to end the war, rather than whether to begin one, and an equally vital debate given the lives at stake. But the Republican leadership has thrown out all precedent and instead of giving the House a chance to work its will, they are forcing us into a charade.

Members will not be given a chance to offer amendments or alternatives to let the House work its will. Rather, all that is offered is 82 seconds for each Member to state a view on the complex and difficult subject of the Iraq war.

Mr. Speaker, I tried to work on this resolution with my good friend, Chairman HYDE, on a bipartisan basis as I always have. But the Republican leadership expanded the original draft far beyond Iraq and rejected every one of our substantive suggestions.

Mr. Speaker, this rule should allow all Members to offer their own ideas through amendments to this resolution. At a minimum, it should allow a Democratic substitute, and it should provide enough time so that every Member has at least 5 minutes to express his or her views.

Mr. Speaker, just as the Democratic majority gave Republican minority leader Bob Michel an alternative in 1991 during the first Iraq debate, our Democratic leader, NANCY PELOSI, should have the same opportunity to offer a Democratic alternative with the same chance of prevailing in this House.

Instead, the Republican leadership has turned what could have been a serious debate into a charade.

I urge a "no" vote.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself just 15 seconds.

I want to make note for the record, we did offer the minority an opportunity for a substitute resolution.

Mr. McGOVERN. Will the gentleman yield?

Mr. COLE of Oklahoma. And no, I will not yield. My time is very tight, and you have time to respond.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. PUTNAM).

Mr. PUTNAM. Mr. Speaker, I rise today in support of American efforts to rid the world of terrorism and help democracy take root in a region long controlled by hostile dictators and murderous regimes.

All around the world we are working to eradicate terrorists and their organizations. Iraq has emerged as a central battlefield of this war, a battlefield where Saddam was captured in a hole and is now in jail, where Zarqawi met his demise, and where insurgents and jihadists are fighting and losing to the might and skill of coalition forces. Most importantly, it is a battlefield far, far from the shores, schools, neighborhoods, and cities of America.

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I recently traveled to Iraq with our Speaker and was able to meet with the Prime Minister and other key government officials, as well as our U.S. commanders overseeing the operations. I was impressed by what I saw, but I was more impressed by what I heard from the servicemen and women themselves. Morale is high, and they are confident in the success of this mission.

Iraqi citizens have embraced freedom and have now voted in three national elections, each garnering wider and broader support. Iraq now has a constitution, a parliament, a president, a prime minister and a fully formed cabinet. What is more, this new government reflects a broad ethic and sectarian balance, a balance that will help ensure the needs and voices of all Iraqis are represented.

Ultimately, it is that freely elected government that is the most important success of this effort, elected leaders who are Iraqi first, and all other identities second, interested, invested in the future of their own country, of their own people. These Iraqi founding fathers face great challenges, no doubt. But what opportunity is more powerful than freedom from tyranny?

We must remain committed through patience and hard work to help this new government succeed.

I support this resolution. I support the rule that is allowing this resolution to come forward and the manner in which it was created. And I urge my colleagues to join us in passing this important affirmation of the hard work of America's servicemen and women.

Mr. McGOVERN. Mr. Speaker, let me yield myself 10 seconds.

Mr. Speaker, let me correct something that has been said on this floor. In the testimony before the Rules Committee, the Democrats not only asked for an open rule, we asked for a substitute. We were denied that. We were shut out. It is here in black and white in the testimony.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, this war was launched without an imminent threat to our families. It endangers them more every day, creating new generations of terrorists. Radical "know it all" ideologues here in Washington bent facts, distorted intelligence, and perpetrated lies designed to mislead the American people into believing that a third rate thug had a hand in the 9/11 tragedy and was soon to unleash a mushroom cloud.

From the start, House Democrats overwhelmingly voted against this war. But radical ideologues rushed headlong anyway, ignoring professional military advice about the number of troops and equipment needed. One general after another has indicted this Administration for its misjudgment and mismanagement.

But now, almost 3,000 Americans lie dead, with about another 20,000 seriously injured. Every day, every single day, American taxpayers are forced to spend $229 million in Iraq, and they pay again every time they go to the gas pump. All that is in sight is an endless, civil war quagmire.

Today's resolution pins these Administration failures on the coattails of our courageous servicemen and women. Administration ineptness is falsely attached to a resolution honoring our troops.

Americans are increasingly realizing there is a better way to honor our troops than by sending more of them off to be killed. Would that there were more than a little of our troops' courage right here in Washington from those, who refuse to challenge this Administration's arrogant, myth-based policies and who choose instead to cut and run from their responsibilities.

Instead of staying the course, we need to chart a smarter course. It is not weakness or retreat to recognize the Administration offers us only an endless "spend and bleed" policy.

When this talkathon ends, reject this fraudulent resolution, which cannot be amended or changed, to alter this Administration's deadly pursuit of a desert mirage. Neither paper resolutions, nor more Administration arrogance will defeat terrorism.

The harm from this Administration's disastrous decision to invade Iraq was apparent from the beginning. The warnings of many, as noted in my speeches, including those given on the floor on September 22, 2002 (H6410), October 9, 2002 (H7328), and October 10, 2002 (H7772), and the contemporaneous editorial below, went unheeded.

[From the Austin American-Statesman, Oct. 13, 2002]

Our Voices Must Work to Avert An Invasion

(By Rep. Lloyd Doggett, U.S. House of Representatives)

I recently voted against what is really an authorization for launching a massive land invasion and military occupation of Iraq. More important than speaking with one voice, the votes of 133 Congress members against this rush to war underscored the importance of our continuing to speak as one democracy.

I sought to give voice to the thousands of Central Texans who communicated their concerns about making the terrible weapon of war a predominant instrument in our foreign policy.

With this grave decision on war and peace though, I knew I would have to answer to more than those I am privileged to represent—I would have to answer to myself, my children and to history.

War now would only increase the danger to American families. The house-to-house urban combat that would likely result from a land invasion in Iraq would kill thousands, divert precious resources from our ongoing war on terrorism and expose our families to more terrorism from among the many who would perceive this as a crusade against Islam. From the information provided to Congress, I do have some insight into issues about which so many are understandably uncertain and fearful. No evidence has been shared to connect Iraq to the Sept. 11 tragedy, nor to show that Iraq now poses an imminent threat to American families.

As former National Security Adviser Brent Scowcroft said, "Saddam Hussein is probably on Osama bin Laden's hit list." From Central Intelligence Agency reports, secret until last week, we know that the unfinished job of overcoming al Qaida represents the real threat. The CIA concluded that invading Iraq is more likely to drive our now separate enemies together against us and certainly more likely to make Saddam Hussein use any weapons of mass destruction that he may possess.

In addition to the cost in lives, the costs of war, to differing degrees, will touch us all. President Bush's top economic adviser, Lawrence Lindsey, estimated that the cost of waging this war may rise as high as $200 billion. At a time of chronic deficit spending, these are precious resources no longer available for education, health care, retirement security and homeland security.

True security is more than a military second to none and effective law enforcement at home; it means working with nations to address our common security concerns. We are strong enough to defeat Iraq in combat, but we must be wise enough to rely on America's other strengths to rid the world of Saddam Hussein's danger.

No fool would trust Saddam Hussein with even one American life. Our choice is not between "war" and "doing nothing" or between "war" and "appeasement." The prudent choice remains—first, attempt holding Iraq accountable through effective, comprehensive, international inspections.

Some of the most insightful arguments against invading Iraq were advanced by Republicans and military leaders. The first President Bush, in 1998, wrote: "Trying to eliminate Saddam, extending the ground war into an occupation of Iraq . . . would have incurred incalculable human and political costs. . . . [We] could conceivably still be an occupying power in a bitterly hostile land. It would have been a dramatically different—and perhaps barren—outcome."

Gen. Norman Schwarzkopf was even more direct: "I am certain that had we taken all of Iraq, we would have been like the dinosaur in the tar pit."

Apparently, Iraq represents only the first step in implementing the administration's recently announced "first-strike" defense strategy. Over-reliance on packing the biggest gun and having the fastest draw will not make us safer. Rather, it is a formula for international anarchy. A quick draw may eliminate the occasional villain, but only at the cost of destabilizing the world, disrupting the hope for international law and order, and, ultimately, endangering all of us.

President Reagan used containment effectively against another "evil empire," the Soviet Union, and from Cuba to Libya, a succession of presidents has avoided nuclear Armageddon. Containment and disarmament may not end all wars, but they are clearly superior to the new "first-strike formula" that risks wars without end.

With the prospect of war overshadowing all of our hopes and dreams for this country and the world, we must continue to thoughtfully and respectfully voice our opposition in hopes that invasion may yet be averted.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I rise today in strong support of this rule, H. Res. 861. I firmly believe that the installation of democratic governments in Afghanistan and Iraq, coupled with the recent completion of Iraq's National Unity Government and ratification of a Constitution, the elimination of Abu Musab al Zarqawi, and the continued success of our reconstruction efforts in these countries are tremendous accomplishments in the global war on terror.

We are at a point in Iraq where we can build on these successes. We can advance democracy and freedom and stand by the Iraqi people while honoring the commitment that we have made. Or we can withdraw, as many on the other side of appeasement are suggesting, leaving the progress we have made and the future of Iraq to chance. Just as in Europe and Japan following World War II, there is only one option, Mr. Speaker, and that is to stand by the Iraqis until their government, police, military can ensure the security of their own nation. Then, and only then, will be the appropriate time to disengage, leaving a strong ally and flourishing democracy as an example of a peaceful and free nation to others in the Middle East region.

Therefore, Mr. Speaker, we simply cannot give in to the anti-war rhetoric which only serves to embolden our enemies, while offering little hope and little vision. Rather, we must continue to advance policies which make our Nation safer, which are responsible for the liberation of over 50 million people in Iraq and Afghanistan. It has led Libya to abandon their weapons of mass destruction program, and it makes every new year worse than the previous one for the terrorists.

In this fight for the future of peace, freedom and democracy in the Middle East and around the globe, winning should be our only option.

This past Friday we heard Prime Minister Maliki of Iraq make the following statement: "With our allies we will persevere to make Iraq a prosperous democracy in the heart of the Middle East."

Mr. Speaker, it is easy to see great hope and potential in the Iraqi government and the Iraqi people. Unfortunately, the minority party offers no hope. All we hear are ill-conceived and shortsighted strategies which threaten any chance of Iraq becoming a bastion of democracy in the Middle East.

Therefore, Mr. Speaker, I urge all Members to support this rule and the resolution, which sends a clear and a positive message to the new Iraqi government and its citizens. But just as importantly, Mr. Speaker, it sends a clear message to those soldiers who have been injured or killed and their families that this Congress will never break faith with them.

Mr. MCGOVERN. Mr. Speaker, I reserve the balance of my time.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Georgia (Mr. NORWOOD).

Mr. NORWOOD. Mr. Speaker, this rule, which I support, will allow one of the most critical actions to date in the war on terror. Hardly a charade.

This action is not military in nature. It is entirely political. But it will determine victory or defeat as surely as any battle in Iraq.

Our troops can defeat any enemy on earth. Our volunteers, our patriots, our heroes, our warriors, under any conditions they can win if we have the will, if we have the backbone to do what is right.

That is what we debate under this rule. Do we have the will to win?

Many, not all, of the other side of the aisle lack the will to win. The American people need to know precisely who they are. If there are any on this side of the aisle who hold the same view, this will allow them to be found out as well. Then the public can decide the course of this war in November by hopefully throwing the defeatists out of office.

This debate, under the rule, is as critical a fight as any our troops could have on the battlefield. No one has any doubt our soldiers will win any fight we send them to. That is not the question. The world's doubt is entirely over the backbone of this Congress.

Because of the statements of Members of this body, not their votes, but what they say today, and of the Senate, that have given substantial propaganda assistance to the enemy, this rule, this debate is absolutely essential to preserving the victories of our troops that they have won with their blood and their lives.

It is time to stand up and vote. Is it al Qaeda or is it America? Let the voters take note of this debate.

Mr. Speaker, as a member of the 173rd Airborne in 1968–69 Vietnam, I saw how the words of Senators and Congressmen undermine the hard-fought victories and sacrifices of our soldiers.

Men who today sit in Congress publicly trashed the troops on the front back then, comparing our American soldiers to the barbarian Genghis Khan.

American media overlooked decades of Communist torture and atrocity against Vietnamese civilians. I couldn't overlook it. As a dental surgeon I had to reattach the tongues cut out by Viet Cong terrorists.

Where was our media? They instead chose to focus the world's attention on isolated American failure at My Lai.

Through carefully planned international media and political manipulations, the NVA and Viet Cong were encouraged to keep fighting, regardless of their defeats in the field. American media fell right into line with the enemy's public affairs plan.

Our troops and citizens were told over and over by the press and politicians that their efforts were futile, our countless victories pointless, and every reverse, no matter how slight, disastrous.

The result of this psychological warfare was that the same Nation that had prevailed in World War II against heavy odds, numerous battle defeats, and our enemies' military parity, simply walked off the field in Southeast Asia.

It was a lesson in strategy our enemies have learned well, one that is now being used against us in Iraq.

It is of great interest to note that the same reporter who "broke" the story on My Lai also "broke" the story on Abu Grahib nearly four decades later—while overlooking the thousands of executions, beheadings, and other atrocities of the enemy.

Coincidence or planned strategy?

Same players, same actions, seeking the same result—unconditional U.S. withdrawal from a war on terror we didn't start, allowing barbarians to slaughter millions of innocent civilians, with the end result our Nation humiliated and compromised on the world stage.

The lesson we should have learned from Vietnam is that we can fight our enemies in this House by sending an unmistakable message that America will not run.

The day that our enemies in Iraq believe this, the war will be won.

It's time for this body to start fighting for our soldiers.

The 173rd has been back in action in this war, and I will be darned if I will let what happened to us in Southeast Asia happen to these guys in the Middle East, if I can help it.

Let's finally bury the ghosts of Vietnam by committing to victory. In doing so, we greatly reduce the need for future military action, as potential enemies will no longer doubt our national resolve in a showdown.

Mr. McGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I just recently sent 850 Oregonians off to Afghanistan to fight the resurgent Taliban and Osama bin Laden, the perpetrators of 9/11. September 14, this House, on a proud day, with one exception, voted to authorize the war in Afghanistan to take out the Taliban, take out the perpetrators of 9/11, al Qaeda. That was nearly unanimous.

But sadly, the Bush administration and the Republicans in Congress distracted us onto a path of a war in Iraq 1,143 days ago. 2,497 servicemen killed, 18,490 wounded. First it was weapons of mass destruction. Then it was about 9/11. Then it was about building democracy.

But now the Republicans want to pretend that it has to do all about the war on terrorism. They mentioned al Zarqawi. The Pentagon wanted to take out al Zarqawi. They had him in their sights before the war in Iraq, and the Bush White House and DICK CHENEY wouldn't let them because it would hurt recruitment for the coalition of the willing to invade Iraq, where al Qaeda did not exist.

If you strip out the rhetoric from this nonbinding resolution, with no Democratic alternative, no amendments allowed, it is a stay the course resolution with an open-ended commitment. As the President said, a future President will decide when U.S. troops will leave.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the National Security Subcommittee of Government Reform, a gentleman who has been to Iraq on 12 different occasions, the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I am not afraid we will lose the war in Iraq, ... in Iraq. I am deeply concerned we will lose the war in Iraq here at home.

Our efforts to remove Saddam Hussein from power and help bring democracy to the most troubled part of the world is a truly noble effort that must succeed.

Whether you believe al Qaeda was in Iraq when the war began, they are there now, and they think they can win because they believe we will leave too soon, before Iraqis can defend themselves.

True, we got their prince. Al Zarqawi is dead, but his fellow terrorists remain determined to succeed.

This resolution clearly links the war in Iraq with the war against Islamist terrorists. Islamist terrorists is exactly who the 9/11 Commission said we are confronting. If you agree, vote for this resolution and explain why. If you disagree, vote against the resolution and explain why.

I support the rule. I support the resolution. I support our efforts in Iraq, and I look forward to the 10 hours of debate.

When I ask individual Iraqis what is their biggest concern, it is not the bombings, the lack of electricity or anything else other than this. It is, and I quote, "that you will leave us. That you will leave us before we can grab hold of democracy and defend ourselves."

I pray we will not let them down. I look forward to the 10 hours of debate. I look forward to our being absolutely resolute in helping Iraqis have an opportunity they have worked so hard to achieve.

In just 11 months, Iraqis have had three elections that put our elections to shame. They have a new government. They only need more time to develop their security, to defend themselves and a democracy they dearly love.

Mr. McGOVERN. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Speaker, I unfortunately rise in opposition to this rule because I believe it is a missed opportunity for this Congress to substantively have a say in the most important issue facing our country today and that is the course of the war in Iraq, but also our strategy in combating global terrorism.

But instead of offering a real policy discussion, the Republican majority today offers a political document just before the fall elections.

My question to my friends across the aisle is very simple. What are you afraid of? Why are you not allowing any other amendment to be offered during this 10-hour debate? Why are you not allowing our side to have an alternative resolution so we can get into the very troubling aspects of this administration's conduct of war in Iraq and our strategy on global terrorism.

Many of us have grave concerns about how this administration has based its decisions in Iraq. These concerns are shared by many Americans and our constituents throughout the country today. Yes, we can kill Zarqawi, but are we defeating Zarqawiism?

Many of us today have grave doubts. Yet, instead of having an open and honest debate, we get this charade. We deserve better. The American people deserve better.

I encourage my colleagues to defeat this rule.

□ 1130

The SPEAKER pro tempore. The Chair would advise that the gentleman from Oklahoma has 6¼ minutes remaining and the gentleman from Massachusetts has 2¼ minutes remaining.

Mr. COLE of Oklahoma. Mr. Speaker, I want to reserve the balance of my time.

Mr. McGOVERN. Mr. Speaker, I am the last speaker on our side.

Mr. COLE of Oklahoma. I am prepared to close whenever you are. Mr. McGOVERN.

Mr. McGOVERN. Mr. Speaker, let me say simply in closing that we will not be having an open debate on Iraq policy today. No one from either side of this aisle will be allowed to present policy alternatives that will be debated and voted upon. No one will be able to offer amendments to increase accountability over the hundreds of billions of taxpayer dollars that have been poured into this war. Just like the last 3 years, there will be no debate that might actually affect the direction of U.S. policy in Iraq.

Mr. Speaker, for the past 3 years, Democrats and Republicans have come to the Rules Committee with amendments to the various defense bills that would have required greater accountability and modified our policies in Iraq. The Republican majority in this House has routinely denied these amendments the right of debate. They have routinely kept them from being offered on the floor of this House for votes. So when the Republican leadership says they have offered us a debate on Iraq, it is simply not true.

This is not what we asked for. We do not need therapy. We do not need time to get things off our chests. We need real debate and meaningful votes on U.S. policy in Iraq.

At best, the Republicans have structured a glorified 10-hour Special Order on Iraq. But let us not dignify it by calling it a debate when no Member will have the opportunity to vote on competing policy proposals.

Mr. Speaker, to our troops who are in harm's way, to their families and friends and to the American people, I offer my sincere regrets that once again the Republican-led Congress is failing to address the war in Iraq in the serious manner it deserves and has instead chosen to create this sham of a debate.

Mr. Speaker, the great British conservative Edmund Burke once said, "A conscientious man would be cautious how he dealt in blood." Mr. Speaker, I wish the majority of this House would heed those words.

I urge my colleagues to vote "no" on this rule.

Mr. Speaker, I yield back the balance of my time.

Mr. COLE of Oklahoma. Mr. Speaker, before I get into the substance of my close, I simply want to remind my friends on the other side of the aisle the simple fact is, despite their insistence to the contrary, our side never received a substitute amendment to consider. The Rules Committee received four amendments, none of which was a Democratic substitute. We cannot make in order what is not submitted to the Rules Committee.

Let me say that I suspect that this procedural problem really represents the fact that there is not a cohesive alternative presented by the other side. We have watched again and again and again as the Democratic Party has struggled to come to grips with this issue and find a united position, and so far no united position has emerged.

As I pointed out in my opening remarks, we do indeed have a united position. It is one that you can agree with or disagree with, but it is a resolution that we can put forward and we can command the overwhelming majority of our Members to support. And, frankly, I hope and trust that many Members on the other side will also be supportive of that position.

Make no mistake about it, Mr. Speaker. What is at stake in Iraq is the war on terror, whether or not we will be successful. That is the central battlefield of this particular moment.

Everybody on both sides agrees that removing Saddam Hussein was a good thing to do. He was an evil man, a dangerous man, a tyrant to his own people, a threat to world peace. That removal was not going to come about by accident or by internal revolution. They had indeed tried to do that. Unfortunately, they had failed. It took direct military intervention by the United States of America to rid the world of one of the worst tyrants we have seen in the second half of the 20th and the opening of the 21st centuries. Once there, the terrorists, our enemies, made this the central battlefield. And, frankly, over the course of the last 3 years, they have inflicted enormous damage on the Iraqi people.

I, for one, am enormously proud of how the Iraqis have responded to that challenge. To see a people who, in the face of terror and death and destruction, have gone out to the polls not once, not twice, but three times with ever increasing numbers of participants; to see them write a constitution in the midst of turmoil and challenge; to watch them create a permanent government; to watch that government take control; and to see their people, thousands of their people, stepping forward to defend their country and fight their enemies who are also our enemies is, frankly, an inspiring and a noble sight. I think we have a terrific chance to succeed in Iraq because of the Iraqi people, because of the valor and the skill and the professionalism of the American military.

The real battle and the real arena, as my friend Mr. SHAYS suggested, is here on the floor of this Congress and in the court of public opinion in the United States. If we maintain the resolve, if we maintain the commitment, if we keep our promise to the Iraqi people, we will be successful. If we do not, we not only will fail, we will strengthen and harden our enemies and, frankly, will bring dishonor on ourselves.

I am extraordinarily proud of this President. I am extraordinarily proud of this Congress with its bipartisan commitment to succeed in Iraq.

To close, I would urge my colleagues to support this rule and the underlying legislation.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

PARLIAMENTARY INQUIRY

Mr. McGOVERN. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman may inquire.

Mr. McGOVERN. Mr. Speaker, my parliamentary inquiry is, under an open rule, is it a requirement that a substitute or that substitutes be filed with the Rules Committee in order to have them debated and voted on the House floor? Because my understanding is it is not a requirement.

The SPEAKER pro tempore. The gentleman is inquiring about the proceedings of the Committee on Rules, and it is not for the Chair to characterize those proceedings.

Mr. McGOVERN. I think I made my point, Mr. Speaker.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 222, noes 194, not voting 16, as follows:

[Roll No. 287]

AYES—222

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich

Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schmidt
Schwarz (MI)
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—194

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Reyes
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—16

Burton (IN)
Capito
Carter
Cubin
Gordon
Johnson, E. B.
Lynch
Miller (MI)
Mollohan
Rahall
Rogers (KY)
Rothman
Saxton
Sessions
Taylor (MS)
Weldon (PA)

☐ 1202

Mrs. TAUSCHER, Messrs. GUTIERREZ, MATHESON and BOUCHER changed their vote from "aye" to "no."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4939) "An Act making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.".

ALLOCATING CONTROL OF TIME ON H. RES. 861

Mr. MURTHA. Mr. Speaker, I ask unanimous consent that the time allocated by House Resolution 868 to the ranking minority members of four committees instead be controlled by the minority leader or her designees.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

DECLARING THAT THE UNITED STATES WILL PREVAIL IN THE GLOBAL WAR ON TERROR

Mr. HYDE. Mr. Speaker, pursuant to the rule, I call up the resolution (H. Res. 861) declaring that the United States will prevail in the Global War on Terror, the struggle to protect freedom from the terrorist adversary, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 861

Whereas the United States and its allies are engaged in a Global War on Terror, a long and demanding struggle against an adversary that is driven by hatred of American values and that is committed to imposing, by the use of terror, its repressive ideology throughout the world;

Whereas for the past two decades, terrorists have used violence in a futile attempt to intimidate the United States;

Whereas it is essential to the security of the American people and to world security that the United States, together with its allies, take the battle to the terrorists and to those who provide them assistance;

Whereas the Taliban, Al Qaeda, and other terrorists failed to stop free elections in Afghanistan and the first popularly-elected President in that nation's history has taken office;

Whereas the continued determination of Afghanistan, the United States, and the North Atlantic Treaty Organization will be required to sustain a sovereign, free, and secure Afghanistan;

Whereas the steadfast resolve of the United States and its partners since September 11, 2001, helped persuade the government of Libya to surrender its weapons of mass destruction;

Whereas by early 2003 Saddam Hussein and his criminal, Ba'athist regime in Iraq, which had supported terrorists, constituted a threat against global peace and security and was in violation of mandatory United Nations Security Council Resolutions;

Whereas the mission of the United States and its Coalition partners, having removed Saddam Hussein and his regime from power, is to establish a sovereign, free, secure, and united Iraq at peace with its neighbors;

Whereas the terrorists have declared Iraq to be the central front in their war against all who oppose their ideology;

Whereas the Iraqi people, with the help of the United States and other Coalition partners, have formed a permanent, representative government under a newly ratified constitution;

Whereas the terrorists seek to destroy the new unity government because it threatens the terrorists' aspirations for Iraq and the broader Middle East;

Whereas United States Armed Forces, in coordination with Iraqi security forces and Coalition and other friendly forces, have scored impressive victories in Iraq including finding and killing the terrorist leader Abu Musab al-Zarqawi;

Whereas Iraqi security forces are, over time, taking over from United States and Coalition forces a growing proportion of independent operations and increasingly lead the fight to secure Iraq;

Whereas the United States and Coalition servicemembers and civilians and the members of the Iraqi security forces and those assisting them who have made the ultimate sacrifice or been wounded in Iraq have done so nobly, in the cause of freedom; and

Whereas the United States and its Coalition partners will continue to support Iraq as part of the Global War on Terror: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors all those Americans who have taken an active part in the Global War on Terror, whether as first responders protecting the homeland, as servicemembers overseas, as diplomats and intelligence officers, or in other roles;

(2) honors the sacrifices of the United States Armed Forces and of partners in the Coalition, and of the Iraqis and Afghans who fight alongside them, especially those who have fallen or been wounded in the struggle, and honors as well the sacrifices of their families and of others who risk their lives to help defend freedom;

(3) declares that it is not in the national security interest of the United States to set an arbitrary date for the withdrawal or redeployment of United States Armed Forces from Iraq;

(4) declares that the United States is committed to the completion of the mission to create a sovereign, free, secure, and united Iraq;

(5) congratulates Prime Minister Nuri Al-Maliki and the Iraqi people on the courage they have shown by participating, in increasing millions, in the elections of 2005 and on the formation of the first government under Iraq's new constitution;

(6) calls upon the nations of the world to promote global peace and security by standing with the United States and other Coalition partners to support the efforts of the Iraqi and Afghan people to live in freedom; and

(7) declares that the United States will prevail in the Global War on Terror, the noble struggle to protect freedom from the terrorist adversary.

The SPEAKER pro tempore. Pursuant to House Resolution 868 and the special order of today, debate shall not exceed 10 hours, with 5 hours equally divided among and controlled by the chairman of the Committees on International Relations, Armed Services, the Judiciary and the Permanent Select Committee on Intelligence, and 5 hours controlled by the minority leader or her designee.

The gentleman from Illinois (Mr. HYDE) is recognized to control 75 minutes.

GENERAL LEAVE

Mr. HYDE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 861.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HYDE. Mr. Speaker, I yield to the gentleman from Illinois, the Speaker of the House (Mr. HASTERT).

Mr. HASTERT. Mr. Speaker, one of our greatest Presidents, Ronald Reagan, was fond of saying that "Freedom is never more than one generation away from extinction." President Reagan's wise words are still true today.

Mr. Speaker, I rise in support of H. Res. 861. This resolution is about more than the war in Iraq and Afghanistan. It is about a global war to protect American ideals, and the democracy and values on which this great Nation was founded.

This resolution, Mr. Speaker, like this war itself, is about freedom. Just 12 days ago I returned from Iraq. I can tell this House that the morale of our fighting men and women there is sky high. They are not suffering from doubt and "second guessing." And they are certainly not interested in the political posturing about the war that often goes on in this city. They know why they are there. They know they are liberators doing good. And they believe passionately in their mission.

It is not possible to talk to these men and women without being inspired by their courage, their determination, their professionalism and their patriotism.

I came home from Iraq believing even more strongly, that it is not enough for this House to say "we support our troops." To the men and the women in the field, in harm's way, that statement rings hollow if we don't also say we support their mission.

The clarity with which our men and women in uniform understand the reason they are in Iraq is a stark contrast to some here at home who talk about this war as a "war of choice."

The facts are clear. America has been struck repeatedly. Despite the life-ending attacks on Khobar Towers, our East African embassies, the USS *Cole* and the first World Trade Center bombing, U.S. policy tended to confuse these attacks with isolated law-enforcement events. We failed to recognize them as the escalating strikes that they were. We failed to identify the networks behind the bombs. We convinced ourselves that these attacks were just somehow random acts of violence. And yet the attacks continued.

The terrorists did not admire or appreciate our limited response. They did not come to the table to discuss points of political concern, and they did not de-escalate, demobilize or disappear. Our response was inconstant and limited, but their reactions were not. They plotted and they practiced, while we hoped for the best and fired an occasional cruise missile into the desert. We were wrong and we slumbered in denial.

And then came the day when terrorism slapped us in the face, awakening us to a stark reality. I remember it as a crisp, fall day. Where the clear blue sky was filled with fluffy white clouds. But that peaceful scene was transformed in an instant when planes went crashing into buildings and the clear sky turned to choking ash and soot.

I stood in my Capitol office, just a few yards from where I am speaking here today. I saw the black smoke rising from the Pentagon. The third plane had hit just across the river from this Capitol building.

On 9/11 the terrorists were not a distant threat, they were in our front yard, and they were very real and very deadly. In that moment, we were afraid. None of us had anticipated the lengths to which our enemies would go to destroy our American way of life, our ideals and our belief.

Of course, we knew that foreign terrorists had caused trouble elsewhere, maybe in Israel or in Northern Ireland, but we found it hard to imagine that they came to our shores hoping to kill tens of thousands of men, women and children, innocent, unarmed people, peacefully going about their daily lives.

□ 1215

It is hard, even now, to comprehend such enormous evil.

As we watched some of our fellow citizens leap from burning buildings to their deaths, our fear turned to anger and then anger to resolute determination.

America's response started high above a corn field in rural Pennsylvania. Brave men and women, armed with nothing more than boiling water, dinner forks and broken bottles, stood up, as Americans always do when our freedom is in peril, and they struck back.

We know from the messages they left behind that their final thoughts were for their families and their loved ones, but they also spoke of their love of their country.

"Freedom is never more than one generation from extinction." Perhaps the brave souls on United Flight 93 reflected Ronald Reagan's words because the generation represented on that plane, like the patriots at Concord Bridge, were not going to let freedom be extinguished, not on their watch.

We in this Congress must show the same steely resolve as those men and women on United Flight 93, the same sense of duty as the first responders who headed up the stairs of the Twin Towers.

We must stand firm in our commitment to fight terrorism and the evil it inflicts throughout the world. We must renew our resolve that the actions of evildoers will not dictate American policy. And we must decide, right here, today what kind of a Nation we want to leave for our children and their generation.

We are not alone in the fight on global terror. I cannot list them all, but they include countries large and small, rich and poor: Great Britain, Japan, Canada, Jordan, Portugal, Denmark, Mali, Latvia, Romania, Italy, Poland, South Korea. In fact, the number of countries working to defeat our common enemy continues to grow.

Pakistan, a nation that once recognized the oppressive Taliban regime, has changed its course and now works closely with the coalition to round up terrorists. Yemen, Indonesia, and Saudi Arabia have also moved aggressively within their borders to fight terrorism. Libya has given up her nuclear capability.

Today, more than three-quarters of al Qaeda's known leaders and associates have been detained or killed.

There is no doubt that since 9/11 our military, as well as our law enforcement intelligence agencies, have made great strides in uprooting terrorism. Nearly a dozen serious al Qaeda plots have been stopped since September 11th. But there is good reason for ongoing vigilance because the threat is still very real.

Just recently, our neighbor to the north, Canada, foiled a terrorist plot to storm that country's parliament and one of its major television headquarters. The terrorists planned to behead those they captured.

Mr. Speaker, today in parts of the Middle East, where once oppression choked out freedom, we are now seeing democracy take root.

Afghanistan was once a safe haven for the al Qaeda terrorist network. In remote training camps, terrorists planned and practiced attacks on the United States and other freedom loving peoples. Those camps are now gone. In their place is a developing democracy with an elected President and a new Constitution that gives unprecedented rights and freedoms to all Afghans.

Just 3 years ago, Afghan women were whipped in the streets; schooling was denied to girls. Today, women have the right to vote, and two Afghan cabinet ministers are women.

In Iraq, just 3 years ago, a brutal dictator sat in palatial luxury. Unhampered by the United Nations, Saddam and his family stole the Oil-for-Food money from starving Iraqi children in order to support their lifestyle of debauchery and brutality. Schoolgirls were raped. Iraqi patriots were thrown alive into meat grinders. Unspeakable atrocities of all kinds were common, including the use of chemical weapons on Saddam's own people, the Kurds.

Saddam invaded the sovereign nation of Kuwait. He harbored terrorists in his midst, and he defied 17 United Nations Security Council Resolutions.

Just a few days ago, I was listening to the radio, and a pundit remarked on the sectarian violence in Iraq. He observed that perhaps the Iraqi people were better off under Saddam. Given the unspeakable and systematic brutality of Saddam's regime, such a remark either reflects a serious misreading of history or a very naive and forgiving nature.

It might have been easier for us in America to turn our heads and look the other way, as much as the rest of the world did, but I would submit that Saddam was an evil cancer on the world. He was a threat to our country, and Mr. Speaker, America, not just Iraq, is better off today because Saddam Hussein sits in a court of law, answering for crimes he committed against humanity.

While I was in Iraq, I met with Prime Minister al Maliki as well as my counterpart, the Speaker of the Iraqi Parliament. We talked about the birth of democracy in Iraq.

I looked at the Speaker. I looked him in the eye and I said, "Mr. Speaker, I admire you. The Iraqi people represent an ancient civilization, but your democracy is just beginning. Your challenges are great, but so too are your opportunities."

I urged the Iraqi people to look forward and not back, to listen to the voices of reconciliation, not division. I urged them to choose unity.

They told me that they were succeeding in putting together a unity cabinet, and shortly after my return, they announced the names of the last three ministers that deal with critical security issues.

Each Iraqi official I met with, even the Iraqi Speaker, who originally viewed the U.S. presence in Iraq negatively, thanked me for the help America has given their country. He went further and urged us to stay with them while they build up the capacity to take over the task of providing security for their people.

Today in Iraq we are working together with Iraqi patriots, men and women elected by their fellow citizens.

Along with brave Iraqi soldiers and police, we are moving toward a day when the Iraqi Government on its own has the strength to protect their people, a day when our men and women, and their coalition partners, can come home.

The "stand up" of this new Iraqi Government, which is the fruit of three elections where Iraqi citizens held up their ink-stained fingers and resisted intimidation, brings us closer to that day.

President Bush told us from the beginning that this road would not be easy. We have lost many American lives. And each one is precious to us.

But our fighting men and women remain committed to the effort. Active duty retention and recruiting is meeting or exceeding all objectives, and we are making progress toward our goal, but the battle is not over.

It is a battle that we must endure and one in which we can, and will, be victorious. The alternative would be to cut and run and wait for them to regroup and bring the terror back to our shores. When our freedom is challenged, Americans do not run.

"Freedom is the very essence of our Nation," President Reagan said in 1990 when a section of the Berlin Wall was presented to his Presidential library. America, he said, "remains a beacon of hope for oppressed peoples everywhere."

President Reagan also observed that freedom is not passed on at birth. It must be fought for and protected and handed on. And that is happening. Freedom is being handed on.

Our soldiers, sailors, Coast Guardsmen, airmen, marines, and our Reserves are serving proudly and bravely in harsh conditions, far from their families.

When I was in Iraq, I told them that their task was important and how proud we all were of their service. But frankly our men and women in uniform did not need to be told. In fact, it is we who should listen to them.

They know their sacrifices on foreign shores are keeping the battle against terrorists out of our cities. They know that by going into harm's way they are keeping American freedoms safe, and they know that they are helping a proud but brutalized people to throw off tyranny and stand tall once again. They know that they are liberators, not occupiers.

Our men and women in uniform know all this, and they are proud of it. It is time for this House of Representatives to tell the world that we know it too; that we know our cause is right and that we are proud of it.

Stand up for freedom. Adopt this resolution.

Mr. MURTHA. Mr. Speaker, I yield to the gentleman from Missouri.

Mr. SKELTON. I thank the gentleman for yielding.

Mr. Speaker, the media just reported the sad news that we have just reached a sad milestone: 2,500 Americans have lost their lives in the Iraq war. Mr. Speaker, I respectfully ask at the outset of this very important debate that the House observe a moment of silence for all those who have given the ultimate sacrifice on behalf of our country.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MURTHA. Mr. Speaker, I yield myself 30 minutes.

All of us know, all of us understand stability in Iraq is important, not only to the United States but to the world.

It is no secret that Iraq is of particular importance because of its oil. The United States consumes 20.6 billion barrels of oil per day. Yet we produce only 5.1 billion barrels of oil a day. China is the second largest consumer, with 6.9 million barrels per day, and they produce 3.6 million barrels per day. Iraq has the fourth largest oil reserve in the world. Saudi Arabia is number one, Canada number two and Iran number three. So all of us agree Iraq is important. But how do we get to a conclusion?

Let me compare Gulf War I with Gulf War II. In Gulf War I, Kuwait was attacked by Saddam Hussein. It was a brutal attack. President Bush I immediately reacted. He sent his emissary, Secretary Cheney, to Saudi Arabia. They got an agreement from Saudi Arabia to use their land to put troops in. He immediately sent in the Airborne Division, and he immediately sent in F–16 fighters to deter Saddam Hussein. All of us knew that there was a possibility at that time that he would have complete control of the oil in the Middle East. So we knew how important it was.

Then President Bush started calling up the Reserves. He called a number of Members of Congress over to the White House, and he consulted and talked to them. I do not remember if the gentleman from Illinois was there, but there were seven or eight of us went to the White House. We talked to him about calling up the Reserves and having other people pay.

This is important not only to the United States. This is important internationally. This oil supply, this stability in the Middle East is important to the whole world, and he went to work. He called every major nation. He called Egypt, and this was no easy task for these countries to come around to decide to support the United States.

Matter of fact, President Mubarak said to me that King Hussein came to him and said if you support the United States, you will cut the throat of Saddam Hussein, and yet Egypt decided that they were going to go along with us.

Then he talked about that we needed to have a U.N. resolution, which we did have. Then we had to have a resolution in the Congress of the United States. But the big thing that he promoted was he got a coalition together, and this coalition ended up with 400,000 American troops and 160,000 coalition troops.

□ 1230

And I remember during this debate, I remember calling Secretary Cheney, calling General Scowcroft saying, you have got 250,000 troops over there, you don't need any more. Let's get this war going. And General Scowcroft said something I have never forgotten. He said, we are going to give General Schwarzkopf whatever he wants. He wants more troops, we are going to give him more troops. And Secretary Cheney called me and said we are going to have to send another 180,000 troops. We are going to have overwhelming force when we go into Kuwait.

And they did have overwhelming force. It went on for 6 months. The troops were out in the field, they trained, and when they went in they did a magnificent thing. It was overwhelming. And it was paid for by other countries. Sixty billion dollars came from other countries. President Bush I convinced other countries that they had to help pay for this because it was not only important to the United States, it was important to them, the stability in the Middle East.

Now, let me talk about the second Gulf War. The second Gulf War we had intelligence that said there were weapons of mass destruction; there was an al Qaeda connection. I believed that. As a matter of fact, I listened to the reports, and I was hesitant about the al Qaeda connection, but I believed that they had biological weapons. Matter of fact, a week or so before the war started, Ms. PELOSI, as the new minority leader, wanted to go overseas on her first trip. She wanted to visit the troops. Even though she had been against the resolution to go to war, she wanted to tell the troops she supported the troops. And anybody that votes for the Defense Subcommittee appropriations, anybody that belongs to the Armed Services Committee shows their support of the troops.

So we went over, and on our way over we stopped in Turkey. Imagine, the 4th Division was sitting outside Turkey. It was supposed to outflank the Iraqis. And the State Department asked me, okay, talk to the Turkish government about letting us go through. Now, we had the most modern division, the most technologically advanced division in the whole world sitting there off Turkey. I talked to them and I became convinced they weren't going to let us go through, even though they had voted the very day I was there, and they voted by a majority, but not the supermajority they needed to allow the United States to go through.

I went then to Kuwait and we listened to the commanders. The commanders told us that there is a red line drawn around Baghdad and if we cross the red line they are going to use biological weapons. And I believed that. I believed. As a matter of fact, they said if you cross this red line, we have already verified this by monitoring their telephones, by monitoring their cell phones. When we monitored cell phones of Saddam Hussein's headquarters they said use biological weapons. The troops believed it. They were prepared. They felt like they could go in there with protective gear, they could go in there with what they needed and the hot air, the winds, would dissipate the weapons. And, of course, they crossed the red line and nothing happened.

But I still thought there were weapons of mass destruction. I still thought there were biological weapons. I came back and we sent a team over there. And the team went over and the team looked for those weapons of mass destruction. Matter of fact, at first a fella named Kay, that was so strong about it, former CIA, said, we will find them. And he looked for months and couldn't find anything at all. Absolutely no evidence of any kind of weapons of mass destruction. No biological weapon, no capability, no nuclear capability, no al Qaeda connection.

When we go to war, we should go to war, first of all, if it is a threat to our national security. It was a threat to our national security when you talk about the first war, because it destabilized and he would have controlled all the oil in the Middle East, which is so important to the free world. The second time was no threat to our national security. Now, we didn't find that out, those of us who voted for it, didn't find this out until after we had gone to war.

The second thing is you go with overwhelming force. I talked to one of the commanders who was in a meeting with five officials; there was him, there was Secretary Rumsfeld, there was Secretary Wolfowitz, General Pace, and General Myers. And he said we recommended 350,000 troops. And as you know, they gave him a lot less troops than that. The coalition troops at the most were up to 30,000 and now they are down to 20,000.

The first war, 160,000. And the first war was all paid for. It cost us $5 billion. The reason I remember this so vividly is I was chairman of the committee at the time the money came through our committee, and we then sent it over, reprogrammed it over to the Defense Department itself. But the discrepancy that we have seen, the mischaracterization, the optimistic predictions are the problems that I have had.

Now, I sent a letter, with DUNCAN HUNTER and a number of other people, and I said to the President, we need 100,000 more troops. Well, the President decided he didn't need 100,000 more troops. Now, imagine this, we are on the ground and we have won the war. The troops did a magnificent job, as we knew they would, but they completely miscalculated the problems that we were going to have afterwards.

Now, I talked to a tribal leader the other day in Anbar Province. He told me that, as far as he saw, the first 6 months we had occupied Anbar. Now, Anbar is the province we are having the most trouble right now. It is where Ramadi and Fallujah are. Those are the areas where there is the most contention. In the first 6 months there wasn't a shot fired. Not a shot fired. I said, let me ask you right now, what kind of progress have we made economically? No water, no electricity, no jobs in Anbar Province. Two million people.

And we talk about Saddam Hussein. Almost 900,000 people left when Saddam Hussein was there. They left the country as refugees. The time we have been there 900,000 people have left the country. They voted with their feet. The President went in the other day, he says he was glad to see democracy in action. You know where he went? The same place I go, in the fortress. In the Green Zone. That is where he went. They are afraid to go outside the Green Zone.

When I first went there, the first two or three trips I went, I could go anyplace. I drove around all over Iraq. The last time I landed at Baghdad Airport, they flew me to Anbar Province down in Haditha, and we flew so low because of the threat we had to come up over the wires in order to get down, and I didn't see a person the whole time. There were 2 million people in Anbar Province. Not one project. Not one.

I said on the floor of the House the most important thing in that first supplemental, in the $87 billion, was the $18 billion that went for reconstruction. And of course there are so many projects that haven't been finished. Now, after we sent the letter about the 100,000, and during that period of time, we asked a fella named Hamre, who was the former Under Secretary of Defense, who went over to Iraq and he did a study for the Defense Department. He came back and said, you have got 3 to 6 months to get this straightened out.

And what did he suggest had to be done? They weren't big projects. He suggested we had to have trash picked up, sewage taken care of, electricity, and jobs. Those are the kinds of things he talked about, and securing the border. Those are the things he said had to be done in 3 to 6 months, and if it is not done, it will go the other way. And all of us know what has happened. All of us know what has happened with the insurgency.

Now, let me go through why I get so distressed by the reports that I get about how well it is going. First of all, the number of daily attacks in Iraq have gone from in 2004, daily, 53 attacks in 2004, 70 attacks in 2005, and in 2006, 90 attacks a day.

Estimated size of the insurgency. Now, we are supposed to be making progress. That is what we hear. The estimated size of the insurgency in 2004 was 15,000. In May of 2005 it was 16,000. In May of 2006 it was 20,000.

This is the way I measure whether there is progress or not progress.

The amount of cash paid to families, this is an important point, to Iraqi civilians killed or maimed by the operation involving American troops went from in 2004, $5 million to $20 million.

Now, what does that mean? The problem is that all of us want to solve the problem, all of us want to have a satisfactory answer in Iraq. The problem is the way we have to operate as a military. The reason we won the first Gulf War is we were fighting a conventional force and we wiped them out. Nobody can match our military. They are the best in the world. But now we are fighting a guerilla war, and that is the type of problem that we have.

For instance, we went into Fallujah, we put 300,000 people outside their homes and only 100,000 have come back now. And when we put 300,000 people outside their home, every one of those are an enemy.

Abu Ghraib. Why did Abu Ghraib happen? Abu Ghraib happened because we had insufficient forces and untrained people and unsupervised people in that prison.

Now, what do I mean by untrained? We had one fella, who happened to be from my district, that had a court order against him because he had abused his family, and he couldn't carry a gun in Pennsylvania. And he said, I can't do this. This is against my nature. I don't know anything about taking care of prisoners. He is now in jail. But the point is he was untrained in that particular job, and even though he told them, they put him in the job. And of course we know the tremendous consequence, at the very time we went into Fallujah, at the very time we put 300,000 people outside their home.

And listen, I endorse this. I know we have to have, when we go into an area, we have to use overwhelming force. That is the way the military has to operate. But, you see, these payments from $5 million in 2004 to $20 million last year, that is because when we go into a place we kill them inadvertently. And when we kill people inadvertently we make enemies, and Abu Ghraib was the biggest public relations disaster we had since My Lai during the Vietnam War.

The number of complete or reconstructed projects, as I said, in al Anbar Province, imagine now, this is one-third of the geography of Iraq, and they have 2 million people, zero. Zero. Number of civilians who died in Baghdad last month, 1,400, in sectarian violence. What is the definition of sectarian violence? A civil war.

All of us want to end this thing. All of us want to find a way to prevail in Iraq. This is a civil war and we are caught in a civil war. There is less than a thousand al Qaeda in Iraq. They have diminished al Qaeda. But we are caught in this civil war between 100,000 Shiias and 20,000 Sunnis fighting with each other.

The average monthly U.S. war expenditure in Iraq: $4.4 billion in 2003, $5 billion in 2004, $6.1 billion in 2005, and $8 billion. The average monthly expenditure, $8 billion. Now, think what I am saying. The first Gulf War, and DUNCAN HUNTER remembers this, they paid internationally. We paid $5 billion. He was on the Armed Services Committee. He knows what I am talking about. We paid $5 billion and they paid $60 billion. They had 160,000 troops in the first Gulf War.

Now, let me talk about the sentiment and talk about the polls taken. We all look at the polls to see what is going on. Now, the only poll taken of U.S. forces in Iraq, about 3½ months ago: 72 percent of the American troops serving in Iraq think the U.S. should exit the country within a year.

Now, I can understand that. Let me tell you, it is hot, they are wearing 70 pounds every day when they are out there in the field, and I can certainly understand that. Forty-two percent say they do not know what the mission is. And that is devastating when they do not understand the mission.

A public opinion Iraqi poll, a segment of 18 provinces, all 18 provinces: More than half the Iraqis say they are headed in the wrong direction, and 82 percent say the economic situation is either poor or fair. Now, these are the Iraqis. Ninety percent say the security situation is poor or fair.

And who do they trust? Who do they trust for personal security? Forty-three percent trust the Iraqi police, 35 percent trust the Iraqi army, 6 percent trust the insurgents, 6 percent trust the insurgents, 4 percent trust the armed militia, and 1 percent, 1 percent trust the multinational force. In another poll taken at the beginning of this year, 47 percent approve the attacks on the United States forces, and 87 percent of the Iraqis endorse a timetable for withdrawal.

Our global image couldn't have been higher after the first Gulf War, with 80 to 90 percent of the people in the world thinking the United States did a marvelous job. We had recovered from Vietnam, finally, in the first Gulf War.

Ten of 14 countries polled said the war in Iraq has made the world more dangerous, and most of the countries rated the U.S. troops in Iraq a bigger danger to world peace than the threat posed by Iran. Britain, France, Germany, Spain, Russia, Egypt, Indonesia, Pakistan, Jordan, and Turkey all have more favorable ratings of China than the U.S.

Now, this resolution is a restatement of the failed policy of this administration, and it is no surprise that that is what this is.

□ 1245

We can't win this. This cannot be won rhetorically. We cannot sit here, stand here in an air-conditioned office and say we support the troops, say we support the policy.

I visit the hospitals every week, and the only person to visit them more than I do is BILL YOUNG and his wife. I see these young people. I am so impressed by their determination, and I am so hopeful we can end this terrible tragedy.

When I got into this 6 months ago, I got into it because of the troops and because of the fact that I felt we couldn't do anything more militarily. We had done everything we could do militarily, and, second, because of the future of the military.

The bill we are going to pass next week, and very few people are going to vote against it, if you want to really support the troops, that is what you vote for. You vote for that legislation. That will say we will run out of money for personnel for the troops because we cut $4 billion out of the base bill by September. We will take care of that. We will find a way to do it. But the point is the base bill was cut by $4 billion.

Now let me tell you the difference in what I believe is the answer. I believe we redeploy and be ready; that is what I say. I say redeploy and be ready.

We are the targets. We are causing the problem. You know who wants us to stay in Iraq right now, the al Qaeda wants us there because it recruits people for them. China wants us there. North Korea wants us there. Russia wants us there. We are depleting our resources, just like Russia depleted their resources in Afghanistan. The same thing is happening with the United States. We will have spent $450 billion by the end of this fiscal year. Now think, the first gulf war we spent $5 billion. We have spent $450 billion.

Stay and we will pay, not only pay in dollars, in money; we are going to pay long term.

I figure it took us through the Reagan administration to pay for the Vietnam War. We had 18 to 21 percent interest rates during the Reagan administration, and the reason we did was because Lyndon Johnson, the President of the United States, said we can have butter and we can have guns, and he didn't raise the taxes he should have raised when we had the war going on.

So we continue to pay with lives lost in terms of financial treasure and more than $8 billion a month. We pay in terms of international reputation. We pay in terms of the future of our military. We stay and pay. I say redeploy and be ready.

Let me tell this one last story.

When I came out of Vietnam, they gave me this small bullet. It is a 45 caliber without any powder in it. It says: "First Marines, everything is going to be all right."

A month after I came out of Vietnam in 1967, Lyndon Johnson said, and I believed in the Vietnam War. I thought we were fighting communism. But Lyndon Johnson said, and they had an election, one month after I came out of Vietnam, everything was going to be all right. Do you know how many people we lost from 1967 until we pulled out? 37,000.

Rhetoric does not answer the problem. Only the Iraqis can solve the problem in Iraq. They are fighting with each other, and our troops are caught in between. I say it is time to redeploy and be ready.

Mr. HYDE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I can't help but comment on my good friend Mr. MURTHA's eulogy for the first gulf war. The problem we have had there is we quit too soon. We quit before the victory was secure. We left the Republican Army, we left Saddam Hussein, we just washed our hands and left. I hope we learned a lesson from that, what a mistake it was and it led to later difficulties.

Mr. Speaker, so much of what we do in this Chamber is inconsequential; but the subject of this debate is anything but trivial. Let us then be serious as life and death are serious.

The capacity to reproduce that fearful mushroom cloud which first terrorized the world in 1945 is multiplying and becoming the deadly plaything of rogue nations across the globe.

Partisans have charged the President with misleading us into war, "misleading" being a pale euphemism for lying. The acquisition is made more grave by the assertion that he concocted the war for purely political purposes.

By any measure this is a monstrous charge, but questions persist that must be answered if we are to honestly examine the President's rationale for intervention. It is essential to first understand the context in which the decision was made.

President Bush has cited two factors for his decision to intervene in Iraq: the first, his belief that Saddam was reconstituting his arsenal of weapons of mass destruction; and, secondly, that the Iraqi dictator was cooperating with al Qaeda and other terrorist organizations.

The threat from Saddam Hussein stretches back much further than many of today's critics care to remember. Saddam's effort to develop a nuclear weapon began in the 1970s, centered around the nuclear reactor being constructed at Osirak.

Despite the alarming evidence of its purpose, the world casually contemplated what it saw as a distant, perhaps even benign, development.

But the luxury of inaction was not available to Israel because her leaders knew that the country was certain to be among Saddam's first targets. They also knew that the responsibility for Israel's safety was theirs alone, and that the world would do nothing to save their country if they failed to act.

So act they did, launching a bold attack in 1981, destroying the reactor complex and setting Saddam's nuclear quest back many years. But far from praising this heroic act that benefited humanity, the world community responded with condemnation, even outrage. Yet, in hindsight, is anyone so foolish as to assert that Israel should have waited for the United Nations to confirm that a threat existed, that Israel should not have taken action to destroy the reactor, even in defiance of the international community?

Had Israel not acted, the future of the Middle East and the West would likely have unfolded quite differently and far more tragically.

Unchastened by this setback, Saddam continued his aggressive campaign to dominate the region and control the world's oil supply, launching a decade-long war against Iran in 1980 during which over a million people were killed and in which he used poison gas and other means of mass slaughter.

After being beaten back from Iran, his attention then turned to Kuwait, which he invaded and annexed in 1990, assuming the world would meekly accept this fait accompli.

Many forget that for a time that outcome was a real possibility. Much of the initial response in the world community, and in this country, was one of let's look the other way and hope for the best.

Only when the United States decided to forcefully eject Saddam from Kuwait and to assume the principal burden for doing so was the international community finally persuaded to go along. We refused to allow our fate and that of the world to be shaped by a dictator, and all sensible people are glad of it.

What we providentially discovered after that war astonished the entire world. Despite years of inspections and the best efforts of numerous intelligence services, Saddam had managed to secretly construct a massive program to develop nuclear, chemical and biological weapons. The experts estimate that he was only 6 months from an operational nuclear device. Had he postponed his invasion of Kuwait by half a year, the world would now be a much darker place.

This record of unrelenting aggression and implacable menace was the only context in which a reasonable person could view Saddam's future designs. This was the background in which the events of 9/11 occurred.

Imagine yourself as President, confronting the fact that an unknown group of terrorists had incinerated 3,000 Americans in an attack carried out by individuals who gladly committed suicide to create this horror. We had no idea how extensive their resources were, how global the threat was, who were their allies, how massive were the hidden terrorists to come.

In this context, let us consider the alternative to our intervention in Iraq: The President is presented with evidence that once again Saddam Hussein has developing weapons of mass destruction, that he once again refuses to cooperate with international arms inspectors, that he has had contact with al Qaeda and other terrorist organizations, that he is even harboring terrorist organizations. And yet the President decides not to act. He decides to wait, to see if those same inspectors who had previously been deceived by Saddam will again give him a clean bill of health months or years in the future, to wait until our allies or the United Nations grudgingly grant us a narrow warrant to act. To wait until Saddam perhaps gives to some terrorist organization a nuclear, chemical, or biological weapon to detonate in some U.S. city.

To trust our fate to those who would destroy us is to die and leave no descendants.

Is it possible to imagine the storm of condemnation that would justifiably fall on a President who, by not acting, allowed Saddam to arm himself once again with nuclear, chemical or biological weapons? To allow the possibility that these might be made available to a terrorist organization, to acquiesce in the death of thousands, tens of thousands, perhaps of millions of Americans simply because the available evidence was not 99 percent, no, 100 percent certain?

For if al Qaeda had had a nuclear device, there can be no doubt it would have used it on 9/11 and we would be mourning the death of 3 million Americans, not a tragic 3,000.

Which then was the greater risk in the face of decades of evidence? To act or not to act? To trust Saddam? Who in this body is willing to assert that it is ever wise, that it is ever moral to risk the destruction of the American people? That is the context in which the decision to intervene in Iraq was taken.

Was our intelligence imperfect? In retrospect, that is obvious. But when is it ever perfect? Nor was this shortcoming uniquely ours. Every intelligence service in the world assumed that Saddam was once again engaged in developing weapons of mass destruction. After the invasion, we learned the astonishing fact that even Saddam's own generals believed he possessed them and was prepared to use them.

It is certainly worth noting that among the shrillest voices condemning our intelligence failure are many who once devoted their efforts to weakening our intelligence capabilities, who employed their energies towards imposing restrictions, cutting budgets, sounding alarms about imaginary "rogue elephants."

Permit me to quote from some of the most strident critics of this administration and its campaign against the terrorists.

The first is a United States Senator now serving with great distinction in the other body. And on September 23, 2001, 12 days after the events of 9/11 this Senator stated: "The tragedy is at this moment that the single most important weapon for the United States of America is intelligence.

□ 1300

"We are weakest, frankly, in that particular area. So it is going to take us time to be able to build up here to do this properly." You will find that on CBS's Face the Nation, September 23, 2001.

But this same Senator, in 1995, introduced a bill, S. 1290, that would have reduced the intelligence budget by $300 million in each of the fiscal years, 1996, 1997, 1998, 1999 and 2000.

Then we have a gentlewoman serving with distinction in this body, from sunny California, and in 1998 she stated, "it is time to totally eliminate the CIA." CONGRESSIONAL RECORD, March 18, 1997.

On several occasions in the 1990s, following the collapse of the Soviet empire, a majority of Democrats in the House voted to cut the U.S. intelligence budget. Yet, following the horrific events of September 11, the chorus of voices that had previously advocated reducing our intelligence capabilities quickly reversed their theme. Even they must thank God that they had been unsuccessful in their efforts. But on this subject we hear nothing but deafening silence.

One inescapable lesson of history is that passivity in the face of a threat is an invitation to strike. The desire to run away only encourages pursuit. We are seeing that fatal approach gather strength elsewhere in the world manifested in efforts to bind the hands of those who would attack terrorism at its source. The hope is that, as with the passing of a storm, the threat will move on and blue skies reappear and that the nightmare will at last be over. But the terrible reality is by succumbing to the fear of terrorism, by doing too little in the fear that we are doing too much, we condemn ourselves to a future of unending assaults.

Other countries have learned that, however meager their contribution to their own and the world's security, however ineffectual their actions, in the end the United States will rescue them. We will make the world right again. We will defend against all threats. We, however, no longer have that luxury. If we do not take action to defend ourselves, then we are lost because no one exists to rescue us if we fail.

So, aware of its responsibilities, aware of the horrific consequences that might occur from indecision and a reliance on trust and hope, President Bush acted to remove the threat posed by Saddam. What he did is called leadership. And for doing his duty for all of us, he has been denounced by many of the same people who would have denounced him had he not acted, denounced by people who bear no responsibility, who take no responsibility, even for their own actions.

Saddam is no longer a threat to anyone. That is a salutary lesson for those around the world who watch and wait for opportunities for unopposed aggression. They now know that their invulnerability has vanished. Even more important, and almost entirely unnoticed amid the torrent of criticism focused on President Bush, is that his actions have greatly enhanced the credibility of the United States. For the next time this or any President warns a foreign despot to cease actions we believe are threatening to us, there can be little doubt that we will take decisive and forceful action, no matter how great the opposition of the world community.

No one can credibly question that this greatly enhanced credibility paid off with Libya's decision to abandon its efforts to acquire weapons of mass destruction. Qaddafi understood what President Bush's critics still refuse to acknowledge, that this administration is determined to eliminate threats to our country, both actual and potential, and if necessary, will use force to do so.

That is in sharp contrast to the passivity of the previous administration, whose failure to react to the repeated attacks on the United States only encouraged our enemies to make further attacks. What other conclusion could al Qaeda and others have reached from our baffling inaction and response to their assaults on our embassy, on our military, on us? They were taught the false lesson that they were free to slaughter us and we would do nothing.

Incredibly, senior officials from the administration now shamelessly criticize this President for taking decisive measures to address the threat that they themselves could not be brought to contemplate. By acting first in Afghanistan, and then Iraq to remove Saddam, President Bush has rendered the need for future interventions much less likely.

It is unfortunate that the quest for political advantage and a high decibel partisanship have intruded into the national discussions of how best to address the problems we face in Iraq. But there can be no doubt that the more we appear disunited, and the more voluble our dissent into weakness, dissension and inaction, the greater the aid and comfort we give to our enemies.

The world of predictability and relative safety we once knew is gone. We are now engaged in a cruel, brutal struggle with those who would destroy us, one unprecedented in its challenge to our perseverance and courage, and one that will be fought not just in foreign lands but on our own soil.

To insist that decisions must await perfect intelligence, that the risk of action is to be more feared than the risk of inaction, that others will save us, is to guarantee our defeat. But defeat in this new and more dangerous world means annihilation. The smoking gun that some critics insist on might well be some of our cities.

We in this Chamber, our country, the entire world, owe this President not condemnation but our thanks for acting in Iraq, for refusing to wait for an avowed enemy to strike, for not temporizing and letting the forces of destruction wage unopposed their pitiless war to destroy everything we believe in.

To those faint of heart from temporary setbacks in Iraq or who seek to benefit politically from our differences there, permit me to quote from Thomas Paine. Thomas Paine wrote, "These are the times that try men's souls. The summer soldier and the sunshine patriot will in this crisis shrink from the service of their country. But he that stands by it now deserves the love and thanks of men and women. Tyranny, like hell, is not easily conquered. Yet, we have this consolation with us, that the harder the conflict, the more glorious the triumph."

Charles De Gaulle once said, "France would not be true to herself if she weren't engaged in some great enterprise." Our great enterprise is the defense of freedom, and may we be worthy of the challenge.

Mr. Speaker, I reserve the balance of my time.

Mr. MURTHA. Mr. Speaker, I yield myself 2 minutes.

Let me comment on a couple of things the distinguished gentleman from Illinois said.

He talks about early exit. This war has gone on, Mr. Chairman, this war has gone on longer than the Korean War. It has gone on longer than World War I, and it has gone almost as long as the European War.

If I believed we were making progress, we can't win this militarily. What I am saying is to redeploy, to get our troops out of harm's way is the key. I see no progress at all in this operation. I see the opposite.

When I see, you talk about al Qaeda being encouraged by what we say. Al Qaeda has gone from 15,000 to 20,000. Incidents have gone from 50 a day to 90 a day. That is the thing that worries me. And we are not making progress. We are losing progress.

I yield 10 minutes to the gentleman from Missouri (Mr. SKELTON).

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair reminds Members to direct their comments to the Chair.

Mr. SKELTON. Mr. Speaker, I appreciate the opportunity to speak on this issue today, this important issue for so many Americans across the country, from my home State of Missouri. So many families such as mine have young people in uniform. But this resolution before us today is not what we requested, nor is it what we were told we would have before us to debate. We expected a resolution confined to the country of Iraq and the conflict there. That is not what the resolution is. This resolution covers the Middle East waterfront, trying to blend together the Iraqi war and the war against terrorism, which has its genesis in Afghanistan.

Mr. Speaker, these are two separate and distinct wars. We did the right thing by going into Afghanistan, toppling the Taliban, which supported and protected the al Qaeda terrorists. And then came along the discussion, the international discussion about Iraq and Saddam Hussein and the weapons of mass destruction.

We made the decision, as a country, to go into Iraq. At that time, Mr. Speaker, knowing the history and the culture of the Middle East, I sent two letters to the President of the United States, one on September 4, 2002, and one on March 18, 2003, before we went into Iraq. My letters warned against the aftermath.

They sent an Assistant Secretary of State and an Assistant Secretary of Defense over to see me and said, "Ike, it will be all right."

We know what happened in the aftermath insurgency because we allowed the looting, we sent the Iraqi Army home, rather than give them a paycheck and a shovel, and didn't have enough troops to quell any insurgency. And it arose. And here we are, some 3 years later.

Despite the fact that this resolution is a broad one, let's talk about Iraq, which should be the complete subject of the resolution before us.

Mr. Speaker, this Nation is at a strategic crossroads. We are spending $8 billion a month, over $300 billion on this war. And more strikingly, we are losing, Mr. Speaker, a battalion's worth of casualties killed or injured between Iraq and Afghanistan. By far, most of them are, sadly, in Iraq. And there are increasing insurgent inspired attacks.

Now, what makes this resolution so interesting is the fact that it flies in the face of the law that we passed here in the Congress of the United States and the President signed. The bill, the defense bill of 2005 said this: "Calendar year 2006 should be a period of significant transition to full Iraqi sovereignty with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating conditions for the phased redeployment of the United States forces from Iraq." That is the law of our land. That is what the defense bill said last year. "Thereby creating conditions for the phased redeployment of the United States forces from Iraq."

□ 1315

What does this mean to us in the long run? Well, farmers in Missouri know that the quality of the corn that they plant will bring about the quality of the corn that grows. And we find ourselves militarily eating our seed corn in the country of Iraq. Sadly, a few moments ago we had a moment of silence for the 2,500th American that sacrificed a life in that sad country. But it means eating up the equipment, and we are using equipment right and left and it is going to take 3 years to refurbish the United States Army if the war would stop today equipment-wise. There are challenges in recruiting and retention. But I have to tell you how proud I am of those young people in uniform today. But if we do not take serious thought about the phraseology that is in the law creating the condition for the phased redeployment of United States forces from Iraq, I think that we may be eating our military seed corn. And what does this mean? It means that the United States of America will be less prepared to either deter or defend an attack that might come at some future date.

This is serious business. We need to remain strong militarily. That is the way you deter problems. Should North Korea, somewhere in Asia, somewhere in Latin America, somewhere in Africa that would cause us to be involved, the question is, Mr. Speaker, would we be prepared militarily to meet that challenge?

That is why it is very important that we do our very best to take seriously the law regarding transition this year, the significant transition.

And what will it take? It will take the Iraqi government to stand up on its own, and it is on its way there, to transfer the security problem and situation to their police force and to their military, and we have some 250,000 Iraqi military either fully trained or nearly fully trained. We have to hand the baton over to them. We as a country, whether militarily or not, cannot determine the fate of Iraq. The Iraqis have to do it themselves, their own government, their own military, and their own police force. We can be of help. We have been of help. We have been there some 3 years. I think it is time for us to seriously look at where we are, where we are going, and do our very best to keep ourselves militarily strong for those days that are bound to happen.

And, Mr. Speaker, let me remind the Members I have been in Congress 29 plus years thanks to those wonderful folks in Missouri. During that time, we have had 10 military confrontations with other countries. History being what it is reflects that, and the future may hold something similar. We hope not. But the question is will we be militarily prepared when the time comes?

The Iraq adventure needs to be looked at in light of the law that we passed last year. The calendar year 2006 should be a period of significant transition to full Iraqi sovereignty with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq. That is the law. That is what the Congress passed. That is what the President signed. And that is where we are.

Mr. Speaker, I will enter into the RECORD at this point my letters in full to the President, dated September 4, 2002, and March 18, 2003.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 4, 2002.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Thank you for inviting me to the briefing this morning. I share your concern about the continuing threat posed by Saddam Hussein and his efforts to produce weapons of mass destruction (WMD). I would like to offer my assistance as the administration considers how to deal with this threat.

Before Congress can authorize any military action that might be part of the administration's plan, we must have answers to more questions than were able to be raised. at today's meeting. Our constitutional duty requires us to ensure that all implications of such action are considered in advance. The case has not yet been fully made as to what the threat is, why military force is an appropriate way of addressing the threat, and why action must occur now. In short, Congress and the American people must be clear on your strategic vision before we can authorize a specific course of action. I believe, like Clausewitz, that in strategy there is an "imperative . . . not to take the first step without considering the last."

Your strategy for dealing with Iraq must address the fundamental questions of the threat, the method of acting, and the timing. Furthermore, any strategy to eliminate Iraqi WMD must also address several component issues, each of which raises critical questions.

1. How to manage Iraq's transition to a stable post-Saddam regime:

As I mentioned to you this morning, this is a crucial question for administration strategy to answer in advance of any military action. I have no doubt that our military would decisively defeat Iraq's forces and remove Saddam. But like the proverbial dog chasing the car down the road, we must consider what we would do after we caught it.

As Sun-Tzu said in the classic strategic treatise, The Art of War, "To win victory is easy; to preserve its fruits, difficult." Military planners and political leaders alike knew this in World War II. Planning for the occupation of Germany and Japan—two economically viable, technologically sophisticated nations—took place well in advance of the end of the war. The extreme difficulty of occupying Iraq with its history of autocratic rule, its balkanized ethnic tensions, and its isolated economic system argues both for careful consideration of the benefits and risks of undertaking military action and for detailed advanced occupation planning if such military action is approved.

Specifically, your strategy must consider the form of a replacement regime and take seriously the possibility that this regime might be rejected by the Iraqi people, leading to civil unrest and even anarchy. The effort must be to craft a stable regime that will be geopolitically preferable to Saddam and will incorporate the disparate interests of all groups within Iraq—Shi'a, Sunni, and Kurd. We must also plan now for what to do with members of the Baath party that continue to support Saddam and with the scientists and engineers who have expertise born of the Iraqi WMD program.

All these efforts require careful planning and long-term commitment of manpower and resources. The American people must be clear about the amount of money and the number of soldiers that will have to be devoted to this effort for many years to come.

2. How to ensure the action in Iraq does not undermine international support for the broader war on terrorism:

In planning for military operations in Iraq, we cannot ignore the lack of international support to date. Pre-emptive action against Iraq is currently vocally opposed by many of our allies and friends throughout the world and particularly in the Middle East.

When we are seen as acting against the concerns of large numbers of our friends, it calls into question the "humble" approach to international relations you espoused during the presidential campaign. More than that, it has several potentially damaging long-term consequences. First, it risks losing the large number of partners needed to prosecute the global war on terrorism. To ferret terrorist groups out of their many hiding places, we must have broad allied support. Second, it risks seriously damaging U.S. moral legitimacy, potentially providing states like India and Pakistan with a preemptive option that could drive long-standing conflicts beyond containable bounds.

Finally and perhaps most dangerously, actions without broad Arab support may inflame the sources of terrorism, causing unrest and anger throughout the Muslim world. This dynamic will be worse if Iraq attacks Israel—perhaps with weapons of mass destruction—and draws them into the conflict. Iran, which has the potential to seize a reformist path, may well move away from the United States in the face of attacks that could next be taken against them. Together, these dynamics will make achieving peace in the Middle East more difficult and may well provide the rationale for more terrorist attacks against Americans.

These concerns do not make military action in Iraq untenable. They do, however, highlight the depth and importance of the issues to be addressed before we strike. We need to ensure that in taking out Saddam, we don't win the battle and lose the war.

3. How to ensure that the United States can execute this operation successfully as well as its other military missions:

As you are well aware, Mr. President, the consideration of military action against Iraq comes at a time when U.S. forces are actively engaged throughout the world in a range of missions. Given the operational pressures these forces currently face, we must ask what the risks and trade-offs will be of defeating Iraq, particularly if Iraqi forces mass in Baghdad for urban operations. How many casualties must the American people be prepared to take in a worst-case scenario? What will the impact of sustained operations be on so-called high-demand, low-density assets? What military operations might we have to forego because of continued demands in Iraq? Will we still be prepared for the range of other threats that might emerge throughout the world? With little allied support and contributions, will we still be able to maintain military spending on transformational technologies and on sound quality of life for our forces if we are bearing a huge wartime cost alone? What will be the impact on the domestic economy of these resources drains and of the long-term costs of reconstructing Iraq? These questions must be answered before any military action commences so that the American people understand the risks and the sacrifices involved.

I ask these questions only to highlight the complexity of the undertaking and the need for Congress, the American people, and our friends around the world to understand exactly what is at stake and why we must act now. Only such a comprehensive strategic approach will ensure that we commit U.S. troops consciously and with full knowledge of the range of challenges we face—both in the initial campaign and in the long aftermath to follow. Even a strategy that has military action as its centerpiece will require great diplomatic efforts to ensure its success. I look forward to hearing the administration's answers and to working with you to find the best course of action.

Sincerely,

IKE SKELTON,
Ranking Democrat.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 18, 2003.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: This is a critical week for our nation and for the world. As you prepare to make the most difficult decision of sending our troops into combat, the thoughts and prayers of all Americans are with you. My colleagues here in Congress have many different views on the wisdom of action in Iraq and the severity of its consequences. But we are united in our support for all the men and women who serve this nation.

There is no doubt that our forces will be victorious in any conflict, but there is great potential for a ragged ending to a war as we deal with the aftermath. I appreciate the efforts that members of your administration have made to keep me informed about plans for the administration and reconstruction of Iraq following military conflict. Your team has thought about many of the things that will need to be done.

Secretary Rumsfeld frequently talks about the list he keeps of things that could go wrong in an Iraq war. I have kept my own list—of things that could go wrong after the war is over. The list below is indicative of this broader list. My hope is that this will be helpful to members of your administration as you continue to plan for all possibilities. These are not complete scenarios but rather a series of possible problems that could occur in some combination.

INTERNAL DIVISIONS AND EXTERNAL INFLUENCES IN IRAQ

Without access to Iraq through Turkey, U.S. troops are not present in northern Iraq in large numbers. Turkey enters northern Iraq to establish a buffer zone and fighting breaks out between the Turks and Kurds. A significant U.S. military force is needed to separate the groups, complicating the governmental transition and international support.

An uprising in Kirkuk leaves the Kurds in control of areas of the city and surrounding area. This triggers a large Turkish invasion to protect the Turkmen minority and to prevent Kurdish control of oil resources. Again this would require U.S. military resources with all the attending effects.

In the event that Turkey crosses into Iraq, Iran may do the same, ostensibly to stem the refugee flows from southern Iraq and to protect Shi'a interests.

Shi'a populations in the south rebel and undertake attacks against Sunnis. U.S. troops must step in to protect the Sunnis and restore peace. These tensions resurface during attempts to build a federal and representative government.

Urban fighting in the south brings Shi'a into conflict with Sunnis. The resulting devastation causes a refugee crisis as Shi'a make for the Iranian border. The results of Saddam's policy of forced Arabization of areas like Kirkuk yield dangerous consequences. Groups like the Kurds flow back into these areas seeking to reclaim their former homes and land, sparking conflict with Iraqi Arabs.

Attempts to fashion a federal government in Baghdad prove difficult. Iran is able to establish proxies for its influence among the Shi'a representatives. Once in Iraq, infighting breaks out among members of the former Iraqi opposition in exile. The United States is unable to transition the administration of Iraq effectively and has to remain in place, with significant military backing.

The war involves lengthy urban combat, particularly in Baghdad. Most infrastructure is destroyed resulting in massive humanitarian problems. The emphasis on humanitarian aid distracts from efforts to establish a new government. Once established the government faces massive political pressure from the sustained humanitarian crisis.

WEAPONS OF MASS DESTRUCTION

Saddam uses biological and chemical weapons against advancing U.S. troops, but also inflicts substantial civilian casualties. Efforts to stabilize cities and to establish a government are complicated by the need to deal with the large number of dead and to decontaminate affected areas.

Saddam uses biological and chemical weapons directly against civilian populations or against another Arab country and seeks to affix blame for civilian suffering to the United States. Over the period of occupation, this resentment complicates U.S. efforts to maintain support for reconstruction efforts.

U.S. troops are unable to quickly find all of Saddam's capabilities, requiring a long, labor-intensive search and anxiety as to when the task is complete.

Regional leaders, for money or to gain influence, retain caches of WMD and transfer some to terrorist groups.

Saddam attacks Israel with missiles containing weapons of mass destruction. Israel retaliates. Arab countries, notably Saudi Arabia and Jordan, come under intense political pressure to withdraw their support from the U.S. war effort. U.S. forces are forced to reposition operational centers into Iraq and Kuwait, complicating reconstruction and transition efforts.

OIL RESOURCES

Saddam sabotages a significant number of wells before his defeat. Current estimates indicate he may already have wired up to 1,500 of these wells. The damage takes years to contain at great economic and environmental cost and removes a major source of reconstruction funding.

Internal groups, such as the Kurds, seize oil-rich land before American troops reach the area, causing internal clashes over these resources. Militant Shi'as seize other wells in the South.

INTERNATIONAL SUPPORT

The United States takes immediate control of Iraq's administration and of reconstruction. The United Nations can't agree on how involved to get given the divisions among the Security Council about the need for conflict. The lack of UN involvement in the administration makes the European Union and others less likely to give. This situation delays reconstruction and puts more of the cost on the United States and a smaller number of partners.

U.S. reconstruction efforts that give U.S. corporations a great role at the expense of multilateral organizations and other participation—as was detailed in yesterday's Wall Street Journal—spur resentment and again limit the willingness of others to participate.

AMERICAN COMMITMENT

Stabilization and reconstruction prove more difficult than expected. U.S. troop requirements approach 200,000—the figure General Shinseki has mentioned—for a sustained period. This puts pressure on troop rotations, reservists, their families, and employers and requires a dramatic increase in end-strength.

Required funding reaches the figure suggested by a recent Council on Foreign Relations assessment—20 billion annually for several years. During a period of economic difficulty, the American public calls for greater burdensharing.

It is my hope that none of these eventualities comes to pass. But as you and all military leaders know, good planning requires considering the range of possibilities. It also requires advance preparation of the American people. You have regularly outlined the reasons for why the United States must disarm Iraq. I urge you to do the same in explaining why we must stay with Iraq for the long haul, even with the economic and military burdens this will entail.

As always, I am willing to help in any way I can to make this case to my colleagues and the American people.

Sincerely,

IKE SKELTON,
Ranking Democrat.

Mr. HUNTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the chairman of the Intelligence Committee for allowing me to take a little time early in this debate, although I know the Armed Services Committee is going to come up a little later. And I wanted to talk about this war and touch on some of the subjects that my good friend Mr. MURTHA has brought up over the last 15 or 20 minutes.

I was a new Member of Congress in 1983 when I went over to Beirut with a lot of those great members of the Armed Services Committee, and we got over there a couple of weeks before the Marines were blown up in the terrorist act that all Americans now have heard about and understand. And the reaction of the United States to that was basically to move out. And I know we all remember the Khobar Towers going up and a similar nonreaction from the United States. And we remember the embassies going up in North Africa and the national derision that followed the sending back of a couple of cruise missiles, one of which was alleged to have hit a drugstore, which was at most a symbolic response to the blowing up of those embassies in Africa. And I remember the Cole, and we all remember the Cole, and the destruction of that ship and the ensuing American casualties and the nonaction by the United States.

And then we were struck on 9/11, and we realized that it was wrong for us to treat these terrorist acts as isolated, compartmentalized acts that were unrelated. And at that point we struck back. And we undertook a mission first to Afghanistan, secondly a mission to Iraq.

And I do not think we have to plow old ground about Iraq. I think everybody understands Saddam Hussein, Gulf I. But I think it is important and it is good that my friend Mr. MURTHA has pointed out that, in fact, even as we drove that armored spearhead north in this war against Iraq, taking Baghdad, Tommy Franks was intercepting communications even then from Iraqi officers to the effect that they were on the verge of using the "special weapon," which we interpreted to be poison gas, a weapon of mass destruction, and he gave out orders that were right down to platoon and squad level, get ready for those weapons of mass destruction.

I can also remember giving a briefing, giving an invitation to every Member of this House, Democrat and Republican, before we voted on taking military action in Iraq, to come over and listen to intelligence experts in a closed briefing with no handlers, no White House personnel, and ask any question they wanted to ask about weapons of mass destruction. And they did that. Lots of them. We had over 100 Members at several of the briefings. And we had members of the intelligence apparatus of this country laying out differences. They talked about the aluminum tubes, how some people thought those were to be used in centrifuges for the conversion of uranium, the enrichment of uranium. Others thought they were to be used for rocket bodies. But we invited all the Members before they made that vote to give the President license to go into Iraq. They did that vote from an educated standpoint. They had an opportunity to pull all the information that they wanted.

Now, it has been stated that we did not have enough troops going into Iraq. And I remember, as we were driving that armored spearhead north, and the Marines taking a piece of it, the Army taking a big piece of it, we had a number of experts appearing on national forums on a daily basis saying there were not enough troops. They used the term we are going to get "bogged down," and what was interesting is even as they were on talk shows saying that there were not enough troops, the talk show would be interrupted with a news flash to the effect that Tommy Franks had taken yet another stronghold. And it was stated at the end of that drive toward Baghdad with what was described by some of the observers, some of the so-called experts, too few troops, that that lightning attack taking Baghdad would go down in history as an example of a low casualty level, and we did have an extraordinarily low casualty level, and a lightning advance in which the enemy in many cases was destroyed long before the American columns got to their land forces.

Now let us talk about troops in the occupation and the level of troops in the occupation because that has been brought up a number of times, and General Shinseki's statement about needing more than the number of troops that we had there has been used many times. There have been two arguments: one, that we needed to have more troops to make sure we could suppress the insurgents; and the other statement that was made, sometimes in the same speech, would be that we needed to put an Iraqi face on the security apparatus. Well, you can't have it both ways. You cannot have an American on every street corner and have an Iraqi face on the security apparatus.

And let me just say one last thing, which is a hard, tough truth for this House. But when the gentleman from Pennsylvania and I, as we watched the last of the 1990s unfold and the Clinton administration left the White House, we noticed in our defense committees that we went into that administration in the early 1990s with 15 American Army divisions. We came out of that administration with 10, count them, 10. Roughly 33 combat brigades. That is a fact of life. That is what we had to go into this operation with. Now we are moving and we are building toward 43 combat brigades right now. But we cut the military, we cut the U.S. Army, by almost 40 percent, and that is what we had to go into this war with.

Now, with respect to the gentleman's statements that in the first war we got lots of folks to chip in and pay for this thing, that is right. On the other hand, you had lots of self-interest. You had Saddam Hussein's tanks in third gear before we threw the 82nd Airborne in between him and his objectives, and you had everybody that had an oil well in that region scared to death and willing to pour money into this operation. So it is no surprise that countries out of self-interest will pile on and will help out. It is also no surprise that we have had lots of times in our national history when it has been tough to bring allies on board, when we had to have big pieces of this operation by ourselves and go it alone. And yet we were able to bring at least 20,000 coalition members into this operation.

And it is true we did not have the French and the Germans. But the French and the Germans were looking forward to major oil contracts with Saddam Hussein, and they did not want to go this time against their pocketbooks, and that is a fact of life.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. HUNTER. I would be happy to yield.

Mr. LEWIS of California. Mr. Speaker, I very much appreciate my colleague's yielding.

You and I have had a great opportunity to work together in the defense arena in recent years. My chairing our subcommittee in Appropriations brought in clear form to me the contribution you have made to the strength of America and our role in the world.

I may not be able to speak later, but let me say to the gentleman that very early on in this process, one of the great trips I have ever taken was with a cross-section of this House, people who voted against the war, people who were in the center somewhere, people who supported the President from the beginning, all of them over a long weekend. And together we saw Saddam Hussein for what he was, visiting killing fields with 500,000 people that this guy murdered, of his own people, while he was building golden palaces.

As we left, we came together to see what we would do about that big supplemental on the war. To a person, Democrat and Republican, one of our Members summarized it by saying this: All of you know where I have been coming from. I voted against the war. It is going to be very unpopular when I go home. But after seeing what Saddam Hussein is really about, how could we do anything else?

And all 13 of those Members came in that great debate and supported the President's fight against Saddam Hussein because it was a fight against the war on terror.

□ 1330

Mr. HUNTER. I thank the gentleman. And, you know, that takes me to another point, which is the Iraqi Army. It has been said many times, and probably will be said again in this debate, that we should have kept the Iraqi Army intact.

Now, the road that is not taken is always the smoothest. But looking at the Iraqi Army, at Saddam Hussein's army, he had 15,000 Sunni generals. How are you going to maintain an efficient Iraqi Army that is responsive to a new fledgling civilian government with 15,000 Sunni generals running this thing?

We have had to build this army from the ground up. I think that history will show that that was the right thing to do. To have an efficient army, you have got to have a couple of things. You have got to have an army that has a chain of command which is responsive, that means that the private does what the sergeant says and the sergeant does what his platoon leader says, and right up the chain of command.

And you have also got to have an army that is responsive to the civilian government, to that new defense minister that was just put in place. I do not think you are going to do that with 15,000 Sunni generals. I have seen that statement tossed around so much that I hope to be able to talk to some of the folks a couple of years down the line when it is reflected.

Incidentally, people like Barry McCaffrey who have not been great friends of the administration's operation have said that looking at the Iraqi Army now, they see a core of strength, they see leadership emerging, and they see an Iraqi Army that is becoming effective.

So what are we doing? We have a mission, and the mission right now for the military is to provide a shield for this fledgling government as it goes into place, this new government. We are nation-builders. We are building a nation. It is also to train up the Iraqi military, and we are going to hand off this defense burden, that means our people come home after we train up and mature the Iraqi military.

If the question for us is, who is best equipped to decide when we take the training wheels off, when we let the Iraqi military go forward, I think we should leave that judgment up to the people who tracked down and brought to justice Mr. Zarqawi, a gentleman who said that he was going to take this war to Washington, DC, and London.

He is going to be a little late for that one, because we have an extremely competent American military on the ground in Iraq right now. I think the gentleman from Pennsylvania would agree with that.

So let's use that same judgment of those combat commanders who are training those Iraqi units in their areas of operation who say, okay, this battalion is just about matured, this one is not, this one needs more equipment, this one needs some more training. Let's rely on their judgment as to when we can hand that load off to them and let them bear the security burden.

Why should a Senator from Wisconsin or a Congressman from California try to impose an arbitrary date on when that maturity takes place. You cannot do it. So I would just ask my friends to give to those great Americans who are over there working this mission right now, let's send a united statement to them that there is value in this mission, there is value in their operation.

We are going to complete this mission. You know, they are lacking something that the Greatest Generation had. The Greatest Generation in World War II had a united American public. When the 101st went into Northern Europe, they had a united American public. Let's give the 101st Airborne now in Mosul, and in that tough Sunni Triangle, let's give them the same support we gave them in Europe, a united American public and a united American Congress.

Let's give the 1st Marine Division that is out there in that tough province in the al Anbar Province out in Fallujah the same support we gave them when they were fighting Guadalcanal. The 1st Marine Division deserves a united American public and a united American Congress.

So let's send a message. The main message that is manifested in this resolution is that we should not have an arbitrary cut-off point, an arbitrary deadline, and, secondly, that we will complete this mission. Let's send this message to every soldier, every marine who is watching this thing from the mess halls in Mosul and Tikrit and Baghdad and Fallujah, the message that the United States House of Representatives stands with them.

Mr. Speaker, I reserve the balance of my time.

Mr. MURTHA. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I believe we send them a message when we vote on the armed services bill. Very few people voted against it. I believe we voted, in the defense subcommittee of appropriations, only 15 or 16 people voted against it. But Theodore Roosevelt said, "If you disagree with a policy and you do not say anything, you are actually treasonous."

I disagree with the policy. I do not disagree with supporting the troops. There is no one that supports the troops better than the Members of this Congress. And that is shown by the few people that vote against the bill.

One other thing: I think the gentleman made a mistake when he said we are for the war, against the war on terror. We are actually fighting for the war on terror is what we are doing. But I appreciate what the gentleman is saying.

I appreciate the fact that he and I both asked for more troops at one point. He was the lead sponsor at that particular time.

I recognize the gentleman from California for 13 minutes.

Mr. WAXMAN. Mr. Speaker, before we went to war, President Bush and other administration officials made three promises to the American people: one, we would find weapons of mass destruction; two, we would be welcomed as liberators; and, three, the reconstruction of Iraq would pay for itself.

Well, all three promises proved to be false. Today I will focus on the reconstruction effort in Iraq and the massive waste, fraud, and abuse that have undermined our efforts.

Stuart Bowen is the Special Inspector General for Iraq reconstruction. He often talks about the reconstruction gap which is the chasm between the President's promises and reality.

Mr. Bowen is absolutely right: the gap is enormous. But it is dwarfed by the incompetency and corruption gaps in Iraq. The consequences of mismanagement and corruption are serious. Waste, fraud, and abuse have flourished. The taxpayer has been repeatedly gouged.

Iraq is not being rebuilt. We have lost credibility and are now viewed in Iraq as occupiers, and our troops did not get essential equipment when they needed it. We have now spent $50 billion on Iraq reconstruction, including $30 billion from U.S. taxpayers.

Let's look at what we got for the money. Despite spending $2 billion, Iraq's oil production is still well below prewar levels, running about a half million barrels below 2003 levels. We have invested $4 billion into improving electricity generation.

Not only is the administration 2,000 megawatts short of reaching its goal for peak output, but generation is actually below prewar levels. And we spent $6 billion on oil production and electricity generation. And we have actually lost ground.

The situation is the same for drinking water. In essence, we have squandered $50 billion. Profiteering has been rampant, and the taxpayer has gotten gouged and the work has not gotten done. And what is especially shameful about the wasteful spending is that we needed this money for our troops. When we first went into Iraq, our troops did not have enough body armor.

Families had to purchase armor off the Internet and ship it to Iraq in a desperate attempt to protect their loved ones. On congressional delegations, individual servicemembers have taken our staffs aside and begged for more night vision goggles.

Patriotic Americans even had to donate their frequent flier miles so troops who were dumped at the Baltimore airport by the Pentagon could make it home for the holidays. This should never have happened. It is inexcusable that our troops face desperate shortages of essential gear while billions of dollars were frittered away.

To understand the magnitude of this, there is no better place to start than Halliburton. Halliburton is the largest private contractor operating in Iraq. The company has three contracts that total more than $20 billion. We now know that political appointees, not career civil servants, decided to give Halliburton a secret no-bid contract for $7 billion to operate Iraq's oil fields.

As GAO has reported, the key decision that led to the award of the secret contract violated Federal procurement law. When a career attorney properly objected, he was simply overruled. And despite statements from the Vice President, we know now that his chief of staff, Scooter Libby, was personally briefed on this entire plan months before the war.

The decision to give those lucrative contracts to Halliburton has been expensive. According to Pentagon audits, Halliburton's total unreasonable and unsupported charges exceed $1.4 billion. Well, the examples of waste, fraud, and abuse are numerous. Halliburton charged $45 for a case of soda; $100 for a 15-pound bag of laundry.

When they had brand-new $85,000 Halliburton trucks, they abandoned them or torched them if they got a flat tire or experienced minor mechanical problems. Halliburton's contracts are cost-plus. That means that Halliburton is reimbursed for all of its costs, and then receives an extra percentage as additional profit.

In practical terms, this means that the more Halliburton spends, the richer it gets. Now we talked to former Halliburton employees who worked in Iraq. They told us the informal company motto was: "Do not worry about price, it is cost plus."

Halliburton was supposed to be in Iraq to provide support for the troops, but the company used one standard for the troops and a completely different standard for its own executives. Halliburton employees stayed at the five-star Kempinski Hotel in Kuwait, where it costs taxpayers $10,000 per day. This is the five-star Kempinski. This gorgeous hotel offered maid service, complimentary fruit baskets to Halliburton employees.

Our troops stayed in tents in the desert. At one point, a cost-conscious Army official asked Halliburton to move its employees into air-conditioned tents, but they refused.

To their credit, career government auditors identified these overcharges. When they examined Halliburton's second oil contract, they harshly criticized Halliburton's performance, citing profound systemic problems and exorbitant indirect costs. But their recommendations were rejected.

After reviewing Halliburton's first oil contract in Iraq, auditors recommended that the Army not pay $263 million in unreasonable and unsupported charges. But the Army ignored those auditors and paid Halliburton $254 million, over 95 percent of the disputed charges.

And in spite of the auditor's findings, Halliburton was paid nearly $100 million in profits and bonuses for overbilling taxpayers.

Well, Halliburton symbolizes what went astray in Iraq, but it is not the only contractor abusing the system. Parsons received the contract to rebuild health clinics throughout Iraq. But despite spending $186 million, Parsons completed just 20 of 142 health clinics they promised to build.

Another firm, Custer Battles, received two security contracts. A Federal jury recently found that the company committed 37 separate acts of fraud. These are not isolated instances. There are over 70 corruption investigations currently under way in Iraq. These cases involve allegations of fraud, false claims, theft, bribery and kickbacks. Some of the worst problems in Iraq are almost beyond comprehension.

The U.S. management of the Development Fund for Iraq, which was the fund that held the proceeds of Iraqi oil sales, is a classic example of what not to do. The Coalition Provisional Authority handed out over $8.8 billion in cash, in cash, to Iraqi ministries. And they had no idea what happened to the money: $8 billion in cash simply vanished.

One former U.S. official who was in Iraq at the time, Frank Willis, described conditions as the Wild West. He said the lack of controls effectively created a free fraud zone.

☐ 1345

Iraq was awash in brand-new $100 bills with no accountability to prevent corruption. All the while, the White House looked the other way and Congress put its head in the sand.

Under the Constitution, we are supposed to be a check and balance, but we have abdicated this responsibility. The Republican majority is terrific at applauding the President, and they are proving it again today with this dishonest resolution.

Congress isn't doing the serious and important work it must do to protect our troops, rebuild Iraq, look out for American taxpayers. Congress must be more than a cheerleading section for the White House.

The fiasco in Iraq was a windfall for some. Halliburton made more than $2 billion in profits last year. Its total revenue has increased by 66 percent since 2002. Another beneficiary was David Brooks. He is the CEO of a company that makes bulletproof vests. In

2001, Mr. Brooks reportedly earned $525,000. In 2004, he earned $70 million. Last year, the U.S. Marines recalled more than 5,000 of the company's armored vests. But by that time Mr. Brooks had pocketed $186 million.

Well, the American people might think that Congress would rise up in the face of such unconscionable profiteering. When our troops are willing to sacrifice so much, and they do sacrifice so much, how can we let others create cynical fortunes off their blood?

As we debate this resolution, 2,500 of our bravest men and women, have been killed in Iraq. Over 18,000 have been wounded, and the total cost of the Iraq war is over $300 billion. Those of us privileged to serve here have been spared any of the personal consequences of being on the front line, but we should not be spared the responsibility of doing our job.

We owe more to our troops than slapping "I support our troops" bumper stickers on our cars and extolling their courage. Instead of wasting time on bipartisan charades, we should acknowledge and fix our mistakes so that Iraqis can take over and our troops in Iraq can come home.

We owe more than empty promises to American families who are paying for this costly war in Iraq. They count on us to make sure that their money is spent well, and we haven't done that.

An honest unsparing look at the record of the past 3 years tells us a stark truth. The White House and Congress have failed our troops, the taxpayers and the Iraqi people. They deserve better than a partisan resolution that pats ourselves and the White House on the back.

It is shameful that we are squandering money on Halliburton at the very same time that we don't have enough money to protect our troops. It is shameful that Congress has abdicated its oversight and legislative responsibilities to rein in the incompetence and corruption that has undermined our efforts in Iraq.

Mr. HOEKSTRA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution in front of us today is about an urgent proposition. We are a nation at war, a nation at war with radical Islamists. The war was not of our choosing, but it is the central struggle of our time, the first major conflict of the Information Age.

This debate is a defining one for the House and for our Nation. It is important to begin by explaining that the threats that we face are real. They are serious, and they are ongoing. We must address these threats by continuing to confront them aggressively rather than shying away from them because they are difficult. We begin the debate framing four fundamental issues that define the war with radical Islam.

First, our Nation is engaged in a long-term war. That war didn't begin on 9/11. We should maybe look back to 2/26. February 26, 1993, perhaps is when this war really did begin to come into focus. What happened on February 26, 1993? That was when the World Trade Center was attacked for the first time.

Second, al Qaeda views Iraq as a central front in its war against Western democracies. Bin Laden's stated goal is to establish a global Muslim caliphate whose historical center includes Iraq, and Zarqawi was operating in Iraq long before American troops entered that country.

Third, al Qaeda is a sophisticated enemy in the first war of the Information Age. In a war against terrorism, a critical battle is over intelligence. We must use every means at our disposal to obtain information about our enemies and counter their sophisticated information war.

Fourth, our Nation must recognize how this battle is evolving. We need to recognize the threat of home-grown terrorism, home-grown terrorism that has already been experienced in Spain, the United Kingdom, Australia, the Netherlands and, most recently, Canada.

We are a nation at war. America has been in an armed struggle with radical Islam for at least 15 years. The first clear declaration was the attack on the World Trade Center, 6 dead, 1,000 wounded. The Khobar Towers were attacked in June of 1996. Our ambassadors were attacked in Kenya and Tanzania in August of 1998 and the USS *Cole* was attacked in October of 2000.

In 1996 bin Laden declared war against the United States in its fatwa. Throughout the 1990s, there were multiple attacks. Almost 300 people were killed, and there was a minimal U.S. response. No one in the 1990s connected the dots.

But this war is not just limited to the United States. It is a global war against Western democracies. Our enemies are active across the globe, and they must be countered across the globe, not just by the United States but by our allies.

I would like to yield to my colleague from New Mexico, the chairwoman of our Technical and Tactical Intelligence Subcommittee, for a further explanation about the long-term focus of this war.

Mrs. WILSON of New Mexico. Mr. Speaker, it is important for Americans to understand that the war on terror did not begin on a cool September morning, that this was something that had been building over a decade or longer, that in February of 1993, radical Islamist operatives drove a truck into the basement of the World Trade Center and blew it up. One thousand people were injured and six people died, and we treated it as a crime, not an act of international terror.

On June 25, 1996, American airmen who were conducting operations in the southern no-fly zone in Iraq were settling in for the night in their quarters in Saudi Arabia in a building known as the Khobar Towers when a sewage truck drove into the compound, backed up to the wall of that building, and the people who drove it fled in a white car.

They were seen from the roof of the building by the security forces, and they started evacuating the building. They were about three floors down when the truck exploded and 19 airmen were killed.

In August of 1998, we were here in this House when we got word that our two embassies, one in Kenya and one in Tanzania, had been attacked by bombs. The U.S. Attorney in the District of New York got 17 indictments, one of them for a man whose name wasn't really well known at the time. His name was Osama bin Laden.

In October of 2000, the USS *Cole* was in port in Aden, in Yemen when a small boat came up to it and exploded, tearing a gash 40 feet by 60 feet long midships on the USS *Cole*, and 17 sailers died.

All of these actions we treated as isolated instances. We played defense ineffectively against a transnational, loosely connected movement against extremists who exploit Islam and use terrorism to bring about their dark vision of the future.

The adherents to this movement are parasites who thrive in weak states and in failed regimes. That is why the terrorists made Iraq a central front in their war. If they could foment civil war, if they could keep self-government in Iraq from being born, then they could thrive in the chaos and continue their attacks on us.

That is why it is important to see it through in Iraq. We made a decision after 9/11 that we would play offense and not defense. As Americans, we know the enterprise that we are engaged in is difficult and requires persistence and resolve. That is very hard on some days. It is very hard for us to understand why it is important to stay the course.

But we know this. Our enemies are persistent and will stay the course. They will not stop if we ignore them.

So that is the choice we face as a nation and why this debate today is so important. It is a choice between resolve and retreat. For me and my family, I choose resolve.

Mr. HOEKSTRA. Reclaiming my time, I thank the gentlewoman for her comments.

A quote from Zawahiri to al Zarqawi in July of 2005: It has always been my belief that the victory of Islam will never take place until a Muslim state is established in the manner of a prophet in the heart of the Islamic world, end of quote.

Al Qaeda views Iraq as a central part of this global war on terror.

I would like to yield to my colleague from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Thank you, Mr. Chairman.

Mr. Speaker, Iraq is the central front in the war on terrorism, despite what you hear and, despite the pointing out of problems in a very difficult task, we ought not to be asking politicians here in Washington, we ought to be listening to our enemy.

Osama bin Laden, quote, this third world war is raging in Iraq. The whole world is watching this war. It will end in victory and glory, or it will end in misery and humiliation.

With what you have talked about earlier, Mr. Chairman, from that letter from Zawahiri to al Zarqawi, he went on to say that prophet in the heart of Islam world, specifically Egypt, neighboring states of the peninsula and Iraq, they have declared war against the United States and all those who seek to find democracy and peaceful solutions.

Terrorist Abu Nidal found safe haven in Iraq and was killed in Baghdad in 2002. Zarqawi and his network were operating in Baghdad and the Kurdish-controlled region of Iraq a year at least before the start of the war. As a matter of fact, from that base of operations, they executed the assassination of an American diplomat in Jordan in 2002.

Our troops found a suicide vest factory that had 800 suicide vests equipped and ready to go in south Baghdad in April of 2003. Iraq was on the State Department sponsor of terrorism list. Saddam Hussein paid $25,000 cash to the family of suicide bombers in Israel.

You know, with every sacrifice made by our great American soldiers, for every girl that now walks in Iraq and Baghdad and goes to school, for every young mother that goes to a medical clinic to get treatment where there was none before, for every dead terrorist in Iraq, we make progress every day.

One platoon sergeant in Iraq, and I quote, I have yet to speak to an American here who thinks we are losing. Trust me, no soldier wants to be here. No one wants to cut and run either. Leaving would send the wrong signal to our enemies.

There are only two groups of people who want America to leave and withdraw in humiliation, Mr. Speaker, from Iraq.

President Bush met with the Shiia, the Sunnis, the Kurds just recently, just this last week. None of them, even the Sunnis, wanted the United States to leave. As a matter of fact, they asked for reassurance that we would stay with them in this difficult and tough struggle for freedom.

□ 1400

That would leave only the terrorists who want an early American withdrawal and some politicians in this town.

I would listen to what our enemies said when Zarqawi declared, "We have declared a bitter war against the principle of democracy and all those who seek to enact it." They will kill American families at any given opportunity.

I would say, Mr. Speaker, that we should stand with our soldiers. We should stand with our families here that helped take the fight to the terrorists overseas. We should stand for victory, and we should stand with the United States of America.

Mr. HOEKSTRA. I thank my colleague from Michigan for those comments.

The other thing that we have learned is that this is the first war in the Information Age. The Information Age provides some unique opportunities to our enemy. As we work to deny the terrorists their physical sanctuary, radical Islamists, using the tools of the Information Age, are working actively to develop a virtual sanctuary on the Internet which enables them to grow their movement around the globe.

Some have said, well, this is a battle that should be fought in Afghanistan. This battle is not limited to Afghanistan or Iraq. Tell that to the people in Spain, the Netherlands, the U.K., Canada or Australia that this is really just a battle about Afghanistan.

The Information Age is making this a very, very different battle than we have ever fought before. To explain that in more detail is my colleague from Texas (Mr. THORNBERRY).

I yield to Mr. THORNBERRY.

Mr. THORNBERRY. I thank the chairman for yielding.

Mr. Speaker, part of the job of intelligence is to understand our enemy, and what we should clearly understand about our enemy in the war on terrorism is that they are very sophisticated. They are sophisticated users of technology using, as Chairman HOEKSTRA just mentioned, the Internet in order to recruit, in order to train its people, in order to intimidate populations to go along.

They use Internet video games in order to help train and indoctrinate people in the Arab world to their way of thinking. They use the Internet for communication. They use videotapes and DVDs to get their message out. They have very adept users of technology.

But they are also adept at using media. As a matter of fact, Prime Minister Blair said recently that they play our own media with a shrewdness that would be the envy of many a political party. They know, for example, that one horrific act of cruelty shown on video will get far more attention than a thousand acts of kindness or patience from our soldiers.

They are agile and clever in using cruelty through the media in order to achieve their ends; and, Mr. Speaker, I think maybe the most important point we can make on their sophistication is that they know they cannot beat us militarily, and that is not their object. They are sophisticated enough to know that the way they can beat us is to influence our political decisions, to impact our political will.

There has been a very, what has now really become a classic study of this sort of warfare, often called 4th-generation warfare, a book called "The Sling and The Stone," which traces this sort of attack from Mao's Tse-tung all the way through al Qaeda and its affiliated groups. One of the key points that the author makes, unlike previous generations of war, it does not try to win by defeating military's forces. Instead, it directly attacks the minds of enemy decision-makers to destroy the enemy's political will.

That is what is going on. Their use of technology, their use of cruelty, their use of the media has a target which is us because, as another author has written, it only takes a few hundred people in Washington, DC, to decide that this war is lost. So they are focusing their attention not on our strength, but on our weakness, which is potentially our political will.

That is why this resolution is important. It is why in order to meet a sophisticated threat, a political threat, which al Qaeda and its affiliated groups try to pose to us, we have to resist that sort of manipulation. Part of that resistance occurs on the floor of the House.

I thank the chairman for yielding.

Mr. HOEKSTRA. Mr. Speaker, this battle continues to evolve. We know that al Qaeda wants to attack us again in our homeland. That is why it is important to stay on the offensive, attacking them where they are and making sure that they do not have a safe haven to plan, to train and to develop the resources to attack us again.

But the other thing that they are trying to do is to develop the concept of homegrown terrorism, and it is something that is evolving.

I would like to yield to our chairwoman of the committee, Mrs. DAVIS.

Mrs. JO ANN DAVIS of Virginia. Thank you, Mr. Chairman.

Mr. Speaker, some of the worst acts of radical Islamic terrorism have been committed by homegrown terrorists, and homegrown terrorists are citizens or residents of the Western countries who, without any direct contact with al Qaeda, adopt a militant radical Islamic outlook, and they seek to conduct acts of terrorism in support of the global jihad.

Propaganda on the Internet, as we heard from you and from Mr. THORNBERRY, drives the movement. Groups like al Qaeda and the Zarqawi network use it to distribute their slick videos, to glorify the violent jihad.

Homegrown terrorists committed, as I think you have said before, recent acts in Spain, the Netherlands and the United Kingdom.

The Madrid attack, for instance, on March 11, 2004, a group of Moroccans living in Spain attacked passenger trains in Madrid killing 190 people; and the plot was conceived, it was organized, and it was equipped with no support from international terrorist groups.

Recent events have demonstrated that Europe is not the only place where homegrown Islamic militants can develop.

On June 4, 2006, the Royal Canadian Mounted Police arrested 17 Canadians for planning to attack Canadian government buildings.

We have seen homegrown Islamic extremist groups in the United States. Our Federal, our State, and our local law enforcement agencies have so far been able to stop them before they could launch attacks.

In August 2005, for instance, the FBI arrested four members of the JIS plotting to bomb military recruiting offices and synagogues in southern California, and this is the interesting part: The JIS was founded by an inmate at the California State Prison in Sacramento, and most members of the JIS are American citizens who were born and raised in the United States. They were radicalized and recruited into JIS while they were in prison; and as far as authorities know, none of these members had any contact with foreign terrorist groups.

Last February, the Justice Department indicted three men in Ohio for aiding insurgents in Iraq and planning to attack U.S. troops there. Two of the men were naturalized U.S. citizens, and one was a permanent legal resident. The men learned their craft by downloading terrorism instructional videos from jihadist Internet sites. They had no contact with al Qaeda. Had they not been arrested, they may have started looking for local targets that they could attack.

We cannot ignore the threat of homegrown terrorism. It is imperative that we understand which elements of our society are vulnerable to jihadist propaganda, how radicalization occurs, and how we can prevent Americans from becoming pawns of al Qaeda.

The British House of Commons concluded that the U.K. counterterrorism community did not anticipate the March 2005 suicide attacks because it did not understand homegrown terrorism and the radicalization process. We cannot make that same mistake.

At the same time, we cannot let our concern about homegrown threats breed suspicion and distrust of our fellow Americans. The diversity and the harmony of the American people is our country's greatest strength, and the global jihadist network we are fighting wants to divide us by inspiring homegrown terrorists whose attacks will spread.

And I think Mr. THORNBERRY said it best, they are using the media, the Internet. They are using that to divide our country, and that is what will take us down, Mr. Speaker. That is why it is imperative that we continue on this course and we continue to fight this war on the away front, not the home front.

Thank you, Mr. Chairman.

Mr. HOEKSTRA. I thank my colleague.

Reclaiming my time, it is why this resolution is so important, to send a clear signal that we are going to win this global war on terror; that we are going to be successful in Iraq; that we are going to fight the enemy where they are using all of the techniques that they use in an Information Age; and why we need to redouble our efforts to make sure that they cannot attack us; and that we stop the development of homegrown terrorism in this country.

Mr. Speaker, I reserve the balance of my time.

Mr. MURTHA. Mr. Speaker, I yield myself 1 minute.

This all sounds good. It is all rhetoric. It is rhetoric. The number of daily attacks in Iraq have gone from 2004, 53 attacks per day; May 2005, 70 attacks per day; May 2006, 90 attacks per day. Electricity is less than prewar level. No water available to all, only 1 hour a day, Mr. Speaker, and the oil production which was supposed to pay for the war is less than prewar production.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Speaker, there is no more pressing issue in our country today than bringing an end to the war in Iraq as quickly as possible.

I thank my colleagues on the other side who just completed their discussion of the war on terror. They remind us that it is a war in which we can never yield and about which we have no choice. They also remind us that Iraq has become a recruiting ground for those international terrorists; that Iraq has become a proving ground for those international terrorists; and that Iraq has become the motivation for many of those international terrorists, none of which existed before the President's choice to go to war, a war not of necessity, a war that was unjustified based upon falsified intelligence.

In fact, we see the new CIA Director said that intelligence that the administration used to make the case for war was wrong, inaccurate, and misleading. There were no weapons of mass destruction in Iraq, and there was no connection between 9/11 and Saddam Hussein.

The administration used fear to scare this country into war based upon those lies. He refused to properly prepare for the war and its aftermath, and now our soldiers, our families, and our Nation are paying an enormous price for this President's tragic blunder.

Two thousand five hundred Americans soldiers, we are informed today, have died in Iraq. 19,000 American soldiers have been wounded, many of them missing limbs and suffering other very serious debilitating injuries that will afflict them the rest of their lives. The war has cost almost a half a trillion dollars in taxpayer money, and America's international reputation and respect in the world has been severely damaged.

The President often says that he makes decisions about the future of Iraq based upon what the generals say; but when the time came to listen to the generals prior to Iraq, the President refused to listen to them. He refused to listen to them when they questioned the force structure that was available to us to go into Iraq at that time, but he went anyway. He refused to listen to them when questions were raised the day after we seized Baghdad.

What we now see is massive national chaos for which our soldiers were not trained, not given any instructions on how to deal with, and certainly did not have sufficient numbers to deal with. The President sent the troops into that war with that poor planning, that poor structure, and that poor understanding of what would take place afterwards.

The American public had to witness soldiers being forced to buy their own body armor, have their families buy it because we did not have a proper supply prior to going into that war. Many men and women were sent into battle with unarmored, old Humvees that were used for flood control in the California rivers before they showed up in Iraq, and those soldiers died because of that inadequate equipment and because of the roadside bombs that are the number one killer in Iraq.

We see the torture of detainees was approved at the highest levels in the Pentagon; and this, again, has led to an undermining of our position in the world, our moral position in the war in Iraq and the war against terrorism.

This is a policy blunder of historic proportions by this President, and it is very important that we understand that we are paying a huge price for these mistakes by this administration. Tragically, we stand here on the floor of this Congress today 3 years after the beginning of this war, but for 3 years questions were not raised in this Congress about that force structure, about that preparedness, about the detainee policy, about these actions that have so severely undermined us.

Yes, we saw the taking of Zarqawi, and what do we have there? We have the real use of smart intelligence on the war against terror. As you pointed out, they are not going to come after the 130,000 troops. They are not going to come after our strengths, but that is what people have been saying for a long time. That is what people have been writing about at the military schools, about the networking of terrorism and how you had to go after it. We went after it exactly the wrong way, in exactly the same way, as people who made these historic blunders throughout history, when confronting this kind of force.

Yes, we should provide the special ops; yes, we should provide the surveillance; yes, we should provide the intelligence and we should work together. In the case of Zarqawi, we saw, once the Jordanians were insulted enough by the attacks on their land, they put their intelligence sources to work, combined with ours, and Zarqawi was run down, and we provided the 500-pound bombs. We provided the special ops.

That is not what is happening day to day in the war in Iraq, and our troops are paying a horrible, horrible price for the lack of preparation, the lack of planning and the lack of prosecution of this effort and the initial mistake and lies by the President of the United States.

The President's policies in Iraq have severely undermined America's national security and made the world less safe.

In response to the clear failures in Iraq, the Republican Congress has acted like a rubberstamp for President Bush rather than the elected representatives of the people of America.

Republicans in Congress have hid their heads in the sand and refused to question the President, instead sheepishly pretending success is around the corner.

As a result, Iraq is engaged in a civil war that threatens to consume the country.

Congress has done nothing to stop the civil war in Iraq, nothing to hold the President accountable for the failures in Iraq, and nothing to put our troops on a safe and speedy path toward home, or to other parts of the world where they are needed to fight against terrorism.

The President and his allies in the Republican leadership in Congress have made up their minds.

They have a plan for Iraq. It is the same failed plan they started the war with. It is chaos with no end in sight.

There is no more that we can ask of America's troops. They have done everything they have been asked to do. It is time for them to serve their nation where they are needed most, and that is surely not in Iraq.

Now is not the time to stay the course of failure.

America needs a new direction in Iraq—a new direction that will make Americans safer.

□ 1415

Mr. HOEKSTRA. The historic blunder is that we didn't address this problem in the 1990s when it started rearing its ugly head.

I yield to my colleague for a unanimous consent request.

Mr. DUNCAN. Mr. Speaker, I request unanimous consent to place a statement concerning this resolution in the RECORD at this point.

The SPEAKER pro tempore. Without objection, the gentleman's statement will be placed in the RECORD.

There was no objection.

Mr. DUNCAN. Mr. Speaker, much of this resolution is language that everyone supports, especially the praise for our troops.

They do a great job everywhere they are sent, and it is certainly no criticism of them to criticize this war.

In August of 2002, two months before Congress voted for the war in Iraq, Dick Armey, then our Republican Majority Leader, in a speech in Iowa, said:

"I don't believe America will justifiably make an unprovoked attack on another nation. It would not be consistent with what we have been as a Nation."

Jack Kemp wrote before the war, "What is the evidence that should cause us to fear Iraq more than Pakistan or Iran. Do we reserve the right to launch a preemptive war exclusively for ourselves or might other nations such as India, Pakistan or China be justified in taking similar action on the basis of fears of other nations?"

Mr. Kemp said, based on evidence that he had seen, there was not "a compelling case for the invasion and occupation of Iraq."

William F. Buckley wrote that if he had known in 2002 what he knew then in 2004, he would have been against the war.

Last year he wrote another column against the war saying: "A point is reached when tenacity conveys not steadfastness of purpose but misapplication of pride."

The very popular conservative columnist Charley Reese wrote that the war was "against a country that was not attacking us, did not have the means to attack us, and had never expressed any intention of attacking us, and for whatever real reason we attacked Iraq, it was not to save America from any danger, imminent or otherwise."

Many years ago, Senator Robert Taft expressed the traditional conservative position: "No foreign policy can be justified except a policy devoted to the protection of the American people, with war only as the last resort and only to preserve that liberty."

Millions of conservatives across this Nation believe that this war was unconstitutional, unaffordable, and, worst of all, unnecessary.

It was waged against an evil man, but one who had a total military budget only two-tenths of one percent of ours.

We are not going to be able to pay all our military pensions, social security, Medicare, and all the little things we have promised if we are going to turn the Department of Defense into the Department of Foreign Aid and attempt to be the policeman of the world.

This is contrary to every traditional conservative position on defense and requires huge deficit spending.

The conservative columnist Georgie Ann Geyer wrote: "Critics of the war against Iraq have said since the beginning of the conflict that Americans, still strangely complacent about overseas wars being waged by a minority in their name, will inevitably come to a point where they will see they have to have a government that provides services at home or one that seeks empire across the globe."

Mr. Speaker, we need to start putting our own people first once again and bring our troops home, the sooner the better.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to our chairwoman, Mrs. DAVIS.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, an issue that hasn't received enough attention in the debate on the global war on terror is what happened to American intelligence during the 1990s.

To effectively wage the war on terrorism, we need a robust intelligence community that is capable of gathering intelligence aimed at eliminating the terrorist threat. Unfortunately, as the war escalated in 2001, the intelligence community was still reeling from policies that were implemented in the 1990s which undermined the ability of our intelligence agencies to predict 9/11 and to effectively fight the war today. Simply throwing people and money at the issue, it doesn't solve the problem. Developing expertise to replace what was lost in the 1990s is a long endeavor. It takes 5 to 7 years of training and experience to bring an operations officer up to full performance.

Mr. Speaker, I would like to list a few examples of what happened in the 1990s that hampered our intelligence community efforts leading up to and at the onset of the war.

Between 1992 and 1999, the CIA's presence overseas declined by almost one-third. Our intelligence agencies had their hands tied by the Deutch Doctrine, forbidding recruitment of sources that had shady backgrounds, limiting our ability to get information on potential terrorist attacks. The number of officers declined and overseas facilities were closed. And as a result of the crises in the Balkans and in Africa, et cetera, officers were sent to areas where many times they had little knowledge of the issues there and, in some places, the targets had little and sometimes no presence.

As a result, overall intelligence collection was decimated. James Pavitt, the former CIA Deputy Director for Operations, told the 9/11 Commission in April of 2004 that we were vastly underfunded and did not have the people to do the job, and noted that spending on CIA human collection was cut by 20 percent during the 1990s.

Analysis suffered equally in the 1990s, with low priority accorded to terrorism analysis. Intelligence analysts were discouraged from writing original out-of-the-box assessments that might have raised awareness to terrorists staging unconventional attacks. And, instead, our analysts were pressured to craft politically correct analysis.

The death of Zarqawi and the arrests of 17 terrorist suspects in Canada are recent successes in the global war on terror. However, we still have a long way to go to rebuilding our networks of human sources. Reform has to continue, and we must acknowledge that many of the problems facing U.S. intelligence agencies today are the product of unwise and neglectful intelligence policies of the past.

It is simple to destroy, but it is much more difficult to build. Over the past 6 years, we have worked to rebuild our Nation's intelligence capability, and it may take a few more years to complete. There is not a moment to waste in carrying out these essential reforms to our intelligence community.

And I will say, Mr. Speaker, that we must continue this war. We must continue to let our intelligence community do their job.

Mr. MURTHA. I yield myself 1 minute.

One of the Members said, ask Spain about the threat. Fifty-six percent of the population of Spain believes the U.S. in Iraq is the most dangerous threat to world peace. They rank Iran lesser of a threat than the United States.

And one other thing. When we look back at the intelligence cuts, President Bush I felt it was a peace dividend and started to cut the intelligence budget years ago. So we have to make sure we don't let our rhetoric get ahead of the facts.

I yield 4 minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, since day one of the war in Iraq, Democrats have provided the President with everything he asked for, yet Republicans have denied the President the one thing he needed: Oversight.

In a post-9/11 world, the American people need the vigilance and the patriotic determination of every Member of Congress to demand answers to the questions their constituents are asking. Instead, the Republican Congress sat and watched the administration make mistake after mistake after mistake.

And don't listen to just one Member of Congress. Consider the words of Three Star General Greg Newbold, top Operations Officer for the Joint Chiefs of Staff. After a scathing critique of Secretary Rumsfeld, he says, "The Bush administration and senior military officials are not alone in their culpability. Members of Congress defaulted in fulfilling their Constitutional responsibility of oversight."

General Anthony Zinni, former Commander of the U.S. Central Command in the Mideast: "We are paying the price for the lack of credible planning, or the lack of a plan. Ten years of planning were thrown away."

Major General Batiste, who commanded 22,000 soldiers on the ground in Iraq. "Rumsfeld and his team turned what should have been a deliberate victory in Iraq into a prolonged challenge."

Eight generals have raised serious questions concerning Secretary Rumsfeld's leadership. I don't know, maybe the Pentagon suffers from the soft bigotry of low expectations and social promotion as a policy. Maybe these generals weren't just qualified; or maybe, just maybe, they had to speak up because the Republican Congress was silent. You have adopted an approach of "see no evil, hear no evil, and speak no evil" with abandon.

America was told this would be a quick war, and it turned into a long war. This Congress walked away from its oversight responsibility. America was told 130,000 troops would be enough, but more were clearly necessary. This Congress, the Republican Congress, walked away from its oversight responsibility. America was told this would be a conventional war. It turned into an insurgency. This Congress walked away from its oversight responsibility. America was told oil would pay for reconstruction, and the taxpayers are left with a $480 billion tab. This Congress walked away from its oversight responsibility. America was told we would be greeted as liberators, but they have become and are treated like occupiers. This Congress walked away from its oversight responsibility.

And when Don Rumsfeld, a man who expressed contempt for the idea of nation-building, was assigned the responsibility of rebuilding Iraq and mismanaged the war against the insurgency, this Congress, the Republican Congress, walked away from its oversight responsibility.

Mr. Speaker, the Republicans want to portray the greatest foreign policy challenge of a generation as simply the choice between more of the same or a new direction. And we Democrats welcome that. The debate today is about whether the American people want to stay the course, with an administration and a Congress that has walked away from its obligations, or pursue a real strategy for success in the war on terror.

Twenty-five hundred brave Americans, male and female, have given their lives in trying to stabilize Iraq. Last month was the bloodiest in Iraq's history. According to Major General Rick Lynch, attacks against civilians increased 80 percent since November 2005.

We cannot achieve the end of victory and continue to sit and watch, stand pat, the status quo. That is the Republican policy. Democrats are determined to take the fight to the enemy. In the words of President John Kennedy, "We shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe in order to assure the survival and success of liberty."

Democrats will never put American servicemembers in harm's way without a plan and without support. For that, you need the sit-and-watch complacency of a Republican Congress.

Mr. HOEKSTRA. This Congress will not walk away from a mission, it will not walk away from its troops, and it will not walk away from its allies.

With that, I would like to yield 3 minutes to my colleague from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, I am a little bit saddened by the comments of the gentleman from Illinois. You know, our enemies do not have a first Tuesday in November plan. They have a plan for a caliphate. They have well established themselves to murder Christians, Jews, Muslims, women, and children. They will behead you, they will shoot you, they will blow you up. They do not care.

To have the talk of rhetoric, because the electricity isn't where it is, let's come home in defeat; because the oil isn't going exactly the way we would like it, let's come home in defeat; that is no standard for victory.

What is the standard for victory? Where were we 4 years ago? Let us look at it in the global war, this World War III that Osama bin Laden declared in his own words. Pakistan, 4 years ago, was the only government supporting the Taliban in Afghanistan. They were working against the United States in Afghanistan. They supported, financed, gave as much comfort as they could to the enemy to produce terrorists, to attack Americans and Westerners all over the world. In Iraq, we know that Zarqawi was there a year before the war; that they used that operation to kill an American in Jordan, a diplomat of great service to our country. In Libya, they had a nuclear weapons program and self declared they would share it with anyone.

So 4 years later, not because I gave a great speech on the House floor but because very brave men and women put on the uniform and fought the terrorists with a military uniform so our children wouldn't have to fight it in a school uniform here at home, and now what has happened? Pakistan has joined us in the fight against terror. There are our allies just 4 years later in hunting down al Qaeda.

Afghanistan is now an ally in the war on terror. Their intelligence services, their military, as a matter of fact just this morning, launched a 10,000 troop crackdown on terrorists. This morning. Last week, Iraq launched a 70,000 security personnel crackdown on terrorists. This week, they are our allies now in the war on terror.

Libya. That is the components of the nuclear weapons program of Libya. It is now in the possession of the United States of America. They gave it to us not because we stood here and debated but because we had brave men and women with boots on the ground who showed courage and commitment and said we will take the fight to you. We will not allow you to take the fight to us.

Which country would you have go back? Which one would you say, ah, it wasn't important that they became an ally? Four Muslim nations have stood up against the ravages and the terror and the brutality of terror today because of actions our brave soldiers take overseas.

So don't get confused in every little problem that happens, and there are a lot of them. Sir, you served in Vietnam. You know this challenge. They are great, they are hard, and sometimes they are disappointing, yes. But at the end of the day, every great victory, every great victory ends with our heads held high and safety and security for the United States.

Let us not come home in humiliation. Let us not tell all of those families that their loved ones died in vain because we have a November time frame and not a time frame for victory.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would ask Members to address their comments to the Chair.

Mr. MURTHA. Mr. Speaker, I yield myself 2 minutes.

This is rhetoric. It is not getting better. I spoke out November 17, and things have gotten worse than it was 6 months ago. They are worse today than they were then.

When I left Vietnam in August of 1967, they gave me this bullet, and they said in this bullet that everything is going to be all right. The President of the United States said we just had an election, and we have a new election in Vietnam, and this was a month after I got out of Vietnam, and everything is going to be all right. We lost 37,000 people.

It is not a matter of whether we want to prevail in this operation, it is a matter of how we are going to do it, and I disagree with the way we do it. I disagree with the policy. That is what I disagree with. I think our troops have become the targets. Incidents have increased every day, and more Americans are being killed every day. And we are going to pay a heavy price in people being killed and also we are going to pay a heavy price for the individuals in the future with the debt increasing at $8 billion a month.

I yield 4 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, it is to my great regret that at key moments like this the President of the United States does not seek to unify the country. He does not use these moments to bring people together, to strengthen us. He does not rally the country behind our men and women in arms and in harm's way.

We applaud our troops. Thank God for their willingness to sacrifice for our Nation. I take every moment to support them and their families. But the President and the Republican leaders, within moments of our soldiers' valor in eliminating one of the worst terrorists, is rushing for some political advantage, some way to hurt the Democrats and raise the President's poll numbers. Our country deserves so much better.

The President wants this Congress to simply applaud his current course in Iraq, which is an indefinite, open-ended commitment of U.S. troops in the middle of a sectarian religious war. By the President's own words, 3 more years, with generals now talking about 10 years and permanent bases.

I want to be clear. I do not want to stay the course with this policy which will make us less safe, undermine our military, help the terrorists, cost many thousands of lives and cost another trillion dollars. This Congress has never held the President and his administration accountable, even when there were no plans.

□ 1430

This President, more than any other, has politicized this war, ignoring the advice of the military at every step, from General Shinseki's call for more troops to General Casey's admission that our troops' presence was inflaming violence. They have imposed political judgments from ideologues at the White House at the expense of our military's best advice.

And this Congress supported the White House politicians, not the generals when our course was set. This Congress supported the White House politicians when they did not give our troops the body armor and Humvee armor they needed. Now, when the President says just support the politicians in the White House one more time, they are here with this resolution.

What our troops need is a policy that is good for America and for our military. Being bogged down in Iraq indefinitely will make us less safe. All of the countries in the world and the region and the Iraqi people need to hear that America will redeploy over a responsible period. The current course allows countries a free ride at the expense of American troops and taxpayers. A policy of responsible redeployment will force others to play their role.

No one on this floor is for a precipitous withdrawal, and the President's statements are reckless, political and a disservice. We all agree, as did both bodies of the Congress, that 2006 would be a turning point. The White House politicians have ignored that resolution.

I support a redeployment of our troops to meet critical security needs over the next 12 months, with a significant reduction by the end of 2006. Others support redeployment by the end of 2008, and some by the end of 2007. But we all believe America's interest and our troops are served by a new course.

So I ask the President to change. Why not speak to the country's better virtues and unite the country? We want you to succeed. We should work together for a stronger America.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to a colleague from the Intelligence Committee, the gentleman from Alabama (Mr. EVERETT).

Mr. EVERETT. Mr. Speaker, in November 1979, Ayatollah Khomeini, the former radical Islamic leader, seized power in Iran, riding the slogan, "Death to America." Just 4 months after his rise to power, it became evident that agents of radical Islam would stop at nothing to kill Americans. This doctrine of hatred resulted in terrorists killing over 600 people prior to 9/11.

My colleagues, my chairman has mentioned this, Congresswoman WILSON mentioned part of this, and I wish everyone who got up here would go over this list.

In April 1983, 63 people died at the U.S. Embassy in Beirut. That is not rhetoric; that is dead Americans.

In October 1983, 241 died at the U.S. Marine barracks in Beirut. That is not rhetoric; that is dead Americans.

In February 1993, six people were killed at the World Trade Center. That is not rhetoric; that is dead Americans.

In June 1996, 19 American servicemen died after a truck bombing at Khobar Towers in Saudi Arabia. That is not rhetoric; that is dead Americans.

In August 1998, 224 died at the U.S. embassies in Kenya and Tanzania. That is not rhetoric either; that is dead Americans.

In October 2000, 17 died on the USS *Cole* in Yemen. That is not rhetoric either; that is dead Americans.

If some people continue to preach cut and run from this war, then they will continue to kill Americans, kill Americans and kill Americans. The global war on terrorism must be fought. We can do it on the streets of our hometowns, or we can take the war to the terrorists. Either way, it has to be done; and personally, I prefer doing it over in Iraq rather than in New York or Washington, D.C. or San Francisco.

For the first 20 years, we allowed the terrorists to fight this war on their terms. 9/11 served as a wake-up call for us in the sense that we could no longer afford to sit on our hands and let the terrorists continue to kill innocent Americans. Under the leadership of the Bush administration, and with the support of this Republican-led Congress, we took the fight to the terrorists, wherever they may be.

Mr. Speaker, right now their choice is Iraq. It is the central front in the war on terror. In fact, Osama bin Laden has said he believes the war going on in Iraq is nothing short of the Third World War. The importance of Iraq in achieving al Qaeda's objectives of killing Americans is clearly spelled out in a 2005 letter from Ayman al-Zawahiri, bin Laden's closest advisor, to Musab al Zarqawi, the man tapped by bin Laden to head al Qaeda operations in Iraq. He said that getting the U.S. out of Iraq is critical if they are to turn Iraq into a permanent base of recruitment, training and operations just like the one they had in Afghanistan.

This is why it is imperative that we stay the course and ensure that the democratically elected government can take hold. A democratic Iraq will be the death of al Qaeda, and those aren't my words Mr. Speaker, they are the words of Zarqawi.

Mr. Speaker, we have accomplished so much in the global war on terror, highlighted by the recent death of Zarqawi. We have significantly degraded the al Qaeda network by denying them a safe haven in Afghanistan and capturing or killing many of their leaders and associates. We have also built an unprecedented international coalition to combat and prevent terrorist financing and dismantle terrorist support networks.

Mr. Speaker, America is safer, but we are not yet secure. The enemy we are fighting is determined and serious about its desire to kill Americans. We can not allow Iraq to become a breeding ground for terrorist activity.

A free and democratic Iraq is absolutely essential to fighting the terrorist threat and building long-term peace and stability in the region. I urge my colleagues to support the resolution.

Mr. MURTHA. Mr. Speaker, I yield myself 2 minutes. I was in Beirut the day after the attack, and I recommended to President Reagan, I recommended to the President of the United States, get out of Beirut because we didn't have enough troops; 2 months later he got out of Beirut because he didn't have enough troops.

I know what rhetoric is, and I know what fighting on the front lines are. I know the difference between them. I know that standing here does not solve the problem, and it has gotten better, it has gotten worse. That's the problem. And you are not talking about Iraq. The gentleman up there was talking about the war on terror. I am talking about Iraq. That's what I am talking about.

Mr. Speaker, I recognize the gentleman from South Carolina (Mr. CLYBURN) for 4 minutes.

Mr. CLYBURN. I thank Mr. MURTHA for yielding me this time.

Mr. Speaker, last Saturday I visited the Johnson VA Medical Center in Charleston, South Carolina. That medical center is named for a young man who is the recipient of the Congressional Medal of Honor because just out of high school he went off to fight in Vietnam and he threw himself on a grenade to save the others in the foxhole with him.

I went to the hospital last Saturday to visit one of my heroes, Joseph Henry Washington. Joseph Washington was on the USS *Arizona* on that fateful day at Pearl Harbor. I went because I wanted to report to Joseph Henry Washington on my recent trip to Iraq because he questioned the wisdom of my going there.

I said to Joe that I was very pleased with what I had found militarily in Iraq. I told him that I thought that our military forces were doing an admirable job, and I thought they were meeting with significant success.

But I said to him, Uncle Joe, I am very, very disappointed in what I have found on the domestic front. We are not going to win the hearts and minds of the people of Iraq until we can give them a police force that believes and is committed to law and order, not one that is 80 percent corrupt.

I said to him that I did not think that we were going to be successful in Iraq until we involved the Iraqi people in the reconstruction efforts. We see $9 billion that we can't account for. We see construction going on up in the northern part of the country. But in Baghdad, in and around that part of the country, we see a failed policy. That is what is causing the problem in Iraq. We must begin to involve the Iraqi people in the reconstruction of their country.

Eighty-five percent of the country is without electricity. Almost 60 percent of the country is without drinking water. We are never going to be successful until we tackle these problems, and that is where we are failing because there is no accountability on the domestic front in Iraq.

Mr. Speaker, I go back to Charleston the day after tomorrow because we are going to bury Uncle Joe. He stayed alive long enough for me to make my report to him. And for over 45 years in my consultations with him, he never wanted to talk about his experiences on the USS *Arizona* or his experiences after returning home. Why? Because he was never sufficiently included in the building of this great Nation. And the people of Iraq are not being sufficiently included in the rebuilding of their country. Until we do that, we will never be successful with this policy.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas (Mr. TIAHRT), my colleague from the committee.

Mr. TIAHRT. Mr. Speaker, I thank the gentleman from Michigan.

Mr. Speaker, this is an important week for us to have this debate on the necessity of the global war on terror, a war that we did not ask for, but a war that came to us.

The gentleman from Pennsylvania pointed out that after Beirut, we left. We did not react to it. Several other instances like that occurred during the 1990s. We were attacked at the Khobar Towers; we did not react. We were attacked at the Kenya embassy; we did not react. We were attacked the first time at the World Trade Center; we did not react. The Tanzania embassy was bombed; we did not react. The USS *Cole* was bombed; we did not react. What did it yield us? A continuing battle against terror around the globe.

I would remind my fellow colleagues that one such incident of attacking Americans happened in the Philippines when Gracia and Martin Burnham were kidnapped, along with a constituent from Representative BONO's district. The leader of the Abu Sayyaf Group, ASG, was trained by al Qaeda in Afghanistan. That training occurred because we did not respond to these prior attacks. We left them alone.

In the Indonesian al Qaeda training papers they found, they said one of the things that America is vulnerable about is they don't follow up. You can attack them, and they withdraw. They withdrew from Vietnam, they withdrew from Beirut, they withdrew from the *Cole*, the Kenya embassy, and Khobar Towers. They did not react the first time when they attacked the World Trade Tower. We have continued to make ourselves vulnerable by not responding to the worldwide war on terror.

Thanks to American training and intelligence aid, the Philippine Government was able to rescue Gracia Burnham. Martin Burnham died in the rescue attempt. It was probably because we couldn't get close enough into the fight.

But the important thing that we need to remember is if we back off now, according to the paper, or the letter that was written from al Zawahiri to the now-deceased al Zarqawi, it will be considered a victory for al Qaeda if we leave. Al Qaeda is the one that has decided to bring this war to Iraq and to fight Americans. That information is available on their Web sites and in the information that we collect. It is what the captives tell us when we interview them.

They want to take this fight to the Americans in Iraq. I tell you, if we are going to have to fight terrorists, I would rather fight them at a place where every American carries a gun rather than on the streets of New York or Washington or Wichita because they have brought the fight to us. It is not we who decided to do this.

I think it is very important as we pursue this worldwide battle against terrorism that we insist on doing it with our full resources, with full dedication, and that we disrupt their finances, that we disrupt their places of safe haven, that we disrupt the countries that are providing protection for them, and that we go to the terrorists and we find the root causes of this terrorism and sever the root.

I think the reason we have seen so much money from al Qaeda going to Iraq, the reason that they have sent so many weapons into Iraq, the reason so many foreign fighters have gone into Iraq is because that is where they want to fight this battle.

If we leave now, it would be giving them a victory and we would be once again putting another picture on the board here saying we should have fought harder; we should have stopped it back in 2006.

Mr. MURTHA. Mr. Speaker, I yield myself 1 minute.

The problem is that the opposite is happening. That is the problem we have. We can stand here and say we want to fight the terrorists in Iraq. Actually, al Qaeda we think is less than 1,000.

We think we are caught in a civil war. It is the way that we are doing it. The military cannot win this war. The military commanders, even General Pace admits we cannot win this militarily.

What we are caught in, we have become the target of the insurgency of the sectarian violence. It is the way that we are doing it is what I disagree with.

Mr. Speaker, I yield 4 minutes to the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. Mr. Speaker, I thank Mr. MURTHA for having the temerity to speak truth to power. Thank you for having the temerity to separate the war on terror from the travesty that is taking place in Iraq.

It is amazing to me, and this used to be a place, as Professor Remini writes, where Members would come down, unrehearsed, without charts or graphs. They would speak from their heart. They would talk about this institution and what it means to democracy all over the world.

What a sham today. We should all glorify in the aspects of democracy that take place all around the world and in Iraq. But what a sham this is today when we are denied any alternative resolution.

□ 1445

Mr. LANTOS eloquently stated that earlier today, when he talked about Bob Michel and his eloquence standing on this floor, talking about speaking truth to power. And that is what is so upsetting to the American people and why Mr. MURTHA has been recognized all around this country for standing up and speaking the truth to the American people, something this administration and, frankly, this Congress, has been unable to do. Level with the American people. Let's start with leveling with the American troops, leveling with all of those families of reservists and National Guardsmen who I speak with on a regular basis, who have been deployed, redeployed, deployed and redeployed again many times because we haven't had a plan.

Here we are in a race between cooperation and catastrophe, and you guys bring to the floor a political document not designed for a new direction or to bring the country together to discuss this issue the way it should be, but instead as talking points outlined by Karl Rove in New Hampshire, sandwiched in between the President's photo op and a picnic this evening.

Americans are outraged that we don't have a citizenry and Members here who are willing to stand up and have accountability. We all support the war on terror. And this party, from Roosevelt to Truman to Kennedy, to JACK MURTHA, has stood on the watch wall of freedom and stood there valiantly, but collectively with the American people and in this body and in this Chamber, but that is not going on here today. Instead it is right out of the playbook, attack JACK MURTHA. Attack the messenger. That is a formula that works. It worked against Max Cleland. It worked against JOHN KERRY. Geez, that will work against JACK MURTHA also. Discredit this guy. Discredit what he has had to say because he had the temerity to speak truth to power in an administration that can't level with the American public, can't level with you.

Why don't you criticize General Baptiste, General Zinni, General Van Riper, all of these generals? Are they all wrong too for speaking truth to power? Shouldn't we be talking about how we can collectively move forward in a new direction for this country, instead of a tried and true playbook of political jargon on a resolution that is nonbinding? Speak truth to power.

I am proud to associate myself with Mr. MURTHA and everything he stands for.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would renew his request that all Members should address their comments to the Chair and not to other Members.

Mr. HOEKSTRA. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Florida, the chairman of the defense appropriations subcommittee, Mr. YOUNG.

Mr. YOUNG of Florida. Mr. Speaker, this debate is not about politics. This debate is about America. It is about Iraq because Iraq is one of the many battlefields on which we fight the global war on terror. Afghanistan is another battlefield on which we fight the war on terror. But there are many battlefields on the war on terror, and we don't want any of them to be here in the United States of America.

Mr. Speaker, as I said, this is a lot about America, not only America today, America past, but America in the future. The world still remembers, and many Americans still remember December 7 of 1941 when American territory was attacked by an enemy. An America that was built out of the wilderness and was built by settlers, that was built by industrialists, that was built by just plain ordinary people, brick by brick, block by block, business by business, school by school, hospital by hospital, an America that many Americans paid a great price to create, to achieve. And that America has come under attack in many ways.

As I said, December 7, 1941, some of us remember that day and where we were. Others will never forget September the 11th of 2001, where we were, what we were doing and what it did to this great country of ours.

The global war on terror must be won. It is real. The threat is real. If you don't believe the threat is real, look at the old news reels of the Twin Towers in New York City or the field in Pennsylvania where Flight 93 crashed into Mr. MURTHA's district to avoid that aircraft from attacking this United States Capitol.

And just a few minutes ago I came from the Pentagon where a celebration of the dedication of the Pentagon Memorial was unveiled where 184 Americans lost their lives in that vicious attack on the Pentagon.

Mr. Speaker, this war has to be won. All over the world there are cemeteries where Americans lie in rest, Americans who lost their lives in different parts of the world to keep America what it is, to keep America what was created at so many sacrifices. And many of us have had the opportunity to visit those cemeteries and to pay our respects to those fighting warriors who went ahead and did what was necessary to do to preserve this great America.

There are American heroes in Iraq today and American heroes in Afghanistan today. And as Mr. MURTHA said earlier, he and I have spent a lot of time visiting with a number of those wounded heroes at our military hospitals. But they will tell you, and they will be the first ones to tell you, we have got to win this war. And the attitudes of these young men and women are outstanding because they will tell you that what they want is to be healed from their injuries and to get back to the fight because they believe in their country. They love their country, and they believe that it is important that we stop the threat to this great Nation of ours from those terrorists, the terrorists who attacked us on September 11 in New York, in Pennsylvania, at the Pentagon, those terrorists who attacked the USS *Cole*, killing many of our sailors and wounding many more, those terrorists who blew up the Khobar Towers, which was a home for American airmen in Saudi Arabia, those terrorists who blew up the American embassies in Kenya and Tanzania. These young troopers, these warriors understand the threat. America understands the threat. And ladies and gentlemen, it is important that we stand up to that threat and that the America that we know is the America that our kids will know and that our grandkids will know in the years to come.

Mr. MURTHA. Mr. Speaker, I recognize the gentlewoman from California (Ms. HARMAN) for 30 minutes.

Ms. HARMAN. Mr. Speaker, I thank the gentleman for yielding and, as prior speakers have done, I commend him for speaking truth to power.

Mr. Speaker, 1,184 days ago American troops invaded Iraq to rid Saddam Hussein of weapons of mass destruction.

The weapons weren't there. But American troops still are. I have met some of those troops on my three trips to Baghdad and Afghanistan, as well as Pakistan, Qatar, and Saudi Arabia. Our Armed Forces and intelligence personnel are extraordinary. Many are on their third or fourth tours.

As a mother of two sons and two daughters, and as a newly minted grandmother, my heart goes out to families who have lost their dear ones. I am deeply moved by the courage, dignity and patriotism of the men and women recovering from grievous wounds at Walter Reed and other U.S. hospitals. And I have visited with them.

Our action in Iraqi created a failed state and, tragically, our postwar mission, as presently defined, cannot succeed. There are too few troops to stabilize the country. They are inadequately equipped.

They are fighting an insurgency we didn't predict, at constant risk from IEDs we can't find, with no clearly developed goals to help the new Iraq government achieve political and economic security, and no exit strategy.

Two major failures led us to war, and we had best learn some lessons or risk making the same mistakes again. As ranking member on the Intelligence Committee, these failures haunt me.

Had we got the intelligence right, I believe we could have made different choices, and the pain and loss and anger many feel could have been avoided.

First was a massive intelligence failure in assessing Saddam's WMD capability. The second, equally grave, was the politicization of intelligence by the President and a White House determined to push us toward war.

The failure to assess Saddam's WMD capability accurately has been well documented. As CIA weapons inspector David Kay put it, "we were all wrong." Overriding the advice of intelligence professionals, administration officials put stock in bogus sources like CURVEBALL, and self-promoters like Ahmed Chalabi.

But simply calling Iraq an intelligence failure ignores the larger policy failures that created the false momentum toward war.

The administration cherry-picked intelligence and hyped the threat. They talked in ominous tones about "mushroom clouds," even though many questioned evidence suggesting Saddam had nuclear weapons capability.

They made a mantra of the claim that 9/11 hijacker Mohammad Atta met with Iraqi agents in Prague, a claim that has been thoroughly discredited.

Deputy Defense Secretary Paul Wolfowitz famously predicted we would be greeted as liberators, that Iraqis would throw rose petals, ignoring intelligence community assessments about the potential for armed resistance.

Writing in Foreign Affairs, Paul Pillar, the intelligence community's senior Middle East analyst, described how the Bush administration disregarded the community's expertise, politicized the intelligence process, and selected unrepresentative raw intelligence to make its public case.

To date, nobody has been held accountable for this misuse of prewar intelligence.

The intelligence failures did not end when we invaded Iraq. Our President declared "Mission Accomplished" in May 2003. Senior U.S. officials in Iraq asserted in July 2003 that insurgent attacks represented "a limited problem of some bitter-enders" loyal to Saddam.

Yet, 3 years after Saddam's fall, 2,500 U.S. troops are dead, a number confirmed by the Pentagon just today, and insurgents appear more active than ever.

We have surged intelligence resources into Iraq in a frantic effort to find the next IED. As a result, we have taken our eye off the ball in Afghanistan, where Taliban fighters are reconstituting themselves, even as the United States reduces the number of troops there. Osama Bin Ladin and Ayman al Zawahiri are still at large, inspiring a new generation of recruits to the jihad.

Just as constant deployments to Iraq cause burnout in the Army, National Guard and Reserves, we are also burning out large numbers of intelligence professionals. And assigning them to Iraq means they are not available to address other national security challenges, like Iran and North Korea.

There has been good news. U.S. intelligence agencies operating with Special Operations Forces have tracked down many key terrorist leaders. The takedown of Zarqawi showed the importance of fusing human intelligence, imagery, signals intelligence and a military strike capability in real time. That is how intelligence ought to work. It was a huge tactical victory.

But tactical victories alone are not enough. We need a new strategy for Iraq, a dramatic change of course. We need to hold senior officials accountable for massive policy and management failures. Replacing Donald Rumsfeld, the chief architect of the postwar policy, is long overdue. He ignored the advice of senior military advisers, ignored the careful recommendations of those who understood nation-building, and ignored those horrified by a prison situation careening out of control. And he prides himself, even now, on refusing to change a failed policy.

□ 1500

Congress must also provide aggressive oversight to learn why the administration erred so grievously.

Since I returned from my third trip to Iraq last September, I have been calling on the administration to develop an exit strategy, and I believe it is now time to begin a phased, strategic redeployment of U.S. and coalition forces out of Iraq on a schedule designed by military commanders. A schedule designed by military commanders, not designed by the U.S. Congress.

I believe the U.S. is part of the solution in Iraq, but our large military presence is part of the problem. Beginning to reduce the "footprint," while maintaining an over-the-horizon strike force, will improve our chances for success.

I think we have 3 to 6 months to advance three objectives: first, helping the new Iraqi Government provide electrical power, particularly in Baghdad, and deliver other critical economic and social services to the Iraqi people. Second, supporting the Iraqi Government in its effort to disarm Shiite militias and integrate them into a trained Iraqi national security force. Third, continuing the process, begun by our able Ambassador Khalilzad, of obtaining buy-in from Sunni political leaders. Achieving these objectives will enable us to leave Iraq in better shape than we found it.

Mr. Speaker, the next 3 months are critical. We have a moral obligation to assist Iraq on its path to democracy. But if clearly defined minimum objectives cannot be achieved within that time frame, the prospects for success in Iraq could all but disappear.

So a change in course is urgently needed. The President's visit to Baghdad was important, but it is not a substitute for needed policy changes. And Congress cannot be infinitely passive. This debate today will only have meaning if, in fact, it leads to a change of course in Iraq.

Mr. Speaker, it is time for Congress to lead. This resolution, in my view, is a press release for staying the course in Iraq. It does not signal a change in policy, and thus I cannot support it.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to my colleague from Arizona, a member of the Intelligence Committee, Mr. RENZI.

Mr. RENZI. I thank the chairman.

I have respect for the gentlewoman from California. I also listened to her words carefully, and I want to remind her that on October 9 she spoke about Saddam Hussein and his development of weapons of mass destruction, saying that he is impulsive, irrational, vicious, and cruel and that left unchecked, he will grow stronger, only to develop the capability to match his disdain for America and his Middle East neighbors and that he poses a clear and present danger.

Those were the words of the ranking member. That was the belief of Bill Clinton. That was the belief of HILLARY CLINTON. That was the belief of Madeleine Albright. And yet we are told today that this is a press release.

al Qaeda is a cancer. It has metastasized itself throughout the world.

There is a lot of negativity, whether or not we want to join and take the war in Iraq and link it with terrorism. It is a cancer. It needs to be carved out, and the American people need to show the will and the endurance. Our troops do. Our people at home, I believe, have that will.

I believe there should be no arbitrary date set for withdrawal and yet no permanent, unending deployment. No cut and run, yet measured progress in helping a people who want to be free without an illusion of overnight success.

This enemy wants to take the fight into the later rounds. They want to prey on what they perceive is our lack of concentrated focus, and their captured documents refer to the U.S. being worn down and quitting.

Today's resolution is very similar to Rosie the Riveter. We bring out and ask the American people to stay strong. During World War II, we fought an enemy whose goal was to invade and dominate the land and the geography and to gain power and spread fascism. Terrorism is like fascism. While different tactics may be in place, Islamofascists want to establish a caliphate covering Southeast Asia, Southern Europe, and North Africa, very similar to the same geography that we saw in World War II.

Zarqawi died in Iraq. Saddam was pulled out of a spider hole in Iraq. The Taliban was defeated in Afghanistan. Taking the fight to them works. With continued detainee reporting, coalition and allied sharing of intelligence, the Iraqi people working with us to identify safehouses, and the greatest group of unsung Americans sequestered in the backrooms of our intelligence agencies, we can keep the pressure on.

This resolution is about prevailing against our enemies, about achieving a shared success, Republicans and Democrats with the Iraqi and the Afghanistan people. This is about taking the fight to those who will strike America again and will wound this Nation and kill our innocent civilians.

America must endure, endure and prevail.

Mr. MURTHA. Mr. Speaker, I ask unanimous consent that the gentlewoman from California control the 30 minutes and yield to people.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Ms. HARMAN. Mr. Speaker, how much time of my 30 minutes remains?

The SPEAKER pro tempore. The gentlewoman has 21 minutes remaining.

Ms. HARMAN. It is now my intention to yield to members of the minority of the House Intelligence Committee who are here.

First, I would yield 3¼ minutes to Representative BOSWELL who is ranking member on our Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence.

Mr. BOSWELL. Mr. Speaker, first off, I want to say to Mr. MURTHA, I salute you, sir. We both served in Vietnam. I had two tours. I never told you this. I don't go around talking about it much. You don't either. But Charlie Beckwith, you remember that name, don't you? In the Iron Triangle? Sometimes we had those assaults and sometimes we had to go bring them out. When we had to bring them out, there were lots and lots of casualties. We did not like to do that.

So this exercise we went through a few months ago, saying that you wanted to make an immediate withdrawal, that is not what you said. I know that, and we all know it because that would be chaos. It needs a plan.

So I come today to share that little bit with you. I finished up my tours in the military as an instructor at the Command Staff College, Department of Tactics. We rewrote 101–5. We might want to talk about that sometime. You might find it interesting. And I would say without reservation, LEONARD BOSWELL, JACK MURTHA, and probably everybody in this Chamber support our troops, absolutely, 100 percent. That is not on the table, as far as I am concerned. They are in a difficult mission. They are performing superbly. And we are very, very proud of them. That is not the question.

Last December IKE SKELTON and, I do not know, 12 or 15 of us, and I do not know how I got invited, but we got invited to the White House to meet with the President, the Vice President, Mr. Rumsfeld, Ms. Rice, General Pace. And the whole conversation was everything is going really, really good in Iraq. And I got a chance to engage in conversation with the President, and I said it seems to me what I am hearing here is we have got 90-plus battalions, at that time, and now it is over 100, 20-something brigades, several divisions, armed, equipped, and in the field. And I have been to Iraq. A lot of us have. I am not sure about that, but if that is true, then why don't we start a withdrawal program carefully?

Do you know when we do best? We do best when we are under a little bit of pressure, when we know we have got to perform, we got to get the job done. And I think that applies to everybody in my life experience, Iraqis included. Under pressure, we went through the liberation from Saddam, regardless of how we decided to make the decision. We can debate that if you want to, but I do not want to do that. I supported the resolution based on what information I had. But regardless of that, if we would look at it in this sense: we have liberated the people from Saddam. He is in jail. He is on trial. Now we are occupiers. We want to help them get settled. They had a great election. We all understand that. They have established a government. And it is pretty tough. They got it done, I am told.

You know, it is kind of like putting the team on the field. You haven't seen them play yet together. Maybe they will do well, or maybe they won't. I don't know. We don't know. But we wish them well. We want them to succeed absolutely.

My point is this: they need to take some responsibility and the pressure is on to do it. They have got 254,000 troops trained, equipped, and in the field. We have a right to start, orderly, with a plan, bringing our troops home. We ought to do that. Not run, but an orderly withdrawal.

And I salute you for that, Mr. MURTHA.

Ms. HARMAN. Mr. Speaker, I now yield 3 minutes to the gentleman from Texas (Mr. REYES), a senior member of our committee and a member of the Armed Services Committee.

Mr. REYES. Mr. Speaker, I thank the gentlewoman for yielding me time on this very important matter.

To my good friend Mr. MURTHA, I also salute you as a Vietnam veteran, one that knows what the cost of war does to a family and to our country.

My friends on the other side of the aisle would have you believe that this is a simple choice between retreat and resolve. This is a false choice. It is a political stunt. This is about respect. This is about respect for our role to do our jobs as a Congress in oversight.

We can win this war with a comprehensive and reasoned approach to deployment of our troops. But the President's supporters characterize any disagreement as cutting and running. It does not wash. This is unfair and it is disingenuous and this is unpatriotic.

The real choice is between blind adherence to Secretary Rumsfeld's ill-conceived strategy and the somber assessment of the proper way to fight against an insurgency. Congress has an important role to play in this process, and that is what today's debate should be about.

In my role as a member of both the Intelligence and Armed Services Committees, I traveled to Iraq and paid a great deal of attention to the effects of this war and their impact on our military, on their families, and our intelligence apparatus. There have been and continue to be critical gaps in our intelligence system in this war.

When the Vice President says that our troops will be greeted as liberators, I have to think that we were not prepared. When the Army's chief of staff tells us that a successful campaign would require many more troops than we were planning to deploy, I have to think that we were not prepared. When the administration cannot get its story straight about the rationale for war and the connection between Iraq and al Qaeda, I have to think that we were not prepared for this war.

These mistakes, these gaps in our knowledge, frankly, cry out for oversight. It is not about resolve versus retreat. It is about respect for this Congress doing its job in oversight. This Congress could have and should have done a better job of conducting oversight and vigorously questioning the statements that have been made by this administration: statements about the presence of WMD or about connections to 9/11 or about the war taking no longer than 6 months.

In fact, when I asked the administration, before we went to this war, whether there was a connection between al Qaeda and Iraq, the answer was no. We could have made America safer by conducting vigorous oversight, but we as a Congress have failed to do that.

At the same time, while most of our men and women have served honorably and bravely, the unsustainable pace of our operations combined with an overstressed force has led to major problems. It led us on the road to Abu Ghraib and to some of the most heinous allegations lodged against our American troops in history.

Mr. Speaker, I am afraid that the conduct of this war has made us less safe. This is what this debate should be about. It has distracted us from the global war on terror. It has hurt recruiting and retention in the military. It has broken our Army for possibly the next decade or more. It has hurt our ability to work with other nations. I think that is where the real debate should occur.

□ 1515

Ms. HARMAN. Mr. Speaker, I yield 3 minutes to my California sister, a member of our committee, the ranking member of the Technical and Tactical Intelligence Subcommittee, Ms. ESHOO.

Ms. ESHOO. Mr. Speaker, I thank our distinguished ranking member of the House Intelligence Committee and Congressman MURTHA. We salute you for your extraordinary leadership.

Mr. Speaker, we are here today because the majority has brought a resolution before the House. It is a resolution. It is a nonbinding resolution. For those that are listening in, it just means that we are going to talk. There is not any action that will come out of it.

Let us think about the context, the broader context of where we are today, June 15, 2006. Across this magnificent country, almost two-thirds of the American people, it matters not where they live, what their economic background is, what their political affiliation is, have now lost faith in the President's war in Iraq.

They have also lost faith in the President. He had high ratings. He is now down to about 33 percent. And it is about this issue of war in Iraq. Why? Why? Because what was advanced? We had to go in because there was an eminent threat. If we did not get them, they were going to get us. Except that premise, the President even acknowledged, did not turn out to be so.

We all honor and support our troops. None of us will stipulate to anything less. We all honor the tradition that they have set. We all stipulate to that. We know that there are terrorists in this world. And we will pursue them in the pursuit of the protection of our Nation.

But there is a difference between Iraq and the war on terrorism. And some people in the Congress, unlike people in the country, do not want to acknowledge that. So where are we today? Our intelligence agency demoralized, intelligence manipulated, the American people ashamed of what we are doing instead of being proud.

It is too bad, my friends, that the term "cut and run" is ever used against a man that has served so honorably and has the medals to show them. I submit that it is the Congress that has cut and run on accountability, on not doing oversight, on not watching where the money is going.

Potable water has not been improved in Iraq. Even retired generals, for the first time in my life of 63 years have I ever heard retired generals that have spoken out and said this is not a policy, stay the course is not a policy.

Yes, we need a debate. We need a debate about alternatives. About alternatives. This is a regrettable instrument that you have brought to the floor today. I think two-thirds of the American people understand it.

Ms. HARMAN. Mr. Speaker, I now yield 3 minutes to Mr. HOLT of New Jersey, ranking member of the Intelligence Policy Subcommittee.

Mr. HOLT. I salute Mr. MURTHA, and I salute the servicemen and -women in the field, recovering at Walter Reed, and waiting to serve.

This is a critical matter that we waited far too long to debate on this floor. And instead today we now get a meaningless resolution that says, well, stay the course, whatever that means.

Well, today I was meeting with some seventh and eighth graders. And I asked them to help me put in perspective what we are talking about here today, what would we say that 10 years from now we wish that we had said about the war in Iraq.

The first one said, too many lives have been lost already. The second one said, the reasons for going to war were wrong, maybe even deceptive. The third said, the Iraqi people are worse off today than they were before.

We should ask ourselves how posterity will regard Congress for giving President Bush everything he asked for without oversight, without accountability. There are shifting rationales for war: oh, it was weapons of mass destruction; oh, no, it was retribution for September 11; no, actually it was about human rights abuses under Saddam; no, actually it was containment and disarmament and the U.N. were not working.

No. No. It was to stand up a democracy that could be emulated throughout the Middle East. No, it was to protect America's strategic interests, including oil. And today we have heard over and over again a response that this is about terrorism.

No, it is not about terrorism. This is not about Khobar Towers. It is not about the USS *Cole*; it is not even about the World Trade Center. Today's debate is about Iraq, a war of choice. And this is a resolution that says, stay the course.

The other side, Mr. Speaker, is engaging in classical misdirection. This has nothing to do with terrorism except that Iraq has now become a breeding ground and a training ground for terrorists. And meanwhile the war has warped American priorities and cost us dearly.

Numerous powder kegs around the world are being ignored. International standing and our ability to counter terrorism is hurt. Here at home, I must say, Hurricane Katrina crystallized American thinking when they realized that the President and Congress were putting our attention, our resources in Iraq and not for the needs of the people here at home.

History will remember this war as a colossal blunder. When we leave Iraq, and I hope we will begin immediately, no one will wish that we stayed longer. No one will look back and think the current course could ever have been successful. This war is not making us safer. It is not making Iraq safer.

The generals understand that. You have heard that today. The large majority of the Iraqis understand that. The U.S. public understands that. And, yes, even seventh graders in New Jersey understand that.

Let us begin our redeployment immediately, rather than approve a meaningless stay-the-course resolution.

Mr. HOEKSTRA. Mr. Speaker, I yield 3 minutes to our colleague from California, a member of the Intelligence Committee, Mr. ISSA.

Mr. ISSA. Mr. Speaker, I certainly think it is important that this debate go back and forth as it has between the defeatist attitude of my colleagues and what I believe is the appropriate stay the course of this side of the aisle.

Mr. Speaker, we are often alleged of only doing two things in the Congress, either nothing or overreacting. Today, by a measured response of saying stay the course, we are doing exactly what we need to do. This is not meaningless.

Just in the last week a declassified document taken from the safehouse in which Zarqawi met his appropriate punishment, and I will read just short excerpts, our time is short, but they are meaningful and I think many Members listening throughout their offices and here on the floor probably have not yet read this.

Zarqawi says, however, here in Iraq, speaking of why time is on the side of al Qaeda, however, here in Iraq, time is now beginning to be of service to the American forces and harmful to the resistance for the following reasons.

He goes on to talk about the formation of the National Guard. He goes on to talk about the impact on the resistance of various improvements there. He goes on to talk about how we the Americans and the Iraqis have undertaken a media campaign against the resistance and it is working.

He goes on to say, the resistance has had its financial outlets cut off and restricted. He talks about how, in fact, we have been effective in creating big divisions among the ranks of what he called the resistance.

He then plots to find a way to get America embroiled in yet another conflict with another enemy. And he is speaking of Iran. He then plots on how he might convince us that Iran was further along in its weapons of mass destruction. He then plots no more.

Mr. Speaker, we have done, for once, the even, middle-road thing we have to do. We did not go into this war the way we went into, as Congressman MURTHA said, Beirut, only a little bit, only not enough, and only for a little while.

We have gone into the war on terrorism with commitment from this Congress, in Afghanistan, in Iraq, in the South of the Philippines, wherever the terrorists may be; and we said we will stay the long haul in each of these places.

My time is short. I just want to do two things. One is, to say that, unlike Congressman MURTHA, I did not serve in combat. But I entered the Army in 1970, and I entered as a grandson of Lebanese immigrants.

And throughout the 1970s and 1980s and 1990s, I visited Lebanon, and I visited the region, and I got to know my fellow Arabs of the world. And I knew there was a problem and they knew there was a problem and we were not addressing it. We are now addressing it.

So we will be punished by the opposition any time we either do nothing or do something. But I would rather do something in the interests of freedom.

Ms. HARMAN. Mr. Speaker, many on this side advocate a strategy for success.

Mr. Speaker, I yield 3 minutes to another member of our committee, Mr. RUPPERSBERGER of Maryland.

Mr. RUPPERSBERGER. Mr. Speaker, whether you are for or against the war in Iraq, the fact is we are there now and we must support our troops. We must give them the resources they need to protect themselves.

In Congress and across the country, we all want the same thing. We all want the Iraqi military to be able to take control of their own country and secure their cities so that we can bring our men and women home that are in uniform.

What we disagree on, though, is strategy. We have been staying the course and continuing down a bumpy, dangerous and deadly road for a long time. The American people are losing confidence in the war in Iraq. Americans are turning on the news and opening up the newspaper to see more and more stories about troops being killed by roadside bombs and suicide bombers.

The Department of Defense released today that 2,500 troops have died in the war in Iraq since it began more than 3 years ago, and more than 20,000 have been injured.

The only people sacrificing in this war are the troops and their families. I have been to Iraq four times and just returned from my most recent trip over the Memorial Day recess. I also serve on the House Select Intelligence Committee where I am briefed often on the situation in Iraq and the global war on terror.

Mr. Speaker, I believe we need a new strategy in Iraq. I believe we must have the Iraqi security forces take on more responsibility in securing their country. I believe we must move American troops to the perimeter of the urban areas and let the Iraqi military patrol the streets in their cities.

Under this perimeter strategy, the American military will still back up the Iraqis in an emergency. This will reduce the Iraqi dependence on Americans and help them gain confidence in their own ability to secure their country.

This perimeter strategy will free up American troops to start the process of bringing our servicemen and -women home. Having the Iraqi military patrol their own streets will show the Iraqi people that their new government has been created and their own forces are now protecting them.

It will also give the American public new hope that the Iraqis are taking more control of their country and U.S. troops are not put in the dangerous situation of patrolling the Iraqi streets every day.

This perimeter strategy will allow the American military to do what it does best. Our intelligence analysts can use technology to locate insurgents and al Qaeda operatives.

Our special operations forces can focus on high-value targets, and our air power can be used to take them out. Changing the mission of U.S. forces, redeploying them to perimeter areas, and lowering the profile of the U.S. forces in urban areas will break the dependency the Iraqi military has on U.S. forces.

Mr. Speaker, you know, it is not about being a Republican or Democrat. It is about having the right strategy, it is about having the Iraqi military secure its own cities, and it is about bringing our men and women in uniform home.

I believe this new perimeter strategy will help us do that. I also, with the remaining time that I have, want to talk about the issue of the Iraqi war versus terrorism. There is no one that I know in the Democratic Party that is not behind the United States fighting the war strongly against terror.

□ 1530

Ms. HARMAN. Mr. Speaker, it is now my pleasure to yield 3 minutes to the rookie on our committee, Mr. TIERNEY of Massachusetts.

Mr. TIERNEY. Mr. Speaker, regretfully this debate on America's role in Iraq has been converted into a debate on the war on terror.

The Republican leadership has mimicked this divisive White House and sought a political squabble instead of a policy debate. The majority leader's memorandum that was circulated directing his Members to politicize and name call and obfuscate the issue is a disservice to this House and to the country as a whole.

Nothing was gained when the administration first conflated the issue of Osama bin Laden and terrorism with Iraq, and nothing is gained here today by this bald attempt to avoid discussion of Iraq policy and again try to conflate the issue of international terror with Iraq's insurgency.

Our country's democratic system requires the active involvement of Congress on key policy questions, particularly the issue of war. Its Members have a patriotic duty to hold the executive branch accountable, especially during a time of war. Troops as well as our citizens at home deserve and expect no less.

Back in 2001 this entire Congress went into Afghanistan against al Qaeda, Osama bin Laden, the Taliban and essentially every Member, Republican, Democrat or Independent, agreed with the international community, rallying to the side of Americans, rallying to our aid. Our intelligence personnel, special ops forces, military and our allies were there.

But it was not the same case in Iraq where this President, President Bush, prematurely diverted troops and resources out of Afghanistan, before that mission was completed, before Osama bin Laden, al Qaeda and Taliban leaders were captured, and before Afghanistan was stabilized.

President Bush and Secretary Rumsfeld chose to start the Iraqi conflict on selective and incomplete intelligence when there was no imminent threat to the United States, without letting the international inspections run their course, without building international support, without a plan to stabilize and rebuild the country and bring our troops home, and ignoring the advice of leading generals about troop strength and strategy.

As a result of those failed judgments made over and over again, our troops have suffered in the field, not having adequate body armor and vehicle armor. They have been deployed an unreasonable number of times, and they are under unbelievable stress and danger. Our veterans have received inadequate care, some $3 billion short of what they should be having, and we have experienced a harmful lack of oversight and accountability.

The Iraqi people, more than half of them, are without clean water, 85 percent lack electricity, oil production is less than what it was before the war started, and there is unemployment of up to 40 percent and billions of dollars of American taxpayer money being spent without getting it where it is supposed to go, our troops not getting the safety equipment, Iraqis not getting the reconstruction done, and the American taxpayer $360 billion out of pocket. The policy of the Bush administration has done more to harm our military strength and more to harm and misdirect resources away from terror.

United States troops have done their jobs. They got rid of Saddam Hussein, they allowed for the constitution to be drawn and elections to be held, and they trained Iraqi security. The time has come for Iraqis to have the incentive to take control and responsibility for their own security. This idea of an open-ended commitment to stay the course just impedes this goal.

The troop presence of our country impedes success and fuels the insurgency. Nine out of 10 Iraqis want a timeline for withdrawal. Seventy percent, including the Prime Minister, want a time set for withdrawal. It appears that the Bush-Rumsfeld group wants to be more Iraqi than the Iraqis.

It is time to shift the focus to political and diplomatic solutions. It is time we disavow any intention to permanently remain or to keep permanent bases. It is time to revitalize our military, refocus on Afghanistan and Osama bin Laden and the Taliban, and secure our own country by fulfilling the 9/11 Commission's recommendations.

Mr. HOEKSTRA. Zarqawi's document:

However, here in Iraq, time is now beginning to be of service to the American forces, harmful to the resistance, for the following reasons.

Time is on our side. We are making progress.

Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, today we have heard a lot about who is right and who is wrong. Let me quote, at the outbreak of the Civil War, from Leroy Walker, who later became first Confederate Secretary of War. He said that he could wipe up with one handkerchief all the blood that would be spilled in the coming dispute between the North and the South. He was wrong.

We have been wrong, too. We were wrong about weapons of mass destruction. We were wrong about the costs, and we were wrong about the tenacity of this insurgency. But Tony Blair came here about a year and a half ago and he gave a great speech, and he said something very important we ought to be reminded of.

He said if we were wrong about weapons of mass destruction, and all we did was liberate a noble people from a brutal dictator, he said that history would forgive. But had we failed to act, and had we been right about weapons of mass destruction, he said that history would not forgive.

So this debate about who is right and who is wrong, I think, misplaces the interest of the United States. We were right that Saddam Hussein and his sadistic sons were a clear and present danger to his people, his neighbors, the region, and to American interests. Saddam Hussein plotted to kill a former U.S. president.

And just like megalomaniac leaders of the past, he attacked his neighbors in Iran, and he invaded Kuwait. Some prefer to ignore the historic comparisons to the Sudetenland and Liebensprau. Montezuma was right, those who refuse to learn from history are doomed to repeat it.

Dr. Henry Kissinger was right, too, when he said that with domestic policy, actions have consequences. But with foreign policy, inaction can have consequences. We are now seeing the suffering played out in Darfur and Somalia because of inaction.

Millions of innocent women and children are now at the mercy of the followers of bin Laden and al Zarqawi, and al Qaeda understands what some in this body refuse to acknowledge, that Iraq and Afghanistan are part and parcel of their war against us. When they are defeated there, and I pray that they will be, their ability to wage terrorist war against us will be diminished dramatically.

When we talk to the troops who come home from that region, they talk about progress. They talk about schools and hospitals that are open. Members, let me read for you from an e-mail that came back from a Minnesota soldier back to Minnesota. This was after the first election in Iraq.

He said, despite everything that has been going on around them, they still voted. Despite all the violence, they stood in line to be heard. Word is that despite the insurgents' best efforts, voter turnout may be as high as 72 percent across the country. Shoot, even in the States, that would be a great turnout.

All I can say is that together we, the United States and the Iraqis, no kidding, we did it. I know full well that this doesn't solve everything. Sure, there will be tough days yet to come. But for today, we won, we all won.

Our returning military personnel tell us something else. Iraqi and Americans have one thing in common. They want American forces to come home, but not just yet. Members, now is not the time to go wobbly. Let's give victory a chance and a lasting peace will surely follow.

Ms. HARMAN. Mr. Speaker, I yield myself 15 seconds to explain to our colleagues that this side is not trying to go wobbly. We are trying to articulate what we believe would be a better strategy for success in Iraq.

For our final 2 minutes, I will yield the first minute to Representative CROWLEY of New York, a member of the International Relations Committee.

Mr. CROWLEY. Mr. Speaker, I thought we were going to start this debate this evening to talk seriously about the problems we are facing in Iraq and begin to talk about our constitutional oversight powers to begin to address this situation. I was wrong.

The American people want a change in our Iraq policy, and as their representatives, we have an incredible opportunity to speak to those concerns. But, quite frankly, we won't do that today.

As a New Yorker, and as the only Member of this House to lost a relative on 9/11, I am sickened that once again my colleagues on the other side of the aisle continue to try to spin this as an answer to 9/11.

If we thought that Ann Coulter's criticism of the Jersey girls who fought for an independent inquiry into the 9/11 attacks was bad, today Ms. Coulter pales in comparison to this Republican-led Congress. They still use the victims of 9/11 as a reason for being in Iraq in the first place, when all evidence, all evidence says otherwise.

When I hear my colleagues continue to talk and say that Iraq is a stop in the war in terrorism, what happened to the first stop? What happened to Osama bin Laden? Five years later, we have yet to capture or eliminate the person responsible for that action in the first place. But yet we find ourselves in a quagmire in Iraq. I intend to vote "no" on this resolution.

Mr. HOEKSTRA. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. McHUGH), a member of the committee.

Mr. McHUGH. Mr. Speaker, I will be very brief. I just want to make a couple of observations. To my colleagues on the minority side, ladies and gentlemen, debate what you wish to debate. No one is telling you what to debate here today. All I have heard you do is complain about what you can and cannot say. I very much want to hear your strategy.

Ms. HARMAN talked about we have a strategy for success. The gentleman from Illinois, Mr. EMANUEL, talked about we want to take the fight to the terrorists. I would love to hear how.

That is what we are doing at this moment. There is an old country and western song that teaches you, you know, while I was busy dreaming about yesterday, tomorrow hit me right between the eyes.

What you are doing is dreaming about yesterday. We are in Iraq. Mr. HOLT had it right. It is today a training ground, a recruiting ground for terrorists. It is interesting, it is instructive, and we should talk about how that happens so we don't repeat it in the future.

But it is the reality for the moment. What do we do to end it? Where do we draw the line? Where do we say this is where we have to win? It is Iraq, and we better get it right.

Ms. HARMAN. To the prior speaker, we are trying to articulate exactly what we should do.

Mr. Speaker, I now yield the final minute of the Intelligence Committee's time to Mr. VAN HOLLEN of Maryland, a member of the National Security Subcommittee of the Government Reform Committee.

I thank Mr. MURTHA for yielding me the 30 minutes.

Mr. VAN HOLLEN. Mr. Speaker, we can say what we want on the floor of this House. We can debate and vote on nonbinding resolutions like this. But what is most important to the American people is not what we say here but what we do here.

This resolution does not commit this House to do anything. It does not require this Congress to take any measures to hold the Bush Administration or ourselves accountable for what is happening in Iraq.

The Bush administration was totally wrong about weapons of mass destruction in Iraq. No one has been held accountable. The Bush Administration totally miscalculated the number of troops that would be required to provide greater stability on the ground in post-invasion Iraq. No one was held accountable. The Bush Administration got the costs of the war totally wrong. Again, no one was held accountable.

It is a simple principle. If you reward and ignore failure today, you are going to get more failure tomorrow. This House has ignored those failures. While our men and women have been fighting bravely in Iraq, this House has been AWOL when it comes to providing oversight.

Instead of providing a system of checks and balances, this Congress has been a blank check and a rubber stamp.

If we were a board of directors, we would be sued by shareholders for gross negligence.

I proposed a simple amendment to this resolution. It would have required this Congress to actually do something—to conduct adequate oversight and to implement the 9–11 Commission's recommendations, including those requiring this body to reform its own intelligence oversight process. The Republican leadership refused to allow us to debate or vote on my amendment. It apparently wants this House to remain an accountability free zone.

Ten hours of debate does not excuse years of giving the administration a blank check on Iraq. A non-binding resolution is not a substitute for an action plan. Let's start doing our job. We owe it to our troops and the American people. Shame on this House for abdicating its constitutional responsibility.

Mr. HOEKSTRA. Mr. Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. HART).

Ms. HART. Thank you Mr. Chairman, for yielding me a few moments today to speak with our colleagues and with the American people.

As I traveled with seven colleagues earlier this year to visit our troops in the Middle East and Central Asia, I learned a great deal about the American spirit, the spirit of our volunteer servicemen and women and what drives them to risk it all. It is the defense of freedom. It is the understanding that vigilance and sacrifice are requirements for our Nation's security.

Back home in the comfort of their living rooms though, many Americans lack that focus. They forgot about Iraq's violation of U.N. Security Council resolutions and the mounting incidence of attacks on our Nation leading up to 9/11. They began to loudly dissent and doubt and distract from our mission in Iraq.

One of the generals who I spoke with while I was in Kuwait took the opportunity in a quiet conversation to ask a very pointed question. He said, is America fighting this war, or is it just our military who is fighting this war?

We today, together with all Americans, must answer that general's thoughtful question. We must answer it for him, for ourselves, for the rest of the world, but especially for our enemies, so they know America is truly committed to liberty and the victory of civility and opportunity for all who love freedom and support democracy.

These enemies have long been committed to robbing the world of liberty. The United States and others have been targets of these terrorists many times leading up to 9/11 because of our commitment to the ideal of freedom. These enemies include regimes which harbor terrorists, but most especially those loosely connected terrorist organizations operating outside a national framework who share an ideology of oppression, tyranny, control, hatred resentment. They value no life, no man, no woman, no child.

We Americans cannot continue to be free if we spend all our time questioning our mission. Many Americans want to debate the validity of prewar intelligence or weapons of mass destruction. Whether one nation or another supported al Qaeda, how many troops do we need? Americans have to look beyond the tactical challenges.

We must do as Tony Blair did. The people who are fighting us, he said, know what is at stake. The question is, do we?

□ 1545

Mr. MURTHA. Mr. Speaker, I yield 60 minutes to the gentlewoman from California (Ms. WATERS) from the Out of Iraq Caucus, and I ask unanimous consent she control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Ms. WATERS. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise to speak on this resolution as the chairperson of the 72-member Out of Iraq Caucus of the House of Representatives. Tomorrow will mark the 1-year anniversary of the Out of Iraq Caucus.

My colleagues and I joined together to form the Out of Iraq Caucus to pressure the Bush administration into telling the truth about what is going on in Iraq, to admit their mistakes, and to admit their misjudgments, and to force them to devise a plan to bring our troops home.

The Bush administration cannot deny that they misled the world about the reasons we invaded Iraq. There were no weapons of mass destruction in Iraq. There was no connection between the unfortunate destruction of 9/11 and Saddam Hussein. We have not been welcomed with open arms in Iraq. We have no substantial support for this war by other countries. Yet, Mr. Bush, Mr. CHENEY, Mr. Rumsfeld, Ms. Rice, Mr. Wolfowitz, and Mr. Karl Rove continue to squander the American taxpayers' dollars on a war that cannot be won with a military solution.

Here we are 3 years later, 2,500 American soldiers dead, 18,498 U.S. soldiers seriously injured, and Congress has appropriated over $320 billion for this war, and the costs will only continue to rise. Even Condoleezza Rice admitted there have been thousands of missteps. The American people are increasingly aware of this mismanaged, corrupt, and bungled war.

The company that Vice President CHENEY served as CEO of, Halliburton, has been awarded no-bid contracts for billions of dollars, and they have had over $400 million in unsupported costs and another $1 billion in questioned costs. In simple words, they are cheating the American people. Yet they are not being held accountable for their criminal actions, and the administration has facilitated these illegal actions.

However, Congress has done virtually no oversight of this war, no hearing, no acknowledging the generals that are trying to tell us about Mr. Rumsfeld's mismanagement of this war. We have not done the oversight, and today, we find that we have this debate. It is not sufficient, nor has it been properly characterized. This resolution we are debating is a sham.

As a matter of fact, it is a trap. It is an attempt to force Democrats to sign on to a resolution that will do nothing to bring our troops home. Oh, they want to make us sound as if we are unpatriotic. They want to make us sound as if we do not support our troops. We love our troops. We are as patriotic as anybody, and so I would implore my colleagues not to get caught into this trap.

This resolution is not intended to solve any problems or chart a new course that will permit us to preserve the lives of our troops or to be successful in Iraq.

I know what is happening. My friends on the opposite side of the aisle are getting frightened. They went home on the break, and they heard the American people. They saw the polls, and they came back with a Karl Rove-constructed resolution to try and make it seem as if now they get it. But this resolution does nothing. It will only continue to mislead.

We formed the Out of Iraq Caucus to oppose any permanent bases in Iraq. We support H.J. Res. 73 to redeploy U.S. forces from Iraq, commonly referred to as the Murtha resolution.

There are a lot of misconceptions about what the Murtha resolution is. So let us take a minute and explain clearly what the resolution says.

Section 1 says: "The deployment of United States forces in Iraq, by direction of Congress, is hereby terminated and the forces involved are to be redeployed at the earliest practicable date." They would have you believe this is meant to withdraw immediately. That is not what it says, and let us get that straight today. What that means is there will be no more U.S. troops sent to Iraq and that the troops in Iraq will be redeployed as soon as possible, a judgment that should be made by military officials on the ground. So stop misrepresenting what this resolution is all about.

Section 2 says that "a quick-reaction U.S. force and an over-the-horizon presence of U.S. Marines shall be deployed in the region." That means a group of marines will remain in the Middle East to respond to threats that destabilize our allies in the region or the national security of the United States.

Section 3 says: "The United States of America shall pursue security and stability in Iraq through diplomacy." This war cannot be won through military means alone. We must put the full weight of the United States behind diplomacy in order to end bloodshed in Iraq.

The Murtha resolution endorses these principles, and there is no reason why the entire Congress of the United States cannot get behind this resolution.

Mr. Speaker, the Out of Iraq Caucus supports the Murtha resolution as the clear plan for America. We support bringing our troops home, and stop saying we do not have a plan. We have a plan. It is a good plan. It is the Murtha resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent to be able to control the remainder of the Intelligence Committee's time on this side of the aisle.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I thank the distinguished gentleman for yielding.

Mr. Speaker, I rise in support of the resolution, and I commend the brave American and coalition soldiers who have risked their lives to fight terror and promote freedom around the world, including the 14 courageous Delawareans who have lost their lives while honorably serving their State and this Nation.

Despite weeks of significant progress, we are now facing a critical stage in the war on terrorism. I believe an immediate withdrawal or the establishment of a hard deadline to withdraw will be comparable to an abandonment of the new Iraqi Government and would encourage the terrorists and violent factions to bide their time, inviting mayhem and guaranteeing chaos.

Such a decision may also embolden our enemies to, once again, attack our homeland and interests abroad, thus further endangering American citizens. The future of the Middle East and the security of free nations around the world depend upon the development of a strong and stable democracy in Iraq.

Therefore, in order to reach an acceptable level of stability in Iraq, it is extremely important that we, as an international community, intensify our efforts to reduce the influence of militias, restore electricity, rebuild schools, and assemble a modern and sustainable economy for the benefit of all Iraq's citizens. A greater emphasis on the development of the Iraqi security forces, with a focus on the selection and education of effective military officers, is absolutely imperative so that we may begin supplanting our forces in the region with Iraqi troops at the earliest date possible.

Mr. Speaker, it is essential that we honor our brave soldiers by continuing to work with our international partners to promote democracy and protect freedom around the world.

Mr. Speaker, I rise in support of the resolution and I commend the brave American and coalition soldiers and all other personnel who have risked their lives to fight terror and promote freedom both at home and abroad. These courageous men and women have made tremendous sacrifices to ensure our security, and they deserve our utmost respect and appreciation.

There have been three successful elections held in Iraq since the overthrow of Saddam Hussein's regime, and in recent weeks significant progress, both politically and militarily, has been made in the region. As a former member of the House Intelligence Committee, I firmly believe that the elimination of al-Zarqawi will prove to be a key psychological and organizational blow to al Qaeda's terrorist network.

Still, the facts are undeniable—progress in Iraq and Afghanistan has come at a tremendous cost. My small State of Delaware alone has lost fourteen brave soldiers, each of whom honorably served their State and Nation. My heart goes out to these noble Delawareans and their families.

And while elections and military victories are crucial, many challenges still lie ahead. We are now facing a critical stage in the war on terrorism, and it is essential that the international community come together to support Iraq's efforts to build a strong, unified government capable of steering the country toward a path of peace and democracy.

Although, several of my colleagues have suggested that the U.S. should set a hard deadline for withdrawal from the region, I believe such a course would be unwise. An immediate withdrawal, or the establishment of a hard deadline to withdraw, would be comparable to an abandonment of the new Iraqi government and would encourage the terrorists and violent factions to bide their time, inviting mayhem and guaranteeing chaos. Such a decision may also embolden our enemies to once again attack our homeland and interests abroad, thus further endangering American citizens. The future of the Middle East, and the security of free nations around the world, depends upon the development of a strong and stable democracy in Iraq.

Therefore, in order to reach an acceptable level of stability in Iraq, it is extremely important that we intensify our efforts to reduce the influence of militias, restore electricity, rebuild schools, and assemble a modern and sustainable economy for the benefit of all Iraq's citizens. A greater emphasis on the development of the Iraqi security forces—with a focus on the selection and education of effective military officers, is absolutely imperative. Over the last few years, we have trained and equipped thousands of Iraqi soldiers and police officers and it is now crucial that we do more to improve this process, so that we may begin supplanting our forces in the region with Iraqi troops at the earliest date possible.

Mr. Speaker, the thousands of Americans who have served in the war on terrorism exemplify the very courage and honor on which our Nation was formed. It is essential that we recognize their service by continuing to work with our international partners to promote democracy and protect freedom around the world.

Ms. WATERS. Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentlewoman for yielding and for her leadership and her strong voice over the years on so many issues, especially with regard to this unnecessary war.

It has been almost 4 years since Congress authorized this unnecessary war, and we are really still not having a debate on Iraq policy. So, quite frankly, this debate is a sham. It attempts to, and you have heard this before and you will hear it again, it attempts to link the war on terror with the bloodshed and violence and killing in Iraq. How deceptive can you be?

As a founding member of the Out of Iraq Caucus, I believe that we should be debating and passing the Murtha resolution today. The Murtha resolution would redeploy our troops from Iraq at the earliest practicable date and pursue security and stability in Iraq through diplomacy.

Instead, the Republicans continue to play political games at the expense of our brave troops.

This resolution is a disingenuous attempt by the Republicans to really rewrite history by claiming that Iraq is linked to the terrible tragedy of 9/11. This is deplorable. We all know that Iraq had nothing to do with the tragic attacks of 9/11. Yet, the President misled the American people into a war of choice, with no end in sight.

We could have avoided this, and you remember Congressman SPRATT and myself, we introduced substitutes to the use of force back in 2002, which would have allowed the United Nations' inspectors to ensure that Iraq was not developing weapons of mass destruction.

And what is the cost of finding out that there are no weapons of mass destruction? Today, we reached the sad milestone of 2,500 American brave troops who have given their lives; and by the end of the year, we will have committed close to $400 billion.

Are we any safer as a result of this purposeless war in Iraq? Not according to the 9/11 Commission, whose report card gave the administration a failing grade in virtually every category relating to terrorism preparedness.

The Republicans try to claim that Iraq is the central front on the global war on terror, but the fact is that it has undermined our ability to protect our Nation. National security professionals recognize this, Mr. Speaker, and let us be clear: we are spending billions of dollars to occupy a country that did not have weapons of mass destruction or terrorist ties. At the same time, we are cutting programs to secure our ports and keep nuclear materials out of the hands of terrorists. There is something really wrong.

Worse still, this President and the Republican majority really refuse to level with the American people about when our troops are coming home, also really if they are coming home.

While we are debating this very bogus resolution, the most substantive decision on Iraq policy in very recent days was taken out by the Republican majority behind closed doors. They stripped from the war supplemental an amendment that we offered to prevent the establishment of permanent military bases in Iraq.

The American people do not want an open-ended war and occupation. Quietly removing a measure that was approved by both the House and the Senate is a gross abuse of the democratic process and is further evidence that Republicans are afraid to level with the American people about their real plans for Iraq.

Let me tell you, there will be a day of reckoning. The American people are demanding answers. They deserve a truthful accounting of how we got into this unnecessary war, how the billions of dollars have been misspent and when our troops are coming home, and also, they really deserve to know if our troops are coming home, given recent reports that the administration is considering leaving a permanent force of 50,000 troops in Iraq and indications that establishing permanent military bases are not off the table.

So, Mr. Speaker, the American people will not forget that, instead of answers to their questions, the Republican majority keeps giving them rhetoric and posturing like they are doing today, and the American people deserve better.

This sham resolution, it really should be rejected. We should support the Murtha resolution. That is what we should talk about today. That will take steps to end this war. It would take steps to bring our young men and women home; and I tell you, if we do not debate this, we do not know when the opportunity to debate or to have a real debate will take place.

It should have been a real debate today. Unfortunately, this has deteriorated into posturing into rhetoric and into misrepresenting what the facts are.

I thank the gentlewoman for her leadership.

Mr. THORNBERRY. Mr. Speaker, before yielding to the gentleman from Maryland, I yield myself 30 seconds to read a quote we mentioned earlier in this debate from Osama bin Laden. He said, "This Third World war is raging in Iraq. The whole world is watching this war. It will end in victory and glory, or misery and humiliation." That is not this side of the aisle. That is Osama bin Laden.

Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank the gentleman for yielding.

As we debate the war in Iraq, Afghanistan and the war on terrorism, there will be strong, heartfelt feelings and expressions on this House floor. Let us, however, as we debate have a powerful sense of resolution, a powerful sense of urgency, a powerful sense of urgency to end the war and to end the war successfully.

A stable, free Iraq, a stable, free Afghanistan will be a blessing to the Iraqis, a blessings to the Afghanis and a blessing to the region and the world at large.

The war on terrorism is the next stage of the Cold War. Civilized people who believe in the rule of law, justice, equality and freedom cannot allow self-anointed fanatics to rape, pillage and murder at will around the globe.

A great Islamic theologian once said, "One hour of justice is equal to a hundred-year prayer." The world wants to hear from us. It is our job to end the war in Iraq successfully. The United States, with the assistance of and for the good of the civilized world, can and will defeat terrorism. This debate is our hour of justice.

□ 1600

General Eisenhower said, "The emphasis of the military is on authority and obedience; the emphasis on public office is communication and consent." As we craft this resolution, I urge you to keep these themes in mind.

And as we will eventually walk across the graves in Arlington Cemetery, listen to these words: "We are the dead. Short days ago we lived, felt dawn, saw sunset glow, loved and were loved. And now we lie in Flanders Field." Let us work together through this debate to figure out how to end the war.

Ms. WATERS. Mr. Speaker, I yield to the gentlewoman from California, Representative WOOLSEY, 5 minutes.

Ms. WOOLSEY. Mr. Speaker, many of us voted against this war from the very beginning. In fact, 60 percent of the Democrats voted "no" to the war in Iraq. Since then, we have hosted informal hearings, we have founded the Out of Iraq Caucus, we forced a debate and vote on the House floor, Mr. MURTHA offered his intelligent proposal to redeploy our troops, and last night I gave my 151st 5-minute speech on Iraq.

Mr. Speaker, it has been almost 39 months since our troops were sent to Iraq, and today, more than 37 months after the President declared "Mission Accomplished," our troops are still there.

Just this week, the President of the United States said this about Iraq, and I quote: "My message to the enemy is don't count on us leaving before we succeed. Don't bet on American politics forcing my hand, because it is not going to happen." Except, Mr. Speaker, it is completely unclear what constitutes success or when the mission will be accomplished under these circumstances. Saying we will stand down when the Iraqis stand up? Well, that is just talking points that give the American people no clear guide as to when they can expect this war to end.

By leaving this question vague, by defining success entirely on his own terms, the President is allowing himself an open-ended commitment and a blank check in Iraq. As for his hand being forced by American politics, what the President calls American politics is actually a majority of our citizens outraged at the loss of life, the hundreds of billions spent, and the global credibility we have squandered.

The American people, as of this morning, see 2,500 U.S. troops killed, more than 18,000 U.S. soldiers gravely wounded, and thousands more mentally and physically traumatized from their experience in the war. They see the United States losing an equivalent of one battalion every month in Iraq, and the American people want answers. They do not want partisan resolutions like the one before us today, a resolution that does nothing to end this war.

They see all the sacrifices, Mr. Speaker, and they ask, for what? They know none of it is making Americans in Iraqi safer. In fact, the presence of nearly 150,000 American troops in Iraq has become a rallying point for anti-American extremists in the Arab world. The people of this country support our troops. They see nothing inconsistent about having the deepest contempt for this war while expressing the utmost admiration for the soldiers on the front lines.

Last fall, I traveled to Iraq and I visited with our troops. My conversations with them confirmed what I already knew: These are uniquely loyal, intelligent, and courageous Americans. If only those civilians who are running this war had half the honor and integrity of the men and women who are fighting it.

It is time, Mr. Speaker, this Congress caught up to the American people. It is time that the Commander in Chief stepped up by offering a solution, instead of dismissing American anxiety as just politics. It is time to establish a multilateral security force to keep the peace in Iraq while shifting the U.S. role from military occupier to reconstruction partner. It is time to give Iraq back to the Iraqis, not continuing to occupy the bases, not attempting to control their oil.

This is what the American people want, Mr. Speaker. They want an end to this war. They are not certain exactly how or when, but that is our job to execute those details. They are looking to us for leadership. It is time this Congress and the President of the United States provided the leadership to bring our troops home.

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Mississippi, a leader on national defense affairs, Mr. WICKER.

Mr. WICKER. Mr. Speaker, what is the status of our effort in Iraq today, and where do we go from here?

Some of my friends on the other side of the aisle see the situation getting worse and worse. I see real progress. I see three successful elections, I see the completion of a national unity government, and I see the elimination of Abu Musab al Zarqawi. But more than anything else, Mr. Speaker, it is the returning troops I talk to who convince me that our mission is succeeding and that their sacrifice is accomplishing a valuable service for our effort and for our people. I haven't surveyed many seventh graders, but the soldiers I see express support for what we are doing and frustration over the coverage they see in the media.

Now, as to the question of where we go from here, two things are certain: Iraq is ground zero in our global war on terror. And the decisions we make will affect U.S. credibility for decades to come.

Al Qaeda attacked our homeland unprovoked on 9/11, and it is that same al Qaeda we fight today in Iraq. We must defeat them there and anywhere else until their terrorist threat has ended. But make no mistake, this is the same enemy that demolished the World Trade Center and attacked the Pentagon.

Another argument we have heard today is that this war was a mistake to begin with; that it was unnecessary; that it was in fact based on a lie. This view, of course, ignores the fact that intelligence agencies not only in the U.S. but from Israel, Great Britain, Germany, and France, to name a few, were unanimous in their conclusions that Iraq had weapons of mass destruction. President Bill Clinton and Secretary of State Madeleine Albright cautioned that it was a real possibility Saddam would use these weapons or share them with terrorists intent on attacking the U.S. again.

But if you think about it, Mr. Speaker, what such an argument really advocates is a present day Iraq with Saddam Hussein still in power. That would have been the logical result of their point of view. An Iraq still ruled by intimidation, humiliation, rape, and torture. A Saddam Hussein still free to continue his proven network of chemical and biological weapons research. A Saddam Hussein with plans and advanced designs for long-range missiles to threaten our allies and our interests.

To some, this may be an acceptable alternative. But it is not to me. The world is a better place because Iraq is free of Saddam Hussein, and the world will be safer if we maintain our resolve. The administration has embarked on a sound plan for freedom and stability in the region and for better security for our citizens. Stay the course.

Ms. WATERS. Mr. Speaker, I yield to the gentleman from the State of Washington, Representative MCDERMOTT, 5 minutes.

Mr. MCDERMOTT. Mr. Speaker, this debate begins with one fundamental truth. We are in Iraq and our leaders have no plan to get us out of Iraq.

The President says U.S. soldiers will stay in harm's way for as long as he says so. "We will stand down," our leaders say, "when the Iraqis stand up." In other words, Iraqi clerics and the factions they control and the decisions they make about whether to cooperate with the Iraqi government will determine what we can do. The extent of our involvement, the length of our stay, the number of our dead is controlled by religious clerics in Iraq because we have no strategy except to wait for the Iraqis to stand up.

Republican leaders in this Chamber say we will stay because Iraq is a model of success and it is helping us win the war on terror, as if a resolution they alone write will somehow make Iraq the role model for projecting U.S. influence around the world.

Today, the American people say with a growing voice that Iraq was a mistake, and staying with no plan or timetable is the wrong course for our soldiers and our Nation. The unending war, the permanent bases, the fortress embassy we are building all make a powerful argument that our involvement in Iraq is more an occupation than a liberation. This promotes terrorism. This helps recruit terrorists. It doesn't help end the terrorism.

U.S. soldiers in Iraq are doing an heroic job, but we are not doing ours. It is not partisan politics to insist that a nation at war have a plan to achieve the peace. The resolution and its backers seem to think it is unpatriotic to ask questions and to demand a plan. That is not true. Our foreign policy fails when we fail to ask enough questions, not too many.

American soldiers are falling every day, and there is no one, not a single person in this House who does not respect and support our soldiers. But this resolution is intended to paper over the truth about the Iraq war and it does not support our soldiers and will not make a difference in winning the war. Our soldiers need and the American people expect their leaders to develop a battle plan that will work in the field because it is based on military intelligence, not political expediency.

We are in a war and we need a battle plan from the President, not a message memo from the House majority leader. War isn't waged by a political party nor is it won by political ideology. Iraq needs a credible battle plan. There is only one at the moment, and we should be debating it.

JOHN MURTHA put forward a plan 6 months ago and only today are we able to discuss it at all, with no ability to alter the resolution before us. This is not an honest debate, an honest attempt to seek answers for our problems in Iraq. It is a debate about a letter of endorsement for the President, not an examination of our options.

JACK MURTHA has emerged with a battle plan, and it is no surprise. He is a decorated combat soldier who reflects what the best military minds believe. As a veteran myself of the Vietnam era, I must say that Jack is a soldier's soldier, a combat hero who has one and only one goal: To defend our Nation with the finest military and the best plan.

JACK has a plan: Strategic redeployment. It is smart, proud, honest and effective. You can't win a war with rhetoric and resolutions. You win with a thoughtful plan. I support the Murtha resolution that puts in place a plan to protect our soldiers, protect American interests in the Middle East, and protects American people here at home. It is a battle plan that resolves to bring our troops home on a timetable driven by the United States, not subject to the approval of Iraqi clerics. It is a commitment to secure the peace by being smart about the war.

The American soldiers need a battle plan, not a resolution that reflects a bunker mentality of the Republican Party losing its grip on political control.

Two grim things came out of the Pentagon today. When the President declared "mission accomplished." 141 people had died. Today, the 2,500th person died. The other thing that came out was a 74-page booklet to help Republicans manage spin control during the Iraq debate on the floor. It is called "The Iraq War Debate Prep Book."

The Defense Department is putting out PR pieces. That is an affront to the American people. It is not a front on the war. The American people want change because the Pentagon under this administration distributes PR plans. Debate talking points. What is the military doing with that kind of stuff up here on the Hill in this body? We see no military plan.

Support U.S. soldiers by passing Jack Murtha's plan to get out of Iraq.

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY. After September 11th, Mr. Speaker, bin Laden's deputies said, "People of America, your government is leading you into a losing battle. Remember, your government was defeated in Vietnam, fled in panic from Lebanon, rushed out of Somalia, and slapped across the face in Aden. Your government today is leading you into a losing war."

And no wonder. Look at our past. November 1979: 52 Americans taken hostage at the U.S. embassy in Iran. We had a failed response. April 1983: 17 Americans killed at our embassy in Beirut. We took no action. October 1983: 241 Marines killed, 100 wounded. Our Marines were redeployed. April 1988: 259 killed in the bombing of Pan Am Flight 103. We sought indictments. February 1993: Six killed and a thousand injured after the explosion of the first World Trade Center bombing. We took them to court. October 1993: 18 U.S. servicemen were killed and 84 wounded in Somalia. We withdrew our troops. August 1998: 224 killed at U.S. embassies. We fired cruise missiles in Afghanistan and Sudan.

□ 1615

October 2000, 17 U.S. killed and 30 wounded in the USS *Cole* attack. We took no action.

However, since September 11 we have been much different. We fought the Taliban in Afghanistan, and now we are fighting al Qaeda in Iraq, and the U.S. is sending a message to the terrorists and the world, and we are different and we will respond.

Now, there will be disagreements between leaders who are retired and current ones. This is part of history. Witness the disagreements between Lincoln and McClellan, Patton and Montgomery, MacArthur and Truman.

But now we are having success. Our troops are being redeployed outside of the cities of Iraq. We are transferring the battle to Iraqi security forces and their police, and now they have a government where they must face the scourge of al Qaeda, and we cannot let them face it alone.

I wish we could finish quickly, but I know we cannot finish hastily. I think one wounded soldier said it to me, summed it up best, he said, I want to go back and finish the job, I want to fight them there, not in our suburbs.

I know we cannot fight them in our courts. I know we cannot fight terrorists with our police in our streets. I know surely we cannot fight terrorist murderers with diplomacy. Let's finish the job of terrorism, then we bring them home.

Ms. WATERS. I yield 5 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, as a founding member of the Out of Iraq Caucus, I rise in strong support of our brave troops and in strong support of Congressman MURTHA's plan for a responsible redeployment from Iraq.

Americans want the truth about the Iraq war. Americans deserve the truth, and despite all the talk from those who declared this war, ineptly pursued this war, and still today justify this war, the American people in overwhelming numbers have determined for themselves the truth about this war.

Polls taken even after the killing of al Zarqawi show that only 33 percent of American adults think that the results of the war were worth the loss of life and other costs. Only 33 percent approve of the way George W. Bush is handling the situation in Iraq. Only 26 percent of Americans feel that the United States is better off because of the war.

The American people in their wisdom have been able to distinguish reality from rhetoric. The truth has been a major casualty in the war of Iraq.

It is worth reviewing just a few of the statements presented as truth that have been proven to be not true, never true, and still today not true:

DICK CHENEY said in August 2002, "Simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction."

In March 2003, Donald Rumsfeld said, "We know where they are. They're in the area around Tikrit and Baghdad and east, west, south and north somewhat."

The President said in May 2003, "We found the weapons of mass destruction."

And Donald Rumsfeld on the cost, "Well the Office of Management and Budget has come up with a number that is something under $50 billion for the cost. How much of that will be the U.S. burden and how much will be other countries is an open question."

DICK CHENEY said May 30, 2005, "I think they are in the last throes, if you will, of the insurgency."

And what happens to those experts who tell the truth? Are they heeded and embraced by the Bush administration? Hardly. Although it is now universally agreed we didn't have enough troops to avoid the chaos and violence after the initial invasion, when the Army's top general, Eric Shinseki, testified in February 2003 "something on the order of several hundred thousand soldiers" would be necessary to achieve victory in Iraq," he was immediately and publicly repudiated by Secretary Rumsfeld who said that "the idea it would take several hundred thousand U.S. forces I think is far off the mark." Shinseki was quietly ushered into retirement, and Secretary Rumsfeld remains in place leading the failed Bush administration policy in Iraq.

When Dr. Lawrence Lindsey, former assistant for economic policy to the President, told the Wall Street Journal in September 2002 that the war's cost could reach $200 billion, he was fired by the President.

Yet by the end of this year we will have spend $450 billion in Iraq. Some say at the end of the day the war will cost $1 trillion taxpayer dollars.

Since the time the President announced on May 1, 2003 that "major combat operations in Iraq have ended," more than 2,350 U.S. soldiers have lost their lives, and the President has not attended a single one of their funerals. And the United States is spending in excess of $8 billion a month to wage the war. That is $266 million a day, $11 million an hour, $185,000 a minute and $3,100 a second, every second for this war. Certainly we could have afforded body armor and proper Humvees for our soldiers.

We could have insured 165 million children for 1 year, provided more than 13 million American students with 4-year scholarships at public universities, fully funded global anti-hunger efforts for 11 years, give basic immunization to every child in the world for 92 years, and I believe that would have bought us more security than invading Iraq has done.

Our military men and women have done a magnificent job in the Iraq theater and deserve better. The civilian leadership in the White House and the civilian leadership in the Pentagon have failed. Time after time they have been wrong. They projected the cost of the war and got it wrong. They predicted the length of the war: wrong. They predicted the existence of weapons of mass destruction: wrong. They predicted the Iraqi reaction to our occupation: wrong. They got the reconstruction of Iraq wrong. When it came to providing needed equipment, they got it wrong.

And who will pay the price for those mistakes? None of the architects of this war. No one of them has been held accountable. The only ones paying the price are dead and wounded soldiers, our men and women in uniform.

We need a new direction in Iraq. The majority has nothing to offer in terms of a plan, just more political ploys, more talk, more mistakes like those cited today.

It is time to redeploy our troops from Iraq. There is a plan, the Murtha plan; and we should make sure that we are not establishing a permanent military presence there.

PARLIAMENTARY INQUIRY

Mr. SNYDER. Mr. Speaker, parliamentary inquiry.

Mr. Speaker, a while ago one of the members of the Armed Services Committee said under the rules of the debate today that we can discuss anything we want to, debate anything we want to.

It occurs to me while this is not a proposal for statutory change, it is a sense of the House resolution. Under the rules of this debate, may I present my amendment to reestablish the Subcommittee on Oversight and Investigations in the House Armed Services Committee so we may properly provide oversight? Is that allowed under the rules of this debate today?

The SPEAKER pro tempore (Mr. REHBERG). Under House Resolution 868, the previous question has been ordered on adoption of the resolution without intervening amendment.

Mr. THORNBERRY. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I welcome this debate, and I thank the gentleman for yielding.

I rise in opposition to terrorism and in support of honoring our commitments. I rise in support of this resolution.

It is clear that one-half of those engaged in this debate believe we need to get out of Iraq and believe we need to get out soon. In support of their position, they cite mistakes that were made leading to the war and mistakes that have been made in conducting the war, and they cite the recent increase in terrorist attacks and incidents.

Let me make it clear, Mr. Speaker, reneging on our commitment to defeat terrorism in Iraq now would be a mistake of monumental proportions for which future generations would pay and pay deeply.

Of course mistakes have been made. In every human endeavor, mistakes are made. That is the nature of human endeavors.

I personally am convinced we had too few troops in Iraq when Baghdad fell. I joined my colleague JOHN MCCAIN in visiting Iraq. I have been there multiple times, and it was obvious to me we needed more troops there. I have joined his call for sending more troops repeatedly, and I join those who call for sending temporarily more troops now to take advantage of the death of Zarqawi as an opportunity to crush the insurgents. And no doubt, other mistakes have been made. But whatever mistakes have been made, they do not justify cutting and running.

Recently, a constituent of mine, a Vietnam War helicopter pilot, approached me in Phoenix and said, This war is unlike Vietnam. It is unlike Vietnam, he explained, because were we to abandon this effort without succeeding, make no mistake about it, the consequences would be far reaching and disastrous.

Let's talk about some of those.

First, it would be a humiliating defeat for the United States. Look no further than the words of Osama bin Laden. He said: "The whole world is watching this war and the two adversaries. It's either victory and glory, or misery and humiliation."

Future commitments by the United States could be scoffed at by our allies and by our enemies around the world for generations to come. It would shatter the trust we have built amongst our allies in the region. The newly elected Iraqi Government, and I find it ironic that we are having this debate within days of its selection, would collapse and we would have the creation of a radical, oil-funded terrorist state. But sadly and most importantly, to fail now would establish beyond a shadow of a doubt that our brave soldiers, men and women, who gave of their lives or who suffered grave injuries that will be with them for the remainder of their lives did so in vain.

Most importantly, it is not necessary. We can succeed, but the path to defeating terrorism in Iraq is not surrender; it is resolve. The opponents argue that we have suffered recent increases in violence and insurgent attacks. The increase in those attacks is not proof that we are losing, and it is certainly not proof that we cannot prevail. Rather, I submit to you it is proof that the insurgents understood that the period leading up to the election of a permanent representative government in Iraq was their best chance, and they took their best shot. And they failed.

For all that is rational, for that is honorable, we must not now within days of the election of that new permanent government cut and run. No, indeed, we must give it an opportunity to do its job, an opportunity to succeed.

Now, those who say that we are losing ignore that by their own admission al Qaeda is acknowledging that it is failing in Baghdad. I urge us not to cut and run now for our children and for our grandchildren.

Ms. WATERS. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Mr. Speaker, first let's note what a degradation of democracy is taking place here.

The majority party has put forward a resolution that allows no amendment. There will be a debate in which those of us who think some things are good and some are bad, contrary to every reasonable democratic procedure, will have no opportunity to say so.

Here is the tactic that is being used: they take a number of things that people agree with, they mix in with them things which are quite controversial. They treat them as if they were not separable.

Let me say what I have said again before. The majority party thinks the way to legislate is the way you feed a pill to a dog: you take the unpalatable with the popular.

Now I will have to say this: one of the things we are trying to do is to persuade the people in Iraq to be able to work together and make democracy work. We are trying to persuade, we are told, the Shiia and the Sunni to work together. We are trying to tell the majority Shiia to share power.

Mr. Speaker, how can you and your party believe that we inspire people to share power by giving the example of its monopolization in an abusive fashion?

I just hope that the members of parliament in Iraq who may hear about this will remember a very important point: please do not try this at home.

Now let's get to the substance.

This war in Iraq came after September 11. It was not the response to terrorism the war in Afghanistan was. I am struck in listening to the Members on the other side of the aisle that

Afghanistan appears to have too many syllables for them to pronounce. What is in fact happening is that the war in Afghanistan, which was the response to the terrorist attack, which was almost unanimously supported here and by Democrats in the Senate, is in fact not going as well as it should.

One of the prices we are paying for the war in Iraq is the deterioration in Afghanistan. Now, the war in Iraq was launched based on a couple of lies we were told. And I am struck to hear people still defending the arguments about the weapons of mass destruction. It seems my colleagues on the other side have decided to adopt a Marxist idea. The Marx in question, of course, is Chico, and the mantra is: Who are you going to believe, me or your own eyes? Having been repudiated overwhelmingly by the facts, they stick to the rhetoric.

Here is the price we are paying. We shouldn't have gone in. Of course having gone in, we are victimized by one of the most incompetently administered examples in American national security history. But here is the price we pay: the war in Afghanistan deteriorates our ability to protect ourselves at home. Every time you hear that we can't afford communications, we can't afford more people at the border, we can't afford port security, every time people hear that we can't afford something that would enhance our security at home, understand that it is the war in Iraq that makes it impossible for this Nation to afford it.

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If we did not have these hundreds of billions being drained there, we could take care of the agenda.

Finally, it constrains us elsewhere in the world. It has led to an increase in anti-Americanism which I deplore, with which I disagree, but it is a fact.

Our ability to deal with the potential Iranian nuclear weaponry is constrained by the fact that we are in Iraq. In fact, the Iranians have been among the major beneficiaries of what we have done in Iraq.

So you went into a war on the basis of two lies. You have handled it incompetently. We are now at the point, well, does that mean you pull out? And here is the point. You tell us on the one hand that there is great success. We have built a government, et cetera, et cetera. But also, you tell us simultaneously that if we withdrew American troops the house of cards falls. Well, which is it? Have you built a successful entity in Iraq? If you have, why can't we pull out? Why can't 28 million people in Iraq, with a couple of hundred thousand Iraqis under arms deal with 15 or 18,000 terrorists?

The fact is that this is a failed policy that gets worse every day.

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Florida, Dr. WELDON.

Mr. WELDON of Florida. Mr. Speaker, I rise in support of this resolution, the President's plan, and our troops.

In recent days U.S. and Iraqi forces have dealt terrorists in Iraq a decisive blow. The brutal leader of al Qaeda in Iraq, Abu al Zarqawi, responsible for untold deaths and inciting widespread unrest has met his end, and none too soon, thanks, mainly to our troops, courageous men and women in the field who got the job done.

And let us not forget, Ramzi Yousef, the man who plotted and attempted the 1993 attack on the World Trade Center that could have led then to tens of thousands of deaths, was an Iraqi intelligence agent.

And let us remember the great accomplishments of our troops in the field. For too long U.S. news media has focused only on the negative and has chosen only to report bad stories, stories of terrorist attacks. Indeed, for every story that reports heroism and accomplishment of our troops in the field, our American news media focuses 9 or 10 stories on terrorist attacks and the failings of our military. Where our military can accomplish great things over and over again, the American news media ignores it and instead looks for a negative story to report.

Well, I want to report on one good story, a great story that shows that we are getting the job done and the Iraqi people are with us. And indeed, this was reported by our news media. 60 Minutes in March reported about our efforts in a town called Tal Afar. In 2005, al Qaeda ran the town of Tal Afar in Iraq. It is a great example of how our U.S. troops can get the job done. Prior to the U.S. victory there, al Qaeda had unleashed a reign of terror on Iraqis that defies adequate description. Decapitated heads were left in the streets to intimidate residents. Decapitated children were often left in the streets by terrorists to bait their parents to come in so they could kill them. Terrorists roamed the streets, kidnapping and publicly executing people.

For 3 days in 2005, U.S. troops led the successful assault on Tal Afar to liberate innocent men, women and children from their terrorist captors. Thanks to our brave soldiers, schools in Tal Afar are now open. And once terrified Iraqi citizens are now able to shop, travel the streets openly, go outside their homes.

And as 60 Minutes noted, some of our American soldiers involved in the liberation of that town now have throngs of Iraqi children follow them admiringly in the streets.

Mr. Speaker, Tal Afar is just one example of the great job we are doing there. There are many, many more. We need to stay the course, not cut and run.

I support the resolution.

Ms. WATERS. I yield 4 minutes to the gentleman from New York (Mr. OWENS).

Mr. OWENS. Mr. Speaker, I am a member of the Out of Iraq Caucus, and I agree with most of what has been said.

I support the Murtha proposal for an immediate and orderly redeployment. There is one subject I would like to raise which has not been discussed very much here, however, and that is the role of the American oil barons who have contributed greatly to the colossal mess of the war in Iraq.

Our troops today are as good as they were when they were labeled the greatest generation and defeated Hitler. But in Iraq, today's counterparts of Eisenhower, Patton, Bradley, the Colin Powells, the John Murthas, they were not allowed to take charge. Lust for control of the oil made the oil barons push everyone capable of carrying out a reasonable destruction of Saddam Hussein aside. This administration encouraged the oil barons to overrule the military professionals.

Lust for oil is still the problem. Seldom discussed in America, but very much on the minds of the people of Iraq. We cannot succeed as long as the ordinary Iraqi people see us as oil thieves responsible for the terror and their day-to-day misery.

We went into Iraq fighting fanatics, fighting Saddam Hussein and his oligarchy of brutal, decadent killers. No great crowds greeted our troops with flowers. But there is good reason to believe that the masses of citizens were hoping for some real improvements. But we guarded only the oil wells, while the water systems and the electricity grids collapsed.

As the people observed our preoccupation with oil, the insurgency began to grow. The leadership of the oil barons could not run a country, and they could not manage an occupation.

Oil revenues must be addressed in order to regain the confidence of the Iraqi masses. We need a transparent, open, full discussion of what are the arrangements that have been proposed, what is being proposed or what contracts are already in place.

Chevron, BP, Exxon, they are there. Contracts have been written. Is there a committee in this House or a subcommittee that knows what kinds of contracts have been written? What will the Iraqi people have left after these contracts are executed? They were executed before the government was in place.

Oil is the greatest resource that Iraq has, of course. They are number four among the nations of the world. To what degree is Halliburton going to control the revenues as their payment for reconstruction of some of the oil wells? To what degree are the foreign oil companies going to control revenue because of their arrangements for the pipelines and the shipping and retail outlets? What is going to happen to the oil? These are the questions that the Iraqi people are asking. Everybody in every section of the country wants to know how are the oil revenues going to be distributed? If I live in a province where there is no oil, will my area benefit?

These questions need to be answered honestly. Congress must seize the initiative from the American oil barons and demand justice for the Iraqi citizens. The oil belongs to them.

We must win their trust and separate the masses of the Iraqi people from the fanatical murderers. Follow the logic of the Murtha resolution. Give the people control of their oil revenues and get out of Iraq. We can do that when we have the trust of the Iraqi people.

When the Iraqi people have their own revenues, they can equip their own police forces. They can take charge of their government in a competent way. They don't need us, and they will be less likely to join hands with the insurgents and protect the fanatical murderers that have now found greater receptivity in the population than ever before.

Get out of the Iraq. Give the people control of their oil revenues.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to a distinguished member of the defense appropriations subcommittee, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in support of the resolution. I am convinced, Mr. Speaker, especially after my recent visit, that progress is being made in Iraq. But much of that would be lost if we prematurely remove our troops before the Iraqi people are fully capable of governing and securing their own country.

Success in the global war on terrorism in Iraq and Afghanistan is the defining challenge of our generation, whether some war opponents like it or not.

Bin Laden's deputy has declared Iraq to be the place for the greatest battle, where he hopes to expel the Americans and then spread the jihad wave to secular countries neighboring Iraq. Such statements reaffirm why withdrawing our troops would be a disaster for the future of Iraq.

Our own national security can actually embolden those who hate our way of life to further harm us. A premature withdrawal or premature deployment home would represent a clear defeat for American interests, not just in Iraq, but in the wider region around the globe. Terrorists everywhere would take heart at this serious blow to our credibility.

Frankly, if we were to abandon the Iraqis now, who in the world would openly assist us in the global war on terror? What country would allow our military to deploy and operate on its territory? Worse yet, who would dare to be seen as our partner, ally or friend?

As even the Washington Post said yesterday, Mr. Speaker, in its lead editorial, Iraq's new democratic government deserves a chance to succeed. And yes, this is the time to support our brave young warfighters, who are truly doing the work of freedom, and not undercut their service and sacrifice.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I might offer that I am proudly a member of the Out of Iraq Caucus out of a duty and a sense of patriotism and love of my country. And so this is a very somber debate.

And I remind my colleagues of the very tense moments of the presentation of Secretary Powell before the United Nations. All of us were in a sense of awe, listening to the devastating evidence of why we should go to Iraq. So I come to this podium today with a very heavy heart because we are constrained, not Members of Congress, we are of no relevance, but the American people are constrained in not allowing a debate or dissent. That is what we are showing here today, that we can have no dissent, we can have no recognition that Democrats and others, we do have a plan.

And so, on the birthday of the Army, I want to salute the Army. Mr. MURTHA, I want to salute you for your service and your plan. And I want to salute all of the United States military. And might I say that our soldiers are doing their job. They have done their job. And out of doing their job, the casualties are some 19,000, and today, I am very sad to say that 2,500 of them are now dead.

And so I come with a heavy heart to suggest that there are myths that we need to overcome. And one of them is that there is something called "cut and run." It is not "cut and run." It is the opportunity of involvement, debate and patriotism, a belief that we can put forward a plan that the American people will believe in.

The Bush Iraq policy has harmed the United States military, and I might say that I am glad to stand with a retired Marine Lieutenant General, Gregory Newbold, who says, "my sincere view is that the commitment of our forces to this fight was done with a casualness and a swagger that are the special province of those who have never had to execute these missions or bury the results."

And so I come again to suggest that no, there is no "cut and run." There is reality. A Pentagon commission study concluded that the Army cannot maintain its current pace of operation in Iraq without doing permanent damage to the quality of the force.

We realize that the large and extended deployment of the National Guard units overseas has undermined the ability of the United States to deal with terrorist attacks or natural disasters. We realize that resources are being diverted and, therefore, we are not able to fight the global war on terror.

I don't want my friends to pigeonhole us. We want a debate and a plan to save lives, and we want a free, independent and democratic Iraq. That can happen with a new change, a new day, Democrats and others, who believe in leading this country to a new future.

I don't want the same old plan, and I am not ashamed of saying so. That is why I am here to open the doors to dissent, tell the American people to come marching into the United States Congress. Don't let us talk for you. You want redeployment. You want the troops out. You don't believe the Democrats believe in "cut and run." You understand that the General, Lieutenant General, has said we are careful about this war. Come home.

Murtha plan, the Out of Iraq Caucus is proud of our patriotic stand.

Thank you Mr. Chairman. I thank the gentlelady for yielding. I rise to speak on H.R. 861, a resolution which declares that the "United States will prevail in the Global War on Terrorism." I believe that it is the resolve of all Members of this House and of all Americans. But to prevail in the global war on terrorism, we must remain focused on the global war on terrorism, and not allow ourselves to be diverted or distracted.

Unfortunately, we have been distracted from waging a full-scale, all-out global war on terrorism by the President's fateful decision to go to war in Iraq. Before and after 9/11, Iraq was not a part of the global war on terror, much less the central front. It only became so when the President launched his ill-advised preemptive attack.

I am proud to be among the majority of House Democrats who voted against the Resolution Authorizing the Use of Military Force, AUMF, in 2002, which authorized the President to use military force to disarm Iraq of its alleged weapons of mass destruction, WMD. I voted against going to war in Iraq because I thought it a diversion from the important task facing the Nation and that was winning the global war on terror. History has shown that we were right. The ill-advised rush to war in Iraq has not only been a diversion from the war on terror but a strategic disaster of epic proportions. As Thomas Jefferson would say, to prove this let facts be submitted to a candid world.

(I) THE BUSH IRAQ POLICY HAS HARMED THE U.S. MILITARY

We just learned today the sad news that the 2,500th soldier has been killed in Iraq. More than 19,000 others have been wounded. The Bush administration's open-ended commitment of U.S. troops to Iraq has weakened the U.S. Army, the Army National Guard, and the Army Reserves. The extended deployments in Iraq have eroded U.S. ground forces and overall military strength. A Pentagon-commissioned study concluded that the Army cannot maintain its current pace of operations in Iraq without doing permanent damage to the quality of the force. So more than 3 years of a continuous deployment of U.S. troops to Iraq has:

Contributed to serious problems with recruitment, with the U.S. Army missing its recruitment targets last year;

Forced the Army to lower its standards for military recruits; and

Led to military equipment shortages that hamper the ability of U.S. ground forces to do their job in Iraq and around the world.

The large and extended deployment of National Guard units overseas has undermined the ability of the United States to deal with terrorist attacks or natural disasters. For example, State officials in Louisiana and Mississippi struggled to overcome the absence of National Guard members from their States in the wake of Hurricane Katrina. In Louisiana, about 100 of the National Guard's high-water vehicles remain abroad—even as the State continues to rebuild from Hurricane Katrina. Coastal North Carolina is missing nearly half its Humvee fleet, and Guard officials there say shortages have forced the State to pool equipment from different units into one pot of hurricane supplies.

In addition, the equipment the Guard needs to help in the aftermath of natural disasters like Hurricane Katrina is in shorter supply because the gear is in use in combat zones, is battle-damaged, or has been loaned to cover gaps in other units.

(1) War in Iraq has diverted resources and attention from other fronts in the fight against global terrorist networks.

The killing of Abu Musab Al-Zarqawi last week was a major success for U.S. troops, but it is not likely to diminish Iraq's insurgency. Iraqis make up 90 percent of Iraq's insurgency, unlike foreign fighters like Zarqawi, and a primary motivation for Iraq's insurgency is the U.S. troop presence. Even after the Samarra shrine attack in February threatened to push Iraq into all-out sectarian civil war, the vast majority of attacks still target U.S. forces.

Outside of Iraq, the Bush administration has failed to present a realistic strategy for countering the threat posed by the global terror networks. In a recent survey of more than 100 of America's leading foreign policy experts conducted by Foreign Policy magazine and the Center for American Progress, eight in 10—84 percent—do not think that the United States is winning the war on terror. The war in Iraq has not helped America win the broader fight against global terrorists. Instead:

By invading Iraq without a realistic plan to stabilize the country, thei Bush administration created a new terrorist haven where none had previously existed.

By maintaining an open-ended military presence in Iraq, the Bush administration is presenting U.S. terrorist enemies with a recruitment tool and rallying cry for organizing attacks against the U.S. and its allies.

According to the National Counter-Terrorism Center, the number of large-scale terrorist attacks in Iraq increased by over 100 between 2004 and 2005, with a total 8,299 civilians killed in 2005.

Osama bin Laden remains at large and Al Qaeda offshoots proliferate.

By diverting resources and attention from Afghanistan to an unnecessary war of choice in Iraq in 2003, the Bush administration has left Afghanistan exposed to a resurgence of the Taliban and Al Qaeda. The United States needs to complete the mission in Afghanistan and cannot do it with so many troops bogged down in Iraq.

By focusing so many U.S. resources on Iraq, the Bush administration has taken its eye off the ball in places like Somalia, which was overrun by Islamist militias tied to Al Qaeda last week.

(2) The War in Iraq has increased the burden on U.S. taxpayers without stabilizing Iraq or making Americans safer.

Over the last 3 years, the United States has spent more than $300 billion in Iraq, yet the investment has failed to stabilize Iraq or improve the overall quality of life for most Iraqis. According to the Congressional Research Service, total assistance to Iraq thus far is roughly equivalent to total assistance, adjusted for inflation, provided to Germany—and almost double that provided to Japan from 1946 to 1952. Yet on key metrics like oil production, Iraq has failed to advance beyond pre-war levels, and quality of life indicators remain dismal:

Oil production is below pre-war levels—2.6 million barrels per day in 2003 vs. 2.1 million barrels per day in May 2006;

The majority of water sector projects and health care clinics planned in 2003 remain not completed, despite spending hundreds of millions of dollars;

One in three Iraqi children is malnourished and underweight, according to the United Nations Children's Fund.

Rather than a record of progress and achievement, the Bush administration's record is one of corruption and waste:

$8.8 billion given to Iraqi ministries by the Coalition Provisional Authority, CPA, remains unaccounted for, according to the Congressional Research Service;

Iraqi Defense Ministry officials spent $1 billion on questionable arms purchases;

The Interior Ministry has at least 1,100 ghost employees, costing $1.3 million a month.

In short, we have no strategy, no support from allies or friends in the region, a nascent civil war in the country we are supposed to be helping, an overstretched military, a misdirected counterterrorism effort, and a massive diversion of funds in support of a failed effort.

(II) RESPONDING TO ADMINISTRATION MYTHS AND FANTASIES

The Bush administration and its rubber-stamp Republican allies in the House have politicized national security in the past. They have used national security as a wedge issue to divide the country and push for policies that have not made Americans safer. But today a majority of Americans are now skeptical about the Bush administration's Iraq policy.

Myth 1: Democrats want to quit while we are ahead and the Iraqis are just getting started.

Conservatives argue that Democrats who criticize and offer alternatives are snatching defeat from the jaws of victory, retreating just as the Iraqi Government needs the most help.

Fact: The time has come for the United States to give Iraqis the incentive to stand on their own two feet and take control of their own affairs. In a few short months, the U.S. military involvement in Iraq will be longer than it took the United States to win World War II. The open-ended commitment of U.S. troops fuels as much as it retards the insurgency and civil conflict in Iraq. Nearly 9 in 10 Iraqis approve a time line for U.S. withdrawal, and 70 percent of the Iraqi public supports the withdrawal of U.S.-led forces by the end of 2007. A growing number of Iraqis, including the new prime minister, are saying that Americans must begin to leave.

U.S. troops have done their share. By getting rid of Saddam Hussein, they have given Iraqis an historic opportunity to take charge of their destiny.

By fostering the birth of the constitution and the holding of elections, they have assisted in the building of a new democracy. They have trained more than a quarter of a million Iraqi security forces. It would be self-defeating for the United States to want Iraq to succeed more than Iraqis do.

Myth 2: Democrats offer only "cut and run" and "retreat and defeat."

Facts: Belittling opponents will not divert attention from a failed policy. Staying the course and offering a vague and open-ended commitment of U.S. troops gives Iraqis a blank check and a veto of America's national security.

The future of Iraq cannot be more sacred to Americans than to Iraqis. Responsible redeployment offers Iraqis a chance to take responsibility for their political and security future after we have already aided in the creation of a new constitution, the staging of two elections, and the training of a quarter of a million security forces.

Myth 3: Democrats who raise questions and oppose the Bush Iraq policy are unpatriotic.

Over the past 3 years, the Bush administration has questioned the patriotism of its critics.

Facts: Our country's democratic system requires the active involvement of Congress on key policy questions—particularly at a time of war. The United States has a strong tradition of its Congress asking tough questions. During a time of war, including the hearings organized by Democratic Senators like Senator Harry Truman during World War II and Senator William Fulbright during Vietnam, even though the White House was controlled by Democrats.

It is the patriotic duty of Members of Congress to hold the executive branch accountable, especially during a time of war. Two prominent Vietnam war veterans, Republican CHUCK HAGEL and Democrat JOHN MURTHA, have recently argued that it is unpatriotic not to raise questions in a time of war. America suffers when Congress and the public are silent.

Myth 4: Democrats reject the Bush administration's efforts to advance freedom.

Facts: The Bush plan for Iraq is solidly grounded in a flawed view of combating terrorism, arguing that promoting a narrow vision of democracy will crowd out and defeat terrorists.

The United States must and should support real democratic transitions around the world. But the Bush administration's naive approach to democracy promotion—narrowly focused on elections—has failed by giving terrorist organizations an opening to seize the reins of power, as seen by the Hamas victory in the

Palestinian elections earlier this year. Terrorists have been exploiting the Bush administration's flawed and narrow strategy focused on the most ostensible images of democracy, like purple fingers in elections.

Despite impressive gains in Iraq's political transition, the country remains in the very early and fragile stages of a long-term process of building a real democracy. Contrary to the rhetoric put forth by the Bush administration, Iraqis do not live in freedom, according to Freedom House, which measures trends in political rights and civil liberties over the past three decades. The rights of women and minorities are not protected; the rule of law is honored more in the breach than the observance; and political violence remains rampant. Despite much work left undone, the Bush administration has cut funding for programs to support freedom and democracy in Iraq this year.

Myth 5: Democrats who criticize the Bush policy hurt the morale of the troops.

The Bush administration and its conservative allies have said that offering criticisms and concrete policy alternatives on Iraq hurts the morale of U.S. troops.

Facts: There is no evidence that debate at home has any effect at all on the morale of troops. But other factors directly impact the lives of U.S. troops and morale—including going to war without the equipment and armor, not having a realistic strategy for Iraq and not taking care of the troops after they come home.

Not equipping the troops. When asked by a soldier in the field why U.S. troops did not have the right armor for their vehicles, Secretary of Defense Donald Rumsfeld said, "As you know, you have to go to war with the Army you have, not the Army you want." Iraq was a war of choice, and the Bush administration had time to get ready.

Not taking care of the troops when they come home. The Bush administration has not developed policies to take care of the troops when they return from battle. Health care has proven inadequate, and wounded veterans have been hounded by debt collectors because of inefficiencies in the Pentagon's administrative systems.

Myth 6: Democrats who oppose the Bush Iraq policy are ignoring and not listening to the generals.

Facts: It is the Bush administration that has failed to listen to top U.S. generals before and during the invasion by not sending enough troops to stabilize the country. It is Secretary of Defense Rumsfeld who has constrained free expression in the military by firing or forcing out those who disagree.

Nonetheless, even the current commanding officers argue that the United States needs to take realistic steps to reduce its military presence to remove the fuel that fires the insurgency. For example, in October 2005, GEN John Abizaid, the commander of Central Command Forces, argued that the United States must reduce its "military footprint" in Iraq and the region as a means to create more stability, but President Bush has continued to stick with a "stay the course" message.

Myth 7: Democrats who criticize the Bush Iraq policy are helping the terrorists and giving them what they want.

The Bush administration has argued that questioning its plan emboldens America's terrorist enemies, an unconstitutional argument aimed solely at shutting off real debate at home. Harkening back to 2002, when Bush officials warned that people should "watch what they say," President Bush and top officials in his administration have warned against "irresponsible" debate to limit and control democratic political debate at home, even while the Bush administration purports to advance democracy abroad.

Facts: Bush policies at Guantanamo and Abu Ghraib do more to undermine our place in the world than any words spoken by administration critics. The Bush administration policies that coerce rather than create cooperation through dialogue and common purpose undermine how others view us. A new poll by the Pew Research Center finds that America's image has slipped further, and global support has declined for the U.S.-led war on terrorism.

Myth 8: Democrats prefer a world with Saddam Hussein still in charge of Iraq.

Facts: Saddam Hussein was an evil dictator, and it is a good thing that he is no longer in power. But that is not the key question today. The key question is: Where is Iraq now, and where does it go from here? And the many mistakes made by the Bush administration—including sending in too few troops to secure the country and invading without a clear and realistic plan for Iraq's reconstruction—have made the situation in Iraq much worse off than it should have been.

Iraq has become a failing state and is suffering from several major internal conflicts—in large part the consequence of the Bush administration's failure to plan for the post-war situation. And moving forward requires Iraqis, not Americans, to be in charge of the future.

Myth 9: Democrats just want to criticize and politicize Iraq and do not have plans about what to do.

Facts: This is simply not true. A growing number of leading Democrats and other progressive leaders have offered sensible alternative visions about what the United States should do next to set the right course in Iraq. Nearly all progressive plans recognize that the United States must intensify its political and diplomatic efforts in Iraq and that the commitment of U.S. troops to Iraq should not be permanent or open-ended.

CONCLUSION

Mr. Chairman, I close by quoting from the Declaration of Independence and the motto of the U.S. Army, which marks its 231st anniversary today. It may seem odd to quote the two together. But I do so because real patriots have courage—courage to face the truth and the courage to speak truth even when it is unpopular. The Declaration of Independence, with its affirmation of the inalienable human rights to life, liberty, and the pursuit of happiness gave patriots the courage to fight for a cause that was just but at the time thought by most to be unattainable. A motto of the U.S. Army is "We will not falter, we will not fail."

The war in Iraq does not help us in the global war on terror. There are only two directions to take in Iraq: President Bush's plan of staying the course and letting a future President clean up the mess, or the Murtha plan to change the direction of that course. I stand with Representative MURTHA in calling for the redeployment of U.S. forces from Iraq to make our country safer, our military stronger, and the region more stable. I support the Murtha plan. It is the only plan for success in Iraq that is worthy of the sacrifices made by our troops. And I support a plan for greater coalition support for Iraq as it moves to protecting itself as a soverign nation.

Our troops in Iraq have never faltered and they have never failed. They were never defeated in battle. They won the war they were sent to fight. They completed their mission. They performed magnificently. Well done. Well done. Well done.

Our troops have earned the right to return home and be reunited with their families and loved ones. Now is not the time for us in Congress to falter or fail. Now is the time to embrace a plan for our troops in Iraq that offers a chance of success. We need a plan that will work. There is only one such plan. It is the Murtha plan that allows for redeployment of our troops as soon as practicable and allows for redeployment of troops at the perimeter of Iraq to be used in time of crisis. This is a plan that will work.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. REHBERG). Members are reminded to address their remarks to the Chair.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from South Carolina (Mr. BROWN).

Mr. BROWN of South Carolina. Mr. Speaker, I rise today in support of the resolution. In my capacity as chairman of the Veterans Affairs Subcommittee on Health, I was fortunate enough to visit the American cemetery in Normandy, France that is located overlooking Omaha Beach. Our brave soldiers during World War II were in France not to fight the French, but to fight the Nazis that had occupied France.

Today our soldiers are not in Iraq and Afghanistan to fight the citizens of those countries, but we are there to fight the insurgents and the Taliban. In listening to the debate today, it reminded me of my visit and reading some of the names of the brave soldiers that fought for our Nation during World War II.

Mr. Speaker, there are over 9,300 patriots buried in Normandy today. Those brave souls fought in a war against the forces of evil then, just as our soldiers in Iraq are fighting against the forces of evil today.

□ 1645

What would have happened back then if America had pulled out of the World War II before the mission was accomplished? What kind of world would we be living in today?

As many of my colleagues have done, I have personally visited Iraq. I have seen the progress, and I have seen the good job that our brave men and women are doing for us and for the people of Iraq and Afghanistan. I was proud to sit down and share a meal with many soldiers from South Carolina's First District. And the question that many of our soldiers kept asking me was "Why are none of the good stories making it back to the folks back home?"

Mr. Speaker, I think many of us today are trying to share some of the good stories and recognize all of the positive things that our soldiers in Iraq and Afghanistan are doing for us.

The good news is that now women in Afghanistan are able to vote in democratic elections for the first time in their lives. The good news is that Iraqi citizens are now able to protest and let their opinions be heard in public.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Speaker, I represent the Out of Iraq Caucus, and I support the Murtha resolution.

This war of choice so far has cost us the lives of close to 2,500 American men and women, let alone tens of thousands of Iraqi lives, and has cost us $320 billion and has weakened the United States' prestige and brought our interests and our values into question to a degree not seen since the Berlin Wall divided Europe.

It is our failure here in Congress to perform our duty of oversight which has cost America most. From the beginning of the march to war, the President and his advisers blundered into failure after failure. False claims about African uranium and mobile anthrax labs. Unlikely claims of Saddam's leaks to al Qaeda. Stubbornly ignoring the advice of the uniformed military about troop levels. Turning a blind eye to the venal corruption that swallowed $9 billion of Iraqi money, U.N. Oil-for-Food money, without a trace. Shame on us.

Mr. Speaker, our Founding Fathers in their wisdom gave us a mechanism, a defense against tyranny called congressional oversight, and it is about time we start doing our duty to the American people by performing that oversight. While I welcome this debate, it is a poor substitute for what we really should have been doing.

I call upon you to withdraw this empty resolution, this meaningless, self-congratulatory, fraudulent scam and let us work together to examine our mistakes, fix them, and bring our troops home. Let Iraqis rebuild their own nation.

The President says we need to stay in Iraq until the mission is complete, but the President cannot explain to the American people exactly what the mission is, let alone tell us when he expects to complete it.

Let us take credit towards victory by sighting the completion of a democratic government in Iraq and killing the biggest terrorist there, claim these as a victory, and keep our word by honorably deploying our forces. Three and a half years is hardly cutting and running.

We all share the same dream that the Iraqi people do. We want them to live in peace in a secure and prosperous society where they are free to choose their government. But the presence of our troops and our occupation of Iraq has become such an obstacle to that future that we can no longer ignore reality. How can we win a war against terrorism when terrorism is a concept? You must change the hearts and the minds to succeed.

So let us work together to bring our courageous troops home and put an end to this devastating war of choice.

Mr. THORNBERRY. Mr. Speaker, I yield 2 minutes to the chairman of the Transportation and Infrastructure Committee, the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, it is rare that I would speak on this issue. I do support this resolution, but more than that, I would like to remind people why we are here.

There are not many in this room, but there are a few that remember 1939. I lived in that era and I listened to people speak about "Hitler's really not a bad guy. He's just minding his own business. He's taking care of his people. We shouldn't be involved." Fifty-two million people later, we won World War II. We should have knocked him in the head when we had a chance instead of listening to Chamberlain, the Prime Minister of Britain. We should have aggressively pursued him as we did Saddam Hussein. In my heart of hearts, I believe that we would be, in fact, in a nuclear war if we had allowed him to continue his trek.

But this President stood up and he was a leader and he stopped it. Now we have done that deed and we are in a place where we should continue and finish this job.

Someone said this is not a cut and run, that we have been there 3½ years. But I ask you to ask your military people, ask those people out at Walter Reed, as I have. Most of them are proud of their service and their duty. And I salute each one of them, him or her, and the commanding officers who fulfilled their duty.

If you believe in democracy and believe in peace, we must continue this trip that we started. We must finish it and make sure that democracy reigns in the Middle East. If we do not do so, we would a do a great disservice to our armed services and America as a whole. Remember, "He's really not a bad guy. He's just minding his own business. It's his country." Fifty-two million people later, the war was ended. Our people, their people. And I do not want to have that happen again.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California, Representative SOLIS.

Ms. SOLIS. Mr. Speaker, I rise today in support of our troops and in opposition to the President's stay the course in Iraq.

The war in Iraq was under taken with too few troops, not enough of the right equipment, and no plan for peace. Without a plan to secure the peace, 2,500 servicemen and women have been killed, including 10 in my district: Private First Class Jose Casanova, Jr., age 23; Lance Corporal Manuel Ceniceros, age 23; Lance Corporal Francisco Martinez Flores, age 21; Lance Corporal Benjamin Gonzalez, age 23; Corporal Jorge Gonzalez, age 20; Sergeant Atanacio Haromarin, age 27; Specialist Leroy Harris-Kelly III, age 20; Corporal Stephen Johnson, age 24; Corporal Rudy Salas, age 20; Marine Corporal Carlos Arellano, age 22.

I have celebrated their sacrifices and mourned their passing with their families: with their parents, with their spouses, and with their children.

Eighteen thousand four hundred and ninety servicemen and women have been injured during the war in Iraq, 8,501 so badly they will be permanently damaged from their injuries. I have visited with many of them at the Walter Reed Hospital.

And even with more veterans returning from Iraq, President Bush refuses to provide adequate funding for their health care. At a time when more than 17 percent of the troops returning from Iraq suffer from post-traumatic stress disorder, this is the wrong course of action.

No one can question the commitment of our troops, especially our green card soldiers like Lance Corporal Francisco Martinez Flores, who was granted posthumous citizenship but could not realize the beauty of our citizenship because he was not granted that before he died.

Since 9/11, 25,000 servicemembers have become U.S. citizens. Despite the commitment and sacrifices of thousands of green card soldiers and their families, many in this House are not willing to provide them with support because they lack documentation.

Mr. Speaker, amid the doubt and anger I have expressed about the war, I have never ever questioned the commitment of our troops to this Nation. They deserve a real plan to secure the peace so that they can be redeployed, and I wholeheartedly support the Murtha plan.

American taxpayers, Members, deserve accountability for the $17 billion in no-bid contracts for Halliburton and real measures to protect the homeland and our port security. The Bush administration has failed to fulfill its responsibilities to our troops, veterans, and all Americans. This resolution fails them.

It is a sad day when this resolution is the only thing that can be offered for our servicemen and women. Francisco

Martinez Flores did not die in vain. He deserves the very best. The American people deserve a real debate.

Bring our troops home and no permanent bases in Iraq.

Mr. THORNBERRY. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BRADY).

Mr. BRADY of Texas. Mr. Speaker, on behalf of the families of East Texas, especially those with loved ones serving overseas, I strongly support this resolution.

Despite what the national media portray, the inconvenient truth is this: Terrorists have been attacking America freely for more than two decades. We should have learned we cannot push America's security forward by retreating from terrorism. We cannot strengthen the world by weakening our resolve, and we cannot support our troops by belittling them at every turn.

It is clear to all but perhaps us that the terrorists' strategy is not to defeat America in Iraq. They cannot do that. Their strategy is to defeat America in America. They are counting on the American public to lose its will and for Washington politicians to undermine the morale and support of our troops overseas.

The truth is if America quits, if America turns back now, no nation, no community will be safe from terrorism again. Terrorists will learn that they can wait us out one public opinion poll at a time. And the next time America is attacked, the next time innocent people die and we vow justice, who will believe us then? Who will support us then?

I stand with the President. We must persist in Iraq and Afghanistan until these nations are no longer safe havens for terrorism. We have "taken the hill" against the terrorists. Too many Americans have sacrificed their lives for us to give it back now. Americans like Chief Warrant Officer Chuck Fortenberry of Woodville, Lance Corporal Shane Goodman of Orange, Staff Sergeant Christopher Everett of Huntsville, Specialist Michael Weger of Spring, and Specialist Hoby Bradfield of The Woodlands, among many.

Our troops have proven they will not quit. The question is will we? Our troops know what is at stake. The question is do we?

Let us not snatch defeat from the jaws of victory. Let us put aside our partisan politics and unite until terrorism is truly and soundly defeated.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio, Representative KAPTUR.

Ms. KAPTUR. Mr. Speaker, I thank the gentlewoman from California for yielding and for her leadership on a real strategy against terrorism.

Mr. Speaker, I rise in strong opposition to this resolution. It contains no plan, no solution, no way forward. I support the Murtha plan, which clearly aims to more strategically engage U.S. forces to redeploy and be ready.

Indeed, the invasion in Iraq has diverted our Nation from the war on terrorism and created a new terrorist training platform. Across the Middle East, Central Asia, Africa, and the Pacific, United States policy has engendered more hatred, yielding a counterreaction of more radicalism and protest.

In Egypt, the most populous Arab nation and a key ally in the Middle East and Africa, recent parliamentary elections yielded a quantum leap in representatives from the Muslim Brotherhood, a radical anti-Western party. This group now comprises 88 members of their parliament, up nearly 25 percent from 17 in the 2000 election.

In the Palestinian Authority, the peace process with Israel is dead. Rather than parties moving toward peace with Israel, we witness another tragic breakdown as Fatah and Hamas mass in the streets and Israelis and Palestinians shoot and kill with abandon.

Mogadishu, Somalia has just fallen into the hands of Muslim extremists. That failed state is another breeding ground for terrorism.

In Afghanistan more loss of life has resulted this year than at any time since the U.S.-led invasion and President Karzai remains a prisoner of circumstance, unable to move freely without heavily armed guards.

Mr. Speaker, we are not winning the war on terrorism. The situation in Iraq teeters on all-out civil war between the Sunnis and the Shiias.

☐ 1700

To win the war on terrorism, the United States must use our military assets wisely, not just robustly. We must transfer policing to Iraqi forces and remove ourselves as a source of friction.

Secondly, we must decouple ourselves from the repressive oil dictatorships that create regional antagonisms there and become energy independent here at home.

And, thirdly, the Palestinian-Israeli standoff must be elbowed to the peace table, because it is a primary lightning rod for unrest across the region.

Our current presence in Iraq is counterproductive in the broader war on terrorism. Meanwhile, diplomatic channels are totally frozen by this administration. Unfortunately, this resolution offers no plan. It offers no solution. It offers no way forward.

This Congress should support the Murtha plan for our military forces, redeploy and be ready.

Mr. THORNBERRY. Mr. Speaker, I would yield myself the remainder of the time allocated to the Intelligence Committee.

The SPEAKER pro tempore. The gentleman has 2½ minutes.

Mr. THORNBERRY. Mr. Speaker. I have listened to the first 5 hours of this debate, trying to listen carefully to each speaker. And it seems to me that some people try, as best they can, to isolate Iraq from the rest of the war on terror.

Now, that may be politically convenient for them to do, but it is not what the real world is like. As a matter of fact, it was not long ago that we found a letter from Zawahari, Osama's number two, to Zarqawi in Iraq talking about tactics.

Just as the Cold War had several battles across the globe, the war on terrorism has several battlefields across the globe. And I believe that it is clear from their own words, the terrorists see Iraq as the central front in our war against them now and into the future.

Secondly, we seem to have a lot of armchair strategists who want to redeploy this way or redeploy that way, because they say nothing is going right. I would recommend they read the document found this morning, or released this morning, that was found in Zarqawi's house.

It says that things are going pretty well for us, and not so well for them. I think it is a little early to give up.

Thirdly, there are a lot of people who want to debate the procedures or debate Congress's job or debate past decisions. And it is true, history will have to pass judgment on decisions that the military commanders and the President and the Congress have made in the past. They will do so when the air of partisanship has faded.

But the truth is, however you feel about where we are, we are where we are. And the question is, do we leave a job half done? Do we leave early, and leave those Iraqis who are willing to put their lives on the line by being part of the government or part of the police force or part of the military, do we abandon them when they are trying to build a country? I think that would be a mistake.

In fact, I think to retreat at this point, whether you call it a strategic retreat, a strategic redeployment, or whatever word you want to use to back up now, will only embolden the terrorists. We have seen time after time, when they sense political vacillation, they strike. They struck in Istanbul in 2003, in Madrid in 2004, in London in 2005.

Where they sense weakness, it is like an animal. Where they sense fear, they attack. We have got to do better and make sure we win this war.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, despite the rhetoric on the other side of the aisle, ground zero on the global war on terror is not, never was Iraq. It was Afghanistan; 9/11, it was planned in Afghanistan by Osama bin Laden, al

Qaeda, with the complicit help of the Taliban.

In a near-unanimous vote on the floor of this House, we voted to go in there and root them out and end that threat once and forever. But something bad happened on the road to victory, and the eradication of the Taliban and al Qaeda, and the capture, dead or alive, dead or alive, of Osama bin Laden. Remember that.

We got mired in Iraq. And today the Taliban, al Qaeda, and Osama bin Laden are still at large and they are resurgent. I just saw 800 Oregonians off to Afghanistan. We need more troops there. We need to finish the job we abandoned to go into Iraq.

But 1,093 days ago, a complicit, compliant Republican-dominated Congress acceded to the Presidential demand to divert our energy into an unnecessary war in Iraq. I was one of the 60 percent of the Democrats to vote "no."

Here we are, 2,497 troops have died, 18,490 seriously wounded. We all honor those troops and do not question that. But we disagree, not on the noble service of the troops, but the competence of the leadership of President Bush, Vice President CHENEY, and Secretary Rumsfeld in initiating an unnecessary war in Iraq and insisting on an open-ended, indefinite commitment of U.S. troops in the middle of a civil war.

The President has said, "Bringing U.S. troops home from Iraq will be decided by future Presidents." That means after 2009. That is what George Bush is talking about. That is not acceptable.

At its core, this resolution says stay the course indefinitely. We should be debating a real policy on Iraq, not a nonbinding politically motivated resolution. We should be debating the Murtha resolution, a real plan.

As a member of the Out of Iraq Caucus, I resent the fact that we have here a meaningless, nonbinding Karl Rove-politically inspired resolution on the floor, not amendable, no substitutes allowed; and they call that a debate on the policy in Iraq.

They say they are honoring the troops. That is a dishonor to the people of America and those who serve us. And they talk about cut and run. We have won. Saddam Hussein, he is on trial. They have a Constitution. They have a government. They have succeeded. We have succeeded.

But they have a sectarian problem. They have been fighting for 1,400 years. And they are going to continue fighting. We need to negotiate a timetable with their legitimate government to get the U.S. troops redeployed, out of Iraq, to other hot spots and bring the remainder home.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as Chair of the Middle East and Central Asia Subcommittee, I have traveled to Iraq, having led a delegation just this last January. And I met with officials again and received a wealth of congressional testimony here in DC. All confirmed that the U.S.-led liberation of the Iraqi people is having a positive reverberation throughout the broader Middle East.

Iraq is a catalyst for hope, a vivid example that the future of the broader Middle East belongs to freedom and democracy. To fully comprehend just how far Iraq has come with the assistance of U.S. and coalition forces, we must consider the horror that was Iraq under Saddam Hussein: chemical attacks resulting in scores of innocent deaths; a gruesome campaign to exterminate Iraqi Kurds; the displacement of hundreds of thousands of Iraqi refugees who fled Saddam's persecution; the deaths of 400,000 Iraqi children in his regime's final years killed by malnutrition and disease due to the failed policies of his regime; the use of rape and the beheading of women as tools of coercion and intimidation as part of their regime opposition.

Mr. Speaker, now let us consider what has been accomplished thus far since we removed Saddam Hussein from power. The progress achieved serves to honor all of our men and women as this chart shows. They have fought, and some have fallen for the fulfillment of our noble, our just, and our necessary mission in Iraq.

Some of the highlights of progress, Mr. Speaker: Iraqis participated in elections three times since 2005, with ever-increasing voter participation each time. The Iraqi press is free and it is growing. Iraqi women are playing an increasingly pivotal role in their society.

A market-based economy is being established as Iraq emerges from three decades of Saddam's neglect. Over 260,000 Iraqi police and security forces have been trained and have been equipped. Iraq now has a democratically elected government for the first time in its history that includes all ethnic groups.

We should therefore focus on what we need to do to help ensure a free and secure Iraq and not on how soon we can leave it, ignoring that it is in our national security interest to succeed there.

The jihadists are determined and they have declared Iraq to be the central front of their campaign of terror. Are we to waver in front of these challenges? Absolutely not. Terrorist mastermind al Zarqawi, now dead, acknowledged in a February 2004 letter to al Qaeda the threat that success in Iraq posed to the extremist effort.

He said, Our enemy is growing stronger by the day, by God, this is suffocation. One of Osama bin Laden's closest associates wrote about Iraq a couple of years ago. And he said, a far more dangerous threat is secularist democracy, because it drives Muslims to refuse to take part in jihad.

Mr. Speaker, this clearly demonstrates that our efforts in Iraq are serving long-term efforts of spreading democracy as an antidote to Islamic terrorism and extremism.

Mr. Speaker, it reminds me of President Ronald Reagan's words in his first inaugural address when he said, "Above all we must realize that no arsenal or no weapon in the arsenal of the world is so formidable as the will and the moral courage of free men and women."

Every day the Iraqi people are proving how true that statement is. We too must demonstrate the will to press ahead. Leaders from the Arab world have confided their views on how important it is for their own efforts to have the U.S. in Iraq. However, the best evidence that we are on the right path comes from those closest to me, including my stepson, Dougie, and his fiance, Lindsay, both marine officers, both who have served as fighter pilots in Iraq.

And I hear it from one of my subcommittee staffers, Matt Zweig, who is currently deployed in Iraq. Their unwavering belief that success in Iraq will make us safer at home confirms that our strategy is correct and that our goals are sound.

They remind me that we must heed the advice issued by Winston Churchill when he said, "One ought never to turn one's back on a threatened danger and try to run away from it. If you do that, you will double the danger. But if you meet it promptly and without flinching, you will reduce the danger by half."

Mr. Speaker, we must not, we will not flinch in Iraq.

Mr. Speaker, I reserve the balance of my time.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I rise in opposition to this resolution because we should not be echoing the lies we have been fed to justify this cruel and deceitful war. We should not continue pretending that by fighting the war in Iraq we are advancing the war on terrorism.

Our intelligence tells us that only 7 to 8 percent of those we are fighting in Iraq are Islamic terrorists. The other 92 to 93 percent are fighting a war for power between contending religious groups.

There is no compelling reason to send our young people to die to determine how to divide the spoils between the Sunnis and the Shiites. We should be redeploying our resources to fight the real war on terrorism, going after Osama bin Laden in Afghanistan, fighting jihadist ideas all over the Muslim world, getting the loose nuclear material out of the former Soviet Union before it is smuggled to al Qaeda to make nuclear weapons, screening all of the shipping containers before they enter our ports, and protecting our chemical and nuclear plants against sabotage that could kill tens of thousands of Americans.

But the Bush administration and this Congress will not vote the funds to fight the real war against terrorism. And every reason we were given for invading Iraq has been shown to be false. Weapons of mass destruction. Not there. Saddam Hussein working hand in glove with al Qaeda. Not true. And the more information that leaks out, the more apparent it becomes that these were not mistakes, but deliberate lies.

But does this Congress get to the bottom of this? Not this Republican Congress. This Republican Congress sees no evil, hears no evil, and speaks no evil when it comes to a war that has already killed 2,500 of our young men and women and promises to kill thousands more.

This Republican Congress asks no questions about what we can possibly achieve that can justify the continuing slaughter.

□ 1715

I ask you, if the President had gone to the American people and said, we must invade a country that poses no imminent threat to us, we must sacrifice thousands of lives in order to create a democratic government in Iraq, would we have agreed? I think not.

As the President now says to us that we should continue indefinitely to expend American blood and treasure to support one side in a sectarian civil war, a side, moreover, that is increasingly cozying up to the mullahs in Iran who do pose a threat to us, should Congress continue to consent? I think not. This Congress should agree with the Out of Iraq Caucus. We should say enough already. Enough with the lies and the deceit and the evasions. Enough with the useless bloodshed. We should ensure the Iraqi people that we desire no U.S. military bases in Iraq.

This Congress should adopt the Murtha resolution. We should adopt a swift timetable to redeploy our troops out of Iraq and bring them home and let the Iraqi oligarchs know they cannot depend on the United States forever.

It is our crucial moment in American history to concentrate our resources on the real threats that face us around the world and at home and put an end to this bloody, senseless and diversionary war.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Ohio (Ms. PRYCE).

Ms. PRYCE of Ohio. I thank the gentlewoman for yielding. The gentlewoman has been a leader for freedom all around the globe, and this country should appreciate her for that.

Mr. Speaker, I had the privilege to lead a bipartisan all-female Congressional delegation to Iraq. It was one of the most emotionally overwhelming experiences of my professional life. We met women of enormous courage and hope.

They told us that they want to work, they want to vote. They want to be a part of their society, a democratic society. But we also heard about what life was like before the coalition came. We heard about the treatment of women under Saddam Hussein and during torture, oppression, that most of us could not imagine.

We were told of the heart wrenching stories of husbands torn from their homes in the middle of the night by brutal, secret police, and the women left behind, usually with children, faced with the impossible burden of providing for their families in a society that doesn't even allow women to work. Some were raped, some were tortured, but that was before liberation.

The road to liberation has been a rocky one. But our troops are doing good work every day in Iraq. We saw soldiers building schools and hospitals, vaccinating hundreds of children. They coach soccer. They tutor. They make a difference. They risk their lives every day to protect the newly acquired rights of Iraqis, but especially the women.

If I were asked to give one good reason why we should stay in Iraq, I would tell you to stay. We need to stay for the women.

Well, I saw women of diverse ethnicity, religion, socioeconomic classes. They were empowering each other with education, with hope, with friendship, just like Elizabeth Cady Stanton and Susan B. Anthony. Another courageous woman I met, Nasreen Barwari, the Minister of Public Works, was later the target of an assassination attempt. Her crime, being an outspoken woman in a important position. Thankfully she survived, but her bodyguard was killed. Her female colleague, Dr. Al-Hashimi of the Iraqi Governing Counsel, was not so lucky. She was tragically gunned down.

Ladies and gentlemen, if we stay in Iraq, one of the major reasons is to stay for the women.

Just over two years ago, I was privileged to lead a bipartisan, all-female congressional delegation to Iraq.

It was one of the most emotionally overwhelming experiences of my official life. We met women of enormous courage and hope. They told us they want to vote, to work, to be a part of the democratic process.

Some said they wanted to run for office and help create the laws that will build a new Iraq.

But we also heard about life before the coalition came.

We heard about the treatment of women under the Saddam regime—enduring torture and oppression that most of us could not imagine.

We were told heart-wrenching stories of husbands torn from their homes in the middle of the night by a brutal secret police.

The women left behind, usually with children, faced the impossible burden of providing for their families in a society that didn't allow women to work or remarry.

Some were themselves raped and tortured. But that was before liberation.

The road since liberation has been a rocky one.

But our troops are doing good work every day in Iraq.

We saw the soldiers building schools and hospitals, vaccinating thousands of children, and putting an archaic infrastructure back in operation.

They coach soccer, they tutor—they make a difference! And they are risking their lives to protect the newly acquired rights of all Iraqis—but especially women.

If I were asked to give you one good reason why we should stay in Iraq, I would tell you we should stay for the women.

If we can make the values of a free society—the rule of law—work for the women of Iraq, we create the conditions for these new democratic values to take root and spread.

While there I saw women of diverse ethnicities, religions, and socio-economic classes empowering one another with education, hope and friendship—much like Elizabeth Cady Stanton and Susan B. Anthony.

In Mosul, we met with the Women's Social and Cultural Society. They had been meeting secretly, but now felt safe enough to be public and actually welcome our delegation.

These women, accompanied by their wide-eyed daughters, are creating a new Iraq as they promote social, political and educational equality for all Iraqis. But they're not alone.

One of my favorite stories of the trip was of two Iraqi women who arrived one day at a fountain in the town center of Hillah dressed in traditional Muslim women's clothes but with a decidedly non-traditional mission.

A courageous woman I met, Nasreen Barwari, the Minister of Public Works later was the target of an assassination attempt.

Her crime? Being an outspoken woman in an important public position. Thankfully, she survived, though her bodyguard was killed.

Her female colleague, Dr. Al-Hashimi, of the Iraqi Governing Council, was not so lucky.

She was tragically gunned down outside her home.

The dangers Iraqi women face can't be underestimated nor can the obstacles put in their path to liberation. But these women remain undaunted!

We also visited the police academy in Baghdad where 29 women were training to be the first female police officers ever in Iraq.

These wonderful women told us how excited they were to be learning skills to hold their first job. Many had barely been out of the home setting before. Their exuberance was infectious.

We also went to a residential area in Mosul to talk with a group of neighborhood women—some educated, but many not. We met in the crowded living room of one of the members. All the rooms were packed. The electricity was only on for half of our afternoon together. But that was more than they had had in years. The curiosity of the men on the street outside was so thick you could cut it with a knife.

The women's group had many questions for us.

"How do we find our voice?" they asked. "How do we organize other women to make an impact? How can we affect the direction of this country?"

They were asking the most fundamental and basic questions of civic involvement—how to construct the foundation of the democratic process. As we left, their children came forward with flowers for us.

I think it's fair to say that U.S. soldiers have liberated more women in the last 4 years than anyone or anything else in the last 20—maybe longer.

Still, changing 2,000 years of tradition isn't going to happen with stroke of a pen. It will take time and patience.

This is not the time for us to abandon these courageous women—not when they have come so far.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague, whose resolution I support, for yielding me time.

Mr. Speaker, I rise in strong opposition to the resolution before us. Let us be clear from the outset that those who have opposed the Iraq war stand solidly and proudly in support of our troops and their families. To suggest that calling for the return home of our brave troops somehow denigrates their service and their sacrifice is absurd. We can best support our troops by bringing them home.

Mr. Speaker, the terrible numbers we have bandied about here are not mere statistics. Each one represents the tragic story of a ruined life and a shattered family, 2,500 troops dead, more than 18,000 wounded, many so grievously. The average tour for National Guard members has been 342 days, turning the lives of countless American families upside down.

The material cost of the Iraq war is about $320 billion. But you can never put a price on its toll in human suffering, nor can you realistically argue, Mr. Speaker, that the war in Iraq has made our country safer or advanced our effort to combat global terror.

Those that come to the floor and link Iraq to 9/11 are certainly wrong. They are factually wrong, because there remains no evidence that Saddam was involved in the al Qaeda attacks on our Nation, and they are morally wrong to invoke the memories of the victims of September 11th to justify this indefensible war of choice.

I am pleased that al Zarqawi is dead, but his death does not change the fact that Iraq has become a haven for terrorists and the best recruitment tool we could have handed our enemy. No, Mr. Speaker, those who oppose this war are not soft on security. We believe strongly and passionately that keeping the troops in the middle of this increasingly bloody civil war only weakens our security.

It is a disgrace it has taken so long for Congress to spend a few hours of this day debating the Iraq war, but the American people will not be fooled. They recognize that a debate on a cynical and politically motivated resolution is no substitute for a thoughtful Iraq policy that advances our national interests and listens to the voices. Let us vote "no" on this resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG), the chairman of the Subcommittee on Treasury, Transportation and HUD Appropriations.

Mr. KNOLLENBERG. Mr. Speaker, I rise today in support of the resolution before us. I want to convey a very simple message. We must stay the course. At this crucial point in our history, it is unacceptable to enact a policy of passivity, resignation or defeatism in the face of terror.

Some say that we should surrender and pull out. They may think that this will win them votes and that it is good politics, but it is terrible policy, devastating policy. It is essential that we continue to fight in Iraq so that the fight does not come into our backyards.

Make no mistake, we do not choose Iraq as a front line on the war on terror. Al Qaeda has done that. But we must have that fight over there so we don't have it back here.

Like many of my colleagues, I have visited Iraq and seen firsthand the revitalization of country. The men and women our Armed Forces are fighting terrorists who are trying to claim Iraq for their own. Without their valor and dedication, the progress made in Iraq would not be possible. It takes time, will, patience and perseverance to transition a country once ruled by a tyrannical despot.

Terrorists who seek to eliminate anyone who provides hope for the future have infested Iraq, but they will not succeed. The Iraqi people are committed to freeing their country from these fanatical invaders, and we are too. The Iraqi people's future is in their hands, and right now they want U.S. help.

Just this week, Iraqi army and police forces backed by U.S. troops launched Operation Forward together. This operation was created by Iraqi Prime Minister al-Maliki and his parliament, and it is their first major security action since a new government of national unity was sworn in on May 20.

Mr. Speaker, the resolve of the United States should never be questioned. The world must know that the United States finishes what it starts.

We will win the fight against global terrorism, including in Iraq.

Mr. MURTHA. Mr. Speaker, I recognize the gentleman from Arizona (Mr. PASTOR) for a unanimous consent request.

Mr. PASTOR. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and submit a statement for the RECORD in opposition to the resolution.

The SPEAKER pro tempore (Mr. REHBERG). Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. PASTOR. Mr. Speaker, I rise today to stand in opposition to this resolution. As illustrated by the House Majority Leader's memo establishing this debate as "a portrait of contrasts between Republicans and Democrats," the primary intent of this resolution is political—shifting attention from the real issues behind the slow progress in Iraq. In this election year, just 4 months shy from the polls, Republicans are using this resolution as a divisive strategy rather than holding a substantive debate on Iraq.

Today's debate, which should have been an opportunity for Members of Congress to have a serious discussion on the war and to pose tough questions to the Administration on Iraq, has regrettably become nothing more than a partisan ploy. While I do not hesitate to applaud certain aspects of the resolution honoring the sacrifices of our courageous soldiers who are risking their lives in Iraq, I cannot be supportive of capitalizing on these very sacrifices for political gain.

I also disagree with the dangerous analogy made in this resolution between Iraq and the Administration's "war on terror" policy. There is not, and never has been, any credible intelligence linking Iraq to 9/11 and Al Qaeda. Focusing the discussion on the war on terror and victories won, rather than on workable policies to bring our troops home, reduces this debate to no more than a justification for maintaining the Administration's status quo agenda in Iraq.

Seizing the political momentum after the killing of Zarqawi, Republicans are offering a resolution which does little more than tout recent "impressive victories" in Iraq. While the death of Zarqawi is reassuring, we must be careful not to pat ourselves on the back prematurely for another "Mission Accomplished." Terrorist cells are still numerous and active, violence is still prevalent, and our brave men and women still continue to fight.

Although I voted against the initial resolution approving the war in Iraq, I have consistently voted to support our troops with much-needed armor and supplies. However, this should not be construed as favoring continued occupation. Today the Pentagon's report confirming the overall U.S. death toll at nearly 2,500, underscores the grave and violent situation that our troops face every day. I believe it is our responsibility as Members of Congress to devise a responsible exit strategy. We must ensure that we do not lose sight of our real end goal in this debate: to bring our troops back home as quickly as possible.

Mr. MURTHA. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Thank you, Mr. MURTHA, and the Out of Iraq Caucus.

The President will not bring an end to this war. He says it is a decision for the next President. But he is building permanent bases in Iraq, and he is determined to keep 50,000 troops in Iraq into the distant future.

This Congress may not bring an end to this war because the real power to end the war is in a cutoff of funds. Congress keeps appropriating funds in the name of the troops, and the troops will stay in Iraq instead of coming home. Only the American people can bring an end to this war as they brought an end to the Vietnam War. Let this be a time of stirring of civic soul.

It is a time for a reawakening of civic conscience. There were no weapons of mass destruction in Iraq, but there are WMDs in D.C. Lies are weapons of mass destruction. 2,500 soldiers dead. Over 10,000 Iraqis, innocent Iraqis have died. It is time for an end to our national sleepwalk to the graveyard of the Iraq war.

It is a time for truth, a time for clarity, a time for action, a time for teach-ins, for meet-ups, for marches, for rallies about the war to begin at college campuses, at churches, at labor halls, at libraries. It is time to gather in civic centers, in town halls, to discuss the truth about this war and to plan civic action to end it, time for the American people to exercise their first amendment right to stand up and speak out, time to redirect the policies of this country, time to learn and practice peaceful, nonviolent conflict resolution, time to believe in our capacity to evolve beyond war, to believe and act under the belief that war is not inevitable and peace is inevitable if we are ready to commit to the daily work of peace building everywhere.

The global war on terror has become a global war of error: attacking or threatening countries which did not attack us, bombing neighborhoods to save neighborhoods, committing atrocities in the name of stopping atrocities, losing our vision, losing our way in the world, sacrificing our children and their future, giving up their future resources for education, for health care, for housing, piling it all high on the altar of war and worshipping a false god of destruction.

When we begin these proceedings with this remembrance, Thine is the kingdom and the power and the glory, we are not talking about any nation. We are talking about a force which is above all of us. The world is not ours to conquer. There is no glory in the abuse of power. This President will not bring an end to this war after the Murtha resolution, this Congress may not bring an end to this war, but the American people certainly will bring an end to this war. They will do it in the streets, and they will do it at the ballot box, and the American people will become the Out of Iraq Caucus.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Virginia (Mr. WOLF), the chairman of the subcommittee on State, Justice and Commerce appropriations.

Mr. WOLF. The war on terror and this whole thing began really in 1980 when our embassy was taken over in Iran and the bombing of the Marine barracks in 1983, Lebanon, embassy in 1983, USS *Cole*, Khobar Towers, Nairobi, Tanzania.

I have so much that I want to say. I will just say this. If we were to set a date, the Mujahedin would say we defeated the Russians in Afghanistan, we defeated America in Iraq and the jihad would take place all over this world. This would be a very, very dangerous thing to say.

So I rise in strong, strong support of this resolution and say we can and will win this war. I remember when I read the book by Whittaker Chambers. He was a witness. He said when I left the Communist Party, I believed I was leaving the winning side and joining the losing side. Whittaker Chambers was wrong because of people like Ronald Reagan. We must be resolute. I rise in support of the resolution.

Mr. Speaker, I rise today in support of H. Res. 861 and to show my support for our troops serving in Iraq and Afghanistan who are on the front lines in the global war on terrorism. I commend our forces for the recent actions in targeting Abu Musab al-Zarqawi, the insurgent leader killed in an airstrike June 7. I also commend President Bush for his visit earlier this week to Iraq to meet with Prime Minister Nouri al-Maliki and encourage the work of the new Iraqi government.

I share the deep concerns about the continuing violence in post-war Iraq, which is taking the lives of U.S. military personnel and civilians. I continue to pray for the protection of the men and women who are putting their lives on the line every day to help the Iraqi people as they build their own government, and also for their families here at home who continue to make tremendous sacrifices.

I recognize there were good and reasonable people on both sides of the decision to send U.S. armed forces to Iraq. But whether or not you agreed with that decision, we are there now and cannot just walk away. Too much is at stake. The success of our efforts in Iraq and the success of the Iraqi people in establishing their own government are critical to the overall war against terror and to the security of our country and the world.

Our efforts in Iraq, many believe, are an important campaign in the global war on terrorism. Our world is a dangerous place, and as we learned on September 11, 2001, terrorism is not something in a far away land. We did not seek this war. We were attacked on our own soil, and this war is a different kind than any our Nation has ever fought. But it is one we are fighting to make our own nation and the world more secure. It is critical that we remain resolute in this fight.

I believe a case can be made that the war on terrorism really began more than 20 years ago with the attacks against America at the U.S. Embassy in Beirut, Lebanon. The bombing there in the spring of 1983 killed 63 and wounded 120. Later that year, 241 U.S. servicemen—220 Marines, 18 Navy members and three Army members—were killed when a truck bomb exploded at their barracks in Beirut. Those attacks were followed in 1993 by the first World Trade Center bombing in New York City, in 1996 by the Khobar Towers bombing in Saudi Arabia, in 1998 by the U.S. embassy bombings in Kenya and Tanzania, and in 2000 in the attack in Yemen on the USS *Cole*.

After the attacks on the two embassies in Africa in 1998, I became very concerned about the U.S. response to terrorism and authored the legislation creating the National Commission on Terrorism. On the cover of that report is a photo of the twin towers in New York on fire after the 1993 attack. The foreboding nature of that photo is now all too real as we relive the destruction of the World Trade Center on September 11, 2001.

Late last summer I returned to Iraq for a third time. I have now visited all but the Kurdish areas in northern Iraq. With each successive trip, I have seen improvements—renovated schools, cleaner water systems, new Iraqi army constituted. I also have seen the continuing and serious security problems and other challenges facing a liberated Iraq, and I have heard caution from varied sources about the potentially cataclysmic consequences of America withdrawing before our mission is complete. I had the opportunity to speak with our troops who are performing their duties with professionalism and dedication. They are positive about their mission and are doing an outstanding job in fulfilling it.

One interesting comment I heard on that trip is that we can't expect to rebuild Iraq on our timetable, but rather it must be on Iraq's timetable. Life—and timetables—in Iraq are not the same as in the United States. This is a very key point, and one the Bush administration needs to do a better job of explaining.

It also is important to remember that the United States had its share of growing pains. While our revolution was in 1776 it was 11 years before our forefathers began to draft a constitution and it wasn't ratified until 1789. Few remember that our constitution was debated in complete secrecy. Delegates knew that they would generate heated differences and did not want to advertise their own dissensions or put crippling arguments into the mouths of the opposition. We also had leaders like George Washington, Ben Franklin, George Mason and James Madison who had the benefit of understanding British history in addition to being exposed to the workings of the House of Commons. Democracy and an elected government is truly a foreign concept to the Iraqi people.

The Bush administration also needs to do a better job of explaining what the consequences of "failing" in Iraq would mean to the average person in Chantilly, VA, Topeka, KS, or Portland, OR. I repeatedly asked people I met during the trip—from generals, to State Department officials, to members of the Iraqi government—what they thought "failure" would mean. The responses were frightening.

I heard references to Somalia—think of the movie "Black Hawk Down"—and the former Yugoslavia with all its ethnic cleansing. The images that flashed in my mind when I heard these countries were disturbing. I was in Somalia during the crisis in 1993. I traveled to Sarajevo and the Yugoslavia region several times in the early to mid-1990s where so many were killed. In fact, all the people I met with in Vukovar, Croatia, in 1991 were killed several months later and are now buried in mass graves.

Many speculated that civil war would break out in Iraq and even more foreign fighters from across the region would pour into Iraq in hopes of influencing the outcome. I was told almost all of the insurgents carrying out the suicide attacks are foreigners, most coming across the Syrian border from places like Syria, Saudi Arabia, Egypt, Sudan and Afghanistan. I was told militias continue to fight each other on a regular basis in some parts of the country.

If our mission fails and civil war comes, the country would almost certainly break into three parts: the Kurds in the north, the Sunnis in central Iraq, and the Shias in the south. It is believed the Kurds would most likely be able to keep from being drawn into the fighting and govern themselves. In the central region of the Sunni Triangle, warring factions would fight for control and most agree that there would be sheer chaos. Iran's presence was felt in the south as it tried to influence the recent elections and if civil war were to break out, elements in Iran may well involve themselves in the south.

With civil war, almost everyone I asked said that Iraq would become a haven from which terrorist groups could launch attacks against the United States and other countries. No one has to be reminded of what happened on 9/11. Thirty people from my congressional district died that day among the 3,000 who perished.

Al Qaeda and other terrorist groups would like nothing more than to have a new "base" from which to operate, much like Afghanistan in the 1990s after the Soviets were defeated. There is no denying that the terrorists have designs on the United States and, as one officer told me, "We must win the war so we don't fight the next war in America."

Terrorists are doing everything in their power to prevent the United States and its coalition partners from being successful in Iraq. They believe time is on their side and that they can "wait out" the United States. They will do anything—including blowing themselves up in busy marketplaces—to disrupt our progress and turn the Iraqi people against us. They believe that the war being fought in Iraq is not a "military" war but rather a "political" war and American public opinion will dictate when the United States leaves, not military success.

There is a general belief among terrorism experts that the top priority of terrorists is to seek chemical, biological, radiological or nuclear weapons. The video of two commercial airliners being flown into the World Trade Center is ingrained in every American's mind. I shudder to think what terrorists would do if they obtained a biological or chemical weapon.

Many I spoke with also said failure in Iraq could destabilize the entire Gulf region and possibly lead to the downfall of the governments of Jordan, Egypt and Saudi Arabia.

Failure also could have serious impact on the world's economy. Japan gets more than 75 percent of its oil from the region, Western Europe, 30 percent, and the United States, 22 percent. We saw what happened in the wake of Hurricane Katrina as consumers feared gas shortages. Failure in Iraq would make oil costs even higher and have a major negative impact throughout our entire economy.

Others said they believe the United States has a moral obligation to the people of Iraq to successfully complete what it started. They asked how the American public would feel if civil war were to break out and thousands upon thousands of innocent Iraqis were slaughtered in the subsequent fighting?

Finally, many believe the United States's credibility is at stake. In a piece in the Washington Post's Outlook section last September, Victor Davis Hanson, a military historian at Stanford University's Hoover Institution and the author of "A War Like No Other," wrote:

> . . . If we fled precipitously, moderates in the Middle East could never again believe American assurances of support for reform and would have to retreat into the shadows—or find themselves at the mercy of fascist killers. Jihadists would swell their ranks as they hyped their defeat of the American infidels. Our forward strategy of hitting terrorists hard abroad would be discredited and replaced by a return to the pre-9/11 tactics of a few cruise missiles and writs. And loyal allies in Eastern Europe, the United Kingdom, Australia and Japan, along with new friends in India and the former Soviet republics, would find themselves leaderless in the global struggle against Islamic radicalism.

Failure cannot be an option in Iraq nor can creating an arbitrary deadline for pulling out U.S. troops. The ramifications on our country and other countries in the West would be huge. Our withdrawal must be event driven and not artificially tied to a calendar. Many I talked to said we must set conditions for victory, not dates for withdrawal.

The Bush administration needs to do a better job articulating just what is at stake and the potentially catastrophic consequences. No one believes we will lose the war on the ground in Iraq; it's here at home that there is a concern. I had one general officer say point blank that the "center of gravity" for our success in Iraq is the American public.

That said, I strongly believe that it would be of great value to have an independent review of ongoing operations in Iraq. I call this effort "fresh eyes on the target" and offered this suggestion following my latest trip to Iraq. On March 15, I was pleased to attend the announcement of the formation of the 10-member bipartisan Iraq Study Group, being led by former Secretary of State James Baker and former Congressman Lee Hamilton, who co-chaired the 9/11 Commission. The members, as are their co-leaders, are among America's most honorable and venerable citizens: former CIA Director Robert Gates, former U.S. Attorney General Ed Meese, former Clinton adviser Vernon Jordan, former Clinton Chief of Staff Leon Panetta, former Defense Secretary William Perry, former Virginia Senator Chuck Robb, former Wyoming Senator Alan Simpson, and former Supreme Court Justice Sandra Day O'Connor.

The study group was launched in partnership with the United States Institute of Peace, the Center for Strategic and International Studies, the Center for the Study of the Presidency, and the Baker Institute for Public Policy at Rice University. Its mission is to undertake a bipartisan, forward-looking assessment of the current and prospective situation on the ground in Iraq, its impact on the surrounding region, and its consequences on U.S. interests and it will focus on political, military, security and reconstruction in Iraq. The group will travel to Iraq and report to the American people. I understand they will meet with President Bush this week.

It will assess what is working and what changes should be made in helping the Iraqi people to establish their own government and stop the terrorist insurgency which is continuing to foment the violence of the Saddam Hussein regime. One of the most critical jobs of this panel is to determine the ramifications of failure to accomplish our country's mission in Iraq and to explain that to the American people.

In the 1930s, the world failed to stand up to fascism. When we—with our allies—did stand up and fight, we defeated fascism. It also took some time for the world to stand up to communism. But when we did, we defeated communism. Now we face al Qaeda and its leader Osama bin Laden, who in his own words has said he will use chemical, biological, radiological and nuclear weapons against us. We must continue the determined effort now that we have had in the wars over the years as we fight terrorism. Standing together, I believe we can defeat this threat to the freedoms and liberties and way of life we have fought to maintain for well over two centuries.

Mr. MURTHA. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. HINCHEY).

Mr. HINCHEY. Mr. Speaker, this resolution before us, House Resolution 861, is an unfortunate farce. It is part of an extension of the political propaganda, which has come from the Republican Party in defense of their so-called war on terror. It is not the first example. We have had many others.

Some of the highest-ranking members of this administration have purposefully and intentionally misled this Congress and the American people by providing them with wrong information. We saw it right here in the House of Representatives when the President himself talked about how the British had learned that Iraq was importing enriched uranium from Niger.

He was told before he delivered that speech that there was no evidence that that was true. Yet he came here and said it and put the responsibility on Great Britain knowing that what he was saying was untrue. It is a criminal violation of Federal law, two criminal violations of Federal law to consciously, purposefully, intentionally, mislead the Congress, particularly when you are trying to obtain actions from the Congress which result from that purposeful and intentional misleading.

□ 1730

What has been the cost? So far, 2,500 American service men and women killed in Iraq. We hear today from the Republicans how they honor the servicemen, but they continue to have them killed, wounded, continue to have them suffer on the basis of false information, deceit and lies.

They claim that this is continuing the war on terror. Well, what happened to the real war on terror? We were attacked by the al Qaeda. The al Qaeda had nothing to do with Iraq. We know that to be the case. We know that there were no weapons of mass destruction in Iraq. We know that to be the case.

Yet, after we went into Afghanistan, which was providing solace and security for the al Qaeda network, and chased Osama bin Laden up into the Tora Bora Mountains, the administration decided and the Defense Department decided that they were going to abandon the search. Why did they not pursue the person who was responsible for this attack?

Well, there is one logical answer to that question, and the answer is if they had found Osama bin Laden, the rationale for the attack on Iraq would disappear. That is why we need to get out. That is why we need to pass the Murtha resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Iowa (Mr. LEACH) who is the chairman of the Subcommittee on Asia and the Pacific of the Committee on International Relations.

Mr. LEACH. Mr. Speaker, there are few certitudes in these complicated times. Anyone who was not conflicted in the original decision to invade Iraq or who does not see a downside to all courses of action today is not thinking. But I am hard pressed to believe anything except that the case for a steady, measured drawdown of troops in Iraq is compelling. The neocon desire to establish a semi-permanent presence in a divided Muslim country is foolhardy.

It is true that there are circumstances where it is better to fight over there than here at home. Afghanistan is a case in point. But we should not be so naive as to fail to recognize that there are also circumstances where fighting over there can increase the likelihood that conflict will spread to our shores. A decision to prolong unnecessarily our intervention in Iraq could be a case in point, as could a military confrontation with Iran.

There are tipping points in all struggles. The signs are evident that we are close today to a calamity if we do not recalibrate our policies. The irony is that our troops have lost no battles and shown great heroism, but Western occupation is intolerable for Muslims. It is also not the American way. The longer we stay, the greater the prospect that anarchistic acts will multiply and spread, perhaps to our shores.

The issue is no longer, as is so frequently asserted, the need to stay the course. It is to avoid overstaying our presence.

Sometimes it is harder to know how to end a war than to start one. Just as it is important to think through the "why and how"' of committing troops to conflict, we must also think through the "why and how" of ending an engagement. Timing is a key element of both considerations.

For many Americans, including me, the war in Iraq has been difficult to justify. But all Americans, except perhaps a few who may be partisanly vindictive, should want as positive a result as possible, given the circumstances we now face. The decision to go to war may have been misguided and strategies involved in conducting it mistake-ridden; nonetheless there should be clarity of purpose in ending the conflict, with the goal neither to "cut and run," nor simply to cut losses. At this junction of involvement we should define cogently our purposes and by so doing create a basis both for a viable future for Iraq and for a U.S. disengagement that respects the sacrifices of those who have served so valiantly in our armed forces and those of our coalition allies.

Americans understand that three rationales were given at successive stages for the war. The first involved Iraq's complicity in 9/11; the second was the imminent threat of Iraqi WMD; and the third was the desire to replace the despotic regime of Saddam Hussein with a free, democratic government. The first two arguments have proven frail. The third has some legitimacy, but to many of us it never seemed compelling, particularly in relation to the costs of the conflict.

In any regard, whether or not democracy provided a compelling rationale for starting the war, it offers the most appropriate rationale for ending it. If we do not prepare to leave Iraq on our terms, stating clearly that now that a Constitution has been adopted, elections held, and a government formed, we are prepared to proceed with a comprehensive and orderly drawdown of our troops, we will be viewed as an occupying power lacking credible motivations. When we eventually leave, the other side will claim they forced us out. That is why it is as critical to define the rationale for our disengagement as the reason for going to war. And democracy is the only rationale I know that can be used as a basis for ending our involvement in this conflict with any hope of suggesting a partial measure of success. The key is that we must control and be seen as controlling our own fate.

All Americans should be respectful of the sacrifices of our men and women in uniform. They have been placed in an untenable situation. If they had not been so heroic and in many cases so helpful in rebuilding neighborhoods and schools, the U.S. would face a far more difficult dilemma today.

But we have no choice except to assess whether Osama Bin Laden and his movement have not been given added momentum by our intervention in Iraq, and whether the ideologically advocated policy of establishing long-term bases or one of returning our troops home is likely to be the more effective strategy in prevailing in the world-wide war on terror.

Here, it should not be hard to understand that prolonged occupation of a country which encompasses an area of land where one of the world's oldest civilizations prospered is humiliating to a proud people and those elsewhere who share its great religion. It should also not be hard to understand that the neocon strategy of establishing a long-term military presence in Iraq with semi-permanent bases raises the risk of retaliatory terrorist attacks at home and abroad.

Indeed, according to the University of Chicago scholar, Robert Pape, in his definitive book on suicide bombers, Dying to Win, the principal reason anarchists choose to wrap themselves in explosives and kill innocent civilians is to register martyred objection to the occupation of countries or territories by the armed forces of Western or other Democratic governments. Suicide bombing, by implication, will exist as long as occupations continue.

In this regard, a note about al Qaeda is in order. Just as neither Iraq with its secular leanings nor any Iraqis were responsible for 9/11, so Saddam Hussein apparently considered Osama Bin Laden as much a rival as a soul brother. It is Western military intervention that has precipitated al Qaeda's rapid growth in Iraq and elsewhere, creating a "cause celebre" for its singularly malevolent actions. If American withdrawal policy comes to turn on the question of anarchy—i.e., troops can't be drawn down as long as IED attacks continue—we place ourselves in a catch-22 and, in effect, hand over decision-making discretion to those who wantonly kill. We allow the radical few to use our presence as the reason for their actions and at the same time cause our involvement to be held hostage to their villainy.

On the other hand, if we proceed with a turn-over of responsibilities to the new, freely elected Iraqi government, Sunni dissidents will confront a critical choice: to pursue the insurgency or join the political process. Pursuing the insurgency would be a risky gamble; if it fails, Sunnis may fall under Shiite domination for years to come, and the demise of Abu Musab al-Zarqawi makes prospects of expanding influence through terrorist tactics less likely. Joining the political process, on the other hand, would guarantee Sunnis a role in governing the country.

Though the prudential and civilized choice may seem obvious to us, a continued American military presence in Iraq gives Sunni radicals a popular cause—ridding the country of the occupier—for rallying popular sentiment in Iraq and elsewhere and justifying continued violence. Announcing the commencement of an orderly drawdown of our troops, and trumpeting it widely, would rob radicals of this powerful cause, allowing moderate Sunnis to join the government and pursue sectarian interests through the constitutional process.

In the realm of policy timing can often be as important as substance. Just as Senator DIRKSEN once noted that a billion dollars here and a billion dollars there and pretty soon you're talking about real money, in foreign affairs a week here and a week there can soon add up to a policy dilemma.

It is possible, of course that civil strife will ensue when we withdraw, but this is just as likely to be the case in 2026 as 2006. In any regard, civil union is for the Iraqi people to manage. It's not for American troops to sustain. The authorization this Congress gave to the Executive to use force contemplated the clear prospect of military intervention in Iraq. It did not, however, contemplate prolonged occupation. If this is not understood by the Executive branch, the current overwhelming Iraqi polling sentiment favoring American troop withdrawal will be more than matched by shared American sentiment. And in a democracy no one can be a leader without followers.

The older I get, the more central I consider the human factor to be in international relations. Logic is never totally dominant. No one knows the exact origins of the seven deadly sins, but to the degree human nature is the least changed aspect of the human condition, it is relevant to today's debate to contrast two human foibles: avarice and pride. Let me suggest that avarice, the weakness of business classes, is fundamentally more pragmatic than pride, the weakness of politicians, and pride is fundamentally more dangerous than avarice.

For example, if a bookstore owner were to read two books and strongly prefer one to the other, he might inventory half a dozen of the one he prefers and one of the other. But if his customers buy the one he likes least, he will not reorder the one he likes. He will put it on the discount shelf and re-order the public's choice. His pride isn't hurt. In politics, on the other hand, the tendency is to avoid embarrassment, never acknowledge error. Mistakes are often repeated to avoid political inconsistency.

An anecdote comes to mind. In one of my early terms in Congress I was invited to the Library of Congress to a seminar Henry Kissinger was asked to give on the 1973 Paris Peace Accords. Before going, I perused one of his autobiographical tomes and was struck by a singular paragraph. In December 1968, Kissinger as the National Security Council Advisor-designate met with Richard Nixon, then the President-elect. They agreed, he wrote, that their policy would be to disengage from Vietnam. After Kissinger had delivered his lecture, I asked him about his pre-Presidency strategy talk with Nixon. Why, I inquired, didn't the Nixon administration immediately do what he said they had decided in December 1968, to do? Kissinger looked at me and responded: "We meant with honor." I asked him if honor required escalation. "Absolutely," he replied.

"Honor" and "pride" do not have the same meaning. But in some circumstances they are clearly first cousins.

I mention this incident as a reflection of human nature and the psychology of decision-making. LBJ was too much of a Texan to reverse gear on his own policies; Nixon was too much a product of the Cold War to risk being perceived as less tough than his Democratic predecessor.

All wars evoke analogies to prior conflicts; Vietnam is on everyone's mind. My sense is that references to our Southeast Asian experience are somewhat oblique, but important to ponder. Of particular relevance is the advice of a former Vermont Senator, George Aiken, who suggested we just declare victory and get out of Vietnam. Aiken's advice was rooted in frustration, but wise as it was, represented more spin than reality. Given the strategies then in play, victory wasn't close at hand. Today, on the other hand, despite the escalation of world-wide violence and the precipitation of widespread mistrust of the United States, particularly in Muslim societies, the Administration can point to positive political change in Iraq. An Aiken approach might not be historically compelling, but it would have more currency now than when originally suggested.

In governance, judgment to be good must be timely. If we maintain a heavy presence much longer our president could find himself in a dilemma of the kind Lyndon Johnson and Richard Nixon came to know too well. Despite the overwhelming nature of our military capacities and the courageous commitment and sacrifice of our armed forces, well-intentioned policies can fail if they are inadequately justified, poorly executed, or pursued too long. The timing and explication of disengagement can be as consequential as the decision to intervene.

This is why clarity of purpose and flexibility of response are so crucial. Hasty withdrawal is problemsome; orderly, philosophically cogent decisions to wind down the military dimension of our presence in Iraq should, however, be our highest national interest priority.

It would be a mistake of historical proportions if respectful relations not only between America and the Moslem world but between America and its traditional allies were to rupture. We are obligated to see that they don't.

In a broader historical and philosophical context, the American intervention in Iraq underscores the need to probe the question of the limits of power of a superpower and the possible anomaly that there are liabilities of power, particularly for a superpower.

Does, for instance, overwhelming military might alone protect us from terrorism, or if wielded unwisely, does it escalate our vulnerability to terrorism?

Likewise, does overwhelming economic power ensure loyalty and buy friendship even from countries most indebted to the United States, or does it inspire resentment?

With each IED explosion and suicide bomb attack it becomes clearer that America and the world community are in a strategic pickle. In an era of anger, of divisions in the world based on economics, on color of skin, on ethnicity, on religious upbringing, on happenstance of family and place of birth, those who have causes—good and bad—have new globalized techniques of being heard and felt. Great leaders like Mahatma Gandhi and Martin Luther King appealed to the higher angels of our nature and achieved revolutionary change with non-violence. More mendacious leaders like Adolf Hitler, Saddam Hussein and Osama Bin Laden have sought to impose their wills on others through appeals of hate and reliance on increasingly wanton instruments of oppression.

The policy question Americans must think through is whether great powers may be more effective with policies of restraint rather than intervention. Just as Gandhi and King led non-violent revolutions which have proved more lasting than the barbarism of Stalin and Pol Pot, maintenance and embellishment of the American model of governance may itself be more intrusively revolutionary in oppressed societies than interventionist policies.

Caution and restraint are better models for 21st Century statecraft than naïve adventurism.

With this admonition in mind, it is critical that Members of the Executive Branch must understand that how and what they say to justify various policies determines how others respond.

Anyone who ever studied physics may recall that Sir Isaac Newton set forth three fundamental laws, the second of which was that for every action there is an equal and opposite reaction. A decade ago when the Congress was led by an extraordinary upstart whose first name was Newt, I suggested, at first as a pun, the existence of a fourth "Newt-onian" law, this one of social physics: reaction is greater than action. My thoughts at the time related to the partisan bickering within Congress. But with the passage of time I have come to the conclusion that international slights have graver consequences than domestic.

When, for instance, we use words like "evil," reference events like the Crusades, and employ tactics designed expressly to "shock and awe," should we not expect others to think and respond in like or escalated terms, although the methods employed might in the current vogue be described as asymmetric?

This brings me to several broad precepts, one of which is seemingly trite, and others of which are intended to form a theoretical and practical framework for a recalibrated foreign policy.

First, the trite. Every society has a sage who cautions that wise leaders should put themselves in the shoes of their adversaries before reaching self-centered judgments. The profoundest illustration of this comes from literature rather than Clausewitz or Tsun Tsu.

When speaking to constituents of the rationale for and against the Iraq War, I have over the past couple of years referenced a set of books that provides more geo-political wisdom than balance of power strategists: the Alexandria Quartet by Lawrence Durrell.

Set in inter-war Egypt, each of Durrell's four books chronicles the same series of events through the eyes of a different participant. While the events repeat, the stories are profoundly different. The implicit moral is that one set of eyes, one set of interactions, is insufficient to gain a full grasp of what is happening around us. Likewise, in world politics one country's perspective is not enough. The views of others matter. If we are to manage prudently the affairs of state, we have to use more than just our own eyes, rely on more than just our own experience, and reference more than our own historical circumstance.

The Muslim experience, for instance, gives substantially less weight than the Western experience to the two cataclysmic wars of the 20th century. Despite Lawrence's involvement in Arabia and the battles between Allied forces and Rommel's tanks, the engagements in the Middle East and North Africa were skirmishes compared with the struggles in Europe and the Far East. Not only do Muslims see the 20th century differently from Westerners, but Europeans and Americans have drawn different strategic parallels in the application of common experience to current challenges in the Middle East.

In the immediate aftermath of the First World War, historians and political strategists in Europe rightly concluded that the European alliance system had been too rigid and the assassination of a relatively minor figure, an archduke, should not have precipitated a war of such devastating consequences. Hence European leaders in the 1930's falsely concluded that historical wisdom necessitated initial accommodation with Hitler's adventurism. Too little flexibility caused one war; too little spine led to Munich. In the current context, President Bush sees himself as Churchill rather than Chamberlain, but Europeans see 9/11 as more analogous to the shots fired at Archduke Ferdinand than as a cause for a doctrine of preemption or war with Iraq, a war that could too easily spring into a clash of civilizations.

If we're ever going to have a chance to shape or deter the actions of others, we must understand their reasoning. Failing to understand or respect Muslim culture, for instance, resulted in the greatest intelligence failure of our era. It is, however, not the sole intelligence failure. In one of the greatest judgmental errors of our time, we appear to have attempted to combat the ideological posturing of others by ideologizing our own intelligence. Based on what is known today, policymakers wrongly implied Iraq played a role in the 9/11 attack and not only erred in assessing Saddam Hussein's WMD capacities but put too much faith in a narrow cadre of policymakers who suggested the United States would be welcomed as a liberating rather than conquering or, worse yet, colonizing force in Iraq. Estimates of the costs of war, of the ramifications of our involvement, of the expected reaction of the population and of the likelihood of foreign respect and support were dead wrong.

Now, given the anarchy that has mushroomed in the country, Washington is swept by occupation analogies of World War II. Japan and Germany, it is noted, were occupied for more than five years after hostilities ceased. Hence, many are suggesting, we must be prepared to stay at least this long in Iraq.

I have seldom been more apprehensive about an historical analogy. Japan and Germany were the instigators of war; their citizens understood this. The Muslim population throughout the world does not see it this way. They see the U.S. as the aggressor. Images from Al-Jazeera portray a country under siege. In the Moslem world Iraq looks more like a police-cordoned West Bank than a great and ancient society on the move to a better life. Outsiders are viewed as unwanted intruders acting out of great power self-interest, disrespectful of the culture and values of the country being occupied.

Yet if we take the most difficult geo-strategic issues of the day, it is impressive how we seem to misunderstand the fundamentals of human nature. Publics in many parts of the world are crying out for two aspirations: respect and hope. But our policy response is an entirely parochial one, rooted in the so-called doctrine of American Exceptionalism, which neo-cons do not define as refining a shining City on a Hill but as the right of a superpower to place itself above the legal and institutional restraints applied to others.

In the Neo-con world, values are synonymous with power. The implicit assumption is that American security can be bought and managed alone, without allies, without consideration of contrasting international views or the effect of our policies on others. Treaties like a Comprehensive Test Ban, which every President since Eisenhower has propounded, have been rejected, as have negotiations to strengthen the verification provisions of the Biological Weapons Convention.

Legitimacy is critical for all countries. There may be times and circumstances in which the U.S. national interest requires action without the support of our allies or without United Nations sanction. But the U.N., in particular, is ignored at great risk, especially when the international community is largely at odds with American policies. In this context, recent rhetorical attacks by ideologues in and out of government on the U.N. and other multilateral institutions would appear to particularly ill-serve the American national interest.

The diplomatic issue our government has to come to grips with today is the problem of sequencing. Which comes first—the chicken or the egg—is the most cheerful and abstract philosophical discussion Americans engage in. But which precedes the other—talk or war—is neither cheerful nor abstract. Experience would seem to indicate that while war may not be averted by negotiations, it is less likely to break out if direct dialogue occurs beforehand. In adversarial situations pacific results can seldom be achieved without human interaction. That is why our founders clearly contemplated that the new American Republic would have diplomatic relations with undemocratic states. It is why Prime Minister Rabin, when faulted for talking to Arafat, noted that you don't make peace with friends.

There are few examples in history where empty chair diplomacy has proved effective. Indeed, it is next to impossible to reach mutual accommodation if there is not mutual understanding and a modicum of trust and respect which only personal relationships can provide.

The sequencing dilemma is particularly evident with regard to Iran. Not only should we not fear to negotiate, we must understand that as the stronger party, we can afford to put on the table steps, particularly related to process, that weaker parties are less able to initiate without seeming to capitulate. Unfortunately, we have over a number of Administrations chosen to isolate rather than engage Iran. The question is whether isolationist policies drive a proud people to greater extremes. A stigmatic refusal to interact has characterized our policy toward Iran for a generation and, just as haplessly, Cuba for two.

Some of us have fretted for a long time that a more forthcoming U.S. diplomatic approach might have produced a more stable Persian Gulf. Five years ago Senator SPECTER and I invited to Capitol Hill the Iranian Ambassador to the U.N. In a long meeting over dinner in a small room on the Senate side of the Capitol, I indicated that while many of us would like to see more direct contact between the U.S. and Iran, normalization of relations was inconceivable unless Iran ceased supporting Hamas and Hezbollah. The ambassador responded with frankness. He chillingly acknowledged Iranian support of Hezbollah but then asserted that such support would cease the moment a peace agreement between Israel and the Palestinians was reached in a framework acceptable to the Palestinians.

The slight hope implicit in this position may or may not have reflected Tehran's real position at the time, but it is apparent that Ahmedinajad is far more radical today than Khatami was yesterday. While neither has nor had the power of the Ayatollahs, the hardening of Iranian public attitudes toward us and Israel makes questions about the effectiveness of our strategic and psychological isolation of Iran important to ponder.

Last week the administration suggested a possible policy shift. We indicated a willingness to join the Europeans in talks with Iran if Iran first agrees to freeze uranium enrichment activities. This approach might presage a nuanced new American flexibility. But much depends on the Iranian response. Our position appears to be that we will proceed with sanctions and contemplate sterner actions if Iran does not capitulate on the uranium issue, but we will not talk to the government unless it first acquiesces. In other words, the goal of negotiations must be achieved before we will negotiate. Conditional approaches like this are needlessly "high wire"; nevertheless, in contrast with prior diplomatic intransigence they may represent the best hope yet of yielding a conflict-averting break-through on the NPT issue.

Yet policymakers in Washington appear to underestimate a series of strategic phenomena. Hezbollah is far larger, more sophisticated and experienced in terrorist undertakings than Al Qaeda. A preemptive strike on Iranian nuclear facilities would unleash a level of anarchy in world affairs that would be unprecedented. It would slow but not stop its ability to develop nuclear weapons. It would have little effect on Iran's ability to obtain such weapons elsewhere. The "loose nuke" phenomenon is real. A rich country has as good a chance to purchase or steal weapons of mass destruction as it does to develop them on its own. And if that country is attacked as part of an effort to block nuclear development, it has to be assumed it will have new incentives to seek and use such weapons. This prospect could presumably be heightened if bunker busting bombs tipped with small nuclear warheads are employed.

The U.S. thus faces a double catch-22: embargoing Iran hurts our economy more than theirs and attacking militarily the Iranian infrastructure ensures immediate asymmetric violent responses as well as the greater likelihood that weapons of mass destruction once obtained will be used against us and our allies at a later point.

This brings us to the last underestimation by Washington. We may be considering a conflict of a few weeks duration—one to three weeks of intensive bombing. The Iranians may be thinking of a multi-decade or multi-century response. Western history has known a 30-year war. Eastern peoples carry in their hearts the burden of centuries of crusades, and many Islamic radicals today would like the 21st century to be a continuation of what they consider to be a struggle against Judeo-Christian intervention. Sequencing is a historical as well as diplomatic term of concern.

The Iranians, too, are in a quandary. They recognize that no American President can take the force option completely off the table. They suspect DOD has made extensive contingency plans and they see a President who has little hesitancy to take difficult, unpopular decisions. They know he is in his last term and does not want to pass on strategic problems to his successor. They may reason that a U.S. decision to attack is irrational because it would solidify a radical reaction in Iran, in other Muslim countries, and perhaps even within the U.S., but the government of Iran cannot be certain that the President will conclude that he would be passing on a bigger mess if he attacked rather than engaged.

The Iranian challenge is stickier than many Americans assume. The President may see himself in a position analogous to that of John Kennedy in the Cuban Missile Crisis. Kennedy was dealing with Khrushchev and a Soviet system that had many despotic dimensions. But while communism was manipulated in such a manner as to become a quasi-state religion, it is fundamentally about political and economic rather than spiritual relationships. Iran, on the other hand, is a theocracy in a region where religion and, too frequently, its perversion are dominant themes. Just as the Iranian government must understand the strong will of the President, Washington has to come to grips with the pride and principles of an adversary which is the inheritor of one of the oldest civilizations on earth. Each side may understand the consequences of individual actions, but that does not mean that decisions in one or the other country will not unfold domino-like in a manner that could be catastrophic for all. That is why human interrelationship—diplomacy—is so key.

Let me suggest a corollary to Lord Acton's maxim that power corrupts and absolute power tends to corrupt absolutely. The Leach corollary is that military power tempts and excessive power tends to tempt excessively. America's enormous military strength is critical at this stage in history. But while we are obligated to recognize that its maintenance is imperative, we must also realize that its utilization may not fit, and may indeed be counterproductive, in certain strategic settings.

Analogies between all wars exist, but comparisons between Iraq and Vietnam are frail. What must be understood is not that Iraq could be as bad as Vietnam; rather, that it is becoming far worse. Vietnam, after all, involved no WMD issues; and while the North was predominantly Buddhist and the South Catholic, there were no implications of a world-wide religious struggle; nor of a conflict that might last many decades, if not centuries. The issue at the time was Communism and fears that if Vietnam fell, neighboring governments would topple like dominoes. In retrospect, the real domino lesson of Vietnam was about political decision-making. Once the patriotic flag was raised, stands taken, words uttered, one doubtful decision precipitated another, and the pride of politicians did not allow a change of course until the people demanded common-sense reconsideration.

Interestingly, in the 19th century, two obscure Italian political theorists, Vito and Pareto, noted that for all the differences in political systems, one person alone at the top had the power to make critical decisions for a nation. While these decisions might be of a social magnitude, they are personal in the making.

Our Founders were moral as well as political thinkers. They feared kingly powers and wanted shared decision-making, especially when it came to war. But as we all have come to understand, modern times have produced wars without formal declarations approved by Congress. In response to Vietnam, Congress fashioned the War Powers Act to establish new constraints on the Executive. While most Constitutional scholars are convinced the Act would be declared unconstitutional if it were ever tested, it stands today as the law of the land. What is often overlooked, however, is that the Act also empowers the Executive wide-ranging options to commit American forces for a period of several months. Hence, there is little doubt that the administration assumes it has no need to come to Congress if it decides to launch an air assault on Iran, as long as it is only of multi-week duration.

Let me conclude with an observation about priorities, contrasts, and principles.

First, priorities. The Iraqi war has had the unfortunate effect of decreasing American attention on both Afghanistan and the Israeli-Palestinian dilemma, both of which have extraordinary consequences for U.S. national security. In addition, while I have assumed for most of my adult life that war and peace is the biggest issue in the world, the bigger challenge to life itself may be disease control. We have lost nearly 2,500 American troops in Iraq and 20 to 40 times as many Iraqis have been killed. But over the past two decades more than 20 million people have died of AIDS, and this number will double or triple in the next decade or two. Likewise, a new flu epidemic might match or exceed these numbers. Yet we are spending less on these problems than the cost of one month's fighting in Iraq.

Second, contrasts. Educated Americans are well aware of the ideas that Samuel Huntington and Joe Nye of Harvard have propounded about the dangers of a clash of civilizations and of the importance of soft as contrasted with hard power in diplomacy. These are important frameworks of thought for the American public to dwell upon. But I would add to those considerations the elements of individual judgment and the contrasting model of realism vs. pseudo-realism in policymaking. Realists look to effect, not to appearance. But Washington today has come under the sway of the grim neo-con notion that diplomacy, particularly multi-lateral diplomacy, is soft-headed. Is this not pseudo-realism? What is more realistic and more consistent with the American heritage than attempting to advance the rule of law? An earlier excess of pseudo-realism caused the Senate to reject Wilsonian idealism and ignore the League of Nations. Nevertheless, it approved U.S. participation in the World Court. Americans want law and order. Americans also prefer to work in alliances. It is neo-con nonsense, realism inverted, to press a foreign policy rooted in snubbing the concerns of others.

One of the myths of our time is that realism is principally about might. Actually, realism is about the human condition. A great power must maintain a strong military capacity, but it is the human condition that must be improved if national security is truly to be secured. Impoverished nations are breeding grounds for radicalism. Where there is no hope, there is nothing to lose. When life, as Hobbs described, becomes nasty, brutish, and short in a jungle of hopelessness and humiliation, it becomes easily expendable, sometimes by martyred self-choice.

Finally, a note about principle. Never has it been more important to return to the basics. Whether it be tax policy or foreign policy, the concern must be for justice and the common good, what the 19th century British utilitarians described as concern for the greatest good of the greatest number.

The public wants its leaders to unify and uplift. Elections are about whether political leadership is up to the task. Democracies provide continual verdicts. This fall will be one measure.

Mr. MURTHA. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I thank the gentleman for yielding, and I would like to thank all the members of the Out of Iraq Caucus who have spoken so eloquently this afternoon.

I rise in opposition to H. Res. 861 and in support of Representative MURTHA's proposal to redeploy our troops.

Since this war began, we have seen nearly 2,500 casualties. This number does not include the nearly 20,000 who have been wounded. I would like to take a moment to talk about the significance of those casualties and wounded because I often feel that we gloss over those numbers and forget that each one is or was an actual person. They were somebody's son or daughter, somebody's mother or father, somebody's brother or sister.

They are real people, as real as 19-year-old Private Brandon Sloan and First Sergeant Robert Dowdy, who were the first soldiers from my congressional district to become casualties in the 507th Maintenance Group incident. They are as real as the 325th Marine Regiment of Brookpark, Ohio, who suffered multiple casualties. I attended those funerals and those memorials.

They are as real as Sergeant Shurvon Phillip, an East Cleveland resident and Shaw High School graduate, who recently returned to Cleveland after suffering serious injuries in Iraq and enduring weeks of recovery. Shurvon is now paralyzed, and because of a brain injury, he cannot talk. We welcomed him home last Saturday at the Louis Stokes VA Medical Center.

Shurvon's mother, Gail, had this to say: "That JACK MURTHA, he came to see my son three times and each time he treated Shurvon as his own son." Shurvon's mother, Gail Ulerie, had this to say about President Bush when he came to see him to give the Purple Heart to her son while he has at Bethesda Naval Hospital: "I am glad for my son to receive a Purple Heart, but he was in no condition to appreciate it. He was in bad shape. I also said some things to President Bush that he, President Bush, did not like. I basically told him he should end this war and bring our troops, like my son, back home. He did not answer, just walked away."

I say we should not walk away from the young men and women who are left over in Iraq and Afghanistan. We should remember what Shurvon's mother said. Bring our troops home. Bring our troops home. Bring our troops home. She said she did not want to see any more young men or women laying back like this, and if you saw Shurvon you would know what I meant. He is in a chair, where he is sat up like this. His lips are swollen, sticking out. He can hardly say a word. We are saying to him, you know, Shurvon, we are sorry you are a casualty; you stood up for your family; you stood up for the United States of America. But he cannot stand up for himself.

Let us stand up for the young men and women of America. Bring our troops home, redeploy them, and let us think of America first.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. SMITH) who is the chairman of the Subcommittee on Africa, Global Human Rights and International Operations, of our International Relations Committee.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, the overwhelming majority of U.S. forces have performed their mission in an exemplary, professional fashion and deserve both our praise and profound thanks.

Mr. Speaker, we all know that Iraq remains a dangerous place today because hate-filled fanatic, perhaps even psychotic, mass murderers bomb and shoot innocent men, women, and children. The terrorists have a morbid fascination with all things violent. There is nothing whatsoever benign or noble or praiseworthy about these people. They are mass murderers.

If left unchecked, the terrorists would impose dictatorship once again on Iraq and Afghanistan, which would result in more mass killings, systematic torture, rampant fear, political prisoners, and an end to freedom and liberty.

While I respect the right of those who criticize our Iraq policy and our solidarity with the Iraqi people, I do remain deeply disappointed that those who protest U.S. policy outside of this Chamber seldom, if ever, criticize the terrorists. No harsh, mocking words of condemnation of George W. Bush is left unspoken. You hear it on TV, talk shows, and at war protests; but no such righteous anger is directed at the mass murderers who blow up our soldiers or incinerate pious worshippers in prayer or kidnap, torture and kill humanitarian workers.

American coalition soldiers in Iraq are peacemakers who have the toughest job in the world. They are peacemakers who put their own lives at risk to create sufficient space and order so that democracy and respect for human rights can grow and peace can be established.

I want our soldiers to come home and to come home soon, but that fervent hope must be tempered with reality on the ground and what our commanders on the ground think best. To leave prematurely or pursuant to an arbitrarily arrived at deadline established by Members of Congress may unwittingly put more lives at risk and strengthen the fanaticism and hope of the terrorists.

Mr. Speaker, I rise in support of H. Res. 861.

The Hyde resolution honors—and profoundly thanks—all those American, Iraqi, Afghan, and coalition forces who have so courageously fought the war on terror, especially those who have lost their lives in the defense of freedom.

Our war dead—and wounded—define anew what it means to be brave and honorable and good.

And our condolences and prayers go to the families of the fallen.

The overwhelming majority of U.S. forces have performed their missions in an exemplary, professional fashion—and deserve both our praise and profound thanks.

We all know that Iraq remains a dangerous place today because hate-filled, fanatic—perhaps even psychotic—mass murderers bomb and shoot innocent men, women, and children. In the past their thugs were in the government suites and Hussein's opulent palaces—now some remain in the streets—hopefully not for long.

The terrorists have a morbid fascination with all things violent. There is nothing whatsoever benign or noble or praiseworthy about these people.

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While I respect the right of those who criticize American policy and our solidarity with the Iraqi people, I remain deeply disappointed that many of those who protest U.S. policy outside of this chamber seldom—if ever—criticize the terrorists.

No harsh, mocking thoughts of condemnation of President George W. Bush are left unspoken. You hear it on TV and radio talk shows and at war protests, but no such angst is directed at the mass murderers who blow up our soldiers or incinerate pious worshipers at prayer in Mosques or who kidnap, torture, and kill humanitarian workers trying to save and enhance the lives of the vulnerable.

American and coalition soldiers in Iraq and Afghanistan are peacemakers and they have the toughest assignment in the world. They are peacemakers who put their own lives at risk to create sufficient space and order so that democracy, respect for human rights, and peace can be established and grow.

I want our soldiers to come home—and soon.

But that fervent hope must be tempered with realities on the ground. What do our military commanders on the ground think? To leave prematurely or pursuant to an arbitrarily arrived at deadline established by members of Congress may unwittingly put more lives at risk and strengthen the fanaticism and hopes of the terrorists.

Still, public debate on exit strategy is important—even necessary—because it puts pressure on us all to figure out how to prudently accomplish redeployment and it puts constructive pressure on Iraqi leaders to move more quickly to take ownership of their own security.

Mr. MURTHA. Mr. Speaker, I yield 6 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank my friend from Pennsylvania for yielding.

Mr. Speaker, every Member of this House wants our Nation and our coalition partners to succeed in helping the Iraqis establish a democratic government that respects human rights and abides by the rule of law and to succeed in standing up Iraqi security forces that can maintain order and protect their citizens.

We pray, of course, for the safe return of our brave servicemen and -women who are fighting for freedom half a world away, and we applaud their success last week in eliminating the terrorist murderer Zarqawi. The professionalism, bravery, and sacrifice of our Armed Forces are indeed awe-inspiring.

This year, Mr. Speaker, 2006, should be a year of transition in Iraq; and it is my expectation that the United States will be able to reduce the American troop deployment over the ensuing months and transfer the risks and responsibilities to the duly elected government of Iraq. That is what has been proposed.

Today, it is regrettable that this Republican majority seeks to exploit this critical issue of national security for political advantage. The resolution before us, like the Hunter resolution that was debated last December, was drafted, in my view, for political reasons.

As Majority Leader BOEHNER explained, its purpose is an opportunity to create "a portrait of contrasts between Republicans and Democrats."

For our country's sake, for our troops' sake, the majority should have offered a resolution that sought unity, rather than division.

There are provisions in this resolution, of course, with which all of us agree. I, for one, strongly share the resolve to prevail in the war on terror. However, this resolution misstates, in my opinion, the facts about why the Bush administration instigated our military action against the Hussein regime in 2003. It paints a picture of Iraq today that does not comport with the reality on the ground, and it ignores the fundamental responsibility of this Congress to conduct meaningful oversight of the administration's conduct of this war.

The political motivations underlying this resolution have been laid bare; and, thus, I will be forced to vote "no."

The American people will not be deceived by this exercise today which our Republican colleague of North Carolina (Mr. JONES) labeled a charade.

The American people know, as Lieutenant General Gregory Newbold, the former commanding general of the 1st Marine Division, said, "What we are living with now is the consequences of successive policy failures."

The administration manipulated intelligence on weapons of mass destruction. It ignored the advice of top military commanders and sent too few troops to accomplish the task; and, consequently, we failed to stabilize Iraq after Hussein was rightfully removed from power.

It fired police and security forces and oil workers, which fueled the instability and initiated war before making alternative plans to shut off escape routes to the north when the Turks would not let us come in.

It had no effective plan to quickly get infrastructure repaired and rebuilt. It failed to properly equip our own troops, as Mr. MURTHA has observed, 2,500 of whom have given the ultimate measure of sacrifice in this war.

It grossly underestimated the costs of the war at about $60 billion, which now stands six times larger and more.

And when confronted with concrete evidence of widespread mistreatment of detainees in American custody, the President failed to hold anyone in his administration accountable.

Sadly, and dangerously, according to the Pew Research Center, the global credibility of the United States has sharply declined.

The record of the Republican Congress is, in my opinion, no less disturbing. This proud body, the people's House, has abdicated its oversight role and failed to root out waste, fraud and corruption so prevalent in Iraq today.

Nearly $9 billion in reconstruction funds are unaccounted for. No-bid contracts have been awarded to private contractors such as Halliburton. Detainees in American custody have been abused and, in some instances, killed, and still, still, there is no effective oversight on these matters in the Congress of the United States.

In the face of one of the most important issues before our country, we have been presented with politics as usual.

□ 1745

It is an effort to divide, when an effort to unite was in our country's and our Armed Forces' best interest.

I regret that I have to vote "no." I believe success in our efforts in Iraq is important to achieve, but partisanship only impedes the attainment of that objective; an objective, hopefully, that we all share.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. ROHRABACHER), who chairs the Subcommittee on Oversight and Investigation for our International Relations Committee.

Mr. ROHRABACHER. It is good that the American people are able to hear this debate and judge for themselves who should be making the policies and which policies are best for our country.

I have been through this before. I worked in the White House with Ronald Reagan for 7 years, and I heard some of the same shrill voices that we hear today in those days. I heard the same gutting of the President of the United States for political purposes, but also for idealistic reasons during those days. I heard Ronald Reagan called a warmonger. I heard all of the charges that we hear today aimed at our President aimed at Ronald Reagan, and by some of the same people, I might add.

We have voices who are idealistically opposed to war and are in fact affected in their heart, perhaps more than others, when war does come, as it comes to all free people because without strength of purpose and willingness to fight there will be no freedom in this world. But when we fought communism, President Reagan stood firm when the shrill voices of defeatism and retreat attacked him personally and attacked our effort and tried to undermine that effort in the same way our effort today is being undermined by nitpicking, backbiting, and defeatism. Yet, he stood firm and, guess what? The world was amazed when the evil of communism collapsed.

Well, today we are in a war with radical Islam, which is every bit as much a threat and hates Western democracy every bit as much as the Communists did. We have made a stand in Iraq, and I would hope that people understand that had Ronald Reagan backed down, we would still be in the middle of the Cold War. And if we back down today, as is being advocated, what I consider to be a cowardly retreat, it will have consequences. It will not end the war.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield to Mr. BUYER for the purposes of a unanimous consent request.

Mr. BUYER. Mr. Speaker, I rise in support of the resolution.

Immediately following the attacks on September 11, 2001, this Nation's focus was on countering the fundamental ideals of terrorism that spawned the attack on our homeland. Osama bin Laden and his Al Qaeda network, Saddam Hussein, and the Taliban, connected together through the terror they inflicted, had shared ambitions to destroy our way of life. Five years later, we have witnessed successes of historical proportions. Saddam—imprisoned and on trial for acts against humanity; Osama is on the run and we captured his number two; the Taliban no longer exists—for the first time in Afghanistan, their citizens are free to hope and dream; women are receiving an education. Al Qaeda is demonstrating what comes from the crushing pains of defeat, left only with cowardly acts of desperation in a weakening effort to survive the blows that we have dealt it.

Today in Iraq we are on the verge of the blossoming of a successful new republic, accomplished by the perseverance of its citizens, and the sacrifices of many. Yet, some of our own countrymen are showing a dangerous tendency to waiver, their faith shaken by the drive-through mentality of our society. They are verbalizing their doubts at a time when we need them to stand strong. The peace-doves who turned hawks of circumstance after September 11 were predicted to not have the intestinal fortitude to see this fight through to its necessary resolution. They are living up to that prediction despite the threat of terrorism still lurking around the world.

We cannot forget that the goals of Al Qaeda and Osama bin Laden are to destroy western culture in all of its forms and manifestations. All across America, our constituents live their lives—take their kids to school, go to work, earn a living—and this is the strength of our Nation. However, we still live in the shadow of a real and looming threat to our way of life. We must remain vigilant of that threat and stand firm in our vow to dismantle it. While we have not been attacked on our own soil since September 11, we cannot afford the ramifications of complacency. The recent arrest of bomb-building terrorists across the border in Canada is clear evidence of that. We have forced the terrorists into making this an "away game," the battlefield pushed from our homeland, but nonetheless the outcome must be in our favor. Yes, the victories in this battle are many, but we must have the resolve and determination to defeat terrorism here at home and abroad. To succeed we must be absolute and have constancy of purpose.

For decades Saddam Hussein ruled Iraq with an iron fist of repression. In the midst of that oppression was the intense yearning of the Iraqi people to taste freedom. They were forced to keep their hopes hidden, wrapped in a cocoon that they could one day blossom into the living principles from which they could rebuild their nation. They have emerged from that cocoon and are attempting to fly. The elements that were forming in it have manifested themselves in the formation of their new government, two successful national elections, and a successful national constitutional referendum.

Iraq cannot continue to succeed in the transition from war to building their Nation without our continued help. The people of Iraq have appealed to us in this critically important period. We have pledged our commitment to them and we need to see it through. The Iraqi people are proud of their accomplishments thus far, but they have asked for a steady hand of reassurance from us to help guide them in this transition.

The pride and motivation that the Iraqi population has demonstrated to this point are key elements to making their young government a success. We must continue to nurture their growth of confidence so that they can effectively govern, defend, and sustain themselves. The motivation to man a completely volunteer Iraqi army is one point of evidence that these people have pride and faith in their new republic. We cannot fail the security of our own Nation and the people of Iraq in a time of such dire need. The consequences of walking away at this point are too great to fathom. We must maintain our resolve to follow through with our commitment to the people of Iraq and in the global fight to free ourselves from the grip and fear of terrorism.

Mr. MURTHA. Mr. Speaker, I yield 30 minutes to the gentleman from Missouri (Mr. SKELTON), and I ask unanimous consent that he be allowed to control the time and yield the time.

The SPEAKER pro tempore. Without objection, the gentleman is recognized for 30 minutes.

There was no objection.

Mr. SKELTON. Mr. Speaker, at this time I yield 3 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I thank the chairman for his indulgence and for the recognition, and I want to focus on something that has been little discussed in this debate, and that is how much this war is costing us.

Cost is not the ultimate determinant. When we have troops in the field, we should be unstinting in their support. But when the cost runs into hundreds of billions of dollars, it has to be a consideration. The greatest cost, of course, is counted in human lives: 2,514 killed so far, 17,774 wounded so far. The dollar cost is not nearly so precious, but it is substantial.

First, for comparison, here is what the first Persian Gulf War cost us: $61 billion. But our allies contributed $10.6 in kind, $48.4 billion in cash contributions, and so out-of-pocket we were $2.1 billion. That, my friends, is the benefit of having allies.

Now, look at the annual cost of the war we are fighting. Notice that it has increased by almost 100 percent from 2003 when the war itself was fully going on, to this year, 2006, an increase from $51 billion to $104 billion a year, annually.

The next chart then sums up the expenditures year by year, and you can see the bottom line. Thus far through this year, the cost is $318 billion. Thus far, Iraqi Freedom alone is $318 billion. To express that in monthly terms, something the Pentagon calls the "burn rate," the average expenditure per month for the troops we are maintaining there, 130,000 strong, is running at $8.4 billion a month. That is $8.4 billion a month.

Now, we have asked CBO, and CBO itself decided to set up a model to estimate what the outyear cost of this deployment would be, assuming that after this year there is a substantial drawdown to the point where 50,000 troops remain in theater, Afghanistan and Iraq. This covers both. The total cost of this, over a period of 10 years, is $371 billion, assuming a modest increment in our deployment to that theater of 50,000 additional troops. This is CBO speaking.

Now, if you add $371 billion to $318 billion, you get $689 billion. That is what this war could cost us if its goes on at its current level. And we have not reflected in this number the accrued costs we are incurring daily due to the harsh environmental conditions in the desert. The Army says it will cost $24 billion alone over the next 2 years to restore and repair and replace equipment.

Now, as I said, cost is not the ultimate determinant, but it has to be a consideration when it reaches this magnitude. I do not think we can debate the deployment in Iraq in existing troop levels in a vacuum, as if the cost does not matter, as if we had infinite resources. Cost matters if we are ever to balance our budget. Cost matters in meeting other military needs for operations elsewhere in the world, for transformation, and for modernization.

It is too bad we cannot have a full debate where we could express fully all of the grave issues facing us due to the deployment in Iran.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from California (Mr. ROYCE), who is the chairman of the Subcommittee on International Terrorism and Nonproliferation of our International Relations Committee.

Mr. ROYCE. It becomes clearer by the day, Mr. Speaker, that we are confronting a brutal, determined, and resourceful enemy: Islamist terrorism, as the 9/11 Commission identified it.

We have seen messianic, violent ideologies before, but al Qaeda and its ilk represent a more severe threat. In today's world, terrorists could acquire weapons of mass destruction. Bin Laden has made clear his intention to do so. It was such a concern that led President Bush to remove Saddam Hussein from power, and Iraqis are better off for it.

We have heard legitimate debate of choices made in Iraq: Disbanding the Iraqi army, troop levels, and we have heard other critiques. Looking back, it is clear that this mission's difficulty and expense were underestimated. Hopefully, we have improved our intelligence. But dwelling on past choices does not get us ahead.

Looking ahead, I don't see how we succeed by immediately withdrawing, as some are calling for. The position that our troops should stay longer in Iraq makes us all uncomfortable. But an alternative, an immediate withdrawal, concedes that Iraq will fall into chaos, because there is no way that the Iraqi security forces could stand alone yet. That is the judgment of our military professionals. So if you are going to argue that the costs of staying are too high, you are obligated to calculate the cost of withdrawing or the cost of what most certainly would be our defeat.

The real world is dangerous, and unpleasant choices must be made. An honest appraisal is that we don't know Iraq's future, but we know with far greater certainty that an American withdrawal would spin Iraq into chaos. Bedlam in the region would likely follow. This outcome would be a stunning boost for jihadists, the forces determined to deliver as big a blow as they can against the American people. We owe our Nation and the Iraqi people our continued effort.

We know Iraq today is a central front in our struggle against terrorism. Al Qaeda has said it, and last week's killing of al Zarqawi in Iraq made it clear that our success there and our success in the high stakes fight against terrorism go hand in hand.

Mr. SKELTON. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ORTIZ).

Mr. ORTIZ. Mr. Speaker, you know, this resolution before us today commends our troops, and we realize that our troops are the greatest in the world. This Nation must never forget that. And, of course, we all agree that Saddam should have been removed. The problem was our tactics, our planning. But this resolution nowhere addresses the central issue that the American people are crying out for us to discuss: Where do we go from here?

I think that the American people want an honest discussion about where this Nation stands in the two wars that we are prosecuting today, and in particular Iraq. I think that we owe this to the American people who are risking their lives on a daily basis. We owe it to their families, to the American people, and to our allies.

Supporting our troops means more than bumper stickers on trucks, though of course we appreciate those people that put on the bumper stickers. We appreciate that. But it is time to talk about the bottom line in terms of soldiers, their blood, their future, their hopes, hopes for the young people of this great country and the people in Iraq, their young people.

I wish the resolution before us provided the context for this debate. Honest discussion must include the nuts and bolts of this policy, literally what we are expending daily in Iraq. You know, when we talk about the policy, are we going to allow for us to conduct another preemptive attack? Was this the wise thing to do? Was the planning correct? Do we need to correct our mistakes? Do we need to change the training? These are the things we need to look at.

If we truly want the Iraqis to stand up and protect their country, and if we are ever ready to stand down, to stand down, are we ready to put the money in the budget? I just came from a hearing a few moments ago and we are having problems buying helmets to protect our soldiers. We don't have a uniform policy on what helmets will protect the soldiers. Our soldiers don't have the equipment that they need, and for us to stand down, we need to provide the Iraqi army what they need, the equipment. And we wonder, because we haven't been able to do that for our troops.

Our military is the best. It has been feared throughout the ages for our ability to respond immediately anywhere in the world, to be ready to defend our freedom. I do support our troops.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to recognize for 2 minutes the gentleman from Michigan (Mr. McCOTTER), who has been to Iraq three times.

Mr. McCOTTER. Mr. Speaker, recently, I attended my oldest son's eighth grade graduation, and graduating with him was Jennifer Davis, the daughter of Karen and Major Miles Davis, who could not attend because he was deployed to Iraq.

Mr. Speaker, this is why I believe we owe Americans an account of our progress in the world war on terror, an assessment of the situation, the stakes, and the strategy for victory in the battle for Iraq, as well as an affirmation that we will defend our country, defeat the enemy, and win this unsought struggle for survival. Unfortunately, this resolution fails to do so, for it is strategically nebulous, morally obtuse, and woefully inadequate.

This resolution sanitizes the hard truth that the enemy is trying not only to intimidate us but to kill us. It provides an abashed defense of our Nation's sovereign right to preemptively eradicate the terrorists and their state sponsors before they kill us. It implies our preemption of this threat must meet a global test for legitimacy.

It further fails to affirm the battle for Iraq was waged because Saddam Hussein's regime was a direct threat to the United States of America and was in violation of mandatory treaty obligations of said United States of America.

It fails to stress our mission is to ensure a sovereign, free, secure and united Iraq at peace with the United States, its coalition partners and all other peaceable nations.

It fails to stress that terrorists seek to destroy the new unity government because it threatens the terrorists' aspirations for the United States of America, Iraq, our coalition partners and the broader Middle East.

It asserts how despite the enemy having declared Iraq a central front in the war on terror, the United States and its coalition partners will continue to support Iraq as only a part of the war on terror.

It omits any mention of the battle for Iraq's difficulties and does not offer a comprehensive strategy on how to conquer them. It overlooks the fact our troops' return home hinges upon creating Iraqi security forces and destroying the enemy's insurgency.

□ 1800

Finally, this resolution calls the terrorists our adversary, not our enemy.

Mr. Speaker, at the graduation I did not try to comfort Karen Davis by declaring her husband, Major Miles Davis, was in Iraq defending global peace and security or enforcing United Nations resolutions. No, I thanked Karen for her family's sacrifice because Miles was in Iraq honoring his solemn pledge to God and to us to support and defend the Constitution of the United States against all enemies.

So in this time of war when we ask the best of our troops and we ask the best of their families, we must ask the best of ourselves. We have not done so with this resolution, and that is why I will be voting "present," because I am committed to victory in the war on terror.

Mr. Speaker, recently, I attended my oldest son's eighth grade graduation. Graduating with him was Jennifer Davis, the daughter of my childhood friend, Major Miles Davis, who could not attend. That night, I talked with Miles' wife, Karen, who told me how painful it was for their family to have Miles so abruptly deployed to Iraq.

Such heart rending scenes throughout our land are why I believe we owe Americans more in this resolution than a simple declaration of our resolve in Iraq. We owe them an account of our progress in the world War on Terror; an assessment of the situation, the stakes, and the strategy for victory in the battle for Iraq; and an affirmation we will defend our country, defeat the enemy, and win this unsought struggle for survival.

Thus, I rise to express my profound disappointment with this resolution before us, because it is strategically nebulous; morally obtuse; and woefully inadequate.

To begin, this resolution's purpose is limited to "Declaring the United States will complete the mission in Iraq and prevail in the Global War on Terror, the struggle to protect freedom from the terrorist adversary."

This is patently inadequate to the task at hand; and, unfortunately, under continued examination the resolution fares no better. To wit, the first "Whereas" clause informs us: ". . . the United States and its allies are engaged in a Global War on Terror, a long and demanding struggle against an adversary that is driven by hatred of American values and that is committed to imposing, by the use of terror, its repressive ideology throughout the world."

This clause elicits elementary questions: what "values" of ours cause our enemy to hate us; and what, precisely, is the enemy's ideology? Sadly, this clause provides no clues.

The second clause recounts how: ". . . for the past two decades, terrorists have used violence in a futile attempt to intimidate the United States."

This clause is too sanitized. The hard truth is the enemy has not tried to intimidate us. The enemy has tried to kill us and too often succeeded. The enemy does so because our very existence as sovereign citizens of a free Republic constitutes a beacon of hope for all who are—and all who yearn to be—free; thus, we are our enemy's paramount obstacle to world dominion.

Next the third clause right asserts: ". . . it is essential to the security of the American people and to world security that the United States, together with its allies, take the battle to the terrorists and to those who provide them assistance."

Agreed. But this clause must stress both a philosophic principle and a strategic tenet.

Philosophically, any state-sponsor of terror is a threat to the United States, because terrorism is an attack upon the self-evident, inalienable human rights to life, liberty and the pursuit of happiness.

Strategically, this clause falters as an oblique and abashed defense of our Nation's sovereign right to preemptively eradicate terrorists and their state-sponsors before they kill us. Instead, the clause must reaffirm our Nation's full right of self-defense.

The seventh clause decries how: ". . . by early 2003 Saddam Hussein and his criminal, Ba'athist regime in Iraq, which had supported terrorists, constituted a threat against global peace and security and was in violation of mandatory United Nations Security Council Resolutions."

Bluntly, this clause omits the obvious: By early 2003 Saddam Hussein and his criminal Ba'athist regime in Iraq, which had supported terrorists, constituted a threat against the United States of America and was in violation of mandatory treaty obligations to the United States of America.

By omitting the fact Hussein's regime deemed the United States not as just a part of the global community, but as a mortal enemy, this clause wrongly implies our preemption of his threat must and does meet a "global test" for legitimacy.

The eighth clause reiterates: ". . . the mission of the United States and its Coalition partners, having removed Saddam Hussein and his regime from power, is to establish a sovereign, free, secure, and united Iraq at peace with its neighbors."

Again, the point is missed. Our mission is to transform Iraq from a rogue dictatorship aiding terrorists into a representative democracy eradicating terrorists; and into a sovereign, free, secure, and united nation at peace with the United States, its Coalition partners, and all other peaceable nations.

Next, clause eleven's belief: ". . . the terrorists seek to destroy the new unity government because it threatens the terrorists' aspirations for Iraq and the broader Middle East," also misses the point. As an American, I believe the clause should read: "the terrorists seek to destroy the new unity government because it threatens the terrorists' aspirations for the United States of America, Iraq, our Coalition partners, and the broader Middle East."

Now, at last, we reach the resolution's three lethal failings:

To start with, taken together, the ninth and fifteenth clauses raise a stark conundrum. Ignoring that the United States, in word and deed, first targeted Iraq as a "central front" in our War on Terror, clause nine notes: "the terrorists have declared Iraq to be a central front in their war against all who oppose their ideology."

Later, clause fifteen asserts: ". . . the United States and its Coalition partners will continue to support Iraq as part of the Global War on Terrorism."

These clauses' collective conundrum is this: if, after we militarily deposed Hussein, the terrorist enemy now deems Iraq a central front in its "war against all those who oppose their ideology," why do we now view Iraq as but "part of the Global War on Terror"? Upon this critical question and its ramifications, the resolution is silent.

The resolution's second lethal failing is found, interestingly enough, in clause twelve, which offers hopeful news of how we, our Coalition partners, and the Iraqis have: ". . . scored impressive victories in Iraq, including finding and killing the terrorist leader Abu Musab al-Zarqawi."

Well said. But nowhere does this resolution explain the battle for Iraq's past, present, and future difficulties, or proffer any concrete or comprehensive strategy as to how U.S., Coalition, and Iraqi forces will confront and conquer these challenges. One irony proves the point. My allotted time to speak on this amendment is under the section dedicated to Iraqi reconstruction. Yet nowhere in this resolution appears the word "reconstruction."

The resolution's final, and paramount, failing occurs in clause thirteen, which assures us: ". . . Iraqi security forces are, over time, taking over from the United States and Coalition forces a growing proportion of independent operations and increasingly lead the fight against terror in Iraq."

This clause's logic implies the enemy will remain operationally active in Iraq when our military leaves the battlefield. This implication stems from the incessant lack of emphasis accorded the concomitant and equal pillar of the administration's military strategy in Iraq. Specifically, the time required to win and bring our troops home hinges upon creating Iraqi security forces and destroying the enemy's insurgency. Continuing to emphasize the creation of security forces while de-emphasizing the destruction of the terrorists' insurgency, will only lengthen the time required to accomplish the mission in Iraq and welcome our troops back.

Mr. Speaker, my time grows short, so, in conclusion, I will focus on the one word in the resolved clause which, in fact, inexplicably permeates the resolution; and, inexorably, precludes my support of this resolution. The offending word is "adversary."

Starkly and sanely understood, within Iraq and the overarching world War on Terror we do not have an adversary. We have an enemy. Thus, because words have meaning, even if I could ignore the fact this resolution is strategically nebulous, I will not overlook the fact it lacks the moral clarity to call the terrorists our enemy.

Mr. Speaker, at St. Edith's eighth grade graduation, I did not try to comfort Karen by declaring her husband Major Miles Davis was in Iraq defending global peace and security; I did not try to comfort Karen by proclaiming Miles was in Iraq to enforce violated U.N. resolutions; no, I thanked Karen for her family's sacrifice, because Miles was in Iraq honoring his solemn pledge to God and to us to "support and defend the Constitution of the United States against all enemies."

Mr. Speaker, amidst an anguished era ennobled by our sacrifices in the unsought struggle against a bloodthirsty enemy, we ask our troops to do their best; we ask their families to do their best; and we ask our fellow citizens to do their best But we, in "the people's house," have not done our best; and upon this resolution I will be voting "present."

I submit for the RECORD President Franklin Delano Roosevelt's Ninth Annual Message to Congress, January 6, 1942.

In fulfilling my duty to report upon the state of the Union, I am proud to say to you that the spirit of the American people was never higher than it is today—the Union was never more closely knit together—this country was never more deeply determined to face the solemn tasks before it.

The response of the American people has been instantaneous, and it will be sustained until our security is assured.

Exactly one year ago today I said to this Congress: "When the dictators . . . are ready to make war upon us, they will not wait for an act of war on our part . . . They—not we—will choose the time and the place and the method of their attack."

We now know their choice of the time: a peaceful Sunday morning—December 7, 1941.

We know their choice of the place: an American outpost in the Pacific.

We know their choice of the method: the method of Hitler himself.

Japan's scheme of conquest goes back half a century. It was not merely a policy of seeking living room—it was a plan which included the subjugation of all the peoples in the Far East and in the islands of the Pacific, and the domination of that ocean by Japanese military and naval control of the western coasts of North, Central, and South America.

The development of this ambitious conspiracy was marked by the war against China in 1894; the subsequent occupation of Korea; the war against Russia in 1904; the illegal fortification of the mandated Pacific islands following 1920; the seizure of Manchuria in 1931; and the invasion of China in 1937.

A similar policy of criminal conquest was adopted by Italy. The Fascists first revealed their imperial designs in Libya and Tripoli. In 1935 they seized Abyssinia. Their goal was the domination of all North Africa, Egypt, parts of France, and the entire Mediterranean world.

But the dreams of empire of the Japanese and Fascist leaders were modest in comparison with the gargantuan aspirations of Hitler and his Nazis. Even before they came to power in 1933, their plans for that conquest had been drawn. Those plans provided for ultimate domination, not of anyone section of the world, but of the whole earth and all the oceans on it.

When Hitler organized his Berlin-Rome-Tokyo alliance, all these plans of conquest became a single plan. Under this, in addition to her own schemes of conquest, Japan's role was obviously to cut off our supply of weapons of war to Britain and Russia and China—weapons which increasingly were speeding the day of Hitler's doom. The act of Japan at Pearl Harbor was intended to stun us—to terrify us to such an extent that we would divert our industrial and military strength to the Pacific area, or even to our own continental defense.

The plan has failed in its purpose. We have not been stunned. We have not been terrified or confused. This very reassembling of the Seventy-seventh Congress today is proof of that; for the mood of quiet, grim resolution which here prevails bodes ill for those who conspired and collaborated to murder world peace.

That mood is stronger than any mere desire for revenge. It expresses the will of the American people to make very certain that the world will never so suffer again.

Admittedly, we have been faced with hard choices. It was bitter, for example, not to be able to relieve the heroic and historic defenders of Wake Island. It was bitter for us not to be able to land a million men in a thousand ships in the Philippine Islands.

But this adds only to our determination to see to it that the Stars and Stripes will fly again over Wake and Guam. Yes, see to it that the brave people of the Philippines will be rid of Japanese imperialism, and will live in freedom, security, and independence.

Powerful and offensive actions must and will be taken in proper time. The consolidation of the United Nations' total war effort against our common enemies is being achieved.

That was and is the purpose of conferences which have been held during the past two weeks in Washington and Moscow and Chungking. That is the primary objective of the declaration of solidarity signed in Washington on January 1, 1942, by twenty-six nations united against the Axis powers. . . .

Plans have been laid here and in the other capitals for coordinated and cooperative action by all the United Nations—military action and economic action. Already we have established, as you know, unified command of land, sea, and air forces in the southwestern Pacific theater of war. There will be a continuation of conferences and consultations among military staffs, so that the plans and operations of each will fit into the general strategy designed to crush the enemy. We shall not fight isolated wars—each nation going its own way. These twenty-six nations are united—not in spirit and determination alone, but in the broad conduct of the war in all its phases.

For the first time since the Japanese and the Fascists and the Nazis started along their blood-stained course of conquest they now face the fact that superior forces are assembling against them. Gone forever are the days when the aggressors could attack and destroy their victims one by one without unity of resistance. We of the United Nations will so dispose our forces that we can strike at the common enemy wherever the greatest damage can be done him.

The militarists of Berlin and Tokyo started this war. But the massed, angered forces of common humanity will finish it.

Destruction of the material and spiritual centers of civilization—this has been and still is the purpose of Hitler and his Italian and Japanese chessmen. They would wreck the power of the British Commonwealth and Russia and China and the Netherlands—and then combine all their forces to achieve their ultimate goal, the conquest of the United States.

They know that victory for us means victory for freedom.

They know that victory for us means victory for the institution of democracy—the ideal of the family, the simple principles of common decency and humanity.

They know that victory for us means victory for religion.

And they could not tolerate that. The world is too small to provide adequate "living room" for both Hitler and God. In proof of that, the Nazis have now announced their plan for enforcing their new German, pagan religion all over the world—a plan by which the Holy Bible and the Cross of Mercy would be displaced by Mein Kampf and the swastika and the naked sword.

Our own objectives are clear; the objective of smashing the militarism imposed by warlords upon their enslaved peoples—the objective of liberating the subjugated nations—the objective of establishing and securing freedom of speech, freedom of religion, freedom from want, and freedom from fear everywhere in the world.

We shall not stop short of these objectives, nor shall we be satisfied merely to gain them and then call it a day. I know that I speak for the American people—and I have good reason to believe that I speak also for all the other peoples who fight with us—when I say that this time we are determined not only to win the war, but also to maintain the security of the peace that will follow. . . .

The superiority of the United Nations in munitions and ships must be overwhelming—so overwhelming that the Axis nations can never hope to catch up with it. And so, in order to attain this overwhelming superiority the United States must build planes and tanks and guns and ships to the utmost limit of our national capacity. We have the ability and capacity to produce arms not only for our own forces, but also for the armies, navies, and air forces fighting on our side.

And our overwhelming superiority of armament must be adequate to put weapons of war at the proper time into the hands of those men in the conquered nations who stand ready to seize the first opportunity to revolt against their German and Japanese oppressors, and against the traitors in their own ranks, known by the already infamous name of Quislings. And I think that it is a fair prophecy to say that, as we get guns to the patriots in those lands, they too will fire shots heard 'round the world.

This production of ours in the United States must be raised far above present levels, even though it will mean the dislocation of the lives and occupations of millions of our own people. We must raise our sights all along the production line. Let no man say it cannot be done. It must be done—and we have undertaken to do it. . . .

Our task is hard—our task is unprecedented—and the time is short. We must strain every existing armament-producing facility to the utmost. We must convert every available plant and tool to war production. That goes all the way from the greatest plants to the smallest—from the huge automobile industry to the village machine shop.

Production for war is based on men and women—the human hands and brains which collectively we call Labor. Our workers stand ready to work long hours; to turn out more in a day's work; to keep the wheels turning and the fires burning twenty-four hours a day, and seven days a week. They realize well that on the speed and efficiency of their work depend the lives of their sons and their brothers on the fighting fronts.

Production for war is based on metals and raw materials—steel, copper, rubber, aluminum, zinc, tin. Greater and greater quantities of them will have to be diverted to war purposes: Civilian use of them will have to be cut further and still further—and, in many cases, completely eliminated.

War costs money. So far, we have hardly even begun to pay for it. We have devoted only 15 percent of our national income to national defense. As will appear in my Budget Message tomorrow, our war program for the coming fiscal year will cost $56 billion or, in other words, more than half of the estimated annual national income. That means taxes and bonds and bonds and taxes. It means cutting luxuries and other nonessentials. In a word, it means an "all-out" war by individual effort and family effort in a united country.

Only this all-out scale of production will hasten the ultimate all-out victory. Speed will count. Lost ground can always be regained—lost time never. Speed will save lives; speed will save this nation which is in peril; speed will save our freedom and our civilization—and slowness has never been an American characteristic. . . .

We cannot wage this war in a defensive spirit. As our power and our resources are fully mobilized, we shall carry the attack against the enemy—we shall hit him and hit him again wherever and whenever we can reach him.

We must keep him far from our shores, for we intend to bring this battle to him on his own home grounds.

American armed forces must be used at any place in all the world where it seems advisable to engage the forces of the enemy. In some cases these operations will be defensive, in order to protect key positions. In other cases, these operations will be offensive, in order to strike at the common enemy, with a view to his complete encirclement and eventual total defeat.

American armed forces will operate at many points in the Far East.

American armed forces will be on all the oceans—helping to guard the essential communications which are vital to the United Nations.

American land and air and sea forces will take stations in the British Isles—which constitute an essential fortress in this great world struggle.

American armed forces will help to protect this hemisphere—and also help to protect bases outside this hemisphere, which could be used for an attack on the Americas.

If any of our enemies, from Europe or from Asia, attempt long-range raids by "suicide" squadrons of bombing planes, they will do so only in the hope of terrorizing our people and disrupting our morale. Our people are not afraid of that. We know that we may have to pay a heavy price for freedom. We will pay this price with a will. Whatever the price, it is a thousand times worth it. No matter what our enemies, in their desperation, may attempt to do to us—we will say, as the people of London have said, "We can take it." And what's more we can give it back—and we will give it back—with compound interest. . . .

Many people ask, "When will this war end?" There is only one answer to that. It will end just as soon as we make it end, by our combined efforts, our combined strength, our combined determination to fight through and work through until the end—the end of militarism in Germany and Italy and Japan. Most certainly we shall not settle for less.

That is the spirit in which discussions have been conducted during the visit of the British prime minister to Washington. Mr. Churchill and I understand each other, our motives, and our purposes. Together, during the past two weeks, we have faced squarely the major military and economic problems of this greatest world war.

All in our nation have been cheered by Mr. Churchill's visit. We have been deeply stirred by his great message to us. He is welcome in our midst, and we unite in wishing him a safe return to his home.

For we are fighting on the same side with the British people, who fought alone for long, terrible months, and withstood the enemy with fortitude and tenacity and skill.

We are fighting on the same side with the Russian people who have seen the Nazi hordes swarm up to the very gates of Moscow, and who with almost superhuman will and courage have forced the invaders back into retreat.

We are fighting on the same side as the brave people of China—those millions who for four and a half long years have withstood bombs and starvation and have whipped the invaders time and again in spite of the superior Japanese equipment and arms.

Yes, we are fighting on the same side as the indomitable Dutch.

We are fighting on the same side as all the other governments in exile, whom Hitler and all his armies and all his Gestapo have not been able to conquer.

But we of the United Nations are not making all this sacrifice of human effort and human lives to return to the kind of world we had after the last world war.

We are fighting today for security, for progress, and for peace, not only for ourselves but for all men, not only for one generation but for all generations. We are fighting to cleanse the world of ancient evils, ancient ills.

Our enemies are guided by brutal cynicism, by unholy contempt for the human race. We are inspired by a faith that goes back through all the years to the first chapter of the book of Genesis: "God created man in His own image."

We on our side are striving to be true to that divine heritage. We are fighting, as our fathers have fought, to uphold the doctrine that all men are equal in the sight of God. Those on the other side are striving to destroy this deep belief and to create a world in their own image—a world of tyranny and cruelty and serfdom.

That is the conflict that day and night now pervades our lives. No compromise can end that conflict. There never has been—there never can be—successful compromise between good and evil. Only total victory can reward the champions of tolerance, and decency, and freedom, and faith.

Mr. SKELTON. Mr. Speaker, I yield 2½ minutes to the gentleman from Massachusetts (Mr. MEEHAN).

Mr. MEEHAN. Mr. Speaker, I thank the gentleman for yielding and thank him for his leadership and for making sure that our men and women in uniform get everything that they need.

This is an unfortunate day in the House of Representatives, the people's House, where Members of this body were told we could have a debate on Iraq. Surely it is time to have a discussion of our misguided policy in Iraq. But rather than give us a debate on Iraq, we see a resolution that comes from the Republican leadership that was drafted by political experts on spin.

We all support our troops. We merge the war on terror with the war in Afghanistan and the war in Iraq so that we can cloud the debate and make the debate about whether and who supports the troops.

Surely we can do better than that. 2,500 Americans have been killed; 19,000 brave men and women have been injured. And there is no accountability on the part of this Congress to the mistakes that have been made.

"They will welcome us when we get there." We had a window of opportunity, and we missed it. We didn't send enough troops in to secure the peace in Iraq. General Shinseki warned us, and they ignored him and sent him out to pasture.

We didn't vet Saddam's army so we could secure Baghdad. Mistake. Mistake. We have less oil production now than we did when Saddam was in power. The Iraqi people have lost their opportunity. They have 3.9 hours of electricity in Baghdad and we are talking about things getting better? In a time of war, this administration and this Congress has an obligation to tell the truth about what is happening in Iraq.

We also have a responsibility to provide the oversight so we correct mistakes, we get our troops into the background because we are sitting ducks up there because we have an occupation that our own State Department polls say is unpopular by 85 to 90 percent of the Iraqis.

I hear them talk about the terrorists and how we are fighting al Qaeda. Al Qaeda was not in Iraq until this President stood before the world and said, "Bring it on. Bring it on." Well, they brought it on and now 10 percent of the insurgency are actually terrorists. When we leave Iraq, they will leave Iraq.

We ought to listen to what the State Department told us in advance. We should look at our own investigations and analysis by the State Department that tell us we cannot win this war militarily. You don't beat an insurgency with military conflict; you beat an insurgency through making the right planning decisions, by making the right decisions to give the Iraqis what they need to be upfront to keep their own security in that country. You give the Iraqis what they need to make their own determination of what their future is. The time has come for the United States to move into the background and bring our men and women home.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 3¼ minutes to the gentleman from Texas (Mr. McCAUL), a member of the International Relations Committee.

Mr. McCAUL of Texas. Mr. Speaker, September 11 changed our lives forever. But the war on terror started long before that. The year 1979 changed the world. When Iran took our embassy hostage, the seeds of Islamic jihad were spread all over the Middle East.

These seeds planted hatred and contempt for freedom in the souls of men like Osama bin Laden. In 1983, they murdered our marines in Beirut. In 1993, Ramzi Yousef and his al Qaeda associates bombed the World Trade Center. They were supposed to fall that day, but that day would come later.

They struck the Khobar Towers in 1996. They bombed our embassies in Africa. They defeated us in Somalia. And they deliberately attacked the USS *Cole*.

Each time we failed to respond. And then came September 11. It was as if the United States was a sleeping giant. And not until the bloodiest alarm of 9/11 did the giant finally awake. America cannot afford to go back to sleep again.

We are fighting this war in distant lands, and we are winning. Our struggle in Iraq and Afghanistan is the great stand in this war on terror. The terrorists are there. Zarqawi was there before, and we are there. And if we fail, the terrorists will prevail just as they have over the last 30 years.

Behind me is a picture of Sergeant Byron Norwood taken moments before he died for his country in this global war on terror. In Fallujah, Sergeant Norwood helped save seven of his fellow marines in a gun battle with insurgents and gave his own life in the process. Simply put, Byron was a hero.

His story reminds me of the Bible verse found in the Gospel of John: "Greater love hath no man than this, that a man lay down his life for his friends."

Some say we should retreat in this war on terror, but to them I say to cut and run now would not only be an insult to those waging this liberating battle but a dishonor to those like Byron who made the ultimate sacrifice because few causes are as worthy, few prices are as great.

I received a letter from Byron's mother expressing her concern that the American people would soon forget about Byron and his sacrifice for freedom. To Janet and all of the other Gold Star Mothers, I say we will never forget Byron, and we will never forget about the other fallen heroes who paid the ultimate sacrifice for freedom.

Whether it is Bill and Janet Norwood or the wounded soldiers at Walter Reed Hospital or the soldiers I met with in Iraq, they all tell me the same thing, Congressman, finish the job. And finish the job we will.

I would like to close with a message that Byron's father gave to me to deliver to this Chamber. Byron's father said, "Byron understood the meaning of Semper Fidelis, always faithful, as do all marines who were there that day in Fallujah. He willingly gave his life, and others were seriously and permanently wounded as they sacrificed for their band of brothers and their country He would never have traded honor for political advantage."

Mr. SKELTON. Mr. Speaker, I yield 2½ minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Speaker, I come to the floor to indicate to one and all who cannot be here today that our legislative hands are tied. We have no opportunity, even though we pleaded with the Rules Committee to give us an opportunity to be able to speak on alternatives to this resolution.

You have heard that this resolution is in support of the troops. It is not. You have heard that this resolution is in support of the war on terrorism. It is not. And I will tell you why it is not, and I will tell you why we have to have an alternative and why we need to vote "no" on this resolution, because it doesn't support the troops, and it does not support the war on terrorism.

The people in this resolution that are referred to, the honored sacrifice that has been made by the Armed Forces of the United States, is supposedly on behalf of somebody called Prime Minister Nouri al Maliki, a man who today said he was going to engage in conversations with terrorists who have murdered Americans to give them amnesty. This is the amnesty resolution.

To vote for this resolution is to vote for those who support amnesty for those who kill American troops. This is the government we are supposed to be standing up and defending, the very freedom that gives that prime minister the possibility of speaking to the terrorists has been won by the blood and sacrifice of American troops. This is the amnesty bill. This is the amnesty resolution.

There are people on this floor who will not grant amnesty to people who cut their lawns, who wash the dishes in the restaurants they eat in; but they are willing to vote for a resolution that says that they support a government that is willing to give amnesty to people who murder the men and women of the Armed Forces of the United States.

I am not going to do that. And if you disagree with that interpretation, give me the right to put it on the floor for a vote and let's see who wins the hearts and minds of the American people, not the Iraqi people, as to who is really supporting the troops and who is really willing to fight a war on terror.

This is nothing but a resolution confirming the existing administration policies. Whether you are a Democrat or Republican, you deserve the opportunity on the floor of the people's House to have a real debate, not a discussion, not to echo sentiments, but to have substantive words on the floor that allow the American people to understand what direction do we want to take this country.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume to clarify for the record that this resolution honors all those Americans who have taken an active part in the global war on terror, whether as first responders, protecting the homeland, as servicemembers overseas, as diplomats and intelligence officers, and in other roles.

And further, it honors the sacrifice of the United States Armed Forces and of partners in the coalition, and of the Iraqis and Afghans who fight alongside them, especially those who have fallen or have been wounded in the struggle.

and honors as well the sacrifices of their families and of others who risk their lives to help defend freedom. This is a resolution to honor their sacrifice.

Mr. Speaker, I am pleased to yield 1½ minutes to the gentlewoman from Florida (Ms. HARRIS), a member of the House International Relations Committees.

Ms. HARRIS. Mr. Speaker, I rise in support of this strong, proactive defense of our liberties and freedoms from the preying forces of Islamic radicals in their jihad against the core values of our Western Civilization.

We did not choose this war. They picked the fight. The events of September 11 represented the final moment of spending our days as bystanders.

Mr. Speaker, this debate is not about the choices which precipitated the war in Iraq. The choice we face today, and Americans will face in November, is between two visions: full commitment to protect our Nation and prosecute the global war against terrorists, or complete surrender to Islamic extremists who want to destroy us. There is no middle ground.

Without maintaining pressure upon this global war, we face the grave risk of producing homegrown terrorism. These radical Islamists would rather take their fight to our streets, our communities, our neighborhoods.

The necessity of a proactive, robust strategy recently was reiterated by an ally too well-acquainted with the threat posed by radicalized forces.

British Prime Minister Tony Blair said: "We have to act, not react; we have to do so on the basis of prediction, not certainty; and such an action will often, usually indeed, be outside our own territory."

America has acted. Our troops have responded honorably and successfully. Are we safe for today? Absolutely. Should we cut and run from Iraq? Never.

As Winston Churchill said: "We shall not fail or falter; we shall not weaken or tire. Neither the sudden shock of battle nor the long-drawn trial of vigilance and exertion will wear us down. Give us the tools and we will finish the job."

Mr. SKELTON. I yield 2 minutes to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Speaker, I thank the gentleman for yielding me this time.

This afternoon, regrettably, we are talking about the cost of this war, the cost of the commitment of the American people: the cost in money, and the cost in lives, over 2,500 to date; the cost in wounded, over 18,000, with very little or no oversight, very little or no accountability, and certainly very little or no shared sacrifice in this country.

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This resolution that we are discussing, because it is not even a debate, is more about politics than about practical solutions. Anyone that doubts that, all you have got to do is read the article in today's paper that sets out the political strategy by the majority leader in terms of this resolution.

Oversight, oversight, oversight. Where was our armor, both body armor and vehicle armor? What was our plan post "Mission Accomplished" press conference? Where were we during the issue of Abu Ghraib rendition and so many other things that have come up?

In fact, last night I went home and I switched on the TV and I just happened, by chance, to catch the program on HBO, Last Letters Home: The Families. And it occurs to me this afternoon that we owe those families from that HBO program, and the 2,500 other families, an apology, because they have made the sacrifice. They understand the cost of this war. And they must be wondering where the accountability and where the oversight is. We need to apologize to them and to the American people for not doing our job.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. BARRETT), who has traveled to Iraq and has witnessed the progress firsthand.

Mr. BARRETT of South Carolina. Mr. Speaker, we have talked about facts and figures tonight. We have talked about whether we have got the right number of forces and how much money we are spending. But we can talk about facts and figures all the time. This is more than that.

This is about faces. This is about faces in the fight on global terror. This is about the faces of leaders like Maliki and Karzai, guys that are worried whether the United States is going to keep its pledge and its word to be with them to the bitter end.

This is about the faces of citizens who want to raise their families, who want to live and worship in a country that is free, where they can walk down the street without the fear of being blown up.

This is about the faces of families who are concerned about whether we are going to do everything we need to do to make sure our soldiers, sailors and airmen have everything they need in this fight.

This is about the faces of the enemy, cold blooded murderers with red eyes who have only one mission in life, death or victory.

And this is about the faces of soldiers, dirty, tired, hungry, scared sometimes, but soldiers with a resolute mission, a mission of victory.

Mr. Speaker, every day I thank God that we have men and women worldwide willing to do something bigger than any of us here today, willing to fight for freedom and justice and to keep America safe and strong.

Mr. SKELTON. Mr. Speaker, I yield 2½ minutes to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, this resolution contains phrases such as "we will prevail," words like "determination," "resolve," "we are committed to the completion of the mission." It is a good, well written pep talk. But where is the discussion of how?

As Mr. GILCHREST, our colleague from Maryland and a decorated Vietnam war veteran said, where is the urgency in figuring out how we are going to do those things?

We should be having a debate and a discussion on how we will prevail, not just that want to prevail.

Specifically, how are we going to equip a very poorly equipped Iraqi army? How are we going to set up a system of support and supply and repair for the Iraqi army? How are we going to ensure that more Iraqis are employed and develop the economy? How are we going to increase electricity production, which is below prewar levels? How are we going to increase access to potable water and sanitation, which is below prewar levels? How are we going to increase oil production and the oil production sector, which is below prewar levels? How are we going to finish putting together the provincial reconstruction teams? How are we going to increase and improve the training of police? How are we going to help create and improve local courts and the judicial system? How are we going to improve the refining capacity? Iraq is an importer of gasoline. How are we going to improve the accountability for contractors? That means how are we going to quit wasting billions of U.S. tax dollars? How are we going to find more allies to share in this burden? How are we going to keep our Army, our military from breaking down? How are we going to strengthen our Reserve component, our blessed Guard and Reserve people? How are we going to preserve our all volunteer Army? How are we going to increase our public diplomacy, so that people will quit hating America all around the world? How are we going to make our troops safer?

Those are the kinds of discussions we should be having. But what are we doing? We are rehashing the past. We are talking about the 1990s. We are talking about the war resolution. Let us look ahead. How are we going to prevail? How are we going to keep this commitment to the completion of this mission?

Specifically, I think we need to do far better oversight. I am a member of the House Arms Services Committee. We are abysmal in our oversight, abysmal.

Years ago when the Republicans took over, and maybe it was a good move at that time, the Subcommittee on Oversight and Investigations was eliminated. It has not worked to do that.

I see friends over here. Ladies and gentlemen, we need to bring back the Subcommittee on Oversight and Investigations so we can ask these kind of questions. How are we going to do the things? How are we going to achieve this pep talk that is going to be voted on today or tomorrow?

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. POE), a member of the International Relations Committee, who has traveled to Iraq, has met with our U.S. coalition, and Iraqi troops.

Mr. POE. Mr. Speaker, I went to Iraq in 2005. I was one of two Members of this Congress to view the first free elections in their history, and I watched in awe and admiration as more than 8 million people went to the polls and elected a government. Men and women, young and old, courageously cast their ballots in the face of the violent terrorists.

I spoke to many Iraqis and they showed great defiance against those outlaws that wished to disrupt those elections. Despite facing 300 attacks across the nation that day, more than 60 percent of the Iraqis went out to vote. Not even 44 murders by the terrorists could remove the resolve of those people.

Men and women waited in line to cast their vote. They took the historic ballots, entered a cardboard booth and made their choice. With that simple but noble action, they pushed tyrants and terrorists aside and set Iraq on a path to freedom. Then they marched down the street holding their ink stained finger up high in defiance of those terrorists.

I talked to Iraqis. And I talked to a woman who came up to me with tears in her eyes after she voted and said how grateful she and her family were for the America that we live in, for giving their sons for her family's freedom.

She went on to relate to me how her husband and her brother had been murdered by the devil of the desert, Saddam Hussein.

There have been more successful elections since the first, and the skeptics and the critics get it wrong with each new free and successful election.

Democracy is the enemy of terrorists. They hate democracies as much as they hate the human life of the innocents that they murder.

We cannot give in to these madmen. The insurgents have discovered that the United States and her allies cannot be defeated on the battlefield. They have also found that the steely resolve of the Iraqi people to create a free and fair and inclusive government cannot be broken. Liberty and freedom are overcoming treachery and tyranny and violence. We will not fear nor flee nor flinch in this absolute resolve.

And our mission statement was stated 40 years ago by President John F. Kennedy when he said, "Let every nation know, whether it wishes us well or ill, that we will pay any price, bear any burden, meet any hardship, support any friend, oppose any foe in order to assure the survival and success of liberty."

And that's just the way it is.

Mr. SKELTON. Mr. Speaker, I take this opportunity, in light of the gentleman from Arkansas' comments, Dr. Snyder, to remind the body, Mr. Speaker, that it was the Investigation Subcommittee of the Armed Services Committee that produced the all important legislation we now call Goldwater-Nickels, which brought about jointness within the armed services.

And I also might mention that all 29 Democrats sent a letter to the chairman of the Armed Services Committee, from which we have not received an answer, recommending and asking that the Investigations Or Oversight Subcommittee be reestablished.

Mr. Speaker, I yield 1½ minutes to the gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Speaker, this debate on this resolution, and the resolution itself, continues two very dangerous patterns that have sort of governed all of our actions in Iraq for far, far too long.

First of all, there are no specifics, as Congressman SNYDER said quite articulately, as to how we are going to achieve this victory.

When this debate was billed, we were told this was going to be the floor of the House, the People's House talking about how to deal with the very tough challenges that now present themselves in Iraq. Even the President admits that things have not gone the way we had planned, and we need to step up and figure out how to fix the problems.

And yet, this resolution doesn't say a thing about that. It says, terrorism is bad, our troops are good, and we want to win.

This House is failing in its mission with such an open statement that does not get at the how of winning. How are we going to deal with an open-ended commitment to Iraq? How are we going to pay the price for that? Is it even in the best interest of our goal of a stable and peaceful Iraq to say that our troops will stay there for as long as is necessary?

Those questions are not answered. Unless we in this House are willing to step up and put policy forward, we shouldn't say that this is a debate about the future of Iraq. It is not. We have many hard questions that need to be answered. This resolution does not do that.

And the second dangerous trend is the pattern of the President and the majority in this Congress to say anyone who disagrees with them is somehow unpatriotic and defeatist, which to my mind means that we all need a refresher course on why democracy is important. We are all very good at saying that it is important. It is important so that we hear all the voices, not just those who disagree with us. That way we can learn from our mistakes, which we desperately need to do in Iraq.

Mr. Speaker, I rise in disappointment—though I must say, not in surprise—about the exercise the House is engaged in today. This is not a true debate about our policy in Iraq. A real debate on Iraq would allow us to consider alternative proposals and vote on meaningful amendments that could help us improve the very difficult situation there. Instead we have before us an un-amendable, rhetorical document about the war on terrorism that barely focuses on Iraq itself, and certainly doesn't deal with the real challenges we face there. This process is an offense to our democracy.

What is even more troubling, Mr. Speaker, is that this kind of undemocratic approach is precisely what led to the Bush administration's many costly mistakes in Iraq. Americans have seen how the administration's stubborn single-mindedness and refusal to consider alternative views and dissenting opinions have cost us dearly in Iraq. The facts are all-too-well-known:

When General Shinseki said that far more troops would be needed to secure the peace in Iraq, he was ignored and soon retired—and the result was that the troops we did send struggled unnecessarily to prevent and control a massive insurgency.

When advisors warned the administration not to de-Baathify and disband the Iraqi military and security forces, they were ignored. As Prime Minister Tony Blair has publicly admitted, this was a grave mistake that effectively pushed thousands of military-trained, disempowered Sunnis into the streets, fueling the post-war insurgency.

And the administration's refusal to heed dissenting views on Iraq continues to this day. Now that the Special Inspector General for Iraq Reconstruction has brought to light massive amounts of waste, fraud, and abuse in the reconstruction contracting, I understand that the administration and the Republicans in Congress are trying to prematurely end his mandate.

This is a clear pattern, Mr. Speaker, and the consequences of this arrogant, undemocratic approach are real. It has cost us dearly in American lives and resources, undermined our efforts to build peace and stability in Iraq, and delayed our departure from the country.

Mr. Speaker, I supported the use-of-force authorization in October 2002 in order to give the President the leverage to hold Saddam Hussein accountable for his threatening behavior and refusal to submit to weapons inspections. And that is what makes it all the more frustrating that the President misused that authority by rushing to war and committing so many grave and costly mistakes in Iraq.

So no, Mr. Speaker, this is not a real debate. A real debate would allow us to consider the important questions in Iraq: Can we afford to make an open-ended commitment to staying in Iraq? Has our troop presence there reached the point where it is inhibiting a successful transition to full Iraqi sovereignty? Can our strained military and ballooning national deficit handle it?

How can we accelerate the transition to Iraqi sovereignty and responsibility for their own country? How best can we engage in more robust diplomacy with our allies and key regional players who can help bolster the new Iraqi government and contribute to its reconstruction?

How can we improve Congressional oversight so that we can identify and rectify the enormous mistakes the administration has made in Iraq?

These are the questions we should be debating, Mr. Speaker, because they directly affect our ability to achieve success in Iraq. We owe it to our brave men and women in uniform and to the American people to ask these questions. But instead, we have a resolution before us today that is basically irrelevant when it comes to the real issues in Iraq. It says, essentially, that we support fighting terrorism and that we are committed to achieving success in Iraq. I agree with that, but that doesn't say anything about how we get there. That is the important question.

Mr. Speaker, today Congress is continuing to utterly abdicate its oversight responsibility. Since the outbreak of war, this Congress has done little more than endorse the administration's policy in Iraq, instead of asking the tough questions and scrutinizing that policy, as the Constitution requires us to do.

Mr. Speaker, I hope, despite this Congress' refusal to conduct oversight, that we can be honest today as we look ahead in Iraq. We all want to see an Iraq that is stable, secure, and free. Our troops are doing an outstanding job, and they deserve our full support and respect. But the fact is that success or failure in Iraq increasingly depends on the decisions of Iraqi leaders, and they must understand that. In order to achieve success in Iraq we must accelerate the transition to Iraqi sovereignty.

I believe that significantly reducing our military footprint is critical for making that happen. While we cannot simply abandon Iraq at this point, drawing down our forces levels in a responsible way in the coming months will force the Iraqis to take greater responsibility for their own security and reduce their dependence on U.S. forces. It will also send an important message to the Iraqi people that Americans are not there to occupy the country, but rather seek to begin leaving as Iraqis take control of their own country.

Finally, Mr. Speaker, as we move forward in Iraq, both the future and the past matter. We must make the best of a difficult situation by working diligently to help Iraqis take full responsibility for running their country so that our overburdened troops can come home. And we must do so in a manner that does not give the violent Islamic terrorists in the world any greater strength. Yet we must also be willing to acknowledge and learn from our mistakes so that we can chart a new path forward. That requires holding the Bush administration and this rubber-stamp Congress accountable for their failures."

Ms. ROS-LEHTINEN. Mr. Speaker, before I yield to the gentlewoman from Connecticut, I would like to give myself such time right now as I might consume.

We have a strategy, and it is a strategy for success, Mr. Speaker. Every day in Iraq and in Afghanistan is proof positive that we are making progress and that we will prevail.

My colleagues on the other side of the aisle say we need to have a debate on how to win. And I would point them to the Intelligence, to the Armed Services Committee, our own International Relations Committee, the countless hearings and meetings we have held to address the issues that have been raised here. And while I will let Armed Services discuss their oversight, I would like to read just briefly some of the sessions held by our International Relations Committee on Oversight.

Full committee hearings in the 109th Congress, in the 108th Congress, full committee Members only meeting, subcommittee hearings in the 109th Congress, subcommittee hearings in the 108th Congress, classified briefings in the 108th and 109th Congresses, as well as a total of 9 resolutions of inquiry on Iraq referred to our committee.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, let us be clear. Terrorism, as a method of achieving political goals and settling political differences, is intolerable to the civilized world. Inevitably, terrorists will gain access to chemical, biological and even nuclear weapons. Never has a non-government organization been able to deliver weapons of mass destruction. That will be unprecedented, and it is truly intolerable. So terrorism, as an organized system of political action, must be defeated.

Within the Palestinian Authority, for the first time, the issue of terrorism as a means of political action is now the issue between Mr. Abbas and the Prime Minister. And in Iraq, the same issue is being joined. The new Prime Minister recognizes that there can be no government if political organizations are to each have their own armies.

Iraqis had the courage to vote for the adoption of an interim government, for a constitution, for a permanent government, and the Prime Minister, as well as communities throughout Iraq, get it, that governing themselves is what they want.

Our forces have distinguished themselves in Iraq, both as skilled military units and model citizens, and I salute them. They have won the war we had to win, and are now training thousands of Iraqis and transferring authorities to Iraqi units to win the war only they can win.

□ 1830

Our impatience to leave is matched by their impatience to take the reins of their destiny. The reins are being transferred. Patience, hope, perseverance. Our children will inherit a safer world.

My heartfelt gratitude for those who have given their lives to our Nation, and for their families.

America salutes you.

I have a picture on my desk and letters in my files from families of talented young men and women killed in Iraq. I am proud of their commitment to our country of their service of the values they held dear. But I am unendingly sad—for the sacrifice they and their families have had to make.

Let us be clear—terrorism as a method of achieving political goals and settling political differences is intolerable to the civilized world.

Terrorism maximizes the killing of the innocent. Terrorism glorifies the brutality of torture and murder. Terrorism knows no diplomats and rejects negotiations as a means of resolving differences.

In our world, weapons of mass destruction—chemical, biological, and nuclear—will be increasingly available to terrorist organizations espousing terrorism as a means of political action.

That is unprecedented. Never has a non-nation organization been able to deliver weapons of mass destruction. That is unprecedented, unacceptable and intolerable.

Yet terrorism as an organized system of political action has developed to new heights in the Middle East and it is there that it must be defeated.

Within the Palestinian Authority, for the first time, the issue of terrorism as a method of political action is now the issue between Mr. Abbas and the Prime Minister. Very specifically, they are debating not the legitimacy of a national army or diplomacy, but the legitimacy of political armies, factional armies and terrorist action—that is, violence ungoverned by national interest or law.

And in Iraq, the same issue is being joined. The new Prime Minister recognizes that there can be no government if political organizations (even if reflecting religious and ethnic differences) are to each have their own armies governed only by the unlimited rights of terrorists to kill others and terrorize those committed to public service.

Iraqis had the courage to vote to adopt an interim government, to adopt a constitution, and to elect their first democratic government. The prime minister, as well as communities throughout Iraq, get it, that governing themselves is what they want, and they are in varying degrees.

We as a people know the power of freedom under law. And our forces have distinguished themselves in Iraq, both as skilled military units and as model citizens respecting others and supporting and encouraging the local processes of governance.

I salute our men and women of the U.S. military. They have won the war we had to win and are now training thousands of Iraqis and transferring authority to Iraqi units, to win the war only they can win.

Ultimately, the Iraqi units will defeat terrorism as a method of political action and the people all over the world will triumph. Our impatience to leave is matched by their impatience to take the reins of their destiny.

The reins are being transferred. Patience. Hope. Perseverance. Our children will inherit a safer world as a consequence of our success.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, I come to the floor today to commend our friends, the Iraqi people, for their success in forming a unity government and, most importantly, to send a message that the United States does not back down from its commitments.

Six months ago I visited Iraq following their national elections which set up a truly representative and united government. Since then, the Iraqi Government has made significant advances. Just last week we saw the completion of the prime minister's cabinet, most notably the key positions of the ministers of defense and interior. It is important for the new Iraqi Government to fully understand our level of commitment to them during this time of transition.

Let it never be said that the United States backed away from its commitment to peace, security, and stability of this region.

A half century ago, Winston Churchill addressed this body to urge the United States to not lose patience and not lose hope in our commitment to rebuild a stronger, united Europe following World War II facing the specter of communism. Mr. Speaker, Churchill's words still ring true today. From the Berlin Airlift to the rebuilding of Japan, from the DMZ in Korea to the mountains of Afghanistan, and now to the streets of Baghdad, the world has come to learn that America does not back down from its commitments.

Today we affirm our commitment not only to the Iraqi people but to the cause of liberty throughout the world.

Mr. SKELTON. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Speaker, as a member of the Armed Services Committee, I rise today to give voice to a few of those outside views about Iraq, those of several former general officers who have the courage to speak out about how this war has been mishandled by the President and this Republican Congress.

Take, for example, General Anthony Zinni, former commander of the U.S. Central Command. He says, "We are paying the price for the lack of credible planning, or the lack of a plan. Ten years' worth of planning were thrown away, troop levels dismissed out of hand . . . these were strategic mistakes, mistake of policy."

Or how about Major General Paul Eaton, who led the initial effort to create the Iraqi Army. He says that the "failure to build coalitions with our allies . . . has imposed far greater demands and risks on our soldiers in Iraq than necessary."

The list goes on and on. These generals have served our country with honor and distinction, and we would be foolish not to heed their counsel. But this administration and this majority refuse to listen to any views other than their own.

I agree with many of my colleagues who say that the failure in Iraq is not an option. But unless we take a long, honest look at how we got where we are right now and demand some kind of accountability for the mistakes that were made and learn from those mistakes, there can be no success.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. LEWIS).

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to voice my strong support for House Resolution 861.

Answering questions at a September 27 Pentagon press conference, former chairman of the Joint Chiefs of Staff, General Richard Myers, said, "If we are not successful in the global war on terrorism, then our way of life is, indeed, at stake. My view is, if terrorism wins in Iraq, the next 9/11 is right around the corner. It's just that simple," he said.

This is the sober reality we face. Our safety at home and the cause of freedom abroad is largely contingent upon our success in Iraq. Our enemies would like nothing better than to seize upon the unrest in Iraq, drive coalition forces away, and take refuge in another autocratic regime like the former Taliban and Baathist Parties, from which they could have greater wherewithal to kill Americans and our allies. We must fight and win the battle against terror overseas so we never have to fight it here at home.

As we have moved to restore order and stability to the region, our temporary presence has drawn thousands of al Qaeda disciples to Iraq to capitalize on what began as a small and anticipated homegrown insurgency by Saddam Hussein's fiercest loyalists. Now Iraq is al Qaeda's center of gravity, and we must do all that we can to secure and stabilize Iraq and its promising new government, defeating agents of terror on fronts abroad so they never again strike us here at home.

We must also remember that it is not a war of our choosing. al Qaeda declared war against the United States more than a decade ago and launched tactical strikes against Americans and our interests throughout the 1990s. Whether or not Iraq was directly involved in the September 11, 2001, attacks on the United States, our operations in that nation have become a war against terrorists who have already attacked this country.

It is essential to the security of the American people and to the world's security that the United States together with its allies take the battle to the terrorists and to those who provide them assistance.

Therefore, I do not believe it is in our national interest to arbitrarily set a date for withdrawal until our mission is complete. House Resolution 861 makes it clear that the American people are determined to prevail in Iraq and other fronts to protect our freedom and defeat terrorist enemies. To achieve this goal, we must remain engaged, patient, and persistent.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, our men and women in uniform have shouldered the enormous tasks we have asked of them; and they should be commended for it, especially considering the careless way this war was planned and conducted.

Our soldiers would never complain about the mistakes of their Commander in Chief. The military just does not work that way. We all know that. Without any second guessing, they will always do the jobs assigned to them.

But we are the Congress. It is our job to raise questions about how our troops are used and cared for. It is our job to identify and to look into mistakes that are made by the executive branch. It is our job to consider and learn from the lessons of Iraq. But what have we learned today? Recycling words and we are not fixing problems.

This resolution, Mr. Speaker, just does not cut it. Our soldiers are doing their jobs. They have earned and deserve a Congress that does its job.

Ms. ROS-LEHTINEN. Mr. Speaker, I am so pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. PLATTS), who has been to Iraq four times, to Afghanistan twice, and I had the honor of traveling to both places with him as well.

Mr. PLATTS. Mr. Speaker, I rise in support of House Resolution 861.

The debate we are having today serves as an important reminder to all Americans that we are a nation at war. This war is against an enemy that embraces hate and intolerance over liberty and justice. Like other wars in our history, the human and financial costs are high. We mourn the loss of each and every American who has made the ultimate sacrifice in defense of our Nation. All Americans are forever indebted to these courageous citizens and their families.

It is understandable that Americans worry for the safety of our troops and have doubts as reports of suicide bombings and other attacks air regularly on television. But as in the war against fascism in the 20th century and as demonstrated by the tragic attacks of 9/11, the stakes for our Nation and our democratic allies throughout the world could not be higher.

In place of the regimes of terror and torture in Iraq and Afghanistan, we now have duly elected constitutional governments, governments that are working to promote democracy in a region of the world that has rarely embraced it. The citizens of these nations have demonstrated their intense desire for freedom through their willingness to face down threats of violence and death in casting their votes in numerous national elections in both countries.

The global war on terrorism in the broad sense and the specific battles in Iraq and Afghanistan will not be won according to a specified timetable, and our enemy cannot be appeased. But we can and we will win this war because our cause is just and right. And winning this war will ensure that the democratic gains made in Iraq and Afghanistan are not lost.

The security of our Nation and its citizens, along with the defense of the ideals of freedom, democracy, and justice, is what is at stake in this global struggle of good over evil. This struggle requires us to go beyond Democrat and Republican, liberal and conservative, just as previous generations did to defeat the totalitarian ideologies of the 20th century. And in the words of President Roosevelt at the beginning of World War II, it means going forward with "confidence in our Armed Forces, with the unbounding determination of our people" in order to "gain the inevitable triumph."

May God watch over our troops serving in harm's way, and may God continue to bless our great Nation, the United States of America.

Mr. Speaker, I rise in support of House Resolution 861 and ask unanimous consent to revise and extend my remarks.

The debate we are having today serves as an important reminder to all Americans that we are a nation at war. This war is against an enemy that embraces hate and intolerance over life and liberty. Like other wars in our history, the human and financial costs are high. We mourn the loss of each and every American who has made the ultimate sacrifice in defense of our nation. All Americans are forever indebted to these courageous citizens and their families.

It is understandable that Americans worry for the safety of our troops and have doubts as reports of suicide bombings and other attacks air regularly on television. But, as in the war against fascism in the 20th century, and as demonstrated by the tragic attacks of 9–11, the stakes for our nation and our democratic allies throughout the world could not be higher.

I have traveled to Afghanistan twice and Iraq four times over the past four and one-half years. During these visits, there have been two constants that have instilled confidence in me about our mission and progress in these countries.

First is the professionalism, courage, and sense of duty displayed by our men and women in uniform. Whenever you thank our soldiers, marines, sailors, and airmen for their service, they humbly reply, "I'm just doing my job."

Their job, of course, is to protect our way of life. To protect the lives of our nation's citizens and the principles for which our great nation stands.

Our troops have removed truly brutal regimes from power in Afghanistan and Iraq. They have denied terrorists two safe havens. They have eliminated the threat that a murderous dictator who used weapons of mass destruction on his own people—a dictator who continued to defy United Nations resolutions and shoot at American planes enforcing the no-fly zones in northern and southern Iraq—would again produce and brandish such weapons once international support for sanctions broke down.

Our men and women in uniform are building schools and roads, training police and soldiers, and hunting down terrorists. They are fighting al-Qaeda in Afghanistan and Iraq so we don't have to fight them here at home. They are helping the Iraqi security forces stand up so we can stand down.

In place of the regimes of terror and torture in Iraq and Afghanistan, we now have duly elected constitutional governments. Governments that are working to promote democracy in a region of the world that has rarely embraced it. The citizens of these nations have demonstrated their intense desire for freedom through their willingness to face down threats of violence and death in casting their votes in numerous national elections in both countries.

The devotion to duty of our men and women in uniform is truly inspiring. The sacrifices of these patriotic Americans on the front lines of the Global War on Terrorism, as well as the sacrifices of their family members on the home front, have earned the respect, admiration, and eternal gratitude of all Americans, as well as that of 50 million Afghani and Iraqi citizens who are free today because of the troops' successes.

The second constant in my visits to Afghanistan and Iraq is the genuine gratefulness expressed by the Iraqi and Afghani people for our nation's actions in liberating them and giving them a chance at freedom. Again and again, what I heard was simply: "Thank you for liberating our citizens."

On my first visit to Iraq, I met with the Mayor of Kirkuk, Abdul Rehman Mustafa, and other Kirkuk city leaders. Mayor Mustafa specifically asked my colleagues and me, upon our return home, to thank our nation's mothers and fathers for their willingness to support their children, our troops, in going into harm's way to defeat Saddam Hussein and thus liberate Iraq and its citizens. In the words of Dr. Kemal Kirkuki, one of Mayor Mustafa's colleagues on the Kirkuk City Council, "This was not a war against Iraq. It was a war to liberate Iraq."

On another trip, I met with a group of Iraqi women leaders, including Safia Taleb al-Suhail. This group of female government and private sector leaders exemplifies the transformation of Iraq from a nation ruled by terror and torture to one in which men and women alike have constitutional rights and opportunities. Safia shared with me how her late father, an opponent of Saddam Hussein, was killed in 1994 while living in exile in Lebanon by Saddam's intelligence service. Ten years later, Safia was named Iraq's Ambassador to Egypt.

The general consensus of these Iraqi women leaders was that they couldn't wait for the day when our and all Coalition troops could return home and Iraq did not need the military assistance of other nations. These Iraqi women leaders emphasized, however, how glad they were that our and the other Coalition troops were there ensuring the freedom of all Iraqis.

On my most recent trip to Iraq, I observed and met with Iraqi soldiers undergoing basic training. There are now over 260,000 Iraqis trained and equipped to fight the insurgency. Iraqis like those I met with at the East Fallujah training camp continue to stand in line and volunteer for service in Iraqi military and police units, even though they know that said service makes them a likely target for the insurgents. The Iraqi soldiers I met expressed their deep thanks for what our troops have done in their country.

The Global War on Terrorism in the broad sense and the specific battles in Iraq and Afghanistan will not be won according to a specified timetable, and our enemy cannot be appeased. But we can and will win this war because our cause is just and right. And winning this war will ensure the democratic gains made in Afghanistan and Iraq are not lost. Winning this war will also have a far-reaching and critically important impact in other Middle East countries.

The security of our nation and its citizens, along with the defense of the ideals of freedom, democracy, and justice, is what is at stake in this global struggle of good over evil. This struggle requires us to go beyond Democrat and Republican, Liberal and Conservative—just as previous generations did to defeat the totalitarian ideologies of the 20th century. And, in the words of President Franklin D. Roosevelt at the beginning of the Second World War, it means going forward, "with confidence in our armed forces, with the unbounding determination of our people," in order to "gain the inevitable triumph."

May God watch over our troops serving in harm's way, and may God continue to bless our great nation—the United States of America.

Mr. SKELTON. Mr. Speaker, I yield 1½ minutes to the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. LANGEVIN. Mr. Speaker, as a member of the House Armed Services Committee, I know that it is Congress's responsibility to give our troops the resources needed to accomplish their mission. It is a responsibility that I take very seriously. It is precisely that support for the troops that motivates me to warn that we may be doing irreparable harm to our military if we do not alter our mission in Iraq quickly.

General Barry McCaffrey recently shared his frank assessment of operations in Iraq. He said we should know by year's end whether the new Iraqi Government can effectively control the insurgency. He has argued that we cannot sustain our current level of operations beyond Christmas without breaking our military and endangering our ability to fight future missions. In other words, we are quite possibly 6 months away from a point of no return that could have long-ranging effects on our military and the stability of the Middle East and on our ability to defend this Nation.

So what is our strategy to prevent the worst case scenario? Where is the oversight and accountability? Well, Mr. Speaker, I will tell you one thing. It is not in the resolution that we are debating today. The Republican leadership prefers to embrace the status quo and ignore the very difficult decisions this Congress needs to make.

We deserve better. Our men and women in uniform deserve better, and the American people deserve better.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, this resolution declares to the world the resolve of America to fight and to win the global war on terror, including in its central front in Iraq.

We have heard a great deal during this debate about mistakes that may have been made in the lead up to the war and during its execution, and they may be somewhat correct.

But the facts that cannot be debated are that Saddam Hussein had brutally repressed his own people, that he had used chemical weapons against his own people, that he had sanctioned the rape and murder of his own citizens with rape rooms and mass graves standing as a testament to that fact, that he had harbored terrorists within his borders and supported terrorist organizations throughout the region and the entire world, that he defied the world continually by violating 17 United Nations Security Council resolutions. Saddam Hussein was a threat to world peace and security, and it was a correct decision to go in and remove him from power.

And now we must complete the mission to bring freedom to the Iraqi people. And freedom is taking root. We have seen recently the completion of the freely elected Iraqi unity government serving under a Constitution written by the Iraqi people and approved by the Iraqi people. And last week American forces, with the cooperation of Iraqi citizens and security forces, eliminated al Zarqawi, the terrorist leader. And according to the Iraqi national security advisor, the elimination of Zarqawi has delivered his government, he said, a huge treasure of information on the terrorist operation. And we have already seen the results with raids across Iraq where hundreds of terrorists have been killed or captured. The Iraqi national security advisor also said that he thought the security situation in the country was improving enough to allow a large number of U.S. forces to leave Iraq by the end of this year.

Mr. Speaker, everyone in this House, every American, we all want our troops to come home. Lord knows our troops have performed brilliantly and have sacrificed greatly, as American soldiers have done throughout our history when defending our freedom. But they do not want to come home before their mission is complete.

And simply put, you cannot say that you support the troops without allowing them to complete their mission.

This resolution declares the United States is committed to the completion of that mission to create a sovereign, free, secure, and united Iraq.

I urge my colleagues to support the resolution.

□ 1845

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in light of the comments made by the gentleman from Hawaii (Mr. ABERCROMBIE), I reflect on an article from The Washington Post. And it is sad and disturbing that on the very day that we announced and learned that 2,500 American troops have been killed in Iraq, that the prime minister, Maliki, proposes a limited amnesty, a plan likely to include pardons for those who had attacked only U.S. troops. That is very disturbing.

Mr. Speaker, I yield 1 minute to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, as a member of the House Armed Services Committee, I have the privilege of working closely with our troops, the best fighting force the world has ever known.

And I am proud to support this resolution, because if people will just sit down and read it calmly, you will see that it expresses the strong support for our troops and for victory. Now, it is being used here today as some sort of political Rorschach test. I regret that, because the great leaders in American history have used our times of war to unite our country instead of divide our country.

Mr. Speaker, our troops are probably wondering why we are debating the Iraq war now 3 years after the beginning of that conflict. We should have had a good debate at the start of the war. I was not serving in Congress then. But it has gone down in history as one of the worst debates in American history.

There are many other flaws in the process. But today all Members of this body support our troops. All Members of this body support our troops. Democrat, Republican, Independent, you name it, we support our troops.

Now we should all question how the war is being run because that is our patriotic duty. I for one trust our military. I wish our Republican friends trusted our military before, because few times in American history has military wisdom been overridden as with this administration.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. OSBORNE) who has been to Iraq four times to visit with our troops.

Mr. OSBORNE. Mr. Speaker, I spent many years in coaching. Every Monday morning after a Saturday game, I got lots of mail telling me what I should have done. None of those letters helped me very much, because the game was over; hindsight was always perfect. And the was not what we should have done, but rather, what do we do now.

And the same is true I think in regard to Iraq. We need to be proactive, not reactive. Like many Members of Congress, I have traveled to Iraq multiple times, and I met on one of these visits a young captain from Nebraska. This is what he said. He said that if we pull out prematurely, if we do not see this thing through, three things are going to happen.

Number one, every soldier we have lost will have died in vain. I think what he says is true. I called a mother this morning whose son had just been killed. She was proud of her son. She was proud of the sense of mission he had. And I really hate to tell her that we are leaving, that he died in vain.

Number two, tens of thousands of Iraqis will die as the nation implodes. This is what he said. And there may be hundreds of thousands. We will have broken our promise. We told them we would not pull out until we were ready and they were ready. And we cannot break our promise.

And, third, we will put a huge bulls eye on our backs, because as terrorists feel that terrorism works, and that we will retreat in the face of terrorism, only more terrorism will result.

We have seen many examples, Beirut, Kenya, USS *Cole*, World Trade Center bombing number one, and Bali. One of my All-American football players was killed in that bombing. Three hundred people lost their lives. And so inaction has led to only more terrorism, including 9/11.

The lack of resolve and willingness to see this through will only result in the spread of terrorism and greater loss of life than anything we have experienced so far.

Many of the soldiers I have met in Iraq are on their third and fourth tours of duty. They volunteered because they see progress. They have a sense of mission and purpose. And the one thing they ask me and tell me is that they are committed to completion of their mission. We should allow them to do so.

Mr. SKELTON. Mr. Speaker, I yield 1½ minutes to the gentleman who has been to Iraq some nine times, former Army Ranger, the gentleman from Georgia (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, as I thought about today's debate, Tom Paine's words in the crisis came to mind: these are the times that try men's souls.

It is not that the Army is in tatters. Our Army in the Revolutionary War was in tatters at the time; it was just before the Battle of Princeton and Trenton, which were successful and pulled us back together.

It is that we seem to be in tatters. I am extremely disappointed that this resolution, the process for the resolution, and some of the whereases in the resolution have invited Members of this House to become angry and to oppose the resolution.

The resolution is something that we all should be supporting. I support the resolution. The "resolved" part of the resolution is quite reasonable. And it expresses the sense of this Congress and this country that we will be resolved with regard to this engagement. We cannot afford to do otherwise.

Mr. Speaker, it is with disappointment that I participate in the debate today, a debate that is designed intentionally to divide us, when in fact we ought to be showing a great deal of unity as a country in support of our troops and in support of the effort in Iraq.

We are making progress there. It is a slow go. These kinds of insurgencies typically take 9 to 14 years to deal with. If we hang in there, the Iraqi people ultimately will get control of the security situation in that country.

If we fail, our security situation gets worse. Theirs is awful. It is a huge threat to Israel. It is a threat to Europe, and a threat to the world. I encourage all of my colleagues to support the resolution, even though they may be disappointed in the process that has been offered us today, in the "whereas" clauses in the resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the previous speaker for the vote of confidence. I am sure that the troops are very happy with that support as well.

Mr. Speaker, I yield 1½ minutes to my good friend, my Florida colleague, Mr. DIAZ-BALART, who has been to both Iraq and Afghanistan and has spent Thanksgiving with our troops and our coalition forces.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, our Nation is fighting bloodthirsty monsters like al Zarqawi, monsters that behead civilian hostages and that blow up innocent women and children.

And if many of our Democratic colleagues across the aisle have their way, we would already have cut and run from Iraq and Zarqawi would still be alive beheading innocent people. Thankfully, our brave troops understood the kind of enemy that we are facing.

This is an enemy, Mr. Speaker, that kidnaps and beheads hostages. This is an enemy that walks into a mall full of innocent people and explodes bombs. This is an enemy that declared war on the United States decades ago, Mr. Speaker, and refuses to stop until liberty has been snuffed out.

But the United States cannot and will not allow that to happen. Hard work remains in Afghanistan and Iraq. The stakes are high. The Afghani people understand that. The Iraqi people understand this as well. So do the terrorists who murder on a daily basis.

But we are steadily working towards success, not defeat. Because, you see, this is more than just about helping people over there. This is about protecting our country from rogue states and terrorists over here.

This resolution, Mr. Speaker, makes it clear that the American people are determined to prevail in protecting our freedom from terrorist. We will not cower to these thugs. We will continue to support our honorable troops and prevail over this evil, Mr. Speaker.

As long as we maintain our resolve, Mr. Speaker, and do not cut and run, we will win, we will defeat the terrorists.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, a few months ago, in response to pressure from both sides of the aisle, the Republican leadership promised a full debate on Iraq. What we are getting today is certainly a long debate, but it is far from full.

A full debate would mean that Members would be able to offer alternatives to this resolution. We would then be able to debate the merits of all of the resolutions offered. I had hoped to offer a bipartisan resolution I had introduced with my colleague, JOE SCHWARZ of Michigan, that recognizes political progress in Iraq, including the establishment of a national unity government, but also recognizes that more progress is needed, and that the Iraqis must meet their own deadlines for modifications to their Constitution.

As it is, today's debate has been tightly controlled, and our only choice is to vote up or down on a "status quo" resolution that does not focus on Iraq and does not reflect reality on the ground. This resolution does not bring us together, Mr. Speaker. And I regret that this debate is driving us further apart.

We were led into war as a divided Nation, and today we are even more divided. A successful conclusion in Iraq can only happen, it can only happen if Congress and the Bush administration work to bring unity at home.

If this were a real debate on Iraq, we would focus on where we are versus where we thought we would be, and look at the options from here. Just last year, Congress called for 2006 to be a year of transition in Iraq that would allow U.S. forces to begin to redeploy. But we're into the middle of June, and we are actually adding troops.

A real debate would admit that Iraq is a distinct issue, only part of the "global war on terror" insofar as the security vacuum in Iraq has attracted terrorists. But as the gentleman from Missouri, Mr. SKELTON, has said—Iraq is a separate conflict, an insurgency with terrorist elements and sectarian violence.

A real debate would be honest about how continuous deployment in Iraq hurts our military personnel and their families, strains recruiting and retention, and damages readiness.

This resolution talks about how much we honor our troops and the sacrifices they and their families have made to help defend freedom. No matter how each Member chooses to vote today, there's no question that we all honor and support our troops.

But I would argue that if we really cared for our troops, we would make sure they had the equipment and training they need. We wouldn't make it less possible for them to meet some future mission. No one wants a new mission for our troops, but if we had to fight somewhere else, we wouldn't have the equipment or forces to do it.

These are the themes that we should be debating in a resolution today, not the "feel good" messages included in the Republican resolution. We all want to feel good about Iraq and believe that progress is possible. But we can't want progress so much that we blind ourselves to the reality on the ground.

This debate is driving us further apart.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1½ minutes to the gentleman, my colleague from Florida (Mr. CRENSHAW), who has traveled multiple times to Iraq to meet with our forces.

Mr. CRENSHAW. Mr. Speaker, in the days after 9/11, the United States took the last action that our enemies thought we would take, we took the fight to them. They believed that our partisan bickering would provide them with the protection they needed to continue to operate. But they were dead wrong.

Today, we have them on the run. Saddam Hussein has been captured, and Zarqawi is dead. In their place stands the very thing our enemies fear the most, democracy. Instead of a fascist dictator is a newly elected prime minister. And fear and oppression have been replaced with an emerging economy.

But our enemies continue to fight. Why is that? Does their resolve stem from some military, political, or strategic error on our part? No. To the contrary, it is our doubt that gives them strength. al Qaeda has declared Iraq as the battleground between democracy and their hatred of our way of life.

But they know that their war cannot be won on the battlefield. And I look forward to the day when our friends in the Middle East can stand on their own. They have already proven to be allies, and the future of our friendship still hangs in the balance.

Some would rather abandon our friends and everything we have accomplished, hoping this act of good faith would somehow appease a foe proven to be without mercy. But I know our borders and our communities should not be our front lines. It is our job to keep our Nation safe, and we will.

The SPEAKER pro tempore (Mr. TERRY). The gentleman from Missouri has 4 minutes left, and the gentlewoman from Florida has 8 minutes left.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Mr. Speaker, this administration speaks of patriotism, yet cuts health care for wounded soldiers, now numbering over 18,000. It wraps itself in the flag, the same flag draping the coffins of our dead, numbering over 2,500 as of today.

Yet now there are revelations of $12 billion missing from the Treasury, shipped to Iraq in $100 bills and distributed in ways we may never learn, bringing a total of unaccounted funds from the Iraq Rebuilding Fund to $21 billion.

Yet the Bush administration has launched no investigation, has imposed no penalties on the corporations involved. The American people have been defrauded of our money, our morality, and the precious lives of our soldiers.

Ms. ROS-LEHTINEN. Mr. Speaker, how much time do we have remaining in our segment?

The SPEAKER pro tempore. The gentlewoman has 8 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I can think of no better person to close our segment of the International Relations Committee, and I yield the remaining time to the gentleman from Texas (Mr. SAM JOHNSON), who served in the United States Air Force from 1951 to 1979, decorated combat veteran with two silver stars, and as all of us know is a living hero, a prisoner of war during the Vietnam War. We welcome him and we thank him for closing up our segment of the debate.

□ 1900

Mr. SAM JOHNSON of Texas. Mr. Speaker, the question of the day is this, do you support the war against terrorism or don't you? You know, our enemy brutally attacked the World Trade Center in 1993, and we did nothing. In 1998, they attacked two American embassies in East Africa killing 80 people. We did nothing. We were attacked again on USS *Cole*. We did nothing.

Well, now we have a strong President with courage and conviction who is bold enough to say enough is enough. If you are going to attack the United States, then we are going to fight back, and we will not tolerate terror.

You know, I devoted 29 years of my life to the Air Force, flew 62 missions in the Korean War, 25 in Vietnam, and spent 7 years as a prisoner of war in Vietnam, more than half of that in solitary confinement. When I say I revere freedom, I mean that with my whole heart. I know what it is like not to have it. Every single day, since I left that God forsaken place, I thank God for my freedom.

Sometimes people here in America take the countless blessings of this Nation for granted. However, freedom is the touchstone of democracy, and America means business when we say we want to help people in Iraq experience the rich taste of freedom. When we say we are with you, our word is golden. It is through the lens of a lifelong fighter pilot that I step back today and marvel at some of the tremendous accomplishments of the last several years in the promising democracy of Iraq. It gives me hope and provides just a glimpse of how the best is yet to come.

Mr. Speaker, we are making great progress in Iraq. I have been there, and I have seen it. What a difference a few years makes. For generations, the people of Iraq only knew hate, fear and death. The former leader of Iraq gassed his own people by the thousands and hanged people in his very own death chambers.

Remember just days ago looking at the image on the television of Zarqawi, the leader of al Qaeda in Iraq? He was cornered and killed. Better yet, from that raid, came a slew of information. We are hunting down terrorists, and they are going to pay.

According to the Associated Press, American and Iraqi forces have carried out 452 raids just since last week's killing of al Zarqawi and 104 insurgents were killed during those raids. They also resulted in the capture of 759 anti-Iraqi elements. As a result, we discovered a treasure trove of al Zarqawi's information, almost ensuring a defeat against the evil forces of al Qaeda.

Americans are training and working with Iraqi forces nationwide. There is over 260,000 Iraqi security forces serving their country. Another exciting facet of the development in Iraq is the budding democracy.

Remember last January we saw the pictures from the first election? The news media predicted gloom and doom. What did we see? We saw bold images of people patiently waiting in lines for hours, defying death threats just to cast a vote.

Today, people are working tirelessly to guarantee their freedoms. Participation in many Sunni areas of Iraq went from as little as 25 percent in January 2005 election to 75 percent in December. That is tremendous. Wouldn't we like that here in the United States?

The people of Iraq have created a framework for their own future, their very own constitution. They have announced a new unity government, and the people of Iraq refused to allow those who rule by hate and fear to stop them from forging ahead for the future.

They are already tasting the fruits of our freedom. Their strong resolve will pay off in the long run. They know what a difference several years of budding democracy makes. This is what democracy looks like in Iraq today.

Schools and hospitals have been renovated, over 3,700 schools. In May, oil production was over 2.1 million barrels a day. In 2003, barely anyone had a cell phone. In Iraq today there are 6.4 million telephone users, and 1 million land-line connections. There are over 100 privately owned newspapers and magazines and more than two dozen radio and television stations. That is just the beginning.

Our men and women in uniform are doing a tremendous job bolstering this new democracy and planting the tree of freedom in tyranny's backyard. Our men and women are making a difference, and making progress. They are lifting up the people of Iraq, so ultimately the people of Iraq can help themselves. We must stay the course and see this through. We must be patient and persevere. I think President Bush said it best, quote, this is going to be freedom's century.

God bless you. God bless America. I salute you one and all and praise the people of Iraq.

Mr. SKELTON. Mr. Chairman, I yield 1½ minutes at this time to the gentleman from California (Mr. SCHIFF).

Mr. SCHIFF. With all due respect to my colleagues in the majority, Mr. Speaker, I think the question posed by this resolution is whether you support accountability and oversight by this body of the war in Iraq or whether you do not. This resolution is not a substitute for oversight and accountability.

Our brave men and women in Iraq deserve more than this rhetorical pompom. Even as we celebrate the killing of Abu Musab al Zarqawi and the completion of the Iraqi cabinet, we cannot turn away from the grim reality that the war President Bush declared over in the spring of 2003 has been bloodier, costlier, longer and more difficult than the administration anticipated or planned for.

We need a new way forward in Iraq, a fact that seems glaringly obvious to everybody but the President, his advisers and the majority in this House. Last fall the Senate voted 79–19 for a resolution sponsored by Senator JOHN WARNER, the Republican chairman of the Senate Armed Services Committee, which stated that 2006, quote, should be a period of significant transition to full Iraqi sovereignty, with full Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of U.S. forces from Iraq.

At a time when Congress needs to inject itself forcefully into the process of determining what our course of action in Iraq should be, the Republican majority is again prepared to rubber stamp a policy that national security experts across the spectrum recognize as plagued with misjudgment and malfeasance.

We owe our men and women more, and more than any other variable under the control of Congress, our failure to perform oversight has been a major contributing factor to these failures and to the difficult situation we find ourselves in.

Regrettably, I must vote "no" on this resolution.

Mr. Speaker, even as we celebrate the killing of Abu Musab al Zarqawi and the completion of the new Iraqi cabinet we cannot turn away from the grim reality that the war that President Bush declared over in the spring of 2003 has been bloodier, costlier, longer and more difficult than the Administration anticipated or planned for.

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Earlier this year, House and Senate Democrats unveiled our "Real Security" agenda that lays out a blueprint for protecting our nation in the 21st Century. Our plan calls for the establishment of full Iraqi sovereignty during 2006, provides for responsible redeployment of our forces to better protect our troops and facilitates the transfer of authority, and holds the Administration accountable for the terrible mistakes that have been made in the prosecution of the war and the reconstruction of Iraq. In response to our plan and the overwhelming bipartisan majority of our colleagues in the Senate, the Republican majority in the House has tabled a blank-check resolution that endorses the President's "stay the course" policy in Iraq—a policy that he has reiterated in recent days.

At a time when Congress needs to inject itself—forcefully—into the process of determining what our course of action in Iraq should be, the Republican majority is again prepared to rubber-stamp a policy that national security experts across the political spectrum recognize as plagued with misjudgment and malfeasance.

I have been to Iraq three times to visit with our troops there and I have spent time with our wounded here and in Germany. They have done everything that we have asked of them and they have done it magnificently. Whatever success we have had in Iraq—every village that is secured, every public works project that is completed, every school that is reopened—is due to the efforts of our soldiers, sailors, airmen and marines.

We owe our men and women serving in Iraq lot more than this rhetorical pom-pom.

Most glaringly, this resolution does nothing to hold the administration accountable for its conduct of the war. Last week I had the pleasure of meeting Lieutenant General Greg Newbold, the former commander of the 1st Marine Division. General Newbold is one of a growing number of general officers who have courageously voiced their concerns about Iraq. General Newbold told me what he told Time Magazine in April when he said, "What we are living with now [in Iraq] is the consequence of successive policy failures."

More than any other variable under the control of Congress, our failure to perform oversight has been a major contributing factor to these failures and to the difficult situation in which we now find ourselves.

That failure of oversight and the need to hold people accountable has plagued the Iraq war from the beginning. And because this Congress—this Republican-controlled Congress—refuses to hold the President to account, we keep making the same mistakes over and over.

For years the administration and the majority have tried to cow into silence anybody who dared to question the conduct of the war by calling them unpatriotic. That's the subtext of the resolution that we are debating today. It is not disloyal to ask these questions; oversight is a core responsibility of Congress. The great strength of a democratic system with built-in checks and balances is that mistakes are caught and corrected.

Every member of this House, Republicans and Democrats, wants a stable and representative Iraqi government. But, Mr. Speaker, we cannot hope to change course in Iraq until and unless we are willing to acknowledge mistakes and until the administration is held to account and forced to change.

Devising and implementing a successful endgame in Iraq will be difficult, but the President's open-ended commitment to remain in the country is untenable and unwise. The American people want Iraq to succeed, and for representative government there to survive and lead to a better future for the Iraqi people, but that success requires a new direction. This empty resolution fails to provide that and, accordingly, I will oppose it.

Mr. SKELTON. Can the Chair advise the time I have left, please.

The SPEAKER pro tempore. The gentleman has 1½ minutes remaining.

Mr. SKELTON. Mr. Speaker, it goes without saying how proud I am of those young men and women in uniform. I know every Member in this body joins me in saying how pleased and proud we are of them.

A sad moment earlier today was when it was announced that 2,500 had given their lives in Iraq. But what concerns me, Mr. Speaker, more than anything is the request that we made for discussion on Iraq and this resolution that before us today was the result. Trying to blend and fudge together the war in Iraq, which is separate and distinct from the war on terrorism, is disingenuous.

Mr. SCHIFF, the gentleman from California, a moment ago, referred to an amendment by Senator WARNER, Armed Services chairman in the Senate. That amendment stayed in the law last year. This is what we should be discussing today about Iraq, as we were told we would.

Calendar year 2006 should be a period of significant transition to full Iraqi sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of the United States forces from Iraq. That is where we should be today.

Mr. Speaker, I yield back the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield myself 2 minutes.

I think it is important to remember the two major provisions in this resolution, one that there is not going to be an arbitrary cutoff, that that would disserve the security interests of the United States to have an arbitrary exit date from Iraq; and, secondly, that we are going to finish the mission, we are going to fulfill this mission, and that we support the mission that is being undertaken by those 130,000 plus troops who are in Iraq right now.

Mr. Speaker, I was thinking about this question of who should determine when we leave Iraq. Over the last week, we have talked about the bringing to justice of Mr. Zarqawi, and everyone, Democrats and Republicans, have been talking about the extreme competence of the American military.

We have talked about the fact that they are extremely effective, that they know what they are doing, that they may be the best military we have had in decades, that we have great leadership. That is why their judgment on the ground as they stand up and train this Iraqi military should be the determinant of when that Iraqi military is able to carry that load and take that handoff from the American military and handle those security duties themselves. It shouldn't be a Congressman from California, it shouldn't be a Senator from Minnesota, it shouldn't be subject to a committee vote by those of us in Washington, D.C. It should be a function of the collaboration and the discussion and the analysis of the combat commanders on the ground listening to their captains and their majors and their colonels who are training up this Iraqi force. When they say they are ready, that is when we make that handoff.

Mr. Speaker, I would reserve the balance of my time.

Mr. MURTHA. Mr. Speaker, I recognize the gentlewoman from New York (Mrs. MALONEY) for 30 seconds.

Mrs. MALONEY. Mr. Speaker, instead of finding, capturing or killing the man who viciously attacked our country almost 5 years ago, the administration misled our country and sent 150,000 troops to war with a country without any credible link to 9/11.

Mr. Speaker, the resolution before us mentions Iraq 18 times, but it does not mention Osama bin Laden even once. Not only can we not find bin Laden in Afghanistan, we cannot find him in this resolution.

If the other side of the aisle is serious about a resolution on the global war on terror, they would be better served to get their target correct.

Mr. MURTHA. Mr. Speaker, I yield 30 minutes to the gentleman from California (Mr. LANTOS) and ask unanimous consent that he control the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 30 minutes.

Mr. LANTOS. Mr. Speaker, I want to thank my friend from Pennsylvania for yielding.

Mr. Speaker, our country is at war. Men and women of the U.S. Armed Forces, Republicans and Democrats, are making the ultimate sacrifice in Iraq to defend our freedom with 2,500 men and women having lost their lives in Iraq alone. They deserve our respect, our gratitude and our admiration, but we do not honor them with this debate today.

Instead of discussing ideas and long overdue course corrections, we are being confronted with slogans. My colleagues on the other side of the aisle would like this country to believe that their party will stay the course in Iraq, while we want to cut and run. That kind of gross distortion may resonate on right-wing talk radio, but nothing could be further from the truth. We need to make sure the job is done right in Iraq and leave as soon as possible. Our men and women in uniform are striving, sometimes without the necessary troop strength and without adequate equipment to make the effort in Iraq a success. Here the House majority is undermining the democratic process and the very principles that these brave servicemen and women have gone abroad to defend.

□ 1915

The actions of the Republican leadership in the run-up to today would make the Kremlin blush. Having made a decision to conduct a debate, the majority should have enabled full participation, allowing amendments to the proposed resolution on the House floor, and Democrats should have been afforded the opportunity to offer a substitute resolution.

Instead, the resolution before us is a shameless, one-party manifesto. If the debate today were about substance rather than this one-party manifesto, we would focus on what staying the course means. The misguided and mistake-ridden effort in Iraq up to now is absolutely not the course to follow.

I am deeply disturbed by critical issues concerning our efforts in Iraq that this resolution does not address: human rights violations; appalling shortcomings in planning for the post-conflict period; pathetically weak congressional oversight.

Just consider the waste, fraud and abuse of reconstruction efforts in Iraq. The Special Inspector General for Iraq Reconstruction, Mr. Stuart Bowen, testified before our committee last week. I would like to pay tribute to the exceptional work that Mr. Bowen has done in this area. After serving as a senior member of George Bush's gubernatorial campaign team, as general counsel to then-Governor Bush, deputy counsel to the Bush transition team in 2000, and then associate counsel in the Bush White House, he left for the private sector, only to be brought back into service by the White House to oversee an investigation into mismanagement of funds in Iraq.

The facts from the President's hand-picked special Inspector General, Mr. Bowen, are shocking. Billions of U.S. taxpayer dollars have been wasted in Iraq. The executive branch should not have allowed such slipshod management. This Congress should have done its utmost to expose it but it has not, and the American people should not and will not tolerate it.

During the first year of the war, $9 billion, that is $9 billion with a B, moved through Iraqi ministries with little or no accounting for results.

More than 75 percent of oil and gas reconstruction projects, begun with our assistance, remain incomplete. Over half of the electricity reconstruction projects are unfinished. Some 40 percent of water and sanitation reconstruction is incomplete.

Mr. Speaker, the international coalition's ability to exit Iraq responsibly, leaving the Iraqi people in charge of a stable country, is directly related to the success of our reconstruction efforts. These efforts have been severely undermined by waste, fraud and abuse. Our troops have been needlessly exposed to far greater risk because of these failures. We cannot stay the course when it is riddled with mismanagement.

If this debate were about substance, rather than slogans, we would also be talking about the unconscionable punishment that many members of the National Guard and Reserve suffer because of their patriotism. Legislation that I have been advocating for over 3 years to address the gap between these volunteers' salary in their civilian jobs and the often far lower active duty pay in the Guard and the Reserves has met with repeated roadblocks thrown up by the Department of Defense and the Republican leadership of this House, for no legitimate reason.

This pay gap not only affects the soldier but also thousands of families who now have to make ends meet on a significantly reduced income. In addition to their concerns for the safety of a loved one far away, tens of thousands of American families have to worry about meeting mortgage payments or even losing their homes because this House has not responded to their needs.

If we truly cared about our fighting forces in Iraq, we would not merely wile away the hours in a debating society over a symbolic resolution lauding them in the abstract. We would take concrete action to ensure that they and their families are treated fairly. Rather than taking up legislation that would fix this problem, we are debating a divisive political resolution.

Mr. Speaker, let nobody, not in this Chamber and not in this country, let nobody be fooled by the picture that the Republican leadership tries to paint with a debate over this resolution. There is no need to make a choice between "cut and run" and "stay the course." What is called for is a long overdue course correction in the way the executive branch manages our country's efforts in Iraq and in the way Congress fulfills its critical constitutional role of oversight.

Since I deeply favor a course correction, I will vote against this resolution, and I urge all of my colleagues to do so as well.

Mr. Speaker, I reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield 3 minutes to the gentleman from Colorado (Mr. HEFLEY).

Mr. HEFLEY. Thank you, Mr. Chairman.

You know, we have been at this for about 6 hours, I guess, and I think everything that has been said on the subject has been said. Not everybody has said it, and so we will continue for another 6 hours on it.

But I have seen many people today who seem to have used this as an opportunity to insist that the mission in Iraq has been a failure, and that our presence in Iraq has not been properly run, and that we are not winning the peace. Frankly, Mr. Speaker, I think this is absolutely a wrong assertion and only serves to lower the morale of the men and women fighting in Iraq, while encouraging the terrorists who aim to harm both America and Iraq.

The other day I was rushing to Chair a meeting in the Armed Services Committee. I was running a little late so I was kind of frustrated and in a hurry. Someone stopped me out in the hall and said, Congressman HEFLEY, Congressman HEFLEY, would you like to meet a marine from your district? And, of course, I would like to meet a marine from my district, but I was in a hurry. I did stop, and I went over to this young marine. They introduced him to me, and there he stood in his starched shirt and red and blue striped pants, straight as a string, and strong as could be.

I introduced myself and he introduced himself, and then someone said, Sergeant So and So lost both legs in Iraq. I would never know it from looking at him, but he lost both legs in Iraq. I said, oh, I am sorry to hear that, but thank you. He said oh, no, no, no, since then I have gone to jump school. I would not go to jump school with two good legs. Since then, I have gone to jump school and I am going back to Iraq. The job's not done.

I have been to Germany, as many of you have, to see where we bring the wounded into Germany. There was one young man laying on his bed, and I said, well, when were you wounded? He said about 4:30 this morning. About 4:30 this morning, we had gotten him off the battlefield. We had stabilized him and had him in an airplane and had him to Germany where he had already had successful surgery before the end of the day. The main desire of his heart was to get back with his unit in Iraq. That is good morale.

I talked to another young man that was just coming out of the operating room, and he had his arm up in a cast. I asked him, well. soldier, do you plan to stay in the service? He said, oh, I plan to stay in if they will let me. He said the job is not done.

And the point I make with these stories is that they see that they are doing something important. They see that they are doing something meaningful. They see they are doing something that helps America and they want to continue to do it.

We are fighting the war on terror on our terms, and we are winning.

Mr. LANTOS. Mr. Speaker, I continue to reserve my time.

Mr. HUNTER. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. SAXTON), the chairman of the Terrorism Subcommittee.

Mr. SAXTON. Mr. Speaker, I rise in strong support of the resolution.

Mr. Speaker, when I was a freshman, Ronald Reagan was President and I was invited to the White House with a group of people to talk to Ronald Reagan about things we thought were important. We talked for a long time about many issues, and when we finished, the President leaned forward in his chair and said: Let me say something to each of you. All of those things are important. They are all about America but nothing is more important than a system of national security that will protect our right to deal with those issues.

I wish more people had been with me that day because I think of that every morning on my way to work. It appears that there are some who question the sacrifices of the United States Armed Forces and our coalition partners in Iraq who make every effort to advance the global war on terror, to combat the al Qaeda and the affiliate organizations that work with them.

How misguided. Nothing could be further from the truth. Iraq is a critical front in the global war on terror. Separating Iraq from the global war on terror, in my opinion, is a recipe for disaster.

Do not take my word for it. Listen to the enemy. These are the enemy's words. The leadership of al Qaeda has made Iraq an important part of its goal of spreading and imposing its ideology around the world. According to al Qaeda, defeating the coalition forces in Iraq is the first phase of its stated strategic goal of establishing a Taliban-like rule throughout the Middle East.

In a July 2005 communication from Ayman al Zawahiri, al Qaeda's second-in-command right behind bin Laden, to the now-deceased leader of al Qaeda in Iraq, Zawarhiri explicitly states the centrality of the war in Iraq with a global jihad. Bin Laden's right-hand man laid it out like this. Here are the goals: expel the Americans from Iraq; establish an Islamic authority in Iraq; extend the jihad to the countries neighboring Iraq; and destroy Israel. Those are the goals stated by al Qaeda.

We must not lose sight of the fact that a successful prosecution of the global war on terrorism and defeating al Qaeda and its affiliates require us to pay attention to multiple locations in the world, including Iraq. Though we have made progress, the threat remains global in nature.

Since September 11, al Qaeda has planned, supported, or executed attacks leading to the deaths of innocent civilians around the world. According to the Defense Intelligence Agency, there are active jihadists, radical terrorist organizations with the goal of taking control of governments and territories in countries across the globe, including Iraq and Afghanistan, of course; Israel; Saudi Arabia; Pakistan; Somalia; Algeria; Chechnya; Kashmir; and the Philippines and others.

The same report states that al Qaeda maintains and plans to expand safe havens throughout the world, throughout the Middle East, in Asia, in central Asia and Europe, in many countries in Africa, and we know of the terrorist presence today in Canada and right here in the U.S.A.

I have spent a career, Mr. Speaker, in Congress studying the threat posed by terrorism. Long before September 11, I came to learn the dangers of ideologically inspired terrorist organizations. As a result of Operation Iraqi Freedom and Operation Enduring Freedom, we have made great strides in combating this enemy, but we must remember that this is a long war, and although the challenge is great, our commitment to security and human freedom will ultimately defeat the oppressive ideology that fuels our terrorist enemies.

□ 1930

Let me just close by listing some terrorists acts which occurred and some plots which were uncovered. and then by simply asking my colleagues a question.

In 1993, the first World Trade Center bombing occurred. In 1995, a plot to bomb 11 U.S. airlines was uncovered. In 1996, the Khobar Towers bombing took place. In 1998, the embassies in Tanzania and Kenya were hit. In 2000, the USS *Cole*. In 2001, the 9/11 attack, killing 3,000 Americans and others. In 2002, the Bali bombing. In 2003, the Marriott hotel attack in Jakarta. In 2004, the railroad bombing in Spain. In 2005, the subway bombings in London, and the bombings of the resorts in Egypt. And in 2006, 17 jihadists were arrested in Canada.

The question to those who plan to vote against this resolution, and I will conclude with this: Can we really afford to belittle this threat and question the criticality of our mission in Iraq?

Mr. LANTOS. Mr. Speaker, I am pleased to yield 3 minutes to the ranking member of the Subcommittee on the Middle East and Central Asia on the Democratic side, Mr. ACKERMAN of New York.

Mr. ACKERMAN. Mr. Speaker, I rise in support of our troops in the field and the belief that the United States will ultimately prevail in the global war on terror and against this partisan, transparent, cynical, and divisive resolution.

Mr. Speaker, what we are engaged in today is not a serious debate about the progress of the war in Iraq or alternatives to achieve the victory there that we all seek. If it were not a sham, Members would be able to offer amendments. We would be able to vote up and down on our future course in Iraq. What we have here, instead, is more unamendable, arrogant, Republican take-it-or-leave-it attitude.

Mr. Speaker, our soldiers are fighting and dying, and the American people are spending hundreds of billions of dollars, and we are here patting ourselves on the back instead of doing effective oversight. This Republican Congress has abdicated that responsibility and continues to whitewash an incompetent, dysfunctional Republican administration.

I would like to be clear, Mr. Speaker. Just because I am for oversight doesn't mean that I hate freedom. Just because I am for tracking how billions of dollars have been wasted and misspent or stolen doesn't mean I don't support our troops. And just because people question the competence of the President and his administration doesn't mean that they are not patriots.

On the contrary, Mr. Speaker, I don't think you can be a patriot if you just rubber stamp, if you turn a blind eye and bury your head in the sand as war profiteers run off with the money needed to protect the troops and to reconstruct a broken country.

Instead of discussing the difficult and costly work necessary to achieve that victory, our Republican friends have simply decided to move directly to this victory party and 10 hours of cheerleading. This resolution begins and ends declaring our ultimate victory against terrorists, and in between we sing our own praises. This is actually a prayer. Prayer is good. But what we need is a plan. All we are doing here is whistling past a growing graveyard.

What is more notable about the resolution, Mr. Speaker, is what it doesn't say. There is no mention of the world class bait-and-switch lie that got us into this mess in the first place. No mention of the lie of the stockpiles of weapons that the Vice President swore were absolutely there. No mention about the lie that the stockpiles of weapons of which Secretary Rumsfeld knew the exact location. No mention of oil. No mention of the intelligence either.

In fact, there is not even the words "weapons of mass destruction." How can you have such a resolution without that? And Osama bin Laden. Not only can't we find him in the region but we can't even find his name hinted at in this resolution.

The debate is a whitewash, and this resolution is a coverup. Vote against this charade. Vote against the premature victory party. Vote against this resolution and let us have a real debate about our policy options and our future course and involvement in Iraq.

Mr. HUNTER. Mr. Speaker, the reenlistment rate for the soldiers of the 1st Infantry Division, the 4th Infantry Division, the 1st Marine Division, and the 10th Mountain Division exceeds 130 percent in this last quarter. And a lot of that is the result of the great work by the gentleman of New York (Mr. McHUGH), who has been the chairman of the Total Force and the Personnel Subcommittee and has presided over a major part of the 41 percent pay increase that we have passed over the last several years.

I yield 6 minutes to the gentleman from New York (Mr. McHUGH).

Mr. McHUGH. I thank the distinguished chairman for yielding.

Mr. Speaker, I happen to think this is a good debate, even when I vigorously disagree with some of the statements being said. This is the hall where discussions, concerns, where analysis and counterpoints need to be expressed.

I wanted to start, if I may, Mr. Speaker, with a couple of counterpoints. I have heard my good friends on the other side of the aisle repeatedly refer today to comments and observations made by clearly one of the greatest fighting generals this Nation has known in recent era, General Barry McCaffrey; things he has said about our current involvement and engagement in Iraq. Perhaps as a mere oversight, perhaps conveniently, those good folks omitted the following, and I am quoting directly. I noticed most of those folks quoted from their own notes.

These are from General McCaffrey's own reports after his return, in this case to Iraq. He did similar analysis in Afghanistan. Under the bottom line observations from Iraqi Freedom, written in April of 2006, before Zarqawi, before the appointment and the filling out of the entire permanent government. "The morale, fighting effectiveness, and confidence of U.S. combat forces continue to be simply awe inspiring. In every sensing session and interaction, I probed for weakness and found courage, belief in the mission. Belief in the mission. Enormous confidence in their sergeants and company-grade commanders, and understanding of the larger mission, a commitment to creating an effective Iraqi army and police, unabashed patriotism, and even a sense of humor."

He goes on to say, "Many have reenlisted to stay with their unit on its return to a second Iraq deployment. Many planned to reenlist regardless of how long the war went on."

He then went on to observe, "The Iraqi army is real, is growing, and is willing to fight."

And then on the last page of his analysis, Mr. Speaker, he said, and I quote, "There is no reason why the United States cannot achieve our objectives in Iraq. Our aim must be to create a viable federal state under the rule of law which does not enslave its own people, threaten its neighbors, or produce weapons of mass destruction."

The last sentence of General McCaffrey that my friends also failed to quote: "The American people are far safer today than we were in the 18 months following the initial intervention."

I think, in fairness to General McCaffrey, if we are going to quote from him we should quote the entirety.

I heard also some comments about how we are not doing right by our forces in very recent debate. I would refer again to General McCaffrey's observations, but I have here a listing, five pages, bullet points of what this committee and this House and this Congress has done for our men and women in uniform in just the last four National Defense Authorization Acts. There are 51 points, and I won't read all of them, but let me account for some.

In 2001, we provided $500 a month to assist the most economically challenged members, to take them off food stamps. A national disgrace, and we did it. We did it. This Congress.

In 2002, we improved permanent change of station requirements to reduce out-of-cost moving expenses for military families. There is now no out-of-cost expense.

In 2003, we gave them assignment incentive pay, and in 2006 increased that maximum from $1,500 to $3,000 a month. We increased hostile fire and imminent danger pay from $150 to $225 a month. Family separation allowance from $100 to $250 a month. We completed, as I said, that 5-year program to eliminate out-of-cost housing expenses.

We have eliminated the requirement to pay subsistence charges for those brave members of the military who are hospitalized. We now pay an allowance to reimburse for the cost of life insurance. And in the bill we passed this year, that cost will be totally paid for by the Federal Government for the first time in our Nation's history. We authorized a new payment of $430 a month to combat wounded servicemembers who are hospitalized, and on and on and on.

The chairman mentioned that in each of the last 8 years we have increased pay to our military men and women in uniform by more than half a percent over what the civilian sector in this country has received, whether it is TRICARE for every Guard and Reserve member; hospitalization, better coverage. We have cared for these troops.

The chairman noted, and the figures show it, though I have heard about a strained force, and we are concerned about them. We worry about them every day. I know I have in my six trips to Iraq and twice to Afghanistan. But let me read you the recruitment figures we have thus far this year.

The Army, 104.3 percent of goal. The Navy, 100 percent of goal. The Marines, 101.5 percent. The Air Force, 100.5 percent. A DOD total of 102.1 percent. Lastly, retention. Those brave members that General McCaffery talked about. Retention in the Army, 113 percent; Navy, 106 percent; Marines, 145 percent; and Air Force, 109 percent.

My friends on the other side say they support the troops, and I believe them. They are all patriots, some extraordinary patriots on the other side that I have the honor of serving with. But I don't think they are serving the troops in some of this debate tonight like the troops want to be served. They want to see this mission through, because they understand the terrorists believe this is the real deal. This is where they have drawn the line in the sand, and the troops understand if we don't take the commitment they have made there and win this war on terror in Iraq, where will we fight next? It will be right here at home.

It is a proud Army, we have a proud Navy, Marine Corps, and Air Force. We are doing right by them and we need to do better because they are doing so right by us. I hope all my colleagues will support this resolution.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 2 minutes to my friend from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Thank you, Mr. LANTOS and Mr. MURTHA.

Prior to the 2003 invasion, I introduced legislation that would have required the President to report to Congress on the possible consequences. It would have required the administration to provide a full accounting of the implications for homeland security, the war on terrorism, and regional stability in the Middle East. It would have required the administration to tell us the steps that our country and our allies would take to protect United States soldiers, including providing them adequate body armor. It would have required the President to estimate the full cost associated with military action against Iraq. And it would have required the President to provide an exit strategy, a plan for achieving long-term social, economic, and political stabilization of a postwar Iraq so that we and the troops could tell when we had crossed the finish line.

The administration has still not provided answers to the questions many of us asked before the war. Three years later, the Iraq war has cost more than 2,500 American lives and nearly $300 billion, with no end and no plan in sight. Secretary Condoleezza Rice said this war could last for 10 more years.

Today's resolution presents a false choice: Support the administration's flawed war policies or concede defeat on the war on terror. We are asked to support Iraq's new Prime Minister in the amnesty, the amnesty he will offer to the insurgents who have attacked and killed U.S. troops.

Our troops have done everything, everything we have asked them to do in Iraq and more. They have acted heroically. They have done their job and we should honor them today and every day. But this is the second time that a congressional debate on the handling of the war has been replaced with a political stunt. The troops and the American people deserve much better.

Our troops deserve more than a round of applause. They deserve a realistic and forward-thinking plan. They deserve a plan that will bring a successful end to this mission so that they can come home. They deserve what many of us asked the President to give us 3 years ago: An exit strategy for Iraq. An exit strategy in Iraq is a crucial step toward declaring victory on the global war on terror.

☐ 1945

Mr. HUNTER. Mr. Speaker, I yield myself 1 minute to clear up a point.

There are 340,000 sets of advanced body armor produced and fielded. That is more than two sets for every single person serving in uniform in Iraq.

I have made this statement for the last year, but if anybody has a relative who is serving in Iraq without body armor, please call me personally. I have not yet received a single phone call.

Mr. Speaker, I yield 4½ minutes to the gentlewoman from Virginia (Mrs. DRAKE) who does so much for the troops.

Mrs. DRAKE. Mr. Speaker, we can't talk about the global war on terror without talking about the 922,000 heroes who have voluntarily served our Nation, going to a land that most have never been to, to liberate a people most have never met.

Before 9/11, I worried if America needed our young people, would they go. And we all know they did. I believe history will remember their courage and name them. But until it does, I call them Freedom Believers.

On my first trip to Iraq, I met a young man on the crew of our C–130. He told me he had a small daughter, yet defending freedom was so important that when he finished his enlistment, he would join his Reserve unit. He said there were so many from that unit who volunteered to go to Iraq; he knew he would not be back soon.

Another soldier said to me: Let me make this simple. In a football game, you want to play at home. But this is not football. This is not a game. This is war. And war must always be played away. We played at home on September 11, and we lost.

My proudest moments in Iraq have been the ones spent seeing their smiles when I told them about the support that they have here at home. Many that I met were on their second and third tours. Their feelings are summed up in a recent letter to the editor, a returning soldier said: "If the choices are pull out or I go back, I'm going back."

On the way home from Iraq in Shannon, Ireland, as a Marine unit walked through that terminal, everyone stood and clapped for them. On both of my trips to Iraq, I was asked repeatedly by our troops: When are we going to tell America what they are doing in Iraq, explain the threat to America and the world, and share the successes that they have achieved? The saddest moments were when they quietly asked me: What are Americans thinking and saying?

These are people who show no fear on the battlefield, but it was like they were afraid to ask that question and hear my reply. They are probably referring to stories such as the one from the New York Times, October 26, 2005. They quoted Corporal Jeffrey Starr, who lost his life defending freedom. Here is their quote: "I kind of predicted this. A third time just seemed like I'm pushing my luck."

And here's the real quote: "Obviously if you are reading this, then I have died in Iraq. I kind of predicted this, that's why I am writing this in November. A third time just seemed like I'm pushing my chances. I don't regret going. Everybody dies, but few get to do it for something as important as freedom. It may seem confusing why we are here in Iraq. It's not to me. I'm here helping these people so they can live the way we live, not to worry about tyrants or vicious dictators, to do what they want to do with their lives. To me, that is why I died. Others have died for my freedom, now this is my mark."

Our military is the most lethal fighting force in the world, not solely because of their training, not solely because of their technology, but because they engage the enemy, our enemy, with the most unequivocal support of the American people. That is the most effective tool in their arsenal and one they cannot afford to lose.

Mr. Speaker, they watch our news. They watch C–SPAN. They are watching us right now.

This is your time. What do you want to say to them? Do you want to tell them, you're doing a terrible thing, but we support you?

Well, I want to say: you're doing an honorable and noble thing. We support you and we love you.

There is only one option for Iraq, that's victory. Thank you to our brave American heroes. Thank you to their families. God bless America, and God bless the men and women who keep us free.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I believe in fighting the war on terror. I believe America must stay engaged in the world, but what we have in Iraq today is a quagmire, and what we have on the floor today is a resolution that essentially says stay the course.

You know, sometimes the American people are smarter than the politicians. This resolution would have us believe that everything is hunky-dory in Iraq and everything would be wonderful if we only stayed the course. The American people don't believe that; and, Mr. Speaker, neither do I any more.

We need a new strategy in Iraq, not an open-ended rubber stamp and more of the same. At what point do we reassess our strategy and come to the conclusion that it is not working? But what do we get here from our Republicans friends, a resolution that is a farce, a political document that by the majority leader's own admission was designed to embarrass Democrats and put Democrats in a box.

All of the problems we see in Iraq today, the daily deadly attacks by insurgents, the rise of ethnic militias, the shortage of gas and electricity, the weakness of the economy, can be tied to the complete lack of planning by the administration. It seems they didn't have a clue as to what they would get when they came into Iraq.

Our intelligence was faulty, but what really makes me mad was this war was mishandled from the get-go. First, we didn't send in enough troops. Secondly, we didn't secure the borders. We fired the Baath leaders and created all kinds of antagonisms and unemployed people. We fired the security forces so our people would have to do security, and we fired our own generals that disagreed with the administration.

A former commander of U.S. Central Command, General Zinni, said: "10 years' worth of planning were thrown away; troop levels were dismissed out of hand. These were not tactical mistakes; these were strategic mistakes, mistakes of policy made back here."

But what do we have here from our Republican friends? A resolution that is not bipartisan. We could have had a resolution that all of us could have supported. We treasure our troops. I want us to succeed in Iraq, but what do we have: partisan, political drivel. Democrats had no input. Democrats were not allowed a substitute. Democrats were not consulted so our men and women serving in the military are being reduced to pawns in the Republican's election game.

Shame on this resolution. I wish we could have a resolution that I could vote for, but we do not have one on the floor today.

Mr. HUNTER. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Arizona (Mr. FRANKS), a Member who is a leader not only in supporting the troops but in humanitarian efforts in Iraq.

Mr. FRANKS of Arizona. I thank the gentleman for yielding.

Mr. Speaker, America is first and foremost an ideal. It is an ideal that holds that all of us are created equal, endowed by that Creator with unalienable rights of life, liberty, and the pursuit of happiness. Truly, that is what our troops fight for in Iraq.

For their efforts, we now see a country that, although it has been in bondage since it was called Babylon, has a freestanding constitution and hope for freedom. And there is hope that freedom may take root in the Middle East and turn the whole of humanity in a better direction.

But, Mr. Speaker, I would suggest to you that there are other ideals in the world besides America's noble ones, and they have great consequences. I am concerned that this Nation does not understand that we are now at war with an evil ideology. It is an ideology that has the most profound human implications and consequences.

On September 11, terrorists murdered on our own soil 3,000 American citizens. But this ideological war did not begin on 9/11. It began many years ago when certain Muslim extremists embraced a divergent Islamist dogma that dictates that all infidels must die.

Not so long ago, al Zarqawi himself said of America's leaders: "They are aware that if the Islamic giant wakes up, it will not be satisfied with less than the gates of Rome, Washington, Paris and London."

Mr. Speaker, we cannot deny that we are fighting a war against an ideology that is bent on the destruction of the Western world. They are committed to killing us and would like nothing better than to decapitate this country by detonating a nuclear yield weapon 100 yards from here. To allow Islamist extremists to declare victory in Iraq will only hasten such a day.

These are moments when we must hear the voice of history and remember the words of Winston Churchill when he said in part: "If you will not fight when your victory will be sure and not too costly, there may come a moment when you will have to fight with all the odds against you and only a precarious chance of survival. There may even be a worse moment. You may have to fight when there is no hope of victory because it is still better to perish than to live as slaves."

Mr. Speaker, if freedom is to survive, to allow Islamist terrorists to declare victory in Iraq is not an option. We must win. The world has changed since Mr. Churchill warned us all. We are 60 years now into a nuclear age. We must not let terrorists have even the slightest hope of victory ever.

Mr. LANTOS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. CONAWAY), a great member of the Armed Services Committee.

Mr. CONAWAY. Mr. Speaker, this resolution that we are debating, I would like to focus on point four of the resolution that declares that the United States is committed to the completion of the mission to create a sovereign, free, secure, and united Iraq.

I think it is helpful for us to look back at some milestones over the last year or so to help us understand how far we have actually come.

We went there to take Saddam Hussein out of power. He is now in jail and on trial for his life. We got that done.

In January of 2005 we held the first election for a transitional government. That got done.

Their job was to write a Constitution. At each and every one of these steps there was great anxiety that the Iraqi people couldn't get it done. They got their Constitution written in August of 2005.

The next step was a referendum on that Constitution. They got that done.

Then we held national elections under that Constitution in December of 2005. Again, ahead of that election there was grave concern that the Iraqis couldn't do it. But they went to the polls and elected that government.

When I was there in April, the concern at that point in time was that they couldn't pick a prime minister, the next big step to the road to democracy in Iraq. That got done.

Two weeks ago when I was there, the final point was they couldn't find a minister of defense or a minister of interior to lead those very important ministries, but they have gotten that done.

By any evaluation, we have a long stretch of historic milestones that are proof that the Iraqi people are up to the task.

A CODEL I participated in, our job was to go over there and get a sense of whether the Iraqi Army was standing up to the task. We met with a General Bashir at his base at Tajik and found a very professional individual. He was very candid in his remarks on where the Iraqi Army was up to that point in time. As I watched the staffers, his staff in the room, I tried to assess them as best I could. I found professionals with a quiet sense of confidence that they could lead, fight and defend their country.

We are making this happen, and we are completing this mission in Iraq. I support this resolution and I ask that each of my colleagues all support it because a free, sovereign, united Iraq will make the Middle East a safer place to be, and by extension it will make America a safer place to be.

So I rise in support of this resolution and ask my colleagues to vote for it. I, too, like Mrs. DRAKE ask God's blessings on our country and in particular on our fine young men and women who are fighting this fight.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. DELAHUNT).

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Mr. DELAHUNT. Mr. Speaker, Colin Powell thought Vice President CHENEY was so obsessed with attacking Iraq that he suffered from war fever. The problem is that fever can make you delusional and you can see things that aren't really there, no matter how much you want them to be true.

The Vice President said that we would be greeted as liberators. False. Secretary Rumsfeld said that the war would not last more than 6 weeks. False. Secretary Wolfowitz said that Iraq could pay for its own reconstruction from oil revenues. Again, false. We were told that the administration had a coherent plan for postwar Iraq. False.

The truth is that this administration's incompetence has set back the effort against global terrorism. Don't take my word for it. Simply come to this floor and read the statements of these generals, patriots all.

The administration claimed that there was a link between Iraq and al Qaeda. Again, false. But they are not talking about a link that does exist and should cause us all profound concern. That is the relationship between the new government in Iraq and Iran. The new Iraqi government is full of Iranian allies. They have signed a military cooperation agreement. And the Iraqi Foreign Minister just recently said, Iran has a right to develop nuclear technology and the international community should drop its demands that Iran should prove that it is not trying to build a nuclear weapon.

And we are supposed to believe that our national security has been strengthened, and that we are making progress on the war on terrorism?

The truth is that the war in Iraq has not just simply been a distraction from the global war on terror, it has actually increased the power and influence of the number one state sponsor of terrorism, according to our own Department of State, an original charter member of the axis of evil club, the Islamic Republic of Iran.

Mr. HUNTER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. SHUSTER), a very fine member of the Armed Services Committee.

Mr. SHUSTER. Mr. Speaker, I want to first rise tonight to thank the men and women of our military for their efforts in Iraq, in Afghanistan and other places around the world in the war on terror. Their sacrifice, their families' sacrifice, has value and will never, never be forgotten.

Mr. Speaker, there are many members of the minority that have forgotten an important lesson of history, and that is you cannot appease tyrants and evil. We need to remember the 1930s, the voice of Winston Churchill that said we must confront Hitler and the Nazis as they began to build up the German military machine. Well, we waited and we waited until they invaded their neighbors. And it was the blood and lives of hundreds of thousands of Europeans and Americans that defeated that evil.

In the 1960s and the 1970s, we failed to confront the growing Soviet threat. We waited and we waited until Ronald Reagan inspired this Nation to have the will to stand up to the Soviets and engage them in an arms buildup that cost Americans billions of dollars, but bankrupted the Soviets, and we defeated that evil.

In the 1990s the terrorists attacked us over and over again. We failed to respond, as President Clinton dismantled our intelligence capabilities. Appeasement does not work. History shows us that over and over again.

President Bush learned this lesson, and he and this Congress did not wait until Saddam had nuclear weapons. We acted on intelligence, not just our intelligence, but intelligence from agencies around the world. We thought it was accurate. Unfortunately, it was wrong. But it took us going into Iraq to find out that he did not have the biological, chemical and nuclear capabilities we thought he might be building. But we removed a tyrant. We freed a people and we focused the war on terror in Iraq. And today we are helping to build a democracy in an Arab world which can be a model to other nations to create liberty, justice and, most importantly, hope, hope for a better tomorrow for millions of Arabs.

We must stay the course, as this resolution states, until Iraq can secure its nation and we defeat terror. This struggle will be as long as it is hard. But in the end, the lesson of history will be reaffirmed that appeasement is a failed strategy, and that sacrifice for freedom is always worthwhile.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to our colleague from Florida (Mr. WEXLER).

Mr. WEXLER. Mr. Speaker, I oppose this resolution because it represents an unrealistic and disingenuous portrayal of the situation in Iraq. The rhetoric on the other side of the aisle is filled with erroneous assertions of impending victory reminiscent of President Bush's premature "mission accomplished" claim.

Mr. Speaker, after 3½ years, it is clear that the Iraq war has become an exercise in futility that can no longer be justified with pipe dreams and good intentions. Americans were egregiously misled going into this war without a plan to win the peace. They have been misled about America's progress in Iraq, and today they deserve the truth.

The truth is that President Bush took his eye off the ball in the war on terror, diverted necessary resources from Afghanistan to Iraq, and today Osama bin Laden remains free.

The truth is that victory is not around the corner in Iraq, that the insurgency and sectarian violence continue unabated, and that the death of Zarqawi, while very significant, will not bring security to Iraq.

The truth is that on the day Zarqawi was killed there were five bombings in Baghdad, and the violence continues irrespective of his death.

The truth is that while 265,000 Iraqi security forces have been trained and armed, nearly one-third of the force does not show up for work.

The truth is that our policies have failed to stabilize Iraq, and we must not stay the course. We must change the course.

Mr. Speaker, this resolution blurs the line between reality and fiction by painting a rosy picture of Iraq and ignoring the ongoing insurgency on the ground.

To paraphrase Secretary Rumsfeld, in a war we must deal with the reality we have and not the reality we want.

Please join me in opposing this charade.

Mr. HUNTER. Mr. Speaker, I yield 2½ minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Speaker, I rise today in strong support of H. Res. 861. I am proud of the progress being made in the global war on terror every day. While there is no quick path to victory, it is absolutely necessary for us to maintain our resolve. Many people forget that terrorists have long waged war against the United States, well before the 9/11 attacks. Americans were bombed in Lebanon in 1983, at the World Trade Center in 1993, at Khobar Towers in Saudi Arabia in 1996, at the American embassies in Kenya and Tanzania in 1998, and on board the USS *Cole* in 2000. Over the years, terrorists have made it their mission to strip us of our freedoms, thinking they could kill innocent Americans unprovoked, without paying a price. It is vital that we continue to stand up to these murderers and show them that the United States will not sit back and tolerate their savage acts. We can either win this global war on terror now, or we can let the terrorists bring the war to us like they did on 9/11. The right choice is clear.

Thanks to the hard work and perseverance of our troops, Abu Musab al Zarqawi was killed last week. Yet, as President Bush said, we must continue to prosecute this global war on terror until our mission is accomplished and until Iraq can defend and govern itself fully.

I am very proud of our troops for their service, selfless attitude and sacrifice. They are making great strides. They are freeing people from oppression so they may enjoy the same freedoms that all Americans cherish. Today our military has liberated the people of Afghanistan from the brutal Taliban regime, and has denied al Qaeda its safe haven of operations. They have crushed Saddam's Hussein's brutal dictatorship and captured thousands of terrorists and terrorist operations. Children in Iraq are returning to school and Iraqi businesses are prospering. Iraq has had several successful elections and has formed their government under a new prime minister. There is undeniable progress and hope in Iraq every day.

Mr. Speaker, I close with a story about a constituent, Sergeant Dale Beatty of Statesville, North Carolina. Sergeant Beatty was severely injured while fighting the global war on terror and lost both legs. Yet Sergeant Beatty is not angry. In fact, his resolve is even stronger today. He knows that he made a great sacrifice for a noble cause. Sergeant Beatty came to visit me while he was at Walter Reed and told me he would gladly go back to the Middle East to fight alongside his comrades if he could. That is a true American hero. Sergeant Beatty's morale and the morale of our troops I have spoken with demonstrate we are doing the right thing.

Mr. LANTOS. Mr. Speaker, I reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. HAYES), a very fine member of the committee.

Mr. HAYES. Mr. Chairman, thank you for yielding time. Your commitment to our troops is unmatched.

Daniel Patrick Moynihan, Mr. Speaker, said we are all entitled to our own opinions, but he went on to say we are not entitled to our own facts.

Facts have been badly set aside today. Oversight? 92 hearings, 42 full committee, 52 subcommittee and others. Anyone that did not have oversight or was not fully informed simply had other priorities. And that is an option in the People's House. But the information was there, publicly exposed. And other information was readily available.

Generals? Six generals have spoken out. In America we are free. We can speak out. But the facts are that in the Army alone there are 11 4-stars, 53 3-stars, in the Air Force 11 4-stars, 38 3-stars and numerous others who take exception to the quotes that have been misstated here tonight.

This is a war against terrorists. Terror is a tactic. Here are 27 pages and 191 incidents since 1961 where Americans have died at the hands, the bombs or other devices of terrorists. Make no mistake about it. Terrorists have a goal, and it is to destroy freedom, America, all of us who live free. That is their goal. This is not about territory. This is not about negotiation.

Our men and women have served us admirably, courageously and well. The progress was well documented by a release from Zarqawi himself this morning. The war for terrorists is going poorly, an incredible sign of progress.

And I have been to Iraq and Afghanistan many, times Mr. Speaker. But on the floor of this House, just last week, I looked into the gallery, right there, and there sat seven members of Parliament from Afghanistan. I went up to speak to them, and as I walked down the steps, they saw me coming and they said, we had dinner with you in Afghanistan last week. Members of Parliament here in America looking at the People's House seeing how freedom, liberty, justice and the rule of law is made and administered. Remarkable, remarkable progress, Mr. Speaker.

I am so proud of the men and women who are making this possible around the world. And I guess I should close by saying redeployment? What is that? It is cut and run. It is snatch defeat from the jaws of victory. Sam Adams, several hundred years ago, spoke to this when he said, "if you love wealth greater than liberty, the tranquility of servitude better than the animating contest for freedom, go from us in peace. We ask not your counsel or your arms. Crouch down and lick the hands which feed you, and may posterity forget that you were our countryman."

Mr. Speaker, God has blessed this country with men and women who wear the uniform, make us proud and make us free. Our heartfelt thanks and gratitude to them and their families.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. SHERMAN).

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Mr. SHERMAN. Mr. Speaker, by this point just about every point has been made. But believe it or not, I would like to make a point that has not yet been stated on this floor.

I think we all realize that the development of Iraq, its ability to provide water and electricity to its people, will influence the level of casualties that we suffer, may even influence the result of success or failure of this mission. But what is not stated is how the debts of Saddam Hussein now crushing the existing regime in Baghdad are playing a role in preventing that development, a role in killing our soldiers.

Now, most oil rich countries borrow for development. They do not rely chiefly upon aid. Why can't Iraq with enormous oil wealth borrow? The answer is the huge debts incurred during the years of Saddam Hussein. In fact, on this floor many of us thought that half of that $19 billion of aid we gave in 2003 should be a loan, and we were told no, Iraq can't borrow, they have too many debts already.

Now, the well-known debts to Europe and Russia have been 80 percent forgiven. The secret debts, the ones that are never talked about, are the enormous debts claimed by Saudi Arabia, Kuwait, and other Gulf States detailed on this chart, totaling over $64 billion.

Now, much of the European money that was lent to Iraq was used for roads and oil wells, things of continuing value to the Iraqi people. But what did Saudi Arabia and Kuwait lend Saddam money for? To finance his war of aggression and death against Iran. So why does the State Department not have the courage to stand by the new Iraqi government in its declaration that these debts are odious, null and void, and need to be wiped off the balance sheet?

The question before us is whether the blood of Americans will be shed in order to pay the debts Saddam Hussein incurred.

Mr. HUNTER. Mr. Speaker, I would like to yield 2½ minutes to the gentleman from Idaho (Mr. OTTER), who has just welcomed home his old unit, the 116th Armored Cav.

Mr. OTTER. Mr. Speaker, it is my hope that we pause long enough during this important debate tonight to remember back to another time in a place not too far from this place.

During the heated debate and many times rancorous discussions on their efforts to establish a government that would elevate the individual above the crown, above the prince, above the king, and above the head of state, much was said about the doubtfulness of victory and the certainty of failure. Caution was urged, voted on, and rejected. The hope and the promise, the value for the chance at being free was so strong that our Founding Fathers measured well that the risk was worth the reward.

Now is our opportunity once again to revive that spirit. And in doing so, we demonstrate to ourselves, the people of the United States, indeed, Mr. Speaker, the people of the world that we are worthy of the suggestion that we are the beacon of freedom for the world and we share that light with pride, with honor, and hope.

The Iraqi people who yearn for freedom, I am confident, do so with no less courage and resolve than those who so boldly signed the Declaration of Independence and at that time set this Nation on a destiny of freedom envied by all peoples of the world who suffer under the burden of tyranny.

Our allies throughout the war for independence did not pack up and go home when the going got tough. They believed in us, as I believe that we should believe in the Iraqi people. They stayed the course, as I believe we should.

Mr. Speaker, in his book "The Glorious Quest," James R. Evans gives us all a thought that we should ponder as we approach this freedom-rendering vote. He said, "No historian of the future will ever be able to prove that the ideas of individual liberty practiced in the United States were a failure. He may be able to prove that we were not yet worthy of them. The choice is ours."

By our actions here today, we are deciding whether or not the Iraqi people are worthy of living in freedom. This choice is ours. Those of us who will favor or deny this resolution surely decide the worth of the Iraqi people.

Mr. HUNTER. Mr. Speaker, I would like to yield to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) for 2½ minutes.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, even those of us on this side of the aisle sometimes wonder if after 3 years we should still be in Iraq.

I recently traveled there, and like many of my colleagues, we met with soldiers from Florida. We each asked to meet with soldiers from our home State. I will never ever forget this young man. He was not from my district. He actually was from south Florida. And I asked each of them where they were from and if they were married. This young man's name was Joe. And I said to him, "Joe, are you married?"

He said, Yes, ma'am. I am married and I have five children."

So right away I said, "Your wife must be a saint to be home with five children."

And he looked at me with all of the conviction that you would ever ask for in a soldier, and he said, "Ma'am, he said, "my wife who's home with my five children feel exactly the way that I do, and that is until the children in Iraq are safe on the streets, our children won't be safe in Florida or in America."

Obviously we are very proud of what our soldiers are doing, as are their families. As Members of the Congress, I believe that we have an obligation to honor every person's service to our country. Using words like "quagmire" and "mistaken war" do not honor our military's service. We can do this by providing our soldiers with the support that they need and the recognition that they deserve. The negacrats and the media do nothing to make our children safer on the streets in America like Joe and his buddies do. This kind of rhetoric not only impacts our soldiers, but as I sat here tonight, I could not help but think about the families of the soldiers who are watching this at home, the children of our very, very brave soldiers who are in harm's way.

In closing, I want to thank Joe and all of our troops and those families, and I want to convey my eternal gratitude for everything that they do. May God bless them all. May God bless our troops, who, together with God, will keep our country safe.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, it is sad that the greatest deliberative body of the world's democracies cannot provide an opportunity to give voice to the concerns that are shared by Americans. Instead, we are given a White House press release against terror and for staying the course. That is not a plan. It is a bumper sticker.

Our troops won the war against Saddam Hussein over a thousand days ago, and they have been paying the price ever since their victory because they were not properly managed, staffed, trained, or equipped Of course, nobody is in favor of an arbitrary cutoff. On my Web site I detailed an approach that I think ought to be taken to focus our priorities and stop short-changing, for instance, our battle in Afghanistan, slowly spinning outside of control. But it is sad that the Republicans can only think of two choices: stay the course, cut and run.

If the White House and the Republican leadership believed in democracy in America as much as they say they do in Iraq, we would be debating the resolution of Mr. MURTHA's, for example, here. Americans could see their hopes and their concerns not just debated but acted upon.

But, sadly, it is going to take another day and different leadership to give Americans that type of democracy here in Congress. And in the meantime every day our troops will continue to pay the price in Iraq as American prestige is assaulted around the world.

It is sad and it is unnecessary, but it is the hand that we have been dealt.

Mr. HUNTER. Mr. Speaker, I would like to yield 2½ minutes to the gentleman who represents Dyess Air Force Base, the gentleman from Texas (Mr. NEUGEBAUER).

Mr. NEUGEBAUER. Mr. Speaker, I have been amused at some of the rhetoric tonight, but one of the questions that has been asked is what is our strategy?

We have a strategy. The strategy is to win. The strategy is to keep America safe.

We are winning the war on terrorism. We have gotten Saddam Hussein. We have gotten Zarqawi. But the problem is are there other Saddams, other Zarqawis out there that would threaten the very fabric of the life that we live in America?

We have a choice. We can fight that war on terrorism in other places around the world or we can fight it here in America. The right choice is to fight those terrorists where they are, where they are beginning to thrive, and keep them contained where they are.

If we get out too quickly, what are we going to tell those families of those young soldiers that paid the ultimate price for the freedom and democracy that we are sewing the seeds for in Iraq today? What are we going to tell the young men and women that are over there today that have volunteered, I repeat, volunteered, to come and serve a noble purpose?

I got a letter from a young marine named Kevin Hester. And Kevin enlisted, Mr. Speaker. He knew exactly what he was getting into when he enlisted in the Marines. And Kevin is in Iraq today. And Kevin wrote me a letter the other day, and he said, The Iraqi people trust us, and they trust us now and they are trying to help us help them by telling us who the bad guys are in their country.

We have been fighting the cause for America and keeping America safe for over 230 years coming this July 4. This is a war on terrorism. This is a different war than we have fought before. This is like the war on drugs. This is like the war on crime. The war on terrorism is a war that we will be fighting for many years to come, but it is a war that we cannot afford to lose. We cannot disgrace those young men and women that are representing and defending our country so greatly.

And so, Mr. Speaker, I encourage people to support this resolution in order to say to the young men and women around the world that are defending freedom and democracy, we love you, we appreciate you.

God bless them and God bless America.

Mr. LANTOS. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HUNTER. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Kansas (Mr. RYUN), a very distinguished member of the Armed Services Committee.

Mr. RYUN of Kansas. Mr. Speaker, I thank the chairman for yielding.

I rise today in strong support of our servicemembers who have worked hard during the global war on terrorism. They are keeping us safe by defeating a very destructive enemy.

I am disappointed, however, that many of my colleagues on the other side of the aisle have lost sight of what our servicemembers are doing and have turned the global war on terror into a cheap political issue. They have forgotten that instead of defeating terrorists on their home turf we could be allowing our citizens to be attacked here at home. I prefer to keep the terrorists outside our borders.

Right now al Qaeda and the insurgents in Iraq are busy attacking our servicemembers and our allies, and they would like nothing better than to bring these attacks to America. Even the terrorists themselves admit Iraq is the front line of the global war on terror. Why should we not continue this fight and keep it from coming to our own backyard?

Fortunately, we are fighting this battle in Iraq and our servicemembers are making real progress in the global war on terror. Not only are we capturing, destroying, and eliminating al Qaeda's most brutal leaders, but we are training law abiding Iraqi citizens to defend their own freedom. In fact, over 250,000 Iraqi citizens have stepped forward and responded to the call of duty to defend their country.

I think there are several obvious reasons why so many Iraqi soldiers and citizens are willing to join the Iraqi security forces. First, they know the enemy they are fighting against because they have endured hardship under this enemy for most of their lives. For years they and their families have been brutalized by ruthless dictators. Many of them have been separated from their families and had not seen them for many years.

Second, they have seen the pain that al Qaeda has inflicted on America and other democracies around the world. They know that what al Qaeda did on 9/11 is just a hint of what could happen. Because of this, Iraqi security forces are seizing this opportunity to root out evil.

Third, they can taste freedom and they want to hold on to it. After being liberated from tyranny and introduced to democracy they cherish the freedom and are willing to fight for it just as our servicemembers have fought for our freedom.

□ 2030

Fourth, they are inspired by the work servicemembers are doing in Iraq. As a result, they are joining the Iraqi security forces in the fight for freedom. Not only are their servicemembers fighting against terrorism, but they are also working alongside our members and the Iraqi security forces to train them how to effectively defeat the enemy.

I want to encourage all of our colleagues today to support our outstanding men and women in uniform.

May God continue to bless them and their families. Our prayers are with them. I urge my colleagues to support House Resolution 861.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, I rise to share with the American people the truth about the war in Iraq. For truly it had nothing to do with 9/11 or the war on terrorism.

We invaded Iraq because Vice President CHENEY erroneously claimed, there is overwhelming evidence that there was a connection between al Qaeda and the Iraq Government.

The fact is, Mr. Speaker, that Secretary of State Colin Powell conceded that he had no smoking gun proof of a link between the Government of Iraq, President Saddam Hussein, and the terrorists of al Qaeda.

We know there were no weapons of mass destruction. The prewar costs estimates were as incorrect as our intelligence on WMDs. The postwar planning was nonexistent. The laundry list of things we did wrong and the deceptions surrounding this war are never-ending, and we continue to make mistakes even now.

No, Mr. Speaker, the mission was not accomplished. Instead of invading Iraq, we should have mobilized all of our forces to pursue and apprehend Osama bin Laden, the terrorist who in fact orchestrated 9/11 while we had him pinned down in Tora Bora, in Afghanistan.

At that time we had an opportunity to unite the world and bring people together when we had a true coalition of nations. American families can tell that things are not going well in Iraq.

However, a leader, a true leader, a real leader, needs to have a plan. A plan of engagement. A plan of how to exit. We went into war with neither.

The American people, the families who have lost the loved ones, deserve more than that. They deserve to know that there is indeed a plan, an exit strategy. This Congress, this Congress, must stand up for our troops, for their families, for America, and for the sake of refocusing, to wage a real struggle against terrorism.

No, Mr. Speaker, we must not stay our failed course. We must not be stubborn, because stubbornness does not win wars. Stubbornness really and actually causes us to lose. I tell my children not to be stubborn, because stubborn does not win. Let's do the right thing for the American people and tell them the truth.

Mr. HUNTER. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. AKIN), a distinguished member of the committee.

Mr. AKIN. Mr. Speaker, I think that this debate is helpful. I think that whenever you get into a complicated project, even if you are solving a physics problem, many times it is helpful to just stop, stop right where you are and say to yourself, just using common sense, are we on the right track?

I think we should stand back from the war for just a moment tonight and ask that simple question: Are we on the right track? And we can think about this country that we love so dearly, the flag that we have just celebrated, and all that makes America special.

But what happens if you were to try to condense the goodness that we love in America into a formula, which is, which really states what Americans have been for all time?

If you were like an onion to peel off the outer things of hot dogs and baseball, what would be the core that makes America what we love? I would suggest that the answer to that question is found in your birthday document, the Declaration, that says, we hold these truths to be self evident, that all men are endowed by their Creator with certain inalienable rights, life, liberty, pursuit of happiness.

And it goes on to say the job of government is to protect those rights. And that is what we have fought wars all through history, to support that basic idea. And so should it surprise us this evening to find ourselves on the battlefield against terrorists?

Let's see. Terrorists blow up innocent people. We say, innocent people have a life that is given them by God. They say they want to terrorize so that people cannot be free, to compel you to do what you do not want to do.

We say, liberty is a gift of God. And so it should be no surprise, just as we have found ourselves in the War of Independence and the wars against Hitler and the other wars of our history, that we are arrayed against people who have no respect for the formula that has made America so great.

And just as in the past, there is a cost. You know, my own son just came back from Fallujah. They say that the cost of freedom is not free. And the parents all across our country, just as my wife and I did, would look at the local paper in the morning. We would say, oh, three marines killed in Fallujah. I wonder if my son is one of them.

No, freedom is not free. But we were proud that our son, just as other families are proud of their children, can carry on that same tradition that the patriots did. That is what makes us feel so good when we see the flag flying, the heart and soul of America, that there is indeed a God that gives basic rights to people and government should protect those rights. And the terrorists will not stand, because that formula does not apply just to Americans; it applies to people all over the world.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to gentlewoman from Florida (Ms. CORRINE BROWN).

Ms. CORRINE BROWN of Florida. Mr. Speaker, I would like to begin by saying that I support the troops. Yet the debate about the Iraqi war is not about supporting the troops. I knew from the very beginning that there were no weapons of mass destruction. Well, how did I know that? Well, I am from Florida. And I knew back in 2000 that the Bush administration that we were dealing with would say anything and do anything. They were full of lies. Let's look at the evidence.

Since the beginning, the Republican leadership in Congress has outright refused to investigate Vice President CHENEY involving the billions of dollars awarded to Iraq for reconstruction contracts to Halliburton. $9 billion in reconstruction funds have been unaccounted for. I repeat, $9 billion in reconstruction funds have been unaccounted for.

The amount of taxpayers' money spent by Halliburton and the defense contractors audit agents have deemed either excessive or insufficient documentation is $1.7 billion.

Halliburton has received more than $17 billion in no-bid cost-plus contracts for Iraq reconstruction. Folks, I am talking about billions with a B. That is billions and billions of dollars. It amazes me now that these figures contrast with the attention that the media has given to the Katrina mismanagement, while the billions and billions of dollars in unaccounted funds to Halliburton are still largely ignored by the media.

You know, we need checks and balances. The House, the Senate and the administration are all Republicans. There are no checks and balances. No checks, no balances. No checks, zero balance.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. PUTNAM). The Chair will remind Members that although remarks in debate may include criticisms of the President's or the Vice President's official actions or policies, it is a breach of order to question the personal character of the President or the Vice President, whether by actual accusation or by mere insinuation.

Mr. HUNTER. Mr. Speaker, I yield 3½ minutes to the gentleman from Pennsylvania (Mr. WELDON), the chairman of the Air Land Subcommittee.

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my distinguished chairman for yielding me time.

I heard one of our colleagues on the other side say that we have two choices tonight: we could stay the course, or we can cut and run. Well, those are not the only choices we have. They were not the choices that we used in the 38 deployments in the 1990s when I supported our Democrat President when we sent troops to Somalia, Haiti, East Timor, Macedonia, Kosovo, Bosnia. You name it we were there.

The decision of when we left those countries was made by our military leaders. It was made by the generals and the commanders, not arm-chair politicians back here who try to do what was done by the Congress during the Vietnam War.

Believe me, I want our troops back home. But there is a process that we can use that I think is very logical. You know, when I have been to the theater, the generals talk about the way that they assess the capability and the readiness of the Iraqi brigades.

They categorize them into four levels. They know how to assess the readiness of the Iraqi brigades. They have perfected it. What we should be doing is what is already happening. We do not tie the removal of our troops to an artificial date. We tie it into the assessment that our generals make of the capability of the readiness of the Iraqi brigades.

Mr. Speaker, this morning I went back to my district. I was at the Boeing plant where we rolled out the newest model of the CH-47F, the cutting-edge platform for our Army for the next 50 years. It is a great aircraft.

The speaker there, the keynote speaker for this rollout was an Army colonel. In fact, he was the airwing commander of the 101st Airborne Division. He oversees 167 aircraft in theater right now. He is home for two weeks of R&R. He oversees 3,200 of our troops that are on the cutting edge. He wants to be home with his family. He has been in the service 24 years. This was his second deployment. He is from Edgewater, Maryland; he is not my constituent.

And I said to Colonial Warren Phipps, Colonel, we are debating today in Congress whether or not we should set a date certain. What do you think? You are there. Is that the right thing for us to do? He said, With all due respect, sir, that is the worst thing that our Congress could do for my troops under my command.

That is the worst thing we can do, because it would telegraph and signal the enemy when they can plan their attacks, and when they can do harm to my colleagues.

Well, I will be honest with you, Mr. Speaker. I did not support artificial dates under President Clinton, and I do not support artificial dates under President Bush.

I want the ultimate decision of when the troops come home not to be done by us, but by the field generals in the command situation, command leadership in Iraq, who understand that the safety and security of the troops is their number one priority as well as ours.

What this young colonel said was, Congressman, we are making great success. Today the Iraqis are handling more and more of their own security. That should be the determining criteria on when our troops come home.

As this colonel sees with his own eyes that the Iraqis are engaged and are handling more and more of their own defense. He said, Today, Congressman, they are going out on their own missions. He said, when I have meetings and we are doing planning sessions, if I close my eyes, when I hear the Iraqis planning, it is just as though it were American generals planning for our operations.

He said, Now is not the time to cut and run. Mr. Speaker, I urge my colleagues to support this resolution and not cut and run.

Mr. LANTOS. Mr. Speaker, I yield back the balance of my time to the gentleman from Pennsylvania (Mr. MURTHA).

The SPEAKER pro tempore. The gentleman is recognized for 2½ minutes.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Speaker, I am here tonight, I have been watching this on TV and listening all day long. I am really kind of saddened by the fact that it seems to be an issue between making excuses for why we are in Iraq, and the other side is cut and run.

I remember being in the Congress before we voted on this resolution. I remember being summoned into a hearing with all of the intelligence agencies there. I remember a colleague asking these intelligence agencies, is Iraq an immediate threat to the United States, yes or no? Every single one of those intelligence agencies represented, every one said no.

And here we are 3 years later with all of the loss of life. Some say, just stay the course. Stay the course for what? There is not even a plan. Mr. WELDON was right, we had a plan in Kosovo, we had a plan in Bosnia, we had plans. Where is the plan?

We have a plan by Mr. MURTHA. There is no cut and run date in it. There are no specifics on it. But it is a plan. Why are we not debating a plan?

□ 2045

It is embarrassing that we are here this far into the war, people watching us and having Congress without the ability to exercise democracy, without the ability to have a vote on the only resolution that is ready for a vote, which is Mr. MURTHA's. I associate myself with the remarks he made about what he saw and what we experienced going into Iraq.

I wish the majority in this House would have allowed a debate on Mr. MURTHA's resolution.

I rise to associate myself with the remarks of Mr. MURTHA and to everyone who supports our men and women in uniform. We all support the troops and the sacrifices they and their families have made. But, that's not what this debate is about.

I've been listening all day to this debate and find Members are still making excuses for why we got into Iraq in the first place.

You are not hearing what the intelligence community really told this house.

Before the vote on authorization of the war all the intelligence agencies were gathered together for a Congressional briefing. One of my colleagues asked the question:

"Is Iraq an immediate threat to the United States, tell us Yes . . . or No?"

It was surprising to me that each intelligence community representative said—"No, Iraq is not a threat to our national security."

And even more shocking to see was that so few of my colleagues were listening.

So, why have we been sucked into a war that was not necessary to protect our national security?

And here we are 3 years later. Over 20,000 U.S. military personnel have been killed or wounded in Iraq.

The loss of American lives is tragic and unnecessary.

Especially because Iraq never was a threat to the United States, nor is it now.

So, today, why aren't we discussing an end to wasteful spending, to unnecessary loss of lives and building a stronger America?

We can't because, as you have heard so often today, the majority has stopped listening.

They have made up their minds. They are just as wrong today as they were 3 years ago.

Look—we need a plan. Congressman MURTHA is the only one with a plan. Congressman MURTHA's bill, H.J. Res 73, is doable and its implementation would be respected by the rest of the world.

Mr. Speaker, I hope the President is listening to this debate. And more importantly I hope he implements the Murtha plan.

The world would be better off for it.

Mr. HUNTER. Mr. Speaker, I would like to yield 2½ minutes to a very distinguished member of the Armed Services Committee, Mr. CALVERT.

Mr. CALVERT. Mr. Speaker, just last week we witnessed American, coalition and Iraqi forces taking the fight to the enemy by eliminating the terrorist leader of al Qaeda in Iraq. During the very same week the Iraqi people looked as their first democratically elected Prime Minister finalized his cabinet by selecting a new Minister of Defense, a new Minister of Interior, a new member of the state for national security.

The two events are clear evidence that Iraqi forces are making progress on two major fronts in the ongoing war. On one front the coalition and Iraqi forces remain in the hunt for insurgents and other groups that threaten a free and democratic Iraq. On the other front the Iraqi government continues to show encouraging signs into developing a much needed stabilizing body the country is longing for.

During my three trips to Iraq I have observed our military engaging the enemy, protecting the innocent citizens, training the Iraqi forces to make and control and support the new elected government. Despite the positive developments on the ground, we continue to hear naysayers around the world questioning the importance of the outcome in Iraq.

On the other hand, al Qaeda leadership and its terrorist network fully understand the consequences of war, calling Iraq the place for the greatest battle of the modern era.

I have a copy of a document captured from the safe House where al Zarqawi met his end. In it al Qaeda leaders lament the fact that their strategy for undermining America's resolve in Iraq is failing. They know that time, time to undermine America's resolve, time to foment a civil war, time to get media on their side, time to spread death and destruction to Iraq's neighbors is running out for them.

Ironically the document notes that al Qaeda originally saw time as being on their side in Iraq. It states time has been an element in affecting negatively the forces of occupying countries due to losses they sustain economically and in human lives which are increasing with time. However, here in Iraq, time is now beginning to be a service of the American forces and harmful to the resistance.

Winston Churchill understood the importance of resolve when a nation's interests are on the line. Winston Churchill, quote, I was only the servant of my country and had I, at any moment, failed to express her unflinching resolve to fight and conquer, I should at once have been rightly cast aside.

This body recognized that necessity when we passed the authorization of the use of military force against Iraq. While five pages long, the really vital 10 words are, "be it resolved by the Senate and the House of Representatives."

Mr. MURTHA. Mr. Speaker, I yield to the combat veteran from the 173rd who preceded the gentleman from California in the 173rd, 15½ minutes, and ask unanimous consent that he may yield time to other Members of the Veterans Caucus.

The SPEAKER pro tempore (Mr. PUTNAM). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. THOMPSON of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution will not secure any success in Iraq. It will not bring our troops home. It will only signal the death of true, honest debate within the walls of this great Chamber.

Today's so-called debate is politics at its worst. We are playing politics while U.S. men and women are being killed, wounded and kept away from their families. I remember laying in an Army hospital bed just home from Vietnam while another Congress played politics.

He was disdainful then, and when I think of those brave men and women I visited at Walter Reed, Bethesda, Ramstein, it makes me sick today. Let's do our job and bring our troops home as soon as possible.

For weeks we have been told, and the American people have been promised by the Republican majority, that there would be a debate on this floor on the Iraq war. Instead we get what the news is calling today Republican election year strategy. This resolution ignores the issues most important to the men and women serving in Iraq, their families and the taxpayers who have already been billed nearly a half trillion dollars.

It ignores the issues raised by some of our most respected generals, and it ignores the lack of accountability and oversight that has led to some of the most egregious and embarrassing examples of waste, fraud and abuse on record. We need to be working nonstop to bring our troops home as soon as possible, not trying to score political points while they are fighting a war.

We need to be working to keep them safe, as safe as possible, until they are home. For starters, we should send a strong, loud message to the insurgents who will not occupy Iraq and will not control Iraq's oil, a message that we want to leave, as bad as they want us to leave.

On my last visit to Iraq, everyone I spoke with said that they want the Iraqis to assume more security responsibility faster. Our military has done its job, often in two, three or four deployments, an unconscionable demand on our troops, an unconscionable demand on their families, and an unconscionable demand on their communities. Make no mistake, it has taken a toll on our military. Stay the course is not a strategy for success, and we are not doing our job by being a rubber stamp for this administration.

Mr. Speaker, this isn't honest debate. While the majority plays politics, our men and women serving in Iraq are in terrible danger.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. DINGELL), a veteran of the Second World War.

Mr. DINGELL. "To announce that there must be no criticism of the President, or that we are to stand by the President, right or wrong, is not only unpatriotic and servile, but it is morally treasonable to the American public." Teddy Roosevelt.

I remember how proud I was to serve my country in World War II, and I remember how proud I was of the support of Americans, and I remember how proud I am now to be a Member of this body. I know how important it is that we support the troops, and I remind my colleagues over here, we all, everyone in this room, supports our troops without exception. We have honest differences about the policies or how we got where we are. We are not permitted to discuss those under this gag rule.

What this body should do, and I remember how proud I was of the different meaningful debates which we had here, where there was opportunity to amend, to discuss, to have a 5-minute rule, to have a motion to recommit, so that a national policy bringing us together could be forged in a proper legislative forum and a proper legislative fashion.

We are told, either expressly or implicitly, by the administration, and by people on that side of the aisle, that there is something unpatriotic about questioning the behavior of this administration or the policies or the way they are being conducted. Let me not answer that yet. But let me give you the answer that Teddy Roosevelt, a great patriot, a Republican, a wonderful President, had to say: "To announce that there must be no criticism of the President, or that we are to stand by the President, right or wrong, is not only unpatriotic and servile, but it is morally treasonable to the American people." Listen to that. That is what we are supposed to do.

We are not supposed to be a congregation of yes men and lickspittles. We are supposed to be the voice of the people and to hammer out the policies of this Nation in an honorable and open fashion. That is not happening today.

Mr. Speaker, this is not a fair and proper procedure nor is it a debate.

H. Res. 861 comes before us under a closed rule, no amendments are allowed. This body is told by the rule, no amendments are allowed. Take it or leave it, we are told.

I say shame. What is there to fear from an open debate and what is there to cause us to lose the right to amend this legislation?

There is much which we can approve in H. Res. 861 and much on which we can arrive at agreement and consensus.

There are things in this resolution which are controversial, and these require, more than ever, honest and frank discussion.

I find the language of paragraph 3 to be a particular problem. We should not foreclose our options on redeployment.

It may well become that there is such a need and such an interest in the United States, and arbitrary pronouncements such as this will actually haunt us.

Like many other Members of this body, I supported the President's father when he came to Congress seeking authorization to liberate Kuwait.

There the process was honest, open, and truthful. The intelligence was clear, the mission was finite, and the world was united. Here the process is closed, the debate filled with hyperbole and half-truths, the world is alienated, and our mission is murky and indefinite.

Here the reasons given for invasion of Iraq were that Saddam Hussein had weapons of mass destruction, chemical weapons, and nuclear weapons.

Like many others, I did not believe the evidence supported the administration.

I believed we had careless use of intelligence: honest mistake, careless with use of the facts, or willful deceit.

History tells us one or all of these unflattering conclusions are supported by the unfortunate facts of the administration's behavior.

Now for my own position: Like all of us, I support our troops. I consistently vote for more money, more equipment, and more resources to support them in every way I can to win and to bring them home safe and well.

I have not called for withdrawal of our troops. I have suggested no tactics or strategy, but then neither has the administration, which seems to have for its purpose and tactics more of the same, stay the course.

Our failures and mistakes are many, leaving weapons and munitions everywhere uncollected and available to criminals, insurgents, jihadists, and al-Qaeda members.

We disbanded the army police and security services, necessary to keeping order and assisting in husbanding victory and peace.

I am outraged at the fact that this exercise appears to be politically motivated. Charges verging on disloyalty are directed at loyal Americans who criticize the administration failures or suggest better tactics or strategies.

Listen to Republican leadership instructions to their members: "Democrats on the other hand are prone to waver endlessly about the use of force to protect American ideals. Capitol Hill Democrats' only specific policy proposals are to concede defeat on the battlefield."

These words are false, deceitful, dishonest, outrageous, and vicious. So here we have today's proceedings: Political attacks on Democrats. Disregard of truth. Disregard of facts, and most importantly, disregard of the need to correct failed policies. I cannot, and will not, support such a phony and arrogant process.

We must deal more fairly with one of the great issues of our day, which has cost us over $450 billion, 2,500 dead Americans, 20,000 casualties, the trust of our people and the respect of the people of the world.

We are losing the equivalent of a battalion a month and spending $1¼ billion a week.

Our troops are performing magnificently, but the administration is functioning without any adequate plans.

The results are disastrous consequenes for our troops, for our country, for our relations with our friends and allies, particularly people in the Arab world.

We need a real opportunity to discuss these matters and to provide real congressional input into this situation. That is being denied to the Congress and the country here.

I cannot support this process and I express the thoughts of the people on this war and on a strange, foolish, and irresponsible process.

Mr. HUNTER. Mr. Speaker, I yield myself 1 minute to say earlier the gentleman from Arkansas (Mr. SNYDER) rose and talked about what he called a lack of oversight on the Armed Services Committee with respect to Iraq. I want to enter into the RECORD, if I might, the fact of 41 full committee hearings, 21 on the war on terror, two on reconstruction, two on troop rotation, three on the Iraqi forces, four on force protection, four on detainees and five markups on that issue.

I would just point out that the most extensive investigation in the history of detainees was completed by General Taguba, who gave us a voluminous report with something like 116 annexes. I made that available to everybody, Democratic, Republican, on the Armed Services Committee, including Mr. SNYDER, and a total of three members from the Democrat side of the aisle on our committee looked at that the report. It is still available for Mr. SNYDER. When he gets finished reading it we will have more hearings for him.

HASC BREAKDOWN OF IRAQ/GWOT ACTIVITIES

TOTAL COMMITTEE EVENTS—93

Detainees—17
Force Protection—10
ISF—6

FULL COMMITTEE HEARINGS—41

General GWOT/Iraq—21
Reconstruction—2
Troop Rotation—2
ISF—3
Force Protection—4
Detainees—4
Mark-Ups—5

FULL COMMITTEE BRIEFINGS, SUBCOMMITTEE HEARINGS, AND CDR HEARINGS ON IRAQ AND GWOT

10/21/2003:
Readiness Subcommittee
Resetting and Reconstituting the Forces
2/2/2004:
Members Only Force Protection Briefing
3/9/2004:
Full Committee Briefing
Top Secret Codeword on Operations in Iraq, Afghanistan, and the Evolving Situation in Haiti
3/31/2004:
Full Committee Briefing
Top Secret Codeword on Activities of the Iraq Survey Group
4/1/2004:
Tactical Air and Land Subcommittee Hearing
Land Component Request for FY05—included Force Protection
4/2/2004:
Full Committee Briefing
Top Secret Codeword on GWOT
4/28/2004:
Full Committee Briefing
Top Secret Codeword on Operations in Iraq and Afghanistan
5/4/2004:
Full Committee Briefing
Secret brief on Iraqi Prisoner Abuse Investigation
5/17/2004:
Issue Forum
Stability Operations by the Iraq Coalition
5/18/2004:
Full Committee Briefing
Secret on Iraqi Prisoner Abuse Investigation
5/18/2004:
Full Committee Briefing
Top Secret/SCI on Iraqi Prisoner Abuse Investigation
6/2/2004:
Full Committee Briefing
Secret on DOD Detainee Interrogation Program at GTMO
6/10/2004:
Members only Force Protection Briefing
6/24/2004:
Full Committee Briefing
Members Only on ICRC Review of U.S. Detainee Operations
6/24/2004:
Full Committee Briefing
Top Secret Codeword on Iranian Nuclear Weapons Deployment Program and Involvement in Iraq
7/8/2004:
Full Committee Briefing
Secret on Army Force Protection Programs in Iraq and Afghanistan
7/14/2004:
Member Session
Members Only review of copies of reports from ICRC related to the Iraq Theater of Operations' Detention Facilities
7/21/2004:
Member Session
Members Only review of detainee operations in Iraq and photographs related to a new investigation of Iraqi detainees while in the custody of U.S. forces
9/26/2004:
Full Committee Briefing
Top Secret Codeword on Operations in Iraq and Afghanistan
11/18/2004:
Full Committee Briefing
Top Secret Codeword/SCI on Operations in Iraq
1/25/2005:
Full Committee Briefing
Top Secret Codeword on Ops and Intel in Support of Tsunami Relief, Iraq, and Afghanistan
1/26/2005:
Full Committee Briefing
Secret on Efforts to Train Iraqi Security Forces and the Up-coming Elections
2/2/2005:
Readiness/Tactical Air Land Subcommittees
Ground force vehicle and personnel protection and rotary wing safety of flight issues
2/2/2005:
Full Committee Briefing
Secret on OIF and OEF Force Protection Initiative
2/15/2005:
Strategic Forces/TUTC
Able Danger Program
*Followed by a closed briefing
3/16/2005:
Tactical Air and Land Subcommittee Hearing
Future Combat System, Modularity, and Force Protection
6/8/2005:
Full Committee Briefing
TS on Metrics, Trends, and the Iraqi Security Forces
6/16/2005:
Member Session
Members Only review of copies of reports from ICRC related to the Iraq Theater of Operations' Detention Facilities
6/23/2005:
Full Committee Briefing
Members only from Gen. Barry McCaffrey (Ret.) on his experiences and observations in Iraq
6/23/2005:
Full Committee Briefing
Secret on Iraqi Security Forces
7/14/2005:
Full Committee Briefing
Secret on the Schmidt/Furlow Detainee Investigation Report
7/19/2005:
Full Committee Briefing
From TYCO Corp. on Rapid Fielding of the low-cost Warlock Blue Jammer for IED Force Protection
7/21/2005:
Full Committee Briefing
DOD's work in developing and tracking metrics for OIF
7/28/2005:
TUTC/Oversight and Investigation of the Financial Services
Committee Hearing
Financing of the Iraqi Insurgency

10/26/2005:

Radical Islam Gap Panel

Alternative Views on U.S. Counterterrorism Policy—Roles, Missions, and Capabilities

10/27/2005:

Full Committee Briefing

Secret on Activities involving the ICRC and enemy combatants detained by American Forces in Iraq, Afghanistan, and GTMO

11/1/2005:

Terrorism and Radical Islam Gap Panel

DOD Roles, Missions, and Capabilities in Counter-Terrorism

11/13/2005:

Radical Islam Gap Panel

Understanding Aspirations of Radical Islam: Why Mainstream Islam is Radically Different

11/9/2005:

Terrorism and Radical Islam Gap Panel

TS Brief on Counter-Terrorism Intelligence

11/10/2005:

Terrorism and Radical Islam Gap Panel

S Brief from State on Counter-Terrorism Policy

11/17/2005:

Terrorism and Radical Islam Gap Panel

S Brief from DIA on Counter-Terrorism Policy

2/1/2006:

Joint Subcommittee Hearing and Brief on Force Protection

2/16/2006:

TUTC Hearing

Combating al Qaeda and the Militant Jihadist Threat

3/1/2006:

Mark-up for H. Res. 645

Requesting the President and directing the Secretary of Defense to transmit to the House of Representatives all information in the possession of the President or the Secretary of Defense relating to the collection of intelligence information pertaining to persons inside the United States without obtaining court-ordered warrants authorizing the collection of such information and relating to the policy of the United States with respect to the gathering of counterterrorism intelligence within the United States.

3/2006:

Full Committee Brief

TS Brief on Joint Improvised Explosive Device Defeat Organization (JIEDDO)

3/8/2006:

Full Committee Briefing

Secret Brief from General George Casey, U.S. Forces Commander in Iraq

3/8/2006:

TUTC Hearing

Special Operations Command: Transforming for the Long War

3/15/2006:

TUTC Hearing

Implementing the GWOT Strategy: Overcoming Interagency Problems

3/30/2006:

Readiness/Tactical Air Land Subcommittees

Army and Marine Corps Reset Strategies for Ground Equipment and Rotorcraft

4/4/2006:

Tactical Air and Land Subcommittee Hearing on Force Protection Initiative

4/6/2006:

Tactical Air and Land Forces Briefing

TS on Intelligence, Surveillance, and Reconnaissance Activities are being used in theater to counter IEDs.

HOUSE ARMED SERVICES COMMITTEE HEARINGS ON IRAQ AND GWOT

Sept. 10, 2002:

The State of the Iraqi Weapons of Mass Destruction Program and the History of the United Nations Inspections Efforts in Iraq

Sept. 18, 2002:

U.S. Policy Towards Iraq

Sept. 19, 2002:

Iraq's Weapons of Mass Destruction Program and Technology Exports

Sept. 26, 2002:

U.S. Policy Towards Iraq

Oct. 2, 2002:

U.S. Policy Towards Iraq

Apr. 4, 2003:

Operation Iraqi Freedom: Operations and Reconstruction: Iraq Violations of the Law of Armed Conflict

June 12, 2003:

The State of Reconstruction and Stabilization Operations in Iraq

July 10, 2003:

Operation Iraqi Freedom: Operations and Reconstruction—Operation Iraqi Freedom: The Commander's Perspective.

Sept. 25, 2003:

Operation Iraqi Freedom: Operations and Reconstruction—U.S. Policy and Operations in Iraq

Oct. 2, 2003:

Operation Iraqi Freedom: Operations and Reconstruction—Operational Lessons Learned from Operation Iraqi Freedom

Oct. 8, 2003:

Operation Iraqi Freedom: Operations and Reconstruction—Iraq: Reconstruction and Rehabilitation

Oct. 21, 2003:

Operation Iraqi Freedom: Operations and Reconstruction—Operation Iraqi Freedom: Outside Perspectives

Oct. 29, 2003:

Operation Iraqi Freedom: Operations and Reconstruction—Iraq Reconstruction and Stability Operations: The Way Forward

Jan. 28, 2004:

Operations and Reconstruction Efforts in Iraq—Operation Iraqi Freedom Force Rotation Plan

Apr. 21, 2004:

Operations and Reconstruction Efforts in Iraq—Iraq's Transition to Sovereignty

Apr. 21, 2004:

Performance of the DOD Acquisition Process in Support of Force Protection for Combat Forces

May 7, 2004:

Operations and Reconstruction Efforts in Iraq—The On-Going Investigation into the Abuse of Prisoners within the Central Command Area of Responsibility

May 21, 2004:

Operations and Reconstruction Efforts in Iraq—Conduct and Support of Operation Iraqi Freedom

June 14, 2004:

Mark-up of H. Res. 640—Resolution of Inquiry requesting that the SECDEF transmit to the House any picture, photograph, video, etc. produced in conjunction w/ any completed DOD investigation conducted by MG Taguba relating to allegations of torture or violations of the Geneva Conventions of 1949 at Abu Ghraib prison in Iraq or any completed DOD investigation relating to abuse of a prisoner of war or detainee by civilian contractors working for DOD.

June 16, 2004:

Operations and Reconstruction Efforts in Iraq—Status of U.S. Forces in Iraq after June 30, 2004

June 17, 2004:

Operations and Reconstruction Efforts in Iraq—Training of Iraq Security Forces

June 22, 2004:

Operations and Reconstruction Efforts in Iraq—Progress in Iraq

July 7, 2004:

Operations and Reconstruction Efforts in Iraq—Army and Marine Corps Troop Rotations for Operation Iraqi Freedom 3 Operation Enduring Reserve

July 15, 2004:

Mark-up on H. Con. Res. 472—SOC on apprehension, detention, and interrogation of terrorists are fundamental in successful prosecution of GWOT and protection of lives of U.S. citizens at home and abroad.

July 15, 2004:

Mark up of H. Res. 869—Requesting POTUS and directing other federal official to transmit to HOR docs relating to treatment of prisoners or detainees in Iraq, Afghanistan, and GTMO.

Aug. 10, 2004:

Final Report of the National commission on terrorist attacks upon the U.S.

Aug. 10, 2004:

Denying terrorist sanctuaries: policy and operational implications for the U.S. military

Aug. 11, 2004:

Operations and Reconstruction Efforts in Iraq—Implications of the Recommendations of the 9/11 Commission on the Department of Defense

Sept. 8, 2004:

Operations and Reconstruction Efforts in Iraq—The Performance of U.S. Military Servicemembers in Iraq and Afghanistan

Sept. 9, 2004:

Operations and Reconstruction Efforts in Iraq—Report of the Independent Panel to Review Department of Defense Detention Operations

Sept. 9, 2004:

Operations and Reconstruction Efforts in Iraq—Investigations of Military Activities at Abu Ghraib Prison Facilities

Mar. 17, 2005:

Current Operations and the Political Transition in Iraq

Apr. 6, 2005:

Iraq's Past, Present and Future

May 5, 2005:

Status of Tactical Wheeled Vehicle Armoring Initiatives and IED Jammer Initiatives in OIF

June 21, 2005:

Marine Corps Underbody Armor Kits

June 23, 2005:

Progress of the Iraqi Security Forces

June 29, 2005:

Detainee Operations at GTMO

Sept. 29, 2005:

Operations in Iraq

Oct. 20, 2005:

Army's 4th ID Up-Armor HMMWV Distribution Strategy

Nov. 3, 2005:

Your Troops: Their Story

March 14, 2006:

Mark-up for H. Res. 685

Requesting the President and directing the Secretary of State and Secretary of Defense provide to the House of Representatives certain documents in their possession relating to any entity with which the United States has contracted for public relations purposes concerning Iraq.

April 4, 2006:

Improving Interagency Coordination for GWOT and Beyond

Mr. Speaker, I reserve the balance of my time.

Mr. THOMPSON of California. Mr. Speaker, we reserve the balance of our time. We have a lot less time than on the other side.

Mr. HUNTER. We have reserved the balance of our time. I think we have got a transition here, Mr. Speaker, with the next committee coming up.

Mr. THOMPSON of California. Mr. Speaker, I yield to the gentlewoman from California for the purpose of putting a statement in the RECORD.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise in opposition to the resolution.

Mr. Speaker, When we made the decision to invade Iraq I said this:

> The President is asking us to pass this resolution now, but he has not yet made the case for war.
>
> I cannot support the President's request that we authorize military force against Iraq. I make this very difficult decision for three important reasons: The United States is not acting in self-defense or from an imminent threat from Iraq, the United States should not be pursuing unilateral action without international support, and the President has not stated an exit strategy.
>
> I believe there are times when countries must resort to war, and indeed international law recognizes the rights of nations to defend themselves. I strongly support our campaign against terrorism. But are we voting this week on a case of self-defense? It would certainly be self-defense if Iraq supported the al Qaeda attack on September 11, but the evidence of such support is lacking.
>
> I have listened to the administration and met with top officials. I have yet to see any credible evidence that Iraq is connected with al Qaeda. The experts readily admit that there is no real connection.
>
> I can believe that Iraq is a threat to the region and to some American interests overseas, but I do not believe the threat is imminent or must be handled with a unilateral military strike.
>
> This resolution is an unwise step for America that will in the end weaken America.

How unsatisfactory are the words "I told you so".

We invaded Iraq even though it was not involved with al Queda and, when we diverted our gaze from the War on Terror, we let Osama Bin Laden get away and now his organization has metastasized so that his capture would no longer be the disruptive blow to al Queda that it could have been then. Our soldiers have served bravely but their courage has not been matched by adequate leadership by the brass starting with the Commander in Chief. The problems that face us now in Iraq are not primarily military ones but we are expecting our military to accomplish them anyway.

This entire venture was a mistake, but the question is what do we do now? I think the answer is that it's time for the Iraqi's to take responsibility for their own country. Our American soldiers signed up to defend America. Let the Iraqi's do the same for their country.

We have spent American lives and treasure in Iraq. It is now the obligation of the Commander in Chief to present a strategy for a successful completion of American activities there so that our troops can be removed from Iraq as soon as is practicable.

Doing the same thing over and over again and expecting a different result is the definition of insanity. It is time for leadership from the Commander in Chief that is more than "stay the course" and more of the same.

The war in Iraq is not the war on terror and never has been. I voted to authorize the use of force in Afghanistan because it was necessary that we disrupt that terrorist hotbed that had helped breed the terrorists who attacked us on September 11th. Now even that necessary endeavor in Afghanistan is faltering because of the diversion into Iraq.

If we are to win the war on terror, we must focus our efforts on the terrorists and not on Iraq. We are spending $8 billion or more a month in Iraq and need to utilize those funds instead effectively in the fight against terrorists and also to protect the United States from the potential of terrorist attacks.

We have other threats around the world and have, tragically, damaged our military readiness to face them through our miscalculations in Iraq. To maintain the strong military might that America needs we need to bring the Iraq misadventure to an end as soon as is practical.

Mr. THOMPSON of California. Mr. Speaker, I yield to the gentleman from New York for the same purpose.

Mr. MCNULTY. Mr. Speaker, in accordance with my statement on Tuesday, I rise in opposition to the resolution.

Mr. Speaker, I am in agreement with much of the content of House Resolution 861, particularly the expressions of gratitude for the service and sacrifice of our troops.

The language of the resolution, however, includes a commitment to keep our troops in Iraq indefinitely and an outright refusal to set a date for withdrawal. For these reasons, I strongly oppose the resolution.

Eighty-two percent of the Iraqi people want us out of their country, and 47 percent say it is justified to attack American troops. It is simply unacceptable to keep our troops in Iraq indefinitely under these conditions. I continue to call for the withdrawal of American forces from Iraq, and challenge the Iraqi people to stand up and defend their own country.

Mr. Speaker, when we debated the original Iraq war resolution, the administration told us that Iraq was stockpiling weapons of mass destruction, that there were ties between Saddam Hussein and 9/11, and that Iraq was within a year of having a nuclear capability.

Fast-forward to the deliberations of the 9/11 Commission. They concluded that there were no weapons of mass destruction, no ties between Saddam Hussein and 9/11, and no nuclear capability.

Mr. Speaker, these votes weren't 8–4 or 7–5, they were all 12–0 that the very basis for the war did not exist.

When I go back home, Mr. Speaker, and my constituents ask me to summarize where we are in the war on terror, I tell them this: As we approach the fifth anniversary of the worst terrorist attack in the history of our country, we have committed hundreds of billions of dollars in Iraq. More important, over 20,000 young Americans have either been killed or seriously wounded going after Saddam Hussein, who did not attack us, while Osama bin Laden, who did attack us, is still alive, free, planning another attack on our country.

That, Mr. Speaker, is the very definition of failure in the war on terror.

We went after the wrong guy.

But after the invasion, did we have a responsibility to help the Iraqi people build a new government and a new way of life? The answer to that question is yes. And we have fulfilled that obligation. We have helped them through not one, not two, but three elections. It is now time for the Iraqi people to stand up and defend themselves.

There is a general rule of military engagement that says that you do not signal to your enemy what you are going to do in advance. But there are exceptions to every rule, and there are two exceptions to this rule.

Number one is that the insurgents in Iraq are using as a recruitment tool the argument that we have no intention of leaving their country, and that we're going to steal their oil—and it is working. It is fueling the insurgency.

As for our friends in Iraq, those who want this new government and new way of life, they seem perfectly content to let our soldiers take all of the enemy fire. The problem with security in Iraq is not the system of training; it's the fact that the Iraqis are not stepping forward to defend their own government.

So, today, Mr. Speaker, my basic disagreement with the President is this: He says that we should stay in Iraq until the Iraqis declare that they are ready to defend their own country; and I propose that we announce a timetable for withdrawal, start withdrawing our troops, and make our position very clear to the Iraqis: If they want this new government and this new way of life, they have to come forward, volunteer, stand up, and defend it.

Mr. Speaker, it is time to bring our troops home.

Mr. THOMPSON of California. Mr. Speaker, I reserve the balance of my time.

Mr. COBLE. Mr. Speaker, I am manager of the bill for the Judiciary Committee for our side.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

I want to initially present an update as to where we have been and where we are in Iraq. Many months ago an Iraqi citizen said to me, you all must remove Saddam. We can't do it, he said, because we know what he is capable of doing to us in retaliation. I said to him if we do remove him, will you embrace us or will you kick us? He said, I don't know.

I responded, that is my concern. I don't know either. I believe his anti-Saddam remarks at that time represented a majority view in Iraq, but my concern proved prophetic. Our exercise in Iraq, Mr. Speaker, and colleagues, has not been without mistakes. Our entry strategy was superb. Our post-entry strategy was tentative at best, inept at worst.

A better response to the looting that ensued in the early days should have been in place. The disestablishment of the Army, without an alternative plan, in my opinion, was premature. Some would blame the United States for the delayed political development, but after all, our forefathers were deliberate in forming our country's operational apparatus, so I think the political complaint is probably unfounded.

Was Saddam an evil, brutal murderer, a flagrant violator of human rights? You bet. Was he involved in international terrorism? You bet. Was he directly or indirectly involved in the 9/11 attack? I don't know. I can neither confirm nor reject that theory. My point, Mr. Speaker, is that intelligence was flawed. Mistakes were made. But the cause for freedom is a noble one, and progress has, indeed, been realized.

I am concerned, Mr. Speaker, and colleagues, about the lack of objectivity in reporting the war on terrorism. Some liberal talk show host reports imply that no good has been accomplished. Conversely, some conservative talk show hosts portray Baghdad as moonlight and roses. Clearly these two slanted versions are inaccurate and unfair.

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Let me say a word about the PATRIOT Act, Mr. Speaker, and this will be discussed in more detail subsequently.

But the PATRIOT Act was reported in the full House by the Judiciary Committee, and it addressed the nexus of the sale of illicit narcotics and terrorist financing. These two shadowy worlds of narcotics trafficking and terrorism is an element of terrorism that I think is lost on many Americans. They are joined at the hip, and I am particularly pleased that the PATRIOT Act did respond to that end.

Seventeen months ago, Mr. Speaker, I publicly indicated that troop withdrawal was conspicuously absent when the war on terrorism was discussed. Oh, we spoke of appropriating more funds, we spoke of dispatching additional troops, but virtually no one ever even remotely included troop withdrawal in their discussions.

Now, I am not suggesting troop withdrawal tomorrow, but I want our armed servicemen and -women home sooner rather than later. Some may declare, oh, we cannot cut and run. Cut and run? We have had a presence in Iraq in excess of 3 years. 2,500 armed services Americans have given the ultimate sacrifice to the cause of freedom, Mr. Speaker. Thousands of permanent and disabling injuries have been inflicted upon members of our armed services in addition to the spending of billions of dollars.

I do not know what constitutes cutting and running, but I do know that when we have logged a wartime duration of 3 years, when 2,500 Americans have given their lives for freedom, and Lord only knows how many Americans have been injured, this does not constitute cutting and running.

The time has come, it seems to me, Mr. Speaker, to pass the baton to the Iraqi Government. Now, this decision will ultimately be made militarily, and properly so, by the commanders on the ground; but I do not want this matter of withdrawal to be lost in the shuffle.

If freedom and peace prevail in Iraq, Mr. Speaker, history will be generous in its praise to President Bush and the Congress.

Mr. Speaker I reserve the balance of my time.

Mr. THOMPSON of California. Mr. Speaker, I reserve the balance of my time.

Mr. COBLE. Mr. Speaker, I am pleased to yield 4 minutes to the distinguished gentleman from Texas (Mr. SMITH) who chairs the judiciary Subcommittee on Courts, the Internet and Intellectual Property.

Mr. SMITH of Texas. Mr. Speaker, I thank my colleague on the Judiciary Committee, the gentleman from North Carolina (Mr. COBLE) and the chairman of the Subcommittee on Crime, Terrorism and Homeland Security, for yielding me time.

Mr. Speaker, I strongly support this global war on terror resolution. The war on terror is being fought on two fronts, both abroad and here at home. We applaud the diplomatic and military achievements overseas, but we also need to remain vigilant here in our own country.

Until the terrorists are defeated, Americans will continue to be their targets as long as we stand for freedom and democracy.

One of our weapons in the war on terror is the USA PATRIOT Act. That bill, which originated in the Judiciary Committee, gives law enforcement officials and intelligence officials the ability to cooperate during investigations.

More than 250 people in the United States have been charged with crimes tied to international terrorist investigations and have been convicted or have pled guilty because of the USA PATRIOT Act.

In response to the events of September 11, 2001, we also passed legislation that created a Director of National Intelligence so that all of our intelligence capabilities would be coordinated by one official.

We passed the REAL ID Act which contains several antiterrorism provisions, including one that makes certain foreign nationals deportable because of their ties to terrorism.

We must continue to pass legislation that makes it more difficult for terrorists to enter the United States. That means enacting meaningful border security legislation like the bill that the House passed last December.

Those who would do us harm, Mr. Speaker, respect no borders. Potential terrorists and thousands of others continue to enter our country illegally every day.

In America, we are blessed to have the freedom that others only dream about, but freedom is never free. It must be nurtured and protected, sometimes at great cost in lives; but we will not surrender to terrorists. That only empowers them. We will fight them today so we can enjoy a better tomorrow. Any other course only resigns us to an uncertain future.

In closing, Mr. Speaker, let me pay tribute to the brave men and women of the 21st Congressional District of Texas who are fighting this war overseas. The most difficult action I have ever taken as an elected official is to call the families of the 14 servicemembers from my district who have made the ultimate sacrifice. Their families' patriotism and love of country is almost indescribable. Their faith is great because they know our cause is great.

Mr. Speaker, I am glad this resolution has been brought to the floor, and I urge my colleagues to support it.

Mr. THOMPSON of California. Mr. Speaker, I yield 3½ minutes to the gentleman from New York (Mr. RANGEL) who fought in the Korean War and was awarded the Purple Heart and the Bronze Star.

Mr. RANGEL. Mr. Speaker, I regret that the majority has seen fit to bring to this floor a political statement where if you vote against it, you are voting against our troops; and if you vote for it, of course you are supporting the President's policy. But being a politician, I can understand that.

We cannot say enough about the courage and the dedication of our young people, the volunteers and the National Guard's people that are putting their lives on the line each and every day. Tragically, we reached a point that we passed the 2,500 mark in terms of loss of life, and tens of thousands are permanently maimed.

When we laud them, as we have heard, as supporting the President's policy, I really think this is so unfair, and why? Because with our fighting men and women, when that flag goes up, they salute it not because of a President's policy, but because of respecting their oath to the Commander in Chief.

When I was in Korea, I do not remember any of the soldiers that were in combat questioning the wisdom of Commander in Chief President Truman. They never asked did the Congress declare war. They never asked why were we involved in a civil war between the North Koreans and the South Koreans. They never thought that the North Koreans were going to invade our communities.

I tell you that our fighting men and women today are not saying that they challenge the Commander in Chief. They do not ask whether there were weapons of mass destruction. They do not ask whether or not Saddam Hussein was a part of al Qaeda. They do not ask those political questions, and neither did I when I was a sergeant in the infantry.

But I am not a sergeant in the infantry now. I am a Member of the United States Congress, a Member of this House of Representatives, and each one of us has the right to challenge any direction, not of the Commander in Chief, but the President of the United States. That is the most patriotic thing we can do because, in doing that, whether it is Vietnam, whether it is Korea, or whether it is Iraq, we are protecting as best we see it, the lives and the safety of the men and women that have volunteered.

Let us face it, they did not volunteer to knock off Saddam Hussein. They volunteered because they were looking for a better way of life, the same way I did when I volunteered in 1948, and you can see where they come from. It does not take away from their patriotism, but they did not take a poli-sci course in terms of how do you bring peace in the Middle East. I mean, they were not there looking for Saddam Hussein. They were looking for a better opportunity, which I guess they received. They come from our inner cities. They come from our rural areas. They come from the areas of high unemployment. But when they get in the military, they are patriots who do not challenge the policies of a President or Commander in Chief. So they are not advocates. They are patriots.

Mr. COBLE. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Florida (Mr. KELLER) who sits as a member of the Judiciary Committee.

Mr. KELLER. Mr. Speaker, I thank Chairman Coble for yielding me time.

Mr. Speaker, I have just returned from visiting our troops in Iraq and Afghanistan. I witnessed the impact of Zarqawi up close and personal. I have seen the damage Zarqawi inflicted. I visited the areas where Zarqawi lived and terrorized people, and I met the brave soldiers who ultimately tracked him down and killed him.

It was Sunday evening, May 28, 2006, and I was in Amman, Jordan, with a small delegation of six Congressmen. As I walked through the metal detector to enter the hotel's lobby, I thought of Zarqawi. It was here, in Amman, Jordan, that Zarqawi, a native of Jordan, killed 60 people by bombing three hotels on November 9, 2005.

The next day was Memorial Day, Monday, May 29, and I was in Iraq visiting with our troops. Once again, my thoughts turned to Zarqawi. I toured the Special Operations Command Center with General Stan McCrystal, a three-star general in charge of tracking down Zarqawi. All over the walls of the command center were posters of Zarqawi. General McCrystal and his team were confident that they would get Zarqawi, and they briefed us on their efforts.

That same day I flew in a Blackhawk helicopter around the area of Ba'Qubah where Zarqawi was ultimately located. I also toured Baghdad, where Zarqawi intimidated the U.N. by bombing their headquarters and where al Jazeera TV once broadcast a videotape showing Zarqawi personally beheading an American citizen.

A week later, on Wednesday, June 7, I was at the White House with a few other Members of Congress to brief President Bush about what we saw in Iraq. At exactly 3:57 p.m., National Security Advisor Stephen Hadley slipped a note to President Bush, Vice President CHENEY and Secretary of State Condi Rice. President Bush read the note, smiled and winked at Condi Rice. Zarqawi was dead.

General McCrystal later personally went to the scene and determined for himself that Zarqawi had officially been killed. President Bush already called General McCrystal to thank him and his troops, and today Congress thanks them as well.

Mr. Speaker, Amman, Jordan, is a long way from my hometown of Orlando, Florida. Tonight, thousands of people in Orlando will walk into hotel lobbies without having to go through a metal detector, unlike the hotels in Amman, Jordan. Why? Because our soldiers are taking the fight to the terrorists, like Zarqawi in the Middle East, so the rest of us can live freely in the United States.

However one feels about the war in Iraq, realize that our troops deserve our support 100 percent. God knows they have earned it.

I urge my colleagues to vote "yes" on House Resolution 861.

Mr. THOMPSON of California. Mr. Speaker, I reserve my time.

Mr. COBLE. Mr. Speaker, how much time remains on each side?

The SPEAKER pro tempore. The gentleman from North Carolina has 62½ minutes remaining.

Mr. COBLE. And the other side?

The SPEAKER pro tempore. The gentleman from California has 7 minutes remaining. The gentleman from Pennsylvania has 57 minutes remaining.

Mr. COBLE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. CHABOT) who chairs the Subcommittee on the Constitution on the House Judiciary Committee.

Mr. CHABOT. Mr. Speaker, I thank the gentleman for yielding.

No one can honestly say that everything has gone just as planned in the war on terror. As with any war, we continue to face many challenges, some predictable, others unforeseen.

□ 2115

But I have no doubt that we will ultimately prevail and we will prevail because of the bravery and sacrifice and commitment to excellence of so many of our courageous men and women in uniform who have selflessly answered the call to duty.

Because of these patriots, Saddam Hussein is on trial for his life, for his crimes against humanity. His evil sons, Uday and Qusay, are no doubt roasting in hell. There are no more mass graves in Iraq being filled with the bodies of the innocent. And 25 million Iraqis, instead of fearing torture and execution for such crimes as insulting the President, can now, instead, actually vote for their leaders. And Iraq now has an elected government under a new constitution. And because of the skill and professionalism of our troops and our allies in the war on terror, terrorist kingpin, Abu Musab al Zarqawi is dead, and al Qaeda is left without its mastermind in Iraq. And in Afghanistan, in the face of extremely difficult conditions, our courageous men and women have overcome al Qaeda and the Taliban, allowing for free elections and the first democratically elected President, President Karzai, in that nation's history.

The job done by our soldiers and our sailors, our airmen and marines has been nothing short of superb. It is because of them that we will ultimately prevail in the war on terror. Of that I have no doubt. Like many of my colleagues, I have had the opportunity to visit with our troops in Afghanistan and in Iraq, and I have returned home with even more respect and admiration for the great work our servicemembers do each and every day. And like many of my colleagues, I have attended funeral services for too many of our heroes who have given their lives on the battlefield in the service of their Nation. May God bless them and the families that they have left behind.

Mr. Speaker, these sacrifices remind us that ultimately the people of Iraq must control their own destiny. Many of us have supported the important mission of training Iraqi troops to take responsibility for the security of Iraq. Ultimately, the Iraqi people, the troops, the police officers there have to be responsible for the security of Iraq. There is only so much that our troops can do. This must continue to be a primary focus so that our brave men and women can return home as soon as possible.

Mr. THOMPSON of California. Mr. Speaker, it is a pleasure to yield 3¼ minutes to the gentleman from Michigan (Mr. CONYERS), a combat veteran of the Korea war.

Mr. CONYERS. Mr. Speaker, I thank the gentleman for yielding.

Ladies and gentlemen, General Anthony Zinni and other retired generals have been outspoken in their opposition to the planning and execution of our occupation of Iraq. But our administration rejected their sound recommendations which predicted exactly what would happen if we didn't plan for the occupation. These generals explained that our forces were not provided enough resources to do the job; that we alienated allies that could have helped in rebuilding Iraq; and that the Defense Department ignored planning for the postwar occupation, unaware of the growing insurgency there.

I have heard from too many military families, those children of theirs who have been wounded or killed in duty. Their grief is so much harder to bear knowing that often we did not adequately equip their sons and daughters in battle.

Back home I have met many times with Lila Lipscomb, a proud mother from Flint, Michigan, who lost her son Michael in Iraq. Initially, Mrs. Lipscomb supported the war, on the assumption that the government knew best. A week after finding out her son had died, she received a letter from her son in which he forcefully argued that we should not be in Iraq because there was no connection between Iraq and Osama bin Laden.

Cindy Sheehan lost her son Casey in Iraq and became a voice for mothers of soldiers who oppose the war. Cindy's loss motivated her to unite with other grieving mothers in opposition to the war. And her willingness to speak truth to power has drawn attention to the misconduct of the war and the terrible price that service men and women and their families have paid.

Let me tell you this: We need to encourage our friends and allies around the globe to help with Iraqi reconstruction and peacekeeping. We just don't have sufficient resources to manage this work on our own. We haven't learned from the first gulf war. If we can bring the international community into Iraq to help establish a democracy, protect its citizens, and rebuild its infrastructure, it will free American forces and resources to address the real problem we face: Terrorism.

Let's heed the advice of our colleague, Mr. MURTHA, and redeploy our troops to find Osama bin Laden and fight terrorists. If we can shatter the myth that occupying Iraq is the same thing as fighting terrorism, then these 10 hours of debate tonight will have been worth something after all.

Mr. COBLE. Mr. Speaker, I yield the distinguished gentleman from Iowa (Mr. KING), who sits as a member of the Judiciary, 3 minutes.

Mr. KING of Iowa. I thank the gentleman from North Carolina, and I appreciate the privilege to address you, Mr. Speaker, and also this Chamber.

If we take ourselves back to September 11, 2001, we had a lot of small problems then that we thought were big problems, and all of a sudden we had a great big problem. We were attacked by an enemy that most of us hadn't paid much attention to, if indeed we had ever heard of that enemy. We believed that that day wouldn't be over before on top of the attacks we knew about there would be other attacks on top of that. We believed in the following days there would be more and more attacks in this country because of an organized effort that would be continuing with suicide bomber attacks that would continue to cost the lives of Americans.

We mobilized this. The President stepped up in New York at ground zero and took a leadership role. He said if you're not with us, you're against us. If you harbor terrorists, you are a terrorist. And he carried that out.

And as we began to get mobilized to go to Afghanistan, there were those on the other side of the political equation that said you can't go in there and successfully invade and occupy a nation like that; that has never happened in the history of the world. The terrain is too difficult, the fighters are too tenacious, and it is a fool's errand to go into Afghanistan and think you can succeed in there militarily. But in fact that is what happened.

They said it would be another Vietnam, but it wasn't another Vietnam. The Afghani people voted on that soil for the first time in the history of the world, and American troops were there to see to it that they were able to do that. They have chosen their own leaders and directed their own national destiny, 25 million people.

And the advisers that put that together, both civilian and military, were the same advisers that advised President Bush on Iraq. The similarities are almost identical: Difficult country, 25 million people, you can't go there and succeed. The same advisers. And because some people can find one or two generals that had a different idea, they seem to believe that the President hasn't used the best wisdom possible.

In the shortest time in the history of the world, an armored column went across the desert and invaded and occupied the largest city ever in the history of the world to be invaded and occupied, and that is Baghdad, successfully, 25 million people. Even though we had some people who have spoken on this floor tonight that were inclined to surrender before the operation ever began. And now we have an operation going over there that has freed 25 million more people. And Afghanistan and Iraq are the lodestars for the Arab people in the Arab world.

When the Berlin Wall came down on November 9 of 1989, many in this place did not predict that freedom would echo across Eastern Europe for hundreds of millions of people, but it did. And freedom can echo across the Arab world for tens and hundreds of millions of people the same way that it echoed across Europe. That is the Bush doctrine. That is the vision: To free people. Because free people never go to war against other free people. We don't, at least.

And to the extent that the world is a freer place, it is a safer place, especially a safer place for Americans. So, Mr. Speaker, I appreciate the privilege and I stand with our military.

Mr. THOMPSON of California. Mr. Speaker, I yield myself 10 seconds to correct some disinformation that the previous speaker put out.

It should be noted that this Chamber was near united on going into Afghanistan. Moreover, we believed strongly that is where we should have been. So it wasn't anywhere close to what he explained.

Mr. Speaker, I yield 3½ minutes to my friend from Tennessee (Mr. TANNER), who served 4 years active duty in the U.S. Navy and retired as a full bird colonel after 26 years with the Tennessee National Guard.

Mr. TANNER. Mr. Speaker, our country was founded and bases itself on civilian control of the military. And when I wore the uniform of our country, I, like all other military people in uniform, followed orders. I obeyed my commanders and I tried to do whatever the mission was that was set before us. That is what you do in the military of the United States under civilian control.

But I am not in uniform any more. I am a civilian now, and part of that civilian authority. And it is our patriotic duty as part of that civilian authority to ask questions, to constantly reexamine the strategy, to constantly reexamine the policy of this country, to do everything we can to, one, accomplish our mission; and, secondly, and more importantly, protect the men and women who are actually doing the fighting for us now.

That is why this debate, I would have hoped, would have been more broad; that we would have had more opportunity, because this debate in this country has to take place in this building on this floor here and in the Senate Chamber. It is the patriotic obligation and duty of civilian authority to do that, and I am proud to be here tonight.

Now, I have supported resolutions like this in the past, but I want to ask Mr. COBLE a question, sir. There was a news report this morning that the new Iraqi government is negotiating with some of the elements there in Iraq that are insurgents who have been murdering Americans, and this was what one of the Iraqi government officials said this morning, according to these news reports, and I quote: "There is a patriotic feeling among the Iraqi youth and the belief that these attacks on Americans are legitimate acts of resistance in defending their homeland. These people will be pardoned, definitely, I believe."

Now, unless that can be cleared up, I am not prepared to vote for a resolution which says in part that the United States and its coalition partners will continue to support Iraq. If this government in Iraq is going to grant amnesty to people who kill Americans because they feel it is their patriotic duty and they are defending their homeland, then we have got to reassess where we are with these people.

Do you know whether or not this has been cleared up?

Mr. COBLE. Mr. TANNER, I do not know. I am told that it was announced that it was a mistake. But I cannot verify that, and this is a case of first impression with me, what you have just shared with me.

Mr. TANNER. Well, I don't want to catch you off guard, but we need to clear this up before we vote on this resolution. I do not think the American people will support a government that grants amnesty to people who kill American soldiers.

Mr. COBLE. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from New York (Mrs. KELLY), who, by the way, is the founder and chairman of the bipartisan, bicameral Anti-terrorist Funding Task Force.

Mrs. KELLY. Mr. Speaker, I want to talk briefly about one aspect of our fight against terrorism that is often overlooked, and that is our efforts to detect and eradicate terrorist funding networks around the world. The fight against terror finance goes hand in hand with the war on terror.

□ 2130

Terrorists infiltrate our financial systems to distribute the money that they need to support their evil activities around the globe. They exploit a wide variety of alternative funding networks that range from charities to commonplace criminal activity like drug peddling and illegal cigarette sales.

My colleagues would likely agree that while we may have targeted the financial resources of terrorists networks at times prior to 9/11, the fight against terror finance didn't begin in earnest until after the 9/11 attacks.

The 9/11 hijackers used U.S. and foreign banks to transfer the roughly half-million dollars necessary to the plan to execute their attacks on America.

We fought back against terror financiers with people like Dennis Lormel, a veteran FBI agent who was tasked with tracking down the financial lifelines that enabled the 9/11 hijackers to operate.

We fought back with people like David Aufhauser, who was then general counsel at the Treasury Department who was put in charge of a small interagency terror finance group which met regularly at the White House after 9/11.

And we fought back here in this House. Chairman OXLEY and the ranking member, Mr. FRANK, convened a Financial Services Committee hearing on terror finance just 3 weeks after the attacks. Shortly thereafter, this body passed the PATRIOT Act, which provided critical new terror finance tools.

We have held numerous hearings since to improve the government's antiterror finance efforts and to identify which foreign countries need to do more to stop terror financing within their borders.

And we have created the bipartisan Congressional Anti-Terrorist Financing Task Force to bring a stronger focus on bolstering our fight against terror financiers.

In just a few years, we have made significant progress in combating terror-funding networks. We still have a long way to go, but we are on the right track.

Last December, the 9/11 Commission came out with a report card grading the government's response to 9/11. The government's efforts against terror finance got the highest grade of them all, an A minus.

Just last week, an al Qaeda planning document was found in al Zarqawi's hideout which laments our successes in restricting the al Qaeda financial outlets. This House has played an important role in this effort, and it has been approached in a bipartisan way even when dealing with terror finance in Iraq. Continued progress on this complex issue requires a sustained commitment from our Congress.

Last year, members from both sides of the aisle joined me in a letter pressing Syria for more action in stopping the flow of fighters and finances into Iraq.

Members from both sides of the aisle joined me in asking the government of Italy to crack down on open fundraising efforts for Iraqi terrorists in their country.

As we move forward, our challenges continue to grow more daunting as terrorists perpetually adapt to our methods to stop them. They are constantly finding new ways to raise and distribute money.

So we must work even harder to keep up with terrorists' ever-changing financing techniques. We must continue pressing foreign governments to do the same.

Continued progress on this complex issue requires a sustained commitment from Congress. By stopping the flow of terrorist money, we can diminish the ability of terrorists to attack our citizens and our country. Fighting terror finance must remain a critical component of the War on Terror.

Mr. THOMPSON of California. Mr. Speaker, I would like to thank the gentleman from Pennsylvania for yielding time for some of the veterans on the Democratic side of the aisle to have the opportunity to speak out against this sham resolution, and I yield back to him the balance of my time.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding.

I rise to oppose this resolution and to call for a significant reduction of U.S. forces this year and an end to the occupation in 2007.

I voted against the invasion in 2002 because I believed the war would be a strategic blunder of historic proportions. And it has been.

We owe the men and women we sent to Iraq and their loved ones more than a few hours of grandstanding on this floor and an empty resolution of support.

We must work toward a national consensus to end this war, a war born in deception and managed under a delusion. Today's news that the American death toll has surpassed 2,500 is the grim reminder of the danger and sacrifice our Armed Forces face daily in Iraq. We need to end our occupation of Iraq so America can rebuild our economy at home and regain respect abroad.

Mr. COBLE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Arizona (Mr. HAYWORTH), who sits on the House Ways and Means Committee.

Mr. HAYWORTH. Mr. Speaker, again we return to the people's House to discuss the people's business and the central question that cuts to the very core of our existence: free men and women engaged in an armed struggle to advance freedom elsewhere in the world; our all-volunteer military, standing in the breach against Islamofascism and terror in Afghanistan and in innumerable other places around the globe. But the central front for our discussion this evening in Iraq.

Mr. Speaker, I rise in support of the resolution, in support of the troops, in support of this mission, as I often recall the words of Mark Twain that history does not repeat it, but it rhymes.

I review the debate that has gone on in the people's House today, so many willing to compare this to Vietnam. So many coming to this floor using the term "quagmire," and yet any dispassionate, objective evaluation of what has transpired would be remiss if we did not include not one, not two, but three elections where we have seen turnout by the Iraqi people exceed on each occasion what had gone on before.

We see a nation being born, fighting terror, and we see American troops, volunteers, stepping forward.

Others have made the point, Mr. Speaker, that there is no more solemn and sacred obligation than casting a vote to put our military into harm's way. I have been at Walter Reed with one of my constituents prior to surgery. I had that young man say to me: Congressman, I am a cav scout. That's my job; that's my profession. Help me do all I can to get back with my unit.

The men and women of our military are professionals doing a tough job. I don't doubt the sincerity and intent of those who oppose this resolution, but I do respectfully take issue with their judgment.

If not us, who? If not now, when? We have no choice. Failure is not an option, and to those for whatever reason eager to snatch defeat from the jaws of victory, al Zarqawi is dead. A democracy is being born. Freedom is on the march. This remains an imperfect world with mistakes and challenges that likewise remain, but let us stand steadfast, true to the course, true to the cause, true to freedom. Vote "yes" on this resolution.

Mr. MURTHA. Mr. Speaker, I reserve the balance of my time.

Mr. COBLE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Connecticut (Mr. SIMMONS), a Vietnam veteran and the recipient of two Bronze Stars.

Mr. SIMMONS. Mr. Speaker, I rise in qualified support of the resolution. There is much in the resolution to like. It honors those Americans who fought in the global war on terror, and especially those who have been wounded and died; and it expresses a commitment to a sovereign, free, secure, and united Iraq. And it urges we protect freedom.

But the resolution fails to address a key question that most Americans are asking: When are the troops coming home? Let me be clear, I have long opposed setting a date certain for immediate withdrawal of U.S. forces because such plans encourage our enemies and put our troops at risk.

However, speaking as a Vietnam veteran, I believe every unconventional conflict has a tipping point where the presence of foreign soldiers on sovereign soil begins to become counterproductive, and I learned that we cannot secure a foreign land all by ourselves. We must plan a transfer of authority where a sovereign state assumes the solemn task of securing their own people within their own borders. And I believe this tipping point is fast approaching.

We must patiently but firmly insist that the new Iraqi Government assume these responsibilities, and we must also be systematic in bringing home those American soldiers who have so bravely served us on the ground in Iraq.

Mr. Speaker, I observe in this great Chamber two portraits: one of George Washington, a revolutionary leader; the other is France's General Lafayette who helped us with our revolution from 1777 to 1781. It is instructive to note that General Lafayette did not stay here forever, nor did we want him to go. Good friends know when to come; good friends know when to go.

In conclusion, Mr. Speaker, it is important to be resolute about our support for the troops. But it is also time to send a clear message that our commitment is conditional on their successes, and our days in their country are not indefinite.

Mr. Speaker, I rise in qualified support of the Resolution. There is much in this resolution to like.

After all, it honors those Americans who have fought in the Global War on Terror, and especially those who have been wounded or died.

It expresses a commitment to a "sovereign, free, secure and united Iraq." And it urges that we "protect freedom."

But this resolution fails to fully address a key question that most Americans are asking: "When are the troops coming home?"

Now let me be clear—I have long opposed setting a "date certain" for "immediate withdrawal" of U.S. forces because such plans encourage our enemies and put our troops at risk.

However, speaking as a Vietnam Veteran, I believe that every unconventional conflict has a "tipping point" where the presence of foreign soldiers on sovereign soil begins to become counter-productive.

I learned that we cannot secure a foreign land all by ourselves. We must plan a transfer of authority where a sovereign state assumes the solemn task of securing their own people within their own borders.

I believe that this "tipping point" is fast approaching in Iraq. We must patiently, but firmly, insist that the new Iraqi Government assume these responsibilities.

We must also be systematic in bringing home those American soldiers who have so bravely served us on the ground in Iraq.

President Bush and this Congress must clearly tell our partners in Iraq—particularly, the new government—that they must step up to the plate and assume their solemn responsibilities for securing their country.

The new Iraqi Government must understand that the American people will not allow their own sons and daughters to stay indefinitely; and that it's time for the Iraqis to assume more of the burden of sacrifice that any war and any revolution might bring.

It is time for Iraq to come together and show the American people that it is ready to defend itself, govern itself and sustain itself.

In closing, Mr. Speaker, I observe in this great chamber two large portraits. One is of George Washington, our revolutionary leader. The other is of France's General Lafayette, who helped us with our revolution from 1777 to 1781.

It is instructive to note, that General Lafayette did not stay here forever; nor did we want him to. Good friends know when to come—and when to go.

In conclusion, Mr. Speaker, it is important to be resolute about our support for our troops and their important mission. But it is also time to send a clear message to our friends in Iraq, that our commitment is conditional on their own successes, and that our days in their country are not indefinite.

And although I wish this resolution could have made this point more clearly, I will support the resolution.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LEWIS).

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my friend and colleague, Mr. MURTHA, for yielding.

Mr. Speaker, it is time for us to close this very grim and dark chapter in American history, a chapter that is leaving a dark stain on the moral fabric of our Nation and compromising our credibility among the communities nations.

As Gandhi once said: "Liberty and democracy become unholy when their hands are dyed with innocent red blood."

Mr. Speaker, we have buried 2,500 of our Nation's mothers, fathers, daughters, sons, husbands, wives, brothers and sisters. The lives of 18,000 men and women have been changed forever. Some have lost their arms, their legs, and their sight in this unnecessary conflict.

Mr. Speaker, war is messy. War is bloody. It tends not only to hide the truth, but to sacrifice the truth. While we may have won some military victories, those do not erase the mistake of a preemptive war.

They will not silence the questions that are troubling the minds of the American people. They know today that Iraq did not pose an immediate threat. There were no weapons of mass destruction, and they see that we are deeply involved in a misguided conflict.

Mr. Speaker, I deeply believe that the American people want us to bring our children home. We are not safer today than we were before we went to war. This war is not the answer, so we must find a way out of no way to bring our young men and our young women home. Bring them home.

Mr. COBLE. Mr. Speaker, before I recognize the next speaker, could you tell me how much time remains.

The SPEAKER pro tempore. The gentleman from North Carolina has 49 minutes remaining. The gentleman from Pennsylvania has 54½ minutes remaining.

Mr. COBLE. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN) who sits on the House Judiciary Committee.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of this resolution.

Over a quarter of a century ago when I served in my first term during my first period of service in Congress, I remember making a very difficult phone call. That phone call was to the parents of a young man in uniform who had died in our failed attempt in the desert to attempt to rescue our hostages in Iran.

I recall the feeling of helplessness we had at that moment, not understanding what we were doing, not having a strategy as to how we respond to what was, very simply put, a terrorist attack.

I recall being awakened one morning to learn that we had suffered the loss of our marines in Beirut. I recall the attack on the USS *Cole*. And then, of course, I recall with all of us the terrible tragedy of 9/11.

Say what you will about the President's policies and say what you will about the imperfections involved, the fact of the matter is since 9/11 this President, this administration, has embarked on a strategy that says we will not wait to be attacked. We will not wait to respond exactly where they attacked us. We will change the rules of the game, and we will decide where and when we will attack.

We understand that this is a global war on terror. Those who suggest that the war in Iraq is not essential to our defense in the war on terror should only listen to the words of Mr. Zarqawi and the correspondence that he had last October where he suggested one of the very first objectives of al Qaeda was to make sure we were defeated in Iraq.

□ 2145

We should understand that we have done great things in response to this, on a bipartisan basis. We have given the President the tools to use, the PATRIOT Act, intelligence gathering that he did not have the capacity for before. And let me just mention a number of plots that have been deterred.

The West coast airliner plot in mid-2002. The U.S. disrupted a plot to attack targets on the West coast of United States using hijacked airplanes.

The East Coast airliner plot in mid-2003,

The Jose Padilla plot to blow up apartment buildings in the United States in May of 2002.

The 2004 U.K. urban targets plot where the U.S. and partners disrupted a plot that involved urban targets in the United Kingdom.

The 2003 Karachi plot.

The Heathrow Airport plot in 2003.

The 2004 U.K. plot.

The 2002 Arabian Gulf shipping plot.

The 2002 Straits of Hormuz plot,

The 2003 tourist site plot where the U.S. and a partner nation disrupted a plot to attack a tourist site outside the United States.

We are making progress precisely because we are playing away games, not home games. Let's not forget that as we debate this important resolution.

Mr. MURTHA. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker and Members, our job is to protect our Nation. We have thousands of young men and women who are doing it today.

I believed in early 2003 we should do more to capture or eliminate the people who caused the 9/11 attacks. They were predominantly in Afghanistan, not in Iraq.

Today it seems we have a resurgent Taliban in Afghanistan and increasing attacks in Iraq on our troops and Iraqi citizens.

We have seen success in capturing Saddam and eliminating al Zarqawi. I have never doubted the ability of our young men and women in our Armed Forces. We saw what they were capable of doing in the first days of the war when they stormed Iraq and Baghdad within days, overwhelming the Iraqi forces.

The accomplishments we have seen in Iraq can be attributed directly to these troops' discipline and persistence in fighting the insurgency.

Mistakes have been made, and the most experienced members of our Armed Forces have pointed that out. One of the individuals who spoke out was retired Marine General, Former Chief of U.S. Central Command Anthony Zinni, who said, "We grow up in a culture where accountability, learning to accept responsibility, admitting mistakes and learning from them was critical to us. When we don't see that happening, it worries us. Poor military judgments has been used throughout this mission."

As this war has gone on, the lack of planning and poor judgment by this administration has become more apparent.

I have here the May 1, 2003 press release from the White House in which President Bush, on board the U.S. Abraham Lincoln, declared all major combat operations have ended. We now know that this was one miscalculation among many.

Since that time, seven young men from our 29th Congressional district in Texas have lost their lives in Iraq. Across this Nation, 2,300 service personnel, men and women have lost their lives since the President made these remarks.

Reading over these remarks, it is clear that the administration had no clear plan for securing Iraq after the invasion and no clue about what was to follow the next 3 years.

Given the size and the strength and the effectiveness of the insurgency, the administration's intelligence should have given some indication that there would be problems down the road and done a better job of preparing both our public and, more importantly, our troops on what was to come the following month and the following years.

It is clear that we did not have enough troops on the ground immediately after the invasion, and that shortage continues.

Congress doesn't direct troops on the ground. We are not the Commander in Chief. But we are charged with sending our sons and daughters into battle, and therefore we need an honest and open debate about what is occurring in Iraq.

I strongly disagree with the way the administration planned and carried out this war. I will continue, though, to vote for the defense appropriations and the supplemental dollars because we have to give our troops protections that they need, and we learn every day that they need even more.

Many brave men and women have given their lives in Baghdad and all across Iraq. We honor those families for their sacrifice, their ultimate sacrifice.

Mr. Speaker, this war is not the one we anticipated fighting or the war we were led to believe we were getting into, but I believe we must leave a secure Iraq that can defend itself and be a symbol for democracy to prosper.

Mr. COBLE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, the question came up previously from a colleague about did Iraq intend to give amnesty to those who have killed American soldiers, and I want to clarify that. The National Security Adviser said just earlier regarding alleged comments from the Prime Minister that supposedly amnesty would be given to some who have killed Americans. He said, "This is not the case. I am sorry to say the Prime Minister of Iraq has been misquoted and misunderstood. He did not mean to give amnesty to those who killed Americans." So that should clarify that.

Now, Mr. Speaker, there are those who have said it is a quagmire in Iraq. It is a mistake for us to be there. Some made these statements from personal heartache. Some, on the other hand, were made from partisan political motivation, and some from disdain for our President and a desire to see his efforts fail, even though it risks world stability and national security.

But our soldiers are there. They know they have done great things and will continue to accomplish more. They have seen the admiring faces of Iraqi children that were never present in Vietnam. They have heard gratitude from many there in Iraq that was never heard in Vietnam.

Our valiant soldiers not only fight, protect and defend, they also see the frantic efforts of terrorists who are terrified that democracy and the people will begin to rule over them and their oppressive dictatorial ways. They keep many terrorists occupied there rather than here in America.

Mr. Speaker, as legislators, we get to ask a question that I didn't get to ask as a judge. It was inappropriate because of the separation of powers. And that is, who will be hurt or helped by the actions and, in my case as a judge, by the ruling?

Well, here in this debate as legislators we get to ask that question. Who will be hurt by pulling out? Those yearning for freedom who have it within their grasp will be hurt. And ultimately America will be hurt because of terrorist activities that would resume and multiply unabated in Iraq, and bin

Laden would have been proven right, that we didn't have the stomach to go all the way to victory.

Who would be helped by our pulling out? Well, there are some families that would not endure the heartache from losing or having a wounded soldier in their family. But the price in lost lives might be far more expensive in the future. Who would really be helped would be ruthless, heartless, finger detaching, hand removing, throat slashing, decapitating, women raping and abusing, child misusing, corpse abusing, merciless, calloused, deranged, religious zealot, murderers who think they are going to get virgins in the next life, but may find they are the virgins with what happens to them.

Let me just close by saying, some have not had nice things to say about our colleague, Mr. MURTHA, and others wanting to pull out of Iraq quickly. But I understand the faithful visitation that he does routinely. So I say thank God for his big heart. I say thank God for his compassion. Thank God for his visits to the wounded. Thank God for his ministering to grieving families. But thank God he was not here and prevailed after the bloodbaths at Normandy and in the Pacific, or we would be here speaking Japanese or German.

Mr. MURTHA. I yield myself 1 minute.

I ask the Speaker, was the gentleman at any of those locations? Was the gentleman at either Normandy or any of those locations?

Mr. GOHMERT. Will the gentleman yield?

You want to know which locations?

Mr. MURTHA. Yes.

Mr. GOHMERT. Normandy was a horrible bloodbath.

Mr. MURTHA. I said were you there?

Mr. GOHMERT. Oh, no, I wasn't.

Mr. MURTHA. Were you in Vietnam?

Mr. GOHMERT. No, sir, I wasn't.

Mr. MURTHA. Were you in Iraq?

Mr. GOHMERT. I have been over there. I haven't been fighting.

Mr. MURTHA. Boots on the ground?

Mr. GOHMERT. And I do admire the gentleman's compassion, and I do appreciate all that he has done for our wounded. He has done a great service, and that would be you, Mr. MURTHA. Thank you for your work.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, the process that we are dealing with this evening is nothing less than an outrage. The idea that on an issue of this great importance those of us in the minority are not being allowed to offer a resolution of our own is an insult to the democratic process and tells us why we have to end one party government in America.

The Republican resolution talks about democracy in Iraq. I am all for that. But I would also like to see some democracy on the floor of the U.S. House of Representatives.

Three and a half years ago, when we were asked to give the President the authority to go to war in Iraq, I voted against that resolution, and I think history will indicate that that was the right vote.

Three and a half years ago President Bush told us that Iraq had weapons of mass destruction, that Iraq was likely to attack us, and that it was necessary to wage a preemptive war against them. President Bush was wrong.

Three and a half years ago, we were told that there was a link between Iraq and al Qaeda. That was wrong.

Three and a half years ago, we were shown all of those aluminum tubes which allegedly told us about a nuclear weapons program in Iraq. That was wrong.

Three and a half years ago, we were told that Iraq was importing depleted uranium from Niger. That was wrong.

Mr. Speaker, terrorism is a major problem for our country and the world. Unfortunately, in many respects, the war in Iraq has created more terrorists than it has stopped, and has deflected our attention away from the fight against Osama bin Laden and al Qaeda.

Mr. Speaker, let us bring our troops home as soon as possible. Let us mount a focused campaign against terrorism with military force, with improved intelligence capabilities and with an understanding that we need to work with the entire world.

Mr. COBLE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. FERGUSON).

Mr. FERGUSON. Mr. Speaker, I rise in support of this resolution.

Mr. Speaker, Iraq is a part of the global war on terrorism, and a strong democratic Iraq means a safer America.

Rather than debate the past, I choose to look at where we are today and where we will be tomorrow. In the days and weeks and months ahead, the global war on terrorism will come to a turning point. Today the question is, do we continue to fight and defeat the terrorists who will stop at nothing to destroy Iraq's democracy?

Ultimately, the success of democracy in Iraq will be decided by the Iraqis themselves, for it is they who must take their country back.

Like many of our colleagues, I have traveled to Iraq. I have visited with its leaders, including the new Prime Minister. I have also visited with our troops, including from my home State of New Jersey. I have met with members of the Signal Battalion from Westfield and our Finance Battalion in Flemington before their deployments. Their courage in the face of danger and willingness to serve inspire us all.

Difficult days still lie ahead. We acknowledge the sacrifices of our Armed Forces and their families here at home. For those Americans who have made the ultimate sacrifice, 2,500 as of today, their sacrifice is immeasurable, and America extends our hands and our hearts to their families.

Looking forward, not backwards. I believe we must stand with the Iraqis who are fighting for their country, because a strong democratic Iraq means a safer America. There can be no alternative to winning the global war on terrorism. There can be no alternative to a democratic Iraq, lest it return to tyranny and a breeding ground for international terrorists who would then seek to fight us far closer to our own shores.

Let us choose a democratic Iraq and a safer America. I urge my colleagues to support this resolution.

Mr. MURTHA. I yield 3 minutes to the gentleman from New Jersey (Mr. ROTHMAN).

Mr. ROTHMAN. Mr. Speaker, how did this happen? We have lost 2,500 American servicemen and women. They have been killed in Iraq. 18,000 U.S. soldiers grievously wounded. We have spent over one-third of a trillion dollars in Iraq on this war, so far. Yet, 80 percent of the Iraqi people want us to leave. 80 percent of the Iraqi people want us to leave. They are shooting at our soldiers, blowing up our soldiers with improvised explosive devices.

How did we get here? Oh, yeah. I remember. President Bush said that Saddam Hussein was an imminent threat to the United States and had weapons of mass destruction. So many of us voted to send our troops to Iraq to eliminate this threat of the use of weapons of mass destruction and this imminent threat to our national security.

□ 2200

It turned out not to be true. There were no weapons of mass destruction. Saddam Hussein was no imminent threat to the United States. Well, we deposed him and that is a good thing. But there was a huge power vacuum and many of us felt, even though we were misled going into war, that we had a moral obligation to help the Iraqi people stabilize their country and bring democracy there, and we have been there now 3 years, 2,500 dead, 18,000 of our young men and women wounded, a third of $1 trillion spent, and 80 percent of the Iraqis want us to leave.

I support the Murtha resolution, which says that we should withdraw most of the U.S. troops back to the United States and leave a quick reaction force in friendly countries around the region.

Some say Iraq is part of the war on terror. Nonsense. There are 25 million people in Iraq, 25 million people in Iraq, less than 1,000 foreign fighters. This is a civil war. The Iraqi Shiias, Sunnis, and Kurds cannot agree how to divide up Iraq now that we got rid of Saddam. Well, it is 3 years later. All of this American loss of life. President Bush says stay the course, and in fact, it will not be President Bush who gets rid of this war. It will be the next President. Well, you know what? Americans do not want this war without end. Deploy most of our troops back to America within 6 months. Redeploy a significant number in friendly countries around the horizon in case other countries want to meddle.

War without end is not the American way. We met our moral obligation to the people of Iraq. Now it is up to the Shiias, Sunnis, and Kurds in Iraq to decide whether they want to live in peace with one another or not.

Mr. COBLE. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. KENNEDY), who sits on the Financial Services and Transportation Committees.

Mr. KENNEDY of Minnesota. Mr. Speaker, for our families and country to truly be secure, we must prevail in the war on terror. Iraq is a central front in that war.

Mistakes have been made, but so have corrections. But the fundamental fact remains that John F. Kennedy's words have never been more true: "If men and women are in chains anywhere in the world, then freedom is in endangered everywhere."

Men and women in the chains of tyranny, without hope, provide the breeding grounds for terrorists that endanger America and the entire civilized world. Terrorism can only be defeated by bringing hope to harsh places.

America has always found that the best way to make our families secure is to confront tyranny and expand the frontiers of freedom. That is our mission in Iraq. And with a democratically elected government and Iraqi troops increasingly taking over for our troops, we are on a path to success.

Others offer a different path, a path that says get out now no matter what the commanders in the field say; get out now, whether or not milestones have been achieved; get out now, whether or not Iraq becomes a sanctuary for terrorists to regroup and attack America again; get out now no matter what signal that sends to Iran.

Let me be clear. Cutting and running is one path, but it is the wrong path. The only path for security for our families is victory in the war on terror.

The troops that I visited in Iraq in each of the last 3 years have told me that they should come home as soon as possible, after we have defeated the terrorist threat and set out a lasting peace.

I support this proposal and encourage all my colleagues to do the same.

Mr. Speaker, I rise today in support of the Resolution offered by the gentleman from Illinois, a man who has spent his life as a tireless advocate for freedom and respect for the fundamental dignity of all human life.

It cannot be overstated how important it is that we are here for today's debate. There is no more important issue facing this Congress or this country than winning the War on Terror.

Our mission in Iraq is a central front in that war.

At stake is not only the safety of our families and our country but also the resolve of this great Nation to stand up and oppose the forces of terror wherever they may appear.

Make no mistake about it: there is more at stake in our mission in Iraq than helping rebuild a country decimated by a despot for decades. We must defeat the terrorists overseas, so we don't have to fight them here at home.

Mistakes have been made, so have corrections, but the fundamental fact remains that John F. Kennedy's words have never been more true: "If men and women are in chains anywhere in the world, then freedom is endangered everywhere."

People in the chains of tyranny without hope are the breeding ground for terrorists that endanger America and the entire civilized world. Terrorism can only be defeated by bringing hope to harsh places.

We must also remember our own proud historical tradition: America has always found that the best way to provide for our security at home is to confront tyranny and expand the frontiers of freedom.

That is our mission in Iraq.

And with a democratically elected government and an Iraqi army and police force increasingly taking over for our troops, we are on a path to success, and a path to bringing our troops home.

Others offer a different path, a path that says, get out now, no matter what the commanders on the ground think; get out now whether or not milestones are achieved; get out now, whether or not Iraq becomes a sanctuary for terrorists to regroup and attack America again; get out now, no matter what signal it sends to Iran and other countries that would endanger our security.

Cutting and running is one path. But it is the wrong path.

The only path that makes our families secure is victory in the War on Terror.

Mr. Speaker, beyond the lessons of history, I look to what the soldiers on the ground are saying.

The soldiers I have spoken to on the ground in Iraq, at places like Camp Victory in Baghdad, many of them men and women from the Minnesota Army National Guard, want to come home as soon as possible.

However, they realize better than most that if they come home before they have defeated the terrorist threat, there will be no lasting peace—there will be no victory in the War on Terror. They know that if we don't finish the job in Iraq, we'll have to finish it someplace else.

Like them, I want to finish the job in Iraq, because if we don't finish it there, the horror of 9/11 should inform us that the war will be brought to us here at home.

Mr. Speaker, let us remember in our thoughts and prayers those who have sacrificed, as well as those who continue to stand in harm's way around the world fighting the War on Terror. Let us deserve the bravery and selflessness of our men and women in uniform.

Mr. MURTHA. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, the American people are increasingly aware of where things stand in Iraq, despite the glib assurances and political spin we get from sources like the whereas clauses of the resolution before us and the Pentagon's most recent quarterly report, which has been so devastatingly refuted by Middle East expert Anthony Cordesman of the Center for Strategic and International Studies.

The real question before us and the question most Americans are asking is, how long must our troops stay in Iraq? Our military's valiant efforts have clearly facilitated such important steps as such as the formation of a democratically elected government in Iraq. But the troubling reality is that our continued presence also makes success more elusive. It serves as a disincentive for Iraqi military and political leaders to take courageous risks to stabilize their country and assume responsibility for their government. Equally important, our presence is a magnet for international terrorism and an incitement for the insurgency.

In order to jump-start progress, our troops must begin to come home. We must leave in a way that maximizes Iraq's chances to govern and defend itself. At the same time, we cannot become hostages to the failures of administration policy, prolonging or staying in a situation where our very presence is a continuing provocation. How we leave does matter, but we must leave.

That is why Representative BRAD MILLER and I introduced a resolution last fall, H.J. Res. 70, which would require the President to deliver an exit strategy for Iraq. Tonight I am renewing that call. Let me explain briefly in clear terms what a responsible exit strategy means.

First, we need to hear that the President has a plan for reducing our presence in Iraq within a reasonable time frame. "As they stand up, we will stand down" is not a strategy. It is a slogan. Secondly, we need to hear that such a plan would begin with an initial near-term drawdown of U.S. forces to send a clear message to the Iraqis that our presence is coming to an end. We also need to hear a pledge from the President that we will not establish long-term bases on Iraqi soil.

And, finally, we need to hear that there is a plan for filling the void left behind when our troops depart, to mobilize resources within the international community, to ensure that Iraq's neighbors do not interfere in internal Iraqi affairs, and to support the ongoing development of the Iraqi Government and security forces.

These are the elements of a responsible exit strategy. This is the type of leadership that the President owes our troops and the American people.

Mr. COBLE. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from California (Mr. HERGER), who sits on the Ways and Means Committee.

Mr. HERGER. Mr. Speaker, September 11, 2001, proved that our enemy is determined to kill Americans. Instead of sitting idle, our Nation went on the offense. We removed the Taliban from power in Afghanistan. We removed the regime in Iraq that had invaded neighbors and financed terrorism. And we have kept terrorists on the run, limiting their avenues of attack, disrupting their finances and eliminating safehouses around the globe. Mr. Speaker, it is not by coincidence that our Nation has not suffered another attack here at home.

Some have doubts about our mission in Iraq. But I believe Americans can find solace in the midst of sacrifice and hope in the midst of hardship. The reason is simple: We are clearly on the road to victory and success in Iraq, and our Nation is safer today because of it.

Since the fall of Saddam's regime, 70 percent of eligible Iraqis for the first time in history elected a national unity government. They have ratified a democratic Constitution for the first time ever, and they helped us eliminate al Qaeda's mastermind, Zarqawi.

Mr. Speaker, progress in Iraq makes America safer. Terrorists are being pursued, not harbored. We have seen movement toward democracy in neighboring countries. Work remains, but freedom is making progress. And freedom, Mr. Speaker, lays the foundation for a more secure future for America.

Mr. Speaker, I have also had the privilege of visiting our troops in Iraq. They are outstanding young men and women, and they overwhelmingly believe in their mission. I urge my colleagues to offer their unqualified support to our troops abroad until their mission is complete.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise today because the current administration has gotten too many things wrong in Iraq and has totally misrepresented the lessons of the post-9/11 world. It is now up to Democrats to get things right in Iraq so we can focus our military efforts to fighting terrorists around the world who want to harm us.

Today I ask my colleagues: Will we realistically confront terrorists and terrorism with all the elements of our national power, or will we continue to ignore a proven approach in order to follow a shop-worn, idealistic approach that drains our military of its resources and America of its goodwill with the very partners we need to fight terrorists? That is the choice that our country faces in Iraq and in our national security.

Democrats must speak out against this administration's tendency to overlook problems and push for a policy that centers on oversight of U.S. taxpayer dollars. Unfortunately, we do not practice oversight. This Congress practices "overlook." We must respond to public frustrations by creating a secure future for our military and reestablish a foundation for American efforts to fight terrorists and terrorism across the globe. Congress must confront the legacy of the waste, fraud, and abuse that plagues our efforts in Iraq.

As Democrats, we must continue our efforts, in spite of the current opposition, to bring this waste, fraud, and abuse in Iraq to light.

Some talk about cutting and running. But I say we must confront the legacy of cutting and running from veterans health care. Just as the next generation of combat veterans return home, the long-term veterans health care budget falls $8.6 billion short from projected needs. We must reject that legacy of Iraq.

And, finally, I join my colleagues in commending our U.S. military working in conjunction with Iraqi security and Iraqis themselves for locating and eliminating Abu Musad al Zarqawi. His terrorist violence is gone. But we have learned in Iraq that fighting a classic guerrilla-type war means that a victory like killing Zarqawi cannot be celebrated too long. Much remains to be done in Iraq, and Democrats have to make right where the administration has gone wrong. Our obligations compel us to ask the tough questions that are currently ignored.

Mr. COBLE. Mr. Speaker, I am pleased to yield 3 minutes to the distinguished gentleman from Wisconsin (Mr. RYAN), who sits on the Ways and Means, Budget, and Joint Economic Committees.

Mr. RYAN of Wisconsin. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I just recently read a lecture from the most highly respected scholar on Middle East affairs and Islam in America, Bernard Lewis. He went through Osama bin Laden's original fatwa. He went through a lot of writings of al Qaeda back in the early to mid-1990s, and what they declared is very chilling. They declared that their war was going to be against the two superpowers at the time: the Soviet Union and America. They believed they defeated the USSR in Afghanistan. I would like to think peace through strength is what beat it here and the fact that communism did not work. But they think they beat it.

Now they think they have one last enemy to beat before they can reach their caliphate from Spain to Indonesia: America.

Mr. Speaker, the war on terror did not begin on 9/11. It began on 2/26. February 26, 1993, when they first hit us at the World Trade Center. Then in 1996, the Khobar Towers. Then in 1998 at our two embassies in Africa. Then in 2000, the USS *Cole*. Then in 2001, 9/11.

Mr. Speaker, we are at war. They have declared this war against us long ago. The sooner we realize it, the better we are. The best way to win this war is to play away games and not home games.

The good news on this front is we have not had another 9/11 since 9/11. We have not had a major terrorist attack here in America.

If Iraq becomes democratic, if Iraq becomes free, they lose. They cannot win and manifest their distorted belief. They want to have a world like what we saw on display in Afghanistan, the Taliban, throughout the entire Middle East. If democracy and freedom can persist, if it can take root, if it can succeed, as it is succeeding in many parts of the Arab world, the terrorists lose.

And the most important thing in all of this that all of us should have in the front of our minds is will our children grow up in America with the fear of terrorism in the front of their mind or will it be a distant memory in history? I grew up in Jamesville, Wisconsin, as a happy kid. I want my kids to grow up in Jamesville, Wisconsin, with the same kind of happiness, not with the fear of terrorism.

This is a global war, a war we have to win, a war that only America through its leadership can win for the rest of the world. The sooner we wake up to that, the better off we are and the more peaceful life we can leave to our children.

□ 2215

That is why our troops overseas are doing a great job. That is why we have to see this thing through. The terrorists think we are weak because of our freedoms. They think that we do not have the stomach. They think they can turn our public opinion. That is not true.

Let's prove that that is not true, and let's win this war on terror.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Speaker, I thank my friend from Pennsylvania for yielding me time.

Mr. Speaker, I rise to oppose this resolution because its words honor our troops, but its deeds do not. It is not at all controversial that we honor and respect the heroism of those who serve us.

But they deserve so much more than the hollow words of this resolution. They deserve a plan that for the first time would achieve an intelligence alliance, it would make strikes like the one against Zarqawi on a regular basis against the leaders of the resistance.

But this resolution has no plan. They deserve a real plan to fortify and improve the Iraqi security forces so as they step forward, our troops can come home. But this resolution offers no such plan. They deserve a clear path to political stability and broadening political participation so the government of Iraq is viewed as an Iraqi Government and not a tool of any outside forces. This resolution has no such plan.

We are in the problems that we are in today because the administration has given us slogans, not solutions. This resolution is very much in that sorry tradition. This debate is a sham, Mr. Speaker. It is a pep rally. It is not a discussion of the alternatives before the country.

So although I join the words of the resolution in praising our troops, let's move beyond the words to the deeds. The way to honor those who fight for this country is to match their sacrifice with our own wisdom. This resolution falls far short of that objective and we should oppose it.

Mr. COBLE. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. KLINE), a 25-year veteran of the U.S. Marine Corps, a Vietnam veteran who sits on the Armed Services Committee.

Mr. KLINE. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in strong support of this resolution today. I have enjoyed the debate immensely. The rhetoric has been sometimes heated, the facts sometimes obscured. But I think it is healthy for the American people to see this debate. I am sorry that the gentleman from New York is not here. I wanted to have a discussion about what buck sergeants know and what they do not know in today's Army. But I suppose we will have to let that one slide by.

But I will tell you that my son, serving in Iraq today, and his colleagues and his soldiers in the 101st and the other soldiers and marines that I have talked to, they know why they are in Iraq. They know what they are doing. They know what their mission is. And they understand that not everyone here does, that Iraq is the front line in the war against Islamist extremists in the words of the 9/11 Commission.

But I am here this evening to talk about a trip that I took to Iraq a week ago at the request of the Chairman of the Armed Services Committee to assess the progress of the Iraqi armed forces. I am pleased to report that I was very heartened by what I found. I think all of us now understand that the Iraqi Army is progressing with amazing speed. We know the numbers. Over 260,000 Iraqi security forces, over 100 Iraqi Army battalions, almost 30 Iraqi police battalions, either leading the fight or serving with their coalition partners.

But it is not the numbers that count; it is the quality of the troops. It is what they are able to do. In a previous trip to Iraq in November of 2005, I had the opportunity to meet with and assess the progress of the Iraqi counterterrorism forces. These are special forces trained by our Special Operations Command, and they are impressive.

The Iraqi special forces have proved their mettle in combat and in training. Last month, last month a young captain became the first Iraqi to graduate from the United States Army Ranger School, an exceptional feat achieved by only 35 percent of any foreign military personnel who try.

Over Memorial Day weekend, my confidence was further boosted when I visited with Major General Bashar Ayoub, commander of the Iraqi 9th Mechanized Division, and Major General Jamal Khalid, Commander of the Iraqi Second Division. Both commanders expressed their frustration with the bureaucracy in the interim ministry of defense but both generals demonstrated a quite confidence and professionalism exhibited by seasoned battle-hardened commanders.

These two commanders demonstrated the will and the ability of the Iraqi security forces to battle the terrorists and the insurgents who plague their country.

In our discussions, Mr. Speaker, they were blunt. They were proud of their accomplishments. They were confident in their ability to move forward, but they recognize that they continue to rely on U.S. logistical and medical assistance, that they cannot move forward by themselves. Not now.

We have made a commitment, Mr. Speaker, not only to our American forces, but to these Iraqi forces. We have got to stay with them and help them achieve their freedom and their independence.

We have made a commitment—not only to the American men and women of our Armed Forces—but to those who wear the uniform of the Iraqi Security Forces. They have shed their blood alongside our soldiers and Marines in pursuit of a stable and peaceful Iraq.

Now is not the time to abandon them, now is the time to stand firm with those who defend freedom in a land that has known only tyranny.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. WATT).

Mr. WATT. Mr. Speaker, during consideration of the rule this morning, our Republican colleagues suggested something pretty revolutionary, that is, that we do something we do not normally do often around here, and that is read the resolution. They said they encouraged us to review it, and vote based on whether we agree or disagree with the content of the resolution.

So I reviewed the resolution. And as our colleagues suggested, I intend to vote against it based on the fact that there are several things in the resolution that I strongly disagree with.

First, on page 2 of the resolution, it states as follows: "Whereas by early 2003, Saddam Hussein and his criminal Ba'athist regime in Iraq constituted a threat to global peace and security."

I think the only way one could conclude this would be to conclude that there were, in fact, weapons of mass destruction in Iraq. I did not vote for the war resolution because I never believed the President when he asserted that there were weapons of mass destruction in Iraq in the first place. I did not believe it then. It was subsequently proven not to be the case. And I most certainly cannot support a resolution that asserts it now.

Second, the resolution asserts that: "The terrorists seek to destroy the new unity government because it threatens the terrorist's aspirations for Iraq and the broader Middle East." There is probably some truth to that.

However, what is probably a lot more true is that the war in Iraq has increased, not decreased, terrorism and the resolve of the terrorists. It has created conditions in Iraq that allow terrorism to thrive.

Finally, the Resolution asserts that "Iraqi forces are, over time, taking over from United States and Coalition forces a growing proportion of independent operations and increasingly lead the fight to secure Iraq." If that were true, we would have started bringing our troops home by now. At some point we've got to make Iraq assume responsibility for itself and its own people. I just don't believe they or we have come to grips with that.

There obviously are a number of things in the Resolution with which I agree. But we were given no opportunity to amend the Resolution to strip out the things that are untrue and/or offensive or, for that matter, to add to the things with which we agree. My Republican colleagues have, once again, chosen to politicize a matter that should be above partisan politics. I cannot vote for the Resolution in this form and will, therefore, vote "no."

Mr. COBLE. Mr. Speaker, may I inquire of the Chair the amount of time on both sides.

The SPEAKER pro tempore. The gentleman from North Carolina has 31 minutes, and gentleman from Pennsylvania has 37½ minutes remaining.

Mr. COBLE. I thank the Speaker.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Pennsylvania (Mr. SHERWOOD), a veteran of the U.S. Army, who sits on the Appropriations Committee.

Mr. SHERWOOD. Mr. Speaker, I rise in strong support of this resolution for many reasons. But one is that I know we are achieving real progress in Iraq and Afghanistan. I know this not from government reports or media sources, but from two fine Pennsylvanians. I want to quote from an e-mail I received this morning from a constituent, an Army officer in northwest Iraq commanding the military transition team.

And he writes, "There are many positive things going on over here that the American public never hear about. My little 10-man team contributed over 150 boxes of school supplies to the schools in my area. Other units purchased grain to give out to small villages. I am very proud of the accomplishments of U.S. and Iraqi forces and it truly is a shame that all of the news tends to be negative towards the activities of the soldiers, both American and Iraqi who are working very hard every day to make this country safe."

I am very pleased and honored this summer to have an intern, Mike Wright, who is a soldier in the 82nd Airborne. When he arrived in Afghanistan in July 2002, the people had nothing: no schools, no healthcare, no paved roads. But in 7 months his unit helped build the first school and health clinic. When his unit came back to Afghanistan in late 2004, it was a different place. New facilities, factories, more electricity, and miles of paved roads.

When arriving in the village, he tells me his unit would be greeted by small children, smiling youngsters throwing colorful plastic flowers at them. These examples are among many that illustrate real progress, laying a foundation for future peace, shaping the world where the terrorist message will fall on deaf ears.

Mike told me this also, "The Afghani war veterans, the old-timers have asked him, why did you abandon us when the Soviets left?"

Today their biggest fear is that we will leave before the mission is done and allow the Taliban or other tyrants to take over. We must know that the Iraqi civilians remember 1991 and fear the same thing. We must complete this mission.

Mr. MURTHA. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, their side of the aisle, your side of the aisle, has a major problem. Yesterday, Prime Minister Nouri al Maliki suggested that they would provide amnesty for those people who killed or who wounded our soldiers. We are going to see who are the patriots here in the future.

In a speech that JACK MURTHA gave on April 20 this year, he started off by talking about President Teddy Roosevelt. He said, "There must be no criticism of the President or that we have to stand by the President right or wrong is not only unpatriotic and servile, but is morally treasonable to the American public."

You are going to have to explain that. You made a very big mistake. I voted for the war, for the efforts of the President, the Chief, the Commander in Chief in December of 2002. And here we are a few years later, looking back at what that decision was based upon.

Talk about impunity, we have had people come on the floor in the last 2 years to impugn this gentleman's character. The CIA impugned the very facts that the administration has tried to provide. Every day a former CIA agent says that this administration failed to listen to the advice and counsel of those folks who have boots on the ground. That is a shame.

And the other side, the other side has simply provided a rubber stamp, a rubber stamp to all of the policies. You have mindlessly rubber-stamped the mismanagement that has cost our sons, and you may laugh, these are our sons and daughters, our sons and daughters their lives.

And now, here we are today—considering a partisan, political resolution that ultimately means nothing; a resolution that won't assist our troops on the ground; a resolution that does not help us move forward in bringing our men and women home.

This is just another shameful example that the leadership of this body is not fit to serve. This Congress has failed to fulfill its most basic of duties. Shame should permeate every hallway and every hearing room.

If we were serious—truly serious—about helping our men and women in the military, we would not waste our time on this resolution.

Instead we would delve into the deception, the intelligence failures, the scapegoating of the C.I.A., and the mismanagement that has placed us where we are today. The generals, the men and women of our Armed Forces have done their job. We have voted time and time again in budgets and supplements supported their protection, yet we have had the real culprit come to this floor and demean, undermine, those who ask questions or may criticize. Teddy Roosevelt turned over from the clownish gyrations of the Congressmen or women from Ohio.

And we'd also take up H.J. Res. 73—Congressman JOHN MURTHA's well-reasoned, essential call to redeploy our troops from Iraq.

We are faced with a choice—more of the same from the Bush administration, or JACK's way. I believe that rapid turnover of Iraq to the Iraqi people is essential and that our troops need to be redeployed at the earliest practicable date. That is why I am proud to cosponsor my friend's resolution.

Today is just another sham in the House of Representatives, but that is what we've come to expect.

Our troops deserve better.

Mr. COBLE. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from Tennessee (Mrs. BLACKBURN) who sits on the House Energy and Commerce Committee.

Mrs. BLACKBURN. Mr. Speaker, you know, our colleagues across the aisle are asking the American people to divorce our mission in Iraq from the global war on terrorism. I think it is impossible. I think it is irresponsible, and it is bad policy.

If only terrorism were as clear cut a problem as they want us to believe, and if only elimination of the Taliban would have been sufficient to free us from the threat of terrorism. Mr. Speaker, have we not learned anything from September 11? It should be crystal clear that terrorism went far deeper than one rogue regime in Afghanistan.

But that is where they are in this debate. They are ignoring reality. Our troops, my folks from the 101st and the National Guard, know that if we are going to be free of terrorism, if the goal is to prevent terrorism from killing 2,000 Americans on our soil tomorrow or forevermore, then we must bring major change to the Middle East.

☐ 2230

It is an unpleasant reality, but it is a reality. That is where we are in Afghanistan. That is where we are in Iraq. Progress is being made. Libya has changed, the Taliban is basically gone now, al Qaeda has significantly weakened and bin Laden is on the run.

Pakistan is an ally in the war on terrorism. Iraq, despite a 24/7 massive media campaign of negative news, is making progress, and we have eliminated al-Zarqawi. On this issue of amnesty, the Iraq National Security Adviser corrected the record and, for the record, stated that the Prime Minister was misquoted.

I have that entire interview and the transcript for the record, and I would like to quote for my colleague's benefit another portion, and I quote, he, as a matter of fact, if you were there, and this is the Iraqi National Security Adviser speaking, if you were there in this meeting with President Bush a couple of days ago, he looked the President in the eye and he said, thank you very, very much for liberating our country. I thank the American wives, the women, the American mothers for the treasure and the blood that they have invested in this country. It is worth investing for liberating 30 million people, and we are ever so grateful.

Mr. Speaker, we all stand grateful. We stand grateful.

From CNN Interview:

KAGAN. Doctor, I know there's a big effort by your government in your country to try to prevent civil war. And as part of that, The Washington Post reports today that your prime minister is considering offering amnesty to Sunnis or to others who perhaps attacked only U.S. troops. This, not surprisingly, causing great consternation here in the U.S., even talking about it and being raised on the floor the U.S. Senate today. Is this, indeed, the case? Is your government thinking about offering amnesty to those that attacked only U.S. military?

RUBAIE. This is not the case. I'm sorry to say that the prime minister of Iraq has been misquoted and misunderstood. He did not mean to give amnesty to those who killed the Americans.

Aa matter of fact, if you were there in his meeting with President Bush a couple of days ago, he looked the president in the eye and he said, thank you very, very much for liberating our country. Please thank the American wives and American women and

> American mothers for the treasure and the blood they have invested in this country. It's well worth investing, of liberating 30 million people in this country. And we are ever so grateful.
>
> And we will—the blood of the Iraqi soldier and blood of Iraqi civilian soldier is as sacred to us as the American soldier. We are fighting the same war, we are fighting together, and this is a joined responsibility. And we will never give amnesty to those who have killed American soldiers or killed Iraqi soldier or civilian.

Mr. MURTHA. Let me ask the gentleman, my good friend, how many more speakers he has?

Mr. COBLE. I say to my good friend from Pennsylvania, I have two more speakers, Mr. MURTHA.

Mr. MURTHA. I will be the last speaker.

Mr. COBLE. Mr. Speaker, I am pleased to recognize for 2 minutes the distinguished gentleman from Connecticut (Mr. SHAYS), who is the chairman of the National Security Subcommittee of the Government Reform Committee, and who has been to Iraq 12 times.

Mr. SHAYS. I thank the gentleman for yielding.

I have been listening to this debate all day. The argument I am hearing most from the opponents of this resolution is we shouldn't have gone into Iraq to remove Saddam Hussein in spite of the fact that many of them voted to go into Iraq.

I am hearing from opponents that there was and is no connection between Islamist terrorists and the war in Iraq, in spite of the fact that the prince of al Qaeda, al Zarqawi, did his gross handiwork in Iraq. Fortunately, he is dead.

I am hearing from opponents of this resolution that we have made many mistakes in Iraq, as if that is justification for arguing that we need to leave. We have made a number of mistakes. We permitted the looting of government buildings. We didn't secure the munitions depot. We disbanded their army, their border patrol and police, and then asked the 150,000 coalition forces, mostly brave American soldiers, to protect and defend 26 million Iraqis living in a country the size of California.

These were mistakes, but mistakes do not justify leaving prematurely. They help explain why things could be better, and why, because we learn from our mistakes, we are doing better.

Since the transfer of power to Iraq in June of 2004, we have seen considerable progress, three free elections that put our elections in the United States to shame, the training of hundreds and hundreds of thousands of Iraqi security forces, the establishment of a government chosen by a national assembly comprised of 30 percent women.

I am not afraid we will lose the war in Iraq. I am deeply concerned we will lose the war in Iraq here at home. Our efforts to remove Saddam Hussein from power and help bring democracy to the most troubled part of the world is truly a dear and noble effort that must succeed.

Mr. MURTHA. Mr. Speaker, I yield myself 5 minutes.

I was just out to a hospital a week or so ago, and a young woman whose husband was in the bed right next to her, and she said, I didn't join the Army to fight for Iraq. He joined to fight for the United States.

We don't send people to fight for other countries. We send them to fight for the United States' national security. That is the first lesson we learn, and then we send them with overwhelm force and then we have an exit strategy.

What we are looking for is all the same thing. All of us want the same thing. We want a resolution. We want a positive resolution to what is going on in Iraq. We want a plan. We want a plan that we can live with. It is not enough to say stay the course. We need somebody to tell us exactly how we are going to do this.

When you talk about the amount of money this is costing us per month, and I think about $8 billion, which almost as long as I have been on the Defense Subcommittee, and all of the money that I have seen in the Defense Subcommittee, and I can't recognize what $1 billion is, $450 billion at the end of this year.

Then I think how long did it take us to pay for the Vietnam War? It took us almost 18 years at 18 percent interest rates to pay for the Vietnam War. There were a lot more people, a lot more of a cross-section of people fighting in the Vietnam War, and yet a plurality of people still supported the Vietnam War to the very end.

Let me read something. People say they don't want a time schedule. Nobody has said they don't want a time. Let me read these comments from some of the people that traveled back from the President from Iraq recently. She says in her news release, here is Bush Tuesday night on the way home on Air Force One discussing his conversation with Iraqi leaders. There are concerns about our commitment and keeping our troops there. They are worried almost to a person that we will leave before they are capable of defending themselves. I assured them they didn't need to worry.

That is what we hear back here all the time. But apparently what he says almost to a person, not including the President and the Vice President, the President and Vice President of Iraq.

The Associated Press reports this morning, Iraq's Vice President has asked President Bush for a timeline for the withdrawal of foreign forces from Iraq. The Iraqi President's office said, the Vice President, a Sunni, made the request during his meeting with Bush on Tuesday when the U.S. President made a surprise visit to Iraq.

I supported him in this. This is the President of Iraq. I supported them, said the President, in a statement released Wednesday. Now, 80 percent of the Iraqis want us out of there, 62 percent of the people in the United States want us out of there.

It is not surprising to me that they are going to offer amnesty to some of the Iraqis who are killing Americans, because 47 percent of the Iraqis think it is all right to kill Americans.

We have diverted ourselves away from the war of terrorism. All of us agree about the war on terrorism. All of us have the same goals in the war on terrorism. What we are concerned about is we are caught in a civil war in Iraq. There is only 1,000 al Qaeda or less in Iraq. We destroyed the leader of al Qaeda.

What we are worried about is the Sunnis and the Shiias. The Shiias are 100,000, and there are 2,000 Sunnis fighting with each other. The way we have to do it is one of the biggest problems we have. When you fight a military operation, you have to destroy everything. Fallujah, for instance. We put 300,000 people outside their homes and only 100,000 came back. That is nation building. Yet we are trying to make friends in that country. You can't make friends if you operate the way the military does.

And I agree with the military. To protect American lives, we have to go in with overwhelming force. When you go in with overwhelming force, you are going to inadvertently kill civilians.

Then when you send in people who are untrained and they go into a country, into a job like a prison and they don't know what they are doing, they don't know how to handle it, untrained people that caused us a terrible public relations disaster.

So you have this combination of untrained troops, inadequate forces, and then on top of that, you have no plan to remove the military. Every military leader I have talked to has said the same thing to me. They have said, we can't win this militarily.

All of us want the same thing. We want a resolution to this thing. We want to not only bring our troops home. Internationally it is important we have stability in the Middle East. There is no question. All of us want the same thing. It is how we get it. And we have to have international cooperation.

As I had mentioned, and I will end with this, in the first war we had international cooperation. We had 160,000 international troops and 400,000 American troops. And $60 billion came from the international community and we paid between 4 and $5 billion.

In this particular war so far, we have spent $450 billion and not only the financial treasure but the human treasure that we have lost in the United States.

Mr. COBLE. Mr. Speaker, our final speaker from this side tonight is the distinguished gentleman from North Carolina who sits on the Armed Services Committee, vice chairman of the Special Forces Subcommittee and is a leader on the bipartisan congressional delegation to Iraq and Afghanistan, Mr. HAYES. I yield 2 minutes.

Mr. HAYES. Mr. Speaker, I thank my friend the gentleman from North Carolina for yielding and I rise today to engage in this discussion on Iraq. But I don't think this is solely a discussion on Iraq because what happens in Iraq will have far-sweeping ramifications across the Middle East and around the world.

When I am asked about a time line for removing our troops, my answer is not a day more than we need to ensure victory. We could leave tomorrow. We could set an arbitrary deadline, 6 months, a year, and tell the terrorists how long they need to stick it out before we leave. But what would the ramifications of that be?

Unfortunately, I think there is a perception in this country that we are fighting a broad-based resistance from the Iraqi people, and we are not. Iraqis and their new government want to have a peaceful, free and democratic existence.

I don't think it is a coincidence that violence escalated from the terrorist factions when the new government formed. While the violence in Iraq will not cease overnight, it is apparent to me that real progress has been made in the year since I last talked firsthand to our soldiers in Iraq.

One of the most compelling changes made since last year is that Iraqi security forces are coming online and are more involved in planning and executing missions to stop terrorist activity. In a briefing with Special Forces leaders, we learned that more than 30 percent of all day-to-day missions are planned and carried out by the Iraqis themselves. This is significant because it frees our soldiers to focus on capturing and eliminating key figureheads, as evidenced by the recent death of Abu Musab al Zarqawi.

There was so much attention on al Zarqawi that the appointment of three security ministers to complete the new Iraqi cabinet was all but missed. The fulfillment of the new government and these three posts in particular is a critical development in securing their nation from internal and external terrorist factions.

Mr. Speaker, the key to victory in Iraq is the Iraqi people. As their government forms, as it gains influence, as their military is able to defend the people and the infrastructure, we can continue to pull back. And we should. But we have to ask ourselves what legacy we want to leave behind in this region, because that is the fundamental question we are asking today.

Mr. Speaker, I rise today to engage in this discussion on Iraq. But I don't think this is solely a discussion on Iraq, because what happens in Iraq will have far-sweeping ramifications across the Middle East and around the world.

When I am asked about a timeline for removing our troops, my answer is not a day more than we need to ensure victory.

We could leave tomorrow. We could set an arbitrary deadline—six months, a year—and tell the terrorists how long they need to stick it out before we leave. But what would be the ramifications of that?

I recently returned from leading a bipartisan Congressional Delegation trip to Iraq and Afghanistan, where I met with Special Forces troops to assess the training progress of Iraqi security forces as well as met with top Iraqi government leaders to discuss their commitment to building a coalition government and securing their own country.

It's been a year since I was last in Iraq. Since that time, I have attended many briefings and received many reports, but seeing our troops and talking with leaders was the most telling status report of all.

Unfortunately, I think there is a perception in this country that we are fighting a broad-based resistance from the Iraqi people—and we are not. The Iraqis and their new government want to have a peaceful, free and democratic existence.

There has been and continues to be a very small but determined portion of the population in Iraq combined with al Qaeda who are determined to stop freedom at any cost. They will kill indiscriminately and there is no target off limits—coalition forces, police, women, and children.

Their goal is to break our resolve with these barbaric acts of terror. The Iraqis who profited under Saddam's regime do not want a free and stable Iraq. Al Qaeda does not want a free and stable Iraq. Freedom is not conducive to their long term goals. Accountability is not conducive to their long term goals. Democracy is not conducive to their long-term goals. Saddam's former loyalists and al Qaeda thrive on poverty, despair, violence and fear. The bottom line is that they cannot afford for freedom to succeed.

Conversely, we cannot afford freedom to fail. How detrimental would it be if we wave the white flag to al Qaeda and the Sunni terrorists? Do you think they will allow the people of Iraq to live in freedom and peace? Do you think they will allow the democratic process to continue?

A while back, some of my colleagues on the other side of the isle raised a good point—we walked away from Afghanistan following the Soviet withdrawal. What emerged from that void were the Taliban and a safe haven for al Qaeda. Is that what we want the legacy of Iraq to be? If you think we made a mistake in the past, why would we repeat it?

If we walk away prematurely, how can we deal with Iran? How can we deal with North Korea?

As I said in the beginning, what we do in Iraq will have ramifications across the world for many years.

I don't think it is a coincidence that violence escalated from the terrorist factions when the new government formed. While the violence in Iraq will not cease overnight, it is apparent to me that real progress has been made in the year since I last talked first-hand to our soldiers serving in Iraq.

One of the most compelling changes made since last year is that Iraqi security forces are coming online and more involved in planning and executing missions to stop terrorist activity. In a briefing with Special Forces leaders, we learned that more than 30 percent of all day-to-day missions are planned and carried out by the Iraqis themselves. This is significant because it frees our soldiers to focus on capturing and eliminating key figureheads, as evidenced by the recent death of Abu Musab al-Zarqawi.

Zarqawi was an important leader for al Qaeda and a powerful figure for terrorists around the world—both tactically and symbolically. He was responsible for orchestrating the death of many civilians and coalition soldiers. I don't believe his death will end all violence in Iraq, but his demise is an important psychological boost to the Iraqi people and a blow to those across the world who sympathize with militant extremists and terrorists.

The end of one of the most notorious terrorists in the world was a great day for our military forces, but I would point out that our special and regular forces have had many victories that didn't gain media attention or just could not be brought to light due to their sensitive nature—and we all owe our troops a great deal of gratitude for all they do.

There was so much attention on Zarqawi that the appointment of three security ministers to complete the new Iraqi cabinet was all but missed. The fulfillment of the new government and these three posts in particular is a critical development to securing their nation from internal and external terrorist factions.

Mr. Speaker, the key to victory in Iraq is the Iraqi people. As their government forms; as it gains influence; as their military is able to defend the people and the infrastructure, we can continue to pull back. And we should. But we have to ask ourselves, what legacy we want to leave behind in this region, because that is fundamental question we are asking today.

Mr. COBLE. Mr. Speaker, I reserve the balance of my time.

Mr. MURTHA. Mr. Speaker, I reserve the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, it is our job to protect our Nation and we have thousands of young men and women doing that today. I believed in early 2003 that we should do more to capture or eliminate the people who caused the 9/11 attacks. They were predominately in Afghanistan. Today it seems we have a resurgent Taliban in Afghanistan, and increasing attacks in Iraq on our troops and Iraqi citizens.

We have seen success in capturing Saddam and eliminating Al-Zarqawi. I have never doubted the ability of the men and women of our Armed Forces—we saw what they were capable of in the first days of the war when they stormed Iraq and Baghdad within days, overwhelming the Iraqi forces. The accomplishments we have seen in Iraq can be attributed directly to the troops' discipline and persistence in fighting the insurgency.

Mistakes have been made, and some of the most experienced members of our Armed

Forces have pointed that out. One of the individuals who spoke out was retired Marine General and former chief of U.S. Central Command Anthony Zinni who said:

> We grow up in a culture where accountability, learning to accept responsibility, admitting mistakes and learning from them was critical to us. When we don't see that happening it worries us. Poor military judgment has been used throughout this mission.

As this war has gone on, the lack of planning and poor judgment by this administration has become more apparent. I have here the May 1, 2003 press release here from the White House in which President Bush—on board USS *Abraham Lincoln*—declared all major combat operations have ended. We now know that this was one miscalculation among many. Since that time seven young men from our 29th Congressional District in Texas have lost their lives; across our nation over 2,300 servicemen and women have lost their lives since the President made those remarks. Reading over these remarks it is clear that the administration had no clear plan for securing Iraq after the invasion, and had no clue about what was to follow for the next three years.

Given the size, strength and effectiveness of the insurgency, the administration's intelligence should have given some indication that there would be problems down the road and done a better job of preparing the public and more importantly our troops for what was to come in the following month and years. It is clear that we did not have enough troops on the ground immediately after the invasion, and that shortage continues. Fortunately, thanks to the relentless efforts by our Armed Forces, progress is being made.

Congress does not direct troops on the ground and we are not the Commander-in-Chief, but we are charged with sending our sons and daughters into battle and therefore we must debate what is occurring in Iraq. While I disagree with the way the administration planned and carried out this war, I support our troops and will continue to vote for Defense appropriations and supplemental dollars.

Many brave men and women have given their lives in Baghdad, Fallujah, Ramadi, Mosul and across Iraq to bring peace and democracy to that country. We honor them, their families, and the ultimate sacrifice they made serving their country. I want our troops to come home soon.

Mr. Speaker, this is not the war we anticipated fighting or the war we were led to believe we were getting into, but I believe we must finish our mission to leave a secure Iraq that can defend itself and be a symbol that democracy can prosper in the Muslim world.

Mr. MILLER of Florida. Mr. Speaker, I rise in support of America. I rise in support of our active troops and those who have given their lives and those who will give their lives so that we will prevail in this Global War on Terrorism. These troops are part of an all-volunteer force that is the envy of the world.

I rise to reassure the American and Iraqi people that we reject any timetable for the withdrawal or redeployment of U.S. forces in Iraq. Al Qaeda and other terrorist organizations have attacked our families, neighbors and friends numerous times over the last three decades. What has been the response? For the most part, there has not been an adequate response. And Mr. Speaker, that is hard to admit. Some would tell you we didn't respond due to lack of political will, others would say America just didn't have the stomach. From the killing of 241 U.S. service members in Beirut in 1983 to the attack on the USS *Cole* in 2001, America responded in a cautious manner.

This is no longer the case. Due to the events of September 11, 2001 our country was forced to reevaluate our defensive and offensive strategies. Led by our Commander in Chief and with the support of the Congress, our government decided to take the fight to every cave the enemy hides in—sending an unmistakable message. We will fight the enemy overseas and prevent him from reaching our shores.

Having been to Iraq during the recent Memorial Day holiday, I am pleased to report the message is getting across. Our enemies are starting to realize that America and its allies are not leaving and are not intimidated. I say to the Iraqi people—we will not abandon you. We are committed to the completion of the mission to create a sovereign, free, secure and united Iraq.

During my 4 trips to Iraq in the last 3 years I have been heartened by the continued resolve of our forces. After receiving briefings from the Generals, I always make sure to spend an equal amount of time with the senior enlisted men and junior officers who are leading at the tip of the spear. The casualty count among this group is rising—and that is hard to grapple with—but it is for a purpose.

A man who was responsible for so many of these casualties—Zarqawi—is now dead. He was killed by a 500 pound bomb dropped from an F–16. This weapon and this method of employment were thoroughly developed and tested at Eglin Air Force Base in Okaloosa County, Florida. The dedicated air force active duty, civilian personnel and contractors from the Test and Evaluation Community and the Air Force Research Laboratory can be equally proud.

I would like to remind my colleagues and the American people of the courage it must take to vote in a country that has never known democracy while under the threat of death simply for making one's voice heard. This courage is commendable and is a cause worth fighting for.

Mr. Speaker, America and her citizens are strong. We will continue to lead the way in showing the Iraqi people how to establish a free and democratic nation and we and they will never forget the sacrifice of those who made their democracy possible.

Mr. BOOZMAN. Mr. Speaker, I rise today to give strong support to H. Res. 861. For more than three years, the man Osama bin Laden called "the prince of al-Qaeda" orchestrated terror attacks that killed thousands of Iraqis, American troops and coalition forces. Now, thanks to hard work and dedication of the U.S. military and our coalition partners, Abu Musab al-Zarqawi's reign of terror is over.

Since the U.S. and our coalition partners liberated Iraq, bin Laden has sought to defeat the efforts of the people of Iraq to transform their nation into a peace-loving democracy so he can turn it into a radical Islamic state where al-Qaeda calls the shots. The air strike that killed Zarqawi has dealt bin Laden's organization a crucial blow by eliminating the man he trusted to wage his jihad in Iraq. It is a major victory in the War on Terror.

Mr. Speaker, as Chairman of the House VA Economic Opportunities Subcommittee, I feel strongly about coming to the floor today to honor our brave servicemen and women who are defending our homeland in the Global War on Terror. They have fought valiantly since the vicious unprovoked attacks of 9/11. They liberated the people of Afghanistan from the Taliban, an abusive regime that once harbored Osama bin Laden and his al-Qaeda leadership. The terrorists no longer have a safe haven and are on the run. Their hopes of creating a new Taliban-like state in Iraq has suffered a major setback with our military's latest success in getting Zarqawi.

Since the end of the initial operation in Iraq, many of my Democratic colleagues have called for a full withdrawal of our troops from Iraq. When the attacks on U.S. troops and Iraqi civilians intensified, so did their calls for us to pull out. If we had heeded those calls and not allowed our military to complete their mission, Zarqawi would still be alive and be making further strides toward turning Iraq into al-Qaeda's new home base.

Whether or not you supported the initial operation in Iraq, the fact of the matter is we have to see this through. Our troops deserve our support and all the resources they need to get the job done. And I am committed to giving them both.

Since the liberation of Afghanistan and Iraq, we have captured or killed thousands of suspected terrorists. Our servicemen and women have rooted terrorists out of hiding all over the globe. They deserve our utmost support and praise for keeping us safe and making the world a better place as they continue to fight the global war on terror.

Mrs. BONO. Mr. Speaker, I rise today to support our country's effort in the global war on terror. This war takes many forms and is waged on many different fronts. It involves the vigilance of our citizens in their neighborhoods to the first responders who patrol our cities. It courses through every state in the union. It must stand vigilant along our southern border and face the difficult challenges along the even lengthier and more remote terrain of the northern border. And yes, the global war on terror takes place across the vast oceans that no longer offer our homeland the protective barriers they once did.

As Americans view on their television sets the hatred spewed by the likes of Ahmadinejad of Iran and whoever is the face of al Qaeda, we stand resolute in our beliefs of freedom and democracy. We carry emotions with us that are equal to those who wish us and our allies harm. But our emotions are not bent on creating destruction but preventing it, not on crying out for the annihilation of an entire nation but on rebuilding and helping those who choose to enter the civilized world community. To those who wish to be our friends, there is no more generous nation than that of the United States of America and to those who wish us harm no more determined of a nation when our values and safety are threatened.

In order to win this war, we must support our troops who are deployed around the world. They protect and defend our nation and our allies everyday. These young men and women carry the patch of our flag on their arms and the spirit of our nation in their hearts.

We also must continue to rebuild our intelligence agencies so they do not fall into the lackluster conditions they did before and work with others in the world community to stop threats before they reach our shores. There is still a great deal more work to do, but we will pursue until the job is finished.

While we fight this battle across the world, others may wonder where we draw our energy from. It is important that our friends and enemies realize one important and crucial fact: the war on terror is spurred on by the hearts and minds of every American who will not let the world forget what happened on that tragic day in September.

Mr. BASS. Mr. Speaker, today we come to the floor to debate the merits of H. Res. 841, legislation honoring the men and women of our armed forces and declaring our commitment to a sovereign, free, and united Iraq. As our country continues to engage Al Qaeda and other international terrorist organizations around the globe, it is important that we convey the depth of our resolve. We cannot allow Osama Bin Laden and his lieutenants to succeed in their attempt to drive our forces from Iraq and topple that country's democratically elected government.

Today, we are engaged in what I hope will be the first of many public debates on our national strategy to combat the growth and development of global terrorist networks. In Iraq and Afghanistan, as was clearly described by the 9/11 commission, we must stand for a better future by working with the international community to give the citizens of these countries a fighting chance to develop secure democratic institutions. These countries must never again be allowed to descend into the lawlessness that gives sanctuary to international criminals and terrorists.

Last week, coalition and Iraqi forces scored a major victory over foreign terrorists working to foment a civil war between the Sunni and Shia peoples of Iraq. Our cooperative efforts to eliminate Jordanian terrorist leader Abu-Musab al-Zarqawi should stand as a landmark along the road to independent security in Iraq. It should also serve as an opportunity for this Congress to publicly expand its oversight activities to include the Iraqi Governments ability to maintain security and expand reconstruction activities absent the direct assistance of our forces on the ground.

Over the last few months we have seen momentous changes in Iraq. Prime Minister Maliki's freely elected government has announced plans to expand reconstruction efforts, begin the national reconciliation process, and put an end to independent military forces in the country. Last month, Iraqi security forces played an active role in 90 percent of security operations and acted independent of coalition support in nearly 40 percent of those missions.

These successes have given us the opportunity to consider the eventual withdrawal of our forces and those of the 28 coalition allies who continue to support the development of a free and stable Iraq. However, in doing so, we have a responsibility to do so based on conditions on the ground, and should not be bound by an arbitrary timeline for withdrawal that could only strengthen our enemies resolve. Doing so would do a grave injustice to the brave men and women of our armed services, who have already sacrificed so much in the cause of freedom.

Ms. DEGETTE. Mr. Speaker, I rise in opposition to House Resolution 861. Calling this a true debate on Iraq is a joke, and the Republican majority knows it. The Majority Leader has admitted the true motive—to use this issue in the fall elections against the Democrats. Shame on him and shame on the Republican majority for callously restricting what should be a full debate about the most important issue facing our country. Shame on them for trying to set a political trap and not allowing amendments or a full debate. If we were allowed a fair process, the facts would be revealed. And the facts are not pretty.

After the tragedy and horror of September 11, 2001, everyone saw the threat posed by Al Qaeda. I voted for the authorization for President George W. Bush to use force against the Taliban in Afghanistan who were harboring Al Qaeda and Osama bin Laden. I am a strong supporter of the war on terrorism.

When President Bush came to Congress and asked for authorization to invade Iraq, he made no case that that country was an imminent threat to the United States, or, in fact, related to our international fight against terrorism. So, I opposed the authorization for President Bush to use military force against Iraq in 2002, and that vote was the proudest vote I have taken in nearly 10 years in Congress.

Despite the paucity of evidence to invade a sovereign nation, Congress authorized President Bush to go forward and we invaded Iraq. Instead of remaining focused on combating terrorists, the true imminent threat to our country, we got detoured into Iraq. Our courageous men and women in uniform did a tremendous job in the effort to defeat Saddam Hussein. I have supported them every step of the way and continue to support them as I stand here today.

Having toppled its government, I felt we had an obligation to see Iraq transition to a new democracy. Like most Americans I was patient as Iraq struggled to establish a new civil society and government after years of oppression.

In the three years since the invasion, Americans have provided security and rebuilding assistance. Despite the gross mistakes, mismanagement, and misjudgments of our civilian leadership, Iraq is now a sovereign, free country, a country with a new constitution and a new government. At this point in time, we have done what we can. We've given the Iraqi people an opportunity. It is now their opportunity to grab freedom. It is now their country to lose.

Unfortunately our efforts have come at a tremendous cost. Major General John Batiste, a commander in Iraq and military aide to Mr. Paul Wolfowitz, noted that "Rumsfeld and his team turned what should have been a deliberate victory in Iraq into a prolonged challenge." 2,500 of our best and brightest young people have paid the ultimate sacrifice to our country. About 18,000 have been wounded. All Americans are forever in their debt. In addition to the heartbreaking human toll, there is a financial one as well. We have now spent or appropriated, according to the Congressional Research Service, about $320 billion on the war in Iraq.

Enough is enough. Enough devastation for mothers and fathers who have lost children in Iraq; enough heartache for their loved ones and friends; enough young lives cut short; enough being forced to shortchange domestic priorities like health care and homeland security because billions are being spent on Iraq. We have given the Iraqis a chance. That is all they can ask of us and that is all we can ask of ourselves. As such, it is time to shift troops to the periphery of the conflict and redirect some resources currently being used in Iraq back to America.

Despite what the Republican majority suggests through this Resolution, saying it is now time to begin redeploying troops and that President Bush needs to develop a plan to do so is not arbitrary. It is, in fact, a reasonable calculation that the cost of Iraq is no longer worth any benefit we may achieve by continuing our armed presence there. The majority of the American people have made it clear they feel it is simply not worth more blood to achieve perfection in Iraq. They are right. It is time we in Congress listened.

Mr. TERRY. Mr. Speaker, I rise in strong support of the resolution to affirm the United States of America will ultimately achieve victory in the Global War on Terror.

On September 11, 2001, 3,000 of our fellow Americans were brutally killed by Islamic terrorists under the leadership of Osama bin Laden. President Bush responded by declaring war against terrorism and its strongholds throughout the world. He said we would fight the enemy on their ground to prevent terrorists from once again attacking our citizens on U.S. soil.

The Bush Doctrine stated: "Any nation that continues to harbor or support terrorism will be regarded by the United States as a hostile regime." U.S. and Coalition forces have verified his words with irrefutable action. The state-sponsored "safe harbor" Al Qaeda enjoyed in Afghanistan ended when U.S. and Northern Alliance forces routed the Taliban in a decisive military victory.

Afghanistan now has a newly elected parliament, a market economy, equality for women, and millions of children attending school for the first time. We still face challenges in this nation, but it is on its way to becoming a stable and secure democracy, freed from the oppression of the Taliban extremists. Most importantly, Al Qaeda can no longer use this nation as a launching ground from which to attack the United States.

In Iraq, Saddam Hussein repeatedly refused to comply with U.N. weapons inspection. Sovereignty was turned over to Iraqis a year and a half ago; a Constitution was drafted last summer and ratified in October; and a new government is being established. The seeds of democracy are beginning to take root, and a major threat of state-sponsored terrorism against the U.S. was removed.

Despite the danger of violent retaliation from radical extremists, 59 percent of Iraqi citizens exercised their right to vote in January, and approximately 70 percent in December. Iraq is on its way to fully assuming responsibility for its own security and governance.

The challenges we face are undeniable and difficult. President Bush was correct when he said this war would come at great cost in blood and treasure. However, the cost would be much higher—intolerably high—had we not decisively acted to protect the security and interests of the United States.

Who can forget the cheering of Iraqi citizens in the streets as Baghdad was liberated and the statue of Saddam Hussein toppled to the ground? Who can forget the courage of the Iraqi's who proudly displayed the purple ink on their index finger after exercising their right to vote? Who can forget the sight of Saddam Hussein cowering like a cornered rat when U.S. soldiers forced him from hiding? Above all, who can forget the sight of the North and South Towers of the World Trade Center collapsing, the burning embers of the attack on the Pentagon, or the scorched field in Pennsylvania that will forever stand as a testament to heroism and self-sacrifice. Our successes in the Global War on Terror have prevented additional horrifying images from filling our TV screens, saving untold innocent American lives.

We may never know what catastrophes have been averted by the dedication and vigilance of U.S. servicemen and women. Nearly 2,500 Americans have nobly given their lives in exchange for the peace that we have enjoyed here at home these past four and one-half years. The very fact that we have not endured another terrorist attack on U.S. soil proves their lives were not given in vain. We have not seen additional attacks such as those in London and Madrid, or experienced the fear Israelis face on a daily basis. We owe our safety and security to the soldiers who are giving their all to protect our families, communities, lives and liberties.

Al Qaeda remains a persistent danger to the United States. This terrorist network operates in over 60 countries around the world. It brainwashes men and women into becoming suicide bombers; destroys religious sites; bombs and beheads innocent civilians; and seeks the destruction and overthrow of America, our values, our people, our freedoms and our way of life.

We cannot allow Al Qaeda the opportunity to establish a permanent base in Iraq from which to attack the United States. The collapse of Iraq's new democratic government would be a huge victory for Al Qaeda, drawing additional recruits for bin Laden's brand of terrorism from the ranks of young Muslims. It is well-known that bin Laden seeks nuclear, chemical, and biological weapons of mass destruction to inflict severe casualties on the United States and allied countries.

Al Qaeda conducted poison gas experiments on dogs in Afghanistan, and the governments of Britain, France, and Jordan have each foiled plans by Al Qaeda to use chemical weapons. U.S. intelligence sources have documented repeated attempts by Al Qaeda to purchase nuclear material, including weapons grade uranium. Nations such as Iran and North Korea are a potential risk for transferring nuclear capabilities to terrorist insurgents.

We must not fall into a sense of complacency. The continued threat from Al Qaeda to our citizens at home and abroad is real. Thankfully, U.S. and Coalition forces have captured or killed more than three-fourths of Al Qaeda's known pre–911 leaders. These include senior field commanders, masterminds of the September 11th attacks, communications coordinators, and other key operational leaders. Just last week, the leader of Al Qaeda in Iraq was killed by U.S. forces.

Abu Musab al-Zarqawi had repeatedly attacked religious shrines and Iraqi political leaders to destabilize Iraq, provoke a civil war, and create a haven for terrorism. The February bombing of the Askariya shrine in Samarra—one of Iraq's holiest religious sites—ignited a firestorm of reprisals that led to the deaths of over 130 Iraqis. Killing the man who incited this violence was a resounding victory toward building a safe, secure, stable Iraq.

More than 4,000 suspected Al Qaeda members have been arrested worldwide since 9/11, and Al Qaeda cells have been identified and dismantled in Europe, the Middle East, Asia and Africa. Over $140 million in terrorist financial assets have been confiscated or seized from over 1,400 bank accounts worldwide.

Mistakes have been made in the War on Terror, but the Bush Doctrine of dissuasion and deterrence is working. Pakistan broke its state-sponsored ties to Al Qaeda and the Taliban, and Libya surrendered its WMD and disavowed terrorism. Until recently, Iran had frozen its uranium enrichment program, but is now threatening our country amid the perceived weakness that we will pull our forces out of Iraq before that nation is able to govern and protect itself from terror. This dangerous situation underscores the fact that we must finish the job we began to ensure the continued safety and security of the American people. We must not give in to terrorism by pulling out of Iraq too early.

Fortunately, the talents and capabilities of our U.S. servicemen and women are protecting our nation well. Air Force Chief of Staff, General T. Michael Moseley, told reporters in February that Air Force satellites can locate activities and individuals on a global scale, and targets can be held at risk or struck down with the lethality of a weapon that detonates within several feet of the target. Al-Zarqawi learned this lesson the hard way.

General Moseley continued: "It must be a bit disturbing [to terrorists] to know that if you act against the United States or its Coalition partners, the U. S. Air Force will find you and strike you. And there's nothing you can do about it. We may never know what has not happened because of this capability."

General Ronald Keyes, head of the Air Force's Air Combat Command, rightly said: "If you're a terrorist and you've got static on your phone, that's me . . . That shadow passing over you, that's me. That computer that will not boot, that's me. That noise you thought you heard until it's too late, that is me. And it will continue to be me until our children and grandchildren and those of freedom-loving nations everywhere emerge from this plight of terrorism."

We can and we must improve our intelligence and military capabilities to ultimately eradicate terrorism worldwide. This war has not been waged perfectly, but it has in arguably succeeded in preventing additional terrorist attacks on U.S. soil, protecting American lives and liberty, and forcing terrorists to spend their time running rather than plotting additional ways to murder innocent citizens and spread darkness and destruction.

Voting "yes" for this resolution today will send the clear message to Al Qaeda that the United States is truly united in defeating terrorism and promoting a strong and stable Iraq.

I urge my colleagues to join me in thanking our U.S. soldiers, sailors and airmen for their incredible sacrifices, and in supporting this resolution to protect our citizens from terrorism at home and abroad.

Mrs. LOWEY. Mr. Speaker, I rise in opposition to this resolution. U.S. policy toward Iraq should be focused on bringing home U.S. troops as soon as possible while minimizing chaos in Iraq and maximizing Middle Eastern stability. I believe that 2006 must be a year of significant transition toward full Iraqi sovereignty both politically and militarily and with the responsible redeployment of U.S. forces.

Americans deserve a serious discussion in Congress about the future of U.S. involvement in Iraq. Instead, the Republican resolution before Congress today fails to address the road forward. A resolution to achieve a sovereign, free, and united Iraq is not a strategy.

This resolution is a partisan attempt to avoid the debate that the American people are demanding. It blurs the line between the War on Terror and the war in Iraq in an effort to legitimize Bush Administration mistakes, and fails to deal with key issues such as the effect of our 'stay-the-course-at-any-cost' policy on other threats to our national security and military recruitment and the lack of oversight and accountability over the billions of dollars wasted or stolen in the war and reconstruction effort.

I am a strong supporter of our troops, and I have voted consistently to give them the funding and equipment they need to carry out their missions in Iraq and Afghanistan. Our courageous men and women in uniform have met their challenges with skill, bravery, and selfless dedication. We mourn the loss of the 2,500 who have died in Iraq, and offer our support and prayers to the 8,501 who have been injured so gravely they cannot return to duty.

While this resolution expresses our gratitude toward the troops, it fails to acknowledge the missteps, misrepresentations, and misjudgments that have fatally flawed our involvement in Iraq from the very beginning, making the mission of our troops more perilous. The President rushed to war based on false and faulty intelligence against the protests of the majority of our allies. Warnings from U.S. commanders about troop levels and equipment went unheeded, and shortsighted decisions were made which seriously damaged our efforts to establish peace and security in Iraq.

The Administration's horrendous miscalculations have damaged our ability to aggressively confront other emerging threats around the world and have endangered the stability of the Middle East. To make matters worse, the Administration has consistently rejected calls for accountability for some of its worst mistakes, including the squandering of billions of dollars in reconstruction funds, torture at Abu Ghraib and the provision of inadequate equipment for our troops. The sham resolution before us today is intended to avoid an honest discussion of these issues.

The American people deserve better than today's partisan grandstanding and the contempt of the Republican leadership for their genuine concern about U.S. policy toward Iraq. For this reason, I will oppose the resolution.

Mrs. MYRICK. Mr. Speaker, I am very concerned about the current state of affairs in this country and around the world. We are in the midst of a global fight against terrorism, and cannot allow partisan politics to undermine our efforts to root out this disease.

I rise today in strong support of the brave, young men and women in our military for their sacrifice, dedication and hard work on behalf of all Americans and people fighting for freedom worldwide. Our courageous soldiers have removed a tyrannical dictator from power and are helping eliminate the ability of thousands of terrorists to harm innocent civilians.

The war in Iraq has been difficult, but progress is being made. Last week, al-Zarqawi, the terrorist leader in Iraq, was killed. Shiites, Sunnis, and Kurds are working through their differences. Women are now allowed to get an education.

Iraqi units are taking the lead on missions to root out insurgents. And we have already brought 30,000 troops home and turned bases over to the Iraqis; but we cannot leave Iraq and allow it to be turned into a breeding ground for international terrorism. We must not leave this problem to our children or grandchildren. And we must always remember—we are fighting the terrorists over there so we do not have to fight them here at home! The global terrorist network is constantly recruiting, training and planning its next attack.

That is why we must continue to fight terrorists overseas to try and prevent them from reaching our doorstep. However, we must not be foolish enough to believe that they are not already here. That is why I do not understand why people would have us leave Iraq—Why they would take a defensive stand against terrorism. We had that mindset on September 10, 2001, and it cost us thousands of lives on 9/11.

We must not take the path that is easy. We must take the path that is right. We must take the fight to the terrorists and continue to do so anywhere we are threatened. We must also secure our borders. There is no doubt that our porous borders are vulnerable to people who want to do us harm. Since the deployment of the National Guard to the border, we have already seen improvements in border security. In the first ten days of June, there has been a 21 percent decline in illegal border crossings compared to the same time period last year.

Let us not forget—Terrorism is not an ideology; it is a tactic to make people fearful. Throughout history, terrorism has failed and it will do so again. People in repressive societies yearn for freedom because it is a natural right of humankind. The challenge facing our generation is to help those that seek to be free. This goal is being realized in Iraq and the effects are being felt around the world. We will win the War on Terror.

As we debate this war, let's remember that we are fighting an enemy who wants us dead. This leaves no room for partisan politics. It requires a united America.

Mr. SULLIVAN. Mr. Speaker, I rise today to support our efforts to secure Iraq in the ongoing Global War on Terror and to honor the brave work our servicemen and women are doing to protect our freedoms at home and to promote democracy abroad.

Iraq is the central front in the Global War on Terror. Al-Qaeda views Iraq as the main battleground to spread their ideology of hate and violence against the Iraqi people and the civilized world. The simple fact is we are fighting terrorists in Iraq so we don't have to fight them here on our homeland.

I have visited Iraq and have seen firsthand the atrocities brought on the Iraqi people and their infrastructure by Saddam Hussein's regime. I stood in the spider hole that Saddam Hussein was cowering in before his capture and was able to meet many of the brave men and women in uniform who are serving there. Now, the "Butcher of Baghdad" is behind bars and is on trial for brutal crimes against his own people, and democracy is slowly coming to fruition in a Nation and a region of the world that has never known it.

It has been an exciting week in Iraq, with the completion of Iraq's National Unity Government and the death of Abu-Musab al-Zarqawi, a terrorist and ally of Osama bin Laden. This week was capped off by President Bush's surprise trip to Baghdad Tuesday to reaffirm our Nation's commitment to securing a peaceful Iraq.

Only with our continued presence and coalition support will Iraq be able to make the transition to a peacful and prosperous democracy. It is imperative that we remain patient and vigilant as we continue our missions in Iraq and in the Global War on Terror.

Mr. Speaker, may God continue to bless our brave men and women serving to protect our homeland.

Mr. RAMSTAD. Mr. Speaker, I rise today in strong support of H. Res. 861, which, above all, honors our brave men and women prosecuting the Global War on Terror and declares that the United States will prevail. I am pleased we are debating this resolution today, because it is imperative that Congress confirm to the world that Americans stand united in support of our troops. It's also imperative to leave no doubt that the U.S. has the unity and resolve to defeat the terrorists and win the War on Terror.

U.S. and coalition forces have made great strides in these efforts to date. We have liberated Afghanistan from the brutal Taliban and continue to support the democratically elected government of President Hamid Karzai.

We have overthrown the world's most depraved genocidal maniac in Saddam Hussein, who now sits in a jail cell awaiting judgment before the people who not long ago suffered greatly under his brutality. And we have significantly disrupted al Qaeda's terrorist network by systematically hunting down its leaders, its financiers and its footsoldiers. Our brave troops deserve great credit for killing the murderous head of al Qaeda in Iraq, Abu Musab al-Zarqawi.

Now we are engaged in the difficult task of rebuilding Iraq and training Iraqi security forces and police officers. We need to expedite the training of Iraqi security forces so they can secure their country, and our troops can come home with their mission completed.

Mr. Speaker, I urge an overwhelming "yes" vote on this resolution to show our brave troops in Iraq, Afghanistan and elsewhere in the War on Terror that they continue to have strong, bipartisan support in Congress. Our prayers are with all our brave troops. More than 2,600 Minnesota National Guard troops are serving in Iraq in support of Operation Iraqi Freedom. An additional 367 are serving in Afghanistan and elsewhere. All our brave troops are in my daily prayers, along with their families who are making great sacrifices at home. We also pay tribute to our brave troops who made the ultimate sacrifice in the defense of freedom. May these American heroes rest in peace and may God comfort their grieving families.

Mr. Speaker, great moments and triumphs in American history require bravery, valor and selfless service. The men and women of our Armed Forces personify these values. Moreover, our troops have the skills, dedication and full support of the American people to prevail in the War on Terror. Today, the Congress can demonstrate our continuing strong support, as well.

Mr. MCINTYRE. Mr. Speaker, I rise today in support of the resolution before us and the courageous servicemen and women that are currently serving in Iraq and Afghanistan. It is unfortunate that today's debate was limited since this is such a serious issue facing our Nation.

In addition to combating terrorism throughout these two countries, it is essential that two key components are met to achieve success in Iraq—security and stability. The Iraqis must continue to move toward self-governance and fulfilling their own destiny, which will increase stability in this new democracy. And, as our American troops continue to train the Iraqi Army and Special Police, the Iraqis can move toward taking control of their own security. Lessening the American footprint in Iraq and bringing our troops home is the goal, and it will be met because of the success our troops have already had in stabilizing Iraq provinces (14 out of 18) and by training Iraqi forces.

Having been to Iraq and having met with both the military brass and our enlisted men and women in the war zone, I am optimistic that we can continue moving toward a successful conclusion of this mission. However, I have real concerns that setting an arbitrary timetable for withdrawal of U.S. troops would be a detriment to our national security and the security of our troops. It is essential that we not publicize our plan for withdrawal which would make our servicemen and women vulnerable to attacks. In doing so, we would defeat our purpose and jeopardize their safety. Terrorists are patient and calculating, with some cells waiting years to be activated. We must not back down on our right to defend ourselves.

While I am clear on my record for not allowing for a specific timetable for withdrawal, I have been supportive of denying funding to be used for constructing permanent U.S. military bases in Iraq. We should not have permanent American bases there. In addition, I supported the FY 2006 Defense Authorization bill which requires quarterly reports on conditions for withdrawing from Iraq and the progress being made toward achieving such conditions.

As a member of the House Armed Services Committee and a strong supporter of our men and women in uniform, I am committed to honoring those who have served and are currently serving our country in the Armed Services. So many men and women and their families have made so many sacrifices, and some have paid the ultimate sacrifice. We must make sure that their efforts have not been in vain.

Mr. SHERWOOD. Mr. Speaker, I know that we are achieving real progress in Iraq and Afghanistan. I know this not only from government and media sources, but from two Pennsylvanians.

I want to quote from an email I received this morning from a constituent, an Army officer in Northwest Iraq commanding a Military Transition Team:

"There are many positive things going on over here that the American public never hears about . . . My little 10-man team contributed over 150 boxes of school supplies to the many schools in my area . . . Other units took up a collection and purchased grain to give out to one very small, poor village. I am very proud of the accomplishments of U.S. and Iraqi forces and it truly is a shame that all the news tends to be negative toward the activities of the soldiers (American and Iraqi) who are working very hard every day to make this country safe."

My summer intern was a soldier in the 82nd Airborne Division. When he arrived in Afghanistan in July, 2002, the people had nothing—no schools, no health care, no paved roads. But in seven months, his unit helped build the first school and health clinic.

When his unit went back to Afghanistan in late 2004, it was a different place—new facilities and factories, more electricity, and miles of paved roads. When arriving in a village, his unit was greeted by smiling youngsters mobbing them, throwing plastic flowers.

These examples are among many that illustrate real progress—laying a foundation for future peace, shaping a world where the terrorist message will fall on deaf ears.

My intern from the 82nd also told me this: Afghani war veterans, the "old-timers," asked, "Why did you abandon us when the Soviets pulled out?" Today their biggest fear is that we will leave before the mission is done, and allow the Taliban or other tyrants to take over. Iraqi civilians remember 1991 and fear the same thing.

We must complete the mission.

Mrs. BIGGERT. Mr. Speaker, I rise in support of this resolution and in strong support of our troops. They are far away, waging the war on terror so that we can be safe here at home. In particular, I want to congratulate not only those who directly were involved in the demise of Al-Zarqawi, but all of those troops whose mission each and every day is heroic and brave and appreciated by us all.

Every building they secure, every Iraqi troop they train, every vehicle they service, potato they peel, or small mission they accomplish is a blow against terrorism and a boost for our freedom.

Many of my colleagues on the other side of the aisle voted for this war. But within months they started dissembling, claiming they'd been misled and clamoring for troop withdrawal.

President Bush always warned that the war on terror would not be won easily or overnight. He asked for patience.

We are an impatient people, always in a hurry, often seeking the quick success. But our troops do not work on the 24-hour news cycle or a two-year campaign cycle or any timetable other than to execute each mission as it builds toward the larger objective.

That patience is paying off. Already we have seen in the information seized at Al-Zarqawi's hideout that the terrorists feared that time was working against them. I shudder to think if those on the other side of the aisle had their way where Al-Zarqawi would be today.

In closing, let me just say that when I visited Iraq with my colleagues to thank our troops for all they are doing, it was they who thanked us for caring enough to visit them over there. We owe them such a debt of gratitude, and yet their spirit of service and commitment to their mission led them to thank us.

Mr. Speaker, no American troop should ever have to thank a member of Congress. They should know that we are with them, that we support them, and that our support and thanks are there for them and with them always.

Mr. GARRETT of New Jersey, Mr. Speaker, a free and prosperous Iraq is one which is no longer a breeding ground for terrorism, no longer a wealth of support for radical Islam, no longer a source of destabilization in the Middle East. The simple truth is that an Iraqi people with hope for the future is an Iraqi people with whom we can work for peace.

And, nobody knows this better than the terrorists themselves.

They know they win only if they can maintain a strong, divisive, bloody insurgency in Iraq. They know they only win if they can keep the Iraqi people feeling despondent for their future.

Let me be clear: The litmus test for whether or troops should stay or withdraw or on what timetable is not about nation-building. The U.S. should not be in the business of nation-building, now or ever. There is nothing in the Constitution which grants this Congress the authority to engage in nation-building, nor does the American public wish that we do so. Instead, the nation which we must always remain steadfast engaged in protecting and building up is this nation—America.

The future of the Iraqi people is in their hands and left to their imagination.

But, the truth of the matter is that life for the Iraqi people—despite the ongoing war on their soil, has been more hopeful than it was before wasting away in the shackles of Saddam Hussein's tyranny. And, it is only getting better.

For those Iraqis who survived Saddam's policies of genocide, political imprisonment, and near-constant state of war, they went without jobs, food, and medicine. All the while Saddam and his cronies pocketed billions in illicit oil profits and grew fat from Oil-for-Food program kickbacks.

The Iraqis have had increasingly broad and successful elections. They have developed a constitution and established a government. Just last week, the Iraqis appointed key ministers for defense, national security, and interior. Now that the Iraqi people are free to direct their own economy, their own policies, and their own destiny, there is hope for a brighter future.

Just last year, in 2005, the Iraqi economy grow by 3 percent. This year economists predict that the economy will grow by 10 percent, with a GDP that will have almost doubled since the fall of Saddam Hussein. As freely elected economic officials begin to work for the benefit of all Iraqis, the future of the Iraqi economy is bright.

The Iraqi people are rebuilding their capability to care for their own medical needs. Last year, 98 percent of children under the age of three were vaccinated against measles, mumps, and rubella. Basic care has been provided for 1.5 million new mothers and their children, ensuring that a new generation of Iraqis will grow up strong and healthy.

Over 110 medical facilities have been renovated and 600 centers have been equipped with basic clinical and lab equipment. By providing training for 2,500 health care workers, Iraqis will build a structure for living longer, healthier lives far into the future.

Iraq once boasted one of the most educated female populations in the Middle East. Under Saddam Hussein's iron fist, they fell to near perfect illiteracy. Working together, we have helped the Iraqis provide for 2,800 rehabilitated schools and 8.7 million math and science textbooks. And, young girls can look forward to careers as engineers and scientists, instead of looking forward to legalized honor killings.

The preamble of the Iraqi constitution reads: "We the people of Iraq . . . are determined to respect the rule of law, reject the policy of aggression, pay attention to women and their rights, the elderly and their cares, the children and their affairs, spread the culture of diversity and defuse terrorism."

This is a statement rarely seen in the history of Middle Eastern nations. Iraqi legislators are determined to create a free society on par with our own. The future of Iraq is one in which men and women are free to practice their religion and speak their mind without fear of imprisonment or death.

Every one of us feels for the parents and loved ones of the brave men and women who are serving in Iraq. Every one of us wants to see those young heroes quickly and safely return home.

I would like to read from a message I received from one of those brave young men who is serving in Iraq. He said: "There is a tough war going on here, but we can either fight the enemy here or back at home. If we were to withdraw, there would be a bloodbath of epic proportions that would only encourage the enemies of civilization."

Now is the time that the Iraqi people may build a bright future of freedom, opportunity, and peace upon their rich cultural heritage.

Mr. WELLER. Mr. Speaker, I rise today in strong support of our Nation's continuing dedication to the War on Terror and this resolution we are debating today. When we think of the War on Terror, we immediately think of the frontlines in Iraq and Afghanistan where our soldiers are bravely fighting for the hope and promise of freedom. But this debate today should not be limited to debating the fighting in Afghanistan and Iraq. This resolution is about freedom and our dedication to eliminating terror globally. This resolution puts in writing that we, the Congress of the United States of America, will honor all Americans who have supported the war on terror as well as our international partners in the struggle to defend freedom.

The War on Terror is not only being fought overseas. This war is being fought, and fought successfully, everyday on our own soil by our own law enforcement agencies and the law enforcement agencies of our allies. We have great partners working with us around the globe to win this fight for freedom and, fortunately, one of these great allies is also one of our closest neighbors.

On June 2nd and 3rd a series of counterterrorism raids by Canadian law enforcement teams successfully thwarted possible attacks planned by seventeen Al Qaeda inspired terrorists, terrorists who have been found to have ties not only in Canada, but in many other countries as well.

These terrorists took actions to obtain three tons of ammonium nitrate and were allegedly planning to use it against the Government of Canada and the Canadian people. This is more than three times the amount of ammonium nitrate used in the Oklahoma City bombing in 1995.

This successful raid on behalf of the Canadian law enforcement bodies, including the Integrated National Security Enforcement Team which coordinated the efforts of the Royal Canadian Mounted Police, the Canadian Security Intelligence Service, the Ontario Provincial Police, and other local police forces, illustrates both the strength of local law enforcement as well as the growing weaknesses of the Islamist militant network.

Their achievement has made our hemisphere safer and brings optimism that other nations around the world will have similar triumphs over terror. We all salute Canada for its unwavering commitment in the global war on terror.

Their success only emphasizes that we must continue the fight against terror on all fronts: foreign and domestic. We must continue to promote peace, security, and the promotion and protection of liberty, while being vigilant against those extremists who want to do harm to freedom-loving countries. We must continue to support our armed forces, first responders, and our international allies in this war and we must continue to work with our close friends, such as Canada, to promote the principles of a free and democratic society. I urge strong support for this resolution.

Mr. MURTHA. Mr. Speaker, I submit the following letter for the RECORD.

MAY 31, 2006.

Representative JOHN P. MURTHA,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN MURTHA: I am a Florida Democrat who feels deeply in your debt for the campaign you are pursuing to get our troops out of Iraq ASAP. When a new Democratic Congress convenes early next year I hope its first order of business will be to present you with a well-deserved Congressional Gold Medal.

I share your heartfelt concern over the situation in Iraq. It is a national disaster that is robbing our nation of the best of our youth and billions of our national treasure. In this regard I stand squarely behind you and your views of the war. In support of those views I have prepared a piece called Iraq: We Need a Strategy, Not Empty Slogans. It is based on your irrefutable arguments. Its thrust is to demolish the President's position that we must stay the course. (How I hate that phrase!)

I believe I have made a cohesive, persuasive argument. Please take a few minutes to read this paper and hopefully have it inserted in The Congressional Record. In my judgment, it warrants the attention of every Member of Congress. Accomplishing this is my main purpose in life at the moment. Earlier I sent a copy of the enclosed piece to Senator Bill Nelson, my home-state senator, but subsequently learned he does not favor early departure.

Here are my bonafides: I am an 85 year-old retired Army lieutenant colonel with 22 years of active service as an Infantry officer. I saw combat in World War II as a rifle platoon leader in the Pacific. I received the following decorations in the course of my military career: Distinguished Service Cross, Silver Star, Legion of Merit, Bronze Star Medal with oak leaf cluster, Purple Heart with oak leaf cluster, Army Commendation Medal, and the Combat Infantryman Badge. So you don't have to accept these claims at face value alone. I enclose a copy of my DD 214.

I am confident that God will grant you the strength to carry on your fight. But all Americans should rise to your support. They need to cast aside complacency and lassitude. They need to stand up to an Administration hellbent on destroying the underpinnings of our democracy. In short, we must sound off.

With admiration and respect,

SANFORD H. WINSTON,
LTC, USARet.

IRAQ: WE NEED A STRATEGY, NOT EMPTY SLOGANS

God bless Representative John Murtha, the Pennsylvania Democrat. He is the only Member of Congress with the guts to tell the American people the truth about the Iraq war. He does not spin this story. He calls for the removal of our forces from Iraq ASAP on the basis that only the Iraqis themselves can heal the divisions that thwart their progress toward a viable government. He describes bluntly the irreconcilable mess that is Iraq with its three obdurate and competing factions—Kurds, Shiites and Sunnis. He emphasizes the failure of the U.S.-led efforts to provide essential services to the Iraqi people such as electricity and oil production that are below the levels existing prior to our preemptive invasion. He makes it clear that the Iraqi people really don't want us there.

Congressman Murtha asserts that most of our more than 2,450 dead and 17,500 wounded—many of them amputations, spinal cord and head injuries—have been caused by improvised explosive devices. IED's continue to extract a great toll on our people even after three years of war and ceaseless effort to neutralize them. Still, we have had more than enough time to devise a practical, achievable strategy for extracting our troops. There is none. Joining Mr. Murtha in the class of great American patriots are the seven retired Army and Marine generals who view the Administration's conduct of the war as deplorable and had the guts to call for the removal of Secretary of Defense Donald Rumsfeld.

President Bush has stated our objective in Iraq is establishing "a democracy which can defend itself, sustain itself—a country which is an ally in the war on terror and a country which serves as a powerful example for others who desire to be free." Religion, culture and customs combine to pose impenetrable barriers toward reaching this goal. Iraq is actually in a state of civil war now even though the Administration won't acknowledge that fact. American-trained Iraqi soldiers and police have yet to prove that they are capable, loyal and trustworthy. The Parliament, to this point, has refused to agree on Ministers of Defense, Interior and National Security. Without solid political backing behind appointees to these three ministries the prospects for success are remote.

The President promotes support of his war by spreading public fear. He refers to our Iraq campaign as a part of a "global war on terror." Is there really an ongoing global war? Are all the Muslims in the world preparing to take on the United States? This thought by the President acts to promote public anxiety, but not enough for him to call for a military draft and marshal the forces we need to prevail in a global war. If he tried to do that the Congress would revolt and his approval numbers in the polls would sag to zero. Administration scare tactics are reinforced by the Vice President who warns that the Muslims are working to establish caliphates that extend from the coast of Spain to the tip of Indonesia. Does this vast conglomerate of caliphates in the offing intend to attack us? If so, our country is not prepared to confront this awesome threat. Hopefully we are summoning aggressive diplomatic activity and the active support of the United Nations, the countries of Mr. Rumsfeld's Old Europe, and other peace-loving allies in readying our defenses.

Let's make one thing clear. Iraq is our national disaster. It is diluting the resources we need to defend ourselves. It is a tragic sideshow that is bleeding us of our finest young men and women and costing billions of our national treasure which are desperately needed for domestic purposes.

Bombarded with fear-inducing messages, much of the country appears docile and uninvolved in Iraq. It's business as usual. The only people with a real stake in the war are apparently our men and women in uniform and their families. They represent about one percent of a population nearing 300 million. There are few signs of spontaneous patriotism other than Support Our Troops bumper stickers. While the long war continues, the Army is being torn to shreds courtesy of Mr. Rumsfeld. It is forced to pay incentives of up to $40,000 to recruit soldiers and still can't meet its personnel quotas. It promotes unqualified officers to fill its ranks. The Marine Corps is no better off. The National Guard has been worked beyond reason with its people being sent to Iraq on multiple tours. All this in the face of generals on the ground in Iraq saying that our involvement may last 10 years.

Our people are being fed slogans in lieu of a strategy for the termination of our operations in Iraq. Some examples:

Stay the course. No mention is made of the price that must be paid to stay the course. The President does not say how many American lives he is willing to sacrifice in such a feckless pursuit. He visualizes a lengthy stay in Iraq if one takes at face value his assertion that he is prepared to hand off the war to his successor if victory has not been attained during his term in office. As Commander-in-Chief, the President must think long and hard about our casualty rate now and in the future. Early in the war, when Deputy Secretary of Defense Paul Wolfowitz was asked by a reporter how many of our troops had been killed in action, he had no idea of the actual number. This kind of leadership will not do. To me, stay the course is meaningless rhetoric, not a substitute for a real strategy.

General Tommy Franks, author of the war plan that propelled us into Baghdad, but who left a big planning void beyond our conquest of the capital city, declared in a recent speech to the National Rifle Association, that our KIAs in Iraq have made the U.S. a safer place by virtue of their sacrifice. Sadly, there is no discernible truth to that claim. It is this general's way of telling us we must stay the course.

If you break it, you own it. This is General Colin Powell's unrealistic contribution, guaranteed to extend our stay in Iraq until the President's objective becomes a reality. Taken literally, it does not compute. When we broke Germany, did we own it? When we broke Japan, did we own it? When we broke Italy, did we own it? Of course not. We gave them postwar guidance and assistance. Those former enemies repaired the breakage on their own and have since become valued allies. There is no reason why the Iraqi people, with our non-military help, can't do the same.

When the Iraqis stand up, we'll stand down. Empty rhetoric. With the intractable hostility marking relations among Kurds, Shiites and Sunnis, and the unchecked operations of many hostile local militias, it will be a long time before the Iraqis can stand up.

"I'll leave when the generals on the ground tell me it's time to leave, not some Washington politician."—President Bush. Who is the decider anyway, the generals or the President? Besides, isn't he the Number One Washington politician? This is a sorry expression of policy.

We can't cut and run. This phrase is used carelessly. I recall a first-term Congresswoman from Ohio having the gall to admonish Congressman Murtha, retired Marine colonel, decorated and wounded veteran of Vietnam, with the reminder that Marines do not cut and run. I define cut and run as people taking purposeful action to avoid hazardous duty in time of war. It may sound insensitive to say so, but to me the two most prominent examples of cut and run are the President and Vice President during the Vietnam War. Why don't we just eliminate cut and run from our lexicon? It is Hollywood/John Wayne talk, not real world political talk.

The media does not report the positive things we do. Hogwash! The American press has done more to build and preserve our democracy than any other national institution including our armed forces. Blaming the media is the last resort of knownothings. Government must learn to tell the truth when dealing with the media.

There is a way out of the quagmire. To disengage in Iraq we need a new Congress sworn to this end—a Congress in the Murtha mold, a Congress with guts. It is up to the American people to see that we get one come this November. The new Congress can vote to cut off funds that support our operations in Iraq as soon as it convenes. or it can send leaders representing both parties to stand before the Iraq Parliament and announce that Iraq has 90 days to assume responsibility for its own fate.

To paraphrase General of the Army Omar Bradley's warning on Vietnam, the war in Iraq is the wrong war, at the wrong time, in the wrong place.

When the time comes, vote Americans, vote! Only you can end this war.

Mr. DAVIS of Tennessee. Mr. Speaker, I am glad we are having this debate today. Frankly, I think it is shameful it has taken us three years to have an "open" debate on the war while our soldiers are dying, their family members are praying for their safe return, and the American public is questioning what, exactly, is our policy over there. I just wish the debate were actually open. The lack of debate is even more shameful when you consider the fact we have been fighting in Iraq longer than we fought in World War I, the European Theater of World War II, and Korea. The American people deserve better, and you can bet your life the American soldier definitely deserves better than that. The American soldier deserves more than ten hours of debate on a policy that affects their lives.

Mr. Speaker, I want everyone in America to know the Leadership of this House of Representatives wants to stifle debate and control what you hear from your government. Every single American citizen should ask themselves this, "What are they trying to hide? What are they afraid of? If a policy decision is so sound, you would think they would let it be debated until everyone was blue in the face." I think the lack of confidence the Majority has in the ability of their policies to face challenges and amendments should be eye opening to the American public.

Mr. Speaker, I am ashamed the Majority Leader of the House abandoned his earlier talk of a "civil" debate on policy and instead decided to turn something as serious as a war into a rhetoric filled partisan political tool with the goal to make Democrats look "sheepish." In my opinion, war and the deaths of American soldiers is too serious to be used as a political tool. Don't our soldiers deserve more respect from Congress than this? Additionally, anyone who would accuse a Member of Congress of not supporting our troops has no shame and those individuals should ask themselves whether anything is sacred to them anymore. They should ask themselves whether or not there is any depth to which they won't sink in order to score political points?

Mr. Speaker, I was not a Member of Congress when the resolution passed giving the President the authority to send our fighting men and women to war. However, since I've been a Member of Congress I have continued my lifelong support for our troops. I have voted for every spending request, and I have been to Iraq to visit our soldiers four times. Every Member of Congress should have gone to Iraq by now, and if you haven't, go. Whether or not you support this war you need to show your support for our soldiers, and they deserve to talk to us face to face and let us know what is really happening over there.

Mr. Speaker, how we got to Iraq should not be the point at this time. Historians, politicians, and the American public will debate that for years on end, and you can bet they will draw conclusions and hold people responsible in the history books and the public opinion of the future. However, right now we should focus on how we stabilize the country, allowing for a new, free, democratic Iraq to rein, and how we get our troops home safe as soon as possible while ensuring our future is more stable and secure.

Mr. Speaker, I support our troops. The Congress and the American public support our troops. And I think we should reaffirm our support for the troops by giving them every tool they need, like additional armor and padding in their helmets to protect them from IEDs, rather than forking over taxpayers' dollars hand over fist to Halliburton and other defense contractors with little to no accountability. That, I think, would be a stronger sign of support for our troops, or the war, than any politically motivated resolution brought to the House floor as the Majority has admitted in their inter-conference memo of talking points of how "We must conduct this debate as a portrait of contrasts between Republicans and Democrats" according to Majority Leader Boehner's memo. I don't know about you, but I believe our country and our troops deserve better than these political tactics.

In closing, Mr. Speaker, it is time for both political parties to figure out that our base is America, and the American people, not the ideologues of the political fringe.

Ms. MOORE of Wisconsin. Mr. Speaker, with the number of U.S. military deaths in Iraq reaching 2,500, it's disappointing that the best the GOP leadership can do is demand more of the same. That's exactly what this resolution does by calling for a vague open-ended military commitment in Iraq. This resolution reaffirms a policy that simply isn't working.

Instead of acknowledging the difficulties our troops face by offering clear alternatives to the President's "business as usual" approach, this resolution tries to cloud the debate by focusing on the "war on terror." Indeed, Iraq isn't even mentioned until the eighth paragraph.

The real issue at hand is whether this particular U.S. military-led effort that we've been following under Secretary Rumsfeld will achieve lasting peace and democracy in Iraq. I can understand why the GOP would want to divert attention from this critical question—it is precisely because of the Administration's policy that Iraq has become a terrorist haven where none existed before.

Since President Bush landed on an aircraft carrier and declared "mission accomplished", the estimated number of insurgents in Iraq has quadrupled from 5,000 to 20,000. As a result, the average number of daily attacks by insurgents has climbed from 53 to 75, from May 2004 to May 2006.

This war is an expensive quagmire that's weakening the federal government's ability to meet our domestic needs. We have spent over $300 billion so far on the wars in Iraq and Afghanistan, which is costing us about $8 billion a month on average, according to the Department of Defense. It's no wonder that this Congress was recently asked to vote on a budget that cuts education, freezes funding for health care research, and shortchanges medical care for our nation's veterans.

The massive deployment of National Guard and Reserve units overseas has undermined our capacity to confront terrorist attacks or natural disasters here at home. We know that state officials in Louisiana and Mississippi struggled to overcome the absence of National Guard members from their states in the aftermath of Hurricane Katrina.

Despite these grim realities, politicians on the other side of the aisle are stubbornly restating that—no matter what—we must "stay the course." I strongly disagree. The President and his allies in Congress should heed the words of military and diplomatic leaders who have warned that a continuing presence in Iraq will neither calm the violence nor lead to stability.

Mr. Speaker, it is incumbent on this body to offer and debate real strategies for the redeployment of American forces. Instead, this resolution allows only a phony debate on the "war on terror" which will not allow amendments that would offer alternatives to the Bush administration's policy in Iraq.

Mr. TURNER. Mr. Speaker, the lessons of history demonstrate that threats, left unchecked, become more dangerous over time. In the long-term isolationism is not an effective solution for peace-keeping nations.

Osama bin Laden, and the al Qaeda terrorist network he founded, were at war with the United States throughout the 1990s.

1993: The first attack on the World Trade Center

1996: Bin Laden calls on Muslims to harm U.S. troops in the Persian Gulf.

1998: Bin Laden claims: Muslims should kill Americans any where—including civilians.

May 1998: Bin Laden foreshadows the future. He warns the battle will "move to American soil."

June 1998, a grand jury investigation issued an indictment against bin Laden

On the 8th anniversary of the UN sanctions against Iraq, two simultaneous explosions occurred at the U.S. Embassies in Kenya and Tanzania. The bomb in Kenya kills 213 people, including 12 American, injuring more than 4,500. In Tanzania, 11 are dead—85 injured.

August 20, 1998 President Clinton orders cruise missile attacks at suspected terrorist training camps in Afghanistan and a pharmaceutical plant in the Sudan.

Soon after a new indictment was issued against bin Laden.

However, Osama bin Laden and al-Qaeda were left virtually unchecked despite these and other terrorist attacks throughout the 1990s and up until 9/11.

Recently I visited Kenya, including the former site of the American Embassy in Nairobi. Today that site has been replaced by a park with a fountain, a memorial wall that has all the victim's names on it, and a memorial building. During past wars memorials to the victims of conflicts and those who served bravely to win them, have usually waited until the hostilities ended. In the name of all those who died at the sites of all the terrorist attacks, as well as those who have given the ultimate sacrifice to fight terrorism, we must ensure those memorials future by winning the war on terror.

Every event from bin Laden's first bomb in 1992 through today has been part of one long coordinating al-Qaeda war. The coordinated attacks in 1998 should have been a clear warning signal that Osama bin Laden and al Qaeda were determined, willing and able to attack Americans.

While Osama bin Laden had declared war on all Americans in 1998, the U.S. didn't declare war on terror until September 12, 2001.

The opportunity to stop bin Laden before 9/11 came and went. The lessons of history assure us that left unchecked the forces of evil will grow stronger and will seek to harm us again. Today's discussion is about a simple choice; do we fight terrorism tomorrow or do we stop it with our actions today?

Mr. STEARNS. Mr. Speaker, I rise in support of H. Res. 861 and believe many of my colleagues on the other side of the isle have said that the war in Iraq has nothing to do with the Global War on Terrorism. I could not disagree more with their assessment. Iraq is the central front in the overall Global War on Terrorism. An immediate withdrawal would merely embolden our terrorist enemies and lead to open season on America and our allies. We cannot allow this to happen. We must prevail in Iraq. The stakes are too high to fail.

Coalition forces are having a great deal of success in Iraq. The recent killing of terrorist leader Abu-Musab al-Zarqawi, along with seven of his aides, is a serious blow to al-Qaeda's operation. The man Osama bin Laden called "the prince of al Qaeda in Iraq" arguably had more innocent blood on his hands in the last few years than any other terrorist. Zarqawi led one of the most deadly insurgent groups in Iraq in a bloody campaign of bombings, shootings, beheadings, and kidnappings aimed at killing Iraqi Shi'as to incite sectarian violence and derail democracy in Iraq.

Furthermore, after receiving confirmation of Zarqawi's death, Coalition and Iraqi Security Forces conducted 17 simultaneous raids in the Baghdad area, yielding a treasure trove of information and intelligence that is being analyzed for future use.

Iraq's National Security Adviser Mouwafak al-Rubaie said today that these documents and computer records would give the Iraqi government the upper hand in its fight against al-Qaeda in Iraq.

"We believe that this is the beginning of the end of al-Qaeda in Iraq," al-Rubaie said, adding that the documents showed al-Qaeda is in "pretty bad shape," politically and in terms of training, weapons and media.

"Now we have the upper hand," he said. "We feel that we know their locations, the names of their leaders, their whereabouts, their movements, through the documents we found during the last few days."

He also said that he believed the security situation in the country would improve enough to allow a large number of U.S.-led forces to leave Iraq by the end of this year, and a majority to depart by the end of next year. "And maybe the last soldier will leave Iraq by mid–2008," he said.

Throughout American history, we have been tested in times of war. But virtually every time, we stayed the course and prevailed.

We did not experience quick victory in the American Revolution. In fact, it took our Founding Fathers years to win our hard-fought independence. We were defeated at the Battles of Long Island, Harlem Heights, White Plains and others, and we will never forget the dark days at Valley Forge, yet we did not give up our desire for freedom.

And let's not forget in World War II, where we suffered rapid and repeated defeats at Guam, Wake Island, the Philippines and Kasserine Pass.

We must also remember that the terrorists were at war with us long before we were at war with them. In April 1983, 63 people, including the CIA's Middle East director, were killed in a suicide truck-bomb attack on the U.S. Embassy in Beirut. Later on that year, simultaneous suicide truck-bomb attacks on the American and French compounds in Beirut killed 242 Americans and 58 French. In 1988, all 259 people on board Pan Am Flight 103 were killed when a bomb believed to have been placed on the aircraft by Libyan terrorists exploded. These are just a few examples. Unfortunately, Mr. Speaker there are others.

Noted Islamic scholar Bernard Lewis has written that the sources of Islamic antagonism toward the West stems from the belief that the American way of life is a direct threat to Islamic values. But it is basic Western democracy that especially threatens Islamic extremist because within its own community more and more Muslims are coming to value the freedom that political democracy allows. Lewis has also written that attitudes toward the West have evolved through contacts with first the Eastern Empire in Constantinople, then Spain, Portugal and France, and through years of direct conflict in the Crusades and the colonial wars of the 19th and 20th centuries. As we can see, the War on Terrorism did not begin on September 11, 2001

The Global War on Terrorism will not be won next week, next year, or even in the next 10 years. Like the Cold War, this struggle is a generational conflict, potentially spanning decades. The Cold War stretched from Asia to Africa to the very heart of Europe, just as our struggle today reaches from the Philippines to the mountains of Afghanistan to, as we recently saw, our neighbor Canada. Terrorism knows no bounds and will strike wherever freedom reigns, from London to Madrid, to a quiet field in Pennsylvania.

Victory cannot be found on a single battlefield or a single treaty signing. Our enemy does wear a uniform and is not governed by international rules of war. They have one goal: kill as many Americans as possible and establish tyrannical regimes that rule according to a violent and intolerant distortion of Islam.

The War on Terror will be a long war. Yet we have mobilized to win other long wars, and we can and will win this one.

Last year, I traveled to Iraq and everybody I met was enthusiastic about doing their job and helping the Iraqi people. We found our troops have high morale and a commitment to their mission. The troops told us that we are winning the war.

Because of our intervention, a murderous dictator and a totalitarian regime have been overthrown, free elections have been held, a new constitution has been drafted and ratified, and a new national unity government has been completed.

Mr. Speaker, Iraq is only one theater in the overall Global War on Terror and success in Iraq is vital to victory. Much has been accomplished but much is left to be done. The question for all of us here is do we have the will to stay the course and leave with honor I believe we do. We must finish the job. The stakes are too high to fail.

Mr. NUSSLE. Mr. Speaker, thank you for the opportunity to have this debate. I first of all want to say how proud I am of our brave soldiers deployed in Iraq, Afghanistan, and other regions of the world. Throughout our history, our freedom and our way of life have been preserved by the grave sacrifices made by the men and women of our military. We cannot thank them enough for their service.

I want to specifically thank the many Reserve and National Guard units from my home state of Iowa serving overseas. Throughout the War on Terror, Iowa has had one of the highest overseas deployment rates of any state.

Recently, I had the opportunity to welcome back a battalion of Marine reservists from Waterloo, Iowa, in my district. I was very impressed by the brave soldiers of Charlie Company, 1st Battalion, 14th Marines who risked their lives conducting vital security operations throughout the Al Anbar province of Iraq in the dangerous areas of Ramadi, Al Asad and Falluja. They left their families and loved ones behind to serve a cause greater than themselves—the cause of freedom.

Mr. Speaker, our mission in Iraq is a vital part of the Global War on Terror. Removing Saddam Hussein from power was a difficult but necessary step to eliminate the threat that his regime had posed for so long to the United States and the international community.

We should take this opportunity to reflect on our many accomplishments in Iraq over the past three years.

Saddam Hussein's reign of terror is over, his sons have been killed, and just last week we learned the good news that the leader of the Iraqi insurgency, the brutal terrorist Abu Musab Al-Zarqawi, has been eliminated.

The Iraqi people have taken historic strides towards establishing a free and stable democracy. They have participated in free elections for the first time, drafted a new constitution, and newly elected Prime Minister Nuri Kamal al-Miliki just announced the formation of his cabinet. In addition, the Iraqi security forces continue to increase in number and have taken a larger role in the defense their country.

Mr. Speaker, at this time it is necessary to stay the course and follow the path to a lasting peace in Iraq. We will continue to provide for our troops and ensure that they have the best training, equipment, and technology available. And we must not waver in our commitment to win the Global War on Terror and protect our homeland from brutal terrorists who wish to attack our homeland and our very way of life.

Mr. SIMPSON. Mr. Speaker, I rise today in strong support of our continued mission in Iraq as part of the Global War on Terror.

I am proud to say that throughout the Global War on Terror, thousands of Idahoans have fought valiantly side-by-side with their fellow countrymen and newly freed citizens of Iraq and Afghanistan. During a visit to Iraq in May 2005, I had the opportunity to visit with the brave men and women of the 116th Cavalry Brigade. I was amazed at their level of professionalism and their enthusiasm for the mission. They took great pride in their contributions and were fully committed to finishing the job. I have been similarly impressed by our nation's military as a whole.

When I consider what action should be taken in Iraq I look to the advice of the experts, those who are on the ground fighting the war. The message I continually hear from our soldiers and generals is: Finish the job, complete the mission.

I know there have been many calls in the United States lately to withdraw our troops from Iraq or set some kind of artificial deadline for withdrawal. Mr. Speaker, I strongly disagree with this defeatist attitude. In fact, a premature withdrawal from Iraq would be disastrous for America.

In an interview with Osama bin Laden just prior to the 1998 terrorist attacks on the U.S. embassies in Kenya and Tanzania, bin Laden referred to the United States as a "paper tiger" because of our withdrawal from Somalia after the tragic loss of 18 U.S. soldiers. Al-Qaeda learned from this, and similar events, that the United States would retreat rather than fight. During the War on Terror, Al-Qaeda has counted on Americans to similarly become demoralized and once again withdraw from the fight. It is the cornerstone of their strategy.

If we lose heart and withdraw from Iraq before the mission is complete, Iraq will become a permanent breeding ground of hate and terror instead of the stable mid-east democracy it is becoming. Our enemies will become further emboldened by their perceived victory. A premature withdrawal from Iraq would only strengthen their resolve to use cowardly and barbarous terrorist attacks to achieve their ends. An artificial timeline for a withdrawal would only have similar results. The enemy need only sit back, wait, and then step forward to declare victory once U.S. forces have left. As a consequence, Americans and democratic societies throughout the world will be in greater danger than ever before.

We simply cannot afford to back down, return home, and hope this threat will dissipate on its own. The terrorists must be confronted and must be defeated. We cannot pass this mission on to another generation. This is our job and the time is now. By stepping up and completing this mission we will give the gift of greater peace and stability to future generations.

I can understand why so many want to cut and run, it would be the easy thing to do. I do not hesitate to say that the mission in Iraq is a difficult one and it has been costly. The price for freedom is all too often painfully high. I, for one, do not ever want to receive another notice that a fellow Idahoan, or any American, has fallen or been wounded in this war. However, quitting now would only prolong bloodshed in the long run, not end it.

Once again Mr. Speaker, I support America's efforts to complete the mission in Iraq, and I call on my colleagues on both sides of the aisle to commit to its completion. At such a perilous time in our nation's history let us stand united.

Mr. LATOURETTE. Mr. Speaker, I very much appreciate the leadership allowing this important discussion on the war in Iraq and the ongoing global war on terror.

We can all regret the faulty intelligence that overestimated the presence of WMDs. We can focus on the need to press the new Iraqi government to meet speedy and attainable goals for the responsibility for their own security. But, we should never underestimate what's at stake in Iraq for their people or ours.

Nor should we ever permit the use of propaganda or terrorist barbarism to signal to the brave men and women serving this Nation in uniform that the resolve of our country is wavering.

There are many thoughts that I could lay upon the record of this body about the war on terrorism, but sometimes it's better to shut up and listen to the voices of those who know much more than you or I. One of the casualties of war in my district was a great Marine—Lance Cpl. Andy "Ace" Nowacki. Andy, 24, was a member of the Grand River Police Department and was killed by an IED in Iraq on February 26, 2005. His family, though filled with grief, determined that Andy's spirit would live on in many ways. One way will come through the establishment of a scholarship fund at Lakeland Community College.

On March 31st of this year, friends, comrades and family gathered to honor Andy's memory and raise funds for the scholarship. One of the people to speak that evening was Lt. Col. Mark A. Smith, the former battalion commander of Andy's unit—the 2nd Battalion, 24th Marines. Lt. Col. Smith's remarks, which I ask through unanimous consent to appear in the Record immediately following my own, centered on the question of "Why." He stated in part: ". . . think the part that's most lost in public discourse in the ongoing global war on terror is really the "Why." We all know how Andy died . . . I'd like to spend a few minutes talking about why Andy died."

Mr. Speaker, Lt. Col. Mark A. Smith, with the eloquence of a soldier, said it better than I could ever hope to, and I commend his words to the House:

I got a call last Saturday when I was on duty from Sheila Nowacki, Andy's mom. And she told me a part of the ceremony was going to be a pretty moving video, and she had a slight task for me. She asked me if I'd speak for a few minutes after the video, and to be positive.

Now, as the commanding officer of 2/24th, I don't get the option of saying no to the families of my KIAs for whom I was responsible, but in Sheila's and Dennis's case, I was honored that they even asked me to, so I immediately rogered up to the mission. So, here we go.

The only way I know to be positive in talking about Andy is to talk about—from my perspective and from the Marines' perspective in this room who shared time with him in combat—why Andy died. Because I think that the thing that's most lost in public discourse about the ongoing global war on terror is really the "Why." We all know how Andy died. Unfortunately, he was struck by an improvised explosive device while on an ASR in our zone. I'd like to spend just a few minutes talking about why Andy died.

Andy died because he was out engaging the enemy. The single most misunderstood aspect of this war is the enemy. And a professional war-fighter focuses on one thing and one thing only—the enemy. He doesn't focus on time-lines, he doesn't focus on how fast he can stand up Iraqi battalions. He focuses on the enemy, and there's a particular reason why we need to focus on this enemy. Because this enemy is real, this enemy is vile, this enemy is evil. And this enemy has a 100-year plan to destroy the United States of America—a one hundred year plan. We think in terms of the next football season and they're thinking in terms of 100 years from now and how they're going to destroy this Nation.

Can this enemy win this war against us? Unfortunately, I'm here to tell you absolutely he can. He can if he continues to focus on two things which he focuses on every day. The first thing this enemy focuses on is breaking the will of the American people. He does that through videos, he does that through propaganda, and he does that through information. The second way he can win this war is to continue to recruit future generations of jihadists. It's for these reasons, and because of this enemy, that Andy was in Iraq. And while so many still fail to get it, the enemy doesn't. The enemy understands Iraq is the focus of effort, because he understands that as long as Marines and warriors like Andy are in Iraq that the will of the American people is foremost and in his face. He also understands that that is a will that can and does, at every opportunity of battle, destroy this enemy. And then the second thing is what us being there does to this enemy. Contrary to some popular opinion, is it does not create jihadists by us being there. Quite frankly, we deprive them of the next generation of jihadists because no one is more helped and/or more impressed with the Gentle Giants of America than the kids of the Arab world. If you'll just let me tell you two very quick stories, I'll explain why that is.

One day we were going out to conduct a raid to arrest the Sgt. Major and the operations officer of the Iraqi Army battalion that we were training. Upon moving into our cordoned positions in the raid force—hitting the objective and seizing the Sgt. Major of the Iraqi Army battalion—his very children, the children of the Sgt. Major that we had in flex cuffs and blindfolded, were running around their front yard acting as if they were holding weapons and shooting at the Marines. One of the Marines went up to them, and he took the interpreter with him, and he said, "Ask these kids what they're doing." And the interpreter asked them, and the kids said, in English, "Mistah, we play U.S. Marines, Mistah. We U.S. Marines."

I don't think those kids are going to grow up to be jihadists. I think those kids are going to grow up to be the honorable people that they saw the U.S. Marines in their zone to be. Further proof of that was mentioned by your emcee tonight when she showed you that picture of Andy and those two Iraqi kids. They say a picture tells a thousand stories . . . that's not a staged picture. That is honest respect for an American Marine, who in this case was Andy Nowacki. And there are thousands of them out there affecting those Iraqi kids every day.

The second story I want to tell you about is the election—the very first Iraqi election that occurred in our zone. In order to truly understand it, you have to back up to December of 2004. The election was scheduled for 31 January of 2005. Exactly two weeks before the election was to be held, the Iraqi government said there was no way an election would be held in our zone because in that point in time there were two triangles that were famous in Iraq. One was the Sunni Triangle and one was the Triangle of Death. The Triangle of Death was our zone and it was so named because for four months at that time, on a daily basis, we had gone forward, we had seized terrain, we had lived the misery of the Iraqi people. We had become their neighbors and, in so doing, we had slung steel and harsh language with this enemy on a daily basis, and they did not like that. They did not like the fact that these Marines were forward—living and earning the respect of the Iraqi people. But we were able to convince the Iraqi government that as a result of the efforts of Marines like Andy, the Iraqi people would come out and vote. We couldn't guarantee them that it wouldn't be violent, but we guaranteed them they would come out and vote.

Now I ask you to picture, in two weeks, having to put together eight polling places. That meant that we had to tactically go out 48 hours prior and we had to seize the locations. We had to set up all the force protection that would allow the Marines to protect the Iraqis from what we knew would be constant and sure attacks on election day. And then most importantly, we had to transport 500 workers from the city of Baghdad to down to our Battalion FOB, house them for two days, and then move them safely to those eight polling sites. You can rest assured that was one big, juicy target that the terrorist wanted to hit. We were able to accomplish all that, but the most telling time in all of that is where we housed these 500 election workers was in our battalion chow hall. My battalion major . . . had a section of our chow hall that was dedicated to our fallen Marines. At that time, there were 12 of them. He had their pictures, and we had an American and a Marine Corps flag. Now for those of you who've never been to Iraq, who've never spent time with the Iraqi people, when you get two of them together, the noise level, the amount of smoking and the amount of drinking that goes on is pretty mind-numbing. When you put 500 of them in a facility, it borders on chaos. Now we accepted that that was going to have to be the cost—that our chow hall was probably going to get pretty torn up. And it did, except for one spot.

Any time any of those Iraqi election workers got anywhere near the Sgt. Major's memorial, absolute, utter respectful, solemn silence. They respected the Marines and what they were doing for them, and that was a sight that I will take with me to my grave, and that makes me challenge those who say we're creating jihadists. I argue we are doing just the opposite. On that very election day, the mortars flew, the mortars flew intently. All eight of our sites started getting mortared and rocketed about 30 minutes before the polls were supposed to open. I was sitting in my COC thinking, "Well, there's the end of my career. I just convinced the whole world that we could have an election and they're blowing us up before they've even started." But an amazing thing happened. In spite of all the mortars, in spite of all those rockets, in spite of the Marines providing security, telling the Iraqi people to seek cover, they refused, and in broken English constantly reminded the Marines, "You will protect us. You have brought us democracy. And we will vote."

To conclude, one story from south of our zone where one young man pushed his 70-year-old father four miles under enemy fire in a shopping cart. When asked by the Marines, "What on God's green earth did he think he was doing?" He said: "My father has but one wish before he dies, to show you the respect of voting as a free man."

One hundred years. That's the enemy's plan. He is prepared. Are we? As long as we have warriors, gentle warriors like Andy, the unbelievable support of parents like Dennis and Sheila who do things like this despite having sacrificed what they have sacrificed, and the support of Americans like you, we cannot lose. Sheila asked me to be positive. I don't know how I can be anything but. If it weren't for warriors like Andy and the other ones you see in this room here tonight, we would not be able to gather tonight to laugh, to cry and to celebrate.

Sheila asked me to be positive, I don't know how to be anything else. I know now something I didn't know a few years ago: Being positive does not make the world the way you wish it would be, it's accepting the world the way it is and going out and doing what you can do to change it. I used to tell my young daughters when they'd see something on TV or read a fairy tale, I used to tell them there's no such thing as dragons. I don't tell them that anymore. There are dragons. There are fire-breathing, evil dragons that inhabit this world. But I tell them don't be afraid, because for every dragon that is out there, there are 10 knights in shining armor that will go forth and suffer great hardship to protect you. And I've seen them, and I've worked with them and they're called United States Marines. So be positive. I will be positive, Sheila, and I will be thankful and humbled that you asked me to speak tonight. And I will forever thank God Almighty for Andy and all the warriors like Andy, and your amazing family, and this blessed land.

Mr. SERRANO. Mr. Speaker, I rise today to talk about Iraq, a failure built on the lies of this Administration.

I am opposed to H. Res. 861, because contrary to what it states in this resolution, I believe that it is in the best interest of the United States to bring our troops home now.

I voted against our involvement in Iraq, and I have opposed funding the conflict. For years, I have been calling for the return of our soldiers. This war has been a mistake, and our continued participation will not change this basic fact.

I have the utmost respect for our former Secretary of State Colin Powell. He was a truly outstanding Secretary of State: However, I will never forget how this great American was sent to the United Nations to sell a fabrication and to convince the world that this was a just endeavor with what we all now know was deliberately falsified evidence. This was just one part of a continuous effort to deceive the American public into believing that a conflict, that even many in our military had misgivings about, was the right thing for our nation to do.

The image of our President standing on the aircraft carrier and proclaiming "mission accomplished" is one that I continue to associate with this failed effort. Since that fabricated public relations moment, both our nation and the nation of Iraq have suffered great personal loss.

The American public no longer supports our involvement in Iraq, and we as their representatives, must respect their wishes and bring our troops home.

I am saddened and heartbroken when I think about how many brave young men and women have died in this conflict that was never in our nation's interest. Many of these courageous young soldiers who have lost" their lives came from the Bronx, from my own community, and so it is partly on their behalf that I believe I am now speaking. Too many American soldiers have died, too many innocent Iraqi civilians have suffered and lost their lives, and too many reporters have been killed—all as a result of this failed policy.

As I thought about what I wanted to say on the floor today, I went back to the remarks that I spoke on this floor on October 9, 2002, when this House was voting on the authorization for the use of military force against Iraq. At that time I certainly couldn't anticipate what the conditions would be now in June of 2006. However, I said at the time, "When we engage as a nation in a unilateral military action against an Arab Nation, an action that our allies are cautioning against, how will the United States be viewed in the Arab world? Perhaps the result will be an increase in Al Qaeda 's membership and a renewed hatred toward Americans." I think that this has come true and that our image as a nation has certainly been tarnished as a result of this conflict. I regret that—because I know that we live in a nation that does not want to be seen as an enemy by those who live in Arab nations.

What has also come true is that Al Qaeda continues to flourish and to find new recruits as a direct result of our nation's actions in Iraq. Although Al Qaeda had at most a negligible presence in Iraq before this conflict, it is now a well established force there. For every terrorist that our nation works so hard to capture, another one is motivated to join out of hate for our nation's involvement in Iraq.

This conflict has resulted in worldwide images that I doubt our nation can ever overcome. The pictures associated with the Abu Ghraib prison scandal are firmly etched on the minds of our next generation of youth around the world. Although soldiers of low rank were prosecuted for these atrocities, our leaders at the top never took responsibility.

Now an investigation is being conducted into our activities at Haditha, where it seems as though innocent civilians died. These actions are all a direct result of a failed policy and have come at great cost to our image in the world. No longer do nations look at us as the ultimate protector of human rights.

As everyone here knows, I am a part of the city that was a target on September 11th. When this Congress was debating the resolution on the use of force against Iraq, I did not believe at the time that in attacking Iraq our country was taking the right course, and I didn't know what words to use that would change the step towards war that our nation seemed so determined to take. I was filled with emotion and I ended my speech that night by saying, "I cannot agree with the course that our great nation is embarking on, one that brings the threat of war closer and the goal of peace further away."

So now once again we in Congress are debating this war. However, now we have the perspective of time and we can look at all that happened in Iraq, the suffering and the failures, as an unfortunate part of our nation's history. As I once again struggle to find the words that can bring this conflict to an end—I am again filled with emotion. Let us bring our brave American soldiers home now and let us once again embrace the goal of peace.

Mr. WU. Mr. Speaker, we are fighting a war on terror, a war we did not start or choose. But to use that war as either justification for a war in Iraq, or a reason for staying, is wrong.

A lesson I've learned in life is you finish what you start. This Administration took us off-track from the war on terror and chose the war in Iraq. The torch of the war on terror should, and shall be, passed to future generations, but the war in Iraq was started by this Administration and should be finished by this Administration.

This Administration decided to launch the Iraq war based on, at best, shaky intelligence. Until that time, this country had historically set a high threshold in its decisions to go to war. We have done so because outcomes are sometimes uncertain, and the cost in human lives is frequently high.

We who question this Administration's decisions have faced the charge that to be candid about this war would upset military morale or even be unpatriotic. Now is the time for this President to be honest and forthright with the American people about its ill-conceived war. In candor, the Administration should say to the American people that no matter what course we choose now, the future in Iraq will be bloody and costly.

That is why democracies enter war as a last resort, with solid evidence and a united nation.

I have listened to our generals about their view of the future. General Casey has personally said to me that he needs until the summer of 2007 to fully train Iraqi forces. I am willing to allow General Casey the time to complete this task, but we should begin an immediate redeployment of troops.

General Casey's projection might place Iraq on a course to embrace a self-governing democracy. However, the single most important action the newly elected Iraqi government can take to give that government legitimacy, is to ask Americans to leave and have Iraqis fight for Iraqis rather than have Americans fight for Iraqis.

Seldom mentioned these days is our original mission in Afghanistan, the frontline of the real war on terror. We still have time for a complete success, but unfortunately we now do not have adequate resources in Afghanistan. In order to win, the immediate redeployment of troops from Iraq must include sending some troops to Afghanistan as well as bringing some directly home from Iraq. It is time to return our attention and resources to hunting down Osama Bin Laden and ensuring Afghanistan does not again become a breeding ground for terrorism.

A little over sixty years ago, we fought a great war after Pearl Harbor. By this Thanksgiving, the Iraq war will have lasted longer than World War II. 4 long years ago many in this Chamber voted to go to war in Iraq. How many would do so today, knowing they are committing us to a war longer than World War II?

Let us commit to a final push for an end to the bloodshed and violence in Iraq. Let us return to our original mission to fight the global war on terror that this Administration sidelined in Iraq.

I support our troops in Iraq. I support them all the way home—soon.

Mr. HIGGINS. Mr. Speaker, while the war in Iraq has been grossly mismanaged, the United States has a moral obligation to the 2,500 American military men and women who have given their lives in the fight for freedom to allow the newly established government to develop, stabilize, and to provide for that nation's people.

Perhaps the current Administration does not want to openly discuss Iraq policy because they feel it is a black and white issue, either we stay the course or we withdraw our troops. I disagree; I believe that the war in Iraq is anything but black and white. Immediate troop withdrawal would result in an Iraq so destabilized that our homeland security would be more threatened than before the war even began. Staying the course would be equally senseless, as the course we are currently on has done nothing to stabilize Iraq, nor has it quelled the raging insurgency.

We recently passed the third anniversary of the date when President Bush declared "mission accomplished" regarding Iraq. What we have really accomplished in Iraq is yet to be seen, what is clear is that we need to change our course. We must set a new path towards a unified Iraq with a realistic exit strategy for our troops. We must disarm militias. We must help the new government provide electric power and economic and social services. We must convey to the Iraqis how important it is to the United States that they come together politically and make necessary amendments to their Constitution to achieve functional unity, we must make them see that whether or not a peaceful, democratic Iraq can succeed is ultimately in their hands. If we allow the Iraqis to think that we will be in Iraq indefinitely, there is no incentive for them to make the compromises necessary to unite their country under one stable government.

The outcome in Iraq will have a major impact both in the region and on our security here at home for decades to come. We cannot move forward in Iraq without a full debate about the war here at home, without an end to the level of secrecy that the administration and the Department of Defense have built up regarding the war, without an end to the corruption in contracting and profiteering, and without a real plan from the President that sets specific goals, achieves them, and then provides our troops a way out, an exit strategy.

I intend to support the resolution on the House floor today because I agree that we cannot simply pull out and leave Iraq; to do so would make that region less stable, less peaceful, and more of a threat to U.S. security. We must prevail in the War on Terror; but let me be clear, I do not support staying the course in Iraq.

I will continue to push the Administration and the military to develop a clear plan for Iraq, based on the creation of a national unity government, that will require the new government to live up to its commitments, transfer responsibility for Iraq to Iraqis, and that will bring our troops home as soon as possible.

Mr. PORTER. Mr. Speaker, I rise today to recognize the brave men and women of our Armed Forces for their service and dedication to winning the Global War on Terror.

On September 11, 2001 a group of 19 hijackers commandeered 4 commercial aircraft and crashed them into the World Trade Center in New York City and the Pentagon in Washington, D.C., with the intent on destroying our economy and way of life. Over 3,052 innocent men, women, and children lost their lives in this unprecedented attack. Sadly, the events that transpired on September 11th were the result of years of training and preparation by an enemy that does not value human life, liberty, equality, or religious freedom.

Our great Nation lost 473 American lives both civilian and military to the hands of terrorist from 1983 to 2001 for a total of 3,525 victims. With each passing decade our enemies have become more sophisticated and desperate to accomplish their aims of a global jihad. Individuals such as, Osama bin Laden, the founder of al Qaeda, have declared war on the Untied States and created worldwide networks of hate to accomplish their aims.

On several occasions, bin Laden has explained, that it should be every jihadists mission to obtain nuclear weapons and use them against the United States and its allies. The last 26 years have taught us that we must remain diligent and take every opportunity possible to find and destroy these ruthless killers wherever they reside. In order to accomplish this mission, the brave men and women of America's Armed Forces have answered the call with honor and an intense dedication to the mission of preserving our way of life.

One of our most important responsibilities as members of Congress is to make sure our troops have every resource they need while advancing democracy overseas. By visiting these heroes where they serve, we're able to get a much better understanding of what we can do to make their jobs as safe as possible. With this in mind, I decided to lead a Congressional delegation to the Middle East that traveled to Kuwait, Iraq, Pakistan, Afghanistan and Germany.

The leaders of these nations understood the importance of ensuring that we remain vigilant in fighting the Global War on Terror and expressed confidence in the abilities of the coalition forces. In Iraq, Kuwait, and Germany I had the special privilege of visiting with members of our Armed Forces and I found their moral to be high and their dedication to the cause unyielding. Soldiers like Sgt. Mark Gregory, Thomas W. Rigaey, 1st Lt. Marathana Loddy, Lt. Mike Schilling and Staff Sgt. Leonard Campbell, all from my home state of Nevada expressed their determination to see the mission through and understood that it will take time to achieve.

Since toppling Saddam Hussein's ruthless government, the people of Iraq have created a 275 member parliament, confirmed the selection of the top seven posts for a national unity government, and laid a foundation for democracy. Now more than ever we must stay the course and support our Iraqi friends as they continue to strengthen the infrastructure of their government.

Last week on June 7, 2006 Coalition forces killed Abu Musab al-Zarqawi and his top lieutenant and spiritual advisor Sheik Abd al-Rahman. Zarqawi was the operational commander of the terrorist movement in Iraq and was personally responsible for the deaths of many American forces and thousands of innocent Iraqis. The killing of Zarqawi is a testament to the notion that we must stay the course and remain committed to the mission and the Iraqi people.

Mr. Speaker, it is with great pride and heartfelt gratitude that I salute the men and women of our Armed Forces and thank them for their service and dedication to our great Nation.

Mr. CLAY. Mr. Speaker, as a member of the out of Iraq Caucus I rise in opposition to this resolution. We would not even be debating this bill if the American people were not disillusioned by this war and did not want to bring our troops home.

I was among those who opposed the tragic decision to launch this war. I warned that the invasion and occupation of Iraq would plunge us into a bloody quagmire of violence that would only intensify the instability in the Middle East and leave this nation less secure and less able to protect our own national interests.

The sad truth is that all the grimmest predictions have now come true and today—

The Taliban are mounting a major comeback in Afghanistan;

Iran is on the verge of producing a nuclear weapon;

Somalia is dominated by an al Queda-inspired militia;

And, here at home, our Nation is at risk. The fundamental recommendations of the 911 Commission are still waiting.

Those who still support the Iraq war often claim it has made this Nation a safer place. That it has kept away the terrorists and stopped another 911 tragedy. Unfortunately, such wishful thinking is only a way to justify the horrendous human suffering that we have caused by our misguided mission, an effort to justify a war that was never properly planned and executed and that has wounded thousands and cost the lives of two thousand five hundred American soldiers.

The toll of this war is still climbing and throughout the world terrorism is on the rise.

The administration talks a lot about National security but those in Congress knows the war in Iraq has not made America a safer nation.

We are appropriating millions and millions of dollars, at a time of skyrocketing Federal deficits, to fortify security in the U.S. Capitol Complex and at all other Federal facilities across this Nation. If Members of Congress believed this Nation is safer than it was before we captured Saddam Hussein, then why would we allow a single lost airplane to trigger the evacuation of the U.S. Capitol? Why does a single suspicious noise cause the lock down of the house office buildings? And just yesterday, why did the leadership of Congress upgrade our supplies of escape hoods?

No one in the leadership of Congress is behaving like we have diminished the terrorist threat. We know the war has made U.S. more vulnerable to terrorism.

Our National security is still in danger. Democracy is not flourishing in the Middle East. It is time to bring our troops home and to devote our resources to our own national security.

I commend my courageous colleague, Mr. MURTHA who has displayed tremendous patriotism on the battlefield, and in this chamber. I support his call to implement a strategic redeployment from Iraq and implore the Members of this body to have the good sense to listen to the people of this Nation and to support the call to redeploy our U.S. troops in Iraq.

Mr. BACA. Mr. Speaker, today I rise to express my concerns over the Bush administration's mismanagement of the war in Iraq.

First and foremost, I am disappointed that the President still refuses to put forward a strategy for a successful transition in Iraq and a timetable for the withdrawal of American troops.

Almost 2,500 of America's military personnel have lost their lives in this conflict, and thousands more of our troops have been injured and disabled. Among the most recent casualties was a young man from my district and hometown of Rialto, California. U.S. Army Spc. Luis Daniel Santos was just 20 years old and due to come home to his loving family—his parents Irma and Carlos and siblings Carlos Jr., Amy and Eric—next week. Luis was engaged to his sweetheart from Fontana High School and was looking forward to a family barbeque his mother was preparing for him. Tragically, he was killed one week ago in a roadside bombing while maneuvering his Humvee in combat.

I offer my condolences to the Santos family and join in mourning the death of this patriotic young man.

Military families especially, and Americans generally, understand the sacrifice that service entails and the dangers involved. And we are united in supporting our troops and honoring their sacrifice.

However, the American public has lost confidence in President Bush's leadership. The President has chosen to risk the lives of our Armed Forces without providing a coherent exit strategy, a realistic timetable, or the equipment required to complete the mission.

The American people want—and our military forces deserve—a clear plan for completing the Iraq transition and bringing our troops home!

As if the loss of life weren't overwhelming enough, the war in Iraq has cost American taxpayers more than 300 billion dollars. Americans have other needs and priorities, and 300 billion dollars could help solve some of the challenges we have here at home. That same money could have paid for 5 million additional teachers in our schools, or 14 million four-year college scholarships, or 2.5 million new affordable housing units across the country. Think about how much money that is and how much of a difference it could have made for working families like those I represent in San Bernardino County, California.

So I reiterate my call for the Bush administration to plan for an orderly withdrawal of American forces in Iraq. We must begin to transfer security responsibilities to the Iraqi people and allow the international community to step in and help.

Our brave men and women in the Armed Forces have sacrificed enough. They have completed their mission and accomplished what was needed. Their families have waited for them long enough. Now it is time to bring our troops home.

Mr. Speaker, American forces are at great risk as they remain in Iraq without a clear objective. Their mission was to be a liberating force, not an occupation force. We cannot allow our troops to become targets of resentment and terrorism while the administration tries to figure out a plan.

American forces in Iraq have gone above and beyond the call of duty. Their heroism and compassion in the most trying of circumstances require us to act in their best interest. Despite inadequate equipment, despite shifting priorities, despite sweltering heat, our military has delivered time and again. The recent success in removing the threat posed by terrorist al-Zarqawi is a testament to their tenacity and grit in the field.

But the President must not take their commitment for granted and cannot expect them to serve indefinitely. Military forces in Iraq already are serving longer and longer deployments and a high percentage of returning troops are falling prey to mental health disorders and financial difficulty. We need a real solution, Mr. Speaker.

I stand with my Democratic colleagues in asking the President to provide a real solution for peace and security in Iraq and ask my colleagues in Congress to recommit themselves to providing adequate funding for our Armed Forces, both at home and abroad, and our veterans.

Mr. WHITFIELD. Mr. Speaker, I rise in support of House Resolution 861. Today's debate is about more than just the nations of Iraq and Afghanistan, this debate is about freedom and democracy worldwide and the fight against terror and injustice. Our great nation is doing what we have always done—fighting for the values we hold dear and helping to spread those values to other nations. We also have a choice to make; do we want to fight the terrorists in the streets of America or in Iraq and Afghanistan where al-Qaida has claimed as its battle ground to kill Americans?

The Global War on Terror hits home for me because I have the distinct privilege of representing the brave men and women stationed at Fort Campbell, Kentucky. These courageous Americans have been leading the way in the Global War on Terror since September 11, 2001. In Afghanistan, these soldiers liberated the country from the oppressive Taliban regime. They helped stabilize the country and their efforts as well as those of other units laid the foundation for the democratic elections of Afghanistan's president, parliament, and provincial councils.

In Iraq, the 101st was deployed before the war began in 2003 and were instrumental in the success of dismantling the regime of the criminal dictator Saddam Hussein. They were also responsible for the location and death of Saddam's two sons. They liberated and rebuilt the town of Mosel, including the reconstruction of the city's infrastructure. The 101st is now on its second deployment to Iraq and is involved in the securing of the city of Ramadi where some of the most violent fighting in Iraq still exists. I have personally met with many of the soldiers that have been involved in this fight and they have my utmost admiration and respect. After meeting with the soldiers of Fort Campbell, I am convinced that they understand what they are fighting for in Iraq and are committed to the very end in order to preserve the democracy we have helped create and to ensure the safety of the Iraqi people.

One of the largest newspapers in my state, the Louisville Courier-Journal recently published an article entitled "Wounded soldiers refuse to leave Iraq." I'd like to share a couple of stories from that article about soldiers from Fort Campbell who are completely committed to their mission in the Global War on Terror:

[From the Louisville Courier-Journal]

Specialist Steven Clark from Fitzgerald, Georgia is a soldier in the 502nd Infantry Regiment of the 101st Airborne. He is a 25 year old young man with more courage than people twice his age. In his time in Iraq, he has been shot three times and has been wounded by shrapnel from a grenade that tore into his legs and back. He has been awarded three Purple Hearts, with another on the way, as well as a Bronze Star with Valor. His Army buddies have nicknamed him "Bullet Magnet." You may ask why he is still in Iraq and the answer is because he wants to be. He says that his wounds are not as important as the mission and he insists on staying.

Lieutenant Colonel Thomas Kunk is a commander in the 502nd Infantry Regiment. One of his duties as an officer is to decide which of his wounded soldiers can return to duty and which soldiers get to go home. He says this task is tougher than it should be because his soldiers research Army Regulations and argue endlessly in an effort to stay. Colonel Kunk's story doesn't end there, he was caught in the effects of a roadside bomb that damaged the nerves and muscles in his legs causing his legs to swell and throb from pain by the end of every day. But Colonel Kunk wouldn't think of leaving, he says he's a father and a grandfather and he wants to do right by them. So Colonel Kunk stays and he fights because he knows it's the right thing to do.

Specialist Clark and Lieutenant Colonel Kunk's commitment is without compromise and their dedication to duty should be commended. Their stories are unique, but their actions are not.

There are many soldiers that refuse to leave when they have incurred wounds that would allow them to come home. These service members understand what they are fighting for and they stay to see the mission through to the end.

Mr. Speaker, this Congress should follow the example of our men and women in uniform and stay committed to completing our mission and winning the Global War on Terror. If our soldiers, like Specialist Clark and Lieutenant Colonel Kunk, can make the commitment to stay then we owe it to them to provide our support to stay and get the mission done, to do otherwise would undermine our soldiers' efforts.

Mr. STARK. Mr. Speaker, I rise today in opposition to this simple-minded resolution. President Bush and Republicans in Congress would have you believe that the War on Terror and the War in Iraq are one and the same. But terrorism is not exclusive to a geographic or political entity.

Terrorism is the result of an accidental or intentional trauma inflicted on humanity. Numerous examples exist within our own borders.

My son is terrorized by the threat of destruction posed by the ignorance, of President Bush in his steadfast opposition to addressing the very real threat of global warming.

Parents are terrorized by the lack of treatment for children born with diabetes, leukemia, and multiple sclerosis. Yet right-wing evangelical Pharisees dictate prohibitions on stem cell research that could cure these and other diseases, saving lives.

Middle-class Americans are terrorized by the outsourcing of jobs. elimination of pensions and health benefits, and expansion of predatory lending. The U.S. Chamber of Commerce promotes these terrifying practices, driving working families to fear for their financial future.

All Americans are terrorized by more than 30,000 handgun deaths each year. This trauma is condoned and promoted by the National Rifle Association, a bipartisan terrorist organization.

Our brave servicemen and women in uniform are terrorized by the Iraqi insurgency and civil war. Though 2,500 American soldiers and countless Iraqi citizens have died, the right wing noise machine encourages additional deaths by coloring as pro-terrorist those of us who dare to acknowledge the futility of the President's War in Iraq.

Terrorism is a very real threat, but it comes in many forms other than those found in Iraq and, as I've outlined here today, we are doing precious little to combat it in America.

I urge my colleagues to oppose this resolution and to join me in a call to redirect our attention, our federal dollars, and our lives to our needs here at home.

Mr. HONDA. Mr. Speaker, we are on the floor today debating a most serious issue. However, rather than truly addressing solutions, the resolution before us is filled with platitudes which seek to vindicate the ill advised policies of the President's war on Iraq. Rather than allowing a meaningful and constructive debate on Iraq, the Republican Leadership decided not to allow any amendments to their resolution. It is a travesty that the elected representatives of the American people are prevented today from offering policy alternatives that might actually affect the shape of U.S. policy in Iraq.

This debate had the potential to mark a turning point to the current vacuum of congressional oversight over the Bush Administration as it pursues its misguided and incompetently planned war in Iraq. Rather than offering real solutions, the Republican Majority in Congress has decided to rubber stamp the President's campaign in Iraq.

The American people know what has happened, and demand more than just a rubber stamp from their representatives in Congress. Just as in the case of Vietnam, they see a White House which misled our country into war. Using shoddy evidence and insinuations about the connections between Iraq and al Qaeda, the Bush Administration took our country to war to face the "imminent threat" of an Iraq with nuclear weapons.

Despite claims by the Republicans and the Bush Administration, there was no significant relationship between Iraq and al Qaeda. Iraq had no weapons of mass destruction, a fact which Hans Blix, the head of the UN weapons inspection team, recently stated would have become clear had President Bush not ignored our allies' requests that we give the inspectors a few more months before invading. After its claims about the weapons of mass destruction were proven to be incorrect, the Administration has continually shifted its rationale for the invasion.

As though it were not bad enough that we went into a war in an incompetent and deceptive manner, it is unforgivable that our troops were sent into this war without adequate planning and equipment. Our troops are out there putting their lives on the line, yet the President decided to follow the advice of misguided ideologues in overruling the plans developed by experts before the war. One former commander of U.S. Central command, General Anthony Zinni, said that "ten years worth of planning were thrown away; troop levels dismissed out of hand . . . these were not tactical mistakes, these were strategic mistakes, mistakes of policy made back here."

There are better ways to support our troops than to send more of them to their death in a poorly planned war. It's time to shift our approach from the ineffectual policies of a President who only listens to advisors with pre-determined hawkish mindsets. As a member of the Out of Iraq Caucus, I stand with my colleagues in urging Congress to urgently re-evaluate the failed policies of the President. Representative JACK MURTHA has drafted a resolution that encourages the Iraqi people to take charge of their own security and lays the groundwork for bringing our troops home.

These are the sort of options we should be debating today if we truly want to demonstrate our support for our troops. Instead, the Republican Leadership has put forth this political ploy. Congress should fulfill their Constitutional responsibility to exercise oversight instead of continuing to place blind faith in the President as he pursues the war in Iraq.

Therefore, Mr. Speaker, I do not support this shameful attempt to provide an illusion of oversight.

Mr. MARCHANT. Mr. Speaker, America and its allies are engaged in a war against a terrorist movement that spans all corners of the globe. It is sparked by radical ideologues that breed hatred, oppression, and violence against all of their declared enemies. Since September 11, 2001, the powerful coalition of nations, led by the United States, has seen many successes against al-Qaeda and other terrorist groups. It is imperative that we remain united and steadfast in the quest to defeat terrorism around the world.

Last year I traveled to the Middle East to visit with troops in Kuwait, Iraq, and Afghanistan. I came away with several observations:

First, morale of the troops is HIGH. They are confident of the progress they have made in the mission to spread freedom and democracy in the Middle East. Not ONE serviceman or woman I encountered had any doubts about the purpose and importance of his or her presence there. The troops are positive and appreciative of all of the support they received from back home.

Their confidence in their mission is well-justified. Since my visit, the Iraqis have ratified a new constitution and installed a new, strong Prime Minister, Nuri Al-Maliki. And now the latest milestone: Abu Musab al-Zarqawi, al Qaeda's leader in Iraq, was killed in an air raid last week.

Mr. Speaker, as I sat in a tent in Kuwait eating dinner with troops from Texas, I was struck by how young most of them were. Those soldiers with me were 18–20 years old. Their experiences and their stories humbled me. Never in my life have I felt such emotion and love for our service men and women than when I sat and looked at these brave young soldiers. Barely out of high school, yet each day these heroes awaken knowing of the perils that lie ahead. Danger awaits them, but they continue to make a great sacrifice each day so that you and I can be free.

I sometimes feel that we Americans take our freedoms and our lives for granted. We forget the images of 9/11. Yet while on my trip to the Middle East, the London bombings occurred. This was yet another stark reminder that if we don't fight terrorists abroad, they just get closer to our home.

Mr. Speaker, the War on Terror is a global effort; it reaches beyond a small concentration of countries in the Middle East. I'd like to share the story of Marine Staff Sergeant Nathan Fletcher. Sergeant Fletcher's wife, Mindy, lived in Dallas and also worked for another war hero, my fellow Texas Congressman SAM JOHNSON, on Capitol Hill. He is currently experiencing his third extended separation from Mindy since they married a few years ago and the start of the war on terrorism.

Sergeant Fletcher is serving in a very remote region in the Horn of Africa. He is part of a Combined Joint Task Force focused on defeating transnational terrorist groups operating in the region. Sergeant Fletcher and his fellow troops in Africa lack amenities like running water, reliable power, and air conditioning. There is no internet, television, or even paved roads. Because they are so far away from the main camp they eat off the local economy. There are no fruits or vegetables where he is based, and so far he has eaten camel, goat, lamb, beef, and a couple things he could not identify. They cook their meals over an open fire and sleep outside every night.

Sergeant Fletcher's wife writes, "His team is doing well and I know they are working very long hours. I can't imagine going 40 days without running water in temperatures over 100 degrees without air conditioning, but I know Nathan and other servicemen and women do it every day." She continues, "Iraq and Afghanistan get most of the focus, but our troops are fighting the global war on terror throughout the world. I am really proud that he is part of making sure al-Qaeda and other terrorists aren't able to expand into another part of the world."

Mr. Speaker, Sergeant Fletcher and the millions of other troops fighting the War on Terror around the world believe in what they're doing. They don't want to stop. They know their mission is right. We owe it to them to see this campaign for democracy through until we are completely victorious.

Mindy no doubt wishes that Nathan was at home with her. Nathan no doubt wishes he was at home sitting in the air conditioning and eating a t-bone steak rather than camel steak. Yet they both know the reasons and the importance of the mission.

Mr. Speaker, Sergeant Fletcher is enduring these harsh conditions for our freedom. Make no mistake—this mission is not only justified, it is essential. Let us never forget the Pearl Harbors, the attacks of 9/11. Let us never forget the freedom we have. Let us never forget the Sergeant Fletchers and the sacrifices they make for us.

Mr. Speaker, we must not lay down our arms now. We must press on, for freedom, for peace.

Mr. HOLT. Mr. Speaker, I salute Congressman MURTHA and I salute the servicemen and women in the field, at Walter Reed Army Medical Center, and those waiting to serve.

I rise today to oppose the resolution before us today because it does nothing to ensure a more stable and secure Iraq nor does it do anything to bring our troops home from Iraq.

My constituents have asked me when Congress will get serious and have an open discussion about our future plans and polices in Iraq. Today, we begin to answer their calls. But we cannot stop today. We should debate the war in Iraq everyday on the House floor.

Yet rather than seriously and substantially debating the issues at hand, the Majority has presented self-congratulatory resolutions that intentionally seek to divide the House. Today is no exception.

Earlier today, I meet with a group of 7th and 8th graders from my Central New Jersey district. I asked them what I should say to put the Iraq War in perspective. The students offered a number of observations. One said that too many lives have been lost already. Another said that the reasons for going to war were wrong, maybe even deceptive. A third said that the Iraqi people are worse-off today.

They are right. Ther longer U.S. troops remain in Iraq the worse the conditions on the ground get for the Iraqi people.

I spoke with Senator BYRD (D–WV) the other day, who was here for the deceptive Gulf of Tonkin Resolution. He says that is one vote he would like to take back. I am not saying that Iraq is another Vietnam, because the two are different. But we should ask ourselves how will posterity regard Congress for giving President Bush everything he asked for without any oversight or accountability.

The shifting rationales for the war in Iraq have led to the lack of a clear understanding of why we are there, or how we achieve victory. Our mission cannot be accomplished because there is no clear mission. There have been a number of rotating rationales offered for the war. One was Weapons of Mass Destruction and the threat of a terrorist attack on one of our cities. Then it was Saddam's human rights abuses. Another was the argument that the United Nation's disarmament and containment efforts were not working and that UN resolutions were being violated. Then it was to stand up a democracy to be emulated across the Middle East. Another was to protect America's strategic oil interest in the region. And as we have heard over and over today, it was to fight terrorism and a response to the terrible attacks on September 11th.

No it is not about Khobar Towers, or the USS *Cole* or even the terrible attacks on the World Trade Center. Today's debate is about Iraq, and this is a resolution that says "stay the course."

This is all classic misdirection. We need to remember that there were no terrorists in Iraq involved in the September 11th attacks. In fact, there were no terrorists threatening us from Iraq before we invaded. The War in Iraq is not about terrorism, except to the extent that Iraq has become a haven and a training ground for terrorists.

We must also recognize that our country was propelled into the conflict under false pretenses. That has implications not only for how we got into Iraq, but for why we need to get out, and how we should view future claims of threats to America based on questionable intelligence and even more questionable assumptions.

The war in Iraq has warped American priorities, and cost us dearly in terms of lives, money, and lost opportunities for progress at home and abroad. It has hurt our international standing and our ability to counter terrorism abroad. Numerous powder kegs around the world, have been ignored. Here at home, Hurricane Katrina crystallized for the American people the fact that the President and this Congress were willing to place our attention and resources in Iraq, at great cost to our ability to help our own citizens here at home. This includes the short-changing of homeland security measures for our ports, railroads, and chemical plants. Repeatedly, Democrats have tried to get the Congress to invest in these areas, and repeatedly we've been told there is not enough money. And yet, we pay for the war in Iraq—to the tune of $11 million per hour.

History will remember this war in Iraq as a colossal blunder. When we leave Iraq—as I hope we will, starting immediately—no one will wish that we'd stayed a little longer. No one will look back and think the current course could have ever been successful.

To their credit, our troops have done everything we have asked them. They are heroes. But we have placed them in the middle of a budding civil war. The President's failed strategy has made their jobs impossible, and his refusal to change course has continued to make them targets on the ground.

It is time for a more sensible course of action in Iraq. Only a negotiated settlement with broad international help will prevent civil war between the Sunnis and Shiites. We need to ensure that we work together with the community of nations and the United Nations to have any hope for peace, security, and prosperity in Iraq. We have tried to do this almost single handedly for too long and it is time to work with the international community to reconstruct Iraq.

I have said for almost a year now that the United States must redeploy our troops from Iraq. I am a cosponsor of Congressman Murtha's legislation, H.J Res. 73, which would redeploy the current forces in Iraq at the earliest practicable date. That is because the presence of our troops, who are serving valiantly and ably, is improving neither our security nor that of the Iraqis. In fact, our presence itself is unifying Saddam Hussein loyalists, al Qaeda sympathizers, and many civilians against us. Our presence is fueling the insurgency.

Redeploying our forces does not mean walking away from Iraq. Iraq's security forces and government will need our continued moral, political, intelligence and in some cases, financial support. But the hard work of securing the country and building a new society is one that only the Iraqis can do. Reducing and refining our military and political presence in Iraq is the necessary first step in that process.

If we are to defend America and our allies from the global jihadist threat, our continued presence in Iraq defeats that purpose. It has been and remains a deadly and unnecessary misadventure that has compromised our ability to advance our interests around the world and at home to defeat the larger threat we face. To get back on course in the global war against al Qaeda, we must change course in Iraq, and now.

This war is simply not making us or the Iraqi people safer. The generals understand that. A majority of Iraqis understand that. The majority of the American people understand that. Seventh graders from New Jersey understand it, as well. Let's begin our redeployment immediately so that we can refocus our efforts where they belong: on rallying the world to the cause of defeating Osama bin Laden and those who follow him.

Mr. MARKEY. Mr. Speaker, I rise in opposition to this Resolution.

The Resolution before this House today engages in a rhetorical fiction. The Republican Leadership has grafted into this Resolution language which confuses the War in Iraq with the War Against Terror. Iraq did not have anything to do with the September 11th attacks. We did not invade Iraq because of 9/11. We invaded Iraq because the Bush Administration convinced Congress and the American people that Saddam Hussein had acquired nuclear weapons and other weapons of mass destruction and might use them.

The terrorism now taking place in Iraq is the direct result of the war, not its cause. To suggest otherwise is to ignore the facts.

The fact is, this war was a very bad mistake. The Administration launched an invasion into Iraq in March of 2003 even though the Administration knew from the reports it was getting back from the IAEA and the UN inspectors that there where no nuclear or other WMDs at the sites identified by the CIA, by British Intelligence, and by other sources.

Now we are bogged down in a quagmire with no end in sight.

In February of this year, the President was asked when we could expect all American troops to be out of Iraq, and he replied that this was a decision for a future President and a future Iraqi government to make. In other words, if we continue to pursue the Bush Administration's policies, we will likely have troops deployed in Iraq until at least January of 2009—that's nearly three years from now!

What has been the cost of this war in terms of blood?

2,500 U.S. troops killed.

More than 18,400 American troops wounded.

An estimated 38,000 Iraqi civilians killed.

What has been the cost of this war in terms of treasure?

Nearly $320 billion so far . . .

Just think of all the good we could have done in this world or in this country if we had devoted $320 billion for health care, for education, for fighting poverty or creating jobs.

What has been the cost in terms of America's influence around the world?

It has been severely compromised.

We "cried wolf" over non-existent Iraqi WMDs, over alleged connections between Saddam Hussein and Al Qaeda;

We failed to deploy enough troops to suppress the insurgency;

We put inadequately trained troops in charge of Abu Ghraib prison;

It's time to pursue a new direction.

The Iraqis are standing up, but we are standing still, staying the course. It is time to redeploy an increasing percentage of our forces to an over-the-horizon presence, as the gentleman from Pennsylvania (MR. MURTHA) has suggested in the legislation he introduced last year.

We should not be planning on maintaining any military bases in Iraq or any long-term troop presence in that country.

It is time for us to bring this war to an end, and to bring our troops home.

Vote NO on this resolution because it is as much a fraud as the reasons the Bush Administration gave for invading Iraq in the first place.

I urge defeat of the Resolution.

Mr. CUMMINGS. Mr. Speaker, despite the crafty language in this resolution, there is no connection between 9/11 and Saddam Hussein. The Global War on Terror and the War in Iraq are not synonymous.

The President has admitted this, yet the Republican Party in this House continues to support his failed policies in Iraq under the guise of fighting terror—consistently providing billions of off-budget funding, allowing waste, fraud and abuse to go unchecked and failing to exercise even the semblance of oversight. So, instead of debating solutions for Iraq today, we are discussing a non-binding resolution that is equally as short-sighted and devoid of direction as President Bush's Iraq policy.

We all have unwavering pride for our troops. The quagmire that Iraq has become is not the fault of the troops who have performed superbly—it is the failure of the President to plan for a transition to peace.

That is why I support the Murtha resolution. It would provide a plan for peace, redeploy our troops and allow us to bring them home as soon as practicable.

Let's stop the carnage. Our presence in Iraq makes stability impossible. By remaining in Iraq, we make both Iraqi and American soil less secure. Let's bring our troops home.

Mr. WEINER. Mr. Speaker, as we stand here today, there is no way to argue that this war in Iraq was not badly undermined by bad planning based on bad intelligence and an abject failure to organize the international community in a meaningful way.

In short, the American people and Congress would clearly answer this question in the same way. If we knew then what we know today would we have done everything the same? Certainly not.

This is a common sense message despite the fact that the Administration is reluctant to see it. I would suggest that there is another thing that we all agree upon: the extraordinary work of the men and women who are over there fighting on our behalf, and the remarkable heroism they've shown in the face of a mission that seems to constantly change and the hostility of many Iraqis.

Yesterday, we mourned the 2,500th fatality. There have been 18,000 injuries and those of us in New York have lost 118 of our neighbors.

I believe the military mission in Iraq has been completed and our troops should be redeployed in a way to preserve the accomplishments that they've achieved and to further our objectives of defeating terrorism and stabilizing the region.

At the outset of the war the President articulated and many of us agreed that Saddam Hussein had to be removed. Our military achieved that. And there have been elections in Iraq that our military helped make happen.

Standing up of the infrastructure has been painfully slow. A Brookings Institution study that came out today showed that we still have not reached pre-war levels of oil production or available electric power.

Yet to the extent that roads and bridges and infrastructure have been created or restored in Iraq, it was through the good work of the men and women of the United States Armed Forces. There have been reports of over 30,000 Iraqi civilian deaths, clean water is scarce, and unemployment hovers above 50 percent.

The question we have today as inartfully and politically posited as my friends on the other side articulate it, is how do we honor the work that has been done so far and how do we adapt to the situation that we've found?

This notion of barreling ahead while our troops become the target of so many attacks is misguided. The number of daily attacks by insurgents in May of 2003 was 5; in May of 2006 it was 90. The total number of insurgents has increased from 3,000 to 20,000 during the same time period. And Iraq has become a training ground for jihadists, with an increase in the number of foreign fighters from 100 in May 2003 to 1,500 in May 2006.

I support the position of Congressman JACK MURTHA and General Anthony Zinni, and agree with General George Casey, who said in September 2005 that, "the perception of occupation in Iraq is a driving force behind the insurgency." Now the burden lies with the Iraqi people, and our troops standing in the middle of this battlefield have become targets rather than a force for stability and peace.

As Mr. MURTHA has observed, 100,000 Shi'as fighting 20,000 Sunnis amounts to civil war, even if we choose to call it "sectarian violence." Incidents between warring Iraqi factions are up from 20 in May of last year to 250 in May of this year.

We should redeploy our troops to the horizon of the battle, out of harm's way, but close enough to ensure that in the future the insurgents and terrorists do not take hold in Iraq.

It is time for our military presence in the Middle East to be converted to a powerful quick-reaction force outside of Iraq. 80 percent of Iraqis want us out of their country and 47 percent say killing Americans is justified.

Then, we should reallocate the funds being spent in Iraq, which dwarfs the combined budgets of all other programs in place to fight terrorism, and re-engage with the countries around the world that rallied behind us in the wake of 9/11 but were alienated by our conduct in Iraq.

Some have suggested that taking the target off the backs of our troops by removing them from the center of this conflict would lead to chaos. Implicit in that critique is the suggestion that we don't have chaos today. Our troops' presence there, I believe, is allowing Iraq's citizens a convenient excuse for failing to take responsibility for their destiny.

The Iraqi people clearly would like us to leave and permit them to govern. Our troops have expressed the same sentiment. And it is clear that if we are to reclaim our place on the world stage as a unifying force for democratic values and the ideals of our country, the way to start is to redeploy so we can be ready for future challenges.

Mr. ANDREWS. Mr. Speaker, I rise today to oppose this resolution because the process under which it is being considered is deeply flawed and unfair to those with legitimate opposing points of view. There are Members in this chamber who want to offer specific plans on Iraq and they have the right to have these proposals debated and voted on.

This entire debate is a sham, Mr. Speaker. This resolution was brought to the floor to help Republicans win in November, not to help our country win the war in Iraq. Make no mistake about it; it is very important for this House to formally acknowledge our support for our troops, especially when they are in harm's way, fighting a difficult and protracted war. But this resolution is not a show of support. It is a political tool with little substance. In fact, the only provision of substance is the third Resolved clause which "declares that it is not in the national security interest of the United States to set an arbitrary date for the withdrawal or redeployment of United States Armed Forces from Iraq." I happen to agree that we should not set a public deadline for withdrawal. I don't think it makes sense strategically and, even worse, I think it puts our commanders on the ground at a disadvantage because it provides the resistance with a clear target of how long they need to hold out. If we withdraw our troops prematurely, we run the risk of the young Iraqi government folding and the vacuum being filled by a government friendly to terrorists.

This debate should have been about alternatives. That is a primary function of Congress. To debate our country's most important issues. I can think of no issue more important than whether we succeed or fail in Iraq. Rather than add to the vast amount of rhetoric being tossed around by both sides, I would like to present what I think needs to be done for us to succeed in Iraq, First, we must dramatically improve our intelligence operations. To be sure, the death of Abu Musab al-Zarqawi is a great accomplishment by our brave military in Iraq. But successes such as this one are too rare because most Iraqi civilians still do not feel secure enough to turn over valuable intelligence to American or Iraqi government officials. We desperately need an intelligence alliance in order to provide troops with the information they need to get the job done in Iraq.

The second thing we must do to succeed in Iraq is step up the training and readiness of the Iraqi Security Forces. Congress continues to fail in its oversight of Iraqi Security Force readiness. Because it is so difficult to get a straight and consistent answer out of the Administration regarding the readiness of Iraqi Security Forces, it is virtually impossible to determine when we will be able to begin bringing American troops home. As of this week, the Administration tells us. there are 264,600 "trained and equipped" Iraqi Security Forces. Unfortunately the definition of "trained and equipped" has been elusive or not clear enough to replace American troops with Iraqi or international troops. I believe that for every fully trained Iraqi soldier, one American soldier should come home. Clearly, this isn't happening.

The third thing we must do to succeed in Iraq is to continue our support of the democratically elected Iraqi government. A strong Iraqi government will be able to provide incentives to its people to help quell the violence. This support cannot be merely military support. It must be comprehensive and include the full range of services of a functioning government. Iraq's leaders face a monumental task. Quelling the violence will not be enough to send them on the path to success. Make no mistake about it; their success is closely linked to whether our mission in Iraq will be considered a success.

In closing, I would like to comment on the Whereas clause in this resolution that states that it is "the steadfast resolve of the United States and its partners since September 11, 2001, helped persuade the government of Libya to surrender its weapons of mass destruction." Libya made the right decision to abandon its WMD programs. Our resolve in the Global War on Terror convinced Libya that the cost was too high to continue to pursue WMD. However, before this decision Libya was a primary state sponsor of terror. It now must honor its commitments to the victims of that terror, including the families. of the victims of Pan Am 103. In taking responsibility for the bombing of Pan Am 103—an attack which took the lives of 189 Americans—Libya agreed to pay compensation to the families of those who died. While 80 percent of that agreement has been fulfilled, the remaining 20 percent was held back by Libya as long as it remained on the U.S. list of state sponsors of terrorism. They have now been removed from that list, and must now follow through on their agreements.

Libya has renounced its weapons of mass destruction and declared its intention to be a responsible member of the community of nations. It should now make good on the remainder of its promises to the families of victims of its terrorism. With these steps, Libya will be an example of a country that has not only changed its course but has recognized its responsibility for past acts. Until it completes this journey fully and completely, doubts will remain about the nature of this regime. These doubts will be impediments to its progress as a full actor in diplomatic exchanges with the world. The United States will watch Libya's actions as well as its words. This vigilance will ensure that we will prevail in the Global War on Terror.

Mr. Speaker, I will vote no on this resolution. I hope that the next time we have a debate on Iraq, it will be substantive and offer solutions. As a coequal branch of government responsible for the welfare of our courageous men and women in uniform, we should settle for no less.

Mr. WILSON of South Carolina. Mr. Speaker, although the recent death of Zarqawi did not end terrorism in Iraq, it delivered a devastating blow to the al Qaeda network. Since June 4th coalition and Iraqi forces have killed 11 other leaders of the organization.

As progress continues in Iraq, a critical debate continues throughout the halls of Congress. We cannot afford to abandon our mission simply because certain politicians believe that waving a white flag of surrender will magically deliver peace. While a timeline for withdrawal might be politically popular, it is not a strategy for victory.

As Senate Democrats attempt to gain support for their latest proposal of retreat and defeat in Iraq, U.S. troops and Iraqi Security Forces remain committed to fighting terrorists who threaten the lives of American and Iraqi citizens.

Republicans will continue to support policies that enable these brave troops to complete their mission protecting American families.

In conclusion, God bless our troops and we will never forget September 11th.

Mr. PRICE of North Carolina. Mr. Speaker, we face a critical challenge in Iraq with no certain outcome. While those in the White House and the Majority may want to use this debate as an opportunity to gloss over the situation and cast aspersions at their opponents, now is the time for a serious and sustained conversation within our government and among the American people about how we can end the occupation and do so in a way that maximizes Iraq's chances to govern and defend itself.

A brief survey of the status of our operations confirms the gravity of our position.

First, consider our strategic interests in the conflict. The Administration's entire case for invading Iraq has proven false. The President's claims about nuclear weapons, chemical weapons, biological weapons, links to terrorism, an imminent threat—they were all wrong. CIA weapons inspectors followed every plausible lead to find weapons of mass destruction in Iraq, and came up empty. We might have known the outcome of this search had we showed more patience with international weapons inspections before the President launched the invasion. We have also confirmed what many of us suspected at the time, that the alleged links between Saddam Hussein and Al Qaeda terrorists were fabricated and false. In fact, with the CIA now calling Iraq the world's number one terrorist training ground, we have ironically created a problem that did not exist when we set out to solve it. And we diverted attention and assets from Afghanistan, which truly was ground zero in the anti-terrorist offensive.

Indeed, we have engaged in a war of choice that has actually made our nation less safe. Congress has poured over $400 billion into Iraq that was entrusted to us by American taxpayers, dealing a serious blow both to our economy and to the many critical domestic programs that have been cut, essentially to help pay for the war effort. We have overextended our military, damaging recruiting and retention efforts and leaving our military units undermanned, underequipped, and exhausted from repeated deployments. We have created a terrorist breeding ground in Iraq that may threaten our security for years to come. And, by fueling tensions both between sectarian groups inside Iraq and between Iraq and its neighbors, like Iran, Syria, and Turkey, this war has stirred up a dangerous hornet's nest that could lead to significant regional conflict. In short, our national security is at far greater risk now than three years ago when the war began.

Despite these shortcomings, the new "unity government" led by Prime Minister Nuri al-Maliki represents some progress in our political efforts, produced by the successful conduct of a handful of elections, a constitutional referendum, and sustained negotiations between major Shi'a, Sunni, and Kurdish political parties. These successes are the most positive story we have to tell in Iraq. If Iraq's leaders choose to work together to unite their nation and prevent sectarian agendas from tearing the Iraqi people apart, there will be hope for achieving stability and democracy in that country.

Unfortunately, Iraqi leaders have not yet made clear what their choice will be. They have not yet shown the unity of purpose and political courage that will be necessary to hold their country together after the U.S. departs. They have not yet proven that they can set aside their sectarian agendas. Most importantly, they still must prove that they have the power to reach out beyond the green zone to influence Iraqi citizens and lead them toward unity and peace. Here, especially, the jury is still out on the extent of progress.

U.S. taxpayers have spent $20 billion on reconstruction projects, but have only limited concrete results to show for their investment. Tens of millions of dollars were irresponsibly squandered through poor management and questionable contracts with companies like Halliburton. The Coalition Provisional Authority was unable to account for the use of nearly $9 billion in U.S. and Iraqi reconstruction funds. According to conservative estimates, up to a quarter of reconstruction funding has been diverted away from reconstruction activities to pay for associated security costs. Furthermore, much of the reconstruction work that has been carried out has been ineffective. In an October 2005 audit of over $250 million in water and sanitation projects, the Government Accountability Office (GAO) found that over one-quarter of the projects were "inoperable or were operating at lower than normal capacity."

The results of this mismanagement are striking. Over half of all Iraqi households still lack access to clean water, and 85 percent lack reliable electricity. Oil production remains well below pre-invasion levels. A quarter of Iraqi children suffer from chronic malnutrition. More than a quarter of Iraqis—possibly up to forty percent—remain unemployed. By any standard, the reconstruction effort has fallen disastrously short.

Unfortunately, the Bush Administration appears to have learned the wrong lesson from these reconstruction failures, proposing no additional funding to rebuild Iraq and support the civilian population. Without additional funding, our reconstruction efforts will come to an end even though we remain far short of our goals. The Special Inspector General for Iraq Reconstruction (SIGIR) has reported that more than two-thirds of planned health care centers, over 60 percent of planned water sector projects, and a third of planned electricity projects will not be completed due to lack of funds. The answer is not to give up on Iraq reconstruction altogether, but to find effective ways to make reconstruction projects work.

On the security front, some limited progress has been made. According to the State Department's most recent weekly update, approximately 265,000 Iraqi troops have enlisted to secure and defend their homeland. In addition, American forces recently scored an important victory by killing the number one terrorist leader in Iraq, Abu Musab al Zarqawi.

As Iraqi troops have stood up, however, American troops have not been able to stand down, despite promises to the contrary. The sheer number of Iraqi enlistees has neither translated into capability for independent operations nor improved the security situation. In fact, Iraq is more violent, more dangerous, and more divided than at any time since the war began.

The security situation is increasingly complex. Instead of fighting one battle, we are fighting at least three: against largely Sunni insurgents who are fighting to recapture the power they enjoyed under Saddam Hussein; against growing sectarian violence; and against terrorists, some foreign-born, united under a banner of Islamic fundamentalism. Above all, we are fighting to prevent full-fledged civil war, and the outcome remains uncertain. The death of Zarqawi will help in our battle against the fundamentalist terrorists, but it will not markedly change the larger challenge we face in pacifying Sunni and Shiite extremists.

This picture is not pretty, and it is not a picture the Administration has been willing to discuss frankly. But it is the reality. Crafting an effective Iraq strategy means facing this reality head-on. Unfortunately, the Administration has adamantly refused to do so. In fact, Middle East expert Anthony Cordesman of the Center for Strategic and International Studies called the Administration's most recent report on progress in Iraq, "both dishonest and incompetent." Cordesman noted, "the American people and the US Congress need an honest portrayal of what is happening, not lies by omission and "spin."

Most Americans now understand that this Administration has relied on spin and misinformation to carry out its Iraq policy from Day One. It led our nation into war based on false claims and insinuations. It misled the American public about the likely costs and duration of our operations. It has attempted to discredit critics of its post- invasion operation, including former military officials. And it has consistently refused to level with the American people about the significant obstacles we continue to face.

The real question before us—the question most Americans are asking—is how long must our troops stay in Iraq?

The President has told us that, as Iraqi troops stand up, American troops can stand down. But that formula is backwards. Iraqi troops will not truly stand up until American troops begin standing down. Iraqi leaders will not make the necessary comprises and take charge of their own destiny until they know their dependence on American forces is coming to an end. As we stand down, they will have no choice but to stand up.

While our military's valiant efforts have clearly facilitated important steps forward, including the formation of a democratically elected government, the troubling reality is that our continued presence makes success more elusive. It serves as a disincentive for Iraqi military and political leaders to take courageous risks to stabilize their country and assume responsibility for their government. Equally importantly, our presence is a magnet for international terrorists and an incitement for the insurgency. While the Administration argues that we must stay the course to help Iraqis accomplish key objectives, our very presence is actually detracting from progress toward those objectives. In order to jump-start progress, our troops must begin to come home.

How we leave does matter. We must leave in a way that maximizes Iraq's chances to govern and defend itself. At the same time, we cannot become hostages to the failures of Administration policy, prolonging our stay in a situation where our very presence is a continuing provocation. That is why I joined with Rep. BRAD MILLER last fall in introducing H.J. Res. 70, which would require the President to deliver the exit strategy that the troops and the American people deserve. Today, I am renewing that call.

Let me explain in clear terms what a responsible exit strategy means:

We need to hear that that the President has a plan for reducing our presence in Iraq within a reasonable timeframe. "As they stand up, we will stand down" isn't a strategy; it is a slogan. A responsible exit strategy would set out, in clear and realistic terms, a plan to guide our troops through their departure from Iraq and a strategy for reducing our military commitment. We must be willing to adapt to changing conditions, but a responsible exit strategy must not hold our troops hostage to the Iraqi people's ability to resolve their own differences.

We need to hear that such a plan would begin with an initial, near-term drawdown of U.S. forces. The Administration has repeatedly hinted that a significant drawdown may be imminent, but has quietly backed away from such predictions over and over again. A near-term, initial drawdown of forces would send a message to Iraqis that we have no permanent designs on their country, that our presence is coming to an end, and that they need to step forward to take the reins of responsibility.

We also need to hear a pledge from the President that we will not establish long-term bases on Iraqi soil. When I questioned General John Abizaid, commander of U.S. Central Command, in a recent subcommittee hearing, he refused to make a commitment not to establish permanent bases. In the wake of that exchange, the House has voted twice to force such a commitment. A House-passed amendment to the fiscal year 2006 supplemental appropriations bill to prohibit permanent U.S. bases in Iraq was removed from the final version of the bill by the Republican congressional leadership. The House recently passed a similar provision as part of the fiscal year 2007 Defense Appropriations bill, but it is unclear if it will survive in the final version of the bill. The President must heed Congress's message and send a clear signal that the U.S. has no long-term military designs in Iraq.

In addition, we need to hear that there is a plan to continue to support Iraq when our troops depart. Such a plan would mean ongoing U.S. assistance for the Iraqi government as it crafts policies to facilitate unity, security, and prosperity. This support will be particularly critical as Iraq revisits its constitution later this year. It also means support for the development of Iraqi institutions like its parliament, its judiciary, and its security forces.

Such a plan would also involve increased and assertive engagement by the international community to increase its involvement. The international community has pledged billions of dollars in resources for Iraq that it has not yet delivered. Just as importantly, however, we need the international community to have a presence in Iraq, working with the Iraqi government, mediating disputes between sectarian parties, establishing greater ties with Iraq's economy, and supporting the development of civil society.

Finally, this plan would require engaging Iraq's neighbors to play a constructive role in giving Iraq a chance to succeed. This means pledging not to interfere in Iraq's affairs. It also means securing borders, training Iraqi security forces, and welcoming Iraq into regional institutions. I was encouraged that the Administration tentatively agreed to conduct a dialogue with Iran on its involvement in Iraq. I hope that this effort will move forward and that similar efforts will engage other Gulf States.

These are the elements of a responsible exit strategy. This is the type of leadership that the President owes our troops and the American people. After more than three years, the loss of more than 2,500 American troops' lives, and $400 billion, this is the type of leadership that is long overdue.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in strong opposition to House Resolution 861.

While I reaffirm my commitment to do everything possible to support the men and women serving our country in Iraq, I will not dishonor them by supporting this sham resolution.

This resolution is no more than a deceitful effort by the Republican leadership to justify an ill conceived war—a war based on faulty and manipulated intelligence and years of reckless and costly decisions.

These decisions have increased threats to our national security and drained our treasury of valuable resources needed for critical programs such as education, healthcare, research and job training.

The reality, Mr. Speaker, is that the President has lost support for this war as America has become increasingly aware of the Administration's deception and lack of a clear plan for success. A plan such as the one outlined in Congressman MURTHA's resolution would protect our troops and bring them home as safely and as quickly possible.

The resolution before this House is nothing more than a ploy to regain support and political advantage by once again blurring the lines between the devastating 9/11 attacks and the ongoing war in Iraq. This connection has repeatedly been discredited.

In the aftermath of 9/11, the United States justifiably invaded Afghanistan in pursuit of Osama Bin Laden, who is the man we know was responsible for the 9/11 attacks.

U.S. intelligence sources tell us we were close to capturing him, but then the President redirected our troops and resources to invade Iraq.

As a consequence of the President's decision, the terrorist responsible for the deaths of thousands of Americans is still free, Iraq has in fact become a breeding ground for terrorists, and the invasion has inflamed hatred towards our country and has jeopardized our ability to quickly form a strong international coalition to fight terrorism abroad and protect us at home.

If the Republican leadership were sincere about honoring our troops, they would have provided them with the full equipment they are still lacking, and they would not for example, have passed a budget with a $6 billion cut to Veterans Healthcare, or rejected Democratic amendments to increase badly needed funding in the Military Quality of Life appropriations bill.

Mr. Speaker, sending our troops into Iraq ill equipped, with no plan for success, and no exit strategy was a shameful mistake.

For the Republican leadership to play politics with this resolution and mask true support for our troops with mere words and rhetoric is disgraceful.

I, like every American, support our troops and honor their patriotism.

Their heroism and resolve to fight for our country, despite the deplorable circumstance under which they were sent to Iraq, heightens my pride in their service and strengthens my resolve to bring them home quickly and safely.

I will not dishonor them by supporting this Republican charade.

Mr. HULSHOF. Mr. Speaker, I rise today in support of this resolution, in support of our troops, and in support of our Nation's efforts in the Global War on Terror.

In both Iraq and Afghanistan, we find ourselves locked in a struggle with an enemy that despises liberty and embraces an ideology of hate.

Terrorists did not declare war on us the morning of September 11, 2001. It started long before that. Consider the following:

In November of 1979, radical Iranians seized the U.S. Embassy in Tehran, holding 53 American hostages for 444 days.

Less than four years later, 63 people died when the U.S. Embassy in Beirut is bombed.

Scant months later, 242 Americans and 58 French are killed by simultaneous suicide bombers in the American and French compounds in Beirut.

March 1984, Islamic terrorists kidnapped and murdered Political Officer William Buckley.

One year later, terrorists seized the Italian cruise liner the Achille Lauro and killed Leon Klinghoffer, a 69-year-old American who was confined to a wheelchair.

In June of 1985, Lebanese Hizballah terrorists hijacked a TWA flight forcing the plane to fly to Beirut. Eight crew members and 145 passengers are held hostage for 17 days, during which time a U.S. sailor is murdered.

April 1986, two U.S. soldiers are killed and 79 are injured when Libyan nationals detonated bombs in a West Berlin discotheque.

Two years later, Libyans again take American lives when Pan Am Flight 103 exploded over Lockerbie, Scotland. All of the 259 people on board are killed.

On February 26, 1993, for the first time, Islamic terrorists strike on American soil when a car bomb explodes in the garage of the World Trade Center, killing six and injuring 1,000.

On April 14, 1993, Iraqi intelligence operatives attempted to assassinate former President Bush.

In 1995, a car bomb exploded at a U.S. military complex in Riyadh, Saudi Arabia, one U.S. citizen is killed.

Seven months later a truck bomb detonated outside the Khobar Towers in Dhahram, Saudi Arabia. Nineteen Airmen are killed and 515 people are wounded.

In August of 1998, the U.S. Embassies in Kenya and Tanzania fall victim to coordinated attacks. Over 300 are killed.

Two years latter, a small watercraft laden with explosives rammed into the U.S.S. *Cole*, killing 17 U.S. sailors.

Finally, September 11, 2001, two hijacked airliners hit the World Trade Center towers, another plane crashed into the Pentagon and a fourth plane, headed for either the White House or U.S. Capitol Building in Washington, D.C., crashed in a Pennsylvania cornfield. All told, 3,025 perish.

But until we took action in Afghanistan, our response to terror was often non-existent, sporadic, or inconsistent.

In the wake of September 11, the American people rightfully demanded that their elected officials make a commitment to aggressively combat terrorism. We went into Afghanistan to proactively stop further attacks on innocent Americans. Afghanistan was a haven for al-Qaeda, and the terror attacks on our own soil showed us that we can no longer rely on oceans and geography to protect our homeland :from attack. Thus, we must drain the swamps where terrorism breeds and take the fight to those who have, through their own words and deeds, declared war on us.

In addition to the real-life need to protect our citizens, there is a larger meaning in our efforts in the Global War on Terror. Those we fight abhor freedom and liberty. They shun religious tolerance and view with disdain our deeply held belief that every person is endowed with basic human rights. And make no doubt about it—our enemy in the Global War on Terror is determined to impose their dangerous ideology on innocent people around the globe. The carnage of September 11 showed us that we can no longer turn a blind-eye as hate-filled terrorists plot against our Nation and its citizens.

Then there is the question of Iraq. Hindsight is 20/20, and we now know that Iraq did not possess significant stockpiles of weapons of mass destruction. But let us look at the evidence from the time—the evidence upon which the Congress, the Administration, and our allies around the world had to judge the threat posed by Iraq.

Saddam Hussein had a long history of pursuing weapons of mass destruction. Like the terrorist acts against this country, Saddam's determination to pursue weapons of mass destruction and desire to intimidate his neighbors in the region began long ago.

In the 1970's, Iraq started constructing a nuclear reactor in Osirak. The international community did nothing in response to this gathering threat. Israel, not content to watch Saddam Hussein move forward with a nuclear program, destroyed the reactor in 1981.

In the 1980s and the early part of the 1990s, Saddam Hussein's regime proved time and again that they were a threat to peace and stability in the region. Saddam repeatedly, almost continually, used chemical and biological weapons on his own citizens and Iranian troops. For example:

In August 1983, Saddam used mustard gas on almost 100 Iranians and Kurds in Haji Uman.

From October through November of that same year, he used mustard gas on 3,000 Iranians and Kurds in Panjwin.

One year later on Manjoon Island, Saddam again used mustard gas on 2,500 Iranians.

Simultaneously, he used the nerve agent tabun on 50 to 100 Iranians in Al Basrah.

A year later, in March of 1985, mustard and tabun were used in Hawizah Marsh on 3,000 Iranians.

February of 1986 in Al-Faw, mustard and tabun were used against 8,000 to 10,000 Iranians.

Later in 1986 in Urn ar-Rasas, mustard gas was used against thousands of Iranians.

Then in April of 1987 at Al-Basrah, mustard and tabun were used on 3,000 Iranians.

Later that year, mustard and a nerve agent were used in Sumar/Mehran on 5,000 Iranians.

In March of 1988, mustard and a nerve agent were used on thousands of Iranians and Kurds in Halabjah and Kurdish areas respectively.

One month later, Al-Faw again sees destruction when mustard and a nerve agent were used on thousands of Iranians.

One month after that, Fish Lake sees hundreds or thousands of Iranians succumb to mustard or a nerve agent.

In June of 1988, Manjoon Island was attacked with mustard and nerve agent, this time hundreds or thousands were affected.

July of that year, the chemical agents were again used along the South-central border with the same effect.

One month later in Haij Urnran, mustard gas was used on less than 100 Kurds.

And finally, in March of 1991 in the An-Najaf-Karbala area, nerve agent was yet again used by Hussein's regime.

These attacks demonstrate beyond a shadow of a doubt Saddam Hussein's willingness to use weapons of mass destruction against not only his foreign enemies, but even his own citizens.

Now, let us remember that the intelligence community around the world continued to assert that Iraq under Saddam Hussein continued to pursue the means to produce and deploy weapons of mass destruction. It would have been irresponsible—in light of Saddam's record of using these weapons—to ignore these intelligence warnings. And I might also add that in the wake of these intelligence shortcomings and in response to the recommendations of the 9/11 Commission, the House has taken concrete steps to improve our intelligence gathering and analytical capabilities.

Three years ago when I addressed this House on the resolution authorizing the use of force against Iraq, I said, "while I do not find sufficient evidence to establish a concrete link between Iraq and the al-Qaeda terrorist that committed the terrorist acts of September 11th, the fact remains that Iraq continues to sponsor terrorists with global reach."

I think this analysis holds true today. To use the words of British Prime Minister Tony Blair, "September 11 was not an isolated event but a tragic prologue, Iraq another act, and many further struggles will be set upon this stage before it's over."

Let us remember—Iraq had been labeled a State Sponsor of Terrorism by both the current Bush Administration as well as the Clinton Administration. Removing this breeding ground of terrorism was and is in this country's best interest.

Furthermore, Saddam demonstrated a complete disregard for his international obligations. Over the course of more than a decade, he willfully violated or simply ignored 17 U.N. Security Council Resolutions. He attempted to assassinate our former President, and he continually violated the peace treaty that he signed to end the first Gulf War. And let us not forget that Saddam also invaded two of his sovereign neighbors.

Saddam Hussein's blatant disregard for basic human rights was well-documented. He used fear arid intimidation to retain his grip on power, and his henchmen employed torture, rape, murder and a host of other unspeakable crimes to keep the Iraqi populace under his tyrannical control. I think it is again worth reminding my colleagues that these evil individuals no longer control Iraq, and Saddam finds himself on trial before his fellow Iraqis for crimes against his own people.

I believe that history will excuse the errors in our intelligence about weapons of mass destruction and reach a common-sense conclusion—military action to remove Saddam Hussein from power was justified, and the world is a safer place with Saddam Hussein in a jail cell.

The storm clouds were gathering in Iraq. As Franklin Delano Roosevelt said in his 1941 State of the Union Address, "when the dictators . . . are ready to make war upon us, they will not wait for an act of war on our part . . . they—not we—will choose the time and the place and the method of their attack." The wisdom of President Franklin Roosevelt still rings true today. It would have been a grave mistake to dismiss or ignore the threat posed by Saddam Hussein.

Our actions in Iraq and in Afghanistan were in response to the global threat we faced from state sponsors of terror that harbored and assisted our enemies. And whether you supported or opposed military action in Afghanistan and the use of force in Iraq, the fact of the matter is that we now have troops in the field working diligently to help fledgling democracies take hold in the Middle East. The world is watching, and we must remain committed to our principles and our mission. And we have a duty to stand behind our troops.

It is in our national security interests for the seeds of democracy take hold in Iraq. And we must continue to train and assist Iraqis to provide for their own security. A significant step towards the goal of a free, peaceful and independent Iraq will be the development of security forces, composed of and led by Iraqis, that is firmly under the direction and control of the freely elected government.

Ultimately, success will be achieved when Iraq is a stable country that is no longer a threat to the region or global security, a peaceable country that respects the rights of its citizens and its neighbors.

This is a difficult but worthwhile endeavor. And we are making tangible progress.

Iraqi security forces are growing in number and taking more responsibility for internal security. We have now trained more than 240,000 security forces, and these men and even some women are now beginning to take the lead in the fight against terrorist insurgents. Indigenous personnel and intelligence assets played a key role in the successful mission that led to the elimination of Abu Musab al-Zarqawi, al-Qaeda's leader in Iraq.

Democracy is taking root in Iraq. The Iraqi people have approved what is arguably the most progressive constitution in the Arab world, and last December, 75 percent of voting age Iraqis freely elected their new government. Iraq now has a new Prime Minister, Jawad al-Maliki, and the Prime Minister has filled all of the positions in his cabinet. The new government is a representative cross-section of Iraq's diverse religious and ethnic populations.

Things are moving forward on the economic front. In 2005, the Iraqi economy grew by an estimated 2.6 percent in real terms and the International Monetary Fund has estimated that it will grow by more than 10 percent this year. Foreign and domestic banks are opening new offices in Iraq and a stock market has been established. Vital infrastructure—schools, hospitals, fire stations and the like—continues to come online.

Progress in Iraq has been slow, but it is happening, and slowly but surely, things are moving in the right direction.

It has been suggested by some in this Chamber that we should either immediately remove our troops from Iraq or set artificial timelines for withdrawal. Like all Americans, I want our troops to return as soon as is possible. But I think it would be short-sighted to withdraw our military until stability has been established in Iraq. A premature withdrawal would waste the sacrifice of those who have worked so hard to promote freedom in the heart of the Middle East.

The National Defense Authorization Act for 2006 stated that "2006 should be a period of significant transition to full Iraqi sovereignty with Iraqi security forces taking the lead for the security of a free and sovereign Iraq." I agree with this language.

However, the job now is not finished. Iraqi security forces are not ready to counter all of the threats that are facing Iraq and cannot secure their country on their own. If we made the ill-fated decision to turn our backs on the Iraqi people, we would doom their brief experience with democracy and risk creating a lawless safe-haven for terrorists.

Our enemies know what is at stake in Iraq. Al-Qaeda views Iraq as the frontline in their efforts to combat the spread of democracy in the Middle East. They realize that our success in Iraq is a direct threat to their ideology of fear and hate. To walk away now from our mission in Iraq would be portrayed in the Arab World as a significant victory for al-Qaeda. It would draw into question or commitment to our allies in the region and our commitment to the very principles upon which our Nation is based.

Like all Americans, I want our troops home as soon as possible. And we as Congress have a constitutional obligation to weigh-in on this effort and ensure that our Nation's policy is consistent with a goal of achieving victory in Iraq. And as appealing as an immediate withdrawal may be to certain segments of our society, I think it would be irresponsible for Congress to turn our back on our obligations and call for the removal of troops from Iraq before the mission has been accomplished. And as a matter of fairness, the embrace of a "cut and run" approach to Iraq would waste the sacrifice of thousands of American troops who have served in Iraq.

Since September 11, 2001, we have not had a major terrorist attack on American soil, despite the clear desire of our enemy to again strike us here at home. We have terminated or captured dangerous terrorists around the globe, disrupted their financing, and denied them safe-haven. We should be proud of these accomplishments, but remain vigilant in recognizing that more work remains.

God willing, we will prevail in this struggle. May God bless the United States, and God bless the soldiers that defend it.

The SPEAKER pro tempore. Pursuant to House Resolution 868, further proceedings on the resolution will be postponed.

COMMUNICATION FROM LEGISLATIVE DIRECTOR, OFFICE OF THE HONORABLE SHELLEY MOORE CAPITO, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Aaron Sporck, Legislative Director for the Honorable SHELLEY MOORE CAPITO, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, June 12, 2006.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil deposition subpoena, issued by the U.S. District Court for the District of Columbia, for documents and testimony.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

AARON SPORCK,
Legislative Director.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to with an amendment a concurrent resolution of the House of the following title:

H. Con. Res. 409. Concurrent resolution commemorating the 60th anniversary of the ascension to the throne of his Majesty King Bhumibol Adulyadej of Thailand.

□ 2245

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MARCHANT). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THERE MUST BE A NEW DIRECTION IN IRAQ

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent to speak out of order and address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentlewoman from Texas is recognized for 5 minutes.

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Speaker, it has been a day of great importance, and tomorrow, we will conclude this debate on Iraq.

When I spoke earlier today, I mentioned that the dilemma that we have is that although there has been a debate, one would wonder, with such an important topic, why the process did not allow the American people to have alternatives to the present resolution on the floor and why we were so constrained that there could not be a definitive plan that speaks to the concern of the American people, the families of soldiers and veterans, and that is, to discuss fully, without partisan rhetoric, the idea of redeployment and the opportunity for our soldiers to return home.

Now, 2 years or so ago, I had, and offered, to this administration a concept that I believe would not have placed us where we are today. I rose today to say that I support the Murtha plan and resolution, which clearly provides an opportunity for redeployment as soon as practicable. It is not the cut-and-run theory. It is a theory that we respect the idea of the military fighting for our freedom and respect the fact that the military's mission has been completed.

Having just come back from Iraq myself, and been there three times and as well to Afghanistan, I know that the boots on the ground, the leadership on the ground is, by any means, any definition, the most excellent military in the world. We thank them. We thank their families. We thank the enlisted. We thank the Reservists, we thank the National Guard and any others, civilians who are serving on those front lines.

But we are the policy-makers, and we owe them not just a debt of gratitude. So, tomorrow, in protest for no plan, I will be voting "no" on the resolution. I do so without any shame or any conceding to accusations of not being patriotic. My patriotism is exhibited by my dissent and the dissent of the American people asking us to do something, to create a plan that tracks the sovereignty of Iraq, gives them the opportunity to move toward their own freedom, to protect themselves through the Iraqi National Army and the Iraqi National Police.

Let me just simply say to the American people that what we are discussing today are these soldiers who have been willing to put their lives on the front line. These are husbands and wives and aunts and uncles and cousins. These are mothers and fathers. These are our neighbors. These are, in fact, our brothers and sisters. These are Americans, individuals who have put themselves on the front line. We, as policymakers, should not cut and run on them.

I would just say to my colleagues that if we are to be patriotic, then we should do it by words and not by deeds.

So I would argue that what we have done to the soldier is to talk and not act. We have, in fact, devastated the United States Army, therefore, disallowing or at least causing them to be diminished and taking and causing us to put them in a position where it will take years for them to rebuild themselves.

We have undermined the military by not equipping the troops. When asked by a soldier in the field why U.S. troops did not have the right armor for their vehicles, Secretary of Defense Donald Rumsfeld said, as you know, you have to go to war with the Army you have, not the Army you want. What a callous, senseless thing to say, to throw our Army into harm's way, and careless about whether they are protected or have the armor to protect themselves, allowing families and parents to get their hard-earned pennies to send flak jackets to their children and then not taking care of our troops when they come home.

The Bush administration has not developed policies to take care of the thousands, 19,000 casualties who are injured, 2,500 of course who died, the 2,500 today.

Health care has proven inadequate, and wounded veterans have been hounded by debt collectors because of inefficiencies in the Pentagon's administrative expenses.

Mr. Speaker, this is not long enough for the catastrophic and necessity of the debate or the changes that are needed in order to change the direction of Iraq.

I, too, applaud the ending of Zarqawi's leadership of terrorism in the world, but that is not the end of the story, and we know that insurgency in Iraq is only 10 percent of the violence. The violence is between Shiite and Sunni and those young people who believe they can kill Americans with impunity and with immunity.

So I would simply say that I hope tomorrow there will be a metamorphical change. I hope someone will shine the light on this body. I hope we will rise with courage to say that there must be a new direction. I hope we will discard this senseless resolution that simply wants to make partisan or make a partisan battle about who supports the troops and who does not.

We cannot stay the course. Richard Nixon knew that we could not stay the course in Vietnam, and he changed the course of direction.

It is not anti-patriotic to be able to stand up against the wind of the majority, to be able to say that the dissenting Americans need to be heard, and if we are heard, it will be for the betterment of this Nation and the betterment of this world. Then we can begin to fight the global war on terror. Then we can be more successful. Then we can form the coalition that we need to weed out the terrorists and to truly create for our children a better world.

I hope tomorrow we will shed the light on this place and change direction in the Iraq War.

GLOBAL WAR ON TERROR

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. FORTENBERRY) is recognized for 5 minutes.

Mr. FORTENBERRY. Mr. Speaker, on June 6 we commemorated D Day, the day that American military forces stormed the coast of France 62 years ago to turn the tide in one of the most brutal conflicts the world has ever known. The United States sustained 6,603 casualties that day, yet the final victory over the forces of fascism remained nearly a year away.

Rows of silent graves at the American Military Cemetery in Normandy bear witness to the high price of freedom. They solemnly remind us that there is no substitute for perseverance and sacrifice if we are to prevail over the threats which challenge this Nation and the world today.

The global war on terror is a different war from the wars of the past. This is not a war of uniformed armies on clearly defined battlefields. It is a war that invades tranquil space and time without warning, carried out by those who hide among and behind civilian populations, seeking to exploit the vulnerable for ruthless purposes.

While we have endured the sacrifice of global wars during the past, we have never waged a war in an age of globalization, in an age when technology eviscerates the concept of distance, magnifies our losses, trivializes our accomplishments, and places our adversaries in a far better position to leverage the freedoms of our society against us.

In seeking to prevent another 9/11, the President and the United States Congress would have been utterly irresponsible to ignore the threat posed by Saddam Hussein in Iraq. It is important to note that in 1998 President Clinton ordered U.S. Armed Forces to strike military and security targets in Iraq because Iraq's nuclear, chemical and biological weapons programs posed a credible and serious threat.

But I am not here to argue the case for war today. The United States and our coalition partners made judgments to enter Iraq based upon the best available evidence, and now the commitment is ours to complete. We are all in this together, and the successful progression of our commitment in Iraq, from which I remain convinced that an abrupt withdrawal of U.S. troops would do more harm than good, is vital to achieving national security for America, stability and hope for all peoples of the Middle East, and establishing the prospects for civil reforms and long-term peace throughout the entire world.

While our mission continues to be dangerous and costly, it continues to make strong progress as well. The recent establishment of democratic institutions in Iraq is without cultural or historical precedent. This fact, combined with rapid progress in the deployment of Iraqi security forces, gives us realistic hope of diminishing conflict and a stable foundation for the prospects of long-term peace.

As we proceed with our obligation, may each one of us endeavor to discharge our responsibilities in a manner that is worthy of the sacrifices of the United States Armed Forces.

And may each of us recall that this obligation is ultimately connected to the mantle of leadership that has fallen to the United States, not only for our own welfare, but for the welfare of the entire world.

IRAQ WAR RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, on October 10, 2002, this Congress voted to give the President of the United States broad powers to engage in a unilateral first strike war against Iraq without a clearly demonstrated and imminent threat of attack on the United States.

Our oath of office as Members of Congress, our constitutional charge, the mandate laid upon us by the people, does not permit us to delegate the responsibility of engaging the awesome military power of the United States.

Our oath of office does not permit us to delegate our responsibilities in placing our fighting men and women in the field of battle, and I commend each and every one of them for the sacrifices they are making for freedom-loving people throughout the world.

Our Constitution places the power to declare war squarely and solely in the

Congress. This issue rises far above partisan politics.

President Lincoln put our congressional responsibility this way, when he said: "We cannot escape history. We of this Congress and this administration will be remembered in spite of ourselves. No personal significance or insignificance can spare one or another of us. The fiery trial through which we pass will light us down in honor or dishonor to the last generation."

I opposed that initial resolution, and I would later oppose because after all of the information I have seen, and after all I have heard, neither I nor a majority of the residents of my district, the 7th Congressional District of Illinois, are convinced that the war is our only, our best or was our most immediate option.

I was not convinced, and I am still not convinced, that the resolution would properly guide us to act cooperatively and legally through the United Nations with the agreement and the involvement of the international community. In fact, it led us to pursue risky, unilateral actions in defiance of international law and the United Nations Charter.

As the American people are attempting to make sense of this complex situation, it is the duty of Congress to ask some hard questions.

What are we accomplishing by keeping our troops in immediate danger in Iraq? In my judgment, the answer is not much.

□ 2300

In my judgment, commitment to the peaceful solution of problems and conflict is an important part of what our democracy should stand for, and that does not necessitate or demand continuous military presence in Iraq.

I am a member of the Out of Iraq Caucus, and we need to prepare for an honorable way out. It is my profound hope that as we press forward, we will press forward towards the mark of a high calling; that we will take the high road; that we will take the road that leads to peace and not to war, the road to peace based on mutual security and international cooperation.

Let us walk the road to peace knowing that it is also the road to the rights we have defined in the United Nations Charter for all humankind. Let us walk the road to peace not because it is the easiest road or the smoothest road or the shortest road, but knowing that it is the right road for the American people.

Sometimes in the pursuit of noble and inescapable goals it takes more courage and more vision not to fight or to fight in a different way. We can fight by arming, training, and equipping the Iraqi military and civilian police forces to provide security and protection for the Iraqi people in their country. We can fight by providing clean water, food, and medicine to the Iraqis.

This is one of those times when we must take the road that leads to peace and not down the path to continuous destruction. Let us have the courage and the vision to find a permanent peace and security, to remove the presence of terrorism and not just drive it underground. Surely, if America has a destiny, it is a responsibility to lead the world to such peace.

This is a time of testing for all of us. Let us not fail this great test. Let us pursue peace, and not war.

TURKEY'S EU MEMBERSHIP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, next week the European Union will begin conducting membership negotiations with Turkey. As this process begins, it is important that the EU not allow Turkey to take any shortcuts. I am confident the European Union will insist Turkey follow all the proper steps and make the substantial changes necessary in many areas before the nation could ever be accepted.

To date, I do not believe Turkey has made substantial and meaningful progress in many of the areas that are of concern to members of the European Union. Despite making commitments for its membership negotiations, Turkey's lack of progress in adhering to essential democratic principles is of great concern. It continues to be in breach of the pace and standards set forth under initial agreements with the EU. In fact, the EU has prepared a report criticizing Turkey's reform process.

During next week's meetings, the European Union must demand answers from the Turkish government as to why the nation is not meeting benchmarks it agreed to in order to receive EU consideration. The EU must also begin to seriously explore Turkey's continued disregard for improving fundamental freedoms within its boundaries, freedoms that are commonplace throughout the European Union.

There is no question Turkey is going to be forced and should be forced to make dramatic improvements in these areas before it can ever be considered for EU membership. The EU must also consider Turkey's relations with its neighbors. I remain a vocal critic of Turkey's treatment of both Armenia and Cyprus, and believe that these issues must also be addressed during next week's discussions.

Mr. Speaker, I am deeply concerned about Turkey's lack of progress in the diplomatic recognition of Armenia, the removal of its blockade against Armenia, and ending its official policy of denial of the Armenian genocide by coming to terms with it, an irrefutable historical fact affirmed by an increasing number of EU member states and European institutions.

Turkey's refusal to acknowledge the systematic killing of 1.5 million Armenians has no limits. Just last month, Turkey pulled out of a NATO exercise because the Canadian Prime Minister used the term "genocide" in reference to the massacre. Prior to that, the Turkish Ambassador to France was temporarily removed from the country as an act of protest against a French law making it illegal to deny the Armenian genocide.

This type of behavior goes on and on. Five journalists who criticized a court's decision to cancel a conference on the genocide were arrested. A leading Turkish novelist, Orhan Pamuk, was also arrested and charged with insulting Turkey's identity for referring to the Armenian genocide. Clearly, Turkey's protection of the fundamental freedoms of a democracy is simply inadequate.

Now, meanwhile, Turkey continues to illegally occupy the northern third of Cyprus. In 2001, the European Court of Human Rights rebuked the Turkish government when the court overwhelmingly found Turkey guilty of massive human rights violations in a scathing 146-page decision. The court concluded Turkey has not done enough to investigate the whereabouts of Greek-Cypriot missing persons who disappeared during life-threatening situations after the occupation.

The findings of the European Court of Human Rights should be taken very seriously by the EU, and the Turkish government should be forced to respond to these devastating charges before even being considered for membership. Turkey must also agree to once again come to the table and negotiate in good faith with Cyprus. Turkey simply cannot be admitted to the European Union if Cyprus remains divided and Turkish troops are still there.

Mr. Speaker, I urge my colleagues to join me in adding their support to a letter I am circulating with my colleague, CAROLYN MALONEY of New York. We will soon send a letter to Jose Manuel Barroso, President of the European Commission, to express many of these same concerns. I also strongly urge President Bush to personally raise these concerns with President Barroso.

It is imperative Turkey's progress is measured on the basis of its complete accomplishment of all necessary criteria set forth by the European Union.

IRAQ RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. ROSS) is recognized for 5 minutes.

Mr. ROSS. Mr. Speaker, it was September 26, 2002, I was sitting in the cabinet room of the White House with Condoleezza Rice, Andy Card, and President Bush, and the President explained to us that day, and I took notes and still have them, that Saddam Hussein had weapons of mass destruction; that Saddam Hussein was training terrorists on weapons of mass destruction; and that if military force was used, in President Bush's words, it would be swift. September 26, 2002.

It is now June 15, 2006, some 2,500 soldiers have died and more than 18,000 injured, many like Kevin Pannel, from Glenwood, Arkansas, who have been injured in ways that will forever change his life and so many others.

One thing we know for sure, Mr. Speaker, is that our intelligence failed us. There is not a more difficult decision that Members of Congress are asked to make than whether or not to send our men and women in uniform into harm's way. And when we are faced with making that decision, we must know our intelligence is right.

This has been a war that has touched most families, and mine is no different. My brother-in-law spent Christmas in the Middle East supporting a mission to refuel Air Force aircraft over Afghanistan. My first cousin was in Iraq serving our country when his wife gave birth to their first child.

We all have a story like that. We all know someone who has been there. I escorted a young woman and her two children to the White House this morning for a tour of the White House. They are in Washington, D.C. with her mom and dad on vacation. Her husband was in Iraq when she gave birth to their second child, and he is in Iraq today on his third mission in 4½ years.

I want you to know that our men and women in uniform and their service to our country is much greater, much greater than that of any Member of Congress or any President could ever be, and tonight I honor them.

There has been a lot of talk about this resolution that we will be voting on tomorrow. I have read it three times. It says that we support our troops, and I do. It says that we are against terrorists, and I am. It says that we are against a date certain for withdrawal from Iraq, and I agree with that, and so I plan to vote for this resolution tomorrow. But here is where I disagree with this President.

This President is spending $279 million of your tax money in Iraq every 24 hours. And yet if you ask him to be accountable for it, if you ask him how he is spending that $279 million of your tax money in Iraq every day, he will tell you that you are unpatriotic. I disagree with that. I believe in accountability. I believe that this President, this administration and this Republican Congress, must be held accountable for the $279 million of your tax money that they are spending in Iraq every 24 hours.

I also believe that this President lacks a plan. This resolution is full of saying things like, we support our troops, and I certainly do. It is full of things like saying, we are against terrorists, and I would hope we all are. But there is nothing in the resolution about how we are going to win, how we are going to win, and it is time for this President to give us a plan on how we can win in Iraq.

Mr. Speaker, I was in Iraq. We had some 3,000 Arkansas National Guard troops there August 11, 2004, and I went to let them know we support them and to make sure some of this money was being spent on them and the equipment they need to get the job done. I visited with young soldiers from my hometown, soldiers I had taught in Sunday school, soldiers I had duck hunted with.

And so I said to them, what do we need to be doing differently? They said we need to be hiring Iraqis to rebuild their nation's infrastructure. The insurgents are hiring them and they are accepting the money and lobbing cheap bombs at us. Why? Because they need to feed their family. And they also told me we need to be training a lot more Iraqis to take control of their military and police force. August 11, 2004.

February 2006, as a member of the NATO Parliamentary Assembly I was in Brussels visiting the Ambassador to NATO, the U.S. Ambassador to NATO, at his home. I visited with the Iraqi Ambassador there, and I asked him the same question. And you know what? Some 2 years later, he gave me the same answer.

It is time for this President, this Congress, to give us a plan to establish a democracy, to win the peace, a plan that will eventually allow us to bring our men and women in uniform home.

IRAQ RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut (Mr. SHAYS) is recognized for 5 minutes.

Mr. SHAYS. Mr. Speaker, I do not think I am going to take the full 5 minutes, but I have been in this House Chamber almost all day and I hear these arguments that we don't have a plan to end the war in Iraq and succeed, and that is just simply not true. It is not true at all.

The fact is the plan was wrong in the sense that there was the anticipation that it would happen more easily. But the plan is very clear. It is not simple. It requires that the Iraqis have their own police, their own border patrol, and their own army in order to secure themselves. And since we did not allow for their police to be restood, we had to start from scratch and train them.

And it is simply not possible to train a police and border patrol, an army, in 1 year or 2 or 3. There are 26 million Iraqis in a country the size of California. But every day we train more and more of them, so that now they control about 42 percent of the land that includes 42 percent of the population.

So as we continue with our plan, as we continue to train more and more Iraqis, we are able to move our troops out and move their troops in. We are able to move their police in and our troops out. We are able to move their border patrol in and our troops out.

Now, it is clear that they do not have the logistics, so we will still have to be there later, but not in the numbers that we have now. That is all part of the plan; to train their troops, train their border patrol, train their army, and allow them to take our place.

What we object to is leaving prematurely. And if you ask an Iraqi what their biggest fear is, and having been there 12 times I have spoken to a lot of them, it is basically the same thing, it is that you will leave us; that you will leave us before we can take hold of democracy and before we can defend ourselves. That is their biggest fear. Some of them even say, like you did in Vietnam. And some of them will make reference to what they hear on CNN or what they hear about elected officials who say we need to get out, we need to have some kind of artificial timetable.

☐ 2315

Thank goodness George Washington didn't have Congress telling him he had to have a timetable to beat the Brits. Thank goodness when all the generals criticized Abraham Lincoln, we didn't say, well, the generals are against Abraham Lincoln, he doesn't have a plan, we better just fold our tent. Thank goodness that didn't happen.

The bottom line for me is very clear. We may have been wrong about weapons of mass destruction, and for that the President loses credibility, and people like me do, and people on the other side of the aisle who voted for going into Iraq, and now pretend like they didn't, we all lose our credibility there. But we don't lose our credibility with this: Saddam Hussein had weapons of mass destruction. He used these weapons on his own people and neighbors. He didn't abide by the agreement that stopped us from going into Baghdad. He has now been removed. Thank God.

The Iraqi people have a democracy that is flourishing and is extraordinarily impressive. Three elections have allowed the Iraqis to form a government that created a Constitution, adopt a Constitution, and then elect a government under that Constitution.

All the Iraqis are asking from this Congress is you came in, you removed our security people, you have given us a taste of democracy, let us live that democracy and let us have the capability to protect ourselves before you leave. That's our plan.

ACCOUNTABILITY FOR IRAQ WAR

Mr. STUPAK. Mr. Speaker, I ask unanimous consent to proceed out of order and address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. STUPAK. Mr. Speaker, I come before you tonight after listening to the presentations that have been taking place all day, not only as a Member of this body but as a parent who has lost a child. My son, B.J., who passed away a little more than 6 years ago, would have turned 24 tomorrow. Every time I learn about loss of life in Iraq, another son or daughter, mother or father, brother or sister, I can't help but think about my son B.J. and the profound pain and loss that will remain with us for the rest of our lives.

That intense pain that we feel over the loss of B.J. is being felt every day by those families here in America who have suffered a loss in Iraq, and that is one of the reasons why I oppose this war and one of the reasons why I plan to oppose this resolution.

But one of the other reasons I oppose this resolution deals with honesty and truth. Boake Carter is credited with saying that "in time of war, the first casualty is truth."

Mr. Carter's statement is applicable to the resolution before us today. Like the one-sided resolution presented to the House last December, the Republican majority has refused to allow a true debate on the war on Iraq. The truth is 2,500 servicemen and -women have died in Iraq. The truth is the so-called coalition countries, including Great Britain, are drawing down their troops in Iraq. The truth is the Republican majority in its resolution today wants to blur the truth, that the cause and purpose of the war in Iraq is the same as the war in Afghanistan.

The truth is the Republican majority in its resolution today wants to blur the truth that the cause and purpose of the war in Iraq is justified by the terrorist attacks of September 11.

The truth is the Republican majority in its resolution today wants to blur the truth saying that we who oppose this war in Iraq are not as patriotic as those who support the war.

The truth is the Republican majority in its resolution today wants to blur the truth saying that those who do not support Resolution 861 do not support our troops in Iraq.

Resolution 861 continues the open-ended commitment of U.S. troops in Iraq and embodies President Bush's latest attempt to justify the U.S. involvement in Iraq.

Last December the President and his congressional allies claimed the Iraqi parliamentarian elections were a "crucial victory" in establishing a democracy in Iraq. Thus, through this election, "victory" was inevitable in Iraq. Even Vice President CHENEY declared the insurgency was "in their final throes."

America has heard this type of reasoning before from President Johnson during the Vietnam War. In 1967, the South Vietnamese freely elected their government. President Johnson then declared the Vietnamese election had established a democracy supported by the Vietnamese people. Even our Vietnam military leaders declared the war would be over soon as there was "light at the end of the tunnel."

After this Vietnamese election, and the light at the end of the tunnel, 3,800 more Americans would die in Southeast Asia.

Since May 1, 2003, when the President declared "mission accomplished" in Iraq, over 2,300 troops have died in Iraq. What is the victory that the President and his congressional supporters envision in Iraq for the U.S.? What is the strategy for the Iraqi war mission to be accomplished?

This is not a war like our grandparents fought. This is an insurgency. There is no country to hoist a white flag of surrender. There is no recognized political entity that America can sign a peace agreement with. There is only an insurgency of fanatics who have no desire to reach peace with the United States.

Our brave men and women in the military are trying to build a democracy in a country that views U.S. troops as occupiers. Almost one-half of the Iraqi people believe it is justifiable to kill our U.S. troops. The U.S. military has been used to prop up a government being threatened by a guerrilla insurgency.

With this Iraqi insurgency, I cannot envision an event, a goal or a date when victory in Iraq can indisputably be achieved.

What has President Bush said about achieving victory in Iraq? The President said the United States will stay the course and the next President will have to withdraw our troops from Iraq. It will be 2½ years, or 30 months, before this President leaves office. Does this mean America will spend another $300 billion on the war in Iraq? Does it mean America will suffer 18,000 more young people to war wounds and another 2,500 killed?

In October 2002, I warned that this administration would open a Pandora's box if the United States unilaterally went to war in Iraq. Mr. President, you opened Pandora's box with all its death and destruction of American and Iraqi lives. You cannot simply wash your hands of this war and leave it to the next President to withdraw our troops from Iraq.

It is time for America to demand accountability from the President and the Iraqi Government. It is time for an Iraqi accountability plan to bring this war to an end.

Because of America's sacrifice, the people of Iraq have been able to participate in a democracy by electing the leaders who will shape their young government and institute laws to protect them. This is a giant step towards accountability.

The formation of a new government in Iraq is more than just filling out a cabinet. It is an opportunity for the people of Iraq to accept responsibility for governing their country. This responsibility extends beyond voting or forming a new government or killing Abu Musab al Zarqawi. Now, is the time for Iraqis to be accountable for themselves and their developing country.

I believe that in order for the principles of democracy to take hold in Iraq, the target of the insurgency, our U.S. troops, must be removed as soon as possible!

The President must develop a strategy to bring our troops home. I believe America should demand from the Bush administration an Iraq Accountability Plan that will set clear and measurable goals. The United States has provided the Iraqis with an opportunity for freedom, democracy and self-governance. But it is the responsibility of the Iraqi people to seize the opportunity and set forth these principles in their land.

In this war; the truth lies in today's The Washington Post headline which states "Iraq Amnesty Plan May Cover Attacks on U.S. Military." The war in Iraq has boiled down to amnesty for insurgents who attack and kill U.S. soldiers but no amnesty for the insurgents who kill Iraqi citizens. This amnesty proposal appears to have the tacit agreement of the Bush Administration for Iraqi government Officials stated, "There's some sort of understanding between us and the UNF–I [The U.S.-led Multi-National Force-Iraq] that there is a patriotic feeling among the Iraqi youth and the belief that those attacks [on U.S. military personnel] are legitimate acts of resistance and defending their homeland. These people will be pardoned definitely, I believe."

If you vote "yes" on this Resolution, you are supporting the Iraqi Government's belief that it is "ok" to give Iraqi's amnesty for attacking and killing U.S. troops!

I cannot, and I will not support Resolution 861 which supports a government that pardons and justifies killing of 2,500 American personnel as Iraqi patriotism!

I will not support a resolution that leaves our commitment in Iraqi "open-ended"; or which allows this President to hand over the Iraq war to the next President, 30 months from now; nor a resolution that does not have a strategy to end the war in Iraq.

I urge my colleagues to reject this resolution!

H. RES. 861, IRAQ RESOLUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Virginia (Mr. SCOTT) is recognized for 5 minutes.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in opposition to the resolution on the Iraqi war.

Mr. Speaker, as we discuss what to do now, we must first acknowledge the fact that we cannot discuss an exit strategy for leaving Iraq without first stating what the entry strategy was, and then stating what we are trying to accomplish now.

We were originally told we invaded Iraq because they had weapons of mass destruction. That turned out not to be true. We were then told that we invaded Iraq because the Iraqi leaders were connected with the 9/11 attacks. That turned out not to be true. The rationale that Iraq posed an imminent threat to the United States was exposed as untrue even before the invasion.

A letter from the Director of the CIA to the Chair of the Senate Intelligence Committee dated October 7, 2002, specifically stated that the CIA believed that Iraq and Saddam Hussein did not pose a terrorist threat to the United States and would not be expected to pose such a threat unless we attacked.

Mr. Speaker, after it became clear that there were no weapons of mass destruction, that Iraq had nothing to do with 9/11, and that Iraq posed no terrorist threat to the United States, we have been subjected to the excuse of the week for being in Iraq.

We were told that we needed to capture Saddam Hussein for our safety. He has been in jail for over a year, and yet we are still in Iraq.

Then the rationale changed and we were told that we needed to capture al Zarqawi. We did that, and we are still in Iraq with no apparent plans to leave.

The rationale for this week is that we are still in Iraq in order to establish a democracy. But we have to recognize that the nature of a democracy is that it cannot be imposed on anyone. Further, if the purpose is to establish a democracy in Iraq, it is ironic that the citizens right here in Washington, D.C. cannot elect a representative to vote on this very resolution.

Mr. Speaker, the simple fact is that we made a mistake and the only sensible rationale for still being there is because we made a mess and we have a moral responsibility to clean up that mess. And so we have to acknowledge that we are in quagmire, and it will become clear that there are no good results that can occur.

Cut and run, bad result. Stay the course to prove we have resolve, bad result. Don't worry, be happy, bad result. Continue to pretend that success is around the corner, bad result. I do not use "quagmire" lightly. This administration's poor planning has strained our troops and many units are on their second and third tours. Attacks on United States forces are increasing, not decreasing. During the course of our occupation, the number of insurgents has dramatically increased, and our presence in Iraq has been counterproductive, just as the CIA predicted. As of today, 2,500 servicemembers have been killed and many more wounded.

Our military equipment is wearing out much faster than normal. Emergency reserve stocks have been stripped. We have endured the embarrassment of torture at Abu Ghraib prison and questionable detention policies at Guantanamo Bay, and we have not begun to effectively deal with the issue of corruption in private contracts.

Despite spending billions of dollars on electricity and reconstruction, over half of the Iraqi households lack clean water, and 85 percent lack reliable electricity.

Mr. Speaker, we have to be reminded that when we first invaded Iraq, the administration instructed the Budget Committee not to even budget for the war because it would cost so little. But now we have appropriated almost $400 billion, not including future medical costs for injured troops, and that has to be compared with the $7.4 billion that it cost us to defeat Iraq in the Persian Gulf war.

Meanwhile, we have problems at home. There are shortfalls in the Department of Veterans Affairs, cuts in first responder grants, only 5 percent of the containers in our ports are being screened, and the administration has failed to adequately implement the 9/11 Commission's recommendations.

Mr. Speaker, we are not more secure. We are less secure as a result of the war.

Many experts have concluded that the military has done as much as it can, and so our exit strategy must include the use of diplomacy and politics, using the lessons we have learned from our mistakes.

But today, instead of honestly assessing what we are going to do in Iraq, we are considering this resolution, which repeats all of the disparaged reasons for the invasion and proclaims that its success, not a civil war, is just around the corner, and that we should follow the strategy of don't worry, be happy.

In contrast, any real debate would have us start with an honest assessment of our situation. But without articulating why we invaded in the first place and what we want to accomplish now that we are there, we cannot have an exit strategy. There can be no coherent discussion of an exit strategy while we are being directed by this resolution to accept the smiling face, don't worry be happy description of our situation in Iraq.

Mr. Speaker, we should defeat the resolution.

IRAQ RESOLUTION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. GOHMERT) is recognized for half the time until midnight as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I do appreciate the time here tonight. There has been so much discussion today about the resolution on which we will vote tomorrow that we wanted to address that. And I have a friend with whom I went to Iraq in April, Congressman SHAYS from Connecticut, who will also be assisting in this hour.

I would just like to clarify for those who are interested what this resolution involves. Because the time is short remaining, I won't read all of the whereases, but I will go straight to what is normally referred to as wherefores.

Resolved that the House of Representatives honors all of those Americans who have taken an active part in the global war on terror, whether as first responders protecting the homeland, as servicemembers overseas, as diplomats and intelligence officers, or in other roles.

□ 2330

Honors the sacrifices of the United States Armed Forces and our partners in the coalition and of the Iraqis and Afghans who fight alongside them, especially those who have fallen or been wounded in the struggle, and honors as well the sacrifices of their families and others who risk their lives to help defend freedom.

Number 3, declares that it is not in the national security interests of the United States to set an arbitrary date for the withdrawal or redeployment of the United States Armed Forces from Iraq.

Number 4, declares that the United States is committed to the completion the mission to create a sovereign, free secure and United Iraq.

Five, congratulates Prime Minister Nouri Al-Maliki and the Iraqi people on the courage they have shown by participating, in increasing millions, in the elections of 2005 and on the formation of the first government under Iraq's new Constitution.

Number 6, calls upon the nations of the world to promote global peace and security by standing with the United States and other coalition partners to support the efforts of the Iraqi and Afghan people to live in freedom.

And 7, declares that the United States will prevail in the global war on terror, the noble struggle to protect freedom from the terrorist adversary.

And I think that last point, Mr. Speaker, is the one on which there is so much dissension from the other side and there are a few Members on our side that are concerned, but it declares, we actually believe, and a positive vote tomorrow will indicate, we believe we are going to prevail in the global war on terror. And the truth of the matter is we don't have a choice. It is either prevail on the global war on terror, or be prepared to give up so many freedoms that I do not want to see this Nation give up. Far too many people have given their lives to get us what we have.

Now, one note I would like to address that has been brought up time and time again, well, the President lied to us about WMDs. There are no weapons of mass destruction. Well, we know there were at one time. But to hear it said over and over, and hear again today, during the day today, over and over, well, the President lied to us about weapons of mass destruction. The President lied to us about weapons of mass destruction. His administration lied to us about weapons of mass destruction. And I think the jury is still out. We are finding documents that apparently refer to things that were taken to Syria. There may be things that turn up that we haven't yet found.

But let's say, for argument purposes, that there are no weapons of mass destruction. You know, being a Christian is part of who I am. We have been taught to forgive. I think it is high time, if the President lied to us about weapons of mass destruction, then let's forgive President Clinton for all those lies. Let's forgive his administration, people like Madeleine Albright that lied, and let's move on. Let's put that behind us and just get on down the road.

And I would like to say, I do appreciate the visitation that Congressman MURTHA makes to those who have been injured and harmed and to the grieving families. He is very devoted in his visitation. And it obviously, as I have talked to him, it obviously affects him, as it would any of us that see people suffer.

There in East Texas, in my district, we had a Private First Class Steven Wright who is 19 years old. Was killed, he was from Kilgore, Texas. And, you know, some of us, this was before I got elected to Congress. But having spent 4 years in the Army, I have been to funerals enough, back in the days when people didn't come to service members' funerals. And they present the flag to the deceased family and say, on behalf of a grateful Nation and they would look around, go where is the grateful Nation. There is nobody here. Just a few friends. Where is the grateful Nation?

And so out of concern that there might not be many show up to that young man's funeral, this hero, Steven Wright from Kilgore, many of us showed up from around east Texas that have been in the service before. And I am telling you, that little rural church was a few miles from the cemetery there on Highway 31. And I ended up at the back, and I checked the mileage. There were cars creeping along three solid miles to have their opportunity at the cemetery to pay tribute to that young man and his family. And I saw them again Memorial Day, his family. They know what the price is. They are not ready for us to cut and run. They know that to do that would diminish the value of what Private Wyatt fought and died for.

We had a Marine that I visited 2 or 3 weeks ago from Marshall, Tony Flynn. He took a mortar round in the chest. And I think through the prayers and the grace of God, he is doing well. And his mom was there with him. He is doing well. I tell you, there have been so many sacrifices. How tragic if we were to cut and run and leave all that has been done. So close. I mean, democracy is right there within their grasp. And when I was with Congressman SHAYS and Congressman MARSHALL over there, we had a meeting, the leader of the Kurdish party, Shiia party, Sunni party, and in talking with them, one of the things I mentioned to them was that it is within their grasp. Just get the Prime Minister appointed. Get the cabinet appointed; that they can let this opportunity pass them by and they will be forgotten, or they can grasp it and they would be the George Washingtons and the John Adams and the Patrick Henrys of this next, well, of the next generations to come, as well as in the Middle East itself.

I couldn't help but note, my good friend Mr. SCOTT said there is no good result that can occur from what we are doing there. Well, I have got good news. There have already been good results. You took a country that had never experienced democracy, never knew democracy, and yet in 2005, that first election, there were fliers all over the country, little fliers, had two sentences in their language that simply said, you vote, you die. Despite those all over the countryside, people turned out in millions to vote. They did it again for a constitution, and they came out in even greater numbers, and the Sunnis participated in the election in December. I am so proud of the courage of those people.

And I would like, at this time, to yield to my friend from Connecticut (Mr. SHAYS). As far I know, I don't believe there is any other Member of Congress that has been more times to Iraq to ensure that we are doing the right thing, that our money is being spent appropriately, that we are giving our troops the things they deserve because of his heartfelt desire, and he is a big hearted man. But his heartfelt desire to make sure that our people are protected, our guys in harm's way are getting what they need and we are doing the right thing.

So, Mr. Speaker, I would be interested in hearing from my good friend, Mr. SHAYS from Connecticut, on this subject at this time. I yield to Mr. SHAYS.

Mr. SHAYS. I thank the gentleman for yielding. And just to say that I appreciate the opportunity to appear with him and to have some dialogue.

Being to Iraq 12 times has been very interesting for me because what I have been able to do, I go every 3 or 4 months and I am able to kind of graph out how well we are doing or how well we are not doing and to have a sense of where we are headed.

If you were to just take April 2003 when I was there, and now, in June of 2006, you would say, well, we are not, things aren't as good as they were way back in April when everyone was euphoric. And if you are tempted to draw those two points you see a downward slope. But if you were an economist or anyone else looking at a graph you would say, well, what happened in between? Is the trend line up or is it down? Well, it has clearly been up. And the reason it has been up is that we saw a serious decline in what happened in Iraq shortly after we took over. We, unfortunately, allowed for the looting. We, unfortunately, didn't take charge of the munitions depots. So Iraqis got in there and took out a lot of armaments. And then we, and I think this was the biggest mistake. We allowed their army, their border patrol and their police to be disbanded.

Now, what we basically said to 26 million Iraqis is, you have no police, no border patrol and army. And then what we said to 150,000 troops, mostly Americans, is you have to be their army, their police and their border patrol. Really, an impossible task. And I say that with a lot of regret, but also with the recognition that explains why things really started to decline. And what you then saw is the fact that you saw the Iraqis have real concerns about the United States. We had said, you lay down your arms, don't fight, and we will work with you. And the Iraqis would say to me, why are you putting my brother and my father and my uncle, my cousin, my son, particularly my husband out of work? That was their argument. And they said, why can't they at least guard a hospital?

Well, those were very poignant words for me because the first death we had was Wilfredo Perez from Norwalk, a young man who was guarding a hospital. We had another death Tyanna Avery Felder, this young woman from Bridgeport. And then we lost another American, Jack Dempsey, a very young man who graduated from high school and wanted to be in the Marines, and he went in the Marines instead of going on to college. These three fine Americans from my district lost their lives. I can look their families in the eye and say, without any hesitation whatsoever, that they did not die in vain. I can say that so long as we don't abandon Iraq, leave prematurely.

When we dug this hole with no army, no police and border patrol, and asked our military, we saw the problems that we have seen. But then what did we do to turn this corner and head in the right direction? We started to train their police, their border patrol and their army. That is what we did. And we saw in 2005, extraordinary elections.

I was there for the first election. It was one of the most thrilling things that I have ever seen in my entire life. We were in a Kurdish area, in Irbil, and we saw Iraqi women bringing their husbands and family members to vote. They were so excited that after they voted they celebrated. And I was so excited watching these brave people as they voted. And what I saw was something pretty extraordinary. What I saw were Iraqis thrilled with the opportunity to vote. And I asked if I could put my finger in that ink jar. And they looked at me and said, with some astonishment, no. You are not an Iraqi. And I thought, she could have said I wasn't a Kurd. But she said I wasn't an Iraqi. She didn't think of Sunni, Shiia and Kurd. In fact, when I go to Iraq and I will ask someone, are you a Kurd or a Shiia or a Sunni, they will say I am a Shiia, but I am married to a Sunni, or I will ask someone the same question. They will say, I am a Kurd. But sir, Kurds are Sunnis.

For me, it is an amazing thing to go to that country and to see the absolute conviction that Iraqis have that they can have a better future. And I think as I am seeing this, back here at home we are saying we need to leave. Again, when I ask the Iraqis what is their biggest fear, their biggest fear is this, that you will leave us, that you will leave us before we can take hold of democracy and own it.

And I know my colleague made reference to the concept of lying. There is no question in my mind that anyone lied about weapons of mass destruction, not a scintilla of doubt about that issue. And I could confirm it in a whole host of ways. One is, we didn't let our troops go into Iraq until every one of them had protective chemical gear.

□ 2345

If we didn't think they had chemicals, if we didn't think they would use it, we sure as heck would not have spent our time doing that. What we should have made sure of was that they had body armor. So they did not have body armor. They had exactly what we thought they needed: protective gear against chemicals.

When I went to the Brits, the French, the Turks, the Jordanians, and the Iraqis, they all said this to me: He has weapons of mass destruction. Only the French said he wouldn't use it.

The SPEAKER pro tempore (Mr. MARCHANT). The time for the majority has expired.

Is there anyone from the minority that claims the additional time?

Mr. GOHMERT. Mr. Speaker, I ask unanimous consent to use the remainder of the time being there is no one here.

The SPEAKER pro tempore. Without objection, the gentleman may proceed until midnight.

There was no objection.

Mr. GOHMERT. Mr. Speaker, I continue to yield to the gentleman from Connecticut.

Mr. SHAYS. Thank you. I am almost done for this part, and I would encourage the gentleman to stand up so we could have a little bit of a dialogue about this.

But when I read what he read in the resolution, declares that it is not in the national security interest of the United States to set an arbitrary date for the withdrawal or redeployment of United States Armed Forces from Iraq, I think it is a very clear statement. If people think it is in the national interest to have an arbitrary date, they can vote "no" against this resolution and hold their head up high. If like you, Mr. GOHMERT, and I feel that it would be an absolute huge mistake, and, in fact, I am not aware of any war that has been won by setting arbitrary dates, then we would want this statement to stand and we would support it. This declares that the United States is committed to the completion of the mission to create a sovereign, free, secure, and united Iraq. I believe the war in Iraq is a noble effort. I believe this describes exactly how I feel. If there are those who feel that we should not complete the mission to create a sovereign, free, and secure and united Iraq, they have the ability with their heads held high to vote against it.

I appreciate the opportunity we have had to debate these two very important points.

Mr. GOHMERT. Reclaiming my time, you brought up the point about an arbitrary date earlier tonight and then again just now, and for illustration purposes I can't help but think about World War II. And here you had Hitler basically hunkered down trying to withstand the onslaught as Patton and the 3rd Army and Montgomery moved forward. What if Congress had demanded a date at that time or before then and said if we do not win by, say, December 1 of 1945, it is hard to imagine but you know good and well Hitler would never have killed himself. He would have been in a bunker saying if we can just hold out, if I can stay on the run and stay alive until December 1, I win and I will be alive and can carry on some other day and continue with basically guerrilla tactics.

As the gentleman from Connecticut has said, no war has ever been won by setting an arbitrary date beyond which we were not willing to fight. Once the enemy knows that there is a date and that is all they have to get by, then it is just a matter of their surviving until that date and then they win.

Mr. SHAYS. If the gentleman will allow me to comment, I think the gentleman makes a very good point. I love to just think of the Revolutionary War and, being somewhat a student of history and loving history, thinking of when my professors would tell me that one-third of the American people supported the war against Great Britain, one-third opposed it, and one-third didn't care or didn't even know there was a war. But we were pretty divided. In fact, the war during that time we had families absolutely divided. And Benjamin Franklin's son was the governor of a State, did not want to give up that authority given to him by the crown, and opposed the war. Even among their own family, there was division.

But what I think about that Revolutionary War that just blows me away is George Washington had one failure after another after another. In fact, they said if the wind had been blowing the other way, he would have been captured in Manhattan. Thank goodness there was not the press that said we have made all these terrible mistakes, we need to leave. And it gets me to this point. We have made mistakes, but they do not justify leaving. What is justified is to stop making those mistakes and doing it the right way.

And if the gentleman would just indulge me a little longer, I am well aware that Abraham Lincoln was constantly criticized because his generals were not winning. In fact, his generals started criticizing him. In fact, a general ran against him in his reelection because they thought he was not fighting the war properly. So thank goodness we did not set an arbitrary date on either George Washington or Abraham Lincoln. Thank goodness we did not say because you have made mistakes, we have got to just stop.

Mr. GOHMERT. Of course, being a history major at Texas A&M, I also am a great fan of history and do believe the adage those who refuse to learn from history are destined to repeat it. And then, of course, the follow-up to that is those who do learn from history will find new ways to mess up.

But going back to the Revolutionary War, the gentleman from Connecticut gives a great example. As history indicates, and McCullough did a great job of documenting this in his book 1776, before the victory December 24, 1776, where Washington crossed the Delaware, there was not much to really crow about. And as the gentleman well knows, that retreat from over to Manhattan with the superior British forces there could have been a disaster and would have been if the wind had been blowing the other way. But I think it was providential that fog came in and covered their retreat. But I believe it was on December 27, not only did the Congress not set an arbitrary date by which he had to win, they were so committed to victory, they passed a resolution that basically gave Washington whatever power he needed, whatever authority to spend money he needed to get the job done, to get the troops reassigned so that they could fight until they won the war. That is how committed they were. And in the cover letter, as I recall, and this is a testimonial to Washington's being the man for the time, it went along the lines of basically we submit a copy of the resolution and knowing that neither man nor his liberty will be in jeopardy with your having all this power, and then when it is no longer necessary, you will return it back, as well he did. But what a contrast to the discussion today to say, you know what, let us set an arbitrary date over here and then just pull out after that. We would not have had a successful conclusion to the American Revolution.

I would like to address something here. This is taken off-line from USA Today. And it says "Text of a Document Discovered in Zarqawi's Safe House," and then it has updated June 15, 2006, 2:31 am, the Associated Press. And it says "Text of a document discovered in terror leader Abu Musab al Zarqawi's hideout. The document was provided in English by Iraqi National security adviser Mouwafak al Rubaie. And this is supposedly from these guys, that it was discovered in a safe house. And it documents exactly the things that so many on the other side and a few on our side have been saying is not the case. Our own enemies have documented what Mr. SCOTT will be glad to know are good results that have been occurring.

And it goes on to say, and these are the terrorists writing this: "As an overall picture, time has been an element in affecting negatively the forces of the occupying countries due to the losses they sustain economically and human lives, which are increasing with time. However, here in Iraq, time is now beginning to be of service to the American forces and harmful to the resistance." The terrorists call themselves resisters.

"For the following reasons:

Number one, "By allowing the American forces to form the forces of the National Guard, to reinforce them and enable them to undertake military operations against the resistance." The resistance being the terrorists, which is just what the gentleman from Connecticut (Mr. SHAYS) was saying earlier. We have been there. They are training them. Some opponents are saying we have not been able to train people, that they cannot protect themselves. Well, the terrorists are saying in this document that our forces have been able to form them and train them and reinforce them and enable them to undertake military operations.

Mr. SHAYS. Will the gentleman yield on that point?

Mr. GOHMERT. I certainly will yield.

Mr. SHAYS. What is important in your dialogue is the terrorists. And there was this argument: Well, the terrorists are not in Iraq. I am not going to argue whether they were there before we went in, but no one can argue that they are not there now. In fact, the prince of the terrorists, al Zarqawi, was killed. He was killed operating and doing his handiwork in Iraq.

Mr. GOHMERT. Reclaiming the time, it is such a great point. He was killed.

I will tell you, I do not know if the gentleman has been hearing some of the ridiculous reports. One thing we have seen from this administration is they cannot keep secrets too well. The President went to Iraq without but a handful of people knowing. But if they try to keep a secret very long, somebody leaks from all over the place. And so there were some reports, and I couldn't help but shake my head, that said, We think they had Zarqawi on ice in a freezer somewhere and they just brought him out. And some have said he was beaten to death, that a bomb did not do that. Do you want to know how absurd that is? Can you imagine this administration having Zarqawi in a freezer somewhere for weeks and somebody not leaking that? I am sorry. That could not happen. That would have been leaked by somebody that they have got Zarqawi on ice.

Mr. SHAYS. I do not know, if that is the kind dialogue that has been happened in Texas. Most of my folks have recognized that we got him and it was due to good intelligence. But if I could, you are talking about this administration. Let me just talk briefly about what a former administration said, in other words, what Bill Clinton said, according to John A. Torres from the Florida Today on June 13 in a meeting he had on the 12th. He wrote, "Former President Bill Clinton told Florida Democrats on Monday that Iraq's fledgling government would falter if the United States were to withdraw its troops. He also said more terrorists could emerge from that region without an American military presence."

So he is arguing that without a presence it would be worse. Then he said, and this is a quote: " 'The representative government there in Iraq is a hopeful sign,' " Clinton said at a fundraising reception for the Florida Democratic Party at the Orlando Marriott downtown. 'But we need to stay there long enough for the politics to get worked out,' he said. 'If we withdrew tomorrow, that government couldn't survive.'

"Clinton said he didn't agree with the original decision to invade Iraq before finishing military operations in Afghanistan. However he said the focus now needs to be on stabilizing Iraq and he warned that occupying Iraq for too long would backfire." Too long it would backfire, but he is very clear: We cannot leave until we stabilize Iraq.

Mr. GOHMERT. Those are important words from our former President Clinton, who had said himself numerous times that they did have weapons of mass destruction in Iraq, that Saddam did, and I am glad to hear that he is recognizing that an arbitrary withdrawal would be devastating.

There are numerous other things here in this document. If I could just touch on a couple very briefly as our time comes to a conclusion. He goes through about how the picture is bleak, and he goes on to say: "Based on the above points," and there were seven of them, "it became necessary that these matters should be treated one by one." And he has a strategy. The strategy is to use the media for spreading an effective and creative image of the resistance, or otherwise the terrorists. Another point was to create division and strife between America and other countries and among the elements disagreeing with it. And then after seven more points, he says: "In general and despite the current bleak situation, we think that the best suggestions in order to get out of this crisis," he calls it a crisis, "is to entangle the American forces into another war . . . "

Mr. SHAYS. This is al Qaeda that is saying that; correct?

Mr. GOHMERT. This would be al Qaeda that is saying this. They realize that they are in a crisis, they are big trouble, and that we are prevailing and that the situation looks bleak.

We believe the United States will prevail in the global war on terror and the noble struggle to protect freedom from terrorist adversaries will be all worthwhile.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. MILLER of Michigan (at the request of Mr. BOEHNER) for June 12, 13 and 14 on account of a family emergency.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. JACKSON-LEE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. ROSS, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mrs. JONES of Ohio, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. BALDWIN, for 5 minutes, today.

Mr. SCOTT of Virginia, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. GOHMERT) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, June 22.

Mr. DUNCAN, for 5 minutes, today.

Mr. BISHOP of Utah, for 5 minutes, June 20.

Mrs. KELLY, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. FORTENBERRY, for 5 minutes, today.

Mr. SHAYS, for 5 minutes, today.

ENROLLED BILL SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4939. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2006, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Friday, June 16, 2006, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

8088. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Small Lots of Seed Without Phytosanitary Certificates [Docket No. 02-119-2] (RIN: 0579-AB78) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8089. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Standards for Privately Owned Quarantine Facilities for Ruminants [Docket No. 00-022-2] received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8090. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Importation of Baby Corn and Baby Carrots From Zambia [Docket No. 05-059-2] received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8091. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Emerald Ash Borer; Quarantined Areas; Indiana, Michigan, and Ohio [Docket No. APHIS-2006-0046] received June 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8092. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Tuberculosis in Captive Cervids; Extend Interval for Conducting Reaccreditation Test [Docket No. 04-094-2] received May 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8093. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Apricots Grown in Designated Counties in Washington: Temporary Suspension of Container Regulations [Docket No. FV06-922-1 IFR] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8094. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Sweet Cherries Grown in Designated Counties in Washington; Removal of Container Regulations [Docket No. FV06-923-1 IFR] received May 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8095. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Nectarines and Peaches Grown in California; Revision of Handling Requirements for Fresh Nectarines and Peaches [Docket No. FV06-916/917-1 IFR] received May 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8096. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Eligibility Requirements for USDA Graded Shell Eggs [Docket No. PY-98-006] (RIN: 0581-AC50) received May 1, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8097. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule — Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Modifying Procedures and Establishing Regulations to Limit Shipments of Small Sizes of Red Seedless Grapefruit [Docket No. FV05-905-2 FIR] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8098. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Terbacil; Pesticide Tolerance [EPA-HQ-OPP-2005-0215; FRL-8057-9] received May 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8099. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Pesticides; Minimal Risk Tolerance Exemptions [EPA-HQ-OPP-2005-0487; FRL-8062-3] received May 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8100. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Michigan [EPA-R05-OAR-2004-MI-0001; FRL-8167-2] received May 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8101. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Albuquerque/Bernalillo County [R06-OAR-2005-NM-0003; FRL-8175-6] received May 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8102. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List for Uncontrolled Hazardous Waste Sites [EPA-HQ-SFUND-2006-0261, EPA-HQ-SFUND-2006-0263, EPA-HQ-SFUND-2006-0264, EPA-HQ-SFUND-2006-0265, EPA-HQ-SFUND-2006-0266, EPA-HQ-SFUND-2006-0267; FRL-8159-5] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8103. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants; Delegation of Authority of Louisiana [EPA-R06-OAR-2005-LA-0004; FRL-8159-1] received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8104. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of intent to obligate funds for purposes of Nonproliferation and Disarmament Fund (NDF) activities; to the Committee on International Relations.

8105. A communication from the President of the United States, transmitting a supplemental consolidated report, consistent with the War Powers Resolution, to keep Congress informed about the deployments of U.S. combat-equipped armed forces in support of the global war on terrorism, Kosovo, and Bosnia and Herzegovina, pursuant to Public Law 93-148; (H. Doc. No. 109-114); to the Committee on International Relations and ordered to be printed.

8106. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule — Department of State Acquisition Regulation (RIN: 1400-AB90) received June 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

8107. A letter from the Director, Office of Personnel Management, transmitting the semiannual report on the activities of the Inspector General and the Management Response for the period of October 1, 2005 to March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8108. A letter from the Staff Director, United States Sentancing Commission, transmitting a copy of the 2004 Annual Report and Sourcebook of Federal Sentancing Statistics, pursuant to 28 U.S.C. 994(w)(3); to the Committee on the Judiciary.

8109. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule — NASA Grant and Cooperative Agreement Handbook — Patent Rights and Rights in Data, CSC Programs (RIN: 2700-AD24) received May 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BOEHLERT: Committee on Science. H.R. 5136. A bill to establish a National Integrated Drought Information System within the National Oceanic and Atmospheric Administration to improve drought monitoring and forecasting capabilities; with an amendment (Rept. 109–503). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. POMBO:

H.R. 5622. A bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes; to the Committee on Resources.

By Mr. CAPUANO:

H.R. 5623. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the conversion of leadership PAC funds to personal use; to the Committee on House Administration.

By Mr. FOSSELLA (for himself, Mr. CONYERS, Mr. FRELINGHUYSEN, Mr. GILCHREST, Mr. AL GREEN of Texas, Mr. HOLDEN, Mr. HOLT, Mr. ISSA, Mrs. JOHNSON of Connecticut, Ms. KILPATRICK of Michigan, Mr. KING of New York, Mr. LANTOS, Mr. LOBIONDO, Mr. MCDERMOTT, Mr. MCINTYRE, Mr. MCNULTY, Mrs. MUSGRAVE, Mr. OWENS, Mr. PASTOR, Mr. PAYNE, Mr. RANGEL, Mr. ROGERS of Michigan, Ms. ROS-LEHTINEN, Mr. VAN HOLLEN, Mr. WELDON of Pennsylvania, Mr. WILSON of South Carolina, and Mr. WYNN):

H.R. 5624. A bill to amend the Public Health Service Act to establish an Office of Men's Health; to the Committee on Energy and Commerce.

By Mrs. MALONEY:

H.R. 5625. A bill to amend the Family and Medical Leave Act of 1993 to expand the scope of the Act, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARCHANT (for himself, Mr. BARTON of Texas, Mr. BONILLA, Mr. BRADY of Texas, Mr. BURGESS, Mr. CARTER, Mr. CONAWAY, Mr. CUELLAR, Mr. CULBERSON, Mr. DOGGETT, Mr. EDWARDS, Mr. GOHMERT, Mr. GONZALEZ, Ms. GRANGER, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. HALL, Mr. HENSARLING, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SAM JOHNSON of Texas, Mr. MCCAUL of Texas, Mr. NEUGEBAUER, Mr. ORTIZ, Mr. PAUL, Mr. POE, Mr. REYES, Mr. SESSIONS, Mr. SMITH of Texas, and Mr. THORNBERRY):

H.R. 5626. A bill to designate the facility of the United States Postal Service located at 802 South Carrier Parkway in Grand Prairie, Texas, as the "Alexander McRae Dechman Post Office Building"; to the Committee on Government Reform.

By Mr. PAUL (for himself and Mr. SANDERS):

H.R. 5627. A bill to prohibit the Overseas Private Investment Corporation from providing insurance or financing to countries that subsidize their steel industries and for projects producing goods subject to antidumping duties, to require the United States to oppose the provision by the International Monetary Fund of assistance to countries which subsidize their steel industries, and to ban assistance by the Export-Import Bank of the United States to countries that subsidize their steel industries; to the Committee on Financial Services, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PEARCE:

H.R. 5628. A bill to provide for an initial period of admission of 36 months for aliens employed as diary workers; to the Committee on the Judiciary.

By Mr. WEXLER:

H.R. 5629. A bill to provide for the same treatment of all individuals notified of possible qualification for low-income subsidies for purposes of enrollment and the waiver of late enrollment penalties under the Medicare part D program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BORDALLO:

H.R. 5630. A bill to enhance congressional oversight by requiring the President to transmit periodically to Congress a consolidated, comprehensive report on the implementation of the National Strategy for Victory in Iraq; to the Committee on International Relations, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GILLMOR:

H. Res. 871. A resolution recognizing Sam Hornish, Jr. for winning the 90th running of the Indianapolis 500; to the Committee on Government Reform.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 111: Mr. CUELLAR.

H.R. 414: Mr. ALLEN and Mr. SCHWARZ of Michigan.

H.R. 615: Mrs. NAPOLITANO.

H.R. 952: Mr. UDALL of New Mexico.

H.R. 997: Mr. SULLIVAN.

H.R. 1020: Mr. GENE GREEN of Texas and Mr. LATOURETTE.

H.R. 1249: Mr. BOSWELL and Mr. THOMPSON of Mississippi.

H.R. 1298: Mr. BARTLETT of Maryland.

H.R. 1384: Mr. BONILLA, Mr. PEARCE, Mr. DEAL of Georgia, Mr. HEFLEY, Mr. FRANKS of Arizona, and Mr. CARTER.

H.R. 1498: Mr. REYNOLDS.

H.R. 1548: Mr. WYNN, Mr. WALSH, and Mr. JOHNSON of Illinois.

H.R. 1652: Mr. DOGGETT.

H.R. 1898: Mr. WELDON of Pennsylvania and Mr. SHUSTER.

H.R. 2047: Mr. GUTKNECHT.

H.R. 2061: Mr. BAKER.

H.R. 2088: Mr. STRICKLAND, Mr. COLE of Oklahoma, Mr. GINGREY, Mr. STEARNS, Mr. BONILLA, Mr. CARTER, and Mr. EDWARDS.

H.R. 2121: Mr. SAXTON and Mr. SESSIONS.

H.R. 2231: Mr. CARDOZA, Mr. DAVIS of Florida, and Mrs. CUBIN.

H.R. 2423: Mr. SMITH of Washington.

H.R. 2567: Mr. UDALL of Colorado.

H.R. 2717: Mr. HINCHEY.

H.R. 2828: Mr. CONYERS and Mr. SCHIFF.

H.R. 2869: Mr. PALLONE, Mr. NADLER, Mr. MCNULTY, Mr. ALLEN, Mr. HIGGINS, Mr. DELAHUNT, and Mr. YOUNG of Alaska.

H.R. 2962: Ms. BERKLEY.

H.R. 3063: Ms. LORETTA SANCHEZ of California and Mr. LARSON of Connecticut.

H.R. 3198: Ms. BORDALLO.

H.R. 3427: Mr. SIMMONS.

H.R. 3476: Mr. SCHIFF.

H.R. 3753: Mr. ROGERS of Kentucky and Mr. WICKER.

H.R. 3762: Mrs. MALONEY.

H.R. 3950: Mr. DOGGETT.

H.R. 4217: Mrs. MUSGRAVE.

H.R. 4229: Mr. HOLT.

H.R. 4239: Mr. CONAWAY.

H.R. 4318: Mr. RYAN of Wisconsin.

H.R. 4341: Mr. DAVIS of Kentucky, Mr. DUNCAN, and Mr. LINDER.

H.R. 4366: Mr. CASE.

H.R. 4409: Mr. BROWN of Ohio, Mr. MCNULTY, and Ms. ESHOO.

H.R. 4435: Mr. CONYERS.

H.R. 4547: Mr. DEAL of Georgia and Mr. BONILLA.

H.R. 4560: Mr. CONYERS, Mr. MCINTYRE, and Mr. KUHL of New York.

H.R. 4562: Mr. CHABOT, Ms. LEE, Mr. WELLER, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SWEENEY, Mr. FRANKS of Arizona, Mr. SIMPSON, Mr. MEEHAN, Mr. LEACH, Mr. THOMPSON of California, Mr. PENCE, Mr. CLEAVER, Mr. DAVIS of Illinois, Mr. PETERSON of Minnesota, Mr. BASS, Mr. SHAW, Mr. BROWN of South Carolina, Mr. TIERNEY, Mr. FITZPATRICK of Pennsylvania, Ms. HARMAN, Mr. MCCAUL of Texas, Mr. OTTER, Ms. CORRINE BROWN of Florida, Mr. LINDER, Mr. REGULA, Mr. INSLEE, and Mr. DELAHUNT.

H.R. 4720: Mr. BECERRA and Mr. GALLEGLY.

H.R. 4725: Mrs. MYRICK.

H.R. 4747: Mrs. CAPITO, Mr. KENNEDY of Rhode Island, Mr. HONDA, Mrs. WILSON of New Mexico, Mr. BISHOP of New York, Mr. WELDON of Pennsylvania, and Mr. YOUNG of Alaska.

H.R. 4749: Ms. WATSON.

H.R. 4924: Mr. MCCOTTER.

H.R. 4925: Mr. GEORGE MILLER of California and Ms. MCCOLLUM of Minnesota.

H.R. 4994: Ms. HART.

H.R. 4997: Mr. CUELLAR.

H.R. 5005: Mr. TERRY, Mr. CRAMER, and Mr. PEARCE.

H.R. 5023: Mr. MEEK of Florida, Ms. WATSON, and Mr. WATT.

H.R. 5052: Mr. FRANK of Massachusetts, Mr. CAPUANO, Mr. BLUMENAUER, and Mr. MILLER of North Carolina.

H.R. 5088: Mrs. LOWEY.

H.R. 5092: Mr. COLE of Oklahoma, Mr. REYNOLDS, Mr. NORWOOD, Mr. BACHUS, Mr. HALL, Mr. STRICKLAND, Mr. HERGER, Mr. AKIN, Mr. LARSEN of Washington, Mr. BILIRAKIS, Mr. STEARNS, Mr. TERRY, Mr. PEARCE, Mr. LUCAS, Mr. DEAL of Georgia, Mr. EDWARDS, and Mr. PETERSON of Pennsylvania.

H.R. 5146: Mr. EHLERS and Mr. SCHWARZ of Michigan.

H.R. 5148: Mr. GORDON.

H.R. 5150: Mr. ALLEN.

H.R. 5151: Ms. CARSON, Mr. ABERCROMBIE, Mrs. DAVIS of California, Mr. LANTOS, Mr. ROTHMAN, and Mr. BLUMENAUER.

H.R. 5159: Mr. NUNES.

H.R. 5185: Mr. CASE.

H.R. 5188: Mr. KUCINICH.

H.R. 5189: Mr. BUTTERFIELD and Ms. HART.

H.R. 5198: Ms. BALDWIN.

H.R. 5200: Ms. SCHAKOWSKY, Mr. BRADLEY of New Hampshire, Mr. DUNCAN, and Mr. DAVIS of Tennessee.

H.R. 5201: Ms. SCHWARTZ of Pennsylvania, Ms. WATERS, Mr. BOUSTANY, and Ms. HART.

H.R. 5206: Mr. HERGER and Mr. GONZALEZ.

H.R. 5290: Mr. CONYERS and Mr. MCDERMOTT.

H.R. 5312: Mr. GEORGE MILLER of California.

H.R. 5316: Mrs. CAPPS, Mr. KILDEE, Mr. SHERMAN, Mr. PETERSON of Minnesota, Mr. SCOTT of Virginia, and Mr. GINGREY.

H.R. 5322: Mr. DAVIS of Kentucky.

H.R. 5325: Mr. GOODE and Mr. KUHL of New York.

H.R. 5372: Ms. ESHOO.

H.R. 5396: Mr. SOUDER.

H.R. 5409: Ms. FOXX, Mr. SENSENBRENNER, Mr. PEARCE, and Mrs. DAVIS of California.

H.R. 5453: Mrs. NORTHUP, Mr. WELDON of Pennsylvania, and Mr. BOOZMAN.

H.R. 5464: Ms. BORDALLO and Mr. YOUNG of Florida.

H.R. 5465: Ms. WOOLSEY, Mr. NEAL of Massachusetts, and Ms. SCHAKOWSKY.

H.R. 5483: Mr. LOBIONDO and Mr. PASTOR.

H.R. 5494: Mrs. MYRICK.

H.R. 5501: Mr. ACKERMAN, Mr. BISHOP of New York, Mr. ISRAEL, Mrs. LOWEY, Mr. ENGEL, Mr. MEEKS of New York, Mr. CROWLEY, Mr. OWENS, Mr. SERRANO, Ms. SLAUGHTER, Ms. VELÁZQUEZ, Mr. WEINER, Mr. TOWNS, Mr. RANGEL, Mr. TIERNEY, Ms. SOLIS, Ms. WOOLSEY, and Ms. HARMAN.

H.R. 5507: Ms. FOXX and Mr. MILLER of Florida.

H.R. 5526: Mr. WAMP and Mr. JEFFERSON.

H.R. 5533: Mr. JEFFERSON.

H.R. 5538: Mr. EDWARDS.

H.R. 5558: Mr. HAYES, Mr. SALAZAR, Mr. LUCAS, Mr. LATHAM, Mr. MORAN of Kansas, Mr. DAVIS of Kentucky, and Mr. COSTA.

H.R. 5560: Mr. SKELTON, Mr. HOEKSTRA, and Mr. LATOURETTE.

H.R. 5575: Ms. MCKINNEY.

H.R. 5588: Mr. BERRY, Ms. SOLIS, Mr. COSTA, Mr. BUTTERFIELD, Mr. LYNCH, Mr. PALLONE, Mr. BERMAN, Mr. RAHALL, Mr. REYES, and Ms. BERKLEY.

H.R. 5609: Mr. MACK.

H.R. 5611: Mr. ROGERS of Michigan, Mr. FOSSELLA, and Mr. BASS.

H.R. 5615: Mr. CONYERS, Mr. GRIJALVA, Mr. MCNULTY, Mr. MARSHALL, and Mr. JEFFERSON.

H.J. Res. 88: Mr. LINDER.

H. Con. Res. 346: Mr. LINDER.

H. Con. Res. 380: Ms. WATSON.

H. Con. Res. 384: Mr. PAYNE and Mr. CLAY.

H. Con. Res. 415: Mr. MCINTYRE and Mrs. CHRISTENSEN.

H. Con. Res. 419: Mr. BOEHLERT.

H. Con. Res. 424: Mr. MARIO DIAZ-BALART of Florida and Mr. BROWN of Ohio.

H. Con. Res. 425: Mr. SCHWARZ of Michigan, Mr. SAXTON, Mr. CROWLEY, and Mr. BUTTERFIELD.

H. Res. 498: Mr. GILCHREST.

H. Res. 723: Mr. LEWIS of Georgia, Mr. ROTHMAN, Mrs. LOWEY, Ms. MATSUI, and Mrs. MCCARTHY.

H. Res. 765: Mr.SENSENBRENNER.

H. Res. 776: Mr. REHBERG and Mrs. CUBIN.

H. Res. 780: Mr. BRADLEY of New Hampshire.

H. Res. 786: Mrs. MUSGRAVE.

H. Res. 787: Ms. PELOSI, Mr. CONYERS, Mr. SCHIFF, and Mrs. CAPPS.

H. Res. 793: Mr. PLATTS, Mr. BURTON of Indiana, Mr. MARCHANT, Mr. NEUGEBAUER, Mr. BAKER, Ms. FOXX, and Mr. BACHUS.

H. Res. 800: Ms. HART.

H. Res. 838: Mr. WEXLER, Mr. MCNULTY, Mr. TANCREDO, Mr. CARTER, Mr. GONZALEZ, Mrs. BONO, Mr. BISHOP of New York, Mr. SAXTON, and Mr. BROWN of Ohio.

H. Res. 845: Ms. LEE, Mr. STARK, Mr. CAPUANO, Mr. SERRANO, and Mr. KUCINICH.

H. Res. 852: Mr. GREEN of Wisconsin and Mr. JONES of North Carolina.

H. Res. 858: Mr. PALLONE, Mr. SCOTT of Virginia, and Mrs. LOWEY.

H. Res. 863: Mr. LOBIONDO.

H. Res. 867: Mr. WU and Mr. SCHIFF.

H. Res. 870: Mr. BROWN of South Carolina, Mrs. CHRISTENSEN, Mr. DAVIS of Kentucky, Ms. HARMAN, Ms. JACKSON-LEE of Texas, Mr. LYNCH, Mrs. MALONEY, Mr. NEAL of Massachusetts, Mr. PETERSON of Minnesota, Mr. HIGGINS, Mr. OWENS, and Mr. BISHOP of New York.

EXTENSIONS OF REMARKS

HONORING THE NASHVILLE SYMPHONY ORCHESTRA

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mrs. BLACKBURN. Mr. Speaker, I ask my colleagues to join me today to mark the final performance of the Nashville Symphony Orchestra at the Tennessee Performing Arts Center this May 27th.

Since its premier season in 1980–1981, the Tennessee Performing Arts Center has provided a magnificent setting for the Nashville Symphony.

Today we remember fondly the years our symphony has spent at the Tennessee Performing Arts Center, but look forward to many wonderful performances in the new world class Schermerhorn Symphony Center.

It is appropriate that the new facility be named after Principal Conductor Kenneth Schermerhorn, who led the symphony so capably for 20 years. We miss Maestro Schermerhorn, but I know he'd be pleased to see the symphony making the move to this new, world class space.

I hope my colleagues will join me in congratulating the members, staff, and many, many fans of the Nashville Symphony Orchestra as they celebrate their success.

ON DRILLING IN THE ARCTIC NATIONAL WILDLIFE REFUGE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. KUCINICH. Mr. Speaker, I made the attached statement in opposition to drilling in the Arctic National Wildlife Refuge on May 25, 2006:

Here we go again. For decades, this Congress has rejected attempts to drill in the Arctic National Wildlife Refuge in recognition of the fact that American working families do not want it. It is bad for our economy and it is a violation of human rights.

The effect on our economy of choosing a path of yesterday over a positive vision of a renewable energy future is stark. A report by researchers at the University of California at Berkeley found that "Across a broad range of scenarios, the renewable energy sector generates more jobs per average megawatt of power installed, and per unit of energy produced, than the fossil fuel-based energy sector."

Drilling in the Arctic Refuge is also a violation of the international human rights of the native Gwich'in people. It threatens the Porcupine Caribou Herd on which the Gwich'in depend for subsistence, culture and religion. We have no right to threaten their culture and livelihood in order to prop up an archaic energy policy.

I urge my colleagues to oppose this bill.

TRIBUTE TO WORLD ELDER ABUSE AWARENESS DAY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Ms. ZOE LOFGREN of California. Mr. Speaker, on behalf of the California Democratic Congressional Delegation, I rise in gratitude to recognize the efforts of the International Network for the Prevention of Elder Abuse, INPEA, in their extraordinary attempts to raise awareness of elder abuse (which encompasses neglect or mal or mistreatment) throughout the world. The nature of abuse as a hidden problem is now universally accepted. INPEA, as coauthor of the report Missing Voice, 2002, with the World Health Organization, states that "abuse, neglect and financial exploitation of elders are much more common than societies admit." Missing Voices demonstrates clear links between elder abuse, and disempowerment and discrimination. INPEA claims that "ultimately the challenge for us all is not only to listen to what has been said, but to believe and act upon it." The key objective of World Elder Abuse Awareness Day, WEAAD, is to raise awareness of the ubiquity of elder abuse and its consequences throughout the world.

World Elder Abuse Awareness Day, seeks to foster independence and empowerment for older adults to act for themselves and on their own behalf; and to enable older adults to exercise their rights and advocate for their own interests. WEAAD also attempts to educate people that older adults need to be aware of the problem and of their rights, as well as available services and resources in their community. Due to the collaborative efforts across the nation, World Elder Abuse Awareness Day places an emphasis on the need to encourage closer and more positive contact between generations and to strengthen the positive attitudes among youth toward their elders.

Continued education and prevention efforts worldwide need to emphasize closer relations between generations and I join my colleagues in recognizing all of those community groups across our great Nation that have made this issue a priority in their value system. Such laudable family tenets will only serve to create a more caring, thus stable society.

Mr. Speaker, my colleagues—Representatives CAPPS, CARDOZA, ESHOO, HONDA, LANTOS, LEE, LINDA SÁNCHEZ, LORETTA SANCHEZ, SCHIFF and TAUSCHER—join me in recognizing INPEA for their dedication and tireless efforts in raising awareness of elderly abuse and its consequences. Our communities will be strengthened as a result of such international efforts being promoted today, June 15, 2006, at the United Nations Headquarters.

HONORING THE JOHN OVERTON HIGH SCHOOL BAND

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mrs. BLACKBURN. Mr. Speaker, this year marks the 65th anniversary of the attack on Pearl Harbor.

Every December Americans gather in Hawaii to remember the day that so changed the world. This year, the John Overton High School band has been selected to represent Tennessee as we commemorate Pearl Harbor and honor those who died there on that fateful December day. Making their second appearance at this event, it's clear we're being well represented by members of the John Overton High School band.

The band will take part in a parade marking the day, perform at the USS *Missouri* Memorial and lay a wreath at the USS *Arizona* Memorial. This once in a lifetime opportunity will provide firsthand experience and insight into the bombing of Pearl Harbor and I know the students will never forget their time there.

Mr. Speaker, I ask my colleagues to join with me in congratulating the John Overton High School band, and their leader Jo Ann Hood, on this wonderful honor. We applaud their hard work and their commitment to honoring America's fallen heroes.

ON DRILLING FOR OIL AND GAS ON THE OUTER CONTINENTAL SHELF

HON. DENNIS KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. KUCINICH. Mr. Speaker, I gave the attached statement, in support of the OCS Drilling Ban Amendment to the FY2007 Interior Appropriations Bill, H.R. 5386 on May 18, 2006:

I rise in strong support of this amendment to preserve the popular and longstanding ban on drilling off our coasts. First, let's be clear that there is no such thing as drilling for gas only. Even the Administration and the energy industry have dismissed the idea as unworkable. So this is nothing more than a fig leaf.

But it's a fig leaf that will bring toxic contamination to our marine environment merely three miles off our coasts. And it could open the door to drilling in the Great Lakes, which is also opposed by Great Lakes residents.

We cannot forget that new drilling will have no effect on energy prices for years. In contrast, we have technologies to reduce our addiction to oil and natural gas that are ready to go today. The problem is that we're subsidizing unsustainable energy production like drilling for natural gas and oil while failing to fund real renewable solutions. I urge my colleagues to vote for the amendment.

TRIBUTE TO REAR ADMIRAL J. SCOTT BURHOE

HON. JO ANN DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, Coast Guard Officers are measured by the depth of their dedication to protecting our country and its citizens from all enemies, natural disasters and inclement weather. On June 16, 2006 Rear Admiral J. Scott Burhoe will conclude his tenure as Commanding Officer, Coast Guard Training Center, Yorktown, Virginia. Training Center Yorktown is the largest training center in the Coast Guard offering over 100 courses annually to over 8,000 U.S. Coast Guard active duty, reserve, civilian and auxiliary personnel, employees of numerous state and federal agencies, and members of allied nations.

Since assuming Command of the Training Center in June of 2003, Rear Admiral Burhoe has demonstrated exemplary professional competence, leadership, and initiative, ensuring the safe and effective training to 25,000 Coast Guard members, personnel from U.S. and foreign armed forces, and civilian agencies from more than 75 countries.

Envisioning improved global maritime security, Rear Admiral Burhoe empowered deployable teams on 400 missions to 87 countries, training over 4,000 foreign students which led to events such as the first seizure of a fishing vessel in the Republic of Georgia and reduced fees that Lloyd's of London charges world maritime shipping entering the Port of Aden, Yemen.

His leadership cultivated stellar performance and planning as he hosted two Joint Civilian Orientation Conferences and Mission Day events, providing an opportunity for a diverse group of influential U.S. leaders and Congressional staffers to understand the missions and capabilities of the Coast Guard.

Throughout his time as Training Center Commanding Officer, Rear Admiral Burhoe, fostered and encouraged strong community support through several command sponsored events such as blood drives, Boy Scouts, Toys for Tots, Salvation Army, Yorktown Day, Partnership in Education and others. In the last two years alone, Rear Admiral Burhoe has arranged for more than 600 computers to be donated to local public schools through the Federal Computers for Schools Program.

With his full support, a Memorandum of Understanding was developed with York River Academy, providing local students with a summer job opportunity and an introduction to both the Coast Guard and government employment as well as affording students the opportunity to use and improve their technical skills.

Rear Admiral Burhoe displayed visionary leadership as he revised and guided the mission of the Training Center's Learning Center. Today' s Learning Center not only provides a quiet place for junior personnel to study and take military advancement tests, but serves as a liaison for members to more than 36 colleges and universities offering on-line education, provides office space for two universities who have offered 11 college courses attended by 100 members, hosted two Education Fairs attended by 15 colleges and universities and has assisted 9 members complete bachelor degree requirements.

Rear Admiral Burhoe has also become active in both the Williamsburg and Peninsula Chambers of Commerce, educating members of the on and off duty efforts of Training Center personnel as well as providing recommendations on how the Chambers' could best support area military personnel.

On behalf of my constituents and the communities adjacent to the Training Center, I extend our congratulations to a friend and neighbor, Scott Burhoe, on his accomplishments and recent promotion to Rear Admiral, Lower Half and extend best wishes to him during his next assignment as Assistant Commandant for Governmental and Public Affairs.

IN RECOGNITION OF CARLOS E. PERNELL

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. ROGERS of Alabama. Mr. Speaker, SGT Carlos E. Pernell, 25, from Prattville, Alabama, died on June 6, 2006, in Iraq. Sergeant Pernell was assigned to the Army's B Company, 46th Engineer Battalion at Fort Rucker, Alabama, and according to initial reports was killed due to injuries when his camp came under indirect fire. His survivors include his wife Tiffanie; his daughter Kassidie; his mother Hattie of Prattville, Alabama; and his father, Eugene of Montgomery, Alabama.

Carlos Pernell loved sports, and was a proud father. Like all soldiers, he dutifully left behind his family and loved ones to serve our country overseas.

Words cannot express the sense of sadness we have for his family, and for the gratitude our country feels for his service. Sergeant Pernell died serving not just the United States, but the entire cause of liberty, on a noble mission to help spread the cause of freedom in Iraq and liberate an oppressed people from tyrannical rule. He was a true American.

We will forever hold him closely in our hearts, and remember his sacrifice and that of his family as a remembrance of his bravery and willingness to serve. Thank you, Mr. Speaker, for the House's remembrance on this mournful day.

HONORING DR. DONALD R. KENNON ON HIS 25TH ANNIVERSARY AT THE U.S. CAPITOL HISTORICAL SOCIETY

HON. NORMAN D. DICKS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. DICKS. Mr. Speaker, I rise to honor and pay tribute to a friend who, today, is marking his 25th anniversary with the United States Capitol Historical Society. Dr. Donald R. Kennon is the Society's Chief Historian and Vice President of Scholarship and Education.

A humble man, Dr. Kennon's career has been marked by accomplishment. He is the author of two books for the Society, including The Speakers of the House of Representatives: A Bibliography (Johns Hopkins University Press, 1985), and The Committee on Ways and Means: A Bicentennial History, 1789–1989 (Government Printing Office, 1989), and has edited more than a dozen volumes of the Society's symposia publications.

He has been Chief Historian since 1987 after joining the Society in 1981 as an Associate Historian. He holds a Ph.D. in American History from the University of Maryland and has taught as a visiting professor at the University of New Mexico. His doctoral dissertation focused on antebellum reform in a changing society, both legally and morally in the years surrounding the Civil War.

He is treasurer of the Abraham Lincoln Institute, a scholarly organization founded in 1998 to garner public attention on writings and research regarding our nation's 16th president.

Dr. Kennon has also very ably directed educational symposia, publications and outreach programs, while writing and lecturing about the history of this body, Congress, and the Capitol.

An avid collector, Dr. Kennon has one of the area's largest collections of antique stereo graphic images, including many of the Capitol building and Congress. He has a keen sense of humor and loves baseball. When he's not at games, he collects antique radios and vintage slot machines.

Mr. Speaker, it is a privilege to honor Dr. Kennon and I ask my colleagues to rise and join me in congratulating him on 25 years at the United States Capitol Historical Society and in wishing him continued success.

PERSONAL EXPLANATION

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. GALLEGLY. Mr. Speaker, I was unable to vote on the following bills on June 12, 2006:

H. Res. 794, Recognizing the 17th anniversary of the massacre in Tiananmen Square, Beijing, in the People's Republic of China, and for other purposes (Rollcall No. 251): Had I been present, I would have voted "aye."

H. Res. 804, Condemning the unauthorized, inappropriate, and coerced ordination of Catholic bishops by the People's Republic of

China (Rollcall No. 252): Had I been present, I would have voted "aye."

H. Res. 608, Condemning the escalating levels of religious persecution in the People's Republic of China (Rollcall No. 253). Had I been present, I would have voted "aye."

H. Con. Res. 338, Expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere (Rollcall No. 254). Had I been present, I would have voted "aye."

And finally, Mr. Speaker, had I been present, I would have voted "aye" with regard to Ordering the Previous Question on H. Res. 857, waiving points of order against consideration of the conference report to accompany the bill (H.R. 4939) making emergency supplemental appropriations for the fiscal year ending September 30, 2006 (Rollcall No. 255).

HONORING ZACH SHEEHAN

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. UDALL of Colorado. Mr. Speaker, I rise today to recognize and congratulate a student from Southerland Hills Middle School in Boulder, Colorado.

Zach Sheehan has been selected to present his award winning history project at the Smithsonian National Museum of America. Zack's project was one of a handful selected by the National History Day program from hundreds of thousands nationwide.

Each project reflected on this year's National History Day theme, "Taking a Stand in History: People, Ideas, Events." Zack's project highlighted a scientist in Boulder who has had a major impact on increasing public awareness of global warming and helping spur the government to slow global warming.

It is my view that, as the world leader in science and technology, the United States must develop solutions that will reduce greenhouse gas emissions. These solutions are of vital importance to protecting our planet's resources and permitting the economic and social progress for our Nation and the world.

In the Old Hall of the House of Representatives, Clio, the Muse of History, stands in a winged chariot representing the passage of time. Clio is looking back; recording events as they occur. Mr. Speaker, this statue served as a poignant reminder to our forbearers of the importance of history as a guide to and a watchdog for the history that is made here every day.

History education is an integral part of the education of future generations of Americans. I would like commend the National History Day program for empowering teachers to improve history education and influencing students to follow Zack Sheehan's exemplary example.

A SPECIAL TRIBUTE TO THE BASCOM MUTUAL TELEPHONE COMPANY ON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. GILLMOR. Mr. Speaker, it is my privilege to pay tribute to a special company in Ohio. This year, The Bascom Mutual Telephone Company in Bascom, Ohio, celebrates 100 years of dedicated service.

Mr. Speaker, The Bascom Mutual Telephone Company in Bascom, Ohio, is one of the oldest mutual telephone companies in the State of Ohio. Founded in 1906, The Bascom Mutual Telephone Company has succeeded in providing quality telephone service to the residents of Bascom, Ohio.

Beginning operations on February 22, 1906, The Bascom Mutual Telephone Company, known as Bascom Farmers Mutual Telephone Company from 1916 to 1953, began providing telephone service to the residents of Bascom, Ohio.

At the time of its inception in 1906, The Bascom Mutual Telephone Company began operations with only eighteen members seeking the company's services. Today, The Bascom Mutual Telephone Company, who is a vital component to the telecommunications infrastructure of Northwest Ohio, proudly serves over 940 members.

Throughout the decades, The Bascom Mutual Telephone Company, as a product of Seneca County, has clearly distinguished itself as an innovator and industry leader. Through a dedicated workforce, top-notch facilities, and excellent customer service, The Bascom Mutual Telephone Company has set a benchmark for how to run a successful business.

The real success of The Bascom Mutual Telephone Company comes not only from the technological advancements of its facilities, but from its employees. The management and staff of The Bascom Mutual Telephone Company have indeed provided their customers with the service and dependability that are expected of a first-class company.

Mr. Speaker, I ask my colleagues to join me in paying special tribute to the employees and the legacy of The Bascom Mutual Telephone Company. As all who benefit from this fine establishment gather to celebrate its 100th anniversary of service, I am confident that the excellent employees will continue the successes of The Bascom Mutual Telephone Company into the future.

TRIBUTE TO MOUNT PISGAH BAPTIST CHURCH

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to the historic Mount Pisgah Baptist Church in Orangeburg, South Carolina as it celebrates its 153rd anniversary on June 25, 2006. Mount Pisgah has been a beacon in times of joy and sorrow for the Orangeburg community, and I congratulate Reverend D. Edward Chaney and his congregation on this significant milestone in the life of the church.

Mount Pisgah Baptist Church began as a gathering of a small group of Christian slaves in 1863. Two years later, this group broke off from the First Baptist Church in Orangeburg. They called their new church Sunny Side Baptist. By 1868, the congregation had grown to fifty members, and two years later they changed the name to Mount Pisgah Baptist Church. The renamed church began to grow in size and its ministry. By 1877, Mount Pisgah boasted a congregation of 283 members.

The 20th century was momentous in the life of Mount Pisgah. Remarkably from 1901 until 2000, the church had only three pastors. Reverend Nelson Nix presided over the congregation from 1900–1945. During his ministry, the first church building burned in 1902. However, Reverend Nix and the congregation rebuilt the structure that is still in use today.

Reverend John D. Rhodes served as Mount Pisgah's pastor from 1945–1968, and was followed by Reverend F.G.S. Everett who led the congregation from 1969–2001. During Reverend Everett's distinguished service, Mount Pisgah was listed on the Registry of Historical Places.

Today, Reverend Chaney presides over a dynamic church that is among the oldest in Orangeburg and South Carolina. The church has added a multipurpose education complex, and more property has been acquired for future expansion. Due to the enormous growth in the church, Reverend Chaney has initiated a Million Dollar Capital Campaign for church improvements and new construction.

Mount Pisgah currently has 17 ministries that include an outreach radio broadcast that reaches far beyond Orangeburg County into neighboring Calhoun, Colleton, and Dorchester counties. The church is also renowned for its music ministry that performs inspired Christmas and Easter concerts.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Mount Pisgah Baptist Church on its 153rd anniversary. This vibrant church has contributed to the rich history of Orangeburg and South Carolina, and I offer my congratulations and wish Mount Pisgah continued success and Godspeed!

INTRODUCTION OF THE STEEL FINANCING FAIRNESS ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. PAUL. Mr. Speaker, I rise to introduce the Steel Financing Fairness Act. This bill helps our Nation's beleaguered steel industry by stopping the government from forcing American steel workers to subsidize their foreign competitors. Specifically, the bill prohibits the Overseas Private Investment Corporation (OPIC) and the Export-Import Bank (EXIMBANK) from providing any assistance to countries that subsidize their steel industries.

The Steel Financing Fairness Act also instructs the Secretary of the Treasury to reduce America's contribution to the International Monetary Fund (IMF) by a prorated share of the IMF's assistance to countries that subsidize their steel industries.

One of the problems facing America's domestic steel industry is that it must compete with foreign industries that receive subsidies from their governments. Some of these subsidies are explicitly intended to provide these companies with a non-market advantage over American steel producers. The U.S. Government further compounds the damage caused by these subsidies by forcing the domestic steel producers to support their major competitors through taxpayer-funded programs.

For example, according to the most recent figures available, the five countries with the greatest EXIMBANK exposure are all among the top ten exporters of steel and/or steel products to the United States. In fact, EXIMBANK has provided almost $20 billion of U.S. taxpayer support to these countries.

Meanwhile, OPIC has provided almost $6 billion of the taxpayers' money to leading steel exporters. Thus, the American taxpayer has provided at least $26 billion worth of support to the countries that are the leading competitors of the domestic steel industry. This does not count the funds provided these countries by the IMF. Since money is fungible, the practical effect of providing aid to countries which practice industrial policy is to free up resources these governments can use to further subsidize their steel industries. Thus, taxpayer dollars sent to foreign governments and industries can benefit foreign steel manufacturers even if American taxpayer money is not sent to directly benefit those industries.

However, hard as it may be to believe, organizations funded by American taxpayers actually use American tax dollars to directly assist foreign steel producers! For example, among the projects funded by EXIMBANK in recent years is an $18 million loan guarantee to expand steel manufacturing in Red China.

Ironically, many of the supporters of these foreign giveaways claim to be promoters of free trade. This claim makes as much sense as a supporter of higher taxes and spending claiming to be a fiscally conservative supporter of limited government. Free trade is the peaceful exchange of goods and services across borders unhampered by government interference. Taxing American workers to support their overseas competitors is not free trade. Instead, it is corporatism designed to benefit certain politically powerful interests at the expense of American entrepreneurs and workers.

I have no doubt that America's steel industry can out-compete the steel industry of any country if allowed to compete on a level planning field. Unfortunately, due in part to government policy, today's playing field is in no way level. Congress must end this economically destructive, immoral, and unconstitutional policy of forcing owners and workers in the domestic steel industry to subsidize their competitors. I therefore call upon my colleagues to cosponsor the Steel Financing Fairness Act.

IN CELEBRATION OF THE CITY OF WEST ALLIS' 100TH ANNIVERSARY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today in celebration of the 100th anniversary celebration of the City of West Allis. I am proud to serve this community, a portion of which lies within the Fourth Congressional District. Happy 100th Birthday to this remarkable community!

The City of West Allis was incorporated in 1906, but this vibrant community's roots go back much further. In the 1820s and 1830s, prominent visitors to the Honey Creek area, now the heart of West Allis, were impressed with its dense woods and abundance of fresh water springs. Settlement proceeded and by 1860, Honey Creek boasted a school, blacksmith shop, post office and chapel that served Baptist and Episcopalian worshippers. In 1891, the Wisconsin State Agricultural Society purchased the land that is now home to the State Fairgrounds, and by 1894, the Milwaukee Street Car Company had extended transportation routes to this destination. The Allis Company moved from the heart of Milwaukee to West Allis in 1900, fueling the engines of economic growth and development. Throughout its history, West Allis has been known for its strong community, numerous recreational amenities, and the work ethic that underlies its industrial economy.

With the decline of the regional manufacturing economy, West Allis has undergone fundamental changes. It is a testament to the strength of this community and its visionary leadership that urban redevelopment initiatives have brought new economic benefits without compromising the community spirit that characterizes West Allis. The award-winning redevelopment of the Allis-Chalmers campus, for example, has preserved the structures of West Allis' industrial history while creating an exciting and unique office park that has rapidly attracted new tenants to the area. The bike path, currently under construction, serves as a reminder that early settlers were attracted by the beautiful natural landscape. The farmers' market, due to open this year, promises to further strengthen residents' ties to the community.

I am proud to represent the community of West Allis, congratulate it on 100 remarkable years, and look forward to continuing to work with its leaders and residents as its revitalization continues.

HONORING THE LIFE AND ACHIEVEMENTS OF KATHERINE DUNHAM

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. COSTELLO. Mr. Speaker, I rise today to take this opportunity to pay tribute to the life and extraordinary achievements of Katherine Dunham, who passed away on May 21, 2006.

Katherine Dunham was born in Glen Ellyn, Illinois, on June 22, 1909. Her father, Albert Millard Dunham, was a descendant of slaves from Madagascar and West Africa. Her French Canadian mother, Fanny June Taylor, died when Miss Dunham was young. Her father then married Annette Poindexter, a schoolteacher from Iowa, and moved his family to Joliet, Ill., where he ran a dry-cleaning business.

Katherine Dunham became interested in dance at an early age. While a student at the University of Chicago, she formed a dance group that performed in concert at the Chicago World's Fair in 1934 and with the Chicago Civic Opera in 1935–36.

With a bachelor's degree in anthropology, she soon undertook field studies in the Caribbean and in Brazil. By the time she received her M.A. from the University of Chicago, she had acquired a vast knowledge of the dances and rituals of the black peoples of tropical America. (She later took a Ph.D. in anthropology.)

In 1938, she joined the Federal Theatre Project in Chicago and composed a ballet, L'Ag'Ya, based on Caribbean dance. In 1940, she formed an all-black company, which began touring extensively by 1943. Tropics (choreographed 1937) and Le Jazz Hot (1938) were among the earliest of many works based on her research.

Katherine Dunham is noted for her innovative interpretations of primitive, ritualistic, and ethnic dances and her tracing the roots of black culture. Many of her students, trained in her studios in Chicago and New York City, have become prominent in the field of modern dance. She also choreographed for Broadway stage productions and opera—including Aida (1963) for the New York Metropolitan Opera. She also choreographed and starred in dance sequences in such films as Carnival of Rhythm (1942), Stormy Weather (1943), and Casbah (1947).

Dunham also conducted special projects for Chicago black high school students. She served as the artistic and technical director (1966–67) to the president of Senegal; and artist-in-residence, and later professor, at Southern Illinois University, Edwardsville, and director of Southern Illinois's Performing Arts Training Centre and Dynamic Museum in East St. Louis, Ill.

Dunham's writings, sometimes published under the pseudonym Kaye Dunn, include Katherine Dunham's Journey to Accompong (1946), an account of her anthropological studies in Jamaica; A Touch of Innocence (1959), an autobiography; and Island Possessed (1969), as well as several articles for popular and scholarly journals.

Except for a brief appearance in 1965, Dunham has not performed regularly since 1962 and has concentrated on her choreography. One of her major works was the choreographing and directing of Scott Joplin's opera Treemonisha in 1972. She dissolved her company in 1965 to become advisor to the cultural ministry of Senegal and returned to the United States in 1967.

She left the conventional dance world of New York that year to live and work in East

St. Louis at an inner-city branch of the Southern Illinois University, running a school attached to the University and working with neighborhood and youth groups.

The Dunham tradition has persisted. She was considered a woman far ahead of her time. She considered her technique "a way of life." The classes at her Manhattan school—attended by many artists, including Marlon Brando and Eartha Kitt, during the 1940s and the 1950s, were noted for their liberating influence.

Her mastery of body movement was considered "phenomenal." She was hailed for her smooth and fluent choreography and dominated a stage with what has been described as "an unmitigating radiant force providing beauty with a feminine touch full of variety and nuance," otherwise known as the Dunham Technique, which is still practiced today.

Katherine Dunham's intellectual, artistic, and humanitarian contributions have earned her many coveted awards over the years, including the Presidential Medal of Arts, the Kennedy Center Honors, French Legion of Honor, Southern Cross of Brazil, Grand Cross of Haiti, NAACP Lifetime Achievement Award, Lincoln Academy Laureate, and the Urban Leagues' Lifetime Achievement Award. She was also one of 75 women whose lives were celebrated in the book, I Have A Dream. Katherine is survived by a daughter, Marie-Christine Dunham-Pratt, who lives in Rome.

Mr. Speaker, I ask my colleagues to join me in honoring the life of Katherine Dunham on her service, her lifetime of experiences and her contribution to the world of dance which serves as an invaluable resource to not only the people of East St. Louis but to the world.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. BECERRA. Mr. Speaker, on June 14, 2006, I was unable to cast my floor vote on rollcall 283. The vote I missed was an amendment offered by Mr. OBERSTAR to H.R. 5576.

Had I been present for the vote, I would have voted "aye" on rollcall 283.

TRIBUTE TO JEAN "GENE" NORMANDIN

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. MEEHAN. Mr. Speaker, I rise to pay special tribute to my dear friend Jean "Gene" Normandin, who passed away on Thursday, May 4, 2006 at the age of 78. Gene was a devoted husband, loving father to his three sons and two daughters, man of compassion, and a caring friend and mentor to many, including myself.

I ask unanimous consent to enter into the CONGRESSIONAL RECORD the eulogy delivered by his son, Robert Normandin on May 10, 2006.

A LIFE WELL LIVED—THE EULOGY FOR GENE NORMANDIN

Dedication, determination and devotion, are terms that sum up my father's life.

He was dedicated to his family, his 5 children, 13 grandchildren, and two great grandchildren. He was extremely fortunate to be blessed with 2 successful marriages. First, to our mother, to whom he was married to for almost 35 years. When our mother became ill, he dedicated himself to her, for every minute of every day for the rest of her life. His love for her never ended.

He was so fortunate to meet, fall in love and marry, Jeannine. Their marriage lasted almost 20 years and, as he did with my mother, she dedicated herself to him, taking care of him until the moment of his death. Jeannine, we are eternally grateful for the love, devotion and care that you gave him. We will never forget.

He was a successful businessman. He was a young man when he went to work for Manzi Dodge, at the time a struggling car dealership. Through this determination when he left, it was a thriving business. He founded other businesses, Custom Sentry Alarms and Normandin Liquors. He brought a determination to any endeavor in which he become involved. As he was fond of saying when someone said how lucky he was, "yes, and the harder I work, the luckier I get." He was truly a lucky man.

He brought that determination and devotion to his church as well. When Frs. Hassett, Handley, O'Brien or Joyce had a problem at the Sacred Heart, one of the first people that they would seek out was Gene Normandin. Whether it was the men's club, 1000 club, or Bingo he was always there for them.

When he moved to Florida, he brought that dedication there. Whether it was serving food at a soup kitchen, clothing drives or washing dishes, he assisted the indigent migrant workers at Omoklee, Florida.

He was blessed during his life with many, many great friends, people like Kay and Pat and Armand and Connie, with whom he shared many laughs and a few tears.

It was in short, a life well lived. Dad, we will miss you.

IN HONOR OF THE JUST RUN PROGRAM OF MONTEREY COUNTY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. FARR. Mr. Speaker, I rise to commend the Just Run program of Monterey County that has been a collaboration of the Big Sur International Marathon as well as other local organizations.

Designed to assist school and other youth organizations in providing vital fitness programs to youth in Monterey County, Just Run is a group running program that teaches children activity, fitness principles, goal setting, and physical development with the help of teachers and parent volunteers.

This program engages local fitness and running experts, such as future Olympic runners from the Big Sur Distance Project, to work with students at free on-site clinics and serve as role models and motivators. In conjunction with running and physical activity, the program also promotes good citizenship and good deeds by emphasizing a drug-free and healthy active lifestyle. In a time when it has become so easy for children to make unhealthy choices, this program is a much needed reminder to our kids of the importance of fitness.

I also want to highlight Just Run's involvement in supporting the new initiative in Monterey County called HELP (Healthy Eating Lifestyle Principles) that works towards including more healthy fruit and vegetables in school lunch programs as well as an increased role for physical activity in school. The Central Coast is an ideal area for the implementation of this policy because of the abundance of fresh produce cultivated within the 17th district. Students learn that eating fresh fruits and vegetables, in addition to participating in the Just Run program are both steps in the right direction to fostering a healthier lifestyle.

Mr. Speaker, I commend the Just Run program and its affiliates for their outstanding work whose benefits will be reaped throughout our community.

IN CELEBRATION OF THE DELIVERY OF THE 28TH AND FINAL M31 MARINE CORPS EXPEDITIONARY ARRESTING GEAR SYSTEM TO THE UNITED STATES MARINE CORPS

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. WELDON of Pennsylvania. Mr. Speaker, today, June 15, a celebration is being held in Aston, Pennsylvania, marking the delivery of the 28th and final M31 Marine Corps Expeditionary Arresting Gear System, MCEAGS, to the United States Marine Corps.

Initial production of the Expeditionary Arresting Gear started in March of 2002 and the final delivery of the one on June 15 will provide the Marine Corps full operational capability for the Expeditionary Arresting Gear. The M31 Arresting Gear is now employed worldwide, including operations in Iraq. The great news is that the contractor, Engineered Arresting Systems Corporation, ESCO, delivered all these systems on schedule and under cost.

The M31 program is unique and a great success story. Designed and developed under an integrated product team arrangement, the Marines, NAVAIR Lakehurst and the contractor have produced equipment that demonstrated meeting Marine Corps requirements at government test facilities. Additionally, ESCO is providing all spare parts and logistics support for the system. Best of all—it works. It works very well. ESCO, in conjunction with its teammates of the M31 Integrated Product Team from NAVAIR Expeditionary Airfield Support Team at Lakehurst, NJ have been providing full logistics to the fielded M31 systems for the past 4 years. This team's support includes full system supply support, depot maintenance, continuing, engineering support and configuration management. A 5-year indefinite delivery, indefinite quantity contract was put in place in December 2005 to provide the above support through December 2010.

Mr. Speaker, the other great story is the teamwork between ESCO and the Naval Air

Systems Command Team. The support and dedication of personnel from both NAVAIR, Lakehurst, New Jersey and Patuxent River, Maryland cannot be overemphasized. Both the military and civilian government employees have played a very active and crucial role in the development, production, fielding and support of the M31 Expeditionary Arresting Gear System.

This program is a model program for the entire Department of Defense to emulate. Congratulations to ESCO and the Naval Air Systems Command for a job "well done."

CALLING FOR AN END TO IMPUNITY FOR PREDATORS OF PRESS FREEDOM

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 15, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to mark the 18-month anniversary of a tragic event that is symptomatic of the deterioration of press freedom in the Gambia and elsewhere.

On December 16, 2004, one of the most respected journalists in West Africa, Deyda Hydara, was shot in the head and chest by unidentified gunmen. He died instantly, but the repercussions of his murder sent a shock wave through media and human rights advocates throughout the region. Mr. Hydara co-founded the Gambia's first independent newspaper and served as a foreign correspondent for a French newspaper and the media rights organization, Reporters Without Borders.

Hydara's murder is just one incident in an alarming crackdown by Gambian authorities on the independent press. In July 2002 the government passed legislation requiring journalists and media organizations to register with a media commission for one-year renewable licenses. In September 2003, Hydara and three other independent journalists filed a lawsuit challenging the law in a case that is still pending before the Gambian Supreme Court.

Two days before Hydara's murder, the Gambian National Assembly passed a new round of repressive media legislation that imposed mandatory prison terms of six months to three years for any published work judged to be "seditious" and increased the scope of what might be deemed libelous. Hydara and other independent journalists had publicly opposed the law and Hydara had published an editorial denouncing it the day before he was killed.

In the 18 months that have elapsed since Deyda Hydara was killed, Gambian authorities have ignored calls for a thorough investigation into his murder. It is widely believed to have been politically-motivated and related to a string of similar attacks. Meanwhile, at least 3 journalists are currently detained in Gambia in violation of regional and international human rights law. I will be sending a letter to Gambian President, Mr. Yahya Jammeh, urging him to appoint an independent board of inquiry to investigate the murder of Deyda Hydara and improve protections for journalists and the principle of press freedom in his country. I would like to submit this letter for the RECORD.

Resistance to impunity is essential to maintain civil peace and demonstrate a commitment to democratic values. In a time when repeated anonymous attacks against media professionals have created tense relations between the state and the media in many countries, Deyda Hydara's unrequited murder is deeply worrisome to those who are committed to democracy and justice in Africa. I hope that the Gambian Government will take this occasion to reverse its record on press freedom and set an example for the rest of the region.